

Bill Draft Requests Currently Considered by the Senate Special Committee on Judicial Oversight and Reform

Last updated November 13, 2024

Draft Designation	Description	Status	Drafter	Lead
<u>LC0527</u> <i>(PD0052_RW)</i>	Establish a judicial performance evaluation commission and system	Updated; available for 10/25. Approved by committee on 10/4. Revising for 11/14 meeting.	Rachel Weiss	McGillvray
<i>(PD0033_JJ)</i>	Remove Supreme Court original jurisdiction for ballot review.	Available for 11/14 meeting to discuss.	Julie Johnson	Hellegard and McGillvray
<u>LC0614</u> <i>(PD0107_JC)</i>	Open Supreme Court proceedings (model after Monforton 2015 bill)	Discussed at 9/27 meeting. Available for 10/4 meeting. Approved by committee on 10/4.	Jaret Coles	Fitzpatrick
<u>LC0613</u> <i>(PD0036_JCW)</i>	Attorney fees: establish what is reasonable and what is not	Available for 10/4 meeting. Approved by committee on 10/4.	Jameson Walker	Fitzpatrick
<u>LC0612</u> <i>(PD0037_JCW)</i>	SB 442: prevailing party	Available for 10/4 meeting. Approved by committee on 10/4.	Jameson Walker	Fitzpatrick
<u>LC0615</u> <i>(PD0110_JC)</i>	Enhance committee review of statewide ballot issues	Assigned during 9/27 meeting. Available for 10/4 meeting. Approved by committee on 10/4.	Jaret Coles	McKamey
<u>LC0618</u> <i>(PD0031_JJ)</i>	Writs (Speaker or President able to vacate in conjunction with Governor or AG)	Available for 10/4 meeting. Revised and available for 11/14 meeting	Julie Johnson	Usher

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<u>LC0617</u> <i>(PD0036_JJ)</i>	Deference to legislative acts	Available for 10/4 meeting. Revised and available for 11/14 meeting	Julie Johnson	Usher
<i>(PD0057_RW)</i>	Amend constitution related to not being a member of the state bar to be attorney	Discussed at 9/16 meeting; Available for 11/14 meeting.	Rachel Weiss	Vinton or Fuller
<u>LC0616</u> <i>(PD0108_JC second version)</i>	Prohibit retired judges from hearing constitutional cases	Discussed at 9/27 meeting. Revised and available for 10/4 meeting. Approved by committee on 10/4.	Jaret Coles	Noland/Ellsworth
<i>(PD0058_RW)</i>	Partisan judicial general elections (3 options) <ol style="list-style-type: none"> 1. PD 58_RW – nonpartisan primary/partisan general 2. HB 355 (2021) – partisan primary and general 3. PD 63_RW – partisan and nonpartisan primaries/partisan general 	Discussed at 9/16 meeting; Available for 11/14 meeting.	Rachel Weiss	Emrich/Hellegaard
<i>(PD0026_JB)</i>	Specialized Court	Emailed to Sen. McGillvray 9/24	Julianne Burkhardt	McGillvray
<u>LC0522</u> <i>(PD0037_JJ)</i>	Move the JSC to be administratively attached to the DOC	Available for 10/4 meeting. Approved by committee on 10/25.	Julie Johnson	Nave
<u>LC0619</u>	Audit State Bar of Montana, see SB 438 (2023)	Available for 10/4 meeting.	Julianne Burkhardt	Usher

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<i>(PD0029_JB)</i>		Approved by committee on 10/4.		
LC0621 <i>(PD0028_JB)</i>	IOLTA bill, See SB 440 (2023)	Available for 10/4 meeting. Approved by committee on 10/4.	Julianne Burkhardt	Usher
<i>(PD0039_JCW)</i>	Adding definitions in statute relating to bias and other offenses under the JSC's purview, see also 45-7-401	Considering existing laws relating to powers of JSC and current definitions. 10/1: Sent questions to Rep. Hellegaard. 10/3: Revisions requested and sent to Rep. Hellegaard. 10/16: Revised draft mailed to Rep. Hellegaard. 10/21: Revised Draft sent. 11/13: Revised draft sent. Ready for 11/14 committee.	Jameson Walker	Nave/Mell/Hellegaard
<i>(PD0109_JC)</i>	Separation of powers definition	Working with Senator Emrich on preliminary draft	Jaret Coles	Emrich
<i>(PD0039_JJ)</i>	Legislative subpoena and contempt/fines	Emailed contacts for info 10/2, 10/25 spoke with Noland and will draft with input from Vice Chair	Julie Johnson	Mell/Noland
<i>(PD0111_JC)</i>	Revise court review of statewide ballot disputes	Assigned during 9/27 meeting. First draft completed. Working on revised 2 nd draft with Rep. Hellegaard.	Jaret Coles	Hellegaard

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LC0611 <i>(PD0038_JCW)</i>	Generally revise JSC complaint process	Requested in the 9/27 committee. 9/30: Senator Glimm is looking for a pared-down version of SB 366 (2021) – one that specifies only the complaint process and confidentiality requirements for the complainant. Draft sent for review. 10/4: Available for 10/4 Committee. Approved by committee on 10/4.	Jameson Walker	Glimm
LC0620 <i>(PD0030_JB)</i>	Audit Office of Disciplinary Counsel	Available for 10/4 meeting. Approved by committee on 10/4.	Julianne Burkhardt	Usher
<i>(PD0038_JJ)</i>	10/4 Cmte. Meeting: have a bill addressing substitution of judges and the random draw. Account for jurisdictions where there only is one judge. <i>See 3-1-804</i>	Requested 10/4 by the committee. Ready for 10/25 committee review.	Julie Johnson	Emrich
<i>(PD0041_JCW)</i>	10/4 Cmte. Meeting: Agency deference in MAPA. <i>See 2-4-612(7)</i> as a starting point. Also has to do with federal agencies influencing Montana agencies.	Requested by 10/4 by the committee. Draft emailed to Rep. Hellegaard on 10/16. Updated draft sent 10/21. Available 10/25 committee. Available for 10/14 meeting.	Jameson Walker	Hellegaard
	10/4 Cmte. Meeting: Rule of Necessity	Requested at 10/4 committee meeting.	Julianne Burkhardt	McGillvray

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<i>(PD0031_JB)</i>				
<i>(PD0034_JJ)</i>	Exempt Attorney General from disciplinary measure by Office of Disciplinary Counsel while in office.	10/24 requested. Draft sent to Senator Usher 10/24. Ready for 10/25 committee. Modifications and new version being drafted	Julie Johnson	Usher
	10/25: Committee voted to separate PD0037_JJ into two separate bills. 1: Make JSC physically separate. 2: Administratively attached elsewhere.	Sent email to Nave on 10/29 re: concept.	Julie Johnson	Nave
<i>(PD0040_JJ)</i>	Repeal 13-35-231	Requested 10/30, draft sent to Usher 10/31	Julie Johnson	Usher
<i>(PD0041_JJ)</i>	Revise impeachment laws	Request at 10/25 meeting. Draft approved by McGillvray for 11/14 meeting. Posted for 11/14	Julie Johnson	McGillvray
<i>(PD0062_RW)</i>	Establishing supreme court districts in which associate justices must reside to be appointed or elected	Drafting for 11/14 meeting	Rachel Weiss	Usher