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Hughes Hubbard Helps Achieve Important Settlement With Georgia in Voting Rights Suit

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February 24, 2017 — Hughes Hubbard played a pivotal role in achieving an important settlement for voting rights advocates after the state of Georgia agreed to end its "exact-match" voter registration verification scheme.

As part of the settlement, announced on Feb. 10, 2017, Georgia Secretary of State Brian Kemp agreed to stop automatically canceling voter registration applications that do not match state driver's license and Social Security records.

Under a policy implemented in 2010, Georgia had failed to process tens of thousands of voter registration applications because the personal information provided didn't exactly match existing information in state-maintained databases. If even a single letter, number, hyphen, space or apostrophe did not exactly match the database information, and the applicant failed to correct the mismatch within 40 days, the application was automatically rejected and the applicant was not placed on the registration rolls -- even if they were eligible to vote. Since 2013, over 86 percent of those whose applications were cancelled were non-white, even though whites have made up nearly half of those who have sought to register during that period.

HHR acted as pro bono counsel with the Lawyers' Committee for Civil Rights Under Law, Project Vote, Campaign Legal Center and the Voting Rights Institute at the Georgetown University Law Center in filing a federal lawsuit challenging the voter registration scheme on behalf of the Georgia State Conference of the NAACP, Asian Americans Advancing Justice -- Atlanta, and the Georgia Coalition for the Peoples' Agenda. The lawsuit alleged that the state's voter registration process violated Section 2 of the Voting Rights Act and deprived eligible Georgians of their fundamental right to vote under the First and Fourteenth Amendments to the United States Constitution.

Secretary Kemp agreed to suspend the program in September and restore to the voter registration rolls in advance of the November 2016 general election more than 40,000 voters whose registrations had been canceled.

"We are pleased to have been part of such an incredible effort to expand access to voting for tens of thousands of eligible Georgia voters," said Vilia Hayes, who led the HHR team. "This critical victory represents progress in allowing all Americans to exercise the fundamental right to vote without oppressive restrictions."

In addition to Hayes, the HHR team included Greg Farrell, David Wiltenburg, Andy Schwenk, Matt Reynolds, Apoorva Patel and Jonathan Misk.

Related People



Vilia B. Hayes



Gregory Farrell



David Wiltenburg