



Fighting for Voting Rights and a Democratic United States

DEMOCRATIC LAW BRIEFS

A Publication of the DC Chapter of the National Lawyers Council

Volume 5 Issue 20 June 16, 2009

WELCOME TO DEMOCRATIC LAW BRIEFS, the official newsletter of the DC Chapter of the National Lawyers Council. If you would like to be on our mailing list, please sign up at <http://www.democraticlawyers.org/join.php> or e-mail your name, title, company, addresses, and phone numbers to [signup @ democraticlawyers.org](mailto:signup@democraticlawyers.org). We'll happily add you to the list.

EVENTS

ACS NATIONAL CONVENTION

The American Constitution Society's Seventh Annual National Convention comes at a particularly momentous time in our nation's history. The National Convention will provide participants with the opportunity to engage with exciting speakers, participate in rigorous debate and discussion of critical legal and public policy issues, and contribute to the development of a progressive vision of the Constitution, the law, and public policy. Join hundreds of lawyers, judges, law students, policymakers, scholars and activists to learn, debate, and strategize.

Date: June 18-20, 2009

Location: Renaissance Mayflower Hotel, Washington, DC

See the full agenda and RSVP at: <http://www.acslaw.org/convention09>

EXIT POLL RESULTS FOR THE NATIONAL CAPITAL REGION'S ASIAN AMERICAN VOTE 2008

A coalition of local Asian American groups spearheaded by the Asian Pacific American Legal Resource Center (APALRC) and Asian American Legal Defense and Education Fund (AALDEF) will announce detailed findings of its nonpartisan multilingual exit poll results from the November 2008 presidential elections.

Date: Thursday, June 18, 2009

Time: 11:30AM- 1:00PM

Location: Aladdin Bookstore & Café
4305 Markham Street, 2nd Floor, Annandale, VA

Website: www.apalrc.org

VOTING RIGHTS NEWS

ALTERNATIVE VOTING

National - The U.S. House of Representatives' Committee on House Administration has voted out a bill that would permit all eligible voters to vote by mail in presidential and congressional races. The bill passed on a 4-2 party line vote. If passed into law, the measure would take effect in 2012.

<http://www.cqpolitics.com/wmspage.cfm?docID=news-000003139960>

VOTER IDENTIFICATION

Georgia - The U.S. Supreme has decided not to hear an appeal of an 11th Circuit Court of Appeals ruling upholding a Georgia law requiring voters to show photo ID at the polls. Other challenges to the law continue.

http://www.ajc.com/metro/content/metro/stories/2009/06/08/voter_id_law.html

Austin, TX - State House Democrats spent Memorial Day weekend killing legislation that called for more voter identification at the polls with a strategy that required five days of mundane questioning about hundreds of bills. Read more here:

<http://www.statesman.com/news/content/region/legislature/stories/05/31/0531voterid.html>

Providence, RI - House lawmakers OK'd legislation that could make Rhode Island the ninth state requiring voters to show photo identification at the polls, a move supporters say could prevent voter fraud and strengthen the election process. Details here:

http://www.projo.com/extra/election/content/VOTER_ID_05-29-09_L5ECRLV_v23.4047f56.html

VOTER REGISTRATION

Minnesota - Minnesota's voter registration system has long been considered a model for the nation, so much so that Secretary of State Mark Ritchie is often asked to speak to congressional committees and elections groups in other states seeking the keys to success. http://www.kare11.com/news/news_article.aspx?storyid=785520&catid=2

VOTER INTIMIDATION CASE

New Mexico- American Civil Liberties Union attorneys in Albuquerque said they are rethinking their pursuit of a lawsuit that alleges voter intimidation after a federal judge quietly dismissed a similar suit. U.S. District Judge William Johnson dismissed a lawsuit April 30 that complained of voter intimidation, writing that the plaintiffs failed to establish imminent harm and their claim that they were prevented from voting is moot since the election is over.

http://hosted.ap.org/dynamic/stories/N/NM_LAWSUIT_DISMISSED_NMOL-?SITE=NMSAN&SECTION=HOME&TEMPLATE=DEFAULT

MINNESOTA SENATE RACE

Minnesota - On June 11, a three-judge panel today required Republican Norm Coleman to pay Democrat Al Franken \$94,783 to cover court costs in the seven-week trial. The ruling, by the panel that heard the trial, approves an administrative decision last month by the Ramsey County clerk's office. Franken's team had sought \$161,510, but a deputy county clerk rejected a request that Coleman pay Franken for his cost of obtaining public records that made up many of the exhibits in the trial and some other expenses.

http://www.startribune.com/politics/national/senate/47594802.html?elr=KArksLckD8EQDUoaEyqyP4O:DW3ckUiD3aPc:_Yyc:aUUZ

National - While the Minnesota Supreme Court considers the election contest in the Norm Coleman/Al Franken Senate, for most observers, the focus is on the political implications of the outcome. For election reform analysts however, the state's recount and audit procedures are also of substantial importance. A new report explores how those processes were employed in this case, arguing that while the system functioned quite well, reforms can be made. Read the report here here:

http://www.ceimn.org/files/ceimn.MN_.audit_.recount.report.May_.26.2009.pdf

NEW FEDERAL LEGISLATION

H.R.512 : To amend the Federal Election Campaign Act of 1971 to prohibit certain State election administration officials from actively participating in electoral campaigns.

Sponsor: Rep Davis, Susan A. [CA-53] (introduced 1/14/2009) Cosponsors (2)

Committees: House Administration

Latest Major Action: 6/10/2009 House committee/subcommittee actions. Status: Ordered to be Reported (Amended) by Voice Vote.

H.R.1604 : To amend the Help America Vote Act of 2002 to allow all eligible voters to vote by mail in Federal elections.

Sponsor: Rep Davis, Susan A. [CA-53] (introduced 3/19/2009) Cosponsors (50)

Committees: House Administration

Latest Major Action: 6/10/2009 House committee/subcommittee actions. Status: Ordered to be Reported (Amended) by the Yeas and Nays: 4 - 2.

H.R.2393 : To amend the Uniformed and Overseas Citizens Absentee Voting Act to improve procedures for the collection and delivery of marked absentee ballots of absent overseas uniformed services voters, and for other purposes.

Sponsor: Rep McCarthy, Kevin [CA-22] (introduced 5/13/2009) Cosponsors (35)

Committees: House Administration

Latest Major Action: 6/10/2009 House committee/subcommittee actions. Status: Ordered to be Reported by Voice Vote.

S.1026: A bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to improve procedures for the collection and delivery of marked absentee ballots of absent overseas uniformed service voters, and for other purposes.

Sponsor: Sen Cornyn, John [TX] (introduced 5/12/2009) Cosponsors (4)

Committees: Senate Rules and Administration

Latest Major Action: 5/12/2009 Referred to Senate committee. Status: Read twice and referred to the Committee on Rules and Administration.

DC DLC BRAIN TEASERS

DC DLC BRAIN TEASERS - Each week we have a puzzle or a brain teaser or a trivia question for you to answer. You can e-mail your answers to editors@democraticlawyers.org. Please put "Brain Teaser" in the subject line. We will run the names of all those who get the right/best answer in the following issue.

THIS WEEK'S QUESTION

Who is the only President to name more than one chief justice?

LAST WEEK'S QUESTION

Who was the U.S. Attorney General who was nominated and confirmed for the U.S. Supreme Court but never became a member of the Court?

ANSWER

President Grant nominated Edwin Stanton to the Supreme Court in 1868, but he died four days after he was confirmed by the Senate. Stanton did not take the necessary oath of office thus never became a member of the Court. We did not have any correct answers last week. Good Luck this week.

WHO ARE WE?

The DC Democratic Lawyers Council (DC DLC) is a group of Democratic lawyers, affiliated with the National Lawyers Council of the Democratic National Committee, volunteering their legal skills to strengthen the democratic process. We work to ensure that every eligible citizen is allowed to vote and that every vote cast in every election is counted. The DC DLC was formed out of a concern that voting rights are increasingly under attack in our country and an understanding that now is the time to put the skills of Democratic attorneys to work to ensure that every citizen's right to vote will be upheld in future elections. Our activities include advocating for better laws and regulations and initiating litigation when necessary to guarantee the fairness of and the widest participation in the U.S. electoral process.

The Democratic Lawyers Council was founded by attorneys who have served on the front line of election law for the Democratic Party in numerous elections, including most recently, the 2000 and 2004 presidential elections. The lesson learned from the recount debacle was that post-election day litigation will hardly ever fix any election injustice. Given that, many of the recount lawyers, particularly those based in Florida, engineered a comprehensive voter protection program to confront and deal with voter and election issues before Election Day. One aspect of this effort was the recruitment of 3200 lawyers who, after receiving specialized election law and procedures training, worked inside the polls in key precincts in Florida on Election Day to assure that every citizen who showed up to vote, was able to do so.

Our mission statement is simple:

We are a coalition of lawyers and others dedicated to fostering universal participation and trust in the electoral process by ensuring that:

- All eligible persons can register to vote easily;
- All registered voters are able to vote simply, fairly, and without intimidation; and
- All votes are counted accurately and all voting systems are open and reliable.

We encourage you to send us an e-mail if you would like more information or are interested in becoming a part of our organization.

Please e-mail us at [erika @ democraticlawyers.org](mailto:erika@democraticlawyers.org).

COMMITTEES

We are a volunteer-driven and volunteer-dependent organization. Please lend your time, talents, and effort to helping to solve important voting rights issues. Please click on <http://www.democraticlawyers.org/join.php> and sign up for our committees, which include:

DC Community Outreach Committee

Co-Chairs, David Goldblatt ([david @ democraticlawyers.org](mailto:david@democraticlawyers.org)), Curtis LeGeyt ([curtis @ democraticlawyers.org](mailto:curtis@democraticlawyers.org)) & Candice Jones ([candice @ democraticlawyers.org](mailto:candice@democraticlawyers.org))

This committee is responsible for working with community leaders and Democratic elected officials in the District of Columbia on important voting rights initiatives.

Building the National Lawyers Council Committee

Chair, Rita Aguilar ([rita @ democraticlawyers.org](mailto:rita@democraticlawyers.org))

This committee is responsible for working with the National Lawyers Council to build chapters throughout the country, as well as developing “model” chapter and voting rights materials.

Federal Legislation Committee

Chair, Dick Meltzer ([dick @ democraticlawyers.org](mailto:dick@democraticlawyers.org))

This committee is responsible for monitoring federal election law activity, e.g., HAVA and UOCAVA, educating membership and helping push for voting rights reform at the federal level.

Redistricting & Voting Rights Act Committee

Chair, Jeff Wice ([jmwice @ democraticlawyers.org](mailto:jmwice@democraticlawyers.org))

This committee is responsible for preparing Democrats for the next redistricting cycle (2010), e.g., reviewing case law from the 2000 cycle, and monitoring Voting Rights Act developments.

Ex-Felon Voting Rights Committee

Chair, John Shuman ([john @ democraticlawyers.org](mailto:john@democraticlawyers.org))

This committee is responsible for helping non-incarcerated ex-offenders secure a right to vote in federal elections, e.g., congressional outreach, to encourage successful re-entry of these citizens.

Events Committee

Chair, Jordan Usdan (jordan@democraticlawyers.org)

This committee is responsible for organizing year-round activities. These can include professional networking opportunities, guest speaker events, assisting with National Lawyers Council events, and other social and political activities.

In addition, please consider participating in leadership positions and organizational committees, which include:

- Steering Committee
- Event Planning
- Recruiting and Publicity
- Election/Campaign Finance Law Compliance
- Democratic Party/Candidate Outreach
- Fundraising

READING SOMEONE ELSE'S COPY???

To get your own copy of Democratic Law Briefs, please visit

<http://www.democraticlawyers.org/join.php> or e-mail your name, title, company, addresses, and phone numbers to signup@democraticlawyers.org.

TO UNSUBSCRIBE

ALL YOU HAVE TO DO IS ASK - If you want off the distribution list, just send a request, with all your possible e-mail addresses (a lot of you have your mail forwarded) to editors@democraticlawyers.org. Put "Unsubscribe" in the subject of the message.

GOT NEWS?

If you have news for Democratic Law Briefs, we'd love to get it. E-mail your news, ideas, rumors and thoughts to Paul Roath and Arielle Harry-Bess at editors@democraticlawyers.org. We reserve the right to use, not use, edit, paraphrase, or otherwise play with your submissions.

* * *

Democratic Law Briefs, E-Mail Edition, Volume 5 Number 20

Copyright 2009 DCDLC, Paul Roath, Ph.D., Esq., Arielle Harry-Bess, Esq. and Erika Moritsugu, Esq.

This material is intended for personal use only. For other than personal use, it is illegal to make copies or faxes of the information or to store it in a database without permission. All material herein is copyrighted and is intended for the sole personal use of members of the Democratic Lawyers Council. While copies for personal use are permitted, the information otherwise may not be reproduced, republished or downloaded to a local area network without written permission. Violators risk penalties and \$100,000 in damages per offense.