

## SENATE BILL NO. 342

INTRODUCED BY J. FULLER

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT THE CHIEF JUSTICE OF THE SUPREME COURT APPOINTS AND DIRECTS THE COURT ADMINISTRATOR; AMENDING SECTIONS 3-1-130, 3-1-701, AND 3-1-702, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

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

**Section 1.** Section 3-1-130, MCA, is amended to read:

**"3-1-130. Supreme court -- adoption of judicial branch personnel plan.** (1) The supreme court shall adopt a plan of personnel administration for employees of the judicial branch, other than justices, judges, the supreme court administrator, the librarian of the state law library, and the clerk of the supreme court. The plan must include but may not be limited to classification and pay, recruitment and selection, performance appraisal, training, and promotion.

(2) The court administrator appointed under 3-1-701 shall, under the direction of the ~~supreme court~~ chief justice, administer the judicial branch personnel plan adopted under this section."

**Section 2.** Section 3-1-701, MCA, is amended to read:

**"3-1-701. Office of court administrator -- appointment and term of office.** There is established the office of court administrator. The ~~supreme court~~ chief justice shall appoint a court administrator. The court administrator holds the position at the pleasure of the ~~court~~ chief justice."

**Section 3.** Section 3-1-702, MCA, is amended to read:

**"3-1-702. Duties.** The court administrator is the administrative officer of the court. Under the direction of the ~~supreme court~~ chief justice, the court administrator shall:

(1) prepare and present judicial budget requests to the legislature, including the costs of the state-

1 funded district court program;

2 (2) collect, compile, and report statistical and other data relating to the business transacted by the  
3 courts and provide the information to the legislature on request and, if requested, in accordance with 5-11-210;

4 (3) to the extent possible, provide that current and future information technology applications are  
5 coordinated and compatible with the standards and goals of the executive branch as expressed in the state  
6 strategic information technology plan provided for in 2-17-521;

7 (4) recommend to the supreme court improvements in the judiciary;

8 (5) administer legal assistance for indigent victims of domestic violence, as provided in 3-2-714;

9 (6) administer state funding for district courts, as provided in chapter 5, part 9;

10 (7) administer the pretrial program provided for in 3-1-708;

11 (8) administer the treatment court support account provided for in 46-1-1115; and

12 (9) administer the judicial branch personnel plan."  
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14 NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.  
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16 NEW SECTION. Section 5. Retroactive applicability. [This act] applies retroactively, within the  
17 meaning of 1-2-109, to court administrators appointed on or before [the effective date of this act].  
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