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Issued Pursuant to Court Order

DIRECTIVE 2016-45

November 5, 2016

To: All County Boards of Elections
Directors, Deputy Directors, and Board Members

Re: Pursuant to a Court Order – The Issuance of Absentee Ballots to UOCAVA Voters who were Cancelled under the Supplemental Process in 2015, 2013, or 2011

SUMMARY

Today, the Court in the case of *Ohio A. Philip Randolph Institute et al. v. Husted*, Case No. 2:16-cv-303, entered an Order for the issuance of this Directive, which governs the delivery in certain circumstances of an absentee ballot to a UOCAVA applicant who is determined to have been cancelled in 2015, 2013, or 2011 under Ohio's supplemental list maintenance program.

INSTRUCTIONS

If a Federal Postcard Application (*see*, 52 U.S.C. § 20301) or a Federal Write-In Absentee Ballot (*see*, 52 U.S.C. § 20303) is received pursuant to state law, and the board of elections determines that the applicant's voter registration was cancelled in 2015, 2013, or 2011 under Ohio's supplemental list maintenance program, the applicant shall be considered to have submitted the application by the deadline established in 52 U.S.C. § 20302(a)(2), so long as the other requirements of the Court's October 19, 2016 Opinion and Order (i.e., address within the same county of cancellation and no evidence of post-cancellation death, incarceration on a felony conviction, etc.) are met.

The board shall make a reasonable effort to locate any Federal Postcard Applications (*see*, 52 U.S.C. § 20301) or a Federal Write-In Absentee Ballots (*see*, 52 U.S.C. § 20303) that were received prior to the date of this Directive, and this Directive shall apply to any such Applications or Absentee Ballots as are located.

If you have any questions regarding this Directive, please contact the Secretary of State's elections counsel assigned to your county.

Sincerely,


Jon Husted