



www.abanet.org/publicserv/election/home.html

SUMMARY OF ELECTION ADMINISTRATION POLICY

BASED ON ELECTION ADMINISTRATION GUIDELINES AND COMMENTARY (August 2008)

Voter Education, Rights and Responsibilities

- Voter education programs should be created to teach all citizens that voting is a responsibility as well as a right of citizenship
- Sample ballots and voting instructions should be sent to each registered voter within a reasonable period of time before the election

Voter Registration

- A centralized voter registration list should be maintained by the state government and readily accessible to all election officials at each polling place
- Voter registration can be encouraged and increased by simplifying voter registration procedures, particularly:
 - voter registration by mail
 - same-day voter registration or in as near a proximity as practical to an election day
 - extending the time frame and locations for voter registration
 - authorize and support voter registration efforts by civic and political organizations
- States should develop specific procedures related to the administration of voter registration drives conducted by non-governmental entities and individuals who submit voter registration forms for prospective voters
 - procedures should be broadly disseminated and made readily available to the public
 - individuals or organizations submitting voter registration forms, on behalf of more than a *de minimis* amount of voters (*i.e.*, 25), should be required to register with the state voter registration authority as volunteer registrars
 - volunteer registrars should be required to provide a receipt to each voter from whom they accept completed registration forms
 - volunteer registrars should be required to adhere to a strict code of conduct during all aspects of the voter registration procedure

Early Voting

- All registered voters should be allowed to vote by absentee ballot regardless of cause
- States and localities that allow early voting should create specific guidelines
 - an adequate number and location of polling places assigned to each jurisdiction
 - adequate notice of polling hours and location of polling places

- appropriate time frame for early voting is allowed, as well as an appropriate end period to voting in order to ensure that election day rolls may be adjusted for voters who have voted
- no announcement of results or tallying of early voting ballots until after the close of polls on election day
- laws and regulations that govern activity at polling places should be applied and enforced during the early voting process.

Election Day

- Voters must be allowed to vote with a provisional ballot if
 - voter registration is in dispute
 - voter has applied for an absentee ballot and then seeks to vote at the polling place
 - voter has been denied the opportunity to vote by an election official on the grounds of any other ineligibility
- If an elector voting a provisional ballot is eligible to vote, but not at the polling place where the ballot was issued, the canvassing board should only count the portion of the ballot that the elector would have been eligible to vote at the proper polling place or direct the voter to the correct polling place
- Registered voters who are in line by the time the polls close should be allowed to vote
- Courts of competent jurisdiction and review should sit on election day to handle expedited actions relating to election day activities

Ballots and Voting Machinery

- Jurisdictions should strive to present a uniform ballot design to the electorate -- if different voting mechanisms are used, the ballot design for each mechanism should be the same throughout the jurisdiction
- States should strive to provide a single voting mechanism throughout the state
- Voting machinery should identify an invalid vote or a non-vote prior to the voter's final submission of the ballot -- if the voting system is technologically unable to do that, the system should have a ballot design that allows the voter to see the actual votes cast
- Electronic voting machines should be required to have a voter verified paper record, of each vote or non-vote, for audit purposes, that does not contain any personally identifiable information
- Election officials should eliminate voting mechanisms that have been shown to have a high error rate
- States and the federal government should provide appropriate funding to upgrade voting machinery and personnel to assist voters in understanding such machinery

Recounts

- Mandatory recount thresholds should be established based on statistically sound data that would likely affect the outcome of the election
- Uniform recount standards should be established for each separate voting technology

Election Administration

- Members of canvassing commissions should be prohibited from being active in partisan political activity in any particular election in which they may be called upon to exercise their duties as a member of such an entity
- Any officials supervising or certifying elections, recounts or challenges should not be involved in any particular election in which they may be called upon to exercise their duties

VOTING AND VOTER PARTICIPATION

Legal Profession and Bar Associations

- All lawyers should register and vote
- All lawyers should encourage and assist employees of their offices or firms to participate in the election process
 - disseminate information about registration and voting
 - provide necessary leave for voter registration and voting
- All law firms and other legal employers should allow time spent by lawyers as official poll workers (not poll watchers) to qualify as community service or voluntary public service hours and for nonlawyer staff to be allowed paid leave to serve as official poll workers.
- Bar Associations should assign qualified attorneys on a voluntary basis to assist in development of local programs to ensure the integrity of the electoral process
- Bar Associations should encourage attorneys to serve as election day officials

Vulnerable Populations

- Supports efforts to ensure the participation of homeless persons in the electoral process
 - procedures for voting and voter registration should not hinder or prevent participation by homeless persons who are otherwise qualified
- Urges facilitation of voting by all individuals with disabilities, including people with cognitive impairments
 - study and develop best practice guidelines for ballot design to maximize access
 - permit mobile polling
 - ensure instructions, signage, and other communications regarding elections are accessible
 - recruit and train election workers to address the needs of voters with disabilities, including physical, sensory, cognitive, intellectual, or mental disabilities

*For further information about these policies,
please visit the ABA Standing Committee on Election Law
at www.abanet.org/publicserv/election/home.html
or contact us at (202) 662-1692*

For further information on voting please visit www.abavoteinfo.org

