HANDBOOK ON THE PROCEDURES FOR RECALLING LOCAL OFFICIALS

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THE HANDBOOK FOR RECALLING LOCAL OFFICIALS IS INTENDED TO PROVIDE GENERAL INFORMATION, AND DOES NOT HAVE THE FORCE AND EFFECT OF LAW, REGULATION OR RULE. IT IS DISTRIBUTED WITH THE UNDERSTANDING THAT THE REGISTRAR OF VOTERS OF THE COUNTY OF LASSEN IS NOT RENDERING LEGAL ADVICE AND, THEREFORE, THE HANDBOOK IS NOT TO BE A SUBSTITUTE FOR LEGAL COUNSEL FOR THE INDIVIDUAL OR ORGANIZATION USING IT. IT IS THE RESPONSIBILITY OF THE PROPONENTS OF A RECALL EFFORT TO OBTAIN THE MOST UP-TO-DATE INFORMATION AVAILABLE, REFLECTING CHANGES IN LAWS OR PROCEDURE SUBSEQUENT TO THE PUBLICATION OF THIS GUIDE.

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WHAT IS A RECALL?

A recall is the power of the voters, provided in the State Constitution, to remove elected officials from office before their terms expire. It's been a fundamental part of our governmental system since 1911, and has been used by voters to express their dissatisfaction with their elected officials.

WHOM DO I CONTACT FOR INFORMATION ON RECALLING LOCAL ELECTED OFFICIALS?

The Registrar of Voters is the elections official in the case of the recall of local elected officers of:

- the County
- a School District
- the County Board of Education
- a Community College District
- a Special District (resident voting district)
- Judges of Superior Court

The City Clerk is the elections official in the case of the recall of elective officers of a city. Contact the City Clerk of the appropriate city for the recall of its elective officers.
Elec. Code §§11002, 11004*

WHO CAN BE RECALLED?

Any elective officer, including a person who has been appointed in lieu of an election or to fill a vacancy, can be recalled. **Elec. Code §11006**

A separate petition is necessary to propose the recall of each officer.
Elec. Code §11044

WHO CANNOT BE RECALLED?

Recalls may not be started against an officer of a city, county, special district, school district, community college district, or county board of education if:

(a) the officer has not held office during the current term for more than 90 days;

(b) a recall election has been determined in the officer's favor within the last six months;

(c) the officer's term ends within six months or less.

However, these limitations do not apply to an officer appointed in lieu of an election pursuant to §10229(a)(2). **Elec. Code §11007**

***All section references are to the Elections Code unless stated otherwise. Gov't references the California Government Code.**

WHO CAN INITIATE A RECALL?

The proponents are those individuals who initiate recall proceedings and have control over the circulation of and obtaining petition signatures. They **MUST** be registered voters, eligible to vote on the officer they seek to recall. **Elec. Code §11005**

HOW LONG WILL THE PROCESS TAKE?

- The clock starts ticking when the Notice of Intention is served.
- To give you an idea of how long the process will take, an example of a timeline has been prepared. (See Exhibit B, page 18 of the handbook.)
- **This sample timeline is an example, and does not represent an exact timeline for your particular recall process**. It is provided to give you a general idea of the length of the process.

PHASE 1 -- GETTING STARTED

STEP 1...BE PREPARED!

- The Registrar of Voters (ROV) can provide you with helpful information to assist you in understanding the steps necessary to initiate, circulate, and file recall petitions.

- Become familiar with the process by reading this Recall Handbook, Elections Code Sections 11000 through 11386, and calling the ROV if you have specific questions.

All parties involved in a recall are advised to seek legal counsel. It is incumbent upon recall proponents to follow the petition process as directed in the Elections Code.

STEP 2...NOTICE OF INTENTION

- You begin the recall process by serving, filing and publishing a Notice of Intention to circulate a recall petition. This is a statement of why you want to recall the elected official. Exhibit E, page 21 of this handbook, is an example of the Notice of Intention. It must include the name and title of the officer to be recalled, cannot exceed 200 words, and must have the names, residence addresses, and signatures of at least 10 proponents, or equal to the number of signatures required to have been filed on the nomination paper of the officer sought to be recalled, whichever is higher. Be certain to review Elections Code Section 11020 for more information regarding the form of the Notice of Intention. **Elec. Code §§11006, 11020**

STEP 3...SERVING THE OFFICER BEING RECALLED

- You must serve a copy of the Notice of Intention by personal delivery or by certified mail on the officer you want to be recalled. (See Exhibits C and D, pages 19-20 of this handbook.) **Elec. Code §11021**

- Within seven days of serving the officer sought to be recalled, you are required to file the original Notice of Intention along with a copy of the proof of service (See Exhibits C and D, pages 19-20 of this handbook) with the ROV. . **Elec. Code §11021**

- At the time you file the Notice of Intention, the ROV will verify the word count and that the proponents are registered voters within the district.

- A separate Notice of Intention must be filed for each officer sought to be recalled. **Elec. Code §11021**

STEP 4…RECALLEE ANSWERS THE NOTICE OF INTENTION

- Within seven days after the Notice of Intention has been filed, the officer sought to be recalled can file an answer (a statement on why he/she **should not be recalled**) with the ROV. The statement must not be more than 200 words. The officer must serve a copy of any filed answer by personal delivery or by certified mail on at least one of the proponents named in the Notice of Intention.
  Elec. Code §11023

- The answer shall be signed and shall be accompanied by the printed name, signature, and business or residence address of the officer sought to be recalled. **Elec. Code §11023(c)**

STEP 5…PUBLISHING THE NOTICE OF INTENTION AND FILING THE RECALL PETITION

- A copy of the notice, except the provisions required by subdivision (d) of Section 11020, shall be published at the proponents' expense at least once in a newspaper of general circulation. The publication need not include the answer of the Notice of Intention from the officer sought to be recalled.
  Gov't §6000, et seq., Elec. Code §11022

- If such publication is not possible, the notice shall be posted in at least three public places within the jurisdiction of the officer sought to be recalled. Posting is allowed only if there is no newspaper of general circulation able to provide timely publication in the jurisdiction of the officer whose recall is being sought.
  Gov't §6000, et seq., Elec. Code §11022

- The proponents must file proof of publication or an affidavit of posting the Notice of Intention at the same time that they file two blank copies of the petition with the appropriate elections official. Proof of publication can be obtained from the newspaper publisher after the Notice of Intention appears in print. **Elec. Code §11042**

PHASE 2 – THE PETITION

YOU'RE MAKING PROGRESS!

STEP 1…FORMATTING THE PETITION

STOP

The recall petition format provided by the Secretary of State is mandatory and must be used. A copy of the required format is available from the ROV or from the office of the Secretary of State. See Exhibit F, page 22, in this handbook.

Elec. Code §§11041, 11043.5

- A margin at least one inch wide shall be left blank across the top of each page and a margin at least one-half inch wide shall be left blank along the bottom of each page. A space at least one inch wide, shall be left blank after each name for the use of the ROV in verifying the petition. **Elec. Code § 11043**
- Each side of a sheet of paper on which signatures appear must include in no less than 8-point type:

  A request that an election be called to elect a successor to the officer.

  A copy of the Notice of Intention, including the statement of reasons for recall and the names (no addresses) of at least ten proponents appearing on the Notice of Intention **(NOTE: The minimum number of proponents is ten, or equal to the number of signatures required to have been filed on the nomination paper of the officer sought to be recalled, whichever is higher); EC§ 11020**

  The answer if any, of the officer sought to be recalled. If the officer has not answered, the petition must state so. **Elec. Code §11041**

  All petitions sections must be printed in uniform size and darkness with uniform spacing. **Elec. Code §11041**

<u>Tips on Recall Petition Format</u>

- ☐ The petition can accompany any amount of signatures.
- ☐ The petition can be printed on 8 ½" x 11" or 8 ½" x 14" or larger.
- ☐ The petition can be doubled-sided.
- ☐ The petition can be printed on color paper; however, neon colors are not recommended.

STEP 2...SIGNATURE SPACE

STOP Each signer must personally place his or her own information on the petition (unless prevented by disability, etc. to do so), and must personally sign it.

Elec. Code §100.5

The petition must be designed so that each signer can personally affix his or her:

(a) printed name;

(b) signature;

(c) residence address, giving street and number, or if not street or number exists, adequate designation of residence so that the location may be readily determined; and

(d) name of incorporated city or unincorporated community in which he/she resides. **Elec. Code §11043**

- Pursuant to the California Supreme Court's decision in Assembly v. Deukmejian, 30 Cal.3d 638, 180 Cal.Rptr. 297(1982), the petition form must direct signers to include their "residence address" rather than "address as registered" or other address. Non-complying petition forms will be rejected as invalid.
- Signature spaces must be consecutively numbered commencing with the number one for each petition section.
- A space of at least one inch wide must be left blank at the right margin of the page after each name and address for the use of the ROV in verifying the petition. **Elec. Code §11043**

STEP 3...DECLARATION OF CIRCULATOR

- Each section of the petition must have attached to it a declaration signed by the circulator (person soliciting signatures) of that section of the petition, setting forth **in the circulator's own hand**, all of the following**:**

  (a) the printed name of the circulator;

  (b) the residence address of the circulator, giving street and number, if no street exists, adequate designation of residence so that the location may be readily determined;

  (c) the dates between which all signatures to the petition were obtained.

- The declaration must also include:

  (d) that the circulator circulated that section and witness the appended signatures being written;

  (e) that according to the best information and belief of the circulator, each signature is the genuine signature of the person whose name it purports to be;

  (f) that the circulator is 18 years of age or older;

  (g) that the circulator certifies to the content of the declaration as to its truth and correctness, under penalty of perjury. The circulator shall state the date and the place of execution on the declaration along with his or her signature.

The circulator must personally affix his or her printed name and residence address and the specific dates of circulation of each petition section in every circulator's affidavit. Preprinted dates, or generalized dates other than the particular range of dates on which the petition section was circulated, are not authorized.

Elec. Code §§104,11046

STEP 4...APPROVAL OF FORM BY THE ROV

- Proponents must file two blank copies of the proposed petition with the ROV within ten days after the filing of the answer to the Notice of Intention, or, if no answer is filed, within ten days after the expiration of the seven-day period for filing the answer. **EC§ 11042(a)**
- The proponents must file proof of publication or an affidavit of posting the Notice of Intention at the same time that they file the two blank copies of the petition mentioned above. **EC§ 11042(b)**

The submitted blank copies of the petition will be carefully reviewed for uniformity and correctness. It will be compared to the Notice of Intention and the Answer to the Notice of Intention to ensure accuracy in text, punctuation, capitalization, spelling, format, etc. DO NOT omit any words, change the case size, or remove any underlining or bullets. In addition, the recall petition must adhere to Elections Code section 11043.

- The ROV shall, within 10 days of receiving the blank copies of the petition, notify the proponents in writing of his or her finding. **Elec. Code §11042**
- If the ROV finds that the requirements of this chapter are not met, the ROV shall include in his or her findings a statement as to what alterations in the petition are necessary. **Elec. Code §11042**
- You can either pick up the recall petition or it can be mailed (certified delivery). You have ten days to make the required changes. The ten-day period begins when you receive the recall petition. **Elec. Code §11042**
- You must file another two blank copies of the corrected petition with the ROV within ten days after receiving notification. This process continues (ten days for the proponents and ten days for the ROV) until the recall petition adheres to statute. **Elec. Code §11042**
- When the recall petition has adhered to statute, you will be notified the last day to submit the recall petitions and how many signatures are required for a recall election. Once the recall petition adheres to statute, you can start collecting signatures.

No signatures may be obtained on the recall petition until the form of the petition has been approved by the ROV. Elec. Code §11042

PHASE 3 – CIRCULATION OF THE PETITION

YOU'RE ALMOST READY!

There are two important pieces of information you need to know before circulating the recall petition:

How many signatures are required to qualify a particular recall?

How many days you have to get the job done?

Number of signatures needed to qualify a particular recall:

- If an officer of a county, school district, county board of education, or resident voting district (special district) is sought to be recalled, the number of signatures must be equal in number to not less than the following percent of registered voters in the electoral jurisdiction:

  (a) Thirty percent if the registration is less than 1,000.
  (b) Twenty-five percent if the registration is less than 10,000 but at least 1,000.
  (c) Twenty percent if the registration is less than 50,000 but at least 10,000.
  (d) Fifteen percent if the registration is less than 100,000 but at least 50,000.
  (e) Ten percent if the registration is 100,000 or above.

  Elec. Code §11221

- If a judge of a superior court is sought to be recalled, the number of valid signatures must be equal in number to at least the twenty percent (20%) of the last vote for the office. If the office has not appeared on the ballot since its creation or did not appear at its last regularly scheduled date, the number of signatures must be equal in number to at least twenty percent (20%) of the votes cast within the jurisdiction for the "countywide office" which had the least number of votes in the most recent general election in the county in which the judge holds his or her office. **Ca. Const., Article 2, Section 14, Elec. Code §11221**

- If an officer of a landowner voting district is sought to be recalled, signatures of voters owning at least ten percent (10%) of the assessed value of land within the electoral jurisdiction of the officer sought to be recalled is required. **Elec. Code §11221**

- **The number of registered voters is calculated as of the time of the last report of registration by the ROV to the Secretary of State prior to the finding by the ROV that no alterations are required in the form of the recall petitions**. Ask the ROV for a copy of that report. **Elec. Code §2187**

Deadline to File the Petition:

- You, the proponent, must submit to the ROV, during normal business hours as posted, a petition with the requisite number of signatures within:

  40 days if the electoral jurisdiction has less than 1,000 registered voters.

  60 days if the electoral jurisdiction has less than 5,000 registered voters but at least 1,000.

  90 days if the electoral jurisdiction has less than 10,000 registered voters but at least 5,000.

  120 days if the electoral jurisdiction has less than 50,000 registered voters but at least 10,000.

  160 days if the electoral jurisdiction has 50,000 registered voters or more.

  Elec. Code §11220

- **The number of registered voters is calculated as of the time of the last report of registration by the ROV to the Secretary of State made prior to approval of the petition format by the ROV. Elec. Code §11220**

- Be sure to ask the ROV for a copy of the last report of registration filed with the Secretary of State or visit our website at www.ocvote.com.

NOW YOU'RE READY TO CIRCULATE THE PETITION

WHO CAN CIRCULATE THE PETITION?

- The recall petition can be circulated **only by a person who is 18 years of age or older**.

  Elec. Code §§ 102, 11045

WHO CAN SIGN THE PETITION?

- The recall petition **can only be signed by registered voters** who are qualified to vote for the officer sought to be recalled. **Elec. Code §§322, 11045**

- If a local jurisdiction includes portions of more than one county, each section of the petition must include the name of the county in which it is circulated, and only registered voters of the county may sign that petition section.

  Elec. Code §11047

CAN SIGNATURES BE WITHDRAWN?

- Any voter may withdraw his or her signature from the recall petition upon filing a written request with the appropriate elections official prior to the day the petition section on which the signature appears is filed.

Elec. Code §§103, 11303

IMPORTANT TIPS ON SIGNATURE GATHERING

- **The signers of a recall petition must sign the petition in their own handwriting. They must personally fill-in their name, address, and signature.**
- The ROV recommends obtaining an **additional 50%** of signatures above the amount that is required to compensate for signers who are disqualified for not being registered, being registered but not living in the district, or for other reasons.
- **You can register a voter the same time they sign the recall petition. The registration must be received by the ROV by the time the petition is filed with the ROV.**
- Make sure the voter is registered and lives in the district. Resources can be purchased from the ROV to assist in this process, including precinct maps (contact Map Unit at 714-567-7586); indexes – printed lists of registered voters by precinct, listed by address with the street names arranged alphabetically and street numbers in numerical order for a given street name. – (contact 714-567-7615); and, registration forms (contact 714-567-7569).
- **The signature on the recall petition does not have to be a "rubber stamp", exactly matching the voter's registration**.

PHASE 4 – FILING THE PETITION

STEP 1…NUMBER OF SECTIONS AND PAGES

- Petitions to recall local officers may consist of any number of separate sections (pages). **The sections (pages) need to be exactly the same except for the signatures and information required to be affixed by signers and circulators.** **Elec. Code §11040**
- The number of signatures attached to each section is left up to the discretion of the person soliciting the signatures. Each section may consist of any number of separate pages. Each side of a sheet of paper on which any signature may appear is a page. **Elec. Code §11040**

STEP 2…MEETING THE DEADLINE

- Submit your petitions to the ROV by the deadline discussed on page 10.
- The petitions must be filed during normal business hours.
- The petition must be filed by a proponent or an individual who has been authorized by a proponent, in writing, to file the petition. A copy of the authorization must be included with the filing.
- All sections of the petition circulated in a single county must be filed at the same time. Each section of the petition must be filed with the elections official in the jurisdiction for which it was circulated.

Elec. Code §11222

STEP 3…EXAMINATION BY THE ROV

- The ROV will ask the filer to provide the number of sections (pages in a single petition) and number of signatures. The ROV recommends that the petitions be separated in stacks reflecting the amount of signers on each petition.
- This assists the ROV to determine whether the number of signatures, on its face, is equal to or is in excess of the minimum number of signatures required. If so, the ROV shall accept the petition for filing.
- The petition shall be deemed as filed on that date. Any petition not so filed must be returned to the proponents and is void for all purposes. **Elec. Code §11222**
- The ROV will provide the proponents the last day that the ROV has to verify the signatures (30 days, excluding Saturdays, Sundays, and holidays).

PHASE 5 – VERIFICATION OF SIGNATURES

There are two types of signature verification techniques: 100% or random sampling.

100% Verification of Signatures:

- The ROV must verify every signature submitted if less than 500 signatures are submitted.

- If more than 500 signatures are submitted, then the ROV may choose to use a random sampling signature verification. The random sampling shall include an examination of at least 500 or 5% of the signatures submitted, whichever is greater.

- If the random sampling technique is not used, the elections official has 30 days, excluding Saturdays, Sundays, and holidays, from the date of filing of the petition to determine whether the petition is signed by the required number of voters, certify the results of the examination, and notify the proponents.

Elec. Code §11224

Random Sampling Verification of Signatures:

- If the random sampling technique is used, the ROV must complete the examination of the sample of signatures within 30 days, excluding Saturdays, Sundays, and holidays, of the filing of the petition. If, for example, 87% of the sample signatures are found to be valid, then 87% of the entire number of signatures is deemed to be valid.

Formula for Random Sampling

V = Number of Valid Signatures
A = Value of Each Signature
B = Extra Value of Each Duplicate Signature
C = B x The Number of Duplicates
For Example below: Raw Count: 25,000; Sample (5%): 1,250; Sufficient in Sample: 900; Number of Duplicates: 1

1. **CALCULATE**

   Raw Count (25,000) x Sufficient in Sample (900) = V (18,000)
   Sample (1,250 [5%] or 500, whichever is greater)

2. **DIVIDE**

   Raw Count (25,000) = A (20)
   Sample (1,250)

3. **MULTIPLY**

   A (20) x (A – 1) (19) = B (380)

4. **MULTIPLY**

   B (380) x (Number of duplicates) (1) = C (380)

5. **SUBTRACT**

   V (18,000) – C (380) = Corrected Valid (17,620)

After the random sampling is completed, can a 100% verification be done?

- Yes. If the random sampling shows that the number of valid signatures is within 90% to 110% of the number of signatures needed, the ROV must examine and verify each signature filed. **Elec. Code §11225**

- If the result of this complete examination shows that the petition has the required number of signatures, the ROV must certify the results of the examination to the governing body at its next regular meeting.

- If the number of valid signatures is less than the required number, the ROV shall certify the petition to be insufficient.

- No additional time is allowed for the 100% signature verification after the random sampling has been conducted. The 30 days, excluding Saturdays, Sundays, and holidays, from the date of the filing of the petition is the timeframe to complete the signature verification process.

What happens if the random sampling determines that the number of valid signatures is less than 90% of the number of signatures needed?

- The ROV shall certify the petition to be insufficient. **Elec. Code §11225**

- If the petition is found insufficient, no action shall be taken on the petition.

- However, the failure to secure sufficient signatures shall not preclude the later filing of an entirely new petition to the same effect. **Elec. Code §§11225, 11300**

What happens if the random sampling determines that the number of valid signatures is over 110% of the number of signatures needed?

- The petition is considered qualified without further verification, and the ROV must certify the results of the examination to the governing board at its next regular meeting. **Elec. Code §11225**

PHASE 6 – CERTIFICATION

- If the petition is found to have sufficient signatures, the ROV will certify the results by preparing a certificate. The proponents will be notified of this result. **Elec. Code §§11224, 11225**

- If the petition was circulated in more than one county, the elections official of each county shall affix, with the certificate showing the results of his/her examination, the number of registered voters of the county residing within the electoral jurisdiction of the officer sought to be recalled. **Elec. Code §11223**

- If there are sufficient signatures, an election will be held.

- If the petition is found to have insufficient signatures, the ROV will certify the results by preparing a certificate and notifying the proponents of this result. No further action will be taken; but, the petition shall remain on file. **Elec. Code §11226**

Who May Examine a Petition?

If a petition is found to be **sufficient** by the ROV, no one may examine the petition. **Gov't §6253.5**

If a petition is found to be **insufficient** by the ROV, the proponents whose names are listed on the Notice of Intention must be allowed to examine the petition signatures in order to ascertain which signatures were disqualified and the reasons therefore. **Gov't §6253.5, Elec. Code §11301**

NOTE: THIS RIGHT OF EXAMINATION IS NOT OTHERWISE AVAILABLE TO PROPONENTS OR TO THE PUBLIC IN GENERAL.

If the proponents examine the petition signatures, such examination shall begin **no later than 21 days** after certification of insufficiency. **Gov't §6253.5**

The elections official shall preserve in his or her office all recall petitions filed for eight months after the results of the election for which the petition is qualified, or if no election is held, eight months after the elections official's final examination of the petition. **Elec. Code §17400**

PHASE 7 – RECALL ELECTION

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- The certificate of sufficiency shall be submitted to the governing body at its next regular meeting. Within 14 days after that meeting, the governing body must issue an order stating that an election will be held to determine whether or not the officer named in the petition shall be recalled. **Elec. Code§§ 11227, 11240**

- The election shall be held **not less than 88 nor more than 125 days** after the issuance of the order, and if a regular or special election is to be held throughout the electoral jurisdiction of the officer sought to be recalled within such time period, the recall election shall be held on the same day and consolidated with the regular or special election. **Elec. Code §11242**

- Nomination papers and the Declaration of Candidacy must be filed not less than 75 days prior to the date of the election and not before the day the order of the election is issued. **Elec. Code §11381**

- At the election, voters will decide whether or not to recall the officer and, if there is a candidate, will also choose a successor if the recall is successful.

- Generally, at every recall election the following question shall be asked:

  Shall (name) be recalled (removed) from the office of _____?
  Elec. Code §11320

- An officer whose recall is being sought may file a statement with the elections official to be sent to each voter together with the sample ballot.
  Elec. Code §11327

- If the majority vote on the question is to recall, the officer is removed and, if there is a candidate, the candidate who receives the highest number of votes is the successor to the unexpired term of the recalled officer. The officer may not be a candidate to succeed himself/herself at the recall election.
  Cal.Const., Art. II, Sec. 15, Elec. Code §§11381(c), 11384, 11385

Proponents of recalls, officers subject to recall, and candidates may have disclosure requirements under the Political Reform Act. (Gov't Code Section 81000 et seq.)

Questions should be directed to the Fair Political Practices Commission, 428 "J" St., #450, Sacramento, CA 95814; (916) 322-5660.

EXHIBIT A

GLOSSARY OF TERMS

CIRCULATOR	A paid or volunteer person, who is a registered voter in the jurisdiction and who is qualified to vote for the officer sought to be recalled.
ELECTIONS OFFICIAL	The Registrar of Voters is the elections official for County, school district, county board of education, community college district, special district (resident voting district) and judges of the Superior Court.
ELECTORAL JURISDICTION	The area where the voters reside who are qualified to vote for the office of the officer sought to be recalled.
GOVERNING BOARD	A board of supervisors of a county, the board of trustees of a school district or community college district, or the legislative body of a special district, as the context requires.
NOTICE OF INTENTION	Statement of why a proponent wants to recall an elected official.
PROPONENT	Individual(s) who initiates the recall proceedings and has control of the circulation and signature collection for the recall petition.
RANDOM SAMPLE OF SIGNATURES	Signatures selected at random using a computerized random numbers generator. The sample of signatures for verification is selected in such a manner that every signature filed with the Registrar of Voters has an equal opportunity to be included in the sample.
RAW COUNT	The total number of unverified signatures affixed to a petition and submitted to an elections official.
SECTION OF A PETITION	Page of a petition.
SIGNATURE VERIFICATION	The process of comparing a person's signature on a petition with the signature on file with the voter registration records to determine if they match. The signer must be a duly registered voter qualified to sign the petition in order for the signature to be counted as valid. The address on the petition must match the registered address.

EXHIBIT B

RECALL PROCESS TIMELINE

This sample timeline is an example, but does not represent an exact timeline for your particular recall process. It is provided to give you a general idea of the length of the process.

The clock starts ticking when the Notice of Intention is served on the officer to be recalled.

	Notice of Intention served.
within 7 days	File original of Notice of Intention, along with an affidavit of time and manner of service, with ROV within 7 days of Notice of Intention being served.
within 7 days	Officer sought to be removed may file with ROV an answer within 7 days of Notice of Intention being filed. The officer also must, within 7 days of the filing of Notice of Intention, serve a copy of answer on one of the proponents named in notice.
within 10 days	After the filing of answer to Notice of Intention, or if no answer is filed, within 10 days after expiration of 7-day period to file answer, proponents must file 2 blank copies of proposed petition with ROV and proof of publication of Notice of Intention.
within 10 days	After receiving proposed petition, ROV must review the recall petition and notify the proponents of any required changes.
within 10 days	The proponents must make the required changes. The 10-day period begins when they receive the recall petition from the ROV.
	This process continues (ten days for the proponents and ten days for the ROV) until the recall petition adheres to statute.
within 40 to 160 days	The petition is circulated.
within 30 business days	The signatures are verified and certified by the ROV.
within 14 days	The certificate of sufficiency shall be submitted to the governing body at its next regular meeting. After receiving the certificate of sufficiency, within 14 days, the governing body must issue an order stating that an election will be held.
Not less than 88 nor more than 125 days	After the issuance of the order, not less than 88 nor more than 125 days, the recall election shall be held on the same day and consolidated with the regular or special election, if one is scheduled.

EXHIBIT C

PROOF OF PERSONAL SERVICE

I, _____declare that:
(print full name)

At the time of service I was at least 18 years of age; my name, address and telephone number are as follows:

_____
(print name)

_____
(city, state, zip code)

(___)_____.
(telephone number)

I personally served to _____
(name of person sought to be recalled)

a copy of the Notice of Intention to Recall him/her by delivering the copy of the

Notice of Intention to him/her at: _____
(complete address)

_____

on _____ at _____a.m./p.m;
(date) (time)

I have attached the original of the Notice of Intention to this Recall to this Proof of Personal Service.

I, _____, declare under penalty of perjury
(print full name)

under the laws of the State of California that the foregoing is true and correct, and that

I, _____executed this proof of personal service:

on _____ at _____
(date) (place of signing, e.g., city or county)

_____
(complete signature)

EXHIBIT D

PROOF OF SERVICE BY CERTIFIED MAIL

I, _____ declare that:
(print full name)

I am over the age of 18 years, and I _____ in
(reside/am employed)

_____ County at _____
(complete address)

_____

On _____, 20__, I deposited in the mail at

_____ a copy of the
(place, e.g., name of city or county)

Notice of Intention to Recall _____
(name of person sought to be recalled)

in a sealed envelope, with fully prepaid postage thereon for certified mail, addressed to:

_____ at:
(name of officer sought to be recalled)

_____
(mailing address)

I have attached the original of the Notice of Intention to this Proof of Service.

I, _____, declare under penalty of perjury
(print full name)

under the laws of the State of California that the foregoing is true and correct, and

that I executed this Proof of Service: On _____ at
(date)

_____.
(place of signing, e.g., city or county)

_____
(complete signature)

EXHIBIT E

NOTICE OF INTENTION TO CIRCULATE RECALL PETITION[1]

TO THE HONORABLE _____(see footnote[2])_____: Pursuant to Section 11020, California Elections Code, the undersigned registered qualified voters of *(see* footnote[3]), in the State of California, hereby give notice that we are the proponents of a recall petition and that we intend to seek your recall and removal from the office of *(see footnote[4])*_____, in ____(see footnote[3])__, California, and to demand election of a successor in that office __(see footnote[5])__.

The grounds for the recall are as follows:

(STATE GROUNDS, 200 WORDS OR LESS)

The printed names, signatures, and residence addresses of the proponents are as follows: (The least possible number of proponents is 10; however, more than 10 may be required by law.)

NAME	ADDRESS	SIGNATURE
1. …		
2. …		
3. …		
4. …		
……..		
……..		
10. … (or more. See footnote[6])		

Telephone number to contact proponents (optional) (___) ____-_____

A copy of this notice and proof of service will be filed with the ____(see footnote[7])__. You may file an answer to the statement of the proponents with the (see footnote[7]) within 7 days after the notice is filed. It may not be more than 200 words. If an answer is filed, a copy of it must also be served personally or by certified mail within that same 7-day period on one of the above proponents. The answer shall have the printed name, signature, business or residence address of the officer sought to be recalled.

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[1]Caution: The Notice of Intention must be published by proponents and proof of publication must be filed at the time the two blank copies of the petition are filed with the election official. The Notice of Intention, publication and blank copies of the Petition will be compared and scrutinized for accuracy. Any deviation from the text of the Notice of Intention may result in rejection of the petition.

[2]Insert here the name of the person whose recall is being sought.

[3]Insert here the name of the county, city or district for the office.

[4]Insert here the name of office held.

[5]If it is the recall of an Appellate Court Justice the request shall be that the Governor appoint a successor to the office.

[6]At least ten are required. In many cases more than ten are required. Check with your elections official to determine the actual number.

[7]Secretary of State, County Elections Official, City Clerk, Secretary of District, as appropriate.

EXHIBIT F

PETITION FOR RECALL

TO THE HONORABLE _____(see note[1])_____,

Pursuant to the California Constitution and California election laws, we the undersigned registered and qualified electors of the ___(see note[2])_____ of ___(see note[3])_____, California, respectfully state that we seek the recall and removal of __(See note[4])_____, holding the office of ___(see note[5])_____ _____, in __(see note[2])_____, California.

We demand an election of a successor to that office. (See note[6])

The following Notice of Intention to Circulate Recall Petition was served on __(Date)_____ to __(see note[4])_____:

(Insert complete text of Notice of Intention here)

The answer of the officer sought to be recalled is as follows:

(Insert Officer's Statement here –200 words or less)
(If no statement, insert "No Answer was Filed")

Each of the undersigned states for himself/herself that he or she is a registered and qualified elector of the __(see note[2])_____ of __(see note[3])_____, California.

Column must be at least 1" wide

	PRINT YOUR NAME RESIDENCE ADDRESS ONLY 1. _____ YOUR SIGNATURE AS REGISTERED TO VOTE CITY ZIP	
	PRINT YOUR NAME RESIDENCE ADDRESS ONLY 2. _____ YOUR SIGNATURE AS REGISTERED TO VOTE CITY ZIP	
	PRINT YOUR NAME RESIDENCE ADDRESS ONLY 3. _____ YOUR SIGNATURE AS REGISTERED TO VOTE CITY ZIP	

DECLARATION OF PERSON CIRCULATING SECTION OF RECALL PETITION
(MUST BE IN CIRCULATOR'S OWN HANDWRITING)

I, _____(see note[7])_____, solemnly swear (or affirm) all of the following:

1. That I am 18 years of age or older.
2. That my residence address, including street and number, is _____. (If no street or number exists, a designation of my residence adequate to readily ascertain its location is _____.)
3. That the signatures on this section of the petition form were obtained between _____ (Month & Day)_____, 20 _____, and _____ (Month & Day)_____, 20_____; that I circulated the petition and I witnessed the signatures on this section of the petition form being written; and that, to the best of my information and belief, each signature is the genuine signature of the person whose name it purports to be.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on ____(Date)____at _____(City or Community where Signed), California.[8]

_____ _____
Circulator's Signature Date

[1]Insert here – Secretary of State of California if for a state officer, or name of the appropriate governing body if local. The authority which orders or "calls" elections for that office, or the governing authority for that jurisdiction should be named.
[2]Insert Electoral Jurisdiction here – County, City, District name, as appropriate.
[3] Insert geographical location here – City, County, etc., as appropriate.
[4]Insert here – name of person whose recall is being sought.
[5] Insert here – name of office.
[6]In case of Supreme Court or Appellate Court Justice, request shall be that the Governor appoint a successor.
[7] Insert here – Full name of person who gathered signatures.
[8]The petition must be set in at least 8 point type. If signature spaces are printed on both sides of a sheet of paper, the above information, except for the declaration of circulator must appear on each side of the paper. The circulator's declaration must follow the last signature box. It is suggested that petitions be printed on 8 ½" x 14" paper in order to maximize the number of signature spaces printed on a sheet of paper.