LEGAL OPINIONS



By Atty. Lara Carlson Legal Counsel

Caucus Procedures

Q. If our town uses the caucus method to nominate candidates, when are we required to hold the caucus meeting?

A. Towns and villages that use the caucus method of nominating candidates (rather than circulating nomination papers) must hold the caucus meeting in the month of January prior to the election. The town or village board is required to schedule the caucus during the month of December, and the board must set a caucus date between January 2 and January 21, with preference given to holding the caucus on January 21 if possible. See Wis. Stat. § 8.05(1)(a).

Q. What public notice is required for the caucus?

A. The town or village clerk must post a notice with the caucus date, time, and location in the clerk's office and publish a copy in the newspaper at least 5 days prior to the date of the caucus. See Wis. Stat. § 8.05(1)(b). However, if an official newspaper is not actually published within the municipality, the clerk can post the notice rather than publishing it. A posted notice can either be posted in 3 physical posting sites in the town or village or in at least 1 physical posting site and on the town or village's official website.

Q. Who is responsible for running the caucus?

A. Generally, either the town chair or village president is responsible for presiding over the caucus meeting. However, if the chair or president would like to be a candidate at the upcoming spring election, they must begin the caucus by asking all the electors present to vote on who will run the meeting. The electors could vote to keep the chair/president in charge, or they could vote to have another town or village elector preside over the caucus. The electors must also vote to choose two "tellers" to count the votes for each office up for nomination at the caucus. The town or village clerk serves as clerk for the caucus, regardless of whether they are up for reelection. See Wis. Stat. § 8.05(1)(c).

Q. Who can nominate and vote for candidates at the caucus?

A. Any elector (municipal resident who is at least 18 years old and a U.S. citizen) who is present at the caucus may nominate and vote for candidates for office. This includes members of the town or village board. Qualified electors may nominate themselves.

Q. How are candidate nominations made?

A. At the start of the caucus, the chair must ask the electors present to decide the method to be used for