

**AGENDA**  
**BUTLER COUNTY BOARD OF ELECTIONS**  
**HEARING OF CHALLENGE OF RIGHT TO VOTE**

**Thursday**  
**November 12, 2015**  
**1:00 p.m.**

1. Chairman Cloud calls the Board into session for a special meeting.
2. Chairman Cloud reviews the purpose of the special meeting to hear testimony over three Challenges of the Right to Vote.
3. Chairman Cloud reviews for the record what has taken place that led up to the Hearing:
  - I. On October 26, 2015, Michael D. Presta filed a Challenge of Right to Vote on Marilyn Hatfield.
  - II. On October 29, 2015, Robyn & Dale Short filed Challenge of Right to Vote on Marilyn Hatfield
  - III. The Director and Deputy Director reviewed the Challenges and asked the Board to schedule a Hearing.
  - IV. The Board set a hearing for 1 p.m. on November 12 and notice was duly given to the voter and those filing the challenge.
4. Chairman Cloud introduces the Board Members and Staff.
5. Chairman Cloud introduces the Prosecuting Attorney and states on the record that the Prosecuting Attorney will have no part in the decision on the Challenges.
6. Chairman Cloud introduces the court reporter and explains for the record that everything will be taken down by the court reporter.
7. Chairman Cloud asks the Parties to introduce themselves.
8. Chairman Cloud states for the record what documents the Board has reviewed including the Challenge of Right to Vote forms, Declaration of Candidacy for County Central Committee, the Certificate of Registration, Absentee Ballot application for the November 3, 2015 General Election and the Absentee Ballot Return Envelope from Marilyn Hatfield.
9. Chairman Cloud reminds all present that those filing the challenges have the burden of proof and must show by a preponderance of the evidence that the voter does not live where she is registered.
10. Chairman Cloud asks the parties if they have any further questions before the hearing begins.
11. Court Reporter swears-in the witnesses.

12. Chairman Cloud reminds the parties that the court rules of evidence will not be used, but that the Board will decide what witnesses and evidence they will allow in order to make a decision on the challenges.
13. Chairman Cloud calls those filing the Challenges to present witnesses and evidence first. Chairman Cloud reviews the order.
- I. The Challengers may present an opening statement.
  - II. The Respondent may present an opening statement.
  - III. The Challengers may call witnesses and present evidence. The Challengers may question witnesses first, followed by the Respondent and Board members. The Respondent may also object to evidence presented by the Challengers.
  - IV. The Respondent may present witnesses and evidence. The Respondent may question witnesses, followed by the Challengers and Board members. The Challengers may object to evidence presented.
  - V. The Challengers may present a closing summary, followed by the Respondent. The Challengers may offer a rebuttal since the Challengers have the burden of proof.
14. After summary arguments, the Board deliberates and either makes a decision at that time or may decide to consider the matter and issue a decision later. The Prosecutor is present but only to answer any questions concerning the law.
15. Announce the decision of the Board either granting the challenge or denying the challenge.

**Note:** Board staff will prepare summary minutes of the hearing showing the Board's decision. Copies of the minutes will be sent to all parties.