EXHIBIT 4
DATE 1-24-07
HB

BOARDS AND COMMISSIONS
Program 02

The Supreme Court is responsible for a variety of matters involving rulemaking and oversight of the administration of justice. These needs and obligations are met, in part, through various boards and commissions.

The following four commissions receive funding for staff and operations from the Boards and Commissions Program:

Commission	Authority and Duties	Membership	Caseload	FY 2006 Expenditures
Commission on Courts of Limited Jurisdiction (COLJ)	-- **3-1-1501, MCA; Supreme Court order** -- Prescribes a course of training that must be completed by all COLJ judges -- Conducts twice-a-year mandatory training (spring & fall) -- Provides certification testing (passing score to remain in office) every 4 years after general election (last one in 2006) -- Plans and supervises annual conference for clerks of COLJ -- Publishes clerks' manual -- Automation Advisory Committee	11 members: 1 District Court judge, 1 city & 1 county representative, 1 State Bar representative, 1 city judge and 1JP from a small community & a large community, 1 member at large, Montana Magistrates Association president, City & Municipal Court Clerks Assoc. president	N/A	$87,212
Commission on Practice	**-- Art. Vii, sec. 2; Supreme Court order** -- Review panels review informal complaints alleging unethical conduct by attorneys -- Adjudicatory panels try formal complaints & recommends discipline to Supreme Court -- Reports on merits of any petition for reinstatement to practice of law -- Assessment of costs	14 members: 9 attorneys, 5 non-attorneys	CY 2006: 289 cases reviewed (Commission met 5 times and reviewed an average of 58 new complaints per meeting)	$70,163 Total FY 2006 attorney license fees collected: $102,575

Commission	Authority and Duties	Membership	Caseload	FY 2008 Expenditures
Sentence Review Division	**-- Title 46, chapter 18, part 9, MCA** -- Reviews sentence equity -- Reviews cases of persons sentenced to MSP, women's prison, or to DOC for 1 year or more -- May increase, decrease, or affirm original sentence -- Panel's decision cannot be appealed	3 District Court judges	CY 2006: 188 applications for review of sentence received. 53 dismissed at request of defendant. 61 reviewed. 24 held in abeyance pending appeal. 2 remanded to District Court. 48 carried over to 2007.	$50,383
Judicial Standards Commission	**-- Art. VII, sec. 11; Title 3, chap. 1, part 11, MCA** -- Investigates complaints against judges -- Recommends discipline to Supreme Court -- Supreme Court may retire justice/judge for disability, censure, suspend, or remove justice/judge for misconduct, failure to perform, violating canons of judicial ethics, habitual intemperance	5 members: 2 District Court judges (elected by judges); 1 attorney appointed by Supreme Court, 2 members of public appointed by Governor	2006 statistics: Complaints filed: 31	$8,302

Funds collected from disciplined attorneys and judges in FY 2006: $14,289

Other Boards and Commissions Receiving No or Minimal Funding from Judicial Branch

Boards and Commissions	Authority and Duties	Membership	Funding
Judicial Nomination Commission	**-- Title 3, chapter 1, part 10** -- Provides governor with list of candidates for appointment to fill Supreme Court, Workers' Compensation Court, or District Court vacancy -- Provides chief justice with list of candidates for appointment to fill chief water judge vacancy	7 members: 4 lay members, 1 judge, 2 attorneys	Funding from Judicial Branch's Boards and Commissions Program (Program 02) for meeting costs only (e.g., travel, communications) FY 2006 expenditures: $2,906
Commission on Character and Fitness	-- Regulatory commission -- Reviews applications for admission to State Bar -- Subcommittees review applicant's character & fitness	9 members: 6 attorneys, 3 lay persons	No Judicial Branch support or funding Staffing and expenses paid by State Bar
Board of Bar Examiners	**-- 37-61-102, MCA** -- Regulatory board -- Revised Montana Bar exam; grades essays -- Determines which examinees to recommend for admission to Bar	7 members	No Judicial Branch support or funding Staffing and expenses paid by State Bar
Commission on Continuing Legal Education (CLE)	-- Regulatory commission -- Establish standards for mandatory CLE -- Monitor compliance	9 members: 6 attorneys, 3 non-attorneys,	No Judicial Branch support or funding Staffing and expenses paid by State Bar
Commission on Unauthorized Practice	-- Investigates complaints alleging that individuals have been engaged in unauthorized practice of law (practicing law w/o admission to Bar) -- Make recommendation to Supreme Court	9 members: 4 attorneys, 4 non-attorneys, plus chair	No Judicial Branch support or funding Staffing and expenses paid by State Bar
Commission on Code of Judicial Conduct	-- Examine Canons of Judicial Ethics that apply to judges -- Voted to replace Canons with Montana-specific version of ABA Code -- ABA Code is being revamped	9 members: lawyers and judges	No Judicial Branch support or funding
Commission on Rules of Evidence	-- Advisory commission -- Review evidentiary issues -- Make recommendations to Supreme Court	10 members: 4 criminal trial attorneys, 4 civil trial attorneys, 1 District Court judge, 1 law professor	No Judicial Branch support or funding State Bar participates or provides staffing as needed

Boards and Commissions	Authority and Duties	Membership	Comments
Commission on Self-Represented Litigants (SRL)	-- Develop, approve legal forms (e.g., domestic relations) -- Training for clerks of court on how to assist SRLs -- Goal: increase ability of SRL to participate in judicial process	8 members	No Judicial Branch support or funding State Bar participates or provides staffing as needed
Civil Jury Instructions Guideline Commission	-- Advisory commission -- Determine what pattern civil jury instructions would be most helpful to judges & attorneys	13 members: lawyers, judges	No Judicial Branch support or funding State Bar participates or provides staffing as needed
Criminal Jury Instructions Commission	-- Advisory commission -- Publish Montana Criminal Jury Instructions	9 members: criminal law attorneys, law professors, DC judges	No Judicial Branch support or funding State Bar participates or provides staffing as needed
Uniform District Court Rules Commission	-- Submitted recommendations for revised Uniform District Court Rules to the Supreme Court	7 members: 2 District Court judges, 2 civil-trail plaintiffs' attorneys, 2 civil-trial defendants' attorneys, 1 law school professor	No Judicial Branch support or funding
Commission on Rules of Civil & Appellate Procedure	-- Updated civil rules	11 members	No Judicial Branch support or funding State Bar participates or provides staffing as needed
Equal Justice Task Force	-- Study needs of low-income people for legal assistance and representation -- Planning amount legal assistance providers -- Coordinate civil access to justice -- Foster development of statewide civil legal services delivery system -- Design/implement new programs to expand access to justice opportunities	15 members	No Judicial Branch support or funding Staffing and expenses paid by State Bar
Gender Fairness Commission	-- Originated from a task force to determine if gender bias exists in Montana legal system and how if affects decision-making in courts -- Looking a ways to educate lawyers, judges, and litigants (e.g., pamphlet, presentation	5 members	No Judicial Branch support or funding State Bar participates or provides staffing as needed