

Superseded Registration Form

Brown v. Rokita (Richard L. Young, S.D. Ind. 1:08-cv-1484)

On the day before the 2008 general election, a voter filed a class action challenging the nullification of her voter registration because she had not used the latest version of the voter-registration form. At a temporary-restraining-order hearing that day, the parties announced an agreement that would permit voters who submitted old registration forms to cast provisional ballots that would be counted if the registration applications included all necessary information.

Subject: Registration procedures. *Topics:* Registration procedures; provisional ballots.

On the day before the 2008 general election, a voter in Marion County, Indiana, the county that includes Indianapolis, filed a class action challenging the nullification of her voter registration because she had not used the latest version of the voter-registration form.¹ With her complaint, she filed a motion for a temporary restraining order.²

Judge Richard L. Young drew the case and held a hearing on the motion on the day that it was filed.³ At the hearing, the parties announced that they had reached an agreement.⁴ Provisional ballots cast by voters who used superseded registration forms would be accepted so long as the voter met eligibility requirements and the registration application included all necessary information.⁵ A hand-written agreement was filed with the court that day.⁶

Judge Young signed a stipulated dismissal on February 4, 2009.⁷

1. Complaint, *Brown v. Rokita*, No. 1:08-cv-1484 (S.D. Ind. Nov. 3, 2008), D.E. 2.

2. Temporary-Restraining-Order Motion, *id.* (Nov. 3, 2008), D.E. 9.

3. Minutes, *id.* (Nov. 3, 2008), D.E. 13; Interview with Hon. Richard L. Young, July 24, 2012 (noting that if he had not been available the motion could have been heard by the motions judge on duty for that week).

Tim Reagan interviewed Judge Young for this report by telephone on July 24, 2012.

4. Minutes, *supra* note 3.

5. Agreement, *Brown*, No. 1:08-cv-1484 (S.D. Ind. Nov. 3, 2008), D.E. 14.

6. *Id.*

7. Order, *id.* (Feb. 4, 2009), D.E. 27.