

No. A12-0920

OFFICE OF
APPELLATE COURTS

JUN 25 2012

STATE OF MINNESOTA
IN SUPREME COURT

FILED

LEAGUE OF WOMEN VOTERS MINNESOTA, et al.,

Petitioners,

vs.

MARK RITCHIE,

In his capacity as Secretary of State of the State of Minnesota,

Respondent.

AARP'S MOTION FOR LEAVE TO
SUBSTITUTE PAGE 1 OF *AMICUS CURIAE* BRIEF

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Attorneys for *Amicus Curiae* AARP

On June 18, 2012, AARP filed an *amicus curiae* brief in the above-captioned action. AARP inadvertently omitted from its brief the attestation required by Rule 129.03 of the Minnesota Rules of Civil Appellate Procedure. Pursuant to the instruction given by the Commissioner of the Supreme Court, AARP hereby moves the Court for leave to substitute page 1 of its brief with the attached page 1 to correct this omission.

Respectfully submitted this 22nd day of June, 2012.



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INTEREST OF *AMICUS CURIAE**

AARP is a nonpartisan, nonprofit organization dedicated to assuring that older Americans have independence, choice and control in ways beneficial and affordable to them and to society as a whole. AARP advocates, including in state and federal courts, for adoption and implementation of public policies of benefit to older Americans.

In AARP's view, "states should not impose unreasonable identification requirements that discourage or prevent citizens from voting." AARP, *AARP PUBLIC POLICIES 2011-2012*, page 1-8 (2011). As an *amicus curiae*, AARP has opposed "photo ID" voting laws enacted in Missouri, Michigan and Indiana. AARP Foundation Litigation attorneys, acting as co-counsel for plaintiffs, also have challenged such laws enacted in Georgia and Arizona.

Further, AARP has long advocated "election day registration," such as the system now in place in Minnesota, as an effective approach to encourage exercise of the franchise. *Id.* at page 1-9. And AARP supports absentee voting – without photo ID requirements, as is now permitted in Minnesota – as a device facilitating electoral participation, including by older voters for whom in-person voting is difficult or impossible.

AARP believes the Voter Identification and Provisional Ballot Amendment, 2012 Minn. Sess. Law Serv. Ch. 167 (H.F. 2738) (West 2012) ("Amendment"), which the State Legislature has approved for the ballot in November 2012, threatens to undermine longstanding AARP policies to the detriment of many older voters, including most of the more than 640,000 AARP members who live in Minnesota. In particular, AARP considers the ballot language approved by the State Legislature highly misleading in ways likely to

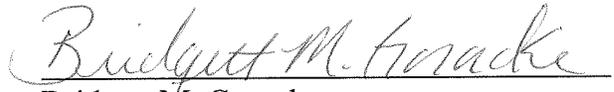
* Pursuant to Rule 129.03 of the Minn. R. Civ. App. P., the undersigned counsel certifies that this brief was authored by counsel for AARP. No person or entity, other than AARP, its members, or its counsel, made any monetary contribution to the preparation or submission of the brief.

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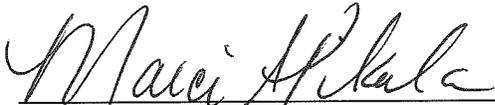
Laughlin McDonald
AMERICAN CIVIL LIBERTIES UNION FOUNDATION, INC.
230 Peachtree Street, Suite 1440
Atlanta, GA 30303

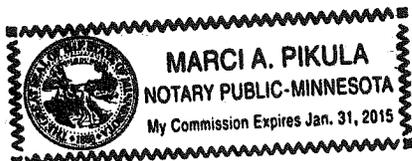
Kelly G. Laudon
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(which is the last known address of said attorney(s)) and depositing the same, postage prepaid, in the United States mail, at Minneapolis, Minnesota.


Bridgett M. Goracke

Subscribed and sworn to before me,
this 22nd day of June, 2012.


Notary Public



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June 22, 2012

Bridget C. Gernander
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OFFICE OF
APPELLATE COURTS

JUN 25 2012

FILED

Re: League of Women Voters Minnesota, et al., v. Mark Ritchie
Case No: A12-0920

Dear Ms. Gernander:

Enclosed for filing are the following documents:

- AARP's Motion for Leave to Substitute Page 1 of *Amicus Curiae* Brief;
- Original and thirteen copies of substitute page 1 for *Amicus Curiae* Brief of AARP Supporting Petitioners; and
- Affidavit of Service.

By copy of this letter, counsel of record are being served with copies of the same.

Sincerely,

LEONARD, STREET AND DEINARD



Liz Kramer

ECK:ja

Enclosures

cc: William Z. Pentelovitch w/enclosures
Mark Ritchie w/enclosures
Laughlin McDonald w/enclosures
Teresa Nelson w/enclosures
Robert Weinstine w/enclosures
Kelly G. Laudon w/enclosures
Sara Grewing w/enclosures

A Professional Association

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