

HOUSE JOINT RESOLUTION NO. 13

INTRODUCED BY KEENAN, WALLIN, ECK, LYNCH, DARKO,  
HAFFEY, BOYLAN, HARDING, HAGER, BRADLEY, BULGER,  
WHALEN, MILES, MARKS, MENAHAN, RAPP-SVRCEK

IN THE HOUSE

JANUARY 26, 1987                   INTRODUCED AND REFERRED TO COMMITTEE  
ON JUDICIARY.

FEBRUARY 10, 1987                   COMMITTEE RECOMMEND BILL  
DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 11, 1987                   PRINTING REPORT.

FEBRUARY 12, 1987                   SECOND READING, DO PASS.

FEBRUARY 13, 1987                   ENGROSSING REPORT.

                                      THIRD READING, PASSED.  
                                      AYES, 88; NOES, 2.

                                      TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 16, 1987                   INTRODUCED AND REFERRED TO COMMITTEE  
ON JUDICIARY.

MARCH 14, 1987                    COMMITTEE RECOMMEND BILL BE  
CONCURRED IN. REPORT ADOPTED.

MARCH 18, 1987                    SECOND READING, CONCURRED IN.

MARCH 20, 1987                    THIRD READING, CONCURRED IN.  
                                      AYES, 49; NOES, 0.

                                      RETURNED TO HOUSE.

IN THE HOUSE

MARCH 21, 1987                    RECEIVED FROM SENATE.

                                      SENT TO ENROLLING.

1 House JOINT RESOLUTION NO. 13  
 2 INTRODUCED BY Keenan, Manning, Cole, Spitzer,  
 3 Markie, Hilley, Boylan, Harding, Hager, Bradley, Ji,  
 4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF  
 5 REPRESENTATIVES OF THE STATE OF MONTANA URGING ADOPTION BY Walt,  
 6 THE COURTS OF "GUIDELINES FOR THE FAIR TREATMENT OF CHILD Walt,  
 7 WITNESSES IN CASES WHERE CHILD ABUSE IS ALLEGED". Menahan,  
 8 Kay, Smith

9 WHEREAS, the incidence of sexual abuse against young  
 10 children has increased dramatically in recent years; and

11 WHEREAS, a crime against a child is usually nonviolent  
 12 and committed in secrecy, with the child often the only  
 13 witness; and

14 WHEREAS, detecting the abuse and convicting the  
 15 offender are difficult due to the lack of witnesses, lack of  
 16 physical evidence, and inability, in many cases, of the  
 17 child to testify against the defendant; and

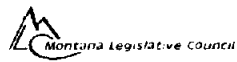
18 WHEREAS, in cases where the child victim does testify,  
 19 direct examination and cross-examination in the presence of  
 20 the defendant lead to intimidation or confusion of the  
 21 child, often resulting in the jury disbelieving the child's  
 22 testimony; and

23 WHEREAS, there is a verified need to modify court  
 24 procedures and evidentiary rules to accommodate the needs of  
 25 the child witness.

1  
 2 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE  
 3 OF REPRESENTATIVES OF THE STATE OF MONTANA:

4 That courts in Montana be urged to follow the American  
 5 Bar Association in approval and adoption of "Guidelines for  
 6 the Fair Treatment of Child Witnesses in Cases Where Child  
 7 Abuse Is Alleged" in order to achieve procedural reform to  
 8 improve the handling of child abuse cases and minimize the  
 9 trauma suffered by child victims.

-End-



APPROVED BY COMMITTEE  
ON JUDICIARY

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5

6 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF  
7 REPRESENTATIVES OF THE STATE OF MONTANA URGING ADOPTION BY  
8 THE COURTS OF "GUIDELINES FOR THE FAIR TREATMENT OF CHILD  
9 WITNESSES IN CASES WHERE CHILD ABUSE IS ALLEGED".  
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4 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE  
5 OF REPRESENTATIVES OF THE STATE OF MONTANA:

6 (1) That courts in Montana be urged to follow the  
7 American Bar Association in approval and adoption of  
8 "Guidelines for the Fair Treatment of Child Witnesses in  
9 Cases Where Child Abuse Is Alleged" in order to achieve  
10 procedural reform to improve the handling of child abuse  
11 cases and minimize the trauma suffered by child victims.

12 (2) THAT IF PASSED, THE SECRETARY OF STATE SHALL SEND  
13 A COPY OF THIS JOINT RESOLUTION TO EACH SUPREME COURT  
14 JUSTICE AND DISTRICT COURT JUDGE.

-End-



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