

August 2, 1976

Office of the White House Press Secretary

NOTICE TO THE PRESS

The President has signed S. 537 -- Three-judge courts -- which changes the requirement for three-judge courts in cases in which the constitutionality of a Federal or State statute is in question; to clarify the composition of and procedures for convening three-judge courts; and to insure the right of States to intervene in cases where the constitutionality of State law is challenged.

The current law requires that a special three-judge Federal district court must hear cases seeking to enjoin the enforcement of State or Federal laws on the grounds that they are unconstitutional.

The bill:

-- eliminates the requirement for three-judge courts except in cases challenging the constitutionality of any statute apportioning congressional or State legislative districts. A three-judge court would also be convened when required by an Act of Congress such as under certain provisions of the Voting Rights Act of 1965 and the Civil Rights Act of 1965 and the Civil Rights Act of 1964.

-- clarifies the composition of and procedures for convening three-judge courts. The bill provides that the judge to whom a request is made must determine whether a three-judge court is required and the chief judge of the circuit court must designate the membership of the three-judge court.

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