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Montana Bar Association Activities

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MONTANA BAR ASSOCIATION ACTIVITIES

The Montana Bar Association's annual meeting was held in Butte, Montana, in June 1958 and the 1959 meeting will be held in Great Falls, Montana, on June 18-20, 1959.

A very worthwhile Medical-Legal meeting was held in Missoula, April 24-25, 1959. It is important that we continue our work with the Montana Medical Association to develop a better understanding between the members of the two professions.

The activities of the Montana Bar Association are becoming more and more important to the practicing lawyer.

Recognizing the need for the continuing education of the bar, a National Conference on the Continuing Education of the Bar was held at Arden House, Harriman, New York, December 16-19, 1958. The final statement issued by the Conference recognized that present programs have made good progress, but that much remains to be done. It was also recognized that programs for continuing education in the past have placed a major emphasis on professional competence and have not always given to professional responsibility the attention it should have. In the future these programs must also emphasize the professional responsibilities of the lawyer. They must help the lawyer to fulfill a wide range of professional responsibilities to the courts, to the administration of justice, to law reform, to the law-making process, to the profession, and to the public. Montana, like a number of states that are sparsely populated, will probably find it advantageous to work out a program in the next few years through a regional organization.

The committee of the Montana Bar Association on Judicial Administration and Remedial Procedure, led by the Honorable W. W. Lessley, District Judge, as chairman, devoted much time and attention to drafting a proposed bill for introduction at the recent session of the legislature. The purpose of the act was to make possible in Montana the adoption of modern rules of practice and procedure patterned after the Federal Rules of Civil Procedure. The bill was introduced and passed by the House (H.B. 31). In the Senate the bill was held up in the Senate Judiciary Committee for sometime, but finally emerged as a Senate Substitute for the House Bill. The bill was rewritten to provide that the rules of pleading, practice and procedure should be effective only upon adoption by the legislature, rather than as provided in the original bill that all present laws relating to pleading, practice and procedure would, as of the effective date of the bill, become rules of practice until modified or superseded by court rules adopted by the Supreme Court of Montana in accordance with the procedure set forth in the bill. An eleven member commission is provided for, to make a study and to prepare rules of civil procedure for the State of Montana. The proposed rules of pleading, practice and procedure prepared by the Commission will be distributed to the bench and bar of the state. Thereafter, a tentative final draft of proposed rules of civil procedure for Montana must be submitted to the Montana Supreme Court for approval. The court will give notice of the hearing on the tentative final draft and all interested persons and organizations may appear at said hearing by petition and specify their suggestions or objections. Notice of the

hearing will be sent to all district judges and all attorneys licensed to practice in the state. It is hoped that with the work that will be done, Montana may finally in 1961 have modern rules of practice and procedure.

The American Bar Association plan for the election of judges, as modified and submitted to the legislature in 1957, was again submitted to the Legislative Assembly during the 1959 session. The proposed legislation did not receive favorable consideration by the Legislative Assembly.

Several bills affecting courts and the practice of law were considered by the recent legislative session. It is becoming more apparent each year that more lawyers should take an interest in legislation that affects the practice of law. Members of the bar do have a professional responsibility in this regard, not only to the court and the lawyers, but to the public.

Respectfully submitted,

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