

HOUSE BILL NO. 620

INTRODUCED BY BRADLEY, RAMIREZ, HANNAH, MAZUREK,
VAN VALKENBURG, D. BROWN, DRISCOLL, SPAETH, MARKS, ADDY

IN THE HOUSE

February 1, 1985	Introduced and referred to Committee on Judiciary.
February 13, 1985	Committee recommend bill do pass. Report adopted. Bill printed and placed on members' desks.
February 16, 1985	Second reading, do pass. Considered correctly engrossed.
February 18, 1985	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 19, 1985	Introduced and referred to Committee on Judiciary.
March 5, 1985	Committee recommend bill be concurrent in as amended. Report adopted.
March 6, 1985	Second reading, concurred in.
March 8, 1985	Third reading, concurred in. Ayes, 37; Noes, 11. Returned to House with amendments.

IN THE HOUSE

March 9, 1985	Received from Senate.
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March 13, 1985

Second reading, amendments
concurrent in.

March 14, 1985

Third reading, amendments
concurrent in.

Sent to enrolling.

Reported correctly enrolled.

HOUSE BILL NO. 620

INTRODUCED BY Bradley Ramirez, Hannah Mezuih
Van Valkenburg, Dan Brown, Duane Spaulth, M. V.
Alley
 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING TRAINING AND
 CERTIFICATION OF CERTAIN JUDGES THROUGH A COURSE PRESCRIBED
 BY THE COMMISSION ON COURTS OF LIMITED JURISDICTION;
 ALLOWING THE COMMISSION TO ISSUE TEMPORARY CERTIFICATES;
 PROVIDING FOR REIMBURSEMENT OF EXPENSES; AND CREATING A
 VACANCY FOR FAILURE TO OBTAIN A CERTIFICATE."

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

Section 1. Definitions. As used in [this act], the following definitions apply:

(1) "Commission" means the commission on courts of limited jurisdiction established by supreme court order 12768.

(2) "Judge" means:

- (a) a municipal court judge;
- (b) a justice of the peace; or
- (c) a city judge.

Section 2. Training and certification of judges. Except as provided in [section 3], no judge selected for a term of office commencing on or after January 6, 1986, may assume the functions of his office unless he has filed with the county clerk and recorder in his jurisdiction a

certificate of completion of a course of education and training prescribed by the commission.

Section 3. Exception. [Section 2] does not apply to a judge who has received a temporary certificate issued by the commission as provided for in [section 4].

Section 4. Temporary certificate. (1) The commission may issue a temporary certificate enabling a judge to assume the functions of his office pending completion of a course as required by [section 2]. The temporary certificate must be in a form and subject to the terms and conditions prescribed by the commission.

(2) The commission may issue a temporary certificate only if:

- (a) the judge is appointed or elected for his first term after the course is offered; or
- (b) the commission grants an excuse because of a personal illness, a death in the family, or other good cause.

Section 5. Expenses. Each judge is entitled to reimbursement for all actual and necessary travel expenses and other costs incurred in attending a course of training and education pursuant to [section 2]. Such reimbursement must be paid as provided for in 3-10-203 and 3-11-204.

Section 6. Disqualification. Each judge shall complete a course of training and education as required by [section

1 2]. Subject to [section 4], failure to obtain a certificate
2 of completion disqualifies the elected or appointed judge
3 from assuming office and creates a vacancy in the office.

4 Section 7. Credit toward annual training. Attendance
5 of a training course prescribed by [section 2] may apply
6 toward fulfillment of mandatory annual training requirements
7 provided in 3-10-203 and 3-11-204.

8 Section 8. Codification instruction. Sections 1
9 through 7 are intended to be codified as an integral part of
10 Title 3, chapter 1, and the provisions of Title 3, chapter
11 1, apply to sections 1 through 7.

-End-

APPROVED BY COMMITTEE
ON JUDICIARY

HOUSE BILL NO. 620

INTRODUCED BY Spady Ramsey, Harold Mezueh
By Callahan, Dan Brown, Duane Spauld

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By: V. Volkov, Dan Brown, Duane Spatch
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SENATE

STANDING COMMITTEE REPORT

March 5 19 85

MR. PRESIDENT

We, your committee on JUDICIARY

having had under consideration HOUSE BILL No. 620

third reading copy (blue color)

(Senator Yellowtail)

REQUIRE TRAINING & CERTIFICATION OF LOWER COURT JUDGES

Respectfully report as follows: That HOUSE BILL No. 620

be amended as follows:

- 1. Page 1, lines 15 and 16. Following: "by" on line 15 Insert: "the" Following: "court" on line 15 Strike: remainder of line 15 through "12768" on line 16
2. Page 3, line 5. Following: "2]" Strike: "may" Insert: "shall"

AND AS AMENDED

BE CONCURRED IN

XXXXXX

XXXXXXXX

Handwritten signature of Senator Joe Mazurek, Chairman.

HOUSE BILL NO. 620

INTRODUCED BY BRADLEY, RAMIREZ, HANNAH, MAZUREK,

VAN VALKENBURG, ADDY, D. BROWN, DRISCOLL, SPAETH, MARKS

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