



## Law and Justice Interim Committee

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### 63rd Montana Legislature

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DAWN FIELD, Secretary

September 6, 2013

TO: Law and Justice Interim Committee  
FROM: Rachel Weiss  
RE: September 19-20 meeting agenda and materials

The Law and Justice Interim Committee will meet on September 19 and 20 in Helena in Room 102 of the Capitol. The meeting starts at **9:30 a.m. on Thursday** the 19th and at **8 a.m. on Friday** the 20th.

The tentative meeting agenda is enclosed in this packet. Other meeting materials included in the packet are:

- a background paper on existing family law procedures for the SJ 22 study;
- two papers for the SJ 3 study that provide background on the Board of Pardons and Parole (BOPP) and on parole philosophy;
- two memos from legal staff, one on administrative rules and one about the criminal justice process;
- a flowchart developed by the Department of Corrections (DOC) to help explain the flow of offenders through facilities and programs maintained or overseen by the DOC;
- an explanation of what information is included in an inmate's files and what information is at the BOPP's disposal during a parole hearing;
- a summary of a 2012 performance audit of the Office of the Public Defender (the full audit will be provided to you at the meeting and is available online at the LJIC website);
- the original stipulation and order in the public defender litigation; (additional background documents are available online at the LJIC website);
- a February 2013 resolution by the Public Defender Commission about limiting caseloads;
- printed copies of material from the DOC that was requested by members at the last meeting and e-mailed to you earlier in the summer; and
- public comments received since the last meeting packet.

For those of you who like to follow along on your laptops or tablets during the meeting, the meeting materials are also posted on the committee's website. The address is:

**[www.leg.mt.gov/ljic](http://www.leg.mt.gov/ljic)**.

Proxy votes: Please remember that the LJIC is still governed by the Legislative Council's *Rules, Procedures, and Guidelines for Legislative Interim Committees and Activities*. I have included the section relating to proxy votes because there was confusion at the last meeting about what rules would govern these votes after a failed vote to prohibit the use of proxies.

A few things to note about the meeting packet:

- When practical, documents related to the SJ 3 study of the BOPP will be on tan paper and SJ 22 documents will be on yellow;
- Additional background documents about the Office of the Public Defender are posted online at [www.leg.mt.gov/ljic](http://www.leg.mt.gov/ljic). To view the documents, visit the meeting page for the September 19-20 meeting *or* click on Committee Topics on the right-hand side of the home page. From the resulting page, scroll to the heading Office of the Public Defender. These documents are helpful to understand the history and development of the Office, but also total several hundred pages. If you need a hard copy of any of these documents, please contact me.
- The agenda will likely change a little before the meeting date. I do not anticipate the meeting start times will change. If they do, I will contact each of you to let you know.

Please feel free to contact any of your staff with questions. I can be reached at 444-5367 or [rweiss@mt.gov](mailto:rweiss@mt.gov). Julianne is available at 444-4025. Dawn can be reached at 444-3073 or [dfield@mt.gov](mailto:dfield@mt.gov).