

**The Supreme Court of Montana**  
**Office of the Court Administrator**

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TO: IBC, Section D

FROM: Beth McLaughlin  
Court Administrator

CC: Cathy Pennie, Finance Director

RE: September meeting

The following (and attachments) is in response to the questions presented by the IBC.

- *Performance Reporting:* The Judicial Branch is not subject to HB190, but the Branch reports a variety of performance measurements available at: [Court Statistics \(mt.gov\)](https://www.mt.gov/court-statistics).
- *Efficiency:*
  - The vast majority of the Judicial Branch budget is dedicated to meeting the constitutionally mandated requirements to adjudicate cases at all court levels. The Branch has long been very frugal in budget requests and especially in regard to budget requests that are not directly tied to constitutional obligations. I would like to discuss this question further with the committee to understand what the members are needing from the Branch.
  - Court reporters are essential positions in the Judicial Branch. The Branch currently has 51 District Court judges and 7 standing masters and 48 court reporters. Court reporters are charged with capturing the court record and producing verbatim transcripts as requested by litigants or judges. The Judicial Branch has deployed technology for decades to augment staff court reporters, but the current technology will not replace the need for professional court reporters. Especially in complex matters or trials, court reporters are essential to manage the courtroom as they are charged with

ensuring the witness testimony is heard and recorded and providing immediate read-back of the record if ordered by the judge. The court reporter is preparing a verbatim transcript, which cannot be done by the current generation of technology that is available and affordable in Montana. Further, many of our courtrooms still have antiquated audio systems making it difficult if not impossible for current technology to record everything that is said in a court proceeding. If needed, I can discuss at length the technology the court uses, how it's deployed, and the issues with current courtroom and recording systems.

- The Judicial Branch does not have traditional “programs” as everything in some manner is tied to the constitutionally mandated requirement to adjudicate cases. Like the first question, this is difficult to answer as the services within the Branch tie back to constitutionally mandated roles. Again, I would like to discuss this question further with the committee to understand what the members are needing from the Branch.
- *Additional District Court judges:* The Judicial Branch is requesting three additional judges for the 13<sup>th</sup> Judicial District in Yellowstone County. Supporting documentation regarding judicial workload and the 13<sup>th</sup> Judicial District specifically is attached.
- *Youth Court and marijuana cases:* Following the legalization of adult-use marijuana, possession of marijuana by persons under the age of 18 became a status offense like a minor in possession of alcohol citation rather than a misdemeanor offense. MIPs can be handled by either the Youth Court or a court of limited jurisdiction such a justice or city court. The numbers provided at the last meeting (attached again) show how this changed with adult-use legalization. The Branch can track tickets or citations, but use is probably best tracked via the Youth YRBS (Youth Risk Behavior Survey) where they draw from a more diverse population. Slides 11-17 are specific to marijuana use. [2011 YRBS Results Tobacco Use \(mt.gov\)](#)
- *Youth Court and Medicaid:* The best source of data is the report the Department of Public Health and Human Services prepares regarding youth placements (attached). Juvenile justice placements are broken out separately although some placements are jointly done with the children's mental health or the child protection system. The Youth Court doesn't track if individual juveniles use Medicaid when accessing out-patient mental health or other services.

This information is provided in addition to the other required quarterly reports submitted in August. Let me know if you need anything else.