

**BOARD OF ELECTION COMMISSIONERS FOR THE CITY OF CHICAGO
AS A DULY CONSTITUTED ELECTORAL BOARD**

Objections of: JESSICA A. TERRY and)
 KELLE MARTIN)
)
 To the Nomination) No.: 19-EB-ALD-123
 Papers of: JENNIFER O. MADDOX)
) Rel.: 19-EB-ALD-148
 Candidate for the office of)
 Alderman of the 20th Ward of the City of)
 Chicago)
)

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of the Board of Election Commissioners for the City of Chicago, Commissioners Marisel A. Hernandez, William J. Kresse and Jonathan T. Swain, organized by law in response to a Call issued by Marisel A. Hernandez, Chair of said Electoral Board, for the purpose of hearing and passing upon objections (“Objections”) of JESSICA A. TERRY and KELLE MARTIN (“Objectors”) to the nomination papers (“Nomination Papers”) of JENNIFER O. MADDOX, candidate for the office of Alderman of the 20th Ward of the City of Chicago (“Candidate”) at the General Municipal Election to be held on Tuesday, February 26, 2019, having convened on Monday, December 10, 2018, at 8:30 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 were duly and timely filed.
2. The Electoral Board was legally constituted under the laws of the State of Illinois.

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

4. A public hearing was held on these Objections commencing on Monday, December 10, 2018 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Officer David J. Shestokas for further hearings and proceedings.

6. The Objectors and the Candidate were directed by the Electoral Board to appear before the Hearing Officer on the date and at the time designated in the Call. The following persons, among others, were present at or filed appearances during such hearing; the Objectors, JESSICA A. TERRY and KELLE MARTIN, and/or their Attorney, ANDREW FINKO; and the Candidate, JENNIFER O. MADDOX, and/or her Attorney, MICHAEL C. DORF.

7. The Hearing Officer ordered that an examination of the voter registration records be conducted by clerks and agents under the Board's direction and supervision, in accordance with the laws of Illinois and the rules of the Board.

8. The Hearing Officer directed all parties to appear and be present, either personally and/or by their authorized representatives during this records examination.

9. The Candidate and/or her duly authorized representative was present during the examination of the registration records.

10. The Objectors and/or their duly authorized representative was present during the examination of the registration records.

11. The examination of the registration records was completed and the Electoral Board hereby adopts and incorporates by reference the results of the records examination

conducted by its clerks and agents. The written report of the result of the registration records examination is contained in the Board's file in this case and a copy has been provided or made available to the parties.

12. The results of the records examination indicate that:

A. The minimum number of valid signatures required by law for placement on the ballot for the office in question is 473.

B. The remaining number of signatures deemed valid as a result of the records examination total 608.

13. The Electoral Board finds that the number of valid signatures appearing on the Candidate's nominating petition following completion of the records examination exceeds the minimum number of valid signatures required by law to be placed upon the ballot as a candidate for the office of Alderman for the 20th Ward of the City of Chicago.

14. The Hearing Officer has tendered to the Electoral Board a report and recommended decision. Based upon the evidence presented, the Hearing Officer found that the Candidate's Nomination Papers contained 608 valid signatures, which exceeds the minimum number of valid signatures required by law to be placed upon the ballot as a candidate for the office of Alderman for the 20th Ward of the City of Chicago, and that the Candidate's Nomination Papers should be found valid.

15. The Electoral Board, having considered the evidence and arguments tendered by the parties and the Hearing Officer's report of recommended findings and conclusions of law, hereby adopts the Hearing Officer's recommended findings and conclusions of law.


16. For the reasons stated above, the Electoral Board finds that the Candidate has a sufficient number of valid signatures on her nominating petitions and that the Nomination Papers of JENNIFER O. MADDOX are, therefore, valid.

IT IS THEREFORE ORDERED that the Objections of JESSICA A. TERRY and KELLE MARTIN to the Nomination Papers of JENNIFER O. MADDOX, candidate for the office of Alderman for the 20th Ward of the City of Chicago, are hereby OVERRULED and said Nomination Papers are hereby declared VALID and the name of JENNIFER O. MADDOX, candidate for the office of Alderman for the 20th Ward of the City of Chicago, SHALL be printed on the official ballot for the General Municipal Election to be held on Tuesday, February 26, 2019.

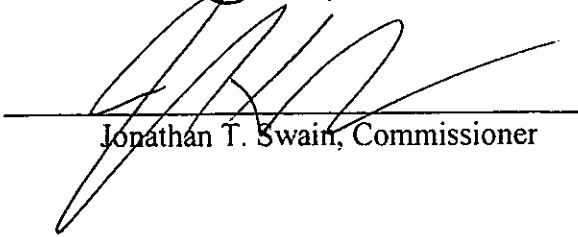
Dated: Chicago, Illinois, on Tuesday, January 22, 2019.



Marisel A. Hernandez, Chair



William J. Kresse, Commissioner



Jonathan T. Swain, 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 5 days after service of the decision of the Electoral Board.

**BEFORE THE 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 ELECTION TO THE OFFICE
OF ALDERMAN OF THE 20TH WARD OF THE CITY OF CHICAGO, COUNTY OF COOK,
STATE OF ILLINOIS TO BE VOTED UPON AT THE FEBRUARY 26, 2019 MUNICIPAL
GENERAL ELECTION**

JESSICA TERRY,)	
KELLIE MARTIN,)	
Objectors)	Case No. 19-EB-ALD-123
)	
-v-)	
)	
JENNIFER O. MADDOX,)	
Respondent)	

HEARING OFFICER’S REPORT AND RECOMMENDED DECISION

This matter was first heard on December 10, 2018. The Objectors appeared through counsel and the Respondent, in attendance, appeared through counsel. Board Exhibits A-D were entered into evidence and the parties were advised of the opportunity to file preliminary motions. It was determined that the single objection in *Objector’s Petition* was the lack of the needed 473 valid signatures in the *Nomination Papers* for RESPONDENT to appear on the ballot.

Both parties indicated that there would be no preliminary motions, with agreement that the matter be referred for a Records Exam. The referral was made and the matter was continued to December 18, 2018 for status on the Records Exam.

On December 18, the Hearing Officer had consulted with staff regarding the Records Exam status and was informed that objections to candidates for citywide office were being conducted first and that Aldermanic objections would follow. With that information, the parties agreed to January 5, 2019 for status on the Records Exam.

On January 5, 2019, the parties were informed that the Records Exam had begun the day before with an anticipated conclusion of January 8, 2019. With that information in hand, the matter was continued to January 10, 2019 with the possibility of a Rule 8 Motion remaining.

On January 10, 2019, the preliminary report had been completed, but the Handwriting Review remained outstanding. The parties wished to reserve decisions on whether to file Rule 8 Motions until

a final report, including Handwriting Review was issued. The Hearing Officer and parties agreed to remain in contact via phone or email on the status of the Records Exam and decisions regarding any Rule 8 Motions.

Beginning January 14, regular contact via email was maintained between the Hearing Officer, the parties and the Records Examiners as to the status. On January 17, 2019, the Final Report, including the Handwriting Review was delivered to the parties via email. Upon receipt of the Final Report, the Hearing Officer communicated with the parties via email, calling their attention to Rule 8(c)(i)(1) which defines the timing for filing a Rule 8 Motion.

As the matter had been continued from time to time for decisions on the filing of Rule 8 Motions, the Hearing Officer advised the parties that pursuant to Rule 8(c)(i)(1), the deadline for filing any Rule 8 Motion would be 5:00 PM on January 18, 2019.

On January 17, 2019, both parties informed the Hearing Officer that neither would be filing a Rule 8 Motion.

As there will be no Rule 8 Motions, the Final Report of the Records Exam is the evidence for the Recommended Decision.

THE RECORDS EXAM FINAL REPORT

The Records Exam Final Report in this matter issued on January 17, 2019 at 2:04 PM following completion of the Handwriting Review reported that: the necessary number of signatures for this office was 473, the total valid signatures submitted on RESPONDENT'S Nominating Petitions are 608, and this number is 135 greater than the required minimum. Failure to include valid signatures in excess of the required minimum was the only basis in the *Objector's Petition*.

CONCLUSION AND RECOMMENDATION

In light of the foregoing, it is my recommendation that *Objector's Petition* be OVERRULED. In as much as the only other objection to RESPONDENT'S *Nominating Papers* in case 19-EB-ALD-148 was dismissed by this Board, it is my recommendation that the *Nominating Papers* of JENNIFER O. MADDOX be found valid and that the name of JENNIFER O. MADDOX appear on the ballot for the February 26, 2019 Chicago Municipal Election as candidate for Alderman of the 20th Ward.



David J. Shestokas, Hearing Officer

01/18/2018