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# MEDIA ADVISORY

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## Supreme Court to Hear Redistricting Case on Expedited Basis

San Francisco — The California Supreme Court this morning issued an “order to show cause” concerning the petition in *Vandermost v. Bowen*, (S198387), which addresses the district lines that will be used for the California state Senate elections in 2012.

The petition, filed last Friday, December 2, 2011, seeks relief under article XXI, section 3 of the California Constitution, on the ground that a referendum measure seeking to invalidate the Citizens Redistricting Commission’s certified state Senate district map is likely to qualify for the November 2012 ballot and hence stay implementation of the map.

In light of the short time frame imposed by the impending 2012 electoral cycle, the court sought and obtained by Wednesday, December 7, expedited preliminary opposition and reply briefing from the parties. Also on December 7, the Citizens Redistricting Commission filed a motion to intervene. The court sought and obtained expedited opposition to that motion.

The petition in *Vandermost v. Bowen* asks the court, first, to grant two forms of immediate “interim relief”: (a) an order directing the Secretary of State to suspend the statutory requirements of filing fees and the corresponding filing period for “in lieu” petitions for state Senate candidates seeking election in June 2012; and (b) appointment of an expert or special master to “advise and assist the court in preparing to provide interim boundary adjustments” for state Senate districts should the referendum qualify for the ballot and stay the certified map.

The petition also asks the court to issue an order to show cause to address which Senate district boundaries will apply for the 2012 elections in the event the referendum challenging the certified Senate district map qualifies for placement before the voters on the November 2012 ballot.

Acting on an “ASAP” basis today, rather than waiting until its normal Wednesday conference, the court unanimously *denied* the petition with

respect to the two requests for immediate “interim relief,” and unanimously *issued an order to show cause* with respect to the request to address what Senate district boundaries will apply for the 2012 elections in the event the referendum qualifies for placement on the November 2012 ballot.

In addition, the court unanimously granted the Citizens Redistricting Commission’s motion to intervene, and set out an additional procedural issue for the parties to brief, concerning the court’s jurisdiction to entertain this writ petition.

The court established an extremely expedited briefing schedule, requiring briefing by the parties within the next 10 days, and briefing by any amicus curiae two days after that. The court explained that this schedule is necessary in order to facilitate oral argument “as early as the first two weeks in January 2012, and the filing of an opinion in this matter as early as the end of January 2012,” so as to avoid disrupting the June 2012 Primary Election.

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