

Judge refuses to toss challenge to Senate redistricting maps

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TALLAHASSEE — Although Floridians have voted and a new state Legislature has moved into the Capitol, voting-rights groups are still challenging the GOP-drawn state Senate redistricting maps — and on Thursday, a Leon County refused lawmakers' request to dismiss the case.

Lawyers for the House and Senate had argued before Leon County Circuit Judge **Terry Lewis** that the case should have been brought directly before the Florida Supreme Court.

But Lewis wrote in an order Thursday that argument “flies in the face of the case law,” in that the high court conducts only a facial review of the maps once they're drawn.

The Florida League of Women Voters, the National Council of La Raza, and two individuals filed the legal challenge to the maps last year, arguing they didn't comply with the 2010 “Fair Districts” constitutional amendment that required more compact seats drawn without the intent of hurting or helping incumbents or political parties.

The groups challenged the maps initially and won a Supreme Court order last spring to have the first version of the Senate districts re-drawn, which happened in a special session.

Lewis wrote that the high court's “facial review” of the maps, which could consider only limited data analysis, did not preclude the groups from building a stronger evidence that the seats still had the intended effect of electing more Republicans than Democrats. But he cautioned the sides not to “rehash” the same arguments.

“To the extent that the plaintiffs seek only a rehash of facial arguments made before the Florida Supreme Court, they will be disappointed,” Lewis wrote. “But to the extent their claims are as-applied challenges to the plans, they are entitled to develop and to present relevant evidence to support their claims.”

With the new maps, the party breakdown in the Senate shifted from a 28-12 Republican majority to a 26-14 GOP advantage. The ruling paves the way for a fuller trial on how the maps actually performed in the 2012 elections.

“Judge Lewis's order means that Floridians will have their day in court,” plaintiff attorney **Adam Schachter** said in a statement. “This ruling gives our citizens the right to scrutinize the conduct and motives of those who drew the map.”