

SENATE BILL NO. 3

Introduced: 1/3/83

Referred to Committee on Judiciary: 1/3/83

Hearing: 1/7/83

Report: 01/11/83, Do Not Pass. Report Adopted.

Bill Killed.

1 SENATE BILL NO. 3
2 INTRODUCED BY MAZUREK
3 BY REQUEST OF THE JOINT SUBCOMMITTEE ON JUDICIARY
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THE CLERK OF
6 DISTRICT COURT IN CERTAIN COUNTIES TO PROVIDE FOR THE RANDOM
7 ASSIGNMENT OF JUDGES IN CIVIL AND CRIMINAL CASES."
8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10 Section 1. Random assignment of judges in certain
11 counties. (1) Except as provided in subsection (3), in a
12 county with a population of 37,000 or more, located in a
13 multijudge district, the clerk of district court shall
14 institute a procedure for the random assignment of judges in
15 civil and criminal actions as follows:
16 (a) The clerk shall provide a minimum of 100 capsules
17 for each judge within the judicial district. An equal number
18 of capsules for each judge must be placed in a selection
19 box.
20 (b) At the time an action is initially entered in the
21 register, the clerk or his designated representative shall
22 blindly draw one capsule from the selection box to assign a
23 judge to the action.
24 (c) After selecting a capsule, the clerk or his
25 designated representative shall record the judge assignment

1 in the register and discard the capsule into a second box.
2 (d) The procedure described in subsections (b) and (c)
3 of subsection (1) must be repeated until all capsules have
4 been selected. Then the discarded capsules must be returned
5 to the selection box.
6 (2) The clerk may not at any time disclose to any
7 person the contents of the selection or discard boxes.
8 (3) The procedure described in subsection (1) is not
9 required for the assignment of judges in court proceedings
10 under Title 40, chapter 8; Title 41, chapter 5; Title 53,
11 chapter 20; or Title 53, chapter 21.
12 Section 2. Codification Instruction. Section 1 is
13 intended to be codified as an integral part of Title 3,
14 chapter 5, part 5, and the provisions of Title 3, chapter 5,
15 part 5, apply to section 1.

-End-