

Guidelines For Counting Paper Ballots*

Determining Voter's Intent from Marks on the Paper Ballot

A ballot shall not be rejected for a technical error that does not make it impossible to determine the voter's intent. In determining the intent the following principles apply:

1. **From face of ballot only.** Intent shall be ascertained only from the face of the ballot.
2. **Votes for too many candidates.** If a voter places a mark or writes-in the names of more candidates for an office than are to be elected or nominated, the ballot is defective with respect only to that office. No vote shall be counted for any candidate for that office.
3. **Name written-in.** If a voter has written-in the name of a declared write-in candidate, a vote shall be counted for that individual whether or not the voter makes a mark (X) in the square opposite the blank. Please note, a partisan tally of write-ins must be kept in the primary for an individual whereas the write-ins for an individual in the general election are cumulative. Remember only the write-ins for an individual who has filed a Declaration of Intent are to be checked for validity. The County Clerk will provide a list of such individuals. Write-ins in the wrong office shall not be counted.
4. **Mark out of place.** If a mark (X) is made out of its proper place, but so near a name or space as to indicate the voter's intent, the vote shall be counted.
5. **Different marks.** Any mark evidencing the intent of the voter shall be counted.
6. **Attempted erasures or cross outs.** If the names of two candidates have been marked, and an attempt has been made to erase or obliterate one of the marks, a vote shall be counted for the remaining marked candidate. If an attempt has been made to obliterate a write-in name, a vote shall be counted for the remaining name or marked candidate.
7. **Misspellings and abbreviations.** Misspellings or abbreviations of the names of write-in candidates shall be disregarded if the individual for whom the vote was intended can be ascertained from the ballot.

Determining Voter's Intent for Paper Ballot Write-Ins.

When a ballot is sufficiently plain to determine therefrom a part of the voter's intention, it shall be the duty of the judges to count the vote, if the candidate is eligible to receive write-in votes according to the laws of the state. The minimum threshold for determination of a write-in vote is the surname within the appropriate space.

The following guidelines are to assist in determining voter's intent for a declared write-in candidate.

1. Voter has written-in the complete name of the write-in candidate under the office the candidate has filed a declaration of intent for and marked the box to the right.

THIS VOTE SHOULD BE COUNTED AS A VALID WRITE-IN VOTE.

* These guidelines were adapted by VotersUnite! from the official guidelines of the state of Idaho.

2. Voter has written-in an abbreviation or common nickname of the candidate's first name and the surname of the write-in candidate under the office the candidate has filed a declaration of intent for and marked the box to the right.

THIS VOTE SHOULD BE COUNTED AS A VALID WRITE-IN VOTE.

3. Voter has written-in the complete name of the write-in candidate under the office the candidate has filed a declaration of intent for and did not make a mark in the box to the right.

THIS VOTE SHOULD BE COUNTED AS A VALID WRITE-IN VOTE.

4. Voter has placed a pre-printed sticker with the candidate's name under the office the candidate has filed a declaration of intent for and did/or did not make a mark in the box to the right.

THIS VOTE SHOULD BE COUNTED AS A VALID WRITE-IN VOTE.

5. Voter has written-in the complete name of the write-in candidate under a different office the candidate has filed a declaration of intent for and marked the box to the right. Examples:

- a. Candidate filed for county commissioner for the first district and wrote the name under county commissioner for the second district.
- b. Candidate filed for State Representative, position A and the name was written-in under position B.

THIS VOTE SHOULD NOT BE COUNTED AS A VALID WRITE-IN VOTE.

6. Voter has written-in only the surname of the write-in candidate under the office the candidate has filed a declaration of intent for and marked the box to the right.

THIS VOTE SHOULD BE COUNTED AS A VALID WRITE-IN VOTE.

7. Voter has written-in only the first name of the write-in candidate under the office the candidate has filed a declaration of intent for and marked the box to the right.

THIS VOTE SHOULD NOT BE COUNTED AS A VALID WRITE-IN VOTE.

Tallying Procedure For The General Election*

Suggested assignments – counting board duties.

1. One (1) clerk to read voted ballots.
2. One (1) clerk to watch that the ballots are read correctly.
3. Two (2) clerks to record tally.

Procedure

1. If applicable, divide voted ballots into separate stacks, separating official general election ballots, constitutional amendment ballots, initiative ballots and judicial ballots into separate stacks. (Each stack thus separated will be read and tallied separately.)
2. Reading clerk reads from the voted ballot the candidate's name after which the elector has placed a cross (X) or other mark sufficient to show the voter's intent. If a person votes by writing the name of a candidate on the ballot, such act shall constitute a vote for the person's name which appears, without the necessity of placing a mark after the name written on the ballot. Refer back to Guidelines for Counting Paper Ballots.
3. After calling each ballot, the reading clerk should lay it face down to distinguish it from the uncounted ballots.
4. The two tally clerks will tally the vote, each using a tally book. Thus each vote is tallied by two members of the counting board in each of the two separate tally books.
5. As the candidate's name is called by the reading clerk, each clerk will place a short perpendicular line opposite the name of the candidate voted for. Every fifth vote for the same candidate shall be recorded by a horizontal line through the first four perpendicular lines. One of the judges should clearly announce the fifth tally as the tallying proceeds.
6. The tally continues as long as the two tally clerks agree on the totals.
7. If there is any discrepancy, the cause shall be identified and corrected before continuing with the tally.
8. Steps 2 through 7 should be repeated to tally each stack of ballots.

After the Ballots Are Tallied

1. Transcribe the total votes cast for each candidate in the official return section of each tally book. The number of votes must be spelled out.
2. Each election official must sign the certificate in back of each tally book.
3. Post a correct copy of the election results prominently at the polling place (it is suggested that a sample ballot be used for posting results). Note #5 below.
4. Transmit a copy of such results to the county clerk as early as possible.
5. In no event shall the results of any count be released to the public until all voting places in the state have closed on election day. If your state deals with two time zones, make sure that it is after 8:00 p.m. statewide before releasing election results.

* These procedures were adapted by VotersUnite! from the official procedures of the state of Idaho.

Return of Election Supplies

1. Election judges must enclose, seal, and return election records and supplies to the county clerk's office. If clerk's office is closed, the articles shall be delivered to the sheriff or one of his deputies.
2. Supplies to be returned as follows:
 - a. Envelope for returning election record poll books and the set of tally books.
 - b. Voted Ballot Box – Lock inside: voted ballots, the set of tally books and the return envelope with election record and poll books inside.
 - c. Unvoted Ballot Box – Lock inside: stubs, spoiled ballots, envelope for rejected absent elector's ballot, unvoted ballots, and election day registration cards inside the envelope.
 - d. Remaining supplies should be transported in the container they were delivered in.