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Apportionment of Governing Boards of Professional Associations: New Techniques for Apportioning Based on Deviation from the Median

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Abstract

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KEYWORDS: apportioning, median, governing

Apportionment of Governing Boards of Professional Associations: New Techniques for Apportioning Based on Deviation from the Median

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I. Introduction

The Florida Bar, historically, has been open-minded about changing the composition of its Board of Governors and the manner in which representatives on the Board are apportioned to and elected from the twenty judicial circuits. Several changes in the composition and apportionment of the Board have occurred following the integration of the Bar in 1950. The past two years have seen the addition of a second nonresident member to the Board of Governors and the addition of two nonlawyers to the Board. Also included as Board members are the President and President-elect of the Young Lawyers Division.

The current formula for apportioning representatives to each judicial circuit was adopted in 1978.[1] In adopting the current formula, the Supreme Court of Florida stated: "By our adoption however, we do not intend to foreclose continued discussion on, or further efforts to find ways to select Board members on a basis more acceptable to all members of the Bar."[2]

As part of The Florida Bar's continuing self-study, the Board of Governors devoted a portion of its August 1986 planning retreat to a discussion of the possible need to apportion the Board. By a straw vote at the retreat, the Board asked the Bar's president to create a special

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1. RULES REGULATING THE FLORIDA BAR, Rule 2-3.3.
2. *In re* Florida Bar, 355 So. 2d 426, 427 (Fla. 1978).

committee to study the subject.

As its regularly scheduled meeting in September 1986, the Board authorized the president to create and appoint members to a special reapportionment committee. After holding two public hearings and several meetings, the committee recommended to the Board of Governors that, among other things, the Bar seek the supreme court's approval of a plan that would change both the composition of the Board and the manner in which representatives are apportioned to each judicial circuit. The Florida Supreme Court approved the plan on December 10, 1987.[3] The current Board apportionment formula, adopted in 1978, created a mathematical disparity in the proportionate representation of resident members.

II. A Summary of Apportionment Cases and Issues

What is a fair representation system? The oldest theory of fair representation states that selected representatives should reflect the interests, opinions, and characteristics of their electors as much as possible.[4] During the revolutionary period, John Quincy Adams pointed out that a representative body "should be an exact portrait, in miniature, of the people-at-large, as it should think, feel, reason, and act like them."[5]

A. *Federal Judicial Interpretations: Congressional and Legislative Apportionments*

While the history making decision in *Baker v. Carr*[6] held that state legislative districting cases are justiciable and expressed confidence that the courts would prove able to "fashion relief" where constitutional violations might be found, the United States Supreme Court did not spell out specific standards or criteria for judicial review of state apportionment plans, nor for judicial remedies. The theory expressed in *Baker* is mathematical and rational. If a goal is stated and a plan is accurately defined to achieve the goal, then the method is deemed rational. In demonstrating rationality of apportionment, deGrazia points out that you "need to establish only that the constitu-

3. The Florida Bar re Amendments to the Rules Regulating The Florida Bar (Reapportionment), 518 So. 2d 251 (Fla. 1987).
4. GROFMAN, B., REPRESENTATION AND REDISTRICTING ISSUES (1982).
5. *Id.*
6. 369 U.S. 186 (1962).

tional authorities had purposes in mind and used a certain formula of apportionment to bring about fulfillment of these goals."[7] The other concept in apportionment, as a result of *Baker*, is equality. What is rational may still be inequitable, and what is inequitable may be unconstitutional.

In *Gray v. Sanders*[8], the Supreme Court held that weighted voting systems are unconstitutional. Justice Douglas stated that "[t]he conception of political equality from the Declaration of Independence, to Lincoln's Gettysburg Address, to the fifteenth, seventeenth, and nineteenth Amendments can mean only one thing —one person, one vote."[9] The equal protection standard for congressional districts was first enunciated by the Supreme Court in *Westberry v. Sanders*,[10] arising from the provisions of Article I, Section 2 of the U.S. Constitution.

The case of *Reynolds v. Sims*[11] was the cornerstone in the development of the federal judiciary's population variance standards for state legislative districting. "The overriding objective must be substantial equality of population among various districts."[12] The Supreme Court has ruled since *Reynolds* that states are required by the equal protection clause of the fourteenth amendment to construct legislative districts which are substantially equal in population. *Reynolds* also held that considerations of area alone provide an insufficient justification for deviations from the equal protection principle.

In April 1969 the U.S. Supreme Court decided *Kirkpatrick v. Preisler*[13] which involved congressional districts drawn by the Missouri Legislature. Justice Brennan found that the plan failed to satisfy the "as nearly as practicable" standard of population equality the Court had earlier decided in *Westberry v. Sanders*.[14] The *Kirkpatrick* opinion rejected the fact that there exists a point at which population differences among districts become de minimis and held that insofar as a state fails to achieve mathematical equality among districts, it must either prove that the variances cannot be avoided or specifically justify

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7. A. DE GRAZIO, APPORTIONMENT AND REPRESENTATIVE GOVERNMENT (1963).
8. 372 U.S. 368 (1963).
9. *Id.* at 381.
10. 376 U.S. 1 (1964).
11. 377 U.S. 533 (1964).
12. *Id.* at 579.
13. 394 U.S. 526 (1969).
14. 376 U.S. 1 (1964).

these population variances.[15]

In February 1973, the U.S. Supreme Court published its decision in *Mahan v. Howell*,[16] a rather complicated challenge to Virginia's legislative reapportionment plan. The federal district court, which concluded that the overall range among House districts was sixteen percent, declared the plan unconstitutional by reason of population disparity. However, the *Mahan v. Howell* case is the only one in which the Supreme Court has found justification for upholding a plan having an overall range of ten percent or more due to latitude afforded the state under the equal protection clause in state legislative redistricting matters.

In *Mahan v. Howell* the majority of justices stated:

> We are not prepared to say that the decision of the people of Virginia to grant the General Assembly the power to enact local legislation dealing with the political subdivisions is irrational. And if that be so, the decision of the General Assembly to provide representation to subdivisions *qua* sub-divisions in order to implement that constitutional power is likewise valid when measured against the Equal Protection Clause of the Fourteenth Amendment.[17]

Justices Brennan, Douglas, and Marshall, dissenting in both *Gaffney v. Cummings*[18] and *White v. Regester*[19] with a single opinion, stated that the majority opinions in both cases had established a ten percent de minimis rule for state legislative apportionment. Also, the justices stated that the plans were not required to justify overall ranges of that or a lesser degree.

Chapman v. Meier[20] involved reapportionment of the North Dakota State Senate devised by a federal court under which the overall range among districts was slightly over twenty percent. The state advanced several reasons for the twenty percent range. However, the Supreme Court ruled that this range requires specific justification and that none of the reasons advanced (absence of particular racial or political group whose voting power was minimized or cancelled; generally a sparsely populated state; a desire to preserve the political subdivision

15. 394 U.S. 526 (1969).
16. 410 U.S. 315 (1973).
17. *Id.* at 325-26.
18. 412 U.S. 735 (1973).
19. 412 U.S. 755 (1973).
20. 420 U.S. 1 (1975).

boundaries and to continue the tradition of dividing the state along political subdivision lines and along the Missouri River) were sufficient to justify so high an overall range.

In *Chapman*, Justice Blackmun recalled that state-drawn reapportionment plans having less than a 10% overall range and where there was no proof of invidious discrimination, were found valid in *Gaffney v. Cummings*[21] and *White v. Regester*.[22] Although, an overall range over 16% was subject to court scrutiny, it was found justified in *Mahan v. Howell*[23] because it served to implement a rational state policy.[24]

In *Connor v. Finch*,[25] Justice Stewart indicated that an overall range of the Mississippi reapportionment plan computed by a federal district court was 16.5% in the Senate and 19.3% for the House. The opinion states that these figures substantially exceed the "under 10%" deviations that the Court previously considered to be of prima facie constitutional validity only in the context of legislatively enacted apportionments, and it concluded that the district court failed to cite any unique feature of the Mississippi political structure which would justify an overall range of such magnitude. The reapportionment plan was thus invalidated.[26]

Where federal court scrutiny of population disparity among state legislative apportionment plans is concerned, a three-tiered standard appears to have evolved from these cases, with critical points at the 10% and 16.5% levels. One cannot assume that any legislative district plan having under a 10% range is truly safe from successful challenge. However, the decisions in *Gaffney v. Cummings*,[27] *White v. Regester*,[28] and *White v. Weiser*[29] indicate that those challenges require the burdens of first proving that the equal protection clause has been violated. If a state adopts a plan with a range of more than ten percent in both houses, and the plan is challenged in federal court, it is likely that the state must prove that the over ten percent population range is necessary to implement a rational state policy *and* it does not dispute or take

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21. 412 U.S. 735 (1973).
22. 412 U.S. 783 (1973).
23. 410 U.S. 315 (1973).
24. National Conference of State Legislatures, Reapportionment: Law and Technology (1980).
25. 431 U.S. 407 (1977).
26. *Id.*
27. 412 U.S. 735 (1973).
28. 412 U.S. 407 (1973).
29. 412 U.S. 783 (1973).

away the voting strength of any particular group of citizens. A fairly consistent adherence to boundaries of political subdivisions is, as of early 1980, the only rational policy accepted by the U.S. Supreme Court as a justification for reapportionment plans with ranges over ten percent. The states' record in Court since 1973 indicate that the Supreme Court is not easily influenced to accept such a justification.[30]

The evolution of the three-tiered quantitative standard of population equality for state legislative districts from *Reynolds v. Sims*[31] to the mid-70's appears to be an effort by the Supreme Court to develop "judicially manageable standards" in reapportionment cases. Viewed this way, the majority may be establishing a de minimis rule at the ten percent range, below which challenges to reapportionate plans cannot by mathematics alone establish a prima facie case requiring judicial scrutiny. If the majority adheres to this apparent standard, future rounds of redistricting may not encounter the case-by-case approach to judicial review of reapportionment plans as in the Supreme Court's earlier decisions.[32]

An important point is that in the *Connor v. Finch*[33] and *Chapman v. Meier*[34] cases, the Supreme Court indicated that where it became necessary for a federal court to create a state legislative reapportionment plan, that court will be held to a higher standard than would the legislature or other state reapportionment authority.[35]

B. *Application of the "One-Person, One-Vote" Judicial Requirement to Board Apportionment*

The "one-person, one-vote" judicial requirement established under the equal protection clause of the fourteenth amendment does not apply to the Board of Governors of The Florida Bar.

In 1978, the Florida Supreme Court considered, among other questions, "the suitability of one-man, one-vote principles for the Board's selection process" and declined to apply those principles to the Board of Governors.[36] Also, other federal decisions exist that relate to

30. *See* Chapman v. Meir, 420 U.S. 1 (1975) and Conner v. Finch, 431 U.S. 437 (1977).
31. 377 U.S. 533 (1964).
32. National Conference of State Legislatures, *supra* note 24.
33. 431 U.S. 407 (1977).
34. 420 U.S. 1 (1975).
35. National Conference of State Legislatures, *supra* note 24.
36. *In re* Florida Bar, 355 So. 2d 426, 427 (Fla. 1978).

the non-application of the fourteenth amendment to the Board's apportionment. The decision of the district court in *Sullivan v. Alabama State Bar*[37] was affirmed by the United States Supreme Court. This affirmance constitutes a decision on the merits of the case and, therefore, constitutes binding precedent.

In *Sullivan*, a lawyer sought an injunction to prevent the Alabama Bar Board of Commissioners from prosecuting disciplinary proceedings against him. He argued that malapportionment of the Board due to the wide disparity in the number of lawyers contained in the state's judicial circuits violated the "one-person, one-vote" principle of the fourteenth amendment and hence denied him equal protection under the law. In its decision, the district court noted that the "one-person, one-vote" principle does not apply to "governing bodies of limited-purpose districts" and held that the "one-person, one-vote" standard was not applicable to the Alabama Bar Board of Commissioners.

Seven years later the issue of whether malapportionment of a state bar's governing body constitutes a violation of the "one-person, one-vote" principle was again raised. In *Brady v. State Bar of California*,[38] the appellant challenged the right of the California State Bar Board of Governors to create a legal-specialization program and to adopt an attendant rule of professional conduct. The appellant based his challenge on the ground that malapportioned representation on the Board violated the "one-person, one-vote" requirement of the equal protection clause of the fourteenth amendment. The Ninth Circuit affirmed the lower court's dismissal of the appellant's action, citing the Supreme Court's affirmance of the district court decision in *Sullivan*.[39] The court noted that "[t]he Supreme Court has held that malapportionment of representation on a state bar governing body is not a violation of Fourteenth Amendment rights."[40]

An elective body is subject to the "one-person, one-vote" standard only if it performs "governmental functions". The United States Supreme Court noted in *Hadley v. Junior College District*[41] that when an elective body does not engage in normal governmental activities and when the activities disproportionately affect a particular group, the

37. 295 F. Supp. 1216 (M.D. Ala. 1969) (*per curiam*) *aff'd*, 394 U.S. 812 (1969).
38. 533 F.2d 502 (9th Cir. 1976).
39. *Id.* at 502-03.
40. *Id.*
41. 397 U.S. 50 (1970).

"one-person, one-vote" principle does not apply.[42]

Interpretation of the Supreme Court's decisions rendered after *Sullivan* compels the conclusion that "doctrinal change" has not occurred. In every case in which the particular governmental body was arguably a limited-purpose body, the Supreme Court, in determining whether to hold the "one-person, one-vote" principle applicable to elections involving that body, examined the nature of the powers exercised and the impact that the exercise of those powers had on the general public. In each instance that the Court applied the "one-person, one-vote" standard, it noted that the elective body in question performed vital, traditional, governmental functions and that its actions directly affected *all* members of the *general public* residing in that district.

C. *Districting Along Judicial Circuit Boundaries*

Florida's judicial branch of government and related judicial functions are divided into twenty judicial circuits following county lines. (*See* Figure I). For each judicial circuit, there is a circuit court, a chief judge, a state attorney, a public defender, and a judicial nominating commission. There is also a clerk of the circuit court for each county. Furthermore, in delegating part of its constitutional function to the Florida Bar, the supreme court has established for each circuit one or more lawyer regulation grievance committees and at least one committee charged with the duty to investigate and report instances of the unlicensed practice of law (UPL).

Each circuit and each of the judicial and judicially-related functions carried out in that circuit produces needs, problems, and characteristics that are unique to that circuit. As an official arm of the Supreme Court of Florida, the Bar, acting through its Board of Governors, deals with many of those unique needs, problems and characteristics and supervises the operation of and appoints members to judicial nominating committees, grievance committees, and UPL committees. Much of the input to the Bar's Board of Governors on a particular matter of that nature comes from a board member who practices in the circuit in question, who is close to and familiar with relevant circumstances, and who in disciplinary matters serves as a designated reviewer. The proper discharge of those functions by the Board of Governors is essential to the operation of the Bar and to the best interests of the Bar and to the best interests of the public. The Board of

42. *Id.* at 56.

Governor's role in discharging those functions is best served if each circuit has at least one representative whose practice is conducted primarily in that circuit.

The use of judicial circuits as the districts from which resident lawyers are elected to the Board of Governors is the fairest, most rational, most logical, and most truly representative districting method. Each lawyer member's official bar address (which is used for certification of judicial circuit lawyer population) is presumptively the location of his or her principal place of employment.[43] In the more urban circuits the central business districts include a disproportionately large numbers of lawyers. A districting plan not based on judicial circuits would result in district lines, in the more urban circuits, being drawn along streets or around small clusters of highly dense center-city blocks. This is neither reasonable nor rational policy.

The legal profession serves not only clients but also the public interest. Whether in public or private practice, a lawyer tends to deal with public or public legal issues and problems that arise throughout the circuit in which he or she practices and not only with issues and problems that arise within a few blocks of the lawyer's office.

II. The Nature and Philosophy of the Plan for Board Apportionment Based on Deviation from the Median

The Bar's proposed plan is designed to — and does — recognize and implement two important policy considerations. The first is the rational state policy recognized by and arising out of the organization of the state judiciary and related functions with judicial circuits. The second is the philosophical ideal of providing bar members with fair representation, yet without abandoning other important policy considerations.

Because judicial circuits appear to be the fairest and most reasonable districting of Board representatives, an apportionment should be considered that best represents the variation in district size and other characteristics. This can only be accomplished by minimizing the amount of deviation within the apportionment plan while still recognizing the sanctity of judicial circuits.

The deviation in measuring population equality for apportionment purposes can be measured as an absolute or a relative deviation. The most common measure acceptable to the courts in legislative reappor-

43. RULES REGULATING THE FLORIDA BAR, Rule 1-3.3.

tionment is the range. The range, the mathematical difference between the highest and lowest scores, is the simplest measure of dispersion. Based on official figures of Florida Bar membership, as certified to the Supreme Court of Florida in December 1986, the range is from 117 members to 8,255 members or a range of 6,955.6%. The extreme simplicity of range as a measure of dispersion can be a disadvantage: it is based on only two cases, the two extreme cases. Using the range, we know nothing about variability of scores between the two extreme values.[44]

The ideal population, or the mean, is affected by changes in extreme values whereas the median will be unaffected unless the value of the middle case is changed. The median is less sensitive to extreme tendency.[45] Because of the fact that the mean uses all the data, whereas the median does not depend upon extreme values, "the mean may give very misleading results under some circumstances."[46]

In making use of a measure of central tendency, we are attempting to obtain a single description of what is typical of our circuit populations. However, in the case of Florida's judicial circuit populations, the median is a more accurate measure of central tendency than the mean (total in-state members averaged over 200 circuits).

According to Blalock, Stilson, Isaac and Michael[47] and Vinson and Anthony,[48] among others, whenever a distribution is highly skewed (whenever there are considerably more extreme cases in one direction than the other), the median will be the more appropriate measure than the mean. In terms of skewness, the relationship between relative positions of the mean and median are indicated in Figure II.[49]

As shown in Figure II(b) and II(c), because the mean value can be very much affected by a few extreme values, the mean will be pulled in the direction of skewness. If the distribution is perfectly symmetrical (normally distributed), the mean and median will coincide.

This comparison can be illustrated using the member population in Florida's judicial circuits as of December 1986. In ascending ranked

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44. HUBERT M. BLALOCK, SOCIAL STATISTICS 77-79 (1972).

45. STILSON, PROBABILITY AND STATISTICS IN PSYCHOLOGICAL RESEARCH AND THEORY (1966).

46. Blalock, *supra* note 28.

47. ISAAC AND MICHAEL, HANDBOOK IN RESEARCH AND EVALUATION (1982).

48. DONALD E. VINSON AND PHILIP K. ANTHONY, SOCIAL SCIENCE RESEARCH METHODS FOR LITIGATION (1985).

49. MORRIS HAMBURG, STATISTICAL ANALYSIS FOR DECISION MAKING 31 (1977).

order, the populations are shown in Table I.

The frequency distribution is displayed in Figure III. Notice that the distribution of circuit population is positively skewed to the right. Thus, the use of the mean would be misleading because it over-represents how the data are distributed. For example, the United States Bureau of the Census knows that personal income distributions are skewed toward the higher incomes, with a few extremely high incomes. It would be misleading to report mean incomes within a community and that is why income data is reported as median income. Since the distribution of circuit member population is skewed to the right, the mean indicates most circuits are at the higher end of the member population scale which is certainly not true. However, when circuit population growth or redistricting cause the distribution of member population to be close to normally distributed (the mean and median will be nearly equal), then the ideal population plan using the mean should seriously be considered over the use of the median.

The courts have expressed an interest in "median deviation" which is the deviation of that district which lies midway between the most populous and least populous district.[50] The median deviation represents the amount of dispersion or spread in the judicial circuit populations per representative from a central value; in this case, the median membership per representative. To calculate the median deviation for each circuit, subtract the median from the circuit population per representative and divide that result by the median value. To yield a percentage, multiply that value by 100%. If the circuit population per representative is less than the median, a negative percentage deviation is the result. This simply represents the fact that the circuit population per representative is a percentage deviation below the mean.

The median deviation method can be applied as follows. For example, the 15th Judicial Circuit had a population of 2,393 in December 1986. Dividing 2,393 by the median (814) yields 2.94. Next, round 2.94 to 3. This represents the number of representatives assigned to the circuit. Divide the total 15th Circuit population (2,393) by the number of representatives (3) to yield the members served per representative ratio. In this case 2,393 divided by 3 = 798. Now, to calculate the deviation from the median substract 814 from 798 which yields a difference of -16. Divide the difference (-16) by the median (814) to get a decimal of -0.019656. Next, multiply this result by 100% to yield a

50. National Conference of State Legislatures, *supra* note 24.

percentage deviation from the median of about -2.0%. This indicates the deviation in the member population per representative in the 15th Judicial Circuit is only 2% below the median value. Applying this process using the ideal population (mean) deviation rather than median deviation yields a deviation of -20.5% for the 15th Judicial Circuit.

As shown in Table II, this process will consistently show greater deviations using the mean rather than the median on the populations of the twenty judicial circuits.

III. The Specifics of the Apportionment Plan

The apportionment formula proposed by the Bar is set forth in Table III. In summary, the formula:

(1)determines the median circuit population;
(2)assigns to each circuit one or more representatives in the proportion that the circuit's lawyer population bears to the median;
(3)determines the relative deviation of each circuit's proportionate representation from the median;
(4)determines whether each circuit's relative deviation from the median would be reduced by adding or substracting a representative and, if so, adding or subtracting a representative unless doing so would reduce to zero the number of representatives allocated to that circuit; and,
(5)allocating one representative to each circuit not otherwise qualifying for a representative under the calculations made in the first two steps.

One additional step is require to be taken if the total number of representatives resulting from application of the formula exceeds an established maximum or "cap". The Bar's plan sets a "cap" of fifty-one on the total number of members of the Board of Governors, including all members other than judicial circuit representatives. That adjustment is made by determining which judicial circuit, among those to which more than one representative has been apportioned, would have the smallest relative deviation from the median after the loss of one representative and by subtracting one representative from that circuit. This is repeated until the "cap" of fifty-one is met.

IV. Conclusion

The "one-person, one-vote" requirement of the equal protection clause of the fourteenth amendment to the United States Constitution

does not apply to the apportionment and election of members of the Board of Governors of The Florida Bar. The Bar's plan represents a fair, equitable, logical, and rational combination of important and relevant policy considerations, including the organization of the state's judiciary and judicially related functions into judicial circuits, and the philosophical ideal of providing as fair an apportionment formula as is practical. The balancing of mathematical fairness with judicial mandates and interpretation was critical to the development of this unique plan of apportionment.

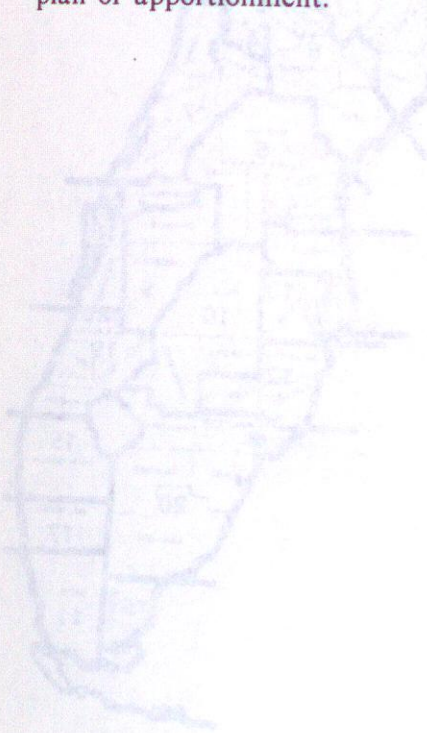
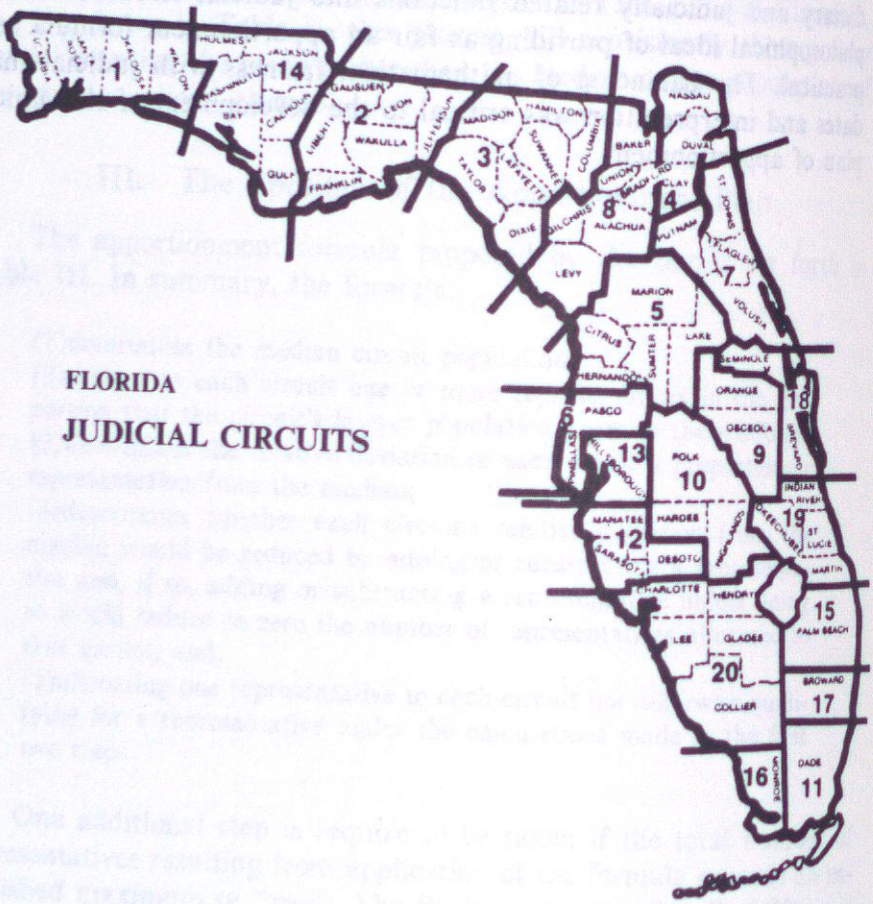


FIGURE I



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JUDICIAL CIRCUITS

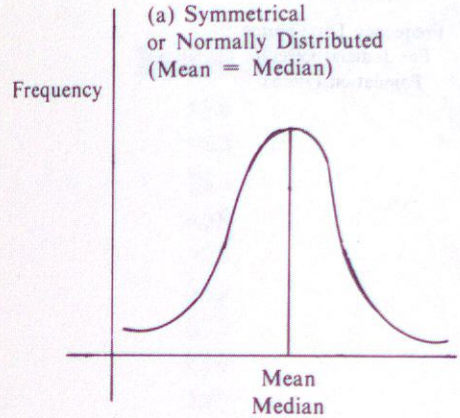
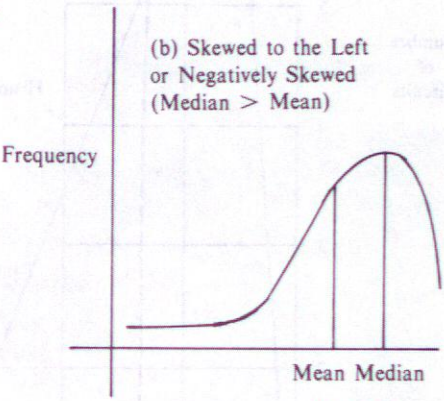
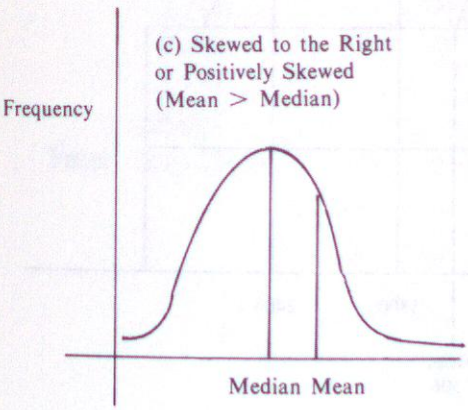


FIGURE II

Comparison of Mean and Median for Various Distributions





Note:
See Hamburg (1977), p. 31

FIGURE III

Frequency Distribution For Judicial Circuit Population (1986)

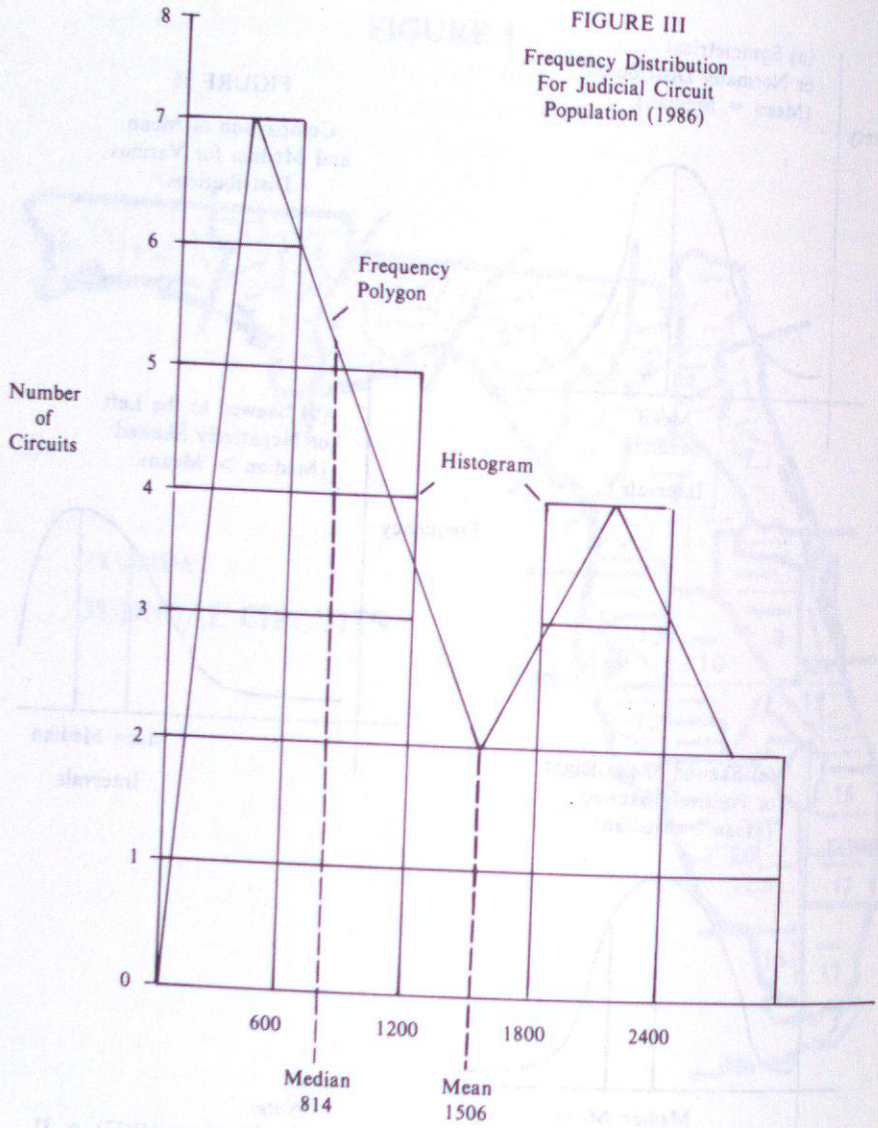


TABLE I

Ranked Order
117
154
184
458
501
545
550
629
705
765
863
946
1,673
1,707
1,999
2,021
2,272
2,393
3,441
8,255
Total 30,128

$$\text{Median} = \frac{765 + 863}{2} = 814$$

$$\text{Mean} = \frac{30{,}128}{20} = 1{,}506$$

Frequency Distribution

Member Population Interval	Frequency (Number of Circuits)
<600	7
600-1200	5
1200-1800	2
1800-2400	4
>2400	2
	20

TABLE II

MEAN VS. MEDIAN DEVIATION

Judicial Circuit	Dec. 1986 Circuit Members	Initial Median Deviation(*)	Initial Mean Deviation
1	629	−22.7%	----
2	1,623	−0.2%	+7.8%
3	117	----	----
4	1,707	+4.9%	+13.3%
5	458	−43.7%	----
6	2,021	+24.6%	+34.2%
7	705	−13.4%	−53.2%
8	545	−33.0%	----
9	1,999	+22.9%	+32.7%
10	550	−32.4%	----
11	8,255	+1.5%	+9.6%
12	946	+16.2%	−37.2%
13	2,272	−7.0%	−24.6%
14	184	----	----
15	2,393	−2.0%	−20.5%
16	154	----	----
17	3,441	+5.7%	+14.2%
18	765	−6.0%	−49.2%
19	501	−38.5%	----
20	863	+6.0%	−42.7%
	30,128		

$$\text{Mean} = \frac{30{,}128}{20} = 1{,}506 \qquad \text{Median} = \frac{863 + 765}{2} = 814$$

Notes:

(*)Represents deviation prior to adding or subtracting representatives in order to reduce deviation.

TABLE III

MECHANICS OF THE BAR'S PLAN APPLIED TO 1986 CERTIFICATION

(1)		(2)	(3)		(4)			(5)	(6)		
CIRCUIT	MEMBERS	APPORTIONED REPS	MEMBERS PER REP	RELATIVE DEVIATION	+ or − 1 REP	ADJUSTED MEMBERS PER REP	ADJUSTED RELATIVE DEVIATION	APPORTIONED REPS.	ADJUSTED FOR MINIMUM	DEVIATION IF ONE LESS REP.	ADJUSTED* FOR CAP	FINAL RELATIVE DEVIATION
11	8,255	10	826	1.5%	0	---	---	10	10	12.7%	10	12.7%
17	3,441	4	860	5.7%	0	---	---	4	4	40.9%	4	5.7%
15	2,393	3	798	−2.0%	0	---	---	3	3	47.1%	3	−2.0%
13	2,272	3	757	−7.0%	0	---	---	3	3	39.6%	3	−7.0%
6	2,021	2	1,011	24.2%	+1	674	−17.2%	3	3	24.2%	3	−17.2%
9	1,999	2	1,000	33.9%	+1	666	−18.2%	3	3	22.9%	3	−18.2%
4	1,707	2	854	4.9%	0	---	---	2	2	109.7%	2	4.9%
2	1,623	2	812	−0.2%	0	---	---	1	1	99.4%	2	−0.2%
12	946	1	946	16.2%	0	---	---	1	1	---	1	16.2%
20	863	1	863	6.0%	0	---	---	1	1	---	1	6.0%
18	765	1	765	−6.0%	0	---	---	1	1	---	1	−6.0%
7	705	1	705	−13.4%	0	---	---	1	1	---	1	−13.4%
1	629	1	629	−22.7%	0	---	---	1	1	---	1	−22.7%
10	550	1	550	−32.4%	0	---	---	1	1	---	1	−32.4%
8	545	1	545	−33.0%	0	---	---	1	1	---	1	−33.0%
19	501	1	501	−38.5%	0	---	---	1	1	---	1	−38.5%
5	458	1	458	−43.7%	0	---	---	1	1	---	1	−43.7%
14	184	0	---	---	---	---	---	0	1	---	1	−77.4%
16	154	0	---	---	---	---	---	0	1	---	1	−81.1%
3	117	0	---	---	---	---	---	0	1	---	1	−85.6%
TOTAL	30,128	37						39	42		42**	

Median Circuit Population = 814

Notes

* No adjustment necessary since cap of fifty-one satisfied.

** The nine other representatives include the Bar President and President-elect, three out-of-state members, two non-lawyers appointed by the Supreme Court, and the President and President-elect of the Young Lawyers Division.