



Idaho State Public Defense Commission
c/o Kathleen Elliott, Executive Director
By email only to: Kathleen.Elliott@pdc.idaho.gov

RE: Public Defense Commission negotiated rulemaking
Docket nos. 61-0101-2101 and 61-0102-2101

Dear Ms. Elliott,

The American Civil Liberties Union and the American Civil Liberties Union of Idaho (collectively, "ACLU") give notice that both the ACLU as well as the class members in the *Tucker v. State of Idaho* lawsuit throughout Idaho are "interested persons" in the Public Defense Commission ("PDC") negotiated rulemakings proceeding under docket nos. 61-0101-2101 and 61-0102-2101, as announced in the May 5, 2021, Idaho Administrative Bulletin.

As required under Idaho Code § 67-5220, please:

1. Provide the ACLU as well as all *Tucker* class members with all information that is considered by the PDC in connection with the formulation of the proposed rules.
2. Consider the recommendations of any *Tucker* class member as well as the ACLU concerning the subject of the proposed rules.
3. Keep the *Tucker* class members as well as the ACLU timely updated on the negotiated rulemaking schedule.
4. Provide the *Tucker* class members as well as the ACLU with a list of written comments and other documents and information pertinent to the proposed rule.
5. And provide the *Tucker* class members as well as the ACLU with a written summary of unresolved issues, key information considered and conclusions reached during and as a result of the negotiated rulemaking.

A *Tucker* class member is any indigent person who is now or who will be under formal charge before a state court in Idaho of having committed any offense, the penalty for which includes the possibility of confinement, incarceration, imprisonment, or detention in a correction facility (regardless of whether actually imposed) and who is unable to provide for the full payment of an attorney and all other necessary expenses of representation in defending against the charge.

If you have any questions about this notice or these requests, please let me know.

Sincerely,

Lauren Bramwell
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