

STATE OF ILLINOIS                    )  
  ) SS.  
COUNTY OF SHELBY                 )

BEFORE THE DULY CONSTITUTED ELECTORAL BOARD FOR THE HEARING AND PASSING UPON  
OBJECTIONS TO THE CERTIFICATE OF NOMINATION BY CAUCUS,  
FORM #SBE NO. H-2 – STATUTE #10 ILCS 5/7-10.2  
FILED BY BRAD HALBROOK IN SHELBYVILLE TOWNSHIP, COUNTY OF SHELBY,  
IN THE STATE OF ILLINOIS

IN THE MATTER OF THE OBJECTION   )  
OF ROBIN ROBERTSON   )  
TO THE CERTIFICATE OF NOMINATION BY CAUCUS,                                 )  
FORM #SBE NO. H-2 – STATUTE #10 ILCS 5/7-10.2                                 )  
FILED BY BRAD HALBROOK IN SHELBYVILLE TOWNSHIP,                         )  
COUNTY OF SHELBY, STATE OF ILLINIOS, TO BE VOTED                         )  
ON AT THE APRIL 4, 2017 ELECTION   )

**MOTION TO DISQUALIFY ELECTORAL BOARD MEMBERS**

Now comes Brad Halbrook, and respectfully submits this Motion To Disqualify Electoral Board Members in relation to the objector's petition to the certificate of nomination filed by Brad Halbrook in Shelbyville Township, County of Shelby, in the State of Illinois, and states the following:

1. Objector Robin Robertson submitted an objector's petition to the certificate of nomination filed by Brad Halbrook in Shelbyville Township, County of Shelby, in the State of Illinois.
2. Section 10-9 of the Illinois Election Code [10 ILS 5/10-9] set forth members of electoral boards, disqualification of those members, and appointing substitutes for those disqualified.
3. Section 10-9(4) sets the township supervisor, township clerk and longest continuously serving township trustee as officers of the Township Electoral Board as such:

The township officers electoral board to pass upon objections to the nominations of township officers shall be composed of the township supervisor, the town clerk, and that eligible town trustee elected in the township who has had the longest term of continuous service as town trustee, of whom the township supervisor shall be the chairman.

4. Section 10-9 also describes what constitutes an electoral board member's "ineligibility to act" along with how to appoint substitute electoral board members:

In the event that any member of the appropriate board is a candidate for the office with relation to which the objector's petition is filed, he shall not be eligible to serve on that board and shall not act as a member of the board and his place shall be filled as follows:

c. In the township officers electoral board by the eligible elected town trustee who has had the second longest term of continuous service as a town trustee.

and:

In the event that the chairman of the electoral board is ineligible to act because of the fact that he or she is a candidate for the office with relation to which the objector's petition is filed, then the substitute chosen under the provisions of this Section shall be the chairman; In this case, the officer or board with whom the objector's petition is filed, shall transmit the certificate of nomination or nomination papers as the case may be, and the objector's petition to the substitute chairman of the electoral board.

When 2 or more eligible individuals, by reason of their terms of service on a city council or board of trustees, township board of trustees, or community college district board, qualify to serve on an electoral board, the one to serve shall be chosen by lot.

Any vacancies on an electoral board not otherwise filled pursuant to this Section shall be filled by public members appointed by the Chief Judge of the Circuit Court for the county wherein the electoral board hearing is being held upon notification to the Chief Judge of such vacancies. The Chief Judge shall be so notified by a member of the electoral board or the officer or board with whom the objector's petition was filed. In the event that none of the individuals designated by this Section to serve on the electoral board are eligible, the chairman of an electoral board shall be designated by the Chief Judge.

5. Objector's petition to Certificate of Nomination filed by Brad Halbrook lists every elected position in Shelbyville Township, including, but not limited to, that of the Township Supervisor and Township Trustees. As stated in paragraph 4 (above) *"if a member of the electoral board in a candidate for the office with relation to which the objector's petition is filed, he shall not be eligible to serve on that board..."*
6. Shelbyville Township Electoral Board's members, and all trustees, are in fact candidates for the offices with relation to the objector's petition – the Certificate of Nomination filed by Brad Halbrook, and therefore are not eligible to serve on this board to hear this objection.



**PRAYER FOR RELIEF**

WHEREFORE, Brad Halbrook prays this Honorable Electoral Board GRANT this Motion to Disqualify Electoral Board Members IN FAVOR OF BRAD HALBROOK and enter the following decisions and perform the following acts:

- a. That this Board disqualify themselves from hearing objector's petition to the certificate of nomination filed by Brad Halbrook in Shelbyville Township, County of Shelby, in the State of Illinois, and,
- b. That this Board disqualify all other township trustees, and,
- c. That this Board immediately notify the Chief Judge of the Circuit Court for Shelby County that no member, or potential substitute member, of the Shelbyville Township Electoral Board is eligible to serve, and,
- d. That the Board ask the Chief Judge of the Circuit Court for Shelby County to appoint public members to the Shelbyville Township Electoral Board and to also appoint the Chairman of the Shelbyville Township Electoral Board from among those appointed public members.

Brad Halbrook Date: 1/2/17

Brad Halbrook

P.O.Box 644

1968 E. 1150 North Rd.

Shelbyville, IL. 62565

Jody L. Askins  
1/2/17

