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Successfully defended Colorado's new congressional map to the Colorado Supreme Court in a fast-paced appeal. The appeal raised complicated, novel questions of constitutional law, and was the first time the court applied Colorado's new laws governing congressional redistricting. Over a dozen parties filed briefs, and argument was held less than two weeks after the Commission adopted the map.

2022

WTO attorneys successfully argued to the Colorado Supreme Court for the nonpartisan Colorado Independent Congressional Redistricting Commission, defending the Commission's new congressional district map, which is based on the 2020 Census. Following oral arguments, the Court approved the map.

In 2018, Colorado voters placed the complex and often contentious congressional redistricting process–which occurs after every U.S. decennial Census–in the hands of a twelve-person Commission composed of ordinary Coloradans. As a result, politicians and litigants, who long

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controlled the drawing of congressional maps in the state, no longer dictated the process. After the Commission debates and approves a redistricting map, it must be reviewed by the Colorado Supreme Court.

Over a dozen briefs from a dozen parties were filed, and argument was held less than two weeks after the Commission adopted the map. Fred Yarger argued in defense of the map, addressing objections and arguments from interest groups who raised various constitutional and legal challenges. The appeal raised complicated and novel questions of constitutional law, and it was the first time the Colorado Supreme Court has ever reviewed or applied Colorado's new laws governing congressional redistricting. The Court expressed concern for how the process could unfold if the map were rejected–including the specter of a U.S. Supreme Court battle. Ultimately, the Court approved the map, and it will go into effect for the upcoming 2022 elections. The Chief Justice praised WTO for its high-quality advocacy under an extremely tight timeline.

Meghan Frei Berglind
Counsel

Frederick R. Yarger
Partner

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