

BEFORE THE COMMISSION ON PRACTICE OF THE SUPREME COURT

OF THE STATE OF MONTANA

FILED
4/7/2026

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

_____)	
IN THE MATTER OF)	
DOUGLAS W. MARSHALL,)	Supreme Court Case No: PR 0577
)	ODC File No. 24-136
An Attorney at Law,)	
)	ORDER
Respondent.)	
_____)	

Pending before the Commission is the Respondent’s motion in limine seeking to vacate the hearing set for this matter on April 15, 2026. The motion is supported by Respondent’s Declaration. The motion is opposed by the Office of Disciplinary Counsel. Having considered the motion and the ODC’s response, the motion is denied for the following reasons:

1. The motion is untimely.¹ The ODC correctly points out that the Complaint in this matter was filed on August 12, 2025. Respondent filed an Answer on September 12, 2025 and a scheduling conference was held on September 29, 2025, at which time the parties were advised the matter would be set for the Commission’s April hearing calendar at the Respondent’s request. The Standing Order on pre-hearing deadlines set the date by which a request for continuance at 15 days. That time frame is necessary to avoid time and expense to the Commission members, staff, the ODC and witnesses due to a tardy request. Good cause has not been shown here – or even claimed – for the delay.

2. A motion in limine is directed to evidentiary questions. A motion to vacate is a separate procedural request that is unrelated to evidence. However, even though the motion is an improper means to seek a continuance the Commission has nevertheless considered the substance of the request.

3. The Declaration contains numerous reasons in support of Respondent’s inability to attend the hearing but is lacking in foundation. No supporting

¹ Although the Certificate of Service indicates the Declaration was served on the undersigned on April 3, 2026, not only is the email address incorrect but filing is to be made with the Commission itself, not the Chair. Respondent incorrectly filed his pleadings with the Montana Supreme Court rather than the Commission as required. But for the courtesy of the Office of Disciplinary Counsel in alerting the Commission to the filings, the Commission would have been unaware of them.

medical reports have been provided, and the Declaration is deficient in establishing his inability to participate in the proceedings.

4. Respondent makes allegations of supposed Commission member bias for one Commission who is not a member of the Adjudicatory Panel hearing this matter. Ignoring the continued failure of Respondent to properly seek disqualification of a Panel member and without conceding any basis to disqualify the Commissioner, Commissioner Holden is excused from participation in this matter to avoid any appearance of impropriety.²

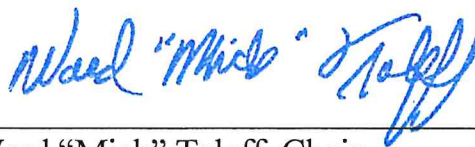
5. Furthermore, although Respondent recites his heavy caseload and other matters that might conflict with the hearing date, he fails to provide any information about what matters are scheduled in courts on the hearing date, how long they have been scheduled when compared to this hearing date that was specifically chosen over the ODC's objection at his request, what reasons exist why any conflicting dates haven't been addressed with requests in those courts or why such requests have been denied. Finally, his professed time needed to familiarize himself with the rules and procedures before the Commission is unavailing for two principal reasons. First, every lawyer is obliged to know the rules and procedures of any tribunal before which they appear. Second, he has known of the charges in the Complaint Since at least September of last year and has had ample time to learn the MRLDE.

6. The relief respondent seeks against council, the former client, Commission members or the ODC is not recognized as available under the MONTANA rules for the lawyer disciplinary enforcement or otherwise. None of the requested relief, even if available, provides a defense for the allegations of the complaint, which is the sole matter before the commission.

Accordingly, the motion to vacate is denied.

Dated April 7, 2026.

MONTANA SUPREME COURT
COMMISSION ON PRACTICE



Ward "Mick" Taleff, Chair

CERTIFICATE OF SERVICE

I hereby certify that I served a true copy of the Order **via electronic service only**,
this 7th day of April, 2026, as follows:

J Douglas Marshall
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Pamela D. Bucy
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Dia C. Lang, Office Administrator

CERTIFICATE OF SERVICE

I, Dia Lang, hereby certify that I have served true and accurate copies of the foregoing Other - Other to the following on 04-07-2026:

Douglas W. Marshall (Attorney)
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Electronically Signed By: Dia Lang
Dated: 04-07-2026