



APPOINTMENT OF ELECTION JUDGES AND ALTERNATE JUDGES

Dear County Chairs,

As we move toward campaign season, one of the key issues for Republicans is ballot integrity. The following is an overview of the law as it relates to the appointment of these positions. In order to take advantage of this opportunity, **County Chairmen must submit their list to the County Commissioners Court by June 30 or July 31** (keep reading to find out which date applies to you!)

Appointment of Election Judges

- A presiding judge and an alternate presiding judge shall be appointed for each election precinct
- **The presiding judge and alternate presiding judges must be affiliated or aligned with different political parties**
 - Whether or not the Republican or Democrat submitted for a precinct is appointed as the presiding judge or the alternate presiding judge depends on the 2014 Governor's race.
 - In counties where Abbott received the most votes, the Republican will be the presiding judge and the Democrat will be the alternate judge.
 - In counties where Democrat Candidate for Governor Wendy Davis received the most votes, the Democrat will be the presiding judge and the Republican will be the alternate judge.
- The term lasts one year, unless the Commissioners Court by "order recorded in its minutes" provides for a two-year term
- Eligibility: An election judge must be a qualified voter of the precinct and satisfy any additional eligibility requirements prescribed by written order of the commissioners court (Sec. 32.051(a)).
 - See Sections 32.051 through 32.056 for disqualifications.

Counties with a population over 500,000

- The commissioners court shall make these appointments during the court's July meeting
- Before July (by June 30) Republican AND Democrat county chairmen will submit a list in writing of eligible election judges for each precinct to their commissioners court
- The term for the newly appointed presiding and alternate election judges shall begin on August 1st

Counties with a population less than 500,000

- The commissioners court shall make these appointments during the court's August meeting
- Before August (by July 31), Republican AND Democrat county chairmen will submit a list in writing of eligible election judges for each precinct to their commissioners court
- The term for the newly appointed presiding and alternate election judges shall begin on September 1st



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Helpful Hints

- **Hold your county commissioners court accountable!** According to Section 32.002(c), the commissioners court shall appoint the first person meeting the applicable eligibility requirements from the list submitted by the party with the highest number of votes for Governor in the last gubernatorial election in the precinct as the presiding judge and the second highest number of votes in the precinct as the alternate presiding judge.
- You may submit more than one name per precinct, in the case that someone does not meet the eligibility requirements (however, please research this beforehand). Remember that the submission must be in writing
- Additionally, the appointed election judge appoints the election clerks to assist them in the conduct of the election at the polling place (Sec. 32.031). This could mean at least 2 more Republicans overseeing the polling places in precincts where Republicans are entitled to have a presiding judge!

Failure to Submit a List

- The county clerk, after making a “reasonable effort” (no definition provided) to consult with the party chair of the appropriate political party or parties, shall submit to the commissioners court [their own] list of names of persons eligible for appointment as presiding judge and alternate presiding judge for each precinct in which an appointment is not made (Sec. 32.002 (d))
- Section 32.002(d) goes on to state that the commissioners court shall appoint an eligible person from the list who is affiliated or aligned with the appropriate party, if available.
- **Therefore, to ensure that Republicans have their legal representation at polling places it is incumbent upon county chairs to properly submit a list of eligible candidates for election judge by June 30 or July 31, whichever is applicable to the county,** in accordance with Sec. 32.002.

Confirmation of Appointment

- Sec. 32.009 states that each presiding judge and alternate presiding judge shall be provided with written notice of their appointment. This should be delivered by the authority responsible for distributing the supplies for the election (the county clerk) within 20 days of the appointment.
- It is recommended that you attend the meeting of the county commissioners court where election judges are appointed and follow up with the appointed election judges and alternate judges to see that they received their appointment letters.