

Improperly Requiring Dormitory Names on Students' Voter-Registration Forms

Pitcher v. Dutchess County Board of Elections
(Kenneth M. Karas, S.D.N.Y. 7:12-cv-8017)

A federal complaint challenged the rejection of students' voter-registration applications for failure to list dormitory names or room numbers despite the inclusion of valid street and mailing addresses. On the day before the election, the district judge ordered acceptance of registration applications for the student plaintiffs and others similarly situated. Several months later, the suit was closed by consent decree and a stipulated award of attorney fees.

Subject: Registration procedures. *Topics:* Student registration; registration procedures; class action; attorney fees.

Four students filed a federal class-action complaint on October 31, 2012, claiming wrongful rejection of their voter-registration applications for the November 6 general election because the students did not include on their applications dormitory names or room numbers in addition to the students' street and mailing addresses.¹

On the day that the complaint was filed, Judge Kenneth M. Karas issued an order that the defendants show cause on November 5 why relief should not be granted.²

On November 5, Judge Karas ordered the county election officials to register student applicants whose registrations were rejected for failure to provide a dormitory name or room number.³

The case was resolved by consent decree on May 13, 2013.⁴ County election officials agreed not to require dormitory names or room numbers for students registering to vote so long as communications with the voters were not returned as undeliverable and unless the state changed its election law to require dormitory names or room numbers for student voters.⁵ The parties also agreed that the county's board of elections would pay an award of attorney fees and costs totaling \$37,237.50 to the plaintiffs and \$20,797.50 to codefendants.⁶

1. Complaint, *Pitcher v. Dutchess Cty. Bd. of Elections*, No. 7:12-cv-8017 (S.D.N.Y. Oct. 31, 2012), D.E. 1.

2. Order, *id.* (Oct. 31, 2012), D.E. 3.

3. Preliminary Injunction, *id.* (Nov. 5, 2012), D.E. 6; Consent Decree at 2, *id.* (May 13, 2013), D.E. 18; see *College Students in Suit Get Right to Vote in Election Today*, Westchester J. News, Nov. 6, 2012, at B1.

4. Consent Decree, *supra* note 3.

5. *Id.* at 3.

6. *Id.* at 4.