

FILED

IN THE SUPREME COURT OF THE STATE OF MONTANA

03 2003

Ed Smith  
CLERK OF SUPREME COURT  
STATE OF MONTANA

IN THE MATTER OF ESTABLISHING )  
PROCEDURES AND COSTS FOR )  
PHOTOCOPYING FILE MATERIALS )  
OF THE COMMISSION ON PRACTICE )

ORDER

Because only two persons staff two Montana Supreme Court Commissions and one Division including the Commission on Practice (Commission); because these staff may, from time to time, be required to attend Commission meetings and hearings; because some of the Commission's files are stored in locations other than at the principal offices of the Commission at 215 North Sanders, in Helena, MT; because it is necessary to maintain the security and integrity of the Commission's files; and because the Commission lacks the financial resources to photocopy materials in its public files without a reasonable charge, it is appropriate that this Court establish uniform procedures for examining and reasonable costs for photocopying file materials in the public files of the Commission. To that end and pursuant to Article VII, Section (3) of the Constitution of Montana, the following procedures and costs are adopted, effective the date hereof:

1. Persons seeking to examine public files or to have materials therefrom photocopied shall give the Commission's Secretary, or her deputy, at least one full business day's notice, specifying the file(s) or parts thereof requested. The Commission's Secretary or her deputy shall advise the person requesting the file(s) of the date when the file(s) requested may be examined. The Commission's staff shall have a reasonable time to locate and make the requested files available.
2. Public files may be examined at the Commission's offices. The Commission's Secretary shall make available a desk or table and chair for the convenience of the person requesting these files. The Commission's files shall not be removed from the floor on which the Commission's offices are located and under no circumstances shall papers, documents or other materials be removed from or added to these files except by the Commission's Secretary or her deputy.

3. On request, the Commission's Secretary or her deputy shall provide

photocopies of papers, documents and other materials from the Commission's public files provided, however, that the requesting party shall pay in advance the sum of \$ .25 per page photocopied and an administrative fee of not to exceed \$25.00. If requested, copies may be mailed provided, however, that the requesting party shall prepay all postage.

IT IS SO ORDERED.

IT IS FURTHER ORDERED that the Clerk of this Court give notice of this Order by mail to: Timothy B. Strauch, Disciplinary Counsel; John Warren, Chairman of the Commission on Practice; Sharon Parrish, Secretary of the Commission on Practice; and the Executive Director of the State Bar of Montana and the State Law Librarian with the request the this Order be published on their respective websites.

Dated this 3<sup>rd</sup> day of July, 2003.

  
Chief Justice









Justices