

**Independent Citizens Redistricting Commission  
Dec 3, 2020 Meeting Public Comment**

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**Date of Submission:** Wednesday, December 2, 2020

**Method of Submission:** SurveyMonkey ICRC Committee Meetings 12/3 – Public Comment Submission Form

**Name:** Daniel Rubenstein

**Written Public Comment:**

I have noted many opposing the appointment of Jim Lancaster as counsel. I was active in VNP and got to know Jim. While there is no doubt his political affiliations lean Democratic, I urge the commission to discount emotional appeals and focus on whether his political leanings differentiate him from any other candidate. I suspect every candidate for this position is interested in politics and, therefore, has a history of supporting one party or the other. I also urge the commission to discount the fact he played a lead role in passing the ICRC referendum. The argument that having done so renders him biased in its implementation makes no sense to me; it is, in fact, the opposite of the truth. Having helped craft the legislation, he understands its spirit and intent and has sweated every word of its meaning (having had to defend it court). Some commentators also assert that the commission itself is -- and VNP was -- a partisan creation.

Nothing could be further from the truth. I believe Jim Lancaster's commitment to VNP and the creation of the commission make him the perfect person to be its counsel because his experience shows he is committed to nonpartisan, fair redistricting reform. The commission was designed to favor no party, and Jim put his heart and soul behind that proposition. Please give Jim Lancaster fair consideration. I know from personal experience he is a knowledgeable, hard-working, and collegial team member. You would not regret hiring him for this important role.

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**Date of Submission:** Wednesday, December 2, 2020

**Method of Submission:** SurveyMonkey ICRC Committee Meetings 12/3 – Public Comment Submission Form

**Name:** William Sickner

**Written Public Comment:**

I demand that you not hire Lancaster as your General Counsel due his left wing partisan history.

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**Date of Submission:** Wednesday, December 2, 2020

**Method of Submission:** SurveyMonkey ICRC Committee Meetings 12/3 – Public Comment Submission Form

**Name:** David Samson

**Written Public Comment:**

Please do not select James Lancaster as General Counsel as he is very partisan.

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**Date of Submission:** Wednesday, December 2, 2020

**Method of Submission:** SurveyMonkey ICRC Committee Meetings 12/3 – Public Comment Submission Form

**Name:** Karen Karbowski

**Written Public Comment:**

Lancaster cannot be the Commission General. That should be an impartial position. Lancaster is partial to liberal causes and democrat politicians.

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**Date of Submission:** Wednesday, December 2, 2020 11:56PM

**Method of Submission:** Email To <Redistricting@Michigan.gov>

**Name:** Deanna Fitzgerald

**Subject:** General Counsel Position

Please do not hire James Lancaster for the General Counsel position. He has proved himself to be extremely partisan and will not work for the best interest of ALL Michigan residents!

Sent from my iPhone

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**Date of Submission:** Wednesday, December 2, 2020 11:05PM

**Method of Submission:** Email To <Redistricting@Michigan.gov>

**Name:** Brittany Slattery

**Subject:** James Lancaster

I urge you not to hire James Lancaster as general counsel. I am aware that previous public feedback may have influenced the decision to disqualify him from the executive director position. Our state is in dire need of a genuine, non partisan candidate who will truly commit to this position. Please consider my feedback since I am a very concerned Michigan taxpayer and voter!

-Brittany Force

Sent from my iPhone

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**Date of Submission:** Wednesday, December 2, 2020 10:31PM

**Method of Submission:** Email To <Redistricting@Michigan.gov>

**Name:** Brad Smith

**Subject:** James Lancaster

My name is Brad Smith. I am a voter and resident of Rochester Hills, MI. I am shocked that the MI Redistricting Commission has James Lancaster as one of the two finalists for their General Counsel position. He is a left-wing partisan which you can easily see by looking at his campaign contributions.

There is no way he can give non-partisan legal advice. He would most certainly steer the commission toward whatever would benefit Democrats.

Lancaster was also the lead attorney for "Voters Not Politicians," the group funded by millions of dollars from out of state left-wing donors that lead the effort to pass the proposal that established this Redistricting Commission.

He should not be hired and should not even be a candidate!

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**Date of Submission:** Wednesday, December 2, 2020 9:27PM  
**Method of Submission:** Email To <Redistricting@Michigan.gov>  
**Name:** Joseph Riker  
**Subject:** Mr. Lancaster

Good evening,

The General Counsel is a crucial position for the Commission. They will be the ones offering the Commissioners official legal advice, do not hire Mr. Lancaster as General Counsel. We need a true bipartisan person in that position, not one that is known to lean heavy one direction.

Thank you,

Joseph Riker  
Michigan Resident

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**Date of Submission:** Wednesday, December 2, 2020 8:32PM  
**Method of Submission:** Email To <Redistricting@Michigan.gov>  
**Name:** Tom Burke  
**Subject:** Re: General Counsel position and James Lancaster

I am emailing you at this time asking that the Redistricting Commission not hire Mr. Lancaster as it's General Counsel. I am not comfortable with him in this position since it should be non partisan and with his political contributions and affiliations I do not feel he would be able to separate from them and serve the citizens unbiased.

Thank you.

Mrs. Robin Burke

[REDACTED]  
Au Gres, MI 48703  
[REDACTED]

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**Date of Submission:** Wednesday, December 2, 2020 8:08PM  
**Method of Submission:** Email To <Redistricting@Michigan.gov>  
**Name:** Scot Reynolds  
**Email Subject:** James Lancaster's Application as General Counsel

It is with dismay that I read many of the comments regarding James Lancaster's application to be General Counsel for Michigan's newly created Independent Redistricting Commission. I worked with Mr. Lancaster as a member of the Policy Committee that drafted Proposal 2. As a fellow attorney and as a volunteer with Voters Not Politicians I can categorically refute the charge that Mr. Lancaster is a "partisan hack."

One of the cardinal rules of Voters Not Politicians was, and remains, a commitment to non-partisanship. The group's founder, Katie Fahey, was adamant that any partisan views were checked at the door. At no time during the working of that committee did Mr. Lancaster display his political leanings. We all found Mr. Lancaster's input to be balanced and practical. His expert legal guidance helped the Policy Committee to cross much uncharted territory. None of us had the type of background and experience he had when it came to understanding how the process worked. And by understanding, I generally mean the mechanics of how to draft a legally coherent and acceptable proposal that could be meshed with Michigan's Constitution. He made us aware of the potential conflicts with other Constitutional provisions so that the proposed amendment would achieve what we were aiming for, a truly non-partisan and long lasting commission structure that could withstand political pressures from any party.

Having helped the Committee with that task, Mr. Lancaster was instrumental in guiding the amendment through the certification process and helped craft strategies that would and did successfully protect the amendment from legal challenges from any direction.

In short, Mr. Lancaster provided excellent legal and practical advice that assured the success of the ballot initiative, which was an amazing achievement of non-partisan cooperation. The evidence is the overwhelming support it garnered by citizens of every political leaning. If he were truly just a "partisan hack", then he did a very poor job of it with the amendment. What some people clearly fail to see, understand, or believe is that there are ethical people who can, despite whatever political affiliations they have, work towards institutions and processes that benefit democracy for all.

Scot A. Reynolds

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**Date of Submission:** Wednesday, December 2, 2020 7:45PM  
**Method of Submission:** Email To <Redistricting@Michigan.gov>  
**Name:** Danielschifko  
**Email Subject:** Redistricting General Counsel

Dear Redistricting Commissioners,

I am writing you to ask that you do not consider hiring James Lancaster for the General Counsel role. He is not a non-partisan attorney. His past campaign contributions and his left wing partisan activities make this clear.

Thank you in advance for protecting Michiganders from political operatives.

Daniel Schiffko



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**Date of Submission:** Wednesday, December 2, 2020 7:45PM  
**Method of Submission:** Email To <Redistricting@Michigan.gov>  
**Name:** Jamie Clark-Samples  
**Email Subject:** Please deny hiring Mr. Lancaster

I am writing to request that the Michigan Redistricting Commission members deny any consideration for one of the General Counsel positions.

The current candidate for consideration, James Lancaster, is far from partisan. After reviewing his political contributions, he leans far left and I am not confident he can be partisan in his decisions.

I encourage the Commission to select a candidate who can truly be non-partisan and serve as such.

Thank you for your consideration in this important manner!

Jamie Samples



Howell, MI 48855

photo

Jamie Samples

Founder/CEO, Yellow Barn Media



[www.yellowbarnmedia.com](http://www.yellowbarnmedia.com) | Skype: jamielarkyellowbarnmedia

Howell, Michigan | VOXER: jamiesamples

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**Date of Submission:** Wednesday, December 2, 2020 7:41PM  
**Method of Submission:** Email To <Redistricting@Michigan.gov>  
**Name:** Denise Thornton  
**Email Subject:** James Lancaster/General Counsel

We urge you NOT to hire Mr Lancaster for the General Counsel position.

James Thornton  
Denise Thornton  
Precinct Delegates Genoa Twp.

Sent from my iPad

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**Date of Submission:** Wednesday, December 2, 2020 6:12PM  
**Method of Submission:** Email To <Redistricting@Michigan.gov>  
**Name:** Tony Daunt  
**Email Subject:** OPPOSE James Lancaster for General Counsel

Please see the attached documents for my public comments regarding the consideration of James Lancaster for the position of General Counsel for the ICRC.

Thank you,  
TD

Tony Daunt  
Executive Director  
Michigan Freedom Fund  


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**Date of Submission:** Wednesday, December 2, 2020 5:22PM  
**Method of Submission:** Email To <Redistricting@Michigan.gov>  
**Name:** Peter Houk  
**Email Subject:** General Counsel

I worked directly with Mr. Lancaster for over a year drafting and then defending the redistricting commission amendment. He evidenced the highest ethical standards in keeping partisanship out of the process. It is important to remember that Voters Not Politicians, who sponsored the amendment was a non-partisan organization and worked diligently to create a process that independent and non-partisan. His firsthand knowledge of the amendment would be an invaluable benefit to the Commission. I recommend his appointment without reservation.

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**Date of Submission:** Wednesday, December 2, 2020 2:14PM  
**Method of Submission:** Email To <Redistricting@Michigan.gov>  
**Name:** Anna Anderson  
**Email Subject:** Do not hire Lancaster

Hello I am writing to implore you not to hire James Lancaster as General Counsel for the Mi Redistricting Commission. He represents politicians not the voters. He is funded by concerning left wing groups that have nothing to do with our state.

Please keep this non partisan and listen to the voters of your state.

Sincerely, Anna Anderson a Michigan resident.

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Anna Anderson (Mrs. Anna)



Juice Plus+: whole food based nutrition, including juice powder concentrates from 30 different fruits, vegetables and grains. Juice Plus+ helps bridge the gap between what you should eat and what you do eat every day.

The food we eat can be either the safest and most powerful form of medicine or the slowest form of poison. Your health is what you make of it" ~Ann Wigmore

"Let us not grow weary in doing good, for in due season we will reap a harvest, if we do not give up"  
Galatians 6:9

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**Date of Submission:** Wednesday, December 2, 2020 1:07PM  
**Method of Submission:** Email To <Redistricting@Michigan.gov>  
**Name:** Patrick Collings  
**Email Subject:** James Lancaster Not Suitable for Redistricting Committee

I was very disheartened to learn that James Lancaster was considered for the Executive Director position and is now being considered for the General Counsel position. I voted for this districting commission based on the promise of fair and non-partisan practices. That Mr. Lancaster was Chief Legal Counsel for the Voters Not Politicians Ballot Committee clearly indicates a strong bias. We cannot consider this to be a fair and unbiased committee when key staff is very active in partisan politics and causes. As the

I am happy for Mr. Lancaster that he is such a fervent supporter of Democratic candidates, but that is exactly why he is not suitable. While finding a General Counsel without strong ties to any political party may be a challenge, it is essential for this to committee to non-partisan.

Thank you,

Patrick Collings

**Date of Submission:** Wednesday, December 2, 2020 12:28PM  
**Method of Submission:** Email To <Redistricting@Michigan.gov>

**Name:** Carrie Mullins

**Email Subject:** Please do NOT appoint James Lancaster as your General Counsel

Hello members of the commission,

James Lancaster is a partisan who would delegitimize the entire purpose of the citizen-based commission. He has consistently made large financial contributions to members of one side of the aisle. I urge you all to oppose his appointment.

PAT MILES FOR ATTORNEY GENERAL 518247-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR ATTORNEY-LANCASTER ASSOCIATES PLC	DEWITT MI 48820-5706	09/30/17	\$250.00	\$250.00
PENELOPE TSERNOGLOU FOR STATE REP 518112-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIRCLE CONSULTANT-LANCASTER ASSOCIATES	DEWITT MI 48820-0000	07/22/18	\$500.00	\$750.00
PENELOPE TSERNOGLOU FOR STATE REP 518112-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIRCLE CONSULTANT-LANCASTER ASSOCIATES	DEWITT MI 48820-0000	07/18/17	\$150.00	\$250.00
PENELOPE TSERNOGLOU FOR STATE REP 518112-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIRCLE	DEWITT MI 48820-0000	06/14/17	\$100.00	\$100.00
RELECT JUDGE TOM BOYD 519205-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIRCLE ATTORNEY MILLER CANFIELD	DEWITT MI 48820-0000	03/30/06	\$125.00	\$125.00
SAM SINGH FOR STATE REPRESENTATIVE 515524-CAN	DIRECT	JAMES LANCASTER PO BOX 10013	LANSING MI 48901-0000	06/24/11	\$50.00	\$50.00
SCHAUER 21ST CENTURY FUND 508700-IND	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIRCLE	DEWITT MI 48820-0000	06/28/06	\$5.00	\$5.00
VOTERS NOT POLITICIANS BALLOT COMMIT 518049-BAL	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIRCLE ATTORNEY-SELF-EMPLOYED	DEWITT MI 48820-0000	10/15/18	\$100.00	\$170.00
VOTERS NOT POLITICIANS BALLOT COMMIT 518049-BAL	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIRCLE	DEWITT MI 48820-0000	07/26/17	\$70.00	\$70.00
Google Chrome				Version 87.0.4280.66		
Microsoft Windows 10 Pro 64-bit Build 6.2.9200						

KEEP JUDGE ANY RONAYNE KRAUSE 511834-CAN	INKIND RECEPTION SPACE	JAMES LANCASTER 210 BROOKSTONE ATTORNEY-MILLER CANFIELD	DEWITT MI 48820-0000	03/24/04	\$300.00	\$300.00
LEIGH GREDEN FOR STATE REPRESENTAT 512959-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIRCLE ATTORNEY-MILLER CANFIELD	DEWITT MI 48820-0000	06/28/06	\$200.00	\$200.00
MARK SCHAUER FOR STATE SENATE 510449-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIRCLE ATTORNEY-MILLER CANFIELD PADDOCK STONE	DEWITT MI 48820-0000	09/09/05	\$150.00	\$150.00
MICHIGAN ASSOCIATION OF INSURANCE AG 506014-IND	DIRECT	JAMES LANCASTER 320 JOHN DR	CLINTON MI 49236-0000	03/24/03	\$50.00	\$50.00
MICHIGAN ASSOCIATION OF INSURANCE AG 506014-IND	DIRECT	JAMES LANCASTER 320 JOHN DR	CLINTON MI 49236-0000	05/18/05	\$50.00	\$50.00
MICHIGAN SENATE DEMOCRATIC FUND 503510-IND	DIRECT	JAMES LANCASTER 4219 WHITEBIRCH DR	WEST BLOOMFIELD MI 48323-0000	11/02/05	\$100.00	\$100.00
MICHIGAN SENATE DEMOCRATIC FUND 503510-IND	DIRECT	JAMES LANCASTER 4219 WHITEBIRCH DR	WEST BLOOMFIELD MI 48323-0000	02/13/06	\$100.00	\$100.00
PAT MILES FOR ATTORNEY GENERAL 518247-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR ATTORNEY-LANCASTER ASSOCIATES PLC	DEWITT MI 48820-5706	09/30/17	\$250.00	\$250.00
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PENELOPE TSERNOGLOU FOR STATE REP 518112-CAN	DIRECT	JAMES LANCASTER	DEWITT MI 48820-0000	07/18/17	\$150.00	\$250.00
Google Chrome				Version 87.0.4280.66		
Microsoft Windows 10 Pro 64-bit Build 6.2.9200						

GRETCHEN WHITMER FOR GOVERNOR 518014-GUB	DIRECT	JAMES LANCASTER PO BOX 10005 RETIRED-RETIRED	LANSING MI 48901-0005	10/20/18	\$500.00	\$500.00
GRETCHEN WHITMER FOR GOVERNOR 518014-GUB	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR	DEWITT MI 48820-8706	05/07/19	\$100.00	\$100.00
JEFF IRWIN FOR STATE REPRESENTATIVE 514540-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR	DEWITT MI 48820-0000	12/08/09	\$100.00	\$100.00
JENNIFER M GRANHOLM FOR GOVERNOR 510278-GUB	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR ATTORNEY-STATE OF MICHIGAN MEDC	DEWITT MI 48820-8706	07/07/04	\$1,800.00	\$2,000.00
JENNIFER M GRANHOLM FOR GOVERNOR 510278-GUB	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR ATTORNEY-MILLER CANFIELD PADDOCK AND ST	DEWITT MI 48820-8706	04/12/06	\$900.00	\$3,400.00
JENNIFER M GRANHOLM FOR GOVERNOR 510278-GUB	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR ATTORNEY-STATE OF MICHIGAN MEDC	DEWITT MI 48820-8706	06/14/05	\$500.00	\$2,500.00
JENNIFER M GRANHOLM FOR GOVERNOR 510278-GUB	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR ATTORNEY-STATE OF MICHIGAN MEDC	DEWITT MI 48820-8706	06/07/04	\$200.00	\$200.00
JIM VANDOREN FOR MICHIGAN 514490-CAN	DIRECT	JAMES LANCASTER 11002 HEATHER LANE	CLINTON MI 49236-0000	05/24/10	\$100.00	\$100.00
JOCELYN BENSON FOR SECRETARY OF STAT 514336-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR	DEWITT MI 48820-8706	05/26/10	\$100.00	\$100.00
JOCELYN BENSON FOR SECRETARY OF STAT 514336-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR	DEWITT MI 48820-8706	05/26/10	\$100.00	\$100.00
KEEP JUDGE AMY RONAYNE KRAUSE 511834-CAN	INKIND RECEPTION SPACE	JAMES LANCASTER 210 BROOKSTONE ATTORNEY-MILLER	DEWITT MI 48820-0000	03/24/04	\$300.00	\$300.00
Google Chrome				Version 87.0.4280.66		
Microsoft Windows 10 Pro 64-bit Build 6.2.9200						

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JEFF IRWIN FOR STATE REPRESENTATIVE 514540-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR	DEWITT MI 48820-0000	12/08/09	\$100.00	\$100.00
JENNIFER M GRANHOLM FOR GOVERNOR 510278-GUB	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR ATTORNEY-STATE OF MICHIGAN MEDC	DEWITT MI 48820-8706	07/07/04	\$1,800.00	\$2,000.00
JENNIFER M GRANHOLM FOR GOVERNOR 510278-GUB	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR ATTORNEY-MILLER CANFIELD PADDOCK AND ST	DEWITT MI 48820-8706	04/12/06	\$900.00	\$3,400.00
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JIM VANDOREN FOR MICHIGAN 514490-CAN	DIRECT	JAMES LANCASTER 11002 HEATHER LANE	CLINTON MI 49236-0000	05/24/10	\$100.00	\$100.00
JOCELYN BENSON FOR SECRETARY OF STAT 514336-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR	DEWITT MI 48820-8706	05/26/10	\$100.00	\$100.00
JOCELYN BENSON FOR SECRETARY OF STAT 514336-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR	DEWITT MI 48820-8706	05/26/10	\$100.00	\$100.00
KEEP JUDGE AMY RONAYNE KRAUSE 511834-CAN	INKIND RECEPTION SPACE	JAMES LANCASTER 210 BROOKSTONE ATTORNEY-MILLER	DEWITT MI 48820-0000	03/24/04	\$300.00	\$300.00
Google Chrome				Version 87.0.4280.66		
Microsoft Windows 10 Pro 64-bit Build 6.2.9200						

Regards,  
Dominic Restuccia

**Date of Submission:** Wednesday, December 2, 2020 10:47AM  
**Method of Submission:** Email To <Redistricting@Michigan.gov>  
**Name:** Carrie Mullins  
**Email Subject:** Please do NOT appoint James Lancaster as your General Counsel

Dear Independent Citizens Redistricting Commission Members,

It has been brought to my attention that you are considering lawyer James R. Lancaster, Jr. for your General Counsel. I am aware that this person has on many occasion donated to many Democratic campaigns and political Parties. For example (per campaign financing records), \$1,800 to elect Jennifer Granholm in 2004 alone; \$200 to elect Jocelyn Benson; \$600 to elect Gretchen Whitmer; \$338 to the Clinton Democratic Party; etcetera.

I feel that James Lancaster would be biased in his legal recommendations. He may even mislead you. I ask that you no longer consider him as an option for the General Counsel position.

Thank you, and in the interest of transparency, I have listed my various titles,  
Carrie Mullins

Carrie's Critter Camp - Owner & Pet Care Specialist

Alcona County Republicans - Chair

1st CDRC - 106th House District Executive Committee Member

Convention of States, Michigan - District Captain in the 106th HD

MRP County Chair Advisory Committee Member

██████████ Mikado, MI 48745

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**Date of Submission:** Wednesday, December 2, 2020 10:34AM  
**Method of Submission:** Email To <Redistricting@Michigan.gov>  
**Name:** William Sickner  
**Email Subject:** Hiring General Counsel

Dear Redistricting Commission,

As a resident of Michigan I demand that you do not hire James Lancaster, ie Lancaster as your general counsel due to his being a left wing partisan. This is evidenced by his campaign contributions. He would steer the commission toward whatever would benefit democrats and there is no way he could give non-partisan legal advice. He was also the lead attorney for "Voters Not Politicians" a group funded by millions of dollars from out of state left-wing donors. Again I demand that you not hire James Lancaster for General Counsel.

Sincerely, William Sickner

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**Date of Submission:** Wednesday, December 2, 2020 10:26AM  
**Method of Submission:** Email To <Redistricting@Michigan.gov>

**Name:** Meghan Reckling  
**Email Subject:** Updates

Good Morning Redistricting Commissioners,

I am writing to you this morning to request that the Michigan Redistricting Commissioner members deny any further consideration for the General Counsel position the current candidate under consideration, James Lancaster.

It is widely known that Mr. Lancaster is a partisan attorney. There is no doubt that he cannot provide discernment or unbiased recommendations regarding this commission's legal matters. Looking through Mr. Lancaster's political contributions, it is clear that he is a partisan activist that favors democrat. The Independent Redistricting Commission's entire basis is to act as more of a "non-partisan" entity. Having the Commission's General Counsel be a clear partisan individual clearly will undermine the Commission's integrity.

Mr. Lancaster also has a clear conflict of interest. He served as one of the main legal attorneys for the political organization that drafted and supported Proposal I's passage in 2018. This creates a situation where the individual who drafted the language would now have to give neutral legal advice on the language he helped write.

I encourage the Commission to select a different individual who can serve in a more non-partisan and natural manner.

Thank you for your time and consideration.

Sincerely,

Meghan Reckling  
[REDACTED]  
Webberville, MI 48892

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**Date of Submission:** Wednesday, December 2, 2020 10:20AM  
**Method of Submission:** Email To <Redistricting@Michigan.gov>  
**Name:** Samson  
**Email Subject:** General Counsel position

Dear members

Please do not select James Lancaster as General Counsel as he is very partisan.

David Samson

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**Date of Submission:** Wednesday, December 2, 2020 10:01AM

**Method of Submission:** Email To <Redistricting@Michigan.gov>

**Name:** Tom Econom

**Email Subject:** Candidate consideration for James Lancaster for General Counsel

Good Morning,

I am writing today to request that this commission deny from further consideration for General Counsel position, candidate; James Lancaster.

It is widely known that James Lancaster is not a non-partisan attorney and cannot provide discernment or unbiased recommendations with matters concerning this commission. Mr. Lancaster has demonstrated in and contributed to partisan activists and causes. His opinions could not possibly serve this commission, or the state in a non-partisan/unbiased manner. Most obvious and troubling is his financial record of campaign contributions.

Sincerely,

Thomas Econom

Howell, MI 48843

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**Date of Submission:** Wednesday, December 2, 2020 9:00AM

**Method of Submission:** Email To <Redistricting@Michigan.gov>

**Name:** Georgia Dixon

**Email Subject:** NO – to JAMES LANCASTER

# I VOTE NO

## for James Lancaster.

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**Date of Submission:** Wednesday, December 2, 2020 8:55AM

**Method of Submission:** Email To <Redistricting@Michigan.gov>

**Name:** Amanda McMahan

**Email Subject:** Non partisan

Please ensure the general counsel selected to lead redistricting is non partisan. James Lancaster is very partisan. As a Michigander, I do not want to see Michigan become Maryland with their redistricting. This needs to be fair and not just swayed another way. As a libertarian, I would prefer someone who has voted/donated to at least 10% non straight party. I know we cannot track that but Lancaster is extremely partisan and not a good fit.

Thank you,  
Amanda McMahon  
Plymouth, MI (but born a yoooper)

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**Date of Submission:** Wednesday, December 2, 2020 8:38AM  
**Method of Submission:** Email To <Redistricting@Michigan.gov>  
**Name:** Wendy Anderson  
**Email Subject:** Hiring of general counsel

We heard no politicians, non partisan when proposal passed, but now you intend to hire a highly partisan general counsel. It seems to fly in the face of the Intent of voters.

I urge you to find a counsel who is not highly partisan.

Wendy Anderson

Sent from my iPhone

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**Date of Submission:** Wednesday, December 2, 2020 7:55AM  
**Method of Submission:** Email To <Redistricting@Michigan.gov>  
**Name:** Paul Herberger  
**Email Subject:** Do not hire Lancaster!

Redistricting Commission:

This guy is a left-wing partisan -- just look at his campaign contributions. Do not hire Lancaster as General Counsel.

There is no way this person could give non-partisan legal advice. He would most certainly steer the commission toward whatever would benefit Democrats.

He was also the lead attorney for "Voters Not Politicians", the group funded by millions of dollars from out of state left-wing donors that led the effort to pass the proposal that established this Redistricting Commission.

*Attachments*

PAT MILES FOR ATTORNEY GENERAL 518247-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR ATTORNEY-LANCASTER ASSOCIATES PLC	DEWITT MI 48820-8706	09/30/17	\$250.00	\$250.00
PENELOPE TSERNOGLOU FOR STATE REP 518112-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIRCLE CONSULTANT- LANCASTER ASSOCIATES	DEWITT MI 48820-0000	07/22/18	\$500.00	\$750.00
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PENELOPE TSERNOGLOU FOR STATE REP 518112-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIRCLE	DEWITT MI 48820-0000	06/14/17	\$100.00	\$100.00
REELECT JUDGE TOM BOYD 512625-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIRCLE ATTORNEY-MILLER CANFIELD	DEWITT MI 48820-0000	03/30/06	\$125.00	\$125.00
SAM SINGH FOR STATE REPRESENTATIVE 515524-CAN	DIRECT	JAMES LANCASTER PO BOX 10013	LANSING MI 48901-0000	06/24/11	\$50.00	\$50.00
SCHAUER 21ST CENTURY FUND 508700-IND	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIRCLE	DEWITT MI 48820-0000	08/28/06	\$5.00	\$5.00
VOTERS NOT POLITICIANS BALLOT COMMIT 518049-BAL	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIRCLE ATTORNEY-SELF- EMPLOYED	DEWITT MI 48820-0000	10/15/18	\$100.00	\$170.00
VOTERS NOT POLITICIANS BALLOT COMMIT 518049-BAL	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIRCLE	DEWITT MI 48820-0000	07/26/17	\$70.00	\$70.00
<b>Google Chrome</b>		Version 87.0.4280.66				
Microsoft Windows 10 Pro 64-bit Build 6.2.9200						

KEEP JUDGE AMY RONAYNE KRAUSE 511834-CAN	INKIND RECEPTION SPACE	JAMES LANCASTER 210 BROOKSTONE ATTORNEY-MILLER CANFIELD	DEWITT MI 48820-0000	03/24/04	\$300.00	\$300.00
LEIGH GREDEEN FOR STATE REPRESENTAT 512503-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIRCLE ATTORNEY- MILLER/CANFIELD	DEWITT MI 48820-0000	06/28/06	\$200.00	\$200.00
MARK SCHAUER FOR STATE SENATE 510449-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIRCLE ATTORNEY-MILLER CANFIELD PADDOCK STONE	DEWITT MI 48820-0000	09/09/05	\$150.00	\$150.00
MICHIGAN ASSOCIATION OF INSURANCE AG 506014-IND	DIRECT	JAMES LANCASTER 320 JOHN DR	CLINTON MI 49236-0000	03/24/03	\$50.00	\$50.00
MICHIGAN ASSOCIATION OF INSURANCE AG 506014-IND	DIRECT	JAMES LANCASTER 320 JOHN DR	CLINTON MI 49236-0000	05/18/05	\$50.00	\$50.00
MICHIGAN SENATE DEMOCRATIC FUND 503510-IND	DIRECT	JAMES LANCASTER 4219 WHITEBIRCH DR	WEST BLOOMFIELD MI 48323-0000	11/02/05	\$100.00	\$100.00
MICHIGAN SENATE DEMOCRATIC FUND 503510-IND	DIRECT	JAMES LANCASTER 4219 WHITEBIRCH DR	WEST BLOOMFIELD MI 48323-0000	02/13/06	\$100.00	\$100.00
PAT MILES FOR ATTORNEY GENERAL 518247-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR ATTORNEY-LANCASTER ASSOCIATES PLC	DEWITT MI 48820-8706	09/30/17	\$250.00	\$250.00
PENELOPE TSERNOGLOU FOR STATE REP 518112-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIRCLE CONSULTANT- LANCASTER ASSOCIATES	DEWITT MI 48820-0000	07/22/18	\$500.00	\$750.00
PENELOPE	DIRECT	JAMES LANCASTER	DEWITT	07/18/17	\$150.00	\$250.00
<b>Google Chrome</b>		Version 87.0.4280.66				
Microsoft Windows 10 Pro 64-bit Build 6.2.9200						

GRETCHEN WHITMER FOR GOVERNOR 518014-GUB	DIRECT	JAMES LANCASTER PO BOX 10006 RETIRED-RETIRED	LANSING MI 48901-0006	10/20/18	\$500.00	\$500.00
GRETCHEN WHITMER FOR GOVERNOR 518014-GUB	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR	DEWITT MI 48820-8706	05/07/19	\$100.00	\$100.00
JEFF IRWIN FOR STATE REPRESENTATIVE 514540-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR.	DEWITT MI 48820-0000	12/08/09	\$100.00	\$100.00
JENNIFER M GRANHOLM FOR GOVERNOR 510278-GUB	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR ATTORNEY-STATE OF MICHIGAN MEDC	DEWITT MI 48820-8706	07/07/04	\$1,800.00	\$2,000.00
JENNIFER M GRANHOLM FOR GOVERNOR 510278-GUB	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR ATTORNEY-MILLER CANFIELD PADDOCK AND ST	DEWITT MI 48820-8706	04/12/06	\$900.00	\$3,400.00
JENNIFER M GRANHOLM FOR GOVERNOR 510278-GUB	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR ATTORNEY-STATE OF MICHIGAN MEDC	DEWITT MI 48820-8706	06/14/05	\$500.00	\$2,500.00
JENNIFER M GRANHOLM FOR GOVERNOR 510278-GUB	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR ATTORNEY-STATE OF MICHIGAN MEDC	DEWITT MI 48820-8706	06/07/04	\$200.00	\$200.00
JIM VANDOREN FOR MICHIGAN 514490-CAN	DIRECT	JAMES LANCASTER 11002 HEATHER LANE	CLINTON MI 49236-0000	05/24/10	\$100.00	\$100.00
JOCELYN BENSON FOR SECRETARY OF STAT 514336-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR	DEWITT MI 48820-8706	05/26/10	\$100.00	\$100.00
JOCELYN BENSON FOR SECRETARY OF STAT 514336-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR	DEWITT MI 48820-8706	05/26/10	\$100.00	\$100.00
KEEP JUDGE AMY RONAYNE KRAUSE 511834-CAN	INKIND RECEPTION SPACE	JAMES LANCASTER 210 BROOKSTONE ATTORNEY-MILLER	DEWITT MI 48820-0000	03/24/04	\$300.00	\$300.00
Google Chrome		Version 87.0.4280.66				
Microsoft Windows 10 Pro 64-bit Build 6.2.9200						

COMMITTEE TO ELECT DAN SCRIPPS 512565-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR.	DEWITT MI 48820-0000	07/15/08	\$100.00	\$100.00
COMMITTEE TO REELECT CHIEF JUSTICE B 515711-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR ATTORNEY-SELF EMPLOYED	DEWITT MI 48820-8706	08/20/20	\$51.83	\$51.83
ERIC DOSTER FOR COURT OF APPEALS 513895-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIRCLE	DEWITT MI 48820-0000	06/05/08	\$100.00	\$100.00
FRANK HARRISON REYNOLDS FOR CIRCUIT 513695-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIRCLE	DEWITT MI 48820-0000	08/05/08	\$100.00	\$100.00
FRIENDS FOR KELLY ROSSMAN-MCKINNEY 518107-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR PRINCIPAL-LANCASTER ASSOCIATES PLC	DEWITT MI 48820-8706	05/10/18	\$500.00	\$500.00
FRIENDS OF ANDY SCHOR 515501-CAN	DIRECT	JAMES LANCASTER PO BOX 10013	LANSING MI 48901-0000	06/13/11	\$100.00	\$100.00
FRIENDS OF GARY PETERS 507281-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIRCLE ATTORNEY-MILLER CANFIELD ET AL	DEWITT MI 48820	04/20/99	\$250.00	\$250.00
GREEN AND WHITE PAC 512405-IND	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR.	DEWITT MI 48820-0000	04/10/06	\$100.00	\$100.00
GRETCHEN WHITMER FOR GOVERNOR 518014-GUB	DIRECT	JAMES LANCASTER PO BOX 10006 RETIRED-RETIRED	LANSING MI 48901-0006	10/20/18	\$500.00	\$500.00
GRETCHEN WHITMER FOR GOVERNOR	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR	DEWITT MI 48820-8706	05/07/19	\$100.00	\$100.00
Google Chrome		Version 87.0.4280.66				
Microsoft Windows 10 Pro 64-bit Build 6.2.9200						

AMOS WILLIAMS 4 AG 512722-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIRCLE	DEWITT MI 48820-0000	11/02/06	\$100.00	\$100.00
BARB BYRUM FOR STATE REPRESENTATIVE 512508-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR ATTORNEY-MICHIGAN ECONOMIC DEVELOPMENT	DEWITT MI 48820-0000	10/01/05	\$100.00	\$200.00
BARB BYRUM FOR STATE REPRESENTATIVE 512508-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR	DEWITT MI 48820-0000	08/16/05	\$100.00	\$100.00
CLINTON CO DEM PARTY 002178-COU	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR	DEWITT MI 48820-0000	05/15/06	\$100.00	\$100.00
CLINTON COUNTY DEMOCRATIC PARTY 515257-COU	DIRECT	JAMES LANCASTER PO BOX 10006	LANSING MI 48901-0000	05/01/17	\$98.00	\$98.00
CLINTON COUNTY DEMOCRATIC PARTY 515257-COU	DIRECT	JAMES LANCASTER PO BOX 10006	LANSING MI 48901-0000	04/03/19	\$70.00	\$70.00
CLINTON COUNTY DEMOCRATIC PARTY 515257-COU	DIRECT	JAMES LANCASTER PO BOX 10006	LANSING MI 48901-0000	04/27/15	\$50.00	\$50.00
CLINTON COUNTY DEMOCRATIC PARTY 515257-COU	DIRECT	JAMES LANCASTER PO BOX 10006	LANSING MI 48901-0000	10/10/14	\$20.00	\$20.00
COMM TO REELECT JDG RICHARD GARCIA 509748-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIRCLE LAWYER-MILLER CANFIELD	DEWITT MI 48820-0000	06/10/08	\$200.00	\$200.00
COMM TO REELECT MICHAEL F CAVANAGH 003980-CAN	DIRECT	JAMES LANCASTER 210 BROOKSTONE CIR ATTORNEY-MILLER CANFIELD PADDOCK & ST	DEWITT MI 48820-0000	03/13/06	\$500.00	\$500.00
Google Chrome		Version 87.0.4280.66				
Microsoft Windows 10 Pro 64-bit Build 6.2.9200						

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**Date of Submission:** Wednesday, December 2, 2020 7:38AM  
**Method of Submission:** Email To <Redistricting@Michigan.gov>  
**Name:** buttercup 63  
**Email Subject:** General Counsel Position

Emailing today to express my shock and dismay at discovering James Lancaster is a finalist for General Counsel.

Do not hire James Lancaster  
I have done my research and feel very strongly this candidate will not represent any voice but his own

Do not hire James Lancaster

Thank You  
Margaret Deborah Green

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**Date of Submission:** Wednesday, December 2, 2020 7:22AM

**Method of Submission:** Email To <Redistricting@Michigan.gov>

**Name:** Sue

**Email Subject:** James Lancaster

James Lancaster is the WRONG person to be general counsel. You tout this group as being non partisan. As you can clearly see by these political donations he has made, Mr. Lancaster is extremely partisan and there is no way he can keep his partisanship out of the position.

The integrity of this group is of utmost importance, especially in light of what is happening in voting integrity right now.

Mr. Lancaster must be removed from the running as General Counsel.

Sincerely,

Sue Burstein-Kahn

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PO Box 14162 | Lansing, Michigan 48901 | 517.618.1589 | [www.MichiganFreedomFund.com](http://www.MichiganFreedomFund.com)

December 2, 2020

To the Members of the Independent Citizens Redistricting Commission,

It has been brought to my attention that you are considering James Lancaster as one of the two finalists for the role of General Counsel for the Commission. I add my voice to those opposing his appointment. Mr. Lancaster has a long history of political contributions to Democrats. These contributions are a matter of public record, and electronically accessible, via the Michigan Secretary of State and the Federal Election Commission websites.

In addition to his lengthy history of contributions, Mr. Lancaster has been involved in redistricting activism on behalf of Democrats back to at least 1992. I have attached a case in which he represented the Democratic petitioners in a partisan challenge to a Clinton County apportionment plan to my submission for your review. Mr. Lancaster's obvious political leanings would undermine the objectivity and the mission of the Independent Citizens Redistricting Commission.

Commissioner Szetela ably pointed out important concerns over the perception of partisanship in the Independent Commission's work when Mr. Brice and Ms. Seibold were considered for Executive Director; Mr. Lancaster's partisan history is far more explicit and troubling.

I strongly urge you to reject Mr. Lancaster's appointment as General Counsel and to select a different, truly non-partisan candidate.

Michigan voters who sought to establish an *independent* redistricting commission are watching.

Sincerely,



Tony Daunt  
Executive Director  
Michigan Freedom Fund

Attachment

193 Mich.App. 231 (Mich.App. 1992), 145250, In re Apportionment of Clinton County-1991 /\*\*/  
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**193 Mich.App. 231 (Mich.App. 1992)**

**483 N.W.2d 448**

**In re APPORTIONMENT of CLINTON COUNTY--1991.**

**James L. SJOBERG and Robert S. Varner, Petitioners,**

**v.**

**CLINTON COUNTY APPORTIONMENT COMMISSION, Respondent.**

**Docket No. 145250.**

**Court of Appeals of Michigan.**

**May 19, 1992**

March 9, 1992

Submitted March 2, 1992, at Lansing.

Released for Publication May 19, 1992.

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Miller, Canfield, Paddock & Stone by James R. Lancaster, Jr., Lansing, for petitioners.

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Charles D. Sherman, Pros. Atty., St. Johns, for respondent.

Before SHEPHERD, P.J., and MICHAEL J. KELLY and FITZGERALD, JJ.

PER CURIAM.

This petition for review of a newly adopted apportionment plan for the Board **[483 N.W.2d 449]** of Commissioners of Clinton County comes before this Court for review pursuant to M.C.L. Sec. 46.406; M.S.A. Sec. 5.359(6). This Court by our order of January 23, 1992, struck down the plan initially adopted, because one district consisted of several townships, two of which touched only at a corner, holding that the plan violated the contiguity requirement of M.C.L. Sec. 46.404(b); M.S.A. Sec. 5.359(4)(b). <sup>[1]</sup> This Court remanded to the Clinton County Apportionment

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Commission for the presentation of a new plan to this Court within ten days, jurisdiction being retained.

Following adoption of a substitute plan on January 31, 1992, and the filing of new objections by petitioners, this Court granted oral argument. The plan now before this Court divides the county into seven districts, with a population variation from highest to lowest of 3.4 percent, computed according to the method of *New York City Bd. of Estimate v. Morris*, 489 U.S. 688, 700, n. 7, 109 S.Ct. 1433, 1441, n. 7, 103 L.Ed.2d 717 (1989). Petitioners advocate a competing plan, which they presented to the commission on remand, also of seven districts, with a population variation they claim amounts to only 1.7 percent.

Clinton County is an essentially rural county, demographically "dominated" by the City of St. Johns with a population of 7,284 and the City of DeWitt with a population of 3,964. Township populations range from a low of 989 in Bengal Township to 8,614 in DeWitt Township. The total county population is 57,883.

The adopted plan splits three townships: Essex and Bingham Townships are split across two districts each, and DeWitt Township is divided across four different districts. The competing plan advocated by petitioners splits five townships into two districts each.

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Petitioners claim that the four-way division of DeWitt Township is designed for partisan political purposes, to dilute Democratic Party voting strength. However, at oral argument it was conceded that there is effectively no Democratic political strength throughout the county and, in fact, the adopted plan represents only minor adjustments from the plan adopted in 1982, to account for a two percent increase in population during the decade. Other than petitioners' naked claim, no evidence has been presented to this panel that satisfactorily proves that the division of DeWitt Township accomplishes, in fact, a partisan political advantage, whatever its motivation.

We therefore need not decide whether a motivation test, *City of Mobile* [483 N.W.2d 450] v. Bolden, 446 U.S. 55, 100 S.Ct. 1490, 64 L.Ed.2d 47 (1980), or a stricter results test, *Chisom v. Roemer*, 501 U.S. ---- - ----, 111 S.Ct. 2354, 2364-2366, 115 L.Ed.2d 348, 364-365 (1991), is appropriate when a petition is filed challenging the legality of a reapportionment plan in light of M.C.L. Sec. 46.404(h); M.S.A. Sec. 5.359(4)(h). We note, however, that if partisanship can be demographically and cartographically established, it is usually considered intentional for the reasons adduced in *Gaffney v. Cummings*, 412 U.S. 735, 749-751, 93 S.Ct. 2321, 2329-2331, 37 L.Ed.2d 298 (1973).

Petitioners contend that the interplay between the "one person, one vote" requirement of the Fourteenth Amendment and the "one township, one commissioner" standard of Const. 1963, art. 7, Sec. 7, requires that a county reapportionment commission start by assigning, within the numerical district limitations of M.C.L. Sec. 46.402; M.S.A. Sec. 5.359(2), one commissioner to each township in a county, then begin making population adjustments. It is clear to us that, in a county like Clinton County, with a maximum of twenty-one commissioners by

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statute, comprised of sixteen townships, with a total population more than fifty-eight times that of its least populous township and the largest township having nine times the population of the smallest township, such a process, if workable at all, would be extraordinarily cumbersome. We agree with respondents that neither the state or federal constitution nor the holding in *Apportionment of Wayne Co. Bd. of Comm'rs--1982*, 413 Mich. 224, 321 N.W.2d 615 (1982), either singly or in combination, compels an apportionment commission to adhere to any preordained method in devising an apportionment plan. It is the final plan as adopted, and not the intermediate steps, with which this Court must concern itself under M.C.L. Sec. 46.406; M.S.A. Sec. 5.359(6).

We are likewise of the opinion that *Wayne Co. Apportionment--1982* does not impose a "best plan" test as advocated by petitioners. Under such a test, a plan which had been adopted and which meets threshold constitutional and statutory standards nevertheless would have to be rejected by this Court if a competing plan more closely approaches perfection.

We think the Michigan Supreme Court was fully aware when it rendered that decision that a "best plan" review standard would be a prescription for perpetual litigation. The United States

Supreme Court has recognized that reapportionment by its nature involves "fundamental choice about the nature of representation" in what is "primarily a political and legislative process." *Gaffney v. Cummings*, supra, 412 U.S. at 749, 93 S.Ct. at 2329. A reviewing court, in determining whether a plan "meets the requirements of the laws of this state," M.C.L. Sec. 46.406; M.S.A. Sec. 5.359(6), must allow the political organs to whom the redistricting task has been delegated some scope for the "exercise of judgment," and a plan

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that represents a "reasonable choice in the reasoned exercise of judgment" must be sustained, *Wayne Co. Apportionment--1982*, supra, 413 Mich. at 264, 321 N.W.2d 615, notwithstanding that a marginally better plan might be devised. Otherwise, the courts would be involved in the never ending process of litigation every time "a resourceful mind hits upon a plan better than the Master's by a fraction of a percentage point." *Gaffney v. Cummings*, supra, 412 U.S. 750-751, 93 S.Ct. at 2330.

Testing the adopted plan by this standard, we note that, for federal constitutional purposes, the "one person, one vote" standard is fully satisfied. The 3.4 percent population deviation is well below the 10 percent considered de minimis for Fourteenth Amendment purposes. *Brown v. Thomson*, 462 U.S. 835, 842-843, 103 S.Ct. 2690, 2695-2696, 77 L.Ed.2d 214 (1983). And, while M.C.L. Sec. 46.404(a); M.C.L. Sec. 5.359(4)(a) requires all districts to be "as nearly of equal population as is practicable," the Michigan Supreme Court in *Wayne Co. Apportionment--1982* held that because the standard is statutory, it is subsidiary to the constitutional standard of "one township, one commissioner" of Const.1963, art. 7, Sec. 7. Even if we were to accord to the statutory population standard a meaning different from that imposed by **[483 N.W.2d 451]** the Fourteenth Amendment, the 3.4 percent population divergence computed under the adopted plan nearly two years after the census was taken may be less--and is certainly not significantly more--than the inherent inaccuracies of the census itself, which is, after all, only a "snapshot in time" that, in any event, never completely accurately counts any population. *Gaffney v. Cummings*, supra, 412 U.S. at 745, 93 S.Ct. at 2327; see also *Karcher v. Daggett*, 462 U.S. 725, 731-732, 103 S.Ct. 2653, 2658, 77 L.Ed.2d 133 (1983).

We have already noted that in Clinton County it

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would be impossible to assign one commissioner district to each township and then make population adjustments, because such a scheme would require more than fifty-eight commissioner districts in view of the fact that the township with the lowest population would have to have one vote, all districts must be single member districts, M.C.L. Sec. 46.404(a); M.S.A. Sec. 5.359(4)(a), and the population of the county is more than fifty-eight times that of the smallest township. Because not more than twenty-one districts can be created in a county with between 50,001 and 600,000 persons, M.C.L. Sec. 46.402; M.S.A. Sec. 5.359(2), any plan must combine some townships with others, and this Court's function is to test the adopted plan by the standards of M.C.L. Sec. 46.404(a)-(h); M.S.A. Sec. 5.359(4)(a)-(h). *Wayne Co. Apportionment--1982*, supra.

In the plan adopted by the Clinton County Apportionment Commission on January 31, 1992, all districts are contiguous. All districts are likewise reasonably compact and square in shape. No

township or part thereof has been combined with any city or part thereof for a single district, except where needed to meet the population standard. In this regard, we note that the City of DeWitt is too small to form one district, and so it has been combined with portions of its surrounding township to form a district; however, it was not unnecessarily divided so as to create more than the minimal number of township-city combinations. The same is true for the City of St. Johns.

We come now to the crux of the case before us. Petitioners contend that the adopted plan divides two townships once each and DeWitt Township four times, for a total of six divisions, whereas the competing plan divided five townships once each, for a total of five divisions. We take this opportunity to note that petitioners' counting method

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is not entirely satisfactory. The number of divisions is perhaps less important than the number of "pieces." Here, petitioners' plan divides five townships into ten pieces, while the adopted plan divides three townships into a total of only eight parts. Even if the situation were reversed, it is not clear that such a marginal difference would exceed the legitimate scope of legislative discretion that this Court must accord to the apportionment commission.

Because there is no claim that precincts have been divided, and we have already rejected a claim that districts were drawn to effect partisan political advantage--particularly in the absence of any indication that the adopted plan unfairly alters the existing allocation of political power vis-a-vis voting strength, thus putting judicial interest "at its lowest ebb", *Gaffney v. Cummings*, supra, 412 U.S. at 753-754, 93 S.Ct. at 2331-2332; *Davis v. Bandemer*, 478 U.S. 109, 128-129, 106 S.Ct. 2797, 2808-2809, 92 L.Ed.2d 85 (1986)--we conclude that the adopted plan "meets the requirements of the laws of this state."

Accordingly, the January 31, 1992, apportionment plan adopted by the Clinton County Apportionment Commission is deemed to be constitutional and otherwise in compliance with the laws of this state, and it therefore becomes the official apportionment plan for the county until the next United States official decennial census figures are available. M.C.L. Sec. 46.408; M.S.A. Sec. 5.359(8). Petitioner's motion to declare the adopted plan invalid is accordingly denied.

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Notes:

[1] Our order of January 23, 1992, provided, in relevant part:

This Court recognizes that the definition of "contiguous" varies with context. Indeed, there is a split of authority in sister state jurisdictions as to whether parcels of land which touch only at corners are 'contiguous' for homestead exemption and tax assessment purposes. 40 AmJur2d, Homestead, Sec. 37, p 141; 40 CJS, Homesteads, Sec. 39, p 210 (1991 rev ed); Anno, 73 ALR 116, 142; *Griffin v. Denison Land Co.*, 18 N.D. 246, 119 N.W. 1041 (1909); *Wilkerson v. Harrington*, 115 Miss. 637, 76 So. 563 (1917). See also *Parsons v. Dils*, 172 Ky. 774, 189 S.W. 1158 (1916) and *Baham v. Vernon*, 42 So.2d 141 (La.App., 1949) (adverse possession). There is similarly a split of authority in the adverse possession context, compare *Baham v. Vernon*, supra, with *Parsons v. Dils*, supra, as well as with regard to mechanics or other construction liens, *Stewart Concrete & Material Co. v. James H. Stanton Construction Co.*, 433 S.W.2d 76 (Mo.App.,

1968); Tallapoosa Lumber Co. v. Copeland, 223 Ala. 41, 134 So. 658; 75 ALR 1325 (1931), and in condemnation situations, Seckman v. Georgia Power Co., 155 Ga.App. 204, 270 S.E.2d 328 (1980).

But in the jurisprudential area which involves determining political boundaries, the courts in sister states, unanimously so far as we are able to determine, consider mere touching at the corners inadequate to meet a contiguity requirement. Annexation cases include Kane v. Paulus, 41 Or.App. 455, 599 P.2d 1154 (1979); In re Annexation to the Village of Downers Grove, 92 Ill.App.3d 682, 48 Ill.Dec. 261, 416 N.E.2d 292 (1981); Big Sioux Twp. v. Streeter, 272 N.W.2d 924 (S.D., 1978), Bryant v. City of Charleston, 295 S.C. 408, 368 S.E.2d 899 (1988), and Village of Niobara v. Tichy, 158 Neb. 517, 63 N.W.2d 867 (1954). Michigan likewise rejects mere cornering as insubstantial. Owosso Twp v. Owosso, 385 Mich. 587, 189 N.W.2d 421 (1971). We therefore agree with the Florida Supreme Court that, in legislative districting, "cornering" is inadequate to meet the statutory contiguity requirement. In re Apportionment Law Appearing as Senate Joint Resolution 1E 1982 Special Apportionment Session; Constitutionality Vel Non, 414 So.2d 1040 (Fla, 1982).

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