



STATE OF MICHIGAN  
JOCELYN BENSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

**Filing Requirements: Supreme Court Justice**  
**-- 2020 Election Cycle --**

Michigan Election Law governs the ballot access procedures for candidates seeking the office of Supreme Court Justice. As these procedures are subject to change by the State Legislature, candidates interested in participating in Michigan's November 3, 2020 general election are encouraged to consult our website, [Michigan.gov/Elections](http://Michigan.gov/Elections), for updates.

**UNIFORM GENERAL REQUIREMENTS**

**OFFICE QUALIFICATIONS:** To be eligible for the office of Supreme Court Justice a person must be a registered and qualified elector of the State of Michigan by the filing deadline; licensed to practice law in the State of Michigan; and less than 70 years of age on November 3, 2020. In addition, as of January 1, 2021, the individual must have been admitted to the practice of law for at least 5 years. Art. VI, Sec. 19, of the State Constitution; MCL 168.391.

**AFFIDAVIT OF IDENTITY REQUIRED:** All candidates seeking the office of Supreme Court Justice must submit an Affidavit of Identity in duplicate (one copy & one original or two originals) when filing for office. Affidavit of Identity forms can be obtained through any county clerk's office or from the Bureau of Elections (Bureau). The Affidavit of Identity form is also available on the Bureau's website under "Information for Candidates." MCL 168.558. Candidates who fail to comply with the Affidavit of Identity filing requirement are ineligible to appear on the ballot.

**FINANCIAL DISCLOSURE:** State and local candidates are required to comply with the financial disclosure requirements provided under Michigan's Campaign Finance Act, P.A. 388 of 1976. In addition, candidates for the office of Supreme Court Justice should review the [Michigan Code of Judicial Conduct](#).

An individual becomes a candidate under the Michigan Campaign Finance Act as soon as he or she:

- Files an affidavit, fee or nominating petition **OR**
- Is certified as the nominee of his or her political party **OR**
- Receives a contribution (**includes contributions from the candidate's own personal funds**), makes an expenditure, or authorizes someone else to do so on his or her behalf **OR**
- Is the subject of a recall vote **OR**
- Was elected to an elective office and can seek re-election.

Once any of the conditions above has been met, a candidate has:

- 10 days to form a Candidate Committee
- 10 additional days to file the Statement of Organization

- **Example: On May 1<sup>st</sup> an individual is nominated at the Democratic Party convention for the office Supreme Court Justice. The last day a candidate committee can be formed is May 10<sup>th</sup> and the Statement of Organization is due to the Bureau by May 20<sup>th</sup>.**

Michigan election law requires any candidate filing an Affidavit of Identity to state on the form that at the date of the affidavit was executed, all statements, reports, late filing fees and fines required of the candidate or any Candidate Committee organized to support the candidate's election under Michigan's Campaign Finance Act have been filed or paid. **Candidates that have any outstanding notices of Failure to File or outstanding late filing fees with any filing official in the State are ineligible to appear on the ballot.** MCL 168.558.

### **INCUMBENT SUPREME COURT JUSTICE**

**BALLOT ACCESS BY AFFIDAVIT:** An incumbent Supreme Court Justice seeking reelection can gain ballot access by filing an Affidavit of Candidacy and an Affidavit of Identity no later than **5:00 p.m. on July 5, 2020.** Art. VI, Sec. 2, of the State Constitution; MCL 168.392a. The Affidavit of Candidacy is located at the end of this publication.

Such candidates will appear on the nonpartisan section of the November 3, 2020 general election ballot.

**WITHDRAWAL:** The deadline to withdraw the Affidavit of Candidacy elapses at **4:00 p.m. on the 4<sup>th</sup> business day following the conclusion of the convention.** MCL 168.394.

### **MAJOR PARTY CONVENTIONS**

**NOMINATION:** A candidate seeking the office of Supreme Court Justice can gain access to the ballot by receiving nomination to the office at the Democratic Party convention or the Republican Party convention.

The Democratic Party and Republican Party conventions must be held **no later than September 4, 2020.** MCL 168.591.

Within one business day after the conclusion of the nominating convention, party officials must submit a Certificate of Nomination to document the individual's nomination to the office, an Affidavit of Identity (one copy and one original or two originals completed by the candidate) and an Affidavit of Constitutional Qualification (completed by the candidate). MCL 168.686. The Affidavit of Identity filing requirement is explained in greater detail above. The Affidavit of Constitutional Qualification form is located at the end of this publication.

Such candidates will appear on the nonpartisan section of the November 3, 2020 general election ballot.

**WITHDRAWAL:** The deadline for withdrawing a candidate nominated and certified via convention elapses at **4:00 p.m. on the 4<sup>th</sup> business day following the conclusion of the convention.** MCL 168.394.

## **MINOR PARTY CONVENTIONS**

In addition to the Democratic and Republican parties, other political parties are qualified<sup>1</sup> to appear on Michigan's November 3, 2020 general election ballot. (Based on the greatest number of votes received by *any* candidate whose name appeared in the party's column on the November 6, 2018 general election ballot. Candidate had to have received at least 1% of the total number of votes cast for the winning candidate for the office of Secretary of State; computes to 22,133 votes. See MCL 168.685(6).

**CONVENTION DEADLINE:** A candidate seeking the office of Supreme Court Justice as a minor party candidate must receive nomination to the office at the party's nominating convention. The party's convention must be held **no later than August 4, 2020**. The minor party must have ballot status in Michigan. MCL 168.686a.

Within one business day after the conclusion of the nominating convention, party officials must submit a Certificate of Nomination to document the individual's nomination to the office, an Affidavit of Identity in duplicate completed by the candidate (one copy and one original or two originals), Affidavit of Constitutional Qualification and a Certificate of Acceptance (completed by the candidate). The Affidavit of Identity filing requirement is explained in greater detail above. The Certificate of Acceptance form is available on the Bureau's website: [Michigan.gov/Elections](http://Michigan.gov/Elections). The Affidavit of Constitutional Qualification is located at the end of this publication.

Such candidates will appear on the November 3, 2020 general election ballot.

**WITHDRAWAL:** The deadline for withdrawing a candidate nominated and certified via convention elapses at **4:00 p.m. on the 4<sup>th</sup> business day following the conclusion of the convention**. MCL 168.394.

## **CANDIDATES WITHOUT POLITICAL PARTY NOMINATION**

Candidates seeking any of the office of Supreme Court Justice may do so without nomination at a political party convention. These candidates are only eligible to appear on the November 3, 2020 general election ballot.

**FILING DEADLINES:** A candidate without political party affiliation seeking the office of Supreme Court Justice must file an Affidavit of Identity, Affidavit of Constitutional Qualification, and a qualifying petition no later than **4:00 p.m. on July 16, 2020**. MCL 168.590a; 590c; 544f.

**WITHDRAWAL:** The deadline to withdraw a candidate filing for Supreme Court Justice via qualifying petition is **4:00 p.m. on July 20, 2020**. The withdrawal must be in writing and must be filed with the Bureau.

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<sup>1</sup> The minor political parties currently qualified to appear on the November 2020 General Election ballot are: Libertarian, U.S. Taxpayers, Green, Natural Law, and Working Class parties. MCL 168.703.

**PETITION REQUIREMENTS:** All petitions used by candidates must be in the form required under Michigan election law. Sample petition forms can be obtained through the Bureau or any county clerk's office. Forms may be purchased from commercial suppliers that produce election materials.

Candidates seeking to be on the November general election ballot without party affiliation must use the **Countywide Qualifying Petition** form. A minimum of 30,000 valid signatures must be submitted to qualify for placement on the November ballot. The qualifying petition must be signed by at least 100 registered electors in each of at least ½ of the congressional districts in the state. Up to 60,000 signatures may be submitted. A filing fee is not available. MCL 168.590c; 544f.

In addition to the above, signatures submitted on the qualifying petition must have been collected within the preceding 180-day period; signatures which are dated more than 180 days prior to the date the petition is filed are invalid. (MCL 168.590b(3))

Candidates filing sufficient petitions will appear on the nonpartisan section of the November 6, 2020 general election ballot.

### **WRITE-IN CANDIDATES**

**FILING REQUIREMENTS FOR WRITE-IN CANDIDATES:** A candidate seeking the Office of Supreme Court Justice with write-in votes must file a Declaration of Intent with the Bureau no later than **4:00 pm. on October 23, 2020.** MCL 168.737a. It is also recommended that candidates seeking the office of Supreme Court Justice via write-in file the Affidavit of Constitutional Qualification with the Declaration of Intent.

The Declaration of Intent form is available on the Bureau's website: [Michigan.gov/Elections](https://Michigan.gov/Elections).

### **FILING OFFICIAL**

All filings for the above-named offices must be submitted to:

Michigan Department of State  
Bureau of Elections  
Richard H. Austin Building – 1<sup>st</sup> Floor  
430 West Allegan  
Lansing, Michigan 48918

Phone: (517) 335-3234  
Fax: (517) 335-3235  
Email: [Elections@Michigan.gov](mailto:Elections@Michigan.gov)

## ADDITIONAL INFORMATION

If you have questions regarding the information presented here, please contact this office. Answers to your questions will also be found in the Michigan election law, which may be viewed at [legislature.mi.gov](http://legislature.mi.gov).

Michigan Department of State  
Bureau of Elections  
PO Box 20126  
Lansing, Michigan 48901-0726  
Phone: (517) 335-3234 or (800) 292-5973  
Fax: (517) 335-3235  
Email: [Elections@Michigan.gov](mailto:Elections@Michigan.gov)  
Web: [Michigan.gov/Elections](http://Michigan.gov/Elections)

Michigan Department of State  
Bureau of Elections

AFFIDAVIT OF CANDIDACY  
(For use by Incumbent Supreme Court Justice only)

I, \_\_\_\_\_, declare that:

- I am an incumbent Supreme Court Justice and that I am domiciled in the State of Michigan;
- I am a candidate for the office of Supreme Court Justice at the general election to be held on November 3, 2020.
- I am licensed to practice law in the State of Michigan;
- I will have been admitted to the practice of law for at least five years as of January 1, 2021;  
and
- I will not have attained the age of 70 years by November 3, 2020.

\_\_\_\_\_  
Signature of Candidate

Subscribed and sworn to before me on the \_\_\_\_\_  
(Day)  
of \_\_\_\_\_  
(Month) \_\_\_\_\_  
(Year)

Name of Notary \_\_\_\_\_

Notary Public, State of Michigan, County of \_\_\_\_\_

My commission expires \_\_\_\_\_

Acting in the County of \_\_\_\_\_

\_\_\_\_\_  
Signature of notary public

Michigan Department of State  
Bureau of Elections

AFFIDAVIT OF CONSTITUTIONAL QUALIFICATION  
(For use by non-incumbent Supreme Court Justice only)

I, \_\_\_\_\_, declare that:  
my residence address is \_\_\_\_\_  
\_\_\_\_\_;

- I am a candidate for the office of Supreme Court Justice at the general election to be held on November 3, 2020 and I am domiciled in the State of Michigan;
- I am licensed to practice law in the State of Michigan;
- I will have been admitted to the practice of law for at least five years as of January 1, 2021; and
- I will not have attained the age of 70 years by November 3, 2020.

\_\_\_\_\_  
Signature of Candidate

Subscribed and sworn to before me on the \_\_\_\_\_  
(Day)  
of \_\_\_\_\_  
(Month) (Year)

Name of Notary \_\_\_\_\_

Notary Public, State of Michigan, County of \_\_\_\_\_

My commission expires \_\_\_\_\_

Acting in the County of \_\_\_\_\_

\_\_\_\_\_  
Signature of notary public