

**IN THE
SUPREME COURT OF THE STATE OF UTAH**

League of Women Voters of Utah, Mormon Women
for Ethical Government, Stephanie Condie,
Malcolm Reid, Victoria Reid, Wendy Marin, Eleanor Sundwall, Jack
Markman, and Dale Cox,
Appellees; and Corss-appellants,

v.

Utah State Legislature, Utah Legislative Redistricting
Committee, Scott Sandall, Brad Wilson, Stuart Adams, and Deidre
Henderson,
Appellants; and Cross-appellees.

No. 20220991-SC

Supplemental Briefing Order

We direct the parties to submit supplemental briefs on the following questions, which arose during oral argument in this matter.

In Count Five of their Complaint, Plaintiffs allege that when the people of Utah enacted Proposition 4 through a citizen's initiative, they exercised their constitutional right to "alter or reform" the government under article I, section 2 of the Utah Constitution. Plaintiffs further allege that when the Legislature repealed Proposition 4 and enacted SB200 in its place, the

Legislature violated that right.

If the court were to conclude that a) the people's article 1 section 2 right to alter or reform their government is a fundamental right, and b) the people exercised that right when they enacted Proposition 4:

- 1) Should a level of scrutiny apply in determining whether SB200 violated the people's right to alter or reform their government?
- 2) If so, what level of scrutiny should apply?
- 3) Should the level of scrutiny vary based on the nature of the particular changes to Proposition 4 that Plaintiffs challenge?

The supplemental briefs should not exceed 20 pages. The parties should file simultaneous briefs by July 31 at 5:00 p.m. Otherwise, the briefs must comply with rule 27 of the Rules of Appellate Procedure as to size, margins, typeface, and contents of cover and with rule 26(b) as to service. Briefs may include a separate table of authorities limited to the citations provided by the supplemental analysis. Compliance with other formatting and content provisions of the appellate rules, including the binding and color cover requirements described by subparts (c) and (d) of rule 27, is not required for supplemental briefs.

Dated: July 13, 2023
06:34:17 PM

FOR THE COURT:
/s/ John A. Pearce
Justice

