

2022

THE AMERICAN LAWYER

TRAILBLAZERS

SOUTH

KALI BRACEY
JENNER & BLOCK



What was the genesis of the idea/path that has made you a trailblazer?

In 2016, the American Civil Rights Union (ACRU)—a conservative organization—deployed a concerted effort to purge voters from rolls in Florida’s Broward County. They alleged that the county’s supervisor of elections failed to maintain accurate voter rolls and violated Section 8 of the National Voter Registration Act (NVRA). The ACRU had brought similar actions in Virginia, Pennsylvania and other states. I led the team representing the SEIU 1199 United Healthcare Workers East Union, who intervened in support of the supervisor and county voters.

What sort of change has resulted from the concept?

Florida’s Broward County has a significant non-white population that has been historically marginalized. If successful, the ACRU could have argued that the supervisor was not doing enough to purge voters from the rolls, potentially forcing a significant number of marginalized voters from the rolls and jeopardizing the democratic process. Our team proved to the court that the supervisor and voter list maintenance program was fully compliant with federal law, blocking ACRU’s attempts to hinder the voting rights of marginalized voters. The district court found every piece of evidence offered by ACRU unconvincing and concluded that the organization’s accusations were thoroughly unfounded.

What bearing will this have on the future?

The ACRU appealed the decision. The U.S. Court of Appeals for the Eleventh Circuit upheld our victory on behalf of the SEIU 1199 United Healthcare Workers East Union. The 11th Circuit affirmed the district court in full. Moreover, the Court found no “clear error in the district court’s factual findings.” The ACRU has not brought any NVRA actions since the 11th Circuit’s decision.