

1                    HOUSE      BILL NO. 5  
 2    INTRODUCED BY HUENNEKENS, VINCENT, LORY

3  
 4    A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH THE OFFICE  
 5    OF COURT ADMINISTRATOR."

6  
 7    BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

8            Section 1. Court administrator — office created —  
 9    appointment — terms — compensation. There is established  
 10   the office of court administrator. The supreme court shall  
 11   appoint a court administrator and fix the salaries of the  
 12   court administrator and his assistants. The court  
 13   administrator shall hold his position at the pleasure of the  
 14   court.

15           Section 2. Staff. With the approval of the supreme  
 16   court, the court administrator may hire assistants to assist  
 17   him in the performance of his duties. Neither the court  
 18   administrator nor any assistant may practice law in any of  
 19   the courts of this state while holding his position.

20           Section 3. Duties. The court administrator is the  
 21   administrative officer of the court. Under the direction of  
 22   the supreme court, the court administrator shall:

- 23           (1) prepare and present judicial budget requests to  
 24   the legislature;  
 25           (2) collect, compile, and report statistical and other

1    data relating to the business transacted by the courts and  
 2    provide such information to the legislature upon request;

3           (3) recommend to the supreme court improvements in the  
 4    judiciary; and

5           (4) perform such other duties as the supreme court may  
 6    assign.

7           Section 4. Cooperation of court officers. All court  
 8    officers, including clerks of district courts, shall comply  
 9    with requests made by the court administrator for  
 10   information and statistical and financial data bearing on  
 11   the business transacted by the courts.

12           Section 5. Federal funds. The supreme court may accept  
 13   federal funds to supplement the funds appropriated to the  
 14   court for the purpose of carrying out this act.

15           Section 6. Severability. If a part of this act is  
 16   invalid, all valid parts that are severable from the invalid  
 17   part remain in effect. If a part of this act is invalid in  
 18   one or more of its applications, the part remains in effect  
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 20   invalid applications.

-End-

STATE OF MONTANA

REQUEST NO. 45-77

FISCAL NOTE

Form BD-15

In compliance with a written request received January 10, 19 77, there is hereby submitted a Fiscal Note for House Bill 5 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to establish the Office of Court Administrator.

ASSUMPTIONS:

1. The Court Administrator will continue to function in accordance with House Bill 286 passed by the 44th Legislature.
2. Federal funds will be used, when available, to finance the office.

FISCAL IMPACT:

House Bill 264, passed by the 44th Legislature, stated in part, "Included in the appropriation are sufficient funds to hire a court administrator to perform the administrative functions of the judicial branch." A Court Administrator and some staff were hired during the 77 biennium. The costs for a Court Administrator have been projected at \$57,800 in FY 78 and \$60,900 in FY 79. Since the Court Administrator is already functioning, the above costs are only the normal growth pattern of an existing function of state government. This bill provides no additional costs to the operation of state government in either FY 78 or FY 79. Currently 85% of the Court Administrator costs are federally funded.

*Richard L. Drury for*

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-14-77

Approved by Committee  
on Judiciary

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HB5

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