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OF MONTANA

Annual Report
of the
Montana
Judiciary

THE SUPREME COURT OF MONTANA

J.A. TURNAGE
CHIEF JUSTICE



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May 1998

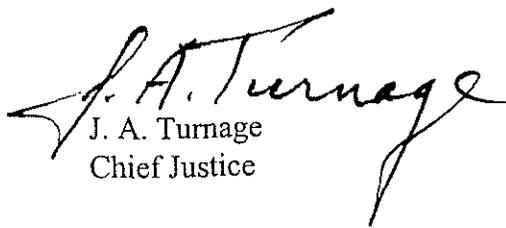
Dear Fellow Montanans:

This 1997 Judicial Report on Montana Courts is a part of a continuing effort by the Judiciary to inform the Legislative and Executive Branches and the public of the activities of Montana's court system.

Montana courts play a vital constitutional role in protecting individual freedom, adjudicating disputes, and guaranteeing access to fair and impartial justice. This Report reflects the activities of our court system in performing constitutional and statutory duties for the citizens of this great state.

With pride in our past and a look to the future, the Supreme Court presents this publication for your review.

Sincerely,


J. A. Turnage
Chief Justice

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1997 Annual Report of the Montana Judiciary

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Supreme Court Justices

JEAN A. TURNAGE

Chief Justice. Born March 10, 1926, in St. Ignatius, Montana. Served in the U.S. Air Corps from 1944-46. Received his J.D. from the University of Montana in 1951. Elected Lake County Attorney in 1953 and was re-elected to office four times. Elected to the Montana House of Representatives in 1962 and to the Montana State Senate in 1964, where he served continuously until he assumed the office of Chief Justice on January 7, 1985. Chief Justice Turnage and his wife, Eula Mae, are the parents of two children.

KARLA M. GRAY

Justice. Born May 10, 1947, in Escanaba, Michigan. Received both her Bachelor's and Master's degrees from Western Michigan University and received her J.D. from Hastings College of Law in San Francisco, California in 1976. Prior to her appointment to the bench on February 11, 1991, Justice Gray worked as a staff attorney and lobbyist for the Montana Power Company in Butte, Montana. Justice Gray is married to Myron Currie.

WILLIAM E. HUNT, SR.

Justice. Born February 28, 1923, in Tacoma, Washington. Moved to Montana in 1945. Received his J.D. from the University of Montana in 1955. Prior to election to the bench in 1984, he engaged in general practice of law and served as Deputy County Attorney in Hill County and as County Attorney in Liberty County. Justice Hunt also served as the director of the Montana Aeronautics Commission from 1970-1975, and served as the first Workers' Compensation Court Judge from 1975-1981. Justice Hunt and his wife, Mary, are the parents of five children.

JAMES C. NELSON

Justice. Born February 20, 1944, in Moscow, Idaho. Received a B.S. degree from the University of Idaho in Moscow, Idaho, in 1966. Received his J.D. from George Washington University in 1974. Justice Nelson served as First Lieutenant in the U.S. Army from 1966-1969. Justice Nelson worked as a financial analyst with the U.S. Securities and Exchange Commission prior to engaging in private practice in Montana. He was in private practice and serving as Glacier County Attorney at the time of his appointment to the Supreme Court in May of 1993. Justice Nelson and his wife, Chari, are the parents of two children.

TERRY N. TRIEWELER

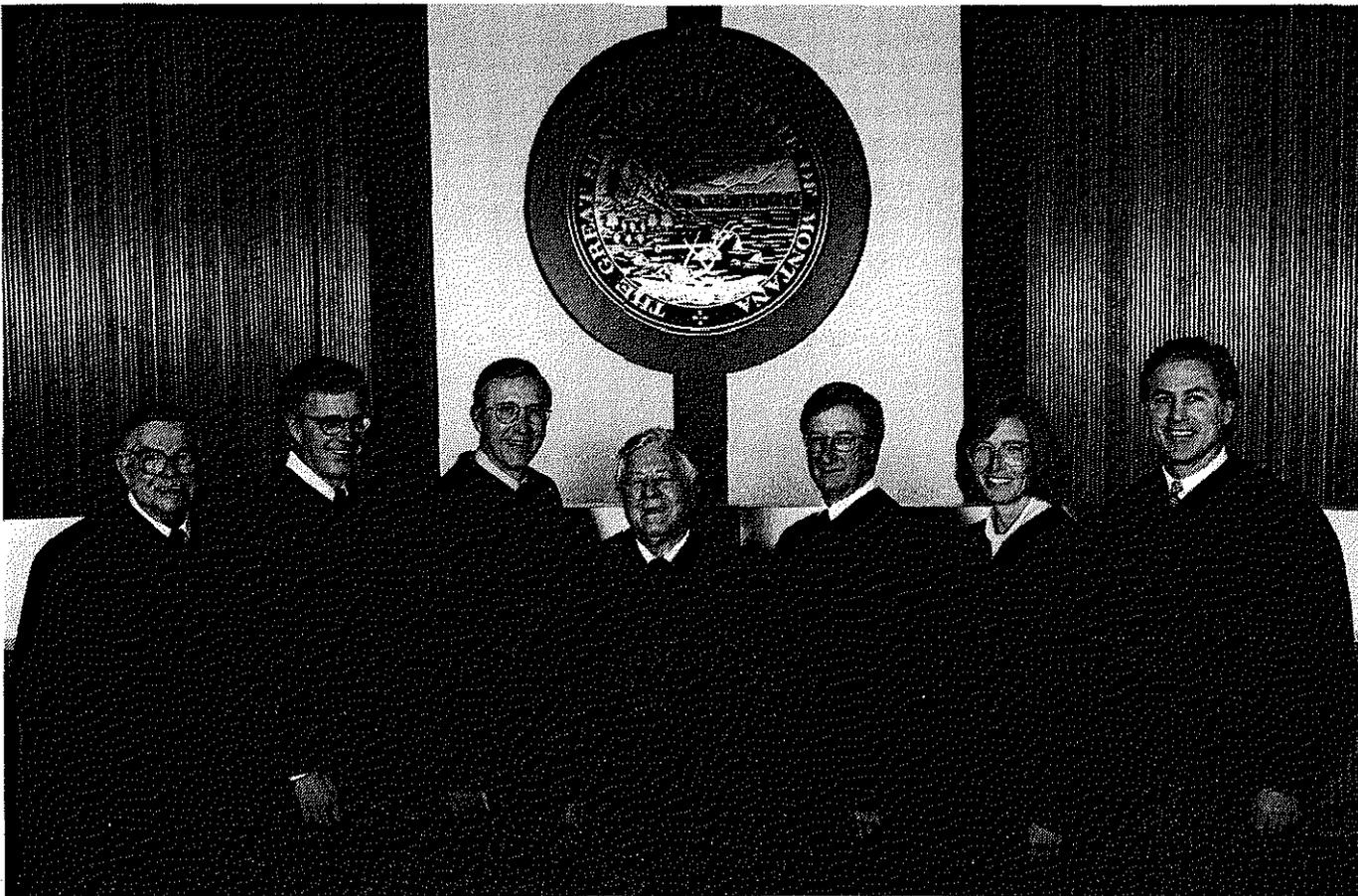
Justice. Born March 21, 1948, in Dubuque, Iowa. Received both his Bachelor's degree and J.D. from Drake University in Des Moines, Iowa. Justice Trieweler worked in private practice in Whitefish until 1990, when he began serving as an instructor of civil procedure at the University of Montana School of Law. He was elected to the Montana Supreme Court in 1990. Justice Trieweler and his wife, Carol, are the parents of three children.

W. WILLIAM LEAPHART

Justice. Born December 3, 1946, in Butte, Montana. Attended Whitman College, 1965-66, and the University of Montana, 1966-69. Received a B.A. in Liberal Arts in 1969 and LL.M in 1972 from the University of Montana School of Law. Engaged in general practice of law for twenty-one years with his father, C.W. Leaphart, prior to being elected to the bench in January of 1995. Justice Leaphart and his wife, Barbara, are the parents of three children.

JIM REGNIER

Justice. Born July 22, 1944, in Aurora, Illinois. Received a Bachelor's degree from Marquette University in Milwaukee, Wisconsin, in 1966. Upon graduation, he was commissioned an officer in the U.S. Navy and served aboard an ammunition ship and an ocean tanker. After his Navy service, Justice Regnier entered the University of Illinois, College of Law, where he obtained his J.D. in 1973. As a practicing attorney, he represented a wide variety of clients, including representing claimants, insurance companies, and self-insured employers in workers' compensation matters. Prior to being elected to the bench in January of 1997, Justice Regnier had shifted his energies to mediation. Justice Regnier and his wife, Linda, have three grown daughters and one grandchild.



Members of the Montana Supreme Court: Left to right, Justices William E. Hunt, Sr., W. William Leaphart, Jim Regnier, Chief Justice J. A. Turnage, Justices James C. Nelson, Karla M. Gray, and Terry N. Trieweiler.

Clerk of the Supreme Court

The Clerk of the Supreme Court is a sworn public servant who historically, by constitutional and statutory authority, controls the filings and provides the public with access to the Montana Supreme Court. The Clerk also serves as the custodian of all legal records and documents for the court and the public. The Clerk of the Supreme Court transacts all of the business for the court, making the office the structural hub around which the judicial process revolves. Since 1865, when the Clerk of the Supreme Court was established in this state, the office has served as the direct link between the public and the Supreme Court. The Clerk ultimately controls the flow of information to and from the court while assisting the court, the legal community and the public in processing appeals and original proceedings from the early filing stages through final disposition. The Clerk is elected to a six-year term on a partisan ballot in a statewide election.

The current Clerk of the Supreme Court is Ed Smith of Helena, who is serving his second term. Prior to his election, Smith worked for the Montana Legislature and the Constitutional convention from 1969 to 1987, serving four sessions as the Chief Clerk of the Montana House of Representatives and also holding the position of Chief Bill Clerk of the United States House of Representatives. He is a graduate of the University of Montana, where he was a teaching assistant.

Primary responsibilities of the Office of the Clerk are specified in Montana statutes and consist of processing all documents relative to Supreme Court appeals and petitions for the various writs, including writs of supervisory control and habeas corpus which are filed with the court. The office also provides the court with a monthly status report of pending cases.

Other duties include Bar administration, the preparation of court and oral argument minutes, collecting the annual attorney license tax for more than 3,600 attorneys and maintaining the roll of Montana attorneys.

The Clerk manages a staff of three individuals, consisting of one deputy clerk and two assistant clerks. The office has remained the same size since 1979, and has added no additional staff since the Supreme Court was enlarged to seven justices in 1981 to handle the increasing caseload.

Calendar year 1997 was another busy year for the Supreme Court. The Clerk's office docketed 729 cases, which resulted in over 31,000 transactions being handled. During fiscal year 1997 the office collected \$177,702 in fees and revenues for the state. This amount comprised \$26,874 in court fees, \$65,975 in bar examination fees and \$84,976 in attorney license taxes. In contrast, the Clerk's office spent \$198,026 in fiscal year 1997.

1997 SUPREME COURT CASELOAD STATISTICS			
Filings carried over from 1996	412	Opinions issued by five-member panel - after submission on briefs	297
New Civil Filings	476	Opinions issued by all seven justices - after submission on briefs	50
New Criminal Filings	253	Opinions issued by all seven justices - after oral arguments	37
Total New Filings in 1997	<u>729</u>	Total Formal Opinions Issued in 1997	<u>384</u>
Dispositions by Remittitur in 1997	361		
Dispositions by Dismissal in 1997	191		
Dispositions - Writ Denied	108		
Dispositions - Writ Granted	4		
Total Dispositions in 1997	<u>664</u>	Cases Pending as of December 31, 1997	<u>532</u>
DATA SOURCE: Clerk of the Supreme Court's Office			

Office of the Court Administrator

The Montana Supreme Court established the Office of the Court Administrator in 1975 to oversee the court's administrative functions. The Montana Legislature authorized the office in 1977 (3-1-701, MCA). The office performs the following functions:

- 1) Prepares and presents the Supreme Court's budget request to the legislature;
- 2) Collects, compiles and reports statistical and other data concerning all state courts and related programs;
- 3) Recommends improvements in the judiciary to the Supreme Court;
- 4) Administers state funding for district courts; and
- 5) Performs other duties as assigned:
 - a) Supports the various boards and commissions attached to the Supreme Court;
 - b) Administers the State Bar Examination;
 - c) Conducts training conferences for district court judges, limited jurisdiction court judges, and limited jurisdiction court clerks (one 1997 conference for limited jurisdiction court judges was held in conjunction with the National Judges' Association);
 - d) Provides automation equipment, maintenance and support to all levels of the judiciary; and
 - e) Administers three legislatively-created and assigned programs:
 - Court Assessment Program;
 - Citizen Review Boards Program; and
 - District Court Criminal Reimbursement Program.

Court Assessment Program

The Court Assessment Program was very involved in implementing new legislation to amend the Child Abuse and Neglect Act. The amendments included: setting deadlines for all temporary orders; requiring the court to conduct a permanency planning hearing within twelve months of the initial hearing if the child is in out-of-home care; creating a legal status (long-term custody) for children who cannot return home but it is not in their best interest to terminate parental rights; setting forth the burden of proof for each stage of the proceeding; clarifying that a guardian ad litem represents the best interest of the child; and identifying that child welfare proceedings were subject to the Indian Child Welfare Act. In addition to statutory changes in the Child Abuse and Neglect Act, the Program assisted in drafting and lobbying for legislative changes to Montana's adoption laws and guardianship statutes. Efforts on both fronts were successful.

The Court Assessment Program then worked to educate participants in abuse and neglect litigation as to the new laws and the importance of permanency for children. The Program invited a representative from the American Bar Association Center on Children and the Law to speak at the state bar conference in the spring, and organized and conducted a fall Bench/Bar Permanency Planning Seminar with prominent speakers on the judiciary's effect on permanency for children. In addition, the Program received a grant from the Montana Families for Kids Project to implement an Indian Child Welfare Act training program that was offered in twelve locations to tribal and state judges, attorneys and social workers. The Program also encouraged and sponsored judicial attendance at national conferences regarding abuse and neglect case procedures and policies.

The Court Assessment Program received a grant from the State Justice Institute to examine what factors will encourage district court judges to use technologies in their courts and to make recommendations as to what technologies can and will be used to expedite hearings in abuse and neglect cases. The Program also established a link to the State Law Library's Web page to provide information to participants in abuse and neglect cases about residential and non-residential treatment facilities, programs for parents, and health resources. The Program investigated funding resources for appointments of attorney guardians ad litem, and encouraged the collaboration and communication between volunteer lay advocate groups by sponsoring state meetings of directors for local programs. The Program worked with the University of Montana School of Law to pursue funding for a child advocacy clinical program at the law school. Though 1997 efforts were unsuccessful, the pursuit continues due to the critical need for training new lawyers regarding child advocacy issues.

The 1997 Adoption and Safe Families Act provided for a three-year extension of court improvement projects. The Court Assessment Program will pursue the state match in the 1999 legislative session to continue its efforts in court improvement.

Citizen Review Board Program

This program was authorized and attached to the Supreme Court Administrator's Office by statute in 1993. The program was organized as a pilot project and was charged with conducting impartial and independent reviews of foster care placements made by the Montana Department of Public Health and Human Services (DPHHS). Case reviews are conducted by local citizen boards comprising five volunteers who have demonstrated an interest in and knowledge of child welfare issues. These volunteers are appointed by local district court judges and are sworn to respect the confidentiality of all cases reviewed. Volunteers also receive initial and on-going training in review procedures and placement issues and are provided program

manuals prepared by program staff.

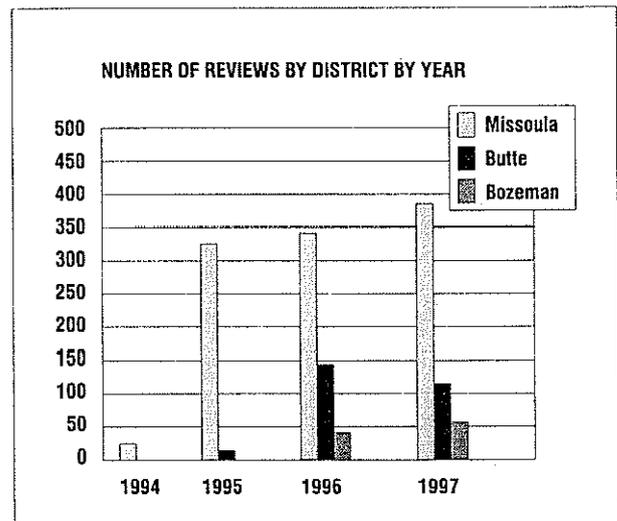
The initial pilot program site was the fourth judicial district, comprising Missoula and Mineral counties. The program subsequently was expanded to incorporate the second and eighteenth judicial districts, in Butte and Bozeman, respectively.

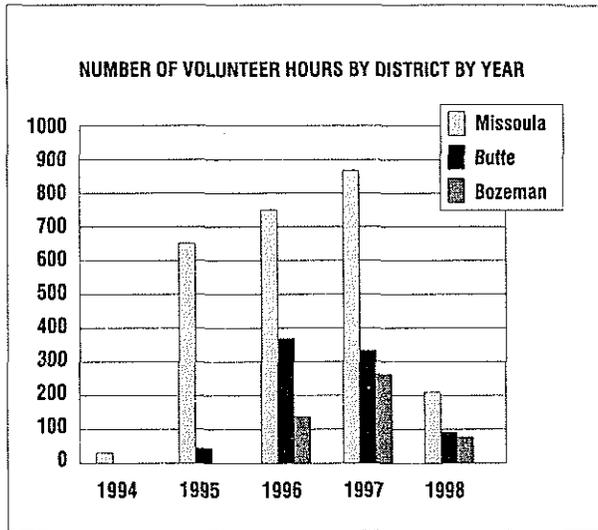
Case reviews are to consider:

- 1) Whether reasonable efforts were made to return each child to the natural home;
- 2) The appropriateness of all placements;
- 3) Compliance with the child's case plan;
- 4) A projected date for family reunification or placement for adoption or legal guardianship;
- 5) Other issues important to the individual case; and
- 6) Whether the district court should appoint a special advocate for the child in question.

The initial case review is to occur within six months of initial placement of the child in substitute care. Subsequent reviews are to occur at least once every six months until the child is no longer in substitute care. Parents, foster parents, DPHHS case workers, guardians, volunteers, the child and other interested parties are invited to case reviews. Review results are forwarded to the DPHHS. That agency must either implement the Citizen Review Board recommendations or explain in writing why the recommendations cannot be implemented.

Number of cases in the graph are reflected by the number of reviews that were conducted. The first program site was Missoula. They began their reviews in December of 1994. The second program site, in Butte, began reviews in December of 1995, and the third program site, in Bozeman, began reviews in June of 1996. Caseloads vary in number in the three judicial districts.





Hours in the graph are reflected by the number of reviews that were conducted. The hours reflected in the chart only calculate the actual hours spent at reviews. It does not include the number of hours the volunteers spent in training and the number of hours they spent reading case files, formulating questions, and preparing for the reviews.

District Court Criminal Reimbursement Program

The District Court Criminal Reimbursement Program, enacted by SB 25 and SB 142 during the regular session of the 1985 Legislature, established an expanded state assumption of certain expenses associated with criminal proceedings in Montana's District Courts.

The District Court Criminal Reimbursement Program reimburses counties for certain adult criminal expenses. The program, as outlined by 3-5-901, MCA, applies to eligible expenses in the following five categories: 1) a percentage of court reporters' salaries; 2) the cost of transcripts of eligible criminal proceedings; 3) psychiatric examinations in criminal proceedings; 4) witness and jury expenses of criminal proceedings; and 5) indigent defense expenses of criminal proceedings.

Program revenues derive from a portion of the motor vehicle license tax.

If a balance remains after all reimbursements are made, that balance must be awarded to counties in the form of a grant. The grant is based on whether the county has expended funds over and above its maximum mill levy set by law for district court expenses.

**DISTRICT COURT CRIMINAL REIMBURSEMENT PROGRAM
1997 TOTAL REIMBURSEMENT BY CATEGORY**

County	Court Reporter	Jury Services	Witness Services	Psychiatric Examinations	Indigent Defense	Grant Received	Totals
ANACONDA-DEER LODGE	\$5,552	\$1,339	\$0	\$0	\$18,325	\$6,377	\$31,593
BEAVERHEAD	3,391	580	0	0	16,403	0	20,374
BIGHORN	2,610	23,888	4,775	2,256	57,705	0	91,234
BLAINE	1,235	2,318	401	6,706	25,527	2,012	38,199
BROADWATER	1,751	366	0	750	15,291	1,883	20,041
BUTTE-SILVER BOW	14,387	5,151	220	31,601	104,462	0	155,822
CARBON	1,740	962	267	600	8,498	632	12,698
CARTER	1,148	14	16	15,567	3,923	538	21,206
CASCADE	30,323	25,097	20,307	39,356	351,318	81,323	547,725
CHOUTEAU	1,835	1,709	0	700	7,467	0	11,710
CUSTER	13,301	116	16,649	18,808	314,098	4,422	367,395
DANIELS	232	723	0	0	732	861	2,548
DAWSON	5,553	2,521	433	0	22,045	2,791	33,343
FALLON	1,998	0	10	525	13,959	0	16,492
FERGUS	4,763	1,468	537	4,122	56,822	3,984	71,695
FLATHEAD	18,457	9,640	923	9,083	192,180	1,350	231,634
GALLATIN	14,418	20,408	23,875	25,650	126,906	6,457	217,713
GARFIELD	891	1,004	0	0	2,229	93	4,217
GLACIER	3,525	6,505	778	507	51,024	487	62,825
GOLDEN VALLEY	686	0	0	0	8,097	0	8,783
GRANITE	2,424	0	0	875	2,101	920	6,320
HILL	9,649	7,609	1,522	1,819	93,770	1,405	115,774
JEFFERSON	5,586	10,139	37,763	17,506	104,147	654	175,795
JUDITH BASIN	768	5,753	14,342	0	58,882	0	79,745
LAKE	7,449	16,690	7,364	27,643	92,129	1,016	152,292
LEWIS&CLARK	16,116	24,573	1,134	18,141	140,787	23,678	224,428
LIBERTY	1,275	0	0	0	1,122	0	2,397
LINCOLN	12,631	14,428	22,773	7,830	169,643	8,298	235,602
MADISON	2,680	0	0	2,500	18,316	0	23,496
MCCONE	748	493	132	0	690	1,214	3,278

1997 Annual Report of the Montana Judiciary

DISTRICT COURT CRIMINAL REIMBURSEMENT PROGRAM
1997 TOTAL REIMBURSEMENT BY CATEGORY

County	Court Reporter	Jury Services	Witness Services	Psychiatric Examinations	Indigent Defense	Grant Received	Totals
MEAGHER	\$1,132	\$0	\$0	\$0	\$5,907	\$291	\$7,330
MINERAL	2,991	8,772	4,205	3,806	52,319	1,016	73,111
MISSOULA	39,621	26,155	12,490	22,733	218,793	65,590	385,382
MUSSELSHELL	4,494	2,048	171	2,740	93,787	0	103,239
PARK	7,640	7,118	3,424	14,475	73,836	274	106,767
PETROLEUM	156	0	0	0	507	0	664
PHILLIPS	1,996	5,678	554	1,782	27,945	0	37,955
PONDERA	1,641	0	0	0	7,258	103	9,003
POWDER RIVER	1,127	1,596	10	0	9,844	1,143	13,719
POWELL	4,960	1,784	555	0	8,898	3,214	19,411
PRAIRIE	427	0	0	0	1,228	48	1,703
RAVALLI	6,953	6,598	8,609	13,799	117,890	8,837	162,686
RICHLAND	6,985	0	0	0	4,870	0	11,854
ROOSEVELT	1,398	34	0	0	2,394	0	3,827
ROSEBUD	6,064	34	299	0	24,734	0	31,132
SANDERS	3,403	3,038	414	0	31,722	0	38,577
SHERIDAN	536	16	0	1,700	5,312	0	7,564
STILLWATER	1,305	0	0	0	11,213	0	12,518
SWEET GRASS	1,123	0	0	0	5,603	629	7,354
TETON	1,553	0	0	0	3,415	0	4,968
TOOLE	2,342	0	0	0	22,424	0	24,766
TREASURE	1,114	0	0	0	90	0	1,204
VALLEY	2,608	187	40	1,420	11,763	0	16,018
WHEATLAND	1,390	973	78	1,375	12,154	229	16,199
WIBAUX	1,417	2,164	0	0	1,722	0	5,304
YELLOWSTONE	<u>41,366</u>	<u>41,565</u>	<u>19,986</u>	<u>23,906</u>	<u>488,613</u>	<u>22,042</u>	<u>637,478</u>
TOTALS	<u>\$332,866</u>	<u>\$291,252</u>	<u>\$205,054</u>	<u>\$320,280</u>	<u>\$3,322,843</u>	<u>\$253,811</u>	<u>\$4,726,106</u>

Boards and Commissions of the Supreme Court

Judicial Nomination Commission

This commission provides the Governor a list of qualified candidates to fill vacancies on the Supreme Court, District Courts and the Workers' Compensation Court. The commission also provides the Chief Justice a list of candidates for appointment to fill any term or vacancy for the Chief Water Judge. The commission comprises seven members, four appointed by the Governor, two appointed by the Supreme Court and one elected by the state's district court judges. Commission members serve four year terms and are not eligible for judicial office during their terms or for one year thereafter.

Commission on Admissions Rules Revision

This 13 member commission was established by the Supreme Court in 1996 to review and suggest revisions to the Rules of Admission to the Bar. The report of the commission has been submitted to the Supreme Court for its consideration.

Commission on Unauthorized Practice

This commission comprises eight members appointed by the Supreme Court to two-year terms. It investigates complaints that a person is practicing law without admission to the Bar.

Commission on Courts of Limited Jurisdiction

The commission oversees mandatory training for judges of limited jurisdiction twice a year and promotes professionalism, competence, procedural improvements and refinements in courts of limited jurisdiction. The commission comprises practicing attorneys, a district court judge, judges of courts of limited jurisdiction and a clerk of a limited jurisdiction court. A Justice of the Supreme Court sits as an ex-officio member of the commission.

Sentence Review Division

Individuals sentenced to a year or more to the Montana State Prison or the Women's Correctional System may request a review of the sentence they received in District Court.

The Sentence Review Division of the Supreme Court is comprised of three District Court Judges appointed by the Supreme Court for three-year terms. The 1997 members were: Honorable Jeffrey Sherlock, Chairman; Honorable William Nels Swandal, and Honorable Richard Phillips. Retired Judge Robert Boyd serves as an alternate member.

The Division meets four (4) times a year at the Montana State Prison and two (2) times a year at the Women's Correctional System.

The Sentence Review Division heard a total of 143 cases in 1997. Of those cases, 88 were affirmed; 22 were continued; 15 were waived; 10 were decreased; 6 were dismissed; 1 was increased; and 1 case was held in abeyance pending an appeal.

Board of Bar Examiners

The Board of Bar Examiners is responsible for examination and licensure of attorneys who wish to practice law in Montana.

Members of the board are appointed by the Supreme Court. Terms of board members are permanent; however, the Supreme Court may release, dismiss, or remove any member of the board and appoint another member in his or her stead at any time. The Supreme Court Administrator serves as the board's administrator.

Members of the Board of Bar Examiners for 1997 were: Gregory G. Murphy, Esq., Chairman; Randy J. Cox, Esq.; Gary W. Bjelland, Esq.; Jacqueline Terrell Lenmark, Esq.; Loren J. O'Toole, II, Esq.; Debra D. Parker, Esq.; and John Jay Richardson, Esq.

Montana holds the bar examination once per year, commencing on the last Wednesday of July. The 1997 exam was held July 30, July 31, and August 1. The Multistate Bar Examination was given on Wednesday, July 30, followed by a day and a half of essay examination on Thursday, July 31, and Friday, August 1. One-hundred nineteen applicants sat for the exam, with 106 passing.

Disciplinary Boards and Commissions of the Supreme Court

Commission on Practice

The Commission on Practice was established in 1965 by Order of the Montana Supreme Court to review complaints alleging unethical conduct by Montana attorneys. This commission is also responsible for reporting on merits of any petition for reinstatement to the practice of law.

The commission is comprised of eleven members. Eight attorney members are appointed by the Supreme Court, following an election by members of the Bar in their respective areas of the state, and the Court also appoints three lay citizens. Members serve a four-year term. Members of the 1997 commission were: Sam E. Haddon, Chairman; John Warren, Vice-Chairman; Gary L. Davis, Executive Secretary; Gary Buchanan, Patricia DeVries, Bruce A. Fredrickson, W.A. Groff, Donald R. Marble, Gary A. Ryder, John V. Potter, Jr., and Milton Wordal.

1997 Commission on Practice Caseload Statistics	
No. of Complaints Filed in 1997	308
No. of Complaints Pending at the End of 1996	<u>111</u>
Total	<u>419</u>
<u>Disposition of Complaints:</u>	
Total No. of Complaints Dismissed	261
Written Private Admonishment	12
Private Oral Admonishment	13
Suspension of License	6
Disbarment	1
Reinstatement Hearings	3
Formal Complaints Dismissed	1
Complaints Pending as of December 31, 1997	<u>122</u>
Total	<u>419</u>

Judicial Standards Commission

Montana's Judicial Standards Commission was created by amendment to the state constitution in 1973 to provide for the censure, suspension, or removal of a judicial officer. The commission is composed of two district court judges, elected by the district court judges; one attorney, appointed by the Supreme Court; and two members of the public, appointed by the Governor.

Members of the 1997 commission were: Hon. Ed McLean, Chairman; Victor F. Valgenti, Esq., Vice-Chairman; Barbara Evans, Patty Jo Henthorn, and the Hon. John Warner. All members serve a four-year term.

1997 Judicial Standards Commission Caseload Statistics	
No. of Complaints Filed in 1997	63
No. of Complaints Pending at the End of 1996	<u>34</u>
Total	<u>97</u>
<u>Disposition of Complaints:</u>	
Dismissed	77
Private Reprimand	5
Public Reprimand	0
Suspension	0
Removed from Bench	1
Complaints Pending as of December 31, 1997	<u>14</u>
Total	<u>97</u>

The District Courts

Montanans are served by 56 district courts. These courts are organized into 21 judicial districts and are served by 37 judges. District courts are courts of original and appellate jurisdiction. Original jurisdiction incorporates all felony cases, all civil and probate cases, all cases at law and in equity, all misdemeanor and other special actions and proceedings not otherwise provided for, all civil actions that might result in a finding against the state for the payment of money, naturalization proceedings, various writs and some narrowly defined ballot issues. Appellate jurisdiction includes cases arising from the state's courts of limited jurisdiction, as prescribed by law and the Constitution.

Information concerning the number and characteristics of 1997 district court caseloads is presented and discussed below.

The distributions of district court summary statistics have been sorted into quartiles, on the basis of increasing number of case filings or dispositions. Quartiles divide a distribution into four groups of equal size. The tables presented below contain summary data for all district courts, for the busiest five courts and for each quartile. Data for the busiest five courts are contained within the fourth quartile data.

The contribution of each quartile and of the busiest five district courts to the 1997 statewide total of case filings, by case type, is presented in Table 1. Note the wide disparity in total case filings between quartiles. The quartile of busiest courts experienced at least 75 percent of all case filings, statewide, in all but three types of cases. Further, the busiest five district courts received at least one half of all statewide filings in all but two types of cases. Table 2 presents the corresponding distribution of statewide case dispositions. Here again, a wide disparity is evident between quartiles and the busiest five district courts. The proportions of probate filings and dispositions were the only case type that differed notably from the distributions of other case types within quartiles.

Table 1
1997 District Court Quartile and Busiest Five Court Caseloads as a Percent of Statewide Total Case Filings by Case Type

Case Type	First Quartile	Second Quartile	Third Quartile	Fourth Quartile	Busiest 5
Criminal	1.3	5.6	12.8	80.4	56.9
Civil	1.7	5.7	12.7	79.9	60.3
Adoptions	2.6	7.9	19.4	70.1	49.1
ED/DD	0.4	1.3	12.3	86.0	51.4
Paternity	2.3	6.2	23.2	68.4	53.7
Guard./Cons.	1.6	5.2	13.5	79.7	51.0
Juvenile	1.4	7.6	13.2	77.8	51.1
Dep./Neglect	1.1	5.2	12.9	80.8	54.3
Probate	6.3	11.9	17.4	64.4	45.0
Dom. Relations	1.0	5.1	11.0	82.9	61.0
All Filings	1.8	6.1	13.0	79.1	57.4

Table 2
1997 District Court Quartile and Busiest Five Court Caseloads as a Percent of Statewide Total Case Dispositions by Case Type

Case Type	First Quartile	Second Quartile	Third Quartile	Fourth Quartile	Busiest 5
Criminal	1.5	6.0	12.2	80.3	58.8
Civil	1.5	5.7	11.4	81.3	63.4
Adoptions	2.6	7.7	12.8	76.9	51.5
ED/DD	0.5	2.9	32.3	64.3	47.3
Paternity	1.9	9.0	27.7	61.3	52.3
Guard./Cons.	5.6	5.0	14.6	74.8	43.9
Juvenile	0.5	8.1	14.1	77.3	50.6
Dep./Neglect	0.7	1.7	8.7	88.9	60.4
Probate	6.3	14.5	17.8	61.4	41.5
Dom. Relations	1.0	4.5	9.5	85.0	65.3
All Dispositions	1.8	6.1	12.2	79.9	60.1

The relative proportions of case filings and case dispositions within the total caseloads of all courts, each quartile and the busiest five courts are presented in Tables 3 and 4. Note in both tables that probate cases constitute much higher proportions of the total caseloads of the first and second quartiles than of the third and fourth quartiles and of the busiest five district courts. Conversely, criminal and domestic relations cases comprise far smaller proportions of the caseloads of the first and second quartiles than average of all courts and those of the third and fourth quartiles and the five busiest courts. The distributions of filings and dispositions of the remaining case types within the total caseloads of all courts, all quartiles and the five busiest courts are relatively similar.

Case Type	All Courts	First Quartile	Second Quartile	Third Quartile	Fourth Quartile	Busiest 5
Criminal	16.1	11.4	14.7	15.8	16.4	16.0
Civil	39.5	37.0	36.8	38.6	39.9	41.5
Adoptions	2.1	3.0	2.7	3.1	1.8	1.8
ED/DD	2.2	0.5	0.5	2.1	2.4	2.0
Paternity	0.5	0.6	0.5	0.9	0.4	0.5
Guard./Cons.	2.3	2.0	2.0	2.4	2.3	2.0
Juvenile	4.7	3.4	5.8	4.8	4.6	4.1
Dep./Neglect	2.1	1.3	1.8	2.1	2.2	2.0
Probate	8.5	29.2	16.7	11.4	6.9	6.7
Dom. Relations	22.0	11.6	18.6	18.7	23.1	23.4

Case Type	All Courts	First Quartile	Second Quartile	Third Quartile	Fourth Quartile	Busiest 5
Criminal	15.6	13.3	15.3	15.7	15.7	15.3
Civil	41.8	36.5	38.9	39.2	42.5	44.1
Adoptions	1.9	2.9	2.4	2.0	1.9	1.7
ED/DD	2.0	0.5	0.9	5.2	1.6	1.5
Paternity	0.5	0.5	0.7	1.1	0.4	0.4
Guard./Cons.	1.0	3.1	0.8	1.2	0.9	0.7
Juvenile	4.0	1.2	5.3	4.7	3.9	3.4
Dep./Neglect	2.1	0.9	0.6	1.5	2.4	2.1
Probate	7.7	27.5	18.1	11.2	5.9	5.3
Dom. Relations	23.5	13.7	17.1	18.3	25.0	25.5

Total case dispositions are expressed as a percent of total case filings, by case type, for all courts, each quartile and the five busiest courts in Table 5. Entries of 100 percent or greater indicate that the courts disposed of more cases than were filed; where the entry is less than 100 percent, case filings outnumbered dispositions. Generally, filings exceeded dispositions most notably in juvenile, dependent and neglected children (excluding fourth quartile and the five busiest courts) and guardianship/conservatorship cases. The ratio of dispositions to filings in criminal, civil and domestic relations cases was generally the most favorable across all case types.

Table 5
Number of 1997 District Court Case Dispositions
as a Percent of Case Filings, by Case Type
All Courts, Quartiles, and the Busiest 5 Courts

Case Type	All Courts	First Quartile	Second Quartile	Third Quartile	Fourth Quartile	Busiest 5
Criminal	93.2	98.5	99.6	86.1	93.9	96.2
Civil	101.4	87.6	96.2	96.2	102.8	106.6
Adoptions	89.7	78.6	88.6	86.2	90.7	95.5
ED/DD	84.9	0.0	200.0	89.4	83.8	84.5
Paternity	87.6	0.0	0.0	100.0	88.0	88.8
Guard./Cons.	40.0	0.0	50.0	44.0	39.5	37.2
Juvenile	83.1	54.5	74.2	82.0	84.0	82.3
Dep./Neglect	96.3	0.0	31.6	51.5	105.5	100.8
Probate	86.3	87.2	91.1	94.9	83.2	79.9
Dom. Relations	102.4	113.0	86.8	85.5	105.8	109.6
All Cases	95.9	91.6	96.9	90.1	97.0	100.5

Tables 6 and 7 list reported 1997 case filings and case dispositions, respectively, by county and by case type.

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TABLE 6
1997 DISTRICT COURT STATISTICS - BY DISTRICT
CASE FILINGS

Judicial District	County	Adoption	Criminal	Civil	Mentally Ill/ Dev. Disabled	Paternity	Guard./ Conserv.	Juvenile	Dep./Neg. Children	Probate	Domestic Relations	Totals
1	BROADWATER	4	44	72	5	0	7	4	13	35	184	
1	LEWIS & CLARK	31	404	1,452	48	5	53	108	48	182	1,053	3,384
	District Subtotal	35	448	1,524	53	5	53	115	52	195	1,088	3,568
2	SILVER BOW	28	173	355	48	3	45	47	28	121	257	1,105
	District Subtotal	28	173	355	48	3	45	47	28	121	257	1,105
3	DEER LODGE	10	83	115	149	9	33	37	16	33	96	581
3	GRANITE	4	16	49	0	0	1	0	0	13	19	102
3	POWELL	3	67	121	6	0	7	22	0	23	63	312
	District Subtotal	17	166	285	155	9	41	59	16	69	178	995
4	MINERAL	2	35	58	0	1	1	21	7	6	36	167
4	MISSOULA	60	822	1,671	138	0	77	178	41	438	883	4,308
	District Subtotal	62	857	1,729	138	1	78	199	48	444	919	4,475
5	BEAVERHEAD	5	35	149	6	0	8	8	41	57	317	
5	JEFFERSON	9	47	111	0	1	10	7	2	20	58	265
5	MADISON	5	19	107	1	1	2	2	0	13	35	185
	District Subtotal	19	101	367	7	2	20	17	10	74	150	767
6	PARK	19	104	232	13	0	37	41	1	31	147	625
6	SWEET GRASS	2	9	28	0	0	1	1	3	18	16	78
	District Subtotal	21	113	260	13	0	38	42	4	49	163	703
7	DAWSON	11	58	99	56	1	7	16	4	45	70	367
7	MCCONE	2	3	24	2	0	1	3	0	14	5	54
7	PRAIRIE	3	2	13	0	1	2	0	1	9	2	33
7	RICHLAND	28	27	127	3	4	11	14	2	71	59	346
7	WIBAUX	3	4	20	0	0	2	0	1	32	8	70
	District Subtotal	47	94	283	61	6	23	33	8	171	144	870
8	CASCADE	104	548	1,584	22	26	63	208	77	254	593	3,479
	District Subtotal	104	548	1,584	22	26	63	208	77	254	593	3,479
9	GLACIER	1	89	132	1	2	9	34	5	37	107	417
9	PONDERA	5	22	68	0	0	0	15	0	41	33	184
9	TETON	6	9	24	0	0	3	10	8	33	24	117
9	TOOLE	10	41	54	1	0	7	10	2	41	31	197
	District Subtotal	22	161	278	2	2	19	69	15	152	195	915
10	FERGUS	34	48	184	6	3	20	20	16	59	58	448
10	JUDITH BASIN	2	6	19	0	0	1	4	1	12	11	56
10	PETROLEUM	0	2	4	0	0	0	0	0	6	2	14
	District Subtotal	36	56	207	6	3	21	24	17	77	71	518
11	FLATHEAD	63	448	1,374	33	14	65	94	50	172	667	2,980
	District Subtotal	63	448	1,374	33	14	65	94	50	172	667	2,980
12	CHOUTEAU	3	18	54	0	0	4	4	1	24	34	142
12	HILL	11	146	98	15	3	10	49	29	69	116	546
12	LIBERTY	2	7	13	0	0	3	0	1	22	3	51
	District Subtotal	16	171	165	15	3	17	53	31	115	153	739
13	BIG HORN	9	114	159	2	10	6	17	20	39	74	450
13	CARBON	4	16	125	2	1	3	7	12	33	43	246
13	STILLWATER	6	34	84	3	2	3	5	1	27	57	222
13	YELLOWSTONE	98	976	2,231	156	50	151	242	184	289	1,491	5,868
	District Subtotal	117	1,140	2,599	163	63	163	221	217	388	1,665	6,786
14	GOLDEN VALLEY	2	9	10	0	0	0	6	0	3	0	31
14	MEAGHER	0	2	19	0	1	2	0	0	4	12	40
14	MUSSELSHELL	12	34	89	4	0	10	14	11	20	37	231
14	WHEATLAND	2	15	40	0	0	4	4	4	13	13	95
	District Subtotal	16	60	158	4	1	15	26	15	40	62	397
15	DANIELS	0	2	23	0	0	2	3	0	21	4	55
15	ROOSEVELT	2	13	90	2	0	6	20	1	42	34	210
15	SHERIDAN	4	3	45	0	1	7	18	0	51	6	135
	District Subtotal	6	18	158	2	1	15	41	1	114	44	400
16	CARTER	1	6	19	0	0	0	0	0	19	0	45
16	CUSTER	10	88	181	19	5	12	30	35	52	86	518
16	FALLON	2	14	26	0	1	3	0	3	28	18	95
16	GARFIELD	1	4	6	1	0	0	2	0	14	1	29
16	POWDER RIVER	1	9	13	0	1	0	1	1	7	4	37
16	ROSEBUD	6	75	120	4	1	6	18	8	25	76	339
16	TREASURE	0	8	26	0	1	0	0	0	6	6	47
	District Subtotal	21	204	391	24	9	21	51	47	151	191	1,110
17	BLAINE	3	43	38	2	6	4	18	8	20	33	175
17	PHILLIPS	7	22	68	0	1	1	10	1	27	24	161
17	VALLEY	0	11	79	1	0	5	4	0	31	54	185
	District Subtotal	10	76	185	3	7	10	32	9	78	111	521
18	GALLATIN	26	199	545	12	1	25	45	17	79	346	1,295
	District Subtotal	26	199	545	12	1	25	45	17	79	346	1,295
19	LINCOLN	14	164	284	6	1	17	79	24	49	176	814
	District Subtotal	14	164	284	6	1	17	79	24	49	176	814
20	LAKE	16	174	336	2	0	17	37	33	54	282	951
20	SANDERS	11	60	158	0	16	2	13	5	35	54	354
	District Subtotal	27	234	494	2	16	19	50	38	89	336	1,305
21	RAVALLI	18	185	558	4	4	34	70	12	87	172	1,144
	District Subtotal	18	185	558	4	4	34	70	12	87	172	1,144
	TOTAL	725	5,616	13,783	773	177	802	1,625	736	2,968	7,681	34,886

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TABLE 7
1997 DISTRICT COURT STATISTICS - BY DISTRICT
CASE DISPOSITIONS

JUDICIAL DISTRICT	COUNTY	ADOPTION	CRIMINAL	CIVIL	MENTALLY ILL/DEV. DISABLED	PATERNITY	GUARD/CONSERV.	JUVENILE	DEP./NEG. CHILDREN	PROBATE	DOMESTIC RELATIONS	TOTALS
1	BROADWATER	3	37	57	2	0	0	3	0	6	26	134
1	LEWIS AND CLARK	25	420	1,930	41	9	12	123	67	93	1,115	3,835
	District Subtotal	28	457	1,987	43	9	12	126	67	99	1,141	3,969
2	SILVER BOW	32	144	213	48	4	8	45	18	98	214	824
	District Subtotal	32	144	213	48	4	8	45	18	98	214	824
3	DEER LODGE	7	48	41	132	1	5	11	4	24	42	315
3	GRANITE	3	13	34	0	0	0	4	0	15	15	84
3	POWELL	4	46	94	5	0	1	8	0	5	30	193
	District Subtotal	14	107	169	137	1	6	23	4	44	87	592
4	MINERAL	4	34	62	0	2	0	16	2	8	34	162
4	MISSOULA	72	833	1,453	86	0	26	169	43	362	973	4,017
	District Subtotal	76	867	1,515	86	2	26	185	45	370	1,007	4,179
5	BEAVERHEAD	6	37	150	2	0	1	2	0	26	59	283
5	JEFFERSON	9	42	101	4	2	7	8	2	19	54	248
5	MADISON	4	17	108	0	0	1	2	0	15	29	176
	District Subtotal	19	96	359	6	2	9	12	2	60	142	707
6	PARK	27	83	207	11	0	17	22	0	31	134	532
6	SWEET GRASS	2	10	21	0	0	1	1	0	16	14	65
	District Subtotal	29	93	228	11	0	18	23	0	47	148	597
7	DAWSON	7	59	99	56	0	2	19	4	50	67	363
7	MCCONE	2	3	20	2	0	3	3	0	16	3	52
7	PRAIRIE	2	1	11	0	1	2	0	1	12	3	33
7	RICHLAND	7	30	86	3	5	6	9	2	41	58	247
7	WIBAUX	2	4	15	0	0	2	0	0	18	5	46
	District Subtotal	20	97	231	61	6	15	31	7	137	136	741
8	CASCADE	87	428	2,068	10	28	32	144	85	217	901	4,000
	District Subtotal	87	428	2,068	10	28	32	144	85	217	901	4,000
9	GLACIER	2	88	108	1	2	3	27	4	37	112	384
9	PONDERA	5	23	79	0	2	0	12	0	37	36	194
9	TETON	6	12	16	0	0	1	11	3	34	22	105
9	TOOLE	10	36	34	2	0	5	8	2	53	16	166
	District Subtotal	23	159	237	3	4	9	58	9	161	186	849
10	FERGUS	16	53	191	4	3	23	15	9	62	64	440
10	JUDITH BASIN	1	5	15	0	0	2	1	0	13	9	46
10	PETROLEUM	0	4	11	0	0	0	0	0	4	0	19
	District Subtotal	17	62	217	4	3	25	16	9	79	73	505
11	FLATHEAD	65	437	1,227	33	12	37	74	54	152	656	2,747
	District Subtotal	65	437	1,227	33	12	37	74	54	152	656	2,747
12	CHOUTEAU	1	12	48	0	1	0	3	0	56	25	146
12	HILL	12	136	97	17	3	18	61	33	71	120	568
12	LIBERTY	2	3	14	0	0	5	0	2	10	3	39
	District Subtotal	15	151	159	17	4	23	64	35	137	148	753
13	BIG HORN	6	117	151	2	9	2	20	19	38	66	430
13	CARBON	5	23	107	2	1	2	5	12	19	40	216
13	STILLWATER	3	27	74	1	3	2	2	1	26	37	176
13	YELLOWSTONE	86	957	2,184	140	32	34	173	181	238	1,490	5,515
	District Subtotal	100	1,124	2,516	145	45	40	200	213	321	1,633	6,337
14	GOLDEN VALLEY	2	6	9	0	1	0	0	0	3	2	23
14	MEAGHER	0	3	18	0	0	1	1	0	10	13	46
14	MUSSELSHELL	11	32	100	3	0	3	13	5	25	37	229
14	WHEATLAND	1	21	38	4	0	3	8	1	13	20	109
	District Subtotal	14	62	165	7	1	7	22	6	51	72	407
15	DANIELS	0	2	56	0	0	2	3	0	29	14	106
15	ROOSEVELT	2	10	191	1	0	1	18	0	26	26	275
15	SHERIDAN	3	6	58	4	1	1	17	0	43	9	142
	District Subtotal	5	18	305	5	1	4	38	0	98	49	523
16	CARTER	0	7	17	0	0	0	0	0	18	0	42
16	CUSTER	13	87	193	9	2	0	30	37	28	110	509
16	FALLON	2	10	22	0	0	2	0	0	24	17	77
16	GARFIELD	0	3	1	1	0	0	0	0	2	0	7
16	POWDER RIVER	1	10	14	0	1	0	1	2	8	4	41
16	ROSEBUD	4	61	113	3	0	9	8	5	24	58	285
16	TREASURE	1	9	26	0	0	0	0	0	7	7	50
	District Subtotal	21	187	386	13	3	11	39	44	111	196	1,011
17	BLAINE	3	28	43	1	5	0	12	3	32	38	165
17	PHILLIPS	5	27	88	1	1	1	15	1	36	24	199
17	VALLEY	0	11	119	1	0	5	4	4	53	48	245
	District Subtotal	8	66	250	3	6	6	31	8	121	110	609
18	GALLATIN	21	159	538	9	0	2	36	16	52	313	1,146
	District Subtotal	21	159	538	9	0	2	36	16	52	313	1,146
19	LINCOLN	13	132	231	7	0	6	53	24	30	173	669
	District Subtotal	13	132	231	7	0	6	53	24	30	173	669
20	LAKE	14	155	346	2	1	13	36	31	54	270	922
20	SANDERS	12	55	143	1	22	0	32	0	39	55	359
	District Subtotal	26	210	489	3	23	13	68	31	93	325	1,281
21	RAVALLI	17	177	491	5	1	12	63	32	84	156	1,038
	District Subtotal	17	177	491	5	1	12	63	32	84	156	1,038
	TOTAL	650	5,233	13,981	656	155	321	1,351	702	2,562	7,866	33,484

TABLE 8
DISTRICT COURT INFORMATION

JUDICIAL DISTRICT	DISTRICT JUDGES	DISTRICT COURT CLERKS	COUNTIES IN DISTRICT	AREA IN SQ. MILES	POP.
1	Thomas C. Honzel Dorothy McCarter Jeffrey M. Sherlock	Judy Gillespie Nancy Sweeney	Broadwater Lewis & Clark	4,669	57,357
2	James E. Purcell John W. Whelan	Lori A. Maloney	Silver Bow	715	34,634
3	Ted L. Mizner	Susan McNeil Beverly L. Kulaski Sharon Applegate	Deer Lodge Granite Powell	4,888	19,793
4	Douglas G. Harkin John S. Henson John W. Larson Edward P. McLean	Cheryle Demmon Kathleen "Kade" Breuer	Mineral Missoula	3,834	92,242
5	Frank M. Davis	Sheila Brunkhorst Marilyn J. Stevens Bundy K. Bailey	Beaverhead Jefferson Madison	10,731	25,585
6	William Nels Swandal	June Little Deanna Novotny	Park Sweet Grass	4,466	19,580
7	Dale Cox Richard G. Phillips	Ardelle Adams Trudy Kirkegard Lisa Kimmet Arlene Riggs Michael W. Schneider	Dawson McCone Prairie Richland Wibaux	9,676	23,991
8	Margaret Johnson Thomas M. McKittrick Kenneth R. Neill	Nancy J. Morton	Cascade	2,661	81,087
9	Marc G. Buyske	Diane D. Anderson Anita Vandolah Emile Kimmet Carol Swoboda	Glacier Pondera Teton Toole	8,853	30,308
10	John Christensen	Phyllis D. Smith Acelia "Ann" Leach Bonny L. Allen	Fergus Judith Basin Petroleum	7,777	15,508
11	Katherine R. Curtis Ted O. Lympus	Peg L. Allison	Flathead	5,137	71,253
12	John Warner	Terriane Andreasen Dena Tippets Patricia "Pat" Scidlitz	Chouteau Hill Liberty	8,293	25,402
13	Maurice R. Colberg, Jr. G. Todd Baugh Russell C. Fagg Robert W. Holmstrom Diane G. Barz	Janice Heath Gayle M. Strausburg Jean Bare Jean A. Thompson	Big Horn Carbon Stillwater Yellowstone	11,525	155,175
14	Roy C. Rodeghiero	Aileen Mattheis Donna Morris Connie Mattfield Janet Hill	Golden Valley Meagher Musselshell Wheatland	6,837	9,877
15	David Cybulski	Patricia McDonnell Patricia Stennes Cheryl A. Olson	Daniels Roosevelt Sheridan	5,501	17,564
16	Joe L. Hegel Gary L. Day	Carole Carey Bernice Matthews Carol Wade Connie Nielsen Arlynn Archer Marilyn Hollister Kay Rexford	Carter Custer Fallon Garfield Powder River Rosebud Treasure	22,480	31,429
17	John C. McKeon	Kay O'Brien Johnson Frances M. Webb Patricia A. Hill	Blaine Phillips Valley	14,499	20,502
18	Michael Salvagni Thomas A. Olson	Lorraine Van Ausdol	Gallatin	2,517	60,565
19	Michael Prezeau	Lucille Briggs	Lincoln	3,714	18,833
20	C. B. McNeil	Katherine E. Pedersen Evelyn "Footie" Cox	Lake Sanders	4,268	35,061
21	Jeffrey H. Langton	Debbie Harmon	Ravalli	2,382	33,586

TABLE 9
AVERAGE NUMBER OF CASES PER JUDGE
IN EACH JUDICIAL DISTRICT

Judicial District	No. of Judges per District	Average No. of Cases per Judge
1	3	1,189
2	2	553
3	1	995
4	4	1,119
5	1	767
6	1	703
7	2	435
8	3	1,160
9	1	915
10	1	518
11	2	1,490
12	1	739
13	5	1,357
14	1	397
15	1	400
16	2	555
17	1	521
18	2	648
19	1	814
20	1	1,305
21	1	1,144

Courts of Limited Jurisdiction

Courts of limited jurisdiction are Justice Courts, City Courts and Municipal Courts. Judges of justice and municipal courts must be elected; city court judges may be elected or appointed. All judges of these courts serve four-year terms. Justice and city court judges are not required to be attorneys; municipal court judges must be licensed attorneys. All judges of courts of limited jurisdiction are required to attend two Supreme Court supervised training courses each year.

Justice and municipal courts have concurrent jurisdiction; municipal courts have exclusive original jurisdiction in local ordinances and other areas formerly served by a city court. Municipal courts also have concurrent jurisdiction with district courts in matters addressed under Title 70, chapters 24 -27, MCA (residential and commercial landlord/tenant issues and issues of forcible entry and detainer). City courts have concurrent jurisdiction with justice courts and exclusive jurisdiction over city ordinances, collection of taxes or assessments in amounts less than \$5,000, actions for the recovery of personal property belonging to the city and actions for collection of local license fees (see 3-11-103, MCA).

Information concerning the number and characteristics of 1997 limited jurisdiction court caseloads is presented and discussed below. Tables 10 through 14 present summaries of caseload statistics reported by Montana's courts of limited jurisdiction in calendar year 1997.

Table 10
Courts of Limited Jurisdiction
Summary Statistics 1997

Total Cases Reported	260,033
Largest Reported Caseload	38,173
Average of the 10 Smallest Reported Caseloads	5.7

Reported COLJ Cases by Case Type

<u>Type</u>	<u>Number</u>	<u>Percent Total</u>
Criminal	215,032	82.7
Civil	25,110	9.7
Small Claims	2,799	1.1
Speed/Seatbelt	17,092	6.6

The data in Table 10 shows that limited courts processed more than a quarter million cases in 1997. The vast majority of those cases (82.7 percent) were criminal cases. Small claims cases constituted the smallest proportion (1.1 percent) of reported cases. Note the disparity between the largest and smallest reported caseloads. The busiest court processed nearly 7,000 times as many cases as the average caseload of the ten courts reporting the fewest cases.

Reported criminal cases are sorted into general categories in Table 11. Only 2.2 percent of reported 1997 limited jurisdiction court criminal cases were felonies. Most reported misdemeanor cases (66 percent) fell into the “other” category. Violations of city or county ordinances constituted nearly 13 percent of misdemeanor cases. DUI/per se and minor in possession cases comprised 4.2 percent and 5.6 percent of reported misdemeanor cases, respectively. Domestic abuse and unlawful transactions with a minor cases constituted very small proportions of total misdemeanor cases.

Table 11
Summary of Criminal Cases
by Selected Case Type
1997

<u>Type</u>	<u>Percent Total</u>
Felony	2.2
Misdemeanor	97.8
<u>Criminal Subsets</u>	
DUI/Per Se	4.2
City/County Ordinance	12.9
MIP	5.6
Domestic Abuse	1.6
Unlawful Trans. w/ Minor	0.3
Other Misdemeanor	66.4

Table 12
Summary of Sources
of Reported Criminal Cases
1997

<u>Source</u>	<u>Percent Total</u>
Highway Patrol	28.8
City Police	47.9
Sheriff	13.8
Fish, Wildlife and Parks	1.9
City/County Attorney	5.0
All Others	2.7

The sources of 1997 criminal cases in courts of limited jurisdiction are identified in Table 12. Note that city police contributed the largest proportion of criminal cases (47.9 percent), followed by the highway patrol (28.8 percent of cases) and sheriffs’ departments (13.8 percent of cases). These three sources contributed over 90 percent of total reported criminal cases.

Numbers and categories of 1997 civil cases processed by courts of limited jurisdiction are identified in Table 13. Nearly one-half of reported civil cases (46.1 percent) fell within the “other” category; credit/debt cases comprised almost one-third (29.2 percent) of reported civil cases; order of protection cases constituted almost 11 percent of the civil caseload, statewide; landlord/tenant and contract cases contributed small proportions of total civil cases; and tort cases constituted only 1.8 percent of total civil cases.

Table 13
Summary of Reported Civil Cases
by Selected Case Types
1997

<u>Type</u>	<u>Number</u>	<u>Percent Total</u>
Landlord/Tenant	1,614	6.7
Credit/Debt	6,998	29.2
Orders of Protection	2,612	10.9
Contract	1,266	5.3
Tort	423	1.8
Other	11,042	46.1

Table 14
Percent Total Cases
Reported by Ten Busiest Courts
by Case Type
1997

<u>Type</u>	<u>Percent Total</u>
All Cases	51.0
Criminal Cases	53.0
Civil Cases	74.7
Small Claims	57.9
Speed/Seatbelt	44.6

Table 14 presents additional data indicating the wide disparity of caseloads in courts of limited jurisdiction. Note that the ten courts with the largest caseloads contributed at least 50 percent of all but speed and seatbelt violation cases in 1997. Those courts dealt with nearly 75 percent of all reported civil cases.

Tables 15 through 18 present caseload statistics for individual courts, arranged by county. Total caseloads and the numbers of general categories of cases for each reporting court are identified in Table 15. Note that 73 (46.7 percent) of reporting courts had caseloads that averaged less than one case per day. Two courts reported no cases at all. The ten busiest courts averaged about 36 cases per day. Only seven of 156 reporting courts had no criminal cases. Sixty-three of 156 reporting courts had no civil cases in 1997; only 62 courts (39.7 percent) reported small claims cases.

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TABLE 15
REPORTED 1997 CASELOAD STATISTICS
BY COUNTY

COUNTY	COURT	TOTAL CASES FILED	CRIMINAL	CIVIL	SMALL CLAIMS	SPEED/ SEATBELT
BEAVERHEAD	Justice - Dillon	1,708	1,219	216	33	240
	City - Dillon	901	900	0	0	1
	Both - Lima	310	308	0	1	1
	SUBTOTAL	2,919	2,427	216	34	242
BIGHORN	Justice - Hardin	2,619	1,991	126	48	454
	Hardin City	1,524	1,387	12	2	123
	SUBTOTAL	4,143	3,378	138	50	577
BLAINE	Justice - Chinook	1,217	1,087	31	27	72
	Justice - Harlem	381	198	27	13	143
	City - Harlem	353	350	0	0	3
	City - Chinook	228	207	0	0	21
	SUBTOTAL	2,179	1,842	58	40	239
BROADWATER	Justice - Townsend	1,380	1,205	86	13	76
	City - Townsend	319	305	0	0	14
	SUBTOTAL	1,699	1,510	86	13	90
CARBON	Justice - Red Lodge	1,676	1,464	101	48	63
	Justice - Bridger	226	191	3	0	32
	City - Red Lodge	552	549	1	0	2
	City - Joliet	277	215	0	0	62
	City - Fromberg	199	199	0	0	0
	City - Bridger	534	531	0	0	3
	SUBTOTAL	3,464	3,149	105	48	162
CARTER	Justice - Alzada	64	57	5	1	1
	City - Ekalaka	18	18	0	0	0
	SUBTOTAL	82	75	5	1	1
CASCADE	Justice - Great Falls	10,467	7,554	2,336	111	466
	City - Belt	107	98	0	0	9
	City - Great Falls	21,506	20,967	74	0	465
	City - Cascade	29	26	0	0	3
	SUBTOTAL	32,109	28,645	2,410	111	943
CHOUTEAU	Justice - Big Sandy	181	166	3	1	11
	Justice - Fort Benton	1,190	1,038	46	10	96
	City - Big Sandy	20	19	0	0	1
	City - Fort Benton	400	395	0	0	5
	SUBTOTAL	1,791	1,618	49	11	113
CUSTER	Justice - Miles City	206	0	0	85	121
	City - Miles City	2,361	1,913	42	0	406
	SUBTOTAL	2,567	1,913	42	85	527
DANIELS	Justice - Scobey	251	190	3	36	22
	City - Scobey	89	89	0	0	0
	SUBTOTAL	340	279	3	36	22
DAWSON	Justice - Glendive	86	0	0	33	53
	City - Glendive	2	1	0	0	1
	SUBTOTAL	88	1	0	33	54
DEER LODGE	Both - Anaconda	3,395	2,956	273	10	156
	SUBTOTAL	3,395	2,956	273	10	156
FALLON	Justice - Baker	383	277	33	30	43
	City - Baker	309	266	3	0	40
	SUBTOTAL	692	543	36	30	83
FERGUS	Justice - Lewistown	1,104	631	130	93	250
	Justice - Lewistown	1,059	647	128	30	254
	City - Lewistown	606	411	0	0	195
	City - Lewistown	601	435	0	0	166
	SUBTOTAL	3,370	2,124	258	123	865
FLATHEAD	Justice - Kalispell**	15,257	11,301	2,405	453	1,098
	Municipal - Kalispell	5,431	4,872	51	0	508
	City - Whitefish	1,189	1,186	0	0	3
	City - Columbia Falls	1,788	1,772	15	0	1
	SUBTOTAL	23,665	19,131	2,471	453	1,610
GALLATIN	Justice - Bozeman	7,232	5,744	899	0	589
	City - W. Yellowstone	3	0	1	1	2
	City - Bozeman	7,304	7,128	72	0	104
	City - Three Forks	190	162	0	0	28
	City - Belgrade	208	161	2	0	45
	City - Manhattan	232	210	0	0	22
	SUBTOTAL	15,169	13,405	973	1	790
GARFIELD	Justice - Jordan	550	485	5	9	51
	SUBTOTAL	550	485	5	9	51
GLACIER	Justice - Cut Bank	1,259	1,016	137	26	80
	City - Cut Bank	1,015	887	0	0	128
	SUBTOTAL	2,274	1,903	137	26	208
GOLDEN VALLEY	Justice - Ryegate	573	552	9	7	5
	City - Lavina	0	0	0	0	0
	SUBTOTAL	573	552	9	7	5

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TABLE 15 - CONT.
REPORTED 1997 CASELOAD STATISTICS
BY COUNTY

COUNTY	COURT	TOTAL CASES FILED	CRIMINAL	CIVIL	SMALL CLAIMS	SPEED/ SEATBELT
GRANITE	Justice - Philipsburg	1,064	1,000	46	10	8
	Justice - Drummond	597	555	23	0	19
	City - Drummond	25	25	0	0	0
	City - Philipsburg	95	95	0	0	0
	SUBTOTAL	1,781	1,675	69	10	27
HILL	Justice - Havre	2,990	2,372	404	8	206
	City - Havre	2,349	2,291	18	0	40
	SUBTOTAL	5,339	4,663	422	8	246
JEFFERSON	Justice - Boulder	2,486	2,171	122	27	166
	City - Boulder	130	127	0	0	3
	City - Whitehall	221	197	0	0	24
	SUBTOTAL	2,837	2,495	122	27	193
JUDITH BASIN	Justice - Stanford	351	329	5	2	15
	Justice - Hobson	302	288	1	6	7
	SUBTOTAL	653	617	6	8	22
LAKE	Justice - Polson	4,066	3,273	490	0	303
	City - Polson	503	423	26	0	54
	City - St. Ignatius	120	119	1	0	0
	City - Ronan	798	797	0	0	1
	SUBTOTAL	5,487	4,612	517	0	358
LEWIS&CLARK	Justice - Helena	6,466	4,557	1,347	110	452
	City - Helena	10,315	8,848	22	0	1,445
	City - East Helena	299	204	4	0	91
	SUBTOTAL	17,080	13,609	1,373	110	1,988
LIBERTY	Both - Chester	DATA SUBMITTED TOO LATE TO BE INCLUDED IN THIS PUBLICATION				
LINCOLN	Justice - Libby	3,133	2,439	306	93	295
	Justice - Eureka	665	376	53	139	97
	City - Libby	122	119	0	0	3
	City - Eureka	130	125	5	0	0
	City - Troy	442	436	5	0	1
	SUBTOTAL	4,492	3,495	369	232	396
MADISON	Justice - Virginia City	1,213	1,074	69	22	48
	City - Ennis*	40	33	7	0	0
	SUBTOTAL	1,253	1,107	76	22	48
MCCONE	Justice - Circle	461	343	14	0	104
	City - Circle	104	88	0	1	15
	SUBTOTAL	565	431	14	1	119
MEAGHER	Justice - WSS	233	176	11	17	29
	City - WSS	26	24	0	0	2
	SUBTOTAL	259	200	11	17	31
MINERAL	Justice - Superior	2,270	1,988	81	38	163
	City - Alberton	38	38	0	0	0
	City - Superior	190	170	8	0	12
	SUBTOTAL	2,498	2,196	89	38	175
MISSOULA	Justice - Missoula	7,291	5,612	1,023	99	557
	Justice - Missoula	7,177	5,631	912	97	537
	Municipal - Missoula	23,705	21,569	1,480	0	656
	SUBTOTAL	38,173	32,812	3,415	196	1,750
MUSSELSHELL	Justice - Roundup	57	0	0	19	38
	City - Melstone	4	4	0	0	0
	City - Roundup	15	0	0	0	15
	SUBTOTAL	76	4	0	19	53
PARK	Justice - Livingston	3,145	2,686	317	0	142
	City - Livingston	1,289	1,254	27	0	8
	SUBTOTAL	4,434	3,940	344	0	150
PETROLEUM	Justice - Winnett	85	78	5	2	0
	City - Winnett	1	1	0	0	0
	SUBTOTAL	86	79	5	2	0
PHILLIPS	Justice - Malta	1,504	1,322	106	0	76
	City - Malta	300	299	0	0	1
	SUBTOTAL	1,804	1,621	106	0	77
PONDERA	Justice - Conrad	856	692	73	38	53
	City - Conrad	259	259	0	0	0
	City - Valier	6	6	0	0	0
	SUBTOTAL	1,121	957	73	38	53
POWDER RIVER	Justice - Broadus	535	501	10	14	10
	City - Broadus	8	6	2	0	0
	SUBTOTAL	543	507	12	14	10
POWELL	Justice - Deer Lodge	1,518	1,308	210	0	0
	City - Deer Lodge	654	654	0	0	0
	SUBTOTAL	2,172	1,962	210	0	0
PRAIRIE	Justice - Terry	578	510	7	10	51
	City - Terry	28	26	0	0	2
	SUBTOTAL	606	536	7	10	53

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TABLE 15 - CONT.
REPORTED 1997 CASELOAD STATISTICS
BY COUNTY

COUNTY	COURT	TOTAL CASES FILED	CRIMINAL	CIVIL	SMALL CLAIMS	SPEED/ SEATBELT
RAVALLI	Justice - Hamilton	2,492	2,070	231	0	191
	Justice - Hamilton	2,300	1,824	336	11	129
	City - Pinesdale	DID NOT REPORT				
	City - Hamilton	1,457	1,383	23	0	51
	City - Stevensville	202	178	3	0	21
	City - Darby	41	35	0	0	6
	SUBTOTAL	6,492	5,490	593	11	398
RICHLAND	Justice - Sidney	1,348	1,046	191	0	111
	City - Fairview	201	201	0	0	0
	City - Sidney	893	853	0	0	40
	SUBTOTAL	2,442	2,100	191	0	151
ROOSEVELT	Justice - Wolf Point	524	413	64	12	35
	Justice - Culbertson	607	528	11	2	66
	City - Wolf Point	178	178	0	0	0
	City - Poplar	44	44	0	0	0
	City - Culbertson	34	34	0	0	0
	SUBTOTAL	1,387	1,197	75	14	101
ROSEBUD	Justice - Forsyth	667	527	83	28	29
	Justice - Colstrip	229	152	0	22	55
	City - Forsyth	152	151	0	0	1
	SUBTOTAL	1,048	830	83	50	85
SANDERS	Justice - Thompson Falls	1,494	1,219	225	0	50
	City - Thompson Falls	189	189	0	0	0
	City - Plains	232	231	1	0	0
	City - Hot Springs	68	67	1	0	0
	SUBTOTAL	1,983	1,706	227	0	50
SHERIDAN	Justice - Plentywood/Westby	412	318	19	53	22
	City - Plentywood	93	93	0	0	0
	SUBTOTAL	505	411	19	53	22
SILVER BOW	Justice - Butte	3,005	152	2,619	67	167
	Justice - Butte	1,044	128	632	93	191
	City - Butte	1,809	731	0	0	1,078
	SUBTOTAL	5,858	1,011	3,251	160	1,436
STILLWATER	Justice - Columbus	1,846	1,579	91	57	119
	City - Columbus	363	363	0	0	0
	SUBTOTAL	2,209	1,942	91	57	119
SWEET GRASS	Justice - Big Timber	1,158	986	33	6	133
	City - Big Timber	77	74	0	0	3
	SUBTOTAL	1,235	1,060	33	6	136
TETON	Justice - Chouteau	619	272	64	54	229
	City - Chouteau	132	89	0	0	43
	City - Dutton	0	0	0	0	0
	City - Fairfield	0	0	0	0	0
	SUBTOTAL	751	361	64	54	272
TOOLE	Justice - Shelby	2,038	1,834	116	4	84
	City - Shelby	180	180	0	0	0
	SUBTOTAL	2,218	2,014	116	4	84
TREASURE	Justice - Hysham	838	788	5	14	31
	City - Hysham	33	32	0	0	1
	SUBTOTAL	871	820	5	14	32
VALLEY	Justice - Glasgow	1,465	1,184	69	41	171
	City - Glasgow	404	377	12	2	13
	City - Nashua	26	26	0	0	0
	City - Fort Peck	27	25	0	0	2
	SUBTOTAL	1,922	1,612	81	43	186
WHEATLAND	Justice - Harlowtown	680	626	18	27	9
	City - Harlowtown	176	169	7	0	0
	SUBTOTAL	856	795	25	27	9
WIBAUX	Justice - Wibaux	111	93	8	8	2
	City - Wibaux	21	21	0	0	0
	SUBTOTAL	132	114	8	8	2
YELLOWSTONE	Justice - Laurel	8,167	4,774	2,779	219	395
	Justice - Billings	8,337	4,750	2,952	206	429
	City - Laurel	1,102	1,083	2	0	17
	Municipal - Billings	20,190	19,508	1	0	681
	SUBTOTAL	37,796	30,115	5,734	425	1,522
TOTAL		260,033	215,032	25,110	2,799	17,092

* Reported caseload data for 10 out of 12 months
** Incomplete data

Table 16 contains selected categories of the reported 1997 criminal caseloads of individual courts, arranged by county. The following are some highlights from Table 16:

- Just under one half of reporting courts (77) experienced a felony case in 1997, only three reporting courts processed more than one felony case per day in 1997, and most courts (135) reported fewer than one felony case per week;
- Eighty-two percent of reporting courts processed DUI/per se caseloads that would average one or fewer cases per week, only three courts reported DUI/per se caseloads that would average more than one such case per day, and fifteen courts reported no cases of this type;
- Nineteen courts reported no minor in possession (MIP) cases during the year, 114 (73 percent) reported one or fewer such cases per week, four courts reported MIP caseloads averaging more than one such case a day, and the busiest averaged 3.6 MIP cases a day;
- The vast majority of courts (145) reported an average of fewer than one domestic abuse case per week, and no court reported a domestic abuse caseload that would have averaged more than one such case per day;
- Only 13 courts reported unlawful transaction with a minor caseloads that equaled or exceeded 10 such cases per year, and one court reported 65 such cases in 1997.

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TABLE 16
REPORTED 1997 CRIMINAL CASE STATISTICS
BY COUNTY

COUNTY	COURT	TOTAL FELONY	TOTAL MISDEMEANOR	DUI/ PER SE	CITY/COUNTY ORDINANCE	MINOR IN POSSESSION	DOMESTIC ABUSE	UNLAWFUL TRANS. W/ A MINOR
BEAVERHEAD	Justice - Dillon	50	1,169	30	95	65	11	20
	City - Dillon	0	900	49	96	156	19	12
	Both - Lima	0	308	0	0	5	0	0
	SUBTOTAL	50	2,377	79	191	226	30	32
BIGHORN	Justice - Hardin	20	1,971	107	905	97	14	0
	Hardin City	0	1,387	69	808	131	34	7
	SUBTOTAL	20	3,358	176	1,713	228	48	7
BLAINE	Justice - Chinook	32	1,055	43	0	57	4	5
	Justice - Harlem	16	182	3	0	0	0	0
	City - Harlem	11	339	32	11	26	10	2
	City - Chinook	0	207	12	0	25	2	5
	SUBTOTAL	59	1,783	90	11	108	16	12
BROADWATER	Justice - Townsend	21	1,184	81	0	52	9	0
	City - Townsend	3	302	25	54	34	5	0
	SUBTOTAL	24	1,486	106	54	86	14	0
CARBON	Justice - Red Lodge	14	1,450	52	0	43	6	3
	Justice - Bridger	0	191	5	0	3	0	0
	City - Red Lodge	0	549	43	13	33	11	0
	City - Joliet	0	215	3	11	3	4	0
	City - Fromberg	0	199	2	44	6	4	0
	City - Bridger	0	531	6	33	14	3	0
	SUBTOTAL	14	3,135	111	101	102	28	3
CARTER	Justice - Alzada	1	56	3	0	0	1	0
	City - Ekalaka	0	18	0	0	3	0	2
	SUBTOTAL	1	74	3	0	3	1	2
CASCADE	Justice - Great Falls	476	7,078	187	0	159	89	13
	City - Belt	0	98	6	1	28	1	0
	City - Great Falls	0	20,967	296	550	874	314	7
	City - Cascade	2	24	2	9	5	0	0
	SUBTOTAL	478	28,167	491	560	1,066	404	20
CHOUTEAU	Justice - Big Sandy	1	165	1	1	0	4	0
	Justice - Fort Benton	113	925	20	1	6	0	3
	City - Big Sandy	0	19	0	8	1	0	0
	City - Fort Benton	1	394	6	221	44	3	3
	SUBTOTAL	115	1,503	27	231	51	7	6
CUSTER	Justice - Miles City	0	0	61	1,320	86	14	9
	City - Miles City	0	1,913	221	11	197	51	6
	SUBTOTAL	0	1,913	282	1,331	283	65	15
DANIELS	Justice - Scohey	0	190	4	31	8	0	1
	City - Scohey	0	89	1	15	29	0	4
	SUBTOTAL	0	279	5	46	37	0	5
DAWSON	Justice - Glendive	0	0	25	0	82	8	3
	City - Glendive	1	0	52	465	141	20	5
	SUBTOTAL	1	0	77	465	223	28	8
DEER LODGE	Both - Anaconda	29	2,927	143	0	158	45	2
	SUBTOTAL	29	2,927	143	0	158	45	2
FALLON	Justice - Baker	31	246	9	0	4	2	7
	City - Baker	1	265	17	37	12	3	1
	SUBTOTAL	32	511	26	37	16	5	8
FERGUS	Justice - Lewistown	13	618	21	2	83	2	2
	Justice - Lewistown	4	643	33	0	97	0	1
	City - Lewistown	7	404	14	67	30	6	0
	City - Lewistown	38	397	11	50	56	15	2
	SUBTOTAL	62	2,062	79	119	266	23	5
FLATHEAD	Justice - Kalispell**	512	10,789	360	0	120	102	6
	Municipal - Kalispell	0	4,872	283	446	200	54	4
	City - Whitefish	0	1,186	42	1,070	62	11	0
	City - Columbia Falls	113	1,659	138	2	50	17	3
	SUBTOTAL	625	18,506	823	1,518	432	184	13
GALLATIN	Justice - Bozeman	143	5,601	254	251	155	50	17
	City - W. Yellowstone	0	0	25	486	43	20	0
	City - Bozeman	0	7,128	255	378	748	48	19
	City - Three Forks	0	162	18	43	13	2	0
	City - Belgrade	95	66	28	133	45	23	1
	City - Manhattan	0	210	11	16	30	7	0
	SUBTOTAL	238	13,167	591	1,307	1,034	150	37
GARFIELD	Justice - Jordan	1	484	9	0	38	1	0
	SUBTOTAL	1	484	9	0	38	1	0
GLACIER	Justice - Cut Bank	46	970	38	0	42	1	1
	City - Cut Bank	0	887	33	332	75	42	10
	SUBTOTAL	46	1,857	71	332	117	43	11
GOLDEN VALLEY	Justice - Ryegate	7	545	7	0	17	1	2
	City - Lavina	0	0	0	0	0	0	0
	SUBTOTAL	7	545	7	0	17	1	2

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TABLE 16 - CONT.
REPORTED 1997 CRIMINAL CASE STATISTICS
BY COUNTY

COUNTY	COURT	TOTAL FELONY	TOTAL MISDEMEANOR	DUI PER SE	CITY/COUNTY ORDINANCE	MINOR IN POSSESSION	DOMESTIC ABUSE	UNLAWFUL TRANS. W/ A MINOR
GRANITE	Justice - Philipsburg	9	991	23	2	20	5	4
	Justice - Drummond	0	555	0	1	1	0	0
	City - Drummond	1	24	0	0	0	0	0
	City - Philipsburg	0	95	6	0	6	0	0
	SUBTOTAL	10	1,665	29	3	27	5	4
HILL	Justice - Havre	76	2,296	57	22	97	14	5
	City - Havre	150	2,141	76	212	303	69	9
	SUBTOTAL	226	4,437	133	234	400	83	14
JEFFERSON	Justice - Boulder	13	2,158	60	5	114	9	8
	City - Boulder	1	126	13	21	10	0	0
	City - Whitehall	0	197	43	20	24	1	0
	SUBTOTAL	14	2,481	116	46	148	10	8
JUDITH BASIN	Justice - Stanford	1	328	5	0	6	0	0
	Justice - Hobson	0	288	5	1	4	2	1
	SUBTOTAL	1	616	10	1	10	2	1
LAKE	Justice - Polson	120	3,153	149	0	20	31	1
	City - Polson	0	423	59	20	26	13	1
	City - St. Ignatius	0	119	8	3	0	3	0
	City - Ronan	0	797	52	84	32	13	5
	SUBTOTAL	120	4,492	268	107	78	60	7
LEWIS&CLARK	Justice - Jewell	354	4,203	257	12	247	52	10
	City - Helena	0	8,848	424	381	722	122	15
	City - East Helena	0	204	11	15	15	1	0
	SUBTOTAL	354	13,255	692	408	984	175	25
LIBERTY	Both - Chester	DATA SUBMITTED TOO LATE TO BE INCLUDED IN THIS PUBLICATION						
LINCOLN	Justice - Libby	70	2,369	63	12	54	124	0
	Justice - Eureka	4	372	18	68	9	3	1
	City - Libby	0	119	29	325	20	10	0
	City - Eureka	0	125	6	11	3	1	0
	City - Troy	0	436	14	28	6	7	0
	SUBTOTAL	74	3,421	130	444	92	145	1
	City - Troy	0	436	14	28	6	7	0
MADISON	Justice - Virginia City	5	1,069	41	0	72	13	2
	City - Ennis*	0	33	3	0	6	0	0
	SUBTOTAL	5	1,102	44	0	78	13	2
MCCONE	Justice - Circle	0	343	50	2	24	0	1
	City - Circle	0	88	3	5	24	0	10
	SUBTOTAL	0	431	53	7	48	0	11
MEAGHER	Justice - WSS	0	176	4	0	1	0	0
	City - WSS	0	24	0	56	0	2	0
	SUBTOTAL	0	200	4	56	1	2	0
MINERAL	Justice - Superior	48	1,940	47	0	13	21	1
	City - Alberton	0	38	1	0	3	2	0
	City - Superior	6	164	5	15	32	5	1
	SUBTOTAL	54	2,142	53	15	48	28	2
MISSOULA	Justice - Missoula	273	5,339	178	4,650	232	37	3
	Justice - Missoula	273	5,358	184	4,605	212	46	2
	Municipal - Missoula	0	21,569	344	2,280	1,316	210	8
	SUBTOTAL	546	32,266	706	11,535	1,760	293	13
MUSSELSHELL	Justice - Roundup	0	0	29	283	22	12	0
	City - Melstone	0	4	0	14	0	1	0
	City - Roundup	0	0	17	279	23	8	1
	SUBTOTAL	0	4	46	576	45	21	1
PARK	Justice - Livingston	145	2,541	116	22	62	35	0
	City - Livingston	3	1,251	52	68	77	37	6
	SUBTOTAL	148	3,792	168	90	139	72	6
PETROLEUM	Justice - Winnett	0	78	2	0	0	0	0
	City - Winnett	0	1	0	0	0	0	0
	SUBTOTAL	0	79	2	0	0	0	0
PHILLIPS	Justice - Malta	2	1,320	20	743	40	9	5
	City - Malta	1	298	1	77	49	8	9
	SUBTOTAL	3	1,618	21	820	89	17	14
PONDERA	Justice - Conrad	18	674	18	0	7	4	2
	City - Conrad	1	258	21	50	30	7	2
	City - Valier	0	6	0	6	0	0	0
	SUBTOTAL	19	938	39	56	37	11	4
POWDER RIVER	Justice - Broadus	9	492	10	0	25	3	4
	City - Broadus	0	6	0	1	0	0	0
	SUBTOTAL	9	498	10	1	25	3	4
POWELL	Justice - Deer Lodge	32	1,276	54	0	22	9	9
	City - Deer Lodge	146	508	28	88	68	7	0
	SUBTOTAL	178	1,784	82	88	90	16	9
PRAIRIE	Justice - Terry	1	509	6	0	8	1	0
	City - Terry	6	20	0	2	1	0	0
	SUBTOTAL	7	529	6	2	9	1	0

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TABLE 16 - CONT.
REPORTED 1997 CRIMINAL CASE STATISTICS
BY COUNTY

COUNTY	COURT	TOTAL FELONY	TOTAL MISDEMEANOR	DUI/ PER SE	CITY/COUNTY ORDINANCE	MINOR IN POSSESSION	DOMESTIC ABUSE	UNLAWFUL TRANS. W/ A MINOR	
RAVALLI	Justice - Hamilton	54	2,016	92	0	26	40	1	
	Justice - Hamilton	50	1,774	79	0	25	25	1	
	City - Pinesdale		DID NOT REPORT						
	City - Hamilton	0	1,383	48	7	51	18	3	
	City - Stevensville	0	178	1	26	21	3	3	
	City - Darby	0	35	1	5	5	0	0	
	SUBTOTAL	104	5,386	221	38	128	86	8	
RICHLAND	Justice - Sidney	0	1,046	45	0	43	2	2	
	City - Fairview	0	201	12	16	18	1	0	
	City - Sidney	0	853	45	0	34	11	2	
	SUBTOTAL	0	2,100	102	16	95	14	4	
ROOSEVELT	Justice - Wolf Point	9	404	46	0	5	7	4	
	Justice - Culbertson	1	527	17	0	21	1	14	
	City - Wolf Point	0	178	3	10	7	3	4	
	City - Poplar	0	44	7	7	0	1	0	
	City - Culbertson	0	34	2	1	5	1	2	
	SUBTOTAL	10	1,187	75	18	38	13	24	
ROSEBUD	Justice - Forsyth	10	517	24	0	12	8	2	
	Justice - Colstrip	0	152	43	553	24	10	0	
	City - Forsyth	0	151	8	57	5	1	1	
	SUBTOTAL	10	820	75	610	41	19	3	
SANDERS	Justice - Thompson Falls	96	1,123	43	0	15	40	4	
	City - Thompson Falls	2	187	9	15	6	2	1	
	City - Plains	3	228	8	27	8	1	0	
	City - Hot Springs	2	65	1	9	4	0	0	
	SUBTOTAL	103	1,603	61	51	33	43	5	
SHERIDAN	Justice - Plentywood/Westby	3	315	81	0	18	2	65	
	City - Plentywood	0	93	4	1	21	0	2	
	SUBTOTAL	3	408	85	1	39	2	67	
SILVER BOW	Justice - Butte	114	38	28	0	3	13	1	
	Justice - Butte	97	31	35	1	13	11	2	
	City - Butte	0	731	204	296	164	143	0	
	SUBTOTAL	211	800	267	297	180	167	3	
STILLWATER	Justice - Columbus	20	1,559	57	0	46	15	2	
	City - Columbus	0	363	14	56	21	3	0	
	SUBTOTAL	20	1,922	71	56	67	18	2	
SWEET GRASS	Justice - Big Timber	7	979	11	3	9	1	1	
	City - Big Timber	0	74	3	6	0	0	0	
	SUBTOTAL	7	1,053	14	9	9	1	1	
TETON	Justice - Chouteau	3	269	17	2	22	3	2	
	City - Chouteau	0	89	10	16	27	5	3	
	City - Dutton	0	0	0	0	0	0	0	
	City - Fairfield	0	0	0	0	0	0	0	
	SUBTOTAL	3	358	27	18	49	8	5	
TOOLE	Justice - Shelby	19	1,815	44	0	42	9	10	
	City - Shelby	0	180	7	31	25	3	2	
	SUBTOTAL	19	1,995	51	31	67	12	12	
TREASURE	Justice - Hysham	3	785	20	0	9	1	1	
	City - Hysham	0	32	4	0	0	0	0	
	SUBTOTAL	3	817	24	0	9	1	1	
VALLEY	Justice - Glasgow	5	1,179	37	0	52	8	2	
	City - Glasgow	0	377	40	28	90	22	1	
	City - Nashua	0	26	8	22	0	0	0	
	City - Fort Peck	0	25	5	10	0	0	0	
	SUBTOTAL	5	1,607	90	60	142	30	3	
WHEATLAND	Justice - Harlowtown	9	617	9	1	11	0	0	
	City - Harlowtown	0	169	9	16	23	4	1	
	SUBTOTAL	9	786	18	17	34	4	1	
WIBAUX	Justice - Wibaux	0	93	1	0	22	2	0	
	City - Wibaux	0	21	0	13	38	0	0	
	SUBTOTAL	0	114	1	13	60	2	0	
YELLOWSTONE	Justice - Laurel	387	4,387	205	0	123	41	3	
	Justice - Billings	352	4,398	237	0	291	36	6	
	City - Laurel	0	1,083	49	165	53	30	1	
	Municipal - Billings	0	19,508	482	197	359	341	10	
	SUBTOTAL	739	29,376	973	362	826	448	20	
TOTALS		4,816	210,216	7,963	24,102	10,416	2,918	473	

* Reported caseload data for 10 out of 12 months

** Incomplete data

1997 Annual Report of the Montana Judiciary

TABLE 17
REPORTED 1997 SOURCES OF CRIMINAL CASES
BY COUNTY

COUNTY	COURT	HIGHWAY PATROL	CITY POLICE	SHERIFF	FW&P	CITY/COUNTY ATTORNEY	ALL OTHERS
BEAVERHEAD	Justice - Dillon	715	1	335	100	126	15
	City - Dillon	58	787	0	0	24	32
	Both - Lima	15	0	36	73	3	0
	SUBTOTAL	788	788	371	173	153	47
BIGHORN	Justice - Hardin	1,240	96	210	138	80	10
	Hardin City	91	1,089	8	2	48	0
	SUBTOTAL	1,331	1,185	218	140	128	10
BLAINE	Justice - Chinook	773	15	0	19	111	238
	Justice - Harlem	240	0	0	0	0	4
	City - Harlem	0	299	0	0	1	0
	City - Chinook	0	228	0	0	0	0
	SUBTOTAL	1,013	542	0	19	112	242
BROADWATER	Justice - Townsend	931	0	255	64	20	0
	City - Townsend	0	13	228	0	4	23
	SUBTOTAL	931	13	483	64	24	23
CARBON	Justice - Red Lodge	837	0	329	251	33	0
	Justice - Bridger	215	0	4	0	0	0
	City - Red Lodge	0	549	0	0	1	1
	City - Joliet	0	216	0	0	0	0
	City - Fromberg	0	233	0	0	0	0
	City - Bridger	0	534	0	0	0	0
	SUBTOTAL	1,052	1,532	333	251	34	1
CARTER	Justice - Alzada	14	0	3	48	1	0
	City - Ekalaka	0	19	0	0	0	0
	SUBTOTAL	14	19	3	48	1	0
CASCADE	Justice - Great Falls	4,297	592	1,741	175	367	15
	City - Belt	0	103	0	0	0	0
	City - Great Falls	0	20,580	0	0	0	414
	City - Cascade	0	9	17	0	0	0
	SUBTOTAL	4,297	21,284	1,758	175	367	429
CHOUTEAU	Justice - Big Sandy	119	0	13	13	2	0
	Justice - Fort Benton	815	1	180	39	48	45
	City - Big Sandy	0	22	0	0	0	0
	City - Fort Benton	0	397	0	0	0	0
	SUBTOTAL	934	420	193	52	50	45
CUSTER	Justice - Miles City	958	26	249	52	114	289
	City - Miles City	0	2,384	8	0	60	0
	SUBTOTAL	958	2,410	257	52	174	289
DANIELS	Justice - Scobey	140	0	45	0	2	2
	City - Scobey	1	0	88	0	0	0
	SUBTOTAL	141	0	133	0	2	2
DAWSON	Justice - Glendive	1,114	7	420	33	54	42
	City - Glendive	0	0	0	0	0	0
	SUBTOTAL	1,114	7	420	33	54	42
DEER LODGE	Both - Anaconda	967	1,267	0	59	339	478
	SUBTOTAL	967	1,267	0	59	339	478
FALLON	Justice - Baker	199	0	25	34	7	20
	City - Baker	0	267	0	0	5	4
	SUBTOTAL	199	267	25	34	12	24
FERGUS	Justice - Lewistown	435	0	389	37	4	151
	Justice - Lewistown	434	0	410	41	7	118
	City - Lewistown	0	600	0	0	0	0
	City - Lewistown	0	596	0	0	0	0
	SUBTOTAL	869	1,196	799	78	11	269
FLATHEAD	Justice - Kalispell**	6,843	0	1,818	610	935	917
	Municipal - Kalispell	0	5,251	0	0	101	0
	City - Whitefish	0	1,112	0	0	20	0
	City - Columbia Falls	0	1,767	0	0	5	1
	SUBTOTAL	6,843	8,130	1,818	610	1,061	918
GALLATIN	Justice - Bozeman	3,835	0	1,145	141	552	191
	City - W. Yellowstone	1	659	0	0	6	0
	City - Bozeman	0	7,508	0	0	1,442	1
	City - Three Forks	0	163	0	0	0	0
	City - Belgrade	0	72	0	0	0	0
	City - Manhattan	0	236	0	0	0	0
	SUBTOTAL	3,836	8,638	1,145	141	2,000	192
	GARFIELD	Justice - Jordan	231	0	173	78	4
SUBTOTAL		231	0	173	78	4	1
GLACIER	Justice - Cut Bank	487	11	309	1	211	3
	City - Cut Bank	0	1,045	0	0	0	0
	SUBTOTAL	487	1,056	309	1	211	3
GOLDEN VALLEY	Justice - Ryegate	133	0	351	12	7	0
	City - Lavina	0	0	0	0	0	0
	SUBTOTAL	133	0	351	12	7	0
GRANITE	Justice - Philipsburg	69	0	829	77	32	1
	Justice - Drummond	310	0	9	10	13	0
	City - Drummond	0	25	0	0	0	0
	City - Philipsburg	0	0	95	0	0	0
	SUBTOTAL	379	25	933	87	45	1

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TABLE 17 - CONT.
REPORTED 1997 SOURCES OF CRIMINAL CASES
BY COUNTY

COUNTY	COURT	HIGHWAY PATROL	CITY POLICE	SHERIFF	FW&P	CITY/COUNTY ATTORNEY	ALL OTHERS
HILL	Justice - Havre	1,597	12	398	30	172	5
	City - Havre	0	2,083	0	0	6	9
	SUBTOTAL	1,597	2,095	398	30	178	14
JEFFERSON	Justice - Boulder	1,759	0	544	116	22	58
	City - Boulder	0	141	0	0	0	0
	City - Whitehall	0	209	0	0	0	0
	SUBTOTAL	1,759	350	544	116	22	58
JUDITH BASIN	Justice - Stanford	210	0	86	30	8	1
	Justice - Hobson	236	0	55	2	0	0
	SUBTOTAL	446	0	141	32	8	1
LAKE	Justice - Polson	2,292	0	425	28	290	502
	City - Polson	0	495	0	0	0	0
	City - St. Ignatius	0	118	0	0	0	2
	City - Ronan	0	796	0	0	0	2
	SUBTOTAL	2,292	1,409	425	28	290	506
LEWIS&CLARK	Justice - Jewell	2,630	0	1,245	225	808	28
	City - Helena	0	8,758	0	0	3	87
	City - East Helena	0	285	0	0	0	2
	SUBTOTAL	2,630	9,043	1,245	225	811	117
LIBERTY	Both - Chester	DATA SUBMITTED TOO LATE TO BE INCLUDED IN THIS PUBLICATION					
LINCOLN	Justice - Libby	1,069	0	846	171	111	85
	Justice - Eureka	281	5	150	14	12	106
	City - Libby	0	415	93	0	0	0
	City - Eureka	0	107	15	0	0	3
	City - Troy	0	426	11	0	0	0
	SUBTOTAL	1,350	953	1,115	185	123	194
MADISON	Justice - Virginia City	429	0	567	87	29	1
	City - Ennis*	0	9	37	0	0	0
	SUBTOTAL	429	9	604	87	29	1
MCCONE	Justice - Circle	300	0	11	35	0	9
	City - Circle	0	102	0	0	0	0
	SUBTOTAL	300	102	11	35	0	9
MEAGHER	Justice - WSS	68	8	37	40	1	0
	City - WSS	0	0	68	0	0	0
	SUBTOTAL	68	8	105	40	1	0
MINERAL	Justice - Superior	927	23	296	69	18	0
	City - Alberton	0	0	38	0	0	0
	City - Superior	0	0	165	0	1	11
	SUBTOTAL	927	23	499	69	19	11
MISSOULA	Justice - Missoula	2,846	6	2,099	106	356	195
	Justice - Missoula	2,772	0	2,008	83	526	197
	Municipal - Missoula	0	20,341	0	0	39	1,228
	SUBTOTAL	5,618	20,347	4,107	189	921	1,620
MUSSELSHELL	Justice - Roundup	552	0	181	39	66	46
	City - Melstone	0	0	20	0	0	0
	City - Roundup	2	0	442	0	4	2
	SUBTOTAL	554	0	643	39	70	48
PARK	Justice - Livingston	1,251	36	866	187	389	87
	City - Livingston	0	1,181	0	0	81	0
	SUBTOTAL	1,251	1,217	866	187	470	87
PETROLEUM	Justice - Winnett	29	0	25	20	0	0
	City - Winnett	0	0	0	0	0	1
	SUBTOTAL	29	0	25	20	0	1
PHILLIPS	Justice - Malta	835	0	154	69	105	89
	City - Malta	0	200	0	0	24	13
	SUBTOTAL	835	200	154	69	129	102
PONDERA	Justice - Conrad	533	7	70	26	68	4
	City - Conrad	0	206	0	0	4	49
	City - Valier	0	0	6	0	0	0
	SUBTOTAL	533	213	76	26	72	53
POWDER RIVER	Justice - Broadus	154	0	113	33	42	1
	City - Broadus	0	0	8	0	0	0
	SUBTOTAL	154	0	121	33	42	1
POWELL	Justice - Deer Lodge	1,295	0	176	70	0	25
	City - Deer Lodge	0	629	0	0	0	0
	SUBTOTAL	1,295	629	176	70	0	25
PRAIRIE	Justice - Terry	403	0	169	7	2	2
	City - Terry	0	2	25	0	0	0
	SUBTOTAL	403	2	194	7	2	2
RAVALLI	Justice - Hamilton	923	0	113	12	0	0
	Justice - Hamilton	754	0	100	74	0	2
	City - Pinesdale	DID NOT REPORT					
	City - Hamilton	0	1,398	0	0	25	11
	City - Stevensville	0	180	0	0	6	0
	City - Darby	0	36	0	0	31	0
	SUBTOTAL	1,677	1,614	213	86	31	13

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TABLE 17 - CONT.
REPORTED 1997 SOURCES OF CRIMINAL CASES
BY COUNTY

COUNTY	COURT	HIGHWAY PATROL	CITY POLICE	SHERIFF	FW&P	CITY/COUNTY ATTORNEY	ALL OTHERS
RICHLAND	Justice - Sidney	900	0	212	28	12	0
	City - Fairview	0	221	0	0	0	0
	City - Sidney	0	803	0	0	90	0
	SUBTOTAL	900	1,024	212	28	102	0
ROOSEVELT	Justice - Wolf Point	251	7	54	1	21	112
	Justice - Culbertson	380	0	165	4	4	41
	City - Wolf Point	0	87	3	0	7	53
	City - Poplar	0	35	0	0	0	3
	City - Culbertson	0	0	33	0	1	0
	SUBTOTAL	631	129	255	5	33	209
ROSEBUD	Justice - Forsyth	413	0	45	25	28	1
	Justice - Colstrip	395	0	432	22	67	20
	City - Forsyth	0	10	94	0	0	48
	SUBTOTAL	808	10	571	47	95	69
SANDERS	Justice - Thompson Falls	517	7	442	58	84	3
	City - Thompson Falls	0	188	0	0	1	0
	City - Plains	0	228	0	0	3	0
	City - Hot Springs	0	67	0	0	0	0
	SUBTOTAL	517	490	442	58	88	3
SHERIDAN	Justice - Plentywood/Westby	187	1	70	18	39	16
	City - Plentywood	0	93	0	0	0	0
	SUBTOTAL	187	94	70	18	39	16
SILVER BOW	Justice - Butte	870	0	2	20	85	0
	Justice - Butte	893	0	6	28	64	0
	City - Butte	0	0	4,068	0	676	8
	SUBTOTAL	1,763	0	4,076	48	825	8
STILLWATER	Justice - Columbus	1,118	0	430	103	31	8
	City - Columbus	0	353	0	0	0	1
	SUBTOTAL	1,118	353	430	103	31	9
SWEET GRASS	Justice - Big Timber	895	0	121	20	13	36
	City - Big Timber	13	7	55	0	0	0
	SUBTOTAL	908	7	176	20	13	36
TETON	Justice - Chouteau	308	0	140	64	26	3
	City - Chouteau	0	126	0	0	1	2
	City - Dutton	0	0	0	0	0	0
	City - Fairfield	0	0	0	0	0	0
	SUBTOTAL	308	126	140	64	27	5
TOOLE	Justice - Shelby	603	0	499	12	73	1
	City - Shelby	0	180	109	0	1	7
	SUBTOTAL	603	180	608	12	74	8
TREASURE	Justice - Hysham	607	0	194	16	2	0
	City - Hysham	0	0	33	0	0	0
	SUBTOTAL	607	0	227	16	2	0
VALLEY	Justice - Glasgow	979	0	207	77	52	3
	City - Glasgow	0	448	0	0	1	76
	City - Nashua	0	33	0	0	0	0
	City - Fort Peck	0	25	0	0	0	0
	SUBTOTAL	979	506	207	77	53	79
WHEATLAND	Justice - Harlowtown	346	0	194	40	36	0
	City - Harlowtown	0	0	166	0	3	0
	SUBTOTAL	346	0	360	40	39	0
WIBAUX	Justice - Wibaux	176	0	51	16	0	0
	City - Wibaux	0	56	13	0	0	0
	SUBTOTAL	176	56	64	16	0	0
YELLOWSTONE	Justice - Laurel	2,957	0	1,225	65	723	3
	Justice - Billings	2,985	0	1,309	54	687	2
	City - Laurel	0	1,161	0	0	11	0
	Municipal - Billings	0	19,427	0	0	639	0
	SUBTOTAL	5,942	20,588	2,534	119	2,060	5
TOTALS		66,457	110,556	31,756	4,351	11,488	6,326

* Reported caseload data for 10 out of 12 months

** Incomplete data

Civil caseloads for individual courts are presented in Table 18, arranged by general category and by county. Note that most courts reported no or very few civil cases in 1997.

- Just over one-third of courts reported any landlord/tenant cases. Only three of those courts processed as many as one such case a week on average, and none processed an average as large as one per day;
- Only 38 percent of reporting courts processed credit agency debt cases. Only 27 of those courts processed as many as one such case a week on average, and six courts reported an average of one such case a day;
- Just over one-half of reporting courts processed an order of protection case, but only 11 courts reported an average of one such case a week. The busiest court in this respect dealt with an average of less than one such case a day;
- Less than one quarter of reporting courts processed contract or tort cases. Only eight courts reported an average of as many as one contract case a week, and only one reported an average tort caseload larger than one a week;
- Unlike most other reported caseloads, the largest civil case counts were not limited to the courts in the largest cities. Several courts from Montana's smaller cities appear in the list of the ten busiest courts in civil cases.

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TABLE 18
REPORTED 1997 CIVIL CASES
BY COUNTY

COUNTY	COURT	LANDLORD/ TENANT	CREDIT AGENCY DEBT	ORDERS OF PROTECTION	CONTRACT	TORT	OTHER
BEAVERHEAD	Justice - Dillon	6	202	11	0	0	12
	City - Dillon	0	0	0	0	0	0
	Both - Lima	0	0	0	0	0	0
	SUBTOTAL	6	202	11	0	0	12
BIGHORN	Justice - Hardin	0	47	83	0	0	4
	Hardin City	0	2	10	0	0	0
	SUBTOTAL	0	49	93	0	0	4
BLAINE	Justice - Chinook	1	8	10	7	10	5
	Justice - Harlem	5	4	0	0	0	0
	City - Harlem	0	0	1	0	0	0
	City - Chinook	0	0	0	0	0	0
	SUBTOTAL	6	12	11	7	10	5
BROADWATER	Justice - Townsend	6	60	4	7	3	5
	City - Townsend	0	0	0	0	0	0
	SUBTOTAL	6	60	4	7	3	5
CARBON	Justice - Red Lodge	17	56	14	8	12	1
	Justice - Bridger	0	1	6	0	0	0
	City - Red Lodge	0	0	0	0	0	0
	City - Joliet	0	0	0	0	0	0
	City - Fromberg	0	0	0	0	0	0
	City - Bridger	0	0	0	0	0	0
	SUBTOTAL	17	57	20	8	12	1
CARTER	Justice - Alzada	0	5	1	0	0	1
	City - Ekalaka	0	0	0	0	0	0
	SUBTOTAL	0	5	1	0	0	1
CASCADE	Justice - Great Falls	181	267	61	20	0	1,807
	City - Belt	0	0	0	0	0	0
	City - Great Falls	26	0	290	0	0	38
	City - Cascade	0	0	0	0	0	0
	SUBTOTAL	207	267	351	20	0	1,845
CHOUTEAU	Justice - Big Sandy	0	2	0	0	0	1
	Justice - Fort Benton	1	40	3	1	0	11
	City - Big Sandy	0	0	0	0	0	0
	City - Fort Benton	0	0	0	0	0	0
	SUBTOTAL	1	42	3	1	0	12
CUSTER	Justice - Miles City	9	0	17	0	0	147
	City - Miles City	0	0	41	0	0	0
	SUBTOTAL	9	0	58	0	0	147
DANIELS	Justice - Scobey	0	1	0	0	0	0
	City - Scobey	0	0	0	0	0	0
	SUBTOTAL	0	1	0	0	0	0
DAWSON	Justice - Glendive	2	0	51	0	0	103
	City - Glendive	0	0	0	0	0	0
	SUBTOTAL	2	0	51	0	0	103
DEER LODGE	Both - Anaconda	22	151	44	24	44	0
	SUBTOTAL	22	151	44	24	44	0
FALLON	Justice - Baker	0	18	4	0	0	15
	City - Baker	0	0	0	0	0	3
	SUBTOTAL	0	18	4	0	0	18
FERGUS	Justice - Lewistown	11	99	9	0	0	12
	Justice - Lewistown	4	83	20	0	0	26
	City - Lewistown	0	0	0	0	0	0
	City - Lewistown	0	0	0	0	0	0
	SUBTOTAL	15	182	29	0	0	38
FLATHEAD	Justice - Kalispell**	0	0	127	0	0	0
	Municipal - Kalispell	0	0	46	0	5	0
	City - Whitefish	0	0	0	0	0	0
	City - Columbia Falls	3	0	4	0	2	9
	SUBTOTAL	3	0	177	0	7	9
GALLATIN	Justice - Bozeman	72	446	12	94	19	256
	City - W. Yellowstone	2	0	13	0	0	4
	City - Bozeman	0	0	4	0	0	95
	City - Three Forks	0	0	0	0	0	0
	City - Belgrade	0	0	0	0	0	2
	City - Manhattan	0	0	0	0	0	0
	SUBTOTAL	74	446	29	94	19	357
GARFIELD	Justice - Jordan	0	2	1	0	0	0
	SUBTOTAL	0	2	1	0	0	0
GLACIER	Justice - Cut Bank	3	82	11	31	8	7
	City - Cut Bank	0	0	0	0	0	0
	SUBTOTAL	3	82	11	31	8	7
GOLDEN VALLEY	Justice - Ryegate	1	3	3	0	0	2
	City - Lavina	0	0	0	0	0	0
	SUBTOTAL	1	3	3	0	0	2
GRANITE	Justice - Philipsburg	3	24	7	7	5	5
	Justice - Drummond	3	6	2	9	2	2
	City - Drummond	0	0	0	0	0	0
	City - Philipsburg	0	0	0	0	0	0
	SUBTOTAL	6	30	9	16	7	7

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TABLE 18 - CONT. REPORTED 1997 CIVIL CASES BY COUNTY									
COUNTY	COURT	LANDLORD/ TENANT	CREDIT AGENCY DEBT	ORDERS OF PROTECTION	CONTRACT	TORT	OTHER		
HILL	Justice - Havre	11	259	21	23	30	31		
	City - Havre	0	0	18	0	0	0		
	SUBTOTAL	11	259	39	23	30	31		
JEFFERSON	Justice - Boulder	4	70	27	13	0	14		
	City - Boulder	0	0	0	0	0	0		
	City - Whitehall	0	0	0	0	0	0		
	SUBTOTAL	4	70	27	13	0	14		
JUDITH BASIN	Justice - Stanford	0	3	1	1	1	0		
	Justice - Hobson	0	0	1	1	0	1		
	SUBTOTAL	0	3	2	2	1	1		
LAKE	Justice - Polson	32	284	43	76	0	54		
	City - Polson	6	2	19	0	0	0		
	City - St. Ignatius	0	1	0	0	0	0		
	City - Ronan	0	0	0	0	0	0		
	SUBTOTAL	38	287	62	76	0	54		
LEWIS&CLARK	Justice - Jewell	67	886	127	146	73	55		
	City - Helena	0	0	47	0	0	22		
	City - East Helena	0	0	4	0	0	0		
	SUBTOTAL	67	886	178	146	73	77		
LIBERTY	Both - Chester	DATA SUBMITTED TOO LATE TO BE INCLUDED IN THIS PUBLICATION							
LINCOLN	Justice - Libby	48	130	97	47	38	0		
	Justice - Eureka	0	42	6	2	5	2		
	City - Libby	0	0	0	0	0	0		
	City - Eureka	0	0	2	0	0	5		
	City - Troy	0	0	3	0	0	2		
	SUBTOTAL	48	172	108	49	43	9		
MADISON	Justice - Virginia City	4	24	13	28	10	0		
	City - Ennis*	1	0	10	0	0	8		
	SUBTOTAL	5	24	23	28	10	8		
MCCONE	Justice - Circle	0	5	0	0	0	3		
	City - Circle	0	0	0	0	0	0		
	SUBTOTAL	0	5	0	0	0	3		
MEAGHER	Justice - WSS	0	10	1	5	0	3		
	City - WSS	0	0	0	0	0	0		
	SUBTOTAL	0	10	1	5	0	3		
MINERAL	Justice - Superior	4	74	14	8	0	0		
	City - Alberton	0	0	0	0	0	0		
	City - Superior	1	0	6	4	0	0		
	SUBTOTAL	5	74	20	12	0	0		
MISSOULA	Justice - Missoula	0	0	0	0	0	0		
	Justice - Missoula	0	0	0	0	0	0		
	Municipal - Missoula	10	1,149	318	0	0	3		
	SUBTOTAL	10	1,149	318	0	0	3		
MUSSELSHELL	Justice - Roundup	10	0	15	0	0	47		
	City - Melstone	0	0	2	0	0	0		
	City - Roundup	0	0	0	0	0	0		
	SUBTOTAL	10	0	17	0	0	47		
PARK	Justice - Livingston	35	123	10	118	10	3		
	City - Livingston	0	0	23	0	23	1		
	SUBTOTAL	35	123	33	118	33	4		
PETROLEUM	Justice - Winnett	0	0	3	0	0	2		
	City - Winnett	0	0	0	0	0	0		
	SUBTOTAL	0	0	3	0	0	2		
PHILLIPS	Justice - Malta	0	103	0	0	4	0		
	City - Malta	0	0	1	0	1	0		
	SUBTOTAL	0	103	1	0	5	0		
PONDERA	Justice - Conrad	11	55	6	0	0	6		
	City - Conrad	0	0	0	0	0	0		
	City - Valier	0	0	0	0	0	0		
	SUBTOTAL	11	55	6	0	0	6		
POWDER RIVER	Justice - Broadus	0	5	4	3	3	0		
	City - Broadus	0	0	0	0	0	2		
	SUBTOTAL	0	5	4	3	3	2		
POWELL	Justice - Deer Lodge	26	170	19	0	0	1		
	City - Deer Lodge	0	0	0	0	0	0		
	SUBTOTAL	26	170	19	0	0	1		
PRAIRIE	Justice - Terry	1	3	3	0	0	0		
	City - Terry	0	0	0	0	0	0		
	SUBTOTAL	1	3	3	0	0	0		
RAVALLI	Justice - Hamilton	88	293	50	3	0	52		
	Justice - Hamilton	62	377	58	9	0	93		
	City - Pinesdale								
			DID NOT REPORT						
	City - Hamilton	0	0	23	0	23	0		
	City - Stevensville	0	0	3	0	0	0		
	City - Darby	0	0	0	0	0	0		
SUBTOTAL	150	670	134	12	23	145			

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TABLE 18 - CONT.
REPORTED 1997 CIVIL CASES
BY COUNTY

COUNTY	COURT	LANDLORD/ TENANT	CREDIT AGENCY DEBT	ORDERS OF PROTECTION	CONTRACT	TORT	OTHER
RICHLAND	Justice - Sidney	9	91	14	11	0	66
	City - Fairview	0	0	0	0	0	0
	City - Sidney	0	0	0	0	0	0
	SUBTOTAL	9	91	14	11	0	66
ROOSEVELT	Justice - Wolf Point	0	29	21	27	10	0
	Justice - Culbertson	1	2	7	0	7	1
	City - Wolf Point	0	0	0	0	0	0
	City - Poplar	0	0	0	0	0	0
	City - Culbertson	0	0	0	0	0	0
	SUBTOTAL	1	31	28	27	17	1
ROSEBUD	Justice - Forsyth	2	49	25	7	0	0
	Justice - Colstrip	0	0	11	0	0	16
	City - Forsyth	0	0	3	0	0	0
	SUBTOTAL	2	49	39	7	0	16
SANDERS	Justice - Thompson Falls	17	121	51	25	9	2
	City - Thompson Falls	0	0	0	0	0	0
	City - Plains	0	0	1	0	0	0
	City - Hot Springs	0	0	1	0	0	0
	SUBTOTAL	17	121	53	25	9	2
SHERIDAN	Justice - Plentywood/Westby	0	16	2	0	1	0
	City - Plentywood	0	0	0	0	0	0
	SUBTOTAL	0	16	2	0	1	0
SILVER BOW	Justice - Butte	51	382	51	58	15	2,057
	Justice - Butte	51	436	58	276	7	1,197
	City - Butte	0	0	0	0	0	0
	SUBTOTAL	102	818	109	334	22	3,254
STILLWATER	Justice - Columbus	6	39	33	8	29	4
	City - Columbus	0	0	0	0	0	1
	SUBTOTAL	6	39	33	8	29	5
SWEET GRASS	Justice - Big Timber	1	21	3	8	0	7
	City - Big Timber	0	0	0	0	0	0
	SUBTOTAL	1	21	3	8	0	7
TETON	Justice - Chouteau	3	102	3	0	0	0
	City - Chouteau	0	0	1	0	0	0
	City - Dutton	0	0	0	0	0	0
	City - Fairfield	0	0	0	0	0	0
	SUBTOTAL	3	102	4	0	0	0
TOOLE	Justice - Shelby	4	0	12	95	7	4
	City - Shelby	0	0	0	0	0	0
	SUBTOTAL	4	0	12	95	7	4
TREASURE	Justice - Hysham	1	2	1	0	1	1
	City - Hysham	0	0	0	0	0	0
	SUBTOTAL	1	2	1	0	1	1
VALLEY	Justice - Glasgow	2	5	5	54	5	3
	City - Glasgow	0	0	8	0	0	2
	City - Nashua	0	0	0	0	0	0
	City - Fort Peck	0	0	0	0	0	0
	SUBTOTAL	2	5	13	54	5	5
WHEATLAND	Justice - Harlowtown	0	14	1	1	1	2
	City - Harlowtown	0	0	0	0	0	7
	SUBTOTAL	0	14	1	1	1	9
WIBAUX	Justice - Wibaux	0	2	0	1	0	0
	City - Wibaux	0	0	0	0	0	0
	SUBTOTAL	0	2	0	1	0	0
YELLOWSTONE	Justice - Laurel	315	0	164	0	0	2,300
	Justice - Billings	351	0	207	0	0	2,388
	City - Laurel	1	0	1	0	0	1
	Municipal - Billings	0	0	20	0	0	0
	SUBTOTAL	667	0	392	0	0	4,689
TOTALS		1,614	6,988	2,612	1,266	423	11,042

* Reported caseload data for 10 out of 12 months

** Incomplete data

Special Jurisdiction Courts

Water Court

Montana's Water Court was created by the 1979 Legislative Session in response to concerns that the existing program of water adjudications, established under the 1973 Water Use Act, would take one hundred years to complete. The legislature created the Water Court to expedite and facilitate the adjudication of water rights that were in existence in 1973. The Water Court has exclusive jurisdiction to interpret and determine existing water rights.

The four major water divisions are: the Yellowstone River Basin, the Lower Missouri River Basin, the Upper Missouri River Basin, and the Clark Fork River Basin.

The Chief Water Judge serves a four-year term and is appointed by the Chief Justice of the Supreme Court from a list of nominees submitted by the Judicial Nomination Commission. Water judges are designated for each of the four water divisions by a majority vote of a committee comprised of the District Judge from each single-judge district and the Chief District Judge from each multiple-judge district.

Funding for the Water Court is derived from special revenue sources which include coal tax money, resource indemnity trust money, and various other sources of bond and income revenues.

The adjudication of federal reserved water rights is suspended until July 1, 2005, while the State of Montana and the federal and tribal authorities negotiate reserved water right compacts. Six compacts have been negotiated and ratified by the Montana Legislature. Of these six, one has been approved by the court, two have pending objections, and the remainder have not yet been submitted for court approval.

Workers' Compensation Court

The Forty-Fourth Legislative Assembly created the Office of the Workers' Compensation Court on July 1, 1975 to provide an efficient and effective forum for the resolution of disputes between insurers/employers and injured workers, and/or workers disabled as a result of an occupational disease. The court has exclusive jurisdiction over many issues arising under the Workers' Compensation Act, § 39-71-101, MCA, et seq., and the Occupational Disease Act, § 39-72-101, MCA, et seq. It conducts trials in matters over which it has original jurisdiction. The court is also responsible for the judicial review of final orders appealed from the Department of Labor and Industry under the two Acts. All decisions of the court are appealable directly to the Montana Supreme Court.

The Workers' Compensation Judge serves a six-year term and is appointed by the Governor from a list of nominees submitted by the Judicial Nomination Commission. The Workers' Compensation Judge must have the same qualifications necessary to hold the office of District Court Judge. The court is attached to the Department of Labor and Industry for administrative purposes only.

All proceedings and hearings before the court are governed by the appropriate provisions of the Montana Administrative Procedure Act. The court is bound by common law and the statutory rules of evidence. The rules of the court can be found in the Administrative Rules of Montana (ARM) at 24.5.301 et seq.

The Workers' Compensation Court conducts pretrials and trials in Billings, Great Falls, Missoula, Butte, Kalispell and Helena four times each year. The court issues findings of fact, conclusions of law and judgments in those matters which go to trial and issues orders on appeal following a judicial review of appeals from the Department of Labor and Industry.

In 1997, the Workers' Compensation Court received 202 petitions/appeals. It conducted 39 trials which varied from matters which required two to three days to those which consisted of a conference with counsel, or an oral argument. There were ten settlement conferences conducted, with eight of those matters being resolved. The Judge issued a total of 119 decisions, of which 57 were findings and conclusions, 40 related to substantive issues and the remainder were attorney fees, costs and other issues which were disposed of by bench ruling or conference with counsel.

Associations of Court Personnel

Montana Judges Association

The Montana Judges Association was established to promote and foster the court system and the laws of the State of Montana; to promote and foster the continued education of judges; and to provide a forum for the exchange of ideas and information useful to judges. Membership of the association consists of currently serving Supreme Court and District Court judges. Retired Supreme Court and District Court judges are included as associate members. The association meets twice each year. Members receive continuing legal education credits for two seminars presented at the meetings.

Officers of the Montana Judges Association for the term of October 1997 through September 1998 are:

President:	John Henson	4th Judicial District
Vice President:	John Warner	12th Judicial District
Secretary:	Ted Mizner	3rd Judicial District
Treasurer:	Ed McLean	4th Judicial District

Montana Magistrates Association

The Montana Magistrates Association (MMA) comprises the Justices of the Peace, City Judges, and Municipal Judges in the state. The association meets annually at the Fall Judicial Education Conference and has district meetings in each district on a regular basis. The MMA works closely with the Supreme Court Commission on Courts of Limited Jurisdiction to ensure that all judges perform their duties in a professional and knowledgeable manner.

Montana Association of Clerks of the District Court

The Montana Association of Clerks of District Court convened in Lewistown on May 14-15, 1965, for an organizational meeting and has met annually since that time. Dillon will host the 33rd annual convention and school in June of 1998.

Through its handbook committee, the MACDC has maintained a handbook since 1973. The book is continually updated. In 1976, the clerks of court began to work actively with the court administrator's office. An automation committee was created in 1993 to work on the Judicial Case Management System (JCMS). Currently, all counties except Missoula County, are on the JCMS system and many of them are networked.

The goal of the association is to constantly improve the performance of the clerks through shared knowledge and information.

1998-1999 officers are:

President:	Sheila Brunkhorst	Beaverhead County
1st Vice President:	Carole Carey	Carter County
2nd Vice President:	Nancy Sweeney	Lewis and Clark County
Secretary:	Peg Allison	Flathead County
Treasurer:	Emile Kimmet	Teton County

State Law Library

The State Law Library, by statute, is to maintain an adequate legal collection and provide those library services that will fulfill the needs of the Supreme Court, the Legislature, state officers and employees, members of the Bar, and the general public (MCA 22-1-501 et seq.). The Justices of the Montana Supreme Court serve as the Library's Board of Trustees. A smaller Library Committee works with the Director (the State Law Librarian), to establish appropriate policies. This year, that Committee included Justices Regnier, Gray, and Trieweiler.

Being the oldest library in the state and yet still evolving presents to the Library's staff a continuing challenge of remaining accessible and relevant to a constituency that does not share equal footing on the Information Highway. The Library's Internet presence was improved with a redesigned home page and the addition of the opinions of the Montana Supreme Court, as well as dozens of links to relevant legal Internet sites. The fact that the Law Library's online public access catalog is now searchable from the Internet helps to fulfill the goal of providing a library without walls to Montana's citizens. The Library's Internet address is: <http://www.lawlibrary.mt.gov>.

The ratio of non-legally trained researchers to those who have attended law school continues to climb, and in turn presents a challenge to the staff in providing adequate reference assistance. Researchers tend to mirror society's concerns and litigiousness, which continue to escalate. The Library's staff, however, numbers the same as it did a dozen years ago, when library use and demand was half of what it is at this time.

State Bar of Montana

The State Bar of Montana was created by order of the Montana Supreme Court in January 1974. In its order, the Court provided that all persons practicing law in the state were obligated to be members of the State Bar. Prior to that date, the state had a voluntary bar association - the Montana Bar Association.

The purposes of the State Bar are to aid the courts in maintaining and improving the administration of justice; to foster, maintain, and require on the part of attorneys, high standards of integrity, learning, competence, public service and conduct; to safeguard proper professional interests of members of the Bar; to encourage the formation and activities of local bar associations; to provide a forum for discussion and effective action concerning subjects pertaining to the practice of law, the science of jurisprudence and law reform, and relations of the Bar to the public; to provide for continuing legal education of members of the Bar; and, to insure that the responsibilities of the legal profession to the public are effectively discharged.

The State Bar is governed by a twenty-member Board of Trustees. Sixteen members of the board are elected by the active members of the Bar to two-year terms from State Bar areas. State Bar areas are made up of one or several judicial districts. The other four Board members are the President and President-Elect, who are elected statewide to one-year terms, the Secretary-Treasurer, who is elected statewide to a two-year term, and the Immediate Past President. The current president of the State Bar is Martha Sheehy of Billings, Montana.

Major activities and programs of the State Bar include:

- A program of mandatory continuing legal education, requiring active members of the State Bar to secure fifteen hours of continuing legal education each year.
- A lawyer's fund for client protection, which makes restitution in cases where an attorney has improperly appropriated client funds. Twenty dollars of each active member's dues are earmarked for this program. From its inception through October 31, 1996, more than \$400,000 in restitution has been paid by the fund.
- A lawyer referral service, which allows members of the public to identify a lawyer who can help them with their particular legal problem. The service receives about 5,000 calls and makes approximately 3,500 referrals each year.
- A fee arbitration program to settle fee disputes between an attorney and a client, short of litigation.
- Publication of information pamphlets for the general public on a wide variety of legal subjects, including marriage and divorce, landlord-tenant law, small claims court, rights of clients, will and probate.
- Character and fitness reviews to determine if the applicants for admission to the State Bar possess the necessary traits of character and fitness for the practice of law.
- Provision of direct financial support for legal services to the poor through the Montana Law Foundation.
- A variety of services to its members, including continuing legal education seminars, practice manuals, and ethics opinions.

State Bar membership totaled 3,690 on April 15, 1998. Of this number, 2,709 were in-state members and 981 were out-of-state members. Of the same total, 2,980 were active members, 591 were inactive members, 108 had judicial status, and 9 had veteran status.

Annual dues are \$120 for active members and \$50 for inactive members. Judicial members do not pay dues while serving on the bench. (These assessments are in addition to the statutorily mandated \$25 paid to the Clerk of Court for lawyer license fee.) Dues income constitutes the major source of income to the State Bar. Other revenue sources include income from State Bar continuing legal education programs and the sale of publications.

University of Montana School of Law

The University of Montana School of Law, founded in 1911, is the oldest professional school at the University of Montana. The founding of the Law School was made possible by a gift from the widow of William Wirt Dixon, a well-known and respected Montana lawyer. Mrs. Dixon's gift spurred the Legislature to enact a bill establishing the Department of Law.

From an enrollment of seventeen in the first year of its existence, the School of Law rapidly grew until 1970 when the law faculty voted to cap admission to the first year program at 75 students. Since 1970, the number of applications to the Law School has far exceeded the number of positions available in the first year class. In 1997, four-hundred thirteen applicants applied for the 75 available positions in the first year class. At least 50 of those 75 seats are for Montana residents.

The first female student was admitted to the Law School in 1913; female students now comprise 44 percent of the Law School's student population. Women also make up 35 percent of the faculty.

Minority students accounted for approximately 8 percent of first year students in 1997. Over one-half of these minority students are Native Americans. The Law School is committed to a strong Indian Law Program. In addition to courses in Indian Law, the Law School has for the last decade operated an Indian Law Clinic as part of its clinical education program. While providing valuable services to the various tribal courts and governments, the Indian Law Clinic provides students with the opportunity to develop knowledge and skills which will prepare them for work on or near Montana's seven Indian reservations.

Although the Law School ranks among the smallest American Bar Association approved law schools in the nation, its student population is diverse. The average age of entering law students is twenty-eight, suggesting that many students enter law school after engaging in other careers.