

Press Release: Circuit Court Ruling in Oldenburg v. WEC Protects Access to Absentee Voting

For Immediate Release: July 29, 2024

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Today, the League of Women Voters of Wisconsin and Disability Rights Wisconsin represented by Law Forward, along with other defendants, won the Oldenburg v. Wisconsin Election Commission (WEC) case in circuit court. The case challenged established absentee voting practices in Wisconsin as well as the recently redesigned EL-122 Official Absentee Ballot Certificate & Application. The judge ruled in favor of WEC, the League of Women Voters of Wisconsin, Disability Rights Wisconsin, and other intervenors. Judge Weber found that Oldenburg's claims are barred by laches and went on to explain how they fail on the merits.

Under today's ruling, Wisconsin voters can be confident their absentee ballots will be accepted under the terms that have been in place since at least 2017. Absentee ballots can still be requested through myvote.wi.gov, by fax or email, in person, or in writing to their municipal clerk. Once the absentee ballot has been issued to the voter, the voter should complete the ballot as directed, sign the absentee ballot certificate envelope and have a witness complete the certificate envelope before it is returned. Under the court's ruling today, no additional documentation or signatures are required to be returned with an absentee ballot. Voters with any questions about absentee voting should contact WEC or their local municipal clerk.

Kit Kerschensteiner, Director of Legal and Advocacy Services for Disability Rights Wisconsin, said, "Today's ruling ensures the system in place for absentee voting in Wisconsin will continue and be available to serve the needs of Wisconsin voters, including thousands of voters with disabilities. While the ability to vote absentee is often referred to as a 'privilege', for many Wisconsin voters with disabilities it is a necessity to ensure their fundamental right to cast a ballot."

Debra Cronmiller, Executive Director of the League of Women Voters of Wisconsin, said, "Absentee voting is an important and accessible option for all voters. Voters should feel confident in turning their absentee ballot and contact their clerk with any questions."

"Today's important ruling is a win for Wisconsin voters and reinforces that no additional barriers should be placed on voting," said Dan Lenz, Staff Attorney at Law Forward.

"Whether you're a voter with a disability, a busy parent, a member of our military, or simply prefer the convenience, absentee voting remains a safe and effective way to participate in our democracy. This ruling affirms that absentee voting is a protected and accessible option for all eligible voters."

This spring, Thomas Oldenburg challenged WEC on the handling of absentee ballots requested via the MyVote website. He claimed these ballots need a duplicate request with the voter's original signature and sought to invalidate newly approved absentee ballot envelopes, alleging they violate state election laws and could lead to voter fraud. This would add unnecessary steps to the already secure absentee voting process, risking voter disenfranchisement if any mistakes occur. Law Forward, representing Disability Rights Wisconsin and the League of Women Voters, filed a motion to intervene, ensuring continued access to absentee voting.

Organization Information

Disability Rights Wisconsin (DRW) is a private non-profit organization that protects the rights of people with disabilities statewide. As Wisconsin's recognized Protection & Advocacy Organization, DRW is legislatively mandated to provide services to voters with disabilities and ensure individuals with disabilities can participate in every step of the voting process. [More information is available at Disability Rights Wisconsin's website.](#)

League of Women Voters of Wisconsin (LWVWI) is a nonpartisan political organization that advocates for informed and active participation in government. There are 20+ local Leagues throughout Wisconsin. [More information is available at the League of Women Voters of Wisconsin's website.](#)

Law Forward exists to protect and strengthen our democracy. Law Forward stands for a commitment to fair, transparent, and representative government; where Wisconsinites can participate in free, fair elections where their votes count. [More information is available at Law Forward's website.](#)