

Greater Ballot Signature Requirement for Presidential Candidates

Nader 2000 Primary Committee v. Cenarrusa
(Mikel H. Williams, D. Idaho 1:00-cv-503)

The Ralph Nader campaign's September 7, 2000, federal complaint alleged that Idaho wrongfully required more ballot qualification signatures for President than it required for other statewide races. At a September 14 hearing, the district court denied the campaign injunctive relief, finding the signature requirement to be reasonable and achievable.

Subject: Getting on the ballot. *Topic:* Getting on the ballot.

Presidential candidate Ralph Nader, his campaign committee, and two voters filed a federal complaint in the District of Idaho on September 7, 2000, alleging that Idaho's requirement of more ballot qualification signatures for President than it requires for other statewide races had wrongfully deprived Nader of a place on the November ballot.¹

In 2000, Idaho required signatures equal to one percent of the vote cast in the previous election for presidential candidates, 4,917 signatures in this case, but only 1,000 signatures for other statewide candidates.² Nader submitted more than 5,800 signatures, but only 3,578 were determined to be valid.³

With the complaint, the plaintiffs filed a motion for a preliminary injunction.⁴ The parties consented to a magistrate judge's jurisdiction over the case, and Magistrate Judge Mikel H. Williams set the matter for hearing on Thursday, September 14.⁵ At the hearing, Judge Williams denied from the bench immediate relief to Nader's campaign, issuing an opinion on Monday.⁶

"The Court finds that a reasonably diligent candidate can gain access to the ballot under Idaho Code § 34-708A's procedure and that the burdens imposed by the regulation are not severe. Indeed, a number of independent candidates for President have complied with a substantially similar requirement in the past."⁷

Judge Williams also found a rational basis for the different requirements:

The presidential election occurs every four years and state elections are held during the off-years. It is logical to set a specific number of required signatures during the off-years and, during presidential elections, to base the re-

1. Complaint, *Nader 2000 Primary Comm., Inc. v. Cenarrusa*, No. 1:00-cv-503 (D. Idaho Sept. 7, 2000), D.E. 1.

2. Opinion at 2, 5, *id.* (Sept. 18, 2000), D.E. 11.

3. *Id.* at 2-3, 8.

4. Preliminary-Injunction Motion, *id.* (Sept. 7, 2000), D.E. 3.

5. Order, *id.* (Sept. 8, 2000), D.E. 4.

6. Opinion, *supra* note 2, at 1.

7. *Id.* at 7.

quired number of signatures on a percentage equal to one percent of the votes cast for President in the previous election year.⁸

On January 25, 2001, the parties stipulated dismissal of the case as moot.⁹ An appeal¹⁰ was dismissed for failure to perfect it.¹¹

8. *Id.* at 8.

9. Stipulation, *Nader 2000 Primary Comm., Inc.*, No. 1:00-cv-503 (D. Idaho Jan. 25, 2001), D.E. 15.

10. Notice of Appeal, *id.* (Sept. 18, 2000), D.E. 12.

11. Order, *Nader 2000 Primary Comm., Inc. v. Cengarusa*, No. 00-35817 (9th Cir. Apr. 23, 2001).