

## Communities of Interest in Congressional Districts

*Kansas v. Thornburgh*  
(Julie A. Robinson, Deanell Reece Tacha,  
and J. Thomas Marten, D. Kan. 5:02-cv-4087)

On June 5, 2002, Kansas's attorney general filed a federal complaint in the District of Kansas against Kansas's secretary of state challenging the congressional district boundaries drawn following the 2000 census.<sup>1</sup> Judge Julie A. Robinson conducted a scheduling hearing on June 10, and a three-judge court was appointed on June 11 to hear the case, adding Circuit Judge Deanell Reece Tacha and District of Kansas Judge J. Thomas Marten.<sup>2</sup>

The case was heard on July 3.<sup>3</sup> The court had extended election deadlines to accommodate the court's consideration of the case, including an extension until July 9 to file a congressional candidacy.<sup>4</sup> The court granted motions to intervene by voters and Indian Tribes.<sup>5</sup>

Ruling on July 3, just over one month in advance of an August 6 primary election, the court overruled the charge that the district boundaries improperly split up communities of interest.<sup>6</sup> The attorney general, suing on behalf of the state, was dismissed as a party for lack of standing, but her office was permitted to represent some of the intervening plaintiffs.<sup>7</sup>

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1. Docket Sheet, *Kansas v. Thornburgh*, No. 5:02-cv-4087 (D. Kan. June 5, 2002) (D.E. 1); *Graham v. Thornburgh*, 207 F. Supp. 2d 1280, 1282 (D. Kan. 2002); see Joshua Akers, *Stovall Files Lawsuit Over Revised Congressional Districts*, *Wichita Eagle*, June 6, 2002, at 3B.

2. Docket Sheet, *supra* note 1 (D.E. 5, 6); *Graham*, 207 F. Supp. 2d at 1282.

3. Docket Sheet, *supra* note 1 (D.E. 40, 43); *Graham*, 207 F. Supp. 2d at 1282–83; see Steve Painter, *House Districts Debated in Court*, *Wichita Eagle*, July 3, 2002, at 1B.

4. Docket Sheet, *supra* note 1 (D.E. 22); *Graham*, 207 F. Supp. 2d at 1282–83; see *Candidates Now Have Longer to File*, *Wichita Eagle*, June 16, 2002, at 6B; Josh Funk, *10 Local House Races Will Have Primary Contests*, *Wichita Eagle*, June 25, 2002, at 1B.

5. Docket Sheet, *supra* note 1 (D.E. 16); *Graham*, 207 F. Supp. 2d at 1282.

6. *Graham*, 207 F. Supp. 2d at 1285–97; see *Judges: House Districts OK*, *Wichita Eagle*, July 4, 2002, at 1B.

7. *Graham*, 207 F. Supp. 2d at 1283–85.