

IN THE SUPREME COURT OF THE STATE OF MONTANA

**FILED**

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IN RE: AMENDING RULE 54(a)(2) OF THE )  
MONTANA RULES OF APPELLATE PROCEDURE )  
\_\_\_\_\_

ORDER

SEP 28 1999

*Ed Smith*  
CLERK OF SUPREME COURT  
STATE OF MONTANA

The Court has determined to amend the Montana Rules of Appellate Procedure.

Accordingly, by and under the authority vested in this Court in Article VII, Section 2(3), of the Constitution of the State of Montana,

IT IS HEREBY ORDERED that effective January 1, 2000, Rule 54(a)(2), M.R.App.P., is amended as follows: (Underscored material will be added to the Rule and stricken material will be deleted from the Rule.)

**Rule 54. Mandatory appellate alternative dispute resolution procedures.**

Upon appeal pursuant to Rule 1 of a civil case defined in subsection (a) of this rule, the requirements of this rule shall apply.

(a)(2) Domestic relations. Appeals in domestic relations cases, including but not limited to all dissolution issues, child custody and support issues, maintenance issues and modifications of orders entered with respect to those issues; but excluding actions for termination of parental rights, paternity disputes, adoptions, and all juvenile and contempt proceedings when the excluded matters constitute the only issues on appeal. In addition, if there has been a finding by a district court that one of the parties has been a victim of domestic violence, the appellate mediation may be conducted by telephone upon motion submitted to the mediator by either party.

IT IS FURTHER ORDERED that the Clerk of this Court shall prepare and mail copies of this Order to:

The Code Commissioner and Director of Legal Services for the State of Montana;

The District Judges of the State of Montana;

The Clerks of the District Courts of the State of Montana;

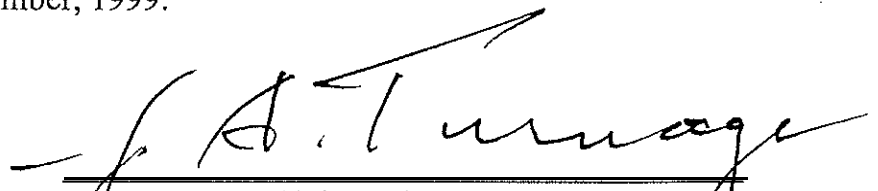
The Clerk of the United States District Court of the State of Montana;

James H. Goetz, Chairman of the Advisory Commission on Rules of Civil and Appellate Procedure;

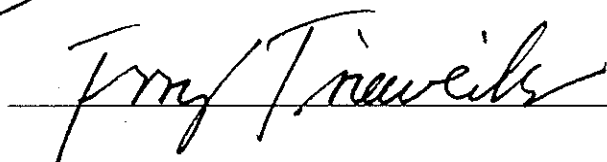
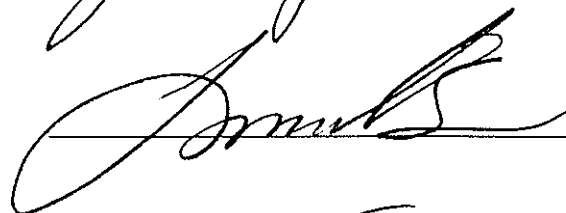
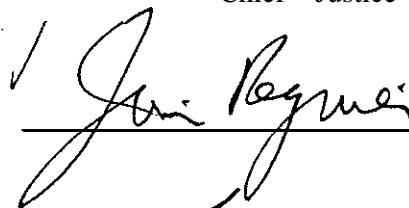
The President and Executive Director of the State Bar of Montana with the request that this order be published in the next available issue of The Montana Lawyer; and

The State Reporter Publishing Company with the request that this Order be published in the State Reporter.

DATED this 28<sup>th</sup> day of September, 1999.



Chief Justice



*William E. Hunt*

*W. William Senghaus*

*Karla M. Gray*  
Justices