

Bond Case Briefs

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ELECTIONS - DELAWARE

Young v. Red Clay Consolidated School District

Court of Chancery of Delaware - May 24, 2017 - A.3d - 2017 WL 2448385

Residents who did not vote in school board special election filed action against school district, alleging that school district's conduct in holding certain events at polling places on election day violated state constitution's Elections Clause.

The Court of Chancery held that:

- Family-focused events at polling places on election day operated as a targeted reward that induced parents of students to vote in violation of Elections Clause;
- Family-focused events at polling places on election day operated as impediments to voting by the elderly and disabled in violation of Elections Clause;
- District's campaign speech amounted to excessive partisan advocacy in violation of Elections Clause;
- Court would not issue injunction to enjoin conduct already prohibited by the Declaration of Rights; and
- Invalidity of special election was not warranted as a remedy.