

**APPLICATION FOR  
DISTRICT COURT JUDGESHIP**

**A. PERSONAL INFORMATION**

1. Full name. Rebecca Robyn Swandal
2. Birthdate [REDACTED]
3. Current home address. [REDACTED]
4. Email address. [REDACTED]
5. Preferred phone number. [REDACTED]
6. Judicial position you are applying for: Sixth Judicial District Court
7. Date you became a U.S. citizen, if different than birthdate. N/A
8. Date you become a Montana resident. [REDACTED]

**B. EDUCATIONAL BACKGROUND**

9. List the names and location (city, state) of schools attended beginning with high school, and the date and type of degree you received.
  - **2002:** Shields Valley High School, Clyde Park, MT; Valedictorian; High School Diploma (graduated with high honors; 3.97 GPA)
  - **2005:** University of Montana, Missoula, MT; Bachelor of Arts, Major Communication Studies, Honors; Double Minor: Sociology; Human & Family Development (graduated with high honors; 3.97 GPA)
  - **2009:** University of Montana School of Law; Missoula, MT; Juris Doctorate (graduated with Honors, 3.79 GPA)
10. List any significant academic and extracurricular activities, scholarships, awards, or other recognition you received from each college and law school you attended.

**University of Montana (2002-2005)**

- Dean's List
- The National Dean's List
- President's 4.0 GPA List
- President's Recognition Award

- Scholar, College of Arts & Sciences
- Outstanding Senior Award in Communication Studies
- Graduated a semester early

**University of Montana School of Law**

- Graduated with Honors
- President, Federalist Society
- Member, Student Bar Association
- Member, Rural Advocacy League
- Member, International Law Society
- Member, American Bar Association
- Served as 1 of 25 first year law students selected nationwide to intern for the Army JAG Corp (2007 Internship in Arlington, Virginia)

**C. LEGAL AND PROFESSIONAL EXPERIENCE**

11. In chronological order (beginning with most recent), state each position you have held since your graduation from law school. Include the dates, names and addresses of law firms, businesses, or governmental agencies with which you have been affiliated, and your position. Include the dates of any periods of self-employment and the name and address of your office.

<b>Employer</b>	<b>Position</b>	<b>Dates</b>
<i>Swandal Law PLLC</i> 305 E. Lewis St. Livingston, MT 59047	Owner/Partner	Jan. 2013-present
<i>Meagher County Attorney</i> 15 Main St. W. White Sulphur Springs, MT 59645	Acting County Attorney	Aug-Dec. 2018
<i>Swandal, Douglass &amp; Gilbert, P.C.</i> 119 S. 3 <sup>rd</sup> St. Livingston, MT 59047	Associate Attorney	Mar. 2011-Dec. 2012
<i>Crowley Fleck P.C.</i> 1915 S. 19 <sup>th</sup> Ave. Bozeman, MT 59718	Associate Attorney	Mar. 2010-Feb. 2011
<i>Montana Supreme Court</i> Justice John Warner 215 N. Sanders St. Helena, MT 59602	Law Clerk	Aug. 2009-Jan. 2010

12. In chronological order (beginning with most recent), list your admissions to state and federal courts, state bar associations, and administrative bodies having special admission requirements and the date of admission. If any of your admissions have terminated, indicate the date and reason for termination.

<u>Court or Administrative Body</u>	<u>Date of Admission</u>
State Bar of North Dakota	April 18, 2010
U.S. District Courts, District of Montana	September 25, 2009
Montana State Bar Association	September 25, 2009

13. Describe your typical legal areas of concentration during the past ten years and the approximate percentage each constitutes of your total practice (i.e., real estate, water rights, civil litigation, criminal litigation, family law, trusts and estates, contract drafting, corporate law, employment law, alternative dispute resolution, etc).
- Although my primary areas of focus are family law and probate/estate planning, as a general practitioner in a small community, I have had the opportunity to work on a wide variety of matters, sometimes acting in my capacity as an advocate and other times serving as mediator. These include dissolutions of marriage; legal separations; parenting disputes; administrative proceedings before CSSD; adoptions; guardianship and conservatorship matters; estate planning; creation and modification of trusts; numerous probate matters (including those which have developed into lengthy and complex contested litigations); landlord-tenant disputes; civil litigation in both federal and state courts; federal criminal defense cases in Yellowstone National Park; appellate work before the Montana Supreme Court; and a multitude of transactional work. I have served as judge *pro tempore* in Livingston City Court and Park County Justice Court on an as-needed basis for many years. I also had the opportunity to serve as the acting Meagher County Attorney for several months in 2018. Working on such a diverse array of matters has provided me with valuable experience which would be an asset if I were appointed judge.
  - Park County's E-Filing system shows 360 cases in which I have represented clients, the majority of which are closed (and these cases do not include cases from which I've withdrawn). From a review of E-file and my records, since 2016, I have represented clients in the following cases in **Park County District Court:**
    - **106** probate cases
    - **77** family law cases (dissolutions of marriage, legal separation, and/or parenting plans)
    - **51** civil cases
    - **35** guardianship and/or conservatorship cases
    - **32** adoption cases

- Since 2016, I have represented clients in over **33 cases** in Gallatin and Sweet Grass Counties.
- Since 2018, I have represented clients in **23 cases** in the Park County Justice Court.
- Since 2016, I have acted as a judge *pro tempore* in Park County Justice Court on over **150 different days**, which usually entails presiding over arraignments/initial appearances; advising inmates of felony warrants; setting bonds; and an occasional civil trial. Each time I judge *pro tem* it generally takes between 1 and 3 hours.
- In the past ten years, I have represented Defendants in **over 20** criminal cases in Yellowstone National Park, United States District Court, District of Wyoming.
- Since opening my private practice in 2013, I have helped over **1,000** clients with estate planning (drafting trusts, wills, powers of attorney, or a combination hereof)
- In the past ten years, I have drafted approximately **1,000** deeds just for local title companies, and additionally have drafted the same amount, or more, for private clients
- My practice has also involved nearly every facet of the law, though some years I do much more criminal law (like in 2018 when I worked as Meagher County attorney); some years I do more family law (especially prior to 2022). Timewise, I would estimate my practice over the past ten years is broken down into the following percentages:
  - Trusts/Estates/Probates, 30-40%
  - Family Law, 20-50%
  - Contracts/Property/General, 20-30%
  - Civil Litigation, 10-20%
  - Mediation, 10-20%
  - Criminal Litigation, 10-30%

14. Describe any unique aspects of your law practice, such as teaching, lobbying, serving as a mediator or arbitrator, etc. (exclude bar activities or public office).

- My law practice was formed in 1967 by my Grandmother Bonnie Swandal, who (I believe) was the first female attorney in Park County. My father, Nels Swandal, joined the firm before serving as Park County Attorney, and later, Sixth Judicial District Court Judge. Though its name has changed over the years, the firm has remained a consistent presence in the community for the past 59 years, and it has been a privilege to serve generations of clients.

- In 2013, we turned much of our focus toward offering alternative dispute resolution services, particularly to unrepresented individuals. Our primary objectives in doing so are to provide a necessary service to an underserved population and to help local courts streamline their dockets.

15. Describe the extent that your legal practice during the past ten years has included participation and appearances in state and federal court proceedings, administrative proceedings, and arbitration proceedings.

- Most of my litigation, family law, adoption, guardianship, and probate cases have been filed in state district courts. I have also represented clients in justice and city courts and have participated in numerous administrative proceedings before Child Support Services Division. I have also had a few federal civil litigation cases in the United States District Court, District of Montana, and I have defended numerous criminal cases in federal court in Yellowstone National Park.

- I have represented clients in the following courts:

- Park County District Court, 6<sup>th</sup> Judicial District
- Park County Justice Court
- Livingston City Court
- Gallatin County District Court, 18<sup>th</sup> Judicial District
- Gallatin County Justice Court
- Missoula County District Court, 4<sup>th</sup> Judicial District
- Meagher County District Court, 14<sup>th</sup> Judicial District
- Stillwater County District Court, 22<sup>nd</sup> Judicial District
- Sweet Grass County District Court, 6<sup>th</sup> Judicial District
- Yellowstone County District Court, 13<sup>th</sup> Judicial District
- Wheatland County District Court, 14<sup>th</sup> Judicial District
- Broadwater County Justice Court
- Broadwater County District Court, 1<sup>st</sup> Judicial District
- Lake County District Court, 20<sup>th</sup> Judicial District
- Big Horn County District Court, 22<sup>nd</sup> Judicial District
- Office of Administrative Hearings (CSSD)
- Montana Supreme Court
- U.S. District Court, District of Montana

16. If you have appeared before the Montana Supreme Court within the last ten years (including submission of amicus briefs), state the citation for a reported case and the case number and caption for any unreported cases.

- Some of the following cases settled after mediation or were dismissed prior to any briefing:

- 1) *Public Lands v. Madison Co*, 2014 MT 10, DA 12-0312 (*Amicus Brief submitted on behalf of PERC*)

- 2) *Estate of Bekemans*, DA 14-0295
- 3) *Marriage of Smith*, DA 16-0523
- 4) *Estate of Cooney*, DA 19-0324
- 5) *Marriage of Nelson*, DA 21-0208
- 6) *Marriage of Russum & Wendt*, DA 21-0418
- 7) *Marriage of Hedstrom & Peters*, DA 21-0492
- 8) *Marriage of Hedstrom & Peters*, DA 22-0078
- 9) *Marriage of LaRue*, DA 22-0400
- 10) *Marriage of Taylor*, DA 22-0627
- 11) *Marriage of Anderson*, DA 23-0401
- 12) *Marriage of Taylor*, DA 23-0556
- 13) *Marriage of Anderson*, DA 23-0729

17. Describe three of the most important, challenging, or complex legal issues you have dealt with or legal proceedings in which you have participated during your practice.

- 1) *Estate of Cooney*. This estate case was filed in 2015, not long after the decedent died. In 1980, the decedent executed a property settlement agreement which provided he would give all of his ranch property to his children in equal shares. In his will, however, the decedent gave all of his assets to his son. The decedent's three daughters challenged the validity of the will, arguing that it was made in direct violation of the property settlement agreement. The Montana Supreme Court ultimately ruled that a will contest was not the proper avenue for the daughters to obtain recourse, directing them to file breach of contract claims and/or the decedent's ex-wife to move to enforce the settlement agreement in the dissolution proceeding. As a result, three separate cases were filed, and the son subsequently argued that the settlement agreement could not be enforced due to the statute of limitations. Nearly 11 years have elapsed, and the case is still pending. Due to the delays in rulings from the prior judge (who has since retired), the parties still do not have a resolution, and the monetary and emotional costs of litigation continue to accumulate. This case is a great example of the validity of the maxim "justice delayed is justice denied". (A new judge is now presiding over this case and things are moving forward at a more reasonable pace).
- 2) *Marriage of [redacted to protect privacy]*. In this matter, after enduring years of mistreatment, my client sought a legal separation from (and later, the dissolution of her marriage to) a volatile, violent abuser. During a custodial exchange, the father held the mother, the mother's stepfather, and the parties' three-year-old son at gunpoint. This resulted in the father being charged with and subsequently convicted of several felonies, and, later, the mother filing a civil suit against the father. I represented the mother in the family law matter in district court, and the civil suit in federal court, and advised her during the criminal case. Representing a victim of domestic violence creates unique challenges. I needed to gain my client's trust; approach her situation with sensitivity and empathy; understand how trauma shaped her worldview while simultaneously pushing back against ways of thinking shaped by years of abuse; and anticipate worst-case scenarios in order to ensure her safety (and that of her child).

3) *Estate of Thompson*. This case is ongoing, and involves a decedent who had a trust created in an attempt to disinherit his wife. The wife was not notified of the probate action, and the personal representative claimed the decedent was divorced at the time of his death. When the wife learned of the probate (just prior to filing one herself), she had to give notice of her status as an interested party; file a petition to remove the personal representative; prove that she was indeed the decedent's surviving spouse; and was ultimately named as the personal representative. The court has already held multiple hearings on this case, and has determined that the wife was entitled to her elective share; that no property actually transferred into the trust; and that the real and personal property is owned by the estate. The decedent's will left the remainder estate to be passed as though he died intestate. The wife and I are now tasked with identifying his intestate heirs (there are 12 of them) and calculating their respective percentages of the remainder of his estate (which ranges from 1/4 to 1/30<sup>th</sup>).

18. If you have authored and published any legal books or articles, provide the name of the article or book, and a citation or publication information.

N/A

19. If you have taught on legal issues at postsecondary educational institutions or continuing legal education seminars during the past ten years, provide the title of the presentation, date, and group to which you spoke.

N/A

20. Describe your pro bono services and the number of pro bono hours of service you have reported to the Montana Bar Association for each of the past five years.

- I report at least 50 pro bono hours each year to the Montana Bar Association. Some of those hours are service hours to nonprofits, but many of the pro bono hours are helping family law clients who do not have the resources to retain legal counsel. I have drafted documents for individuals to file pro se; provided mediation services at no charge; and/or significantly reduced my hourly rate to make it affordable for those who cannot otherwise afford representation. I have also drafted wills and powers of attorney at no charge. Although I report 50 pro bono hours each year, my contribution in this regard is typically much more significant.
- Within just the last week, I spent time negotiating a child support modification at no charge to my client who has limited resources; I helped negotiate a worker's compensation/global settlement agreement on behalf of an older military veteran at no charge to that client; and a local school board also reached out regarding a legal issue, and I completed that work, pro bono. I often do not keep track of my pro bono hours once I hit the 50-hour mark because I do not do pro bono work to get recognition from the State Bar. I do pro bono work because it is the right thing to do and because so many people need help that they cannot afford.

21. Describe dates and titles of any offices, committee membership, or other positions of responsibility you have had in the Montana State Bar, other state bars, or other legal professional societies of which you have been a member and the dates of your involvement. These activities are limited to matters related to the legal profession.
- 2012-present: President, Park & Sweet Grass County Bar Association
22. Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, and type of discharge received.
- N/A
23. If you have had prior judicial or quasi-judicial experience, describe the position, dates, and approximate number and nature of cases you have handled.
- 2015-present: Justice of the Peace *pro tempore*, Park County Justice Court. I have handled numerous arraignments and initial appearances, set bonds, etc. Within the past year, I also presided over a civil trial when the judge had a conflict.
  - 2019-present: City Court Judge, *pro tempore*, Livingston City Court. I have handled numerous arraignments and initial appearances.
24. Describe any additional business, agricultural, occupational, or professional experience (other than legal) that could assist you in serving as a judge.
- My most important job is being a mother to my four young children, which gives me a hands-on perspective regarding family law cases. I have my real estate license. I am also a shareholder in my family's ranch, and I'm familiar with agriculture and the lifestyle it offers. I also have experienced an incredible amount of loss in my life, which helps me approach litigants in the throes of grief with sensitivity, empathy, and understanding.

#### **D. COMMUNITY AND PUBLIC SERVICE**

25. List any civic, charitable, or professional organizations, other than bar associations and legal professional societies, of which you have been a member, officer, or director during the last ten years. State the title and date of any office that you have held in each organization and briefly describe your activities in the organization and include any honors, awards or recognition you have received.
- Shields River Lutheran Church, Member, 1994-present
  - Wilsall Foundation, Board Member, 2009-present
  - Livingston Police Commission, Member, 2014-2019
  - The Shane Lalani Center for the Arts, Board Member, 2013-2016
  - Livingston Roundup Chicks n Chaps, 2013-2015
  - The Depot Foundation, Board Member, 2013-2014
  - Court Appointed Special Advocates of Montana, State Board Member, 2010-2013

26. List chronologically (beginning with the most recent) any public offices you have held, including the terms of service and whether such positions were elected or appointed. Also state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.
- August-December 2018: I was appointed by the Meagher County Commissioners as Interim County Attorney for Meagher County. I did not run for election in Meagher County, but held the office until a Meagher County resident decided to run for office (and was then appointed until his election).

### **E. PROFESSIONAL CONDUCT AND ETHICS**

27. Have you ever been publicly disciplined for a breach of ethics or unprofessional conduct (including Rule 11 violations) by any court, administrative agency, bar association, or other professional group? If so, provide the details.
- NO
28. Have you ever been found guilty of contempt of court or sanctioned by any court for any reason? If so, provide the details.
- NO
29. Have you ever been arrested or convicted of a violation of any federal law, state law, or county or municipal law, regulation or ordinance? If so, provide the details. Do not include traffic violations unless they also included a jail sentence.
- NO
30. Have you ever been found liable in any civil proceedings for damages or other legal or equitable relief, other than marriage dissolution proceedings? If so, provide the citation of a reported case or court and case number for any unreported case and the year the proceeding was initiated (if not included in the case number).
- NO
31. Is there any circumstance or event in your personal or professional life that, if brought to the attention of the Governor or Montana Supreme Court, would affect adversely your qualifications to serve on the court for which you have applied? If so, provide the details.
- NO

## F. BUSINESS AND FINANCIAL INFORMATION

32. Are you currently an owner, officer, director, or otherwise engaged in the management of any business other than a law practice? If so, please provide the name and locations of the business and the nature of your affiliation, and state whether you intend to continue the affiliation if you are appointed as a judge.

- I am a licensed real estate agent. I would like to keep my real estate license, but would not actively represent people in real estate transactions. My husband and I would also own rental properties, and we would continue to own those, though my husband would manage them. I am a shareholder in my family ranch, and I would continue to maintain my ownership interest in that business. (I do not do any day-to-day work for the ranch, however). I will discontinue my affiliation with my law firm if I am appointed as judge. My businesses are in Park and Meagher counties, and I have also sold real estate in Gallatin County.

33. Have you timely filed appropriate tax returns and paid taxes reported thereon as required by federal, state, local and other government authorities? If not, please explain.

YES

34. Have you, your spouse, or any corporation or business entity of which you owned more than 25% ever filed under title 11 of the U.S. Bankruptcy Code? If so, give details.

NO

## G. JUDICIAL PHILOSOPHY

35. State the reasons why you are seeking office as a district court judge.

- i) Public Service—Becoming a district court judge will allow me to serve the public. I have always endeavored to give back to my community, and this is a great way to continue to be of service. My family has been in Park County since my great-grandparents legally immigrated to Montana from Norway in the early 1900s, not long after Montana became a state. My children are fifth generation Montanans and fifth generation Park County citizens (I am 4<sup>th</sup> generation). Serving Park and Sweet Grass counties as a district court judge is the best way I can give back to this community that has given our family so much over all of these years, and it will allow me to serve the residents in a different capacity.
- ii) The judge is often the first meaningful contact a person has with the legal system. A fair, competent judge can foster a positive impression of and respect for the legal system, which benefits the entire judicial system, and is what all involved in the system should strive for.
- iii) I will ensure that all parties have a fair hearing and that decisions are timely made.

36. What three qualities do you believe to be most important in a good district court judge?
- (1) Integrity. A judge has to ascribe to the highest ethical standards both on and off the bench. A judge should be a role model for patience, independence, compassion and civility in the community. It is probably as simple as treating others as you wish to be treated, or remembering the adage, be humble or you will be humbled.
  - (2) Good Work Ethic. Public service means just that. It is important that a judge always remember who he or she is working for and to not just meet, but exceed, the expectations of the public. Adequate preparation is obviously a key to ensuring that hearings are held promptly and decisions on cases fully submitted are made within 30 days. I ascribe to the adage that justice delayed is justice denied.
  - (3) Intelligence. I believe that knowledge of the law and its application; innate analytical and critical thinking skills; and wisdom gained from professional and personal experiences are all crucial for a judge to assess testimony and evidence, interpret the law, and make an impartial decision in the pursuit of justice.
37. What is your philosophy regarding the interpretation and application of statutes and the Constitution?
- A judge must understand and respect the principle of separation of powers and must avoid legislating from the bench. A judge's job is to interpret the law, not make the law. It is not the court's role to make policy. When interpreting the Constitution, adherence to the text is important, and only if that is unclear should a judge look to other sources (such as the Constitutional Convention).
  - Separation of powers is central: legislators make policy; executives enforce it; and courts resolve disputes without updating laws to modern preferences. Regulatory, tax, and criminal uncertainties are read narrowly against the government, property rights are strongly protected, and federal authority is limited under principles tied to the Tenth Amendment doctrine. The overall aim is predictable governance where citizens and businesses can rely on stable rules. When the law is unclear, the government must seek new legislation rather than expand power through interpretation.

## H. MISCELLANEOUS

38. Attach a writing sample authored entirely by you, **not to exceed 20 pages**. Acceptable samples include briefs, legal memoranda, legal opinions, and journal articles addressing legal topics.
39. Please provide the names and contact information for three attorneys and/or judges (or a combination thereof) who are in a position to comment upon your abilities.
- 1) Judge Brenda R. Gilbert  
*Current 6<sup>th</sup> Judicial District Court Judge*  
414 E. Callendar St.  
Livingston, MT 59047  
bgilbert@mt.gov  
406-222-4130
  - 2) Ret. Judge Jon Oldenburg  
*Retired 10<sup>th</sup> Judicial District Court Judge*  
13101 NE 9<sup>th</sup> Ave.  
Vancouver, WA 98685  
jonoldenburg435@gmail.com  
406-366-1056
  - 3) Ret. Judge Nels Swandal  
*Retired 6<sup>th</sup> Judicial District Court Judge*  
*Applicant's Current Law Partner*  
305 E Lewis Street  
Livingston, MT 59047  
nswandal@gmail.com  
406-222-3301

*I chose to name Nels Swandal as a reference because he is one of two 6<sup>th</sup> Judicial District Court Judges (including the current judge) still living. He has also been my law partner since 2013, and no one knows my legal abilities, ethics, and morals better than he does. If the Appointment Board does not wish to use Nels Swandal as a reference due to him being related to me, please use this reference as a replacement:*

- 4) Emily Jones, Esq.  
*Owner of Jones Law Firm PLLC*  
115 N. Broadway, Ste 410  
Billings, MT 59101  
406.384.7990

## CERTIFICATE OF APPLICANT

I hereby state that to the best of my knowledge the answers to all questions contained in my application are true. By submitting this application I am consenting to investigation and verification of any information listed in my application and I authorize a state bar association or any of its committees, any professional disciplinary office or committee, educational institutions I have attended, any references furnished by me, employers, business and professional associates, law enforcement agencies, all governmental agencies and instrumentalities and all other public or private agencies or persons maintaining records pertaining to my citizenship, residency, age, credit, taxes, education, employment, civil litigation, criminal litigation, law enforcement investigation, admission to the practice of law, service in the U. S. Armed Forces, or disciplinary history to release to the Office of the Governor of Montana or its agent(s) any information, files, records, or reports requested in connection with any consideration of me as a possible nominee for appointment to judicial office.

I further understand that the submission of this application expresses my willingness to accept appointment as District Court Judge if tendered by the Governor, and my willingness to abide by the Montana Code of Judicial Conduct and other applicable Montana laws (including the financial disclosure requirements of MCA § 2-2-106).

2/12/2026

(Date)



(Signature of Applicant)

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A signed original **and** an electronic copy of your application and writing sample must be submitted by  
**5:00 p.m. on Monday, March 16, 2026**

**Mail the signed original to:**

Hannah Slusser  
Governor's Office  
P.O. Box 200801  
Helena, MT 59620-0801

**Send the electronic copy to:** [hannah.slusser@mt.gov](mailto:hannah.slusser@mt.gov)

January 15, 2026

Barbara Swanson

CLERK

Sweet Grass County District Court

STATE OF MONTANA

By: Barb Swanson

DP-49-2025-0000002-IT

Gilbert, Brenda

ROA#91

1 REBECCA R. SWANDAL  
2 Swandal Law PLLC  
3 305 E. Lewis Street  
4 Livingston, MT 59047  
5 Telephone: (406) 222-3301  
6 swandal.law@gmail.com  
7 Attorneys for Laura Nettles Bassil

8 **MONTANA SIXTH JUDICIAL DISTRICT COURT, SWEET GRASS COUNTY**

9 IN THE MATTER OF THE ESTATE ) Probate No. DP 2025-2  
10 OF )  
11 TIMOTHY GENE THOMPSON, )  
12 Deceased. )

13 **PERSONAL REPRESENTATIVE’S MOTION FOR DETERMINATION OF HEIRS**

14 COMES NOW, the Personal Representative, **LAURA NETTLES BASSIL** (hereinafter  
15 “Laura”), by and through her attorney, REBECCA R. SWANDAL of Swandal Law PLLC, and  
16 hereby files this Motion for Determination of Heirs, as follows:  
17

18 The Decedent’s Will states that “The remainder of my estate at the time of my death shall  
19 be disposed of pursuant to Montana’s laws of intestate succession, except that no portion of the  
20 remainder of my estate shall go to my wife, Laura Bassil, pursuant to the laws of intestate  
21 succession or otherwise.”

22 Laura is entitled to her elective share and statutory allowances, as previously ordered by  
23 this Court. Pursuant to the Decedent’s Will, and pursuant to § 72-2-113, MCA, the *remainder*  
24 estate must be distributed half to the descendants of Tim’s paternal grandparents and half to the  
25 descendants of Tim’s maternal grandparents<sup>1</sup>, “by representation”. By representation is defined  
26

27  
28 <sup>1</sup> The Decedent died without children. The Decedent’s parents both predeceased him.

1 as follows: "Each surviving descendant in the nearest generation is allocated one share. The  
2 share of each descendant in the same generation as the surviving descendant is divided in the  
3 same manner, with the subdivision repeating at each succeeding generation until the property is  
4 fully allocated among the surviving descendants." § 72-2-116, MCA.

5  
6 **Decedent's Paternal Grandparents' Descendants**

7 The descendants of Decedent's paternal grandparents are entitled to 50% of the  
8 remainder estate.

9 The Decedent's paternal grandparents were **Sven and Ellen Thompson** who both  
10 predeceased the Decedent. They had six children, namely: **Theodore** Thompson (Tim's father),  
11 **Solvieg** Thompson Johnston, **Amos** Thompson, **Allen** Thompson, **Anna** Thompson Pudwill, and  
12 **Kenneth** Thompson. All of these children predeceased the Decedent. Solvieg, Amos, Allen,  
13 Anna and Kenneth would each be entitled to  $1/5^{\text{th}}$  of  $1/2$  of the Decedent's remainder estate,  
14 pursuant to § 72-2-113, MCA.

15  
16 However, Amos and Anna died without children, leaving three siblings of Tim's father  
17 on the paternal grandparents' side who had children; each of those sibling's descendants would  
18 be entitled to share in  $1/3^{\text{rd}}$  of  $1/2$  of the Decedent's remainder estate.

19 1) **Solvieg** had five children who are alive and would be heirs to this estate, namely:

20 Bruce Townsend, Holly Johnston Lapinski, Jon Dirk Johnston, Steven Eric Johnston,  
21 and Shawn Johnston<sup>2</sup>. Solvieg had a sixth child named Joel, whom she put up for  
22 adoption, and who is believed to live in Kalispell. Pursuant to § 72-2-124(2), MCA,  
23 Joel is considered the child of the adopting parents and not entitled to inheritance  
24 through Solvieg's line (unless it was a stepparent adoption). The Personal  
25 Representative will give Joel notice of this Motion if/when she receives Joel's full  
26  
27  
28

1 name and contact information from Solvig's other children. The Personal  
2 Representative believes that Bruce Townsend, Holly Johnston Lapinski, Jon Dirk  
3 Johnston, Steven Eric Johnston, and Shawn Johnston are each entitled to  $\frac{1}{5}$ <sup>th</sup> of  $\frac{1}{3}$ <sup>rd</sup>  
4 of  $\frac{1}{2}$  of the Decedent's Estate, or  $\frac{1}{30}$ <sup>th</sup> of the Decedent's remainder estate.

5  
6 2) **Kenneth** had three children, namely David Thompson, Lori Beth Thompson, and  
7 Kay Myrstol. These three children are still alive. The Personal Representative  
8 believes that each of Kenneth's children is entitled to  $\frac{1}{3}$ <sup>rd</sup> of  $\frac{1}{3}$ <sup>rd</sup> of  $\frac{1}{2}$  of the  
9 Decedent's Remainder estate, or  $\frac{1}{18}$ <sup>th</sup> of the Decedent's remainder estate.

10 3) **Allen** had one child, named Rodger Thompson, who died. Rodger had three children:  
11 Bradley Thompson, Heidi Weis, and Erik Thompson. Erik passed away without  
12 children. The Personal Representative believes that Bradley and Heidi are each  
13 entitled to  $\frac{1}{2}$  of  $\frac{1}{3}$  of  $\frac{1}{2}$  of the Decedent's Remainder estate, or  $\frac{1}{12}$ <sup>th</sup> of the  
14 Decedent's remainder estate.  
15

#### 16 **Decedent's Maternal Grandparents' Descendants**

17 The descendants of Decedent's maternal grandparents are entitled to 50% of the  
18 remainder estate.

19 The Decedent's maternal grandparents are Ceryl Vestel O'Leary and Gladys Davis  
20 O'Leary. Their children are Annette O'Leary Thompson (Tim's mother), Victoria O'Leary  
21 Braaten, and John Kenneth Braaten. Upon information and belief, both Annette and John  
22 predeceased Tim, and left no surviving children.

23 Victoria Braaten had three children, namely Jerald Braaten and Andy Braaten, and Lynne  
24 Arensmeyer. Both Jerald and Andy predeceased the Decedent and had no children. Lynne had  
25  
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28 <sup>2</sup> Solvig had a seventh child who died as an infant.

1 two children, Julie Pelowitz and Steve Arensmeyer. The Personal Representative believes that  
2 Julie and Steve are each entitled to  $\frac{1}{2}$  of  $\frac{1}{2}$  of the Decedent's remainder estate, or 25% each.

3 **Heirs**

4 If any of the heirs named herein, all of whom are receiving a copy of this motion, have  
5 information regarding any additional heirs that are not named herein, the Personal Representative  
6 directs those heirs to immediately notify the undersigned attorney regarding these additional  
7 heirs. Barring any additional heirs being named or found, the Personal Representative requests  
8 that the Court find and order that the following heirs are entitled to the following share of the  
9 Decedent's remainder estate:  
10

- 11 1) Bruce Townsend,  $\frac{1}{30}$ <sup>th</sup> of the Decedent's Remainder estate
- 12 2) Holly Johnston Lapinski,  $\frac{1}{30}$ <sup>th</sup> of the Decedent's Remainder estate
- 13 3) Jon Dirk Johnston,  $\frac{1}{30}$ <sup>th</sup> of the Decedent's Remainder estate
- 14 4) Steven Eric Johnston,  $\frac{1}{30}$ <sup>th</sup> of the Decedent's Remainder estate
- 15 5) Shawn Johnston,  $\frac{1}{30}$ <sup>th</sup> of the Decedent's Remainder estate
- 16 6) David Thompson,  $\frac{1}{18}$ <sup>th</sup> of the Decedent's Remainder estate
- 17 7) Lori Beth Thompson,  $\frac{1}{18}$ <sup>th</sup> of the Decedent's Remainder estate
- 18 8) Kay Myrstol,  $\frac{1}{18}$ <sup>th</sup> of the Decedent's Remainder estate
- 19 9) Bradley Thompson,  $\frac{1}{12}$ <sup>th</sup> of the Decedent's Remainder estate
- 20 10) Heidi Weis,  $\frac{1}{12}$ <sup>th</sup> of the Decedent's Remainder estate
- 21 11) Julie Pelowitz,  $\frac{1}{4}$ <sup>th</sup> of the Decedent's Remainder estate
- 22 12) Steve Arensmeyer,  $\frac{1}{4}$ <sup>th</sup> of the Decedent's Remainder estate

1 DATED this 14<sup>th</sup> day of January, 2026.

2 SWANDAL LAW PLLC

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REBECCA R. SWANDAL

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6 swandal.law@gmail.com  
7 Attorneys for Laura Nettles Bassil

8 **MONTANA SIXTH JUDICIAL DISTRICT COURT, SWEET GRASS COUNTY**

9 IN THE MATTER OF THE ESTATE ) Probate No. DP 2025-2  
10 )  
11 OF )  
12 )  
13 TIMOTHY GENE THOMPSON, )  
14 )  
15 Deceased. )  
16 \_\_\_\_\_ )

17 **PERSONAL REPRESENTATIVE’S MOTION FOR PARTIAL SUMMARY JUDGMENT**

18 **& SUPPORTING BRIEF**

19 COMES NOW, the Personal Representative, **LAURA NETTLES BASSIL** (hereinafter  
20 “Laura”), by and through her attorney, REBECCA R. SWANDAL, of Swandal Law PLLC, and  
21 moves pursuant to M.R.Civ.P. 56(a) for partial summary judgment (the “Motion”) on the  
22 following claims:

- 23 • The ownership of Tract 1 of COS No. 165481, filed February 29, 2024 as  
24 Document #165481 (hereinafter “the Thompson Ranch”)
- 25 • The ownership of various title assets

26 In support of the Motion, Laura states there are no disputed issues of material fact  
27 respecting these claims and that the Estate is entitled to judgment as a matter of law regarding  
28 the same. In further support of her motion, Laura submits the following brief:



1 6. On April 14, 2025, Guardian Title issued a Lot Book Guarantee regarding the  
2 Thompson Ranch. On June 23, 2025, Jamison Pesa, the Senior Title Officer at  
3 Guardian Title signed an Affidavit, under oath, stating that Timothy G.  
4 Thompson is the sole owner of the Property. *See Affidavit of Jamison Pesa, filed*  
5 *herewith.*  
6

7 7. The Montana Department of Motor Vehicles, in response to a Subpoena Duces  
8 Tecum, provided copies of the titles for the following assets, all of which are  
9 titled in the name of the Decedent:

- 10 a. 1974 Ford ZZZ, VIN F26YRU23874  
11 b. 1983 Golden Sunrise Mobile Home, Assessment Code 00M000081  
12 (located at 103 Thompson Lane)  
13 c. 1984 Kit, Manufactured Dwelling, VIN D8429M21SN9363 (may be the  
14 same as the 1983 trailer)  
15 d. 1986 HATF TL, VIN 1HWFS1622GT168109  
16 e. 2001 SUZI AT, VIN JSAAM41A312100293 (owned by Howling Wolf,  
17 Inc. which has been involuntarily dissolved since 12/01/2022)  
18 f. 2001 DODGE DURANGO, VIN 1B4HS28N91F513834  
19 g. 2002 FORD TAURUS, VIN 1FAHP53U62G125921  
20 h. 2004 CHIE TL, Manufactured Dwelling, VIN NEB40A30016 (located at  
21 128 Thompson Ln)  
22 i. 2007 Suzi AT, VIN 5SAAM44A277103575  
23  
24

25 **See Exhibits 3-11.**  
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27  
28



1 The Supreme Court stated that “Although Decedent may have intended to transfer the proceeds  
2 from the Ameriprise accounts into his Trust, he did not.” *Id.* The Court found that those assets  
3 were not part of Decedent’s Trust.

4 Similarly, Timothy Thompson failed to transfer his various assets into a Deed of Trust.  
5 He signed a Warranty Deed transferring the Thompson Ranch from Bruce Townsend and  
6 Decedent’s name to just Decedent’s name after the Deed of Trust was created. He effectively  
7 transferred the Thompson Ranch to himself, individually and solely, and did so *after* creating the  
8 purported trust. Additionally, he did not transfer the various titled assets (listed above) into his  
9 purported trust. It is unclear what assets, if any, are owned by the purported trust. However, it is  
10 clear that the Thompson Ranch and the various titled assets listed herein are all owned by the  
11 Decedent’s Estate.  
12

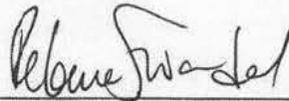
13  
14 **CONCLUSION**

15 For the reasons stated above, and on the basis of the undisputed facts material to these  
16 issues, Laura prays that the Court enter an order:

- 17 1. Granting summary judgment to the Estate regarding the Estate’s ownership of the  
18 Thompson Ranch;  
19 2. Granting summary judgment to the Estate regarding the Estate’s ownership of the  
20 titled assets listed above;  
21 3. Granting all such other and further relief as may appear just and proper.  
22

23 DATED this 23<sup>rd</sup> day of July, 2025.

24 SWANDAL LAW PLLC

25 

26 **REBECCA R. SWANDAL**

27 Attorney for Personal Representative