

Voting Rights Act Counsel Interview Questions

1. Please confirm the California Bar memberships we show for your attorneys and address any issues they raise.

2. The public must have a high level of trust and confidence in counsel's ability to provide objective, balanced, nonpartisan advice to the Commission. How can you provide that assurance?

3. When the 2020 Census data are released, what do you think will be the most significant and challenging issues for Commission to consider? How would you propose using the "extra" time afforded by the delays in the data release?

4. Compliance with Section 2 of the VRA can take various forms, including but not limited to the creation of majority-minority districts, influence districts and coalition districts. Please describe your interpretation of the various district options and describe the VRA compliance challenges the Commission faces given California's particular multi-racial landscape. How would you advise the Commission to use or not use partisan election data in pursuing VRA compliance and defending its work?

5. *Shelby v. Holder* (2013) laid dormant key sections of the VRA, including the mandate for preclearance and the retrogression standard. How should this ruling affect the CRC as it draws districts? Previously, the CA redistricting process started with districts covered by Section 5, and with regions with large proportions of underrepresented racial minorities. In this new environment, how should the commission negotiate the process while thinking about racial equity?

6. The Commission has multiple, ranked redistricting criteria. How would you advise the Commission negotiate conflicting criteria, e.g., achieving VRA compliance while not making race a predominant criterion or motive?

7. When considering racially polarized voting, what does the experience under the California Voting Rights Act add to the evidence that the Commission should consider in trying to draw districts?

8. *Evenwel v Abbott* (2016) challenged the equal population standard nationally. How should California position itself, given that the Supreme Court might revisit this ruling in the future?

9. How do you envision actually working with commissioners, our Line Drawer, other counsel, and other CRC staff?

10. Please explain the budget you propose. How would you allocate your time among the necessary tasks, including attendance at Commission business and input meeting? Where can our staff and your firm work together to constrain costs? Describe generally the work product you will provide and how you arrive at its proposed cost.