

FILED

12/15/2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: PR 07-0011

IN THE SUPREME COURT OF THE STATE OF MONTANA

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DEC 15 2016

ORDER

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE MATTER OF CALLING A RETIRED
DISTRICT JUDGE TO ACTIVE SERVICE

The Honorable Dirk Sandefur, Judge of the District Court for the Eighth Judicial District of the State of Montana, has requested the assistance of retired District Judge Thomas McKittrick to assume jurisdiction of the Child Abuse and Neglect calendar, the Youth Court calendar, and initial appearance and arraignment hearings in criminal cases, through February 28, 2017.

Judge McKittrick has retired under the provisions of the Montana Judges' Retirement System and, being subject to call for duty pursuant to § 19-5-103, MCA, has advised that he is agreeable to assisting the Eighth Judicial District Court with the above-listed matters.

IT IS HEREBY ORDERED that The Honorable Thomas McKittrick, retired District Judge, is hereby called to active service in the District Court of the Eighth Judicial District of the State of Montana, to conduct all proceedings required by law as follows:

1. Judge McKittrick shall assume and exercise full judicial authority over all cases scheduled on the Child Abuse and Neglect calendar in all Departments of the court as needed through February 28, 2017.

2. Judge McKittrick shall assume and exercise full judicial authority over all Department D Criminal cases under Titles 45 and 46, MCA, including but not limited to initial appearances, bail determinations, arraignment, pretrial motion practice, acceptance of pleas, sentencing, and revocations proceedings, except for jury trials, through February 28, 2017.

3. Judge McKittrick shall assume and exercise full judicial authority over all Department D Child Abuse and Neglect cases under Title 41, chapter 3, MCA, including but not limited to show cause, adjudicatory, dispositional, permanency, and termination proceedings, through February 28, 2017.

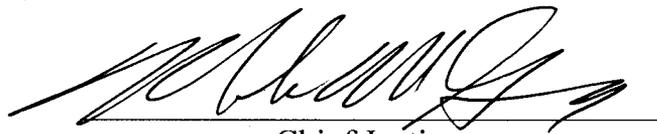
4. Judge McKittrick shall assume and exercise full judicial authority over all Department D Youth Court cases under Title 41, chapter 5, MCA, through February 28, 2017.

5. For all active service, Judge McKittrick shall be paid the salary compensation to which he is entitled by § 19-5-103(2)(b), MCA, and actual expenses, if any, shall be reimbursed.

6. A copy of this Order shall be furnished to the District Court Judges of the Eighth Judicial District, the Honorable Thomas McKittrick, and to Becky Buska, Office of the Supreme Court Administrator.

This Order is entered by the Chief Justice pursuant to Article VII, Section 6(3) of the 1972 Montana Constitution, and statutes enacted in conformity therewith and in implementation thereof.

DATED this 15th day of December, 2016.



Chief Justice