

ORIGINAL

IN THE SUPREME COURT OF THE STATE OF MONTANA

AF 11-0765

FILED

MAR 27 2026

Bowen Greenwood
Clerk of Supreme Court
State of Montana

ORDER

ACCESS TO JUSTICE COMMISSION:
IN RE THE PROPOSAL TO ADOPT RULES
AUTHORIZING CERTIFIED LAY
ADVOCATES TO PROVIDE LIMITED LEGAL
SERVICES IN CERTAIN COURTS

On September 15, 2025, the Montana Legal Services Association (MLSA) filed a petition with this Court to adopt rules authorizing certified lay advocates to provide limited legal services in Justice Courts and City Courts. The Court allowed an extended time for public comment and considered the proposal at a public meeting on March 24, 2026. The Court received many thoughtful and thorough comments and expresses its appreciation to all who submitted comment on the proposal. Having considered the petition, the written comments, and additional discussion and comments during the public meeting, the Court approved the proposal subject to further development of guidelines and rules to be adopted in a future order. Accordingly,

IT IS ORDERED that the Petition to authorize a program for certified lay advocates is GRANTED. The non-lawyer lay advocates, to be known as Community Justice Workers, will be under the supervision of MLSA, which will provide training and mentoring for all individuals certified in the program. Community Justice Workers will be limited to performing services in the areas of orders of protection and simple housing and consumer matters before Justice Courts, City Courts, and Municipal Courts in the State of Montana.

IT IS FURTHER ORDERED that a working group is appointed to draft recommended rule changes and an implementing order for the Community Justice Worker Program, to include:

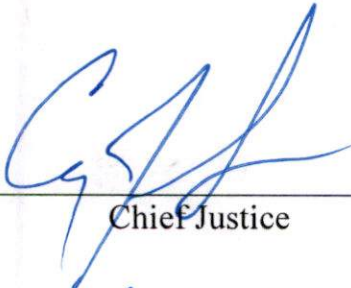
- the process for selection, training, supervision, and certification of Community Justice Workers;
- necessary rule changes to allow their appearance in the courts for which Community Justice Workers are authorized;
- guidelines and regulations that define the scope of practice of Community Justice Workers;
- a process for monitoring and evaluating the impact of authorized Community Justice Workers in Montana; and
- designation of an oversight entity or committee and its functions.

IT IS FURTHER ORDERED that the following individuals are appointed as members of the Working Group: Justice Katherine M. Bidegaray; John Mudd, Executive Director of the State Bar of Montana; Alison Paul, Executive Director of the Montana Legal Services Association; Katy Lovell, Access to Justice Director for the Montana Judicial Branch; Brianne Holland-Stergar, Alexander Blewett III School of Law at the University of Montana; and the Hon. Kelly Mantooh, Fergus County Justice of the Peace.


The Working Group is directed to file its recommendations with the Clerk of this Court within 45 days of the date of this Order, after which the Court will determine whether an additional period for public comment is appropriate.

The Clerk shall provide a copy of this Order to the State Bar of Montana, the Montana Legal Services Association, the Commission on Courts of Limited Jurisdiction, the Dean of the Alexander Blewett III School of Law at the University of Montana, and the State Law Library.

Dated this 27th day of March, 2026.



Chief Justice



Katherine M. Bidigare

Angel G. Smith

Ramona M. G. ...

James Joseph ...

Jim Rice

Justices