

News Tips

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Indiana law professor available to comment on voter ID case

EDITORS: Indiana University School of Law Professor Pat Baude is available to discuss an upcoming U.S. Supreme Court decision over Indiana's voter identification law.

"The U.S. Supreme Court's decision to review the Indiana voter ID case raises the possibility of another self-inflicted wound, like the Court's decision to resolve the 2000 election in favor of George Bush. The Indiana law requires voters to produce government photo IDs, typically drivers' licenses, at the polls. Although there are some important exceptions, the poor and especially the impoverished elderly are less likely to have such IDs routinely and are more likely to be Democrats. Indiana justifies the law as a way of preventing fraud, while conceding that there is little record of such fraud in Indiana. The technical legal issue affects whether the state or the challengers (Democratic Party, ACLU, NAACP) bear the burden of proof with respect to the likelihood of fraud. The lower courts around the country have not agreed on this issue. The real-world problem, though, is that a decision will necessarily have a direct partisan effect of helping one party or the other. Many observers, reportedly including some Supreme Court Justices themselves, believe that the Court lost a good part of its moral authority and prestige by affecting the outcome of the 2000 election in a way that was seen as partisan by many."

Baude is the Ralph F. Fuchs Professor of Law and Public Service. His courses include Constitutional Law, Federal Jurisdiction, and The Legal Profession. Active in the legal community, he has been a special counsel to the Office of the Governor of Indiana and is a member and past president of the Indiana Board of Law Examiners. From time to time he handles test cases in the state and federal courts, including the U.S. Supreme Court. Baude can be reached at 812-855-5927 or [at] [dot] .

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IU News Room

530 E. Kirkwood Ave., Suite 203

Bloomington, IN 47408-4003

Email: iuinfo@indiana.edu

Web: <http://newsinfo.iu.edu>

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