

MINUTES OF MEETING
SENATE JUDICIARY COMMITTEE
January 7, 1983

The third meeting of the Senate Judiciary Committee was called to order by Chairman Jean A. Turnage on January 7, 1983 at 10:05 a.m. in Room 325, State Capitol.

ROLL CALL: All members were present except for Senators Brown, Galt and Hazelbaker, who were excused.

CONSIDERATION OF SENATE BILL NO. 3:

AN ACT TO REQUIRE THE CLERK OF DISTRICT
COURT IN CERTAIN COUNTIES TO PROVIDE FOR
THE RANDOM ASSIGNMENT OF JUDGES IN CIVIL
AND CRIMINAL CASES.

Senator Mazurek, sponsor of this bill, explained that it was being proposed by the Joint Subcommittee on Judiciary. He then called the committee's attention to the report which was distributed at the January 6, 1983 committee meeting (refer to Exhibit "A", January 6, 1983 Minutes), which discusses the purpose for this bill. Larger counties are in need of a system for the random selection of judges as lawyers have been known to "shop for judges" using the system which is now being used for the assignment of judges. The new system would use capsules for the drawing of judges when the clerk of court is assigning new civil and criminal cases.

Marc Racicot, Training Coordinator for the Prosecutor Services Bureau and Assistant Attorney General, spoke briefly as a proponent to this bill.

The committee then discussed the counties this random selection system would apply to. The population of 37,000 was used in the bill as counties of this size would have multi-judge districts. Senator Mazurek also explained that this method of assigning judges would not apply to youth court cases.

Questions were brought up as to whether this system would be worth the extra administrative problems and possibly the extra help required by the clerk of court.

There were no further proponents and no opponents.

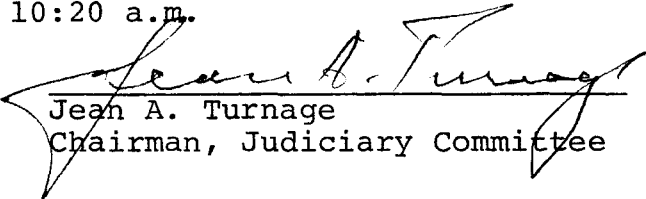
There being no further discussion, hearing on Senate Bill No. 3 was closed.

Chairman Turnage then informed the committee that the Supreme Court would like an applier to Section 37-61-205, MCA, which would give them the authority to set the bar exam fee for administering the examination to new attorneys. Chairman Turnage

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moved that the committee request a bill draft on this subject and the motion was passed unanimously.

ADJOURN: There being no further business before the committee, the meeting was adjourned at 10:20 a.m.



Jean A. Turnage
Chairman, Judiciary Committee

JUDICIARY COMMITTEE

Date 1-7-83

[illegible]

DATE 1-7-83

COMMITTEE ON Judiciary BILL NO. _____

BILL NO.

VISITOR'S REGISTER

[illegible]

(Please leave prepared statement with Secretary)