

HOUSE BILL NO. 862

2/16 Introduced  
2/16 Referred to Judiciary  
2/16 Fiscal Note Requested  
2/21 Fiscal Note Received  
2/22 Hearing  
Died in Committee

1 HOUSE BILL NO. 862  
2 INTRODUCED BY Spreth

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING COURTS OF  
5 LIMITED JURISDICTION TO SERVE NOTICE OF SUMMONS BY MAIL TO  
6 JURORS FOR CRIMINAL TRIALS; AMENDING SECTIONS 3-15-701  
7 THROUGH 3-15-703, MCA."

8  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 3-15-701, MCA, is amended to read:

11 "3-15-701. When and by whom jurors summoned. (1) When  
12 jurors are required for a civil trial in any justice's or  
13 city court or any other court of limited jurisdiction, they  
14 must, upon the order of the justice or of the judge thereof,  
15 be summoned by the sheriff, constable, marshal, or policeman  
16 of the jurisdiction.

17 (2) When jurors are required for a criminal trial in  
18 any justice's or city court or other court of limited  
19 jurisdiction, they must, upon order of the justice or the  
20 judge, be served notice by mail that they are summoned. If  
21 a person fails to respond to the notice, the justice or  
22 judge shall certify the failure to the sheriff, constable,  
23 marshal, or policeman of the jurisdiction, who shall summon  
24 them personally."

25 Section 2. Section 3-15-702, MCA, is amended to read:

1 "3-15-702. How to be summoned. Such jurors must be  
2 summoned from the persons competent to serve as jurors,  
3 residents of the county, city, or town in which such court  
4 has jurisdiction, by notifying them orally for a civil trial  
5 or by mail for a criminal trial that they are summoned and  
6 of the time and place at which their attendance is  
7 required."

8 Section 3. Section 3-15-703, MCA, is amended to read:

9 "3-15-703. Officer's return. (1) The officer summoning  
10 the jurors for a civil trial shall, at the time fixed in the  
11 order for their appearance, return the order to the court  
12 with a list of the persons summoned endorsed thereon.

13 (2) When required to summon jurors failing to respond  
14 to a notice for a criminal trial, the officer shall, at the  
15 time fixed in the order for their appearance, return the  
16 order to the court with a list of the persons summoned  
17 endorsed thereon."

-End-



-2- INTRODUCED BILL  
HB 862

STATE OF MONTANA  
FISCAL NOTE

REQUEST NO. FNN 455-85

Form BD-15

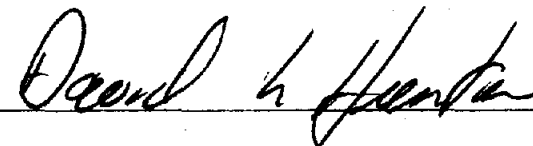
In compliance with a written request received February 16, 19 85, there is hereby submitted a Fiscal Note for House Bill 862 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 862 requires courts of limited jurisdiction to serve notice of summons by mail to jurors for criminal trials.

FISCAL IMPACT:

The proposed legislation has no state fiscal impact. Local impact for increased postage would be minimal.



BUDGET DIRECTOR  
Office of Budget and Program Planning

Date: Feb 21, 1985

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