

Democrats Abroad Country Committee Election Procedures: DA-CCEP (revised July 2019)

Key Points

The following Election Procedures are considered the minimum standard for Democrats Abroad Country Committee (CC) officer elections.

1. CC elections should be held in the first half of every odd numbered year.
2. An independent Nominations and Elections Committee (NEC) of at least 3 CC members shall conduct the elections.
3. NEC members may not be candidates for office.
4. Notice of elections should be distributed not less than 30-days prior to the election.
5. Voters must be members of DA in the local CC prior to the election.
6. Members must be residents of the country (see section 5.2).
7. Absentee voting precludes nominations from the floor for any position for which there is a declared candidate.
8. Proxies, if allowed, are limited to two per person, and are not transferable.
9. Ballots should be counted publicly or with observers present.
10. Results of an election should be promptly announced.
11. Challenges to an election must be raised to the NEC within 30 days.
12. Election results must be sent to the International Secretary and Regional Vice Chair (RVC) within 15 days after the election.
13. A copy of current CC Bylaws must be sent to the International Secretary, RVC, and Counsel by 31 January of each year, and immediately subsequent to any revision.

This document is designed to help Democrats Abroad (DA) Country Committees organize and conduct successful, fair, and transparent elections for DA Country Committee (CC) Officers. These procedures are minimum standards based on the election practices of the Democratic Party Committee Abroad (DPCA or simply 'Democrats Abroad') and the Democratic Party of the United States (Democratic National Committee or DNC). Specific terms in CC bylaws may vary from these minimum standards to fit local needs. However, where a CC's bylaws are in substantive conflict with these procedures, the CC should amend its bylaws to reflect these standards.

The Democrats Abroad Charter Section 5.1 states "Country Committees shall be responsible for their own internal management, including governance of their Chapters..." so this document does not set the rules for Chapter elections. This document may nevertheless serve as guidance for the conduct of successful, fair, and transparent elections at that level.

1) General

- a) CC elections should be held every two years in odd numbered years within the first half (i.e., by 30 June), in order to align with DPCA international executive committee election schedules.

- b) CCs which have gained full committee status and held formation elections in an even-numbered year should hold another election in the next odd-numbered year to move CC elections into the odd-year schedule.
- c) An election meeting must be called every two years. Depending on a CC's bylaws, this meeting can be held in conjunction with an Annual General Meeting (AGM).
- d) Minutes of the election meeting must be reported to the International Secretary, with a copy to the Regional Vice-Chair, together with complete contact information for elected officers. This must occur no later than 15 days after the election.
- e) A copy of the CC's current bylaws should also be forwarded by 31 January of each year, or subsequent to any amendments.
- f) Subject to the provisions of the Democrats Abroad Charter, officers may not serve more than two consecutive terms in the same office. (See Section 5.2, Democrats Abroad Charter.)
- g) An officer who was elected mid-term and has served for over a year and a day is deemed to have served a full term.
- h) A meeting is defined as an official gathering – with sufficient notice – of members in one room or area to transact business. The quorum requirements in a CC's bylaws must be met. Members may be present in person, by proxy, or by video or teleconference. (see Chapter IV, Section 8 of Robert's Rules of Order Newly Revised 11th Edition and Section D of this document: Ballots and Proxies)
- i) Elections should be conducted by a Nominations and Elections Committee specifically appointed pursuant to the CC bylaws and applicable local law, if permissible thereunder by the Country Committee Chair in consultation with the CC Executive Committee.
- j) Vacancies that occur in between regularly scheduled CC elections must be filled pursuant to the CC bylaws and applicable local law. If CC bylaws do not prescribe a specific method for filling vacancies, then if permissible under local law a special election must be held at the next general meeting of the CC to fill any position that includes membership in the DPCA; provided that interim appointments to fill vacancies may be made by the CC Chair with approval of the CC Excom. If CC bylaws do not authorize a specific method for filling other vacancies, then special elections are recommended but not required for positions that do not include membership in the DPCA. A CC with bylaws that do not prescribe a specific method for filling vacancies should amend its bylaws to include such a method if permissible under local law.
- k) Within 15 days of the filling of a vacancy in a position that includes membership in the DPCA, the CC's Secretary and Chair must jointly inform the International Secretary of the DPCA of (1) the name and contact details for the new member of the DPCA, and (2) the date that the procedure for filling the vacancy was completed. The CC's Secretary should inform the International Secretary in a timely fashion of the filling of any vacancy that does not include membership in the DPCA.
- l) If a CC position that includes membership in the DPCA is vacant, then the International Secretary will record that vacancy. The vote(s) allocated to that position under the procedures of the DA Charter may not be cast as long as the vacancy continues.

2) Nominations and Elections Committee (NEC)

- a) The Nominations and Elections Committee (NEC) should be composed of at least

three members. They must all be members of the CC. Their appointment by the Chair or Executive Committee should take place no less than 45 days from the date set for the election meeting and should be announced in the election notice not less than 30 days prior to the election.

- b) No member of the NEC may be a candidate for office.
- c) All actions of the NEC shall be taken by a majority vote of the committee members.
- d) An appointed NEC's ability to carry out its duties shall not be delayed or hindered in any substantive manner by the Country Committee Chair or ExCom.
- e) The Nomination and Election Committee (one member) must be granted limited administrative access to the country membership database for membership notification and for verification of membership status regarding voting. This access shall be communicated by the Country Chair to the responsible IT database volunteer and the appropriate Confidentiality Agreement submitted. Any problems in securing such access for the NEC should be brought to the immediate attention of the Regional Vice-Chair whose responsibility it will be to assure that access is obtained. If access cannot be granted to an NEC member for whatever reason, an IT Team member will be assigned by the Regional Vice-Chair to send all election notices. Communications with the IT Team volunteer shall originate solely from the NEC.

3) Duties of the Nominations and Elections Committee

- a) Give notice of the election meeting and keep the minutes of that meeting.
- b) Define the rules and processes for the election, in line with local Bylaws.
- c) Call for nominations
- d) Accept written nominations.
- e) Verify candidate eligibility.
- f) Ensure that all candidates are informed of nominations, seconds, elections calendar, and the process for posting candidate statements
- g) In cases where no nominee has come forward for an open Executive Committee position, Election Committee members may reach out to solicit candidates and nominations from the general country membership.
- h) Issue a list of candidates for office.
- i) Write and distribute a ballot.
- j) Ensure that the election meeting is run by a member of the NEC.
- k) Be the recipient of any electronic ballots, transport these to the election meeting, and be responsible for opening these.
- l) Be the recipient of all proxies, verify the validity and proper execution of each proxy, and confirm the membership status of all proxy givers.
- m) Collect ballots and count the votes.
- n) Verify the final election tally.
- o) Report the results to the gathered membership immediately and again via a DA country webpage by posting to all committee members, to the International Chair, the appropriate Regional Vice-Chair, and the International Secretary.
- p) Hear and adjudicate any election disputes.
- q) Monitor the election to ensure a public, open, and fair process.

4) Recusal of Candidates from Election-Related Matters

- a) The use of a local independent NEC is an essential part of maintaining the integrity of and avoiding any appearance of impropriety in our Country Committee elections. It is therefore essential that all candidates for office, especially incumbent holders of officer or At-Large positions, be recused from all aspects of election administration. A significant number of problems, misunderstandings and disputes can be tied to even well-meaning attempts by Country Committee leadership to assist with election-related matters.
- b) Election-related communications should only be performed by and released in the name of the NEC. This relates to use of the www.democratsabroad.org website, membership-mailing resources, as well as any Internet or social-media sites used by a Country Committee to reach its members.
- c) Moderation of social media attached to the committee (country Facebook pages, as an example) must be overseen by the Election Committee. Fair posting and moderating practices must prevail.
- d) Matters pertaining to the collection, handling, and counting of ballots are especially sensitive and are to be left exclusively to the NEC.

5) Rules Governing the Election

- a) Eligible Candidates and Voters
 - (1) Candidates and voters must be registered members of Democrats Abroad in the Country Committee or chapter for which elections are being held. Registration must be completed prior to the election. Registration deadlines may vary depending on the type of election and balloting:
 - (a) for ballots submitted via in-person voting: the day before the election; or if the committee chooses same day registration, no less than 1 hour before the scheduled election or meeting time;
 - (b) for ballots submitted by proxy or mail: no less than 14 days prior to the election.
 - (2) Membership in a particular Country Committee or local chapter automatically ceases when a Democrats Abroad member no longer resides within the relevant country or chapter area. Career, family, and other circumstances of many Democrats Abroad members require that they may travel, have temporary work assignments in other countries, or have more than residence. To ensure that candidates and voters have legitimate contacts with the jurisdiction in which they seek office and/or vote, the totality of the circumstances should be evaluated in determining a candidate's or voter's overseas residence or domicile. Where a question of candidate or voter residency arises, a determination should include, but need not be limited to, consideration of the following criteria:

- (a) Does the candidate or voter maintain a bona-fide residential home within the relevant country? (e.g., not merely storage of items but an actual residential home address)
 - (b) Does the candidate or voter have an office or primary place of work within the relevant country?
 - (c) Does the candidate or voter have a specific personal or work telephone landline within the relevant country at which he or she can be reached?
 - (d) Does the candidate or voter have a specific personal or work mobile phone within the relevant country at which he or she can be reached?
 - (e) Did the candidate or voter spend a plurality of days within the past year within the relevant country? (i.e., did they spend more time there than in any other country?)
 - (f) Does the voter have permanent resident or other status in the relevant country or in any other country?
 - (g) Does the candidate or voter sincerely and continuously intend to return to the relevant country despite temporary absence?
- b) Notification of Election Meeting
- (1) No less than 30 days prior to the election meeting, the NEC will notify the membership of the location and time of the meeting and a listing of positions to be elected by email and other means necessary. The notice should include an explanation of the nominations process, methods for voting, relevant deadlines, and dates. In addition to any other methods of notification, the Election Meeting Announcement must be sent to all country committee members through the Country Committee database via the Democrats Abroad website and be posted on the www.democratsabroad.org Country Committee webpage.
 - (2) Voting may take place in person (by voice, show of hands, or written ballot), by written proxy, by absentee ballot, or any combination thereof.
- c) Nominations
- (1) The country officers to be elected are: Chair, Vice Chair, Secretary, Treasurer, and Legal Counsel. A country committee's bylaws may contain other offices such as DPCA Voting Representative, Chapter Chairs, country boards, Members At-Large, etc.
 - (2) The Chair and Vice Chair must be of different sex as required by the DA Charter.
 - (3) Nominations for an office shall be made in writing by a member and seconded by another member, either in the same or separate writings sent to the NEC, or from the floor of the election meeting in the case of fully in-person elections. Self-nomination is permitted. The NEC may also make nominations directly.
 - (4) Each nominee shall confirm his or her willingness to stand and serve as soon as possible after receiving a nomination.
 - (5) Nominations should be received no later than 17 days before the election. Floor nominations are allowed for a fully in-person, or live remote participation, election meeting conducted without absentee ballots or email voting.

- (6) If absentee voting is allowed, and all offices have a candidate, there can be no nominations from the floor of the meeting, as those voting absentee will not have the same opportunity to vote for candidates nominated from the floor and voting will already be in process.
 - (7) If there are no candidates for a specific office, nominations may be made from the floor at the election meeting.
 - (8) Should a country committee wish to accept nominations from the floor for all offices (i.e., including those with nominees in place prior to the election meeting), voting can only take place in person or by proxy. A member may only carry two proxies. If the Country Committee's bylaws contain a more liberal proxy interpretation, these should be revised to conform to DPCA policy.
 - (9) All candidates for office shall be permitted to post a statement on the Country Committee's page of the DA website (www.democratsabroad.org) or in the Country Committee newsletter.
- d) Ballots and Proxies
- (1) If the committee opts for voting by absentee ballot, the written ballot shall be sent by email to all members not later than 14 days prior to the election meeting. Members without email shall receive a ballot by post or hand delivery.
 - (2) The ballot should also be available for download from the Country Committee's page on the DA website.
 - (3) The ballot shall clearly set forth the postal address and/or email address for the return of the ballot and the date, time, and location of the election meeting.
 - (4) All ballots must be signed by the voting member and contain other relevant contact and identifying details (e.g., mobile phone number). The signed ballot requirement is a Democratic Party rule requiring open ballots and cannot be changed. Any voting method which does not involve a physically signed ballot must be brought to the Regional Vice-Chair and International Counsel for prior approval.
 - (5) Any ballot returned by email or scanned attachment must be sent from the member's registered email address and must be signed. For purposes of a ballot being deemed "signed", a voter's email signature in a typed form sufficient to identify themselves shall serve as a personal signature.
 - (6) Any ballot returned by post, hand delivery, or email attachment must be received no later than the day prior to the elections meeting. Otherwise, voting must take place in person or by written proxy at the election meeting.
 - (7) A proxy shall be in writing, shall name the member to whom the proxy is given, and shall be limited to voting in the election. The proxy may not be transferred by the proxy holder.
 - (8) To encourage active participation, a member shall not hold more than two proxies. This rule is a DPCA standard and supersedes any varying number of proxies allowed in Country Committee bylaws. Country committee bylaws, or the NEC, may also opt to disallow the use of proxy voting in elections.
 - (9) A proxy may be revoked at any time prior to the call to order of the election meeting on determination of the Election Committee or by the issuing member.

e) Vote Counting

- (1) All eligible ballots shall be counted at the elections meeting by the NEC members or its appointed tellers present at the meeting. Ballot verification shall include but is not limited to:
 - (a) late registrants, which shall not be counted;
 - (b) late-submitted ballots, which shall not be counted;
 - (c) unsigned ballots, which shall not be counted;
 - (d) blank or partially blank ballots, which shall not be counted for the purposes of any position for which the ballot is blank but shall be counted for any positions for which a candidate is selected;
 - (e) ballots indicating a vote for multiple candidates where only one may be voted for shall not be counted for the purpose of that position.
 - (f) ballots submitting a non-member as a write-in candidate or submitting a write-in candidate for a position where, under the country committee bylaws a write-in candidate would not be permitted.
- (2) The candidate with the most votes shall be considered elected into the position.
- (3) If there is a tie for an elected position, the NEC shall call an immediate, on-the-spot runoff election with the participation of those present at the meeting. Proxies may again be voted if they are general to the election and not limited to a specific candidate who is not a candidate in the run-off round.
- (4) The results of the election shall be announced at the election meeting, sent by email to the membership, and posted on the website, unless a challenge has arisen.

f) Election Questions and Challenges

- (1) To ensure prompt resolution of election-related concerns, Country Committee members (whether voters or candidates) should raise their questions regarding election matters to the NEC at the time that such issues first arise or are discovered. Challenges to an election result or process must be made to the NEC within 30 days of the election.
- (2) Challenges alleging conduct proscribed under paragraph 4 (involving recusal, appearance of impropriety or election-related matters) must be made in a timely manner; unreasonable delay shall be grounds for dismissal of the challenge. Any challenge to an election-related process that seeks to overturn election results based on conduct proscribed under paragraph 4 (involving recusal, appearance of impropriety or election-related matters) must allege and prove that the conduct had a significant impact on the fairness or legitimacy of the election.
- (3) The NEC shall attempt to address questions and to hear and adjudicate challenges on the local level. The NEC may consult with the International Counsel about the legal requirements and possible solutions to issues raised. The NEC (with guidance from the International Counsel) is solely responsible for resolution of such challenges. Such matters are not to be adjudicated by or interfered with by the country Executive Committee or any of its sitting or newly elected officers.

- (4) Challenges to an election result or process may be filed by any eligible voter, should be made in writing, and include a statement of the legal and factual basis for the challenge. Challenges should be filed with the NEC, and a copy sent to the Regional Vice-Chair, International Counsel, and International Chair, no later than 30 days after the adjournment of the election meeting.
- (5) If the NEC cannot resolve a challenge to an election result or process within 15 days following receipt of the challenge, such dispute documentation shall be referred through the International Counsel and Regional Vice-Chair (with a copy sent to the local NEC) for adjudication to the International Chair in conjunction with the International ExCom. Options include: remanding the matter for handling by the local NEC, submitting to the International Counsel for a determination on legal issues, dismissal of the challenge, or, if warranted, requesting that the matter be submitted to the International Chair and Executive Committee as a Formal DPCA Credentials Challenge described and outlined as a formal procedure under the Rules of Procedure of the Democratic Party Committee Abroad.
- (6) At all stages of the challenge process, the challenging party shall have the burden of proof by clear and convincing evidence on all factual issues necessary to the challenge.
- (7) Prior to the resolution of any challenge involving a position that includes membership in the DPCA, the International Secretary will record the individual elected according to the challenged process as the member of the DPCA and, all things equal, recognize that individual as voting and speaking in DPCA business.

6) Declarations of Compliance

- a) Questions arise regarding whether a specific result or completed process is in compliance with this document or the DA Charter, or whether actions taken to remedy non-compliance with these rules or the DA Charter are in the spirit of these requirements. These questions may be posed to the International Secretary or to the appropriate Regional Vice Chair by the Chair of an NEC or by a Country Committee Chair. Based on the sole judgment of the International Secretary or the Regional Vice Chair, a question may be referred to the DPCA Executive Committee.
- b) In response to a referred question, the DPCA Executive Committee may issue a discrete and specific Declaration of Compliance, which states (1) that the International Secretary has recorded specific elected individuals, or individuals filling vacancies, as members of the DPCA, or (2) that the Country Committee is "in compliance with Section 5.4 for the purposes of vote allocation" as of a certain date, or (3) both.
- c) In response to a referred question, the DPCA Executive Committee may informally communicate to a CC Chair, a CC Executive Committee or Board, or an NEC, that the result, process, or actions are not sufficient for compliance with the DA Charter or this document. The DPCA Executive Committee may informally communicate recommendations regarding the actions that might be necessary for a Declaration of Compliance. In no case will such informal communications impose a duty upon to the DPCA Executive Committee to issue a Declaration of Compliance or to recognize individuals as members of the DPCA.
- d) No Declaration of Compliance will set precedent for future judgments. In the case of a credentials challenge within DPCA rules, a Declaration of Compliance may be considered but cannot guarantee the membership of an individual in the DPCA or



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the finding that a Country Committee is in compliance with the DA Charter.

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Amended on January 7, 2015
Amended on February 2017
Amended on March 22, 2019
Amended on July 11, 2019

Pro-Forma Election Calendar

Day of Election minus 45 days	Nominations and Elections Committee (NEC) appointed by Country Committee Chair or ExCom.
Day of Election minus 30 days	NEC gives notice of the election, the Date, Time, and Location of Election Meeting, the Rules of the Election, how to make a nomination/be nominated, where to post/find candidates statements, how ballots will be distributed, who is an eligible voter, what is an eligible ballot, how/where can ballots be cast, and other relevant information (e.g.: candidate presentations/debates). Calls for nominations.
Day of Election minus 17 days	Nominations close.
Day of Election minus 14 days	For postal/absentee ballots – deadline for eligible voters to become DA members. Postal/absentee ballots mailed out or hand delivered.
Day of Election minus 1 day	Deadline for receipt of postal/absentee ballots received by post, hand, fax, scanned/email. For In-person voting – deadline for eligible voters to become DA members.
Day of Election Meeting	Ballots counted and Results announced by NEC.
Day of Election plus 15 days	Deadline for sending notice to the DA International Secretary and Regional Vice-Chair of the results of the election, contact information for officers, and certified minutes of the election meeting.
Day of Election plus 30 days	Deadline for filing challenges to the election with NEC, copy to Regional Vice-Chair, International Counsel, and International Chair.
Date a challenge to the election is filed with the NEC plus 15 days	Deadline for local NEC to resolve an election dispute; challenge is then forwarded to the International Chair.