



Fighting for Voting Rights and a Democratic United States

DEMOCRATIC LAW BRIEFS

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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.

VOTING RIGHTS NEWS

MINNESOTA SENATE RACE

Twin Cities, MN - Pennsylvania Sen. Arlen Specter's (D) shocking decision last week to become a Democrat has upped the ante in the never-ending Minnesota Senate race, providing a strong incentive for Republicans to hold out until every last appeal is exhausted. With former Sen. Norm Coleman (R) now standing between Democrats and their 60-seat supermajority, the GOP is prepared to back the Republican's appeal to the federal level if even a shred of doubt emerges in the case currently before the Minnesota Supreme Court. "This makes it pretty darn important," said Sen. John Cornyn (R-TX), chairman of the National Republican Senatorial Committee, of the race following Specter's switch. "I expect they will pursue the appeals until they are exhausted, whenever that may be. ... I would assume if they were unsuccessful in the Minnesota Supreme Court, there may very well be an appeal to the United States Supreme Court." Democrats, meanwhile, are planning a full-scale public pressure campaign to force Coleman to concede should the court affirm a three-judge panel's ruling that Al Franken (D) is the winner. Democrats have already begun using the race's elevated importance to raise money, and they're mounting a fresh campaign to pressure Gov. Tim Pawlenty (R-MN) to sign an election certificate once the state Supreme Court rules. Read more here:

<http://www.politico.com/news/stories/0509/22071.html>

SOUTER TO RETIRE

Washington, DC - With the announcement of Supreme Court Justice David Souter retirement from the Supreme Court at the end of the current term, speculation is rampant as to who will replace him. For opinion on his replacement go here:

<http://kristof.blogs.nytimes.com/tag/david-souter/>

FEDERAL ELECTION COMMISSION NOMINATION

Washington, DC - President Barack Obama announced his intent to nominate John J. Sullivan to the post of Commissioner, Federal Election Commission. John J. Sullivan is a leader in the labor community and has been a staunch advocate for election reform and voter protection. Since 1997, Sullivan has served as the Associate General Counsel at the Service Employees International Union (SEIU), where he advises one of the largest independent political programs in the country. From 1994 to 1997, Sullivan worked as Associate General Counsel for the International Brotherhood of Teamsters (IBT), where he was responsible for union governance issues and the administration of the election provisions of the federal consent decree with the Teamsters Union.
<http://electionlawblog.org/archives/013554.html>

VOTING RIGHTS ACT

New York, NY - In an editorial in the *New York Times* last week prior to the Supreme Court hearing arguments in a case in which a Texas utility district is challenging Section 5 of the Voting Rights Act, judicial activism and Congress's power to enact legislation was discussed. The editorial states that while the United States has changed a great deal since the Voting Rights Act was first passed in 1965, minorities still face significant obstacles in registering to vote and casting ballots. Thus it would be outrageous overreaching – the sort of thing Republicans deride as judicial activism – if the Supreme Court takes away the power of Congress to protect minority voters from harassment and disenfranchisement. The Editorial goes on to state that Congress adopted the preclearance requirement to prevent the adoption of rules that make it harder for minorities to vote in places that have a history of doing just that. The utility district argues that Congress is exceeding its authority. However Congress has broad powers to protect minorities. Read the editorial here:
http://www.nytimes.com/2009/04/29/opinion/29wed2.html?_r=1&ref=opinion

ABSENTEE BALLOTING

Lansing, MI - Any Michigan voter could cast an absentee ballot without prior excuse under legislation that won approval today in the state House. The Democrat-controlled House voted 79-30 in favor of the bill that would add Michigan to 28 other states that have passed measures letting residents vote by absentee ballot without giving a reason. The bill still must be considered by the state Senate. Under the bill, voters would be able to request absentee ballots in person, by mail, fax or e-mail. Read the details here:
<http://www.detnews.com/article/20090430/METRO/904300484/1361/Mich.-House-passes-no-reason-absentee-ballot-legislation>

VOTER SUPPRESSION

NATIONAL - GOP WANTS THE FREEDOM TO INTIMIDATE VOTERS - Since 1982, the Republican National Committee has operated under a consent decree preventing them from engaging in voter caging or other acts of voter intimidation. The decree arose from a suit by the Democratic National Committee against the GOP almost 30 years ago. Now the RNC has quietly filed a motion to dissolve the consent decree. A hearing on the RNC motion is scheduled for next Tuesday in the U.S. District Court for New Jersey. More on the dismissal here:

[http://www.projectvotefblog.org/265/?tx_ttnews\[tt_news\]=3277&tx_ttnews\[backPid\]=263&cHash=9f54ea8a26](http://www.projectvotefblog.org/265/?tx_ttnews[tt_news]=3277&tx_ttnews[backPid]=263&cHash=9f54ea8a26)

VOTER IDENTIFICATION

Rhode Island - Separate General Assembly committees voted quickly and quietly to approve legislation seeking to crack down on voter fraud.

http://www.projo.com/news/content/IMMIGRATION_BILLS_04-30-09_NOE786G_v10.3940fce.html

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

What President became addicted to cocaine?

LAST WEEK'S QUESTION

Which President was the first "US" citizen?

ANSWER

The first President born a U.S. citizen was Martin Van Buren (1837-41). Van Buren was delivered on December 5, 1782, making him the first President born after the

Declaration of Independence was signed. We had a correct answer from James Gibson. Congratulations James! 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), Curtis LeGeyst (curtis@democraticlawyers.org) & Candice Jones (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)

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)

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)

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)

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

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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. We reserve the right to use, not use, edit, paraphrase, or otherwise play with your submissions.

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