



ED SMITH  
CLERK

State of Montana  
Office of Clerk of the Supreme Court  
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Helena, 59620-3003  
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MEMORANDUM

January 16, 2002

TO: JUDY MEADOWS, State Law Librarian  
FROM: ED SMITH, Clerk of the Supreme Court

Pursuant to the order of the Supreme Court dated January 15, 2002, I am requesting that the enclosed Order, IN RE THE ASSESSMENT OF DUES FOR PURPOSES OF FUNDING CHANGES TO MONTANA'S SYSTEM FOR DISCIPLINING LAWYERS, be posted on the Montana Law Library web cite ([www.lawlibrary.state.mt.us](http://www.lawlibrary.state.mt.us)).

IN THE SUPREME COURT OF THE STATE OF MONTANA

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IN RE THE ASSESSMENT OF )  
DUES FOR PURPOSES OF )  
FUNDING CHANGES TO )  
MONTANA'S SYSTEM FOR )  
DISCIPLINING LAWYERS )  
\_\_\_\_\_

ORDER

JAN 5 2002  
Ed Smith  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

For purposes of implementing this Court's December 11, 2001 Order, *In Re: the Creation of the Office of Discipline Counsel; the Adoption of Structural Changes to the Commission on Practice; and the Adoption of Changes to Montana's System for Disciplining Lawyers*, 2002 MT 257, representatives of this Court met with representatives of the Supreme Court Administrator's Office, the Commission on Practice and the State Bar of Montana and studied costs and budget recommendations associated with the foregoing changes to Montana's system for disciplining lawyers. Such information is associated with the original of this Order in the office of the Clerk of the Supreme Court.

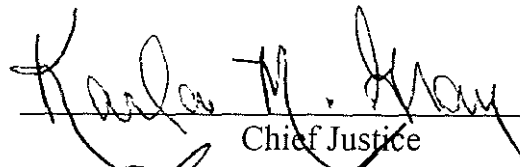
Given that there are approximately 3,100 active members of the State Bar of Montana and based upon the anticipated costs and the budget recommendations aforementioned, this Court has determined that each active member of the State Bar of Montana shall be assessed the sum of \$75.00 per year which shall be earmarked for funding the changes to Montana's system for disciplining lawyers referred to in our December 11, 2001 Order, and for creating a small reserve similarly earmarked for these purposes. This assessment shall commence with the dues assessment for the year 2002, and shall be in addition to all other dues, fees and assessments heretofore assessed, whether required by statute or previous order of this Court.

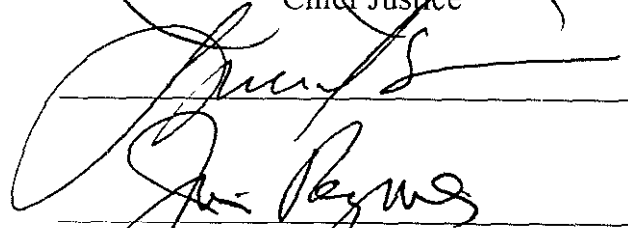
The budgetary information aforementioned may be examined in the office of the Clerk of the Supreme Court.

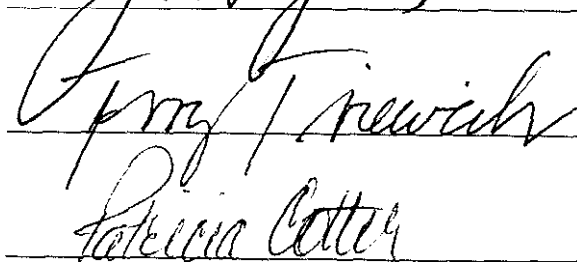
IT IS SO ORDERED.

IT IS FURTHER ORDERED that the Clerk of this Court give notice of this Order, by mail, to: the Chairman of the Commission on Practice and to each member thereof; to the President and Executive Director of the State Bar of Montana, with the request that this Order be published prominently in the next available issue of the Montana Lawyer and be posted to the State Bar of Montana's webpage; and to the State Law Librarian for the State of Montana with the request that this Order be posted to the State Law Library's webpage.

DATED this 15<sup>th</sup> day of January, 2002.

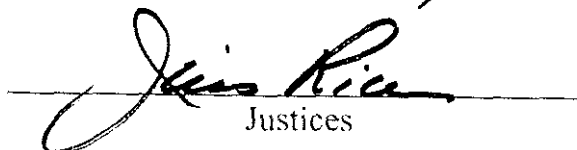
  
\_\_\_\_\_  
Chief Justice

  
\_\_\_\_\_  
Justice

  
\_\_\_\_\_  
Justice

  
\_\_\_\_\_  
Justice

  
\_\_\_\_\_  
Justice

  
\_\_\_\_\_  
Justices

**MONTANA SUPREME COURT  
OFFICE OF DISCIPLINE COUNCIL  
PROPOSED FY 2002 BUDGET**

Line item	FY 2001 Montana Commission on Practice Expenses	FY 2002 Montana Commission on Practice Budget (1)	FY 2003 office of Discipline Council Proposed Budget	FY 2003 State Bar Of Montana Share	FY 2003 Montana Supreme Court Share
Discipline Counsel	0		70,000	70,000	
Investigator/Paralegal	0		35,000	35,000	
Support Staff	0		25,000	25,000	
Commission on Practice (1.5 FTE)	62,034		0	0	
Health Insurance	6,960		13,200	13,200	
Payroll Expenses (Retirement, FICA, WC)	9,002		16,900	16,900	
<b>Personnel Expenses</b>	<b>77,996</b>	<b>102,834</b>	<b>160,100</b>	<b>180,100</b>	<b>102,834</b>
Supplies and Miscellaneous	2,518	850	5,000	0	8,000
<b>Supply Expenses</b>	<b>2,518</b>	<b>850</b>	<b>5,000</b>	<b>0</b>	<b>8,000</b>
Professional services	13,754	24,710	0	0	14,400
Insurance (CGL & Other)	0		4,000	0	0
Rent/Utilities and Parking	0		13,000	0	20,267
Travel	15,884	16,600	10,000	10,000	16,600
Postage	4,068	5,000	2,000	0	6,200
Telephone/Fax	2,046	2,500	3,000	0	5,200
Printing	13,570	11,000	2,000	0	16,200
Training	0		4,500	4,500	0
Other Charges and Services Expenses	49,322	59,810	38,500	14,500	78,867
Start-Up Costs (Furniture)	0		6,000	0	6,000
Equipment	797		7,500	0	7,500
Capital Expenses	797		13,500	0	13,500
SBM Indirect costs	0		19,500	19,500	0
<b>Other Expenses</b>	<b>0</b>		<b>19,500</b>	<b>19,500</b>	<b>0</b>
<b>Total Expenses</b>	<b>130,633</b>	<b>163,494</b>	<b>236,600</b>	<b>194,100</b>	<b>189,701 (2)</b>

(1) This budget is just the initial allocation. Adjustments will be necessary—printing is underbudgeted and will need to be increased, probably from Professional Services. Supplies and Misc. is also probably underbudgeted.  
FY2002 budget includes pay plan appropriation /

Assessment per attorney needed \$63.00  
(based upon 3,108 active, non-judicial members and excluding inactive members)  
Assessment with Reserve \$75.00  
Reserve should be 3 months of payroll and expenses

(2) Commission on Practice appropriated amount for FY 2003