

MONTANA THIRTEENTH JUDICIAL DISTRICT COURT YELLOWSTONE COUNTY

IN RE THE OFFICE OF STATE PUBLIC DEFENDER,

CAUSE NO. SB 2021-1 JUDGE DONALD L. HARRIS

ORDER TO SHOW CAUSE

Mont. Code Ann. § 47-1-104(3) requires the appropriate office of the Office of State

Public Defender to immediately assign qualified attorneys to represent persons in cases where

the court has ordered the assignment of a public defender. This Court has been notified that

currently there are at least 663 cases pending in the 13th Judicial District for Yellowstone County

in which the Office of State Public Defender has failed to immediately assign counsel. Exhibit 1.

Attached as Exhibit 2 is a partial listing of the criminal cases pending before this Court in

Department No. 2 in which the Office of State Public Defender has failed to immediately assign

counsel.

Mont. Code Ann. § 47-1-104 provides that the Office of State Public Defender shall be supervised by a director who is responsible for establishing protocols to ensure that qualified attorneys are immediately assigned to all cases to which the Public Defender's office has been

assigned. For months, the Office of State Public Defender has failed to immediately assign counsel to cases pending in the 13th Judicial District to which the Public Defender's office has been appointed. This failure has caused significant delays in conducting court proceedings and jeopardizes the administration of justice.

IT IS HEREBY ORDERED that Rhonda Lindquist, Director of the State Office of Public Defender, shall appear before this Court on Monday, September 13, 2021, at 10:00 a.m. in Courtroom TBD of the Yellowstone County Courthouse, to show cause, if any, why she should not be held in contempt for the State Office of Public Defender's failure to immediately assign counsel to all cases in the 13th Judicial District Court for Yellowstone County to which the public defender's office has been assigned as ordered by the Court.

DATED this 17 day of August, 2021.

DONALD L. HARRIS, District Court Judge