

*For Immediate Release*

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The Idaho Supreme Court released an order today regarding legislative redistricting. The Court's order found that the 2011 Commission on Legislative Reapportionment cannot be reconvened because the Commission did not adopt a plan within 90 days of its creation (*see Idaho Code § 72-1501*). Unlike the previous Supreme Court cases on legislative apportionment, *Bingham County v. Yursa, et. al.*, this year there was no plan submitted for the Court's constitutional review. As a result of the Commission providing no reapportionment plan to the Secretary of State, the boundaries of legislative districts must revert back to the existing 2002 legislative reapportionment plan currently in existence.

The parties also requested that the Court issue a declaratory judgment in this matter (asking the Court to interpret the statutes for the parties) however, the Court has previously ruled that declaratory judgments are beyond the Court's original jurisdictional power. (*Gibson v. Ada County*, 142 Idaho 746, 758).

Any parties who wish to challenge the constitutionality of the 2002 reapportionment plan (L97) must file their challenges with the Supreme Court within 14 days of today's order. The Court will hear oral arguments on this matter on Wednesday, October 12, 2011, at 10:00 am. Any questions regarding this order should be directed to the Clerk of the Court at (208) 334-2210.