

**BEFORE THE WILL COUNTY OFFICERS ELECTORAL BOARD FOR THE  
HEARING AND PASSING UPON OBJECTIONS TO THE NOMINATION PAPERS  
FOR CANDIDATES FOR THE OFFICE OF PARK COMMISSIONER FOR THE  
BOLINGBROOK PARK DISTRICT SITUATED IN THE VILLAGE OF  
BOLINGBROOK, WILL COUNTY, ILLINOIS**

JERRY L. HIX,	)	
Petitioner –Objector,	)	
	)	
v.	)	No. 19-1
	)	
DOROTHY J. ANDREWS,	)	
Respondent- Candidate.	)	

**DECISION AND ORDER**

*MMIT*  
The Will County Officers Electoral Board, Chairperson Lauren Staley Ferry, County Clerk of Will County ~~through her designee, Chief Deputy Judy Wiedmeyer~~, Illinois, Andrea Chasteen, Circuit Clerk of Will County, Illinois and James W. Glasgow, State’s Attorney of Will County, Illinois through his designee, Assistant State’s Attorney Mary Tatroe, reconvened on January 7, 2019 at 9:30 a.m. Objector Jerry L. Hix was personally present with counsel Gina Madden. The Candidate Dorothy J. Andrews was personally present with her counsel Phyllis Roman. The Board adopted hearing rules unanimously on January 2, 2019 which governed the hearing. The matter was called for hearing in open session.

The Board first considered a preliminary motion by the Objector’s counsel to disqualify the Giamanco Law Partners from the representing the Candidate in the Objection. The pleadings and arguments of the Parties were considered by the Board in ruling on the motion. The Board overruled the motion. The matter was called for hearing.

**THE OBJECTION**

The Objection alleges invalid voter signatures and moves to strike various signatures from the petition as being improper and invalid for reasons particular to that signature. Those signatures amounted to 84 possible signatures of a total of 366 signatures filed. A candidate for the Bolingbrook Park District Commissioner only needs 250 valid signatures to run in the election. Even if all objected to signatures were had the objection sustained, there would remain sufficient valid signatures to place the Candidate on the ballot. Therefore these objections were not considered by the Board.

The Objection also stated four (4) objections that were made to each of the 39 sheets of the signature pages. They are characterized as: A. Circulator did not sign Petition Sheet; B. Circulator’s signature is not genuine; C. Purported Circulator did not circulate sheet; and D. Circulator did not appear in person before the notary.

## THE HEARING

The Objector called as an expert witness in handwriting examination Warren Spencer who was allowed to testify over objection of the Candidate. The Handwriting Examiner testified that in his opinion none of the 39 sheets were signed by the same person as the person who signed Dorothy J. Andrews 1994 voter's registration card or the 2018 statement of economics interest statement signed by Dorothy J. Andrews. The Objector rested after the testimony of this witness.

The Candidate, Dorothy J. Andrews, testified that she circulated all 39 sheets and signed as circulator in front of a notary public as evidenced on the sheets. She identified her signatures. Notary Public Joseph Giamanco testified that the Candidate, Dorothy J. Andrews, signed all 39 sheets in his presence and he notarized them in her presence.

## APPLICABLE STATUTORY PROVISIONS

10 ILCS 5/10-4 requires that the petition contain a circulator's statement signed by the circulator and sworn to by the circulator. 70 ILCS 1205/2-11 requires candidates for park district commissioner to have signatures on their nominating petitions of not less than 2% of the number who voted at the last preceding election for commissioners in such district, but in no case less than 25 of such voters. For Bolingbrook Park District in the 2019 election that number is 250 signatures.

## FINDINGS

The Board finds that pursuant to the requirements of state statute, certified mail notices were sent by the Chairman of the Board to each of the Board members, the Candidate and the Objector within the time and in the manner required by statute giving notice of the time and place of the convening of the Board for January 2, 2019 at the Will County Courthouse for hearing upon the objection. Additionally, within the time required by law, notice of the call was placed for service with the Will County Sheriff for service upon each of the members of the Board, the Objector and the Candidate giving notice of the time and place of the convening of the Board for hearing upon the objection. The documents evidencing compliance with the notice requirements of the statute were filed with the Board. The Board hereby finds that it has been legally constituted according to the laws of the State of Illinois, has complied with the requirements of the Open Meetings Act and has jurisdiction over the parties and the subject matter. The matter was continued for hearing on all objections to January 7, 2019, wherein the hearing was held.

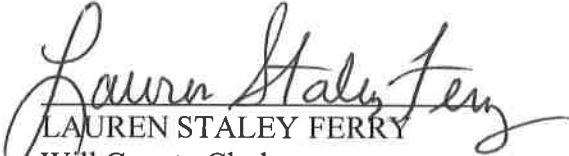
The Board further finds that:

- A. The objection that Circulator did not sign Petition Sheet is overruled unanimously.
- B. The objection that Circulator's signature is not genuine is overruled unanimously.
- C. The objection that Purported Circulator did not circulate sheet is overruled unanimously.
- D. The objection that Circulator did not appear in person before the notary is overruled unanimously.

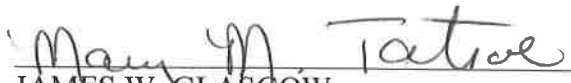
ORDER

The Board orders that the objection to the nominating papers of Dorothy J. Andrews is overruled. The County Clerk is ordered to print her name upon the ballot. The parties are informed that if they feel aggrieved by the decision of the Board they may seek judicial review of this decision by filing within 5 days of this decision a petition with the clerk of the circuit court along with a proof of service to all parties. The Board serves a written copy of this order in open session on both Parties.

APPROVED AND ADOPTED THIS 7<sup>th</sup> DAY OF JANUARY, 2019.

  
LAUREN STALEY FERRY  
Will County Clerk

  
ANDREA LYNN CHASTEEN  
Will County Circuit Clerk

  
JAMES W. GLASGOW  
Will County State's Attorney  
By Mary M. Talroe, Assistant State's Attorney