

COLJ AUTOMATION & ACCOUNTING ADVISORY COMMITTEE MEETING,

July 16, 2015, 2015

HELENA MONTANA.

MEMBERS PRESENT

Judge Greg Mohr-Richland County Justice-Sidney City Court

Judge Audrey Barger-Hill County Justice Court

Judge Linda Budeski-Park County Justice Court

Judge Jackie Schara-Joliet-Fromberg City Court

Thelma Keys-Nicol-Kalispell Municipal Court

Sharon Skaggs-Yellowstone County Justice Court

Carlin Cameron-Yellowstone County Justice Court-President MJC&MCCA

Tina Schmaus-Missoula Municipal Court

Lisa Mader-Montana Supreme Court Administrator's Office

Claudia Anderson-Montana Supreme Court Administrator's Office

CHAIRPERSON CARVER CALLED THE MEETING TO ORDER

Meeting called to order at 11:34 am by Judge Carver.

PUBLIC COMMENT

No one was present for public comment.

APPROVAL OF MINUTES.

Sharon made a motion to approve the minutes of the May 14, 2015 meeting with the addition of correct spelling of some of the names per Lisa, Carlin seconded the motion and the motion was carried. Lisa said she would get me the correct spelling of the names.

OLD BUSINESS

None

NEW BUSINESS

Lisa said she needed to have an official vote to approve the changes to the Full Court Enterprise Table Standards made by the committee via phone conferences. Some were original and some were added. Greg moved the changes and additions be approved, Linda seconded the motion, no discussion, motion passed.

At the bottom of that we need an official vote on the two new civil type, the District Court Juvenile Detainer and the District Court Involuntary Commitment. Greg motioned to approve, Linda seconded. This is for Full Court Enterprise only. Not added now. Motioned carried

Judgement types, judgement dispositions and civil order types. We probably want to go through column by column.

1st is Judgement Type equates to judgement and order types in FCE, the first list is what we agreed upon in the teleconferences, Need an official vote on that. Audrey made a motion to approve the listed Judgment types, Carlin seconded, discussion-none. Motion carries.

Civil Processing – Judgment Types (In FCE under Judgment & Order Types)

Committee decided on (11)

Confession
Compromise
Default
Dismissal Without
Jury Verdict
Nunc Pro Tunc
On the Pleading
Possession
Summary Judgment
Stipulated Judgment
Trial by Judge

Barger moved
Carlin seconded
Unanimous

3rd is Civil Order Types in Full Court V-5 and are now in FCE as Judgment and Order Type. Listed as approved. Linda made a motion to approve, Audrey seconded the motion, Discussion-None-Motion carried.

Civil Processing – Order Types
(In FCE under Judgment & Order Types)

Committee decided on (3)

Amended Order of Protection
Order of Protection
Temporary Order of Protection

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*Budeski moved*  
*Barger seconded*  
*Unanimous*

2<sup>nd</sup>-Middle Colum in FC V-5 are Judgement Dispositions are now in FCE Civil Processing Judgement Order Status. Listed as approved. Audrey made a motion to approve, Carlin seconded, Discussion-some discussion on continuance or continued. Continued was agreed on. Motion Carried.

**Civil Processing – Judgment Dispositions (In FCE it is Judgment Order Status)**

**Committee decided on (11)**

Appeal to District Court  
Bankruptcy Discharge  
**Continued**  
Denied  
Dismissal Prejudice  
Dismissal Without  
Entry of Judgment  
Granted  
Removal District Court  
Satisfied  
Vacated

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Barger moved w/addition of
Continued
Carlin seconded
Unanimous

Case status, committee agreed on Pending, Disposed, Closed and Reopened as standard case status, Audrey made motion to approve, Greg seconded, Discussion-None, motioned carried.

Petition to Revoke-not all courts have pleas of admit and deny and a finding of true. They have been adding true as they go to each courts. These are additions to what we have In FC V5. These are for the criminal pleas on the petition to revoke. Greg made a motion to approve, Linda seconded the motion, discussion- Audrey wanted to make sure this was for FC V-5 and it is. Motion carried.

Per Larry, According to statute, the Finding should be granted or denied for a Petition to Revoke, Judge Mohr thinks the finding should be granted or denied. The words true and not true are not in the statute. Larry said we should be consistent with the findings. Linda made a motion to have Granted and Deny as a finding, Greg seconded the motion. Discussion-Sharon said they use true and dismissed and the Courts have sent out a best practices guide to all of the courts using the findings of True or Dismissed on the petition to revoke. Some courts use a finding of other in criminal, Claudia needs to look at that, the courts need to be consistent. Linda withdrew her motion. Sharon made a motion to

adopt the best practices guide and use pleas of admit or deny and a finding of true or dismissed on the petition to revoke. Carlin seconded the motion. Discussion-None, motion carried.

Sharon asked that the yes's be changed on the list for the juvenile use of the hearing standard sheet. Lisa will change them.

2	Change of Plea	Y	N	N	Orig Standard
3	Hearing on Exemptions	N	N	Y	Orig Standard
4	Hearing on Motion	Y	N	Y	Orig Standard
5	Initial Appearance/Arrestment	Y	N	Y	Orig Standard
6	Judge Trial	Y	N	Y	Orig Standard
7	Jury Trial	Y	N	Y	Orig Standard
8	Mediation	Y	N	Y	Committee Agreed to Add
11	Omnibus	Y	N	Y	Orig Standard
12	Order of Protection	Y	N	Y	Orig Standard
14	Order to Show Cause	Y	N	Y	Orig Standard
15	Petition to Revoke	Y	N	Y	Orig Standard
16	Preliminary	Y	N	N	Orig Standard
17	Scheduling Conference	Y	N	Y	Orig Standard
18	Sentencing	Y	N	Y	Orig Standard
19	Status Hearing	Y	N	Y	Committee Agreed to Add
21	Damages Hearing	N	N	Y	Committee Agreed to Add
22	Debtor Exam	N	N	Y	Committee Agreed to Add
25	Restitution	Y	N	N	Committee Agreed to Add
26	Extradition	Y	N	N	Committee Agreed to Add
27	Contempt Hearing	N	N	Y	Committee Agreed to Add
28	Hearing	Y	N	Y	Committee Agreed to Add
30	Pre-Trial Conference	Y	N	Y	Orig Standard
35	Summary Judgment	N	N	Y	Committee Agreed to Add
	Compliance	Y	N	N	Committee Agreed to Add
	Juvenile Detention	Y	N	Y	Committee Agreed to Add
	Involuntary Commitment Initial	N	N	Y	Committee Agreed to Add
	Jury Confirmation Hearing	Y	N	Y	Committee Agreed to Add
	Jury Instruction Hearing	Y	N	Y	Committee Agreed to Add

**Mohr moved, Budeski seconded - Unanimous
Juvenile category was all changed to N (per Sharon)**

Claudia asked if she could put a note on the list serve to the clerks to let them know that the \$300 for the defendants who refuse to blow at the time of a DUI arrest is to be collected by the DOJ not by the courts, this is administrative only. This is in reference to HB 488. Greg moved to approve this be placed on the clerks serve and also the Judges serve list, Carlin seconded, motion carried.

Carlin made a motion to adjourn the meeting, Linda seconded it, motion carried.

Case Status

Pending – Open

Disposed – Disposed

Closed – Closed

Reopened- Reopened

Barger moved

Mohr seconded

Unanimous

Petitions to Revoke – Criminal Cases (FC V5)

Pleas – Admit & Deny

Mohr moved

Budeski seconded

Unanimous

Finding – True

Budeski moved Granted & Denied

Mohr seconded

Discussion (Sharon)

After much discussion by committee

Budeski withdrew motion for Granted & Denied

Mohr withdrew second

Sharon moved True & Dismissed

Carlin seconded

Unanimous