THE FOLLOWING JUDICIAL REVIEW PACKET IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE CSED MAKES NO REPRESENTATIONS REGARDING THE MERITS OF YOUR CASE OR WHETHER JUDICIAL REVIEW IS APPROPRIATE IN YOUR CASE.

DEPARTMENT OF
PUBLIC HEALTH AND HUMAN SERVICES
CHILD SUPPORT ENFORCEMENT DIVISION

BRIAN SCHWEITZER
GOVERNOR

ROBERT E. WYNIA, M.D.
DIRECTOR

STATE OF MONTANA

FAX (406) 444-1370

3075 MONTANA AVE., SUITE 112
PO Box 2943
HELENA, MT 59620-2943

Dear Interested Party:

You may appeal the CSED's final decision or order by filing a Petition for Judicial Review in District Court.

1. Before requesting judicial review, you must:

   a. have exhausted all administrative remedies available within the CSED; and

   b. have been aggrieved by the CSED's decision. (2-4-702(1)(a) and 40-5-253(1) MCA)

2. Your petition for judicial review must contain:

   a. a statement of the facts upon which jurisdiction and venue are based;

   b. a statement describing how you have been aggrieved;

   c. a statement of your grounds for relief; you must show that your substantial rights were prejudiced because:

      (i) the administrative findings, inferences, conclusions, or decisions are:

      -in violation of constitutional or statutory provisions;

      -in excess of the statutory authority of the agency;

      -made upon unlawful procedure;

      -affected by other error of law;

      -clearly in error based on the reliable,probative, and substantial

evidence on the whole record;
-arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion; or

(ii) the findings of fact essential to the decision were not made, although you requested them. (2-4-704(2) MCA)

d. the relief which you believe you are entitled to. (2-4-702(2)(b) MCA)

A sample copy of a Petition for Judicial Review is enclosed as Sample Form A.

3. You must file your Petition for Judicial Review in District Court within 30 days after service of the CSED's final agency decision. This time period commences the day after the date indicated in the Certificate of Mailing portion of the agency decision. After calculating the 30 days, add an additional 3 days to compensate for the agency decision being served by mail.

A petition for judicial review is an original action and may not be filed under a pre-existing cause number or joined with any other action. (40-5-253(3) MCA) You must file your petition either:

a. in the District Court for the county where you reside or have your principal place of business, or

b. in the District Court for the county where the CSED maintains its principal office, which is in Lewis and Clark County.

You must serve copies of the petition on the CSED and all parties of record within 30 days after the petition is filed. (2-4-702(2)(a) & 40-5-253(4) MCA)

(i) When filing your Petition for Judicial Review, you will have to submit to the District Court a filing fee of $115.00 (this is the standard fee, regardless of which District Court you file in). In some limited instances, the Court may waive the filing fee based on inability to pay. You may want to ask the Clerk of Court about this prior to filing your petition.

For your convenience, a listing of Montana cities, towns, counties and judicial districts as well as a listing of the address for each Montana judicial district court is attached.

(ii) At the time you file your Petition with the Court, you also need to request that the Clerk of the District Court issue a Summons. (Rule 4C, Montana Rules of Civil Procedure) A sample copy of a Summons is enclosed as Sample Form C.

4. The summons must be served under Rule 4, Montana Rules of Civil Procedure, upon the CSED and each party along with the petition for judicial review. The district court does not obtain jurisdiction unless service on all parties is within 30 days after the petition is filed with the district court. (40-5-253(4) MCA)

   In order to serve the CSED, you must serve both the Attorney General and the CSED. You can formally serve these documents by having a process server or the sheriff serve them upon the Attorney General's office and the CSED and pay the costs associated with such service. Or, instead of formal service, you can request that the Attorney General's office and the CSED acknowledge service by mailing to each (via first class mail, postage prepaid) a copy of the summons, a copy of the petition, an original and one copy of a Notice and Acknowledgment, and a return envelope postage prepaid addressed to you. (Rule 4D, Montana Rules of Civil Procedure)
   In order to serve parties other than the CSED (such as the parent to whom support is owed or the parent who owes a support obligation), you can formally serve these documents by having a process server or the sheriff serve them upon the party. Or, instead, you can request that the party acknowledge service by mailing to each (via first class mail, postage prepaid) a copy of the summons, a copy of the petition, an original and one copy of a Notice and Acknowledgment, and a return envelope postage prepaid addressed to you.

   A sample copy of a Notice and Acknowledgment is enclosed as Sample Form B.

5. The filing of a Petition for Judicial Review does not stop enforcement of the CSED's decision. The CSED or the court may order a stay, following notice to the affected parties and an opportunity for hearing. (2-4-702(3) MCA)

6. The CSED has 40 days to answer your petition. Individual respondents have 20 days to answer the petition. (Rule 12(a) Montana Rules of Civil Procedure)

7. a. Except as provided in 7.b. below, no new evidence will be considered by the Court. The court will conduct the review without a jury and will limit the review to the record at hand. (2-4-704(1) MCA)

   The court will set a briefing schedule. A reference in a brief to the administrative record must be to specific pages of a particular part of the record. References to exhibits must be to the pages of the administrative transcript where the exhibit is identified, offered in evidence, and received or rejected. (40-5-253(5) MCA)

   After briefs have been filed, and upon motion of a party, the court may order oral argument. (40-5-253(5) MCA)

   b. You may present additional evidence if:

(i) you request permission from the court allowing you to present additional evidence, and

(ii) you show, to the satisfaction of the court, that the additional evidence is material and that there were good reasons why you did not present the evidence in the agency hearing. (2-4-703 MCA)

c. If the court allows additional evidence to be presented, the court will refer the case to the agency to hear the additional evidence; the agency may modify its findings and decision based on the evidence. (2-4-703 MCA)

8. You may obtain a review of the District Court's judgment, if you have been aggrieved by the District Court's order, by appealing to the Supreme Court within 60 days after entry of District Court's judgment. (2-4-711 MCA)

Address for Attorney General:
Department of Justice
Attorney General
215 N Sanders, 3rd Floor
P.O. Box 201401
Helena, MT 59620

S A M P L E F O R M A

[1]A.B., Pro Se
___[address]___
___[phone number]____

[2] _____ JUDICIAL DISTRICT COURT, _____ COUNTY

A.B.,	)	
Petitioner,	)	Cause Number
_____	)	
vs.	)	PETITION FOR JUDICIAL REVIEW
	)	
STATE OF MONTANA, DEPARTMENT	)	
OF PUBLIC HEALTH & HUMAN	)	
SERVICES, CHILD SUPPORT	)	
ENFORCEMENT DIVISION,	)	
Respondent.	)	

* *

COMES NOW A.B., petitioner in the above entitled action, acting pro se, and hereby petitions the court, pursuant to the provisions of Section 2-4-702(2)(a), MCA, for review of the decision and order entered by the Child Support Enforcement Division on [3]___. In support thereof, the Petitioner alleges as follows:

1. This court has jurisdiction over this action for the reason that the Petitioner is a resident of _____ County, Montana <u>OR</u> Petitioner's principal place of business is in _____ County, Montana <u>OR</u> Respondent's principal office is located in Lewis and Clark County, Montana. [4]

2. The Petitioner has been aggrieved because [5]

3. The Petitioner's substantial rights have been prejudiced because [6]

WHEREFORE, the Petitioner prays that the Court [7]

DATED this ___ day of _____, 200__.

_____
A.B., Pro Se

NOTES

[1] - Insert your name, address and telephone number. “Pro Se” means you are not represented by an attorney.

[2] - This heading shows the title of the court in which you intend to file in. This title should contain the number of the Judicial District in which you wish to file AND the name of the county where the court is located. For example, if you wish to file in the Judicial District in Helena, your heading will be as follows:

FIRST JUDICIAL DISTRICT COURT, LEWIS AND CLARK COUNTY

This heading showing the title of the court you're filing in should be at least eight lines down from the top of the page. Additionally, the body of the petition should be double spaced.

[3] - Enter the date of the decision and order.

[4] - Pick the jurisdictional/venue statement that corresponds to the county of the district court you wish to file in.

[5] - State the specific facts (from the record) which show the manner in which you were aggrieved.

[6] - State the specific grounds upon which your substantial rights have been prejudiced according to 2-4-704(2) MCA.

[7] - Specifically state what relief you want from the court.

S A M P L E F O R M B

[1]A.B., Pro Se
___[address]___
___[phone number]____

[2] _____ JUDICIAL DISTRICT COURT, _____ COUNTY

A.B.,	)	
Petitioner,	)	Cause Number _____
	)	
vs.	)	NOTICE AND ACKNOWLEDGMENT OF
	)	RECEIPT OF SUMMONS AND
STATE OF MONTANA, DEPARTMENT	)	PETITION FOR JUDICIAL REVIEW
OF PUBLIC HEALTH & HUMAN	)	
SERVICES, CHILD SUPPORT	)	
ENFORCEMENT DIVISION,	)	
Respondent.	)	

* *

NOTICE

To: [3]

The enclosed summons and petition for judicial review are served pursuant to Rule 4D(1)(b) of the Montana Rules of Civil Procedure.

You may complete the acknowledgment part of this form and return one copy of the completed form to the sender within 20 days after the date it was mailed to you as shown below.

If you decide to complete and return this form, you must sign and date the acknowledgment. If you are served on behalf of a corporation, unincorporated association (including a partnership), or other entity, you must indicate under your signature your relationship to that entity. If you are served on behalf of another person and you are authorized to receive process, you must indicate under your signature your authority.

If you do not complete and return this form to the sender within 20 days after the date it was mailed to you as shown below, you (or the party on whose behalf you are being served) may be required to pay any expenses incurred in serving a summons and petition in any other manner permitted by law.

If you do complete and return this form, you (or the party on whose behalf you are being served) must answer the petition within __[4] days after the date of

signature which you place on the acknowledgment below. If you fail to answer the petition within the foregoing __[4] day period, judgment by default will be taken against you for the relief demanded in the petition.

I declare, under penalty of perjury, that this Notice and Acknowledgment of Receipt of Summons and Petition for Judicial Review will have been mailed on [5].

_____
Signature

_____
Date of Signature

ACKNOWLEDGMENT OF RECEIPT
OF SUMMONS AND PETITION FOR JUDICIAL REVIEW

I declare, under penalty of perjury, that I received a copy of the summons and of the petition in the above captioned matter at
_____.

_____
Signature

_____
Relationship to Entity/Authority to Receive Service of Process

_____
Date of Signature

NOTES

[1] - Insert your name, address and telephone number.

[2] - This heading should be the same as the heading on your petition for judicial review.

[3] - Insert the name and address of the person to be served.

[4] - Insert 40 days if the acknowledgment is directed to a state agency and 20 days if it is directed to an individual respondent.

[5] - Insert the date and complete the next two lines (Signature and Date of Signature).

S A M P L E F O R M C

[1]A.B., Pro Se
___[address]___
___[phone number]____

[2] _____ JUDICIAL DISTRICT COURT, _____ COUNTY

A.B.,	)	
Petitioner,	)	Cause Number _____
	)	
vs.	)	SUMMONS
	)	
STATE OF MONTANA, DEPARTMENT	)	
OF PUBLIC HEALTH & HUMAN	)	
SERVICES, CHILD SUPPORT	)	
ENFORCEMENT DIVISION,	)	
Respondent.	)	

* *

The State of Montana to the above-named respondent:

You are hereby summoned to answer the petition in this action which is filed in the office of the clerk of this court, a copy of which is herewith served upon you, and to file your answer and serve a copy thereof upon the petitioner's attorney within __[3] days after the service of this summons, exclusive of the day of service; and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the petition.

Witness my hand and the seal of said court, this ___ day of _____, 200___.

_____
Clerk, District Court

(S E A L) By:_____
Deputy Clerk

NOTES

[1] - Insert your name, address and telephone number.

[2] - This heading should be the same as the heading on your petition for judicial review.

[3] - If the summons is to be served upon a state agency, insert 40 days. If the summons is to be served upon an individual respondent, insert 20 days as the response time.

40-5-253. Administrative findings and order -- administrative remedies -- judicial review. (1) It is the intent of this part that administrative findings and orders be subject to judicial review, but administrative remedies must be exhausted prior to judicial review. The administrative procedures described in this part are subject to review in the appropriate district court. Except as provided in subsections (3) through (5), the review must be conducted pursuant to the Montana Administrative Procedure Act. Upon a showing by the department that administrative remedies have not been exhausted, the district court shall refuse review until the remedies are exhausted.

(2) This part may not be construed to abridge or in any way affect the obligor's right to counsel during any and all judicial or administrative proceedings pursuant to this part.

(3) A petition for judicial review is an original action and may not be filed under a preexisting cause number or joined with any other action.

(4) A summons must be issued and served under Rule 4, Montana Rules of Civil Procedure, upon the child support enforcement division of the department and each party, along with the petition for judicial review. The division may be served through any of its employees. The district court does not obtain jurisdiction unless the petition for judicial review is served on all parties within 30 days after the petition is filed with the district court.

(5) The district court shall set a briefing schedule for a petition for judicial review. A reference in a brief to the administrative record must be to a particular part of the record, suitably designated, and to specific pages of that part of the record. Intelligible abbreviations may be used. A reference to an exhibit must be to the pages of the transcript on which the exhibit is identified, offered in evidence, and received or rejected. After briefs have been filed and upon motion of a party, the district court may order oral argument.

2-4-702. Initiating judicial review of contested cases. (1) (a) A person who has exhausted all administrative remedies available within the agency and who is aggrieved by a final decision in a contested case is entitled to judicial review under this chapter. This section does not limit utilization of or the scope of judicial review available under other means of review, redress, relief, or trial de novo provided by statute.

(b) A party who proceeds before an agency under the terms of a particular statute may not be precluded from questioning the validity of that statute on judicial review, but the party may not raise any other question not raised before the agency unless it is shown to the satisfaction of the court that there was good cause for failure to raise the question before the agency.

(2) (a) Except as provided in subsection (2)(c), proceedings for review must be instituted by filing a petition in district court within 30 days after service of the final decision of the agency or, if a rehearing is requested, within 30 days after the decision is rendered. Except as otherwise provided by statute, the petition must be filed in the district court for the county where the petitioner resides or has the petitioner's principal place of business or where the agency maintains its principal office. Copies of the petition must be promptly served upon the agency and all parties of record.

(b) The petition must include a concise statement of the facts upon which jurisdiction and venue are based, a statement of the manner in which the petitioner is aggrieved, and the ground or grounds specified in 2-4-704(2) upon which the petitioner

contends he is entitled to relief. The petition must demand the relief to which the petitioner believes the petitioner is entitled, and the demand for relief may be in the alternative.

(c) If a petition for review is filed pursuant to 33-16-1012(2)(c), the workers' compensation court, rather than the district court, has jurisdiction and the provisions of this part apply to the workers' compensation court in the same manner as the provisions of this part apply to the district court.

(3) Unless otherwise provided by statute, the filing of the petition may not stay enforcement of the agency's decision. The agency may grant or the reviewing court may order a stay upon terms that it considers proper, following notice to the affected parties and an opportunity for hearing. A stay may be issued without notice only if the provisions of 27-19-315, 27-19-316, and 27-19-317 are met.

(4) Within 30 days after the service of the petition or within further time allowed by the court, the agency shall transmit to the reviewing court the original or a certified copy of the entire record of the proceeding under review. By stipulation of all parties to the review proceedings, the record may be shortened. A party unreasonably refusing to stipulate to limit the record may be taxed by the court for the additional costs. The court may require or permit subsequent corrections or additions to the record.

2-4-703. Receipt of additional evidence. If, before the date set for hearing, application is made to the court for leave to present additional evidence and it is shown to the satisfaction of the court that the additional evidence is material and that there were good reasons for failure to present it in the proceeding before the agency, the court may order that the additional evidence be taken before the agency upon conditions determined by the court. The agency may modify its findings and decision by reason of the additional evidence and shall file that evidence and any modifications, new findings, or decisions with the reviewing court.

2-4-704. Standards of review. (1) The review shall be conducted by the court without a jury and shall be confined to the record. In cases of alleged irregularities in procedure before the agency not shown in the record, proof thereof may be taken in the court. The court, upon request, shall hear oral argument and receive written briefs.

(2) The court may not substitute its judgment for that of the agency as to the weight of the evidence on questions of fact. The court may affirm the decision of the agency or remand the case for further proceedings. The court may reverse or modify the decision if substantial rights of the appellant have been prejudiced because:

(a) the administrative findings, inferences, conclusions, or decisions are:

(i) in violation of constitutional or statutory provisions;

(ii) in excess of the statutory authority of the agency;

(iii) made upon unlawful procedure;

(iv) affected by other error of law;

(v) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record;

(vi) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion; or

(b) findings of fact, upon issues essential to the decision, were not made although requested.

2-4-711. Appeals -- staying agency decision. An aggrieved party may obtain review of a final judgment of a district court under this part by appeal to the supreme court within 60 days after entry of judgment. Such appeal shall be taken in the manner provided by law for appeals from district courts in civil cases. Unless otherwise provided by statute or unless the agency has granted a stay through the completion of the judicial review process:

(1) if appeal is taken from a judgment of the district court affirming an agency decision, the agency decision shall not be stayed except upon order of the supreme court; except that, in cases where a stay is in effect at the time of the filing of notice of appeal, the stay shall be continued by operation of law for 20 days from the date of filing of the notice;

(2) if appeal is taken from a judgment of the district court reversing or modifying an agency decision, the agency decision shall be stayed pending final determination of the appeal unless the supreme court orders otherwise.

Rule 4. Persons subject to jurisdiction -- process -- service

Rule 4A. Definition of person. As used in this rule, the word "person," whether or not a citizen or resident of this state and whether or not organized under the laws of this state, includes an individual whether operating in the individual's own name or under a trade name; an individual's agent or personal representative; a corporation; a limited liability company; a business trust; an estate; a trust; a partnership; an unincorporated association; and any two or more persons having a joint or common interest or any other legal or commercial entity.

Rule 4B. Jurisdiction of persons. (1) Subject to jurisdiction. All persons found within the state of Montana are subject to the jurisdiction of the courts of this state. In addition, any person is subject to the jurisdiction of the courts of this state as to any claim for relief arising from the doing personally, through an employee, or through an agent, of any of the following acts:

(a) the transaction of any business within this state;

(b) the commission of any act which results in accrual within this state of a tort action;

(c) the ownership, use or possession of any property, or of any interest therein, situated within this state;

(d) contracting to insure any person, property or risk located within this state at the time of contracting;

(e) entering into a contract for services to be rendered or for materials to be furnished in this state by such person; or

(f) acting as director, manager, trustee, or other officer of any corporation organized under the laws of, or having its principal place of business within this state, or as personal representative of any estate within this state.

(2) Acquisition of jurisdiction. Jurisdiction may be acquired by our courts over any person through service of process as herein provided; or by the voluntary appearance in an action by any person either personally, or through an attorney, or through any other authorized officer, agent or employee.

Rule 4C. Process. (1) Summons -- issuance. Upon or after filing the complaint, the plaintiff or, if the plaintiff is represented by an attorney, the plaintiff's attorney shall present a summons to the clerk for issuance. If the summons is in proper form, the clerk shall issue it and deliver it to the plaintiff or to the plaintiff's attorney who shall thereafter deliver it for service upon the defendant in the manner prescribed by these rules. Issuance and service of the summons shall be accomplished within the times prescribed by Rule 4E of these rules. Upon request, the clerk shall issue separate or additional summons against any parties designated in the original action, or against any additional parties who may be brought into the action, which separate or additional summons shall also be served in the manner and within the times prescribed by these rules. The party requesting issuance of the summons shall bear the burden of having it properly issued and served and filed with the clerk.

(2) Summons -- form. The summons shall be signed by the clerk, be under the seal of the court, contain the name of the court and the names of the parties, be directed to the defendant, state the name and address of the plaintiff's attorney, if any, otherwise the plaintiff's address, and the time within which these rules require the defendant to appear and defend, and shall notify the defendant that in case of the defendant's failure to do so judgment by default will be rendered against the defendant for the relief demanded in the complaint. In an action brought to quiet title to real estate, there shall be added to the foregoing, the following: "This action is brought for the purpose of quieting title to land situated in ... County, Montana, and described as follows: (Here insert descriptions of land.)." For exceptions to this form of summons see 4D(4) "Other service," set forth hereinafter.

Rule 4D. Service. (1) By whom served. (a) Service of all process shall be made in the county where the party to be served is found by a sheriff, deputy sheriff, constable, or any other person over the age of 18 not a party to the action.

(b) (i) A summons and complaint may also be served upon a defendant who is an individual other than a minor or an incompetent person or upon a domestic or foreign corporation or partnership or other unincorporated association by mailing a copy of the summons and complaint (by first class mail, postage prepaid) to the person to be served, together with two copies of a notice and acknowledgment conforming substantially to form 18-A and a return envelope, postage prepaid, addressed to the sender. If no acknowledgment of service under this subdivision of this rule is received by the sender within 20 days after the date of mailing the summons and complaint, service of such summons and complaint shall be made by one of the persons mentioned in Rule 4D(1)(a) in the manner prescribed by Rule 4D(2) and Rule 4D(3).

(ii) Unless good cause is shown for not doing so, the court shall order the payment of costs of the personal service by the person served if such person does not complete and return within 20 days after mailing, the notice and acknowledgment of receipt of summons.

(iii) The notice and acknowledgment of receipt of summons and complaint shall be signed and dated. Service of summons and complaint will be deemed complete on the date of signature of the defendant as shown on the acknowledgment.

(2) Personal service within the state. The summons and complaint shall be served together. The plaintiff shall furnish the person making service with such copies as are necessary. Service shall be made as follows:

(a) Upon an individual other than an infant or an incompetent person, by delivering a copy of the summons and of the complaint to the individual personally or by delivering a copy of the summons and of the complaint to an agent authorized by appointment or by law to receive service of process, provided that if the agent is one designated by statute to receive service, such further notice as the statute requires shall be given.

(b) Upon a minor over the age of 14 years, by delivering a copy of the summons and complaint to the minor personally, and by leaving a copy thereof at the minor's dwelling house or usual place of abode with some adult of suitable discretion then residing therein, or by delivering a copy of the summons and complaint to an agent authorized by appointment or by law to receive service of process.

(c) Upon a minor under the age of 14 years, by delivering a copy of the summons and complaint to the minor's guardian, if the minor has one within the state, and if not, then to the minor's father or mother or other person or agency having the minor's care or control, or with whom the minor resides, or if service cannot be made upon any of them, then as provided by order of the court.

(d) Upon a person who has been adjudged of unsound mind by a court of this state, or for whom a guardian has been appointed in this state by reason of incompetency, by delivering a copy of the summons and complaint to the person's guardian, if there be a guardian residing in this state appointed and acting under the laws of this state. If there be no such guardian, the court shall appoint a guardian ad litem for the incompetent person, with or without personal service on the incompetent, as the court may direct. When a party is alleged to be of unsound mind, but has not been so adjudged by a court of this state, such party may be brought into court by service of process personally upon that party. The court may also stay any action pending against a person on learning that such person is of unsound mind.

(e) Upon a domestic corporation, limited liability company, partnership or other unincorporated association, or upon a foreign corporation, limited liability company, partnership or other unincorporated association, established by the laws of any other state or country, and having a place of business within this state or doing business herein either permanently or temporarily, or which was doing business herein either permanently, or temporarily at the time the claim for relief accrued: (i) by delivering a copy of the summons and complaint to an officer, director, manager, member of a member-managed limited liability company, superintendent or managing or general agent, or partner, or associate for such corporation, limited liability company, partnership, or association; or by leaving such copies at the office or place of business of the corporation, limited liability company, partnership, or association within the state with the person in charge of such office; or (ii) by delivering a copy of the summons and complaint to the registered agent of said corporation or limited liability company named on the records of the secretary of state, or to any other agent or attorney in fact authorized by appointment or by statute to receive or accept service on behalf of the corporation, limited liability company, partnership, or association, provided that if the agent or attorney in fact is one designated by statute to receive service, such further notice as the statute requires shall also be given; or (iii) if the sheriff shall make return that no person upon whom service may be made can be found in the county, then service may be made by leaving a copy of the summons and complaint at any office of the corporation, limited liability company, partnership, or unincorporated association within

this state with the person in charge of such office; or (iv) if the suit is against a corporation or limited liability company whose charter or right to do business in the state has expired or been forfeited, by delivering a copy thereof to any one of the persons who have become trustees for the corporation or limited liability company and its stockholders or members.

(f) When a claim for relief is pending in any court of this state against a corporation or limited liability company organized under the laws of this state, or against a corporation or limited liability company organized under the laws of any other state or country, that has filed a copy of its charter in the office of the secretary of state of Montana and qualified to do business in Montana; or against a corporation or limited liability company organized under the laws of any other state or country which is subject to the jurisdiction of the courts of this state under the provisions of Rule 4B above, even though such corporation or limited liability company has never qualified to do business in Montana; or against a national banking corporation which, through insolvency or lapse of charter, has ceased to do business in Montana; and none of the persons designated in D(2)(e) immediately above can with the exercise of reasonable diligence be found within Montana, the party causing summons to be issued shall exercise reasonable diligence to ascertain the last known address of any such person. If, after exercising reasonable diligence, the party causing summons to be issued is unsuccessful in serving said parties, an affidavit must be filed with the clerk of court in which the claim for relief is pending reciting that none of the persons designated in D(2)(e) can after due diligence be found within Montana upon whom service of process can be made, and reciting the last known address of any such person, or reciting that after the exercise of reasonable diligence no such address for any such person could be found. The sum of $10 will be deposited with said clerk to be paid to the secretary of state as a fee for each of said defendants for whom the secretary of state is to receive said service; and where service is requested at more than one address, an additional $10 shall be paid for each party to be served at each additional address. The clerk of court shall issue an order directing process to be served upon the secretary of state of the state of Montana or, in the secretary of state's absence from the secretary of state's office, upon the deputy secretary of state of the state of Montana. Such affidavit shall be sufficient evidence of the diligence of inquiry made by affiant, if the affidavit recites that diligent inquiry was made, and the affidavit need not detail the facts constituting such inquiry. Whenever service is also to be made through publication as provided in 4D(5), or upon other persons as provided in 4D(6), the affidavit herein required may be combined in the same instrument with the affidavit required under 4D(5)(c) and 4D(6). The said clerk of court shall then mail to the secretary of state the original summons, one copy of the summons and one copy of the affidavit for the files of the secretary of state, one copy of the summons attached to a copy of the complaint for each of the defendants to be served by service upon the secretary of state, and the fee for service, to the office of the secretary of state. The secretary of state shall mail copy of the summons and complaint by certified or registered mail with a return receipt requested to the last known address of any of the persons designated in D(2)(e) above, if known, or, if none such is known and it is a corporation not organized in Montana, to the secretary of state of the state in which such corporation or limited liability company was originally incorporated, if known; and the secretary of state shall make a return as hereinafter provided under Rule 4D(6). When service is so made, it shall be deemed personal service on such corporation or limited

liability company, and the said secretary of state, or a deputy when the secretary is absent from the secretary of state's office, is hereby appointed agent of such corporation or limited liability company for service of process in cases hereinbefore mentioned. In any action where due diligence has been exercised to locate and serve any of the persons designated in D(2)(e) above, service shall be deemed complete upon said corporation or limited liability company regardless of the receipt of any return receipt or advice of refusal of the addressee to receive the process mailed, as is hereinafter required by 4D(6); provided, however, that except in those actions where any of the persons designated in D(2)(e) above have been located and served personally as hereinabove provided, then service by publication shall also be made as provided hereafter in 4D(5)(d) and 4D(5)(h); the first publication must be made within 60 days from the date the original summons is mailed to the secretary of state as herein provided, and if said first publication is not so made, the action shall be deemed dismissed as to any such party intended to be served by such publication; and service shall be complete upon the date of the last publication of summons.

When service of process is made as herein provided, and there is no appearance thereafter made by any attorney for such corporation or limited liability company, service of all other notices required by law to be served in such action may be served upon the secretary of state.

(g) Upon a city, village, town, school district, county, or public agency or board of any such public bodies, by delivering a copy of the summons and complaint to any commissioner, trustee, board member, mayor or head of the legislative department thereof.

(h) Upon the state, or any state board or state agency, by delivering a copy of the summons and complaint to the attorney general and to any other party which may be prescribed by statute.

(i) Upon an estate by delivering a copy of the summons and complaint to the personal representative thereof; upon a trust by delivering a copy of the summons and complaint to any trustee thereof.

(3) Personal service outside the state. Where service upon any person cannot, with due diligence, be made personally within this state, service of summons and complaint may be made by service outside this state in the manner provided for service within this state, with the same force and effect as though service had been made within this state. Where service by publication is permitted as hereinafter provided, personal service of a summons and complaint upon the defendant out of the state shall be equivalent to and shall dispense with the procedures and the publication and mailing provided for hereafter in 4(5)(c), 4(5)(d) and 4(5)(e) of this rule.

(4) Other service. All process in any form of action shall be served in the manner specified in this rule with the exception that whenever a statute of this state or an order of the court or a citation by the court made pursuant thereto provides for the service of a notice or of an order or of a citation in lieu of summons upon any person, service shall be made under the circumstances and in the manner prescribed by the statute or order or citation; and with the further exception that all persons are required to comply with the provisions hereafter prescribed in D(5)(h), and with the provisions of 33-1-603, 33-1-613, 33-1-614, 33-2-314, 33-2-315, 70-28-207, 70-28-208, 70-28-209, and 70-28-212, Montana Code Annotated, when the action pertains to the provisions of such sections.

(5) Service by publication -- when permitted -- effect -- manner -- proof.

(a) When permitted. A defendant, whether known or unknown, who has not been served under the foregoing subsections of this rule can be served by publication in the following situations only:

(i) When the subject of the action is real or personal property in this state and the defendant has or claims a lien or interest, actual or contingent, therein, or the relief demanded consists wholly or partially in excluding the defendant from any interest therein. This subsection shall apply whether any such defendant is known or unknown.

(ii) When the action is to foreclose, redeem from or satisfy a mortgage, claim or lien upon real or personal property within this state.

(iii) When the action is for dissolution or for a declaration of invalidity of a marriage of a resident of this state or for modification of a decree of dissolution granted by a court of this state.

(iv) When the defendant has property within this state which has been attached or has a debtor within this state, who has been garnished. Jurisdiction under this subsection may be independent of or supplementary to jurisdiction acquired under subsections (5)(a)(i), (5)(a)(ii), and (5)(a)(iii) herein.

(b) Effect of service by publication. When a defendant, whether known or unknown, has been served by publication as provided in this rule, any court of this state having jurisdiction may render a decree which will adjudicate any interest of such defendant in the status, property, or thing acted upon, but it may not bind the defendant personally to the personal jurisdiction of the court unless some ground for the exercise of personal jurisdiction exists.

(c) Filing of pleading and affidavit for service by publication; and order for publication. Before service of the summons by publication is authorized in any case, there shall be filed with the clerk in the district court of the county in which the action is commenced (i) a pleading setting forth a claim in favor of the plaintiff and against the defendant in one of the situations defined in (5)(a) above; and (ii) in situations defined in (5)(a)(i), (5)(a)(ii), (5)(a)(iii), upon return of the summons showing the failure to find any defendant designated in the complaint, an affidavit stating that such defendant resides out of the state, or has departed from the state, or cannot, after due diligence, be found within the state, or conceals defendant's person to avoid the service of summons; or, if the defendant is a domestic or foreign corporation, that none of the persons designated in D(2)(e) above can, after due diligence, be found within the state; or, if the defendant is an unknown claimant, by showing that the affiant has made diligent search and inquiry for all persons who claim, or might claim any right, title, estate, or interest in, or lien, or encumbrance upon, such property, or any thereof, adverse to plaintiff's ownership, or any cloud upon plaintiff's title thereto, whether such claim or possible claim be present or contingent, including any right of dower, inchoate or accrued, and that the affiant has specifically named as defendants in such action all such persons whose names can be ascertained; such affidavit shall be sufficient evidence of the diligence of any inquiry made by the affiant, if the affidavit recite the fact that diligent inquiry was made, and it need not detail the facts constituting such inquiry, and if desired, it may be combined in one instrument with the affidavit required under 4D(2)(f), or 4D(6); and (iii) in the situation defined in (5)(a)(iv) above, there must be first presented to the court proof that a valid attachment or garnishment has been effected. Upon complying herewith, the plaintiff may obtain an order for the service of summons to be made upon the defendants by publication, which order may be issued by either the judge or the clerk of the court.

(d) Number of publications. Service of the summons by publication may be made by publishing the same three times, once each week for 3 successive weeks, in a newspaper published in the county in which the action is pending, if a newspaper is published in such county, and if no newspaper is published in such county then in a newspaper published in an adjoining county and having a general circulation therein.

(e) Mailing summons and complaint. A copy of the summons for publication and complaint, at any time after the filing of the affidavit for publication and not later than 10 days after the first publication of the summons, shall be deposited in some post office in this state, postage prepaid, and directed to the defendant at defendant's place of residence unless the affidavit for publication states that the residence of the defendant is unknown. If the defendant is a corporation, and personal service cannot with due diligence be effected within Montana on any of the persons designated in D(2)(e) above, then service may be completed on said corporation by service upon the secretary of state in the manner, and following the procedure outlined in D(2)(f) above.

(f) Time when first publication or service outside state must be made. The first publication of summons, or personal service of the summons and complaint upon the defendant out of the state, must be made within 60 days after the filing of the affidavit for publication. If not so made, the action shall be deemed dismissed as to any party intended to be served by such publication.

(g) When service by publication or outside state complete. Service by publication is complete on the date of the last publication of the summons, or in case of personal service of the summons and complaint upon the defendant out of the state, on the date of such service.

(h) Additional information to be published. In addition to the form of summons prescribed above in "C. Process, (2) Summons--form," the published summons shall state in general terms the nature of the action, and in all cases where publication of summons is made in an action in which the title to, or any interest in or lien upon real property is involved, or affected, or brought into question, the publication shall also contain a description of the real property involved, affected or brought into question thereby, and a statement of the object of the action.

(6) (a) Service on secretary of state. Whenever service is to be made upon certain corporations as provided hereinabove in D(2)(f) and D(5)(e), the requirements of said D(2)(f) must be complied with. In all other cases, unless otherwise provided by statute, whenever the secretary of state of the state of Montana has been appointed, or is deemed by law to have been appointed, as the agent to receive service of process for any person who cannot with due diligence be found or served personally within Montana, the party, or the party's attorney, shall make an affidavit stating the facts showing that the secretary of state is such agent, and stating the residence and last known post-office address of the person to be served. Such affidavit shall be filed with the clerk of court in which the claim for relief is pending, accompanied by sufficient copies of the affidavit, summons and complaint for service upon the secretary of state. The sum of $10 will be deposited with said clerk to be paid to the secretary of state as a fee for each of said defendants for whom the secretary of state is to receive such service; and where service is requested at more than one address an additional $10 shall be paid for each party to be served at each additional address. The clerk shall forward the original summons, one copy of the summons and one copy of the affidavit for the files of the secretary of state, and one copy of the summons attached to copy of the complaint for each of the

defendants to be served by service upon the secretary of state, and the fee, to the office of the secretary of state.

Such service on the secretary of state shall be sufficient personal service upon the person to be served, provided that notice of such service and a copy of the summons and complaint are forthwith sent by registered or certified mail by the secretary of state or a deputy to the party to be served at that party's last known address, marked "Deliver to Addressee Only" and "Return Receipt Requested," and provided further that such return receipt shall be received by the secretary of state purporting to have been signed by said addressee, or the secretary of state shall be advised by the postal authority that delivery of said registered or certified mail was refused by said addressee, except in those cases where compliance is excused under the provisions of D(2)(f) above. The date upon which the secretary of state receives said return receipt, or receives advice by the postal authority that delivery of said registered or certified mail was refused by the addressee, shall be deemed the date of service.

As an alternative to sending the summons and complaint by registered or certified mail, as herein provided, the secretary of state, or a deputy, may cause copy of the summons and complaint to be served by any qualified law enforcement officer, in accord with the procedure set out in D(1), (2) or (3) of this rule.

The secretary of state, or a deputy, shall make an original and two copies of an affidavit reciting: (1) the fact of service upon the secretary of state by the clerk of court, including the day, and hour of such service; (2) the fact of mailing a copy of the summons and complaint and notice to the defendant, including the day and hour thereof, except in those cases where the secretary of state is relieved from doing so under the provisions of D(2)(f) in which cases the affidavit shall so recite; and (3) the fact of receipt of a return from the postal department including the date, and hour thereof, and attaching to the affidavit a copy of such return. The secretary of state, or a deputy, shall then transmit the original summons, and original affidavit along with copy of the notice to the defendant where such notice was required, to the clerk of court in which the claim for relief is pending, and it shall be filed in the claim for relief by said clerk of court; and the secretary of state shall also transmit to the attorney for the plaintiff copy of the affidavit of the secretary of state along with copy of the notice to the defendant where such notice was required. The secretary of state shall keep on file in the secretary of state's office a copy of the summons, a copy of the affidavit served on the secretary of state by the clerk of court, and a copy of the affidavit executed and issued by the secretary of state.

(b) Continuance to allow defense. In any of the cases provided for in Rule 4D(2)(f) above, or provided for hereinabove in 4D(6)(a), the court in which the claim for relief is pending may order such continuance as may be necessary to afford reasonable opportunity to defend the action.

(7) Amendment. At any time, in its discretion, and upon such notice and terms as it deems just, the court may allow any process or proof of service thereof to be amended unless it clearly appears that material prejudice would result to the substantial rights of the party against whom the process issued.

(8) Proof of service. Proof of the service of the summons and of the complaint or notice, if any, accompanying the same must be as follows:

(a) If served by the sheriff or other officer, the sheriff's or other officer's certificate thereof;

(b) If by any other person, that person's affidavit thereof;

(c) In case of publication an affidavit of the publisher and an affidavit of the deposit of a copy of the summons and complaint in the post office as required by law, if the same shall have been deposited; or

(d) The written admission of the defendant showing the date and place of service.

(e) If service is made under Rule 4D(1)(b) above, return shall be made by the sender's filing with the court the acknowledgment received pursuant to such subdivision. Failure to make proof of service does not affect the validity of the service.

The certificate or affidavit of service mentioned in this subdivision must state the time, date, place, and manner of service.

(9) Contents of affidavit of service. Whenever a process, pleading, order of court, or other paper is served personally by a person other than the sheriff or person designated by law, the affidavit of service when made, shall state that the person so serving is of legal age, and the date and place of making the service. It also shall state that the person making such service knew the person served to be the person named in the papers served and the person intended to be served.

(10) Procedure where only part of defendants are served. If the summons is served on one or more, but not all, of the defendants, the plaintiff may proceed to trial and judgment against the defendant or defendants on whom the process is served, and may at any time thereafter have a summons against the defendant not served with the first process to cause that defendant to appear in said court to show cause why that defendant should not be made a party to such judgment. Upon such defendant being duly served with such process, the court shall hear and determine the matter in the same manner as if such defendant had been originally brought into court, and such defendant shall also be allowed the benefit of any payment or satisfaction which may have been made on the judgment before recovered.

Rule 12. Defenses and objections -- when and how presented -- by pleading or motion -- motion for judgment on pleadings

Rule 12(a). When presented. Except as otherwise provided by statute applicable to particular defendants or proceedings, the responsive pleadings shall be served as follows: A defendant shall serve an answer within 20 days after the service of the summons and complaint upon that defendant, or within 20 days after the completion of service of process as provided in Rule 4, unless the court directs otherwise when service of process is made pursuant to Rule 4D(4). A party served with a pleading stating a cross-claim against that party shall serve an answer thereto within 20 days after the service upon that party. The plaintiff shall serve a reply to a counterclaim in the answer within 20 days after service of the answer, or, if a reply is ordered by the court, within 20 days after service of the order or such time as the order otherwise directs. The state, or any state board or state agency shall serve an answer to the complaint within 40 days after service upon the attorney general. Unless a different time is fixed by the court, when a motion permitted by these rules is served, the responsive pleading shall be served within 20 days after notice of the court's action if the court denies the motion or postpones its disposition until trial on the merits, and shall be served within 20 days after the service of the more definite statement if the court grants a motion for a more definite statement.

Clerk of the District Court
Anaconda-Deer Lodge
800 South Main
Anaconda, MT 59711

Clerk of the District Court
Beaverhead County Courthouse
2 South Pacific
Dillon, MT 59725

Clerk of the District Court
Big Horn County Courthouse
Box 908
Hardin, MT 59034

Clerk of the District Court
Blaine County Courthouse
PO Box 969
Chinook, MT 59523

Clerk of the District Court
Broadwater County Courthouse
515 Broadway Street
Townsend, MT 59644

Clerk of the District Court
Butte-Silver Bow County
155 West Granite Street
Butte, MT 59701

Clerk of the District Court
Carbon County Courthouse
PO Box 948
Redlodge, MT 59068

Clerk of the District Court
Carter County Courthouse
PO Box 322
Ekalaka, MT 59324

Clerk of the District Court
Cascade County Courthouse
415 Second Avenue North, Room 200
Great Falls, MT 59401

Clerk of the District Court
Chouteau County Courthouse
PO Box 459
Fort Benton, MT 59442

Clerk of the District Court
Custer County Courthouse
1010 Main Street
Miles City, MT 59301

Clerk of the District Court
Daniels County Courthouse
PO Box 67
Scobey, MT 59263

Clerk of the District Court
Dawson County Courthouse
207 West Bell Street
Glendive, MT 59330

Clerk of the District Court
Fallon County Courthouse
PO Box 1521
Baker, MT 59313

Clerk of the District Court
Fergus County Courthouse
PO Box 1074
Lewistown, MT 59457

Clerk of the District Court
Flathead County Courthouse
800 South Main Street
Kalispell, MT 59901

Clerk of the District Court
Gallatin County Courthouse
615 South Sixteenth, Room 302
Bozeman, MT 59715

Clerk of the District Court
Garfield County Courthouse
PO Box 8
Jordan, MT 59337

Clerk of the District Court
Glacier County Courthouse
512 East Main Street
Cut Bank, MT 59427

Clerk of the District Court
Golden Valley County Courthouse
PO Box 10
Ryegate, MT 59074

Clerk of the District Court
Granite County Courthouse
PO Box 399
Philipsburg, MT 59858

Clerk of the District Court
Hill County Courthouse
315 Fourth Street
Havre, MT 59501

Clerk of the District Court
Jefferson County Courthouse
PO Box H
Boulder, MT 59632

Clerk of the District Court
Judith Basin County Courthouse
PO Box 427
Stanford, MT 59479

Clerk of the District Court
Lake County Courthouse
106 Fourth Avenue East
Polson, MT 59860

Clerk of the District Court
Lewis and Clark County Courthouse
228 Broadway Street
Helena, MT 59601

Clerk of the District Court
Liberty County Courthouse
PO Box 549
Chester, MT 59522

Clerk of the District Court
Lincoln County Courthouse
512 California Avenue
Libby, MT 59923

Clerk of the District Court
Madison County Courthouse
PO Box 185
Virginia City, MT 59755

Clerk of the District Court
McCone County Courthouse
PO Box 199
Circle, MT 59215

Clerk of the District Court
Meagher County Courthouse
PO Box 443
White Sulphur Springs, MT 59645

Clerk of the District Court
Mineral County Courthouse
PO Box 129
Superior, MT 59872

Clerk of the District Court
Missoula County Courthouse
200 West Broadway
Missoula, MT 59802

Clerk of the District Court
Musselshell County Courthouse
PO Box 357
Roundup, MT 59072

Clerk of the District Court
Park County Courthouse
414 East Calender Street
Livingston, MT 59047

Clerk of the District Court
Petroleum County Courthouse
Box 226
Winnett, MT 59087

Clerk of the District Court
Phillips County Courthouse
PO Box 530
Malta, MT 59538

Clerk of the District Court
Pondera County Courthouse
20 Fourth Avenue SW
Conrad, MT 59425

Clerk of the District Court
Powder River County Courthouse
PO Box 239
Broadus, MT 59317

Clerk of the District Court
Powell County Courthouse
409 Missouri Avenue
Deer Lodge, MT 59722

Clerk of the District Court
Prairie County Courthouse
PO Box 125
Terry, MT 59349

Clerk of the District Court
Ravalli County Courthouse
PO Box 5014
Hamilton, MT 59840

Clerk of the District Court
Richland County Courthouse
201 West Main Street
Sidney, MT 59270

Clerk of the District Court
Roosevelt County Courthouse
400 Second Avenue South
Wolf Point, MT 59201

Clerk of the District Court
Rosebud County Courthouse
PO Box 48
Forsyth, MT 59327

Clerk of the District Court
Sanders County Courthouse
PO Box 519
Thompson Falls, MT 59873

Clerk of the District Court
Sheridan County Courthouse
100 West Laurel Avenue
Plentywood, MT 59254

Clerk of the District Court
Stillwater County Courthouse
PO Box 367
Columbus, MT 59019

Clerk of the District Court
Sweetgrass County Courthouse
PO Box 698
Big Timber, MT 59011

Clerk of the District Court
Teton County Courthouse
PO Box 487
Choteau, MT 59422

Clerk of the District Court
Toole County Courthouse
226 First Street South
Shelby, MT 59474

Clerk of the District Court
Treasure County Courthouse
PO Box 392
Hysham, MT 59038

Clerk of the District Court
Valley County Courthouse
501 Court Square #6
Glasgow, MT 59230

Clerk of the District Court
Wheatland County Courthouse
PO Box 489
Harlowton, MT 59036

Clerk of the District Court
Wibaux County Courthouse
PO Box 292
Wibaux, MT 59353

Clerk of the District Court
Yellowstone County Courthouse
PO Box 35030
Billings, MT 59107

CITIES, TOWNS, COUNTIES & JUDICIAL DISTRICTS

CITY/TOWN	COUNTY	DISTRICT
Absarokee	Stillwater	22
Absher	Musselshell	14
Acton	Yellowstone	13
Achushnet	Fergus	10
Agawam	Teton	9
Alberton	Mineral	4
Albion	Carter	16
Alder	Madison	5
Alhambra	Jefferson	5
Alpine	Carbon	22
Alzada	Carter	16
Amsterdam	Gallatin	18
Anaconda	Deer Lodge	3
Andes	Richland	7
Angela	Rosebud	16
Antelope	Sheridan	15
Apgar	Flathead	11
Archer	Sheridan	15
Arlee	Lake	20
Armington	Cascade	8
Armstead	Beaverhead	5
Ashland	Rosebud	16
Augusta	Lewis & Clark	1
Austin	Lewis & Clark	1
Avon	Powell	3
Babb	Glacier	9
Bainville	Roosevelt	15
Baker	Fallon	16
Ballantine	Yellowstone	13
Barber	Golden Valley	14
Basin	Jefferson	5
Bay Horse	Powder River	16
Bearcreek	Carbon	22
Bearmouth	Granite	3
Beehive	Stillwater	22
Belfry	Carbon	22
Belgrade	Gallatin	18
Belknap	Sanders	20
Belle Creek	Powder River	16
Belltower	Carter	16
Belmont	Golden Valley	14
Belt	Cascade	8
Belton	Flathead	11
Benchland	Judith Basin	10
Bercail	Wheatland	14
Biddle	Powder River	16
Big Arm	Lake	20
Bigfork	Flathead	11
Big Horn	Treasure	16
Big Sandy	Chouteau	12
Big Sky	Gallatin	18
Big Timber	Sweet Grass	6
Billings	Yellowstone	13
Birney	Rosebud	16
Black Eagle	Cascade	8
Blackfoot	Glacier	9
Bloomfield	Dawson	7
Bonner	Missoula	4
Boulder	Jefferson	5
Bowers	Powder River	16
Box Elder	Hill	12
Boyd	Carbon	22
Boyes	Carter	16
Bozeman	Gallatin	18
Brady	Pondera	9
Brandenberg	Rosebud	16
Bridger	Carbon	22
Broadus	Powder River	16
Broadview	Yellowstone	13
Brockton	Roosevelt	15
Brockway	McCone	7
Brooks	Fergus	10
Browning	Glacier	9
Brusett	Garfield	16
Buffalo	Judith Basin	10
Busby	Big Horn	22
Butte	Silver Bow	2
Bynum	Teton	9
Camus	Sanders	20
Cameron	Madison	5
Camps Pass	Madison	5
Canyon Creek	Lewis & Clark	1
Canyon Ferry	Lewis & Clark	1
Capitol	Carter	16
Cardwell	Jefferson	5
Carlyle	Wibaux	7
Carter	Chouteau	12
Cartersville	Rosebud	16
Cascade	Cascade	8
Cat Creek	Petroleum	10
Chapman	Phillips	17
Charlo	Lake	20
Checkerboard	Meagher	14
Chester	Liberty	12
Chico Hot Springs	Park	6
Chinook	Blaine	17
Choteau	Teton	9
Christina	Fergus	10
Church Hill	Gallatin	18
Circle	McCone	7
Clancy	Jefferson	5
Clarkston	Gallatin	18
Cleveland	Blaine	17
Cliff Lake	Madison	5
Clinton	Missoula	4
Clyde Park	Park	6
Coalridge	Sheridan	15
Coalwood	Powder River	16
Coffee Creek	Fergus	10
Cohagen	Garfield	16
Collins	Teton	9
Colstrip	Rosebud	16
Columbia Falls	Flathead	11
Columbus	Stillwater	22
Comertown	Sheridan	15
Condon	Lake	20
Conner	Ravalli	21
Conrad	Pondera	9
Content	Phillips	17
Cooke City	Park	6
Coram	Flathead	11
Corinth	Big Horn	22
Corvallis	Ravalli	21
Corwin Springs	Park	6
Craig	Lewis & Clark	1
Crane	Richland	7
Creston	Flathead	11
Crow Agency	Big Horn	22
Crow Rock	Prairie	7
Culbertson	Roosevelt	15
Cushman	Golden Valley	14
Custer	Yellowstone	13
Cut Bank	Glacier	9
Dagmar	Sheridan	15
Danvers	Fergus	10
Darby	Ravalli	21
Dayton	Lake	20
Dean	Stillwater	22
DeBorgia	Mineral	4
Decker	Big Horn	22
Deer Lodge	Powell	3
Dell	Beaverhead	5
Delphia	Musselshell	14
Denton	Fergus	10
Devon	Toole	9
Diamond City	Meagher	14
Dillon	Beaverhead	5
Divide	Beaverhead	5
Dixon	Sanders	20
Dodson	Phillips	17
Dooley	Sheridan	15
Dover	Judith Basin	10
Dovetrain	Petroleum	10
Drexel	Mineral	4
Drummond	Granite	3
Dryhead	Carbon	22
Dunkirk	Toole	9
Dupuyer	Pondera	9
Dutton	Teton	9

Eagleton	Chouteau	12
East Glacier	Glacier	9
East Helena	Lewis & Clark	1
Eddy	Sanders	20
Eden	Cascade	8
Edgar	Carbon	22
Edwards	Garfield	16
Ekalaka	Carter	16
Elliston	Powell	3
Elmo	Lake	20
Emigrant	Park	6
Enid	Richland	7
Ennis	Madison	5
Epsie	Powder River	16
Essex	Flathead	11
Ethridge	Toole	9
Eureka	Lincoln	19
Evaro	Missoula	4
Fairfield	Teton	9
Fairview	Richland	7
Fallon	Prairie	7
Farmington	Teton	9
Ferdig	Toole	9
Fergus	Fergus	10
Fife	Cascade	8
Fishtail	Stillwater	22
Flatwillow	Petroleum	10
Flaxville	Daniels	15
Florence	Ravalli	21
Floweree	Chouteau	12
Forest Grove	Fergus	10
Forks	Phillips	17
Forsyth	Rosebud	16
Fort Belknap	Chouteau	12
Fort Benton	Chouteau	12
Fort Harrison	Lewis & Clark	1
Fort Peck	Valley	17
Fort Shaw	Cascade	8
Fort Smith	Big Horn	13
Fortine	Lincoln	19
Four Buttes	Daniels	15
Four Corners	Glacier	9
Fowler	Pondera	9
Francis	Gallatin	18
Franklin	Golden Valley	14
Frazer	Valley	17
Frenchtown	Missoula	4
Froid	Roosevelt	15
Fromberg	Carbon	22
Galata	Toole	9
Galen	Granite	3
Gallatin Gateway	Gallatin	18
Gardiner	Park	6
Garland	Custer	16
Garneill	Fergus	10
Garrison	Powell	3
Garryowen	Big Horn	22
Gateway	Lincoln	19

Genou	Chouteau	12
Geraldine	Chouteau	12
Geyser	Judith Basin	10
Gildford	Hill	12
Giltedge	Fergus	10
Glacier Park	Glacier	9
Glasgow	Valley	17
Glen	Beaverhead	5
Glendive	Dawson	7
Glentana	Valley	17
Goldcreek	Powell	3
Gold Stone	Hill	12
Grant	Beaverhead	5
Grantsdale	Ravalli	21
Grass Range	Fergus	10
Grayling	Gallatin	18
Great Falls	Cascade	8
Greenough	Missoula	4
Greycliff	Sweet Grass	6
Hall	Granite	3
Hamilton	Ravalli	21
Hammond	Carter	16
Hanover	Fergus	10
Happy's Inn	Lincoln	19
Hardin	Big Horn	22
Harlem	Blaine	17
Harlowton	Wheatland	14
Harrison	Madison	5
Hathaway	Rosebud	16
Hauge	Mineral	4
Havre	Hill	12
Haxby	Garfield	16
Hays	Blaine	17
Heart Butte	Pondera	9
Heath	Fergus	10
Hedgesville	Wheatland	14
Helena	Lewis & Clark	1
Helmville	Powell	3
Heron	Sanders	20
Highwood	Chouteau	12
Hilger	Fergus	10
Hill	Liberty	12
Hingham	Hill	12
Hinsdale	Valley	17
Hobson	Judith Basin	10
Hodges	Dawson	7
Hodgeland	Blaine	17
Homestake	Jefferson	5
Homestead	Sheridan	15
Hot Springs	Sanders	20
Hughsville	Judith Basin	10
Huntley	Yellowstone	13
Huson	Missoula	4
Hysham	Treasure	16
Hungry Horse	Flathead	11
Ingomar	Rosebud	16
Intake	Dawson	7
Inverness	Hill	12

Iron Mountain	Mineral	4
Ismay	Custer	16
Jackson	Beaverhead	5
Jardine	Park	6
Jeffers	Madison	5
Jefferson City	Jefferson	5
Jefferson Island	Jefferson	5
Jennings	Lincoln	19
Jens	Powell	3
Joliet	Carbon	22
Joplin	Liberty	12
Jordan	Garfield	16
Judith Gap	Wheatland	14
Kalispell	Flathead	11
Kendall	Fergus	10
Kevin	Toole	9
Kila	Flathead	11
Kinsey	Custer	16
Kirby	Big Horn	22
Klein	Musselshell	14
Kolin	Judith Basin	10
Kremlin	Hill	12
LaHood	Jefferson	5
Lakeside	Flathead	11
Lambert	Richland	7
Lame Deer	Rosebud	16
Landusky	Phillips	17
Laredo	Hill	12
Larslan	Valley	17
Laurel	Yellowstone	13
Laurin	Madison	5
Lavina	Golden Valley	14
Lazy Days	Park	6
Ledger	Pondera	9
Lennep	Meagher	14
Leroy	Blaine	17
Lewistown	Fergus	10
Libby	Lincoln	19
Lima	Beaverhead	5
Limestone	Stillwater	22
Lincoln	Lewis & Clark	1
Lindsay	Dawson	7
Living Springs	Wheatland	14
Livingston	Park	6
Lloyd	Blaine	17
Locate	Custer	16
Lodge Grass	Big Horn	22
Lodgepole	Phillips	17
Loesch	Powder River	16
Logan	Gallatin	18
Lohman	Blaine	17
Lolo	Missoula	4
Lolo Hot Springs	Missoula	4
Loma	Chouteau	12
Lombard	Gallatin	18
Lone Pine	Sanders	20
Loring	Phillips	17

Lothair	Liberty	12
Lozeau	Mineral	4
Lustre	Valley	17
Luther	Carbon	22
Madine	Fergus	10
Madoc	Daniels	15
Malta	Phillips	17
Manhattan	Gallatin	18
Marion	Flathead	11
Marsh	Dawson	7
Martin City	Flathead	11
Martinsdale	Meagher	14
Marysville	Lewis & Clark	1
Maudlow	Gallatin	18
Maxville	Granite	3
Mayville	Granite	3
McAllister	Madison	5
McCabe	Roosevelt	15
McElroy	Sheridan	15
McLeod	Sweet Grass	6
McRae	Big Horn	22
Medicine Lake	Sheridan	15
Medicine Spring	Ravalli	21
Melrose	Silver Bow	2
Melstone	Musselshell	14
Melville	Sweet Grass	6
Menard	Gallatin	18
Merino	Judith Basin	10
Mike Horse	Lewis & Clark	1
Mildred	Prairie	7
Miles City	Custer	16
Mill Iron	Carter	16
Milltown	Missoula	4
Miner	Park	6
Missoula	Missoula	4
Moccasin	Judith Basin	10
Moiese	Missoula	4
Molt	Stillwater	22
Monarch	Cascade	8
Monida	Beaverhead	5
Montague	Chouteau	12
Montana City	Jefferson	5
Moore	Fergus	10
Moorhead	Powder River	16
Mosby	Garfield	16
Moulton	Fergus	10
Musselshell	Musselshell	14
Myers	Treasure	16
Nashua	Valley	17
Neihart	Cascade	8
Nevada City	Madison	5
Niarada	Sanders	20
Nibble	Yellowstone	13
Nimrod	Granite	3
Nohly	Richland	7
Norris	Madison	5
Noxon	Sanders	20
Nye	Stillwater	22

Oilmont	Toole	9
Olive	Powder River	16
Ollie	Fallon	16
Olney	Flathead	11
Opheim	Valley	17
Opportunity	Deer Lodge	3
Oswego	Valley	17
Otter	Powder River	16
Outlook	Sheridan	15
Ovando	Powell	3
Pablo	Lake	20
Paradise	Sanders	20
Park City	Stillwater	22
Peerless	Daniels	15
Pendroy	Teton	9
Perma	Sanders	20
Philipsburg	Granite	3
Phillips	Phillips	17
Pinesdale	Ravalli	21
Plains	Sanders	20
Plentywood	Sheridan	15
Plevna	Fallon	16
Polaris	Beaverhead	5
Polebridge	Flathead	11
Polson	Lake	20
Polytechnic	Yellowstone	13
Pompeys Pillar	Yellowstone	13
Pony	Madison	5
Poplar	Roosevelt	15
Portage	Cascade	8
Potomac	Missoula	4
Powderville	Powder River	16
Power	Teton	9
Pray	Park	6
Proctor	Lake	20
Pryor	Big Horn	22
Quietus	Big Horn	22
Radersburg	Broadwater	1
Ramsay	Silver Bow	2
Ranch Creek	Powder River	16
Rapelje	Stillwater	22
Ravalli	Lake	20
Raymond	Sheridan	15
Raynesford	Judith Basin	10
Red Lodge	Carbon	22
Redstone	Sheridan	15
Reedpoint	Stillwater	22
Regina	Phillips	17
Reichle	Beaverhead	5
Reserve	Sheridan	15
Rexford	Lincoln	19
Richey	Dawson	7
Richland	Valley	17
Ridge	Carter	16
Ridgeway	Carter	16
Rimini	Lewis & Clark	1
Ringling	Meagher	14

Rivulet	Mineral	4
Roberts	Carbon	22
Rock Springs	Rosebud	16
Rocky Boy	Blaine	17
Rollins	Lake	20
Ronan	Lake	20
Roscoe	Carbon	22
Rosebud	Rosebud	16
Ross Fork	Fergus	10
Rotheimy	Golden Valley	14
Round Butte	Lake	20
Roundup	Musselshell	14
Roy	Fergus	10
Rudyard	Hill	12
Russell	Chouteau	12
Ryegate	Golden Valley	14
Saco	Phillips	17
Shara	Golden Valley	14
St. Ignatius	Lake	20
St. Mary	Flathead	11
St. Regis	Mineral	4
St. Xavier	Big Horn	22
Saltese	Mineral	4
Sandcoulee	Cascade	8
Sanders	Treasure	16
Sand Springs	Garfield	16
Santa Rita	Glacier	9
Sappington	Gallatin	18
Savage	Richland	7
Savey	Blaine	17
Sayle	Powder River	16
Schatz	Powell	3
Scobey	Daniels	15
Seeley Lake	Missoula	4
Shambo	Hill	12
Shawmut	Wheatland	14
Sheffield	Custer	16
Shelby	Toole	9
Shepherd	Yellowstone	13
Sheridan	Madison	5
Shonkin	Chouteau	12
Sidney	Richland	7
Silesia	Carbon	22
Silver Bow	Silver Bow	2
Silver Gate	Park	6
Silver Star	Madison	5
Simms	Cascade	8
Simpson	Hill	12
Sioux Pass	Richland	7
Snider	Sanders	20
Somers	Flathead	11
Sonnette	Powder River	16
Southern Cross	Granite	3
Springdale	Park	6
Square Butte	Chouteau	12
Stanford	Judith Basin	10
Stark	Missoula	4
Stevensville	Ravalli	21
Stockett	Cascade	8

Straw	Fergus	10
Stryker	Lincoln	19
Suffolk	Fergus	10
Sula	Ravalli	21
Sumatra	Rosebud	16
Sunburst	Toole	9
Sun River	Cascade	8
Superior	Mineral	4
Swan Lake	Lake	20
Sweetgrass	Toole	9
Tampico	Valley	17
Tarkio	Mineral	4
Teigen	Petroleum	10
Telegraph Creek	Phillips	17
Terry	Prairie	7
Thoeny	Valley	17
Thompson Falls	Sanders	20
Three Forks	Gallatin	18
Thurlow	Rosebud	16
Toston	Broadwater	1
Townsend	Broadwater	1
Tracey	Cascade	8
Trail Creek	Flathead	11
Trego	Lincoln	19
Trident	Gallatin	18
Trout Creek	Sanders	20
Troy	Lincoln	19
Turner	Blaine	17
Tuscor	Sanders	20
Twin Bridges	Madison	5
Two Dot	Wheatland	14
Ulm	Cascade	8
Ural	Lincoln	19
Utica	Judith Basin	10
Valier	Pondera	9
Vanada	Treasure	16
Vandalia	Valley	17
Van Norman	Garfield	16
Vaughn	Cascade	8
Victor	Ravalli	21
Vida	McCone	7
Virgelle	Chouteau	12
Virginia City	Madison	5
Volborg	Custer	16
Wagner	Phillips	17
Walkerville	Silver Bow	2
Waltham	Chouteau	12
Warland	Lincoln	19
Warm Springs	Deer Lodge	3
Warren	Carbon	22
Washoe	Carbon	22
Waterloo	Madison	5
Watkins	McCone	7
Watson	Meagher	14
Webster	Fallon	16
Weldon	McCone	7
Westby	Sheridan	15
West Glacier	Flathead	11
W. Yellowstone	Gallatin	18
Wheeler	Valley	17
Whitefish	Flathead	11
Whitehall	Jefferson	5
Whitepine	Sanders	20
White Sul. Springs	Meagher	14
Whitetail	Daniels	15
Whitewater	Phillips	17
Whitlash	Liberty	12
Wibaux	Wibaux	7
Wickes	Jefferson	5
Willard	Fallon	16
Williams	Pondera	9
Willow Creek	Gallatin	18
Wilsall	Park	6
Windham	Judith Basin	10
Winifred	Fergus	10
Winnett	Petroleum	10
Winston	Broadwater	1
Wisdom	Beaverhead	5
Wise River	Beaverhead	5
Wolf Creek	Lewis & Clark	1
Wolf Point	Roosevelt	15
Woodside	Granite	3
Woodworth	Missoula	4
Worden	Yellowstone	13
Wyola	Big Horn	22
Yaak	Lincoln	19
Yakt	Flathead	11
Zero	Prairie	7
Zortman	Phillips	17
Zurich	Blaine	17