

1 SENATE BILL NO. 224

2 INTRODUCED BY G. HERTZ

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A REPORTING REQUIREMENT FOR THE
5 COURT ADMINISTRATOR RELATED TO DISTRICT COURT JUDGE CASE NUMBERS AND
6 SUBSTITUTIONS; AND AMENDING SECTION 3-1-713, MCA."

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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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10 Section 1. Section 3-1-713, MCA, is amended to read:

11 "3-1-713. Office of court administrator to report. (1) Each quarter of the fiscal year, the office of
12 court administrator shall report to the law and justice interim committee and the legislative finance committee on
13 the number of civil cases that have been pending for more than 2 years by judicial district. The report must
14 identify:

15 (1)(a) the judicial district;

16 (2)(b) the number of cases in that district that are pending for more than 2 years but less than 3
17 years;

18 (3)(c) the number of cases in that district that are pending for more than 3 years but less than 4
19 years;

20 (4)(d) the number of cases in that district that are pending for more than 4 years but less than 5
21 years; and

22 (5)(e) the number of cases in that district that are pending for more than 5 years.

23 (2) By September 1 of each year, the office of court administrator shall report to the law and justice
24 interim committee in accordance with 5-11-210. The report must identify FOR THE PREVIOUS CALENDAR YEAR:

25 (a) the number AND TYPE of cases assigned to each district court judge;

26 (b) the number of times each judge is substituted;

27 (c) the number of each type of case in which a judge is substituted AND THE REASON FOR THE

28 SUBSTITUTION; and

Amendment - 2nd Reading-yellow - Requested by: Greg Hertz - (S) Committee of Whole

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Drafter: Rachel Weiss, 406-444-5367

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1 (d) the percentage of cases in which each judge is substituted;

2 (E) THE NAME OF EACH ATTORNEY AND THE NAME OF THE ATTORNEY'S LAW FIRM OR EMPLOYER WHO

3 REQUESTS A SUBSTITUTION OF A JUDGE AND THE NUMBER OF SUBSTITUTION REQUESTS THE ATTORNEY MAKES FOR

4 EACH JUDGE; AND

5 (F) THE NUMBER OF CONTINUANCES GRANTED BY EACH JUDGE IN FAMILY LAW CASES AND CHILD ABUSE

6 AND NEGLECT CASES UNDER TITLE 41, CHAPTER 3, AND WHETHER THOSE CONTINUANCES WERE UPON MOTION OF A

7 PARTY TO THE CASE OR UPON THE COURT'S OWN MOTION."

8

9 NEW SECTION. Section 2. Severability. If a part of [this act] is invalid, all valid parts that are

10 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,

11 the part remains in effect in all valid applications that are severable from the invalid applications.

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