
From: James, Austin <Austin.James@mt.gov>
Sent: Wednesday, June 29, 2022 2:30 PM
To: Nunn, Angela <Angela.Nunn@mt.gov>
Subject: Quarterly Report On Demands To Resolve Claims

Angela,

The 2021 legislature adopted new statutorily required quarterly reporting by agencies to the Legislative Fiscal Division related to damages claims. *See*, MCA 2-6-1033.

During the first quarter of 2022, the Secretary of State's Office did not have any pending damages claims to report. However, during this quarter, which requires reporting on or before July 1, the Secretary of State received service of a pro se lawsuit praying for punitive and compensatory damages. (*Grey vs. Jacobsen*)

2-6-1033 (4) provides that the agency need not report a claim deemed frivolous. The agency is only required to provide a report of the number of claims. I consider the claims in *Grey* as patently frivolous, and anticipate Agency Legal Services will dispose the claim at an early stage of the proceeding.

Accordingly, in my legal judgement, the agency shall report to Legislative Fiscal Division that the Secretary of State has one (1) frivolous claim for our quarterly report.

Best,

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