

Ordinance 3683

An ordinance amending Title 2, Chapter 2.42, Section 2.42.010 entitled "Municipal Court" to establish three municipal court judges as well as establish the duties of the chief judge.

Be it ordained and adopted by the Missoula City Council that section 2.42.010 be amended to establish three municipal court judges as well as the duties of chief judge.

2.42.010 ESTABLISHED. (1) There is established in the city municipal court to be known as "The Municipal Court of the City of Missoula". The time of such establishment shall be the second day of May 1977. This section is adopted pursuant to the provisions of MCA Section 3-6-101.

(2) Effective the first Monday of January 2022, January 3, 2022, there shall be two additional elected municipal court judges for a total of three municipal court judges elected at the November 2, 2021 general city election.

(3) The three municipal court judges shall adopt a procedure by which they either (A) select a chief municipal court judge at the beginning of each calendar year; or (B) select a chief judge for a specific period of time;

(A) the procedure shall specify that the chief municipal court judge is selected by at least two municipal court judges

(4) If the municipal court judges cannot agree, the municipal court judge with the most seniority shall serve as the chief municipal court judge. However, if there is no municipal court judge with seniority, the chief judge shall be the municipal court judge who received the most votes at the preceding general city election.

(5) The chief municipal court judge shall provide for the efficient management of the municipal court in cooperation with the other municipal court judges, and shall:

(A) maintain a central docket of the court's cases;

(B) provide for the distribution of cases from the central docket among the judges in order to equalize the work of the judges;

(C) request the jurors needed for cases set for jury trial;

(D) temporarily reassign or substitute judges among the departments as necessary to carry out the business of the court; and;

(E) supervise and control the court's personnel and the administration of the court.

SEVERABILITY. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of the ordinance. The Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase and words thereof irrespective of the fact that any one or more sections, subsections, sentences, of this ordinance should be declared invalid or unconstitutional, then the remaining ordinance provisions will be in full force and effect.

Effective Date:

This ordinance will be effective 30 days after passage.

First reading and preliminary adoption on the 3rd day of May, 2021, by a vote of 10 ayes; 0 nays; 0 abstentions; and 2 absent.

Second and final reading and adoption on the 24th day of May, 2021 by a vote of 11 ayes; 0 nays; 0 abstentions; and 1 absent.

ATTEST:



Martha L. Rehbein, CMC
City Clerk

APPROVED:



John Engen
Mayor

