

HOUSE BILL NO. 608

INTRODUCED BY SPAETH, RAMIREZ, ADDY, YARDLEY

BY REQUEST OF THE DEPARTMENT OF JUSTICE

IN THE HOUSE

February 1, 1983	Introduced and referred to Committee on Judiciary.
February 11, 1983	Committee recommend bill do pass. Report adopted.
February 12, 1983	Bill printed and placed on members' desks.
February 14, 1983	Second reading, do pass.
February 15, 1983	Considered correctly engrossed.
February 16, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 17, 1983	Introduced and referred to Committee on Judiciary.
March 24, 1983	Committee recommend bill be concurred in. Report adopted.
March 26, 1983	Second reading, concurred in.
March 28, 1983	Third reading, concurred in. Ayes, 46; Noes, 0.

IN THE HOUSE

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

1 *House* BILL NO. *608*
2 INTRODUCED BY *Spencer, Ramsey, Faddy, andley*
3 BY REQUEST OF THE DEPARTMENT OF JUSTICE
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REPEALING SECTIONS
6 37-61-304 THROUGH 37-61-306, MCA, WHICH ESTABLISH PROCEDURES
7 FOR DISCIPLINING ATTORNEYS THAT ARE INCONSISTENT WITH ORDERS
8 AND RULES OF THE SUPREME COURT; AND PROVIDING AN IMMEDIATE
9 EFFECTIVE DATE."

10
11 WHEREAS, the Montana Supreme Court has original and
12 exclusive jurisdiction to discipline persons admitted to
13 practice law in Montana pursuant to Article VII, section
14 2(3), of the 1972 Montana Constitution and Title 37, chapter
15 61, MCA, and its inherent jurisdiction; and

16 WHEREAS, the Montana Supreme Court by its orders
17 governing the disciplining of persons admitted to practice
18 law in Montana established a Commission on Practice to
19 receive and investigate complaints of misconduct by lawyers
20 in Montana; and

21 WHEREAS, the Montana Supreme Court by its orders
22 governing the disciplining of persons admitted to practice
23 law in Montana also established grievance committees in each
24 judicial district to assist the Commission on Practice in
25 its investigation and processing of complaints of misconduct

1 by attorneys in Montana; and

2 WHEREAS, sections 37-61-304 through 37-61-306, MCA,
3 also address procedures for investigating and processing
4 complaints of misconduct by attorneys in Montana; and

5 WHEREAS, the procedures set forth in sections 37-61-304
6 through 37-61-306, MCA, are inconsistent with the procedures
7 established by the Montana Supreme Court in its orders.

8 THEREFORE, the Legislature of the State of Montana
9 finds it is appropriate to repeal those inconsistent
10 sections.

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 Section 1. Repealer. Sections 37-61-304 through
14 37-61-306, MCA, are repealed.

15 Section 2. Effective date. This act is effective on
16 passage and approval.

-End-

INTRODUCED BILL

-2-

HB 608

Approved by Committee
on Judiciary

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SECOND READING
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