

# Montana Judicial Branch Proposal New Judges - 13<sup>th</sup> Judicial District Yellowstone County July 2024

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- ❑ The 13<sup>th</sup> Judicial District (Yellowstone County) is currently served by eight District Court Judges who handle almost 11,000 cases each year. This represents 20% of the total Montana District Court caseload.
- ❑ No other Judicial District manages the volume of cases assigned to Yellowstone County.
- ❑ Using 2023 case numbers, the Judicial Branch workload study shows that the 13<sup>th</sup> Judicial District needs more than four new judges to keep up with the current workload.
- ❑ Two new judges were last added in the 13<sup>th</sup> Judicial District in 2019. Since that time, the population has grown by 7% increasing the citizens' demand for court time. The census bureau projects on-going growth in the county.
- ❑ Growth only shows a portion of the challenge. Through judicial time studies, we know that workload is, in large part, based on growth in certain case types:
  - Between CY2014 and CY2023, criminal cases (the second most time-consuming case type) grew by almost 116%.
  - Between CY2014 and CY2023, the overall caseload has grown by 20%.
  - Case projections for 2023, show continuing caseload growth on par with population growth.
- ❑ All litigants have a constitutional right to speedy case resolution by a judge with enough time to fully research and decide a matter. Businesses, individuals, and families are statutorily at the end of the line and often do not get their litigation resolved within reasonable timelines in the district.
- ❑ District Courts are legally required to handle certain case types first (for example criminal, child abuse and neglect, mental health commitments, family law and youth court cases).
- ❑ When priority case types grow, an individual judge does not have enough hours in a day to appropriately calendar cases such as general civil matters, general family law, probate and other civil case types. This leaves the general litigant (businesses and individuals) waiting for decisions.
- ❑ Adding judges ensures average citizens get their day in court, within a reasonable timeframe, and can move on, unencumbered, by pending legal issues.

## **Proposal:**

- Three judges added through appointment or election in 2025 session – requiring funding in HB2 and modifying language in 3-5-102,MCA. The timeline is largely dependent on county building timeline and of course, legislative action.
- Yellowstone County Commissioners support the proposal.
- The state pays the cost of the judges, the judges' staff (judicial assistants, court reporters and law clerks); chambers' furniture, and certain court room items including technology and furnishings.
- County provides the space (chambers and courtroom/hearing rooms), additional support in the Clerk of Court's office, and security.