

1/17/2024

Clerk, U.S. District Court
District of Montana
Missoula Division

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA

In Re: APPOINTMENT OF A
MERIT SELECTION PANEL FOR
UNITED STATES MAGISTRATE
JUDGE

AMENDED ADMINISTRATIVE
ORDER 24-1

Pursuant to Vol. 3, Ch. 4, §§ 420.30 and 420.60.30(b) of the *Guide to Judiciary Policy* (the “*Guide*”), IT IS HEREBY ORDERED that a merit selection panel (the “panel”) shall be convened to consider the reappointment of United States Magistrate Judge Timothy J. Cavan to another eight-year term upon expiration of his current term on November 30, 2024. The following provisions shall apply to the work of the panel:

1. Membership: The following individuals are appointed to the panel:

Brianne McClafferty
Holland & Hart LLP
Attorney Member
Billings, MT

Gillian Gosch
Federal Defenders of Montana
Attorney Member
Billings, MT

Colin Gerstner
Gerstner Adam Law
Attorney Member
Billings, MT

Cyndee Peterson
Assistant United States Attorney
Attorney Member
Missoula, MT

Harlan Krogh
Crist Krogh Alke & Nord PLLC
Attorney Member
Billings, MT

Hon. David Roundstone
Northern Cheyenne Court
Community Member
Lame Deer, MT

Margaret MacDonald
Community Member
Billings, MT

Brianne McClafferty shall serve as chair of the panel and shall schedule and preside over all meetings of the panel.

2. Notice: All merit selection panel members have been advised in writing of the one-year prohibition on merit selection panel members applying to serve as a United States magistrate judge, as set forth in Vol. 3, Ch. 4, § 420.30.20(d) of the *Guide to Judiciary Policy*.

3. Procedure: The chair of the panel shall issue a public notice announcing the court's consideration of Judge Cavan's reappointment and soliciting comments from members of the Bar and the public as to his good character, judgment, legal ability, temperament, and commitment to equal justice under the law. The chair shall determine the process by which the panel appraises Judge Cavan's performance.

After consideration of information before it, the panel shall report to the court whether it recommends Judge Cavan for reappointment to an additional term of office. Such report and recommendation shall be delivered to the Court by April 9, 2024.

4. Meetings and Travel: The panel may hold any necessary meetings remotely or in-person, at the discretion of the panel chair. Federal law states that panel members who are required to travel for meetings are allowed travel or transportation expenses (mileage, accommodations, etc.) and subsistence while in travel status. The rates of reimbursement are the same as those provided to federal employees.

5. Administrative Support: The clerk of court shall assist the chair in the panel's review by performing such administrative tasks as are necessary, including but not limited to arranging for the publication of notices, disseminating materials to panel members, making arrangements for telephonic conferences and/or meetings, requesting travel authorizations from the Administrative Office of the United States Courts for any travel by panel members, and processing reasonable claims for reimbursement.

6. Confidentiality: All information made available to the members of the panel in the performance of their duties must be kept in strict confidence by the panel and the Court. The chair shall direct the members of the panel concerning the disposal or retention of information subject to the confidentiality requirement.

IT IS FURTHER ORDERED that the clerk of court shall distribute this order to the judicial officers of this district and the Administrative Office of the United States Courts and publish this order on the court's public website.

Dated this 17th day of January, 2024.

A handwritten signature in blue ink that reads "Brian Morris". The signature is written in a cursive style with a horizontal line at the end.

Brian Morris, Chief Judge
United States District Court