

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA**  
**COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY**

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**No. 10 of 2019**

**President Judge Administrative Order**

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**In re:            Objections to Nomination Papers – General Election, November 5, 2019**

**ORDER\***

AND NOW, this 23 day July, 2019, it is hereby ORDERED, ADJUDGED and DECREED that as required by the Election Code, any petition raising objections to Nomination Papers (“Papers”) of candidates for the General Election of November 5, 2019, not already nominated at the May 21 Primary Election shall be filed, scheduled and disposed as follows:

- (1) a *Petition to Set Aside Nomination Papers* (hereinafter “Petition”), substantially as set forth below, and Exhibits, including a copy of the Nomination Papers, shall be filed electronically through the Court’s Civil Electronic Filing System available through the court’s website at [www.philacourts.us](http://www.philacourts.us) or [www.courts.phila.gov](http://www.courts.phila.gov) no later than 5:00 PM on August 8, 2019. The *Petition* may also be filed in person in the Office of the Judicial Records (formerly “Prothonotary”) in Room 296 City Hall no later than 5:00 PM on August 8, 2019. See Section (4) of this Order.
  
- (2) Where objections to signature lines are at issue, the Petition shall specify objections to individual signature lines in nomination petitions and these shall be set forth in an Excel or other similar spreadsheet format. Objector may use the downloadable spreadsheet provided on the Court’s website at: [www.philacourts.us/forms](http://www.philacourts.us/forms) or [www.courts.phila.gov/forms](http://www.courts.phila.gov/forms). Spreadsheet columns shall include, for each challenged signature line: page number, line number, county, and the reason or reasons for each challenge. The spreadsheet shall designate the grounds for challenge by codes, as follows:

NR = Not Registered  
NRD = Not Registered in District  
NRDS = Not Registered on Date Signed  
OC = Out of County  
Ill = Illegible  
LIO = Line Information Omitted  
DUP = Duplicate  
IHA = Line Information in Hand of Another  
N/I = Nickname/Initial  
PRI = Printed Signature  
DCA = Defective Circulator Affidavit  
SAC = Signed After Circulator’s Affidavit Dated  
Other = Any ground for objection not listed above

- (3) The Petition shall clearly state the number of EACH signature line challenged as well as the total number of completed signature lines on the face of the nomination petitions or papers. Any other challenges, e.g., to circulator affidavits, candidate affidavits, etc., must be clearly and separately stated in the Petition.
- (4) On August 8, 2019, the Office of Judicial Records, Room 296 City Hall, will be open from 8:30 AM to 5:00 PM. Office of Judicial Records staff will assist any party who wishes to electronically file petitions utilizing public access computers located in the Office of Judicial Records. The Office of Judicial Records shall close at precisely 5:00 PM. The Petition of any filer or counsel who is in the Office of Judicial Records before 5:00 PM will be deemed to have been timely filed and will be accepted and processed as having being filed at 5:00 PM. Similarly, any Petition electronically submitted through the court's Civil Electronic Filing System before 5:00 PM on August 8, 2019 shall be deemed to have been timely filed even if reviewed and officially accepted after 5:00 PM on August 8, 2019. ***The Order to Show Cause and a Proposed Order will be generated by the Court's case management system and, as such, Petitioner need not attach either document with the Petition.***
- (5) Once the Petition has been filed with the Office of Judicial Records, an Order to Show Cause shall be issued scheduling a hearing date for Monday, August 12, 2019. The Order to Show Cause shall be substantially in the format attached to this Order.
- (6) A copy of the Petition and Order to Show Cause must be served by the Petitioner on the Philadelphia County Board of Elections, Room 142 City Hall, Philadelphia, PA no later than August 8, 2019 by 5:00 PM. On August 8, 2019 a representative of the Philadelphia County Board of Elections will be in the Office of Judicial Records, Room 296 City Hall, Philadelphia, PA from 3:00 PM to 5:00 PM and may be served at that location. Be advised that while the Court deems a paper presented by 5:00 PM to be timely filed even if later processed, service still must be made on the Board of Elections prior to 5:00 PM.
- (7) A copy of the Petition and Order to Show Cause must be served by the Petitioner on the Candidate and/or the Political Body no later than August 10, 2019, at 4:00 PM. Service may be accomplished by any of the below methods:
  - (i) personal service on the Candidate;
  - (ii) personal service on any adult person at the Candidate's residence address as shown on the Candidate's affidavit, or on the Political Body's business address; or
  - (iii) by delivery by nationally recognized overnight service, Saturday delivery, to the Candidate's residence address shown as the Candidate's affidavit provided that:
    - (A) delivery is attempted before August 10, 2019, at 4:00 PM, and
    - (B) the package be sent with instructions to leave the Service Packet at said address if no one answers the door.
- (8) The Petitioner shall file before the hearing or bring to the hearing an Affidavit of Service indicating the date and time of service of the Petition and of the Order to Show Cause. The Affidavit of Service shall be in substantially in the format attached to this Order;

- (9) The Court may reschedule the hearing for good cause, including inability to serve the Petition or Order to Show Cause. The hearing must be concluded and a final order issued no later than August 16, 2019. The final order shall be substantially in the format attached to this Order;
- (10) The Honorable Abbe Fletman is assigned to preside over Objections to Nomination Petitions. Hearings will be held in Courtroom 436, Philadelphia, PA beginning at at 9:30 A.M., with court reporters assigned to transcribe the proceedings. Sheriffs are to be provided during court sessions; and
- (11) Copies of the forms referenced in this Order shall be available on the Court's website at [www.philacourts.us/forms](http://www.philacourts.us/forms) or [www.courts.phila.gov/forms](http://www.courts.phila.gov/forms).

**BY THE COURT:**

*/s/ Idee C. Fox*

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**Honorable Idee C. Fox, President Judge  
Court of Common Pleas**



**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA**  
**Court of Common Pleas of Philadelphia County**

*In Re:* : **Election Matter**  
**Nomination Papers of:** :  
 : **AUGUST TERM, 2019**  
 :  
\_\_\_\_\_  
**As Candidate for the Office of** :  
 :  
 :  
\_\_\_\_\_  
 : **NO.** \_\_\_\_\_

**ORDER TO SHOW CAUSE**

**AND NOW**, this \_\_\_\_\_ day of August, 2019, upon consideration of the Petition to Set Aside Nomination Petition filed on August \_\_\_\_\_, 2019, it is hereby ordered that:

A rule is issued upon the Philadelphia County Board of Elections and the above named Candidate-Respondent to show cause why the Candidate's Nomination Papers should not be set aside and/or why the name of the Candidate-Respondent should not be removed from the ballot as a candidate for the office of \_\_\_\_\_.

- (1) A hearing shall be held on August 12, 2019, at 9:30 AM at 9:30 AM in Courtroom 436 City Hall, Philadelphia, Pennsylvania;
- (2) A copy of the Petition to Set Aside Nomination Papers and attachments, and a copy of this Order to Show Cause must be served by the Petitioner on the Philadelphia County Board of Elections, Room 142 City Hall, Philadelphia, PA no later than August 8, 2019 by 5:00 PM. On August 8, 2019 a representative of the Philadelphia County Board of Elections will be in the Office of Judicial Records, Room 296 City Hall, Philadelphia, PA from 3:00 PM to 5:00 PM and service may be effectuated at that location.
- (3) A copy of the Petition to Set Aside Nomination Papers and attachments, and this Order to Show Cause must be served by the Petitioner on the Candidate and/or Political Body no later than August 10, 2019 at 4:00 PM. Service shall be accomplished as provided in Section 7 of President Judge Administrative Order No. 10 of 2019, and an Affidavit of Service shall be filed on or before the hearing date.
- (4) Upon service of the Petition and this Order to Show Cause, counsel and unrepresented parties shall either enter an appearance electronically, or provide to the filer and the Office of City Commissioners an email address and a telephone number which will be regularly monitored by the Candidate or counsel for the duration of these proceeding.
- (5) If signature line challenges are at issue:
  - (a) the Objector shall immediately arrange to meet with the Candidate or Candidate's representative to review before the hearing each and every challenged signature line. If the parties cannot agree on a date for the meeting required by this subsection, such meeting shall occur on August 12, 2019 immediately before the scheduled hearing;

- (b) After the above meeting, the Objector and Candidate shall file a Stipulation that identifies:
- (i) the total number of completed signature lines submitted;
  - (ii) the total number of uncontested signature lines submitted;
  - (iii) the total number of signature lines challenged;
  - (iv) each and every signature line to which there is an objection, identified by page number and line number, and the basis for the objection;
  - (v) each and every signature line to be stricken as invalid or for which an objection is to be withdrawn, identified by page number and line number, if the parties can reach such a stipulation.
- (c) The Candidate shall file a list of all signature lines, identified by page number and line number, that are facially defective and that Candidate intends to rehabilitate. Candidate shall also state the manner in which Candidate intends to rehabilitate the signature lines.
- (6) The Objector and Candidate shall each file a list of any witnesses to be called at the hearing and the curriculum vitae of any expert witnesses. Any witness not identified shall be precluded from testifying except for good cause shown.
- (7) The Objector and Candidate may each file a memorandum of law in support of their respective positions no later than the day before the scheduled hearing, unless otherwise approved by the hearing judge.

**BY THE COURT:**

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**Honorable Idee C. Fox, President Judge  
Court of Common Pleas**

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
Court of Common Pleas of Philadelphia County**

*In Re:* : **Election Matter**  
Nomination Papers of :  
 : **AUGUST TERM, 2019**  
 :  
\_\_\_\_\_  
As Candidate for Office of :  
 :  
\_\_\_\_\_  
 : **NO.** \_\_\_\_\_

**AFFIDAVIT OF SERVICE**

I, \_\_\_\_\_, hereby certify that I have served a copy of the:

(1) *Petition to Set Aside Nomination Papers* and attachments, and *Order to Show Cause* dated August \_\_, 2019 on \_\_\_\_\_, an employee of the County Board of Elections at the following location:

\_\_\_\_\_ on August \_\_, 2019 at \_\_\_\_\_ AM/PM.

(2) *Petition to Set Aside Nomination Papers* and attachments, the Candidate's *Nomination Petition* and *Order to Show Cause* dated August \_\_, 2019 on the Candidate/Respondent and or Political Body: \_\_\_\_\_,

on August \_\_, 2019 at \_\_\_\_\_ AM/PM

(a) by Personal service on the Candidate \_\_\_\_\_ or adult person at the Candidate's residence address and/or Political Body, namely \_\_\_\_\_ at the following location:  
\_\_\_\_\_.

(b) through a nationally recognized overnight service, Saturday delivery, to the Candidate's residence address as shown on the Candidate's affidavit filed with Candidate's Nomination Petition, and:

(i) the Service Packet was sent with instructions to leave it at said address if no one answers the door; and

(ii) the Service Packet was delivered before August 10 2019, at 4 PM; and

(iii) proof of delivery is attached.

I verify that the facts contained herein are true and correct to the best of my knowledge or information and belief.

I understand that the statements made herein are made subject to the provisions of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA**  
**Court of Common Pleas of Philadelphia County**

*In Re:* : **Election Matter**  
Nomination Papers of :  
 : **AUGUST TERM, 2019**  
\_\_\_\_\_  
 :  
**As Candidate for Office of** :  
\_\_\_\_\_  
 : **NO. \_\_\_\_\_**

**FINAL ORDER**

**AND NOW**, this \_\_\_\_\_ day of August, 2019, upon consideration of the *Petition to Set Aside Nomination Papers* filed on August \_\_\_\_, 2019, after a hearing held thereon, and upon consideration of the evidence and/or legal arguments presented, **IT IS HEREBY ORDERED, ADJUDGED and DECREED** that:

- Upon consideration of the Objections to the Nomination Petition and testimony, the Court finds that:
  - the Nomination Petition defective; the Objections are sustained; and the Candidate's name shall be removed from the Ballot.
  - the Nomination Papers do not contain a sufficient number of genuine signatures of electors entitled to sign; the Objections are sustained; and the Candidate's name shall be removed from the Ballot.
  - the Nomination Papers were not filed by a person entitled to file the same; the Objections are sustained; and the Candidate's name shall be removed from the Ballot.
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- The Objections to the Nomination Papers are withdrawn by the Objector. The Candidate's name shall remain on the Ballot.
- Upon consideration of the objections and testimony, the Objections are denied; and the County Board of Elections is Ordered to accept the Nomination Papers. The Candidate's name shall remain on the Ballot.
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**BY THE COURT:**

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**J.**