1	SENATE BILL NO. 41
2	INTRODUCED BY D. EMRICH
3	BY REQUEST OF THE SENATE SELECT COMMITTEE ON JUDICIAL OVERSIGHT AND REFORM
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A SUBSTITUTED OR DISQUALIFIED DISTRICT
6	COURT JUDGE TO FOLLOW A PROCEDURE THAT PROVIDES FOR THE RANDOM SELECTION OF
7	SUBSEQUENT JUDGES; DEFINING "RANDOM SELECTION"; REQUIRING THE OFFICE OF THE COURT
8	ADMINISTRATOR TO ESTABLISH THE PROCEDURE; AND PROVIDING EFFECTIVE DATES."
9	
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11	
12	NEW SECTION. Section 1. Calling of subsequent district judges random selection. (1) When
13	calling in subsequent district judges, a judge who has been substituted, or-disqualified for cause, OR RECUSED
14	shall follow the procedure for the random selection of subsequent district judges as established by the office of
15	the court administrator.
16	(2) For the purposes of this section, "random selection" means a selection from a larger group by
17	chance. The RANDOM SELECTION OF SUBSEQUENT JUDGES MUST INCLUDE A MECHANISM TO ENSURE THAT THE
18	SUBSEQUENT DISTRICT JUDGE'S JUDICIAL DISTRICT IS REASONABLY CLOSE GEOGRAPHICALLY TO THE JUDICIAL DISTRICT
19	OF THE ORIGINAL JUDGE WHILE STILL REMAINING RANDOM.
20	
21	NEW SECTION. Section 2. Office of court administrator procedure. By October 1, 2025, the office
22	of the court administrator shall establish a procedure for the random selection of subsequent district judges for
23	a district court in which the initial judge has been substituted, or-disqualified for cause, OR RECUSED. THE
24	RANDOM SELECTION OF SUBSEQUENT JUDGES MUST INCLUDE A MECHANISM TO ENSURE THAT THE SUBSEQUENT
25	DISTRICT JUDGE'S JUDICIAL DISTRICT IS REASONABLY CLOSE GEOGRAPHICALLY TO THE JUDICIAL DISTRICT OF THE
26	ORIGINAL JUDGE WHILE STILL REMAINING RANDOM. The office shall provide the procedure to all district court judges
27	by October 15, 2025.
28	



1	NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an
2	integral part of Title 3, chapter 1, part 8, and the provisions of Title 3, chapter 1, part 8, apply to [section 1].
3	
4	NEW SECTION. Section 4. Effective dates. (1) Except as provided in subsection (2), [this act] is
5	effective on passage and approval.
6	(2) [Section 1] is effective October 1, 2025.
7	- END -

