

Disqualification of a Candidate for Failure to Properly File Papers of Candidacy

Lawrence v. Board of Election Commissioners
(*Elaine E. Bucklo, N.D. Ill. 1:07-cv-566*)

On January 30, 2007, a would-be candidate for Chicago alderman in the February 27 election, his campaign committee, and three voters filed a federal complaint in the Northern District of Illinois, challenging on its face and as applied the constitutionality of a requirement that he file with his nomination papers the receipt he received for filing his statement of economic interest.¹

On February 6, Judge Elaine E. Bucklo granted a three-week extension request by Illinois's attorney general to accommodate the attorney general's convenience.² On February 8, the plaintiffs filed motions for an expedited hearing, acknowledging that it was too late to restore the would-be candidate's name to the February 27 ballot but arguing that he could be added to an April 17 runoff election.³ Judge Bucklo granted the motions and set the matter for hearing on February 23.⁴

On February 27, Judge Bucklo granted summary judgment to the defendants.⁵ The plaintiffs' claims were barred by *res judicata*, because they failed to raise them in a state court proceeding on the same matter in which they lost.⁶ Judge Bucklo also found that it was not unconstitutional for Illinois to disqualify as a candidate someone who failed to properly file papers of candidacy.⁷

1. [Complaint](#), *Lawrence v. Bd. of Election Comm'rs*, No. 1:07-cv-566 (N.D. Ill. Jan. 30, 2007), D.E. 1; [Lawrence v. Bd. of Election Comm'rs](#), 524 F. Supp. 2d 1011, 1013–15 (N.D. Ill. 2007); *see* [Amended Complaint](#), *Lawrence*, No. 1:07-cv-566 (N.D. Ill. Feb. 13, 2007), D.E. 19; [Amended Complaint](#), *id.* (Feb. 12, 2007), D.E. 21; *see also* Mark Brown, *Just Getting on the Ballot Is More Than Half the Battle*, *Chi. Sun Times*, Jan. 11, 2007, at 2.

2. [Minutes](#), *Lawrence*, No. 1:07-cv-566 (N.D. Ill. Feb. 6, 2007), D.E. 13; *see* [Extension Motion](#), *id.* (Feb. 6, 2007), D.E. 11.

3. [Expedited Hearing Motion](#), *id.* (Feb. 8, 2007), D.E. 16; [Expedited Hearing Motion](#), *id.* (Feb. 8, 2007), D.E. 14.

4. [Minutes](#), *id.* (Feb. 23, 2007), D.E. 55; [Minutes](#), *id.* (Feb. 22, 2007), D.E. 43.

5. [Lawrence](#), 524 F. Supp. 2d 1011; [Minutes](#), *Lawrence*, No. 1:07-cv-566 (N.D. Ill. Feb. 27, 2007), D.E. 52.

6. [Lawrence](#), 524 F. Supp. 2d at 1018–23.

7. *Id.* at 1023–27.