

Study: SJ31 Interim Study Poll Rank: 5 of 6

Short Title: Interim study of attorney regulation and the role and structure of the State Bar

Staff Recommendation: Law & Justice Interim Committee

Preliminary Analysis

Issue(s) as listed in legislation:

Study issues of attorney regulation and the role of the State Bar, including review of:

- Legal authorization, and oversight of the association
- Admissions process and rules of conduct
- Functions and programs for the public
- National trends and best practices for attorney regulation
- IOLTA (Interest on Lawyers' Trust Accounts)

Preliminary study approach:

- Presentation by the Montana State Bar with discussion of the association's role, primary functions, programs and services, oversight, and structure.
- Review of the roles and structures of other states' bar associations and national best practices.
- Review of applicable case law regarding state bar associations, with relevant agencies including the Department of Justice and the Office of State Public Defender.
- Presentation and discussion of the purpose and operation of IOLTA

Deliverables; end products:

Final report with recommendations, policy memos and analysis as requested by the assigned interim committee, draft legislation by September 15, 2024.

Role for LFD or LAD staff? Yes No

Role for Executive agency? Department of Justice, Office of State Public Defender

Additional costs, over meetings? Yes No

Estimated LSD staff time: 144-288 hours

Interim FTE Equivalents

1 Interim FTE = 16.5 months = 2880 hrs.

.05 FTE = 144 hrs = 18

.10 FTE = 288 hrs = 36 days

.25 FTE = 720 hrs = 90 days

.50 FTE = 1440 hrs = 180 days

.75 FTE = 2160 hrs = 270 days

1 FTE = 2880 hrs = 360 days