

**WISCONSIN ELECTIONS COMMISSION**

---

JANE M. JUZA,

Complainant,

No. 22-1

v.

CELESTINE JEFFREYS,

Respondent.

---

**VERIFIED RESPONSE OF CELESTINE JEFFREYS**

---

Respondent Celestine Jeffreys, in her capacity as City Clerk of the City of Green Bay, by and through counsel, Assistant City Attorney Lindsay Mather, hereby submits the following Response to the above-captioned Complaint.

**BACKGROUND**

Complainant Jane M. Juza filed her nomination paperwork to be on the ballot for the April 2022 election on January 4, 2022. On the Declaration of Candidacy form, the Campaign Finance Registration Statement, and all three Nomination Papers for Nonpartisan Office, Ms. Juza identified the position she was running for as “Green Bay City Counsel District 1.” (See Compl. at 3, 5-8.) In the header of each of the Nomination Papers for Nonpartisan Office, Ms. Juza referenced District 1 three (3) separate times. (*Id.* at 6-8.) Ms. Juza’s stated address on those same papers is 705 Mt. Mary Dr., Green Bay, Wisconsin, 54311, which lies within District 5 of the City of Green Bay. (*Id.* at 3, 5-8, 12.) Clerk Jeffreys emailed Ms. Juza in the evening of January 4, 2022, to inform her that she did not gain entry onto the ballot because she had indicated she was running for District 1 on her nomination papers, but she does not reside in District 1. (*Id.* at 11-

12.) In follow up emails, Ms. Juza asked if she could amend her papers, but Clerk Jeffreys informed her that the deadline to do so—January 4, 2022—had passed. (*Id.* at 10.)

Following Clerk Jeffreys’s rejection of her nomination papers, Ms. Juza submitted a letter to the Clerk’s office requesting an “appeal” of Clerk Jeffreys’s decision under Wis. Stats. § 5.06. As § 5.06 provides a mechanism for complaints to the Wisconsin Elections Commission (WEC), and not an appeals process at the municipal level, Clerk Jeffreys responded to Ms. Juza and indicated that her complaint was more appropriately directed to the WEC. This Complaint followed.

## **ARGUMENT**

Ms. Juza has submitted the Complaint to the WEC because she disagrees with Clerk Jeffreys’s rejection of her nomination papers. However, Clerk Jeffreys acted appropriately, and in keeping with instructions from the WEC, when rejecting Ms. Juza’s paperwork.

### **I. Objections and defenses preserved**

As a municipal clerk preparing for the spring elections, Clerk Jeffreys is acutely aware of the importance of a prompt resolution of Ms. Juza’s Complaint. Accordingly, this response will address the merits of Ms. Juza’s appeal. However, nothing in this Response shall be construed as a waiver of any objections or defenses available to Clerk Jeffreys under Wisconsin election statutes and administrative code, including, but not limited to, Ms. Juza’s failure to state probable cause for relief in the Complaint or specify the statutory basis for the complaint, which instead only recites a timeline of events.

### **II. Incorrect District Identification is a Fatal Flaw**

When signing a candidate’s nomination form, a signatory agrees that the named individual should be listed on the ballot at the specified election as a candidate *for the office listed on the*

*nomination papers.* Moreover, they are affirming that they are eligible to vote in the district in which the candidate seeks office. Here, the signatories were agreeing that they wanted Ms. Juza on the ballot as a representative of District 1, even though she resides, and is therefore only eligible to vote, in District 5. Even assuming all of the signatories to Ms. Juza's nomination papers had resided in the same District as Ms. Juza,<sup>1</sup> they would not have been eligible to vote in the district in which Ms. Juza was seeking office—i.e., District 1. Any incorrect identification of the district for which Ms. Juza was running would have been fatal to her nomination papers; the fact that District 1 was referenced three times removes any doubt that the papers should have been rejected. No reasonable signatory to those nomination papers would have understood Ms. Juza to be running for anything other than District 1.

This conclusion is further supported by the WEC's advice to prospective candidates. The April 2020 "Candidate Ballot Access Procedures: Nomination Papers," which is readily available on the WEC's website,<sup>2</sup> states:

Correctly filling out the top three lines of the nomination paper form is one of the most important things a candidate can do. If any of the boxes in the header are filled out incorrectly, electors might not be provided with all candidate and election information as required by law.

(p. 5.) The WEC's advice to Clerks is even more explicit. In its "Nomination Paper Review Guidelines," the WEC instructs: "The header of each page must contain all the required candidate

---

<sup>1</sup> Because Clerk Jeffreys rejected the ballot due to fatal errors in the headers of the nomination papers, she did not immediately examine the signatures on said papers. Upon doing so, she discovered that nearly all of the 30 signatures come from residents who reside in District 6, which is neither the district indicated on Ms. Juza's nomination papers nor the district in which Ms. Juza lives. This error constitutes valid grounds for rejection of Ms. Juza's papers as well. See WIS. STAT. §§ 8.10(3)(j), (4)(a) (2021-22).

<sup>2</sup> The WEC has several "Nomination Paper Guide" resources available at <https://elections.wi.gov/node/3218>. The Candidate Ballot Access Procedures: Nomination Papers is available at [https://elections.wi.gov/sites/elections/files/2021-10/Ballot%20Access%20Manual\\_4\\_0.pdf](https://elections.wi.gov/sites/elections/files/2021-10/Ballot%20Access%20Manual_4_0.pdf).

information. If any of the required information is missing, *or incorrect*, no signatures on that page can be counted.” (WEC Nomination Review Guidelines<sup>3</sup> p. 1 (emphasis added).)

In sum, Clerk Jeffreys’s decision to reject Ms. Juza’s nomination papers based on the errors in the header was proper. Ms. Juza incorrectly identified the aldermanic district for which she hoped to run, and the signatories to her papers therefore did not have sufficient accurate information to make an informed decision as to whether to support her candidacy. As such an error could not be corrected by an amendment, and as the time period for both amending and submitting nomination papers has long-since passed, it is appropriate that Ms. Juza will not appear on the ballot for the spring 2022 elections.

### CONCLUSION

For the foregoing reasons, Respondent Jeffreys respectfully request the Commission dismiss the complaint on its merits, with prejudice.

Dated this 17<sup>th</sup> day of January, 2022.

Respectfully submitted,

/s/ Lindsay J. Mather

Lindsay J. Mather (State Bar No. 1086849)

*Attorney for Respondent Jeffreys*

CITY OF GREEN BAY

100 N. Jefferson Street, Room 200

Green Bay, WI 54301

Telephone: (920) 448-3080

Facsimile: (920) 448-3081

Lindsay.Mather@greenbaywi.gov


---

<sup>3</sup> Available at <https://elections.wi.gov/sites/elections/files/2021-12/Nomination%20Paper%20Review%20Guide%20complete.pdf>.

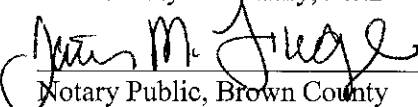
VERIFICATION

I, Celestine Jeffreys, being first duly sworn on oath, state that I personally read the above verified Response, and that the above Response is true and correct based upon my personal knowledge.

Dated January 17, 2022

  
\_\_\_\_\_  
Celestine Jeffreys  
City Clerk City of Green Bay

Subscribed and sworn to before me  
this 17<sup>th</sup> day of January, 2022

  
\_\_\_\_\_  
Notary Public, Brown County  
State of Wisconsin  
My commission expires May 25, 2025