

## **HOW ELECTIONS WORK: DIGITAL DEMOCRACY AND PROPOSALS FOR IMPROVEMENT**

**[www.HowElectionsWork.blogspot.com](http://www.HowElectionsWork.blogspot.com)**

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Welcome to the seminar on How Elections Work: Digital Democracy and Proposals for Improvement. The purpose of this two-day, one-credit seminar is to convey a foundational knowledge of the technical and legal framework of American elections and familiarity with current proposals for reform, from the Electoral College to recent ethics legislation in Illinois. We will address current issues in the technological underpinnings of democracy. Students are expected to read all materials and actively participate in class discussions. Students are also expected to find a topic of interest and conduct some original research to prepare a white paper or memorandum to a policymaker on a current topic in the structure of democracy. Students will also make 10 minute presentations on the last day of class on their paper topic to share their initial findings and solicit feedback.

### LOCATION

Room 503, John Marshall Law School

### TIMES

Saturday, September 27<sup>th</sup>, 9 am – 3 pm

Saturday, October 11<sup>th</sup>, 9 am – 3 pm

### GRADES

The grade will be a combination of class participation (50%) and the final paper (50%). A draft paper will be due October 25<sup>th</sup>. The final paper will be due November 15<sup>th</sup>. Original research, including interviews with practitioners, legislators, administrators or advocates, will be more highly valued than secondary research.

### THEMES

There are two themes that run through the material. The first is that the rules of the electoral game matter a great deal in determining the winners and the losers. The second is that election laws are a product of the inevitable clash between values including equality, privacy, honest government and participatory democracy.

### SCHEDULE

September 27<sup>th</sup>            9 am – 11:30 am

Presidential elections. Electoral College. Swing states versus battle ground states.  
National Popular Vote. Recounts. Congressional apportionment.

Primary elections: (operating system of elections) proportional representation versus winner-take-all allocation of delegates

Congress. Single-member districts – power of districting, particularly with GIS technology

Exercise: Power of redistricting

September 27<sup>th</sup> 12:30 pm – 3:00 pm

Decentralized administration of elections.

Voter registration and verification: Local election authorities, registration deadlines, voter fraud and remedies

Voting equipment: Privately manufactured and maintained, federal and state certification, Voting Rights Act language requirements, voter-verified paper trail, Diebold, internet or e-voting

IT angle: databases of citizen data (HAVA-mandated statewide voter registration, federal and state revenue, state drivers' license, local jury duty, federal passports, federal and state benefits (welfare, financial aid, Medicaid, Medicare), candidate and polling place information distribution, privacy

Speaker: Representative from State Board of Elections, Cook County Clerk's Office and/or Chicago Board of Election Commissioners

October 11<sup>th</sup> 9 am – 11:30 am

Campaign financing and engagement.

Ethics of campaign contributions and the clash between political corruption, participation and privacy. A review of HB824, Governor Blagojevich's amendatory vetoes and prospects for improvement.

Speaker: Roundtable discussion on ethics legislation in Illinois

Campaign dynamics: Regulatory regime of campaign contributions (Act Blue as a third party aggregator), third party expenditures in print, broadcast and online, regulatory regime for political speech on print, broadcast and online, social networking, web 2.0

Speaker: Obama campaign or Daniel Biss?

October 11<sup>th</sup> 12:30 pm – 3:00 pm

Role of privacy in elections – registration, voting (secret ballot, public party registration), donations (full disclosure), residence of candidates (judicial), 527s, BCRA and electioneering communications.

Speaker: Student presentations