

ACTIVE CASES:

League of Women Voters v. Rucho (combined with Common Cause v. Rucho)

Issue: Are partisan gerrymanders constitutional? **Venue:** US Supreme Court **Level:** Congressional districts **Other:** Combined with Common Cause v. Rucho

Status: League of Women Voters v. Rucho and Common Cause v. Rucho challenge North Carolina's remedial congressional map, which was enacted in 2017 following the court's finding that the 2011 map constitutes an unconstitutional racial gerrymander. The plaintiffs argue that the map violates the 1st and 14th Amendments and the elections clause of the US Constitution. The three-judge panel hearing the case affirmed its earlier ruling that the map is an unconstitutional partisan gerrymander and also affirmed (as ordered by the US Supreme Court) that the plaintiffs have standing to bring a challenge to a statewide map. The legislature has appealed this finding to the US Supreme Court. The argument before the Supreme Court is scheduled for March 26. It will be heard jointly with the Maryland case (Benisek v. Lamone). [JOIN US in WASHINGTON!](#)

NAACP v. Lewis (League is a plaintiff in this case)

Issue: Did the legislature's redrawing of several Wake County districts that it had not been ordered to redraw under Covington violate the NC Constitution? **Venue:** Wake Superior Court **Level:** Legislative districts

Status: The court found for the plaintiffs and ordered that new districts be drawn by July 2019. The legislature may challenge this ruling but has not done so as of yet.

Common Cause v. Lewis

Issue: Do the legislative districts drawn as the result of the Covington case constitute an unconstitutional partisan gerrymander under the NC constitution? **Venue:** NC Superior Court **Level:** Legislative districts

Status: This is a new case challenging the legislative districts in NC court on very similar grounds to the LWV/CC v. Rucho challenge, but drawing on the equal protection, free election, and free speech clauses in the NC Constitution rather than the US Constitution. If this case is successful, it would require a redrawing of the legislative maps in time for the 2020 election. Arguments have not yet been scheduled but are expected to take place in early/spring 2019; briefing papers are due early April.

RESOLVED/INACTIVE CASES:

- **Dickson v. Rucho (NAACP, LWVNC, Democracy NC, and NC A. Philip Randolph Institute, plus individuals)**

Issues: Are racial gerrymanders legal; is it permitted to split counties; can traditional principles be ignored? **Venue:** NC/US Supreme Court **Level:** Legislative

Status: This case was declared moot because the map that it challenged had been superseded by the Covington map. A challenge by the NCGA was filed then withdrawn.

- **NC v Covington**

Issue: Must 19 NC House and 9 Senate districts be redrawn as racial gerrymanders? **Venue:** Federal Middle District Court, Supreme Court **Level:** Legislative

Status: This case has been resolved. The districts were redrawn by the legislature and then further amended by a special master retained by the court to resolve remaining racial gerrymanders. The revised maps, which remain a partisan gerrymander, were used for the 2018 legislative elections. This case effectively removed the last racial gerrymander from NC's districts when the Supreme Court refused to hear the legislature's appeal in June of 2018.

- **Cooper v Harris**

Issue: Were 2010 districts illegal racial gerrymanders? **Venue:** Supreme Court **Level:** Congressional **Other:** **Decided** by Supreme Court in 2017.

Brennan Center summary: [In May], the U.S. Supreme Court upheld a lower court ruling that North Carolina engaged in unconstitutional racial gerrymandering when it packed African-American voters into two congressional districts. **League commentary:** While this counted as a win, it had no practical effect because the districts in question had already been redrawn.

- **Harris v Cooper**

Issue: Is the latest Congressional map redraw an illegal partisan gerrymander? **Venue:** Supreme Court **Level:** Congressional

Brennan Center summary: The plaintiffs argued at the district court that the new map should have been enjoined because it replaced an unconstitutional racial gerrymander with an unconstitutional partisan gerrymander. The three-judge panel denied the plaintiffs' objections, ruling that the court could not "resolve this question based on the record before it."

Status: The Supreme Court summarily affirmed the panel's decision in a June 28, 2018 ruling, ending the case.