

Disability Rights IOWA

Law Center for Protection and Advocacy™

If I have a Guardian in Iowa Can I Vote?

“When a guardian is appointed for a person based upon mental incapacity, the court shall make a separate determination as to the ward's competency to vote. The court shall find a ward incompetent to vote only upon determining that the person lacks sufficient mental capacity to comprehend and exercise the right to vote.” **Iowa Code Annotated § 633.556(1).**

- Yes, most of the time people under guardianship in Iowa are allowed to vote.
- In Iowa, only the judge can decide you cannot vote.
- You needed to attend two different hearings; one for guardianship and one for voting rights.
- If you lost your voting rights and would like to vote; you or your guardian can make a motion to restore your right to vote. You will attend a hearing.
- It is not legal for anyone to take away your right to vote because that person *thinks* you are not mentally able to vote.
- Election officials and poll workers cannot stop you from voting because of your disability. That is unlawful.
- Staff in hospitals, nursing homes and other institutions cannot refuse to allow residents to register and vote or to obtain absentee ballots.
- If you are told on Election Day that you cannot vote, you can demand to vote a provisional ballot.

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