

Names

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

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

2. May a candidate have his 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 a 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 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 name, and the Secretary of State, County Clerk or Election Commissioner shall refuse to certify it, even though objection is not made. "Jack _____" raises the 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.

Taken from an official letter prepared by the office of the Attorney General.

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.