

Access to Justice Commission Civil Justice Improvements Act

What is the Access to Justice Commission?

- Created by the Supreme Court in 2012. **18** members, representing the legislature, state and local courts, the Attorney General's office, tribal communities, the State Bar, the business community, the law school, and legal service providers.
- The Commission evaluates the ability of Montanans to access our court system, engages in long-range planning, and coordinates efforts to improve efficiencies to help all court users to get their legal issues addressed.

What will this legislation do?

- Creates a fund to provide legal information and assistance to ordinary Montanans who cannot afford an attorney to help with their civil legal problems.
- These are issues like protecting survivors from domestic abuse, securing child support for parents, avoiding consumer scams against seniors, and helping returning veterans obtain benefits.

Who will pay?

- This proposal does not raise taxes and does not take money from the general fund.
- It equalizes court filing fees in civil cases filed in district courts. If it passes, a plaintiff filing a contract or personal injury case will pay the same amount that someone filing a marriage dissolution action pays now. The bill raises court filing and appearance fees only for cases that have had stagnant filing fees for decades.
- Only people using the court system who can afford to pay a filing fee will pay. People unable to pay a filing fee will still be able to get a fee waiver.

Why do we need this?

Montana's justice system faces significant challenges:

- First, many Montanans are coming to court on their own with truly desperate situations that the courts need to address;
- Second, the resulting pressures on the court system bring hardship to everyone else who is waiting their turn in a crowded docket. The wheels of justice spin slower and slower, and no one is well served.

Who will benefit?

- All court users will benefit by helping the courts operate more efficiently.
- Veterans, domestic violence survivors, children of single parents, senior citizens, victims of consumer scams, people struggling to stay in their homes, and Montanans in rural areas with few lawyers will benefit by getting the help they need to navigate legal situations.
- Montana communities will benefit by helping secure financial stability for families, child support for parents, and hard-earned benefits for veterans and people with disabilities.