

**IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

NO. 149 MM 2020

IN RE: NOVEMBER 3, 2020 GENERAL ELECTION

**PETITION OF KATHY BOOCKVAR, SECRETARY
OF COMMONWEALTH OF PENNSYLVANIA**

**THE BRENNAN CENTER FOR JUSTICE'S MOTION FOR LEAVE TO
FILE AMICUS CURIAE BRIEF IN SUPPORT OF THE SECRETARY OF
STATE**

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Pursuant to 210 Pa. Code Rule 531(b)(1)(iii) the Brennan Center for Justice at New York University School of Law (“the Brennan Center”) moves for leave to file an *amicus curiae* brief. In support of this motion, the Brennan Center states as follows:

1. The Brennan Center is a nonprofit, nonpartisan public policy and law institute that seeks to improve systems of democracy and justice. It was founded in 1995 to honor the extraordinary contributions of U.S. Supreme Court Justice William J. Brennan, Jr. to American law and society. Through its Voting Rights and Elections Program, the Brennan Center seeks to bring the idea of representative self-government closer to reality, including through work to reform voting and registration systems, combat vote suppression, and restore voting rights to those disenfranchised by criminal convictions in their past. The Brennan Center advocates for election administration reforms, litigates voting rights cases, and conducts empirical and qualitative research on issues related to election law and administration.

2. The Brennan Center has engaged in extensive efforts to ensure that elections throughout the country this year are free, fair, accessible, secure, and safe given the difficult and unprecedented challenges created by the novel coronavirus (“COVID-19”). The Brennan Center’s election administration and voting rights experts have identified mail voting, including absentee voting, as essential to

ensuring that every American can cast a ballot that counts during the pandemic without risking their health or the health of their loved ones.

3. The Brennan Center has an interest in ensuring that state election officials can and do take affirmative steps to promote universal access to mail ballots during the COVID-19 pandemic.

4. The Brennan Center has an institutional and programmatic interest in promoting voting rights and voting accessibility, both in Pennsylvania and nationwide. In pursuing interests, the Brennan Center has invested considerable resources in various forms of advocacy to promote universal access to mail ballots.

5. The Brennan Center is counsel to Citizens for Pennsylvania's Future and the Sierra Club as Intervenor-Defendants in *Donald J. Trump for President, Inc., et al. v. Kathy Boockvar, et al.*, No. 2-20-cv-00966-NR (W.D. Pa. filed June 29, 2020).

6. The Brennan Center respectfully asks this Court to grant leave to file an amicus brief addressing these important issues before this Court as well.

WHEREFORE, the Brennan Center respectfully requests that the Court grant its request to participate as amicus curiae and accept the attached proposed brief for filing.

Dated: October 7, 2020

Respectfully submitted,

/s/ Richard L. Bazelon

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CERTIFICATE OF COMPLIANCE

I hereby certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that requires filing confidential information and documents differently than non-confidential information and documents.

/s/ Richard L. Bazelon

Richard L. Bazelon

Date: October 7, 2020