

Kings County
RULES FOR SPECIAL ELECTION PART

Orders to Show Cause in Election Law proceedings to validate or invalidate Designating Petitions for the June 28, 2022 Primary Election, required to be commenced on or before Thursday April 21, 2022, shall be returnable remotely via Microsoft Teams before Justice Peter P. Sweeney on Monday April 25, 2022 at 10:00 A.M.

All pleadings, specifications of objections, offers of proof, and any Answers, shall be filed no later than the time of the April 25th calendar call. Failure to file same shall be deemed a waiver and further proof shall be precluded. Proofs of service shall also be filed no later than the time of the April 25th calendar call. Specifications of objections to a Designating Petition previously filed and served, in accordance with the Rules of the Board of Elections in the City of New York (the Board), need not be filed with the court.

In any proceeding by an aggrieved candidate or party chairperson to invalidate a Designating Petition where specifications of objections have not been filed with the Board, a bill of particulars as to specifications of objections shall be filed with the Court no later than the time of the April 25th calendar call. Failure to file such specifications of objections shall be deemed a waiver and further proof shall be precluded.

In matters alleging a question of residency of a candidate, a complete written offer of proof shall be filed with the Court no later than the time of the April 25th calendar call. Failure to serve and file same shall be deemed a waiver and further proof shall be precluded.

In matters alleging questions of fraud, a complete written offer of proof including a statement as to the number of witnesses expected to be called, the identification of each such witness (by name, address, volume, page and line) and the status of each such witness (i.e., candidate, signatory, subscribing witness, notary public, etc. . . .), shall be filed with the Court no later than the time of the April 25th calendar call. Failure to serve and file such offer of proof shall be deemed a waiver and further proof shall be precluded.

Orders to Show Cause in proceedings to validate Designating Petitions commenced within three business days of a determination of invalidity by the Board shall be returnable remotely at a date and time which will be indicated on the signed Order to Show Cause. In accord with *Matter of Lacorte v Cytryn* (21 NY3d 1022 [2013]), all such petitions must be sufficiently particularized to give notice of which determinations are claimed to be erroneous or which signatures were improperly invalidated by the Board.