

Montana Public Library Legal Information Toolkit

Montana became a state in 1889.

Legal materials from 1864 to 1889 relate to the Territory of Montana.

State Constitution: Print version of the current Montana Constitution is contained in *Montana Code Annotated (MCA)*, volume 1. Annotations to the current Constitution are available in the *Annotations to the Montana Code Annotated*, a separate title. The online versions do not include annotations, http://leg.mt.gov/bills/mca_toc/CONSTITUTION.htm or <http://sos.mt.gov/Constitution/index.asp>. The Organic Act, the original 1889 Constitution and the original 1972 Constitution are available online, as well as the Proceeding of the 1972 Constitutional Convention, http://courts.mt.gov/library/montana_laws.mcp#constitutional.

State Code: The official *Montana Code Annotated* is the print version, published in the fall of each odd numbered year. The online version can be found at http://leg.mt.gov/bills/mca_toc/index.htm. Older editions of the state and territorial codes are available at the State Law Library of Montana, <http://courts.mt.gov/library/default.mcp>. The *Annotations to the MCA* is a separate publication published every even year. The *Annotations* are not available online from an open source. The *MCA*, the *Annotations* as well as other legislative publications can be purchased from Legislative Services, <http://leg.mt.gov/css/Publications/purchase.asp>.

State Session Laws: The *Laws of Montana* have been published by the Montana Legislature after each session since 1864 and are available at the State Law Library of Montana. The Legislature meets in regular session each odd-numbered year. Special sessions may occur at other points in the legislative cycle. There is no open source online version of the session laws.

State Bills: The State Law Library of Montana has collected and bound all versions of all bills introduced in the House and Senate, beginning with the 1975 session. Bills can be found online beginning with the 1999 legislative session, <http://leg.mt.gov/css/bills/Default.asp>. For bills prior to the 1975 session, contact the Montana Historical Society Archives which is the official depository for all legislative materials, <http://mhs.mt.gov/research/library/legislativeresearch.asp>.

Legislative Material: House and Senate Journals exist from 1864 through present. For the years, 1864 through 1993, they are in print format available at the State Law Library. Subsequently, they are digital only. Committee minutes are available from the Historical Society, the State Law Library or the Legislative branch website, <http://leg.mt.gov/css/default.asp> depending upon the year of the session.

State Administrative Code: Montana's administrative rules are published in the *Administrative Rules of Montana (ARMs)*. The current version of the *ARMs* can be found online on the Montana Secretary of State's website, <http://www.mtrules.org/>. Notices about proposed rules and recently adopted rules are published in the *Montana Administrative Register (MARs)*. The *Register*, back to 2000, is online, <http://www.mtrules.org/>. The Law Library has the current *ARMs* volumes, print copies of the superseded *ARMs* pages as well as older *MARs* issues.



Attorney General Opinions: The *Report and Official Opinion of Attorney General* are available starting from 1905. Up until 1992, they were published in hardbound volumes available at the State Law Library. From 1993, the Opinions are available only online, <https://dojmt.gov/agooffice/attorney-generals-opinions/> .

County/Municipal/City Codes: A few of the larger local governments have their codes online but that is the exception in Montana.

Montana Court Decisions: The official printed reports of Montana Supreme Court opinions from 1873 to present are in *Montana Reports*. Montana Supreme Court decisions also appear in West's *Pacific Reporter*. Montana Supreme Court opinions from the early 1970's forward are available free online from the State Law Library of Montana, <http://searchcourts.mt.gov/> . The briefs filed with the Court in cases after 1970 are found on the same website. Recent Montana Supreme Court opinions are posted on the State Law Library website within several hours of being issued, <http://searchcourts.mt.gov/> . The Court's Docket for cases filed subsequent to 2007 is available on line, <http://supremecourtdocket.mt.gov/> , with current orders from the last month at <http://courts.mt.gov/orders/orders.asp> . Montana has no intermediate-level appellate court. State district court opinions are not published or available online. Dockets with case information from the state district courts or justice courts are not available online in Montana.

US Court System: All of Montana is included the United States District Court for the District of Montana, <http://www.mtd.uscourts.gov/> . The district is part of the U.S. Court of Appeals for the Ninth Circuit, <http://www.ca9.uscourts.gov/> . Dockets and case information are in PACER, <https://www.pacer.gov/> .

State Court Rules: Court rules are published in the MCA, Title 25 (Civil) and Title 46 (Criminal). Current and retrospective volumes are kept by the State Law Library of Montana. Current rules without annotations can be found online at the State Law Library's website, http://leg.mt.gov/bills/mca_toc/index.htm and http://courts.mt.gov/library/montana_laws.mcp#judicial . West publishes an unofficial set, *Montana Rules of Court*, in 3 volumes.

State Jury Instructions: The Montana Civil Pattern Jury Instructions (MPI), are published and sold by the State Bar of Montana, <https://montanabar.site-ym.com/store/ListProducts.aspx?catid=295068> . The civil instructions are not available on line. The Montana Criminal Jury Instructions (MCJI) are available online, <https://doj.mt.gov/agooffice/criminal-jury-instructions/> or for purchase from the State Bar. The State Law Library has both sets of Instructions.

State Bar of Montana: Montana is a unified bar state, <http://www.montanabar.org/> . *The Lawyers' Deskbook and Directory* is published annually, <https://montanabar.site-ym.com/store/ListProducts.aspx?catid=295068> .

Research Guides: The State Law Library has created research guides including a guide to compiling state legislative history, <http://courts.mt.gov/library/guides/default.mcp> . There are also guides on the Jameson Law Library, University of Montana website, <http://www.umt.edu/law/library/Research%20Tools/Research%20Guides.htm> .



Practice Materials and Legal Forms: Montana does not have a legal encyclopedia, deskbook series or any significant up-to-date practice materials. There are a limited number of Montana specific forms available through the State Law Library website, <http://courts.mt.gov/library/topic/default.mcpx> . Montana Law Help (MTLSA) also has some forms, <http://www.montanalawhelp.org/documents/clusters/MT/449/English/index.shtml> .

Subscription Legal Databases: Westlaw and Lexis provide the broadest coverage of Montana legal materials. Fastcase, <http://www.fastcase.com/> and Loislaw, <http://estore.loislaw.com/> are lower priced alternatives with more limited retrospective and secondary materials. Hein Online has digital libraries which include Montana AG opinions, the two law reviews, session laws and older codes, <http://home.heinonline.org/> .

Law Related Organizations and Community Contacts: Self Help Centers, <http://courts.mt.gov/selfhelp/community.mcpx> ; Montana Department of Justice, Office of Consumer Protection, <http://www.doj.mt.gov/consumer/commonproblems.asp> ; State Bar of Montana, <https://montanabar.site-ym.com/?page=ResourcesandFAQs> ; State Law Library <http://courts.mt.gov/library/directory.mcpx> and <http://courts.mt.gov/content/library/cle/docs/non-lawyer-h.pdf> ; Montana Law Help/Montana Legal Services Association, <http://www.montanalawhelp.org/> .

Montana Court Help Program and Self Help Centers: The Judicial Branch funds a program to help self-represented litigants throughout the state navigate the court system, <http://courts.mt.gov/selfhelp.mcpx> and http://courts.mt.gov/content/selfhelp/docs/brochure_feb.pdf .

Federal Depository Libraries: The State Law Library is a limited depository library while the University of Montana Mansfield Library is the Regional Federal Depository Library, <http://www.lib.umt.edu/about/depository> .

Law Libraries: There are only two law libraries open to the public in the state of Montana. One is the State Law Library of Montana in the state capital, Helena, Montana, <http://courts.mt.gov/library/default.mcpx> and the other is the Jameson Law Library at the University of Montana School of Law in Missoula, <http://www.umt.edu/law/library/> . Most of the Montana materials held by the State Law Library are also available at Jameson Law Library.

State Law Library of Montana

215 North Sanders
P.O. Box 203004
Helena Montana 59602
406-444-3660
mtlawlibrary@mt.gov
<http://courts.mt.gov/library/default.mcpx>

Jameson Law Library

32 Campus Drive
#9999
Missoula Montana 59812
406-243-2699

<https://www.umt.edu/law/library/>



