

Resolution

October 21, 2011

Whereas, the Citizens Redistricting Commission (Commission) has been served as a defendant in the matter of *Ward Connerly and American Civil Rights Foundation v. State of California, State Auditor of California, and the California Citizens Redistricting Commission* (the Litigation); and,

Whereas, the Litigation alleges that the Commission selection process as set forth in California Government Code Section 8252(g) violates the provisions of Article I, Section 31, of the California Constitution; and,

Whereas, the Litigation raises Constitutional and civil rights issues fundamental to the Commission's redistricting responsibilities; and,

Whereas, the California Department of Justice (DOJ) has substantial expertise and experience in defending Constitutional and statutory provisions, and may also wish to raise various defenses in the Litigation on behalf of the DOJ and the State of California, independent of the Commission.

Now, Therefore, Be It Resolved:

The Commission hereby requests the Department of Justice to represent the Commission in the Litigation; and,

Resolved further, if as part of the defense of the Litigation the DOJ chooses to assert that the provisions of Article I, Section 31 are themselves unconstitutional, the DOJ shall do so on its own behalf and not on behalf of the Commission.