

## Election lawyers debate Missouri's new voting laws

■ Scott Lauck

ELECTIONS are a fraught subject today, feared by one side to be tainted by fraud and blasted by the other as having unfair rules.

But never fear: Lawyers are here.

Two of Missouri's most prominent elections lawyers Stephen Davis of True North Law in St. Louis and Chuck Hatfield of Stinson's Jefferson City office - debated the state of the state's democracy on Sept. 15 during the recent annual meeting of The Missouri Bar. Moderating the discussion was Lucinda Luetkemeyer of Graves Garrett in Kansas City, who served as counsel to former Gov. Eric Greitens and has been involved in numerous elections cases herself.

Davis, a Republican, and Hatfield, a Democrat, have opposing partisan affiliations and sparred on issues ranging from the need for voters to show photo ID to the efficacy of matching provisional voters' signatures to those on file with election officials.

Yet both agreed that lawyers and courts play a vital role in safeguarding elections and that most of the issues they encounter on Election Day are nonpartisan.

"On election day, that's when lawyers, I think each in our own small ways, save the world," Davis said.

Hatfield concurred.

"When it comes to some of the great wars in democracy, lawyers are the Marines," he said. "When there's a hot thing going on, a hot topic, people like Steve and I get called in to try to deal with it, which is a compliment to our profession."

Much of the discussion focused on a recently passed Missouri law that changes numerous election provisions and is currently being challenged in court in two lawsuits. Among other things, the new law reinstates photo ID requirements at the polls and



Stephen Davis (left) of True North Law and Chuck Hatfield of Stinson debate election law during a plenary session held on Sept. 15, 2022 during The Missouri Bar's annual meeting. SCOTT LAUCK

requires those who solicit more than 10 voter registration applications to register with the Secretary of State's office.

Davis defended the overall intent of the new law to protect the integrity of the voter registration system.

"Voter fraud is not a myth," he said, citing as an example a Missouri House race that was overturned in 2016 due to absentee ballot fraud.

Hatfield argued that many of the new provisions, such as rejecting photo IDs that once were valid but have since expired or requiring people to register to encourage others to vote, lacked a clear governmental interest.

"In my view, it turns into what we lawyers do," he said. "We try to balance these interests and figure out whether somebody's right to go solicit absentee voters is more important than this governmental interest in trying to prevent fraud." MO