

SBCIRC INDEPENDENT LEGAL COUNSEL INTERVIEW QUESTIONS

RECOMMENDED PROCESS

- Interviewees are given two minutes to self-introduce.
- Questions will be asked in the order listed beginning with “ALL” then individualized questions.
- Commissioner assignments for asking the questions are listed at the end of each question.
- After the prepared questions, commissioners may ask new or clarifying questions.
- A total of 30 minutes is allotted for each interview. If any of the 30 minutes is unused, interviewees may provide additional information.
- Public comments will be taken after all three interviews are concluded.

RECOMMENDED QUESTIONS

(ALL) (services – who will be main contact)

Please clarify the roles of the members of your proposed team. Specifically, which team member will be our “go to” lawyer during public meetings and as questions arise relating to any legal matters? (Katz)

(ALL) (opinion - what are county-specific redistricting challenges)

Based on your interest in working with the Santa Barbara County Independent Redistricting Commission and what you already know about Santa Barbara County, what are a few Santa Barbara County-specific challenges and biggest pitfalls that you anticipate with redistricting? (Bradley)

(ALL) (opinion – how to promote communities of interest, partisan fairness, competitiveness)

How will you prioritize the commission’s work to protect “communities of interest”, “partisan fairness” and “electoral competitiveness?” (McClintock)

(ALL) (experience – relationship with NDC)

What is your relationship with the demography firm currently engaged by the commission? (Ochoa)

(ALL): (rates - keep within county’s estimate)

The County’s projected budget for the Redistricting Commission was set at \$500,000. Given that \$100,000 has been designated for Demography and Administrative services – and given that the Commission desires to reserve as much of the budget as possible for Outreach and Community Engagement – do you anticipate being able to keep legal fees within the County’s initial estimates of \$200,000, less whatever has already been billed by our original Counsel? If not, which part of the legal process do you expect is most likely to overrun costs? (Morris)

(NIELSEN) (conflict of interest - political)

There have been concerns raised during public comment regarding representation and possible political action committee involvement by your legal team's proposed members. Can you address these concerns and describe steps you will take to ensure the team assigned to this commission is free of any actual or perceived conflicts of interest? (Hudley)

(NIELSEN) (conflict of interest – Proposal Exhibit D requesting exemption)

Also during public comment, concerns were raised about your request for an exemption to the Commission's Conflict of Interest policy. Ms. Leoni stated in her response to those concerns, that the County's Conflict of interest code was adopted *after* their response was submitted. Can you clarify your position on this item? (Bray)

(NIELSEN MERKSAMER) (experience - litigation)

Please describe your experience with redistricting litigation and what your firm has taken from those experiences. (Turley)

(NIELSEN) (rates - revise proposal to include litigation)

In your fee structure, you submitted a proposal with cap rates that did not include litigation fees. Are you willing to revise your fee proposal to include litigation costs and updated not-to-exceed rates? (Hudley)

(RAFFERTY) (services – sole practitioner contingencies, use outside consultants?)

Given that you are the sole Attorney, do you feel that you will be able to provide everything that is needed during the redistricting process? What contingencies do you have in place if you are unavailable or unable to fulfill specific duties? Do you have a plan to reach out to outside consultants if any issues arise? (Olmedo)

(RAFFERTY): (experience - supporting public agencies and regulatory issues)

Please give us a sense of your experience advising public commissions, particularly related to procedural support during live sessions. How would you rate your command of relevant regulatory issues like the Brown Act, conflict of interest law, ex-parte communication, etc.? (Twibell)

(RAFFERTY) (experience – creating a county redistricting plan?)

Your experience and passion for voting rights is impressive; however, your experience with redistricting, working with redistricting commissions and helping to create redistricting plans does not appear to be as strong. Can you site cases where your firm specifically helped create a County redistricting plan, if that plan was challenged in court, and if so, what was the result? (Bray)

(RAFFERTY) (experience – litigation in-house or outsource?)

If there is a need for litigation, would that be something you can handle in house or would you recommend that the Redistricting Commission contract with another law firm for litigation? (Olmedo)

(STRUMWASSER) (services - commission access to Professor Levitt?)

In your proposal, it is stated that Professor Justin Levitt would serve in an advisory role. Could you describe how that consultation would work and how much the commission would be able to solicit questions on issues to him during the proposed service engagement? (Hudley)

(STRUMWASSER (experience – redistricting any legal challenges?))

You mention in your RFP that you successfully developed and implemented LA County's redistricting plan without legal challenge, and successfully defended SBC's 2001 redistricting plan. Are there other instances where your redistricting work was legally challenged, and if so, the results of that challenge? (Bray)
