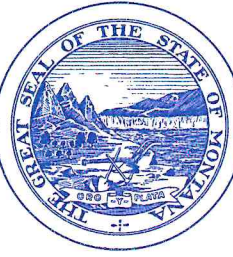


COMMISSIONER OF  
POLITICAL PRACTICES



STATE OF MONTANA

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COMMISSIONER  
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May 29, 2024

Logan Olson  
PO Box 55  
Flaxville, MT 59222

Re: *Hogan v. Olson*, COPP-2024-CFP-018

Dear Mr. Olson,

I hope you are well. Your response to the above-named complaint was received by this office on May 28, 2024. In accordance with the Administrative Rule regarding campaign finance complaints, "the commissioner may request additional information from the complainant or the alleged violator prior to making a determination whether to proceed with a full investigation and whether to dismiss a complaint under this rule." 44.11.106(4) ARM. You replied to part of the complaint as it pertains to your qualifications to run for Montana Attorney General. You asserted that the remaining issues were deficient under 44.11.106(2)(b)(iii). While COPP proceeds with complaints when the complainant describes a violation with enough specificity to determine a statute or rule alleged, in this particular instance I requested Ms. Hogan provide specific citations since you asserted such as a requirement.

I am also requesting that you provide additional information under the same rule, 44.11.106(4). The qualifications for the office of Attorney General of the State of Montana are provided in the Montana Constitution:

"(1) No person shall be eligible to the office of governor, lieutenant governor, secretary of state, attorney general, superintendent of public instruction, or auditor unless he is 25 years of age or older at the time of his election. In addition, each shall be a citizen of the United States who has resided within the state two years next preceding his election. (2) Any person with the foregoing qualifications is eligible to the office of attorney general if an attorney in good standing admitted to practice law in Montana who has engaged in the active practice thereof for at least five years before election." Article VI, Part VI, Sec. 3.

The above requires not only admission to practice law, as discussed in *Shapiro v. Jefferson Co.*, 278 Mont. 109 (1996) but also the 'active practice' of law. Your response indicates that you are relying on your work under the Student Practice Rule to meet these requirements. In order to reach a decision in this matter, I must determine if your work under the Student Practice Rule meets the definition of 'active practice' and whether you fulfilled the requirements of the Student Practice Rule. To that end, please provide any information you feel supports your assertion. This

may include the number of hours worked, dates employed, the name of any court in which you filed an appearance, and the name and contact information for your supervising attorney(s).

Additionally, upon initial review of this complaint and the provided responses, I want to make you aware of an additional option that is available to you and other parties. You may request a formal declaratory ruling as allowed by 44.11.102(1). A formal declaratory ruling from COPP is appropriate when “doubt exists as to how a statute or rule administered by an agency affects the party’s legal rights.” 1.3.226 ARM. Such a ruling is only binding “between the agency and the petitioner” and is a “final agency decision subject to judicial review.” 1.3.229 ARM. If upon consideration, you wish to request a declaratory ruling, the requirements to do so are provided in 1.3.227 ARM.

The supplemental information requested above will be required regardless of whether this matter proceeds through the formal complaint process or as a declaratory ruling. To that end, please provide the requested information by 12:00 PM (Noon) on May 31, 2024.

I appreciate your time and prompt attention to this matter.

Regards,



Chris J. Gallus  
Commissioner of Political Practices

Cc. Austin Knudsen, Attorney General, Additional Respondent  
Sheila Hogan, Complainant