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FILED

STATE OF MINNESOTA

SPECIAL REDISTRICTING PANEL

No. A11-152

Sara Hippert, Dave Greer, Linda Markowitz,
Dee Dee Larson, Ben Maas, Gregg Peppin,
Randy Penrod and Charles Roulet,
individually and on behalf of all citizens and
voting residents of Minnesota similarly
situated,

Plaintiffs,

and

Kenneth Martin, Lynn Wilson, Timothy
O'Brien, Irene Peralez, Josie Johnson, Jane
Krentz, Mark Altenburg, and Debra Hasskamp,
individually and on behalf of all citizens of
Minnesota similarly situated,

Plaintiffs-Intervenors,

and

Audrey Britton, David Bly, Cary Coop,
and John McIntosh, individually and on behalf
of all citizens of Minnesota similarly situated,

Plaintiffs-Intervenors,

vs.

Mark Ritchie, Secretary of State of Minnesota;
and Robert Hiivala, Wright County Auditor,
individually and on behalf of all Minnesota
county chief election officers,

Defendants.

**REQUEST FOR LEAVE
TO PARTICIPATE AS
AMICUS CURIAE BY
COMMON CAUSE**

**NOT IN SUPPORT OF
ANY INDIVIDUAL PARTY**

TO: THE STATE OF MINNESOTA SPECIAL REDISTRICTING PANEL

Pursuant to Minnesota Rule of Appellate Procedure 129, as it may apply to this proceeding, and the inherent authority of this Panel, the Minnesota Chapter of Common Cause (“Common Cause”) requests leave to file an amicus curiae brief in response to the proposed redistricting plans to be filed by the parties on November 18, 2011. Specifically, Applicant seeks leave to file a brief with the Panel on December 9, 2011, the date presently set for the parties to file their responses to these proposed plans.

NATURE OF APPLICANT’S INTEREST

Applicant’s interest in this case is public in nature. Common Cause is a nonpartisan, non-profit advocacy organization founded in 1970 by John Gardner as a vehicle for citizens to make their voices heard in the political process and to hold their elected leaders accountable to the public interest. The Minnesota Chapter of Common Cause has been active in a variety of areas in which governmental responsibility and accountability are critical, ranging from election reform to judicial selection to openness and transparency in government.

REASONS WHY AN AMICUS CURIAE BRIEF IS DESIRABLE

An amicus curiae brief is desirable because it would provide this Panel with an informed, non-partisan perspective on the redistricting plans to be submitted by the parties on November 18, 2011. As Chief Justice Gildea and this Panel have already recognized, the task of redistricting is “a matter of great public interest”

(*see* Order, dated July 18, 2011), that involves “fairness and balance in the adjudication of... particularly important and sensitive issues” (*see* Order, dated Feb. 14, 2011).

In light of the matter’s great public importance, this Panel took a highly appropriate interest in soliciting public input earlier in this process, and permitting amicus comment in December would further the Panel’s goals of openness and balance as it moves toward a final resolution. Amicus participation would be of particular value at this point because there will have been two material developments since the earlier public comment period closed: (1) the announcement of the specific redistricting principles the Panel intends to apply in resolving this matter, and (2) the public filing of the parties’ proposed redistricting plans.

Since this Panel first announced it would solicit public comment and mapping suggestions, Common Cause has worked vigorously to raise public awareness regarding this opportunity, and to provide this Panel with specific suggestions as to how it might best accomplish the task before it. For example, by letter dated October 21, 2011, Common Cause offered recommendations as to the redistricting criteria this Panel should adopt, emphasizing the overall suitability of the principles adopted by the Panel in 2002, but requesting that this Panel give a higher relative priority to protecting communities of interest. In addition, Common Cause is sponsoring “Draw Minnesota,” a contest designed to encourage individual Minnesota residents to submit their own proposed redistricting plans for

consideration by a non-partisan panel of experts. This panel includes former Speaker of the House Steve Sviggum (R), former Speaker of the House Margaret Anderson-Kelliher (DFL), former congressman Tim Penny (I), and Lawrence Jacobs, professor of political science at the University of Minnesota. With leave of this Panel, Applicant would like to offer the winning entry as part of its amicus submission.

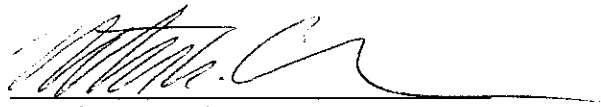
Granting leave to participate as amicus curiae would also be consistent with the Panel's past practices. In 2002, the Panel granted a request filed by the Minnesota Women's Campaign Fund, which wished to comment on the parties' proposed redistricting plans with a particular focus on ensuring that the final district boundaries did not create undue barriers to female political candidates. While the concerns of Common Cause are not confined to one single issue, its request is similar in that its goal is to assist the Panel in reaching a result that gives voice to all Minnesotans, regardless of political persuasion.

CONCLUSION

In the end, the difficult task of re-drawing Minnesota's district boundaries falls to this Panel. It is evident that Minnesota's major political parties have committed substantial resources to attempt to influence the final result. Common Cause seeks to assist the Panel in its work by providing informed, non-partisan suggestions and comments that would be helpful in striking a balance between the public and private interests at stake, and, ultimately, in drawing district maps that will continue to foster fair competition in the decade to come.

Dated: November 8, 2011

LAW OFFICES OF MARTIN A. CARLSON, LTD.

A handwritten signature in black ink, appearing to read "Martin A. Carlson", is written over a horizontal line.

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