

Your Write-In Vote Might Not Count

A write-in vote—whereby a voter selects a person for an office who is not named on the voting ballot—isn't recognized by the U.S. Supreme Court as a right, even if it is offered by the state one lives in.

In its 1992 decision in *Burdick v. Takushi*, the high court determined that the purpose of elections is to winnow out and reject all but the chosen candidates. With regard to a Hawaii law prohibiting write-in votes, the court determined that giving elections a “more generalized expressive function” may undermine the states’ ability to operate elections efficiently.

So if you decide to write-in a candidate in November, how do you know if that vote is legal, and that it will be counted? Well, the Rutherford Institute has developed a voting guide that helps answer those two very important questions.

Its constitutional Q&A, “So You Think You Can Write-In Your Vote?” provides voters who want to write-in their vote with the steps they need to take before going to the polls, as well as what they can do if their state does not allow write-in candidates. You can find it by visiting .