

Montana Supreme Court 1995 Annual Report

Re: HB 206
1995 is the 1st Caseload Report available 2006

COURTS OF LIMITED JURISDICTION

A majority of citizens receive their first exposure to the judicial system in the Courts of Limited Jurisdiction which are the Justice of the Peace, City, and Municipal Courts. The Constitution of 1889 provided for the creation of the Justice Courts, Police Courts and Municipal Courts. The Constitution of 1972 retained the Justice of the Peace Courts as a Constitutional office and deleted any reference to Police or Municipal Courts, but allows the Legislature to create other courts such as City or Municipal Courts.

Judges in the Courts of Limited Jurisdiction are elected for a four year term and are required to attend two annual training sessions supervised by the Supreme Court. Failure to attend the training sessions results in disqualification of the judge from office.

In 1995, these conferences were held in Bozeman and Missoula. A wide variety of talented speakers presented timely information to the judges covering the areas of evidence, Supreme Court decisions, new laws regarding minors in possession, new laws regarding domestic violence, an update on new DUI laws, and a session on maintaining control of court in intimidating situations.

Limited court judges also had the opportunity to attend the 1995 Montana Leadership Institute on Judicial Education.

The Montana Judicial Institute, an educational

* Caseloads from the following courts are not included in these figures: Darby City Court, Lima City Court, Manhattan City Court, Pinesdale City Court, and Rosebud County Justice Court #1. Figures from these courts were not received in time for printing.

program for limited court judges instituted in 1994 as a pilot program, continued in 1995 with twenty-six judges graduating from the program. The Montana Judicial Institute consists of classes geared specifically to the judges taught by professors from the University of Montana School of Law. Judges have the opportunity to earn continuing education credits through the University of Montana by completing this intensive course. Funded by a grant from the State Justice Institute, the Montana Judicial Institute offered technical training in the areas of contracts and property law, criminal law and procedure, and Montana remedies law. For both years of this two-year program, participating judges participated in an in-residence component at the University of Montana, completed a distance learning component using interactive video, and attended a fall-weekend component.

Judicial education programs offered to the limited court judges often prove invaluable given the amount of traffic through their courts. In 1995, the limited courts handled 339,379* cases, constituting a 5% increase over 1994. Of these, 232,414*, or 68.5% were criminal cases. The limited courts handled 68,972* seatbelt and daytime speeding citations, 35,094* civil cases, and 2,899* small claims cases.

The 114 limited court judges work in 159 justice, city, and municipal courts. The judges are assisted by 176 full-time and part-time clerks of court.

Given the large caseload handled by these courts, automation has become a priority. The automation unit of the Office of the Court Administrator continued efforts in 1995 to automate the limited courts through the installation of computers and the Limited Jurisdiction Case Management (LJCMS) software. At the end of 1995, twenty-one courts were using the LJCMS program.