

## Androlewicz, Kathleen

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**To:** McLaughlin, Beth  
**Subject:** RE: Public Comment in Support of Judge Stephen R. Brown

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**From:** Abby Brown <[abbybrown@parsonsbehle.com](mailto:abbybrown@parsonsbehle.com)>  
**Sent:** Tuesday, October 29, 2024 9:52 AM  
**To:** McLaughlin, Beth <[bmclaughlin@mt.gov](mailto:bmclaughlin@mt.gov)>  
**Subject:** [EXTERNAL] Public Comment in Support of Judge Stephen R. Brown

Hon. Chief Justice Mike McGrath  
Montana Supreme Court  
c/o Beth McLaughlin, Office of the Court Administrator  
[bmclaughlin@mt.gov](mailto:bmclaughlin@mt.gov)

**Re: Nomination of Stephen R. Brown as Chief Water Judge**

Your Honor:

I submit this letter in support of Stephen R. Brown's appointment as Chief Water Judge of the Montana Water Court. Judge Brown is exceptionally well-suited for this position.

I am a water attorney in private practice who regularly appears in front of the Montana Water Court and in water administration/enforcement matters before state district courts. As such, I have had the privilege of appearing in front of Judge Brown on a multitude of matters. I have also been opposing counsel to Judge Brown during his time as a private practice water attorney that preceded his appointment to the bench.

In his current role as Associate Water Judge, Judge Brown is knowledgeable on the substantive and the procedural issues, well-prepared for each proceeding, and fair-minded in his approach to the litigants, whether licensed attorney or self-represented person. Judge Brown's courtroom demeanor is always respectful of members of the bar, holding each member to the same standards of conduct and expectations. Importantly, Judge Brown does not shy away from making difficult decisions in cases where available evidence is limited or lost to history, little to no precedent exists, and the decision is tethered to complex procedural and jurisdictional issues that also require resolution.

It is Judge Brown's experience as a private practice attorney—representing Montana water users—that makes him an exceptional candidate for Chief Water Judge. Judge Brown's abilities to address matters on his docket efficiently and effectively underscores his deep experience in both substantive water law and the practice of litigating water rights matters in the Water Court, the district courts, and administrative agency proceedings. His judicial approach is not merely academic: it is grounded in an understanding that only comes from the hours spent counseling water users on limited budgets about their options, digging through historical documents, negotiating with opposing counsel, and trying to piece together a patchwork of ancient documents with fading memories of historical water use. Understanding how a case arrives at the Water Court for a decision, and that a Water Court decision is often just the beginning for a water rights matter, is critical knowledge for an effective Water Court judge. Judge Brown unequivocally demonstrates that he holds this understanding.

I recommend Judge Brown for appointment as Chief Water Judge without reservation.

Respectfully,

Abby Brown



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