

**Title 2, ch. 6, part I – Public Records**

- Four categories of public records – one is “judicial records”. 2-6-101

**Title 2, ch. 6, part 2 – Records Management**

- Expressly for “executive branch agencies.” 2-6-201.
- Covers electronic records. 2-6-202(1(a)(l)).
- **Secretary of State Duties.** 2-6-203.
  - Issues “guidelines for inventorying, cataloging, retaining and transferring all public records of state agencies.” 2-6-203(1)(a)
  - “assists and advises in the establishment of records management procedures in the legislative and judicial branches of state government.” 2-6-203(2)
- **Agency Duties.** 2-6-206.
  - Designate essential records.
  - Ensure security of essential records by specific methods or as approved by sec. of state.
- **Dept. of Administration Duties.** 2-6-214.
  - Develops “standards for technological compatibility for state agencies for . . . systems used to electronically capture, store, or retrieve public records . . .” 2-6-214(2)
  - Approves “all acquisitions of executive agency records management equipment or systems used to electronically capture, store, or retrieve public records through computerized, optical or other electronic methods . . .” 2-6-214(3).

**Title 2, ch. 20, part 1 – Montana Electronic Transactions Act.**

- Electronic filing encouraged. 2-20-102(2); 2-20-105(1).

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- Limited to executive branch agencies. 2-20-103(22).
- Provides standards for electronic signatures. Secretary of State to register certification authorities. 2-20-109.
- Agency can't require party to accept or respond to electronic record/contact unless the party agrees. 2-20-104(1)(a).
- Defines what constitutes sending and receipt of electronic documents. 2-20-105(1)-(2).
- Requires agency to adopt rules. 2-20-105(4).
- Specific provisions of contested case hearings before agencies. 2-20-106.

**Title 3, ch. 1, part 1: Electronic Filing in Courts. 3-1-114 and -115.**

- Courts (generically) authorized to set provide for electronic filing and storage.
- Supreme Court authorized to make rules governing.
- Suggests but does not certain electronic filing procedures. 2-1-115(4).

**Title 2, ch 17, part 11: Montana Electronic Government Services Act.**

- DOA to provide ability to offer electronic government services from single point of entry.
- May contract with private entities and charge fees.

**Title 2, ch. 17, part 5: Montana Information Technology Act.**

- DOA to establish state government IT plan.
- DOA to establish and enforce state strategic IT plan.
- Judicial branch required to provide its IT plan to DOA. 2-17-517.
- Agencies must develop agency information technology plan and have it approved by DOA. 2-17-523, -524.

**Title 2, ch. 17, part 5: Governmental Internet Information Privacy Act.**

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- Sets out prerequisites to collecting personally identifiable information from government operated WEB site. 2-17-552. Mostly information & warning to website user.