

Allen County Ohio Board of Elections

Filing Policy

Concerning the Mode, Manner and Method

of Submitting Documents for Filing to the Board of Elections and the Responsibilities and Limitations of Board Personnel.

Section I. Unless otherwise permitted by the Ohio Revised Code, any filing required to be made to the Allen County Ohio Board of Elections shall be made only by physical delivery of the original paper documents, with proper original signatures, to the office of the Allen County Ohio Board of Elections. Physical delivery shall only include submission of documents to the Board Office in person, by mail, or by delivery service. No other form of filing or delivery shall be accepted, including, but not limited to, email or facsimile transmission.

Section II. The filing deadlines as to the day and time of day set forth in the Ohio Revised Code shall be strictly enforced. Any documents, whether filed by in-person delivery, mail delivery, or delivery service, must be received at the Board Office on or before the day and exact time set forth in the Ohio Revised Code in order to have been properly filed with the Allen County Ohio Board of Elections.

Section III. If a fee is required to be paid for filing a document, the full filing fee must be paid at the time the document is submitted for filing with the Allen County Ohio Board of Elections in order for the filing to be accepted.

Section IV. When Petitions are requested by a candidate, a group of candidates, a representative of a candidate (or candidates) or any entity seeking a petition driven issue;

- A. The person(s) requesting the petitions shall be given:
 - i. The Secretary of State issued petition form for the office or issue being requested (if applicable)
 - ii. Instructions specific to the petition being requested (if applicable)

- iii. Candidate Handbook provided by the Secretary of State or information on where to obtain the candidate handbook if the handbook is not printed by the Secretary of State (if applicable)
 - iv. A Frequently Asked Questions (F.A.Q.) developed by the Allen County Board of Elections with commonly asked questions and general problems frequently seen with petitions.
 - v. A statement notifying the person(s) of this policy and where to obtain a full copy of this policy.
- B. The person(s) filing shall be notified by the board staff of associated filing fees, number of signatures required for the petitions, that the Board staff cannot answer questions related to the completion of the petitions and that the information on how to complete the petitions is included in the instructions, candidate handbook and F.A.Q.

Section V. When petitions are presented in person for filing by a candidate, a group of candidates, a representative of a candidate (or candidates) or any entity filing a petition driven issue presents petitions to be filed with the Board of Elections of Allen County;

- A. The person(s) filing the petitions shall be given:
- i. A checklist designed by the Allen County Board of Elections that includes each section of the petition and the required information. This checklist shall include the following statements
 - a. That the filer is ultimately responsible for the correctness and sufficiency of their petitions
 - b. That board staff may not answer questions on how to complete the petitions being filed.
 - c. That once the petitions are time stamped by the staff no changes may be made to the petitions.
 - d. That a candidate may withdraw their petitions before the Allen County Board of Elections takes any action upon them and may be allowed to file for the

same office again prior to the filing deadline if the law allows the filer to do so.

- e. This checklist shall include a signature and date line to indicate the filer has read and understands the information presented for the filer to sign and shall be retained with the filer's petitions.
 - ii. A Frequently Asked Questions (F.A.Q.) developed by the Allen County Board of Elections with commonly asked questions and general problems often noted with petitions.
 - iii. A Copy of the Secretary of State Candidate Handbook.
- B. The filer shall then be directed to review their petitions with the material given to them and sign the petition checklist when they have reviewed the sufficiency of their petitions.
- C. The filer shall also have the opportunity to use the "Public Look Up" function of the voter registration software to review petition signatures and addresses if they wish. This function shall be available to the public in the Allen County Board of Elections office during normal business hours.
- D. Once the filer presents their petitions and the signed checklist, the board staff shall process the petition as follows:
- i. Verify with the filer the number of signatures included on the petitions is the number they are filing
 - ii. Obtain the filing fee for the petitions
 - iii. Timestamp the petitions
 - iv. Provide the filer with a candidate information sheet (if applicable)
 - v. Provide the filer with campaign finance information including a "Designation of Treasurer" and other information relevant to the office or issue being filed.
 - vi. Provide a receipt for the filing fee and the filing of the petitions
 - vii. Provide the filer with any information relevant to the office or issue being filed for as required by law or directive.
 - viii. Inform the filer of the Board of Elections meeting date that the petitions are anticipated to be acted upon.

- ix. Inform the filer that they may inquire as to the total number of signatures that appear to be valid and the required number of signatures for the office once the petitions have been checked by the board staff prior to Board action.
- E. The Board staff will then process the petitions in to the voter registration system and check the sufficiency of the petitions as normal work flow dictates.

When petitions are presented for filing by mail or by delivery service from a candidate, a group of candidates, a representative of a candidate (or candidates) or any entity filing a petition driven issue the petitions to be filed with the Board of Elections of Allen County must be complete and any filing fee appropriate for the filing must accompany the petitions in order for the filing to be accepted.

Section VI. The Director and Deputy Director of the Allen County Board of Elections and the board staff shall not:

- A. Review petitions prior to their filing.
- B. Answer questions about the correctness or sufficiency of the petition other than the total number of signatures that appear to be valid after the board staff has reviewed the petitions.
- C. Indicate to the filer any problems/insufficiency or the correctness/sufficiency of their petitions prior to or after filing that the staff member may notice. (Other than the total number of signatures that appear to be valid after the board staff has reviewed the petitions.)

The Director or Deputy Director and the board staff shall:

- A. Direct all questions to the Instructions, Candidate Handbook and F.A.Q.
- B. Direct the filer to take their time and review all petitions and the information provided prior to filing their petitions and that they may use the “Public Look Up” function of the voter registration software to review signatures and addresses of signers.

When the Director or Deputy Director or board staff member receives a question about filing petitions over the telephone or electronic communication the staff member:

- A. Shall give the date of the election, the date and time of the filing deadline or the term beginning/ending date of an office if asked.
- B. Shall give the date of the board meeting the petition is anticipated to be acted upon if asked.
- C. Shall direct the caller to the Director or Deputy Director for any questions as to the sufficiency of any petition that has been filed.
- D. Shall not answer any other question not specified in A-C in this section about sufficiency of filed petitions or how to complete petitions prior to filing and shall direct the person to the petition instructions, candidate handbook and F.A.Q.

When the Director or Deputy Director receives questions regarding the sufficiency of a petition they shall refer to Board approved language for the answer to the question and only give the Board approved response. Then the Director or Deputy Director shall log the inquiry and retain the log in the petition file folder.

Section VII. Prior to action by the Allen County Board of Elections, Board staff shall review the petitions to check the sufficiency of each part petition and the validity of the signatures contained within. The Board staff shall make notes to help the board make the determination as to the sufficiency of the petition and the number of valid signatures.

During an Allen County Board of Elections meeting in public session the Allen County Board of Elections shall review each petition for sufficiency and the total number of valid signatures with assistance of the Board staff notes.

Once a petition is ruled to be insufficient by the Allen County Board of Elections in public session the Director of the Allen County Board of Elections shall inform the candidate(s) or person(s) filing the petitions of their insufficiency and the Board's ruling by certified mail and may contact the candidate(s) or person(s) filing by telephone upon the Directors discretion.

Once the Board has taken action upon petitions staff members are lifted from the requirements of this policy as it relates to the information staff members may share with filers as to the sufficiency of the filed petitions and may answer questions as to the correctness of the petitions filed. This applies only to the petitions that have been acted upon by the Board.

Section VIII. The Director and Deputy Director and Board Staff shall not give preference to one filer over another and must attempt to avoid the appearance of giving preference to one filer over another and therefore it is important that the Director and Deputy Director and board staff member familiarize themselves with this policy and adhere to the instructions and limitations within. Ignorance of the Allen County Board of Elections Filing Policy is not a valid excuse for violation of this policy.

Section IX. This policy shall be posted in the Allen County Board of Elections office and shall be available during normal business hours, and on its website and upon request may be subject to standard public records requests.

Section X. Any “home rule” that applies to petitions in a charter municipality shall take precedence over this policy and nothing in this policy is to overrule a charter municipalities right to special conditions based on the petition related sections of a charter.

Section XI. This policy was originally made effective on the 21st day of March, 2013, and updated on November 19, 2013.