

Looking Out For Your Legal Rights®

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*Cuáles Son Sus
Derechos Legales*
La versión en
español la encontrará
al reverso.

Voting in New Jersey: What You Need to Know for the Election on November 8, 2016

ON NOVEMBER 8, 2016, people in New Jersey will vote for President of the United States, members of the United States House of Representatives, and two state constitutional amendments. There are also county and municipal candidates who vary depending on where you live. These elected officials will represent New Jersey residents and will make and enforce laws that affect

If you missed the voting registration deadline, please follow the instructions in this article to register to vote in future elections.

everyone. Examples include laws about welfare, disability, immigration, and education. It is important to vote to make sure that people who will best represent your interests are elected to these positions.

How do I know if I can vote?

In order to vote, you must first register. You can register to vote if you are:

- A U.S. citizen,
- At least 18 years of age on or before the next election, and

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- A resident of New Jersey and your county for at least 30 days prior to the election.

You cannot register to vote if:

- You are serving a jail sentence or you are on parole or probation for an indictable offense under state or federal law. However, once you serve your sentence and complete probation or parole, you can re-register to vote. You do not lose your right to vote if you are a pre-trial detainee or you are free on bail pending an appeal.
- A judge has determined that you lack the mental capacity to vote.

How do I register to vote?

You must file a registration application. You can get a voter registration application from:

- Your County Com-

- mission of Registration,
- Your County Board of Elections,
- Local libraries,
- NJ Motor Vehicle Commission offices,
- County Boards of Social Services, and
- Other public assistance agencies.

The registration form is also available with additional information online at www.njelections.org/voting-information.html. You can also check that website to see if you are already registered to vote and to find out where to vote on Election Day. It is wise to check registration status well before the election, as it is possible to become de-registered if your County Commission of Registration (CCR) sent a verification request and you did not respond. Voters must register at least 21 days before voting in an election. To vote in the General Election on



Looking Out For Your Legal Rights®

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This newsletter is for general information only. If you have a legal problem, you should see a lawyer.

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No reason or excuse is required to vote by mail if you are a registered voter.

November 8, 2016, *you must have registered on or before October 18, 2016*. If you missed the registration date, please follow the instructions below to register to vote in future elections.

You can register to vote with your County Commission of Registration (CCR) or Superintendent of Elections (SE) in person or by mail. You cannot register electronically or by fax, because an original signature is required. You can call 1-877-NJVOTER toll-free to find contact information for your CCR or SE, request that a voter registration form be mailed to you, and find out whether information is available in languages other than English. You can also call your CCR or SE if you are unsure whether you are registered. Once registered, you can vote in person at the polls on Election Day or by absentee ballot.

If you register by mail, the CCR or SE will send you a request for identification form asking for your driver's license number or the last four digits of your Social Security number. If you have neither, they will ask for other acceptable identifying documents. These include a photo ID, a bank statement, a utility bill, or an official document addressed to you. After your registration is approved you should receive information about where to vote.

How do I vote once I am registered?

Vote by mail rules

Absentee ballots are now called "vote by mail ballots" in New Jersey. No reason

or excuse is required to vote by mail. However, you must be a registered voter and also submit your vote by mail application on time to the County Clerk in the county where you live. Applications can be:

- Received by the County Clerk by mail up to seven days before the election (November 1, 2016) or
- Filed in person with the County Clerk up until 3 p.m. on the day before the election.

You cannot fax or email your application to vote by mail. You do not need a stamp to mail your application for a vote by mail ballot.

Call 1-877-NJVOTER or check www.njelections.org/voting-information-vote-by-mail.html to get a vote by mail ballot application and the County Clerk's contact information. After your application is received and accepted, a ballot will be mailed to you. You can complete and submit it as indicated on the ballot. The County Board of Elections must receive your ballot no later than 8 p.m. on Election Day. Once you request a vote by mail ballot, you must vote by mail. You will not be allowed to vote in person at the polls.

Voting in person

After you register, the CCR or SE should send you information about where you will vote on Election Day. Shortly before the election, you should receive a sample ballot and polling

information. If you have not received any information a few weeks before the election, you should call the CCR or visit www.njelections.org/voting-information.html to find out where you should go to vote.

It is a good idea to bring identification and proof of address with you when you go to vote, especially if you are voting for the first time. If you registered by mail, you may need to bring a photo ID, utility bill, paycheck, or other document showing your name and address. Call the CCR or SE if you have any questions about what ID is acceptable. Polls are open between 6:00 a.m. and 8:00 p.m. on Election Day.

If you go to the polling place and you are not permitted to vote, you can make an application to a Superior Court judge in the county where you live for an order permitting you to vote. No formal or written application is needed. You do not need to be represented by an attorney. You should go to the Superior Court in the county where you live. There will be a judge on duty to hear voters' applications. If you are listed as a registered voter, you can ask to vote by provisional ballot. In some cases, your provisional vote can be counted if you

submit a copy of your ID to the CCR by close of business on the second day after the election.

Voting for people with disabilities

State and federal laws require that polling places and voting machines be accessible to people with disabilities. In particular, the Help America Vote Act (HAVA) requires that the voting process "be accessible for individuals with disabilities, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation (including privacy and independence) as other voters."

People with mental illness are generally permitted to vote unless a judge determines that they lack the capacity to vote. People do not lose the right to vote if they have a guardian, unless the guardianship order declares that the person lacks the capacity to vote.

HAVA can be enforced through private litigation or through the U.S. Department of Justice, Civil Rights Department, Voting Division, at 1-800-253-3931. The New Jersey Office of the Attorney General has a voting accessibility concern and complaint



It is a good idea to bring identification and proof of address with you when you go to vote, especially if you are voting for the first time.


State and federal laws require that polling places and voting machines be accessible to people with disabilities.

process and can be contacted at (609) 292-3760. On Election Day, Disability Rights New Jersey has a toll-free Hotline for people with disabilities who have voting questions or issues, at 1-800-922-7233.

If you believe that you were improperly denied the right to vote on Election Day, you can apply to the New Jersey Superior Court in your county for relief. Each court has an emergent duty judge available on Election Day with authority to hear your complaint and to issue an order permitting you to vote. To find your local New Jersey Superior Court,

check online at www.judiciary.state.nj.us/trial.htm or call 1-877-NJVOTER for further information.

If you do not speak English

Voter registration applications are available in the following languages: English, Spanish, Korean, Gujarati, Simplified Chinese, and Traditional Chinese. You can find the applications at www.njelections.org/voting-information.html. 

*By Kevin Liebkemann, Chief Section Counsel, and
Jo Anne Mantz, Senior Attorney
Legal Services of New Jersey*

LSNJLAWSM, Legal Services of New Jersey's Statewide, Toll-Free Legal Hotline

Read more about your legal rights on our website, www.lsnjlaw.org. If you have questions or need legal advice with a civil legal matter, contact LSNJLAWSM, Legal Services of New Jersey's statewide, toll-free legal hotline, at 1-888-LSNJ-LAW (1-888-576-5529). You may also apply online at <https://lsnjlawhotline.org>. Hotline hours are Monday through Friday, 8 a.m. to 5:30 p.m. The Hotline provides free legal assistance to low-income New Jersey residents in civil legal issues. If you are not eligible for assistance from Legal Services, the hotline will refer you to other possible resources.



Scan this QR
code to apply
online.

Achieving a Better Life Experience Act (ABLE) Accounts: What You Need to Know

SOME NEW JERSEY residents with disabilities can now open ABLE (Achieving a Better Life Experience) accounts to better meet their living expenses.

What is the ABLE Act?

The ABLE Act was passed in 2014 by President Obama and signed into law in New Jersey in January 2016. The law created tax-advantaged savings accounts for people with disabilities, much like college savings accounts under Section 529 of the IRS code. You may use funds in these ABLE accounts to pay for disability-related expenses, and you do not have to count them as income for tax purposes or countable resources for federal means-tested benefits programs such as SSI, SNAP, or Medicaid. The rules for state means-tested programs vary. Some questions still need to be answered about ABLE accounts in New Jersey: How will New Jersey administer accounts? How will the money be invested? How will beneficiaries make withdrawals? How will the state decide whether withdrawals are qualified expenses?



If you receive SSI or Social Security disability benefits and became disabled before the age of 26, you are eligible for an ABLE account.

This article explains who qualifies, how the accounts are opened, and how the funds can be used. It describes some of the rules as they are available now.

How do I know if I qualify for an ABLE account?

1. If you receive Supplemental Security Income (SSI) or Social Security disability benefits and became disabled before the age of 26, you are eligible for an ABLE account.
2. If you meet the Social Security definition of disability, as explained in the Social Security Disability Planner, www.ssa.gov/planners/disability/dqualify5.html, even if you don't currently receive benefits, you may be eligible for an ABLE account if you became disabled before the age of 26.
3. If you have a diagnosis and signature from a licensed physician confirming that you meet the functional disability criteria in the ABLE Act, you may submit a "disability certification." This certification states that you have a disability and supporting documentation from a physician. It is unlikely that you will ever have to submit this documentation when you apply for an ABLE account, but you should keep it with your records just in case.

May I have more than one ABLE account?

You may only have one ABLE account open at a time, but you may open an ABLE account either in your own state or through an ABLE program in any

If you are considering opening an ABLÉ account for yourself or another person, you may wish to speak with attorneys or financial planners who are familiar with ABLÉ accounts.

state that allows enrollment by non-residents. As of the date of publication, some states have operational ABLÉ programs, and many other states will open programs in the coming months. Ohio's STABLE Program, ABLÉ Tennessee and Nebraska's ENABLE Program are open for national enrollment, and residents of New Jersey can apply online. New Jersey's ABLÉ Program will be administered by the Division of Disability Services of the Department of Human Services with open enrollment expected in October 2016.

If you are considering opening an ABLÉ account for yourself or another person, you also may wish to speak with attorneys or financial planners who are familiar with ABLÉ accounts to best determine how an ABLÉ account can meet the needs of your particular situation. The SSA Program Operations Manual System, <http://policy.ssa.gov/poms.nsf/lnx/0501130740>, provides definitions of key terms, rules of ABLÉ accounts, and examples applying these rules.

How do I open an ABLÉ Account?

Some state ABLÉ programs offer online enrollment. Ohio's STABLE program offers an online application that takes approximately 20 minutes to complete. You may establish an ABLÉ account on your own behalf, or on behalf of a minor child or other person for whom you are the parent, legal guardian

or power of attorney. There may be fees for establishing and maintaining ABLÉ accounts.

ABLÉ accounts are investment accounts, not bank accounts, so you will need to choose investment options. Since you may only have one ABLÉ account open at a time, you should consider all fees and investment options when opening an ABLÉ account. The ABLÉ National Resource Center, <http://69.195.107.141/>, has information and resources about ABLÉ. You may also want to speak with an attorney or a financial planner.

How do I add money to my ABLÉ account?

The designated beneficiary is the owner of an ABLÉ account. Any person, including friends or family, a corporation, trust, or other legal entity may add money, called a contribution, to an ABLÉ account.

There are some limits to the contributions you may make:

- The annual contribution limit is \$14,000.
- The lifetime contribution limit is equal to the individual state's limit for education-related 529 savings accounts. (Ohio's is \$426,000 and New Jersey's is \$305,000.)
- If your balance exceeds \$100,000, any funds beyond that amount will **not** be excluded as income for tax

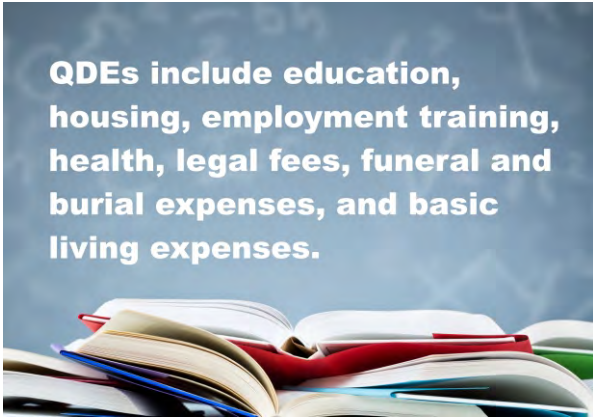
purposes or as a countable resource for SSI.

You may make payments with cash, check, electric funds transfer, payroll deduction, and automatic contribution plans. States may set minimum contribution amounts, but these limits should be low. Contributions are not tax-exempt donations for the contributor.

Funds can also be added to an ABLE account through a “rollover”—when you transfer all or some of the funds from one ABLE account to the ABLE account of a member of the original beneficiary’s family. (Family includes sibling, stepsibling and half-sibling, by blood or by adoption.) You should also be able to transfer all funds from an ABLE account in one state to an ABLE account in another state (“program to program transfer”) without any tax penalty, as long as you only have one ABLE account open at a time.

How do I take funds out of my account?

The withdrawal of funds (called a distribution) will vary by state. Options may include debit cards, direct payment to service providers, and direct payment into other accounts. Some states, such as Ohio, have options for people with signature authority to restrict where the beneficiary can use their debit card. Other states, such as Tennessee, require a written form to make a withdrawal, and it takes 5-10 days



to process. You should consider the convenience, protections, and restrictions of withdrawal methods offered by state ABLE programs when choosing the program that is right for you.

What are Qualified Disability Expenses or QDEs?

Distributions from your ABLE account must be spent on “qualified disability expenses” in order for it to not count as income or a countable resource. Qualified disability expenses (QDEs) are expenses related to the blindness or disability of the designated beneficiary and for the benefit of the designated beneficiary in maintaining or improving his or her health, independence, or quality of life. A QDE includes, but is not limited to, the following types of expenses:

- Education
- Housing
- Transportation
- Employment training and support
- Assistive technology and related services
- Health
- Prevention and wellness
- Financial management and administrative services
- Legal fees
- Expenses for ABLE account oversight and monitoring
- Funeral and burial
- Basic living expenses.

Qualified Distribution Expenses are

not limited to expenses for items for which there is a medical necessity or which provide no benefit to others. For example, an iPad used by the beneficiary and used by members of the beneficiary's family members will qualify as a QDE. Other potential QDEs include mental health, medical, dental and vision expenses not covered by Medicaid and services like respite, personal care, therapy, books, educational tutors, and mass transit costs.

What if I am no longer disabled?

If you no longer have a disability, no distributions can qualify as QDE's and no contributions to the ABLE account will be accepted. However, you may still keep your ABLE account, and if your disability reoccurs, you can resume using your ABLE account.

How do ABLE accounts affect income tax and means-tested benefits?

Generally, the following are not counted as income for tax purposes or as a countable resource for means-tested benefit programs:

- The account balance of an ABLE account up to \$100,000
- Interest earned on ABLE accounts
- Withdrawals from ABLE accounts that are spent on QDEs.

The balance of an ABLE account over \$100,000 is included for income tax purposes and for means-tested benefit programs. If the amount of your ABLE account balance and other resources causes you to go over the \$2,000 SSI countable resource limit, a special rule applies which suspends your SSI cash benefit until the ABLE account balance

falls back below \$100,000. This suspension does not make you ineligible for SSI and you will not need to reapply for benefits once your accounts falls below \$100,000. There is no effect on your ability to receive medical benefits through Medicaid.

Withdrawals spent on expenses that do not qualify as QDEs are countable resources for means-tested benefit programs, and there will be an extra 10% tax penalty on the earnings part of the withdrawal.

There are some exceptions to these general rules, and you may wish to consult with a financial planner or an attorney to determine the effects of an ABLE account on your income tax and your eligibility for means-tested benefit programs.

Death of Designated Beneficiary and Medicaid Pay Back

When the beneficiary dies, the state in which the beneficiary lived may file a claim to all or part of the funds in the account to reimburse the state for money spent on the beneficiary through their state Medicaid program. This reimbursement to the state should be paid only after the payment of all outstanding payments due for the qualified disability expenses of the designated beneficiary, including funeral costs.

Maintaining an ABLE Account: Important Reminders

- **Before opening an ABLE account, identify and estimate your current disability-related expenses.** Consider making a list of short- and longer-term needs for which you may need financial help. Find out

whether these expenses are covered by any public benefit program you receive or may receive in the future. Consider other sources of income you may have and how an ABLE account might interact with them. For example, are you earning income through employment? Are you receiving a cash benefit through SSI or SSDI? Do you have a special needs trust? Consider opening a savings or checking account if you don't have one. This may help with managing your ABLE account.

- **Document your expenses.** It is up to you to track how you spend the money in your ABLE account. If you use a distribution from an ABLE account to pay for a non-QDE, it is your responsibility to note this expense when filing income taxes and pay the 10% tax penalty on the earnings part of the distribution. While the state ABLE program will not ask you to verify how you spend distributions, IRS has the right to audit you and may ask you to verify your expenditures. Keep all receipts and keep good records of how you are spending your ABLE account funds. You may also choose to



Keep all receipts and keep good records of how you are spending your ABLE account.

take advantage of debit card or other electronic account management options provided by states as a way of tracking distributions and expenses.

- **Encourage individuals to contribute, but be aware of contribution limits.** Receiving contributions from many individuals is a great way to build funds in an ABLE account, but you should make potential contributors aware that the \$14,000 annual contribution limit is the total limit to an ABLE account, not a per contribution limit. If someone wants to contribute a large amount close to the \$14,000 limit, you may want to ask him or her to spread the contribution over several years. State ABLE accounts should not accept contributions above the annual limit and should return these contributions to the contributor. However, discouraging people from making contributions over the annual limit can prevent unnecessary administrative problems.
- **Be aware of the ABLE account balance.** It is important to make sure that the balance of your ABLE account does not go over \$100,000 so that any means-tested benefits you receive are not interrupted. By keeping a close watch on the account balance, if your account balance exceeds \$100,000, you can promptly make QDEs to get below the limit.

For more information about ABLE accounts, please see our website, www.lsnjlaw.org. □

By John Flynn, LSNJ Legal Intern, under the supervision of Kevin Liebkemann, LSNJ Chief Section Counsel

Know Your Welfare Rights! Important Information about the Welfare to Work Program

IF YOU ARE receiving or applying for cash benefits, food stamps, Medicaid, or other assistance from the welfare office, there are other things they must do to help you.

- Your caseworker or another person from the agency must ask you about jobs you have had, the kinds of jobs you would like to do, the kind of education and training you have, transportation problems you have, and other work-related questions. They will create an Employment Profile based on your answers. [This is the law: N.J.A.C. 10:90-4.7.]
- Your caseworker must help you prepare an Individual Responsibility Plan (IRP). This plan must include the specific work activity or other activity that you must do in order to keep getting assistance. The plan must also tell you the support services that you will receive so that you can do the activity, like child care or transportation assistance. [This is the law: N.J.A.C. 10:90-4.8.]
- If you are receiving Emergency Assistance (EA)—such as a temporary rent subsidy or housing in a motel or shelter—your EA caseworker must also work with you to prepare an EA Service Plan. This plan must say what you are going to do, and what the agency is going to do, to help you find permanent housing that you can afford. The EA Service Plan and the Individual Responsibility Plan should not be in conflict with each other. [This is the law: N.J.A.C. 10:90-6.6.]

- To help you get and keep a job, the welfare office should give you supportive services. These include:
 - Child care assistance (which can last for up to two years after you leave welfare because you are working);
 - Transportation help (so that you can attend a work activity or go to a job);
 - Medicaid for you and your children for up to two years after you leave welfare because of a job (after two years, you can get still obtain coverage from the NJFamilyCare program or through the insurance marketplace at www.healthcare.gov.)
 - Up to \$500 in cash for some work expenses including tools, uniforms, and car maintenance.[This is the law: N.J.A.C. 10:90-5.1.]

If your caseworker says that you don't have these rights, show him or her the citations to the regulations listed on this page. The citations are listed at the end of each paragraph above.

If you have any questions about your rights, or think you were treated unfairly by the welfare office, call LSNJLAWSM, Legal Services of New Jersey's statewide, toll-free legal hotline, at 1-888-LSNJ-LAW (1-888-576-5529). You may also apply online at www.lsnjlawhotline.org. □

Read all the flyers in our Know Your Welfare Rights series on our website, www.lsnjlaw.org.

Cuáles Son Sus Derechos Legales

Septiembre 2016

Publicado por Los Servicios Legales de Nueva Jersey

Lo que debe saber de las elecciones que se llevarán a cabo el 8 de noviembre, 2016.

Looking Out For Your Legal Rights: Flip over for English edition

La votación en Nueva Jersey:

Lo que debe saber de las elecciones que se llevarán a cabo el 8 de noviembre, 2016

EL 8 DE NOVIEMBRE de 2016, la ciudadanía de Nueva Jersey votará para elegir al Presidente de los Estados Unidos, a los miembros de la Cámara de Representantes y refrendarán dos enmiendas constitucionales estatales. A su vez, serán elegidos los candidatos municipales y del condado, dependiendo del lugar donde usted resida. Estos funcionarios, representarán a los residentes de Nueva Jersey y promulgarán y aplicarán leyes que inciden en la vida de todos. Como ejemplo de ello estarán incluidas, las

continúa en la página 2

El boletín de educación jurídica para los habitantes de Nueva Jersey



continúa de la página 1

leyes relacionadas con el bienestar público, las discapacidades, la migración y la educación. Es importante votar para estar seguro que las personas que puedan representar nuestros intereses de la mejor forma sean las elegidas para desempeñar esos cargos.

¿Cómo sé si puedo votar?

Usted tiene que registrarse inicialmente y para ello tendrá que cumplir con los siguientes requisitos:

- Ser ciudadano estadounidense;
- Haber cumplido los 18 años de edad antes de las próximas elecciones, y
- Ser residente del estado de Nueva Jersey y/o del condado, con 30 días de antelación a la celebración de las elecciones.

No se puede registrar para votar si:

- Está cumpliendo una sentencia carcelaria o está en libertad condicional o supervisada por un delito procesable bajo la ley estatal

o federal. Sin embargo, una vez cumpla su sentencia y complete el régimen de libertad condicional o supervisada, tendrá derecho a inscribirse para votar. Si está detenido en prisión preventiva o en libertad bajo fianza, en espera de una apelación, usted podrá ejercer su derecho al voto.

- Un juez ha determinado que carece de la capacidad mental para votar.

¿Cómo me puedo registrar para votar?

Usted tiene que presentar una solicitud. Puede pedir una solicitud de inscripción de votante en:

- La comisión de inscripción del condado,
- La junta electoral en su condado,
- Las bibliotecas locales,
- Las oficinas de la comisión de vehículos motorizados,
- las oficinas del condado para los servicios sociales, y
- Otros organismos que brindan asistencia pública.

Cuáles Son Sus Derechos Legales

Con respecto a *Looking Out*

Looking Out for Your Legal Rights® es publicada 10 veces al año por los Servicios Legales de Nueva Jersey. Si usted es un cliente de los Servicios Legales, puede obtener una copia en la oficina de Servicios Legales de su localidad. También puede leer *Looking Out* en nuestro sitio Web www.lsnj.org/espanol.

Suscripciones

La suscripción cuesta \$20 dólares por año.

Números atrasados

Puede ver números atrasados en www.lsnj.org/espanol.

Cambio de dirección

Si se muda, envíenos su nueva dirección y una copia de la etiqueta pegada al último ejemplar de *Looking Out*.

Comentarios

Si tiene alguna sugerencia o comentario con respecto a *Looking Out*, nos gustaría oírlo. Envíe toda correspondencia a:

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Este boletín de noticias es sólo una información general. Si tiene un problema jurídico, usted debería ver a un abogado.

Una parte del costo de esta publicación se cubrió con la ayuda proporcionada por el fondo IOLTA del colegio de abogados de Nueva Jersey.

El formulario de inscripción también está disponible con información adicional en la Internet: www.njelections.org/voting-information.html. Así mismo, usted podrá comprobar si se registró correctamente para efectuar el voto, accediendo al sitio Web; y a su vez encontrar el lugar al que deberá dirigirse el día de las elecciones para ejercer el voto. Le recomendamos que revise con suficiente antelación si aparece inscrito en el registro correspondiente, antes de las elecciones; porque si la comisión de inscripción del condado (CCR) le ha enviado una petición de verificación y usted no la ha respondido oportunamente, es posible que le hayan borrado del registro. Todo votante deberá registrarse, con 21 días de anticipación a que se efectúen las elecciones. Para votar en las elecciones generales del 8 de noviembre de 2016, tendrá que registrarse no más tarde del 18 de octubre, 2016. Si se le pasó la fecha de inscripción, siga las instrucciones a continuación para que se registre para votar en las elecciones futuras.

Puede inscribirse ante la comisión de inscripción del condado (CCR) o el superintendente de elecciones (SE), en persona o por correo. No podrá registrarse por vía electrónica ni por fax, porque se exige que se firme en persona. Puede llamar gratis al 1-877-NJVOTER para



Erik Hersman/Flickr

Para votar en las elecciones generales del 8 de noviembre de 2016, tendrá que registrarse no más tarde del 18 de octubre, 2016.

averiguar sobre cómo contactar a la comisión de inscripción o al superintendente de elecciones, solicitar que se le envíe un formulario de inscripción de votante y/o para averiguar si la información está disponible en otros idiomas, además del inglés. Si no está seguro de estar registrado, puede llamar a la oficina de la comisión o del superintendente en su localidad. Una vez esté registrado, podrá votar en persona en las urnas, el día de las elecciones o enviando una papeleta para votar por correspondencia.

Si se registra por correo, la comisión o del superintendente le enviará una solicitud de identificación para que indique su número de licencia de conducir, o los últimos cuatro dígitos de su número del seguro social. Si no los puede aportar, le pedirán otros documentos de identificación aceptables; entre los que se incluyen una identificación con fotografía, un estado de cuenta bancaria, una factura de los servicios públicos, o un documento oficial dirigido a usted. Una

vez aprobada la inscripción deberá recibir información sobre dónde votará.

¿Una vez esté registrado, cómo puedo votar?

Las reglas del voto por correo. En Nueva Jersey, las boletas para el elector ausente ahora se denominan “papeletas para

En Nueva Jersey, las boletas para el elector ausente ahora se denominan “papeletas para votar por correo”.

votar por correo”. Para votar por correo, no se exige tener ninguna razón ni excusa. Sin embargo, usted tiene que estar registrado y enviarle a tiempo, al secretario del condado donde usted vive, una solicitud para votar por correo.

La solicitud podrá ser:

- Recibida por el secretario hasta (el 1 de noviembre de 2016), siete días antes del día de las elecciones, si es por correo o,
- Tramitada en persona ante el secretario del condado, hasta las 3 p.m. del día anterior a las elecciones.

No puede enviar su solicitud por fax o correo electrónico. Usted no necesita una estampilla postal para enviar por correo su solicitud para votar por correspondencia.

Para verificar llame al 1-877-NJVOTER o visite *el sitio Web* (www.njelections.org/voting-information-vote-by-mail.html) donde obtendrá una solicitud para votar por correo y la información de cómo contactar al secretario del condado. Después de que su solicitud sea recibida y aceptada, se le enviará una papeleta electoral. La puede completar y presentar tal como se indica en la papeleta misma. La Junta de elecciones, tendrá que recibir su voto a más tardar las 8 p.m. del día de las votaciones. Una vez que usted solicite una papeleta para votar como ausente, tendrá que votar por correo. No se le permitirá votar en persona en las urnas.

La votación en persona. Después de registrarse, la comisión de inscripción o el superintendente de elecciones deberá enviarle información acerca de dónde ir a votar el día de las elecciones. Poco antes, usted deberá recibir una muestra de la papeleta e información electoral adicional. Si, durante las semanas previas a las elecciones, no ha recibido ninguna información, deberá llamar a la comisión de inscripción o al superintendente de elecciones; o visitar el sitio Web (www.njelections.org/voting-information.html) para averiguar dónde tendrá que ir a votar.

Cuando vaya a votar, especialmente si lo hace por primera vez, sería prudente llevar consigo su identificación y un comprobante de domicilio. Si se inscribe por correo, tal vez tenga que llevar una identificación con fotografía, una factura, cheque de nómina, u otro documento que demuestre su nombre y dirección. Si tiene alguna pregunta acerca de cuáles son los documentos de identificación aceptables, llame a la comisión de inscripción del condado (CCR) o el superintendente de elecciones (SE). El día de las elecciones, las urnas de votación estarán en funcionamiento, entre las 6:00 a.m. y las 8:00 p.m.

Si va al centro de votación y no se le permite votar, podrá solicitarle a un juez del Tribunal Superior, en el condado en donde usted vive, para que se expida una orden permitiéndole votar. No hace falta hacer una solicitud escrita o

formal. No tiene que ser representado por un abogado. Deberá presentarse ante el Tribunal Superior en el condado en donde usted vive. Habrá un juez de turno para escuchar las solicitudes del votante. Si aparece como un votante registrado, usted puede pedir que le permitan votar por medio de una papeleta provisional. En algunos casos, su voto provisional puede ser contado si usted envía una copia de su documento de identidad, a la comisión de inscripción (CCR) antes del cierre de actividades del segundo día después de las elecciones.

La votación para las personas con discapacidades

Las leyes estatales y federales exigen que las personas con discapacidades tengan acceso a los centros y las máquinas de votación. En particular, la Ley de Apoyo al Voto en los Estados Unidos (HAVA) exige que las personas con discapacidades tengan igualdad de oportunidades de acceso y participación, que las que se ofrecen al resto de los votantes durante el proceso electoral; incluyendo el acceso a los invidentes y a personas con deficiencias visuales, garantizándoles su privacidad e independencia, al votar.

A las personas con una enfermedad mental por lo generalmente se les permite votar, a menos que un juez determine que carecen de la capacidad para votar. Si una persona tiene un tutor, dicha persona no pierde el derecho a votar, a menos que la orden de tutela declare que la persona carece de la capacidad para votar.

La ley HAVA puede hacerse valer

mediante un litigio privado o a través del Departamento federal de Justicia, Departamento de Derechos Civiles, llamando a la División de votación en el 1-800-253-3931. La oficina del Procurador General de Nueva Jersey tiene un proceso de tramitación para las quejas y preocupaciones respecto a la accesibilidad al voto, que se puede iniciar llamando al (609) 292-3760. El día de las elecciones, la organización *Disability Rights New Jersey* tendrá una línea directa gratuita disponible para las personas con discapacidad, que tengan preguntas o problemas relacionados con la votación podrán llamar al 1-800-922-7233.

Si el día de las elecciones, usted cree que le niegan indebidamente el derecho al voto, puede solicitar alguna reparación judicial en el Tribunal Superior de Nueva Jersey de su condado. Todo tribunal tendrá un juez de turno disponible el día de la elección con autoridad para escuchar su queja y emitir una orden que le permita votar. Para encontrar la oficina del Tribunal Superior en su localidad, busque en la Internet en www.judiciary.state.nj.us/trial.htm o llame al 1-877-NJVOTER donde obtendrá más información.

Si usted no habla inglés

La solicitud de inscripción de votante está disponible en los siguientes idiomas: inglés, español, coreano, gujarati, chino simplificado y chino tradicional. En www.njelections.org/voting-information.html podrá encontrar una copia de la solicitud.

Este artículo fue traducido del inglés por Al Moreno, coordinador del servicio lingüístico en LSNJ.