



ADMINISTRATIVE RULES OF MONTANA

37.62.941 PREHEARING STATUS CONFERENCE

- (1) After a hearing is opened on the record and immediately preceding the presentation of evidence, the presiding ALJ shall conduct, on the record, a case status conference. The purpose of the conference is to:
 - (a) identify those facts which the parties agree to be true and which will require no proof during the hearing;
 - (b) identify those hearing exhibits which the parties agree may be entered without objection;
 - (c) identify the contentions of the parties;
 - (d) identify and clarify those issues of fact or law, including possible defenses, that remain to be determined by the ALJ during the hearing;
 - (e) identify any unusual legal or evidentiary issues;
 - (f) identify and exclude any matter raised by a party that is outside the scope of the hearing or which the ALJ has no authority to determine; and
 - (g) address such other matters as will promote the orderly and prompt conduct of the hearing.
- (2) Based on the information identified in (1) the ALJ shall issue an order directing the course of the hearing as specified in ARM 37.62.945.
- (3) If the status conference demonstrates that there are no facts at issue, the ALJ may convert the status conference to a proceeding for summary disposition of the case.

Authorizing statute(s): Sec. 17-4-105, 40-5-202, 40-5-262, 40-5-272, 40-5-273, 40-5-405, 40-5-713, 40-5-825 and 40-5-906, MCA

Implementing statute(s): Sec. 17-4-105, 40-5-157, 40-5-202, 40-5-208, 40-5-226, 40-5-233, 40-5-261, 40-5-271, 40-5-273, 40-5-414, 40-5-431, 40-5-703, 40-5-710, 40-5-821, 40-5-822, 40-5-823, 40-5-824 and 40-5-906, MCA

History: NEW, 2000 MAR p. 3547, Eff. 12/22/00.