

Filing the Nelson County Petition

Instructions for a drive collecting on the September 8 petition and signature sheets

1. Keep collecting on the September 8 sheets, and do not change their text. From now on, every signer writes the address where they live: the house number and street, or the rural 911 address. Never a post office box. Never a rural route box alone.
2. The petition needs at least 436 valid signatures: 25 percent of the 1,741 votes cast for governor in Nelson County in the November 5, 2024 election, rounded up. N.D.C.C. 29-10.1-02(3).
3. Before filing, check every line. Do not count a line whose address is not where the signer lives, such as a post office box or a rural route box alone. Collect replacement signatures, with street or rural 911 addresses, to cover those lines. Leave the old lines as written. If one of those signers signs again with a residence address, strike the earlier line so the person counts once.
4. Choose three verifiers. Each must have signed a signature sheet and must be a qualified elector of Nelson County: a United States citizen, 18 or older, who lives in Nelson County. N.D.C.C. 1-01-49(24).
5. Each verifier signs one numbered block of the Verification of Petition in front of a notary, who completes the jurat under that block. The same three also sign the verification block at the end of the filing copy of the petition and write their printed names and telephone numbers on the lines under it.
6. The last three pages of the Verification of Petition are an alternative form: an unsworn declaration under penalty of perjury, which has the same effect as a sworn verification. N.D.C.C. 31-15-03. The notarized form meets the definition of "verified" on its own terms: "sworn to before an officer authorized to administer oaths." N.D.C.C. 1-01-49(36). Each verifier signs one form or the other. File every page a verifier has signed, and no unsigned page.
7. The petitioners who file sign the Statement on Venue. It quotes the venue statute in full and states why venue lies in Nelson County. Each signer writes, beneath the signature, the "name, address, and telephone number" that N.D.R.Ct. 3.1 requires. Verifiers do the same on the verification.
8. Print the filing documents in this set as built, on one side of 8 1/2 by 11 inch white paper. The filing copy of the petition puts the September 8 petition in the court's standard format: the same words, double-spaced, with numbered pages and room for the case number at the upper right. N.D.R.Ct. 3.1.
9. File everything at one time with the Clerk of District Court, Nelson County Courthouse, 210 B Ave W, Suite 203, Lakota, ND 58344, and ask that the petition be presented to the district judge. N.D.C.C. 29-10.1-02(3), 29-10.1-03. File the filing copy of the petition; the signed Verification of Petition, stapled directly behind it; the Statement on Venue; and every signature packet, each sheet still attached to the petition text it circulated with. No packet is filed later. Keep a file-stamped copy.