

Designated Dependency and Neglect Court

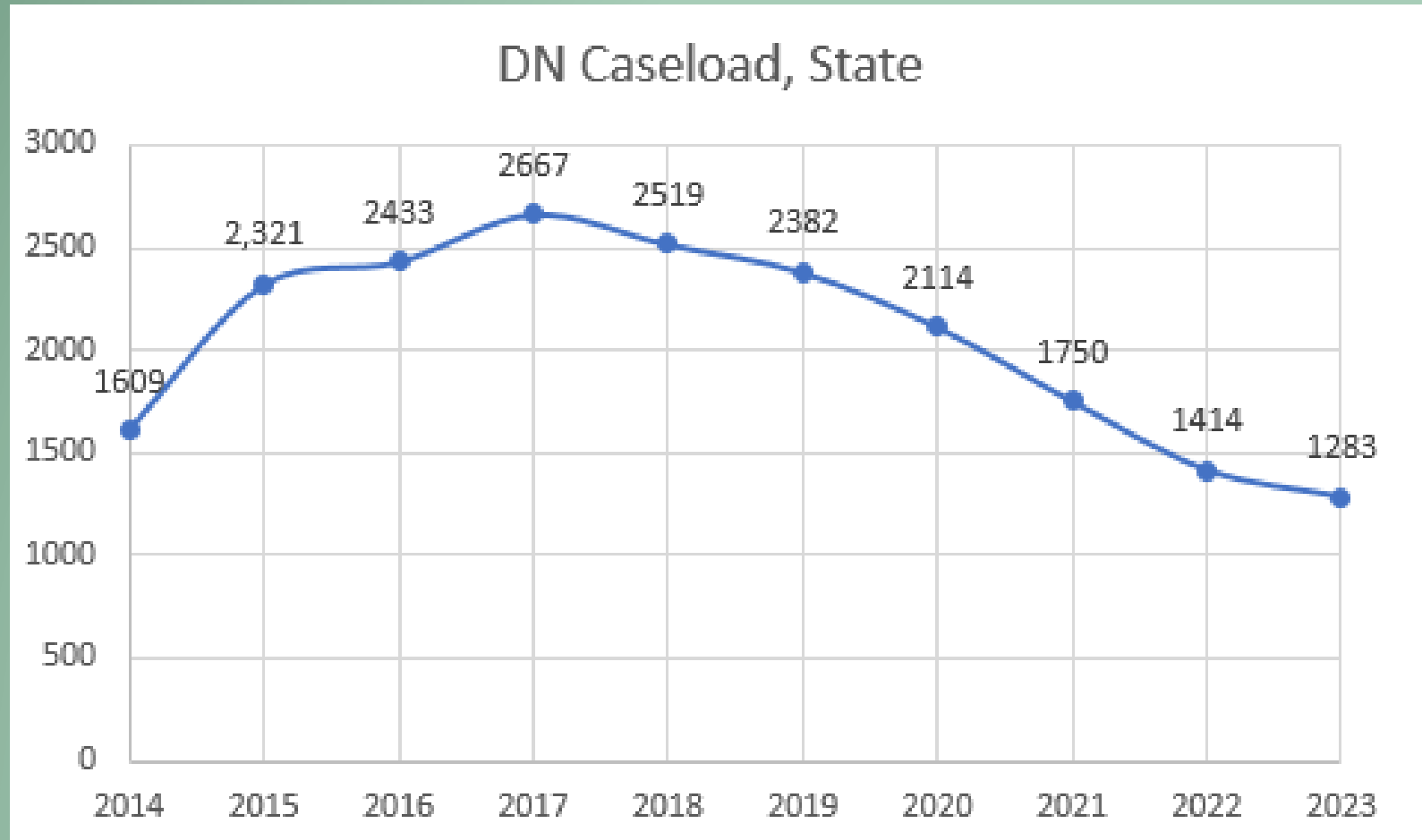
Kate Flavin, LFD

Griffin Burns, LSD

State DN Caseload Trend



Falling trend holds for each of the 6 biggest judicial districts.





2024 District Court Case Filing Review – Statewide

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District Court Case Filings - ALL

Case Category	CY2014	CY2015	CY2016	CY2017	CY2018	CY2019	CY2020	CY2021	CY2022	CY2023	Sparkline	Avg. Case Filings 2014-2023
Adoption	840	764	715	791	870	924	739	782	665	619		771
Child Abuse and Neglect	1,609	2,321	2,433	2,667	2,519	2,382	2,114	1,750	1,414	1,283		2,049
Civil	20,113	20,197	17,988	15,703	19,842	21,262	23,984	18,640	17,384	18,825		19,394
Commitment of a Person with a Mental Illness	1,213	1,295	1,344	1,237	1,166	1,045	1,178	1,030	964	985		1,146
Commitment of a Person with Dev. Disability	50	27	29	24	19	23	25	25	22	16		26
Criminal	9,339	10,707	11,774	12,378	12,850	12,582	12,383	12,948	12,892	13,245		12,110
Domestic Relations	10,438	10,731	10,926	10,644	10,958	10,333	9,276	8,910	9,634	9,534		10,138
Drug & Other Treatment Courts	405	391	369	447	409	554	566	499	607	541		479
Guardian/Conservator	1,124	1,047	1,105	1,104	1,160	1,129	1,071	1,198	1,133	1,228		1,130
Investigative Subpoena/Search Warrant	3,519	3,666	3,948	4,441	4,317	4,398	5,212	4,812	5,497	5,212		4,502
Juvenile	1,379	1,310	1,271	1,226	1,071	1,009	839	780	980	1,081		1,095
Paternity	73	51	41	48	50	35	51	27	30	36		44
Probate	3,485	3,708	3,436	3,601	3,528	3,482	3,679	4,053	4,057	3,889		3,692
Total	53,587	56,215	55,379	54,311	58,759	59,158	61,117	55,454	55,279	56,494		56,575

*Child Abuse and Neglect, Civil, Criminal, Drug & other Treatment Courts, and Juvenile are typically the most time intensive case types.



2024 District Court Case Filing Review – Lewis and Clark/Broadwater

FISC

District Court Case Filings - JD1

Case Category	CY2014	CY2015	CY2016	CY2017	CY2018	CY2019	CY2020	CY2021	CY2022	CY2023	Sparkline	Avg. Case Filings 2014-2023
Adoption	64	51	68	79	75	66	40	73	46	49		61
Child Abuse and Neglect	110	141	131	135	122	126	153	123	75	97		121
Civil	2,299	2,560	2,251	1,532	2,485	3,604	4,367	2,687	2,536	2,741		2,706
Commitment of a Person with a Mental Illness	79	87	99	79	56	60	68	63	61	51		70
Commitment of a Person with Dev. Disability	4	1	2	0	1	1	0	1	0	0		1
Criminal	936	893	988	956	1,083	1,098	1,164	1,088	976	980		1,016
Domestic Relations	1,059	1,083	1,045	1,017	1,099	991	940	904	1,078	931		1,015
Drug & Other Treatment Courts	24	33	18	26	26	30	43	34	39	45		32
Guardian/Conservator	76	65	47	74	67	82	64	68	68	70		68
Investigative Subpoena/Search Warrant	234	234	257	257	294	280	310	243	273	303		269
Juvenile	88	63	53	62	61	73	89	80	63	55		69
Paternity	4	1	0	0	4	4	2	1	2	6		2
Probate	196	222	205	238	225	208	233	250	251	242		227
Total	5,173	5,434	5,164	4,455	5,598	6,623	7,473	5,615	5,468	5,570		5,657

*Child Abuse and Neglect, Civil, Criminal, Drug & other Treatment Courts, and Juvenile are typically the most time intensive case types.



2024 District Court Case Filing Review – Mineral/Missoula

FIS

District Court Case Filings - JD4

Case Category	CY2014	CY2015	CY2016	CY2017	CY2018	CY2019	CY2020	CY2021	CY2022	CY2023	Sparkline	Avg. Case Filings 2014-2023
Adoption	89	73	59	97	87	78	70	67	51	42		71
Child Abuse and Neglect	162	215	218	202	162	161	121	102	92	102		154
Civil	2,221	2,197	1,732	1,697	2,482	2,249	2,654	2,190	2,066	2,055		2,154
Commitment of a Person with a Mental Illness	237	239	239	204	259	256	273	260	233	268		247
Commitment of a Person with Dev. Disability	5	3	2	2	1	1	2	1	4	0		2
Criminal	1,145	1,195	1,317	1,230	1,274	1,365	1,399	1,459	1,592	1,574		1,355
Domestic Relations	1,330	1,317	1,456	1,375	1,312	1,354	1,168	1,303	1,423	1,127		1,317
Drug & Other Treatment Courts	52	53	44	59	43	58	50	45	69	72		55
Guardian/Conservator	174	127	154	142	142	148	132	152	157	190		152
Investigative Subpoena/Search Warrant	392	499	483	668	591	732	616	684	895	896		646
Juvenile	182	148	112	146	124	120	92	87	118	136		127
Paternity	12	11	8	13	7	8	8	3	5	5		8
Probate	288	285	288	347	356	308	317	345	342	352		323
Total	6,289	6,362	6,112	6,182	6,840	6,838	6,902	6,698	7,047	6,819		6,609

*Child Abuse and Neglect, Civil, Criminal, Drug & other Treatment Courts, and Juvenile are typically the most time intensive case types.

2024 District Court Case Filing Review – Cascade

District Court Case Filings - JD8

Case Category	CY2014	CY2015	CY2016	CY2017	CY2018	CY2019	CY2020	CY2021	CY2022	CY2023	Sparkline	Avg. Case Filings 2014-2023
Adoption	70	101	89	82	67	88	121	70	58	65		81
Child Abuse and Neglect	343	386	365	551	502	599	441	295	216	224		392
Civil	1,847	1,712	1,541	1,080	1,128	1,361	1,340	998	910	1,148		1,307
Commitment of a Person with a Mental Illness	42	32	36	24	34	26	24	28	17	29		29
Commitment of a Person with Dev. Disability	7	6	3	5	3	2	3	2	4	0		4
Criminal	913	975	1,022	1,121	1,147	1,296	1,349	1,268	1,435	1,392		1,192
Domestic Relations	1,145	1,223	1,121	1,199	1,085	1,132	893	612	667	773		985
Drug & Other Treatment Courts	46	31	58	88	102	164	97	66	62	64		78
Guardian/Conservator	88	82	97	94	131	92	91	97	67	68		91
Investigative Subpoena/Search Warrant	596	571	666	656	677	621	1,329	878	926	646		757
Juvenile	204	184	192	166	146	150	82	87	252	228		169
Paternity	7	6	4	5	5	1	5	1	0	2		4
Probate	264	262	280	313	288	335	347	328	336	332		309
Total	5,572	5,571	5,474	5,384	5,315	5,867	6,122	4,730	4,950	4,971		5,396

*Child Abuse and Neglect, Civil, Criminal, Drug & other Treatment Courts, and Juvenile are typically the most time intensive case types.

2024 District Court Case Filing Review – Flathead

FISC

District Court Case Filings - JD11

Case Category	CY2014	CY2015	CY2016	CY2017	CY2018	CY2019	CY2020	CY2021	CY2022	CY2023	Sparkline	Avg. Case Filings 2014-2023
Adoption	85	64	66	73	98	70	43	78	63	58		70
Child Abuse and Neglect	90	146	137	129	138	159	126	69	72	69		114
Civil	2,026	2,006	1,694	1,670	1,903	2,092	2,223	2,051	2,029	2,303		2,000
Commitment of a Person with a Mental Illness	142	127	134	137	151	84	102	44	38	26		99
Commitment of a Person with Dev. Disability	6	2	4	4	0	0	0	0	0	0		2
Criminal	829	1,020	1,192	1,247	1,046	975	1,021	1,220	1,263	1,075		1,089
Domestic Relations	1,257	1,293	1,384	1,386	1,419	1,432	1,186	1,093	1,022	1,042		1,251
Drug & Other Treatment Courts	0	0	0	0	0	8	13	19	12	6		6
Guardian/Conservator	99	116	119	117	99	117	109	131	158	143		121
Investigative Subpoena/Search Warrant	307	305	408	431	408	455	482	433	424	361		401
Juvenile	205	147	138	100	94	141	94	106	69	61		116
Paternity	2	1	3	2	3	2	4	3	1	2		2
Probate	257	411	281	328	336	351	400	414	400	378		356
Total	5,305	5,638	5,560	5,624	5,695	5,886	5,803	5,661	5,551	5,524		5,625

*Child Abuse and Neglect, Civil, Criminal, Drug & other Treatment Courts, and Juvenile are typically the most time intensive case types.

2024 District Court Case Filing Review – Yellowstone

District Court Case Filings - JD13

FIS

Case Category	CY2014	CY2015	CY2016	CY2017	CY2018	CY2019	CY2020	CY2021	CY2022	CY2023	Sparkline	Avg. Case Filings 2014-2023
Adoption	153	149	125	158	161	195	119	140	139	150		149
Child Abuse and Neglect	223	512	626	755	678	464	533	521	372	372		506
Civil	3,141	3,048	2,845	2,597	3,074	3,025	3,422	2,771	2,491	2,619		2,903
Commitment of a Person with a Mental Illness	137	168	221	187	135	154	159	98	97	131		149
Commitment of a Person with Dev. Disability	8	2	1	4	4	4	3	4	3	4		4
Criminal	1,695	2,291	2,622	2,867	3,163	2,687	2,826	3,211	3,400	3,659		2,842
Domestic Relations	1,808	1,968	2,044	1,993	2,034	1,701	1,499	1,392	1,758	1,740		1,794
Drug & Other Treatment Courts	110	110	124	135	101	163	185	163	204	201		150
Guardian/Conservator	237	223	217	201	253	227	207	230	210	230		224
Investigative Subpoena/Search Warrant	799	639	666	883	1,038	861	833	987	1,119	1,036		886
Juvenile	313	350	384	411	305	218	173	193	244	312		290
Paternity	23	11	9	7	14	9	7	9	12	9		11
Probate	378	389	383	369	374	404	420	486	452	404		406
Total	9,025	9,860	10,267	10,567	11,334	10,112	10,386	10,205	10,501	10,867		10,312

*Child Abuse and Neglect, Civil, Criminal, Drug & other Treatment Courts, and Juvenile are typically the most time intensive case types.

2024 District Court Case Filing Review – Gallatin

District Court Case Filings - JD18

Case Category											Avg. Case Filings	
	CY2014	CY2015	CY2016	CY2017	CY2018	CY2019	CY2020	CY2021	CY2022	CY2023	Sparkline	2014-2023
Adoption	63	73	56	68	58	74	73	58	46	41		61
Child Abuse and Neglect	63	71	80	78	88	94	112	65	57	30		74
Civil	1,839	1,727	1,517	1,500	1,877	2,234	2,444	1,983	1,827	1,997		1,895
Commitment of a Person with a Mental Illness	70	74	45	98	55	49	90	85	65	62		69
Commitment of a Person with Dev. Disability	0	0	0	0	0	1	1	0	0	0		0
Criminal	666	711	927	1,041	1,070	1,100	1,094	983	671	929		919
Domestic Relations	941	917	888	819	1,095	1,115	1,119	1,127	1,016	1,169		1,021
Drug & Other Treatment Courts	29	29	20	22	22	22	27	16	21	12		22
Guardian/Conservator	76	62	77	72	82	67	81	82	70	84		75
Investigative Subpoena/Search Warrant	310	365	445	521	337	419	372	388	380	437		397
Juvenile	39	33	52	50	47	53	81	32	31	51		47
Paternity	4	3	1	4	2	2	4	2	1	2		3
Probate	183	213	218	188	167	169	190	210	244	214		200
Total	4,283	4,278	4,326	4,461	4,900	5,399	5,688	5,031	4,429	5,028		4,782

*Child Abuse and Neglect, Civil, Criminal, Drug & other Treatment Courts, and Juvenile are typically the most time intensive case types.

FISC

Decisions Needed to Create a Fiscal Note



- How are judges selected?
 - Need to be new judges. Current judges can't be reassigned to a different case type.
 - Appointed? By whom? (Water Court by Chief Justice; Worker's Comp by the Governor)
- Length of term? District Court 6 year term; Water Court 4 year term; Worker's Comp Court 4 year term.
- When will the judges be appointed?
 - Typically appointed at the beginning of a calendar year, but cases cannot be reassigned. So judges will not have assignments until new DN cases are assigned.

Decisions Needed to Create a Fiscal Note

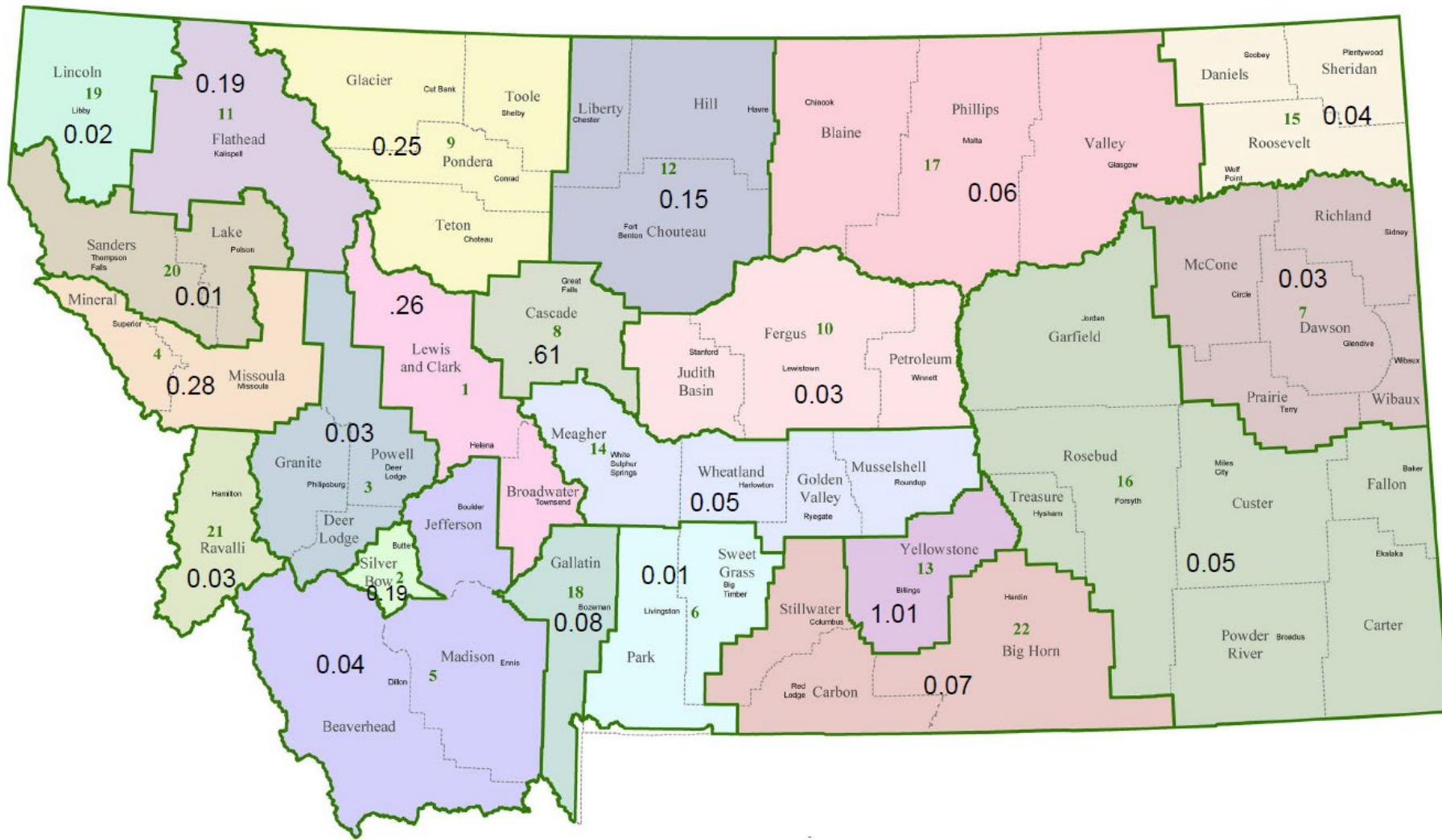


- How many judges?
- Where are those judges located and what counties do they cover (this allows an estimate of travel time and some assumptions about space costs)?
- Does prosecution remain with the county or does it become a state function (DOJ cost)?
- How will court space, clerks, and technology be funded?
 - Counties are not required to provide court space and staff; a new court requires separate case management system.



DN Caseloads by Judicial District, assuming average district travel time

State of Montana Judicial Districts





LEGISLATIVE
FISCAL DIVISION

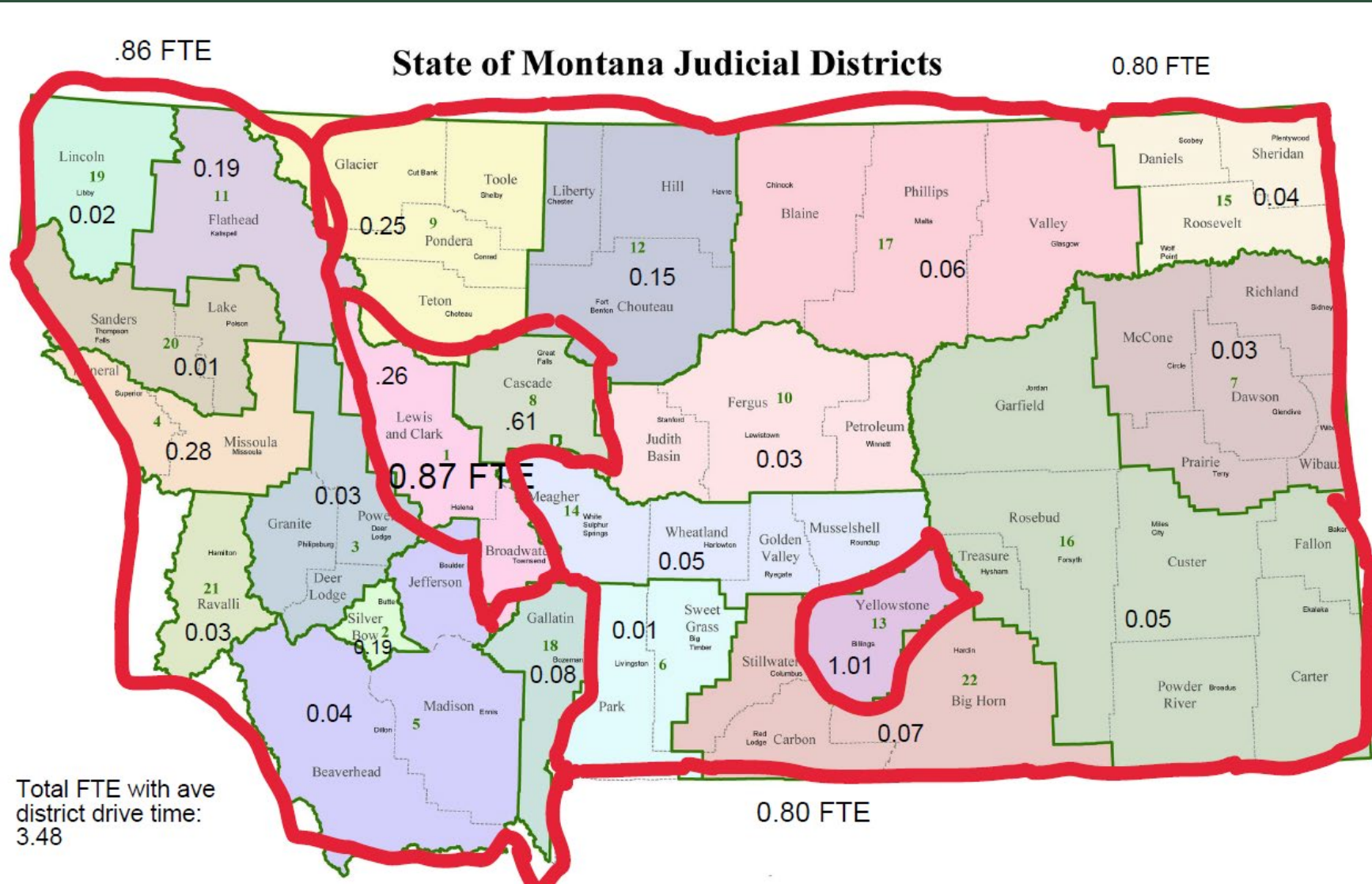
District DN 2023 Caseload by FTE

Including district average travel time.
Other than district 13, DN FTE needs
are underestimates due to increased
travel time.

District	DN Caseload	FTE
13	372	1.01
8	224	0.61
4	102	0.28
1	97	0.26
9	94	0.25
2	70	0.19
11	69	0.19
12	56	0.15
18	30	0.08
22	24	0.07
17	22	0.06
16	19	0.05
14	18	0.05
5	13	0.04
15	13	0.04
21	12	0.03
10	12	0.03
3	11	0.03
7	10	0.03
19	6	0.02
6	5	0.01
20	4	0.01

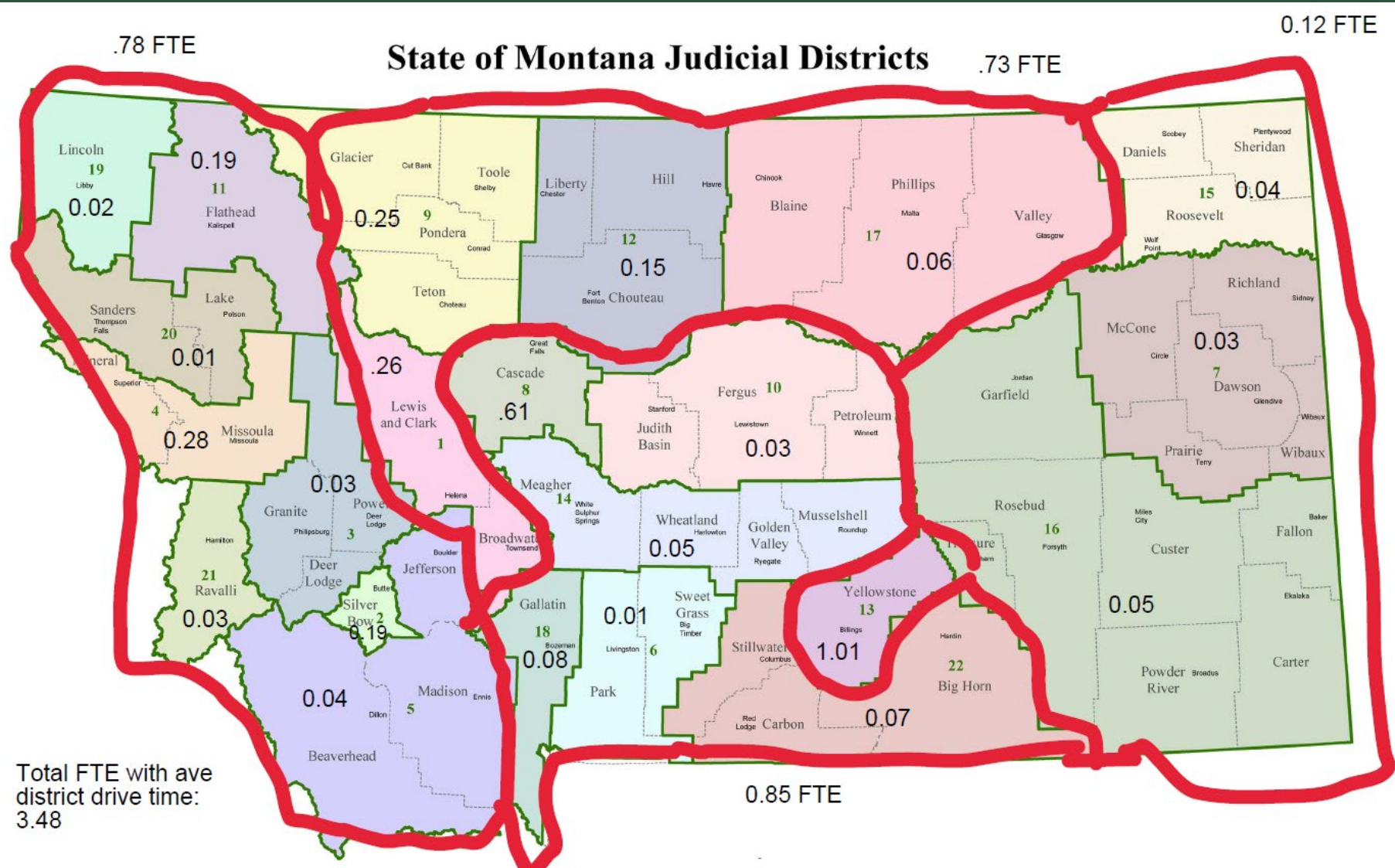


Possible DN Court Districts (4 judges) Most Even FTE



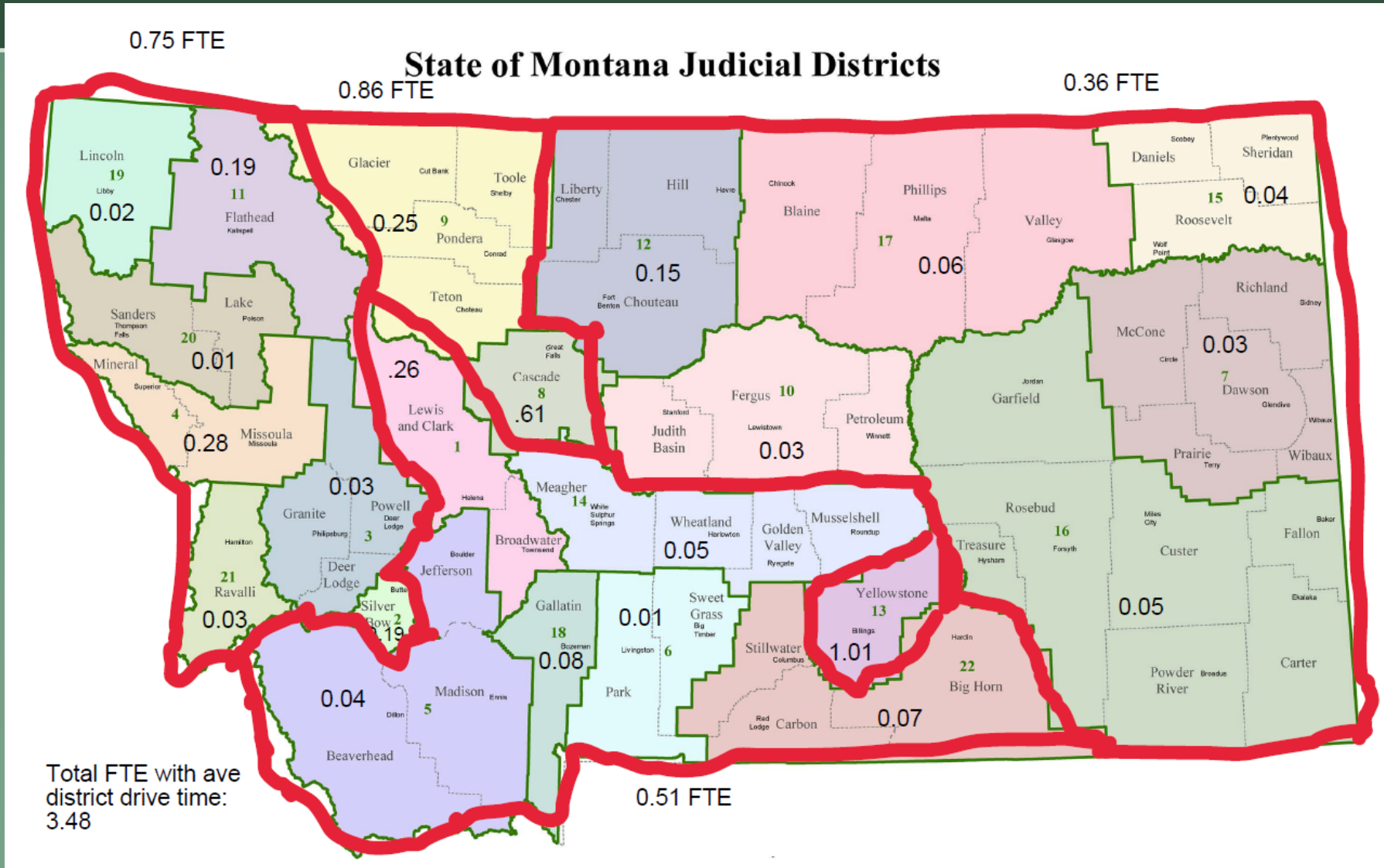


Possible DN Court Districts (5 judges) Geographically Split





Possible DN Court Districts (5 judges) Most Balanced





Very Rough Personal Services Costs of 1 New Court Judge - Yellowstone

Personal Services Costs				
	2026		2027	
	FTE	Total Cost	FTE	Total Cost
Start 1/1/26				
Elected Official	0.50	103,536.00	1.00	194,424
Judicial Admin Ass	0.50	35,322.00	1.00	70,644
Official Court Rpt-S	0.50	38,768.00	1.00	77,536
Law Clerk I	0.50	41,933.00	1.00	83,866
Total		219,559.00		426,470.00
Personal Services Total for Biennium		646,029		

Operating and startup costs for a district court judge is about \$100,000 for the first biennium, but the startup costs for a new, different court system would be much higher.