

ORIGINAL

FILED

03/09/2022

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: AF 09-0688

IN THE SUPREME COURT OF THE STATE OF MONTANA

AF 09-0688

FILED

MAR 08 2022

Bowen Greenwood
Clerk of Supreme Court
State of Montana

IN RE THE RULES OF PROFESSIONAL
CONDUCT

ORDER

At the request of the Montana Legal Services Association (MLSA), and in recognition of MLSA's desire to continue and expand the Montana Eviction Intervention Program to assist clients facing eviction, we issue the following Order to clarify M. R. Pro. Cond. 1.8(e). Our interpretation of Rule 1.8(e), which prohibits lawyers from providing financial assistance to a client in connection with pending or contemplated litigation, except in specific circumstances, also includes the following:

When a non-profit organization providing free legal aid to indigent clients has received donations or other funding to provide humanitarian aid to persons in need, such as financial assistance to pay for housing, food, clothing, shelter, or transportation, the organization's use of such donation or other funding to provide humanitarian aid to its clients or clients' families shall not be deemed a violation of M. R. Pro. Cond. 1.8(e).

IT IS ORDERED that this clarification shall take effect immediately and shall remain in effect until further order of this Court.

This Order shall be posted on the Court's website. In addition, the Clerk is directed to provide copies of this Order and the attachment to the State Law Library, to Todd Everts, Shana Harrington, and Karl Krempel at Montana Legislative Services, to Bethany Ahrens and the Thomson Reuters Rules department at Thomson Reuters, to Patti Glueckert and the Statute Legislation department at LexisNexis, and to the State Bar of Montana, with the request that the State Bar provide notice of this clarification on its website and in the next available issue of the *Montana Lawyer*.

DATED this 8th day of March, 2022.


Chief Justice

Robert John

Daniel Moore

James John Brown

Angela Hasty

Deborah Smith

Jean Rice

Justices