Elections resist change. Even when officials, advocates, and politicians all agree, it is still difficult to make changes to ballot design: many elements of ballot design and instructions are often written into law.

In the United States, most of these laws were written for older voting systems or ballot scanners and even older printing technology. These laws lock election officials into bad design requirements, such as the use of all-caps or specific font sizes, that can make ballots harder to read and use.

Many states include the instructions for voting in the statute, where they cannot be changed easily. In one absurd case, the New York City ballots in the 2010 elections were printed with instructions that were just plain wrong. The illustration below shows three of the contests on the ballot, for Comptroller, Attorney General, and United States Senator. Voters indicate their choice by filling in the oval under the candidate’s name. But the legally-mandated instructions say, “To vote for a candidate whose name is printed on this ballot fill in the oval above or next to the name of the candidate.” The only good news is that these instructions are in tiny type, on the back of the ballot. It’s likely (and lucky) that no one actually read them.

Even if a state does decide to improve the situation, changes are handled like a typical process of writing a new law, through reviews of “markups.” With its focus on the words of the law, this process makes it almost impossible to check the legal requirements against a well-designed ballot or clearly written instructions.

One election in 2008, for Senator from Minnesota between Al Franken and Norm Coleman was decided only after a lengthy recount and legal battle that lasted over 8 months. One of the biggest controversies centered on absentee ballots and deciding which of them were even eligible to be counted. A shockingly high number were disqualified because the “envelope” (with the voter’s identification and signature and witness signature) was not completed correctly. In other words, citizens who had gone out of their way to receive and return a ballot did not have their votes counted.
After the election was over, Minnesota decided to revise the instructions for absentee ballots to try to reduce the number of ballots which are disqualified. The Brennan Center asked the Usability in Civic Life project to review the draft changes to the election law. What we received was a typical markup.

**Figure 2 – Markup**

We said that just fixing the language was not enough—that the design and presentation of the instructions is critical to the usability of the materials. Beth Fraser, the project leader from the Minnesota Office of the Secretary of State, agreed to work with us. That started a 3-month volunteer project to redesign (and test) the absentee ballot instructions and return envelope forms.

One problem is that the “simple” act of voting is really very complicated. In Minnesota, there are three types of absentee voting (depending on whether the voter is in the US or temporarily overseas) and at least two different styles of envelopes.

The work itself proceeded like many plain language projects, in rounds of editing and review as we tried out different ways to organize the steps of the process into clear and usable instructions. Starting from the old version and the draft rule, we re-organized the steps into logical voter-focused groups, untangled sentences, cut extra words, and created illustrations for each step.

Here’s how the instructions evolved. These clips are from the most complicated type of absentee ballot, in which voters update their voter registration and vote. Step 1 is to complete the registration form before voting.

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**Draft 1**

In Minnesota, someone must witness the voting. They check the blank ballot and then observe (from a distance) as the voter marks it and places it in the envelope.

The original instructions included a long paragraph that included information about how to vote.”

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**Draft 4**

Our first step was to untangle the text. We kept the basic organization of the instructions, but broke it into bullet points and simplified the language.”

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**Draft 5**

As we continued to revise, we added emphasis, made the instructions more specific and removed text that was duplicated on the ballot itself.

A team of volunteers and official staff did a usability test of this version, and found that it was still too complicated.
For the second usability test, the text was simplified further. Instructions for correcting a mistake were moved to the back of the paper. This worked better, but there was still some legal language (“invalidate your ballot”).

The final version simplified the bullets into a single list and re-organized the first sentence for clarity about voting privacy.

After the legal and public review, some information we had left off (like the warning not to vote for too many candidates) was restored.

The person who deserves the most credit for the success of this project is Beth Fraser. She took on the challenge of working with a group of volunteers located both in Minneapolis (Minnesota) and around the country. She also managed the process of reviewing our drafts for legal accuracy and to ensure that they supported the election process. But most of all, she and her colleagues learned about usability, and ran the second usability test on their own.

Credits: Many people worked on this project.

Office of the Minnesota Secretary of State: Beth Fraser, Andy Lokken, Michele McNulty, Gary Poser;
Instructions
How to vote by absentee ballot

Get ready
You will need:
- Ballot
- Tan ballot envelope
- Voter registration application
- White signature envelope
- Minnesota driver’s license with your address or other authorized proof of where you live.
  See the other side for options.
- Witness
  Someone registered to vote in Minnesota
  including your spouse or a relative, or any notary public,
  or a person with the authority to administer oaths

Important: You must submit the voter registration application with your ballot in the signature envelope for your vote to count.

1. Fill out the voter registration application and sign it
   - Show your witness your driver’s license or other authorized proof of where you live.
   - See the other side for options.

2. Vote!
   - Show your witness your ballot, then mark your votes in private.
   - Follow the instructions on the ballot.
   - Do not write your name or an ID number anywhere on the ballot.
   - Do not vote for more candidates than allowed. If you do, your votes for that office will not count.
   - See the other side if you make a mistake on your ballot.

3. Seal your ballot in the tan ballot envelope
   - Do not write on this envelope.

4. Put the tan ballot envelope and the voter registration application into the top of the white signature envelope

5. Complete the white signature envelope
   - If there is no label, print your name and Minnesota address.
   - Read and sign the oath.
   - Your signature will be compared to the one on your absentee ballot application.
   - Ask your witness to print their name and Minnesota address, indicate which proof you showed them, and sign their name.
   - If your witness is an official, they must print their title, instead of their address.
   - Witnesses must affix their stamp.
   - Seal the envelope. First the small flap, then the large flap.

6. Return your ballot to the address on the signature envelope
   Balloons may not be delivered directly to your polling place.

   You have three options:
   - Send it so it arrives by election day, using U.S. Mail or a package delivery service.
   - Deliver it in person by 5:00 p.m. on the day before the election, or
   - Ask someone to deliver it by 5:00 p.m. on election day.
   The person cannot deliver more than 3 ballots.

• UPA Usability in Civic Life: Whitney Quesenbery, Dana Chisnell, Josie Scott, Caroline Jarrett, Sarah Swierenga
• Center for Plain Language: Dana Botka, Ginny Redish
• Usability testing: David Rosen, Josh Carroll, Suzanne Currie, John Dusek, Gretchen Enger
• Illustrations: Christina Syniewski

More reading:
Ballot Design Affects Your Vote—Center for Plain Language, November 10, 2010
http://centerforplainlanguage.org/blog/government/ballot-instructions/

Better Ballots by Lawrence Norden, David Kimball, Whitney Quesenbery and Margaret Chen. The Brennan Center, July 2008
http://www.brennancenter.org/content/resource/better_ballots/

Ballot Usability and Accessibility blog—http://ballotusability.blogspot.com/
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Whitney Quesenbery is a user experience researcher and usability expert with a passion for clear communication. She works with companies from The Open University to the National Cancer Institute. She has served on two US advisory committees: the U.S. Access Board updating accessibility regulations and the Elections Assistance Commission creating requirements for voting systems.