

Redistricting New Jersey in 2001

Page v. Bartels

(*Dickinson R. Debevoise, D.N.J. 2:01-cv-1733*)

On April 12, 2001, in an election year for New Jersey, a federal complaint in the District of New Jersey challenged district lines for New Jersey's legislature that were adopted on the previous day.¹ On the day that the complaint was filed, Judge Dickinson R. Debevoise signed a proposed order to show cause why the new districts should not be enjoined.² At an April 16 hearing on cause, Judge Debevoise ruled from the bench that an injunction was not warranted because there was no likelihood that the plaintiffs would prevail on the merits.³

On the following day, the plaintiffs appealed,⁴ and the appeal was heard on April 23 by Chief Circuit Judge Edward R. Becker and Circuit Judges Leonard I. Garth and Morton I. Greenberg.⁵ On the day of the hearing, the court of appeals issued a published opinion that because the complaint included a constitutional challenge to legislative districts, Judge Debevoise should have requested a three-judge court to hear the claims before deciding upon preliminary injunctive relief.⁶

Judge Debevoise immediately requested that Chief Judge Becker appoint a three-judge court, and Judge Becker appointed Judge Garth, Judge Debevoise, and District Judge Harold A. Ackerman.⁷ After a two-day trial on April 30 and May 1, the three-judge court awarded the defendants summary judgment on May 2.⁸ The court issued a published opinion on May 7.⁹

1. [Page v. Bartels](#), 248 F.3d 175, 180, 183 (3d Cir. 2001); [Page v. Bartels](#), 144 F. Supp. 2d 346, 349 (D.N.J. 2001); see David Kinney, *Representation of Minorities the Major Question for Court*, Newark Star-Ledger, Apr. 13, 2001, at 22.

2. [Page](#), 248 F.3d at 181, 183; [Page](#), 144 F. Supp. 2d at 350; see Thomas Barlas, *Judge Halts Implementation of New Districts After GOP Protest*, Atlantic City Press, Apr. 13, 2001, at C1; *GOP Suing Over Voting District Map*, Asbury Park Press, Apr. 13, 2001, at A1; Herb Jackson, *Judge Puts Legislative Map on Hold*, Bergen Cnty. Record, Apr. 13, 2001; David Kinney, *Judge Enters Redistricting Fight*, Newark Star-Ledger, Apr. 13, 2001, at 1; Iver Peterson, *Trenton Redistricting Map Blocked Over Claim of Bias*, N.Y. Times, Apr. 30, 2001, at B5.

3. [Page](#), 248 F.3d at 181, 183–84; [Page](#), 144 F. Supp. 2d at 350; see Herb Jackson, *Judge, Rebuffing GOP, Clears Legislative Map*, Bergen Cnty. Record, Apr. 17, 2001; *Judge Upholds Plan That Breaks Up Black and Hispanic Districts*, N.Y. Times, Apr. 17, 2001, at B2.

4. [Docket Sheet](#), *Page v. Bartels*, No. 2:01-cv-1733, (D.N.J. Apr. 12, 2001) [hereinafter D.N.J. Docket Sheet].

5. [Docket Sheet](#), *Page v. Bartels*, No. 01-1943 (3d Cir. Apr. 17, 2001).

6. [Page](#), 248 F.3d 175; see Adam Clymer, *Court Orders Fast Review of Trenton Redistricting*, N.Y. Times, Apr. 24, 2001, at B5.

7. [Page](#), 144 F. Supp. 2d at 352.

8. [D.N.J. Docket Sheet](#), *supra* note 4; see Robert Hanley, *Judges Uphold New Districts in New Jersey*, N.Y. Times, May 3, 2001, at B1

9. [Page](#), 144 F. Supp. 2d 175.