

Montana Supreme Court, Seat 2

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This is a hugely important race. Our focus will be on Jim Brown vs. incumbent Ingrid Gustafson.

This will take every conservative talking to their neighbor, she took Yellowstone County by 10,000 votes

Why is this race critical – Montana’s Supreme Court is known to be one of the most liberal-activist courts in America. The Roe v. Wade decision by the US Supreme Court actually makes Montana a **magnet for abortions because** of our Supreme Court’s interpretation of a clause in our constitution.

Jim Rice – is an incumbent. A conservative that we need to support. All of [Rice’s contributions](#) we have record of have been to Republicans.

All You Need to Know About Ingrid Gustafson in Eight Bullet Points.

The Trial Lawyers (Democrats) Have Owned this Supreme Court for Decades. In a recent letter, AG Austin Knudson’s Exposes this Court - all of these issues land **squarely in Ingrid Gustafson’s lap**: (You can read the complete letter [here](#))

- Leaked emails show that members of **this court routinely took positions** on bills during the 2021 legislative session coordinating with special interest groups behind the scenes.
- Members of the court and their taxpayer paid employees **actively lobbied against legislation** that increased **THEIR accountability** to the public.
- They have **let criminals back on the street**. They have upending decades of precedence regarding time served.
- The court **blocked a legislative subpoena** that sought to reveal the aforementioned behavior. 6 or the 7 failed to recuse themselves.
- They have legislated from the bench and overturned settled Law to **benefit criminals**.
- They went against legislative intent **regarding restitution**, making it harder for crime victims to be made whole by those who prayed on them.

- They have **lessened mandatory punishment** requirements.
- They have **undermined the legislatures authority** to determine punishment for crimes – setting criminals loose before they’ve served their time.

The conservative ivoterguide.com characterizes James Brown as an **Originalist** and Ingrid Gustafson as a **Proven Activists**.

Looking at James Brown

James is clearly the lone Conservative in this race. James’ web page is [here](#) .

Why is James running, in his words? *“Frankly there was no pro liberty candidate running for State Supreme Court this year. And so, I jumped in.”* The history here is that the Montana Trial Lawyers Association spends hundreds of thousands of dollars in order to prop up Progressive candidates like Gustafson making it very difficult for conservatives to win.

Brown is endorsed by Montanans for Limited Government, [Senator Steve Daines](#), Governor Greg Gianforte, Congressman Matt Rosendale, the Montana Shooting Sports Association, Attorney General Austin Knudson, and the Montana GOP because they know he is a **true constitutional conservative**.

His early days: Brown grew up in Dillon, attended Beaverhead County High School, and graduated in 1994 with a double major in History and Political Science from the University of Montana. He earned his law degree from the Seattle University School of Law and his Masters in Tax Law from the University of Washington. Prior to attending law school, Brown worked six years in Washington D.C. as a Congressional Aide, including for U.S. Senator **Conrad Burns** of Montana.

Background and Goals: [“As a fourth-generation Montanan](#) whose family homesteaded in Beaverhead County in the 1880s and as a private practice attorney for the last 17 years, he represented and defended the interests of Montana’s farmers, ranchers, and small businesses—and he will take those same Montana values to the Supreme Court as your next justice. **A few of Browns statements:**

- **“I’m running to [preserve our rule of law](#), follow the Constitution, bring accountability back to the judicial branch, and to protect our Montana way of life.”**

- As a member of the Montana Supreme Court, I will work to bring consistency to the Court, to **avoid the appearance of conflicts** of interest, to **avoid legislating from the bench**, and to be an impartial judge.
- At a time when confidence in the judiciary is being shaken, I will work to **restore faith** in the rule of law.”

In his role as **Chairman of the Montana Public Service Commission**, Brown serves the **same role as judges** by deciding on legal matters and cases that come before the PSC for a decision.

Janes is former Council for the Republican Party

Litigated against both the state of Montana and the Federal Government in order to protect **First Amendment** Rights

Brown owns his own law firm, wherein he employs multiple Montanans. As a business owner, Brown understands what it means to **sign both the front and back of a paycheck**.

Brown is a **member of** the Leadership Montana program, the Montana Wool Growers Association, the Montana Shooting Sports Association, the Beaverhead Chamber of Commerce, and Montana Historical Society,

Looking at Ingrid Gustafson

Ingrid Gustafson is an incumbent. She is rated as a **Proven Activist** [by iVotersGuide.com](https://www.ivotersguide.com)

Ingrid Gustafson has [served](#) on the Montana Supreme Court since 2017 when she was appointed by Governor Steve Bullock. Prior to that, she presided over a general jurisdiction court serving for 14 years as a District Court Judge. Prior to taking the bench in 2004, Justice Gustafson practiced law for 16 years maintaining a broad-based private practice that included state and federal criminal defense, personal injury, and domestic relations cases. During her time as a Yellowstone County District Court judge, Gustafson was **the most recused judge by litigants**.

Ingrid says there is [no room for politics in the court room](#), the problem is what she does from the bench is **exactly the opposite** as you will see below.

In [one of her TV ads](#), a business owner says she is honest, ethical, and trustworthy. But the Montana Chamber of Commerce disagreed. (See below)

Notable recent shifting to get votes question: Why did Justice Ingrid Gustafson **recuse herself** from the court's decision **against firearms on campus?** Details: The Montana Supreme Court ruled against Montanan's Second Amendment right to carry a firearm on a college or university campus. However, Liberal Supreme Court Justice Ingrid Gustafson recused herself from the case.

However, she **did not recuse herself** when she was subpoenaed for her public emails. By ruling on the lawfulness of her own subpoena, she engaged in a clear **conflict of interest**. As the Bozeman Daily Chronicle put it “one fundamental fact remains: [you can't be the judge in your own case.](#)”

The Montana Chamber of Commerce gave her a 'D' grade on Business-related litigation <https://www.montanachamber.com/advocacy/montana-justice-coalition/>

Notable Problematic Cases:

- [Gustafson wrote *Espinoza v. Montana Department of Revenue*](#) (2018): **Wrote concurrence.** The case was over a program which "provide[d] a taxpayer a dollar-for-dollar tax credit based on the taxpayer's donation to a Student Scholarship Organization (SSO). SSOs fund tuition scholarships for students who attend private schools meeting the definition of Qualified Education Provider (QEP). The Department of Revenue later adopted Rule 1, **excluding religiously-affiliated private schools** from qualifying as QEPs, **(The US Supreme Court reversed this)**
- [Weems v. State](#) (2019): **Signed** Justice Baker's majority opinion. Held that Weems and Doe had standing to bring a suit against a law excluding their professions from providing abortions. (**Expanded who could administer abortions**, see [more here](#))
- [McLaughlin v. Montana State Legislature](#) (2021): **Signed** Justice McKinnon's majority opinion. Held that the legislature's motion to disqualify all members of the Montana Supreme Court was denied (16)... **The court's duty would be compromised if it stepped aside for every case involving separation of powers.** This was a case of the Legislature vs. the Court. (Read more [here](#)) 7