

## STANDARD RULES GOVERNING PETITIONS

(Odd Year Elections)

Updated 12/5/2008

(In addition to these guidelines, always refer to the charter of your municipality for specific requirements that may differ from the standard laws and rules listed below)

AS NOTED IN THE FOLLOWING SET OF RULES, THE TERM "PART-PETITION" REFERS TO ONE PETITION FORM; THE TERM "PETITION" REFERS TO THE ENTIRE SET OF PART-PETITION FORMS FILED BY ONE CANDIDATE.

1. Do not fill out the information at the very top of a part-petition form inside the box marked "For Board of Elections use only." This area is for Board of Elections staff.
2. **BEFORE CIRCULATION completely fill out, date and sign the front of each part-petition**, which is the "Statement of Candidacy" (non partisan petition) or "Declaration of Candidacy" (party petition) portion. The information must be typed or written in ink. At least one part-petition filed with the entire petition must have the original signature of the candidate. (See rule #14)

☞ Although we allow any color ink when signing an original part-petition, we advise the use of blue ink to detect the original from the copies.

**NOTE:** A candidate must file at least one part petition with an original candidate's signature. To avoid filling out and signing **each** part-petition, we advise filling out and signing at least one original part-petition and have it duplicated before circulating.

3. **SPECIAL NOTE FOR JUDICIAL CANDIDATES:** Prior to circulating, the body of each part-petition for a judicial seat must contain "**full or unexpired**" **term and term date**. The date should be the commencing date if a full term or the ending date if an unexpired term; whichever is applicable to your candidacy.

**SPECIAL NOTE FOR "INDEPENDENT" CANDIDATE (NONJUDICIAL):** R.C. 3505.03 & R.C. 3513.257 were amended in December, 2002 to stipulate that no independent candidate will be designated on the ballot as "Independent". Instead, the designation of "Nonparty Candidate", "Other-Party Candidate" or "No Designation" will appear on the ballot. Prior to filing the nominating petition, please indicate by circling "Nonparty Candidate", "Other-Party Candidate" or "No Designation" on your part petitions. If a candidate files a nominating petition but does not request a ballot designation under R.C. 3513.257, then no designation will be printed on the ballot below the candidate's name.

**SPECIAL NOTE TO ALL NONJUDICIAL CANDIDATES:** Prior to circulating, the body of each part-petition must contain the term type. Either "Full Term" or "Unexpired Term", whichever is applicable to your candidacy. The term date is not required.

4. The committee of five on a Nominating Petition (non partisan candidate) is an optional item (\*\*East Cleveland Mayor, Council and Judicial candidates see note below). The persons named on this committee would have the opportunity to appoint someone to run upon the withdrawal or death of the candidate. **This is the only purpose, and is not necessary for the petition to be valid.** If you wish to name a committee, it must be a committee of three or five.

**\*\*SPECIAL NOTE TO EAST CLEVELAND MUNICIPAL AND JUDICIAL CANDIDATES:** On a petition for East Cleveland Mayor, Council and Judicial candidates the committee of three is mandatory and must be electors of the city. This does not apply to Board of Education.

5. Electors must sign their names in ink. (A signature in pencil is an invalid signature)
6. The electors of a petition must live in the same jurisdiction as the candidate is seeking office. Remember, an elector cannot sign a petition for a candidate they cannot vote for on Election Day.
7. Registered electors who are qualified to vote for the candidate must personally affix their own signature. We have included an additional column for the elector to print their name. (We only count a "printed" signature if the elector has printed their registration record in the same manner.)

☞ Someone signing another person's name may invalidate the part-petition, but not the entire petition. Therefore, it is necessary that the circulator witness every signature. (Example: Members of a family may not sign for each other). The exception to this is if an elector has currently on file with the Board of Elections either Power of Attorney Form 10-F or 10-G.

8. If a person registers to vote and signs a petition at the same time, we advise keeping the registration form attached to the appropriate part-petition and file it with the petition.
9. A qualified elector who is a member of the same political party as the candidate, or independent electors are the only ones who may sign and circulate a petition for a party nomination.

☞ A voter is considered a member of a political party if he or she voted in that party's primary election within the last two (2) calendar years, or if he or she did not vote in any other party's primary election within the last (2) years. Therefore, a voter listed as an independent may sign and circulate a party petition. (R.C. 3513.05)


10. If necessary, the circulator of a part-petition may cross out an elector's signature. This does not invalidate the part-petition.

11. A candidate may serve as the circulator of his or her own petition, **but may not sign as an elector for his or her own candidacy.**

☞ **A circulator may not sign the same part-petition that he or she is circulating.** A circulator, however, who is not the candidate, may sign a part-petition being circulated for the same candidate by another person.

12. The circulator of a part-petition must fill out and sign the circulatory statement. The circulatory statement on each part-petition must be original, even if a person circulated more than one. Information in the circulatory statement consists of the following:
- The number of signatures contained on the part-petition (this number must be less any signatures crossed out);
  - The signature of circulator (we advise blue ink, although we allow any color ink);  
**ON A PETITION FOR BEREA MAYOR AND BEREA COUNCIL A NOTARY MUST WITNESS THE SIGNATURE OF THE CIRCULATOR.**
  - The circulator's address shown on the part-petition must be the same on file with the county board of elections at the time of filing.

**FAILURE TO COMPLETE THE CIRCULATORY STATEMENT SHOWING THE CORRECT NUMBER OF SIGNATURES IS A FATAL ERROR AND INVALIDATES THE PART-PETITION.**

13. If required, the candidate must sign and date the Acceptance of Nomination on the **back** of at least one part-petition **after circulation is complete**. NOTE: If the "Acceptance of Nomination" is on the petition the local city charter requires it, if not, then it is not required.  
**DO NOT CONFUSE THIS WITH THE STATEMENT OF CANDIDACY ON THE FRONT OF THE PETITION (SEE RULE #2).**
14. Once a candidate has filed a petition, state election laws allow no supplemental filings.  
*(Does not apply to a Cleveland Mayor, Council or Judicial petition)*  
In addition, once a candidate has filed, he or she may not withdraw because of an insufficient or invalid petition and file a new petition for the same office. A candidate may, however, file for the same office/party as a write-in for either the primary or general. If the first petition was for a party primary, the candidate may also choose to file as an independent for the general election.
-  If a petition filed for Cleveland Mayor, Council or Judicial candidates are found to have an insufficient number of signatures; additional part-petitions may be filed within five days of official notification by the Board of Elections. However, at the time of the initial filing, a petition should contain no less than the minimum signatures required.
15. A candidate must file at least one original part-petition with an original candidate's signature shown on the front. (See rule #2). The original part-petition must contain at least one elector's signature.
16. When circulating a petition for an office that encompasses more than one county, all signers of a part-petition must be limited to one county, containing electors residing in that county only. (R.C. 3513.38, 3513.05, 3513.07, 3513.261)

**Check your petition before filing to insure that you have correctly shown all information for the following important items:**

- A. Is the body of each part-petition filled out, signed and dated by the candidate?  
**THIS MUST HAVE BEEN DONE BEFORE CIRCULATION. (SEE RULE #2)**
- B. Have you included the type of term, and term date (judicial candidates) in the body of the petition?  
(See rule #3)
- C. Independent candidates: have you circled "nonparty candidate", "other-party candidate" or "no designation" on your part petitions?
- D. Did the elector print their name in the column labeled print name? (See rule #7)
- E. Did the signers include their complete street address and date of signing? The signer or petition circulator may use ditto marks for all information, except the signature and print name column. The date on the first elector signature line of a part-petition should be a complete date with the year included. Signature dates do not need to be in date order.  
  
**Are all the dates on or after the date signed by the candidate in the Statement of Candidacy?**  
(See rule #2)
- F. If unknown, the ward of a signer is not necessary.
- G. Turn the part-petition over. Did the circulator sign his or her name and address? (See rule #12)
- H. Is the number of signatures in the circulatory statement filled out, and correct? (See rule #12)
- I. We strongly urge candidates to file more than the minimum number of signatures required. We Recommend at least twice the amount, but we cannot accept more than three times the minimum amount. (See rule #12)
- J. If required, have you signed the "Acceptance of Nomination" portion on the back side of at least one part-petition? Signing the acceptance on every part-petition is not necessary; one acceptance is sufficient. (See rule #13)
- K. A candidate must file part-petitions with original ink signatures of registered voters. Copies of signatures of registered voters on part-petitions is not allowed

**CUYAHOGA COUNTY BOARD OF ELECTIONS**  
**CANDIDATE CHECK LIST BEFORE FILING (odd years)**

**Read and verify the items listed against your petition. If you conclude that the petition is accurate and sufficient for filing, sign below.**

If the body of a part-petition is incorrect, we do not allow any corrections or additions to it at the time of filing. If an error is found that could cause the entire petition to be ruled invalid, you have two options. Consider not to file at this time and circulate a new valid part-petition, which we recommend, or file the petition as is and the four Board Members will decide to allow or disallow your candidacy. Remember, if the Board disallows your petition we cannot accept a second petition. If, after reviewing this list, you are still unsure about what can or cannot be amended, please check with a Candidate & Petition Division staff member for advice before making any revisions to the petition.

1. Are the **name and address of the candidate**, including zip code, shown on each part petition? Is it the address the Board of Elections has on record as the current voting residence?  
**(This may not be altered at the time of filing)**
2. Is the **full name of the office sought and/or term (full term or unexpired term)** clearly marked on each part petition? If the office being sought has more than one term option, is the right term date listed (judicial candidates)? **(This may not be altered at the time of filing)**
3. In the body of the petition, is the date of signing above the candidates' signature shown on every part petition? **The date on each part petition must be on or before any of the signers' dates.**  
**(This may not be altered at the time of filing)**
4. Does the **candidate's signature** appear on every part-petition? Only one part petition needs to have an original signature, the rest may be a copy. The part petition with the original signature should be on top when presenting your petition for filing.  
**(This may not be altered at the time of filing)**
5. Independent candidates: have you circled "Nonparty Candidate", "Other-Party Candidate" or "No Designation" on your part petitions?
6. Does each **signer show an address and date** of signing? A signer may use ditto marks for all items, except the signature. The date on the first line of the front should have a full date that includes the year. All other lines may be just the month and day or ditto marks.  
**(This may be corrected by the circulator at the time of filing)**
7. Has the **circulator signed the circulatory statement** on each part petition? The circulator must sign and show an address that is the current voting residence on record with the Board of Elections. Every circulatory statement must have an original signature and address - no copy allowed.  
**(This may be corrected only by the circulator at the time of filing)**
8. Has the circulator marked in the circulatory statement on each part petition the **number of signatures** on the part petition? Every circulatory statement must include an original number - no copy allowed.  
**(This may be corrected only by the circulator at the time of filing)**
9. If the petition has an "**Acceptance of Nomination**" statement on the back side, the candidate must date and sign at least one part petition. However, the date must be on or after all dates of electors of the entire petition. Signing the acceptance on each part petition is not necessary, only one is required.  
**(This may be corrected only by the candidate at the time of filing)**
10. **For East Cleveland Mayor, Council and Judicial candidates only:** The committee of three on the front of the petition is mandatory. All names must appear on every part petition and must be East Cleveland electors. However, since they are not signatures, the names do not have to appear on the part petitions as original.  
**(This may not be altered at the time of filing)**

rev. 12/08

\_\_\_\_\_  
Signature of candidate or representative

\_\_\_\_\_  
Date