

# Guardians: Protecting the Right to Vote

With the election just a few weeks away, now is the time to make sure you protect the right to vote for those who are under guardianship.

## Have they retained the right to vote?

The right to vote is the foundation of our democracy. If an individual with a guardian retains this right, the guardian should arrange for any logistical supports they need to vote.

Exercising this civic duty is an expression of self-determination. NGA Standard of Practice #9 lays out the guardian's duty to provide the person with the opportunity to exercise self-determination, including maximizing their independence.

In some states, the right to vote is automatically removed if full (plenary) guardianship is ordered. In other states the judge determines on a case-by-case basis whether the right to vote is retained or removed. In other jurisdictions, the right to vote is retained unless the court specifically removes this right.

Check your state's statutes and the individual court order to confirm that the person under guardianship has the right to vote.



## Are they properly registered to vote?

Ask the person under guardianship if he or she wishes to vote in the upcoming election and where they last voted.

If they are living at the same address where they last voted, verify that they are registered to vote at your state's department of elections website. You can link to the state website here [www.vote411.org/check-registration](http://www.vote411.org/check-registration).

If they have recently moved to a new permanent address, they will need to register at the new address. The state's department of elections website should tell whether the state requires the person to reside at the new address for any minimum period of time and the deadline for registering. Some states have same-day in-person registration.

If they are registered to vote in a jurisdiction different than where they are currently living, help them apply for an absentee or mail-in ballot. This can be done online with the state's department of elections website.

Be sure to take a valid ID to the polling place, if voting in person. The address on the voter registration must match the address on the identification card they will use at the time of voting.



## Do they need help with voting?

Talk with the person about the various options available to vote. One option is to help them apply for an absentee or mail-in ballot on the state's department of elections website or with the county clerk. Laws vary by state, so be sure to check who is eligible and the process. This site has links to all the states' voting information: [www.eac.gov/voters/register-and-vote-in-your-state](http://www.eac.gov/voters/register-and-vote-in-your-state).

If voting absentee, be sure they request and return the absentee ballot as soon as possible. The state elections website has the deadlines for requesting absentee ballots and for returning the completed ballot.

If they wish to vote in person, either early, if available, or on Election Day, make sure they will have transportation to the polling place. They may also have options to vote curbside or by appointment to avoid lines or crowds.

Ensure that they use a face covering and are able to socially distance while at the polling place.

Provide voter information from non-partisan organizations like the League of Women Voters ([www.vote411.org](http://www.vote411.org)), AARP ([www.aarp.org/politics-society/government-elections/](http://www.aarp.org/politics-society/government-elections/)) or [voteamerica.com](http://voteamerica.com).