FILED
06/01/2026
Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA
Case Number: PR 26-0001

IN THE SUPREME COURT OF THE STATE OF MONTANA

PR 26-0001

IN THE MATTER OF THE GUARDIANSHIP AND CONSERVATORSHIP OF:

B.L., an adult,

MANDY ALLEN,

Guardian and Conservator.

O R D E R

A.A., representing herself as an interested party to this guardianship and conservatorship matter pursuant to § 72-1-103(25), MCA, has moved to disqualify the Honorable Christopher D. Abbott from presiding in Cause No. DDG-2025-1 in the First Judicial District Court, Lewis and Clark County, pursuant to § 3-1-805, MCA.

Section 3-1-805, MCA, provides that an affidavit for disqualification for cause must allege facts showing personal bias or prejudice of the presiding judge. Section 3-1-805(1)(b), MCA, provides in part that the affidavit will be deemed not to have been made in good faith if it is based solely on rulings in the case which can be addressed in an appeal from the final judgment. A.A. alleges Judge Abbott has demonstrated personal bias and prejudice against her because he denied several of her motions without hearing and he failed to promptly rule upon an emergency petition for writ of habeas corpus that A.A. brought concerning B.L.'s allegedly unlawful detention. To the extent A.A.'s allegations of bias implicate adverse rulings, she has not proven she would be unable to address those issues on appeal. A.A. further alleges Judge Abbott should be disqualified from hearing this case because he previously worked "intimately within this exact circle of local attorneys and court appointees" involved with B.L.'s case and because one of the attorneys was previously a partner in the same law firm as a different District Court Judge. These allegations are insufficient to demonstrate personal bias or prejudice and cannot sustain a motion for disqualification for cause.

IT IS THEREFORE ORDERED that the motion to disqualify Judge Abbott is VOID and thereby DENIED.

The Clerk is directed to provide copies of this Order to the Clerk of the District Court of Lewis and Clark County for notification to all parties in Cause No. DDG-2025-1, and to the Honorable Christopher D. Abbott.

Electronically signed by:
Cory Swanson
Chief Justice, Montana Supreme Court
June 1 2026