



Shared Legal Services for Conservation Districts

Overview

Conservation districts play a vital role in protecting Montana's land and water and in carrying out the 310 Law and CD Water Reservations programs. This program continues access to legal services through Overland Legal Services, PLLC, with Caitlin Overland providing experienced guidance tailored to conservation districts. Base funding for this program is provided by a grant from DNRC's Conservation Districts Bureau to MACD.

What's Staying the Same

Counsel: Caitlin Overland (Overland Legal Services, PLLC) and Camisha Sawtelle (Sawtelle Law Firm, PLLC) have been procured to provide these services to CDs.

Included Legal Services:

- Legal opinions and answers to CD law related questions
- Drafting and review of contracts, agreements, and other documents
- Representation in administrative law proceedings and imminent litigation
- Limited general counsel support

Cost to Conservation Districts: Costs to conservation districts for these services are typically fully covered. Cost-share may be required in cases where extensive support is needed, and will be discussed on a case-by-case basis. While not every legal need districts face can be addressed through this program, the updated workflow for requests is designed to help MACD distribute resources fairly and track needs to inform future program growth.

What's Changing

Program Coordination: Administration has shifted from DNRC to MACD. This change stems from potential conflicts of interest between the Department and a district or districts.

Request Workflow: Requests are now submitted using the [CD Legal Support Request Form](#). MACD reviews each request to confirm it fits within the scope of the program and routes appropriately (see Request Process Workflow).

Shared Resource Library: Legal opinions and guidance provided through this program will be compiled into a resource library. This makes information more accessible across the statewide network and reduces duplication of effort. Sensitive requests may be handled differently to protect confidentiality.



CD Legal Support Request Process

How to Access Services

To submit a request or ask a question, use the [CD Legal Support Request Form](#)

Request Process Workflow:

1. District reviews available resources and consults their county attorney to confirm that legal support is needed ([Conservation District Law Book](#), [MACD Resource Directory](#), [DNRC Resource Documents](#)).
2. District submits request through the [CD Legal Support Request Form](#).
3. MACD reviews the request to confirm it is eligible and within the scope of the shared service, and determines if it can be resolved with available resources. This may include routing to DNRC staff or other sources before forwarding the request to counsel.
4. MACD forwards request to counsel, who establishes service directly with the district.
5. Guidance and answers are shared with both the requesting district and MACD.
6. MACD adds guidance and legal information to the shared resource library for all districts to access.

Handling Sensitive Requests

Some requests may involve sensitive information about individuals, districts, or partners. Districts can mark a submission as sensitive. When this happens, MACD will follow up to determine next steps, which may include:

- Forwarding directly to legal counsel
- Redacting details before sharing information more broadly or withholding from the shared resource library entirely

Shared Resource and Program Limits

This is a limited, shared service for all districts. Requests are subject to approval and available funding, and will be prioritized based on urgency, scope, and fair distribution across districts. In some cases, MACD or counsel may determine a request cannot be handled due to conflicts of interest, limited capacity, or the matter being outside the program's purpose. ***Shared legal services are available to all Montana conservation districts, regardless of MACD membership standing and dues payment.***

When Districts May Need Their Own Attorney

This program is meant to supplement, not replace, a district's county attorney or independent legal counsel. Districts may always submit questions or requests for an opinion, but legal counsel is not guaranteed. *For example, representation is not provided in disputes involving another district, MACD, or DNRC. In these and other situations, districts may still request legal advice or an opinion through the shared service, but will need to retain their own attorney for direct representation.*

Looking Ahead

MACD recognizes that districts have legal needs that may not be covered by this shared service. We welcome feedback and input on how this program could be expanded in the future to better meet the needs of districts statewide. Please share feedback here: [CD Legal Services Feedback](#).

Please reach out to macd@macdnet.org with questions about this program.