

IN THE MUNICIPAL COURT OF THE CITY OF MISSOULA
COUNTY OF MISSOULA, STATE OF MONTANA

MUNICIPAL COURT

IN THE MATTER THIRD PARTY
PROTECTED ADULTSSTANDING ORDER DISALLOWING
THIRD-PARTY ADULT PROTECTED
PARTIES

Missoula Municipal Court will no longer allow petitions for order of protections to incorporate a third-party adult as a protected person, nor extend to an additional adult without an independently filed petition for an order of protection. Montana law restricts adults from filing on behalf of another adult to circumstances in which the third-party is the guardian of an incapacitated person; a conservator of a protected person; or an agent on behalf of an incapacitated principal. Mont. Code Ann. § 40-15-102(4)(a-c).

Although the statute ostensibly only applies to initiating a petition on behalf of another adult (i.e. as the petitioner), the Court will henceforth require the same standard apply in extending an order of protection to third-party adults. Absent a showing of the statutory factors in Mont. Code Ann. § 40-15-102(4)(a-c), the Court will remove third-party protected adults from any granted order of protection.

SO ORDERED THIS 10th day of January, 2023.


JUDGE JACOB COOLIDGE
JUDGE JENNIFER STREANO
JUDGE ELI PARKER