

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI**

ASSOCIATION OF COMMUNITY ORGANIZATIONS
FOR REFORM NOW and DIONNE O'NEAL,

Plaintiffs,

v.

DEBORAH E. SCOTT in her official capacity as Director of Missouri Department of Social Services, JANEL R. LUCK, in her official capacity as Director of Family Support Division, Missouri Department of Social Services, KANSAS CITY BOARD OF ELECTION COMMISSIONERS and MELODIE A. POWELL, JOSEPH D. SERRANO, CYNTHIA THOMPSON, QUENTIN JENNINGS, SHAWN L. KIEFFER, and SHELLEY McTHOMAS in their official capacities as members of the Kansas City Board of Election Commissioners, JACKSON COUNTY BOARD OF ELECTION COMMISSIONERS and TAMMY L. BROWN, WILLIAM J. BAKER, MICHAEL K. WHITEHEAD, CHARLES E. DUMSKY, CHARLENE DAVIS, and ROBERT C. NICHOLS, JR. in their official capacities as members of the Jackson County Board of Election Commissioners, ST. LOUIS CITY BOARD OF ELECTION COMMISSIONERS and SCOTT LEIENDECKER, MARY WHEELER-JONES, CAROL A. WILSON, EILEEN M. McCANN, JACK LARY, and CLARENCE E. DULA in their official capacities as members of the St. Louis City Board of Election Commissioners,

Defendants.

CIVIL ACTION NO.

(PROPOSED)
ORDER GRANTING
PRELIMINARY
INJUNCTION

This matter having been opened to the Court by counsel for Plaintiffs Association of Community Organizations for Reform Now (hereinafter "ACORN") and Dionne O'Neal, seeking an Order preliminarily enjoining Defendants to ensure that the requirements of Section 7

of the National Voter Registration Act are being complied with at the state's public assistance agencies, pending adjudication of Plaintiffs' claims on the merits; and

Plaintiff O'Neal being a resident of the State of Missouri, and having presented evidence that she has been harmed by Defendants because she is not registered to vote, and has not been offered the opportunity to register to vote, or assistance registering to vote, when conducting business with a public assistance agency as required by Section 7 of the Act; and

Plaintiff ACORN having presented evidence that certain of its members are similarly situated, and thus also been have harmed and will be harmed by Defendants, and also having presented evidence that, due to Defendants' failure to comply with Section 7 of the Act, ACORN has been forced to dilute its mission and expend effort and resources it should not have had to expend; and

the Court having considered the matter; and for good cause shown;

IT IS on this _____ day of _____, 2008,

ORDERED that Defendants and their agents, employees, designees, successors, and all persons acting under their supervision, authority or control take all actions necessary and appropriate:

To ensure that all offices that provide public assistance under the supervision of the Missouri Department of Social Services ("DSS") (i) distribute voter registration materials with each application for assistance and with each recertification, renewal or change of address form relating to such assistance; (ii) inquire of the applicant, in writing, whether he or she would like to register to vote or change his or her voter registration address; (iii) inform the applicant, in writing, that the decision to register or decline to register to vote will not affect the amount of assistance provided by the agency; (iv) provide assistance completing the voter registration

forms to the same degree the agency provides assistance in completing its own forms; and (v) accept completed voter registration forms and forward them to the appropriate election official not later than 10 days of receipt or, if received within 5 days before the last day for registration to vote in an election, not later than 5 days of receipt;

To designate an NVRA Site Coordinator for each DSS office, who shall be responsible for ensuring the office's compliance with the requirements of this Order;

To notify each NVRA Site Coordinator of his or her obligations under the NVRA and this Order, and obtain written acknowledgment from each such NVRA Site Coordinator of his or her acknowledgement of the same;

To ensure that all staff responsible for assisting clients with applications, recertifications, renewals or change of address forms, within 45 days of the date of this order, receive training concerning their duties under Section 7 of the NVRA, based on materials to be created in consultation with plaintiffs and submitted to the Court for approval within 15 days of the date of this Order;

To ensure that a sufficient supply of voter registration application forms are available for distribution at each DSS office in the State of Missouri for distribution to DSS applicants and clients;

To secure, deliver to, and post prominently in, each DSS office appropriate signage to notify DSS clients of their right to assistance with voter registration therein;

To commence weekly reporting by each DSS office to defendant Scott, with copies to plaintiffs' counsel, identifying the number of clients that checked "yes" on a declination form, the number of clients that checked "no" on a declination form, the number of clients that left a

declination form blank, and the number of completed voter registration applications transmitted by the agency site to election authorities in the time period covered by the report; and

To ensure the preservation of all documents, information other relevant materials concerning or relating to the allegations of the Complaint or the materials referenced therein, until further Order of the Court.

SO ORDERED.

, U.S.D.J.

Dated: _____, 2008