



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

May 26, 2020

REVIEW OF NOMINATING PETITION

George Lyons
 Candidate for Judge of the 12th District Court
 ___ Position

NUMBER OF VALID SIGNATURES REQUIRED: 300 signatures.¹

TOTAL FILING: 975 signatures.

RESULT OF FACE REVIEW: 0 valid signatures, 975 invalid signatures.

Total number of signatures filed	975
Improper heading (“Judge 12 th District, December 31, 2020”) <i>Less:</i>	975
TOTAL	0

IMPROPER HEADING: In 2020, 2 positions will be elected for the 12th District Court:² one Regular Term, Incumbent Position and one Regular Term, Non-Incumbent Position. When a combination of different categories of positions is available, candidates must indicate in the heading of each petition sheet the exact position being sought. MCL 168.467b provides,

- (2) Nominating petitions filed under this section are valid only if they clearly indicate for which of the following offices the candidate is filing, consistent with section 467c(4):³
- (a) An unspecified existing judgeship for which the incumbent judge is seeking election.
 - (b) An unspecified existing judgeship for which the incumbent judge is not seeking election.

¹ Pursuant to MCL 168.544f, candidates seeking this office must submit a minimum of 600 valid signatures to qualify for placement on the ballot. Mr. Lyons qualifies for a 50% reduction in the number of required signatures pursuant to the May 20, 2020 order of the federal District Court for the Eastern District of Michigan in *Esshaki v Whitmer*, https://www.michigan.gov/documents/sos/64_order_grnt_PI_mtn_intervene_691388_7.pdf.

² *Filing Requirements for Non-Incumbent Judicial Candidates*, https://www.michigan.gov/documents/sos/Web_Memo_January_31_2020_680045_7.pdf

³ MCL 168.467c(4) is inapplicable here, as it governs candidate qualification procedures when an incumbent judge dies or is disqualified.

(c) A new judgeship.

* * *

(4) In a primary and general election for 2 or more judgeships where more than 1 of the categories in subsection (2) could be selected, a candidate shall apply to the bureau of elections for a written statement of office designation to correspond to the judgeship sought by the candidate. **The office designation provided by the secretary of state must be included in the heading of all nominating petitions. Nominating petitions containing an improper office designation are invalid.**

The heading, "Judge, 12th District, December 31, 2020" is improper because it fails to apprise voters which of the two categories of positions to be elected to the 12th District Court Mr. Lyons is seeking.

George D. LYONS
(Name of Candidate)
Judge 12th DISTRICT December 31, 2020
(Title of Office / Term Expiration Date)
August, 20 20.

The heading of every petition sheet includes an improper office designation, resulting in a loss of 975 signatures.

CHALLENGE: None.

STAFF RECOMMENDATION: Determine petition insufficient.