



SUPREME COURT
STATE OF CONNECTICUT

SC 20661¹

IN RE PETITION OF REAPPORTIONMENT COMMISSION EX REL.

December 23, 2021

Order Appointing and Directing Special Master

It is hereby ordered that Nathaniel Persily is appointed as a Special Master to assist the Court in resolving this matter.

From December 28, 2021, through January 11, 2022, proceedings will be held before Special Master Persily.

Special Master Persily is empowered and charged with the duty to prepare and recommend to the Court a report, including a proposed congressional redistricting map for the state of Connecticut for adoption by the Court, in accordance with the 2020 federal census information, and all applicable laws.

In developing a plan, Special Master Persily shall modify the existing congressional districts only to the extent reasonably required to comply with the following applicable legal requirements:

- a. Districts shall be as equal in population as practicable;
- b. Districts shall be made of contiguous territory;
- c. The plan shall comply with the Voting Rights Act of 1965, as amended, 52 U.S.C. § 10101 et seq., and any other applicable federal law.

In drafting his plan, Special Master Persily shall not consider either residency of incumbents or potential candidates or other political data, such as party registration statistics or election returns.

In no event shall the plan be substantially less compact than the existing congressional districts, and in no event shall the plan substantially violate town lines more than the existing congressional districts.

¹ In re Petition of Reapportionment Commission, ex rel. is now docketed as S.C. 20661. All future filings in this matter must be done in S.C. 20661.

By close of business on January 4, 2022, interested parties or filers shall submit to Special Master Persily, by electronically filing in this matter through E-Services, their proposed redistricting maps, accompanied by supporting documentation, data, and briefs. Thereafter, interested parties or filers shall provide any additional material or information requested by Special Master Persily, including revised or supplemental maps. Interested parties or filers that electronically file a document in these proceedings shall provide their names and addresses.

Special Master Persily shall hold a virtual hearing, at which time interested parties or members of the public may present argument. Special Master Persily shall preside over the public hearing and establish the rules for the hearing. All technical support necessary for the hearing will be provided by the Reapportionment Commission and its staff. Notice of the hearing shall be posted on the Connecticut Judicial Branch website. The hearing will be open to the public through live-streamed video on the Connecticut Judicial Branch YouTube Channel.

A representative from the Office of the Secretary of the State shall be present at the public hearing to answer any questions concerning the relationship of the redistricting process to election administration and drawing of precincts.

There shall be no ex parte communication with Special Master Persily, except as expressly provided herein or otherwise authorized by the Court. Special Master Persily shall not have any communication regarding the redistricting proceedings with any person outside the Court or as provided in this Order.

The Reapportionment Commission shall make available to Special Master Persily all materials, technical resources, and expertise utilized by the Commission during its attempt to formulate a plan of redistricting, including but not limited to population data; statistical information; and material submitted to the Commission, including research and information provided to the Commission by any office or agency related to the work of the Commission.

Special Master Persily is authorized to retain or utilize appropriate assistants and experts as may be reasonably necessary for him to timely complete his work.

On or before January 18, 2022, Special Master Persily shall submit to the Court his plan of redistricting and any associated recommendations, along with a census block equivalency file.

On or before January 24, 2022, the Court will accept amicus curiae submissions addressed to the merits of the plan of redistricting and any associated recommendations submitted by Special Master Persily.

On January 27, 2022, a hearing will be held before the Court, at which time the electors who have filed this petition, through counsel, will be afforded an opportunity to present their views regarding the plan of redistricting and any associated recommendation filed with the Court by Special Master Persily.

By February 15, 2022, the Court will file its plan of redistricting with the Office of the Secretary of the State. The final congressional plan of redistricting submitted by the Court will have the full force of law upon publication.

Special Master Persily will submit to the Court, following completion of his work, an itemization of all fees and costs, including those incurred in connection with the employment or retaining of any associated individuals in these proceedings, related to the foregoing Order. All fees and costs incurred in connection with these proceedings shall be borne by the Commission and/or the Legislature. (See Practice Book §§ 84a-4 (c) and 84a-6).

Because this Court is acting pursuant to the mandate of article third, § 6, of the Connecticut constitution, and under the deadline set therein, the work of the Court must begin immediately. While the foregoing proceedings are ongoing, the Commission should continue working to agree on a plan of redistricting, and this Court maintains hope that action by the Commission will be forthcoming. If, at any time during these proceedings, the Commission achieves a consensus, the Commission shall notify the Court and submit such plan of redistricting to the Court for consideration by it and Special Master Persily.

Keller, J., did not participate in the consideration of or the decision on this matter.

By the Court,

/s/

Carl D. Cicchetti
Chief Clerk

Notice Sent: December 23, 2021
Counsel of Record
Office of the Secretary of the State

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