



*Fighting for Voting Rights and a Democratic United States*

## **DEMOCRATIC LAW BRIEFS**

A Publication of the DC Chapter of the National Lawyers Council

*Volume 4 Issue 44, November 25, 2008*

**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**

### **MAKING ELECTIONS WORK: THE LAW AND THE PROCESS AFTER NOVEMBER**

**Who:** AEI/Brookings Institute Election Reform Project, Election Law Journal, and the University of California

**What:** **Panel 1: Reflections on the two presidential campaigns**  
Daniel Lowenstein, moderator, UCLA School of Law, Election Law Journal Robert Bauer, General Counsel, Obama Presidential Campaign Trevor Potter, General Counsel, McCain Presidential Campaign

#### **Panel 2. Campaign Finance**

Thomas Mann, moderator, Brookings Institution Anthony Corrado, Colby College Rick Hasen, Loyola Law School, Election Law Journal Michael Malbin, Campaign Finance Institute Michael Toner, Bryan Cave, LLP

#### **Panel 3. Election Administration: Early & Absentee Voting Issues**

Norm Ornstein, moderator, American Enterprise Institute Edward Foley, Moritz College of Law, Ohio State University John Fortier, American Enterprise Institute Paul Gronke, Reed College

#### **Panel 4. Election Administration: Voter Registration & Voter ID Issues**

Guy Charles, moderator, University of Minnesota Law School Doug Chapin, Director of electionline.org Karin MacDonald, University of California, Berkeley Michael McDonald, Brookings Institution, George Mason University Nathaniel Persily, Columbia Law School

**Where:** University of California Washington Center, 1608 Rhode Island Ave, NW

**When:** Thursday, December 4, 2008, 9:00 a.m.-5 p.m.

More information can be accessed [here](#).

Please RSVP to Roya Soleimani by Tuesday, December 2nd: [conference@ucdc.edu](mailto:conference@ucdc.edu) or (202) 974-6345

## VOTING RIGHTS NEWS

### UNIVERSAL VOTER REGISTRATION

**NATIONAL** -In the wake of historic interest in voting, and after months of controversy surrounding nonprofit registration drives, America's leaders, journalists, and voting rights experts are calling for a new registration system that reduces the need for third-party registration drives and shifts responsibility from the individual to government. Read the story here:

[http://projectvote.org/index.php?id=80&tx\\_ttnews\[tt\\_news\]=2713&tx\\_ttnews\[backPid\]=75&cHash=0c35ca4853](http://projectvote.org/index.php?id=80&tx_ttnews[tt_news]=2713&tx_ttnews[backPid]=75&cHash=0c35ca4853)

### SAME DAY REGISTRATION

**Santa Fe, NM- THE GOOD** - New Mexico Governor Bill Richardson announced his support for Election Day Registration. The Governor wants to make sure that every one who wants to vote can vote. More on this story here:

[http://www.elpasotimes.com/newupdated/ci\\_11022652](http://www.elpasotimes.com/newupdated/ci_11022652)

**St. Paul, MN** - A conservative political group is proposing a photo ID requirement for all Minnesota voters and an end to same-day registration. The group, called Minnesota Majority, outlined its election reform agenda today during a State Capitol news conference. Spokesman Jeff Davis claims that same-day registration leads to errors, such as voters casting ballots in the wrong precinct. Davis says no one should be allowed to vote until their legal eligibility has been verified. Read more here:

<http://minnesota.publicradio.org/display/web/2008/11/17/votercomplaints/>

**Columbus, OH** - Republicans say they want to put an end to "Golden Week," the period that allowed Ohioans to register to vote and cast a ballot at the same time this fall. Hoping to shut off what Republicans have argued is a recipe for election fraud, a bill that should be introduced today would require that anyone who wants to vote early must be registered at least 30 days before the start of absentee voting.

Currently, early voting begins 35 days before the election, and all Ohioans must be

registered within 30 days of the election." Daniel Tokaji, assistant director of Ohio State University's election law center, questions whether the bill would violate federal law, which says registration must not end earlier than 30 days before an election. He also said there is no good reason to stop Golden Week, which, he said, improves voter participation. Read the entire story here:

[http://www.columbusdispatch.com/live/content/local\\_news/stories/2008/11/18/GoldenWeek.ART\\_ART\\_11-18-08\\_B2\\_JQBU3PU.html?sid=101](http://www.columbusdispatch.com/live/content/local_news/stories/2008/11/18/GoldenWeek.ART_ART_11-18-08_B2_JQBU3PU.html?sid=101)

## 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](mailto: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 was the only vice president to serve more than a few hours without a president?

### LAST WEEK'S QUESTION

Who was the only vice president never to make it to the capital?

### ANSWER

Senator William Rufus Devane King was elected vice president in 1852. He traveled to Cuba seeking a cure for his terminal tuberculosis. He was unable to return Washington, DC for Inauguration Day, March 4, 1853. Congress enacted a special act in late March of 1853 permitting King to take the oath of Office on foreign soil. King took the Oath on March 24, 1853 and returned to his Alabama plantation on April 16 only to die two days later. Thus, King was the only vice president never to make it to the capital. We had a correct answer from Andrew R. Bernstein. Congratulations Andrew! Good luck to all 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.

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## 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](mailto: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???

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## 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](mailto:editors@democraticlawyers.org). We reserve the right to use, not use, edit, paraphrase, or otherwise play with your submissions.

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