

ORIGINAL

**MONTANA SUPREME COURT PUBLIC MEETING MINUTES**

**Tuesday, August 17, 2021**  
**Joseph P. Mazurek Justice Building**  
**215 North Sanders Helena, Montana**  
**Meeting via Zoom**

**FILED**

**OCT 05 2021**

**Bowen Greenwood**  
**Clerk of Supreme Court**  
**State of Montana**

Chief Justice McGrath called the meeting to order at 1:15 p.m. In attendance were the Chief Justice and Justices, Baker, Shea, Sandefur, Rice, and Gustafson.

Also, in attendance were Erika Colstad, Justin Redeen, Britton Fraser, Morgan Handy, and Dylan Jaicks, Supreme Court Law Clerks; Kevin Cook, Electronic Services Coordinator; Jeanine Blaner, Supreme Court Staff Attorney; Beth McLaughlin, Court Administrator; Michael Larson, from the State Bar; and Niki Zupanic, Executive Director of Montana Justice Foundation.

**Item 1: Approval of the Minutes from December 16, 2020, Public Meeting**

- The Justices unanimously approved the minutes from the last public meeting after an amendment requested by the Chief Justice.

**Item 2: Establishment of Pilot Program for Informal Domestic Relations Trial**

- Justice Baker explained Montana Supreme Court Access to Justice Commission's petition requesting the Court authorize a pilot project with guidelines for district courts wishing to participate in informal domestic relations trials within their jurisdictions.
  - Justice Baker acknowledged and thanked the members of the working group who have helped on the pilot program for the past year, particularly the district judges. Those who participated represented both rural and urban judicial districts and gathered information from a wide variety of people to whom the program may apply.
  - Pursuant to house Bill 632, the 2021 Legislature allocated ARPA funds to the Judicial Branch to implement and support the program with the goal to create a sustainable program beyond the legislative funding.
  - The Governor's Budget Office has approved the Judicial Branch's proposal for use of the funds.
  - Montana Judges Association voted unanimously in support of the pilot project and the proposed guidelines at its last meeting.
- Justice Baker thanked Niki Zupanic and Tara Veazey for their work on the pilot program.
  - Niki Zupanic thanked Justice Baker for her help with the project and stated that she was available for questions.
- Chief Justice McGrath inquired as to next steps for the program.
  - Justice Baker noted a first report to the legislative committee overseeing the project is due October 1, 2021.
  - Initial meetings have been held with the Court Administrator to plan and prepare for the rollout. The budget for the IDRT portion is estimated to be approximately

\$150,000, including funding for the coordinator. The aim is to include districts of varying sizes to compare the effectiveness of the program across participating and non-participating districts.

- Justice Baker asked the Court to grant the petition and pointed out that the proposal would not go out for public comment until districts running the pilots can submit general feedback and recommendations to the Court regarding either continuation, modification, or suspension of the pilot projects or approval of a permanent IDRT rule.
- Chief asked for other questions or comments.
  - Justice Baker added that upon a presentation by an Alaska judge regarding a similar program, statistics indicated cases going through the pilot program resulted in few appeals and that the program was effective.
- Chief Justice asked for a motion.
- Justice Shea moved to grant the petition.
- Justice Rice seconded the motion.
- Motion passed unanimously and petition was granted, with a written order to follow.

**The meeting was called to close at 1:27 p.m.**