

IN THE SUPREME COURT OF THE STATE OF MONTANA

OP 22-0139

RHONDA LINDQUIST, OFFICE OF THE STATE PUBLIC DEFENDER

Petitioners,

v.

MONTANA THIRTEENTH JUDICIAL DISTRICT COURT, HON. DONALD
HARRIS

Respondents.

***AMICI CURIAE* THE AMERICAN CIVIL LIBERTIES UNION FOUNDATION AND
AMERICAN CIVIL LIBERTIES UNION FOUNDATION OF MONTANA'S
UNOPPOSED MOTION FOR PRO HAC VICE ADMISSION OF EMMA ANDERSSON**

On Appeal from the Montana Thirteenth Judicial District Court,
Yellowstone County, Cause N. SB- 21- 1,
The Honorable Donald L. Harris Presiding.

APPEARANCES:

Alex Rate
Akilah Lane
ACLU of Montana Foundation, Inc.
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Emma Andersson * (CA 260637)
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Attorneys for Proposed Amici
**Pro hac vice application submitted*

Amici American Civil Liberties Union Foundation (ACLU) and American Civil Liberties Union Foundation of Montana (ACLU-MT) respectfully move the Court to enter an order admitting Emma Andersson of the ACLU to join Alex Rate and Akilah Lane of the ACLU-MT as counsel submitting an amicus brief on behalf of their organizations in the above-entitled matter. The parties do not oppose this motion. A declaration of Ms. Andersson in support of this motion is attached as Exhibit 1.

Good cause exists to grant the unopposed motion to appear *pro hac vice*. The ACLU has extensive and specialized experience in litigation concerning the right to counsel and the constitutionality of public defense systems. This type of expertise will help the Court adjudicate the important issues before it in this case.

Furthermore, as specifically detailed in the accompanying declaration, Ms. Andersson has specialized expertise on legal issues this matter raises. Ms. Andersson is the Deputy Director of the ACLU's Criminal Law Reform Project, and has litigated right to counsel cases in multiple states. *See* Exhibit 1, Decl. of E. Andersson, ¶¶ 2, 3.

Additionally, both the ACLU and its state affiliates are committed to advocating for effective representation of criminal defendants – and in particular indigent defendants – and supporting those whose constitutional rights have been violated within the criminal justice system. The ACLU of Montana is a lightly

staffed affiliate of the ACLU, consisting of only two attorneys and limited support staff. It relies on its partnership with the ACLU to successfully litigate cases intended to protect Montanans' civil liberties.

Ms. Andersson has complied with the rules governing *pro hac vice* appearances and is currently in good standing in all jurisdictions in which she is admitted.

Contact information for Ms. Andersson is as follows:

Emma Andersson
American Civil Liberties Union
125 Broad Street
New York, NY 10004
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(347) 931-6337

The undersigned represents that he is admitted to practice in Montana, is a resident of Montana, and is familiar with the 2009 Amended Rules for Admission to the Bar of Montana.

For the foregoing reasons, Amici ACLU and ACLU-MT respectfully request that the Court GRANT the unopposed motion for *pro hac vice* admission of Emma Andersson in the above-entitled case.

A proposed order is attached.

Respectfully submitted this 19th day of May, 2022

/s/ Alex Rate

Alex Rate
ACLU OF MONTANA
Attorney for Amicus ACLU of MT

CERTIFICATE OF SERVICE

I, Alex Rate, hereby certify that I have served a true and accurate copy the foregoing document to the following on May 19, 2022:

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Electronically signed by Krystal Pickens on behalf of Alex Rate
Dated: May 19, 2022

CERTIFICATE OF SERVICE

I, Alexander H. Rate, hereby certify that I have served true and accurate copies of the foregoing Motion - Unopposed to the following on 05-19-2022:

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Electronically signed by Krystal Pickens on behalf of Alexander H. Rate

Dated: 05-19-2022