

2023-24 Law & Justice Interim Committee

Work Plan Decision Matrix

The following studies were assigned to the LJIC by a bill or by a study resolution assigned by the Legislative Council.

Topic	Source	Option A	Option B	Option C	Option D
Study of the POST Council	HB 697	<p>0.25 FTE</p> <ul style="list-style-type: none"> ◦ All of Option B ◦ In depth analysis of POST council duties in police certification ◦ Staff paper(s) on additional topics identified by the committee ◦ Additional panels on topics identified by the committee or roundtables <p>Deliverables:</p> <ul style="list-style-type: none"> ◦ Final report ◦ Staff papers ◦ Legislation 	<p>0.15 FTE</p> <ul style="list-style-type: none"> ◦ All of option C ◦ Round table discussion to gather feedback on draft legislation, if wanted ◦ Staff research or expert presentation on POST council organization and function in other states <p>Deliverables:</p> <ul style="list-style-type: none"> ◦ Staff papers ◦ Study summary ◦ Legislation 	<p>0.10 FTE</p> <ul style="list-style-type: none"> ◦ Staff paper on legislative history of POST council and relevant statutes ◦ Panel discussion and/or presentation ◦ Tour POST Council headquarters as committee (if wanted) <p>Deliverables</p> <ul style="list-style-type: none"> ◦ Staff paper ◦ Legislation 	<p>*LJIC is required to act on this item.</p>
Study of attorney regulation and the State Bar	SJ 31	<p>0.25 FTE</p> <ul style="list-style-type: none"> ◦ All of option B ◦ Analysis of programs and services available to the public ◦ Multiple panels with experts and stakeholders ◦ Staff paper(s) on additional topics identified by the committee <p>Deliverables:</p> <ul style="list-style-type: none"> ◦ Staff papers ◦ Study summary ◦ Legislation 	<p>0.15 FTE</p> <ul style="list-style-type: none"> ◦ All of option C ◦ Review of relevant case law ◦ Analysis of national trends and best practices for attorney regulation ◦ Staff paper on Interest on Lawyers' Trust Accounts (IOLTA) <p>Deliverables:</p> <ul style="list-style-type: none"> ◦ Staff papers ◦ Study summary ◦ Legislation 	<p>0.10 FTE</p> <ul style="list-style-type: none"> ◦ Staff paper on history and relevant statutes ◦ Panel discussion and/or presentation <p>Deliverables:</p> <ul style="list-style-type: none"> ◦ Study summary ◦ Legislation 	<p>No Action</p> <p>*Letter to Leg. Council is required if no action is taken.</p>

The following topics were suggested by members for LJIC consideration. They are OPTIONAL.

2023-24 Law & Justice Interim Committee

Work Plan Decision Matrix

Topic	Source	Option A	Option B	Option C	Option D
Study of facial recognition technology	HJ 17 Rep. A Regier Sen. K Regier	<p>0.40 FTE</p> <ul style="list-style-type: none"> ◦ Survey state agencies that use facial recognition technology and for what purposes ◦ Multiple panel discussions with stakeholders and expert presentations ◦ Multiple staff papers on topics identified by the committee ◦ Roundtable discussion on possible legislation <p>Deliverables:</p> <ul style="list-style-type: none"> ◦ Final report ◦ Staff papers ◦ Legislation 	<p>0.25 FTE</p> <ul style="list-style-type: none"> ◦ All of option C ◦ Review of relevant case law ◦ Monitor implementation of relevant legislation from 2023 session ◦ Staff analysis of relevant laws and policies in other states <p>Deliverables:</p> <ul style="list-style-type: none"> Legislation Staff paper(s) 	<p>0.10 FTE</p> <ul style="list-style-type: none"> ◦ Review of research and materials from 21-22 EAIC study ◦ Panel discussion and presentation ◦ Review of current statute and relevant legislation from 2023 session <p>Deliverables:</p> <ul style="list-style-type: none"> Legislation 	No Action
Effectiveness of problem-solving/special courts	Sen. Friedel	<p>0.40 FTE</p> <ul style="list-style-type: none"> ◦ All of option B ◦ Multiple panel discussions with experts and stakeholders by request of committee ◦ Possible committee field trip to treatment court and individual legislator visits to local problem courts, if wanted ◦ Staff paper(s) on additional topics identified by the committee <p>Deliverables:</p> <ul style="list-style-type: none"> ◦ Final report ◦ Staff papers ◦ Legislation 	<p>0.20 FTE</p> <ul style="list-style-type: none"> ◦ All of option C ◦ Staff paper or expert presentation on national best practices for problem solving courts ◦ Individual legislator visits to local problem courts, if wanted and member reports to LJIC <p>Deliverables:</p> <ul style="list-style-type: none"> ◦ Staff papers ◦ Study summary ◦ Legislation 	<p>0.10 FTE</p> <ul style="list-style-type: none"> ◦ Panel discussion and presentation ◦ Review of problem-solving courts in the state and their funding sources/models <p>Deliverables</p> <ul style="list-style-type: none"> ◦ Staff summary ◦ Legislation 	No Action

2023-24 Law & Justice Interim Committee

Work Plan Decision Matrix

<p>Legislative committee to conduct judicial appointments</p>	<p>Sen. Friedel</p>		<p>0.15 FTE</p> <ul style="list-style-type: none"> ◦ All of option C ◦ In depth analysis of judicial appointment processes in other states ◦ Roundtable discussion on possible legislation <p>Deliverables:</p> <ul style="list-style-type: none"> ◦ Legislation ◦ Study summary ◦ Staff paper 	<p>0.05 FTE</p> <ul style="list-style-type: none"> ◦ Staff review of current statute and process for judicial appointments ◦ Panel discussion & presentation <p>Deliverables:</p> <ul style="list-style-type: none"> ◦ Legislation 	<p>No Action</p>
<p>Parental alienation syndrome in child custody cases</p>	<p>Rep. Hinkle</p>		<p>0.15 FTE</p> <ul style="list-style-type: none"> ◦ All of option C ◦ Review of national best practices in parenting plan proceedings. ◦ Review of relevant case law, or statutes in other states, if any. <p>Deliverables:</p> <ul style="list-style-type: none"> ◦ Legislation ◦ Staff paper(s) 	<p>.05 FTE</p> <ul style="list-style-type: none"> ◦ Staff research paper on concept ◦ Panel discussion or expert presentation <p>Deliverables:</p> <ul style="list-style-type: none"> ◦ Legislation ◦ Staff paper 	<p>No Action</p>
<p>Revising sentencing laws for theft</p>	<p>Sen. Regier, SB 95</p>		<p>0.15 FTE</p> <ul style="list-style-type: none"> ◦ All of option C ◦ Comparative analysis of sentencing laws for theft in other states ◦ Multiple panel discussions on topics identified by LJIC <p>Deliverables:</p> <ul style="list-style-type: none"> ◦ Staff paper(s) ◦ Legislation 	<p>0.05 FTE</p> <ul style="list-style-type: none"> ◦ Review of relevant legislation from '23 session and CJOC findings/materials ◦ Panel discussion ◦ Gather information and public comment <p>Deliverables:</p> <ul style="list-style-type: none"> ◦ Legislation 	<p>No Action</p>

2023-24 Law & Justice Interim Committee

Work Plan Decision Matrix

<p>Data on jails in MT</p>	<p>Sen. Lynch</p>	<p>0.40 FTE</p> <ul style="list-style-type: none"> ◦ All of option B ◦ Survey of county detention centers in MT to collect data on populations, costs, and available diversion programs ◦ Staff papers and analysis of data ◦ Multiple panel discussions on topics identified by LJIC ◦ Roundtable discussion on possible legislation, if wanted <p>Deliverables:</p> <ul style="list-style-type: none"> ◦ Final report ◦ Staff papers ◦ Legislation 	<p>0.20 FTE</p> <ul style="list-style-type: none"> ◦ All of option C ◦ Staff analysis of programs and incarceration alternatives ◦ Staff survey on data from 7 largest county jails in MT or those selected by LJIC ◦ Multiple panel discussions <p>Deliverables:</p> <ul style="list-style-type: none"> ◦ Staff paper(s) ◦ Legislation 	<p>0.05 FTE</p> <ul style="list-style-type: none"> ◦ Review of available county jail peer review program standards and trends ◦ Panel, possibly including commanders from urban and rural areas ◦ <i>Possible committee field trip to local jail and/or prerelease center (if wanted)</i> ◦ <i>Possible coordination with LGIC staff</i> <p>Deliverables:</p> <ul style="list-style-type: none"> ◦ Legislation 	<p>No Action</p>
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The following are LJIC's statutory duties (Max .285 FTE, Min. .165 FTE)

Duty	Option B	Option C	
<p>Monitor agency operations</p>	<p>0.15 FTE</p> <ul style="list-style-type: none"> ◦ Option C ◦ Staff attends Helena-area agency meetings and presentations as possible, focusing on issues or topics raised by LJIC members or during meetings ◦ Additional research into aspects of selected programs or agencies, as requested ◦ Panel discussion or speakers during LJIC meeting(s) to further address the program or agency ◦ Receive updates on implementation of agency measures and legislation, as requested by LJIC <p>Deliverables:</p> <ul style="list-style-type: none"> ◦ Written summaries of research and monitoring activities ◦ Legislation 	<p>0.05 FTE</p> <ul style="list-style-type: none"> ◦ Introductory presentation by agency at 1st meeting ◦ Follow up presentations as requested by LJIC ◦ Limited monitoring or research into aspects of a program or agency (if LJIC chooses) 	

2023-24 Law & Justice Interim Committee

Work Plan Decision Matrix

<p>Agency monitoring: required reports</p> <p>*See page 7 of the work plan for a list of required reports</p>	<p>0.02 FTE</p> <ul style="list-style-type: none"> ◦ Option C ◦ Agency presents report during LJIC meeting ◦ Follow-up information or presentations provided upon request of LJIC <p>Deliverables:</p> <ul style="list-style-type: none"> ◦ Printed and electronic copies of required report ◦ Legislation 	<p>0.005 FTE</p> <ul style="list-style-type: none"> ◦ Receive written staff overview of required reports ◦ Receive copy of any required report <p>Deliverables:</p> <ul style="list-style-type: none"> ◦ Printed and electronic copies of required report ◦ Legislation 	
<p>Review administrative rules</p>	<p>0.1 FTE</p> <ul style="list-style-type: none"> ◦ Legal staff monitors agency adoption of rules and provides LJIC periodic rule reports ◦ Staff will note issues of concern ◦ LJIC may flag rules as important or of concern and may ask that additional information be provided 		
<p>Review agency legislation</p>	<p>0.005 FTE</p> <ul style="list-style-type: none"> ◦ Committee reviews proposals from the agencies and Judicial Branch in early summer 2024; may authorize staff to draft legislation for preintroduction 		
<p>Agency monitoring: advisory councils and commissions, if requested by an LJIC member</p>	<p>0.01 FTE</p> <ul style="list-style-type: none"> ◦ Option C ◦ Written summary of specific council or commission’s duties, functions, operations ◦ Agency presentation on work of the council or commission <p>Deliverables:</p> <ul style="list-style-type: none"> ◦ Staff overview ◦ Written summary ◦ Legislation 	<p>0.005 FTE</p> <ul style="list-style-type: none"> ◦ Receive written staff overview of advisory councils and commissions at late fall 2024 meeting <p>Deliverables:</p> <ul style="list-style-type: none"> ◦ Staff overview ◦ Legislation 	<p>*Add .01 FTE for EACH addition by LJIC</p>

The following are potential agenda items suggested by LJIC members or other sources. They are OPTIONAL. (Max .04 FTE)

2023-24 Law & Justice Interim Committee

Work Plan Decision Matrix

Interact with MARA	MARA staff suggestion	<p align="center">.005 FTE</p> <ul style="list-style-type: none"> ○ Receive updates from MARA staff on topics that relate to criminal justice. ○ If the LJIC presiding officers are invited to attend a MARA committee, receive updates from the presiding officers. 		No Action
Select committee on corrections capacity	Follow up from HB 5	<p align="center">0.01 FTE</p> <ul style="list-style-type: none"> ◦ Shared members to update LJIC at most meetings, LJIC staff to coordinate with select committee staff 	<p align="center">0.005 FTE</p> <p align="center">*LJIC reviews final report of select committee</p>	No Action
Judicial standards commission review and audit	Follow up from previous interim	<p align="center">.005 FTE</p> <ul style="list-style-type: none"> ◦ Review final report of the Legislative Audit Committee <p>Deliverables: Legislation, if requested by committee</p>		No Action
Follow CJOC work on Criminal Justice system data	Follow up on SB 11	<p align="center">.005 FTE</p> <ul style="list-style-type: none"> ◦ Shared members and staff to update LJIC at some meetings, LJIC staff to coordinate with CJOC staff. 		No Action
Implementation of SB 182 and SB 352 (Task forces on CPS and DN-specific court system)	Suggestion from Sen. Esp	<p align="center">.005 FTE</p> <ul style="list-style-type: none"> ◦ Updates from staff as requested by committee, LJIC staff to coordinate with task force staff 		No Action
Implementation of HB 872 (behavioral health for future)	Suggestion from Sen. Lynch	<p align="center">.005 FTE</p> <ul style="list-style-type: none"> ◦ Receive updates or presentation from DPHHS and/or Behavioral health system for future generations commission 		No Action

2023-24 Law & Justice Interim Committee

Work Plan Decision Matrix

generations commission)			
Implementation of SB 6	Suggestion from Sen. Esp	<p style="text-align: center;">.005 FTE</p> <p>◦ Receive updates or presentation from DPHHS and/or NAMI regarding changes since effective date of legislation</p>	No Action
			<p style="text-align: center;">Total Resources Utilized/ Total Resources Available</p> <p style="text-align: center;">/1 FTE</p>