

## SUMMARY STATEMENT

*Tucker v. State*  
Docket No. 43922

The Idaho Supreme Court affirmed in part and reversed in part the Ada County District Court's dismissal of Appellants' complaint. Appellants constitute a putative class of criminal defendants who seek to challenge Idaho's public defense system as unconstitutional under federal and state standards. As defendants, Appellants named (1) the State of Idaho; (2) Governor C.L. "Butch" Otter, in his official capacity; and (3) the seven members of the Idaho Public Defense Commission (PDC), in their official capacities. The district court held that Appellants' claims were not justiciable and dismissed their complaint on standing, ripeness, and separation of powers grounds.

On appeal, the Idaho Supreme Court rejected Respondents' argument that sovereign immunity shielded the State of Idaho from Appellants' claims alleging constitutional violations. The Court further held that Appellants had standing to sue both the State of Idaho and the PDC, but not Governor Otter because he did not cause Appellants' injuries. Additionally, the Court held that Appellants' claims against the State of Idaho and the PDC were ripe and did not raise separation of powers concerns. Accordingly, the Court reversed the dismissal of Appellants' complaint as to the State of Idaho and the PDC, affirmed dismissal as to Governor Otter, and remanded the case for further proceedings consistent with its opinion.