

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

ASSOCIATION OF COMMUNITY)
ORGANIZATIONS FOR REFORM NOW)
et al.,)

Plaintiff,)

v.)

Case No. 08-4084-CV-C-NKL

DEBORAH E. SCOTT, et al.,)

Defendant.)

DEPARTMENT OF SOCIAL SERVICES REVISED PLAN FOR COMPLIANCE

Following discussions with Plaintiffs, Defendants Scott and Luck have made the following revisions to their monitoring plan. County office and statewide NVRA coordinator designations submitted in the initial plan remain in effect.

NVRA MONITORING PLAN

The receptionist in each local office will keep a log of all persons who come into the office for one of the following reasons:

- apply for benefits,
- complete reinvestigations,
- report changes of address, and
- register to vote only.

This information will be recorded using a data collection tool.

If the individual is in the office to register to vote only, the receptionist will give the individual a voter registration card and offer to assist him/her with completing the form. If the individual is in the office to apply for benefits, complete a reinvestigation, or report a change of address, the individual will be seen by an eligibility specialist (ES).

The ES will ask the individual, who is in the office for any of the activities above, if s/he wishes to register to vote and will offer the individual assistance in completing the form.

There are three boxes listed on the voter registration form; "no", "no, already registered", and "yes".

- If the individual declines to mark any box, the ES will record on the declination form the individual's name, date of birth, the fact that s/he declined voter registration services, the date, and the ES will sign the form.
- If the individual marks the box "no" or "no, already registered" and signs the form, the ES will record on the form the date and the individual's date of birth.
- If the individual marks the box "no" or "no, already registered" and does not sign the form, the ES will record on the form the date, the individual's name, and date of birth.
- If the individual marks "yes" but does not actually complete the voter registration application form in the office because s/he chose to take the card home to complete, the ES will complete a separate card checking "no". The ES will record on the separate card

the individual's name, date of birth, the fact s/he declined to complete the card in the office and instead took it home to complete, the date, and the worker's signature.

- If the individual marks "yes" but does not fully complete the voter registration application form in the office either because s/he is under age or is not a United States citizen, the ES will record on the form the individual's name, date of birth, the fact s/he indicated s/he is ineligible to register, the date, and the worker's signature. These incomplete voter registration applications will be logged on the voter registration log as "no".

When the ES has finished conducting business with the individual, the ES will give the voter registration card to the staff in the local county office designated to handle the completed forms. This staff person will log all cards received by recording the date, individual's name, date of birth, and whether the individual marked "yes"; "no"; "no, already registered"; or declined to declare. If the individual marked "yes" and completed the application for voter registration, the staff person will make a copy of the voter registration card. Completed voter registration cards returned to the office after the office visit will also be copied and logged prior to submission to the local election authority.

Copies of the completed voter registration application forms, the original declination cards where the person answered "no" or "no, already registered", the "no, took the card home", and original declination cards where the person answered "yes" but did not fully complete the form due to being ineligible to register will be filed by month in a central file, designated for that purpose and retained for a period of twenty-four months.

Designated county staff, under the direction of the local NVRA Coordinator, will continue to submit the voter registration applications to the County Clerk's office or the nearest election authority within the county within 5 days.

At least weekly, local office staff will reconcile the reception log with the voter registration log to ensure that the number of cards are equal to the total number of applications, reinvestigations, changes of address, or individuals who wished only to register to vote. This information will be reported to the local NVRA Coordinator.

If it is found that an individual was not given the opportunity to register to vote, county staff, under the direction of the local NVRA Coordinator, will immediately send a letter and voter registration card to the individual, offering him/her the opportunity to register to vote. The mailing shall include instructions (1) advising the individual that s/he may receive assistance in filling out the voter registration form by calling or visiting the local FSD office; (2) advising the individual that s/he may return the completed form to the local FSD office or to the LEA, and providing addresses for each; (3) advising the individual that s/he is receiving the mailing because the office has determined that it does not have a record of the individual being offered the opportunity to register to vote, and that the mailing does not affect the individual's registration status if the individual is already registered to vote at the individual's current address. A copy of the letter/card will be maintained in the central file.

Local office staff will enter information from the voter registration logs, including the number of completed voter registration forms submitted to the local election authority, and the data

collected on the number of persons in each office to apply for benefits, complete a reinvestigation, report a change of address, or only to register to vote into a reporting tool. The reporting tool will compile the information into a statewide report that will be submitted to the statewide NVRA Coordinator for review and monitoring. The NVRA Coordinator will include the data from each FSD office and a compilation of the statewide totals. The statewide NVRA Coordinator will monitor the compliance of all offices with voter registration policy and will be in contact with any county whose numbers are indicating there may be a problem.

By September 15, 2008, October 1, 2008, and October 15, 2008, the NVRA Coordinator will submit a report to plaintiff's counsel. The September 15, 2008, report will be for the period of August 16th through August 31, 2008. The October 1, 2008, report will be for the period from September 1, 2008, through September 15, 2008. The October 15, 2008, report shall be for the period of September 15, 2008, to September 30, 2008. Beginning on November 15, 2008, and on the 15th day of each calendar month thereafter the NVRA Coordinator shall submit a report to plaintiffs' counsel for the preceding calendar month until further order of the Court. If the due date of the report falls on a weekend or holiday the report shall be submitted on the next business day following the weekend or holiday.

The local NVRA Coordinator will report any discrepancies in compliance to the statewide NVRA Coordinator. The local NVRA Coordinator will work with the county management staff to determine the source of the problem and develop an appropriate corrective action plan. The local NVRA Coordinator and the statewide NVRA Coordinator will monitor the implementation of the corrective action plan.

Each local office shall post such a sign or poster supplied by the central office at conspicuous locations in its office, so that clients will be alerted to their right to voter registration even if a staff member inadvertently neglects to mention voter registration services during the visit.

The statewide NVRA Coordinator will be responsible for monitoring the supply of voter registration forms. The FSD has ordered 750,000 voter registration cards from the Secretary of State's Office. A supply of the forms will be distributed to the FSD offices throughout the state based on an estimate from the statewide NVRA Coordinator of how many forms are needed to attain a four-month supply for each office and the remainder distributed when the local offices' supplies need to be replenished. The local NVRA Coordinators are responsible for monitoring the local supply of voter registration forms in their respective offices. When a threshold level equal to the number of voter registration forms needed for a two-month supply is reached, a designated staff member, under the direction of the local NVRA Coordinator will reorder the voter registration forms from the warehouse following normal procedures. Each office should work with the statewide NVRA Coordinator to update its estimate of the two-month supply figure at least once every six months, taking into account increased needs that may be necessitated by an upcoming election, by increased public assistance traffic, or other factors. The statewide NVRA Coordinator will check with the warehouse on at least a monthly basis to determine how many forms are left and order a new supply of forms from the Secretary of State's Office when the supply reaches a threshold level of 200,000 forms. The number of forms ordered and the threshold levels may need to be adjusted based on anticipated need, experience and whether there is an anticipated need for more forms due to an upcoming election.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on August 11, 2008, the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon the following: Arthur Benson, Jaime Kathryn Lansford, John M. Nonna, Michael Payne, Mayer S. Klein, Bradley A. Constance, David Raymond, Richard J. Cairns, Brian W. Mellor, Jon M. Greenbaum and Robert A. Kengle.

I hereby certify that on August 11, 2008, the foregoing was sent by electronic mail to the following non-participants in Electronic Case Filing:

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s/ Emily A. Dodge
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