



Exhibit No. 6  
Date 3-7-05  
Bill No. HB 262

## Billings Municipal Court

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Mary Jane McCalla Krisely  
Municipal Court Judge

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March 7, 2005

**VIA HAND DELIVERY**

Senator Michael Wheat, Chairman and Members  
Senate Judiciary Committee

Honorable Members:

I am writing this letter in support of House Bill 262, which would amend Montana Code sections 3-6-106, 3-6-201 and 3-6-204. If passed, this bill would allow Montana cities the flexibility needed to properly address the increasing volume of civil and criminal cases being filed in its municipal courts. By doing so, cities would not only provide better access to the courts for their respective citizenry, but also ensure that these courts are operating in the most effective and efficient manner possible.

Currently, I serve as the only elected municipal court judge in the City of Billings, the largest municipal court in the state. According to recent statistics reported by the Montana Supreme Court, the annual case filings in this court averages 30,000. The other four municipal courts are also seeing tens of thousands of cases filed each year.

HB 262 would amend M.C.A. § 3-6-201 to allow Billings, Bozeman, Great Falls, Kalispell and Missoula to appoint part-time judges to serve in addition to the elected judge in that city. These part-time judges would undergo more extensive training than the judges pro tempore who currently work overflow and conflict cases in these courts. Furthermore, because they would work regularly with the elected judges, they would provide greater consistency to the individuals who appear in the courts.

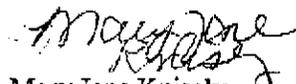
This bill also would set forth guidelines for the efficient management of municipal courts, which would include dividing a court into departments and the selection of a chief judge in those courts in which there is more than one elected to the bench. This "housekeeping" matter aligns the municipal court with the district court requirements and practices, which is appropriate as municipal courts are governed by the same rules regulating district courts.

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Lastly, a key component of this bill is the expansion of M.C.A. § 3-6-204 which would allow any individual who has been a member of the State Bar for five years or longer and sitting or retired judges of courts of record to serve as a judge pro tempore. This change, which is again based on the requirements for judges pro tempore in district courts, will allow the municipal court judge the opportunity to appoint a pro tem judge from another region in those cases in which there is a potential conflict not only for the elected judge, but also for local members of the Bar. It further provides a deeper "pool" from which to select judges pro tempore to serve in municipal courts to ensure that the best candidates are serving the citizens of that municipality.

I appreciate your consideration, and hope that you will support passage of HB 262. Should you have any questions or need additional information from me, please do not hesitate to contact me either by telephone at 247-8690 or via e-mail at [kniselymj@ci.billings.mt.us](mailto:kniselymj@ci.billings.mt.us).

Sincerely,

  
Mary Jane Knisely  
Municipal Court Judge

MJK:jrg