

# VOTING BY AFFIDAVIT & COURT ORDERS

## **NO ONE IS DENIED A BALLOT!**

***If you are having trouble finding the voter in the Poll Pad:***

- ✓ Ask the voter to spell their name
- ✓ Look up the voter by their date of birth
- ✓ Ask the voter if they have moved recently
- ✓ Call Madison County Board of Elections at **315-366-2231**

***If the voter's name is NOT in the Poll Pad,  
they are NOT allowed to vote on the voting machine  
WITHOUT A SIGNED COURT ORDER.***

***Give the voter the AFFIDAVIT & COURT ORDER VOTING  
INSTRUCTIONS & direct them to the Affidavit/Court Order table***

The AFFIDAVIT & COURT ORDER VOTING INSTRUCTIONS are located in the front of the red table binder.

 <b>Affidavit and Court Order Voting Instructions</b> Election Law Section 8-302-3a & 8-303
<p><b>Why am I getting this notice?</b></p> <p>If you received this form because you have been issued an absentee ballot, you can only vote by affidavit ballot. All other voters who received this form can vote by affidavit ballot or by court order.</p> <p><b>What is affidavit voting?</b></p> <p>Affidavit voting is a secure way to vote when there is some issue with you voting a regular ballot. This process allows you to cast a ballot today.</p> <p><b>How to vote an affidavit ballot:</b></p> <ol style="list-style-type: none"><li>5. Take your Affidavit Privacy Sleeve to the Privacy Booth or Ballot Marking Device.</li><li>6. Mark your ballot.</li><li>7. Seal your voted ballot inside the Affidavit Ballot Envelope. Remember to sign in section D.</li><li>8. Return your sealed Affidavit Ballot Envelope to the poll worker.</li></ol> <p><b>What happens to my affidavit ballot after I vote?</b> Your voted affidavit ballot goes to the Board of Elections. They will check their records and determine whether you are eligible to vote. If the Board finds that you are eligible to vote, your ballot will be counted before the election is made final.</p> <p><b>Why am I an inactive voter?</b></p> <p>You might be an inactive voter because the board believes that you no longer live at your registration address. When you cast an affidavit ballot, you will be restored to active status and your ballot will be counted.</p> <p><b>What is court order voting?</b></p> <p>If you don't want to vote using an affidavit ballot, you can apply for a court order directing the Election Inspectors to allow you to vote using a regular ballot. To apply to vote by court order, you must contact your County Board at the number at the bottom of this notice.</p> <p><b>What happens next?</b></p> <p>After you vote, you may contact your local board of elections using the information below to determine whether the vote was counted, and if the vote was not counted, the reason that the vote was not counted.</p> <p>Madison County Board of Elections 315-366-2231   130 North Court St PO Box 666 Wampsville, NY   <a href="mailto:boecommissioners@madisoncounty.ny.gov">boecommissioners@madisoncounty.ny.gov</a></p>

# **AFFIDAVITS**

**ANYONE WHO WANTS TO VOTE,  
HAS THE RIGHT TO VOTE!!**

An AFFIDAVIT BALLOT may be used when:

- A voter is listed as Inactive in the Poll Pad
  - A voter cannot be found in the Poll Pad
    - A voter is at a new address

**NOTE:** *the voter must vote by affidavit in the CORRECT DISTRICT/POLL SITE. If the voter should be voting at a different poll site the Poll Pad will give the correct poll site & can print directions.*

- A voter is not registered in the correct political party (FOR PRIMARIES ONLY)

**AFFIDAVIT BALLOTS ARE NOT CAST ON  
THE ICE VOTING MACHINE!**

Affidavit envelopes with voted ballots inside should be dropped into the LOCKED orange affidavit bag through the ballot slot labeled INSERT BALLOT.

# Be sure to provide the voter with a copy of the Notice to Voter, the Affidavit & Court Order Voting Instructions.

This image shows a yellow 'Affidavit and Court Order Voting Instructions' form. It contains sections for 'Why am I getting this ballot?' with checkboxes for various reasons, 'What is court order voting?' with a detailed explanation, and 'What happens next?' with instructions for the voter. A large yellow arrow points downwards to the 'For Board Use Only' section at the bottom of the page.

## TO VOTE BY AFFIDAVIT:

- ✓ The voter will be given an affidavit ballot & an affidavit envelope.
- ✓ The voter must fill out the affidavit envelope **COMPLETELY**. *Make sure they include their signature.*
- ✓ Once the voter has voted their ballot, have them place their ballot inside the affidavit envelope & seal it.
- ✓ As an Election Inspector, you **MUST** complete the bottom section of the affidavit envelope with the **CORRECT Town/Ward/District**.



For Board Use Only - To be completed by an Election Inspector

City/Town

Ward

Election District

100-2021

- ✓ The affidavit envelope with the voted ballot inside can then be dropped into **INSERT BALLOT** slot on the locked orange affidavit bag.

# **COURT ORDERS**

**If the voter does not wish to vote by affidavit, they may seek a COURT ORDER.**

**This is a DOCUMENT SIGNED BY THE JUDGE that allows the voter to vote on a machine ballot, which is then cast on the ICE voting machine.**

## **TO VOTE BY COURT ORDER:**

- ✓ If the voter wishes to seek a court order, an Election Inspector will call the Board of Elections (315-366-2231) & we will assist in contacting the judge & setting up a meeting with the voter.
- ✓ If the judge grants the voter a court order, the voter will return with the document signed by the judge so they can obtain their ballot & vote on the machine.
- ✓ This court order needs to be signed by the voter in front of an Election Inspector.
- ✓ **BE SURE THE VOTER RECEIVES THE CORRECT BALLOT!** Look up the voter's address in STREET FINDER in the Poll Pad to determine the correct ballot ID. Record the ballot ID on the court order before placing it inside the yellow Communication Folder to be sent to the Board of Elections.

**COURT ORDER / AFFIDAVIT LOG**

If the voter wants to pursue a Court Order, give them a "Notice to Voter" copy & our Board of Elections number (315-366-2231) to contact a judge.  
If the judge decides the person is eligible to vote, the voter will bring the Court Order back to the poll site, sign the Court Order, & vote on the machine.

Name \_\_\_\_\_

Date of Birth \_\_\_\_\_

Voter ID # \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SAMPLE**

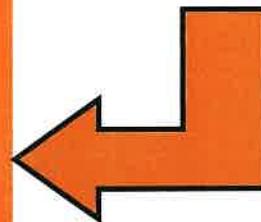
Check one:

AFFIDAVIT BALLOT

COURT ORDER

Additional Notes:

This Court  
Order/Affidavit  
Log should be  
filled out  
**COMPLETELY.**



Please be sure to include the voter's date of birth & their voter ID (if they have one) so that the Board of Elections staff can correctly identify the voter. Check the correct box to record if the voter was given an Affidavit ballot or if they voted on the machine per a Court Order.

# AFFIDAVIT BALLOT TRACKING INSTRUCTIONS

**1** The top of this form should match your Town/Ward/District & should have your correct polling location.

**2** This is a list of all three seals that will be on the **orange Affidavit bag** at the beginning of the day.



**2a**

This is where all the Affidavit supplies are located. The number on the zip seal should match the number in this box. Inside you will find: the Affidavit folder (contains Affidavit instructions, Notice to Voters, & Court Order/Affidavit Logs), Affidavit ballots, & Affidavit envelopes.



**2b**

This is the voted ballot drop. The white tab seal should match the number in this box. Break this seal & pull open when ready to insert ballots. Voted ballots will be sealed inside a completed Affidavit envelope BEFORE being dropped into the slot.



**2c**

This is where the voted Affidavit ballots will be locked away until opened by the Board of Elections. The white tab seal should match the number in this box.

**DO NOT REMOVE THIS SEAL!!**

IF YOU BREAK THIS SEAL ON ACCIDENT,  
MAKE A NOTE ON THE FORM & REPLACE IT.

## MADISON COUNTY AFFIDAVIT BALLOT TRACKING

Election: TRAINING  
SAMPLE 1

1

\*POLL SITE\*

\*Address of Poll Site\*

OPENING ZIP-TIE FOR SUPPLIES (HOLDS UNUSED BALLOTS)

2

BREAK WHITE OPENING SEAL ON TOP TO INSERT BALLOT

2a 283550

2b 7339001

DO NOT REMOVE WHITE BALLOT BAG SEAL (HOLDS USED BALLOTS)

2c 7339002

If any seals are broken or the numbers do not match this report, call the Board of Elections immediately!

315-366-2231

BALLOT ID:

3

8000

4

10

BOE CONFIRMED

We verify the Affidavit ballot count listed above is true;

**A bi-partisan team must confirm everything listed above & sign here.**

DEMOCRATIC INSPECTOR

REPUBLICAN INSPECTOR

POLLS CLOSE:

Number of BALLOTS USED

5

6

Number of BALLOTS UNUSED

6

4

Number of BALLOTS SPOILED

7

0

CLOSING SEAL NUMBER

8

283551

We verify the Affidavit ballots have been accounted for in the manner listed above;

**Upon closing, a bi-partisan team must AGAIN sign for confirmation.**

DEMOCRATIC INSPECTOR

REPUBLICAN INSPECTOR

3

The Ballot ID is found at the bottom right hand corner as shown below.

**Ballot ID: 8000**

Madison County, NY  
E.D.(s): 1

Remember to vote both sides.



4

This is the total number of Affidavit ballots received.

5

This will be the number of VOTED or USED Affidavit ballots.

6 This will be the number of Affidavit ballots left in the bag UNUSED.

7 This will be the number of SPOILED Affidavit ballots.

8 At the end of the night, place a new zip seal where the Affidavit supplies are kept (See 2a) & record that closing seal in this box.

Be sure this form is COMPLETED ENTIRELY & placed in your yellow Communication Folder.