

FILED

FEB 23 2021

ANGIE SPARKS, Clerk of District Court
By JREIIGERS Deputy Clerk

**MONTANA FIRST JUDICIAL DISTRICT COURT
LEWIS AND CLARK COUNTY
AND
BROADWATER COUNTY**

IN RE: CONCEALED WEAPON AND
FIREARM PROHIBITION IN LEWIS AND
CLARK COUNTY COURTHOUSE AND
BROADWATER COUNTY COURTHOUSE

Cause No. SB-2021- 6

STANDING ORDER

In order to ensure the safety and well-being of all judicial officers, judicial staff, district court employees, clerk of courts, clerk of courts' employees, justice court employees, attorneys, litigants, law enforcement personnel, juvenile probation staff, department of correction staff, court security, potential jurors, jurors and visitors, the First Judicial District Court, the Lewis and Clark County Justice Court and the Broadwater County Justice Court adopt the following Standing Order prohibiting any concealed weapons in the Lewis and Clark County Courthouse or the Broadwater County Courthouse.

The First Judicial District Court and the Lewis and Clark County Justice Court find that the entirety of the Lewis and Clark County Courthouse is used by court personnel, to include judges, clerks, support staff, court security,

1 attorneys, parties to court actions, jurors, and witnesses. The Lewis and Clark
2 County Courthouse has a fully manned security screening checkpoint at each
3 entrance, which includes a metal detector and a screening device for bags or
4 containers.

5 The First Judicial District Court and the Broadwater County
6 Justice Court also find that all personnel who access the Broadwater County
7 Courthouse for court purposes must enter through the public entrances on the
8 Courthouse's first floor or from the secure facility of the Broadwater County
9 Sheriff's Office. There is no barrier or screening point which separates
10 courthouse areas used for entry to the building from courthouse areas used for
11 actual court proceedings.

12 The Courts find that their inherent authority and responsibility to
13 preserve and enforce order in its proceedings, and the conduct of ministerial
14 officers and all other persons associated in any manner with a judicial
15 proceeding, pursuant to Mont. Code Ann. §§ 3-1-111 and 3-3-402, requires an
16 order to govern the possession of firearms in the Lewis and Clark and
17 Broadwater County Courthouses.

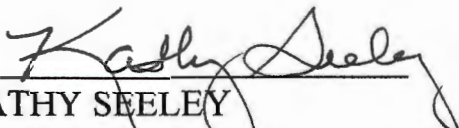
18 Accordingly, **IT IS HEREBY ORDERED** that a person with a
19 current and valid concealed weapon permit issued pursuant to Mont. Code Ann.
20 § 45-8-321 or recognized pursuant to Mont. Code Ann. § 45-8-329 is prohibited
21 from bringing a concealed weapon into the Lewis and Clark County Courthouse
22 or the Broadwater County Courthouse.

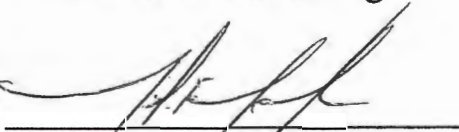
23 **IT IS FURTHER ORDERED** that no individual may possess,
24 concealed or otherwise, any weapon, including but not limited to a firearm, in the
25 Lewis and Clark County Courthouse or the Broadwater County Courthouse

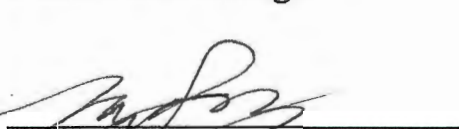
1 unless that person is a duly sworn law enforcement officer, courthouse security
2 personnel, or a civil officer or deputy civil officer engaged in the discharge of
3 official business.

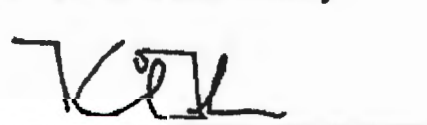
4 The First Judicial District Judges, the Lewis and Clark County
5 Justices of Peace and the Broadwater County Justice of Peace will continue to
6 assess this Standing Order in the event it needs to be vacated, extended, or
7 amended as circumstances require.

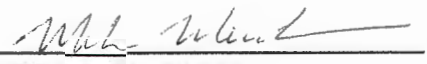
8 **ORDERED** this 23rd day of February 2021.


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10 
11 KATHY SEELEY
12 Chief District Court Judge

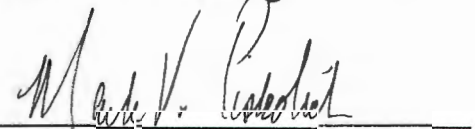
13 
14 MICHAEL F. McMAHON
15 District Court Judge

16 
17 MICHAEL G. SWINGLEY
18 Justice of the Peace
19 Lewis and Clark County

20 
21 KIRK FLYNN
22 Justice of the Peace
23 Broadwater County
24
25


MIKE MENAHAN
District Court Judge


CHRISTOPHER D. ABBOTT
District Court Judge


MARK V. PISKOLICH
Justice of the Peace
Lewis and Clark County

1 cc: Leo J. Gallagher, Lewis and Clark County Attorney (hand-delivered)
2 Cory Swanson, Broadwater County Attorney (via email)
3 Suzanne Seburn, Office of Public Defender (via email)
4 Leo Dutton, Lewis and Clark County Sheriff (hand-delivered)
5 Wynn Meehan, Broadwater County Sheriff (via email)
6 Angie Sparks, Lewis and Clark County Clerk of Court (hand-delivered)
7 Val Hornsveld, Broadwater County Clerk of Court (via email)
8 Honorable Mike McGrath, Montana Supreme Court Chief Justice (via
9 email)
10 Honorable Kirk Flynn, Broadwater County Justice of Peace/City of
11 Townsend Judge (via email)
12 Honorable Michael G. Swingley, Lewis and Clark County Justice of
13 Peace (hand-delivered)
14 Honorable Mark V. Piskolich, Lewis and Clark County Justice of Peace
15 (hand-delivered)
16 Montana Bar Association (via email)
17 Montana Judges Association (via email)

18 ORDERS/tm/02-22-2021 SB-2021- Concealed Weapon and Firearm - Standing Order.doc
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