

STATE OF ILLINOIS)
) SS.
COUNTY OF SHELBY)

APPOINTMENT TO FILL VACANCY IN NOMINATION and associated STATEMENT OF CANDIDACY for Mr. Larry Syfert filed by the Republican Party on December 28, 2016

BEFORE THE DULY CONSTITUTED ELECTORAL BOARD FOR THE HEARING AND PASSING UPON OBJECTIONS TO THE NOTICE OF APPOINTMENT TO FILL A VACANCY IN NOMINATION, filed by Mr. Brad Halbrook and the associated STATEMENT OF CANDIDACY FOR MR. LARRY SYFERT on December 28, 2016

FORM #SBE NO. P-3A-1 and P-1K – STATUTE

FILED BY MATT FORCUM IN HOLLAND TOWNSHIP, COUNTY OF SHELBY,

IN THE STATE OF ILLINOIS

IN THE MATTER OF THE OBJECTION)
OF MATT FORCUM)
TO THE APPOINTMENT TO FILL A VACANCY IN)
NOMINATION and associated STATEMENT OF)
CANDIDACY FOR MR. LARRY SYFERT)
FILED BY MATT FORCUM IN HOLLAND TOWNSHIP,)
COUNTY OF SHELBY, STATE OF ILLINOIS, TO BE VOTED)
ON AT THE APRIL 4, 2017 ELECTION)

MOTION TO DISQUALIFY ELECTORAL BOARD MEMEBERS

Now comes Matt Forcum, and respectfully submits this Motion to Disqualify Electoral Board Members in relation to the objector’s petition to the NOTICE OF APPOINTMENT TO FILL A VACANCY IN NOMINATION and associated STATEMENT OF CANDIDACY FOR MR. LARRY SYFERT, filed by Matt Forcum in Holland Township, County of Shelby, in the State of Illinois, and stresses the following:

1. Objector Matt Forcum submitted an objector’s petition to the APPOINTMENT TO FILL VACANCY IN NOMINATION and associated STATEMENT OF CANDIDACY FOR MR. LARRY SYFERT filed by Matt Forcum in Holland Township, County of Shelby, in the State of Illinois.
2. Section 10-9 of the Illinois Election Code [10 ILCS 5/10-9] sets forth members of electoral boards, disqualification of those members, and appointing substitutes for those members.
3. Section 10-9(4) sets the township supervisor, township clerk, and longest serving trustee 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 and 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

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which the objector's petition is filed, he shall not be eligible to serve on the 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 at 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. As stated above, *"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 the board..."*

6. Holland Township Electoral Board's members, and all trustees, save Mr. Pat Yakey, are in fact candidates for offices with relation to the objector's petition, and therefore are not eligible to serve on this board and hear this petition.

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PRAYER FOR RELIEF

WHEREFORE, Matt Forcum prays this Honorable Electoral Board GRANT this Motion to Disqualify Electoral Board Members IN FAVOR OF MATT FORCUM and enter the following decisions and perform the following acts:

- a. That any member of this board ineligible to serve on the basis that they are seeking election to an office with relation to the office of the candidacy to which has been objected by the filing of objection by Matt Forcum in Holland Township, Shelby County, Illinois disqualify themselves from hearing the Objector's petition, and,
- b. That the Board disqualify any other candidates similarly situated which may, pursuant to the Illinois Election Code assume a position on this Board as a result of vacancy or disqualification, and,
- c. That this Board immediately notify the Chief Judge of the Circuit Court for Shelby County that the number of members, or potential substitute members, which are ineligible to serve on the Holland Township Electoral Board is insufficient to compose such Board, 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, if needed, to also appoint a Chairman of the Holland Township Electoral Board from among those appointed members.

_____ Date: _____

Matt Forcum
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