

*Molson*

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*House* JOINT RESOLUTION NO. 14  
INTRODUCED BY *John H. ...*  
*John ...* *Denny ...* *Bernard ...*

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA URGING THE MONTANA SUPREME COURT TO MODIFY ITS MONTANA STUDENT PRACTICE RULE TO PROHIBIT STUDENT PARTICIPATION IN FILING LAWSUITS FOR PRISONERS AGAINST PUBLIC AGENCIES. *untiss*

WHEREAS, under Article VII, section 2, of the Montana Constitution, the Montana Supreme Court has general supervisory control over all other courts in the state and the authority to make rules governing practice and procedure in state courts and admission to the bar and the conduct of its members; and

WHEREAS, by order dated April 30, 1975, the Supreme Court adopted the Montana Student Practice Rule, allowing certain law students to provide assistance to practicing lawyers; and

WHEREAS, it has come to the attention of the Legislature that law students, including those participating in taxpayer-supported programs, are assisting current and former prisoners to file lawsuits against counties, the state, and other public agencies; and

WHEREAS, those public agencies must then expend additional taxpayer money to defend the lawsuits filed on behalf of the prisoners, on whom the public agencies have previously expended taxpayer money to prosecute; and

WHEREAS, it is unfair to the taxpayers of Montana to bear all the costs of prosecution and defense in these cases.

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

That the Montana Supreme Court be urged to modify its Montana Student Practice Rule to prohibit law students in state-supported programs from participating in filing lawsuits on behalf of current or former prisoners against counties, the state, or other public agencies.

-END-



*HJ 14*  
INTRODUCED BILL

1 House JOINT RESOLUTION NO. 14 *Molson*

2 INTRODUCED BY *John H. ...* *Gene Benedict*

3 *of the* *Denny Wilson* *Brannan*

4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF  
5 MONTANA URGING THE MONTANA SUPREME COURT TO MODIFY ITS MONTANA STUDENT PRACTICE  
6 RULE TO PROHIBIT STUDENT PARTICIPATION IN FILING LAWSUITS FOR PRISONERS AGAINST PUBLIC  
7 AGENCIES. *untiss*

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 2 INTRODUCED BY ~~*Joseph H. ...*~~ *Gene Benedict*  
 3 ~~*for ...*~~ *Denny Wilson*  
 4 *Brainard*

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2 INTRODUCED BY GREEN, JORE, BENEDICT, HARGROVE, JENKINS, SPRAGUE, MCGEE, DENNY,  
3 WISEMAN, BRAINARD, KEENAN, MOLNAR, CURTISS

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5 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF  
6 MONTANA URGING THE MONTANA SUPREME COURT TO MODIFY ITS MONTANA STUDENT PRACTICE  
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