

MONTANA SUPREME COURT PUBLIC MEETING MINUTES

Tuesday, July 2, 1:15 p.m.

**Joseph P. Mazurek Justice Building
Conference Room, 4th floor
215 North Sanders, Helena, Montana**

Chief Justice McGrath called the meeting to order at 1:15 p.m. Also in attendance were Justices Baker, McKinnon, and Shea. Justice Sandefur attended via Zoom.

Also present were Bowen Greenwood, Clerk of the Montana Supreme Court; Beth McLaughlin, Court Administrator; Kevin Cook, Electronic Services Coordinator; Jeanine Blaner, Supreme Court Staff Attorney; and Gina Antonioli Schmit, Law Clerk of the Montana Supreme Court.

Item 1: Approval of Minutes from June 18, 2024, Public Meeting

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

Item 2: Judicial Branch Policies- Youth Court Records

- Chief Justice McGrath introduced the matter and turned the discussion over to Court Administrator Beth McLaughlin.
- McLaughlin discussed the proposed judicial branch policies for the Youth Court Records. McLaughlin highlighted the substantive changes to § 3.1 which strikes reference to parental contributions in accordance with legislation passed in 2023. McLaughlin then noted the changes which require Youth Court offices to review at least twice a year all sealed records over 10 years old and request permission to destroy records which meet the statutory requirements. McLaughlin also highlighted that Justice Baker had caught an addition to § 3.2(c) to specify that victims also may need to consent to destruction of records in accordance with § 41-5-216(3), MCA.
- Justice Baker moved to accept the recommendation of the Court Administrator, Justice McKinnon seconded the motion, and the Justices unanimously approved the revisions to the Youth Court Records Management policy.
- Chief Justice McGrath noted that Justices Gustafson and Rice were unavailable for the meeting resulting in a quorum of five.

Item 3: AF 06-0263 Appointments to the Commission on Courts of Limited Jurisdiction

- Justice Baker asked if it was the State Bar of Montana who nominated Nichole Siefert and Chief Justice McGrath affirmed that it was.

- Chief Justice McGrath introduced the matter explaining that Nichole Siefert was nominated to serve as the State Bar representative on the Commission on Courts of Limited Jurisdiction. He explained that Justice Rice had contacted the other members of the commission and determined they were interested in being reappointed. Chief Justice McGrath also noted that Hon. Steven Bolstad's term expired and would be included within this order.
- The Justices unanimously approved the appointments to the Commission on Courts of Limited Jurisdiction.

Item 4: AF 06-0090 Appointments to the Commission on Practice

- Chief Justice McGrath introduced the matter, noting that the resident members of the State Bar in Area D and Area H had conducted elections.
- Chief Justice McGrath explained that in Area D, Hon. John Parker had conducted the election and Jason Holden received the most votes. Chief Justice McGrath recommended Jason Holden be appointed.
- Justice Shea moved for Jason Holden's appointment, Justice Baker seconded the motion and the Justices unanimously approved Jason Holden's appointment to the Commission on Practice.
- Chief Justice McGrath discussed the Area H election. Hon. Brett Linneweber conducted the election and Kelly Gallinger received the most votes. Chief Justice McGrath recommended Kelly Gallinger be reappointed.
- Justice Shea moved to reappoint Kelly Gallinger, Justice McKinnon seconded the motion, and the Justices unanimously approved the reappointment of Kelly Gallinger to the Commission on Practice.

Miscellaneous:

- Chief Justice McGrath explained that John Mudd was making inquiries into whether Oral Argument in September could be held at the Wilma Theater in Missoula. No objections were made to this inquiry.
 - Justice Baker and Chief Justice McGrath discussed the importance of double checking the theater's live stream capabilities.

Public Comment:

- None.

Chief Justice McGrath adjourned the meeting at 1:28 p.m.

Submitted by: Gina Antonioli Schmit as revised on July 11, 2024.