

Judge ruled the county-passed map unconstitutional in July

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Cobb County loses last-ditch effort to defend electoral map

By Taylor Croft

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Cobb County lost its last-ditch effort to undo a judge's ruling that tossed out its district map as unconstitutional and called for an election do-over.

The judge ruled in Cobb Superior Court in July the county's electoral map is unconstitutional and ordered the Board of Elections to redo the primary elections for County Commission Districts 2 and 4. The ruling also means the general election for those two commission seats will be held in 2025. But the county tried to intervene in the case to ask the court to reconsider the ruling.

Judge Kellie Hill sided with attorneys who criticized the county's decision to wait until after the ruling to get involved.

Still fighting over electoral map, Cobb tries to undo ruling

The Cobb County Commission's Democratic majority in 2022 tried to redraw electoral lines to their own liking, after state legislators drew sitting Commissioner Jerica Richardson out of her district mid-term. Redistricting power rests with the state Legislature, but Cobb officials argued they could overrule the state using the Home Rule provision in the state constitution.

Judge Hill disagreed and sided with plaintiff Alicia Adams, a potential candidate for District 2, who sued the Board of Elections this year after she was disqualified from running for office under the county-passed map, which she argued was unconstitutional. She lives in the district under the state-passed map.

Attorneys did not mince words in Tuesday's court hearing, and at times pointed fingers at the county for delaying the resolution of its district map controversy and seeking to avoid the

"natural consequences" of its actions.

"To me, it just seems like they don't want to take their medicine," said Daniel White, the Board of Elections attorney. "This is just the natural consequences of the 'home rule map' experiment."

Election do-over: Judge rules Cobb County electoral map unconstitutional

County attorneys argued her order placed a significant burden on the county. The estimated cost for off-cycle primary, runoff and general elections for commission races in Districts 2 and 4 exceed \$1.5 million.

Plaintiff Attorney Chuck Boring listens to oral arguments of the defense. Judge Kellie Hill hears arguments in Cobb Superior Court Thursday regarding the candidate disqualification lawsuit. This lawsuit has the possibility to determine the legality of Cobb County's district map.

"I feel like the county is playing childish games here," Boring said. "It's absurd that the county waited this long."

Elizabeth Monyak, representing the county, said Cobb did not intervene earlier because she did not believe the judge would rule the way she did — which Monyak argued was unlawful. She said she is "not trying to relitigate the map issue" but said a resolution needs to "be done in a lawful way."

Judge Hill rejected that argument and did not reconsider her ruling.

"I don't want to use the term disingenuous, but I do find it hard to believe that the county could not have foreseen or predicted the outcome that resulted in this case," Hill said as she ruled from the bench.

The county could try to appeal. County spokesman Ross Cavitt said the county legal team is "informing the Board of Commissioners about the judge's ruling and any potential follow-up action."

About the Author

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Taylor Croft is the Cobb County government reporter on the local news team.