

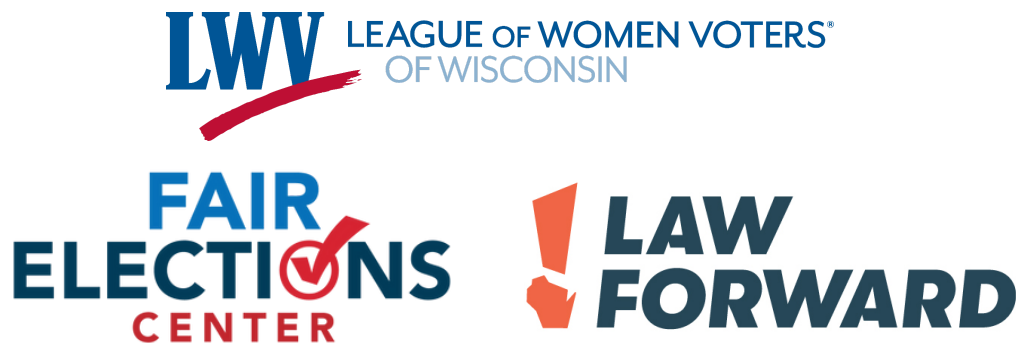
**FOR IMMEDIATE RELEASE**

January 2, 2024

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## **COURT RULES WISCONSIN ABSENTEE BALLOT RULES VIOLATE CIVIL RIGHTS ACT**

**MADISON, Wisc. (January 2, 2024)** — Today, the Dane County Circuit Court in Wisconsin ruled in favor of the League of Women Voters of Wisconsin in its [lawsuit](#) to clarify voting rights protections for voters whose absentee ballots have minor errors in listing their witnesses' addresses. This decision means that absentee ballots with certain technical witness address defects will not be rejected in future elections. The League is represented by [Fair Elections Center](#), [Law Forward](#) and [Stafford Rosenbaum LLP](#).

In 2022, a Waukesha County Circuit Court in *White v. Wisconsin Elections Commission* barred the Wisconsin Elections Commission from using longstanding guidance for curing minor witness address defects for absentee ballots without contacting the voter. Now, without clear guidance in Wisconsin law, absentee voters are at risk of having their ballots rejected due to technical omissions or errors, with no guarantee that they will be notified and given the opportunity to correct any errors and have their votes counted.

The League's lawsuit argued that rejecting absentee ballots for the omission of certain witness address components violates the 1964 Civil Rights Act, which prohibits denying the right to vote based on an error that has no material bearing on determining voting eligibility. In today's order, the Court wrote, "the Witness Address Requirement is not material to whether a voter is qualified. . . . As such, rejecting ballots for trivial mistakes in the Witness Address requirement directly violates the federal Civil Rights Act of 1964."

“All voters deserve to have their votes counted regardless of whether they vote in person or absentee,” said **Debra Cronmiller, executive director of the League of Women Voters of Wisconsin**. “Small errors or omissions on the absentee certificate envelope should not prevent voters from exercising their constitutional rights.”

“Wisconsinites should not have their right to vote denied due to technical errors, especially when they are not uniformly given an opportunity to remedy such issues,” said **Jon Sherman, Litigation Director at Fair Elections Center**. “Congress enacted the Civil Rights Act to prohibit exactly this type of disenfranchisement, and the court’s order today enforces that federal law’s protections as to four categories of absentee ballots.”

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*The League of Women Voters of Wisconsin is a nonpartisan political organization that advocates for informed and active participation in government. There are 20 local Leagues throughout Wisconsin. More information at [lwvwi.org](http://lwvwi.org).*

*[Fair Elections Center](http://FairElectionsCenter.org) is a national, nonpartisan voting rights and election reform organization based in Washington, D.C. using litigation, public education and advocacy to remove barriers to registration and voting, particularly those disenfranchising underrepresented and marginalized communities.*

*Law Forward is a pro-democracy, nonpartisan nonprofit organization using impact litigation, the administrative process, and public education to protect and advance Wisconsin’s fundamental democratic principles and commitment to clean and open government. For more information, visit [www.LawForward.org](http://www.LawForward.org).*

*Stafford Rosenbaum LLP is a full-service law firm with offices in Madison and Milwaukee, Wisconsin. Among other practices, Stafford has a renowned team of attorneys practicing in the area of election and political law. More information is available at [www.staffordlaw.com](http://www.staffordlaw.com).*