

Litigation Counsel Interviews

1. Given your experience with redistricting, what are common mistakes made by other boards and commissions which result in litigation being brought, and how can we avoid these pitfalls?
2. How would you view the litigation counsel's role when working with the Voting Rights Act (VRA) counsel retained by the Commission, in avoiding potential litigation as well as defending the Commission during litigation?
3. Please explain the budget you propose, and your ability to work within the Billing Schedule as provided in template form by the Commission. 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 reduce costs? Describe generally the work product you will provide and how you arrive at its proposed cost.
4. The Census data presents the Commission with several new variables including timeline delays, questions of data quality, a new Differential Privacy policy, and also the new inmate reallocation policy. What new litigation risks if any do you see for the CRC in these developments?
5. After *Arizona v. Arizona* (2015), we've generally considered independent redistricting commissions to be on safe ground constitutionally. With the recent conservative shift on the U.S. Supreme Court, do you believe that is still the case?
6. If the Commission successfully files its maps on time and in good-faith compliance with its constitutional requirements, on what basis are its maps most likely to be legally challenged?
7. What actions should the Commission take now to mitigate litigation risk in the future?
8. The public must have a high level of trust and confidence in the firm's ability to provide objective, nonpartisan advice to the Commission. How can you provide that assurance?
9. The Commission will have to defend being racially conscious in our decision making, as one of our criteria in the development of districts. California is also a uniquely diverse state in terms of racial and ethnic minorities. Over the last ten years, numerous lawsuits have occurred throughout the state under the California Voting Rights Act (CVRA). How might the experience of the CVRA impact our ability to defend racial consciousness? How would you defend the constitutionality of majority-minority, influence, or coalition districts, that the Commission may have to draw?