

The Supreme Court of Montana
Office of the Court Administrator

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TO: Ryan Osmundson
Governor's Budget Director

Cathy Duncan, LFD
Section D Interim Committee

FROM: Beth McLaughlin
Supreme Court Administrator

RE: HB632 Quarterly Update

As required by HB632, Section 21, the Judicial Branch must report quarterly on program implementation, expenditure of funds, and measurable outcomes. The Branch was allocated \$944,721 in HB632 to streamline and expediate the processing of family law matters, which were delayed by the COVID-19 pandemic. The funding is supporting early mediation and simplified case processing for self-represented and low-income litigants.

The program has two components:

Informal Domestic Relations Trials (IDRTs):

The Branch has implemented simplified domestic relations trials, which allow litigants to agree to an informal process that does not adhere to the formal court process, in the 1st Judicial District (Lewis and Clark and Broadwater counties), the 4th Judicial District (Missoula and Mineral counties), and the 12th Judicial District (Hill, Chouteau, and Liberty counties).

The following progress has been made:

- IDRTs continue across all pilot districts as parties and the Court consent. This process has now been used for dissolutions, parenting plans, and orders of protection.
- The Branch is in the process of gathering recommendations from pilot Courts about how to proceed now that the pilot period of 18 months laid out in the order has concluded.

The Montana Family Transition Project:

The Branch, through a contract with the Montana Legal Services Association, provides family law mediators in certain cases where litigants meet financial requirements, are self-represented, and need a parenting plan as part of the domestic relations case. Through MLSA, litigants will also receive legal advice before mediation. The pilot districts are the 8th Judicial District (Cascade County), the 13th Judicial District (Yellowstone County), the 18th Judicial District (Gallatin County), and the 19th Judicial District (Lincoln County).

The following progress has been made:

- The Montana Family Transition Project has provided mediation services in four cases, all of which resulted in partial or full agreement. Two cases are in progress, and MLSA continues to receive and process new referrals from the pilot Courts.
- The Program Administrator and MLSA staff traveled to Great Falls and Bozeman to develop partnerships with potential referral sources. The trips included valuable meetings with the Cascade County Law Clinic, the Cascade County Self-Help Center, the Cameron Center, Alliance for Youth, the Bozeman City-County Health Department, and Haven. MLSA has noticed an increase in interest from parties in pre-filing cases since these trips. Another trip is planned to Great Falls in April, which will be followed by visits to Billings and Libby.
- Another great benefit of these partnerships is the Program's capacity to provide additional resources when there is a history of domestic violence. For example, the Program Administrator recently arranged to have a victim advocate support a party in preparation for and during mediation.
- The Branch has begun to consider expansion of the program into additional counties, and several Courts have expressed interest.

Please let me know if you need additional information.

Cc: Justice Beth Baker
Emma Schmelzer, Project Manager
Montana Legal Services Association