## HOUSE JOINT RESOLUTION NO. 2

## INTRODUCED BY SCULLY

IN THE HOUSE

January 8	8, 1	979				, Introduced and referred to Committee on Judiciary.
January 1	.2,	1979				Committee recommend bill do pass. Report adopted.
January 1	.3,	1979				Printed and placed on members' desks.
January 1	.5,	1979				Second Reading, do pass.
January l	.6,	1979				Considered correctly engrossed.
January 1	.7,	1979				Third Reading, passed. Transmitted to Second House.
			IN	THE	SENATE	C
January l	.8,	1979				Introduced and referred to Committee on Judiciary.
January 2	26,	1979				Committee recommend bill be concurred in as amended. Report adopted.
January 2	29,	19 <b>7</b> 9				Second Reading, concurred in.
January 3	31,	1979				Third Reading, concurred in as amended.
			IN	THE	HOUSE	
February	1,	1979				Returned from Second House. Concurred in as amended.
February	2,	1979				Second Reading, amendments adopted.
February	3,	1979				Third Reading, amendments adopted. Sent to enrolling.
						Reported correctly enrolled.

HOLLAE JOINT RESOLUTION NO. 2 1 INTRODUCED BY 2

4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF 5 REPRESENTATIVES OF THE STATE OF MONTANA URGING THE CONGRESS 6 OF THE UNITED STATES TO ENACT LEGISLATION REQUIRING THAT ALL 7 PETITIONS FOR HABEAS CORPUS RELIEF IN A CRIMINAL CASE BE 8 CONSOLIDATED INTO ONE APPEAL.

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10 WHEREAS, each year thousands of persons are sentenced 11 by state courts to prison for the commission of crimes; and 12 WHEREAS, the current law on habeas corpus actions in 13 . federal court allows each defendant to demand an individual 14 reexamination of each issue in a case and there is no 15 requirement that all such issues be raised in one appellate 16 action; and

17 WHEREAS, the court system of this country is deluged18 with thousands of cases on appeal; and

WHEREAS: the backlog of cases causes hardships on
 victims and defendants alike; and

21 WHEREAS, excessive appeals result in the expenditure of
22 millions of dollars in legal, investigative, and court costs
23 and tend to thwart and defeat justice.

- 24
- 25 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE

1 OF REPRESENTATIVES OF THE STATE OF MONTANA:

2 That we urge the Congress of the United States to give 3 its most earnest consideration to the prompt enactment of 4 legislation requiring that all petitions for habeas corpus 5 relief in a criminal case be consolidated into one appeal. 6 BE IT FURTHER RESOLVED, that copies of this resolution 7 be sent by the Secretary of State to the President of the United States, the President of the United States Senate, 8 9 the Speaker of the United States House of Representatives, 10 and each member of Montana's Congressional Delegation.

-End-

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INTRODUCED BILL HJR2 Approved by Committee on Judiciary

1 HOLDE JOINT RESOLUTION NO. 2 2 INTRODUCED BY

4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF 5 REPRESENTATIVES OF THE STATE OF MONTANA URGING THE CONGRESS 6 OF THE UNITED STATES TO ENACT LEGISLATION REQUIRING THAT ALL 7 PETITIONS FOR HABEAS CORPUS RELIEF IN A CRIMINAL CASE BE 8 CONSOLIDATED INTO ONE APPEAL.

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10 WHEREAS, each year thousands of persons are sentenced 11 by state courts to prison for the commission of crimes; and 12 WHEREAS, the current law on habeas corpus actions in 13 federal court allows each defendant to demand an individual 14 reexamination of each issue in a case and there is no 15 requirement that all such issues be raised in one appallate 16 action; and

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Z4 -

25 NON, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE

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-End-

HJRZ READING -2-SECOND

HJR 0002/02

HOUSE JOINT RESOLUTION NO. 2 1 2 INTRODUCED BY SCULLY 3 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF 4 REPRESENTATIVES OF THE STATE OF MONTANA URGING THE CONGRESS 5 6 OF THE UNITED STATES TO ENACT LEGISLATION REQUIRING THAT ALL PETITIONS FOR HABEAS CORPUS RELIEF IN A CRIMINAL CASE BE 7 CONSOLIDATED INTO ONE APPEAL. 8 9 10 WHEREAS, each year thousands of persons are sentenced 11 by state courts to prison for the commission of crimes: and 12 WHEREAS, the current law on habeas corpus actions in federal court allows each defendant to demand an individual 13 reexamination of each issue in a case and there is no 14 requirement that all such issues be raised in one appellate 15 action; and 16 WHEREAS, the court system of this country is deluged 17 with thousands of cases on appeal; and 18 19 WHEREAS, the backlog of cases causes hardships on victims and defendants alike; and 20 WHEREAS, excessive appeals result in the expenditure of 21 millions of dollars in legal. investigative. and court costs 22 23 and tend to thwart and defeat justice. 24 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE 25

HJR 0002702

1 OF REPRESENTATIVES OF THE STATE OF MONTANA:

2 That we urge the Congress of the United States to give 3 its most earnest consideration to the prompt enactment of 4 legislation requiring that all petitions for habeas corpus relief in a criminal case be consolidated into one appeal. 5 BE IT FURTHER RESOLVED, that copies of this resolution 6 7 be sent by the Secretary of State to the President of the United States, the President of the United States Senate, 8 the Speaker of the United States House of Representatives, 9 and each member of Montana's Congressional Delegation. 10

-End-

-2- THIRD READING HJR 2

HJR 0002/03

ı	HOUSE JOINT RESOLUTION NO. 2
2	INTRODUCED BY SCULLY
3	
4	A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
5	REPRESENTATIVES OF THE STATE OF MONTANA URGING THE CONGRESS
6	OF THE UNITED STATES TO ENACT LEGISLATION REQUIRING THAT ALL
7	PETITIONS FOR HABEAS CORPUS RELIEF IN A CRIMINAL CASE BE
8	CONSOLIDATED INTO ONE APPEAL.
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10	WHEREAS, each year thousands of persons are sentenced
11	by state courts to prison for the commission of crimes; and
12	WHEREAS, the current law on habeas corpus actions in
13	federal court allows each defendant to demand an individual
14	reexamination of each issue in a case and there is no
15	requirement that all such issues be raised in one appellate
16	action; and
17	WHEREAS, the court system of this country is deluged
19	with thousands of cases on appeal; and
19	WHEREAS, the backlog of cases causes hardships on
20	victims and defendants alike; and
21	WHEKEAS, excessive appeals result in the expenditure of
22	millions of dollars in legal, investigative, and court costs
23	and tend to thwart and defeat justice.
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3	its most earnest consideration to the prompt enactment of
4	legislation requiring that <b>ell petitions for</b> habeas corpus
5	reliaf in a criminal case be consolidated into one appeal
5	WHENEVER THE PETITIONER IS REPRESENTED BY COUNSEL OR HAS
7	EEEECTIVELY_WAIVED_THE_RIGHT_TO_COUNSEL+
B	BE IT FURTHER RESOLVED, that copies of this resolution
9	be sent by the Secretary of State to the President of the
10	United States, the President of the United States Senate,
11	the Speaker of the United States House of Representatives.
12	and each member of Montana's Congressional Delegation.
	-End-

-2- IJR 2 REFERENCE BILL