



*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 9 March 24, 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.

## **HELP WANTED**

### **MOOT COURT JUDGES**

ACS seeks judges for our fourth annual Constance Baker Motley National Moot Court Competition in Constitutional Law to be held at the Howard University School of Law. The competition will consist of two preliminary Regional Competition rounds, at the University of Michigan Law School (March 14-15), and the Howard University School of Law (March 28-29), with the finals to be held at the ACS National Convention in June 2009.

In recognition of the ongoing debate about warrantless wiretapping conducted by the federal government, the 2009 Moot Court legal problem involves questions about the ability of U.S. citizens to invoke the jurisdiction of federal courts to challenge these surveillance activities.

Volunteers are needed primarily on Saturday, March 28th during the following rounds:

- Saturday Round 1 (10am)-Volunteers are especially needed for this round.
- Saturday Round 2 (11:45am)
- Saturday Round 3 (1:30pm)

We invite all attorneys to volunteer to judge the competition on Saturday, March 28, 2009. This is a great opportunity to meet ACS student members and share your expertise. Judging is approximately a three-hour commitment. Please sign up [here](#).

For more details about our competition, please visit the competition website, or contact the ACS Moot Court Team by email at [moot\\_court@acslaw.org](mailto:moot_court@acslaw.org). Your

participation in judging oral arguments for this exciting competition is greatly appreciated.

## VOTING RIGHTS NEWS

### YOUTH VOTING

**Montpelier VT** - The state of Vermont is in the process of amending its constitution to allow some 17-year-olds to vote. An amendment that would let those who turn 18 by Election Day in November to vote in primary elections before that was approved by lawmakers last year and is headed for a second vote. Under the constitution, amendments to the constitution must be approved by two different legislatures and at a public referendum. Read more here:.

<http://www.rutlandherald.com/article/20090314/NEWS03/903140352/0/DATACENTER01>

### VOTER ID

**Little Rock, AR** - A bill that would require voters to show proof of identification at the ballot box and would eliminate the fee for a state-issued ID died in House committee Friday morning. Currently, voters are not required to show ID at the ballot box and can't be turned away from voting if they don't show an ID. The bill would have required voters to show their ID before they could receive a ballot. Read the Friday the 13<sup>th</sup> action here:

<http://www.arkansasbusiness.com/article.aspx?aid=113201.54928.125330>

### MINNESOTA SENATE RACE

**Minnesota** - Could an end be in sight for the stalled Minnesota Senate race between incumbent Norm Coleman and his Democratic opponent, Al Franken? After more than four months of recounts and deliberations, the Minnesota court hearing the appeal could announce a decision as late as next week CBS News' Political Director Steve Chaggaris reports. A source close to Franken tells CBS News' Mary Hager that "the court will virtually certainly rule in his favor, and he will likely add significantly to the margin, maybe up to 500 votes or so," at which point Coleman will likely appeal to the Minnesota Supreme Court. The source says that Minnesota state law allows the Supreme Court to drop all other business to quickly hear and deliberate on Coleman's appeal. Read the details here:

<http://www.cbsnews.com/blogs/2009/03/23/politics/politicalhotsheet/entry4885109.shtml>

## VOTING MACHINES

**National** - Diebold subsidiary Premier Election Solutions admitted in a California state hearing on Tuesday that its voting machine software can lose votes and fail to log the fact that the votes were lost. The admission, reported on *Wired's* Threat Level blog, is significant. For years, the company has touted the quality of its electronic voting machines amidst mounting criticism that they were prone to errors and tampering. Read more here

<http://www.thestandard.com/news/2009/03/18/diebold-admits-voting-machine-flaw-had-been-aware-problem-years>

## VOTING RIGHTS ACT

**Washington, DC** - The election of Barack Obama as president has been hailed as a crowning achievement of America's civil rights movement, the triumph of a black candidate in a nation with a history of slavery and segregation. But in a twist, Obama's success has emerged as a central argument from conservatives who say his victory proves that some of the nation's most protective civil rights laws can be erased from the books. Conservative legal foundations and the Republican governor of Georgia, challenging key parts of the Voting Rights Act, filed briefs in the Supreme Court this month pointing to racial progress and a high black turnout in the fall election. They said Obama's victory heralded the emergence of a colorblind society in which special legal safeguards for minorities are no longer required. Read more here:

<http://www.latimes.com/news/nationworld/nation/la-na-voting-rights18-2009mar18,0,4998180.story>

## VOTING PROBLEMS

**New York** - In a *New York Times* editorial the continuing voting problems were decried. The editorial pointed out that in last year's presidential election, as many as three million registered voters were not allowed to cast ballots and millions more chose not to because of extremely long lines and other frustrating obstacles. Ever since the 2000 election in Florida, the serious flaws in the voting system have been abundantly clear. The editorial called for Congress to deliver on its promise of electoral reform. At a hearing last week, the Senate Rules Committee released a report sponsored by the Massachusetts Institute of Technology on the sorry state of voting. It said that administrative barriers, such as error-filled voting lists or wrongful purges of voter rolls prevented as many as three million registered voters from casting ballots. Another two million to four million registered voters were discouraged from even trying to vote because of difficulty obtaining an absentee ballot, voter ID issues and other problems. The bad news didn't end there. According to the report, another nine million eligible voters tried to register but failed to because of a variety of hurdles, including missed deadlines or changes in residence. Read the editorial here:

[http://www.nytimes.com/2009/03/18/opinion/18wed1.html?\\_r=2&ref=opinion](http://www.nytimes.com/2009/03/18/opinion/18wed1.html?_r=2&ref=opinion)

## 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 first woman to run for the office of the president of the United States?

### LAST WEEK'S QUESTION

The ninth President William H. Harrison is best remembered for having both the longest and shortest two things. What are they?

### ANSWER

President William H. Harrison is best remember for having the longest inaugural address in American history and the shortest term in office (March 4 - April 4, 1841). We had correct answers from Mac Campbell, Adam Gitlin, Will Stephens, and Matthew Edwards. Congratulations to all of you!! 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](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.

\* \* \*

Democratic Law Briefs, E-Mail Edition, Volume 5 Number 9

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