

**2023-24 Law & Justice Interim Committee**

**Work Plan Decision Matrix**

The following studies were assigned to the LJIC by a bill or by a study resolution assigned by the Legislative Council.

Topic	Source	Option A	Option B	Option C	Option D
<b>Study of the POST Council</b>	HB 697	<p align="center"><b>0.25 FTE</b></p> <ul style="list-style-type: none"> <li>◦ All of Option B</li> <li>◦ In depth analysis of POST council duties in police certification</li> <li>◦ Staff paper(s) on additional topics identified by the committee</li> <li>◦ Additional panels on topics identified by the committee or roundtables</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>◦ Final report</li> <li>◦ Staff papers</li> <li>◦ Legislation</li> </ul>	<p align="center"><b>0.15 FTE</b></p> <ul style="list-style-type: none"> <li>◦ All of option C</li> <li>◦ Round table discussion to gather feedback on draft legislation, if wanted</li> <li>◦ Staff research or expert presentation on POST council organization and function in other states</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>◦ Staff papers</li> <li>◦ Study summary</li> <li>◦ Legislation</li> </ul>	<p align="center"><b>0.10 FTE</b></p> <ul style="list-style-type: none"> <li>◦ Staff paper on legislative history of POST council and relevant statutes</li> <li>◦ Panel discussion and/or presentation</li> <li>◦ Tour POST Council headquarters as committee (if wanted)</li> </ul> <p><b>Deliverables</b></p> <ul style="list-style-type: none"> <li>◦ Staff paper</li> <li>◦ Legislation</li> </ul>	<p><b>*LJIC is required to act on this item.</b></p>
<b>Study of attorney regulation and the State Bar</b>	SJ 31	<p align="center"><b>0.25 FTE</b></p> <ul style="list-style-type: none"> <li>◦ All of option B</li> <li>◦ Analysis of programs and services available to the public</li> <li>◦ Multiple panels with experts and stakeholders</li> <li>◦ Staff paper(s) on additional topics identified by the committee</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>◦ Staff papers</li> <li>◦ Study summary</li> <li>◦ Legislation</li> </ul>	<p align="center"><b>0.15 FTE</b></p> <ul style="list-style-type: none"> <li>◦ All of option C</li> <li>◦ Review of relevant case law</li> <li>◦ Analysis of national trends and best practices for attorney regulation</li> <li>◦ Staff paper on Interest on Lawyers’ Trust Accounts (IOLTA)</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>◦ Staff papers</li> <li>◦ Study summary</li> <li>◦ Legislation</li> </ul>	<p align="center"><b>0.10 FTE</b></p> <ul style="list-style-type: none"> <li>◦ Staff paper on history and relevant statutes</li> <li>◦ Panel discussion and/or presentation</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>◦ Study summary</li> <li>◦ Legislation</li> </ul>	<p><b>No Action</b></p> <p>*Letter to Leg. Council is required if no action is taken.</p>

The following topics were suggested by members for LJIC consideration. They are **OPTIONAL**.

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Topic	Source	Option A	Option B	Option C	Option D
<b>Study of facial recognition technology</b>	HJ 17 Rep. A Regier Sen. K Regier	<p align="center"><b>0.40 FTE</b></p> <ul style="list-style-type: none"> <li>◦ Survey state agencies that use facial recognition technology and for what purposes</li> <li>◦ Multiple panel discussions with stakeholders and expert presentations</li> <li>◦ Multiple staff papers on topics identified by the committee</li> <li>◦ Roundtable discussion on possible legislation</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>◦ Final report</li> <li>◦ Staff papers</li> <li>◦ Legislation</li> </ul>	<p align="center"><b>0.25 FTE</b></p> <ul style="list-style-type: none"> <li>◦ All of option C</li> <li>◦ Review of relevant case law</li> <li>◦ Monitor implementation of relevant legislation from 2023 session</li> <li>◦ Staff analysis of relevant laws and policies in other states</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>Legislation</li> <li>Staff paper(s)</li> </ul>	<p align="center"><b>0.10 FTE</b></p> <ul style="list-style-type: none"> <li>◦ Review of research and materials from 21-22 EAIC study</li> <li>◦ Panel discussion and presentation</li> <li>◦ Review of current statute and relevant legislation from 2023 session</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>Legislation</li> </ul>	<b>No Action</b>
<b>Effectiveness of problem-solving/special courts</b>	Sen. Friedel	<p align="center"><b>0.40 FTE</b></p> <ul style="list-style-type: none"> <li>◦ All of option B</li> <li>◦ Multiple panel discussions with experts and stakeholders by request of committee</li> <li>◦ Possible committee field trip to treatment court and individual legislator visits to local problem courts, if wanted</li> <li>◦ Staff paper(s) on additional topics identified by the committee</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>◦ Final report</li> <li>◦ Staff papers</li> <li>◦ Legislation</li> </ul>	<p align="center"><b>0.20 FTE</b></p> <ul style="list-style-type: none"> <li>◦ All of option C</li> <li>◦ Staff paper or expert presentation on national best practices for problem solving courts</li> <li>◦ Individual legislator visits to local problem courts, if wanted and member reports to LJIC</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>◦ Staff papers</li> <li>◦ Study summary</li> <li>◦ Legislation</li> </ul>	<p align="center"><b>0.10 FTE</b></p> <ul style="list-style-type: none"> <li>◦ Panel discussion and presentation</li> <li>◦ Review of problem-solving courts in the state and their funding sources/models</li> </ul> <p><b>Deliverables</b></p> <ul style="list-style-type: none"> <li>◦ Staff summary</li> <li>◦ Legislation</li> </ul>	<b>No Action</b>

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<p><b>Legislative committee to conduct judicial appointments</b></p>	<p>Sen. Friedel</p>		<p><b>0.15 FTE</b></p> <ul style="list-style-type: none"> <li>◦ All of option C</li> <li>◦ In depth analysis of judicial appointment processes in other states</li> <li>◦ Roundtable discussion on possible legislation</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>◦ Legislation</li> <li>◦ Study summary</li> <li>◦ Staff paper</li> </ul>	<p><b>0.05 FTE</b></p> <ul style="list-style-type: none"> <li>◦ Staff review of current statute and process for judicial appointments</li> <li>◦ Panel discussion &amp; presentation</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>◦ Legislation</li> </ul>	<p><b>No Action</b></p> <p>*Legal staff will prepare memo on current procedure for judicial appointments</p>
<p><b>Parental alienation syndrome in child custody cases</b></p>	<p>Rep. Hinkle</p>		<p><b>0.15 FTE</b></p> <ul style="list-style-type: none"> <li>◦ All of option C</li> <li>◦ Review of national best practices in parenting plan proceedings.</li> <li>◦ Review of relevant case law, or statutes in other states, if any.</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>◦ Legislation</li> <li>◦ Staff paper(s)</li> </ul>	<p><del>0.05 FTE</del> <b>.075 FTE</b></p> <ul style="list-style-type: none"> <li>◦ Staff research paper on concept</li> <li>◦ Panel discussion or expert presentation</li> <li>◦ Review and discussion of SB 250 from '23 session</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>◦ Legislation</li> <li>◦ Staff paper</li> </ul>	<p><b>No Action</b></p>
<p><b>Revising sentencing laws for theft</b></p>	<p>Sen. Regier, SB 95</p>		<p><b>0.15 FTE</b></p> <ul style="list-style-type: none"> <li>◦ All of option C</li> <li>◦ Comparative analysis of sentencing laws for theft in other states</li> <li>◦ Multiple panel discussions on topics identified by LJIC</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>◦ Staff paper(s)</li> <li>◦ Legislation</li> </ul>	<p><del>0.05 FTE</del> <b>.01 FTE</b></p> <ul style="list-style-type: none"> <li>◦ Review of relevant legislation from '23 session and CJOC findings/materials, if any.</li> <li>◦ Committee discussion and public comment</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>◦ Legislation, if requested</li> </ul>	<p><b>No Action</b></p>

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<b>Data on jails in MT</b>	Sen. Lynch	<p align="center"><b>0.40 FTE</b></p> <ul style="list-style-type: none"> <li>◦ All of option B</li> <li>◦ Survey of county detention centers in MT to collect data on populations, costs, and available diversion programs</li> <li>◦ Staff papers and analysis of data</li> <li>◦ Multiple panel discussions on topics identified by LJIC</li> <li>◦ Roundtable discussion on possible legislation, if wanted</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>◦ Final report</li> <li>◦ Staff papers</li> <li>◦ Legislation</li> </ul>	<p align="center"><b>0.20 FTE</b></p> <ul style="list-style-type: none"> <li>◦ All of option C</li> <li>◦ Staff analysis of programs and incarceration alternatives</li> <li>◦ Staff survey on data from 7 largest county jails in MT or those selected by LJIC</li> <li>◦ Multiple panel discussions</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>◦ Staff paper(s)</li> <li>◦ Legislation</li> </ul>	<p align="center"><b>0.05 FTE</b></p> <ul style="list-style-type: none"> <li>◦ Review of available county jail peer review program standards and trends</li> <li>◦ Panel, possibly including commanders from urban and rural areas</li> <li>◦ <i>Possible committee field trip to local jail and/or prerelease center (if wanted)</i></li> <li>◦ <i>Possible coordination with CJOC and IBC Section D data analyst</i></li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>◦ Legislation</li> </ul>	<b>No Action</b>
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**The following are LJIC's statutory duties (Max .285 FTE, Min. .165 FTE)**

Duty	Option B	Option C
Monitor agency operations	<p align="center"><b>0.15 FTE</b></p> <ul style="list-style-type: none"> <li>◦ Option C</li> <li>◦ Staff attends Helena-area agency meetings and presentations as possible, focusing on issues or topics raised by LJIC members or during meetings</li> <li>◦ Additional research into aspects of selected programs or agencies, as requested</li> <li>◦ Panel discussion or speakers during LJIC meeting(s) to further address the program or agency</li> <li>◦ Receive updates on implementation of agency measures and legislation, as requested by LJIC</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>◦ Written summaries of research and monitoring activities</li> <li>◦ Legislation</li> </ul>	<p align="center"><b>0.05 FTE</b></p> <ul style="list-style-type: none"> <li>◦ Introductory presentation by agency at 1<sup>st</sup> meeting</li> <li>◦ Follow up presentations as requested by LJIC                             <ul style="list-style-type: none"> <li>◦ Limited monitoring or research into aspects of a program or agency (if LJIC chooses)</li> </ul> </li> </ul>

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<p>Agency monitoring: required reports</p> <p>*See page 7 of the work plan for a list of required reports</p>	<p align="center"><b>0.02 FTE</b></p> <ul style="list-style-type: none"> <li>◦ Option C</li> <li>◦ Agency presents report during LJIC meeting</li> <li>◦ Follow-up information or presentations provided upon request of LJIC</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>◦ Printed and electronic copies of required report</li> <li>◦ Legislation</li> </ul>	<p align="center"><b>0.005 FTE</b></p> <ul style="list-style-type: none"> <li>◦ Receive written staff overview of required reports</li> <li>◦ Receive copy of any required report</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>◦ Printed and electronic copies of required report</li> <li>◦ Legislation</li> </ul>		
<p>Review administrative rules</p>	<p align="center"><b>0.1 FTE</b></p> <ul style="list-style-type: none"> <li>◦ Legal staff monitors agency adoption of rules and provides LJIC periodic rule reports</li> <li>◦ Staff will note issues of concern</li> <li>◦ LJIC may flag rules as important or of concern and may ask that additional information be provided</li> </ul>			
<p>Review agency legislation</p>	<p align="center"><b>0.005 FTE</b></p> <ul style="list-style-type: none"> <li>◦ Committee reviews proposals from the agencies and Judicial Branch in early summer 2024; may authorize staff to draft legislation for preintroduction</li> </ul>			
<p>Agency monitoring: advisory councils and commissions, <b>if requested by an LJIC member</b></p>	<p align="center"><b>0.01 FTE</b></p> <ul style="list-style-type: none"> <li>◦ Option C</li> <li>◦ Written summary of specific council or commission’s duties, functions, operations</li> <li>◦ Agency presentation on work of the council or commission</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>◦ Staff overview</li> <li>◦ Written summary</li> <li>◦ Legislation</li> </ul>	<p align="center"><b>0.005 FTE</b></p> <ul style="list-style-type: none"> <li>◦ Receive written staff overview of advisory councils and commissions at late fall 2024 meeting</li> </ul> <p><b>Deliverables:</b></p> <ul style="list-style-type: none"> <li>◦ Staff overview</li> <li>◦ Legislation</li> </ul>	<p align="center"><b>No Action</b> unless requested</p>	
<p align="center"><b>The following are potential agenda items suggested by LJIC members or other sources. They are OPTIONAL. (Max .04 FTE)</b></p>				
<p>Compensation for wrongfully</p>	<p>HB 423, '23 session</p>	<p align="center"><b>.04 FTE</b></p> <ul style="list-style-type: none"> <li>◦ Review HB 423 as proposed in the 2023 session and governor’s veto letter</li> </ul>		<p align="center"><b>No Action</b></p>

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convicted individuals		° Examine and discuss potential funding sources ° Roundtable discussion with interested stakeholders on	
			<b>Total Resources Utilized/ Total Resources Available</b> <b>.90/1 FTE</b>