

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By Chairman Ron Stoker, on January 7, 2009 at 8:00 A.M., in Room 137 Capitol.

ROLL CALL

Members Present:

Rep. Ron Stoker, Chairman (R)
Rep. Deborah Kottel, Vice Chairman (D)
Rep. Ken Peterson, Vice Chairman (R)
Rep. Arlene Becker (D)
Rep. Gerald Bennett (R)
Rep. Anders Blewett (D)
Rep. Robyn Driscoll (D)
Rep. Bob Ebinger (D)
Rep. David Howard (R)
Rep. Krayton Kerns (R)
Rep. Margaret MacDonald (D)
Rep. Edith (Edie) McClafferty (D)
Rep. Mike Menahan (D)
Rep. Michael More (R)
Rep. Keith Regier (R)
Rep. Diane Sands (D)
Rep. Bob Wagner (R)
Rep. Wendy Warburton (R)

Members Excused: None.

Members Absent: None.

Staff Present: Jennifer Eck, Committee Secretary
David Niss, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary: Presentations were made to the Committee by prominent State of Montana law and justice officials.

Hearing & Date Posted: No bills were heard.
Executive Action: None.

00:00:01 Chairman Stoker
00:01:50 Rep. Sands
00:01:56 Chairman Stoker

INTRODUCTIONS

00:02:06 Rep. Kottel
00:02:22 Rep. Kerns
00:02:41 Rep. Sands
00:02:55 Rep. Bennett
00:03:04 Rep. MacDonald
00:03:25 Rep. More
00:03:39 Rep. Ebinger
00:04:00 Rep. Wagner
00:04:16 Rep. Becker
00:04:33 Rep. Driscoll
00:04:43 Rep. Regier
00:05:00 Rep. McClafferty
00:05:08 Rep. Howard
00:05:16 Rep. Blewett
00:05:22 Rep. Warburton
00:05:34 Rep. Menahan
00:05:53 Rep. Peterson
00:06:57 Chairman Stoker

PRESENTATIONS

Presentation by Chief Justice McGrath:

00:08:30 Mike McGrath, Chief Justice, Montana Supreme Court
00:23:10 Chairman Stoker
00:23:24 Chief Justice McGrath
00:27:52 Chairman Stoker

Questions from Committee Members and Responses:

00:27:59 Chief Justice McGrath
00:28:07 Chairman Stoker
00:28:11 Rep. Peterson
00:29:14 Chief Justice McGrath
00:31:48 Chairman Stoker
00:31:51 Rep. Kottel
00:31:53 Chairman Stoker
00:31:58 Rep. Kottel
00:32:15 Chief Justice McGrath
00:32:53 Rep. Kottel
00:32:54 Chairman Stoker
00:32:56 Rep. Regier

00:33:10 Chief Justice McGrath
00:34:03 Chairman Stoker
00:34:08 Rep. Blewett
00:34:17 Chief Justice McGrath
00:35:20 Chairman Stoker
00:35:23 Rep. Wagner
00:36:15 Chief Justice McGrath
00:37:02 Lois Menzies, Court Administrator, Montana Supreme Court
00:39:00 Rep. Peterson
00:39:18 Chairman Stoker
00:39:23 Rep. Peterson
00:39:58 Ms. Menzies
00:40:46 Rep. Peterson
00:40:55 Ms. Menzies
00:40:58 Rep. Peterson
00:41:01 Chairman Stoker
00:41:35 Mr. Niss

Presentation by Ms. Randi Hood:

00:42:23 Chairman Stoker
00:43:25 Randi Hood, Chief Public Defender, Montana Public
Defender Commission
00:43:28 Chairman Stoker
00:43:32 Ms. Hood

EXHIBIT(juh03a01)

Questions from Committee Members and Responses:

01:07:45 Chairman Stoker
01:08:24 Harry Freeborn, Administrative Director, Office of the
State Public Defender
01:11:43 Chairman Stoker
01:12:10 Mr. Freeborn
01:12:26 Chairman Stoker
01:12:34 Rep. Howard
01:12:44 Mr. Freeborn
01:13:04 Chairman Stoker
01:13:06 Rep. Kottel
01:14:01 Ms. Hood
01:15:43 Rep. Kottel
01:15:45 Chairman Stoker
01:15:47 Rep. Wagner
01:16:18 Rep. Hood
01:18:00 Chairman Stoker
01:18:04 Ms. Hood
01:18:15 Chairman Stoker
01:18:20 Ms. Hood
01:18:25 Chairman Stoker
01:18:27 Rep. Regier

01:18:43 Ms. Hood
01:19:17 Chairman Stoker
01:19:25 Rep. Peterson
01:19:53 Ms. Hood
01:19:59 Rep. Peterson
01:20:20 Chairman Stoker
01:20:21 Rep. Peterson
01:23:27 Ms. Hood
01:26:27 Rep. Peterson
01:26:31 Chairman Stoker
01:26:34 Rep. Peterson
01:26:56 Ms. Hood
01:27:15 Chairman Stoker

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Presentation by Mike Ferriter:

01:54:28 Chairman Stoker
01:55:11 Mike Ferriter, Director, Montana Department of
Corrections

EXHIBIT(juh03a02)

Questions from Committee Members and Responses:

02:07:49 Chairman Stoker
02:07:51 Mr. Ferriter
02:20:53 Chairman Stoker
02:21:13 Rep. Warburton
02:21:25 Mr. Ferriter
02:24:59 Chairman Stoker
02:25:01 Rep. Warburton
02:25:08 Mr. Ferriter
02:26:49 Chairman Stoker
02:27:02 Mr. Ferriter
02:28:42 Chairman Stoker
02:29:16 Mr. Ferriter
02:30:42 Chairman Stoker
02:31:03 Mr. Ferriter
02:31:20 Chairman Stoker
02:31:22 Rep. Sands
02:32:15 Mr. Ferriter
02:35:20 Chairman Stoker
02:35:22 Rep. Sands
02:36:01 Chairman Stoker
02:36:31 Mr. Ferriter
02:37:57 Chairman Stoker
02:38:08 Mr. Ferriter
02:38:42 Chairman Stoker
02:38:44 Rep. Peterson
02:38:46 Chairman Stoker

02:38:50 Rep. Peterson
02:39:42 Mr. Ferriter
02:40:55 Chairman Stoker
02:40:58 Rep. Driscoll
02:41:09 Chairman Stoker
02:42:10 Mr. Ferriter
02:42:12 Chairman Stoker
02:42:15 Mr. Ferriter
02:42:17 Chairman Stoker
02:42:50 Mr. Ferriter
02:42:54 Rep. Ebinger
02:43:08 Chairman Stoker
02:43:11 Rep. Ebinger
02:43:17 Mr. Ferriter
02:43:33 Chairman Stoker

Presentation by Attorney General Bullock:

02:44:46 Steve Bullock, Attorney General, State of Montana

Questions from Committee Members and Responses:

03:08:12 Chairman Stoker
03:08:52 Ali Bovingdon, Assistant Attorney General, State of
Montana
03:11:45 Chairman Stoker
03:12:00 Ms. Bovingdon
03:12:03 Chairman Stoker
03:12:16 Ms. Bovingdon
03:13:01 Chairman Stoker
03:13:14 Ms. Bovingdon
03:13:17 Chairman Stoker
03:13:20 Rep. Peterson
03:13:33 Ms. Bovingdon
03:13:34 Rep. Peterson
03:13:57 Ms. Bovingdon
03:14:13 Rep. Peterson
03:14:23 Ms. Bovingdon
03:14:31 Rep. Menahan
03:14:35 Rep. Peterson
03:14:54 Ms. Bovingdon
03:15:05 Chairman Stoker

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Presentation by Ms. Sheri Heffelfinger:

03:28:12 Chairman Stoker
03:29:18 Sheri Heffelfinger, Principle Staff, Legislative Law and
Justice Interim Committee

03:29:21 Chairman Stoker

03:30:57 Ms. Heffelfinger

[EXHIBIT\(juh03a03\)](#)

Questions from Committee Members and Responses:

03:33:49 Chairman Stoker

03:34:15 Ms. Heffelfinger

03:47:57 Chairman Stoker

03:48:13 Ms. Heffelfinger

03:51:46 Chairman Stoker

ADJOURNMENT

03:54:54 Adjournment

JENNIFER ECK, Secretary

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Additional Documents:

EXHIBIT ([juh03aad.pdf](#))