

DE DIE IN DIEM

The Newsletter of the Western Montana Bar Association

April 2016



President's Message from Travis Dye:

So what's with the pictures? You've probably noticed that I have not been using the standard professional shot with the President's Messages this year. The only professional lawyer shot I have is several years old, so I didn't want to use it lest I look like I'm trying to appear younger than I am. I contemplated putting on a suit and having a new picture taken, but, as some of you may know, I have a bit of an aversion to suits. Yeah, I know, wrong profession. In the end, I decided we frequently see each other in our professional capacities, but rarely do we see one another in our everyday lives. That lawyer sitting next to you in the courtroom or the conference room might share some of the same interests as you, but you don't know it. So I decided to use pictures of me with my family doing some of the things we like to do outside of work and school. I hope you've enjoyed them.

So what's with this picture? This is one of my favorite pictures of my son Ciaran (on the right) and his good buddy Reed, who happens to be the son of Hannah Stone, Vice President and President-Elect of the WMBA. Ciaran and Reed were born just a few months apart and have been hanging out together since both were babies. They now attend the same school, live a block apart, and, in many ways, are like brothers. On the day last spring when Hannah took this picture, we were having a barbeque and the adults were doing what adults do, which Ciaran tells me sounds like this: "blah, blah, blah...." As my wife will readily tell you, I have any number of projects going around our house that generally fall between "just getting started" and "about halfway done." These projects often involve digging a hole here or tearing out some grass over there, which leaves patches of dirt and piles of rock throughout the yard. But what causes the neighbors to roll their eyes like Todd and Margot in Christmas Vacation is a bonanza for kids. On this day, the patch of dirt became a racetrack and then a lake. And then one of the kids, I don't remember which one, decided to try a mud beard. The mud beard led to mud arms and mud legs and, later, muddy houses. As you can tell from the picture, the kids had a great time.

For me, the picture captures the pure joy and spontaneity of childhood. I'm pretty sure the initial thought of all the parents was, "Oh, please don't. You're going to make a mess." But as the father in Risky Business said, "Sometimes you just gotta say 'what the heck.'" (I know there was another version of this saying that was more prevalent in the movie, but we try to keep this thing at least PG-rated). We let

Don't Miss — Lunch and WMBA's Second Annual Grace Period CLE— Thursday, April 21!

12:00 p.m.—4:00 p.m.

Evidence

- Brian Smith & Melissa Hartigan
- Professor Ford
- Justice Jim Shea

3 CLE credits pending

\$60 for WMBA members, \$70 for non-members.

Inside:

President's Message	1-2
Pro Bono Update	2
Announcements/Ads	3-5

Continued on page 2

President's Message**(cont.)**

the kids get dirty, they had a great time, and we have a great memory and, thanks to Hannah, a great picture.

We all lead pretty structured lives. We have appointments, meetings and deadlines during the day; engagements during the evenings; and all those things to get done on the weekends. For those of us with kids, you can throw playdates, practices and lessons into the mix. In the end, you can feel like you're running from one thing to the next and putting out small fires everywhere. For better or worse, kids are much better at just doing rather than planning and scheduling. I use this picture to remind me that sometimes you really need to say "what the heck," because the best moments can often be those we just let happen.

To shift gears, I'd be remiss if I did not mention the passing of several individuals who practiced in the WMBA's membership area or who taught at or attended UM Law: Lester Rusoff, David Patterson, David Stenerson, Gary Henricks and Marshall Pablo. Lester Rusoff was a professor at UM Law for more than 30 years beginning in the 1950s. Lester pre-dated my time at UM Law, but I'd imagine there are many members who had him for any number of classes, as he taught a variety - from tax to contracts to property. David Patterson was perhaps best known for teaching Professional Responsibility and Family Law during his lengthy career at UM. For those of us who had him as a professor, he was also known for his sense of humor and for any number of Pattersonisms that were jotted in the margins of outlines that were handed down from class to class. David Stenerson was the Regional Deputy Public Defender for Missoula, Ravalli and Mineral Counties. He was known as a tireless and fierce advocate for equal access to justice and people accused of crimes who were unable to afford to hire an attorney. On the other side of the bar, Gary Henricks was a long-time attorney with the Missoula City Attorney's Office. In my dealings with Gary, he was tough, but fair, and had an excellent wit. Marshall Pablo was a second-year law student at UM. While I did not know Marshall, based on his past accomplishments, he was destined to do well and make a difference wherever he ended up. Our sincere condolences go out to the families and friends of these individuals.

Travis Dye is a partner at Kalkstein, Johnson & Dye. Outside of work, he enjoys playing soccer, hiking, biking and hanging out with his family.

Pro Bono Program Update:

Placements:

- Mediations: 2
- Limited Scope Representation 2
- Full Representation: 3

Attorneys with Active pro bono Cases: 53

Attorneys Available to Take a pro bono Case: 642

Clients Served at March clinic: 11

Closed pro bono Cases: 10

A huge thanks to Gift Card Winner, Jolyn Eggert!

LAW WEEK CALENDAR OF EVENTS

MONDAY, APRIL 18, 2016

12:00 – 1:00 p.m. – Justice for Some **Free CLE (approved for 1 ethics Credit)**, MLSA – Room 101 Contact: Angie Wagenhals

3:30 – 4:30 p.m. – Access to Justice Commission's Law School Partnerships Committee (AJCLSPC) Focus Groups – Castles Room 15 - Hillary Wandler

4:35 – 5:35 p.m. – AJCLSPC – Focus Groups - Castles Room 15 - Hillary Wandler

5:40 – 6:40 p.m. – AJCLSPC – Focus Groups - Castles Room 15 - Hillary Wandler

TUESDAY, APRIL 19, 2016

12:00 – 1:00 p.m. – Limited Scope Representation and Access to Justice **Free CLE (1 Ethics Credit pending)**, Mars Scott, esq. and Shannon Hathaway, esq. – Room 219 – Contact: Jordan Gross

3:30 – 4:30 p.m. – Access to Justice Commission's Law School Partnerships Committee Focus Groups – Castles Room 15 - Hillary Wandler

4:35 – 5:35 p.m. – AJCLSPC – Focus Groups - Castles Room 15 - Hillary Wandler

5:40 – 6:40 p.m. - AJCLSPC – Focus Groups - Castles Room 15 - Hillary Wandler

WEDNESDAY, APRIL 20, 2016

12:00 – 1:00 p.m. – Access to Justice - Family Law **Free CLE (1 Credit pending)**, Prof. Cynthia Ford – Room 101 – Contact: Jordan Gross

4:00 – 8:00 p.m. – Access to Justice Commission – Room 101 – Contact: Hillary Wandler

5:00 -7:00 p.m. - MLSA Low Income Clinic - Castles & Castles rooms 15-19 –Contact: Angie Wagenhals

THURSDAY, APRIL 21, 2016

10:20 a.m. – 12:00 p.m. – Access to Justice - Veterans Law **Free CLE (1 Credit pending)**– Room 101 – Contact: Hillary Wandler

FRIDAY, APRIL 22, 2016

9:00 a.m.—Montana Supreme Court Oral Argument—University Center Ballroom

Upcoming WMBA

Family Law Pro

Bono Clinics:

April 20, 2016

May 18, 2016

June 15, 2016

If you want to volunteer, please contact Alex Clark at coordinator.wmba.pro.bono@gmail.com or 543-8343, ext. 220

UPCOMING EVENTS:

- **APRIL LUNCHEON AND EVIDENCE GRACE PERIOD CLE, 4/21 12:00 P.M. – 4:00 P.M., 3 CLE CREDITS PENDING**
- **MAY LUNCHEON, THURSDAY 5/19— JUDGE DANA CHRISTENSEN—FEDERAL COURT UPDATE**

Announcements, questions, advertising inquiries:

De Diem In Diem is published monthly by the Western Montana Bar Association. It is designed and edited by the WMBA Secretary, in conjunction with the WMBA Board. For announcements, questions and advertising inquiries, contact Beth Hayes, at secretary@westernmtbar.com. The WMBA is not responsible for the content of any announcement or advertisement. The WMBA does not support or oppose any candidate for public office or public official. For advertisements and announcements, please provide at least one week advanced notice. Thank you.



Montana Supreme Court Access to Justice Commission
PRESENTS

ACCESS TO JUSTICE FORUM SERIES

A series of statewide public discussions about civil legal services for low-income Montanans

Wednesday, April 20

4 p.m. – 6 p.m.

Alexander Blewett III School of Law at the University of Montana
32 Campus Drive, Room 101
Missoula, Montana

“Access to Justice” refers to improving and expanding access and eliminating barriers to our civil justice system (the network of courts and legal processes that enforce, restore or protect private and personal rights) for low and moderate income people to ensure that our justice system is truly available to all.

More than 150,000 Montanans (about 15%) live at or below the poverty level. Tens of thousands more exist barely above the poverty line. Many of these vulnerable citizens have acute legal needs. Unfortunately, the security and services of our legal system are lost to most living in poverty only because they are poor. Unmet legal needs contribute to the cycle of poverty.

Access to Justice is not just a legal problem, it is a community problem. This forum brings together community programs and access to justice leaders to continue the discussion of the legal, social and ethical issues that bear upon accessing our legal system – and specifically how they impact your community. Unmet legal needs of your citizens can affect many areas of life and so too the programs and service they utilize. Indeed, a community problem requires a community solution.

Why should you attend? Your attendance may be connected to involvement in community programs/organizations or perhaps with government or legal related professions and services. Maybe you or someone you know is one of low-income Montanans who face barriers in accessing our legal system. We hope you are someone who will want to be part of a bigger plan in meeting the needs for civil legal services to the poor in Montana. You will learn about how access to justice impacts you, your community and your organization.

The Forum format includes presentation of information from speakers to a Listening Panel. Speakers include legal, social and program service providers together with recipients of services and volunteers your community. The Listening Panel is comprised of Montana Supreme Court Chief Justice Mike McGrath, 4th District Court Judge Leslie Halligan, Tribal Chief Judge Winona Tanner, Alexander Blewett III School of Law Dean Paul Kirgis, Court of Limited Jurisdiction Judge Karen Orzech, Representative Kim Dudik, and Representative Ron Ehli, among others. There will be a period of public comment following presentations. Those wishing to speak are asked to complete a comment card. Time constraints require us to limit public comment to two or three minutes per speaker.

Questions: Call Patty Fain, 406-794-7824 or email pfain@mt.gov.



(800) 367-2577 | www.alpsnet.com



ALPS

STATE BAR OF MONTANA
Serving the people of Montana and their attorneys

- More Montana lawyers trust ALPS than any other carrier
- Founded by lawyers for lawyers, in partnership with the State Bar of Montana
- Montana lawyer input on policy features and risk management

ALPS is proud to be endorsed by more State Bars than any other carrier, including yours.