

FILE

Subject Election - Ballots  
Write-Ins

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STATE OF KANSAS

*Office of the Attorney General*

State Capitol Bldg. (913) 296-2215 Topeka, Kansas 66612

VERN MILLER  
Attorney General

October 24, 1974

Opinion No. 74-348

Mr. Gerald C. Golden  
County Attorney  
P. O. Box "R"  
Meade, Kansas 67864

Dear Mr. Golden:

We have your letter of October 22. I enclose copies of three opinions, each of which deal in some fashion with the sufficiency of write-in names. Generally speaking, if the voter spells the name of the write-in candidate in such a fashion that the voter's intention is apparent, that vote should be counted. Voters may misspell or spell differently a candidate's name, such as the examples cited in your letter, "Gerald C. Golden, G. C. Golden, G. Golden, Jerry Golden, or Gerald C. Goldin." If Gerald Golden is also known in the community as Jerry Golden, the election board would be perfectly justified in concluding that each voter writing in one of these names intended to vote for one and the same person, and that that intention was apparent from the name written in, despite the variations among different voters.

I hope the enclosed opinions will be helpful to you.

Yours very truly,

VERN MILLER  
Attorney General

VM:JRM:tp