

# DEAD JUDGE WINS ELECTION

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## The Facts

On a recent November election day, the citizens of Oklahoma City cast their votes for a state supreme court judge. The incumbent judge, Frank M. Ogden III, had died on August 11, leaving the seat vacant for nearly three months. However, when the votes were cast, the deceased judge won an overwhelming 91% of the vote. The contender, Josh Evans, challenged the vote, demanding that the state hold another election.

## You Be the Judge

Who should have been the next supreme court judge of Oklahoma City and who should have made the final decision?

## The Outcome

The state supreme court upheld the decision of the voters, acknowledging that a vote for Frank Ogden was obviously a vote against Josh Evans. The governor of Oklahoma quickly appointed an appropriate replacement for Judge Ogden. (The replacement was *not* Josh Evans.)

### Let's Talk About It

- In this situation, the people of Oklahoma City were sending a message with their vote. Did you agree with the outcome? What might you have done differently had you been the governor? Are you aware of any other situations where a deceased individual was elected to public office?
- Have you ever served on jury duty? Describe your experience. What was the nature of the case? Did you enjoy serving? Was it a stressful experience?
- Have you ever worked on a political campaign? What was the nature of your job? Why did you feel moved to support this candidate? Did the candidate win? Did you work for the individual once he or she took office?
- Have you ever run for public office? Describe your experiences. What was the office? Who was running against you? Was campaigning difficult? Did you win? If so, how long did you serve in that position?

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