

DIRECTIVE 2008-75

August 27, 2008

TO: Cuyahoga County Board of Elections - 11th Congressional District

RE: Special Congressional Election to fill vacancy in Ohio's 11th Congressional District due to death of U.S. Representative Stephanie Tubbs Jones

- **Special Congressional Primary Election – Tuesday, October 14, 2008**
- **Special Congressional Election – Tuesday, November 18, 2008**

In accordance with R.C. 3521.03, Governor Strickland issued a Writ of Election (attached) on August 27, 2008, ordering a special congressional election be held on Tuesday, November 18, 2008, preceded by a primary election to held Tuesday, October 14, 2008, if a primary is necessary, to fill the vacancy created in Ohio's 11th Congressional District due to the death of U.S. Representative Stephanie Tubbs Jones.

Therefore, Cuyahoga County Board of Elections shall conduct and hold the special election as required by the Governor's Writ of Election and this Directive in the 11th Congressional District.

Calendar

Accompanying, and incorporated as part of, this Directive is the 2008 Expedited Special Congressional Election Calendar. This calendar should be carefully studied, as it contains deadlines necessary to lawfully conduct the special election ordered by the Governor.

Petitions

Persons seeking the nomination of a political party for representative to Congress for Ohio's 11th Congressional District shall file either:

- Form 2-E (Declaration of Candidacy - Party Primary District Office - Representative to Congress), or
- Form 13-C (Declaration of Intent to be a Write-in Candidate for Office of U.S. Senator or U.S. Representative).

Persons seeking to become independent candidates for representative to Congress for Ohio's 11th Congressional District shall file either:

- Form 3-F (Nominating Petition - District Office - Representative to Congress), or
- Form 13-C (Declaration of Intent to be a Write-in Candidate for Office of U.S. Senator or U.S. Representative).

Note: In accordance with the holding of *Morrison v. Colley*, 467 F.3d 503 (6th Cir. 2006), any person seeking to be an independent candidate must be unaffiliated with either the Democratic or Republican Party. Boards of elections are advised to review Advisory 2007-05 for further clarification on this issue.

October 14, 2008 Special Congressional Primary

A special Congressional primary shall be conducted if more than one candidate files a valid and sufficient Declaration of Candidacy for nomination for any of the political parties. The special Congressional primary election shall be held on October 14, 2008.

If only one candidate files a valid and sufficient Declaration of Candidacy for nomination for each of the political parties, the special Congressional primary will be eliminated and not held. If the primary is eliminated, the board of elections may not accept for filing Declaration of Intent to be a Write-In Candidate for the primary.

Ballots

The format of the October 14 special Congressional primary election ballot is as follows:

Official (name of political party) Special Congressional Primary Ballot
Special Primary Election – October 14, 2008
For Representative to Congress (11th District)
Vote for not more than One (1)

The format of the November 18 special Congressional election ballot is as follows:

Official Office Type Ballot
Special Congressional Election – November 18, 2008
For Representative to Congress (11th District)
Vote for not more than One (1)

Reporting Election Results

The Secretary of State's office will provide additional information regarding reporting unofficial and official results of these elections.

A board of elections should direct its questions concerning these special Congressional elections to David Farrell, Director of Elections, at (614) 466-2585.

Sincerely,

Jennifer Brunner

Attachments: Writ of Election; 2008 Expedited Special Congressional Election Calendar