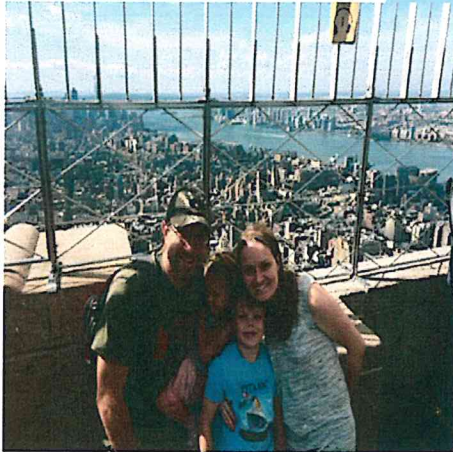


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The Newsletter of the Western Montana Bar Association

October 2016



President's Message from Hannah Stone:

Fall is underfoot and winter gave us its first sneak peak. The election is less than a month away (whew!) and pumpkins are showing up on doorsteps. School is back in force and the lazy days of summer are behind us once again. The welcome (or dreaded) parent-teacher conference is scheduled, and school is firmly back in session.

As lawyers we are in a unique position where our work requires us to get immersed in the facts of each case, dissecting every detail and learning everything about all the circumstances involved. . . No matter how bizarre. We might be tasked with determining what genetic defects can arise in standard poodle breeding or whether a dryer bolt caused a house fire. No client is completely predictable, no case without hidden wrinkles. We are never out of the classroom, we never stop learning.

With each case bringing new facts, details or nuances, I find most attorneys to be a wealth of off-the-wall facts and even better, hilarious stories. Deposition where opposing counsel was sent out to walk around the block to cool down? Yep. Intricacies of how a body cavity search can be improperly performed? Uh huh. We get tongue tied at inopportune times or repeatedly call the witness by his dead father's name. Ouch. And after time, we forgive ourselves... and then, we laugh.

In learning the ins and outs of each case, you would think we'd rule at Trivial Pursuit, but as each case closes another begins and we are thrust into a new unexplored arena requiring the former matter to be replaced with new facts, data and theory. Over time we can recall the big details, but tire design prototypes, prescription interactions and dates of tragedies are replaced with new facts, new people, and new questions. We are investigators, we are explorers, and we are life-long students in the school of law. And in each of these areas we are advocates.

This month you have the opportunity to learn about some issues that our legislature will be reviewing in the upcoming session. Kimberly Dudik, Nate McConnell, Cynthia Wolken and Ellie Hill will each give an overview of some expected bills and provide their perspective as attorneys working to change or create new laws in our great state. We hope to see you Thursday, October 20, 2016 at noon in the Florence building.

**Don't Miss — WMBA
Monthly Luncheon—
Thursday, October 20!**

Legal Perspectives from the Legislature

- Nate McConnell
- Ellie Boldman Hill-Smith
- Kim Dudik
- Cynthia Wolken

1 CLE credit pending.

WMBA Luncheons are the Third Thursday of each month at 12:00 p.m. in the Florence Building. \$15 for WMBA members, \$20 for non-members.

Please RSVP by Tuesday, 10/18 at 5:00 p.m.

Inside:

President's Message	1
News	2
Announcements/Ads	3-4
Membership Form	5

President's Message (cont.)

In writing this month's message I was looking over quotes that reminded me of the practice. "I never learned from a man who agreed with me" by Robert Heinlein certainly echoed many cases I've been involved in. But perhaps the Dude summed up those moments where words, rules or the facts fail: "'Yeah, well, you know, that's just, like, your opinion, man.'"

Hannah Stone has been an attorney with the Milodragovich, Dale and Steinbrenner law firm since 2010. Her civil litigation practice includes insurance defense, workers compensation and liquor liability. She and her husband, David Flores, keep busy trying to wear out their kiddos by biking, skiing, hiking and playing.



Planet Kids Supervised Visitation and Safe Exchange Center (Planet Kids) has been operated by YWCA Missoula since 2004. During this time, Planet Kids has provided safety, security, and supervised exchanges and visitation to parents and caregivers who, despite difficult circumstances often involving domestic violence and orders of protection, are trying to maintain positive relationships with their children and the children's other parent.

In early September YWCA Missoula received notice that the federal grant that funded Planet Kids was not renewed. The YWCA is taking steps to provide alternate funding to continue to provide these critical services for families but requires another \$60,000 to cover the 12-month period beginning November 1, 2016. The YWCA also is aggressively identifying and pursuing sustainable long-term sources of funding for Planet Kids and is hopeful that the emergency funding for the current year will allow it the time needed to establish stable funding for the future.

Since the YWCA's Planet Kids opened in 2004, Missoula courts alone have referred more than 500 families for services to ensure children's safety and security. Each year, more than 150 domestic violence victims and parents in families where domestic violence or child sexual abuse has occurred seek civil legal assistance. These proceedings often involve one or more pro se litigants, orders of protection, interim parenting plans, and dissolution of marriages. With its loss of the grant, Planet Kids is faced with reducing its days of operation from 6 days a week to the 3 busiest days each week (Friday, Saturday, and Sunday), all the while attempting to provide services to as many families as possible. The YWCA does not, however, have sufficient funding for the coming year even for these limited days of operation.

Planet Kids not only provides an important service to families but also to our courts and attorneys who want their clients and clients' children to have a safe place for supervised exchanges and visits in order to facilitate the best and safest outcomes during dissolution and parenting plan actions.

As attorneys and members of the YWCA Board of Directors, we are asking you to make a tax-deductible donation to the YWCA so it can provide the necessary emergency funding to support the services at Planet Kids for the next year. For more information or to donate please contact any one of us or Julie Maturen at jmaturen@ywcaofmissoula.org or 543-6691. To make a donation online go to <http://ywcaofmissoula.org/donate/> and designate your gift to Planet Kids.

Cynthia K. Thiel
Boone Karlberg, P.C.
Missoula Attorney

Jori L. Quinlan
Worden Thane, P.C.
Member of YWCA Board of Directors

Katie Carlson
Community Volunteer
Member of YWCA Board of Directors

Sally Weaver
Adjunct Professor
Alexander Blewett III School of Law
Member of YWCA Board of Directors

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.

The Western Montana Bar Association ("WMBA") periodically emails attorneys and other interested parties regarding upcoming events. To balance providing notice of relevant events while at the same time avoiding clogging our members inboxes, effective October 15, 2016, the WMBA will send email announcements to its members for non-WMBA events on the first and third Monday of each month (if requested), and only for events that are not for profit and that promote the mission of the WMBA as approved by the Board. These announcements can also be included in the WMBA's monthly newsletter. For all other events, ad space can be purchased in the WMBA's monthly newsletter. If you are not receiving announcements, please contact: president@westernmtbar.com. If you would like to inquire about purchasing ad space in the WMBA's newsletter, please contact: secretary@westernmtbar.com.

Upcoming WMBA**Family Law Pro****Bono Clinics:**

October 19, 2016

November 16, 2016

December 21, 2016

If you want to volunteer, please contact Xela Warmer at coordinator.wmba.pro.bono@gmail.com or 543-8343, ext. 200

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RUSSELL E. SMITH COURTHOUSE
201 E. BROADWAY
MISSOULA, MT 59802

MAILING ADDRESS:
P.O. Box 8537
MISSOULA, MONTANA 59807
TELEPHONE: 406-542-7260
FACSIMILE: 406-542-7272

September 29, 2016

COURT ANNOUNCEMENT

The United States District Court for the District of Montana is pleased to announce the selection of Mr. Timothy J. Cavan of Billings, Montana, to serve as the next United States magistrate judge in the Billings Division. Mr. Cavan was selected from among a highly qualified group of finalists compiled by a Court-appointed merit selection panel. He is currently an Assistant United States Attorney in Billings.

A lifelong Montanan, Mr. Cavan earned a bachelor's degree from Montana State University-Billings in 1981, and graduated with honors from the University of Montana School of Law in 1984. He began his legal career practicing civil trial law with the Billings firm of Sandall, Cavan & Smith, where he became a partner in 1988. From 1996 to 2002, he served as Assistant Federal Defender with the Federal Defenders of Montana, representing indigent defendants charged with federal crimes. Since 2002, Mr. Cavan has worked in his current position in the United States Attorney's Office, serving as defense counsel in cases involving civil claims against federal defendants. He has been active in various community organizations, and is a member of the Yellowstone County Bar Association, the Billings YMCA, Zoo Montana, Yellowstone Art Museum, and Yellowstone Public Radio. He and his wife Michelle have three children.

The District of Montana has three full-time magistrate judge positions, located in Missoula, Billings, and Great Falls. Mr. Cavan will become the fourth magistrate judge to serve on a full-time basis in the Billings Division. His appointment takes effect on December 2, 2016. He will succeed current United States Magistrate Judge Carolyn S. Ostby, who has announced plans to resign on December 1, 2016.



Western Montana Bar Association Membership Registration 2016-2017

The WMBA is now accepting applications and payment for the 2016-2017 membership year. The cost is \$25.00 per attorney for full membership in the WMBA from September 1, 2016 to August 31, 2017. Please complete the following form and return it to:

WMBA Treasurer
P.O. Box 7451
Missoula, MT 59807-7451

(Please print or type.)

Name: _____ x \$25.00

Firm: _____

Postal Address: _____

Street Address: _____

Telephone: _____

Email: _____

Additional Attorneys: *(for firm use – provide name and email address)*

_____ x \$25.00

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Please make your check payable to WMBA in the amount of: TOTAL \$.00