Table. Definitions of Montana District Court Case Types, Case Opening and Closing, and Time Reference Points
May 2010 – Appendix C

Case Type[1]	Definition	Filing (Case Open) and Disposition (Case Closed) Events and Other Critical Stages	Time Reference Points (in days)	Notes
Civil	All cases identified as civil (DV) cases in the Full Court automated case processing system.	A case is **opened** upon filing of initial complaint, petition foreign judgment <u>and</u> issuance of a summons or court order; a case is **reopened** upon filing of post-judgment pleadings or upon remand to the District Court. A case is **closed or reclosed** by entry of the final judgment or order, or on the date a case is permanently moved to another jurisdiction. A case is considered **suspended** when any one or all of the following occur: (1) no proof of service or responsive pleading is filed within 90 days of summons; (2) bankruptcy proceedings are pursued in the federal bankruptcy system; or (3) the party in the case temporarily moves case to another court of jurisdiction (e.g., petition for disqualification, or writ).	730 (24 months or 2 years to closing was established as an average for most civil case. Complex cases with difficult issues and parties will likely take longer than the two year average)	Modification to the Uniform Caseload Filing Standards (UCFS) needed to comply with open/inactive and suspended status
Criminal	All cases identified as criminal (DC) cases in the Full Court automated case processing system.	A case is **opened** on the date when a defendant or the defendant's counsel first appears in District Court following the filing of an initiating pleading, or upon the receipt of a transfer order from a court of limited jurisdiction. A case is **reopened** upon reappearance of defendant in District Court or upon remand from the Supreme Court. A case is **closed** or **reclosed** on the date of: (1) judgment or order of dismissal; or denial of original criminal pleadings; (2)sentencing, judgment or order; (3) filing of a court-approved agreement to defer prosecution of all charges; (3) post-judgment and sentencing court order; and, (4) on the date a case is permanently moved to another court of jurisdiction. A case is considered **suspended**: (1) when a bench warrant is issued for failure to appear; (2) upon an issuance of a writ staying the proceedings; or (3) other action occurs that moves the case to another court of jurisdiction.	270 (9 months accounting for speedy trial and expected requests from either party for time extensions)	Modification to the Uniform Caseload Filing Standards (UCFS) needed to comply with open/inactive and suspended status

[1] For the purposes of District Court court management tools, two of the 13 District Court case types – Investigative Subpoena (IS) and Search Warrants (SW) are excluded from the case types.

Juvenile	All cases identified as juvenile (DJ) cases in the Full Court automated case processing system.	A case is **opened** (1) when a juvenile or juvenile's counsel first appears in Youth Court following the filing of an initiating document or upon the receipt of a transfer order from a court of limited jurisdiction. A case is **reopened** by filing of a petition or post-judgment motion. The case is **closed** or **reclosed** upon filing of a consent decree, final order, or a period of inactivity 20 days following a detention order/hearing. A case is considered **suspended**: (1) when a bench warrant is issued for failure to appear; (2) upon the issuance of a writ of supervisory control; or (3) some other action occurs that moves the case to another court of jurisdiction.	180 (6 months accounting for speedy trial; standards are lower for DJ cases to account for priority est. by statute)	Modification to the Uniform Caseload Filing Standards (UCFS) needed to comply with open/inactive and suspended status. In addition, DCMAC recommends reviewing the original standard of one case file with multiple petitions (openings) and closings.
Child Abuse and Neglect	All cases identified as child abuse and neglect (DN) cases in the Full Court automated case processing system.	A case is **opened** upon filing of a petition and **closed** or **reclosed** (1) in the case of a filing for temporary investigative authority (TIA); (2) a period of inactivity for 90 days following the expiration of the TIA; (3) in the case of dismissal of the petition; or (4) in the event of adoption. A case is **set for review** on the date of an order to terminate parental rights w/o consent for adoption or to terminate parental rights w/ consent for adoption. A case is considered **suspended** upon issuance of writ of supervisory control or when the case is moved to another court of jurisdiction. A case is **reopened** upon the filing of a new petition or when reopened for mandatory reviews.	457 days (15 months corresponds to federal standards set for length of time a child is in care prior to permanent placement/ status)	Modification needed to UCFS to allow for set for review status, which will modify closing and reopening UCFS status. In addition, modification needed to comply with open/inactive and suspended status.
Family	All cases identified as adoption (DA), domestic relations (DR), and paternity (DF) cases in the Full Court automated case processing system.	A case is **opened** by the filing of an initial petition, complaint, or foreign judgment, and issuance of a summons or Court order. A case is **reopened** upon filing of post-judgment pleadings or upon remand to the District Court. A case is **closed or reclosed** upon entry of a final decree or order, or a permanent removal to another court of jurisdiction. A case is considered **suspended** when any one or all of the following occur: (1) no proof of service, court order or responsive pleading is filed within 90 days of the case being opened; (2) notice of bankruptcy proceedings is received; or (3) the case is temporarily moved to another court of jurisdiction (e.g., motion for disqualification, issuance of writ of supervisory control).	270 (9 months was selected as a reasonable average for most DA, DR and DF cases including contested and uncontested cases. Complex cases with difficult issues and parties may take longer)	Modification to the Uniform Caseload Filing Standards (UCFS) needed to comply with open/inactive and suspended status

Probate and Guardianship and Civil Commitment	All cases identified as probate (DP) and guardianship/conservatorship (DG), in the Full Court automated case processing system	A case is **opened** upon filing an initial petition and, for probate and guardianship/conservatorship cases or court order. A case is **closed** or **reclosed** upon the entering of decree or a sworn closing, termination of the guardianship/conservatorship or commitment, order of dismissal, or upon permanent removal of the case to another court of jurisdiction. A case is **reopened** upon filing of post-judgment pleadings or upon remand to the District Court. A case is **set for review** in the event the case has not closed for the sole reason of annual review of accounting. A case is **suspended** when any one or all of the following occur: (1) no proof of service, court order or responsive pleading is filed within 90 days of the case being opened; or (2) the case is temporarily moved to another court of jurisdiction (e.g., motion for disqualification, petition for writ of supervisory control).	365 (12 months was set as the average time to closure or set for review for these cases. More complex cases may require additional time and may not fall with these standards)	Modification needed to UCFS to allow for set for review status, which will modify closing and reopening. In addition, modification needed to comply with open/inactive and suspended status.
Involuntary Commitment Cases	All cases identified as involuntary commitment (DD and DI) cases in the Full Court automated case processing system	A case is **opened** upon filing an initial petition for commitment. It is **reopened** by a petition for recommitment; extension of commitment or amendment to commitment; or if a subsequent petition for commitment is filed. A case is **closed or reclosed** on the date of: (1) entry of judgment; (2) order of commitment; (3) order of dismissal; or (4) permanent removal to another jurisdiction. A case is considered **suspended** upon: (1) issuance of a writ staying the proceedings; or (2) temporary removal of the case to another court or jurisdiction.	180 (6 months was considered the average amount of time given the timelines in statue for completing these cases)	Modification to the Uniform Caseload Filing Standards (UCFS) needed to comply with open/inactive and suspended status