



ADMINISTRATIVE RULES OF MONTANA



38.2.4501 PROPOSED FINDINGS AND CONCLUSIONS OF PARTIES

- (1) Notice. The presiding officer may require all parties of record to file proposed findings of fact and conclusions of law at the close of testimony in the proceeding. The presiding officer shall immediately fix the time in which such proposed findings and conclusions shall be filed. No decision, report or recommended order shall be made until after the expiration of the time so fixed.
- (2) Contents. Each proposed finding of fact and conclusion of law shall be clearly and concisely stated and numbered. Each statement shall show specifically the testimony by appropriate transcript reference which supports that proposed finding of fact, if a transcript has been prepared.
- (3) Copies required. An original and six copies accompanied by a certificate of service shall be filed with the commission and one copy shall be filed with each attorney of record or each party.
- (4) Enlargement of time. Any party may petition the presiding officer for an enlargement of time in which to file proposed findings of fact and conclusions of law. Such petition shall state the reasons why the enlargement is required.
- (5) Failure to file - dismissal. The commission may dismiss any proceeding where the party who initiated such proceeding fails to comply with this rule and the failure of any other party may be deemed a waiver of the right to participate further.

Authorizing statute(s): 69-3-103, 69-2-101, 69-12-201(2) and 69-1-110(3), MCA

Implementing statute(s): 69-2-101, MCA

History: NEW, 1977 MAR p. 1200, Eff. 12/24/77.