

MINUTES

Commission on Courts of Limited Jurisdiction (COCOLJ)

Helena, MT

October 21, 2022

Members Participating: Hon. Perry Miller, Hon. Kelly Mantooth, Hon. Jessie Connolly, Hon. Holly Frederickson, Hon. Steve Fagenstrom, Hon. Heidi Ulbricht, Peggy Tonon, Hon. Jim Rice, and Brian Smith

Members Absent: Hon. Steve Bolstad, Valerie Armstrong, and Scott Twito

Staff Present: Shauna Ryan

Guests: None

Judge Miller called the meeting to order at 8:40 a.m.

OLD BUSINESS:

Minutes

The minutes from the meeting on September 16, 2022, were reviewed. Judge Mantooth moved that the minutes be approved. Brian Smith seconded the motion and it carried unanimously.

Fall Certification Conference/Moodle – Update

Shauna Ryan reported that over two thirds of the judges had enrolled in Moodle. On Monday she will send out another reminder to the remaining judges. Kevin Cook and Kathleen Androlewicz from the Court Administrator's office will be providing tech support in Fairmont. We will be doing a practice run on Thursday in Fairmont to make sure everyone can log on successfully with their devices. There has been one recent change in presenters – Ed Hirsch from the AG's office will now cover the DUI and Traffic Law session – in place of Angela Wetzsteon who had a last-minute conflict. Shauna has received roughly half of the PowerPoint presentations from presenters and has given a deadline of October 28th to receive the rest. She is required to have everything to the printers by Monday, October 31st.

NEW BUSINESS:

Request for Waiver of Training for Fall 2022 COLJ Conference

Hon. Richard Egebakken, Hon. Randal Owens, Hon. Larry Pahut, Hon. Jim Bailey, Hon. Joe Rapkoch, Hon. Susan Spencer, Hon. Dale Magone, Hon. Bill Franks, Hon. Holly Frederickson, and Hon. Stormy Langston: On behalf of the waiver committee, Peggy Tonon recommended that all the waiver requests be approved. The Commission concurred.

Rule 5 Revision

Justice Rice asked if the Commission had considered modifying the training rules as to retiring judges and the current requirement that they submit a Request for Waiver of Training form prior to certification school. If they are in fact retiring, then a waiver may not be necessary. The Commission tabled the matter and will discuss it at the meeting in January.

Payment of Elected Justice of the Peace who is Temporarily Serving as Substitute Judge in Another Court

There was a question from Kalispell about paying a full-time elected judge to also sit temporarily in another court. The Commission discussed it and reaffirmed that it is allowable to pay the judge for substituting, as long as it's not permanent. Members of the judiciary can hold more than one bench and it is not unlawful to collect payment for both jobs.

COCOLJ City Representative Seat Vacancy

Peggy Tonon intends to reach out to the city attorney in Hamilton, Karen Mahar, to see if she might be interested in serving. Shauna Ryan will contact Alan Hulse at MMIA for a recommendation.

Curriculum for Spring 2023 Conference

The Commission roughed out an agenda for the spring conference in Great Falls. Shauna Ryan will begin contacting presenters and provide an update at the January meeting.

Adjourned: The meeting adjourned at 9:50 a.m.

Next Meeting Date: The next meeting will be Sunday, November 13, 2022, at 1:00 p.m. in Fairmont Hot Springs.

February 7, 2024