

Montana Supreme Court

CANDIDATES



**BILL
D'ALTON**



**JIM
RICE**

Nonpartisan Candidate Guide to the 2022 D'Alton-Rice Supreme Court Race

Two seats on the Montana Supreme Court [are up for election in 2022](#). The race for the first seat [is between incumbent Justice Jim Rice and Bill D'Alton](#). The race for the second seat between incumbent Justice Ingrid Gustafson and James Brown is covered in another guide. The winner of each election will serve an eight-year term.

The state supreme court is nonpartisan, meaning candidates do not run as a Republican or Democrat. Although the races are nonpartisan, the Montana Supreme Court [is regarded as closely divided, but slightly liberal](#).

The Montana Supreme Court decides questions of state law that often have a significant impact on state policy and individual rights. Just this year, the Court issued decisions that [paused enforcement of three state laws that restricted abortion access](#); [reinstated election-day voter registration](#); and [invalidated a revision to state gun laws that allowed concealed carry](#) on college campuses.

To help you decide, we've assembled background about the candidates' education and previous work experience, along with rulings they've made as sitting judges, public statements, and publicized endorsements, to indicate how they might rule on key issues in the future.

For more information on the candidates see the campaign websites below as well as [this interview with Bill D'Alton](#) and [this article about Justice Jim Rice](#). Finally, here is [more information on the candidates in both races](#).

BILL D'ALTON

billformontanasupremecourt.com

Background

D'Alton [is an attorney in private practice at the D'Alton Law Firm](#). He graduated from the University of Montana School of Law and, before joining private practice, worked as a public defender.

If elected, D'Alton promises to [serve only one eight-year term](#) and his campaign ["will not accept any money from potential donors."](#)

JIM RICE

jimriceforjustice.com

Background

Justice Rice currently serves on the Montana Supreme Court. He was appointed by then Governor Martz in 2001 and [is the longest serving justice](#).

Rice [is a former Republican Montana state representative](#) and former Chairman of the state Board of Personnel Appeals. [After graduating from the University of Montana School of Law](#), Rice worked as a public defender and later was a partner at the firm Jackson & Rice.

Judicial Rulings

- D’Alton has not served as a judge.

Statements

- D’Alton has [expressed disapproval](#) of how the judicial and legislative branches have handled their disagreements, stating that the dispute is causing Montanans to lose [“confidence in the judicial system.”](#)
- He also indicated concern about the prominence of special interest money in judicial elections and [has not accepted any money from donors.](#)
- D’Alton has not expressed an opinion on abortion, but said the state Supreme Court's precedent preserving abortion access [“is the law.”](#)

Endorsements

The authors of this guide were unable to locate any endorsements for D’Alton.

Judicial Rulings

- In the Court’s recent voting rights case, Rice voted against [reinstating election-day voter registration, and would have allowed new voter identification requirements](#) to go into effect for the November 2022 election.
- Rice voted to enforce [three abortion laws relating to abortion while the courts review the laws.](#) These laws would ban abortion after 20 weeks, require an ultrasound before an abortion, and restrict medication abortion.
- In 2019, he also would have [allowed a ban on qualified nurses performing abortions to go into effect.](#)
- In a case [brought by parents challenging school mask requirements,](#) Rice voted with the unanimous Court to allow schools to issue mask mandates.
- Rice voted in June 2022 to overturn provisions of a state law that [allowed permit-less concealed carry on college campuses.](#) In 2019, he voted to invalidate Missoula’s ordinance [that would have expanded background checks on gun sales.](#)
- Rice voted to retain a law that [allowed tax credits for donations to private religious schools.](#)

Statements

- In 2014, Rice disagreed with the [U.S. Supreme Court’s decision in *Citizen’s United*,](#) which allowed unlimited independent corporate spending in federal elections.
- [In an ongoing power struggle between the legislature and the judicial branch,](#) Justice Rice sued the state legislature to prevent seizure of the justices’ private cell phone records. A former member of the state House of Representatives, Rice said, [“It was hard to sue the legislature.”](#)
- Rice believes that there has been increased government involvement in the lives of citizens, and [“courts will need to be increasingly vigilant in protecting individual liberties in the years ahead.”](#)

Endorsements

Rice is endorsed by [Montana Conservation Voters.](#)

