

HOUSE BILL NO. 415

INTRODUCED BY DAILY

IN THE HOUSE

January 20, 1983	Introduced and referred to Committee on Judiciary.
February 2, 1983	Committee recommend bill do pass. Report adopted.
February 3, 1983	Bill printed and placed on members' desks.
February 4, 1983	Second reading, do pass.
February 5, 1983	Considered correctly engrossed.
February 7, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 8, 1983	Introduced and referred to Committee on Judiciary.
March 22, 1983	Committee recommend bill be concurred in. Report adopted.
March 24, 1983	Second reading, concurred in.
March 28, 1983	Third reading, concurred in. Ayes, 47; Noes, 0.

IN THE HOUSE

March 28, 1983	Returned to House.
March 29, 1983	Sent to enrolling.  Reported correctly enrolled.

1 *Hogue* BILL NO. *415*  
2 INTRODUCED BY *Railey*  
3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW A MUNICIPAL  
5 COURT JUDGE AND HIS LAW PARTNERS TO PRACTICE LAW BEFORE ANY  
6 COURT OF THIS STATE EXCEPT THE MUNICIPAL COURT OF THAT  
7 JUDGE; AMENDING SECTIONS 3-1-601, 3-1-603 AND 3-1-604, MCA."  
8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 3-1-601, MCA, is amended to read:

11 "3-1-601. Certain officers not to practice law or  
12 administer estates. (1) No Except as provided in 3-1-604, no  
13 justice or judge of a court of record or clerk of any court  
14 may practice law in any court in this state or act as  
15 attorney, agent, or solicitor in the prosecution of any  
16 claim or application for lands, pensions, or patent rights  
17 or other proceedings before any department of the state or  
18 general government or any court of the United States during  
19 his continuance in office.

20 (2) Neither the court administrator nor any assistant  
21 may practice law in any of the courts of this state while  
22 holding his position.

23 (3) No justice or judge of a court of record may act  
24 as administrator or executor of any estate for  
25 compensation."

1 Section 2. Section 3-1-603, MCA, is amended to read:  
2 "3-1-603. No judicial officer of court of record to  
3 have partner practicing law. (1) No Except as provided in  
4 subsection (2), no judicial officer of a court of record  
5 may have a partner acting as attorney or counsel in any  
6 court of this state.

7 (2) A partner of a municipal court judge may act as  
8 attorney or counsel in any court of this state except the  
9 municipal court of his partner."

10 Section 3. Section 3-1-604, MCA, is amended to read:

11 "3-1-604. Restrictions on municipal court judges. No  
12 municipal court judge may practice law before his own  
13 municipal court or hold office in a political party during  
14 his term of office."

-End-

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on Judiciary

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SECOND READING

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