

HOUSE JOINT RESOLUTION NO. 2

INTRODUCED BY SCULLY

IN THE HOUSE

January 8, 1979	Introduced and referred to Committee on Judiciary.
January 12, 1979	Committee recommend bill do pass. Report adopted.
January 13, 1979	Printed and placed on members' desks.
January 15, 1979	Second Reading, do pass.
January 16, 1979	Considered correctly engrossed.
January 17, 1979	Third Reading, passed. Transmitted to Second House.

IN THE SENATE

January 18, 1979	Introduced and referred to Committee on Judiciary.
January 26, 1979	Committee recommend bill be concurred in as amended. Report adopted.
January 29, 1979	Second Reading, concurred in.
January 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.

1 House JOINT RESOLUTION NO. 2
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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.

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
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
18 with thousands of cases on appeal; and

19 WHEREAS, the backlog of cases causes hardships on
20 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
8 United States, the President of the United States Senate,
9 the Speaker of the United States House of Representatives,
10 and each member of Montana's Congressional Delegation.

-End-

INTRODUCED BILL
HJR 2

Approved by Committee
on Judiciary

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HJR 2

-2- SECOND READING

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6 ~~WHENEVER THE PETITIONER IS REPRESENTED BY COUNSEL OR HAS~~
7 ~~EFFECTIVELY WAIVED THE RIGHT TO COUNSEL.~~

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