



ADMINISTRATIVE RULES OF MONTANA



38.2.5021 PROTECTIVE ORDER--STANDARD TERMS AND CONDITIONS --USE OF CONFIDENTIAL INFORMATION--GENERAL

- (1) Where written or oral reference to confidential information is required, reference must be by general citation of title or exhibit number or by nonconfidential description and summary, such as the nonconfidential summary supplied by the provider pursuant to ARM 38.2.5007(3)(b). If further reference to confidential information is necessary, oral reference must be presented in camera and written reference must be separated, clearly marked, filed with the commission in a sealed envelope, and served only on legal counsel for each party.
- (2) Where reference to confidential information is required in a commission decision, every effort will be made to make such reference through nonconfidential summary. If it is not possible to make such reference by nonconfidential summary, such reference must be separated, clearly marked, placed in a sealed envelope, and served only on legal counsel for each party.
- (3) Where in camera proceedings are recorded, stenographically or otherwise, the recording and all transcription of the recording must be separated, clearly marked, sealed in an envelope, and served on the commission and legal counsel for each party who has ordered a record of the proceedings. The person recording the in camera proceeding and the person transcribing the recording of the in camera proceeding must comply with the governing protective order and must sign a nondisclosure agreement.

Authorizing statute(s): 69-3-103, MCA

Implementing statute(s): 69-3-105, MCA

History: NEW, 2000 MAR p. 2037, Eff. 7/28/00; AMD, 2004 MAR p. 2592, Eff. 10/22/04; AMD, 2007 MAR p. 2135, Eff. 12/21/07.