7-4-2901. Appointment of deputy coroners. (1) The coroner, with approval of the county commissioners, may appoint one or more deputy coroners to assist the coroner or act in the coroner’s absence.

(2) At the time of appointment, a deputy coroner or acting coroner must meet the qualifications required of a coroner as provided in 7-4-2904(1) and (2)(a). Within a reasonable time after appointment, a deputy shall successfully complete the basic coroner course, as provided for in 7-4-2905(2)(a). The successful completion of the basic coroner course, the deputy shall must also meet the requirements for advanced education as provided in 7-4-2905(2)(b).

(3) A deputy coroner may be the coroner or qualified deputy coroner from another county.

7-4-2904. Qualifications for office of county coroner. (1) In addition to the qualifications set forth in 7-4-2201, to be eligible for the office of coroner, at the time of election or appointment to office a person must be a high school graduate or holder of an equivalency of completion of secondary education as provided by the superintendent of public instruction under 20-7-131 or of an equivalency issued by another state or jurisdiction.

(2) Each coroner, before entering the duties of office, shall:

(a) take and file with the county clerk the constitutional oath of office; and

(b) certify to the county clerk that:

(i) the individual has successfully completed the basic coroner course of study provided in 7-4-2905 or that the individual has completed the equivalent educational requirements as approved by the attorney general Montana public safety officer standards and training council established in 2-15-2029; or

(ii) the individual intends to take the basic coroner course at the next offering of the course if the coroner has been appointed or was elected by other than a local government general election and, from the date of appointment or election and
assumption of the duties as coroner, a basic coroner course was not offered. A coroner forfeits office for failure to take and satisfactorily complete the next offering of the basic coroner course.

7-4-2905. **Coroner education and continuing education.** (1) Coroner education must be conducted approved by the Montana public safety officer standards and training council established in 2-15-2029. The council may adopt rules establishing standards and procedures for basic and advanced education. The cost of conducting the education must be borne by the department of justice from money appropriated for the education. The county shall pay the salary, mileage, and per diem of each coroner-elect, coroner, and deputy coroner attending from that county.

(2) (a) The council shall conduct approve a 40-hour basic coroner course of study after each general election. The course, or an equivalent course approved by the council, must be completed before the first Monday in January following the election. The council may conduct approve other basic coroner courses at times it considers appropriate.

(b) The council shall annually conduct approve a 16-hour advanced continuing coroner education course. Unless there are exigent circumstances, failure of any coroner or deputy coroner to satisfactorily complete the advanced 16-hour continuing coroner education course, or an equivalent course approved by the council, at least once every 2 years results in forfeiture of office. The council may adopt rules providing a procedure to extend the 2-year period because of exigent circumstances.
MONTANA CORONERS’ ASSOCIATION

BOARD OF DIRECTORS MEETING

MAY 6, 2018

The Montana Coroners’ Association Board of Directors meeting was called to order at 5:00 PM by President Greg Kirkwood at the Yogo Inn in Lewistown. Members present were President Greg Kirkwood, Vice President Bob Rosipal, Past President Dick Burrows, Secretary-Treasurer Terry Bullis, Dick Brown, Verne Burekle, Trenton Harbaugh, Steve Holton and Dan Whitted. Unable to attend was Al Jenkins. Wynn Meehan was present as a representative from the Montana Sheriffs and Peace Officers Association, Dr. Rob Kurtzman was present as a guest as well as Lewis and Clark County Coroner Brian Backeberg.

A motion was made and seconded to forego reading the minutes of the March 24, 2018 Board meeting (after Joan reported she had included the changes made by Dr. Kurtzman regarding his presentation prior to the meeting) since all members had received copies previously.

TREASURER’S REPORT:

Terry reported the checking account balance is $34,232.06 and the estimated cost of the 2018 convention is $16,000. Dick Burrows made a motion the Treasurer’s report be approved and Wynn Meehan seconded the motion, which unanimously carried.

OLD BUSINESS:

Legislative Issues:

Wynn Meehan reported there had been a meeting with representatives from the Coroners’ Association and the Montana Sheriff and Peace Officers Association concerning the
consolidation of the coroner’s job with the Sheriff’s Office. The county commissioners are trying to consolidate the two to save money, but neither the current coroners and sheriffs of the counties affected are wishing to do this. The problem arises as who will handle inquests if all the independent coroners are eliminated. The Montana Sheriffs and Peace Officers have formed a subcommittee to revamp some of the laws, which are vague. They also wish to get an opinion from the Attorney General. In addition, they want to obtain the definition of a coroner and duties of this job. It is felt the county commissions are overstepping by not knowing the coroner laws. Dick Brown, who was also in attendance at this meeting, said we do not want new legislation—we just want to get clarification of the laws and then have another meeting. Bob Rosipal felt the inquest issue was the first priority, and then the coroner laws should be reviewed and find what needs revising.

There was a discussion about seeing if POST would change the way they count the CME hours to a calendar year. Currently some of the coroners’ hours expire shortly before the MCA annual meeting, which sends that person scrambling to find some training to stay certified. There was also a discussion of some coroners having to go to basic training 3 times. This has happen when a coroner has 16 hrs training, then transfers to a different unit and is no longer coroner for a couple of years. He then changes back to be a coroner and has to take he 40 hrs of basic training again. This is an expensive and redundant practice. Most of these laws have not been adjusted since 1974.

Dick Brown stated POST keeps track of the training hours, but questioned if they have the authority to pull a coroner’s certificate. It was brought up that the Crime Control Board originally handled the training, but it was turned over to POST and now Perry Johnson sends the coroners their certificates and POST now governs the coroners. Dick Brown feels POST is the record keeper and they don’t pay for the education MCA provides for coroners. Bob Rosipal suggested we bring this up to the Attorney General when the MSPOA meets with the inquest issue and get his legal opinion.

**Web Site**

Steve reported he had one update to put into the directory at this time.

**Scholarships:**

Dick Brown reported that there were three applicants, one from Malta, Inverness and Melstone respectively. These applications will be reviewed and two chosen tomorrow.

**NEW BUSINESS:**

**2018 Convention:**

The raffle items are a Go-Pro, Yeti cooler, hydroflask and camera. Gifts for attendees are duffle bags with the MCA logo, which will hold items for scene investigations. The cost for these was $3,000.

**Nominating Committee:**

Steve Holton’s term will expire in 2018, and he agreed to another term. Terry Bullis also agreed to another term. Vern Beurkle will be retiring and we need a replacement. Greg stated Deputy Coroner Sibley Jankovial from Wolf Point was willing to take this position. Bob Rosipal will
move to President and Vice President will be open. Wynn Meehan expressed interest in this position. This will be reported at the annual meeting.

2019 Convention:

The 2019 convention is scheduled for May 5, 6 and 7.

Dick Brown made a motion to have the 2019 convention at the GranTree in Bozeman. Dick Burrows seconded the motion, which unanimously carried. Steve Holton, Trenton Harbaugh and Dan Whitted volunteered to be on a committee to find speakers.

Other:

Mileage was taken (Dick Burrows 350, Bob Rosipal 218, Trent Harbaugh 600, Greg Kirkwood 270, Dan Whitted 400, Steve Holton 634 and Joan Farmer 218).

Wynn Meehan made a motion the bills be paid and Bob Rosipal seconded the motion which unanimously carried.

There was a question about having everyone register and pay on-line for next year’s convention. Terry stated 30% of the counties don’t have credit cards, and we’d have to set up pay-pal to do them through the computer. This can be done for those that do have credit cards.

Trent said regarding the ABMDI training, the $50/year per coroner every year is too much. The Board felt we should get a vote from the membership regarding the proposal of everyone having to have ABMDI training.

Dan Whitted made a motion the meeting be adjourned. Wynn Meehan seconded the motion. The meeting was adjourned at 6:40 P.M.

Respectfully submitted,

Joan Farmer

Recording Secretary
MONTANA CORONERS’ ASSOCIATION

ANNUAL MEETING

MAY 7, 2018

The Montana Coroners’ Association Annual meeting was called to order by President Greg Kirkwood at the Yogo Inn on May 7, 2018 at 6:50 P.M.

Roll Call:

Roll call was taken and members from the following counties were present: Cascade, Yellowstone, Missoula, Lewis and Clark, Gallatin, Fergus, Carbon, Phillips, Hill, Ravalli, Custer, Lake, Dawson, Roosevelt, Beaverhead, Chouteau, Valley, Toole, Big Horn, Blaine, Richland, Deer Lodge, Teton, Judith Basin, Fallon, McCona, Carter, Broadwater, Wheatland, Granite, Liberty, Wibaux, Golden Valley, and Petroleum.

Minutes:

Minutes from the May 8, 2017 Annual Meeting were read. Bob Rosipal made a motion that the minutes be approved. The motion was seconded by Wynn Meehan and unanimously carried.

TREASURER’S REPORT:
The checking account balance is $34,232 and the estimated convention cost is $16,000. A motion was made by Dick Burrows to approve the Treasurer’s report, was seconded by Wynn Meehan, and unanimously carried

**OLD BUSINESS:**

**Scholarship:**

The scholarship was for students in District 3. The three applicants and were from Malta, Inverness and Melstone. Isabella Mackey from Malta and Shayla Hough from Melstone were chosen.

**Legislative Update:**

Dick Brown reported there were some coroner laws that we are trying to get the Attorney General to help clarify. Primarily it’s regarding combining the sheriff and coroner into one office and the question of who will do inquests. The Sheriff and Peace Officers Association and Montana Coroners Association are working together on a committee and contact persons are Bob Rosipal and Dick Brown. They are trying to get it solved without having to get new legislation.

**Web Site:**

Steve Holton reported the name is [mtcoroner.org](http://mtcoroner.org) and it has been very successful with the technical help we have. Contact Steve if there is information you want added. We are trying to make sure the coroner and deputy coroner lists are kept current.

**NEW BUSINESS:**

**ABMDI Training:**

There was a discussion on this topic and the Board reported they felt it would be a big expense on the counties to have all coroners certified, with a $50 fee/year per person after they once obtain the training. They felt the federal government shouldn’t tell the states how to spend their money for mandatory training. The question was asked that as a group does MCA want to join the ABMDI Training. Vern Burdick made a motion that as a group we do NOT wish to join the ABMDI Training. This motion was seconded by Robert Pauas and unanimously passed. Individuals were not discouraged from obtaining the training.

**Election of Officers:**

President Greg Kirkwood reported Steve Holton’s term was expiring and he had agreed to serve another term. Greg also stated Vice President Bob Rosipal would be moving to President and Wynn Meehan was agreeable to take the Vice President position. Vern Beurkle will be retiring the end of the year and Deputy Coroner Sibley Jankovial from Wolf Point is interested in this position. There were no nominations from the floor for any of the offices. Dick Brown made a motion that the Nominating Committee recommendations as listed by President Kirkwood be accepted. This motion was seconded by Robert Pauas and unanimously approved. The dates of term expiration are as follows:

Past President Greg Kirkwood
President Bob Rosipal
Vice President Wynn Meehan
Secretary-Treasurer Terry Bullis
District 1 Steve Holton (term expires 2024)
District 2 Dan Whitted (term expires 2022)
District 3 Dick Brown (term expires 2023)
District 4 Sibley Jankovial (term expires 2021)
District 5 Al Jenkins (term expires 2019)
District 6 Trenton Harbough (term expires 2020).

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2019 Convention:

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President Greg Kirkwood reported the board had chosen the GranTree in Bozeman for the 2019 convention site. The date will be May 5, 6 and 7, 2019. A committee has been chosen to obtain speakers.

Other:

Wynn Meehan made a motion to pay the bills. Dick Brown seconded the motion. Jessica Murolo made a motion the meeting be adjourned. The motion seconded and approved. The meeting was adjourned at 7:20 P.M.

Respectfully submitted,

Joan Farmer, Recording Secretary
Coroner Education And Continuing Education

7-4-2905. Coroner education and continuing education. (1) Coroner education must be conducted by the Montana public safety officer standards and training council established in 2-15-2029. The council may adopt rules establishing standards and procedures for basic and advanced education. The cost of conducting the education must be borne by the department of justice from money appropriated for the education. The county shall pay the salary, mileage, and per diem of each coroner-elect, coroner, and deputy coroner attending from that county.

(2) (a) The council shall conduct a 40-hour basic coroner course of study after each general election. The course, or an equivalent course approved by the council, must be completed before the first Monday in January following the election. The council may conduct other basic coroner courses at times it considers appropriate.

(b) The council shall annually conduct a 16-hour advanced coroner course. Unless there are exigent circumstances, failure of any coroner or deputy coroner to satisfactorily complete the advanced coroner course, or an equivalent course approved by the council, at least once every 2 years results in forfeiture of office. The council may adopt rules providing a procedure to extend the 2-year period because of exigent circumstances.

History: En. Sec. 4, Ch. 367, L. 1987; amd. Sec. 1, Ch. 118, L. 1993; amd. Sec. 1, Ch. 24, L. 1995; amd. Sec. 6, Ch. 506, L. 2007.
Rule: 23.13.601  
Rule Title: CORONER EDUCATION AND CONTINUED EDUCATION AND EXTENSION OF TIME LIMIT FOR CONTINUED CERTIFICATION  

Department: JUSTICE  
Chapter: PUBLIC SAFETY OFFICER STANDARDS AND TRAINING (POST)  
Subchapter: Coroner Education and Continued Education  

Latest version of the adopted rule presented in Administrative Rules of Montana (ARM):

23.13.601 CORONER EDUCATION AND CONTINUED EDUCATION AND EXTENSION OF TIME LIMIT FOR CONTINUED CERTIFICATION  

(1) Coroner education shall be conducted by the council as prescribed in 7-4-2905, MCA.  
(2) New coroners shall complete the 40 hour basic coroner course at the academy or other equivalent course approved by POST:  
   (a) the basic coroner course must be completed in accordance with 7-4-2905, MCA.  
(3) Coroners must complete 16 hours of advanced training at least once every two years.  
   (a) The council may extend the two year time limit requirement for the continuation of coroner’s certification, set forth in 7-4-2905, MCA, upon the written application of the coroner or the appointing authority of the deputy. The application must explain the circumstances which necessitate the extension;  
   (b) Factors considered in granting or denying an extension include, but are not limited to:  
      (i) illness of the coroner/deputy coroner or an immediate family member;  
      (ii) absence of reasonable access to the coroner’s advanced course; or  
      (iii) an unreasonable shortage of personnel;  
   (c) The council may not grant an extension to exceed 180 days; and  
   (d) The council will not grant extensions after the expiration of the two year time limit.  