

ORGANIZATIONAL MEETING
DAY TWO

MONTANA HOUSE OF REPRESENTATIVES
51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By Chairman Dave Brown, on January 4,
1989, at 10:09 a.m.

ROLL CALL

Members Present: All members were present with the exception
of the following:

Members Excused: Rep. Fritz Daily, Rep. Ralph Eudaily,
Rep. John Mercer

Members Absent: Rep. Ole Aafedt

Staff Present: John MacMaster, Legislative Council

GUEST SPEAKER:

Jim Oppedahl, Administrator for the Supreme Court gave a brief overview summarizing the Montana Court System as a three tiered affair that is funded in various ways.

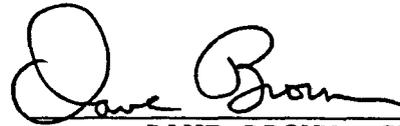
The Montana Supreme Court Case Filings Per Judge for the years of 1970 - 1988, shown as Exhibit 1, reflects the addition of two supreme court justices in 1981 to handle the increase of cases.

Exhibit 3, State Judicial System Appropriation By Category - FY 1989, is the courts budget in which the state general fund money constitutes in terms of the Supreme Court budget, not all of which is for the Supreme Court. Mr. Oppedahl reviewed the budget with the committee and gave a break-out for each of the divisions.

The Judicial Districts for the State of Montana, which there are 20, Exhibit 4, currently has 36 district court judges. Mr. Oppedahl gave an overview of the districts as well as stating how many judges there were within each district.

Mr. Oppedahl brought to the attention of the committee that the Supreme Court is now working on putting together a first annual report of the Judiciary System beginning from the year of 1977. Exhibit 4 shows a condensed version of what the dept. will be submitting within the next few months.

ADJOURNMENT: There being no further business to come before the committee, the hearing was adjourned at 10:59 a.m.

A handwritten signature in cursive script that reads "Dave Brown". The signature is written in black ink and is positioned above a horizontal line.

DAVE BROWN, CHAIRMAN

DB/je

DAILY ROLL CALL

JUDICIARY

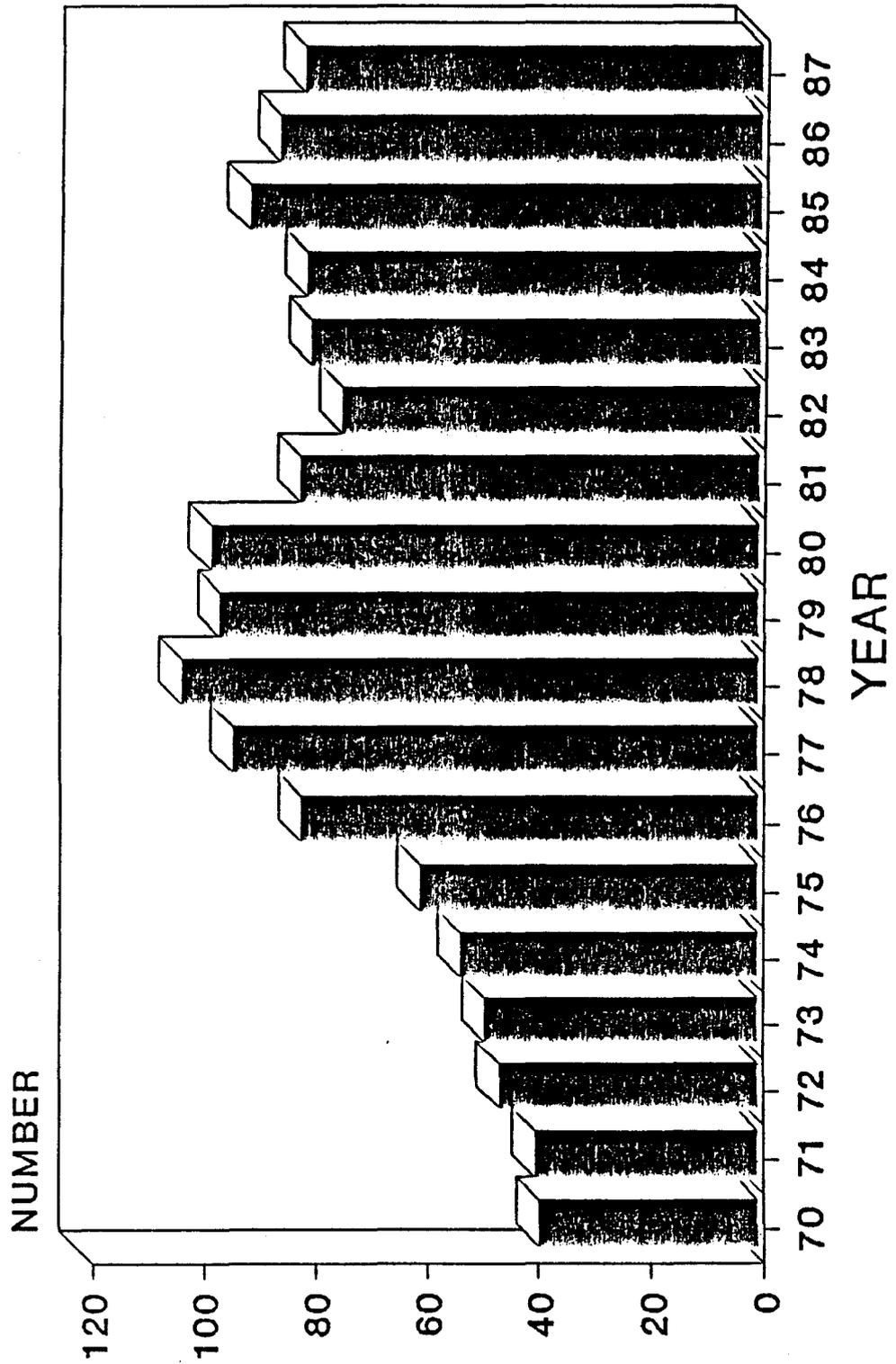
COMMITTEE

51st LEGISLATIVE SESSION -- 1989

Date JANUARY 4, 1989

NAME	PRESENT	ABSENT	EXCUSED
REP. KELLY ADDY, VICE-CHAIRMAN	✓		
REP. OLE AAFEDT		 	<i>dk</i> ✓
REP. WILLIAM BOHARSKI	✓		
REP. VIVIAN BROOKE	✓		
REP. FRITZ DAILY			✓
REP. PAULA DARKO	✓		
REP. RALPH EUDAILY			✓
REP. BUDD GOULD	✓		
REP. TOM HANNAH	✓		
REP. ROGER KNAPP	✓		
REP. MARY McDONOUGH	✓		
REP. JOHN MERCER			✓
REP. LINDA NELSON	✓		
REP. JIM RICE	✓		
REP. JESSICA STICKNEY	✓		
REP. BILL STRIZICH	✓		
REP. DIANA WYATT	✓		
REP. DAVE BROWN, CHAIRMAN	✓		

MONTANA SUPREME COURT CASE FILINGS PER JUDGE 1970 - 1988



STATE JUDICIAL SYSTEM APPROPRIATION
BY CATEGORY - FY 1989

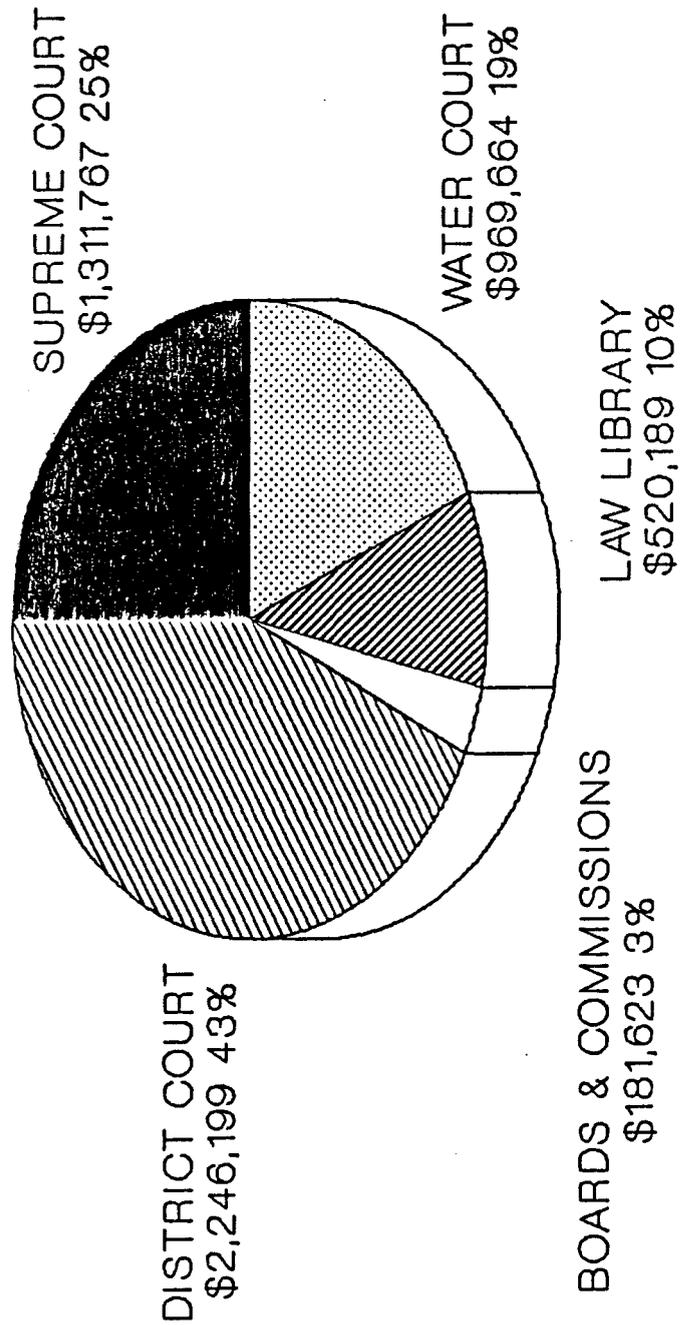


EXHIBIT 2

DATE JAN. 4, 1989

HB Organizational Meeting
Day Two

EXHIBIT 4
DATE 1-4-89
#8 Organizat. meeting
Day-two

COMMISSION ON THE USE OF APPROPRIATE
TECHNOLOGY IN THE MONTANA JUDICIARY
REPORT AND RECOMMENDATIONS TO THE
MONTANA SUPREME COURT

DECEMBER 1988

MEMBERSHIP
OF THE
SUPREME COURT COMMISSION
TO STUDY THE USE OF APPROPRIATE TECHNOLOGY
IN THE MONTANA JUDICIARY

Honorable R. C. McDonough
Associate Justice
Montana Supreme Court
Helena, Montana

Honorable Douglas Harkin
District Court
Fourth Judicial District
Missoula, Montana

Honorable Thomas A. Olson
District Judge
Eighteenth Judicial District
Bozeman, Montana

Honorable Bernard F. McCarthy
Justice of the Peace
Lewis and Clark County
Helena, Montana

Honorable Nancy L. Sabo
Justice of the Peace
Ravalli County
Hamilton, Montana

Mr. John Van
Clerk of the District Court
Flathead County
Kalispell, Montana

Mrs. Clara Gilreath
Clerk of the District Court
Lewis and Clark County
Helena, Montana

Mrs. Charmaine Fisher
Clerk of the District Court
Yellowstone County
Billings, Montana

Mrs. June Little
Clerk of the District Court
Park County
Livingston, Montana

Mrs. Maryhelen Habeger
Clerk of the District Court
Hill County
Havre, Montana

Mr. Jim Oppedahl
Court Administrator
Montana Supreme Court
Helena, Montana

STAFF:
Mary Wright
Research Assistant
Court Administrator's Office
Montana Supreme Court
Helena, Montana

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- A. Proposed Bill Draft Providing
Improvement Funding for Computer
Software Development, Training,
Education, and Expenses of A
Judicial Commission on Technology

EXECUTIVE SUMMARY OF RECOMMENDATIONS

The Montana Supreme Court created the Commission to Study the Use of Appropriate Technology in the Montana Judiciary in December, 1987. The Court charged the Commission with conducting a comprehensive review of the current state of automation in the Montana Judiciary, analyzing the current and future need for appropriate technology, and recommending further action to the Supreme Court.

The Commission held five meetings during calendar year 1988. During its examination, the Commission found that the Montana Judiciary lags significantly behind other branches of government -- both at the state and local level -- in the use of computers to do basic word processing and information management. There are several fundamental reasons for the lag. In part, it is due to the lack of a clearly articulated set of long-range goals and objectives. Education and exposure to the modern potential of computers is a further reason for the lag. But the greatest problem today is the lack of clear financial support to modernize and improve judicial operations. This is made all the more difficult by recent budget constraints at the state and local level.

The Commission makes the following recommendations to identify

long-range goals and objectives and to move the Judiciary towards a more coordinated and intensive use of modern computers:

1. The Supreme Court should take a strong leadership position inside and outside of the Judiciary to insure that the Court system is adequately equipped with modern tools and that they are used effectively and efficiently to manage the Judiciary's workload.

2. The Commission should become a permanent Commission of the Supreme Court charged with both developing and monitoring long-range goals and objectives for automation within the Montana Judiciary. A permanent Commission is needed so that the Judicial Branch can begin to control its own information and management needs -- to set a course that makes sense to it and to adjust that course when necessary in a constantly changing world. Without a Commission to oversee and coordinate the general direction of computerization in the Judiciary, the court system will continue to make uninformed decisions and be at the mercy of outside data processing staffs and grandiose promises made by computer vendors.

3. Standards should be adopted by the Supreme Court for compatible hardware and software, and uniform data

elements, standards, and definitions used within the Judiciary. The primary goal of such standards would be to create a coordinated system of computers within the Judiciary that is adaptable to the needs and capabilities of the various counties, allows easy transfer of information among diverse users, and is compatible with state-level information and statistical needs.

4. The use of microcomputers operating on MS DOS systems should be strongly considered as the hardware standard adopted by the Supreme Court. Microcomputers appear to offer the greatest opportunity for promoting judicial efficiency in word processing and information management, they are relatively low cost, and they provide flexibility for communicating with a variety of other systems.

5. A microcomputer-based software package should be developed for statewide applications. This software package should be developed in distinct modules that can be phased-in over a 5-year period and customized for individual courts. The initial development should concentrate on providing management components for the Clerk of District Court and Limited Jurisdiction Courts and ultimately link Judges and other judicial personnel

with the automated records of the clerks office.

6. The Supreme Court Administrator's Office should be given responsibility for coordinating and monitoring the use of technology in the judiciary. As part of this responsibility the Administrator's Office should begin as quickly as possible to develop an in-house capacity to:

- act as a clearing house for information on hardware and software;
- establish an educational and training program to assist judicial personnel with the task of becoming familiar with computer technology;
- begin the development of standard software programs that will serve the needs of District Court Judges, clerks offices, and judges and personnel in Courts of Limited Jurisdiction;
- offer short-term technical assistance for computer installation and implementation problems.

7. The Supreme Court should explore with the Legislature and county officials the funding of long-term improvements of judicial operations through hardware purchases and software development. The Commission

believes that a realistic approach to the funding problem is for counties to continue to have the responsibility for hardware and maintenance costs and for the Legislature to fund software development and training costs for programs that meet Supreme Court standards. (See appendix A)