

Molson

1 House JOINT RESOLUTION NO. 14

2 INTRODUCED BY

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. *eff. 1/15*

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

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

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

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

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

22
23 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
24 STATE OF MONTANA:

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

-END-



HJ14
INTRODUCED BILL

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2 INTRODUCED BY John Moore John Benedict
3 John Stegner John Denny John Wilkinson
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7 AGENCIES. Artiss

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HOUSE JOINT RESOLUTION NO. 14

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

4
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