

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

President Judge Administrative Order
No. 16 of 2022

In re: Special Election For The Office of District Council, 7th and 9th Districts

ORDER

AND NOW, this 22nd day of September, 2022, IT IS HEREBY ORDERED, ADJUDGED and DECREED that as required by 25 P.S. § 2937, any petition raising objections to any Nomination of a Candidate in the Special Election for the Office of District Council 7th District or District Council 9th District to be held on November 8, 2022 shall be filed, scheduled and disposed as follows:

- (1) the Objection must be filed with the Office of Judicial Records (formerly the “Prothonotary”) no later than 5:00 PM on September 29, 2022. The Order to Show Cause will be generated by the Court’s case management system and the Petitioner need not file either document with the Petition;
- (2) The Petition shall specify objections and attach relevant documents;
- (3) The Office of Judicial Records will be open on September 29, 2022 from 8:30 AM to 5:00 PM. Petitions raising Objections must be filed no later than 5:00 PM. The Petitions must be electronically filed at: <https://fjdefile.phila.gov/>. However, Petitioners who are unable to file their Petitions electronically may file in-person in **Room 296 City Hall**. The Office of Judicial Records shall close at precisely 5:00 P.M. on September 29, 2022. The Petition of any party of counsel who was in line at the Office of Judicial Records before 5:00 P.M. will be time-stamped as having been received at 5:00 PM and the Office of Judicial Records shall continue to process their Petitions which, consistent with prior practice, shall be deemed to have been timely filed even if processed after 5:00 P.M.;
- (4) 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 October 3, 2022. The Order to Show Cause shall be in the format attached below;
- (5) 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 or on a representative of the Board of Elections stationed in 262, no later than September 29, 2022 by 5:00 PM.;

- (6) A copy of the Petition and Order to Show Cause must be served by the Petitioner on the Candidate no later than October 2, 2022 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
 - (iii) by delivery by nationally recognized overnight service to the Candidate's residence address shown as the Candidate's affidavit provided that:
 - (A) delivery is attempted before October 2, 2022, at 4 P.M., and
 - (B) the package be sent with instructions to leave the Service Packet at said address if no one answers the door;
- (7) The petitioner shall file before the hearing or bring at 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 the format attached below;
- (8) 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 October 3, 2022. The final order shall be in the format attached below;
- (9) The President Judge or her designee will preside over Challenges to Nominating Petitions on Monday October 3, 2022. Hearings will take place in Courtroom 676, City Hall, Philadelphia, Pennsylvania with court reporters assigned to transcribe the proceedings. Sheriffs are to be provided during these sessions; and
- (11) Copies of the forms referenced in this Order shall be available on the Court's website at www.courts.phila.gov/forms.

This Administrative Order shall become effective immediately. The original Administrative Order shall be filed with the Office of Judicial Records in a docket maintained for Administrative Orders issued by the President Judge of the Court of Common Pleas, and copies shall be submitted to the Administrative Office of Pennsylvania Courts, and to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. Copies of the Administrative Order will be provided to American Lawyer Media, *The Legal Intelligencer*, Jenkins Memorial Library and the Law Library for the First Judicial District, and shall be posted on the website of the First Judicial District of Pennsylvania: <http://courts.phila.gov>.

BY THE COURT:

/s/ Idee C. Fox

HONORABLE IDEE C. FOX
President Judge, Court of Common Pleas

IN RE: NOMINATION PETITION OF _____ : COURT OF COMMON PLEAS
: PHILADELPHIA COUNTY
: ELECTION MATTER
: SEPTEMBER TERM, 2022
CANDIDATE FOR OFFICE OF _____ : No.

PETITION TO CHALLENGE NOMINATION

The Petitioner, by and through counsel, respectfully avers that:

1. The Petitioner, _____, is a duly qualified elector, lives at _____, Philadelphia, PA, and is registered in the above Ward and Division.
2. The respondent is the above referenced Candidate for the stated position.
3. On _____, 20____, a Nomination of _____ was filed by _____ by for the Office of Council District _____.
4. For the reasons set forth as follows, I object:

WHEREFORE, Petitioner prays this Honorable Court to issue a Rule upon the Candidate and upon the Philadelphia County Board of Elections to show cause why the Nomination should not be set aside and the Candidate's name not be placed on the ballot.

Petitioner/Attorney for Petitioner

VERIFICATION

I, _____, hereby verify that the facts contained in the within Petition 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: _____

PETITIONER/COUNSEL

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

In Re : Election Matter
Nomination Petition of :
 : **SEPTEMBER TERM, 2022**
 :

As **Candidate for Office of** :
 : **NO. _____**

ORDER TO SHOW CAUSE

AND NOW, this _____ day of _____, 2022, upon consideration of the *Petition to Set Aside Nomination Petition* filed on _____, it is hereby ordered that:

- (1) A rule is issued upon the Philadelphia County Board of Elections and the Candidate-Respondent, _____, to show cause why the above-referenced Nomination should not be set aside and/or why the name of the Candidate-Respondent should not be removed from the ballot as a candidate in the City of Philadelphia Nomination for Council District _____;
- (2) A hearing shall be held the 6th day of October, 2022, at 9:30 AM in Courtroom 676, City Hall, Philadelphia, Pennsylvania;
- (3) A copy of this Order to Show Cause, Petition and attachments must be served by the Petitioner on the Philadelphia County Board of Elections, Room 142 City Hall, Philadelphia, PA or representative stationed in 262 City Hall no later than October 5, 2022 by 5:00 PM.
- (4) A copy of this Order to Show Cause, Petition and attachments must be served by the Petitioner on the Candidate no later than October 5, 2022 at 4:00 PM. Order No. 17 of 2022, issued September 22, 2022, and an Affidavit of Service must be filed on or before the hearing date.

BY THE COURT:

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 Petition of :
 : **SEPTEMBER TERM, 2022**
 :

As **Candidate for Office of** :
 : **NO.** _____

AFFIDAVIT OF SERVICE

I, _____, hereby certify that I have served a copy of the pleadings as follows:

(1) Petition to challenge the Nomination and Order to Show Cause on
_____, an employee of the County Board of Elections on
Sept/Oct____, at _____ AM/PM electronically at: _____

or at the following location:

(2) Petition to object to the Nomination of _____, **to** and
_____ **Order to Show Cause on Respondent,**
_____ on Sept/Oct____, 2022 at _____ AM/PM
electronically at: _____

or at the following location:

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: _____