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Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: AF 26-0027

IN THE SUPREME COURT OF THE STATE OF MONTANA

AF 26-0027

FILED

MAR 02 2026

Bowen Greenwood
Clerk of Supreme Court
State of Montana

IN RE THE ESTABLISHMENT OF A
WORKERS' COMPENSATION COURT
COMMISSION ON LOCAL RULES

ORDER

The Montana Workers' Compensation Court (WCC), by and through its Judge, Lee Bruner, petitions this Court to establish a commission for the purpose of adopting, amending, and/or repealing the WCC local rules. Judge Bruner also filed a Notice of Errata to add another member to the proposed commission.

On May 2, 2024, the WCC established a WCC Rules Committee to review and revise its rules pursuant to Admin. R. M. 24.5.360. On July 1, 2025, the WCC was transferred from the Executive Branch to the Judicial Branch pursuant to 2025 Mont. Laws Chapter 688 (H.B. 516). Consequently, the rulemaking process has transferred from the Montana Administrative Procedures Act to Section VI of the Montana Supreme Court's Internal Operating Rules.

The WCC asks this Court to establish a Workers Compensation Court Commission on Local Rules, composed of members appointed by the Montana Supreme Court, to coordinate the adoption, amendment, and repeal of the WCC rules over the long-term.

After consideration of the petition, the Court has determined that the bench and bar of the State of Montana should be provided an opportunity to comment on the proposed establishment of the commission.

IT IS THEREFORE ORDERED that all members of the bench and bar of Montana and any other interested persons are granted 60 days from the date of this Order to file with the Clerk of this Court appropriate comments and/or suggestions to the attached Petition and Errata to Create Commission and Formalize Structure.

IT IS FURTHER ORDERED that this Order and attached petition and errata shall be posted on the websites of the Montana State Law Library and the State Bar of Montana. The State Bar of Montana is requested to give notice of this Order and of its website posting of the petition to the membership by publication in the *Montana Lawyer* magazine and through other electronic and timely means.

IT IS FURTHER ORDERED that the Clerk of this Court shall post this Order with the attached petition and errata on the Court's website and shall provide copies to the State Bar of Montana, to each District Court Judge and each Clerk of the District Court, and each City, Municipal, and Justice Court Judge and Clerk, with a request that each Clerk make the Order and attachments available for public review in their respective offices.

DATED this 2 day of March, 2026.

For the Court,



Chief Justice

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. AF 26-0027

IN RE THE ESTABLISHMENT OF)	PETITION TO
A WORKERS' COMPENSATION COURT -)	CREATE
COMMISSION ON LOCAL RULES)	COMMISSION
)	AND
)	FORMALIZE
)	STRUCTURE

The Montana Workers' Compensation Court (WCC), through its Judge, Lee Bruner, petitions the Court to establish a Workers' Compensation Court - Commission on Local Rules (WCC-CLR), with specific membership and responsibilities, to serve for the limited purpose of establishing, adopting, amending, and repealing the WCC local rules. The WCC supports its petition as follows:

1. On May 2, 2024, the WCC established the Workers' Compensation Court Rules Committee (WCCRC) to "review and revise the rules of the court" pursuant to ARM 24.5.360.

2. Nevertheless, as of July 1, 2025, the WCC was transferred from the Executive Branch, where it was attached to

the Department of Labor & Industry for administrative purposes only, to the Judicial Branch by 2025 Mont. Laws Ch. 688 (H.B. 516).

3. As part of the Judicial Branch, the WCC no longer makes rules under § 2-4-201, MCA, of the Montana Administrative Procedures Act (MAPA). Rather, the WCC now makes rules as a court of record under § 3-1-112, MCA, pursuant to the procedures set forth in the Montana Supreme Court Internal Operating Rules, at Section VI. Judicial Rulemaking.

4. Typically, just as a rules revision project has a beginning and an end, so does the convention of a Rules Committee. However, as identified in the WCC's former ARM 24.5.360, the responsibility of "annually review[ing] and when necessary revis[ing] the rules of court" is perpetual. This perennial responsibility necessitates the appointment of a standing commission, i.e., one that exists in perpetuity, to identify, oversee, and coordinate the adoption, amendment, and repeal of local WCC rules over the long-term. The standing commission can more quickly identify and address changing needs and will, therefore, supplant the WCCRC.

5. The WCC expects most costs in relation to the WCC-CLR to be minimal. Members, who will serve at the pleasure of the WCC, will be all-volunteer. Meeting space will be provided by the WCC or members' offices if offered. The WCC has borne the costs to publish the rules in the past and, although the process will be different at the Judicial Branch, expects to continue bearing any publication-related costs.

The WCC elects to have all members of the WCCRC, established May 2, 2024, to continue serving as members of the new WCC-CLR:

NAME
Dean Blackaby
Michael A. Bliven
Miranda Dalpiaz
Michael C. Doggett
Geoff Keller
David T. Lighthall
Thomas A. Mackay
Joe Maynard

Sydney E. McKenna
Matt Murphy
Tommy Murphy
Melissa Quale
Charlie K. Smith – Chairperson
Ben Williams (DLI)

Therefore, the WCC respectfully petitions the Court as follows:

To create a Workers' Compensation Court - Commission on Local Rules (WCC - CLR) composed of standing members appointed by the Montana Supreme Court.

The WCC, - CLR should have the following responsibilities and duties:

1. Establish, and adopt, amend, and repeal the local rules of the WCC.
2. Thereafter, annually or sooner as the WCC indicates,

meet to review, and when necessary, revise, which includes adopting, amending, and and/or repealing, the local rules of the WCC.

Respectfully submitted this 12 day of January, 2025.

By: 
Judge Lee Bruner
Workers' Compensation Court

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. AF 26-0027

IN RE THE ESTABLISHMENT OF) NOTICE
A WORKERS' COMPENSATION COURT-) OF ERRATA
COMMISSION ON LOCAL RULES) FOR
) PETITION
) TO CREATE
) COMMISSION

1. On January 13, 2026, the Montana Workers' Compensation Court (WCC), through its Judge, Lee Bruner, filed a petition to establish a Workers' Compensation Court - Commission on Local Rules (WCC-CLR), with specific membership and responsibilities, to serve for the limited purpose of establishing, adopting, amending, and repealing the WCC local rules. The petition contained the following errors:

A. The list of members of the Workers' Compensation Court Rules Committee, which the WCC elects to have continue as members of the WCC-CLR, was missing one name, Stacy Tempel-St. John.

B. The petition was dated January 12, 2025, rather than January 12, 2026.

Respectfully submitted this 2 day of February, 2026.



Judge Lee Bruner
Workers' Compensation Court