



LINCOLN COUNTY MONTANA

RESOLUTION 2025-20

A Resolution Appointing a Special Deputy County Attorney Under Mont. Code Ann. § 2-15-501(6).

THE BOARD OF COUNTY COMMISSIONERS FOR LINCOLN COUNTY, MONTANA FINDS:

1. The Lincoln County Attorney has requested prosecutorial assistance in the investigation and possible prosecution of suspected elder exploitation, Montana Department of Justice, Division of Criminal Investigation, Case Number 24-12-02;
2. Mont. Code Ann. § 2-15-501(6) authorizes the Attorney General to provide assistance to county attorneys in the discharge of his or her duties;
3. The Attorney General has created an Elder Justice Prosecutor whose duties include working with local, state, and federal law enforcement and prosecutors to review cases, investigate, and, as appropriate, prosecute crimes involving adult maltreatment including abuse, neglect, and financial exploitation of adults over the age of 60, and other disabled or otherwise vulnerable adults;
4. The Elder Justice Prosecutor, Michael L. Fanning, is a duly appointed Assistant Attorney General under Mont. Code Ann. § 2-15-502, licensed to practice law in the State of Montana, and who is in good standing with the State Bar of Montana; and
5. It is desired and deemed appropriate that a special deputy county attorney be appointed to assist in the investigation and possible prosecution of the subject case,

THE BOARD RESOLVES:

That Assistant Attorney General Michael L. Fanning is appointed as a special deputy county attorney for Lincoln County for the purpose of assisting in the investigation prosecution of the subject case.

That Elder Justice Prosecutor will charge no legal fees for attorney time provided under this appointment. Investigation expenses, witness fees and expenses, expert witness fees, jury costs, and other normal costs associated with trial will remain the County's responsibility as would normally be the case if prosecution were being handled solely by the Lincoln County Attorney. Any expenditures greater than \$500.00 shall be approved in advance by the

315646 BOOK: PF PERM/FILES PAGE: 15398 Pages: 2

STATE OF MONTANA LINCOLN COUNTY

RECORDED: 05/21/2025 3:50 KOI: RESOLUTION

CORRINA BROWN CLERK AND RECORDER

FEE: \$0.00 BY: *Corrina Brown*
FOR: LINCOLN COUNTY BOARD OF COMMISSIONERS 512 CALIFORNIA AVE,



LINCOLN COUNTY MONTANA

Lincoln County Attorney. Should the case be charged and/or tried, the Elder Justice Prosecutor and the County will arrange separately to pay the Elder Justice Prosecutor's reasonable travel, meals, lodging, and other incidental expenses.

THE BOARD FURTHER RESOLVES:

1. If a provision of this resolution conflicts with a provision of a previously adopted resolution, this resolution will prevail.
2. This resolution and its various sections, clauses and paragraphs are severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the resolution will not be affected.
3. This resolution will be effective immediately upon adoption, in accordance with § 7-5-123, MCA.
4. This Board directs that this resolution be entered into the minutes and signed by the Chair of the Board in accordance with § 7-5-121, MCA.

END OF RESOLUTION

Approved as to Form:

Marcia Boris, County Attorney

Date presented to the Board
Amended []

May 21, 2025

Approved ☒ Disapproved []

Adopted this 21 day of May, 2025.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Brent Teske, Chair

ATTEST:

Corrina Brown, Clerk of the Board