

# MONTANA SUPREME COURT PUBLIC MEETING MINUTES

Tuesday, May 17, 2022, 1:15 p.m.

Joseph P. Mazurek Justice Building  
215 North Sanders, Helena

Attorney's Lounge, 4th Floor | Also Available via Zoom Conference

FILED

JUN 28 2022

Bowen Greenwood  
Clerk of Supreme Court  
State of Montana

Chief Justice McGrath called the meeting to order at 1:17 p.m. In attendance were the Chief Justice and Justices Baker, Gustafson, McKinnon, Rice, Sandefur, and Shea. Judicial staff also in attendance were Jeanine Blaner, Supreme Court Staff Attorney; Kevin Cook, Electronic Services Coordinator; Beth McLaughlin, Court Administrator; and Nathan Routledge, Supreme Court Law Clerk.

## Item 1: Approval of the Minutes from April 12, 2022 Public Meeting

- The Justices unanimously approved the minutes from the last public meeting.

## Item 2: Judicial Branch Budget Proposals

- Court Administrator Beth McLaughlin (McLaughlin) described a proposal regarding judicial branch pay increases.
- McLaughlin noted there are approximately 50 vacant positions out of 400 total positions in the judicial branch.
- McLaughlin provided a market analysis comparing judicial branch pay with market factors for equivalent positions. McLaughlin noted the judicial branch pay rates were nearly all below the market minimum rate of the market analysis.
- McLaughlin noted the proposed pay rate would likely help more with retention of staff than recruitment.
- Justice Baker asked if, and McLaughlin confirmed that, the judicial branch was not the only branch of government seeking to increase pay.
- McLaughlin advised the proposal was to take effect from next week.
- The Chief Justice asked for questions and/or comments from the Court.
  - Justice Baker moved to approve the recommendation. Justice Shea seconded the motion.
  - The Chief Justice then asked whether the proposal included the Court Administrator or the Law Librarian.
    - McLaughlin advised the proposal did not cover either of those positions, which the Court would have to address separately, or the staff of the Clerk of Court's Office, which is under the authority of the Clerk.
- Justice Baker moved to approve the recommendation and revise the proposal to include the Court Administrator and Law Librarian. Justice Shea seconded the motion.
- The Justices voted unanimously in favor of the proposed changes.
- Proposed changes were approved.

- The Chief Justice noted even with the approved proposal, judicial branch pay would still not make the market minimum and the branch had a lot more work to do. The Chief Justice noted the judicial branch is not the only part of state government with recruitment and retention problems.

### **Item 3: Appointment to the Commission on Practice**

- The Chief Justice noted Sheryl Wambsgans, an attorney from Bozeman, expressed interest in appointment to the Commission on Practice position representing Area G after Judge Peter Ohman conducted an election in Area G for appointment to the position.
- The Chief Justice recommended appointment of Sheryl Wambsgans to the Commission on Practice representing Area G.
  - There were no questions and all Justices affirmed appointment.

### **Public Comment**

- The Chief Justice asked for further public comment or questions. There was none.

Chief Justice McGrath adjourned the meeting at 1:30 PM.

Submitted by Nathan Routledge, Law Clerk, on May 23, 2022.