

IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY,
PENNSYLVANIA



COPY

CIVIL DIVISION

In re: General Election 2024

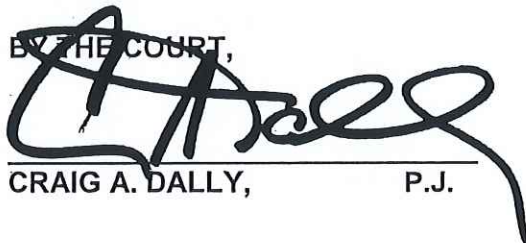
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: No.: C-48-CV-2024-10789
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ORDER OF COURT

NOV - 5 2024
COURT OF COMMON PLEAS
CIVIL DIVISION
NORTHAMPTON COUNTY, PA

FILED

AND NOW, this 5th day of November, 2024, upon consideration of Petitioner Northampton County Republican Committee's Petition for Relief,¹ Respondent Northampton County's opposition thereto, and the legal memoranda filed in support thereof, it is hereby **ORDERED** and **DECREED** that said Petition is **GRANTED** and Northampton County shall furnish Petitioner with an updated list of the Judges of Election, Majority Inspectors, and Minority Inspectors for each polling place in Northampton County in the 2024 General Election by 4:30 P.M today.²

BY THE COURT,

CRAIG A. DALLY, P.J.

¹ Pursuant to the Election Code ("the Code"):

The court of common pleas of each county of the Commonwealth . . . shall be in continuous session at the courthouse of said county. . . . During such period said court shall . . . settle summarily controversies that may arise with respect to the conduct of the election; shall issue process, if necessary, to enforce and secure compliance with the election laws; and shall decide such other matters pertaining to the election as may be necessary to carry out the intent of this act.

25 P.S. § 3046.

² Petitioner seeks an updated list of the Judges of Elections, Majority Inspector, and Minority Inspector for each polling place in Northampton County for the 2024 General Elections after repeated, and unanswered, attempts to acquire the information from the Northampton County Elections Office. Petitioner initially sought these records on October 1, 2024. Respondent opposes the request, claiming the sought document is not available for public inspection under the Code as it is not an election record. Section 2648 of the Election Code sets forth what types of records are available for public inspection, specifically providing that:

The records of each county board of elections, general and duplicate returns, tally papers, affidavits of voters and others, nomination petitions, certificates and papers, other petitions, appeals, witness lists, accounts, contracts, reports and other documents and records in its custody, except the contents of ballot boxes and voting machines and records of assisted voters, shall be open to public inspection, except as herein provided, and may be inspected and copied by any qualified elector of the county during ordinary business hours

25 P.S. § 2648 (emphasis added).

As written, Section 2648 provides a broad definition of what constitutes an election record available for public inspection. The County, while conceding Section 2648 is broadly written, argues the list of election staff is unrelated to the actual process of voting and is therefore an ordinary public record and not subject to public disclosure under the Code. The Court respectfully disagrees with the County's contention. Documentation kept by our Elections Office of who currently oversees our elections is directly connected to the election process, thus, falling under the broad language of Section 2648. Notably, the Northampton County Democratic Committee agrees that such records are election records that should be disclosed. N.T., 11/05/2024, at 21-22.