
MONTANA LAW REVIEW

Volume 70

Summer 2009

Number 2

BOARD OF EDITORS

Editors-in-Chief

AUDREY J. SCHULTZ

ZACHARY STRONG

Managing Editor

TYSON RADLEY O'CONNELL

Business Editor

VINCENT PAVLISH

Executive Editor

PHILIP W. ROHLFING

Articles Editor

DUSTIN SWANSON

Notes Editors

MYLES BRACCIO

RYAN WELDON

Symposium Editor

HELIA JAZAYERI

STAFF

K.V. ALDRICH

KARI CLUFF

ANNIE DEWOLF

KATY FURLONG

ANDRES HALADAY

BRIAN MURPHY

AARON NEILSON

ROSS SHARKEY

JUSTIN STALPES

RANDY TANNER

FACULTY ADVISOR

J. MARTIN BURKE

Published semi-annually, Winter and Summer, by the Board of Editors of the Montana Law Review, School of Law, The University of Montana, Missoula, Montana 59812. Subscription price: \$40.00 per year within the United States; \$45.00 per year elsewhere. Single issues: \$25.00 per issue within the United States; \$30.00 per issue elsewhere. Back issues may be ordered directly from William S. Hein & Co., Inc., 1285 Main Street, Buffalo, New York 14209-1987, or by calling Hein at (800) 828-7571. Back issues can also be found in electronic format at HeinOnline (<http://heinonline.org/>).

MONTANA LAW REVIEW

Volume 70

Summer 2009

Number 2

TABLE OF CONTENTS

ARTICLES

ADMINISTERING JUSTICE IN
MONTANA’S RURAL COURTS*Hon. John C. McKeon* 201
and Hon. David G. Rice

MONTANA GROUNDWATER LAW IN
THE TWENTY-FIRST CENTURY*John B. Carter* 221

CAPTIVE REGULATORS, CAPTIVE
SHIPPERS: THE LEGACY OF
McCARTY FARMS*Anthony Johnstone* 239

A MILE WIDE AND AN INCH DEEP
NO MORE: ACHIEVING ACCESS TO
JUSTICE IN RURAL MONTANA *Klaus Sitte* 273

NOTE

SUNBURST SCHOOL DISTRICT No. 2
v. TEXACO, INC.: RETHINKING
RESTORATION DAMAGES AS A
REMEDY FOR TORTIOUS INJURY
TO LAND AND PROPERTY *Randy Tanner* 291

LEGAL SHORTS

RECENT DECISIONS AFFECTING THE MONTANA PRACTITIONER..... 311