

## **A SUMMARY OF STATE STATUTES THAT REQUIRE DISTRICT COURTS TO ACT EXPEDITIOUSLY OR WITHIN TIME LIMITS**

The following statutes have been compiled in response to a request for a compendium of all the matters required by statute to be conducted by a District Court "expeditiously" or with "precedence" and those matters to be conducted within certain timelines. A computer search was done, and a list of the statutes within the two categories was compiled. It is possible that there are a few statutes that did not show up on the computer search. When considering these requirements, it must always be remembered that there are the overriding "speedy trial" concerns in criminal proceedings, which are not addressed in this compendium.

This summary has been prepared for the Law and Justice Interim Committee for its use and consideration. It is hoped that this summary will prove useful by the Committee members and by other legislators in future legislative sessions when they are asked to consider proposed legislation that requires courts to act expeditiously or within time limits. Obviously, not everything can be scheduled at once or within very short timeframes, especially given the constitutional speedy trial concerns of the criminal side of a court's docket. That being the case, it should be helpful for legislators considering proposed legislation to be aware of current requirements and the impact of other legislation.

It should be noted that although there are many statutes requiring expeditious handling of cases, not all of these statutes will occur often in any one court. Many of the statutes are in the area of family law, juvenile law, and mental health commitment. These matters involve vulnerable populations that are dependent on adults or the system for help. These matters are likely to appear in courts on a recurring basis. Other matters, such as challenges to initiatives and ballot issues, mining interest right-of-way claims, or grain warehouse location claims, are not likely to be heard frequently in a court.

### **I.**

#### **District Court, Supreme Court, or Other Court "Expedited" Proceedings:**

**2-16-615. Filing of recall petitions - mandamus for refusal.** Part of the Montana Recall Act (enacted by initiative in 1976). Provides that if the Secretary of State or county election administrator refuses to accept and file a petition for recall of an elected officer, an elector may apply to the District Court for a writ of mandamus. All such suits or appeals therefrom must be advanced on the court docket and heard and decided by the court as expeditiously as possible.

**7-5-135. Suit to determine validity and constitutionality of petition and proposed action.**

Allows a local government governing body to direct that a suit be brought in District Court to determine whether an action that is proposed by petition for initiative or referendum would be valid and constitutional. An action brought under this section takes precedence over other cases and matters in the District Court, and the Court shall render a decision as soon as possible.

**13-36-206. Notice of filing - prompt hearing.** Provides that upon the filing of a petition contesting the right of any person to a nomination or election, an answer must be filed not less than 3 days or more than 7 days after the date of filing the petition. The District Court shall hear the cause and every such contest must take precedence over all other business on the court docket and must be tried and disposed of with all convenient dispatch. The court must always be deemed in session for the trial of such cases.

**27-19-319. Motion to dissolve or modify restraining order.** Provides that an adverse party's motion to dissolve or modify a restraining order must be heard and determined by the Court as expeditiously as the ends of justice require.

**30-14-220. Enforcement by department.** Requires the Department of Administration to investigate and hold hearings on alleged violations of statutes prohibiting unfair trade practices and consumer protection. DOA decisions may be reviewed in District Court. Provides that proceedings under this section must be given precedence over other civil cases pending in the District Court and must be in every way expedited.

**32-8-510. Grounds for quashing subpoena - duty of depository.** Part of the Montana Foreign Capital Depository Act adopted in 1997. Allows a customer or a foreign capital depository to file a motion to quash an administrative or judicial subpoena on certain grounds. The proceedings on the motion must be afforded priority on the calendar of the agency or the Court.

**35-1-1109. Court-ordered inspection.** Allows a shareholder who complies with certain statutory requirements to apply for a District Court order for the inspection and copying of a corporation's records if the corporation refuses to allow the inspection and copying as required by statute. The Court shall dispose of the application on an expedited basis.

**35-2-909. Court-ordered inspection.** Allows a member of a nonprofit corporation who complies with certain statutory requirements to apply for a District Court order for the inspection and copying of the corporation's records if the corporation refuses to allow the inspection and copying as required by statute. The Court shall dispose of the application on an expedited basis.

**40-4-216. Hearings.** Part of family law statutes pertaining to child support, child custody, visitation, and related provisions upon termination of marriage. Provides that parenting plan proceedings must receive priority in being set for hearing.

**40-5-824. Expedited enforcement procedures.** Part of the Medical Support Reform Act enacted in 1995. Allows a parent, the Department of Public Health and Human Services, or a third-party custodian to apply to the Court for expedited enforcement procedures under this part. Requires the hearing tribunal (a court or the Department) to promptly rule upon the issues.

**41-5-110. Youth court hearings - priority.** Provides that all hearings and other court appearances required under the Montana Youth Court Act (Title 41, ch. 5, MCA) must be given priority by the court and must be scheduled to be heard as expeditiously as possible.

**41-5-1502. Adjudicatory hearing.** Requires that an adjudicatory hearing in the Youth Court, after the filing of a petition alleging a youth to be a delinquent youth or a youth in need of intervention, must be set immediately and accorded a preferential priority.

**46-18-308. Time for review - consolidation with appeal.** Provides that a judgment of conviction and sentence of death are subject to automatic review by the Supreme Court within 60 days (unless time is extended by the Supreme Court for good cause). The review by the Supreme Court has priority over all other cases.

**53-21-131. Appeal procedure.** Provides that any order by a court for mental health short-term evaluation and treatment or long-term commitment may be appealed to the Supreme Court for review. The patient shall not be released pending appeal unless ordered by the Court. The appeal shall have priority above all other matters before the Supreme Court.

**69-14-904. Procedure in district court.** Allows a District Court to determine a dispute as to the location of a grain warehouse or elevator at or contiguous to any railway station or siding upon petition by the parties. Requires that a copy of the application must be attached to the petition, and "thereupon it must be at once the duty of the court by its order in writing to fix a time not more than 30 days thereafter within which the person, firm, or corporation so owning, managing, or controlling such railroad shall appear and join issue in said proceeding". The trial of such issue must be expedited by the Court as much as possible.

**70-30-206. Powers of court - preliminary condemnation order.** Provides that in an eminent domain proceeding, after a complaint is filed and prior to the issuance of a preliminary condemnation order, all parties shall proceed as expeditiously as possible and that the District Court shall give the proceedings expeditious and priority consideration.

**85-2-218. Process and criteria for designating priority basins or subbasins.** Requires water judges and the Department of Natural Resources and Conservation, in performing their functions in the adjudication process, to give priority to basins or subbasins designated each biennium by the Legislature.

**85-2-309. Hearings on objections - jurisdiction.** Provides that in water rights litigation, controversies certified to the District Court by the Department of Natural Resources and Conservation must be given priority by a water judge over all other adjudication matters.

**85-2-321. Milk River basin - suspension of action on permits - proposal - priority in adjudication process.** Provides that after April 8, 1985, the Chief Water Judge shall make issuance of a temporary preliminary decree in the Milk River basin the highest priority in the adjudication of existing water rights pursuant to Title 85, chapter 2, part 2.

**85-2-406. District court supervision of water distribution.** Provides that District Courts shall supervise the distribution of water among all appropriators and provides that controversies that are certified to the Chief Water Judge must be given priority over all other adjudication matters.

## II.

### **District Court Proceedings With Time Restrictions:**

**2-9-513. Insufficiency of sureties -- action to vacate office.** Provides that when a county, town, or township officer is required to give an official bond with sufficient individual sureties, and it is shown by affidavit of a credible witness or otherwise comes to the knowledge of a court, judge, or other person whose duty it is to approve the bond that the sureties have become incompetent or insufficient, the court, judge, or other person may issue a citation to such officer requiring him on a day therein named, not less than 5 or more than 10 days after date, to appear and show cause why such office should not be vacated.

**7-7-106. Hearing and determination on challenge.** Requires a District Court judge to designate the time and place of a hearing on a petition contesting a local government bond election within 5 days after the petition is filed. The Court must file its findings of fact and conclusions of law in the matter within 10 days after submission of the matter and enter judgment immediately thereafter.

**7-12-4254. Hearing on petition - notice.** Requires a District Court or District Court judge to have a hearing on a petition filed by a city or town council to determine the validity of the proceedings after the adoption of a resolution providing for the issuance of special improvement district bonds not less than 15 days from the date of filing the petition in court. Notice by the Clerk of the Court may not be less than 15 days prior to the date fixed for hearing.

**13-16-301. Application and court order for recount.** Requires a District Court judge to hear and determine the sufficiency of an application for an order directing the county recount board to make a recount of the votes cast in any or all the precincts or for an order for a recount of the votes cast for and against a ballot issue within 5 days after the filing of the application (which must be filed within 5 days after the canvass of election returns). If a recount is ordered, the judge shall order the recount board to assemble within 5 days after the order is issued.

**15-30-316. Failure to file return or report - order to show cause - action by department.** Allows the Department of Revenue to file a petition in the District Court for an order to show cause against a taxpayer who fails to file an individual income tax return within the statutory deadlines. The Court may issue an order directing the taxpayer to file the return or report within 30 days of the order or to show cause, at a special time and place, why the return or report should not be filed.

**25-13-212. Claiming exemption - process - time for hearing.** Requires that a request for an exemption from execution of judgment must be filed by a judgment debtor by filing a request for a hearing with the court that issued the execution within 10 days, excluding weekends and holidays, of the date of the judgment debtor's receipt of notification of execution, if notification was by personal service, or the date notification was mailed. A court that receives a request for an exemption hearing shall conduct the hearing with 10 days, excluding weekends and holidays, from the date of receipt of the request.

**25-33-104. Papers to be transmitted.** Requires a Justice's Court or City Court justice or judge, within 10 days, to transmit a certified copy of the justice's or judge's docket, the pleadings, all notices, motions, and other papers filed in the cause, the notice of appeal, and the undertaking upon the filing of a notice of appeal to the District Court.

**27-15-103. Time limit on decisions regarding arrest, injunction, or attachment.** In civil cases, when a plaintiff makes an application to the court for provisional remedies, such as to obtain, vacate, modify, or set aside an order of arrest, injunction order, or writ of attachment, the court or judge must finally decide the application within 20 days after it is submitted for decision.

**35-16-404. Notice of hearing of petition - hearing - order of court.** Requires that when a petition for the creation of debt as a lien upon membership lands is filed with the District Court by the board of directors or other officers of an agricultural association, the Court shall set the petition for hearing at a time not less than 20 or more than 40 days from the date of filing of the petition.

**39-29-104. Enforcement of preference.** Allows a person who believes the person is entitled to but has not received a veterans' public employment preference in hiring, after requesting a written explanation of the hiring decision from the public employer, to file a petition in the District Court. After the filing of the petition, the Court shall order the public employer to appear in court at a specified time not less than 5 or more than 10 days after the petition was filed and show cause why the applicant was

not hired for the position. The time to appear may be waived by stipulation of the parties, or the Court may grant a continuance.

**39-30-207. Enforcement of preference.** Allows a person who believes the person is entitled to but has not received a persons with disabilities employment preference in hiring to file a petition in the District Court. After the filing of the petition, the Court shall order the public employer to appear in court at a specified time not less than 10 days or more than 30 days after the petition was filed and show cause why the applicant was not hired for the position. The time to appear may be waived by stipulation of the parties or the Court may grant a continuance.

**40-4-107. Irretrievable breakdown.** In a proceeding for termination of marriage, requires the judge, if one party denies that the marriage is irretrievably broken, to either find that the marriage is irretrievably broken or continue the matter for further hearing not fewer than 30 or more than 60 days later or as soon thereafter as the matter may be reached on the Court's calendar.

**40-4-219. Amendment of parenting plan - mediation.** Requires a hearing within 30 days of a response if a parent objects to a current parenting order when a parent or other person residing in that parent's household has been convicted of any enumerated serious felony crimes.

**40-4-220. Affidavit practice.** Provides that when a court makes an order implementing an interim parenting plan proposed by a party, the court shall require all parties to appear and show cause within 20 days from the execution of the interim parenting plan why the plan should not remain in effect until further order of the court.

**40-15-202. Order of protection - hearing - evidence.** Requires that a hearing must be conducted within 20 days from the date that a court issues a temporary order of protection. The hearing date may be may be continued at the request of either party for good cause or by the court. If the hearing date is continued, the temporary order of protection must remain in effect until the court conducts a hearing. The respondent may request an emergency hearing before the end of the 20-day period by filing an affidavit that demonstrates that the respondent has an urgent need for the emergency hearing. An emergency hearing must be set within 3 working days of the filing of the affidavit.

**40-15-301. Jurisdiction and venue.** Provides that in a proceeding for dissolution of marriage in a District Court, if a petition for an order of protection is filed in a justice's, municipal, or city court (under limited circumstances), the pleadings shall immediately be certified to the original District Court and the Court shall conduct a hearing on the petition within 45 days of receipt of the pleading if the hearing cannot be held within 20 days. Provides that if a party to an order of protection files for dissolution of marriage or files a parenting action after the order of protection is filed but before the hearing is conducted, the hearing must be conducted in the court in which the order of protection was filed. Either party may appeal or remove the matter to the District Court prior to or after the hearing. The

District Court must hold the hearing within 45 days of receipt of the pleadings if it is not able to conduct the hearing within 20 days. The hearing may be continued.

**41-3-301. Emergency protective service.** Requires that when a child is removed from the child's home because of alleged abuse or neglect, an abuse and neglect petition must be filed within 2 working days, excluding weekends and holidays, of the emergency removal and placement of the child. A show cause hearing must be held within 10 days, excluding weekends and holidays, of the filing of the initial petition unless otherwise stipulated by the parties.

**41-3-423. Reasonable efforts required to prevent removal of child or to return - exemption - findings - permanency plan.** In child abuse and neglect proceedings, requires that if the Court finds that the Department of Public Health and Human Services does not have to provide family preservation or reunification services, the Court must hold a permanency hearing within 30 days of that determination and reasonable efforts must be made to place the child in a timely manner in accordance with the permanency plan and to complete whatever steps are necessary to finalize the permanent placement of the child.

**41-3-432. Show cause hearing - order.** Requires that a show cause hearing must be conducted within 10 days, excluding weekends and holidays, of the filing of an initial child abuse and neglect petition unless otherwise stipulated by the parties or unless an extension is granted by the Court. The Court may grant an extension of time for a show cause hearing only upon a showing of substantial injustice and shall order an appropriate remedy that considers the best interests of the child. If a citizen review board review is requested, the board must review the case within 30 days of the show cause hearing and make a recommendation to the District Court.

**41-3-437. Adjudication - temporary disposition - findings - order.** Requires that upon the filing of an appropriate child abuse and neglect petition, an adjudicatory hearing must be held within 90 days of a show cause hearing under 41-3-432. Adjudication may take place at the show cause hearing under limited circumstances. Exceptions to the time limit may be allowed only in cases involving newly discovered evidence, unavoidable delays in the notification of parties, and unforeseen personal emergencies.

**41-3-438. Disposition - hearing - order.** Requires that in a child abuse and neglect proceeding, a dispositional hearing must be held within 20 days after an adjudicatory order has been entered under 41-3-437.

**41-3-445. Permanency plan hearing.** Requires the District Court, in a child abuse and neglect proceeding, to hold a permanency plan hearing within 30 days of a determination that family preservation or reunification services are not necessary and no later than 12 months after the initial court finding that the child has been subjected to abuse or neglect or 12 months after the child's first 60 days

of removal from the home, whichever comes first. Requires that the Court review the Department of Public Health and Human Service's efforts to permanently place the child every 12 months.

**41-3-610. Review following termination.** At the conclusion of a hearing in which the Court orders termination of the parent-child legal relationship, the Court shall order that a review hearing be held within 180 days following the date of the termination to determine if the child has been permanently placed.

**41-5-1603. Hearing on request.** Requires that if a county attorney requests that a youth court case be designated as an extended jurisdiction juvenile prosecution, the Youth Court must hold a hearing to consider the request within 30 days of the filing of the request unless good cause is shown to delay the hearing, in which case it must be held within 90 days of the request. The Court may, within 15 days of the hearing, designate the case as an extended jurisdiction juvenile prosecution.

**41-5-2510. Sentence review hearing.** Provides that in most cases when a youth has been convicted in District Court as an adult, the sentence can be reviewed at any time before the youth reaches the age of 21 upon the request of the County Attorney, defense attorney, or the youth. Upon motion for a hearing, the Court shall determine whether to hold a sentence review hearing. If the Court determines that a hearing is warranted or required, the hearing must be held within 90 days after the filing of the request or determination.

**44-1-902. Action by court.** Requires that when a highway patrol officer who is suspended, demoted, or discharged appeals the decision to the District Court, the Court shall review the decision in a summary manner and render its decision within 90 days from the filing of the appeal.

**44-1-1005. Motor carriers safety - enforcement - violations.** Requires a court that convicts a person of a violation of motor carrier safety standards to forward a record of the conviction or forfeiture to the Department of Justice within 5 days of conviction or forfeiture.

**44-12-203. Presumption - procedure following answer or expiration of time for answering.** With respect to proceedings requiring the forfeiture of property upon conviction for a controlled substance, if a verified answer to a petition is not filed within 20 days after the service of the petition and summons, the Court upon motion shall order the property forfeited to the state. If a verified answer is filed within 20 days, the forfeiture proceedings must be set for hearing without a jury no sooner than 60 days after the answer is filed.

**45-8-314. Lifetime firearms supervision of certain convicted persons.** Requires that if a county attorney or county sheriff files an objection with a court in response to an application to purchase and possess firearms from a person who has been convicted of an offense, a hearing must be held within 60 days after the filing of the objection.



**46-13-110. Omnibus hearing.** Requires the Court in a criminal case to hold an omnibus hearing within a reasonable time following the entry of a not guilty plea but not less than 30 days before trial. The hearing is between the prosecutor and the defendant's attorney and is held to expedite the procedures leading up to the trial of the defendant.

**46-14-221. Determination of fitness to proceed - effect of finding of unfitness - expenses.** Requires that when a court in a criminal case finds a defendant unfit to proceed and commits the defendant to an institution, the court must review the defendant's fitness to proceed within 90 days of commitment.

**46-21-201. Proceedings on petition.** Requires that in criminal cases, when a petition for postconviction relief is filed: (1) if the death penalty was imposed, the Court shall issue a decision within 90 days after the hearing on the petition or, if there is no hearing, within 90 days after the filing of briefs as allowed by rule or court order; (2) the Court, within 30 days after a conviction for which a death sentence was imposed, shall notify the sentenced person that if the person is indigent and wishes to file a petition, the Court will appoint counsel; (3) within 75 days after a conviction for which a death sentence was imposed becomes final, the Court shall either appoint counsel for an indigent person, enter findings that the indigent person refused the offer of counsel, or deny appointment of counsel if the person is not indigent.

**46-31-101. Agreement on detainers - enactment and text.** Interstate agreement on detainers. Provides for cooperative procedures to encourage expeditious and orderly disposition of charges outstanding against a prisoner and determination of the proper status of any and all detainers based on untried indictments, informations, or complaints.

**50-17-106. Hearing on the application.** Requires that when the Department of Public Health and Human Services applies for an order from the District Court to require the examination or treatment for tuberculosis, the Court must hold a hearing on the application not fewer than 3 or more than 7 days after service of the summons on the person to be examined or treated.

**50-17-112. Procedure to obtain release from commitment.** Allows a person committed for examination or treatment of tuberculosis to apply, 180 days or more after the date of commitment, to the Court for a release. The Court shall hold a hearing not fewer than 3 or more than 7 days after receipt of the request.

**50-62-106. Hearing and judgment.** If the fire prevention and investigation program of the Department of Justice issues an order to repair a hazardous condition or demolish a structure, the order is filed with the Clerk of the District Court. The owner of the structure may file written objections to the order. The Court shall set a hearing on the matter within 20 days from the date of the filing of the answer or as soon thereafter as the matter may be heard.

**53-21-120. Detention to be in least restrictive environment - preference for mental health facility - court relief - prehearing detention of mentally ill person prohibited.** With respect to involuntary commitment of mentally ill persons, if the person detained demands a jury trial and trial cannot be held within 7 days, the person may be sent to the state hospital until time of trial. The trial must be held within 30 days. A person detained prior to involuntary commitment may apply to the Court for immediate relief with respect to the need for detention or the adequacy of the facility being utilized to detain.

**53-21-122. Petition for commitment - filing of - initial hearing on.** Requires that a hearing on a petition for commitment may not be set on the same day as the initial appearance and must be set within 5 days, including weekends and holidays.

**53-21-127. Posttrial disposition.** In mental health commitment proceedings, requires that if a person is found to be suffering from a mental disorder and requires commitment, the Court shall hold a posttrial disposition hearing within 5 days of trial, including weekends and holidays, during which time the Court may order further evaluation and treatment.

**53-21-128. Petition for extension of commitment period.** In mental health commitment proceedings, requires that if a petition is filed with the Court to extend the period of commitment to the state hospital and any person requests a hearing, the hearing must be held on a date not more than 10 days from the receipt of the request. If a hearing is not requested, the Court shall enter an order of commitment for a period not to exceed 6 months.

**53-21-195. Rehospitalization of patient conditionally released from inpatient treatment facilities - petition.** If a petition is filed with the Court to rehospitalize a patient conditionally released from an inpatient mental health facility, a hearing must be held no more than 5 days after the date that the petition is filed, including weekends and holidays.

**53-21-198. Extension of conditions of release - hearing.** In mental health commitment proceedings, if a petition is filed for an extension of a patient's conditions of release and if a hearing on the petition is requested, the Court must set the hearing on a date not more than 10 days from the receipt of the request. If no hearing is requested, the Court shall enter an order extending the conditions for a period not to exceed 6 months.

**53-24-302. Involuntary commitment of alcoholics.** A hearing on a petition for the involuntary commitment of an alcoholic must be held no later than 10 days after the date the petition was filed.

**61-5-211. Right of appeal to court.** A hearing on the denial, cancellation, suspension, or revocation of a driver's license by the Department of Justice must be set by the District Court upon 30 days' written notice to the Department.

**61-11-101. Report of convictions and suspension or revocation of driver's licenses - surrender of licenses.** Requires a court that suspends or revokes a driver's license under a mandatory statute to forward the license and record of the conviction to the Department of Justice within 5 days.

**67-3-104. Department orders.** Allows a person aggrieved by an order of the Department of Transportation regarding the granting or denial of a license or certificate of registration of an aircraft, aircrew member, air school, or aeronautics instructor to appeal the agency order or action to the District Court. The appeal shall be heard not less than 10 days or more than 30 days after the filing of the notice of appeal, unless the judge, for sufficient cause resulting from the press of business or other reason, is unable to hear the appeal within that time. The hearing may be deferred until it can be heard by the Court. The appeal may be heard without formal pleadings.

**69-3-404. Review confined to record - exceptions.** In a proceeding for review by a District Court of any order fixing any rate, fare, charge, classification, or joint rate or any order fixing or prescribing any rule, practice, or service by the Public Service Commission, the Court must decide, within 14 days after the introduction of additional evidence, whether or not to transmit a copy of the evidence to the Commission. The Court is considered to have ruled that the evidence need not be transmitted to the Commission unless it orders otherwise within the 14-day period. If the evidence is transmitted to the Commission, it must consider the evidence and shall report its decision to modify, amend, or rescind its order to the Court within 30 days from the receipt of the evidence.

**69-5-111. Judicial remedies.** Requires a District Court hearing on an order to show cause within 10 days after service of an temporary restraining order when a complaint is filed alleging that an electric facilities provider is failing or omitting or about to fail or omit to do anything required by Title 69, chapter 5, part 1, the Territorial Integrity Act.

**69-14-904. Procedure in district court.** Allows a District Court to determine a dispute as to the location of a grain warehouse or elevator at or contiguous to any railway station or siding upon petition by the parties. Requires that a copy of the application must be attached to the petition, and "thereupon it shall be at once the duty of the court by its order in writing to fix a time not more than 30 days thereafter within which the person, firm, or corporation so owning, managing, or controlling such railroad shall appear and join issue in said proceeding". The trial of such issue must be expedited by the court as much as possible.

**70-24-427. Landlord's remedies after termination - action for possession.** Requires a hearing within 20 days in a court of limited jurisdiction on a landlord's action for possession, rent, and actual damages after termination of a rental agreement and within 20 days of transmittal of the action if the action is appealed to the District Court.

**70-30-207. Appointment of condemnation commissioners - affidavit - compensation.** In eminent domain proceedings, requires the Court to appoint condemnation commissioners if the condemnor fails to accept the condemnee's claim of just compensation within 20 days of service of the claim, which must be filed within 30 days of entry of a preliminary condemnation order.

**72-3-617. Order restraining personal representative.** In a probate proceeding, if a court issues a temporary order restraining a personal representative from performing certain duties upon the petition of another person, a hearing must be held within 10 days unless the parties otherwise agree.

**81-5-109. Presumption - hearing - disposition of vehicle and other property.** In an action for forfeiture of a vehicle or other property used in the theft or transportation of stolen livestock, if a verified answer to a petition is not filed within 20 days after the service of the petition and summons, the Court upon motion shall order the property forfeited to the state. If a verified answer is filed within 20 days, the forfeiture proceedings must be set for hearing without a jury not less than 60 days after the answer is filed.

**81-9-235. Suspension or revocation of inspection service or establishment number - hearing - appeal.** A District Court must decide an appeal of the suspension or revocation of a meat inspection license or a meat inspection service or establishment number within 10 days after the date of filing of the appeal.

**82-2-204. Proceedings before the court.** In a proceeding regarding a right-of-way or eminent domain of the owner of a mining claim, upon the filing of a complaint, the Court must issue a summons to the defendants requiring them to appear before the judge on a day, which must be not less than 10 days from the service of the summons.

**85-7-1001. Proceedings for dissolution of district.** A hearing on a petition to dissolve an irrigation district must be held by the District Court within 30 days of the filing of the petition.

**85-7-1005. Hearing on petition, notice, and order.** A hearing on a petition to dissolve an irrigation district that has incurred indebtedness must be held by the District Court within 30 days of the filing of the petition.

**85-7-2017. Hearing and procedure in district court.** Requires a hearing in District Court on a petition by the board of commissioners of an irrigation district to determine the validity of the proceedings relative to the issuance of the district's bonds and the levy of the special tax or assessment to be held not less than 15 days from the date of filing of the petition in the Court.

**85-8-201. Dissolution of districts.** Requires that a District Court set a show cause hearing on a petition to dissolve a drainage district not less than 15 or more than 30 days from the date of the filing of the petition.

**85-8-323. Hearing and notice on preliminary report.** Requires that upon the filing of a preliminary report on the organization of and appointment of commissioners of a drainage district, the District Court must set a hearing on the preliminary report not less than 30 days from the filing of the report.

**85-8-368. Annual report - objections.** Requires a District Court or the presiding judge to examine the annual report filed by the commissioners of a drainage district within 30 days after the filing of the report and to hear all objections to the report, fix and determine the amount of assessments, and cause the adjudication to be entered of record in the Court and a certified copy to be delivered to the commissioners.

**85-8-424. Confirmation of commissioners' report of assessments.** Requires a District Court to set a show cause hearing on the confirmation of the report of assessments by the commissioners of a drainage district not less than 20 days after the service of the order.

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