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MONTANA CONSTITUTIONAL CONVENTION
STATE CAPITOL • HELENA, MONTANA 59601 • TELEPHONE 406/449-3750

JUDICIARY COMMITTEE

Place of Meeting: Senate Chambers, Capitol Building, Helena, Mt.

Date Meeting Held: January 21, 1972

Hour Meeting Held: 1:10 P.M.

MINUTES OF THE SIXTH MEETING OF JUDICIARY COMMITTEE

Roll Call:

David L. Holland , Chairman	-	Present
Mrs. Catherine Pemberton, Vice-Chairman	-	Present
Cedor B. Aronow	-	Present
Ben E. Berg, Jr.	-	Present
Mrs. Jean M. Bowman	-	Present
Leslie "Joe" Eskildsen	-	Present
Rod Hanson	-	Present
J. Mason Melvin	-	Present
John M. Schiltz	-	Present

DISCUSSION:

William F. Crowley, Professor at the University of Montana Law School, Missoula, Montana, prepared a written statement for the committee's consideration. Said statement is attached hereto and made a part of these minutes. He spoke of the district court and the creation of the district court magistrates and described justice of the peace courts and the duties and qualifications thereof. A question and comment period followed his testimony.

Ken Davis, of the Montana Citizens for Court Improvement explained the composition of this organization and the work the organization has been active in. A copy of his statement is attached hereto and made a part of these minutes.

Mr. Stanley Lowe of Chicago then appeared in support of the Montana Plan. He spoke on behalf of the American Judicate Society which is composed of 50,000 judges, lawyers and laymen . He favored the merit system for judicial selection, unified court concept, methods for handling problems of judicial removal, court organization and administration and moderized lower courts as proposed in the Montana Plan. He mentioned several states as examples of a unified court system and states making improvements in administrating courts. He was of the opinion that the merit selection plan remedies many of the political aspects of the elected process and deals with qualifications only in seeking best judges. Numerous questions were asked of Mr. Lowe regarding judicial process in other states.

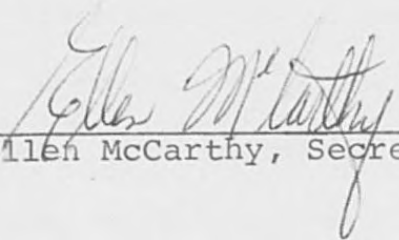
There being no further business before the committee, it adjourned



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January 21, 1972
Page 2

at 4:30 P.M.


Ellen McCarthy, Secretary


D. L. Holland, Chairman