



Law and Justice Interim Committee

59th Montana Legislature

SENATE MEMBERS

BRENT CROMLEY
JESSE LASLOVICH
DANIEL MCGEE
GARY PERRY
JIM SHOCKLEY
CAROL WILLIAMS

HOUSE MEMBERS

GEORGE EVERETT
JOHN PARKER
DIANE RICE
RON STOKER
BILL WILSON
JEANNE WINDHAM

COMMITTEE STAFF

SHERI HEFFELFINGER, Lead Staff
VALENCIA LANE, Staff Attorney
FONG HOM, Secretary

FINAL AGENDA

Meeting #8: Full Committee
LAW AND JUSTICE INTERIM COMMITTEE
Conference Room, State Public Defender Office
44 W. Park Street, Butte, MT

The Montana Legislative Services Division will make reasonable accommodations for persons with disabilities who wish to participate in this public hearing. If you require an accommodation, contact the Legislative Services Division at least 5 working days before the meeting to advise us of the nature of the accommodation that you need.

DAY 1: June 29, 2006

8:00 a.m. Secretary will note the roll
Approval of minutes
Overview of agenda, meeting goals, **Rep. Parker**, chairman

Access to Civil Legal Justice

8:05 a.m. Review of LC 72: Access to Civil Legal Justice Act, **Ms. Sheri Heffelfinger**, Legislative Research Analyst

8:15 a.m. Attorney pro bono obligations; the UM Law School role in providing civil legal services to low income Montanans

- **Mr. Ed Eck**, Dean, University of Montana Law School
- **Mr. Andrew King-Ries**, Assistant Professor of Law, UM Law School

8:45 a.m. Committee questions

9:00 a.m. BREAK

9:15 a.m. Discussion and *public comment* on access to civil justice matters relevant to LC 72

9:45 a.m. Committee action on LC 72

10:00 a.m. BREAK

Juvenile Delinquency and Intervention Program (JDIP)

10:15 a.m. **Ms. Diana Koch**, Chief Legal Counsel, Dept. of Corrections

- Executive & Judicial powers with respect to juvenile delinquency
- DOC's legal opinion about constitutionality of section 41-5-2011(2), MCA, regarding judicial branch administration according to DOC rules
- Status of DOC rules to implement the JDIP

10:45 a.m. Office of Court Administrator comments on Dept. of Corrections JDIP rules, **Ms. Lois Menzies**, Court Administrator

FINAL AGENDA
Law and Justice Interim Committee

* * *

DAY 1 : June 29, 2006, (continued)

Juvenile Delinquency Intervention Program (continued)

- 11:00 a.m. Legislative options on JDIP and the Youth Court Act, **Ms. Valencia Lane**, Staff Attorney
- 11:15 a.m. Discussion and *public comment* on JDIP and Youth Court Act
- 11:45 noon Committee work session, possible action on JDIP rules and the Youth Court Act
- 12:00 p.m. LUNCH BREAK

Statewide Public Defender System

- 1:00 p.m. Public Defender Act and implementation, LJIC duties, **Ms. Sheri Heffelfinger**
- 1:15 p.m. *Written public comment* on public defender matters
- 1:30 p.m. Introductions and round table discussion with Public Defender Commission members and staff, **Rep. John Parker**, LJIC Chairman
- 2:30 p.m. RECESS
- 3:00 p.m. PRESS CONFERENCE:
Law and Justice Interim Committee and Public Defender Commission members provide statements and comment on the July 1, 2006, official opening of the Office of State Public Defender

Agency issues

- 3:30 p.m. RECONVENE
- Status of agency bill draft proposals, any new agency proposals or legislative issues
- Department of Justice
 - Department of Corrections
 - Judicial Branch
- Public comment
- Possible Committee action to approve bill draft requests for agency bills
- 4:00 p.m. Recess until 8:00 a.m., Friday, June 30, 2006

* * *

FINAL AGENDA
Law and Justice Interim Committee
June 29-30, 2006

* * *

DAY 2- Friday, June 30, 2006

LC 71: Prosecution Services Act

- 8:00 a.m. Summary of LC 71 (as revised), issues/options list, **Ms. Sheri Heffelfinger**
- 8:15 a.m. Stakeholder comments on LC 71 (as revised):
- Department of Justice
 - Montana Association of Counties
 - Montana County Attorney's Association
 - Other *public comment* on LC 71
- 8:45 a.m. Committee questions, work session, and action on LC 71
- 9:15 a.m. BREAK

HJR 15: Sentencing Equity Study

- 9:30 a.m. Issue briefings on HJR 15 study, equity in the justice system for American Indians
- Bill sponsors, members of State Tribal Relations Interim Committee (10 min)
 - Indian Affairs Coordinator, Governor's Office (5 min)
 - Department of Justice (5 min)
 - Department of Corrections (5 min)
 - State Public Defender's Office (5 min)
 - County Attorney representatives (5 min)
 - ACLU (5 min)
- 10:40 a.m. Round table discussion: committee and invited guests on HJR 15
- 11:15 a.m. Other *public comment* on HJR 15 study
- 11:30 a.m. Committee instructions to staff on HJR 15
- 11:45 a.m. General *public comment* on any issues relevant to LJIC duties
- 12 noon Wrap up of any other committee business
Other instructions to staff
Next LJIC meeting: August 31, 2006, Helena, LAST MEETING

Adjournment

* * *

PUBLIC DEFENDER: 1:00 p.m. to 4:00 p.m.

Law and Justice Interim Committee (LJIC) members and staff are invited to join the Public Defender Commission meeting and discussions at the **Butte Plaza Best Western, 2900 Harrison Avenue** and to offer comments on the Commission's strategic plan, standards, rules, transition policies, lobbying rules, the updated FY06 fiscal plan, etc.

CI0425 6167shxc.