

**Wednesday, February 28, 2018**

## **State's GOP U.S. House Members Move To Dismiss Redistricting Case**

Eight of the state's nine Republicans in the U.S. House filed a motion Thursday to intervene in the lawsuit challenging the state's congressional and legislative districts as well as motions to dismiss or stay the case.

The only member who did not sign the motion was [U.S. Rep. Justin Amash](#) (R-Cascade Township).

Should the lawsuit, filed by several voters with the assistance of Democratic attorneys, succeed, the maps for Michigan's 14 U.S. House Districts, 38 state Senate districts and 110 state House districts could change significantly, using a methodology designed to maximize the number of competitive districts where either of the major political parties would have a shot to win.

When Republicans, with total control of the reapportionment process in 2011, drew the lines, they went to great lengths in the U.S. House maps to pack Democratic areas into as few districts as possible and create as many Republican seats with a 55 percent Republican voter base as possible.

While there were several factors hurting Democrats during this decade in the U.S. House seats - especially the party's hemorrhaging of support among white working class voters in the areas that historically have had competitive seats - there's also no question that the map put Democrats at a severe disadvantage, especially with how the lines were drawn in the Detroit area.

The Michigan redistricting challenge, filed at the U.S. District court in Detroit, depends on the outcome of two similar cases the U.S. Supreme Court will decide this year. If the federal high court rules against the maps drawn in Wisconsin and Maryland, that almost surely would clear the path for Michigan's maps to be struck down as well. Conversely, if the court upholds those maps, then the Michigan challenge likely will fail.

The motion to intervene says the members of Congress face potential irreparable harm.

In the motion to dismiss, the U.S. House members contend the plaintiffs lack standing because they only reside in 11 of the state House districts, 10 of the state Senate districts and nine of the U.S. House districts.

Then the motion contends even if they had standing, courts have consistently ruled against equal protection challenges to reapportionment plans on the basis of partisan gerrymander claims.

The U.S. members then argue even if the plaintiffs can make such a case, legitimate state interests justify the current maps.

"Legitimate state interests that justify the current apportionment plan likely include the protection of incumbents," the motion says. "Avoiding contests between incumbents not only furthers efficiency concerns; it also fosters the benefit a state enjoys by having senior members of the House of Representatives."

In the motion to stay, the members of Congress contend the plaintiffs' arguments are identical to those in the Wisconsin case the U.S. Supreme Court will decide.

"Because plaintiffs' Equal Protection Clause claim and First Amendment claim are identical to the claims advanced in *Whitford*, the U.S. Supreme Court's decision in that case will directly determine if and how this litigation should proceed," the motion says.

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