

In the
Indiana Supreme Court



IN THE MATTER OF THE ELECTION)
OF THE DISTRICT 2 ATTORNEY)
MEMBER OF THE INDIANA JUDICIAL)
NOMINATING COMMISSION/)
COMMISSION ON JUDICIAL)
QUALIFICATIONS)

Supreme Court Cause No.
94S00-1311-MS- 743

ORDER

On December 31, 2013, the term of the attorney member of the Indiana Judicial Nominating Commission/Commission on Judicial Qualifications from District 2 shall expire. *See generally* Ind. Code § 33-27-2-2(c). On October 25, 2013, the Clerk of this Court, through a bulk mail service provider with whom the Clerk contracted for this purpose, mailed ballots and accompanying materials required by Indiana Code section 33-27-2-3 to the electors eligible to vote in the election to fill the District 2 attorney member vacancy on the Commissions. The materials sent to the electors informed the electors that for a ballot to be counted, the ballot and executed accompanying certificate had to be received in the Clerk's office no later 4:00 p.m. on November 19, 2013, the last day of the election period.

During the week of November 4, 2013, it came to the Clerk and this Court's attention that while most eligible electors had received their ballots and accompanying materials through the mail, many had not. After further investigation, the Clerk determined that an unidentified issue with the delivery of the mail had caused an unknown number of ballots and accompanying materials not to be delivered to eligible electors.

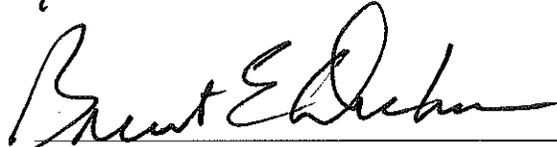
In the interest of insuring that all eligible electors have an opportunity to vote in this election, on November 12, 2013 the Clerk, with the agreement of the District 2 candidates, contacted all eligible electors from whom the Clerk had not yet received a completed ballot, to inform them of the issue and provide a way for them to request another set of election materials if they had not received the materials mailed on October 25, 2013. The electors were given until 4:00 p.m. on November 19, 2013, to request the materials, which is also the present deadline for the submission of the completed ballot and accompanying signed certification.

In light of the unusual circumstances noted above, I hereby exercise my authority under Indiana Code section 33-27-2-3(11) to extend the deadline for the submission of the ballots and signed certifications in the District 2 election. The ballot submission deadline, which was Tuesday, November 19, 2013 at 4:00 p.m., is hereby **EXTENDED to 4:00 p.m. on Tuesday, December 3, 2013.** Ballots received in the Office of the Clerk of the Supreme

Court by that date and time shall be counted, provided they comply with the other requirements set forth in Indiana Code section 33-27-2-3 for a ballot to be counted. Ballots received in the Office of the Clerk of the Supreme Court after that date and tie shall not be counted.

The Clerk is directed to send a copy of this order to Jan M. Carroll; to Lee C. Christie; to the Gregory Zoeller, Attorney General of Indiana; to Connie Lawson, Indiana Secretary of State; to Adrienne Meiring, Counsel to the Judicial Nominating Commission/Commission on Judicial Qualifications; to Lilia Judson, Executive Director of the Division of Supreme Court Administration; to Kathryn Dolan, Indiana Supreme Court Public Information Officer; and to the Supreme Court Administration Office. The Clerk is further directed to post this order to the Supreme Court's website.

Done at Indianapolis, Indiana, on November 12, 2013.



Brent E. Dickson
Chief Justice of Indiana