

The Supreme Court of Montana
Office of the Court Administrator

Beth McLaughlin
Court Administrator



301 South Park
P.O. Box 203005
Helena, Montana 59620-3002
Telephone (406) 841-2950
FAX (406) 841-2955

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TO Cathy Duncan, Senior Fiscal Analyst
Section D, Finance Subcommittee

FROM: Beth McLaughlin
Supreme Court Administrator

RE: HB693 Required Report

Attached is the report of open general civil cases (DV) required by HB693. The report is directly generated from the Full Court case management system using the parameters of "every civil case in an open status" as of September 30, 2021. The report is broken down by Judicial District and counties within a given District. The committee should be aware of the following limitations to this report:

- Litigants filing a civil case have three years in which to serve the other party following the filing and opening of a case in the system. Cases reflected in this report may not yet be served on the responding party.
- Clerks of the District Courts are responsible for closing cases resolved either by a court decision or via other means (settlement agreements, party did not pursue the case, etc.). However, significant workloads in many county offices create administrative backlogs for clerks. You will note several more rural counties with a significant number of older open cases. It is highly likely these are *not* active cases, but cases that should be administratively closed by the Clerk of the District Court in that county.
- For context, almost 24,000 civil cases were filed in Montana's District Courts in 2020. This represents about 40% of the total caseload.

Please let me know if the committee needs additional information.