

1 SENATE BILL NO. 231
2 INTRODUCED BY D. LENZ

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4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING AN INTERIM TASK FORCE TO STUDY AND MAKE
5 RECOMMENDATIONS FOR ESTABLISHING A DEPENDENCY AND NEGLECT COURT SYSTEM;
6 SPECIFYING MEMBERS AND DUTIES; PROVIDING FOR CONTINGENT VOIDNESS; ESTABLISHING
7 REPORTING REQUIREMENTS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A
8 TERMINATION DATE."

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

11
12 NEW SECTION. Section 1. Task force on dependency and neglect court system. (1) There is a
13 task force on dependency and neglect court systems.

14 (2) The task force consists of 11 members appointed as follows:

15 (a) two members of the house of representatives, one of whom must be appointed by the speaker
16 of the house of representatives and one of whom must be appointed by the minority leader of the house of
17 representatives;

18 (b) two members of the senate, one of whom must be appointed by the president of the senate
19 and one of whom must be appointed by the minority leader of the senate;

20 (c) one district court judge appointed by the chief justice of the supreme court; and

21 (d) six members appointed by the governor, none of whom may be currently serving as a
22 legislator, including:

23 (i) a county attorney or deputy county attorney;

24 (ii) a law enforcement officer;

25 (iii) a representative from the governor's office;

26 (iv) a tribal member with experience relating to the Indian Child Welfare Act;

27 (v) a member of the public having experience with the dependency and neglect court system; and

28 (vi) a representative of the office of state public defender.

1 (3) (a) Legislative members of the task force are entitled to receive compensation and expenses
2 as provided in 5-2-302.

3 (b) A nonlegislative member of the task force who is not a full-time salaried officer or employee of
4 the state or a political subdivision of the state is entitled to salary and expenses to the same extent as a
5 legislative member.

6 (c) A member of the task force who is a full-time salaried officer or employee of the state or a
7 political subdivision of the state is entitled to reimbursement for travel expenses as provided in 2-18-501
8 through 2-18-503.

9 (4) Commission members appointed under subsection (2) must be appointed within 30 days of [the
10 effective date of this act]. If a vacancy occurs, a new member must be selected in the same manner as the
11 original appointment. Commission member terms expire June 30, 2025.

12 (5) The task force shall select a presiding officer and a vice presiding officer by majority vote. The
13 presiding officer and the vice presiding officer must be legislative members.

14 (6) The legislative services division shall provide staff assistance to the task force. The legislative
15 fiscal division and the judicial branch shall provide information on request.

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17 **NEW SECTION. Section 2. Task force duties.** The task force shall study dependency and neglect
18 court proceedings and produce draft legislation to create a separate dependency and neglect court system to
19 best serve children, families, and other participants involved in dependency and neglect court proceedings.

20 (2) The task force shall study and propose comprehensive draft legislation that may address, but is
21 not limited to, the following:

22 (a) the structure of an alternative court system that specializes in dependency and neglect cases;

23 (b) the exclusive and concurrent jurisdiction of the dependency and neglect court system;

24 (c) the manner for electing or appointing judges for the dependency and neglect court system;

25 (d) whether the dependency and neglect court system should be operated on a statewide,
26 regional, or local basis;

27 (e) changes needed to the existing court system to facilitate a separate dependency and neglect
28 court system;