

**LIBERTARIAN PARTY OF NEW YORK
GUIDE TO GETTING CANDIDATES ON THE BALLOT
VERSION MARCH 9, 2021**

INTRODUCTION

This guide is intended to help County Affiliates understand their role and requirements to get candidates on the ballot on the Libertarian Party line. The process to getting a candidate on the Libertarian Party line on the ballot is as follows:

1. **Petitioning**, which involves preparing petitions, collecting signatures, and filing petitions with the cover sheet at the appropriate Board of Elections. See the *LPNY Guide to Petitioning* for more information on petitioning.
2. **Filing additional paperwork**, if the candidate is not enrolled member of the Libertarian Party. This includes the a) Certificate of Acceptance (signed by the candidate) and the b) Certificate of Authorization. Certificates of Authorization (*informally known as a Wilson Pakula*) are provided by the State Committee per the LPNY rules and Election law.

CANDIDATES ENROLLED IN THE LIBERTARIAN PARTY

Any enrolled member of the Libertarian Party can collect and witness signatures to get an enrolled member of the Libertarian Party on the Libertarian Party line on the ballot. A County Affiliate may wish to endorse a certain candidate or committee members may volunteer to help gather petition signatures, but such endorsement is not required to get the candidate on the ballot. The County Affiliate cannot stop enrolled Libertarians from running for public office on the Libertarian Party line.

Multiple candidates running for the same office. Multiple candidates may be running for the same office. No action should be taken by a County Affiliate to stop, prevent, or dissuade a candidate from running for a position on the ballot. If there are multiple enrolled Libertarian candidates, generally no official action should be taken to help any candidate in the race until after the primary.

CANDIDATES ENROLLED IN ANOTHER PARTY

A County Affiliate may wish to run a candidate enrolled in another political party. This is often referred to as a cross-endorsement or electoral fusion. This means the candidate would appear on the Libertarian Party line on the ballot, even if they are not enrolled in the Libertarian Party. There are very specific procedures for this, as follows:

1. **Candidate Vetting.** Candidates should be properly vetted through written questionnaires, interviews, voting record research, etc. For more information, see the *LPNY Guide to Vetting Candidates* (coming soon).
2. **Requesting a Certificate of Authorization.** Once a County Affiliate has chosen to endorse a candidate enrolled in another political party, they must request a Certificate of Authorization,

which may only be issued by the LPNY State Committee. Without the Certificate of Authorization, the petitions would be invalid per the Board of Elections. Requests for Certificate(s) of Authorization must be submitted by the County Chair and/or County Secretary to the Secretary of the LPNY (secretary@lpny.org) no later than the Friday prior to the State Committee meeting where they will vote on Certificate of Authorizations. For 2021, that is February 26, 2021. Use the ***Request for Certificate of Authorization Form*** to fill out the candidate's information and submit this document.

3. State Committee Votes on Issuing Certificates of Authorization. The LPNY State Committee will meet and consider issuing the Certificate of Authorization. In most cases, this is a simple motion and vote of approval. Unless your County Rules have other requirements, if no enrolled Libertarian is running for the same position, the candidate will need a simple majority vote by the County Affiliate for authorization. If there is an enrolled Libertarian running, you would need a two-thirds ($\frac{2}{3}$) vote for authorization. The authorization will be approved unless there is an objection made by one of the State Committee members representing your Judicial District (see the ***LPNY Guide to the Party Structure (coming soon)***), in which case a vote will be held.

4. Filing of Certificate of Authorization at the Board of Elections. For candidates whose authorization is approved, the Chair and Secretary of the LPNY will prepare paperwork to get filed at the proper Board of Elections.

5. Filing a Certificate of Acceptance. The candidate will also need to file a ***Certificate of Acceptance*** with the proper Board of Elections before the deadline.

CHALLENGES

Once submitted, the petitions and other associated paperwork can be challenged. If someone challenges your petition, the Board of Elections will review the challenged petition to verify validity and compliance. If there are deficiencies (issues), the petitions may be marked invalid and could cause a candidate to get kicked off the ballot. It is extremely important that candidates fill out the paperwork correctly and meet all deadlines. For more information, see the ***LPNY Guide to Designating Petitions*** and the ***LPNY Guide to Petition Challenges (coming soon)***.

UNAUTHORIZED PAPERWORK

Petitions may be gathered and filed for candidates not enrolled in the Libertarian Party. If a candidate was not authorized by the LPNY State Committee, you should challenge these petitions and any fraudulent paperwork with the Board of Elections and inform the State Committee immediately. **Only the LPNY State Chair and Secretary can sign Certificates of Authorization. Any certificates signed by others are not valid.**

EXCEPTIONS FOR JUDICIAL RACES

Per New York State Election Law, candidates running for a judge position in any jurisdiction may petition and run on any line, without official party authorization and do not require a *Certificate of Authorization*. It is recommended that County Affiliates still meet with these candidates and potentially offer endorsement announcements, although no official action is needed.

MULTIPLE CANDIDATES RUNNING FOR THE SAME OFFICE

Multiple non-enrolled Libertarian candidates may be running for the same office. It is acceptable to authorize only one of the candidates for the line. It is also acceptable to authorize multiple candidates so that there may be a primary for the race.

CANDIDATE SUPPORT

Libertarian Party candidates should contact the National Libertarian Party for candidate assistance. See my.lp.org/run-for-office for more info.