

Protest of Candidate Timeline
Special Congressional Primary Election

September 10, 2008 – 4:00 PM

- Deadline to file protests against candidates for the Special Congressional Primary Election on October 14, 2008. (See attached Secretary of State 2008 Expedited Special Congressional Election Calendar and ORC Section)
- Protests to be filed with Candidate & Petition Services Department, located on the second (2nd) floor of the Cuyahoga County Board of Elections.
- Clerk to the Board of Elections notifies Board Members, Director, Deputy Director, Candidate & Petitions Services Manager and candidates via email and/or phone call and sends electronic copy of protest.
- Clerk to the Board of Elections shall mail notice and hand deliver the filing of the protest and the time fixed for the hearing to the person whose candidacy is so protested and to the person who filed the protest.

September 11, 2008 –8:30 AM

- Candidate and protesting individual, or their representatives, shall submit respective position papers in support of or against the candidacy to the Candidate & Petition Services Department.
- Clerk to the Board of Elections will provide copies of position papers to Board Members, Director, Deputy Director, Candidate Services Manager and opposing parties prior to the hearing.
- Public hearing held on protest. Each party is limited to five (5) minutes and an additional three (3) minute rebuttal.

Contact Information:

Linda Steimle, Clerk to the Board of Elections
Cuyahoga County Board of Elections
2925 Euclid Avenue, 4th Floor Room 408
Cleveland, OH 44115

Office Phone: 216.443.6484
Office Email: belas@cuyahogacounty.us

Ohio Revised Code: 3513.05 Deadline for filing declaration of candidacy

“...Protests against the candidacy of any person filing a declaration of candidacy for party nomination or for election to an office or position, as provided in this section, may be filed by any qualified elector who is a member of the same political party as the candidate and who is eligible to vote at the primary election for the candidate whose declaration of candidacy the elector objects to, or by the controlling committee of that political party. The protest shall be in writing, and shall be filed not later than four p.m. of the sixty-fourth day before the day of the primary election, or if the primary election is a presidential primary election, not later than four p.m. of the forty-ninth day before the day of the presidential primary election. The protest shall be filed with the election officials with whom the declaration of candidacy and petition was filed. Upon the filing of the protest, the election officials with whom it is filed shall promptly fix the time for hearing it, and shall forthwith mail notice of the filing of the protest and the time fixed for hearing to the person whose candidacy is so protested. They shall also forthwith mail notice of the time fixed for such hearing to the person who filed the protest. At the time fixed, such election officials shall hear the protest and determine the validity or invalidity of the declaration of candidacy and petition. If they find that such candidate is not an elector of the state, district, county, or political subdivision in which the candidate seeks a party nomination or election to an office or position, or has not fully complied with this chapter, the candidate’s declaration of candidacy and petition shall be determined to be invalid and shall be rejected; otherwise, it shall be determined to be valid. That determination shall be final.

2008 Expedited Special Congressional Election Calendar for Primary and General Elections

*To Fill a Vacancy That Occurred August 20, 2008 in the
Office of Representative to Congress – Ohio 11th Congressional District*

Issued by Ohio Secretary of State Jennifer Brunner

- Aug. 27 Writ issued by Governor ordering special Congressional election to be held on November 18, 2008, and a primary, if necessary, on October 14, 2008, to fill a vacancy that occurred August 20, 2008, in the office of Representative to Congress in the Ohio 11th Congressional District (9 days before petition filing deadline).
- Sept. 5 Declarations of Candidacy and filing fees for partisan candidates must be filed with the Cuyahoga County Board of Elections no later than 4 p.m. (39 days before special Congressional primary).
- Sept. 6 Declarations of Intent (write-in candidates) and filing fees must be filed with the Cuyahoga County Board of Elections no later than 4 p.m. (38 days before special Congressional primary).
- Sept. 9 Cuyahoga County Board of Elections must certify the validity and sufficiency of partisan candidates' petitions and Declarations of Intent to be a Write-In Candidate (35 days before special Congressional primary).
- Sept. 10 Protests against partisan candidacies, including write-in candidacies must be filed with the Cuyahoga County Board of Elections by 4 p.m. (34 days before special Congressional primary).
- Sept. 13 Cuyahoga County Board of Elections must complete hearings on any protest of a partisan candidacy (31 days before special Congressional primary).
- *Sept. 15 Voter registration deadline for October 14 special primary election (30 days before Congressional primary).
- Sept. 23 Special Congressional Primary absentee ballots must be ready (21 days before special Congressional primary).
- Sept. 30 Cuyahoga County Board of Elections must post precinct voter registration lists for 11th Congressional District (14 days before special Congressional primary).
- Oct. 3 Deadline for political parties, or groups of five or more primary candidates, to file notice of observer appointments with the Cuyahoga County Board of Elections (11 days before special Congressional primary).
- Oct. 4 Cuyahoga County Board of Elections must give public notice of election (10 days before special Congressional primary).
- Oct. 13 Nominating petitions of independent candidates or Declarations of Intent (write-in candidates) must be filed with the Cuyahoga County Board of Elections by 4 p.m. (1 day before special Congressional primary).
- Oct. 14 Special Congressional Primary Election (35 days before special Congressional election).**

Note: A primary election preceding a special election to fill a vacancy in an office shall be eliminated if no valid declaration of candidacy is filed for such office, or if the number of persons filing such declarations of candidacy as candidates of one political party does not exceed the number of candidates which such political party is entitled to nominate for election to such office.

- Oct. 16 Cuyahoga County Board of Elections must certify independent candidates' petitions and Declarations of Intent to be a Write-In Candidate (33 days before special Congressional election).
- Oct. 17 Protests against independent candidates' petitions or write-in candidates must be filed with Cuyahoga County Board of Elections by 4 p.m. (32 days before special Congressional election).
- *Oct. 20 Voter registration deadline for special Congressional election (30 days before special Congressional election).
- Oct. 21 Deadline to complete hearings on protests filed against independent or write-in candidates (28 days before special Congressional election).
- Oct. 24 In-country and UOCAVA absentee ballots for special Congressional primary must be received by this date to be counted (10 days after special Congressional primary).
- Oct. 25 Cuyahoga County Board of Elections shall complete official canvass of special Congressional primary and certify the results (11 days after special Congressional primary).
- Deadline to apply for recount of special Congressional primary election (after official canvass results announced).
- Oct. 27 Recount of special Congressional primary, if necessary (2 days after ordered/requested recount).
- Nov. 3 Absentee ballots for the special Congressional election must be available for voting (15 days before special Congressional election).
- Nov. 7 Deadline for political parties, or groups of five or more candidates, to file notice of observer appointments with the board of elections (11 days before special Congressional election).
- Nov. 8 Cuyahoga County Board of Elections must give public notice of election (10 days before special Congressional election).
- Nov. 11 Cuyahoga County Board of Elections must post precinct voter registration lists for 11th Congressional District (7 days before special Congressional election).
- Nov. 18 Special Congressional Election (for remainder of present term of office)**
- Nov. 28 In-country absentee ballots must be received by this date to be counted. (10 days after special Congressional election).
- Dec. 8 UOCAVA absentee ballots must be received by this date to be counted (20 days after special Congressional election).
- Dec. 9 Cuyahoga County Board of Elections may begin official canvass (21 days after special Congressional election).
- Dec. 19 Cuyahoga County Board of Elections shall complete official canvass of the special Congressional election and certify the results (31 days after special Congressional election).

* As the statutory deadline falls on a date the office of the Secretary of State and county boards of elections are closed, the deadline is extended to the next day the offices of the Secretary of State and boards of elections are open, pursuant to R. C. 1.14.