
Press Release: Lawsuit Filed Seeking Relief for Voters with Disabilities

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On April 16, Disability Rights Wisconsin and the League of Women Voters of Wisconsin, represented by Stafford Rosenbaum LLP and Wilmer Cutler Pickering Hale and Dorr LLP, filed suit in Dane County Circuit Court, seeking to address an absentee voting procedure that unlawfully discriminates against voters with disabilities. The lawsuit seeks an order enjoining certain Wisconsin statutes that block voters with disabilities from receiving, marking, and returning their absentee ballot electronically.

Wisconsin's Constitution provides that: "All votes shall be by secret ballot." Wis. Const., art. III, § 3. But many voters with disabilities cannot reliably travel to a polling place and cannot personally fill out a paper absentee ballot, meaning they are routinely forced to disclose the substance of their vote to third-parties when marking their ballots.

The cure to this constitutional violation is readily available: voters with disabilities often have adaptive technology that they use every day that can be used to mark an absentee ballot in a manner that is both private and independent. Thirteen states have also expanded their electronic absentee ballot programs to allow voters with disabilities to return their voted absentee ballots by email or through an online portal.

Disability Rights Wisconsin (DRW) is a private non-profit organization that protects the rights of people with disabilities statewide. As Wisconsin's recognized Protection & Advocacy Organization, DRW is legislatively mandated to provide services to voters with disabilities and ensure individuals with disabilities can participate in every step of the voting process. More information is available at disabilityrightswi.org.

League of Women Voters of Wisconsin (LWVWI) is a nonpartisan political organization that advocates for informed and active participation in government. There are 20+ local Leagues throughout Wisconsin. More information is available at lwwvi.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 staffordlaw.com.

Wilmer Cutler Pickering Hale and Dorr LLP is a leading international law firm working at the intersection of government and business to support clients across a range of industries. WilmerHale maintains a steadfast commitment to pro bono representation, including in the voting rights space. More information is available at wilmerhale.com/en.