

HOUSE JOINT RESOLUTION NO. 38

INTRODUCED BY WHALEN, GIACOMETTO, DEMARS, HALLIGAN, ADDY,  
SPAETH, KILPATRICK, MCDONOUGH, MAZUREK

IN THE HOUSE

|                |   |
|----------------|---|
| APRIL 5, 1989  | INTRODUCED AND REFERRED TO COMMITTEE<br>ON JUDICIARY.           |
| APRIL 6, 1989  | FIRST READING.  |
| APRIL 11, 1989 | COMMITTEE RECOMMEND BILL<br>DO PASS AS AMENDED. REPORT ADOPTED. |
| APRIL 12, 1989 | PRINTING REPORT.  |
| APRIL 13, 1989 | SECOND READING, DO PASS.  |
| APRIL 14, 1989 | ENGROSSING REPORT.  |
| APRIL 15, 1989 | THIRD READING, PASSED.<br>AYES, 93; NOES, 4.                    |
|                | TRANSMITTED TO SENATE.  |

IN THE SENATE

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|----------------|---|
| APRIL 17, 1989 | INTRODUCED AND REFERRED TO COMMITTEE<br>ON JUDICIARY.                   |
|                | FIRST READING.  |
| APRIL 19, 1989 | COMMITTEE RECOMMEND BILL BE<br>CONCURRED IN. REPORT ADOPTED.            |
|                | ON MOTION, RULES SUSPENDED TO PLACE<br>BILL ON SECOND READING THIS DAY. |
|                | SECOND READING, CONCURRED IN.   |
|                | ON MOTION, RULES SUSPENDED TO PLACE<br>BILL ON THIRD READING THIS DAY.  |
|                | THIRD READING, CONCURRED IN.<br>AYES, 24; NOES, 23.                     |

RETURNED TO HOUSE.

IN THE HOUSE

APRIL 20, 1989

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

HOUSE JOINT RESOLUTION NO. 38INTRODUCED BY Whalen, L. J. Fellers  
Kelly Boddy David Alquist McDonald Meyers

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY ON THE ESTABLISHMENT OF LOCAL COURT DISTRICTS; AND REQUIRING A REPORT TO THE 52ND LEGISLATURE.

WHEREAS, under current law, each city and town in Montana is required to establish a city or municipal court; and

WHEREAS, the judicial workload in some city courts is minimal; and

WHEREAS, despite the minimal workload, a local governing body is required to pay the salary and annual training costs for a city judge or to contract with a justice of the peace to provide judicial services; and

WHEREAS, a restructuring of the city court system in Montana could result in cost savings to cities and towns and could enhance the delivery of judicial services to Montana citizens; and

WHEREAS, one alternative to the current city court structure is the establishment of local court districts, which would permit two or more cities or towns within the same county to be presided over by the same judge or judges.

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

That an appropriate interim committee be assigned to:

(1) examine the current structure and operation of the city courts in Montana;

(2) identify problems associated with the current judicial delivery system at the city court level; and

(3) study the feasibility of authorizing cities and towns to establish local court districts, including the method for establishing and terminating the districts; the selection, compensation, qualifications, and jurisdiction of judges within the districts; and the method of funding the districts.

BE IT FURTHER RESOLVED, that the committee report its findings and options for legislative consideration to the 52nd Legislature.

-End-

APPROVED BY COMMITTEE  
ON JUDICIARY

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