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**FILED**

July 8 2008

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

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**FILED**

JUL 08 2008

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

July 7, 2008

The Montana Supreme Court  
Box 2030003  
Helena, Mt. 59620-3003

Re: Proposed 2008 Montana Code of Judicial Conduct

Dear Honorable Justices:

I believe proposed change to Rule 3.10 of the Montana Code of Judicial Conduct would have a detrimental effect on the justice system in smaller counties like Lake County.

In the past, our justices were not legally trained. The administration of justice was uneven, to put it diplomatically. A few years ago, we got our first legally-trained justice of the peace here. It turned out to be a great step forward for our justice court.

The present Justice of the Peace, Chuck Wall, practices law part time. I have heard no concerns about conflicts or "attempts to utilize his judicial position to further his professional success." To the contrary, he has scrupulously avoided even the appearance of that.

These small counties do not pay a Justice of the Peace enough to induce an attorney to give up his practice entirely. The practical effect of the proposed rule change will be to make attorneys give up the position, and a return to less qualified justices.

Sincerely,

  
James A. Manley