

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Ken Peterson, on January 24, 2011 at 9:00 A.M., in Room 137
Capitol

ROLL CALL

Members Present:

Rep. Ken Peterson, Chairman (R)
Rep. Krayton Kerns, Vice Chairman (R)
Rep. Diane Sands, Vice Chairman (D)
Rep. Liz Bangerter (R)
Rep. Robyn Driscoll (D)
Rep. Bill Harris (R)
Rep. Ellie Boldman Hill (D)
Rep. David Howard (R)
Rep. Margaret (Margie) MacDonald (D)
Rep. Mike Menahan (D)
Rep. Michael (Mike) More (R)
Rep. Jesse O'Hara (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Joe Read (R)
Rep. Keith Regier (R)
Rep. Dan Skattum (R)
Rep. Bob Wagner (R)
Rep. Wendy Warburton (R)

Members Excused: Rep. Cleve J. Loney (R)

Members Absent: Rep. Kris Hansen (R)

Staff Present: Karen Armstrong, Committee Secretary
David Niss, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 281, 1/20/2011

HEARING ON HB 281**Opening Statement by Sponsor:**

00:02:19 Rep. Betsy Hands (D), HD 99, opened the hearing on HB 281, Revise laws relating to guardians ad litem.

[EXHIBIT\(juh18a01\)](#)

[EXHIBIT\(juh18a02\)](#)

00:03:34 Rep. Hansen entered.

Proponents' Testimony:

00:13:27 Robert Deschamps, Judge, 4th Judicial District

00:18:03 Diana Garrett, Montana Legal Services, Missoula, Montana

[EXHIBIT\(juh18a03\)](#)

00:21:26 Cheryl Wolfe, self

[EXHIBIT\(juh18a04\)](#)

00:25:28 Sara Rossi, Montana Coalition Against Domestic and Sexual Violence

00:27:16 Henry Dykstra, self

[EXHIBIT\(juh18a05\)](#)

00:31:33 Dr. Chris Hahn, Parenting Coordinator and Mediator

[EXHIBIT\(juh18a06\)](#)

00:35:24 Rep. Hansen exited.

00:37:29 Danielle Wozniak, Professor of Social Work, University of Montana

[EXHIBIT\(juh18a07\)](#)

00:37:36 Rep. Howard exited.

00:41:19 Ellie Martin, Graduate student, Social Work Program, University of Montana

[EXHIBIT\(juh18a08\)](#)

00:42:42 Rep. O'Hara exited.

00:44:15 Mary Monroe, self

00:44:56 Deborah Eckheart, Graduate Student, Social Work Program, University of Montana

[EXHIBIT\(juh18a09\)](#)

00:50:26 Rep. O'Hara returned.

00:50:58 Sherry Gay, self, Missoula

[EXHIBIT\(juh18a10\)](#)

00:53:43 Melanie Rauch, Graduate Student, University of Montana Social Work Program

[EXHIBIT\(juh18a11\)](#)

00:54:26 Rep. Hansen returned.

00:57:02 Steve Knight, Licensed Clinical Social Worker, self

00:58:44 Shannon Amour, self

[EXHIBIT\(juh18a12\)](#)

01:01:31 Marie Dykstra, self, Thompson Falls

[EXHIBIT\(juh18a13\)](#)

01:05:13 Katie Boyd, Graduate Student, Social Work Program, University of Montana reading a letter from Allysa Hollenback

[EXHIBIT\(juh18a14\)](#)

01:09:01 Tyrell Whipple, self
01:09:13 Caryl Wickes-Connick, self
[EXHIBIT\(juh18a15\)](#)
01:09:35 Chris Schermele Lane, self
[EXHIBIT\(juh18a16\)](#)
01:09:48 Marilyn Kriechbaum, self
[EXHIBIT\(juh18a17\)](#)
01:09:52 Emily McKey, self
[EXHIBIT\(juh18a18\)](#)
01:10:06 Christina Hill, self
[EXHIBIT\(juh18a19\)](#)
01:10:18 Lisa Thomas, self
[EXHIBIT\(juh18a20\)](#)
01:10:30 Michael Hand, self
01:10:45 Anita Roessmann, Disability Rights Montana
01:11:00 Lorne Murphy, self

Opponents' Testimony:

01:11:15 John Larson, District Judge, Missoula and Superior, Montana Judges' Association
[EXHIBIT\(juh18a21\)](#)
01:22:57 Rep. More exited.
01:25:18 Bruce Spencer, State Bar Association of Montana
01:26:28 Rep. Howard returned.
01:26:44 Kathy Seeley, District Judge, First Judicial District and Montana Judicial Association
01:28:10 Dorothy McCarter, District Judge, First Judicial District, Helena
01:31:02 Rep. Loney entered.
01:31:32 Jacqueline Lenmark, American Insurance Association
01:33:30 Rep. More returned.
01:41:04 Mars Scott, Family Law Attorney, Missoula
01:45:15 Rep. O'Hara exited.
01:45:48 Rep. Sands exited.

Informational Testimony: None

Questions from Committee Members and Responses:

01:48:11 Rep. Hill
01:48:51 Rep. Sands returned.
01:49:16 Judge Deschamps
01:50:40 Rep. O'Hara returned.
01:51:08 Rep. Sands
01:52:48 Judge Larson
01:54:10 Rep. Sands
01:54:42 Judge Larson
01:55:18 Rep. Sands
01:55:47 Judge Deschamps
01:58:40 Rep. Hansen
01:58:49 Rep. Hands
02:00:27 Rep. Wagner

02:01:55 Rep. Hands
02:02:39 Rep. Wagner
02:03:18 Rep. Hands
02:04:12 Rep. Wagner
02:05:11 Rep. Menahan
02:05:55 Rep. Hands
02:06:52 Chairman Peterson
02:07:24 Judge Deschamps
02:07:29 Chairman Peterson
02:07:36 Judge Deschamps
02:08:09 Chairman Peterson
02:09:06 Judge Deschamps
02:09:30 Rep. Harris
02:11:19 Judge Deschamps
02:13:36 Rep. Harris
02:13:46 Chairman Peterson
02:13:57 Rep. Hands

Closing by Sponsor:

02:14:42 Rep. Hands

[EXHIBIT\(juh18a22\)](#)

[EXHIBIT\(juh18a23\)](#)

02:23:44 Chairman Peterson
02:23:49 Rep. Hands
02:24:16 Chairman Peterson
02:24:36 Rep. Hands
02:24:44 Chairman Peterson
02:24:51 Rep. Hands
02:32:54 Chairman Peterson
02:33:02 Rep. Regier
02:33:23 Mr. Niss
02:34:12 Chairman Peterson

ADJOURNMENT

02:34:12 Adjournment: 11:52 am

Karen Armstrong, Secretary

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Additional Exhibits:

[EXHIBIT\(juh18a24\)](#)

[EXHIBIT\(juh18a25\)](#)

Additional Documents:

[EXHIBIT\(juh18aad.pdf\)](#)