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Attorneys for Petitioner

IN THE SUPREME COURT OF THE STATE OF IDAHO

IDAHOANS UNITED FOR WOMEN AND
FAMILIES,

Petitioner,

vs.

RAUL R. LABRADOR; in his official
capacity as the Idaho Attorney General; PHIL
MCGRANE, in his official capacity as the
Idaho Secretary of State; LORI WOLFF, in
her official capacity as Administrator of the
Idaho Division of Financial Management; and
IDAHO DIVISION OF FINANCIAL
MANAGEMENT,

Respondents.

Docket No. **52636-2025**

MOTION TO EXPEDITE

Petitioner Idahoans United for Women and Families (“Idahoans United”) moves this Court to expedite briefing, argument, and decision on their Verified Petition for Writs of Certiorari and Mandamus, filed on January 30, 2025. This Court has discretion to expedite the proceedings, I.A.R. 5, and extraordinary circumstances support Idahoans United’s request.

Petitioners seek the Court’s review of defective short and long ballot titles and an unclear and verbose fiscal impact statement prepared by Respondents for Petitioners’ ballot initiative, entitled the “Reproductive Freedom and Privacy Act” (“Initiative”). As required by statute,

Petitioners must wait to begin collecting signatures in support of the Initiative until receiving the ballot titles and fiscal impact statement. The Attorney General and the Division of Financial Management provided titles and a fiscal impact statement that fail to comply with Idaho law, leaving Idahoans United with no choice but to seek this Court's intervention.

Time is of the essence. As the executive director for Idahoans United, Melanie Folwell, states in her declaration, gathering of the required number of signatures is already an onerous task that requires many volunteers and a lot of time. Declaration of Melanie Folwell in Support of Petition for Writs and Motion to Expedite ("Folwell Decl.") ¶ 13. The delay in signature gathering caused by the defective ballot titles and fiscal impact statement reduces the chances of the Initiative qualifying for the ballot and harms those that support it. *Id.* Additionally, the longer the defective titles and fiscal impact statement are allowed to stand, the greater the likelihood that the electorate will be misinformed or otherwise confused about the purpose and key characteristics of the Initiative. *Id.* ¶ 15.

Without a decision from this Court by April 15, 2025, at the latest, Idahoans United will have to postpone numerous kick-off events across the state designed to train and motivate volunteers, which must be scheduled early enough in the election cycle to provide ample time for volunteers to collect signatures. *Id.* ¶ 14. Each additional week of delay beyond that will further prejudice Idahoans United by depriving them of essential signature-gathering periods, such as state fairs, county fairs, and community events throughout Idaho. *Id.* ¶ 12

This Court has considerable discretion to set a briefing schedule that allows both parties to be heard, while also preventing undue prejudice to Idahoans United. Accordingly, Idahoans United respectfully requests that the Court issue an order setting a turnaround time of twenty-one (21) days for the Respondents to file their answer and response brief, fourteen (14) days for

Idahoans United to file a reply brief, and an expedited date for oral argument shortly thereafter such that this Court has time to issue a decision by April 15.

In accordance with this Court's order in *Idahoans For Open Primaries v. Labrador (In re Verified Petition for Writs of Certiorari & Mandamus)*, 172 Idaho 466, 491, 533 P.3d 1262, 1287 (2023), should this Court grant Idahoans United's request to retain jurisdiction and instruct the Respondents to issue new ballot titles and a fiscal impact statement that substantially comply with Idaho law, Idahoans United further requests that the Respondents be ordered to provide these materials to the Court no later than one week from the entry of the order.

Respectfully submitted on this 30th day of January, 2025.

HOLLAND & HART LLP

By: /s/ Anne Henderson Haws

Jennifer M. Jensen
Anne Henderson Haws

Attorneys for Petitioner

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CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of January, 2025, I caused to be filed, via iCourt, and served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Div. of Financial Management
P.O. Box 83720
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- U.S. Mail
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/s/ Anne Henderson Haws

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