



Administrator

Kris Hansen

Natural Resource
Damage Program

Prosecution
Services Bureau

Civil Bureau

Appellate Bureau

Agency Legal
Services

Office of
Consumer
Protection



Dan Guzynski



Stuart Segrest



Tammy Plubell



John Melcher



Mark Mattioli

Administrator

Agency Legal Services

Appellate Services

Civil Services

Prosecution Services

Office of Consumer Protection

Administrative Support

Criminal Appeals

Constitutional Challenges

Child Protection Unit

Victim Services / Crime Victim Compensation

Dependent Neglect / Youth in Need of Care Appeals

Water Abandonment cases

Sexual Assault Protection Unit

Tobacco Litigation

State Habeas

Special Prosecutors: FWP; State Fund; TSRP

Charities & Non-Profits

Federal Habeas

Capital Committee

State Appeals Committee

Helena (HQ)

All Bureau Chiefs

Prosecution Services

Civil Bureau

Appellate Bureau

Office of Consumer Protection

Missoula

Child Protection Unit Agency Legal Services

Natural Resource Damages

(Administratively Attached)

Billings

Child Protection Unit

ITEMS OF INTEREST OF OUR DIVISION

- The Legal Services Division operates as the in-house law firm for the State of Montana
 - Primary duties/obligations
 - Defend the constitutionality of State laws
 - Represent the State on all criminal appeals
 - Prosecute serious felonies at request of County Attorneys
 - Consumer Protection and Victim Services
 - Provide advice and legal services to State agencies
-

CIVIL BUREAU

Defend the constitutionality of State laws

PIERCE V. STATE

- Issue: The case challenged Montana's statutory requirements for ballot petition signature gatherers on First and Fourteenth Amendment bases. Montana requires petition signature gatherers to be Montana residents and prohibits payment per signature for the number of signatures gathered.
- Litigation: The complaint was filed May 9, 2018 and was amended July 19, 2018. Three bureau attorneys and one paralegal investigated the claims and plaintiffs, completed numerous depositions in discovery and eventually filed a motion for summary judgment while simultaneously defending plaintiffs' discovery and a counter motion for summary judgment.
- Result: The U.S. District Court upheld Montana's statutory requirements, finding that the plaintiffs had failed to present credible, substantial evidence supporting the challenge. On the last day possible plaintiffs filed a motion to amend or vacate that judgment, which was denied on February 3, 2021.

APPELLATE BUREAU

Represent the State on all criminal
appeals

Barrus v. Mont. First Judicial Dist. Court, 2020 MT 14

Lloyd Barrus was charged with five serious felony offenses, including Deliberate Homicide, after he shot and killed a Broadwater County Sheriff's Deputy and shot at several other officers on a dangerous highspeed chase through multiple counties.

- An evaluator deemed Barrus unfit to proceed to trial.
- Barrus refused to take medication to regain fitness.
- A District Court Judge authorized the involuntary administration of medication so Barrus could regain fitness and proceed to trial.
- Barrus filed a writ before the Montana Supreme Court.

The State, represented by the Appellate Services Bureau, prevailed on the writ. Barrus has now regained his fitness and his trial is set in September 2021.

Without involuntary medication, the State would not be able to bring Barrus to trial and hold him accountable for his crimes.

If Barrus is convicted, Appellate Services Bureau will handle his possible appeal, postconviction appeal, and federal habeas

Appellate Services Bureau played an important role in this case *before* a conviction.

PROSECUTION SERVICES BUREAU

Prosecute serious felonies at the
request of County Attorneys

STATE V. DANIELLE WOOD

Danielle Wood was charged with deliberate homicide after killing her daughter's father while in the midst of a contentious and lengthy custody battle. Murder weapon was never recovered.

Location: Thompson Falls, MT (Sanders County)

Investigated by: Division of Criminal Investigation Bureau

Prosecuted by: Prosecution Services Bureau

- 100s of hours spent on pretrial preparation
- Over 200 exhibits admitted by the State
- 30 witnesses called by the State to testify
- 11 day trial (including jury selection and deliberations)

A Sanders County jury of 12 CONVICTED Danielle Wood of deliberate homicide on Friday, January 29, 2021 after 7 hours of deliberations.

OFFICE OF CONSUMER PROTECTION

Responds to and enforces Montana's consumer protection laws & regulations relating to unfair and deceptive business practices

GENERIC DRUGS ANTITRUST LITIGATION

- Lawsuits stem from a massive investigation in the U.S. generic drugs market.
- Possibly the largest domestic corporate cartel case in U.S. history.
- Allegations include an overarching conspiracy to fix prices and allocate markets.
- Combined, the lawsuits focus on over 200 drugs, prescribed for treatment in a range of diseases and conditions.
- The Defendants include over two-dozen corporate defendants and over two-dozen individuals.
- Three lawsuits are currently being litigated in the E.D. of Pennsylvania.



AGENCY LEGAL SERVICES

- Agency Legal Services Bureau (ALS) provides legal counsel to state government officials and state agencies.
- ALS represents other state agencies in civil actions ranging from liability lawsuits to personnel issues.

