



ADMINISTRATIVE RULES OF MONTANA



24.8.410 NOTICE OF DISMISSAL AND RIGHT TO SUE

- (1) The issuance of a notice of dismissal and right to sue completes the administrative process with regard to any complaint of discrimination in which a notice of dismissal and right to sue is issued.
- (2) Each notice of dismissal and right to sue issued by the Human Rights Bureau shall be issued to all parties by mail and shall set forth the following information:
 - (a) a statement of the reasons for issuance;
 - (b) a notice that in order to pursue the complaint of discrimination, the charging party must petition the district court in the district in which the alleged violation occurred within 90 days of receipt of the notice. The notice shall conspicuously state that if the charging party fails to file a petition in district court within the 90 day period, the claim shall be barred;
 - (c) a notice of the court's discretion to award attorney's fees to the prevailing party in a discrimination action in district court;
 - (d) a statement regarding the effect of the issuance of the notice of dismissal and right to sue as provided in (1); and
 - (e) a statement that the requirements for issuance of a notice of dismissal and right to sue have been satisfied.

Authorizing statute(s): 49-2-204, 49-3-106, MCA

Implementing statute(s): 49-2-504, 49-2-511, 49-3-315, MCA

History: NEW, 2002 MAR p. 2908, Eff. 10/18/02; AMD, 2008 MAR p. 2636, Eff. 12/25/08.