

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA

AUG 02 2019

Clerk, U.S. District Court
District Of Montana
Missoula

In re: Assignment of Cases

STANDING ORDER No. DLC-45

IT IS HEREBY ORDERED that effective August 3, 2019, Standing Order DLC-40, which has governed case assignments in the District of Montana, is withdrawn.

IT IS FURTHER ORDERED that effective August 3, 2019, this Standing Order shall govern all case assignments for all matters filed in the divisions of this district:

1) Assignment of Cases Relating to Certain Voting, Electoral, and Constitutional Matters: Regardless of the division of filing, any civil case involving reapportionment, voting rights, campaign finance or disclosure laws, or otherwise relating to elections is to be assigned by random draw from among the following judicial officers: Chief District Judge Dana L. Christensen, District Judge Brian Morris, District Judge Susan P. Watters, Senior District Judge Sam E. Haddon, Senior District Judge Donald W. Molloy, Senior District Judge Charles C. Lovell, Magistrate Judge Timothy J. Cavan, Magistrate Judge Kathleen L. DeSoto,

and Magistrate Judge John T. Johnston.

2) Assignment of cases to United States Magistrate Judges:

The provisions for allocation of civil cases set forth in Paragraphs (3) through (7) of this Order shall not apply to those types of actions listed in Rule 72.2(a)(1) of the Local Rules of Procedure for the District of Montana. Any action of the types listed under Local Rule 72.2(a)(1) shall be assigned to magistrate judges as follows: For cases venued in the Billings Division, Magistrate Judge Timothy J. Cavan shall be assigned; for cases venued in the Great Falls or Helena Divisions, Magistrate Judge John T. Johnston shall be assigned; for cases venued in the Butte or Missoula Divisions, Magistrate Judge Kathleen L. DeSoto shall be assigned.

Unless the parties consent to the jurisdiction of a magistrate judge pursuant to 28 U.S.C. § 636(c), in any instance in which a United States magistrate judge is assigned a case under any paragraph of this Order, the following district judges shall preside: For cases venued in the Billings Division, District Judge Susan P. Watters shall be the presiding district judge; for cases venued in the Great Falls or Butte Divisions, District Judge Brian Morris shall be the presiding district judge; for cases venued in the Missoula Division, Chief District Judge Dana L. Christensen shall be the presiding district judge; and for cases venued in the

Helena Division, the presiding judge duties shall be randomly assigned to either Judge Christensen or Judge Morris, such that each judge will preside over one half (1/2) of such cases.

3) Billings Division: Excepting those cases described in Paragraph 1 and in Local Rule 72.2(a)(1), civil cases filed in the Billings Division shall be assigned to District Judge Susan P. Watters and Magistrate Judge Timothy J. Cavan in accordance with the Local Rules of Procedure. The random assignment of such cases, except as otherwise provided by statute, shall be done such that one third (1/3) of the civil cases filed shall be assigned to Judge Watters and two thirds (2/3) to Judge Cavan.

Criminal cases filed in the Billings Division shall be assigned to Chief District Judge Dana L. Christensen and District Judge Susan P. Watters on a random basis, such that one fifth (1/5) of the criminal cases filed shall be assigned to Judge Christensen and four fifths (4/5) to Judge Watters.

4) Butte Division: Excepting those cases described in Paragraph 1 and in Local Rule 72.2(a)(1), civil cases filed in the Butte Division shall be assigned to District Judge Brian Morris, Senior District Judge Sam E. Haddon, and Magistrate Judge Kathleen L. DeSoto in accordance with the Local Rules of Procedure. The random assignment of such cases, except as otherwise provided by statute, shall be

done such that one quarter (1/4) of the civil cases filed shall be assigned to Judge Morris, one half (1/2) to Judge Haddon, and one quarter (1/4) to Judge DeSoto.

Criminal cases filed in the Butte Division shall be assigned to Chief District Judge Dana L. Christensen.

5) Great Falls Division: Excepting those cases described in Paragraph 1 and in Local Rule 72.2(a)(1), civil cases filed in the Great Falls Division shall be assigned to District Judge Brian Morris and Magistrate Judge John T. Johnston in accordance with the Local Rules of Procedure. The random assignment of such cases, except as otherwise provided by statute, shall be done such that three fourths (3/4) of the civil cases filed shall be assigned to Judge Morris and one fourth (1/4) to Judge Johnston.

Criminal cases filed in the Great Falls Division shall be assigned to District Judge Brian Morris.

6) Helena Division: Excepting those cases described in Paragraph 1 and in Local Rule 72.2(a)(1), civil cases filed in the Helena Division shall be assigned to Senior District Judge Sam E. Haddon and Senior Judge Charles C. Lovell in accordance with the Local Rules of Procedure. The random assignment of such cases, except as otherwise provided by statute, shall be done such that one half (1/2) of the civil cases filed shall be assigned to Judge Haddon, and one half (1/2)

to Judge Lovell.

Any criminal case filed in the Helena Division in which any of the following statutory offenses is charged shall be assigned to Senior Judge Charles C. Lovell:

18 U.S.C. §§ 116, 117, 2241–2245, 2251–2258B, 2251A, 2252, 2252A, 2252B, 2252C, and 2253.

Collectively, criminal case assignments in the Helena Division shall be made such that one half ($1/2$) of the criminal cases filed shall be assigned to Senior District Judge Sam E. Haddon, and one half ($1/2$) to Judge Lovell.


7) Missoula Division: Excepting those cases described in Paragraph 1 and in Local Rule 72.2(a)(1), civil cases filed in the Missoula Division shall be assigned to Chief District Judge Dana L. Christensen, Senior District Judge Donald W. Molloy, and Magistrate Judge Kathleen L. DeSoto in accordance with the Local Rules of Procedure. The random assignment of such cases, except as otherwise provided by statute, shall be done such that fifteen thirty-seconds ($15/32$) of the civil cases filed shall be assigned to Judge Christensen, thirteen thirty-seconds ($13/32$) to Judge Molloy, and one eighth ($1/8$) to Judge DeSoto.

Criminal cases filed in the Missoula Division shall be assigned to Chief District Judge Dana L. Christensen and Senior District Judge Donald W. Molloy on a random basis, such that seven twelfths ($7/12$) of the criminal cases filed shall

be assigned to Judge Christensen and five twelfths (5/12) to Judge Molloy.

The clerk shall immediately inform all divisional offices, the judicial officers of this district, and the United States Probation Office of the entry of this Standing Order.

DATED this 2nd day of August, 2019.



Dana L. Christensen, Chief Judge
United States District Court