



Carmella Sabaugh

Macomb County
Clerk/Register of Deeds

Betty A. Oleksik
Deputy Register of Deeds

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Deputy Clerk

FOR IMMEDIATE RELEASE:
May 1, 2008

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Sabaugh to defend senior voting rights in court May 7

Editor's note: Media information for the Court of Appeals can be found at:
<http://courtofappeals.mijud.net/resources/mediainfo.htm>.

In a case expected to affect the number of absent voter ballots in Michigan's presidential election, [Macomb County Clerk / Register of Deeds Carmella Sabaugh](#) will be defending senior citizen voting rights in court Wednesday morning as a Michigan Court of Appeals panel hears arguments whether or not to block election clerks from mailing [absent voter application forms](#) to all senior citizens.

"I am fighting to give every senior citizen an equal opportunity to get an absent voter application form, no matter where they live or their party affiliation," said Sabaugh. "Any doubt about an election practice should be resolved in favor of action increasing voter turnout rather than reducing it in a presidential election year."

[For years many clerks](#) mass mailed absent voter application forms (not ballots) to seniors. In 2006, the Michigan Republican Party recruited plaintiffs to sue Sabaugh claiming they would suffer "irreparable harm" if all Macomb County senior citizens were given application forms for absent voter ballots. Sabaugh scored a victory when the [Macomb County Circuit Court](#) ruled a Board of Commissioners resolution authorizing the mailing gave her authority to do so. The GOP, [still trying to make it harder for seniors to vote](#), appealed the ruling. Arguments will be heard in [Fleming v Sabaugh](#) in Detroit on Wednesday, May 7, 2008.

In another case, [Taylor v. Currie](#), the Court of Appeals ruled a local clerk could not mass mail absent voter forms. Unlike Sabaugh, the clerk in that case did not first get a board resolution authorizing the mailing.

In 2008, a unanimous Macomb County Board of Commissioners endorsed Sabaugh's position. She also received support from [Congresswoman Candice Miller](#). Even [Max Fellsman](#), an original plaintiff in the case, had a change of heart and now supports Sabaugh's position.

Prior to this year, all Oakland County local clerks mass mailed AV applications to seniors. The GOP is not suing any clerk in Oakland County. Ironically, the [Michigan GOP mailed tens of thousands of AV application forms](#) to "targeted" voters during the last election.

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Michigan: 1-888-99-CLERK
Out-of-State: 310-575-5035

Register of Deeds

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2008 was the first year clerks did not mass mail AV applications. As a result, absent voter turnout fell. Clinton Township, the state's largest township, in the 2006 November General Election had 10,549 absent ballots or 28%. In the August Primary there were 7,583 AVs or 50%. But in the January Presidential Primary, when absent voter turnout should have been higher due to cold weather and snow birds, only 2,876 absent ballots or 21% were returned. The drop was because AV application forms were not mass mailed to seniors. Sabaugh fears there will be a similar drop in November if the GOP wins the lawsuit.

Michigan law prohibits voters from casting an absent ballot, unless they meet one of six qualifications. Voters age 60 and over qualify. Sabaugh has long been a proponent of no-reason absentee voting, so any citizen who wants to may cast an absentee ballot, which would reduce polling place lines.

Sabaugh also created the state's first online absent voter fraud prevention system, posted at <http://www.macombcountymi.gov/clerksoffice/ElectionDept.htm#TrackAbsenteeBallot>.

Macomb County Clerk / Register of Deeds Carmella Sabaugh will be at the Michigan Court of Appeals, Detroit Courtroom 14th Floor, 3044 West Grand Blvd., Detroit, MI at 10:00 a.m. on Wednesday, May 7, 2008. It is important to note that this case is about absent ballot application forms and not actual ballots. No clerk mails an actual ballot unless a written request for one was received.

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	REQUEST AND NOTICE FOR FILM AND ELECTRONIC MEDIA COVERAGE OF COURT PROCEEDINGS	CASE NO.
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Court address Court telephone no.

Plaintiff(s)/Petitioner(s) <input type="checkbox"/> People of the State of Michigan <input type="checkbox"/> _____
Attorney name, bar no., address, and telephone no. or plaintiff /petitioner address and telephone no. if not represented by an attorney _____ _____ _____

v

Defendant(s)/Respondent(s) _____ _____ _____
Attorney name, bar no., address, and telephone no. or defendant/ respondent address and telephone no. if not represented by an attorney _____ _____ _____

Civil Criminal Probate In the estate/matter of _____

REQUEST

I request permission to record broadcast courtroom proceedings in this case using video audio

photographic media, scheduled at _____ m. on _____ .

Time Date

Date

Signature

Name (type or print)

Firm name Telephone no.

NOTICE TO PARTIES/ATTORNEYS

A request to allow film or electronic media coverage of the above proceeding has been filed. Supreme Court Administrative Order 1989-1 requires that the request be honored unless the trial judge exercises discretion to terminate, suspend, limit, or exclude the coverage.

I certify that on this date, I provided notice of this request to the parties or their attorneys indicated above
 personally. by ordinary mail. by telephone.

Date

Court clerk/Register