

1 HOUSE BILL NO. 693
2 INTRODUCED BY B. MERCER

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING REQUIREMENTS FOR MULTIJUDGE DISTRICTS
5 WITH SPECIALIZED DOCKETS; PROVIDING RULEMAKING AUTHORITY; AND AMENDING SECTION 3-5-
6 403, MCA."

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

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10 **Section 1.** Section 3-5-403, MCA, is amended to read:

11 **"3-5-403. Terms and departments in multijudge districts.** (1) In each judicial district that has more
12 than one judge, as many terms or sessions of court may be held at the same time as there are judges in the
13 district.

14 (2) The judges elected or appointed to hold office in each judicial district having more than one
15 judge shall divide the court into departments, prescribe the order of business, and make rules for the
16 government of the court. In multijudge districts of greater than five judges, the judges of the district may make
17 rules implementing specialized dockets among the departments. Each department must be numbered, and
18 each judge must be assigned to one of the numbered departments.

19 (3) The judges shall apportion the business of the court among themselves as equally as possible.
20 In case of their failure for any cause to make the apportionment or to assign each judge to a numbered
21 department, the supreme court, upon application of any interested person, shall make an order apportioning the
22 business and assigning each judge to a numbered department and cause the order to be entered upon the
23 minute book of the district court in each county in the district. The order remains in full force and effect until
24 modified or repealed by the authority making it. The failure or refusal of any district judge to carry out the terms
25 of the order constitutes a contempt of the supreme court."

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