



The Supreme Court of Montana  
SENTENCE REVIEW DIVISION  
301 S. Park, Suite 328  
P.O. Box 203005  
Helena, MT 59620-3005  
(406) 841-2976

**Procedures for the Clerk of District Court**

*Revised 05/06/2025*

1. **Sentencing.** After sentence is imposed, the Clerk of District Court shall serve a Defendant who is sentenced to a term of one (1) year or more in the State prison or to the custody of the Department of Corrections, and the Defendant's counsel, with the following:
  - A *conformed copy* of the filed Notice of Right to Apply for Review of Sentence,
  - Two (2) Applications for Review of Sentence, and
  - A copy of the court's Judgment.

**Notes:**

- The Clerk shall also serve a Defendant when a deferred or suspended sentence is revoked and the Defendant is sentenced to a term of One (1) year or more.
- The Clerk *does not* serve a Defendant sentenced to commitment at the Montana State Hospital.
- The Clerk shall file the *original* Notice of Right to Apply for Review of Sentence and provide a *conformed copy* to the Defendant with the Applications and Judgment.

2. **Forms.** All forms used by the Clerk must be approved by the Sentence Review Division, ***NO EXCEPTIONS***. The forms are specifically created to comply with Orders of the Montana Supreme Court, Statutes and Rules. In March 2014, the Division revised its forms and disseminated them to all Clerks of District Court. The new forms were formatted in FullCourt by the IT Department and are entitled:
  - Sentence Review Acknowledgement [*optional use*]
  - Sentence Review Application
  - Sentence Review Clerk Certificate
  - Sentence Review Notice

3. **Filing An Application for Review of Sentence.** The Defendant's Application for Review of Sentence must be filed with the Clerk of District Court in the county from which the Defendant was sentenced.

**Notes:**

- The Application is filed upon receipt by the Clerk's Office.
- An Application cannot be filed directly with the Sentence Review Division.

4. **Service of An Application for Review of Sentence.** Within Ten (10) business days after receipt of the Application, the Clerk of District Court shall serve a copy of the Application to the Judge who imposed the sentence, the County Attorney from the county which the Defendant was sentenced, and the Defendant's counsel of record.
5. **Submitting An Application for Review of Sentence to the Sentence Review Division.** Within Ten (10) business days after receipt of the Application, the Clerk must **email** the Application for Review of Sentence to the Division at [SRDApplication@mt.gov](mailto:SRDApplication@mt.gov).

The Division will send an email to the Clerk acknowledging receipt of the Application, Notice and Case Register Report.

**Notes:**

- Clerks and Deputy Clerks--whoever sends the email with the Application and documents to the Division, please include your full name and contact phone number, including phone extension number, so that the Division will know who to contact directly if there are questions.
6. **Resources.**
    - Section 46-18-901 thru 905, MCA, statute establishing and governing the Sentence Review Division
    - Rules of the Sentence Review Division of the Montana Supreme Court
    - [http://courts.mt.gov/supreme/boards/sentence\\_review/default.mcpX](http://courts.mt.gov/supreme/boards/sentence_review/default.mcpX) = link to the website of the Sentence Review Division
    - For questions and support services contact Dia Lang, Office Administrator, at 841-2976, [dia.lang2@gmail.com](mailto:dia.lang2@gmail.com); or Rosemary Madero, Administrative Assistant, at 841-2977, [rosemary.madero@mt.gov](mailto:rosemary.madero@mt.gov).

*These Procedures are basic instructions for the sentence review process to be used by Clerks of District Court.*