

**IN THE COMMONWEALTH COURT OF PENNSYLVANIA**

In Re: Nomination Petition of :  
Maureen Madden for the Office of :  
Representative in the General :  
Assembly, 115th Legislative District :  
: :  
Objection of: Anna Lopez : No. 144 M.D. 2026

**BEFORE: HONORABLE RENÉE COHN JUBELIRER, President Judge**

**OPINION NOT REPORTED**

**MEMORANDUM OPINION BY  
PRESIDENT JUDGE COHN JUBELIRER**

**FILED: March 23, 2026**

Maureen Madden (Candidate) seeks dismissal of Anna Lopez’s (Objector) Petition to Set Aside Nomination Petition (Objection Petition) on the basis Objector did not serve the Secretary of the Commonwealth (Secretary) as required under Section 977 of the Pennsylvania Election Code (Election Code), 25 P.S. § 2397.<sup>1</sup> As Objector does not dispute that she did not timely serve the Secretary with a copy of the Objection Petition, under well-established precedent, the Court has no choice but to grant Candidate’s Application for Relief (Application) and dismiss Objector’s Objection Petition.

On March 9, 2026, Candidate filed a nomination petition seeking to be a Democratic candidate for the Office of Representative in the General Assembly for the 115th Legislative District. On March 17, 2026, the deadline for filing challenges to nomination petitions, Objector filed an Objection Petition asserting numerous

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<sup>1</sup> Act of Act of June 3, 1937, P.L. 1333, *as amended*.

deficiencies with Candidate's Nomination Petition in this Court's original jurisdiction.<sup>2</sup> In response to the Objection Petition, Candidate filed the Application, asserting Objector had not served Secretary by the statutory deadline. The Court directed Objector to file an answer to the Application and provide proof of appropriate service on the Secretary.

Consistent with that order, Objector filed an answer, in which she does not deny she did not serve the Secretary by 5:00 p.m. on March 17, 2026. Instead, Objector avers that after learning an objection petition was filed challenging her own nomination petition, Objector decided to file the Objection Petition challenging Candidate's nomination petition. She avers that by the time she registered to PACFile the Objection Petition, it was already 4:45 p.m. and due to some alleged issues with PACFile, her Objection Petition was not filed until after 5:00 p.m. Consequently, Objector avers she "did not have a meaningful opportunity to attempt in-person delivery [to the Secretary] on March 17, 2026." (Answer ¶ 6.) The next day, Objector avers she traveled to Harrisburg, went to the Department of State (Department), and was directed to the Court's Office of the Prothonotary (Prothonotary). Objector alleges that she asked the Department's staff and Prothonotary's staff what she needed to do because "she had no prior experience with this process" and "wanted to make sure she did everything required." (*Id.* ¶¶ 11, 14, 18.) Based on the Department's and Prothonotary's actions, Objector avers she

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<sup>2</sup> The Objection Petition was filed at 5:31 p.m., which was after the 5:00 deadline set forth in the Court's order in *In re: Objections to Nomination Petitions, Papers, and Certificates of Candidates for Statewide and State-Level Office* (Pa. Cmwlth., No. 126 Misc. Dkt. No. 3, filed January 22, 2026). The order is posted on the Court's website at [https://www.pacourts.us/Storage/media/pdfs/20220801/185224-electionproceedings-noticeandorder\(7292022\).pdf](https://www.pacourts.us/Storage/media/pdfs/20220801/185224-electionproceedings-noticeandorder(7292022).pdf) (last visited March 23, 2026), and on the Department of State's website at <https://www.pa.gov/agencies/dos/programs/voting-and-elections/running-for-office> (last visited March 23, 2026).

“reasonably and in good faith believed that she had complied with the required procedure” and that she “did not act in bad faith, delay intentionally, or ignore the Court’s process.” (*Id.* ¶¶ 22-23.)<sup>3</sup>

Even if the Court were to accept Objector’s allegations as true, the Court could not grant Objector relief. The service requirement is not a court-imposed requirement but is a statutory one. Section 977 of the Election Code governs objection petitions and provides, in relevant part:

All nomination petitions and papers received and filed within the periods limited by this act shall be deemed to be valid, unless, **within seven days after the last day for filing said nomination petition or paper**, a petition is presented to the court specifically setting forth the objections thereto, and praying that the said petition or paper be set aside. **A copy of said petition shall, within said period, be served on the officer or the board with whom said nomination petition or paper was filed. . . .**

25 P.S. § 2937 (emphasis added).

Our Supreme Court has declared that compliance with the service requirement in Section 977 is “mandatory.” *In re Nomination Papers of Am. Lab. Party*, 44 A.2d 48, 50 (Pa. 1945). This service requirement “cannot be waived or dispensed with by the court.” *Id.* The Supreme Court reaffirmed the mandatory nature of Section 977 in *In re Nominating Petition of Lee*, 578 A.2d 1277, 1278 (Pa. 1990), where it rejected an argument that it “should reexamine [its] interpretation” of the service requirements after 45 years. It recognized advances were made in preparing ballots

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<sup>3</sup> The Department of State’s website reflects that the Secretary was served with a copy of the Objection Petition on March 20, 2026, the same day Objector filed her answer to the Application. See <https://www.pa.gov/content/dam/copapwp-pagov/en/dos/programs/voting-and-elections/running-for-office/2026/petition-filing-2026/objections%20tracker%202026.pdf> (last visited March 23, 2026).

but reiterated the need for expeditious resolution of election matters. *Id.* at 1278-79.

It explained:

In 1974, the Legislature amended [S]ection 977 of the Election Code to include the final sentence prescribing the office hours for the Secretary . . . and of various prothonotaries “on the last day to withdraw after filing nomination petitions *and on the last day to file objections to nomination petitions.*” 25 P.S. § 2937 (emphasis added). It is clear that the Legislature did so to ensure that service could be effected within the time limits set forth in that section. Had the Legislature disagreed with our interpretation of [S]ection 977 in the *American Labor Party Case*, it would have amended the section to overrule that interpretation.

*In re Lee*, 578 A.2d at 1279. *See also In re Nomination Papers of James*, 944 A.2d 69, 73-74 (Pa. 2008).

The Court is bound by and adheres to the principle that service must be effectuated on the Secretary and such service must be effectuated no later than 5:00 p.m. on the last day for filing objection petitions. *See, e.g., In re: Nomination Petition of Broadhurst*, 312 A.3d 410, 419 (Pa. Cmwlth. 2024) (single judge) (holding service by email on Secretary after 5:00 p.m. on last day for objection petitions was not proper service).<sup>4</sup>

While the Court recognizes that for someone not trained in the law, it is intimidating to navigate the legal system, it is well settled that a “lay person who chooses to represent [her]self in a legal proceeding must assume the risk that [her] lack of expertise and legal training may prove to be [her] undoing.” *Daly v. Unemployment Comp. Bd. of Rev.*, 631 A.2d 720, 722 (Pa. Cmwlth. 1993). By her own admission, Objector did not begin the process of filing her Objection Petition until the last hour before the 5:00 p.m. deadline. That left little time for her to file

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<sup>4</sup>“A reported opinion of a single Judge filed after October 1, 2013, in an election law matter may be cited as binding precedent in an election law matter only.” Section 414(d) of the Court’s Internal Operating Procedures, 210 Pa. Code § 69.414(d).

the Objection Petition and ensure timely service on the Secretary in Harrisburg, especially considering Objector resides in Monroe County. Objector had eight days to prepare, file, and serve the Objection Petition.<sup>5</sup> Yet, Objector gives no explanation for her delay in beginning the process of filing except that she decided to file the Objection Petition after learning her own nomination petition was being challenged.

Because the service requirement is a mandatory provision of the Election Code, the Court is constrained to grant Candidate's Application and dismiss Objector's Objection Petition.

*/s/ Renée Cohn Jubelirer*

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**RENÉE COHN JUBELIRER, President Judge**

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<sup>5</sup> Candidate filed her nomination petition one day early, giving Objector one extra day in addition to the seven days the Election Code provides to file objection petitions. 25 P.S. § 2937.

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**ORDER**

**NOW**, March 23, 2026, the Application for Relief filed by Maureen Madden is **GRANTED**. The Petition to Set Aside Nomination Petition filed by Anna Lopez is **DISMISSED**. The hearing scheduled for Wednesday, March 25, 2026, at 11:00 a.m. in Courtroom 5001, Fifth Floor, Pennsylvania Judicial Center, 601 Commonwealth Avenue, Harrisburg, is **CANCELLED**.

The Secretary of the Commonwealth is directed to certify the name of Maureen Madden to the proper officials for inclusion on the ballot of the Democratic Primary for the Office of Representative in the General Assembly, 115th Legislative District.

Each party shall bear their own costs.

*/s/ Renée Cohn Jubelirer*

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**RENÉE COHN JUBELIRER**, President Judge