



## **MONTANA CHAMBER TO ENDORSE CANDIDATES IN SUPREME COURT RACES**

By: Todd O'Hair, Montana Chamber President & CEO

The Montana Chamber of Commerce is guided by Envision 2026—a 10-year strategic plan that focuses on improving Montana's overall economy.

Developed by diverse business leaders, representing every business sector and geographic region of the state, Envision 2026 is comprised of 4 overarching pillars:

- Business Climate
  - Tax and regulatory structure
  - Judicial climate
  - Legal environment
  - Tort reform
- Infrastructure
  - Roads, bridges & wastewater to name a few
  - Access to high-speed internet & broadband
- Workforce Readiness
  - Trained, skilled and appropriately educated workforce
- Entrepreneurship
  - Maintain Montana's position as a top entrepreneurial state

The Montana Chamber of Commerce is making significant progress on all four of our strategic pillars.

Regarding business climate, the Montana Chamber of Commerce introduced 14 bills in the last two legislative sessions that specifically sought to improve our business climate. Thirteen of those bills have been signed into law. These bills have improved the wrongful discharge act, lowered litigation risk on businesses through major tort reform initiatives and lowered taxes for businesses, as examples.

The most well intended, pro-business legislation, can still be legally interpreted in ways that go beyond legislative intent and end up harming business interests.

It's interesting that in the development of our strategic plan, nearly ten years ago, business leaders were frustrated by a judicial system they viewed as harmful to Montana's business climate. Enough so that "judicial climate" was listed along with taxes and regulations as a headwind to Montana's economy.

In short—business leaders understand an inequitable ruling in court is every bit as harmful to the general business climate as raising taxes or creating onerous regulations.

Electing fair, impartial, and balanced judicial candidates to the Montana Supreme Court is critical to ensuring we have an independent, reasoned and stable judicial climate in Montana. It's foundational to a healthy business climate that grows an economy.

Deciding which judicial candidates to support in an election is difficult---especially so if the voter is not an attorney or lacks a legal background. By necessity, judicial candidates choose their words carefully and avoid discussing issues that may come before the Montana Supreme Court. Judicial races are non-partisan, removing a label for voters who align with a particular political philosophy.

And the result? Voters tend to be confused and largely uneducated about who to vote for in judicial elections. Candidates with the largest campaign bank account, name recognition and special interest backing tend to win these elections.

As election day approaches, friends and family inundate me with two questions: “Who should I support for Montana Supreme Court?” and “What should I do with these ballot initiatives?”

Undoubtedly, there is a lack of meaningful information around some of the most consequential elections in Montana.

And that is why the Montana Chamber of Commerce Board of Directors supported a process to interview candidates for the Montana Supreme Court and offer candidate endorsements.

An interview committee of legal experts that included attorneys, former judges, and business leaders with experience in legal decisions was assembled to consider the candidates’ relevant experience, judicial temperament and evaluate their ability to be fair and unbiased in the decision-making process.

Our intent is to provide a trusted source of information for business leaders for some of the most consequential election decisions they will make.

Other special interests such as trial attorneys, environmental organizations, and organized labor endorse candidates for the Montana Supreme Court and aggressively back them through contributions and advertising. It is appropriate that the state’s largest business advocacy organization, the Montana Chamber of Commerce, invests the time and energy in these races so business leaders have information relevant to them and their livelihoods.

We have established a thoughtful process that is fair, unbiased, rigorous and independent--led by a committee of legal experts you can trust to sort through the legalese and background material, to arrive at a recommendation worth your consideration.

The Montana Chamber of Commerce will not be endorsing other candidates for statewide office. Those races tend to be well funded, with multiple sources of information readily available for the decision-making process. Our intent is to provide another source of information for your consideration—to help fill in some of the knowledge gaps inherent in Montana Supreme Court races.

Later this summer, we will announce Montana Chamber of Commerce endorsements for the Montana Supreme Court. As a business leader, we hope the additional information will be of value to you in your decision-making process.

Please direct questions on this position to Todd O’Hair, President & CEO, at [todd@montanachamber.com](mailto:todd@montanachamber.com).