

ORIGINAL

FILED

10/23/2026

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: AF 09-0289

IN THE SUPREME COURT OF THE STATE OF MONTANA

AF 09-0289

FILED

OCT 23 2026

Bowen Greenwood
Clerk of Supreme Court
State of Montana

IN RE REVISED RULES ON
SUBSTITUTION OF DISTRICT JUDGES

NUNC PRO TUNC
ORDER

On August 4, 2026, this Court adopted revisions to § 3-1-804, MCA, the Supreme Court rule that provides a process for substituting district court judges. It has come to our attention that our revisions, which included renumbering subsections, led to an incorrect cross-referenced subsection. We have made the following correction to § 3-1-804(5), MCA:

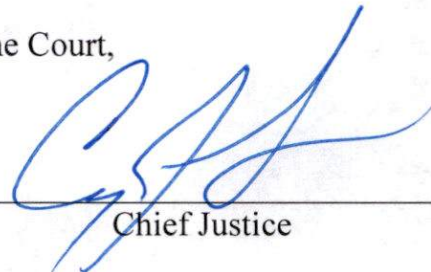
(5) After a timely motion has been filed, the substituted district judge does not have the power to act on the merits of the case or to decide legal issues in the case, except as provided in subsection (409).

This Order shall be posted on the Court's website. In addition, the Clerk of this Court is directed to provide copies of this Order to the State Law Library, Todd Everts, Shana Harrington, Karl Krempel, Jaret Coles, and Julie Johnson at Montana Legislative Services, Eric Goodemote in the Thomson Reuters Rules department at Thomson Reuters, Patti Glueckert and the Statute Legislation department at LexisNexis, and the State Bar of Montana with the request that it provide notice to the membership by publication in the *Montana Lawyer* magazine and through other electronic and timely means.

DATED this 23rd day of October, 2026.

For the Court,

By



Chief Justice