

Montana Supreme Court Access to Justice Commission
December 5, 2025
Zoom Video Conference
10:00 AM - 12:00 PM
Meeting Minutes

Commissioners Present:

Justice Beth Baker, Alanah Griffith, Gretchen Hall, Olivia Riutta, Alison Paul, Lillian Alvernaz, Aimee Grmoljez, Jacob Griffith, Hon. John Kutzman, Hon. Leslie Halligan, and Hon. David Carter

Commissioners Absent:

Hon. Stacie FourStar, Kekek Stark, Rick Cook, Margaret Weamer, Ed Bartlett, Juli Pierce, and Sen. Wendy McKamey

Others Present:

Katy Lovell, Becky Schupp Watson, Alissa Chambers, Madiera Zehnder, Katherine Bidegaray, Ann Sheahan, Valerie Falls Down, Bart Crabtree, and Kyla Hailstone

Call to Order & Introduction:

Justice Baker called the meeting to order at 10:00 am and asked participants to introduce themselves.

Approval of September 5, 2025, Meeting Minutes:

There were no questions or additions to the September 5, 2025, meeting minutes and they were unanimously approved.

Reference Item and Extended Comment Period:

The executive summary of the recent rural justice task force report from the Legal Services Corporation was briefly discussed, highlighting Montana's involvement and recommendations for increasing legal access in rural communities. The full report is not included in the materials but can be found at:

<https://lsc-live.app.box.com/s/mv52lja5n42j9auu0pywl07ozkzgvm6d>.

The comment period for the Community Justice Worker proposal has been extended and is now due January 15th.

Judicial Meet and Greets Discussions:

Justice Baker briefly explained the meet-and-greet discussions. These events are co-hosted by the Access to Justice Commission and Chief Justice Cory Swanson. They provide an informal opportunity for legislators to visit their local courthouses, meet with judges, and learn more about who is coming to court and what those cases look like in their communities. The goal is to foster meaningful dialogue between legislators and the judiciary about court operations and civil legal needs.

Judges will discuss the life cycle of a case and answer legislators' questions, while legal services programs will share how they assist individuals with civil legal needs who do not have attorneys.

The Chief Justice's Court Outreach Director has worked with Katy Lovell to organize these events. The first is at the Great Falls County Courthouse, with additional gatherings scheduled for Kalispell and Helena, and more to be set in the coming months. Local bar associations, public defender offices, county attorneys, county commissioners, and all local judges have been invited to these discussions.

Access to Justice Commission Draft Biennium Report:

Alissa Chambers presented the 2024-2025 draft Biennium Report, a high-level overview of the Commission's work that functions as a record of accountability and provides a shared reference point for stakeholders. A glossary of terms has been added to assist new members and other readers.

Highlights include the development and implementation of the Community Justice Worker framework, advancement of the Tribal Advocacy Incubator Program (TAIP) and recognition of Montana Legal Services Association, who will receive a national American Bar Association award in recognition of their outstanding work expanding access to justice.

The report also outlines ongoing challenges, including rural legal deserts and increasing numbers of self-represented litigants. Staffing updates were shared. Overall, the report reflects the Commission's accomplishments since 2012 and the work that remains.

The draft biennium report was unanimously approved.

Access to Justice Programs Report:

Katy Lovell noted that the Self-Help Law Center Administrator position has been filled by Stephanie Marshall, who has been a reference librarian with the State Law Library, and she will start on December 15th. The search for facilitators is still ongoing in Missoula and Kalispell. The Missoula position has closed, and interviews will begin next week, and the Kalispell position has not yet been posted.

Due to the Family Transition Project's success, demand is outpacing the budget. To prioritize direct services, vacancy savings will be redirected to fund additional mediation, child support consultants, and family dissolutions and parenting plan cases. For now, only court-ordered referrals involving two unrepresented parties are accepted to conserve funds until legislative funding begins January 1, 2027. A monthly check-in has also been launched for mediators and attorneys to share ideas and improve case flow.

Alison Paul noted that although the Family Transition Project was originally funded for two years, MLSA and the Office of Court Administrator have stretched it to four years, and now five, through careful management and the use of American Rescue Plan Act funds.

The Community Justice Worker grant contract has been signed.

MLSA Update:

Alison reported that MLSA received over 11,000 requests for legal assistance last year, exceeding their usual number of around 9,000. She also shared that the Bozeman City Council approved a resolution establishing a right to counsel in housing and eviction cases with approximately \$200,000 in funding.

Alison noted a potential budget deficit in 2026 due to funding challenges with the Legal Services Corporation. If there is a continuing resolution, MLSA will likely receive flat funding for 2026 but if not, MLSA is preparing for a 25% cut which is around \$400k.

The Community Justice Worker petition has been well received with positive comments continuing to come in from Montana and across the country.

Another project, not affecting district courts, is a Medicaid related project in which people will be trained to help individuals with Medicaid appeals.

A question was asked if lay advocates for the Community Justice Worker position will be able to use a chat bot or AI to generate pleadings or other documents to be used in court. The meeting then focused on the use of AI and technology in legal services, particularly for pro se litigants. Alison explained that Montana Legal Services is not currently using AI to generate legal documents but is exploring automated forms and decision trees to guide users. The group discussed the potential benefits and risks of using AI in legal proceedings, with some courts implementing a rule requiring certification for AI-generated documents.

Upcoming Meeting Dates and Public Comment:

Justice Baker noted the next four meeting dates listed on the agenda: March 6, 2026, June 5, 2026, September 11, 2026, and December 4, 2026.

Public Comment: Kyla Hailstone of the Montana Family Court Awareness Project outlined several challenges facing self-represented litigants in Montana. She noted concerns about the growing use of AI, explaining that pro se litigants may unknowingly rely on inaccurate or misleading AI generated information, which could potentially result in their filings being dismissed. Many individuals do not know where to find reliable legal information, and a court-supported navigation tool, such as a chatbot, could be a helpful guide.

Kyla also highlighted disparities in court access. Licensed attorneys can file and retrieve documents instantly through the e-filing system, while self-represented litigants do not have the same access. Rural litigants, in particular, can face long drives or costly overnight mailing fees to meet deadlines. They must often rely on standard mail to receive court notices and hearing dates, resulting in delays not experienced by attorneys. Kyla suggested exploring expanded public access to the e-filing system to help address this inequity.

Justice Baker noted that there are technical reasons the Judicial Branch is not presently equipped to expand e-filing to self-represented litigants. The Commission agreed to further explore e-filing options for self-represented litigants and to include AI-related concerns in future discussions, potentially inviting Judicial Branch IT to a forthcoming meeting.

Lillian also raised Bureau of Indian Affairs regulations, noting that lay advocates may not always be permitted to appear in court if they are not state-licensed attorneys, creating pro hac vice and representation challenges when tribes are represented by non-licensed counsel.

The meeting was adjourned at 10:45 a.m.