

# Candidate's Statement of Qualifications Nonpartisan Offices' Guidelines and Estimated Costs

(Elections Code Sections 13307, 13308, 13309, 13311, 18351)

## Candidate Information

Each candidate for a **nonpartisan** elective office may submit a candidate statement for the County Voter Information Guide (CVIG) at the time that they file nomination papers. The purpose of the voluntary candidate statement is to acquaint voters with the candidate's qualifications for the office they seek. The candidate statement is incorporated into the CVIG pamphlet and is mailed to all registered voters eligible to vote for the candidate.

## Content

A candidate's statement may contain the candidate's name, occupation, age, and a brief description of their education and qualifications as expressed by the candidate. Statements shall not, in any way, refer to another candidate for office or to another candidate's qualifications, character, or activities. The candidate statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations. The occupation listed on a candidate statement is not mandated to be the same occupation listed as your ballot designation on the Declaration of Candidacy. The occupation on the statement is not limited by the laws that apply to your ballot designation. In general, statements are limited in length to not more than 200 words, and in some cases 400 words. Please refer to the following pages for a list of word-count limits and fees.

The use of jargon, colloquialisms, slang, or other such expressions is strongly discouraged. Common phrases can be difficult to translate appropriately into other languages resulting in misinterpretation. For example, "monster home," a term for a new house that is much larger than the other homes in the neighborhood, may be incorrectly translated as a "home of monsters." Candidates are encouraged to keep the translation process in mind when developing their statements and to use unambiguous and straightforward vocabulary.

## Format

Candidate statements are printed in the CVIG in block paragraph format. In order to ensure uniformity of candidate statements, the candidate must prepare the statement as follows:

- Type the statement in single-spaced paragraph format with upper- and lower-case letters. Statement must be typewritten, or computer printed.
- Typeface of statement must be of uniform size and darkness with no unusual spacing. The following **will not be permitted**: (•) bullets, (1,2,3) numbered bullets, (#@&) special characters as bullets, all CAPITALS, underlining, **bold face** or *italics*.
- Check the statement for errors in spelling, punctuation and grammar. Statements will appear in the CVIG exactly as submitted by the candidate.
- **Corrections/changes to content, format or spacing will not be allowed** after the statement has been filed unless ordered by a court.

- Statements must be confined to the maximum number of words, lines and character positions allowed on a line. If blank lines between paragraphs are contained in the statement, the blank lines will not be included in the line maximum count. Punctuation and spaces are included in the character maximum count. A 200-word statement has a maximum of 22-lines with approximately 72-character positions per line. A 400-word statement has a maximum of 44-lines, with the same character limit. If the occupation you place on that line requires more than one line, each additional line will be counted towards the maximum line count for the statement. Using a computer to determine a statement's word count is not recommended. Please refer to "Rules for Counting Words" for guidelines on computing word counts.
- Photographs of candidates are not permitted in the local CVIG.

### **Statements Must Follow Format Guidelines to be included in the CVIG Pamphlet**

When candidate statements are translated into other languages, the amount of text increases. Translated candidate statements can grow up to 30 percent in size from the size of the original statement. The 22-lines limit per 200 words candidate statement is an estimated number and may vary depending on the length of words and characters in a line. Therefore, it may be necessary for the Office of the Registrar of Voters to contact a candidate so that they may reduce the number of lines in their candidate statement.

### **Statements Are Printed in Accordance with the Office of the Registrar of Voters' Standards**

#### **Restrictions**

The candidate statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations. Statements shall not, in any way, refer to another candidate for office or to another candidate's qualifications, character, or activities.

**Elections Code §§ 13307(a)(1)**

In addition to the restrictions set forth in Section 13307, any candidate's statement submitted pursuant to Section 13307 shall be limited to a recitation of the candidate's own personal background and qualifications, and shall not in any way make reference to other candidates for that office or to another candidate's qualifications, character, or activities. The elections official shall not cause to be printed, posted on an Internet Web site, or circulated any statement that the elections official determines is not so limited or that includes any reference prohibited by this section.

**Elections Code § 13308**

#### **Liability**

This section shall not be deemed to make any statement, or the authors of any statement, free or exempt from any civil or criminal action or penalty because of any false, slanderous, or libelous statements offered for printing electronic distribution pursuant to this section or contained in the county voter information guide.

**Elections Code § 13307(e)**

#### **Confidentiality**

Notwithstanding the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code), the statements filed pursuant to Section 13307 shall remain confidential until the expiration of the filing deadline.

**Elections Code § 13311**

## **Challenge of Contents**

There is a 10-calendar day public examination period immediately following the filing deadline of candidate statements when the statements may be reviewed. During this 10-calendar day examination period, any voter of the jurisdiction in which the election is being held or any candidate may seek a writ of mandate or an injunction to challenge the contents of the statement.

**Elections Code § 13313**

Anyone wishing to pursue a legal challenge to amend or delete any portion of a candidate's statement should file a writ of mandate immediately. Refer to the "Legal Examination and Writs of Mandate" section in this guide for more information.

## **Withdrawal**

The statement may be withdrawn, but **not** changed, until 5:00 p.m. of the next business day after the close of the nomination period for the office sought. If a candidate statement is withdrawn, a new statement **cannot** be filed.

**Elections Code § 13307(a)(3)**

## **Translations of Statements**

Federal and state law require voting materials be translated and available for voters. Candidate Statements are published in the County Voter Information Guides (CVIGs) both in printed and electronic versions. Therefore, all candidate statements will be translated and printed in the following languages: English, Chinese (Traditional), Spanish, Tagalog, and Vietnamese. The Registrar of Voters prepares all CVIGs in these languages.

## **Costs**

Pursuant to the census population results and the Federal Voting Rights Act of 1965, our office is mandated by the federal government to print and distribute election materials, including candidate statements in the CVIG in five (5) languages: Chinese (Traditional), English, Spanish, Tagalog, and Vietnamese.

The county elections official shall estimate the cost of providing the statement, based on current estimates of actual costs of printing and distributing candidate statements (including printing, handling, translating, and mailing). **No statement will be accepted that is not accompanied by payment of the estimated cost(s) unless there is no deposit required, as determined by the jurisdiction.** The actual cost of the statement will be available after the election when expenses incurred are calculated. If actual costs are less than the pre-paid estimates, candidates will receive a refund. If the actual costs are more than the estimated costs, the candidate will be billed for the additional charges.

If a candidate alleges to be indigent, procedures established in the state elections code shall be used to determine indigence. Even if a candidate is determined to be indigent, he/she may still be required to pay the actual cost to translate, print and distribute the statement after the election.

**Elections Code § 13309**

Candidate statements for the offices of the Board of Supervisors and other County Offices are paid for by the jurisdiction. No charge shall be imposed for a candidate statement of qualifications to be included in the voter's pamphlet.

**County Charter § 202**

## Estimated Cost for Candidate Statements

(Cost estimates are subject to change upon final billing after the election.)

COUNTY OFFICES		
District	Statement Costs	Word Count
County of Santa Clara Superior Court Judge	\$2,320	200
Member, Board of Supervisors	County Pays	200

### **Candidate Statement Fee Check**

The Office of Registrar of Voters will shred the candidate statement fee check for contests that do not appear on the ballot due to insufficient filings. Candidates who prefer to retrieve their check instead may do so by notifying staff of their preference.

### **24-hour Sign Off Requirement**

In 2018, the Registrar of Voters' Office began emailing copies of submitted candidate statements to each candidate as proof of how the statement will appear in the CVIG. Candidates are asked to confirm the accuracy of the statement within 24 hours of notification. Changes to the candidate statements, other than to conform to the filed version, are not allowed, however.