

MONTANA SUPREME COURT PUBLIC MEETING MINUTES

Wednesday, July 5, 2023, 1:15 p.m.
Joseph P. Mazurek Justice Building
215 North Sanders, Helena
Attorney's Lounge, 4th Floor

FILED

AUG 30 2023

Bowen Greenwood
Clerk of Supreme Court
State of Montana

Chief Justice McGrath called the meeting to order at 1:18 p.m. In attendance were the Chief Justice and Justices McKinnon, Baker, Shea, Sandefur, Rice, and Gustafson.

Also in attendance were Beth McLaughlin, Montana Court Administrator; Jeanine Blaner, Supreme Court Staff Attorney; Kevin Cook, Electronic Services Coordinator; and Anne Lewis, Supreme Court Law Clerk.

Item One: Approval of the Minutes from the May 11, 2023 Public Meeting

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

Item Two: Revisions to the Judicial Branch Administrative Policy Number 885 regarding Pretrial Services

- Beth McLaughlin explained Policy Number 885 is an amendment to Pretrial Services. She stated the amendment is in response to receiving funding, and the advisory committee decided to keep the county allocations for Butte-Silver Bow County, Lake County, Lewis and Clark County, Missoula County and Yellowstone County for FY2024 to FY2025.
- The Chief Justice inquired whether Cascade County will be involved in this amendment. McLaughlin responded Cascade County passed a bond to receive funding and will begin working on their risk assessment.
- Justice Baker asked when Cascade County, Broadwater County, and Gallatin County will provide electronic district court records. McLaughlin took notes to address Justice Baker's inquiry in the future.
- The Justices voted unanimously in favor of the proposed rule change.

Item Three: Judicial Branch Personnel Policies and Procedures under Section 305 regarding Holiday Leave and Holiday Compensation

- Beth McLaughlin explained judicial branch employees will be entitled to "floating holidays" during odd-numbered years, granting employees one extra 8-hour paid holiday. "Floating holiday" means a scheduled day off, during odd (non-general election) years. McLaughlin stated judicial branch employees will not receive a "floating holiday" during even-numbered years because they will continue to receive holiday pay for the State General Election holiday during even-numbered years.

- The Justices voted unanimously in favor of the proposed policy.

Item Four: Appointment to the Criminal Justice Oversight Council

- The Chief Justice noted the Honorable Kurt Krueger is retiring as the chair for the Criminal Justice Oversight Council.
- The Chief Justice appointed the Honorable Luke Berger, District Judge for the Fifth Judicial District, to the Montana Criminal Justice Oversight Council. The Chief Justice recognized that Judge Berger has spoken with Judge Krueger and understands the responsibilities of the position.
- Beth McLaughlin mentioned that the Chief Justice must find a municipal court judge to be appointed to the Council.

Item Five: Ratification of the Appointments to the District Court Council

- The Chief Justice noted the terms of the Honorable Brenda Gilbert, District Court Judge, Position 4 member, Randy Brodehl, County Commissioner member, and Glenda Travitz, Court Reporter member expired on June 30, 2023.
- The Chief Justice stated an election was held by the Montana Judges Association and Judge Gilbert was re-elected as the District Court Judge, Position 4 member to the District Court Council.
- The Chief Justice stated The Montana Association of Counties nominated Randy Brodehl for reappointment as the County Commissioner member to the District Court Council.
- The Chief Justice stated the Montana Court Reporters Association nominated Court Reporter Tom Sapp for appointment as the Court Reporter member to the District Court Council.
- The Chief Justice certified that Judge Gilbert was re-elected for a three-year term that expires on June 30, 2026, Randy Brodehl was reappointed for a three-year term that expires on June 30, 2026, and Tom Sapp was appointed for a three-year term that expires on June 30, 2026.
- The Justices voted unanimously in favor of the appointments.

Public Comment

- None.