

ELECTION LAW RESEARCH GUIDE

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Introduction and Purpose

Election law covers a wide variety of issues. Included in election law are issues such as redistricting, the right to vote, voter registration, voter identification laws, ballot validity, and campaign financing.

This guide will give you a brief overview of the law in this area and outline the print and electronic resources available in the OCU Law Library. The guide will also mention freely available electronic resources.

Defining Election Law

Election law can be defined as the body of law that controls how voters choose a candidate on the local, state, or national level. This means that all of the statutes, regulations, and case law defining who can run for electoral office, who can vote, where and why elections are held, and how electoral campaigns are financed fall into this area of law.

Election Law Research

The resources you use to research an election law issue will depend on the facts presented. For example, if you represent someone who was denied the right to vote you may research voting rights while if you are determining the validity of a new redistricting scheme you may examine other statutes, regulations, and case law.

NOTE: Remember to check the coverage of any research source you use.

OCU Resources

Below is a sample list of materials you may find helpful when researching an election law issue. These resources are available electronically or at the Oklahoma City University Law Library. This list is not all-inclusive.

Secondary Materials

***Note-Check each title for specific holdings and availability.**

Treatises/Casebooks

Generally, treatises give researchers a broad overview about a topic or area of the law. Casebooks can also provide background information but their target audience is students rather than practitioners.

1. *Election law: cases and materials* / Daniel Hays Lowenstein at [KF4886.A4 L69 1995](#).

2. *Symposium on the 2004 election* / co-editors Daniel H. Lowenstein, Richard L. Hasen ; associate editor Sam Hirsh at [KF4886 .S96 2006](#).
3. *Election law primer for corporations* / by Jan Witold Baran at [KF4886 .B37 1992](#), [KF4886 .B37 2000](#), and [KF4886 .B37 2002](#).
4. *Federal-state election law updates* / prepared for Federal Election Commission by American Law Division of the Congressional Research Service, Library of Congress at [KF4886.Z95 U56 date](#).
5. *The appearance of equality : racial gerrymandering, redistricting, and the Supreme Court* / Christopher M. Burke at [KF4905 .B87 1999](#).
6. *Bushmanders & bullwinkles : how politicians manipulate electronic maps and census data to win elections* / Mark Monmonier at [JK1341 .M66 2001](#).
7. *Campaign finance law 2000: a summary of state campaign finance laws, with quick reference charts* / Edward D. Feigenbaum, James A. Palmer at [KF4920 .C34 2000](#).
8. *Campaign finance law 98: a summary of state campaign finance laws with quick reference charts* / Edward D. Feigenbaum, James A. Palmer at [KF4920 .C34 1998](#).
9. *Campaign guide for congressional candidates and committees* / Federal Election Commission at [KF4886.Z9 C33 2004](#).
10. *Campaign guide for political party committees* / Federal Election Commission at [KF4886.Z9 C3 2004](#).
11. *Corporate political activities, 2002: complying with campaign finance, lobbying & ethics laws* / co-chairs, Jan Witold Baran, Kenneth A. Gross, Chip Nielsen at [KF4920.Z9 C67 2002](#).
12. *Drawing lines in quicksand: courts, legislatures, & redistricting* / Jeremy Buchman at [KF4905 .B83 2003](#).
13. *Election case law* / performing organization, INGroup at [KF4885.A75 E541 date](#).
14. *Financial control and compliance manual for presidential primary candidates receiving public financing* / prepared by Federal Election Commission at [KF4920 .A855 2000](#).
15. *Federal Election Commission: policy, politics, and administration* / Maurice C. Sheppard at [JK1991 .S45 2007](#).

Journals/Law Reviews

Journal and law review articles offer another research opportunity because often the authors will present in-depth analysis about a particular issue and include useful citations.

1. *Election law journal* is available from 2003 to present via the subscription database Westlaw and from 2008 to present via the subscription database Legaltrac.

Note-While OCU only subscribes to one journal devoted entirely to election law, researchers should search for information about their topic in subscription databases such as Westlaw, Lexis-Nexis, Legaltrac, and WilsonWeb.

Primary Materials

***Note-Check each title for specific holdings and availability.**

The materials listed below are primary federal and state legal authority.

Federal Statutory Materials

1. *U.S.C.* (U.S. Code) is available in the library at [KF62 1958 .A2](#) and electronically via various Web sites such as <http://www.law.cornell.edu/uscode/> and <http://uscode.house.gov/>.
2. *U.S.C.A.* (U.S. Code Annotated) is available in the library at [KF62.5 .W45](#) and electronically via the subscription database Westlaw.
3. *U.S.C.S.* (U.S. Code Service) is available in the library at [KF48 .U54](#) and electronically via the subscription database Lexis-Nexis.

Federal Administrative Materials

1. *C.F.R.* (Code of Federal Regulations) is available in print at [KF70 .A3 date](#) and electronically via the subscription databases Lexis-Nexis and Westlaw. The publication is also freely available via the government Web site <http://www.gpoaccess.gov/cfr/index.html>.
2. *Federal Register* is available in print at [KF 70 .A2 date](#) and electronically via the subscription databases Lexis-Nexis and Westlaw. The publication is also freely available via the government Web site <http://origin.www.gpoaccess.gov/fr/>.

Federal Case Law

1. *U.S. Reports* are available at [KF101 .U54](#) and via the subscription database Hein Online.
2. *Supreme Court Reporter* is available at [KF101 .W4](#) and via the subscription database Westlaw.
3. *U.S. Supreme Court Reports, Lawyers' Edition* are available at [KF101 .U58](#) and via the subscription database Lexis-Nexis.

4. *Federal Reporter 1st, 2d, 3d* is available at [KF105 .F4](#) and via the subscription databases Westlaw and Lexis-Nexis.

5. *Federal Supplement 1st and 2d* is available at [KF120 .F42](#) and via the subscription databases Westlaw and Lexis-Nexis.

State Materials

1. *Primary and general election laws of the State of Oklahoma, annotated* are available at [KFO1620 .A3 date](#) in the Periodicals wing of the Law Library.

2. *Oklahoma Statutes* are available in the library at [KFO1230 .O5](#), electronically via the subscription databases Westlaw and Lexis-Nexis, and freely available via <http://www.oscn.net>.

3. *Oklahoma Statutes Annotated* are available in the library at [KFO1230 .O52](#) and electronically via the subscription databases Westlaw and Lexis-Nexis.

4. *Oklahoma Administrative Code* is available in the library at [KFO1235 2001 .A22](#), electronically via the subscription databases Westlaw and Lexis-Nexis, and freely available via <http://www.sos.state.ok.us/>.

Subscription Database

***Note-You need an individual login and password to access this resource.**

1. Westlaw contains several items that may be helpful for election law research such as Lobbying and Finance: a 50 State Handbook, Campaigns and Elections, and Congress & The Presidency. As always, you should check the coverage of any source.

Freely Available Resources

These resources are available through the Internet and can provide useful information about various aspects of election law.

Federal

1. <http://www.fec.gov/> -The Federal Election Commission's Web site. The commission oversees federal campaign finance laws and provides links to laws, meeting information, and campaign finance data on its Web site.

State

1. <http://www.ok.gov/~elections/> -The Oklahoma State Board of Elections gives voters information about how to register to vote, elected officials, and election results at its Web site.

Nongovernmental organizations

1. <http://www.ncsconline.org/WC/CourTopics/ResourceGuide.asp?topic=ElnLaw> -National Center for State Courts' Election Guide. This guide gives background details about federal election laws.

2. <http://projectvote.org/about-us/our-mission.html> -Project vote is a nonprofit organization that registers U.S. citizens to vote.

3. <http://learning.loc.gov/learn/features/election/home.html> -Provided by the Library of Congress, this site gives students and others fast facts and history about the U.S. electoral system.
4. <http://www.lwv.org/AM/Template.cfm?Section=Home> –The League of Women Voters is a nonpartisan organization that educates voters and works to improve the U.S. government.
5. <http://www.law.cornell.edu/wex/index.php/Elections> -Cornell University's Legal Information Institute presents a broad overview of election law on the federal and state levels.

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