



ORIGINAL

MONTANA SUPREME COURT PUBLIC MEETING MINUTES

Tuesday, December 20, 2022 at 1:15 p.m.

Joseph P. Mazurek Justice Building
215 North Sanders, Helena
Attorney's Lounge, 4th Floor

FILED

JAN 10 2023

Bowen Greenwood
Clerk of Supreme Court
State of Montana

Chief Justice McGrath called the meeting to order at 1:19 p.m. In attendance were the Chief Justice and Justices McKinnon, Baker, Shea, Sandefur, Rice, and Gustafson.

Also in attendance were Beth McLaughlin, Court Administrator; Kevin Cook, Electronic Services Coordinator; McKenna Ford, Supreme Court Law Clerk; and Anne Lewis, Supreme Court Law Clerk.

Item One: Approval of the Minutes from November 1, 2022 Public Meeting

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

Item Two: Appointment to the Board of Bar Examiners

- The Chief Justice noted that the Court is open to suggestions for this appointment.
- In response to Justice McKinnon's question regarding the tasks that a Board member is obligated to perform, Justice Baker stated that the position includes the following:
 - Grading essays for the Multistate Essay Examination, noting the change in structure since Montana adopted the Uniform Bar Exam
 - Administering the Bar Examination
 - Addressing other issues related to the Bar Examination such as rule changes, accommodations for disabilities, and electronic access to Bar Examination results
- The Chief Justice also noted that the position would include organizing the Montana Law Seminar following the Bar Examination
- The Court acknowledged John Kauffman, attorney at Kasting, Kauffman & Mersen, PC, as a potential candidate
- Justice Baker recommended that diversity be recognized when considering potential candidates

Item Three: Appointment to the Sentence Review Division

- The Chief Justice noted that the term of Honorable Jessica Fehr, District Court Judge of the Thirteenth Judicial District, has expired.
- The Chief Justice reappointed the Honorable Jessica Fehr as a member of the Sentence Review Division for a term of three years, expiring December 31, 2025.

Item Four: Appointments to the Commission on Courts of Limited Jurisdiction

- The Chief Justice noted that the Honorable Heidi J. Ulbricht will resign her position as the District Court Judge member on December 31, 2022.
- The Justices voted unanimously to appoint the Honorable David Grubich as the District Court Judge member to the Commission on Courts of Limited Jurisdiction to a term of four years, expiring December 31, 2026.

Item Five: Revisions to the Judicial Branch Administrative Policy Number 880 for Drug Treatment Court Funding

- The Chief Justice noted that the First Judicial District Court has moved the Court to adopt the change to funding allocation to the First Judicial District Mental Health Treatment Court from the First Judicial District Family Treatment Court.
- Beth McLaughlin clarified that the proposed rule change was in response to fewer cases in Judge McMahon's Family Treatment Court. McLaughlin explained that the First Judicial District Court proposes that the funding would more appropriately be allocated to the Mental Health Treatment Court. McLaughlin also stated that after a presentation on the proposed rule change to the Drug Court Advisory Committee, the Committee, along with the Office of Public Defenders, expressed support for the change.
- The Justices voted unanimously in favor of the proposed rule change.

Public Comment

- None.