

AN ACT REVISING CHANGE OF ATTORNEY LAWS; PROVIDING THAT THE REQUIREMENTS FOR CHANGING AN ATTORNEY DO NOT APPLY TO PUBLIC DEFENDERS APPOINTED UNDER THE MONTANA PUBLIC DEFENDER ACT; AND AMENDING SECTION 37-61-403, MCA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 37-61-403, MCA, is amended to read:

"**37-61-403**. **Change of attorney**. (1) The attorney in an action or special proceeding may be changed at any time before or after judgment or final determination, as follows:

(1)(a) upon on consent of both client and attorney, filed with the clerk or entered upon on the minutes;

<u>or</u>

(2)(b) upon on the order of the court, upon on the application of either client or attorney, after notice from one to the other.

(2) The provisions of this section do not apply to assignments or reassignments of a public defender by the office of state public defender in which the office of state public defender is appointed pursuant to the Montana Public Defender Act, Title 47, chapter 1."

- END -



I hereby certify that the within bill,

HB 46, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this	day
of	, 2025.

President of the Senate

Signed this	day
of	, 2025.

HOUSE BILL NO. 46

INTRODUCED BY J. REAVIS

BY REQUEST OF THE OFFICE OF PUBLIC DEFENDER

AN ACT REVISING CHANGE OF ATTORNEY LAWS; PROVIDING THAT THE REQUIREMENTS FOR CHANGING AN ATTORNEY DO NOT APPLY TO PUBLIC DEFENDERS APPOINTED UNDER THE MONTANA PUBLIC DEFENDER ACT; AND AMENDING SECTION 37-61-403, MCA.