

BEFORE THE COMMISSION ON PRACTICE OF THE
SUPREME COURT OF THE STATE OF MONTANA

* * * * *

IN THE MATTER OF)	
)	
GARRY D. SEAMAN,)	ODC File No. 22-133
)	
A Suspended Attorney,)	Supreme Court Cause No. PR 23-0694
)	
Respondent.)	
_____)	

FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDATION

Respondent's default was entered on February 2, 2024. Pursuant to Rule 12A(4), Montana Rules for Lawyer Disciplinary Enforcement, the allegations in the Complaint are deemed admitted. A hearing came before an Adjudicatory Panel of the Commission on Practice on April 9, 2024, to determine an appropriate form of discipline to impose or to recommend. The Office of Disciplinary Counsel was represented by Chief Disciplinary Counsel Pam Bucy. Respondent did not appear in person. Counsel who consented to accept service on Seaman's behalf advised he would not be present. Commission members participating in the Adjudicatory Panel were Mick Taleff, Chairperson, Brad Belke, Andres Haladay, Jean Faure, Troy McGree, Lois Menzies, and Dan O'Brien.

FINDINGS OF FACT

1. Garry D. Seaman ("Seaman"), was admitted to the practice of law in Montana in 1986, at which time she took the oath required for admission and agreed to

abide by the Rules of Professional Conduct, the Disciplinary Rules adopted by the Supreme Court, and the highest standards of honesty, justice and morality, including but not limited to, those set forth in parts 3 and 4 of Chapter 61, Title 3 7, Montana Code Annotated.

2. The Montana Supreme Court has approved and adopted the Montana Rules of Professional Conduct ("MRPC"), governing the ethical conduct of attorneys licensed to practice in Montana, which Rules were in effect at all times mentioned in the Complaint filed in this matter.

3. On August 21, 2023, Seaman pled guilty to one count of deliberate homicide, a felony, and one count of attempted deliberate homicide, a felony, in the Nineteenth Judicial District Court, Lincoln County, Cause No. DC 22-44.

4. On October 17, 2023, the court sentenced him to Montana State Prison for 60 years on each count, to run concurrently, with an 18-year parole restriction and credit for 501 days served.

5. On November 29, 2023, the Office of Disciplinary Counsel (ODC) petitioned the Montana Supreme Court, pursuant to Rule 23B of the Montana Rules for Lawyer Disciplinary Enforcement ("MRLDE"), for a determination as to whether Seaman should be suspended from the practice of law pending formal disciplinary proceedings.

6. The Montana Supreme Court concluded that Seaman's felony convictions for deliberate homicide and attempted deliberate homicide affect his ability to practice law.

7. On December 19, 2023, Seaman was placed on interim suspension from the practice of law in Montana.

8. On December 22, 2023, the Office of Disciplinary Counsel filed a Complaint against Seaman. As noted above, Seaman's default was entered February 2, 2024.

CONCLUSIONS OF LAW

Based upon the forgoing facts, the Commission reaches the following legal conclusions:

1. All jurisdictional and procedural requirements for these proceedings have been met.
2. All appeals from the conviction have been concluded or were not taken.
3. Seaman's conduct is a violation of MRPC 8.4(b), Misconduct.

RECOMMENDATION

The Commission recommends disbarment of Seaman. The gravity of the offenses for which he pleaded guilty is severe and no lesser form of discipline is deemed appropriate by the Commission.

Dated this 7th day of May 2024.

COMMISSION ON PRACTICE OF THE SUPREME
COURT OF THE STATE OF MONTANA

By


Ward "Mick" Taleff, Chairperson

CERTIFICATE OF SERVICE

I hereby certify that I served a true copy of the foregoing Findings of Fact,
Conclusions of Law, and Recommendation via electronic service on this 7th day of May
2024 to the following:

Pam Bucy
Chief Disciplinary Counsel
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Shelly Smith, Office Administrator

CERTIFICATE OF SERVICE

I, Shelly Smith, hereby certify that I have served true and accurate copies of the foregoing Other
- Other to the following on 05-07-2024:

Ward E. Taleff (Attorney)
300 River Drive North,
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GREAT FALLS MT 59401
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Electronically Signed By: Shelly Smith
Dated: 05-07-2024