

IN THE SUPREME COURT OF THE STATE OF MONTANA

IN THE MATTER OF ADOPTING INFORMATION)
TECHNOLOGY STANDARDS IN THE)
FOURTH JUDICIAL DISTRICT)

ORDER

FILED
DEC 30 1998
Ed Smith
CLERK OF SUPREME COURT
STATE OF MONTANA

The Judges of the Fourth Judicial District, Missoula County, have asked for this Court's assistance concerning the failure of the Missoula County Clerk of Court's office to act to implement the statewide court automation program.

The Court notes that the statewide court automation program, now known as the Judicial Case Management System (JCMS), includes software standards for all courts in Montana that computerize judicial functions, by orders of this Court dated March 8, March 29, and June 12, 1990, and April 5, 1994. In its April 1994 order, this Court noted:

[T]he Montana Judiciary has adopted uniform automation standards for information management systems . . . and

. . . the successful development and support of software, hardware, and computer training for district and limited jurisdiction courts is only possible if court automation systems are coordinated and uniform[.]

The Office of the Montana Supreme Court Administrator was designated to administer the standards adopted in this Court's order and to approve requests for exceptions to those standards.

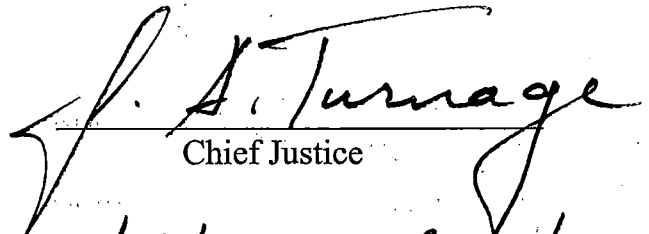
The Missoula County Clerk of Court has apparently taken the position that her office is a part of the executive branch of government and therefore need not comply with Orders of this Court or of the Fourth Judicial District Court Judges. We disagree.

The Court having now considered the request for assistance from the Judges of Montana's Fourth Judicial District, and good cause appearing therefor,

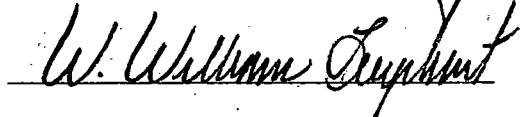
IT IS ORDERED that the Judges of the Fourth Judicial District and the Missoula

County Clerk of Court's Office shall convert to the JCMS system by February 1, 1999. Missoula County may continue to use its existing computer program for restitution, child support, file tracking and any other program not presently utilized by the JCMS system; however, when the JCMS program system incorporates these additional programs or the Supreme Court Administrator's Office otherwise implements such programs, the Missoula County Clerk of Court's Office will be required to implement those programs.

Dated this 30th day of December, 1998.



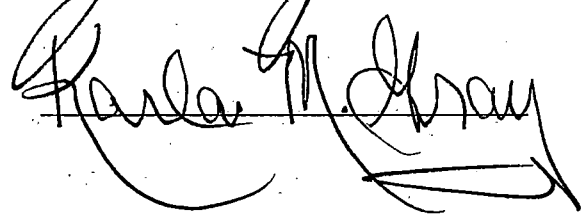
Chief Justice











Justices

December 31, 1998

CERTIFICATE OF SERVICE

I hereby certify that the following certified order was sent by United States mail, prepaid, to the following named:

HONORABLE DOUGLAS G HARKIN
DISTRICT COURT JUDGE
200 W BROADWAY
MISSOULA MT 59802

HONORABLE JOHN S HENSON
DISTRICT COURT JUDGE
200 W BROADWAY
MISSOULA MT 59802

HONORABLE JOHN W LARSON
DISTRICT COURT JUDGE
200 W BROADWAY
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HONORABLE ED P MCLEAN
DISTRICT COURT JUDGE
200 W BROADWAY
MISSOULA MT 59802

KATHLEEN D BREUER
CLERK OF DISTRICT COURT
MISSOULA COUNTY COURTHOUSE
MISSOULA MT 59802

PATRICK CHENOVICK
SUPREME COURT ADMINISTRATOR
215 N SANDERS
HELENA MT 59620

4 ~~Dist~~ Dist
Judges
Clerk of Ct
Pat Chen

ED SMITH

CLERK OF THE SUPREME COURT

STATE OF MONTANA

BY: *D. Gallagher*
Deputy