



FOR IMMEDIATE RELEASE  
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## **League of Women Voters of Wisconsin Files Challenge to Protect Absentee Voters' Rights**

MADISON, Wisc. – Today, Fair Elections Center and Law Forward filed a complaint on behalf of the League of Women Voters of Wisconsin in Dane County Circuit Court, seeking both clarity and protection for absentee voters whose ballots have technical defects. Following a September 7 ruling in Waukesha County Circuit Court in *White v. Wisconsin Elections Commission*, the WEC's long-standing guidance on curing minor witness address defects has been barred and withdrawn. This has left absentee voters vulnerable to disenfranchisement.

Previously, municipal clerks could remedy a ballot certificate with a defective witness address without contacting the voter. Now, with that cure guidance removed, Wisconsin law fails to define "missing" such that there is clarity and uniformity in processing absentee ballots with partial witness addresses, threatening countless voters with disenfranchisement for technical omissions. Additionally, Wisconsin law fails to require clerks to give notice to all absentee voters whose ballot certificates are "missing" a witness address or an opportunity to make sure their vote is counted.

The denial of the right to vote for the omission of certain witness address components, like state names and zip codes, would violate the 1964 Civil Rights Act's prohibition on denying a vote based on immaterial omission or error. And the lack of notice to voters whose ballots are threatened with rejection to a defective witness address violates the U.S. Constitution's due process requirements.

"Wisconsin's voters must have their voices heard if they are registered to vote," said Debra Cronmiller, executive director of the League of Women Voters of Wisconsin. "Arbitrariness has no place in our elections."

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“Unfortunately, anti-democratic litigation has again resulted in confusion in the weeks before an election.” said Dan Lenz, staff counsel at Law Forward. “Our aim is to obtain certainty for voters and the municipal clerks who do the critical work of administering Wisconsin’s elections, and to make sure that every eligible voter may have their voice heard in November.”

“Wisconsin’s absentee voters cannot go into this general election with no clarity on what is required of their witnesses and no protections in case there is an error,” said Jon Sherman, litigation director at Fair Elections Center. “It would be absurd and unlawful to deny a citizen their right to vote because their witness failed to perfectly record their address, or a clerk chose not to notify them of the error.”

The complaint filed in circuit court can be found [here](#).

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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](#).*

*[Fair Elections Center](#) is a national nonpartisan voting rights and election reform 501c3 organization based in Washington DC whose mission is to use litigation and advocacy to remove barriers to registration and voting, particularly those disenfranchising underrepresented and marginalized communities, and to improve election administration.*

*[Law Forward](#) is a non-profit law firm focused on protecting and advancing democracy in Wisconsin. It uses impact litigation, the administrative process, and public education to protect Wisconsin’s fundamental democratic principles, and revive Wisconsin’s traditional commitment to clean and open government.*