

STATE LAW LIBRARY OF MONTANA

Joseph P. Mazurek Justice Building
215 North Sanders Street
PO Box 203004
Helena, MT 59620-3004



Website: courts.mt.gov/library
Email: mtlawlibrary@mt.gov
Phone: 406-444-3660
Fax: 406-444-3603

Montana Rules of Court

Title: Montana Rules of Evidence

Date of Last Amendment to these Rules: 28JUL2026

Administrative File Number for these Rules: AF 07-0110

Most, but not all, Montana Rules of Court are kept in Administrative Files (AF) by the Clerk of the Montana Supreme Court. If you are interested in the history or amendments made to court rules, you can reference the above file number and contact the Clerk's office at (406) 444-3858, or via mail at Justice Building, 215 N. Sanders, Room 323, P.O. Box 203003, Helena, Montana 59620-3003.

The rules provided on our website are for state courts in Montana. Please note that Montana courts may have their own local rules about procedure. You will need to research and apply those rules in certain circumstances. If you are in federal court, you will need to research and apply federal rules.

ORIGINAL

FILED

07/28/2026

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: AF 07-0110

IN THE SUPREME COURT OF THE STATE OF MONTANA

AF 07-0110

FILED

JUL 28 2026

Bowen Greenwood
Clerk of Supreme Court
State of Montana

IN RE THE MONTANA UNIFORM
DISTRICT COURT RULES

ORDER

The Montana Uniform District Court Rules Commission petitioned the Court to amend Rules 2, 4, 6, and 13 of the Montana Uniform District Court Rules. Following an opportunity for written public comment, the Court considered the proposed amendments at a public meeting on March 24, 2026. At that meeting, the Court approved the proposed amendments with some modifications to the proposed amendment to MUDCR 4(c)(i).

IT IS ORDERED that the proposed revisions as approved by the Court are ADOPTED. The Montana Uniform District Court Rules are amended to read as shown in the attachment to this Order, effective January 1, 2027.

This Order and the attached rules shall be posted on the Court's website. In addition, the Clerk of this Court is directed to provide copies of this Order and the attachment to the State Law Library, Todd Everts, Connie Dixon, Shana Harrington, and Karl Krempel at Montana Legislative Services, Eric Goodemote in the Thomson Reuters Rules department at Thomson Reuters, Patti Glueckert and the Statute Legislation department at LexisNexis, and the State Bar of Montana with the request that it provide notice to the membership by publication in the *Montana Lawyer* magazine and through other electronic and timely means.

DATED this 28th day of July, 2026.


Chief Justice



James J. H. Jones

Karen McLean

Katherine M. Bidegaray

Angel Smith

Jim Rice

Justices

MONTANA UNIFORM DISTRICT COURT RULES

Rule 1 – Form of Papers Presented for Filing.

(a) Papers Defined. The word “papers” as used in this Rule includes all documents and copies except exhibits and records on appeal from lower courts.

(b) Pagination, Printing, Etc. All papers shall be:

- (1) Typewritten, printed or equivalent;
- (2) Clear and permanent;
- (3) Equally legible to printing;
- (4) Of type not smaller than pica;
- (5) Only on standard quality opaque, unglazed, recycled paper, 8 1/2" x 11" in size.
- (6) Printed one side only, except copies of briefs may be printed on both sides. The original brief shall be printed on one side.
- (7) Lines unnumbered or numbered consecutively from the top;
- (8) Spaced one and one-half or double;
- (9) Page numbered consecutively at the bottom; and
- (10) Bound firmly at the top. Matters such as property descriptions or direct quotes may be single spaced. Extraneous documents not in the above format and not readily conformable may be filed in their original form and length.

(c) Format. The first page of all papers shall conform to the following:

- (1) Commencing at line 1 at the left margin, single spaced, shall be the name of the attorney or party responsible for the pleadings, together with the telephone number and complete mailing address for service of papers.
- (2) Lines 1 through 7 of the right one-half of the page shall be left blank for the use of the clerk.
- (3) On or below line 8, the title of the court.
- (4) Commencing at line 9 or below on the left, the title of the case.
- (5) On the right and opposite the title of the case, the case number and identification of the document being filed.
- (6) Nonconforming papers may not be filed without leave of the court.

(d) Changes, Conformance of Copies. Additions, deletions or interlineations shall be initialed by the clerk or judge at the time of filing. All copies served shall conform to the original as filed.

Rule 2 – Motions.

(a) Prerequisites to Filing a Motion. Except when filing a motion pursuant to M. R. Civ. P. 12(b), 12(c), or 56, the text of the motion must state that other parties have been contacted and state whether any party objects to the motion. Parties that have not yet appeared in the action or whose default has been entered need not be contacted. When a motion is unopposed, the word “unopposed” must appear in the title of the motion.

(b) Filing Briefs in Support of Motions. The moving party shall file with the court a supporting brief upon filing a motion. The brief may be accompanied by appropriate supporting documents.

(c) Responses/Replies.

(i) Responses to motions to dismiss, for judgment on the pleadings, or for summary judgment must be filed within twenty-one days after service of the movant's brief.

(ii) Responses to all other motions must be filed within fourteen days after service of the movant's brief.

(iii) The moving party may file a reply or other appropriate responsive documents within fourteen days after service of the response.

(d) Failure to File Briefs. Failure to file briefs may subject the motion to summary ruling. The moving party's failure to file a brief shall be deemed an admission that the motion is without merit. Failure to file an answer brief by the opposing party within the time allowed shall be deemed an admission that the motion is well taken. Reply briefs by movant are optional, and failure to file will not subject a motion to summary ruling.

(e) Oral Argument. The court may order oral argument sua sponte or upon application of a party for good cause shown. A motion for oral argument, if any, shall be filed on or before the date any reply brief is due.

(f) When Motion Deemed Submitted. Unless oral argument is ordered, or unless the time is enlarged by the court, the motion is deemed submitted at the expiration of any of the applicable time limits set forth above. If oral argument is ordered, the motion will be deemed submitted at the close of argument unless the court orders additional briefs, in which case the motion will be deemed submitted as of the date designated as the time for filing the final brief.

(g) Subject to subsection (e), above, the moving party may file a Notice of Issue advising the court that the matter is fully submitted and ready for decision. A copy of the notice shall be sent to the presiding judge's chambers.

(h) In the event of conflict, the Montana Rules of Civil Procedure shall control. Time computation shall be governed by M. R. Civ. P. 6.

Rule 3 – Ex Parte Matters.

Except as otherwise provided by these Rules or statute, no document, including briefs, proposed orders and proposed judgments, or other communications, may be presented to the court at any time unless it is first filed with the court and served on all parties.

Rule 4 – Discovery.

(a) Depositions upon oral or written examinations, interrogatories and answers thereto, requests for production of documents and responses thereto, and requests for admissions and responses thereto shall not be filed without leave of court. When any motion is filed referring to discovery, the party filing the motion shall submit with the motion relevant unfiled documents.

(b) The pre-trial order shall identify all those portions of depositions, interrogatories, requests for admissions and answers and responses thereto that the parties intend to introduce into evidence.

(c) Electronic Service. Upon the written agreement of all parties by electronic mail, service of discovery, including interrogatories and answers thereto; requests for production of documents and responses thereto; and requests for admission and responses thereto shall be accomplished through electronic service.

(i) "Electronic service" means service of a document on a party by either electronic transmission or electronic notification. Electronic service may be performed directly by a person or a person's agent, including the person's attorneys.

(ii) Written agreement to electronic service of discovery must be obtained from some or all parties electronically after the appropriate electronic service address has been confirmed for all counsel and/or parties. Each party shall separately indicate whether it agrees to electronic service and file an appropriate notice with the court. Each party's consent for electronic service shall include the party's appropriate email address.

(iii) Confidential or sealed records shall be electronically served through encrypted methods or other secure means to ensure that the documents are not improperly disclosed.

(iv) Consent to electronic service of discovery may be withdrawn at any time by a party by providing electronic notice to all counsel and/or parties and filed with the court.

Rule 5 – Pre-Trial Order and Pre-Trial Conference.

(a) Pre-trial. Unless otherwise ordered by the court, a pre-trial conference shall be held in all contested civil cases.

(b) Not later than seven days prior to the pre-trial conference, Plaintiff shall convene a conference of all parties for the purpose of preparing a pre-trial order. The proposed pre-trial order shall be presented for signature at the pre-trial conference. In the event of a dispute as to the contents of the order, such dispute shall be presented to the judge for resolution at the pre-trial conference.

(c) Pre-trial Order. The pre-trial order shall be substantially in the following form:

(TITLE OF COURT AND CAUSE)

Pursuant to Rule 16 of the Montana Rules of Civil Procedure, a pre-trial conference was held in the above-entitled cause on the ____ day of _____, 20__, at ____ o'clock ____m.

_____ represented the plaintiff(s).

_____ represented the defendant(s).

_____ (other appearances) were also present.

AGREED FACTS

The following facts are admitted, agreed to be true, and require no proof:

(Here enumerate all agreed facts, including facts admitted in the pleadings.)

PLAINTIFF'S CONTENTIONS

Plaintiff's contentions are as follows:

- 1.
- 2.

DEFENDANT'S CONTENTIONS

- 1.
- 2.

EXHIBITS

Attached to the pre-trial order are exhibit lists identifying by number and brief description each exhibit and stating any objections to the exhibits. Any exhibit offered at the trial to which no objection was made in the pre-trial order will be admitted into evidence.

WITNESSES

The following witnesses and no others will (may) be called to testify except on rebuttal:

Plaintiff

- 1.
- 2.

Defendant

- 1.
- 2.

ISSUES OF FACT

The following issues of fact, and no others, remain to be litigated upon the trial:
(Here specify each issue.)

- 1.
- 2.

ISSUES OF LAW

The following issues of law, and no others, remain to be litigated upon the trial:
(Here set forth a concise statement of each.)

- 1.
- 2.

DISCOVERY

The final pre-trial order shall refer to all those portions of depositions upon oral examination and interrogatories, requests for admissions, and answers and responses that the parties intend to introduce into evidence. Any objections to the use of the above documents shall be stated, and if not stated, shall be deemed waived. (Because this Rule relates to filing and is designed to consolidate in one place all of the fruits of discovery and because there can be no surprise element involved, the court shall be liberal in permitting the amendment of the pre-trial order to include any material not originally listed.)

ADDITIONAL PRE-TRIAL DISCOVERY

(Here specify any additional discovery contemplated by either party and the time within which such discovery will be completed.)

STIPULATIONS

(Here include any stipulations in addition to the agreed facts set forth above.)

DETERMINATION OF LEGAL QUESTIONS IN ADVANCE OF TRIAL

It was agreed that the following legal issues should be determined by the court in advance of the trial.

(Here specify issues and make provision for filing briefs with respect to such issues.)

ADDITIONAL ISSUES

Additional issues to be determined and/or addressed include:

order of proof where there is a counterclaim;

attorney's fees testimony and/or proof;

time of filing and service of trial briefs and other issues.

JURY SELECTION AND PROCESS

Order and method of selection, stipulation that jury will be selected or drawn, numbering of panel, number of challenges, time to file instructions, length of time on voir dire.

TRIAL

It is estimated that the case will require ____ hours/days for trial.

The case will be tried before the court with (without) a jury.

IT IS HEREBY ORDERED that this pre-trial order shall supersede the pleadings and govern the course of the trial of this cause, unless modified to prevent manifest injustice.

IT IS HEREBY ORDERED that all pleadings herein shall be amended to conform to this pretrial order.

DATED this ____ day of _____, 20__.

District Judge

Approved as to form and content.

Attorney for Plaintiff

Attorney for Defendant

Rule 6 – Simplified Procedure for Civil Actions.

(a) The purpose of this rule is to protect the right to trial by jury in civil actions; to provide maximum access to the district courts and opportunity for citizens to participate in the civil justice system in civil actions; to enhance the provision of just, speedy, and inexpensive determination of civil actions; to facilitate limited discovery and decrease expenses; and to provide opportunities for counsel to train in civil trial practice.

(b) This rule applies to all civil actions in which a jury trial has been requested. Attorneys are required to educate and consult with their clients about this Simplified Procedure and all parties shall be prepared to elect or decline the Simplified Procedure process at the initial scheduling conference.

(c) Simplified Procedure means that the action shall be subject to the following requirements and limitations unless otherwise ordered by the court:

(i) Trial Setting. Following issuance of the scheduling order, the court shall set the case for trial on a date certain within six months or as soon as the court's schedule allows. A maximum of three trial days shall be allowed absent leave of court. The parties are not required to attend a settlement conference.

(ii) Initial Disclosures. Each party shall produce initial disclosures fourteen days from the date of the Scheduling Order. The disclosing party shall sign all disclosures under oath. The initial disclosures must contain the following information:

(A) The name and, if known, the address and telephone number of each individual likely to have discoverable information—along with the subjects of that information—that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment;

(B) A copy—or a description by category and location of such items that cannot be copied—of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment;

(C) A good faith, reasonable initial computation of each category of damages claimed by the disclosing party—who must also make available for inspection and copying as under M. R. Civ. P. 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered; and

(D) Any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

(iii) Lay Witness Statements. Each party shall serve written disclosure statements identifying the name, address, telephone number, and a detailed statement of the expected testimony for each witness (not the party) the party intends to call at trial. For adverse witnesses, written disclosure of the expected subject matters of the witness's testimony, rather than a detailed statement of the expected testimony, shall be sufficient. Subject to the court's Scheduling Order, it is expected Lay Witness Statements will be filed within two months of the court's Scheduling Order.

(iv) Expert Witness Reports.

(A) Retained or Specifically Employed. Expert testimony for any witness who is retained or specially employed to provide expert testimony shall be disclosed through detailed written reports which may be drafted by counsel but shall be signed by the expert, and shall include the subject areas, bases, list of material relied upon, and specific opinions intended to be offered at trial. Such written expert reports shall be sufficiently detailed that expert depositions are not permitted absent leave of court. Subject to the court's

Scheduling Order, it is expected Expert Witness Reports will be filed within three months of the court's Scheduling Order.

(B) Hybrid Witnesses. An expert witness report is not required for non-retained/hybrid expert witnesses. However, a non-retained/hybrid expert will not be allowed to testify outside of their disclosed records unless such opinions are specifically disclosed in a report pursuant to subsection (c)(iv)(A), above.

(C) Failure to comply with the disclosure requirements of this subpart may result in the exclusion of opinions not properly disclosed.

(v) Discovery. Interrogatories shall be limited to twenty-five including subparts. Requests for production shall be limited to twenty-five including subparts. Depositions shall be limited to three per party. The limitations on interrogatories, requests for production, and depositions per party may be modified only on consent of the parties or leave of court upon a showing of good cause. Subject to the court's Scheduling Order, it is expected discovery will be closed within four months of the court's Scheduling Order.

(vi) Discovery Disputes. Discovery disputes shall be resolved through telephonic or in-person hearings with the court. Written discovery motions are not permitted without leave of court.

(vii) Pretrial Motions. Motions made pursuant to M. R. Civ. P. 12 or 56 shall not be filed absent leave of court. Motions in limine shall be filed consistent with the court's Scheduling Order.

(d) Changed Circumstances. In a case governed by this Rule, any time prior to trial, on the court's own motion or upon a specific showing of substantially changed circumstances sufficient to render the application of Simplified Procedure under this Rule unfair, and a showing of good cause for the timing of the motion to terminate, the court shall terminate application of this Rule and enter such orders as are appropriate under the circumstances.

Rule 7 – Jury Instructions and Verdict Forms.

(a) Submission. All proposed jury instructions and verdict forms must be delivered to the court in duplicate and a copy served upon all opposing parties at the time fixed in the pre-trial order. Subsequently, additional instructions may be allowed to prevent manifest injustice.

(b) Citation of authorities. Each proposed instruction shall identify at the bottom its source and cite supporting authorities, if any.

(c) Form. Each instruction shall be on 8 1/2" x 11" paper and shall, after the citations of authorities, indicate the requesting party and be numbered consecutively. One copy of the instructions filed with the court shall not be firmly bound together.

(d) Request for special findings by jury. Whenever a party desires special findings by a jury that party shall file with the court and serve a copy upon all opposing parties, in writing, the issues or questions of fact upon which such findings are requested, in proper form to submit to the jury.

Rule 8 – Findings and Conclusions.

Unless ordered otherwise, in all matters where the court must enter findings of fact and conclusions of law pursuant to M. R. Civ. P. 52, all parties shall file with the court, and serve upon all opposing parties, at least seven days prior to the scheduled trial or hearing, proposed findings of fact and conclusions of law. Failure to file proposed findings of fact and conclusions of law in a timely matter shall be cause for appropriate sanction including removal of the case from the trial calendar, dismissal or granting of a judgment, precluding the offending party from presentation of evidence or objecting to evidence submitted by the other party, or such other action as the court deems appropriate. Post-trial amended and supplemental findings of fact and conclusions of law may be submitted in appropriate circumstances upon order of the court.

Rule 9 – Juror Questionnaire.

(a) All jurors are requested to complete a questionnaire in the form on file with the clerk in his/her general order file and which contains basic vital statistics and other pertinent information. The completed forms will only be available to the parties, the attorneys for the parties, judges and court employees. Others requesting the completed forms must file a Request for Privacy Information with the court. The jury questionnaire will be destroyed by the clerk's office within a reasonable length of time after the conclusion of the jury term.

(b) A party may request that the court approve the mailing of a supplemental questionnaire to prospective jurors by submitting a motion, with proposed supplemental questions, at least sixty days in advance of the trial date. Any other party may file a response to the proposed supplemental questions within twenty days, and the moving party may file a reply within five days. The court may approve, modify, or disapprove the proposed supplemental questions in part or in their entirety. If the court approves or modifies the supplemental questions, the requesting party or parties shall pay the costs of mailing the supplemental questionnaire, including the costs of postage, paper, and envelopes.

Rule 10 – Death or Removal of Attorney.

(a) Whenever an attorney representing a party to an action, or in another civil proceeding of any kind, is removed, withdraws, or ceases to act as such, the attorney must inform the court and all other parties of the full name and address of the attorney's client and any other information which the court may find appropriate to assist in contacting the party.

(b) Except as allowed or modified by the limited scope of representation rules, when the attorney representing a party to an action or proceeding dies, is removed, withdraws, or ceases to act as such, that party, before any further proceedings are had against the party must be given notice by any opposing party:

- (1) That the party must appoint another attorney or appear in person;
- (2) The date of the trial or of the next hearing or action required in the case; and

(3) That if the party fails to appoint an attorney or appear in person by a date certain, which may not be less than twenty-one days from the date of the notice, the action or other proceeding will proceed and may result in a judgment or other order being entered against him/her, by default or otherwise.

(c) Notice may be by personal service or by certified mail to the party's last known address.

(d) If the party does not appoint another attorney or appear in person within twenty-one days of the service or mailing of the notice, the action may proceed to judgment. However, copies of all papers and documents required to be served by these Rules and the Rules of Civil Procedure shall be mailed to the party at the party's last known address.

(e) In addition to the foregoing requirements of this Rule and before any change or substitution of attorney is effective, regardless of the reason for such change or substitution, the requirements of sections 37-61-403, 37-61-404 and 37-61-405, MCA, shall have been fully satisfied.

Rule 11 – Judgments and Decrees.

Whenever a judgment or decree is signed by the presiding judge it shall be delivered to the clerk and immediately filed in the records of the court and the fee required by law shall be paid to the clerk. Failure of parties to observe this Rule shall be deemed a contempt of court.

Rule 12 – Exhibits.

(a) Every exhibit placed on file or offered in evidence shall be held in the custody of the clerk. Unless there is good reason why the original of an exhibit should be retained, upon application, the court may order a copy filed in its place. Public records offered in evidence may be withdrawn at the conclusion of the hearing on order of the court.

(b) Exhibits may be withdrawn by the party offering them thirty days after a judgment has become final. Forty-five days after a judgment has become final, the clerk may apply to the court for an order to dispose of exhibits, and shall notify the parties of the application. Twenty-one days after mailing of the notice the court may enter its order authorizing the clerk to dispose of exhibits.

Rule 13 – Regulation of Attorneys not Admitted to Practice in Montana.

An attorney seeking to be admitted to practice before the court on a particular case, who is not admitted to the Bar of Montana, must comply with the Pro Hac Vice Rules for Admission to the Bar of Montana, as they may be periodically amended by the Montana Supreme Court. After an application for a pro hac vice appearance has been certified by the Bar Admission Administrator, an attorney admitted to practice in the courts of Montana, and who is associated as an attorney of record, shall file a Motion for Pro Hac Vice Admission with the presiding judge.

Rule 14 – Chief District Judge.

(a) In a multijudge district court of Montana, a chief district judge shall be selected at the beginning of each calendar year, and the position shall rotate among the judges of the district annually, unless they agree otherwise. The rotation shall commence with the most senior district judge.

(b) The duties of the chief district judge shall be to provide for the efficient management of the district court business, in cooperation with the other judges of the district.

Rule 15 – Local Rules Allowed.

Nothing in these Rules shall be construed as limiting the power of the district courts from promulgating rules that do not conflict with these Rules.

Rule 16 – Attorney’s Copied or Electronically-Generated Signature.

(a) An attorney’s copied or electronically-generated signature shall be deemed original for all court-filed documents.

(b) Pursuant to M. R. Civ. P. 5(b)(E), some or all of the parties may stipulate to provide service of all papers required to be served under M. R. Civ. P. 5(a)(1) by electronic means, including papers provided in response to written discovery requests. All parties that choose to accept service by electronic means shall sign a stipulation to be filed with the Court. Any party that chooses not to stipulate to service by electronic means must be served by one of the other methods identified in M. R. Civ. P. 5(b).

Rule 17 – Informal Domestic Relations Trials.

(a) Unless one or both parties objects or the court orders otherwise, in every original or modification action for dissolution of marriage, parenting and visitation, child and medical support, declaration of invalidity of marriage, paternity, separation, grandparent-grandchild contact, or orders of protection brought under MCA Title 40, including interim proceedings, in which at least one party is self-represented, the issues will be resolved through an informal domestic relations trial before a judge or standing master as provided in this Rule. If both parties are represented by counsel and wish to use the informal process provided in this Rule, the court in its discretion may allow the informal proceeding upon stipulation in the record.

(b) The court must explain the informal domestic relations trial process and advise the parties of their right not to consent. The court may include in the case scheduling order a deadline for parties to opt out of the process. A party’s decision to opt out must be stated on the record or in a signed filing with the court.

(c) The court may refuse to allow the parties to utilize the informal domestic relations trial process at any time and may direct that a case proceed in the traditional manner.

(d) The court may allow a party to withdraw from an informal domestic relations trial election as long as the other party is not prejudiced by the withdrawal. The court will not allow a withdrawal of an election that has the effect of postponing the trial date absent a showing of good cause.

(e) During an informal domestic relations trial, parties may present any evidence they believe is relevant. The court may admit any evidence a party offers, even if this evidence might be inadmissible under formal rules of evidence, and may determine how much weight to give any evidence. The traditional format used to question witnesses at trial does not apply. In many cases, the parties will be the only witnesses. The parties may call other witnesses in the discretion of the court. The court may question the parties and any other witnesses, and the parties may suggest additional topics or questions.

(f) Any evidence offered during an informal domestic relations trial initiated under this Rule is not admissible in any other proceeding unless the court in the other proceeding determines the evidence meets the applicable rules of evidence.

(g) If an informal domestic relations trial converts to a formal proceeding, the court will determine the admissibility of evidence previously offered in the informal proceeding. The court may not rely on any evidence in a formal proceeding that is not admissible under the applicable rules of evidence.

(h) The court will allow each party an opportunity to file any objections or motions on the admissibility or use of any evidence offered in an informal domestic relations trial before relying on that evidence in a formal proceeding.

(i) An informal domestic relations trial will proceed as follows:

(1) At the beginning of an informal domestic relations trial, the court will ask the parties to affirm that they understand the rules and procedures of the informal domestic relations trial process, they are consenting to this process freely and voluntarily, and they have not been threatened or promised anything for agreeing to the informal domestic relations trial.

(2) The court may ask the parties or their lawyers for a brief summary of the issues.

(3) The court will allow the moving party to speak to the court under oath concerning all issues in dispute. The party is not questioned by the other party or any lawyers, but the court may question the party to develop evidence required by any statute or rule or necessary in the court's discretion to address the matters at issue.

(4) The parties will not be subject to cross-examination. However, the court will ask the nonmoving party or their lawyer whether there are any other areas the party wishes the court to inquire about. The court will inquire into these areas if requested and if relevant to an issue to be decided by the court.

(5) The process in subsections (i)(3) and (i)(4) is then repeated for the other party.

(6) Expert reports will be received as exhibits. Upon the request of the court or either party, the expert will be sworn in and subjected to questioning by the parties, their lawyers, or the court.

(7) The court may receive any exhibits offered by the parties which are capable of being made a part of the record of the case. The court will determine the materiality,

relevance, and what weight, if any, to give each exhibit. The court may order the record to be supplemented.

(8) The court will allow the parties or their lawyers to respond briefly to the statements of the other party.

(9) The court will offer each party or the party's lawyer the opportunity to make a closing statement.

(10) At the conclusion of the case, the court will render judgment. The court may take the matter under advisement, but it will make its best efforts to issue prompt judgments.

(11) The court may modify these procedures as justice and fundamental fairness requires.

(j) A case proceeding as an informal domestic relations trial will be subject to the same pretrial procedures and orders of the court that apply to traditional cases. Parties seeking a dissolution proceeding under informal domestic relations trials are subject to the mandatory disclosure requirements of MCA § 40-4-252.

(k) The court's final judgment will have the same force and effect as if entered after a traditional trial and may be appealed or objected to on any grounds that do not rely on the rules of evidence.

PLEASE FILL OUT AND RETURN THE FOLLOWING WITHIN SEVEN (7) DAYS TO

MONTANA _____ **JUDICIAL DISTRICT COURT,** _____ **COUNTY**
ADDRESS: _____
_____, **MONTANA** _____
PHONE: _____

QUESTIONNAIRE AS TO QUALIFICATION FOR JURY SERVICE

(PLEASE PRINT OR TYPE)

1. Name: _____ Juror Number: _____
2. Address _____ City _____ Zip Code _____
3. Please state the round trip mileage from your home to the court _____
4. Telephone: Home _____ Work _____ Cellular _____ Email _____
5. How long have you resided there? _____ Number of years in Montana? _____
6. Married ☐ Single ☐ Age _____ Gender: Male ☐ Female ☐
7. Do you have children? Yes ☐ No ☐ Ages _____ Gender _____
8. What education have you had? _____
9. Are you employed at present? Yes ☐ No ☐ Occupation _____
10. Employer's name _____ Employer's Address _____
11. a. If you are married, name of spouse _____
b. If married, occupation of spouse _____
c. If retired, or not working, give last occupation _____
d. If married, give spouse's employer _____
12. Have you ever served as a juror? Yes ☐ No ☐ If so, in what court? _____
13. Have you or any member of your immediate family ever been injured in an accident? Yes ☐ No ☐
If so, what type? _____
14. Are you or any member of your immediate family involved in law enforcement in any official capacity? Yes ☐ No ☐
If so, briefly explain _____
15. Have you or any member of your immediate family ever been a plaintiff or defendant in a lawsuit? Yes ☐ No ☐
What type of lawsuit? _____
16. Are you or your spouse related to an attorney? Yes ☐ No ☐ If so, his/her name and address _____
17. Are you or your spouse presently being represented by an attorney? Yes ☐ No ☐ If so, his/her name and address _____
18. Do you have any disability which you feel would make it difficult to serve on a jury? Yes ☐ No ☐ If so, briefly explain the disability and the accommodations we need to provide to enable you to serve on a jury. _____
19. In order to be eligible to serve as a trial juror, you must be 18 years of age or older, a resident for at least 30 days of the state and of the city, town or county in which you are called for jury duty, a citizen of the United States and not convicted of malfeasance in office or any felony or other high crime, the sentence of which has not yet expired or the fine not yet paid.
20. Do you feel you should be excused from serving as a juror because of undue hardship or because you do not meet the eligibility requirements for jury service? Yes ☐ No ☐ If you answered "yes", please complete the Affidavit For Excusal on the reverse side and have your signature notarized and return to the address above.

I certify that the foregoing statements are true to the best of my knowledge and belief.

SIGNATURE _____ DATE _____

Request for Excusal

State of Montana or _____

County of _____

JurorName

JurorMailingAddress

JurorMailingCity, JurorMailingState

JurorMailingZip

(Print Name) declares:

Affiant is informed of having been called as a trial juror in the District Court of _____ County of the State of Montana, to be held at _____, Montana. Affiant is applying for the following excusal and requests the Court's review:

☐ PERMANENT EXCLUSION – Must be chronically incapacitated by illness or injury (include Physician's certification). If Court approves, the Affiant will be permanently excused from jury service.

☐ CHANGE IN RESIDENCE – Affiant no longer resides in _____ County.

☐ UNDUE HARDSHIP – Must state occupation and specific facts which Affiant believes constitutes undue hardship; having in mind jury service constitutes a duty of every competent citizen.

Note: If the Court denies your excuse for undue hardship, you may again submit a request if you are summoned for a trial. Examples of potential undue hardships include military service, move, college, long-planned vacation, employment out of state, residence out of state, or other unusual personal circumstance. If you know you will be gone for a specific period of time, please list it here:

I declare under penalty of perjury and the laws of the state of Montana that the foregoing is true and correct.

Signature of Prospective Juror

	APPROVED
	NOT APPROVED

COMMENTS: _____

DATED this _____ day of _____, 20____

District Judge