#SNNVoterEd

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Dear Community Partners and Disability Rights Advocates:

Special Needs Network, Inc. (SNN) is excited to expand its civic engagement programs to include a special needs voter education and registration tool kit and grassroots initiative. For over a decade, we have been working on behalf of individuals across the state of California who have a range of developmental, emotional and physical disabilities. We have gone into underserved and under resourced communities to educate families, caregivers and stakeholders on the power they possess to move the needle on critical issues such as education, housing, transportation, health care and public safety. We have trained thousands of grassroots leaders who have stood side by side with us as we have worked to enact legislation that improves the lives of individuals with disabilities.

We know that although much has been accomplished over the last 10 years, we cannot rest until the full promises of full equality and community integration as mandated in federal laws such as the American with Disabilities (ADA) and Section 504 of the Rehabilitation Act of 1973 are achieved.

We also know that in order to continue the successes we have accomplished, we must ensure that every qualified person in the state with a disability and his or her caregiver knows the power of their vote not just for the upcoming November election, but beyond. When large blocks of individuals vote, they get the attention of policy makers, funders and they cause elected officials to make their issues and the issues of their community a priority.

Special Needs Network is committed to harnessing the vote of individuals with disabilities and assisting local and statewide disability agencies, political organizations, community groups, other nonprofits and stakeholders in registering the thousands of people with disabilities.

This Toolkit is your blueprint for reaching, registering and ensuring that people with disabilities vote in record numbers in California in the November election. This easy to use guide is for caregivers, election officials, poll workers, voting registration workers, disability rights advocates and individuals with disabilities.

Join us in amplifying the disability vote!!!!!!
History of the Disability Vote
We have waited long enough…now is our time

Voting is one of our nation’s most fundamental rights and a hallmark of our democracy. Yet for too long, many people with disabilities have been excluded from this core aspect of citizenship. People with intellectual, developmental or mental health disabilities have been prevented from voting because of prejudicial assumptions about their capabilities. People who use wheelchairs or other mobility aids, such as walkers, have been unable to enter the polling place to cast their ballots because there were no ramps. People who are blind or have low vision could not cast their vote because the ballot was completely inaccessible to them.

Important federal civil rights and state laws were enacted to combat such forms of discrimination and protect the fundamental right to vote for all Americans. #SNNVoteEd project and toolkit provide guidance to states, local jurisdictions, election officials, poll workers, and voters on how the Americans with Disabilities Act and recently enacted California SB 589 help ensure that individuals with disabilities have fair and equal access to register and to vote in local, state and national elections.

FEDERAL AND STATE LAWS PROTECTING THE RIGHT TO VOTE
The Americans with Disabilities Act (ADA) is a federal civil rights law that provides protections to people with disabilities and is similar to protections provided to individuals on the basis of race, color, sex, national origin, age, and religion. Title II of the ADA requires state and local governments ensure that people with disabilities have a full and equal opportunity to vote. The ADA’s provisions apply to all aspects of voting, including voter registration, site selection, and the casting of ballots, whether on Election Day or during an early voting process.
The Voting Rights Act of 1965 (VRA) prohibits conditioning the right to vote on any form of a literacy test. The right to vote cannot be conditioned on a citizen’s ability to read or write, level of education, or passing an interpretation “test.” The VRA also requires election officials to allow a voter who is blind or has another disability to receive assistance from a person of the voter’s choice (other than the voter’s employer or its agent or an officer or agent of the voter’s union).

The Voting Accessibility for the Elderly and Handicapped Act of 1984 (VAEHA) requires accessible polling places in federal elections for elderly individuals and people with disabilities. Where no accessible location is available to serve as a polling place, voters must be provided an alternate means of voting on Election Day.

The Help America Vote Act of 2002 (HAVA) requires jurisdictions responsible for conducting federal elections to provide at least one accessible voting system for people with disabilities at each polling place in federal elections. The accessible voting system must provide the same opportunity for access and participation the other voters receive, including privacy and independence.

The National Voting Registration Act of 1993 (NVRA) requires all offices that provide public assistance or state-funded programs that primarily serve persons with disabilities to provide the opportunity to register to vote by providing voter registration forms, assisting voters in completing the forms, and transmitting completed forms to the appropriate election official. The NVRA requires such offices to provide any citizen who wishes to register to vote the same degree of assistance with voter registration forms as it provides with its own office forms. The NVRA also requires that if such office provides its services to a person with a disability at his or her home, the office shall provide these voter registration services at the home as well.

California’s SB 589 protects voters from losing their right to vote due to disability unless the state can demonstrate by clear and convincing evidence that “the person cannot communicate, with or without reasonable accommodation, a desire to participate in the voting process. It also provides that an individual under a conservatorship who has lost his or her right to vote can have it restored. A conserved individual who wants to vote in the November election must inform the probate court, or an agent of the probate court, that he or she wants to vote. The probate court must then notify the County Registrar of Voters which must reinstate the individual’s voting rights.

Join thousands of Americans with disabilities in this important and historic effort!
Don’t Boo…Organize, Register, and VOTE!
Onward to November 8, 2016!
Make the DISABILITY VOTE Count!

Important Statistics
One in five individuals between the ages of 18 and 64 in the United States have a disability. This represents 19 percent of the population, or approximately 57 million Americans. This potentially massive voting block can easily determine the outcome of ballot initiatives and which candidates are elected.

In the 2012 election:

- 30% of people with disabilities said they wanted to vote but were unable to
- **72% of polling places WERE NOT ACCESSIBLE!**
- Individuals with disabilities are 20% less likely to vote than non-disabled individuals and 10% less likely to register to vote
- Studies show that individuals with disabilities are highly interested in government and public affairs and want to participate in the voting process
- Studies show that many disability agencies are not using the NVRA
- More than 30,000 conserved individuals wrongfully lost their right to vote. SB 589 gives them the right to request that their right to vote be restored

Individuals with disabilities represent a significant voting block that should not be sidelined!
Why Registering Individuals with Disabilities is an Imperative

Don’t Expect to See a Change if You Don’t Make One

The November 8th election will be one of the most important elections in over a decade. People with disabilities — their family members, attendants, providers, professionals, advocates and supporters — have a major stake in the outcome of this election. There are over a dozen state and local ballot initiatives that voters will have to decide this November.

The Disability Vote this November can make a difference on issues such as:

- Accessible, affordable, integrated housing
- Providing $9 billion in bonds for education and schools
- Increasing the cigarette tax to $2.00 per pack
- Repealing the death penalty
- Requiring background checks for ammunition purchases
- Bilingual education in public schools
- Legalization of recreational marijuana and hemp
- Personal income tax increases on income over $250,000
- Approval of changes to hospital fee programs
- Appointments to the United States Supreme Court
- Immigration policies
Information that Every Voter Education and Registration Worker Needs to Know to Successfully Register Individuals with Disabilities to Vote

It Isn’t Easy Participating in the Democratic Process Even though the Laws are On Our Side

Common Obstacles to Registering and Voting

Individuals with disabilities are less likely to register and vote for a variety of reasons, including:

> Social Isolation
> Deemed irrelevant by political organizations
> Ignored by family, friends and co-workers who are engaged in the political process
> Lower levels of resources, such as income and education, that are linked to higher voter registration and turnout
> Lower feelings of political efficacy
> Mistaken belief that they must be able to read and write to complete voter registration forms and ballots
> Misconception that they are not able to seek assistance and reasonable accommodations in registering and voting
> Barriers getting to and using polling places
> Reading and understanding how to use equipment
> Poll worker’s lack of knowledge about people with disabilities and required accommodations
> Long lines and inadequate parking
> Communicating with election officials

Overcoming Barriers and Possible Solutions

> Make transportation available on Election Day
> Increase the number of disabled poll workers
> Expanded training and education for poll workers, election officials and other relevant stakeholders
> Promote access and participation of individuals with disabilities
> Partner with disability agencies, community partners and advocates to provide training and support
> Conduct specific training on polling place accessibility and legal rights of individuals with disabilities
> Provide outreach to assisted living facilities, psychiatric hospitals, provider agencies, nursing homes and senior centers
> Offer voter registration assistance to residents
> Develop voter rights pamphlets, online materials, videos and social media campaigns to educate individuals with disabilities and their caregivers and family members
> Conduct educational training events for caregivers, family members, and staff of voter education and political agencies
Newly enacted SB 589 gives over 30,000 conserved voters the right to vote. Here is how it works:

The law became effective on January 1, 2016.

SB 589 provides that an individual under a conservatorship who has lost his or her right to vote during the process in which a conservator was appointed over them by the courts can have their right to vote restored. Most courts around the state are restoring rights at the time of the biennial reviews of the conservatorship. The law does not require that conserved individuals wait until this review before seeking that their right to vote be restored.

For conserved individuals who want to vote in the Tuesday, November 8, 2016 election, he or she, or someone acting on their behalf must notify the probate court that issued the conservatorship order of their desire to have their voting rights restored.

Request to the probate court to restore voting rights of conserved individuals must be submitted to the court allowing for that person to be officially registered to vote by October 24, 2016.

A conserved person can simply write to the presiding judge of the probate court, or to a court investigator, and indicate, “I want to vote.” The letter should include the probate court’s conservatorship case number.

Once the statement is received by the court, and the court verifies that the letter is from the conserved person, the court should enter an order to restore the individual’s voting rights and provide notification to the County Registrar of Voters. Once the County Registrar of Voters is notified, and the person’s voting rights are restored, the individual should contact the Registrar of Voters to complete their voter registration.

The probate court must restore a conserved person’s right to vote upon written request unless the person is found incapable of communicating a desire to vote.

The address and telephone number of the Los Angeles County Superior Court Probate Division are:
Los Angeles County Superior Court – Probate Division Stanley Mosk Courthouse
111 North Hill Street Los Angeles, CA 90012
Phone: (213) 830-0850


**Key Strategies for Registering**  
**Disabled Individuals and their Caregivers**

**DO:**

- Encourage family, friends and others to register to vote and, if eligible, to request a ballot by mail.
- Explain and emphasize the importance of the disability vote and the rights of individuals with disabilities to vote.
- Encourage friends, colleagues, and family members to request a Special Needs Network Tool Kit www.specialneedsnetwork.org
- Emphasize that a person with a disability can register to vote even if they cannot read or write. Literacy is not required as long as the person has an interest in balloting and can state their interest in voting (this can be in writing, orally or with assistive technology).
- Emphasize that caregivers, family members and friends can assist individuals with disabilities to register and to actually vote.
- Review with disabled individuals and their caregivers the frequently asked questions in the attached Appendix.
- Report any violations of the federal and state laws listed above to the County Office of Registrar.
- Develop a comprehensive program to reach out to the thousands of disabled voters in your community and their caregivers.

**DO NOT:**

- Recommend, endorse, or encourage support for one candidate or party over another.
- Tell the people you’re registering which party to register under or who to vote for.
- Coordinate activities with a candidate or campaign or political party
- Target your registration efforts toward any particular ideological group, party, or issue.
- Make blanket assumptions about someone’s cognitive ability based on their looks, gestures or speech.
- Assume that because someone is nonverbal that they are incapable of understanding you and expressing a desire to register and to vote.
- Ask or get hung up on a person’s diagnosis. The law doesn’t require individuals to answer questions about their private health conditions as a prerequisite to registering to vote or voting.
- Use insensitive language when speaking with individuals or their caregivers—avoid terms like “mentally retarded or retarded.”
- Fail to educate caregivers and family members on the role they can play in helping an individual with a disability register and vote.
Guide for talking to others about voter registration.
Ask the question, “Are you registered to vote?”

If the answer is NO:

- Would you like register? It’s easy!
  > Provide them with the registration form.
  > Forms are available for download from the California Secretary of State’s (SOS) website.

- Would you like assistance to complete the registration form?
  > You may assist them in completing the registration form.

You need to mail the registration form to the County Voter Registration Office.
  > The address for the County Voter Registration Office is on the voter registration form or available on the Secretary of State website: http://www.sos.ca.gov/elections
  > You may assist them in mailing in the form.

Voter Registration Forms must be sent in to the County Voter Registration Office by Monday, October 24, 2016.

Remind them that general election day is Tuesday, November 8, 2016.

If the answer is YES:

- Do you need to apply for a ballot by mail? It’s easy!
  > Provide them with the information about voting by mail.
  > Applications can be downloaded from the Secretary of State website.

- Would you like assistance to complete the application for a ballot by mail?
  > You may assist them in completing the absentee ballot application.

The applicant needs to mail the application to the County Voter Registration Office.
  > The address for the County Voter Registration Office is on the voter registration form or on the SOS website.
  > Tell them to mail in the form.

Voting by mail applications must be submitted to the County Voter Registration Office by Monday, October 24, 2016.

Ballots must be submitted to the County Voter Registration Office by Tuesday, November 8, 2016. Remind them that general election day is Tuesday, November 8, 2016.
Information You Will Need to Register Voters

The Special Needs Network recommends the following resources to find what you need. Need more help? Call (323) 291-7100 or send an email to info@specialneedsnetwork.org.

California Secretary of State’s Office
http://www.sos.ca.gov/
Elections Division
1500 11th St., 5th Floor
Sacramento CA 95814
Phone: (916) 657-2166
Fax:(916) 653-3214
Monday through Friday
8:00 a.m. to 5:00 p.m.

California Department of Motor Vehicles
https://www.dmv.ca.gov/portal/dmv/detail/about/voterregistrationoptions

Special Needs Network Voting Resources
www.specialneedsnetwork.org
4401 Crenshaw Blvd., Suite 215
Los Angeles, CA 90043
Office: 323.291.7100
Fax: 323.291.7104

2016 Voting Dates to Remember
- Monday, October 10: First day to vote-by-mail.
- Monday, October 24: Last day to register to vote.
- Tuesday, November 1: Last day that county elections officials will accept any voter’s application for a vote-by-mail ballot

Tuesday, November 8 is Election Day!
Polls are open from 7:00 a.m. to 8:00 p.m.
Information to Provide to Individuals with Disabilities and Their Caregivers

Your Vote Matters
Information for Individuals with Disabilities

You have the right to Vote if You are a United States Citizen who:
• Is at least 18 years old on Election Day
• Is not in jail for a felony conviction or on parole for a felony conviction.
• Has not had their right to vote removed by a judge in a guardianship hearing.

How to register to vote.
• By mail: Request an application from your local voter registration office.
• In person: At the Department of Motor Vehicles (Driver’s License) Office, Public Library, Post Office, or any state agency that provides public assistance.
• Online: Use a computer and go to: http://registertovote.ca.gov/

Within 30 days of sending in your application, you will receive your voter registration card in the mail.

What Senate Bill 589 provides.
• Conserved individuals who lost their right to vote through the conservatorship process can seek to have their rights restored.
• You or your representative (caregiver or regional center representative) must submit a written request to the probate court indicating that you wish to vote.
• Your request must be submitted in writing and you must register to vote by Monday, October 24, 2016.

You have the right to the following assistance:
• Vote by yourself and make your own choices.
• Get assistance in completing the voter registration form.
• Get help from a person of your choice or an election worker.
• Use a physically accessible polling place and an accessible voting machine.
You Have a Right to Election Accommodations on Election Day:

Did you know you can:

- Ask to move to the front of the line.
- Bring someone to help you.
- Have headphones to hear your ballot.
- Have sample ballots in alternative format.
- Have accessible parking.
- Have temporary ramps.
- Use a communication board.
- Access voting machines for voters in wheelchairs.
- Use different colored voting screens.
Appendix A
Frequently Asked Questions of Individuals with Disabilities Regarding Registering and Voting

Where can I get a registration form to mail in or register to vote in person?
They are available in many languages. They are available at the following places:

• All DMV offices (where you go to get a driver’s license)
• All county voter registrar offices (In most counties, the office is part of the county tax assessor - collector’s office, but in some counties, it is part of the county clerk or elections administrator’s office. You can ask the county courthouse for the office location.)
• The Secretary of State’s Office call them at (800) 345-VOTE (8683)
• Public libraries
• Many post offices
• Many high schools
• On the internet at: http://www.sos.ca.gov/elections/polling-place
• Any office of a state agency that provides public assistance (Department of Transportation, Workforce Commission, Local Workforce Center, etc.)
• Any office that provides state-funded programs that help people with disabilities (Department of Aging and Disability Services, Department of State Health Services, Department of Assistive and Rehabilitative Services, etc.)
• The offices that have the registration forms must also help you complete the forms, unless you refuse assistance.
• In addition, political parties, activists groups, and private citizens can give out application forms. If they do, they must help you register, too, whether or not you agree with their politics or point of view.
If I am registering by mail, do I need to send anything else in besides the form?
No, not unless this is the first time you have registered to vote. First-time voters must also send in a photocopy of identification along with their registration form. Acceptable ID includes: A driver’s license; bank statement; utility bill; paycheck; or other government document that shows your name and address.

Note: If you chose not to send in a copy of identification when registering to vote as a first time voter, you will be required to show identification at the polls when you go to vote for the first time.

What is the deadline to register to vote for an upcoming election?
• You must register by October 24, 2016 in order to vote in the November 8, 2016 election.
• If you are registering by mail, your application form must be postmarked at least 30 days before the election.

What if I have a disability and can’t leave the house?
• You can either register by mail, or if an agency is providing you with services in your home, and if they offer voter registration services they must provide those voter registration services at your home.

What if I am staying in a hospital or other institution that is not in my home county?
If you reside in an institution, or somewhere else that is not in the same county as your permanent address, you can register to vote by mail in the county where your permanent address is. Then you can vote at your current residence with a vote-by-mail ballot.

What if I need help to register?
Anyone of your choice can help you register. Anyone you choose may fill out the registration card for you, in your presence. If you cannot sign you name, you may have a “witness” sign on your behalf. If you can make a mark of any kind, do so, in the signature line. Have your “witness” sign and date their name under the signature line, to indicate that they acted as your witness.

Is there a way to find out if I am already registered to vote?
You can call the Secretary of State’s office at (800) 345-VOTE (8683). This is the same number you would call to request an application by mail or to seek answers to any voting related question.
What happens after I register?

• Once you submit a voter registration application, a voter registration certificate (proof of registration) will be mailed to you within 30 days.
• Voter Registration Certificate - Check your certificate to be sure all information is correct. If there is a mistake, make corrections and return it to the voter registrar immediately.
• When you go to the polls to vote, present your certificate as proof of registration. Remember, if you did not present identification when registering to vote as a first-time voter, the poll worker will also ask you to show identification along with your certificate.
• If you do not have your certificate you may vote without it by signing an affidavit at the polling place and showing some other form of identification (driver’s license, birth certificate, copy of electric bill).
• If you lose your certificate, notify your county Voter Registrar in writing to receive a new one.
• You will automatically receive a new certificate every two years, if you haven’t moved from the address at which you are registered.

How do I make changes to my voter registration certificate?

If you move within the same county, promptly notify the Voter Registrar in writing of your new address by:

• Correcting your current voter registration certificate on the back and returning it to the Voter Registrar;
• Filling out a new voter registration application form and checking the “change” box;
• Making simultaneous changes to your driver’s license and voter registration when you apply for or update your driver’s license;
• Request changes to your name and/or address on your voter registration card online at http://www.sos.ca.gov/elections/voter-registration/;
• Contact any of the designated voter registration offices.

You will receive a new certificate with your new address. You will be able to vote in your new precinct 30 days after your change of address is submitted.

If you move to another county:

• You must re-register! Fill out a new application and mail it, or take it in person, to the Voter Registrar of your new county, or register in any way that is listed above. You will be registered 30 days after your application is submitted. You will receive a new certificate.

If you have a name change:

• Promptly notify the Voter Registrar in writing of the change using the same steps as for HOW TO MAKE CHANGES TO A VOTER REGISTRATION CERTIFICATE.
• You will receive a new certificate 30 days after your name change notice is submitted.
• You may continue to vote during this period. If you do not have your certificate in hand, you may sign an affidavit at the polls and present a form of identification.
Appendix B

Important Information You Should Know

Help America Vote Act (HAVA)

The goal of the Help America Vote Act (HAVA), passed by Congress in 2002, is to make the voting process more inclusive and accessible so that more Americans will become registered voters and participate in elections.

Disability Rights California is the protection and advocacy agency designated by HAVA to help ensure accessible voting in California. Specialists on staff can answer questions, respond to legal violations, and troubleshoot problems related to your voting rights. There are no costs for these services.

Disability Rights California provides the following services related to voters with disabilities:

- Educates voters, election workers, and other persons involved in the voting process about the rights of people with disabilities.
- Provides information to people with disabilities about voter registration and the chance to register to vote.
- Provides advice about access to polling places on Election Day.
- Works with groups representing people with disabilities and other organizations in registering voters and surveying polling places for accessibility.
- Represents or advocates for individuals with disabilities who have complaints about the voting process.
Appendix C

Cheat Sheet for California Voters with Disabilities

Take this along when you vote

1. To fix a problem at the polls, before you leave the polling place
   a) Talk to the head election judge, and if they can’t fix it, ask them to contact a county or city election official. If that doesn’t work,
   b) Contact Special Needs Network at (323) 291-7100 or by email at info@specialneedsnetwork.org
   c) File a written complaint at your polling place.

2. If you can’t get into your polling place, you can register and vote from your vehicle.
   a) Ask the head judge to find two election judges to come outside to help you.

3. If you are under a guardianship…
   a) You still have the right to vote UNLESS your guardianship order says that the court has taken away your right to vote.

4. If someone challenges your right to vote, the election judge must
   a) Put you under oath and have you swear to tell the truth;
   b) Ask you whether you are under a court ordered guardianship where the court took away your right to vote;
   c) If you answer that you are eligible to vote, you MUST be allowed to vote.

5. If you cannot sign your name…
   a) You have the right to tell the election judge who you are and tell another person to sign your name for you on the roster.

6. You have the right to ask for help voting.
   a) Any person you choose can go with you into the voting booth – except an agent of your employer or union, or a candidate.

7. It is against the law for anyone in the polling place to try to influence your vote.

8. You can ask someone to mark your ballot for you.
   a) It is against the law for them to mark the ballot for you if you cannot communicate to them who you want to vote for.

9. You have the right to take a sample ballot into the voting booth with you.

10. If you make a mistake before submitting your ballot
    a) You may go back and make corrections, follow the directions on the voting system screen or ask for help from a voting official.
Appendix D

Different ways to vote.
In addition to voting in person on Election Day, you can vote in these ways:

• **Annual application for ballot by mail:** Voters with disabilities may apply for an annual application for ballot by mail. Voters who choose the annual option will receive a mail ballot for all elections held during a calendar year. Annual applications may be submitted starting January 1, but not later than 11 days before Election Day.

• **Regular application for ballot by mail:** Voters with disabilities who do not request an annual ballot by mail application may submit an application for a single election starting January 1, but not later than 11 days before Election Day.

To apply to vote by mail, call the Office of the Secretary of State at (800) 345-VOTE (8683) or complete the application at http://registertovote.ca.gov/

• **Early voting:** You can vote early in person at any polling place in your county. Early voting begins 17 days before an election and ends four days before an election.

• **Curbside voting:** If you are physically unable to enter a polling place or stand in line to vote, you can ask an election official to bring your ballot to your vehicle or to the entrance of the polling place. You can vote curbside during early voting or on Election Day.

What to bring when you vote.
You must have ONE of the following current forms of identification when you vote:

• Driver’s License or ID
• Election Identification Certificate
• U.S. Military ID
• U.S. Citizenship Certificate with photo
• U.S. Passport
Appendix E
Restoring YOUR Right to Vote Under SB 589

People in conservatorships have a right to vote if they can express a desire to vote. Anyone previously disqualified can ask for reinstatement by writing a letter to the court.

Find the Sample Letter Below:

Name of Conservatee
Case Number
Phone Number of Conservatee, Conservator or Caregiver
Email Address of Conservatee, Conservator or Caregiver

ATTN: Probate Court Clerk

Under SB 589, I am within my rights and am urging that my right to vote be restored.
Please find my name and case number above.

Thank you,
Signed Conservatee

The letter should contain the signature or mark of the conservatee or be signed by someone on their behalf. Include a self-addressed and stamped return envelope for the court to use to send you a copy of the order reinstating your right to vote.

Once the court enters such an order, the court will forward the conservatee’s name to the Registrar of Voters so that it can be taken off the disqualified list.

When the conservatee receives an order of reinstatement from the court, have someone contact the Registrar’s office to get a form to register to vote, since the conservatee will need to file a current registration affidavit. He or she can have someone help fill out the registration form.