NON PARTISAN - CANDIDATE FILING FORM

Purpose: This form may be used to file for all offices where candidates are not officially identified by their party.

Instructions: Please complete the form in its entirety, by printing the information requested in the spaces provided. Incomplete forms could delay the effective date of your filing. Be sure the form is legible. Do not sign the form until you are in front of a notary public. If you have any questions, contact your local Election Commissioner, County Clerk or Election Division Staff at the Secretary of State's Office.

Filing Deadlines: FEBRUARY 15 - INCUMBENT
MARCH 1 – NON INCUMBENT*

*Pursuant to Nebraska State Statute 32-111, an incumbent is defined as a "person whom the canvassers or the courts declare elected to an elective office or who has been appointed to an elective office." Please note that the incumbent deadline applies also to a candidate who files for an office other than the current elected office.

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I, _____ am a registered voter in _____ County; registered to vote
(Registered voter's name)

and residing at _____ _____ _____ _____,
(Street address) (City) (State) (Zip)

whose mailing address is: _____ and phone

number to contact me is: _____ or _____, declare that I am a

candidate for the office of _____ District _____ for a term of _____years

and request that my name _____ be placed on
(Print name as it is to appear on the ballot. - See reverse side for information.)

the official ballot for the election to be held the 11th day of May, 2010.

_____ _____
(Candidate's business phone) (Candidate's business address)

To assist with proper pronunciation of your first and/or last name on the ballot, please provide the phonetic spelling and / or a rhymes with word. ***[Examples**: Sue Jahn = Sue Hahn (rhymes with fawn)* ***or*** *William Mishaud = mee-SHO ('d' is silent)* ***or*** *Tanya Monte = TAWN –yuh (not TAN) mahn TEA* ***]*** _____

State of Nebraska)
)ss
County of _____)

I HEREBY SWEAR THAT I WILL ABIDE BY THE LAWS OF THE STATE OF NEBRASKA REGARDING THE RESULTS OF THE PRIMARY AND GENERAL ELECTIONS, THAT I AM A REGISTERED VOTER AND QUALIFIED TO BE ELECTED, AND THAT I WILL SERVE IF ELECTED.

IN WITNESS WHEREOF, I have hereunto subscribed my name this _____ day of _____, _____.
(Day) (Month) (Year)

_____
Signature of Candidate

Subscribed in my presence and sworn to before me this _____ day of _____, _____.
(Day) (Month) (Year)

(SEAL) _____ _____
Officer Administering Oath **Title**

Revised 2009 per LB501

Answers taken from AGO 10001 (2010-01-05)

Names

1. May a candidate have her name printed on the ballot as "Mrs. John _____"?

   It is our opinion that "Mrs. _____" is "in apparent conformity" as a name and will be valid unless objection is properly made as provided by statute.

2. May a candidate have his or her name printed on the ballot as "Dr. J. W. _____"?

   "Dr." is an example of what we feel is too clearly a title to become a question of fact as to whether it is part of a name. A title may be part of the full description by which a person is known in the community, and yet never become part of the name. Our conclusion in this regard may be said to apply to such titles as Colonel, Professor, or similar others. It is our conclusion that the above designations are not "in apparent conformity" as names, and the Secretary of State, County Clerk or Election Commissioner shall refuse to certify them, even though objection is not made.

3. May a candidate have his or her name printed on the ballot as "John G. 'Jack' _____"?

   This type of filing is an obvious attempt to add to the person's name an additional identification, not a part of the name. Once again, there may be a question of fact arise where the candidate expresses the desire to be listed upon the ballot as "Jack _____." The determinative factor, again, is whether that is the name by which he calls himself, and is generally known in the community. "John G. 'Jack' _____" is not in "apparent conformity" as a name, and the Secretary of State, County Clerk or Election Commissioner shall refuse to certify it, even though no objection is made. "Jack _____" raises a question of fact, and the Secretary of State, County Clerk or Election Commissioner may not refuse to certify it, in the absence of properly made objections."

4. May a candidate with a hyphenated last name use only a portion of the last name on the ballot?

   It is our opinion that the name which should be placed on the candidate filing form and on the ballot for a particular candidate is the name ordinarily used for the person, by which he or she is known in the community, and by which he or she is distinguished from others. A hyphenated name or portions thereof may be used on the candidate filing form and on the ballot. If a person with a hyphenated last name is known in the community by only a portion of his or her last name, then it is permissible to place that name on the ballot.

5. May a candidate who usually uses her husband's last name, use her maiden name on the filing form and on the ballot?

   Again, the correct name for a candidate is the name by which he or she is known in the community, and by which he or she is distinguished from others. As a result, a married woman may use her maiden name, her own Christian name and her husband's surname, a hyphenated name or portions thereof.

Qualifications

(1) Any person seeking an elective office shall be a registered voter at the time of filing for the office pursuant to section 32-606 or 32-611.

(2) Any person filing for office shall meet the constitutional and statutory requirements of the office for which he or she is filing. If a person is filing for a partisan office, he or she shall be a registered voter affiliated with the appropriate political party if required pursuant to section 32-702. If the person is required to sign a contract or comply with a bonding requirement prior to holding such office, he or she shall be at least nineteen years of age at the time of filing for the office.

(3) The governing body of the political subdivisions swearing in the officer shall determine whether the person meets all requirements prior to swearing in the officer.

32-602 R.S. Supp. 1994