

From: lawrencegboyd@hotmail.com
To: debra.anderson@soah.state.tx.us
Subject: Request for public hearing on behalf of TCDLA
Date: Fri, 1 Aug 2008 16:28:07 -0500

Dear Ms. Anderson:

Please note that as Co-Chairman of the DWI Committee I have been authorized by Rick Hagen, President of Texas Criminal Defense Lawyers Association, to request a public rule making hearing on behalf of TCDLA, an organization having more than 2,500 members, and to represent TCDLA's position at that hearing.

Please regard my Comments, which I submitted earlier, as the official position of TCDLA regarding the proposed rules. TCDLA is primarily concerned with the unworkable deadlines for requesting, serving, and providing notice of service of subpoenas for witnesses. We are also requesting that SOAH shall establish an "effective date" for any final, adopted rules that is well into the future and that provides that the new rules will have no effect upon a subpoena that has already been served according to the existing rules in a pending hearing.

I have also been authorized to speak on behalf of TCDLA regarding TCDLA's position concerning the 2008 SOAH proposed rule changes as they relate to ALR hearings.

Pursuant to Govt. Code Section 2001.029, please grant an opportunity for a public hearing prior to repeal of any existing rules and prior to adoption of any of the proposed rules relating to ALR hearings, whether they be in Chapter 155 or Chapter 159.

Thank you for your attention to this matter.

Sincerely,

Lawrence G. Boyd,
Co-Chairman, DWI Committee
Texas Criminal Defense
Lawyers Association