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Fifth Circuit Rejects Louisiana’s Attempt to Prematurely Appeal Voting Rights Decision

Today, three judges of the Fifth Circuit Court of Appeals rejected the Louisiana Governor and Attorney General’s attempt to delay a remedy process and prematurely appeal the liability decision against them in an important voting rights case involving elections in Terrebonne Parish, Louisiana. In August, a federal trial court ruled that the at-large electoral scheme for the 32nd Judicial District Court (JDC)—the state court with jurisdiction over Terrebonne— “deprives Black voters of the equal opportunity to elect candidates of their choice in violation of Section 2 [of the Voting Rights Act of 1965], and it has been maintained for that purpose, in violation of Section 2 and [the Fourteenth and Fifteenth Amendments to the] United States Constitution.”

The NAACP Legal Defense and Educational Fund, Inc. (LDF) along with co-counsel Michael de Leeuw, Alexander Selarnick, and William Lesser of the law firm Cozen O’Connor, as well as longtime Louisiana-based civil rights attorney, Ronald L. Wilson, represent the plaintiffs – the Terrebonne Parish NAACP and four Black voters.

“For decades, Black voters in Terrebonne Parish have not had a voice in the political process,” said Leah Aden, Senior Counsel at LDF. “With today’s Fifth Circuit ruling, plaintiffs and other members of the community in Terrebonne are one step closer to a complete remedy for the intentional discrimination that they have endured for decades.”

In its decision, the Fifth Circuit ruled that with the next election not regularly scheduled until 2020, the State had not established the need for an immediate appeal. The federal district court may now continue its effort to ensure a complete remedy to the constitutional and statutory violation without interruption. Indeed, earlier this month, the District Court denied Louisiana’s request to stop the remedial proceedings that were just beginning in that court.

Today's ruling now paves the way for an end to a nearly 50-year old discriminatory voting practice – adopted in 1968 – and the institution of a fair process that provides Black voters the equal opportunity to elect judicial candidates of their choice.

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation's first civil and human rights law organization and has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF's Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.