

ELECTION JUDGE ELIGIBILITY & RESPONSIBILITIES

STATE ADMINISTRATION AND VETERANS' AFFAIRS INTERIM COMMITTEE
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WHAT IS AN ELECTION JUDGE?

Election Judges are paid temporary employees who provide assistance at polling locations and central election offices on Election Day. Election Judges administer voting procedures in their assigned precinct and ensure a fair, honest, and accessible election for all eligible voters. The laws governing Election Judges can be found in Title 13, Chapter 4 of the Montana Code Annotated.

WHO IS ELIGIBLE TO BE AN ELECTION JUDGE?

To qualify to serve as an Election Judge, individuals must be registered to vote in the county where they are serving and attend a training conducted by the county Election Administrator.

A person may not be an Election Judge in a precinct where they are also a candidate, a spouse of a candidate, or an immediate family member of a candidate where the candidate's name appears on the ballot. This prohibition does not apply to candidates for precinct office.

If the polling place for a precinct is located in the same venue as one or more other precincts, a candidate whose name appears on any ballot being voted on within the venue – or the spouse or immediate family member of said candidate – may not serve as an Election Judge within the venue.

HOW ARE ELECTION JUDGES SELECTED?

Election Judges are appointed by the county governing body at least 30 days prior to the primary election in even years. The county governing body appoints three or more Election Judges for each precinct and designates one as the Chief Election Judge for that precinct. The appointments are made from lists of qualified, registered, electors submitted by county central committees of qualified political parties. Each board of Election Judges must include judges representing all parties that have submitted lists.

The county Election Administrator may also appoint Election Judges if a list submitted by a political party is insufficient for the staffing requirements or to fill vacancies.

WHAT DUTIES DO ELECTION JUDGES PERFORM?

The county Election Administrator assigns the Election Judges their roles. Not all counties use every type of Judge, and a Judge may perform multiple roles on Election Day if needed. The most common types of Election Judges are the Chief Election Judge, the Register Judge, the Poll Book Judge, the Ballot Judge, and the Provisional Judge. The Election Administrator may appoint additional Judges as members of tabulating, counting, and resolution boards or as marshals or monitors as needed to fulfill the requirements of the election process.

CHIEF ELECTION JUDGE

Of the election judges appointed for each precinct, one must be designated as the Chief Election Judge. The Chief Election Judge opens and closes the polls and is responsible for the conduct of the proceedings in the polling place. The Chief Election Judge assigns duties to other members of the Board of Election Judges, and, unless otherwise assigned, is responsible for the return of, or for arranging the return of, all ballots and election supplies to the Election Administrator. The Chief Election Judge provides support for the other Election Judges, resolving issues, and making decisions within the scope of the law and applicable procedures for the polling place.

The Chief Election Judge may also be referred to as a Polling Place Manager. In some instances where several precincts are gathered in the same location, a Polling Place Manager may provide oversight or coordination for the Chief Election Judges to help ensure a standardized process.

REGISTER JUDGE

The Register Judge's job is to confirm the elector's identity and eligibility to vote. Montana permits electors a wide variety of options to identify themselves for voting. The Register Judge requests the elector's ID and verifies it is an acceptable form of identification.

POLL BOOK JUDGE

The poll book is the official record used to reconcile the number of electors to the ballots issued. After the Register Judge processes the elector, the Poll Book Judge writes the elector's name in the poll book beside the ballot number provided by the Ballot Judge.

BALLOT JUDGE

The Ballot Judge issues ballots to electors in sequential order, providing the ballot numbers to the Poll Book Judge. Each ballot is stamped with the official ballot stamp, ensuring no part of the stamp appears on the stub. The Ballot Judge demonstrates to the elector the procedure for marking the ballot, placing the voted ballot into the secrecy sleeve, and returning the voted ballot to the appropriate judge. When the elector returns the ballot, the stub is removed and placed in stub box. The voted ballot is placed into the ballot box in a manner that ensures no part of the voted ballot is visible.

PROVISIONAL JUDGE

The Provisional Judge is responsible for assisting electors who are required to vote a provisional ballot because they do not meet the eligibility to vote a regular ballot.

SOURCES

- https://archive.legmt.gov/bills/mca/title_0130/chapter_0040/parts_index.html
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