

**POLICY OF THE SENTENCE REVIEW DIVISION
FOR PROVISION OF HEARING TRANSCRIPTS AND COPIES**

Revised January 29, 2014

HEARING TRANSCRIPTS

Pursuant to Rule 14, Rules of the Sentence Review Division of the Montana Supreme Court (Revised 1/28/2013):

“A record of proceedings before the Division shall be made by recording or otherwise and shall be retained for two years after a written decision is rendered.”

The Sentence Review Division does not provide written transcripts of Sentence Review hearings. The Division does not have a court reporter, staff or resources available to produce written transcripts of hearings. Further, there is no appeal of decisions of the Division. Therefore, it is the Policy of the Sentence Review Division that timely requests for copies of recorded hearings will be granted at no cost, if the requests show just cause to the Division why a recorded hearing is needed. Frivolous requests will not be granted.

The Division will record a hearing onto a CD, provide written instructions, include the Judicial Assistant’s Certificate and Statement, and mail.

REQUESTS FOR COPIES

Documents in a Defendant’s file at the Sentence Review Division generally consist of copies of original legal documents from the District Court’s case file. Requests for those legal documents and the Division’s Decision can be made to the Clerk of District Court.

Requests for copies of documents generated by the Division or other documents not in the possession of the Clerk of District Court (i.e. correspondence to the Division relating to the case) must be accompanied by a statement of legitimate need for a particular purpose and shall be granted only by consent of the Division’s Chairperson.

For copies, there is a fee of 15 cents per page pursuant to Section 3-2-403, MCA, and such fees must be prepaid to the Division.

If copies are requested from the Division’s files kept at Montana’s Records Management, there will be an additional fee of \$25 to cover the Division’s expense to retrieve and transport files from storage. The \$25 fee must be prepaid to the Division.

Hon. Brad Newman, Chairperson
SENTENCE REVIEW DIVISION