

HON. DEBORAH KIM CHRISTOPHER
20TH JUDICIAL DISTRICT COURT, DEPT 2
LAKE COUNTY COURTHOUSE
106 FOURTH AVENUE E.
POLSON, MT 59860
(406) 883-7360

FILED Aug 15 20 16
Candace Fisher
SANDERS COUNTY CLERK OF DISTRICT COURT
BY C Fisher

MEMORANDUM

SB 16-02

TO: Lake County Attorney
Sanders County Attorney
Lake County Clerk of Court
Sanders County Clerk of Court
Office of the State Public Defender
All Criminal Defense Counsel

FROM: Hon. Deborah Kim Christopher

SUBJECT: PLEA AGREEMENTS

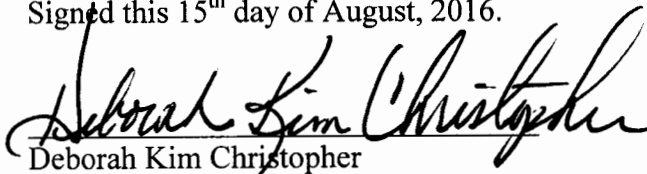
DATE: 8/15/2016

To encourage early plea agreement negotiations in criminal cases, Department 2 is returning to the exact former policy which governed from January 1, 2001 until it was revoked September 29, 2010 in the Twentieth Judicial District as to plea agreements. Said policy shall be effective for all criminal cases filed August 5, 2016 or later:

1. Prior to Omnibus Hearing: The Court's present policy will continue to permit a Defendant to enter into a Plea Agreement with the County Attorney's Office and then, if the Plea Agreement is rejected by the Court, re-enter a not guilty plea and proceed to trial.
2. After Omnibus Hearing: If a Plea Agreement is entered into after the Omnibus Hearing and before the jury is called by the Clerk of Court's Office, the Court may impose any sentence allowed by law. If the sentence imposed is not the sentence recommended in the Plea Agreement, the Defendant will not be allowed to withdraw the guilty plea entered pursuant to the Plea Agreement.
3. After the Jury is Called: The only plea which will be accepted by the Court after the Clerk of Court's Office has called the jury will be a guilty plea to all charges as contained in the Information without any reduction of any offenses charged or dismissal of any counts; the Court may impose any sentence allowed by law and the Defendant will not be permitted to withdraw any guilty plea.

DATED this 5th day of August, 2016.

Signed this 15th day of August, 2016.



Deborah Kim Christopher
District Judge, Dept. 2