

A26-0910

**STATE OF MINNESOTA  
IN SUPREME COURT**

---

City of Oak Grove,

Petitioner,

v.

Steve Simon, in his official capacity as Minnesota Secretary of State; Tom Hunt,  
in his official capacity as Director of Anoka County Elections & Voter  
Registration; and Pam LeBlanc, in her official capacity as Chief Officer of Anoka  
County Property Records and Taxation,

Respondents.

---

**BRIEF OF LEAGUE OF WOMEN VOTERS MINNESOTA  
AS AMICUS CURIAE IN SUPPORT OF RESPONDENTS**

---

**FAEGRE DRINKER BIDDLE &  
REATH LLP**

Jeffrey P. Justman (#390413)  
William MacKinnon Morrow (#504457)  
2200 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, MN 55402  
(612) 766-7000

**GROUNDWORK LEGAL**

Chelsea Walcker (MN #0396792)  
Irina Vaynerman (MN #0396759)  
1650 West End Blvd., Suite 100  
Minneapolis, MN 55416  
(612) 208-6688

*Attorneys for Amicus Curiae League of  
Women Voters Minnesota*

**UPPER MIDWEST LAW CENTER**

Douglas P. Seaton (#127759)  
Nicholas J. Nelson (#391974)  
Austin M. Lysy (#505052)  
12600 Whitewater Drive, Suite 140  
Minnetonka, MN 55343  
(612) 428-7000

*Attorneys for Petitioner*

**KEITH ELLISON**

Attorney General

State of Minnesota

Angela Behrens (MN #0351076)

Allen Cook Barr (MN #0399094)

445 Minnesota Street, Suite 600

St. Paul, MN 55101

(651) 757-1487

*Attorneys for Respondent Simon*

**BRAD JOHNSON**

Anoka County Attorney

Jason J. Stover (MN #30573)

2100 Third Avenue, Suite 720

Anoka, MN 55303

(763) 324-5550

*Attorney for Respondents Hunt and  
LeBlanc*

RETRIEVED FROM DEMOCRACYDOCKET.COM

## TABLE OF CONTENTS

|                                                                                                                                                                                                                      |    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| TABLE OF AUTHORITIES .....                                                                                                                                                                                           | ii |
| STATEMENT OF INTEREST OF <i>AMICUS CURIAE</i> .....                                                                                                                                                                  | 1  |
| BACKGROUND.....                                                                                                                                                                                                      | 2  |
| ARGUMENT .....                                                                                                                                                                                                       | 4  |
| I. Electronic voter rosters provide substantial benefits to election<br>administration and democracy in Minnesota. ....                                                                                              | 4  |
| A. Electronic voter rosters improve Election Day efficiency and<br>reduce voter wait times. ....                                                                                                                     | 5  |
| B. Electronic voter rosters decrease the risk of errors. ....                                                                                                                                                        | 8  |
| C. Electronic voter rosters increase voter participation.....                                                                                                                                                        | 9  |
| D. Electronic voter rosters strengthen voter confidence in elections.....                                                                                                                                            | 10 |
| II. The Court should interpret Minn. Stat. § 201.225, subd. 1 in light of the<br>circumstances under which it was enacted, the object to be attained,<br>and the consequences of the competing interpretations. .... | 13 |
| A. The circumstances surrounding the enactment of Minn. Stat.<br>§ 201.225, subd. 1 support county-level decisionmaking. ....                                                                                        | 13 |
| B. The Legislature’s objective is best served by vesting authority<br>over the voter roster format at the county level. ....                                                                                         | 15 |
| C. The consequences of Oak Grove’s interpretation further support<br>county-level authority. ....                                                                                                                    | 17 |
| CONCLUSION.....                                                                                                                                                                                                      | 19 |

## TABLE OF AUTHORITIES

| <b>State Statutes</b>                                                                                                                                                                                                                                                                                                                                                                                     | <b>Page(s)</b>     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| Minn. Stat. § 201.021 .....                                                                                                                                                                                                                                                                                                                                                                               | 13                 |
| Minn. Stat. § 201.022 .....                                                                                                                                                                                                                                                                                                                                                                               | 14                 |
| Minn. Stat. § 201.171 .....                                                                                                                                                                                                                                                                                                                                                                               | 14                 |
| Minn. Stat. § 201.221 .....                                                                                                                                                                                                                                                                                                                                                                               | 14                 |
| Minn. Stat. § 201.221, subd.2 .....                                                                                                                                                                                                                                                                                                                                                                       | 13                 |
| Minn. Stat. § 201.221, subd.3 .....                                                                                                                                                                                                                                                                                                                                                                       | 2                  |
| Minn. Stat. § 201.225, subd.1 .....                                                                                                                                                                                                                                                                                                                                                                       | 12, 13, 14, 15, 17 |
| Minn. Stat. § 201.225, subd.5(b) .....                                                                                                                                                                                                                                                                                                                                                                    | 10                 |
| Minn. Stat. § 204C.14, subd.2 .....                                                                                                                                                                                                                                                                                                                                                                       | 2                  |
| Minn. Stat. § 645.16 .....                                                                                                                                                                                                                                                                                                                                                                                | 19                 |
| Minn. Stat. § 645.16(2) .....                                                                                                                                                                                                                                                                                                                                                                             | 13                 |
| Minn. Stat. § 645.16(4) .....                                                                                                                                                                                                                                                                                                                                                                             | 13, 15             |
| Minn. Stat. § 645.16(6) .....                                                                                                                                                                                                                                                                                                                                                                             | 13, 17             |
| <br><b>Rules</b>                                                                                                                                                                                                                                                                                                                                                                                          |                    |
| Minn. R. Civ. App. P. 132.01, subd.3(c) .....                                                                                                                                                                                                                                                                                                                                                             | 21                 |
| <br><b>Regulations</b>                                                                                                                                                                                                                                                                                                                                                                                    |                    |
| Minn. R. App. Proc. 129.03 .....                                                                                                                                                                                                                                                                                                                                                                          | 1                  |
| <br><b>Other Authorities</b>                                                                                                                                                                                                                                                                                                                                                                              |                    |
| Annelise Pierce, <i>Elimination of Electronic Poll Books Led to Wait Times,<br/> Voter Access Issues in Shasta</i> , Shasta Scout (Nov. 12, 2025),<br><a href="https://shastascout.org/elimination-of-electronic-poll-books-led-to-wait-times-voter-access-issues-in-shasta">https://shastascout.org/elimination-of-electronic-poll-books-<br/> led-to-wait-times-voter-access-issues-in-shasta</a> ..... | 10                 |

|                                                                                                                                                                                                                                                                                                                                                                                                 |       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| Anoka County Election Integrity Team News Page,<br><a href="https://aceit.vote/news">https://aceit.vote/news</a> (last visited July 24, 2026) .....                                                                                                                                                                                                                                             | 3     |
| Anoka County, <i>Elections and Voting: Electronic Poll Books</i> , Anoka<br>Cnty. Digit. Newsl. (Mar. 9, 2026),<br><a href="https://www.anokacountymn.gov/CivicAlerts.aspx?AID=2588&amp;ARC=3666">https://www.anokacountymn.gov/CivicAlerts.aspx?AID=2588<br/>&amp;ARC=3666</a> .....                                                                                                           | 5     |
| Chloe Rosen, <i>76% of Minnesota Voted in 2024 Election, Secretary of<br/>State Estimates</i> , CBS News (Nov. 6, 2024),<br><a href="https://www.cbsnews.com/minnesota/news/76-of-minnesota-voters-turned-out-on-election-day">https://www.cbsnews.com/minnesota/news/76-of-minnesota-<br/>voters-turned-out-on-election-day</a> .....                                                          | 12    |
| Elora Mukherjee, <i>Abolishing the Time Tax on Voting</i> , 85 Notre Dame<br>L. Rev. 177, 181 (2009).....                                                                                                                                                                                                                                                                                       | 9     |
| Emma Jones, <i>Smart Use of Electronic Poll Books Can Reduce Long Lines<br/>on Election Day</i> , Bipartisan Pol’y Ctr. (July 1, 2020),<br><a href="https://bipartisanpolicy.org/article/smart-use-of-electronic-poll-books-can-reduce-long-lines-on-election-day">https://bipartisanpolicy.org/article/smart-use-of-electronic-<br/>poll-books-can-reduce-long-lines-on-election-day</a> ..... | 6     |
| Justin Levitt, <i>Long Lines at the Courthouse: Pre-Election Litigation of<br/>Election Day Burdens</i> , 9 Election L.J. 19, 21–22 (2010) .....                                                                                                                                                                                                                                                | 9     |
| Kathryn Peters, <i>Technology to Invite, Inform, and Modernize: How<br/>Platforms Support Democratic Participation</i> , 4 Geo. L. Tech. Rev.<br>429, 441 (2020) .....                                                                                                                                                                                                                          | 10    |
| Matthew Weil et al., <i>Logical Election Policy</i> , Bipartisan Pol’y Ctr., 35<br>(Jan. 2020), <a href="https://bipartisanpolicy.org/wp-content/uploads/2020/01/Bipartison_Elections-Task-Force_R01-2.pdf">https://bipartisanpolicy.org/wp-<br/>content/uploads/2020/01/Bipartison_Elections-Task-Force_R01-<br/>2.pdf</a> .....                                                               | 8     |
| Minn. H., Hearing on H.F. 2166 before the H. Comm. on Elections,<br>88th Minn. Leg., Reg. Sess. (Mar. 4, 2014), <i>available at</i><br><a href="http://lrl.mn.gov/audio/house/2014/elec030414.mp3">lrl.mn.gov/audio/house/2014/elec030414.mp3</a> .....                                                                                                                                         | 4, 14 |
| Minn. H.J., 88th Leg., Reg. Sess. 10772 (2014),<br><a href="https://www.house.mn.gov/cc/journals/2013-14/J0514104.htm#10772">https://www.house.mn.gov/cc/journals/2013-<br/>14/J0514104.htm#10772</a> ; .....                                                                                                                                                                                   | 4     |

|                                                                                                                                                                                                                                                                                                                               |    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| Minn. H.J., 88th Leg., Reg. Sess. 11183 (2014),<br><a href="https://www.house.mn.gov/cc/journals/2013-14/J0516106.htm#11183">https://www.house.mn.gov/cc/journals/2013-14/J0516106.htm#11183</a> .....                                                                                                                        | 4  |
| Office of the Minnesota Secretary of State, <i>County Elections Administration Guide</i> (July 7, 2024),<br><a href="https://sos.mn.gov/media/4251/county-election-administration-guide.pdf">https://sos.mn.gov/media/4251/county-election-administration-guide.pdf</a> .....                                                 | 16 |
| Office of Minnesota Secretary of State, <i>Electronic Roster Task Force Findings and Recommendations</i> (Jan. 31, 2014),<br><a href="https://www.lcc.mn.gov/inactive/ertf/pdf/ElectronicRosterTaskForceFinalReport.pdf">https://www.lcc.mn.gov/inactive/ertf/pdf/ElectronicRosterTaskForceFinalReport.pdf</a> .....          | 5  |
| Office of the Minnesota Secretary of State, <i>Secure and Fair Elections</i> ,<br><a href="https://www.sos.mn.gov/elections-voting/secure-and-fair-elections/">https://www.sos.mn.gov/elections-voting/secure-and-fair-elections/</a> .....                                                                                   | 16 |
| Office of the Minnesota Secretary of State, <i>State, County and Local Rules</i> , <a href="https://www.sos.mn.gov/elections-voting/how-elections-work/state-county-and-local-roles/">https://www.sos.mn.gov/elections-voting/how-elections-work/state-county-and-local-roles/</a> .....                                      | 13 |
| Oliver Bergeron-Boutin et al., <i>Communicating with Voters to Build Trust in the U.S. Election System</i> , MIT Election Data & Sci. Lab, 12,<br><a href="https://electionlab.mit.edu/sites/default/files/2023-10/voter-trust.pdf">https://electionlab.mit.edu/sites/default/files/2023-10/voter-trust.pdf</a> .....         | 12 |
| Presidential Comm’n on Election Admin., <i>The American Voting Experience</i> (Jan. 2014),<br><a href="https://www.eac.gov/sites/default/files/eac_assets/1/6/Amer-Voting-Exper-final-draft-01-09-14-508.pdf">https://www.eac.gov/sites/default/files/eac_assets/1/6/Amer-Voting-Exper-final-draft-01-09-14-508.pdf</a> ..... | 7  |
| Rep. Carolyn Laine, <i>Legislative Update – April 8, 2014</i> , Minn. Leg. (Apr. 8, 2014), <a href="https://www.house.mn.gov/members/profile/news/15272/848">https://www.house.mn.gov/members/profile/news/15272/848</a> .....                                                                                                | 5  |
| Thad Hall, J. Quin Monson & Keely D. Patterson, <i>Poll Workers and the Vitality of Democracy: An Early Assessment</i> , 40 PS: Pol. Sci. & Pol. 647, 647 (2007) .....                                                                                                                                                        | 8  |

|                                                                                                                                                                                                                                                                                                                        |    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| U.S. Election Assistance Comm’n to the 119th Cong., <i>Election Administration and Voting Survey 2024 Comprehensive Report</i> , 55 (June 2025), <a href="https://www.eac.gov/sites/default/files/2025-07/2024_EAVS_Report_508.pdf">https://www.eac.gov/sites/default/files/2025-07/2024_EAVS_Report_508.pdf</a> ..... | 4  |
| Wendy Weiser & Vishal Agraharkar, <i>Modernizing Elections</i> , in 45 <i>Book of the States</i> 271 (Audrey S. Wall ed., 2013), <a href="https://issuu.com/csg.publications/docs/bos2013">https://issuu.com/csg.publications/docs/bos2013</a> ;.....                                                                  | 8  |
| Whitney Quesenbery, Lynn Baumeister & Shanée Dawkins, <i>Usability and Accessibility of Electronic Pollbooks</i> , Nat’l Inst. Standards & Tech. (Dec. 2023), <a href="https://tsapps.nist.gov/publication/get_pdf.cfm?pub_id=957037">https://tsapps.nist.gov/publication/get_pdf.cfm?pub_id=957037</a> .....          | 12 |
| William T. Adler et al., <i>What are Electronic Poll Books?</i> , Bipartisan Pol’y Ctr. (Jan. 8, 2026), <a href="https://bipartisanpolicy.org/explainer/what-are-electronic-poll-books/">https://bipartisanpolicy.org/explainer/what-are-electronic-poll-books/</a> .....                                              | 11 |

## STATEMENT OF INTEREST OF *AMICUS CURIAE*<sup>1</sup>

The League of Women Voters Minnesota (hereinafter, “the League”) is a nonprofit, nonpartisan civic organization whose mission is to empower voters and defend democracy. The League was founded in 1919 to help newly-enfranchised women participate in elections following the ratification of the Nineteenth Amendment to the United States Constitution. Today, the League continues to promote civic participation through initiatives that encourage free, fair, and accessible elections.

The League advances its mission by educating voters, participating in election administration, and advocating for fair and efficient elections. Through this work, the League has developed substantial familiarity with Minnesota’s election system and the practical effects of election administration decisions on voters and election officials statewide. Among the League’s 3,475 active Minnesota members are 116 Anoka County residents, including 3 residents of the City of Oak Grove. The League is thus well positioned to offer a nonpartisan perspective on the practical implications of Oak Grove’s challenge to the administration of voter rosters in Minnesota elections.

---

<sup>1</sup> This *amicus curiae* brief was not authored either in whole or in part by any counsel for a party in this litigation. See Minn. R. App. Proc. 129.03. No party made any monetary contributions to assist with the preparation or submission of this brief.



## BACKGROUND

This case concerns whether election precincts should use electronic or paper voter rosters to check in voters, and which governmental entity has authority to make that decision. Because that decision has significant practical consequences, the League submits this amicus brief to explain the concrete, real-world benefits of electronic voter rosters in Minnesota elections.

Each election precinct in Minnesota uses a voter roster. Election judges use voter rosters to, among other things, check in voters, verify voter eligibility, and direct voters who arrive at the wrong precinct to the correct polling place. Voters must sign the voter roster, and those signatures may later be used to confirm that the individual who voted is who they said they were. *See generally* Minn. Stat. § 201.221, subd. 3; Minn. Stat. § 204C.14, subd. 2.

Until 2014, all Minnesota precincts used paper voter rosters. Voters waited in line and, upon reaching the front, signed the roster next to their names. If a voter inadvertently arrived at the wrong precinct, the voter often waited through the entire line only to learn that she needed to vote elsewhere. Voters also made predictable mistakes, such as signing on the wrong line.

In 2014, the Legislature authorized the use of electronic voter rosters. As relevant here, beginning in 2018, Anoka County required all precincts within the County to use electronic voter rosters. That change has yielded enormous

benefits. As League members who have served as election judges in Anoka County have experienced firsthand, wait times at polling places have declined significantly because election judges can quickly check in voters using electronic poll pads. If a voter arrives at the wrong precinct, the election judge learns this immediately and can print a receipt directing the voter to the correct polling place – something that was impossible under a paper-only system. Electronic rosters have also eliminated the risk of errors, such as a voter with a “Sr.” suffix signing on the line for a voter with the same name and a “Jr.” suffix. League members of all political stripes cannot imagine returning to a paper-only system.

That, however, is what the City of Oak Grove seeks to do. More specifically, Oak Grove seeks permission to force precincts within the City to return to paper voter rosters, even while other precincts in Anoka County continue using electronic rosters. Although Oak Grove’s brief does not say so expressly, its request to abandon electronic voter rosters is rooted in unsupported claims about the unreliability of electronic election technology that have been promoted by a fringe group known as the “Anoka County Election Integrity Team.” Parroting that group’s views,<sup>2</sup> Oak Grove argues that there is “no factual reason” why the uniform use of electronic voter rosters “would

---

<sup>2</sup> Anoka County Election Integrity Team News Page, <https://aceit.vote/news> (last visited July 24, 2026).

present any substantial practical advantage.” (Opening Br. 18.) The League disagrees. This amicus brief provides those factual reasons, details the “discernible practical advantages” of Minnesota’s current approach (*cf. id.* at 12), and discusses the harmful consequences of adopting Oak Grove’s proposed interpretation.

## ARGUMENT

### **I. Electronic voter rosters provide substantial benefits to election administration and democracy in Minnesota.**

The Minnesota Legislature first authorized the use of electronic voter rosters in 2014 with nearly unanimous bipartisan support.<sup>3</sup> Since their authorization, electronic voter rosters have been widely adopted throughout Minnesota. During the 2024 general election, for example, 71.3% of Minnesota jurisdictions used electronic voter rosters.<sup>4</sup>

The legislative record reflects the substantial benefits that electronic voter rosters provide over paper rosters.<sup>5</sup> Those benefits have also materialized in

---

<sup>3</sup> Minn. H.J., 88th Leg., Reg. Sess. 10772 (2014), <https://www.house.mn.gov/ccj/journals/2013-14/J0514104.htm#10772>; Minn. H.J., 88th Leg., Reg. Sess. 11183 (2014), <https://www.house.mn.gov/ccj/journals/2013-14/J0516106.htm#11183>.

<sup>4</sup> See U.S. Election Assistance Comm’n to the 119th Cong., *Election Administration and Voting Survey 2024 Comprehensive Report*, 55 (June 2025), [https://www.eac.gov/sites/default/files/2025-07/2024\\_EAVS\\_Report\\_508.pdf](https://www.eac.gov/sites/default/files/2025-07/2024_EAVS_Report_508.pdf).

<sup>5</sup> See, e.g., Minn. H., Hearing on H.F. 2166 before the H. Comm. on Elections, 88th Minn. Leg., Reg. Sess. (Mar. 4, 2014), *available at* [lrl.mn.gov/audio/house/2014/elec030414.mp3](http://lrl.mn.gov/audio/house/2014/elec030414.mp3) (audio web media) (statement of

practice. Over the past decade, through its members' service as election judges in Anoka County and throughout Minnesota, the League has witnessed firsthand that electronic voter rosters make elections more efficient, accessible, and transparent.<sup>6</sup>

Four practical benefits are particularly relevant here.

**A. Electronic voter rosters improve Election Day efficiency and reduce voter wait times.**

First, electronic voter rosters improve the efficiency of Election Day administration and decrease voter wait times.

Under a paper-roster system, voters typically wait in lines organized by last name while election judges manually search lengthy, unwieldy paper rosters to locate each voter's registration record. After locating the correct entry, the

---

Rep. Johnson, B., Member, H. Comm. on Elections, recognizing that electronic rosters are "going to be the way of the future. It's going to be much easier for the election judges"); Rep. Carolyn Laine, *Legislative Update – April 8, 2014*, Minn. Leg. (Apr. 8, 2014), <https://www.house.mn.gov/members/profile/news/15272/8487> (describing that electronic rosters will "modernize and streamline [Minnesota's] election process" by "improv[ing] speed and accuracy on election day"); see also Office of Minnesota Secretary of State, *Electronic Roster Task Force Findings and Recommendations*, 6–7 (Jan. 31, 2014), <https://www.lcc.mn.gov/inactive/ertf/pdf/ElectronicRosterTaskForceFinalReport.pdf> (hereinafter *Task Force Findings and Recommendations*) (finding that electronic rosters benefit election officials and voters because registered voters experience better line management, easier administration, and a more accurate process while unregistered voters benefit from quicker same-day registration).

<sup>6</sup> Cf. Anoka County, *Elections and Voting: Electronic Poll Books*, Anoka Cnty. Digit. Newsl. (Mar. 9, 2026), <https://www.anokacountymn.gov/CivicAlerts.aspx?AID=2588&ARC=3666>.

election judge must ensure that the voter signs on the correct line. This process is time-consuming and contributes to long wait times at polling places.<sup>7</sup> League members who have served as election judges in Anoka County before the transition to electronic voter rosters experienced these delays firsthand.

Electronic voter rosters, by contrast, streamline the check-in process. Using electronic poll pads, election judges can quickly locate a voter's registration record and verify the voter's eligibility. Election judges can also move along the line with a poll pad assisting voters before they reach the check-in table. If a voter has arrived at the wrong precinct, the election judge can identify that immediately and direct the voter to the correct polling place before the voter waits in the full line in the wrong location. This not only benefits the affected voter but also reduces wait times for everyone in line to vote.

Electronic voter rosters also eliminate the inefficiencies associated with manually searching paper rosters and requiring voters to locate the correct signature. Instead, the electronic roster displays the individual voter's name,

---

<sup>7</sup> See Emma Jones, *Smart Use of Electronic Poll Books Can Reduce Long Lines on Election Day*, Bipartisan Pol'y Ctr. (July 1, 2020), <https://bipartisanpolicy.org/article/smart-use-of-electronic-poll-books-can-reduce-long-lines-on-election-day> (noting that electronic voter rosters can pull up results immediately and "have a tangible impact on reducing the time that voters have to wait in line").

allowing the voter to sign electronically without the risk of signing on another voter's line.

The advantages of electronic voter rosters are particularly significant for voters who arrive at the wrong polling place. Using an electronic voter roster, an election judge can instantly identify the voter's correct polling place, print a slip with that information and polling place address, and provide clear directions to the appropriate precinct—a functionality that is simply unavailable with paper rosters.<sup>8</sup> Paper rosters do not allow election judges to identify accurate polling places for voters who arrive to the incorrect precinct.

The practical consequences are not hypothetical. In 2012, 562 voters in Anoka County arrived at the wrong polling place.<sup>9</sup> Had electronic voter rosters been available at the time, election judges could have identified those voters immediately and redirected them to the correct precinct without requiring them to wait in a line at the wrong polling place. That efficiency benefits not only those voters but also every voter waiting in line behind them.

---

<sup>8</sup> See Presidential Comm'n on Election Admin., *The American Voting Experience*, 44-45 (Jan. 2014), [https://www.eac.gov/sites/default/files/eac\\_assets/1/6/Amer-Voting-Exper-final-draft-01-09-14-508.pdf](https://www.eac.gov/sites/default/files/eac_assets/1/6/Amer-Voting-Exper-final-draft-01-09-14-508.pdf).

<sup>9</sup> See *Task Force Findings and Recommendations*, *supra*, at 75.

**B. Electronic voter rosters decrease the risk of errors.**

Second, electronic voter rosters reduce the risk of errors associated with paper rosters.

Whether maintained in paper or electronic form, voter rosters require voters to provide their signatures to confirm their eligibility to vote. Paper rosters, however, create opportunities for voters to sign on the wrong line, resulting in confusion and administrative errors. This problem is particularly acute when voters have similar or common names or share the same name but have different suffixes, such as “Jr.” or “Sr.”<sup>10</sup>

League members who have served as election judges in Anoka County experienced this problem firsthand when paper rosters were used. Voters signing on the wrong line was a recurring problem that slowed the check-in process for affected voters and for others waiting in line at the polling place.<sup>11</sup>

Electronic voter rosters eliminate this problem. The election judge verbally confirms the voter’s name and eligibility, retrieves the voter’s name on the

---

<sup>10</sup> See Matthew Weil et al., *Logical Election Policy*, Bipartisan Pol’y Ctr., 35 (Jan. 2020), [https://bipartisanpolicy.org/wp-content/uploads/2020/01/Bipartisan\\_Elections-Task-Force\\_R01-2.pdf](https://bipartisanpolicy.org/wp-content/uploads/2020/01/Bipartisan_Elections-Task-Force_R01-2.pdf).

<sup>11</sup> Sign-in errors also undermine confidence in the election for both the individual voters and for the general public. See Wendy Weiser & Vishal Agraharkar, *Modernizing Elections*, in 45 *Book of the States* 271, 272 (Audrey S. Wall ed., 2013), <https://issuu.com/csg.publications/docs/bos2013>; see also Thad Hall, J. Quin Monson & Kelly D. Patterson, *Poll Workers and the Vitality of Democracy: An Early Assessment*, 40 PS: Pol. Sci. & Pol. 647, 647 (2007).

electronic roster, and presents the voter with a single signature line on the poll pad. Because the electronic roster displays only the individual voter's name, a voter cannot accidentally sign another voter's line. Thus, electronic voter rosters have eliminated this recurring problem associated with paper rosters.

**C. Electronic voter rosters increase voter participation.**

Third, electronic voter rosters facilitate increased voter participation.

Paper rosters contribute to longer wait times and inefficiencies in the voter check-in process.<sup>12</sup> Empirical evidence demonstrates that longer wait times can reduce voter participation because some voters are unable or unwilling to remain in lengthy lines before casting their ballots.<sup>13</sup> By streamlining the check-in process, electronic voter rosters help prevent voters from leaving polling places before voting. Reducing unnecessary delays therefore directly supports voter participation.

---

<sup>12</sup> See Presidential Comm'n on Election Admin., *supra*, at 38 (identifying that most voters who experience long waits encounter them at check-in).

<sup>13</sup> See Elora Mukherjee, *Abolishing the Time Tax on Voting*, 85 Notre Dame L. Rev. 177, 181 (2009) ("If all registered voters in the United States were required to wait just sixty minutes to vote on Election Day, that wait time alone might turn away more than 40% of registered voters."); Justin Levitt, *Long Lines at the Courthouse: Pre-Election Litigation of Election Day Burdens*, 9 Election L.J. 19, 21-22 (2010) (noting the heightened burdens on certain subsets of voters, including those requiring childcare and those with disabilities that limit their ability to wait in line).



The relationship between electronic voter rosters and voter participation is not merely theoretical. Consider the case of Shasta County, California, which reverted from electronic voter rosters to paper voter rosters after the 2024 General Election in response to similar erroneous concerns underlying Oak Grove's petition here.<sup>14</sup> Following that change, paper rosters resulted in longer wait times and reduced voter participation in Shasta County. *Id.* As scholars have recognized, "[c]ore election technologies," including electronic voter rosters, are "critical to supporting robust voter participation."<sup>15</sup>

**D. Electronic voter rosters strengthen voter confidence in elections.**

Finally, electronic voter rosters strengthen voter confidence in elections by providing important safeguards, improving transparency, and facilitating efficient post-election processes.

Jurisdictions that use electronic voter rosters are required to maintain a paper backup roster, while jurisdictions using paper-only rosters have no comparable backup system. As Oak Grove recognizes, Minnesota law requires all precincts using electronic voter rosters to maintain a backup paper voter

---

<sup>14</sup> See Annelise Pierce, *Elimination of Electronic Poll Books Led to Wait Times, Voter Access Issues in Shasta*, Shasta Scout (Nov. 12, 2025), <https://shastascout.org/elimination-of-electronic-poll-books-led-to-wait-times-voter-access-issues-in-shasta>.

<sup>15</sup> Kathryn Peters, *Technology to Invite, Inform, and Modernize: How Platforms Support Democratic Participation*, 4 Geo. L. Tech. Rev. 429, 441 (2020).

roster. Minn. Stat. § 201.225, subd. 5(b). This redundancy strengthens election administration by ensuring that, if an electronic roster becomes unavailable or experiences a technical issue, election judges can immediately rely on the paper backup roster as a safeguard. By contrast, precincts using paper-only rosters are not required to maintain any additional backup. As a result, paper-only systems are uniquely vulnerable to risks such as accidental damage (including spilled beverages, smeared ink, or torn pages), or intentional interference (including theft, arson, vandalism, or other misconduct).

Electronic voter rosters also promote public confidence after the polls close. At that time, election officials must process and verify the number of ballots and confirm whether the number of ballots submitted matched the number of voters who signed the roster. Based on the experience of League members in Anoka County, paper rosters historically required significant time to cross-check against the ballots cast. (If 634 voters signed the roster, did 634 voters cast ballots?) By contrast, cross-checking electronic rosters is faster, easier, and *much* more accurate.<sup>16</sup> The electronic roster provides an immediate total for the

---

<sup>16</sup> William T. Adler et al., *What are Electronic Poll Books?*, Bipartisan Pol’y Ctr. (Jan. 8, 2026), <https://bipartisanpolicy.org/explainer/what-are-electronic-poll-books/> (“Some election officials report that EPBs make it easier to confirm that the number of voters who checked in matches the number of ballots cast, reducing time and errors compared to paper-based processes, a process known as ballot reconciliation. Faster, more reliable reconciliation reduces workload and enhances confidence in results.”).

number of voters who signed-in, and that number can be instantaneously cross-checked against the number of ballots cast at a precinct.

These benefits of efficient election processing are demonstrated statewide. In the 2024 General Election, Minnesota was able to report nearly all election results by 6:00 a.m. the following morning.<sup>17</sup> Efficient and transparent election administration promotes confidence in the accuracy and reliability of election results.<sup>18</sup>

\*

\*

\*

\*

In sum, electronic voter rosters provide faster check-in, improved voter service, fewer administrative errors, reduced post-election processing time, and greater confidence in election administration.<sup>19</sup> These are precisely the kinds of “substantial practical advantages” that Oak Grove claims do not exist. (Cf. Opening Br. 18.)

---

<sup>17</sup> See Chloe Rosen, *76% of Minnesotans Voted in 2024 Election, Secretary of State Estimates*, CBS News (Nov. 6, 2024), <https://www.cbsnews.com/minnesota/news/76-of-minnesota-voters-turned-out-on-election-day/>.

<sup>18</sup> See Oliver Bergeron-Boutin et al., *Communicating with Voters to Build Trust in the U.S. Election System*, MIT Election Data & Sci. Lab, 12, <https://electionlab.mit.edu/sites/default/files/2023-10/voter-trust.pdf>.

<sup>19</sup> See Whitney Quesenbery, Lynn Baumeister & Shanée Dawkins, *Usability and Accessibility of Electronic Pollbooks*, Nat’l Inst. Standards & Tech. (Dec. 2023), [https://tsapps.nist.gov/publication/get\\_pdf.cfm?pub\\_id=957037](https://tsapps.nist.gov/publication/get_pdf.cfm?pub_id=957037).

**II. The Court should interpret Minn. Stat. § 201.225, subd. 1 in light of the circumstances under which it was enacted, the object to be attained, and the consequences of the competing interpretations.**

The practical benefits of electronic voter rosters bear directly on the statutory interpretation issue before the Court. When interpreting Minn. Stat. § 201.225, subd. 1, the Court may consider, among other things, (1) the circumstances under which the statute was enacted; (2) the object to be attained; and (3) the consequences of the court's interpretation. *See* Minn. Stat. § 645.16(2), (4), (6). Each of those considerations supports interpreting Minn. Stat. § 201.225, subd. 1 to vest authority over the use of electronic voter rosters at the county level for county-administered elections.

**A. The circumstances surrounding the enactment of Minn. Stat. § 201.225, subd. 1 support county-level decisionmaking.**

Minn. Stat. § 201.225, subd. 1 was enacted against the backdrop of Minnesota's established framework for election administration, which balances statewide uniformity with local administration. Under that framework, responsibility for election administration is allocated among the state, counties, municipalities, and school districts, with counties serving as the principal authority for elections they administer. Minnesota's Elections Code reflects this hierarchy.<sup>20</sup> The county auditor serves as "the chief registrar of voters and the

---

<sup>20</sup> *See* Minn. Stat. § 201.221, subd. 2 (discussing the role of the Secretary of State in establishing "[u]niform procedures for counties" on voting forms and

chief custodian of the official registration records” within the county. Minn. Stat. § 201.021. The Secretary of State, in turn, is responsible for developing the statewide voter registration system in “[c]onsultation with local officials.” *See* Minn. Stat. § 201.022. County auditors also oversee election administration through voter registration, election judge training, system administration, ballot preparation, and post-election procedures. This structure promotes consistency in election administration while preserving appropriate local operational involvement. *See, e.g.*, Minn. Stat. § 201.221; Minn. Stat. § 201.171.

Against this backdrop, the Legislature enacted Minn. Stat. § 201.225, subd. 1.<sup>21</sup> The circumstances surrounding the statute’s enactment indicate that the Legislature intended decisions regarding the use of electronic voter rosters to be made by the governmental entity responsible for administering the election at issue. For elections involving federal, state, or county offices, that entity is the

---

procedures), *id.* subd. 4 (explaining that county auditors may “delegate” their assigned duties to municipalities); *see also* Office of the Minnesota Secretary of State, *State, County and Local Rules*, <https://www.sos.mn.gov/elections-voting/how-elections-work/state-county-and-local-roles/> (last visited July 9, 2026).

<sup>21</sup> *See* Minn. H., Hearing on H.F. 2166 before the H. Comm. on Elections, 88th Minn. Leg., Reg. Sess. (Mar. 4, 2014), *available at* [lrl.mn.gov/audio/house/2014/elec030414.mp3](http://lrl.mn.gov/audio/house/2014/elec030414.mp3) (audio web media) (statement of Joe Manskey, Ramsey County Elections Manager, testifying that the State “let[s] the counties make their own choices to get a system that meets their needs and ... to do so on an individual basis”).

county. Municipalities and school districts, by contrast, retain authority only over elections that they independently administer.

That interpretation also advances the Legislature's evident interest in uniform election administration. Vesting authority at the county level ensures that voters within the same county are checked using the same procedures and that election judges receive consistent training. By contrast, Oak Grove's interpretation would permit each municipality within a county to adopt different voter-check-in procedures, fragmenting election administration (down to the level of 854 cities, 1,788 townships, and 329 school districts) and hence undermining the consistency that Minnesota's statutory framework is designed to achieve.

**B. The Legislature's objective is best served by vesting authority over the voter roster format at the county level.**

The "object to be attained" likewise supports interpreting Minn. Stat. § 201.225, subd. 1 to vest authority over voter roster format at the county level. See Minn. Stat. § 645.16(4). In authorizing electronic voter rosters, the Legislature sought to realize the practical advantages of transitioning from paper to electronic voter rosters.<sup>22</sup> As discussed above, those advantages include faster

---

<sup>22</sup> See *Task Force Findings and Recommendations, supra*, at 1, 14 (describing the Task Force's statutory mandate as being "to examine the potential for use of electronic rosters in Minnesota" and proposing the legislative language that was ultimately codified, in relevant part, by Minn. Stat. § 201.225, subd. 1).

voter check-in, improved voter service, fewer administrative errors, and more efficient post-election processing.

County-level decisionmaking also advances another important legislative objective: uniform election administration. Minnesota's statewide elections rely on approximately 30,000 election workers, including election judges.<sup>23</sup> With so many participants, consistent training and standardized procedures are essential. County-level oversight promotes that consistency by ensuring that election judges throughout the county receive uniform training and administer elections using the same voter roster system. As Oak Grove acknowledges, training election judges is one of the county auditor's most important – and statutorily-mandated – responsibilities.<sup>24</sup>

Allowing individual municipalities within the same county to adopt different voter roster systems would undermine those objectives. Counties would be required to train election judges on multiple check-in procedures – increasing complexity, creating opportunities for error, and expending additional

---

<sup>23</sup> See Office of the Minnesota Secretary of State, *Secure and Fair Elections*, <https://www.sos.mn.gov/elections-voting/secure-and-fair-elections/> (last visited July 9, 2026).

<sup>24</sup> Opening Br. at 8 (citing Minn. Stat. § 204B.25); see Office of the Minnesota Secretary of State, *County Elections Administration Guide*, 24 (July 7, 2024), <https://sos.mn.gov/media/4251/county-election-administration-guide.pdf>.

public resources. Uniform countywide procedures, by contrast, simplify training, reduce administrative burdens, and promote consistent election administration.

Countywide uniformity also benefits voters. When every precinct administering the same election uses the same voter roster system, voters receive comparable treatment regardless of where they vote within their county. Election judges are less likely to commit administrative errors, voter confusion is reduced, and election administration is more consistent.

Under Oak Grove's proposed interpretation, however, voters participating in the same countywide election could have materially different voting experiences depending solely on the municipality in which they reside. Voters in municipalities that reject electronic voter rosters could face longer wait times and other barriers to voting, while similarly situated voters elsewhere in the county would not. The Legislature is unlikely to have intended such disparate treatment in the administration of the same election.

**C. The consequences of Oak Grove's interpretation further support county-level authority.**

The consequences of Oak Grove's proposed interpretation likewise support reading Minn. Stat. § 201.225, subd. 1 to vest authority over voter roster format at the county level. *See* Minn. Stat. § 645.16(6).

As discussed above, permitting individual municipalities to disregard countywide decisions regarding electronic voter rosters would reduce uniformity,



complicate election administration, and diminish the practical benefits that electronic voter rosters provide. But it would do more than just that. Oak Grove's proposed interpretation would also have broader consequences for election administration in Minnesota. It would invite municipalities to opt out of countywide election-administration practices based on unsupported concerns about electronic voter rosters, despite a decade of the State's success using them. The League's experience demonstrates that electronic voter rosters improve efficiency, reduce administrative efforts, facilitate voter participation, and strengthen public confidence in election administration. Requiring counties to accommodate municipality-by-municipality departures from those practices would undermine those benefits.

The consequences are not limited to voter rosters. If municipalities may override county decisions concerning voter check-in technology, similar disputes may arise over other aspects of election administration that the Legislature has assigned to counties or the State. Such fragmentation would make election administration less uniform, increase administrative burdens, and create unnecessary inconsistency within the same countywide election.

The Court need not ignore these consequences or the actors trying to implement them. As one League member observed, efforts to abandon established election-administration practices can "sow mistrust in safe, effective,

efficient, and secure voting systems.” The practical consequence of Oak Grove’s interpretation would be to weaken public confidence in election administration by encouraging piecemeal departures from uniform, statewide election procedures. Minnesota’s election laws reflect the Legislature’s judgment that elections are best administered through coordinated statewide and county-level systems. The Court should decline to adopt an interpretation that would undermine that framework and that would foster unsupported theories about how counties administer elections.

### CONCLUSION

For the foregoing reasons, *amicus curiae* League of Women Voters Minnesota respectfully requests that, in deciding Oak Grove’s petition, this Court consider the substantial practical benefits of electronic voter rosters, the Legislature’s bipartisan decision to authorize their use, and the statutory considerations set forth in Minn. Stat. § 645.16. For those reasons, the League respectfully urges this Court to deny Oak Grove’s petition.

Dated: July 29, 2026

**FAEGRE DRINKER BIDDLE &  
REATH LLP**

By s/ Jeffrey P. Justman

Jeffrey P. Justman (MN #390413)

William MacKinnon Morrow

(#504457)

2200 Wells Fargo Center

90 South Seventh Street

Minneapolis, MN 55402

Telephone: (612) 766-7000

Email:

jeff.justman@faegredrinker.com

**GROUNDWORK LEGAL**

Chelsea Walcker (MN #0396792)

Irina Vaynerman (MN #0396759)

1650 West End Blvd., Suite 100

Minneapolis, MN 55416

Telephone: (612) 208-6688

Email: chelsea@groundworklegal.org

irina@groundworklegal.org

*Attorneys for Amicus Curiae*

*League of Women Voters Minnesota*

## CERTIFICATE OF COMPLIANCE

I hereby certify that this amicus brief conforms to the requirements of Minn. R. Civ. App. P. 132.01, subd. 3(c). It contains a proportional 13-point font with 13-point major headings, and the length of this document is 4,036 words, including all footnotes and headings, and excluding the cover, table of contents, table of authorities, signature block, and certificates. This Brief was prepared using Microsoft Word 365 Version 2603.

Dated: July 29, 2026

By s/Jeffrey P. Justman

Jeffrey P. Justman

## CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that this Brief is being filed and served on all counsel of record for all parties via the Minnesota appellate court electronic filing system.

Dated: July 29, 2026

By s/Jeffrey P. Justman

Jeffrey P. Justman

RETRIEVED FROM DEMOCRACYDOCKET.COM