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BOARD OF ELECTION COMMISSIONERS OF THE CITY OF CHICAGO AS THE DULY CONSTITUTED ELECTORAL BOARD FOR THE HEARING AND PASSING UPON OBJECTIONS TO NOMINATION PAPERS OF CANDIDATES FOR THE MARCH 21, 2000 GENERAL PRIMARY ELECTION FOR STATE SENATOR, REPRESENTATIVE IN THE GENERAL ASSEMBLY AND WARD COMMITTEEMAN IN THE CITY OF CHICAGO

Objections of: WILLIE POTTS	)	
	)	
To the Nomination	)	
Papers of: ERMA "JEAN" KOHN	)	
	)	No. 00-EB-WC-039
Candidate for the office of Ward Committeeman for	)	
the 37th Ward of the City of Chicago, Republican	)	
Party	)	

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of Board of Election Commissioners of the City of Chicago Commissioners Langdon D. Neal, Richard A. Cowen, and Theresa M. Petrone, organized by law in response to a Call issued by Langdon D. Neal, Chairman of said Electoral Board, for the purpose of hearing and passing upon objections ("Objections") of WILLIE POTTS ("Objector") to the nomination papers ("Nomination Papers") of ERMA "JEAN" KOHN, candidate for election to the office of Ward Committeeman for the 37th Ward of the City of Chicago, Republican Party ("Candidate"), having convened on January 10, 2000, at 9:00 a.m., in Room 800, 69 West Washington Street, Chicago, Illinois; and having heard and determined the Objections to the Nomination Papers in the above-entitled matter finds that:

1. Objections to the Nomination Papers of the Candidate herein were duly and timely filed.

2. The said Electoral board has been legally constituted according to the laws of the State of Illinois.

3. A Call to the hearing on said Objections was duly issued by the Chairman of the Electoral Board and served upon the members of the Electoral Board, the Objector and the Candidate, by registered or certified mail and by Sheriff's service, as provided by statute.

4. A public hearing held on these Objections commenced on January 10, 2000 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Examiner RICHARD ZULKEY for further hearings and proceedings.

6. The Objector(s) and the Candidate were directed by the Electoral Board's Call served upon them to appear before the Hearing Examiner on the date and at the time designated in the Call. The following persons, among others, were present at such hearing: the Objector, WILLIE POTTS, pro se; and the Candidate, ERMA "JEAN" KOHN, pro se.

7. The sole objection raised by the Objector's Petition is that the single nominating petition sheet filed by the Candidate is not numbered.

8. The Electoral Board finds that the Candidate filed Nomination Papers consisting of a Statement of Candidacy and a single nominating petition sheet.

9. Section 7-10 of the Election Code (10 ILCS 5/7-10), referring to nominating petition sheets, states in part that, "Such sheets before being filed shall be neatly fastened together in book form, by placing the sheets in a pile and fastening them together at one edge in a secure and suitable manner, and the sheets shall then be numbered consecutively."

10. The Electoral Board finds that numbering the pages of the submitted petition requires substantial compliance to prevent tampering, which preserves not only the integrity of the petition submitted, but also the election process in general. *El-Abdoudi v. Thompson*, 293 Ill.App.3d 191, 687 N.E.2d 1166 (Second Dist. 1997). The Electoral Board further finds, however, that a candidate's failure to number the only page in a one-page nominating petition to be far less significant than the total failure to number any pages, and the failure to insert or number the single page of a petition is a mere technicality which does not invalidate the petition. *King v. Justice Party*, 284 Ill.App.3d 886, 672 N.E.2d 900 (First Dist. 1996).

11. The Electoral Board finds that the Candidate's nominating petition consists of a single unnumbered petition sheet. The failure to number a single sheet is a mere technicality and does not prejudice the integrity of the election process by encouraging confusion or tampering. Thus, the Objection is overruled.

12. The Electoral Board therefore finds the Candidate's nominating petitions to be valid.

IT IS THEREFORE ORDERED that the Objections of WILLIE POTTS to the Nomination Papers of ERMA "JEAN" KOHN, candidate for election to the office of Ward Committeeman for the 37th Ward of the City of Chicago, Republican Party, are hereby OVERRULED and said Nomination Papers are hereby declared VALID and the name of ERMA "JEAN" KOHN, candidate for election to the office of Ward Committeeman for the 37th Ward of the City of Chicago, Republican Party, SHALL be printed on the official ballot for the General Primary Election to be held on March 21, 2000.

Dated: Chicago, Illinois, this 1st day of February, 2000.

Langdon D. Neal, Chairman

Richard A. Cowen, Commissioner

Theresa M. Petrone, Commissioner

NOTICE: Pursuant to Section 10-10.1 of the Election Code (10 ILCS 5/10-10.1) a party aggrieved of this decision and seeking judicial review of this decision must file a petition for judicial review with the Clerk of the Circuit Court of Cook County within 10 days after the decision of the Electoral Board.