

# Missoulian

## Montana Supreme Court disbars Hamilton attorney Robert Myers

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HAMILTON — The Montana Supreme Court has disbarred Hamilton attorney Robert Myers after finding “clear and convincing evidence” that he violated numerous provisions of the Montana Code of Judicial Conduct during his 2016 judicial campaign.

In the three orders handed down late Thursday, which were signed by all seven justices, the court also suspended Myers’ license to practice law in Montana, writing that he violated his ethical duties in handling post-trial motions in a marital dissolution case, and made false and reckless statements during his judicial campaign.

Myers insists that there is no evidence that his statements are false, and he's convinced that the Supreme Court justices are protecting one of their own by not looking into his allegations about Ravalli County District Court Judge Jeff Langton.

"There's no evidence I did anything wrong," Myers said on Friday. "They're getting rid of me because I brought this up. How can you talk about knowingly making false statements where there's no evidence that it's false?"

"I'm a scapegoat. They didn't prove a single thing. They didn't say what was reckless, how it was reckless or when it was reckless. Nothing. Those opinions are completely devoid of any facts except for the ones made up by the Supreme Court."

The disbarment is effective in 30 days, and Myers was directed to give notice of his disbarment and suspensions to all clients he represents in pending matters and in all courts in which he appears as the counsel of record. He also was ordered to pay the costs of disciplinary proceedings against him.

Myers said he will fight the disbarment first by filing for a petition for a rehearing, and asking the justices to recuse themselves. He also plans on petitioning the U.S. Supreme Court to hear his case, and said he'll contact the American Civil Liberties Union and the Cato Institute to see if they'll help him in what he says is a violation of his First Amendment right to free speech.

"I'm also going to send this to D.C., to the Department of Justice, because Montana has no interest in looking into this," Myers said. "They're covering it up and doing so intentionally."

Ravalli County Attorney Bill Fulbright, who was a party to several lawsuits brought by Myers, said justice was served with his suspension and disbarment.

“We’re pleased to have this matter concluded,” Fulbright said.

The case comes after the Office of Disciplinary Counsel filed complaints against Myers earlier this year, and the Commission on Practice held hearings and recommended sanctions be taken.

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Two of the complaints involved Myers’ conduct during his 2016 campaign for district judge in Ravalli County. The commission found that Myers sent a mailer to Ravalli County residents and placed advertisements against Langton, “all of which included knowingly false and reckless statements,” including unsubstantiated claims that the judge had presided in a case against the ex-boyfriend of a “cocaine and sex partner” and that he had purchased illegal drugs from a 13-year-old.

The commission concluded that Myers violated the Montana Rules of Professional Conduct by making the false statements concerning the integrity of a judge, and by “engaging in conduct involving dishonesty, fraud, deceit or misrepresentation.”

Myers insists that his claims are true.

“People have a right to know this stuff and to know they have a corrupt, ineffective government,” Myers said.

Along with disbaring Myers due to his conduct in the judicial race, the Montana Supreme Court suspended his law license in Montana for three years.

The suspension is to run consecutively with a seven-month suspension handed down by the Supreme Court for Myers’ conduct in the marital dissolution case. Myers already was fined \$10,000 in that case — a sum he has paid — for displaying “a disturbing lack of judgment and disrespect for the judiciary, opposing counsel, opposing parties, and the rule of law as a whole.”

The commission found that Myers was “making legal arguments without a sound basis in law or fact, by defaming and denigrating witnesses and other participants in the court proceedings, and by squandering his client’s appeal by failing to file an opening brief.”

“The commission found clear and convincing evidence that Myers violated his ethical duties and that his conduct was unrelated to his judicial candidacy,” the justices wrote.

The disbarment and suspensions mean that Myers will not be able to petition for reinstatement for eight years and seven months from the effective date of disbarment, which is Jan. 27, 2018.

In a federal court lawsuit filed by Myers, he claimed that the rules involving the disciplinary actions were unconstitutional because they violated his right to free speech, and that his allegations of abuse of power by Langton were true. Montana Attorney General Tim Fox filed a motion in November seeking to have that case dismissed.