

SB 15: Montana's Pushback Against Judicial Overreach

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Montana's Senate Bill 15 (SB 15) is more than a legislative proposal—it's a constitutional reckoning. At its heart, SB 15 seeks to restore accountability to a judiciary that has, for too long, operated above the law and beyond the reach of the people. The bill clarifies and strengthens the impeachment process for judges who violate public trust, and its introduction has sparked fierce debate across the state.

The Problem: A Judiciary Without Oversight

Montanans have watched with growing alarm as the Montana Supreme Court and lower courts increasingly inject politics into rulings, override legislative intent, and shield themselves from scrutiny. The judiciary was never meant to be a political pipeline—but today, it functions as one. Judges with partisan leanings make sweeping decisions that reshape policy, block reform, and silence dissent. Worse, when misconduct arises, the mechanisms for removal are vague, slow, and often ineffective.

This imbalance didn't happen overnight. It began with the 1972 Montana Constitutional rewrite, which handed the judicial branch legislative authority to regulate lawyers—an extraordinary power that blurred the lines between branches. Since then, the judiciary has grown into an unchecked force, often acting as both rule-maker and rule-enforcer, with little recourse for the people or their elected representatives.

What SB 15 Actually Does

SB 15 defines judicial impeachability in



terms of “malfeasance, misfeasance, or nonfeasance”—terms rooted in constitutional law. It outlines a process that is deliberate, not impulsive; lawful, not political. It ensures that judges are not immune from the same standards of accountability that apply to every other public servant.

Critics claim SB 15 is a partisan weapon. In truth, it's a constitutional scalpel—designed to excise corruption, not score political points. It affirms the legislature's role as a check on judicial power, just as the Founders intended. SB 15 is not only constitutional—it is necessary to rebalance the separation of powers and restore the integrity of Montana's three-branch system.

Legislators Who Oppose SB 15: Protecting the Machine

Let's be clear: legislators who voted against SB

15 are not defending judicial independence—they are defending judicial supremacy. They are holding the judicial branch up as an idol, shielding it from scrutiny, and refusing to exercise their constitutional duty to check and balance power. In doing so, they become part of the corrupt machine that has allowed activist judges to operate without consequence.

This isn't just political cowardice—it's a betrayal of the people they serve. By opposing SB 15, these legislators signal that they prefer a system where judges rule unchecked, lawyers regulate themselves, and the public has no voice in the process.

The Stakes for Montana

If SB 15 fails, Montana's judiciary will remain a fortress—untouchable, unaccountable, and increasingly political. But if it passes, it will send a clear message: no one is above the Constitution. It will empower citizens and legislators to demand integrity from those who interpret the law.

This isn't just about one bill. It's about restoring the balance of power, defending the rule of law, and ensuring that judges serve the people—not their own agendas.

A Call to Action

Montanans must rally behind SB 15. The bill is a lifeline for constitutional oversight and a warning shot to those who believe the bench is a throne. It's time to remind every judge, every legislator, and every citizen: the Constitution is not optional, and accountability is not negotiable. 