MEMORANDUM

TO: Members of the Utah Legislature

FROM: Mike Christensen and Gay Taylor

DATE: June 20, 2002

SUBJECT: The United States Supreme Court Decision: Utah v. Evans

On June 20, 2002 the United States Supreme Court announced its decision in Utah v. Evans. In that decision, a five-member majority of the Court held that Utah should not receive a fourth seat in the U.S. House of Representatives. Additional details regarding the disposition of the case and the positions of the individual Supreme Court Justices are contained below.

**The Majority Opinion: (Justices Breyer, Rehnquist, Stevens, Souter, and Ginsburg)**
- The Bureau’s use of imputation as a counting method in the 2000 Census did not violate federal statutory law or the Census Clause of the U.S. Constitution
- The Census Bureau prevailed in this case

**Justice O’Connor’s Concurrence/Dissent:**
- Utah should have prevailed in this case because the Bureau’s use of imputation violated federal statutory law

**Justice Thomas’s Concurrence/Dissent: (Justice Kennedy joins this opinion)**
- Utah should have prevailed in this case because the Bureau’s use of imputation in the 2000 Census was unconstitutional under the Census Clause of the U.S. Constitution

**Justice Scalia’s Dissent**
- The Census Bureau prevailed in this case because Utah did not have legal standing to bring the case before the Court