



**Item:** Resolution 10133, Establishing Municipal Court Fees Relating to Information Requests

**From:** Jo Griner, Court Supervisor

**Presented By:** Steve Bolstad, Municipal Court Judge

**Action Requested:** Set a public hearing on Resolution 10133 for April 5, 2016.

---

**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission (set/not set) a public hearing on Resolution 10133 for April 5, 2016.”

2. Mayor calls for a second, discussion, public comment, and calls the vote.

---

**Staff Recommendation:** Set a public hearing on Resolution 10133, Establishing Municipal Court Fees Relating to Information Requests, for April 5, 2016.

**Background:** Adoption of this Resolution will set a standard fee schedule for Municipal Court services and costs in responding to information and records requests from individuals, attorneys and outside organizations. There is an implied cost to provide these services which requires Court staff time to conduct the research and gather documents. Costs include staff time, paper, copier supplies and maintenance expenses. State law authorizes the City to charge for these fees. The fees are consistent with what the Municipal Court has been charging in the past, as well as what is being charged by other Montana Municipal Courts. The only new fee that will be charged is for staff time if the time to complete the request takes more than 30 minutes, and one fee for CD recordings will be reduced from \$25 to \$15 per CD request.

Adoption of the Resolution will further standardize the records request process and require that requests be submitted on a form provided by Municipal Court.

**Concurrences:** No previous formal action has been taken. The proposed fees are in alignment with other Montana Municipal Courts.

**Alternatives:** The Commission could choose not to set the public hearing on Resolution 10133 and not formally adopt fees for Municipal Court.

**Attachments/Exhibits:** Resolution 10133 and current fees as set forth in Municipal Court Request for Public Records form

**RESOLUTION NO. 10133**

**A RESOLUTION ESTABLISHING MUNICIPAL COURT FEES  
RELATING TO INFORMATION REQUESTS**

**WHEREAS**, Municipal Court records are maintained pursuant to the Montana Local Government Retention Schedule #10; and

**WHEREAS**, members of the public and organizations often request copies of court records and information from the Municipal Court; and

**WHEREAS**, most records of the Municipal Court are public record and may be inspected and copies requested pursuant to Article II, Section 9 of the Montana Constitution, and Mont. Code Ann. §§ 7-1-4144 and 44-5-301 et seq.; and

**WHEREAS**, Mont. Code Ann. § 7-6-4013 empowers municipalities to impose a fee for the provision of a service; and

**WHEREAS**, the costs in providing these services include, but are not limited to, staff time, paper, copier supplies and maintenance costs.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that:**

1. Requests for public court records shall be made in writing on a form provided by Municipal Court.

2. Municipal Court Fees are established as follows:

1	Photocopy Charge	\$1.00/page
2	Certified Copies	\$2.00/document
3	CD Recordings	\$15.00/CD
4	Name Search	\$10/per search
5	Other Governmental Agencies	No Charge/Reciprocal Basis
6	In addition to the photocopy charges set forth above, an hourly fee will be charged for each hour, or fraction of an hour after 30 minutes of copying/research to fulfill a request (including electronic/non-print records)	\$15/hour

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana,  
this 5<sup>th</sup> day of April, 2016.

---

Bob Kelly, Mayor

ATTEST:

---

Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

---

Sara R. Sexe, City Attorney



P.O. Box 5021, 59403-5021

**MUNICIPAL COURT REQUEST FOR PUBLIC RECORDS**

I, \_\_\_\_\_, (applicant), do hereby make application for inspection and/or copying of the following public records of the City of Great Falls Municipal Court.

*\*To assist us in locating these records quickly, please be as specific as possible in your request\**

Defendant's name: \_\_\_\_\_

Docket # (if known): \_\_\_\_\_

Offense type/Date charged (if known): \_\_\_\_\_

Other:

\_\_\_\_\_  
\_\_\_\_\_

Applicant signature \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: Home: \_\_\_\_\_ Work: \_\_\_\_\_

Preferred method to receive records: \_\_\_\_\_

**PLEASE ALLOW UP TO 30 DAYS FOR RESEARCH TO BE COMPLETED**

Research will be held for 2 weeks from the requested date. If the research is not picked up and paid for, the second request will require posting of \$20 before second request will be completed.

**Fees:**

Print Screens (free up to 3/year)

General copies (\$1/page) Qty: \_\_\_\_\_ Total: \_\_\_\_\_

Certified copies (\$2 per document certified) Qty: \_\_\_\_\_ Total: \_\_\_\_\_

CD Recordings (\$25/CD-w/player download) Qty: \_\_\_\_\_ Total: \_\_\_\_\_

**Grand Total:** \_\_\_\_\_

**INTERNAL USE ONLY BELOW THIS LINE**

THE ABOVE REQUESTED COPIES OF RECORDS ARE: (Check one)

- Available for pick up at the Municipal Court Window.
- Currently in storage/use and not available for copying at this time. These records will be made available to you \_\_\_\_\_, 200\_\_.
- Not subject to disclosure pursuant to Montana Public Records Statutes (Art. II, Sec. 9, Mont. Const.; M.C.A. 7-1-4144.)
- Not accessible due to vagueness of request. More information required.