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BOARD OF ELECTION COMMISSIONERS FOR THE CITY OF CHICAGO AS A DULY CONSTITUTED ELECTORAL BOARD

Objections of: Patrick J. Gibbons II	)	
	)	
	)	
To the Nomination	)	No.: 26-EB-SBD-007
Papers of: Norma Rios Sierra	)	
	)	26-EB-SBD-012
Candidate for the office of Member of the	)	
Chicago Board of Education, Subdistrict 3A,	)	
City of Chicago	)	

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of the Board of Election Commissioners for the City of Chicago, Commissioners Marisel A. Hernandez, June A. Brown and Laura Kotelman, organized by law in response to a Call issued by Marisel A. Hernandez, Chair of said Electoral Board, for the purpose of hearing and passing upon objections ("Objections") of Patrick J. Gibbons II ("Objector") to the nomination papers ("Nomination Papers") of Norma Rios Sierra, candidate for the office of Member of the Chicago Board of Education, Subdistrict 3A ("Candidate") at the General Election to be held on Tuesday, November 3, 2026, having convened on Tuesday, June 9, 2026, at 10:00 a.m. and having heard and determined the Objections to the Nomination Papers in the above-entitled matter, finds that:

1. Objections to the Nomination Papers of the Candidate were duly and timely filed.

2. The Electoral Board was constituted under the laws of the State of Illinois.

3. A Call to the hearing on said Objections was duly issued by the Chair of the Electoral Board and served upon the members of the Electoral Board, the Objector and the Candidate, by registered or certified mail and by Sheriff's service, as provided by statute, or service was waived and service by email was authorized.

4. A public hearing held on these Objections commenced on Tuesday, June 9, 2026 and was continued from time to time. The Electoral Board assigned this matter to Hearing Officer Terence Flynn for further hearings and proceedings.

5. The Objector and the Candidate were directed by the Electoral Board's Call served upon them to appear before the Hearing Officer on the date and at the time designated in the Hearing Schedule. The following persons, among others, were present at such hearing: the Objector, Patrick J. Gibbons II, and/or the Objector's Attorneys PERICLES ABBASI and CHRIS ABBASI; the Candidate, Norma Rios Sierra, and/or the Candidate's Attorney ED MULLEN.

6. The Hearing Officer has tendered to the Electoral Board his report and recommended decision. The Hearing Officer recommends that the Objections to the Candidate's Nomination Papers be overruled and that the Nomination Papers be declared valid.

7. The Electoral Board, having reviewed the record of proceedings in this matter and having considered the report and recommendations of the Hearing Officer, as well as all argument and evidence submitted by the parties, hereby adopts the Hearing Officer's recommended findings and conclusions of law. A copy of the Hearing Officer Report and Recommendations is attached hereto and is incorporated herein as part of the decision of the Electoral Board.

8. The Objector filed a motion pursuant to Rule 20 of the Electoral Board's Rules of Procedure, seeking additional review by the Electoral Board, and a hearing in response to said motion was conducted.

9. Resulting from that Rule 20 hearing, the Electoral Board finds that the Objector's factual claim that it was "impossible for potential objector to determine whether Candidate is in fact a registered voter" is, in fact, incorrect. (See Objector's Rule 20 Motion, p. 4.)

10. The Electoral Board finds that its online voter information lookup tool is not an official means for accessing Board records. However, the Illinois Freedom of Information Act ("FOIA") provides the public with a formal and official means of obtaining Board records. Apparently, the Objector never availed himself of this official tool. The Electoral Board finds that a standard and routine FOIA request performed by its general counsel, seeking voter registration records for "Norma Rios Sierra," resulted in a timely production of the registration records for "Norma Rios-Sierra," thus proving that it is not only possible, but quite simple, for the public to determine whether this Candidate was registered to vote, and whether she resides within school board Subdistrict 3A.

11. Furthermore, the Electoral Board reiterates and highlights the Hearing Officer's finding that the case law cited by Objector is neither relevant nor binding upon the Electoral Board under the facts presented in the case at hand. In *Ruffin v. Feller,* 2022 IL App (1st) 220692, the candidate failed to update her voter registration after undergoing a lawful name change related to her divorce. However, in the case at hand, there is no evidence that the Candidate had recently changed her name, whether due to marriage, divorce, or otherwise, Therefore, the name-change statutes at issue in *Ruffin* are not at issue here, and in the absence of any name change by this Candidate, the *Ruffin* case is not binding upon, nor persuasive to, this Electoral Board.

12. In *Shannon-DiCianni v. DuPage County Officers Electoral Bd.,* 2020 IL App (2d) 2000027, the candidate appended a nickname to her lawful surname, thus exhibiting on her nomination papers a fictitious last name to which she had no lawful claim. This, again, is

irrelevant to the case at hand, where the record shows no reasonable dispute that Candidate Rios Sierra is lawfully entitled to both the Rios and Sierra portions of her name. Thus, with no fictitious name at issue in the case at hand, the *Shannon-DiCianni* case is not binding upon, nor persuasive to, the Electoral Board.

13. The Electoral Board further accepts the Hearing Officer's analysis of the other cases cited in the parties' motions and responses, and in the Hearing Officer's Final Report and Recommended decision.

14. Since there is no clear statutory requirement in the Illinois Election Code, nor any other body of law cited in these proceedings, that invalidates a voter registration for including a hyphen in an otherwise un-hyphenated last name, nor that invalidates a candidacy for the sole reason that the Candidate did not include the hyphen on her nomination papers (thus matching her passport, driver's license, and other official documents), and since there is no biding legal precedent that requires the Electoral Board to invalidate the candidacy on these grounds, the Electoral Board hereby finds that the lack of a hyphen on the Nomination Papers, for a Candidate who nonetheless included her full last name on the petitions, and for whom her voter registration records were easily and quickly obtained through a simple FOIA request, public policy weighs strongly in favor of ruling that these Nomination Papers are legally valid and the Candidate's name shall be printed upon the ballot in the format that was presented to the voters on the Candidate's petition signature pages.

For the reasons stated above, the Electoral Board overrules the Objections to the Candidate's Nomination Papers and finds that the Candidate's Nomination Papers are valid.

IT IS THEREFORE ORDERED that the Objections of Patrick J. Gibbons II to the Nomination Papers of Norma Rios Sierra, candidate for the office of Member of the Chicago

Board of Education, Subdistrict 3A, are hereby OVERRULED, said Nomination Papers are hereby declared VALID, and the name of Norma Rios Sierra SHALL be printed on the official ballot for the General Election to be held on Tuesday, November 3, 2026.

Dated: Chicago, Illinois, Tuesday, July 28, 2026.

Marisel A. Hernandez, Chair

June A. Brown, Commissioner

Laura Kotelman, Commissioner

NOTICE: Pursuant to Section 10-10.1 of the Election Code (10 ILCS 5/10-10.1) a party aggrieved of this decision and seeking judicial review of this decision must file a petition for judicial review with the Clerk of the Circuit Court of Cook County within 5 days after service of the decision of the Electoral Board.

BEFORE THE DULY CONSTITUTED ELECTORAL BOARD

Patrick J. Gibbons II,		
Petitioner-Objector	)	
	)	**26-EB-SBD-007**
	)	
Norma Rios Sierra,	)	
	)	
Respondent-Candidate	)	

REPORT AND RECOMMENDATION

Procedural Background

This matter was assigned by the Electoral Board to the undersigned Hearing Officer, Terence Flynn. An initial hearing was held on June 10, 2026. Appearing for the Objector was Pericles Abbasi; appearing for the Candidate was Ed Mullen.

The gravamen of Objector's complaint is contained in ¶¶ 5 and 6 of the Objector's Petition (though ¶ 5 involving the School Code was dropped, Response Brief, Page 1). Paragraph 6 states that the Candidate *falsely* swore in violation of the Election Code that she was a registered voter at the address in her nomination papers for lack of a hyphen in her nomination papers: Her nomination papers (as is the caption here) has her name as "Rios Sierra" but her registration at her address has the name "Rios-Sierra": One with a hyphen and one without.

The Issue

Objector pleads that the omission of that hyphen is fatal to her candidacy and she should be excluded from the ballot. Objector states that strict adherence to punctuation in the Candidate's surname is required and *any* deviation, including the lack of a hyphen, disqualifies

the candidacy. This Hearing Officer disagrees for the reasons stated below and recommends that the Board similarly reject that argument.

Further Proceedings

No Rule 6 issues were implicated in the Objector's Petition; Objector stated a legal issue only. As such, a briefing schedule on a Motion to Dismiss was ordered and both parties complied. Argument was heard on June 17th. Prior to the argument, this Hearing Officer emailed attorneys for both parties and requested that they be prepared to argue the "applicability or inapplicability of *Morton v. State Officers Electoral Board,* 311 Ill. App.3d 982 (4th Dist. 2000)", a case not cited by either party in their briefing.

The Written Arguments

The parties were relatively straightforward in their respective written arguments, though at times a bit like "ships passing in the night". In ¶ 6 of the Objector's Petition itself, Objector cites two cases in support of the "false swearing" because of lack of a hyphen. *Ruffin v. Feller,* 2022 Il App (1st) 220692 and *Logan v. Reyes-Plummer,* 24-COEB-PD-08. So, one would think that in Candidate's Motion to Dismiss, both cases might be discussed at some length.

Rather, Candidate started by citing the important pro-ballot access cases[1]. Beyond that, Candidate's primary focus was a factual argument that her surname *is* "Rios Sierra", providing an Affidavit and Exhibits to that effect, including her naturalization papers, U.S. passport, Social Security card and Illinois drivers' license that all show her surname without the hyphen.

[1] Such as *Welch v. Johnson,* 147 Ill.2d 40, 56 (1992); *Sutton v. Cook County Officers Electoral Board,* 2012 IL App (1st) 122528, ¶10 and 13, for the principle that competitive ballot access is especially important, making the statement (without evidentiary support) that if struck from the ballot, no competitor will be on the ballot. There was a colloquy in oral argument about taking "judicial" or "hearing officer" or "Board" notice of this, but this Recommendation does not rest on that point. (Transcript, 6/17/26, p.12, L. 22 - p.13, L.19)

Candidate does distinguish *Ruffin, supra,* correctly in my view, that the legal requirement to change a registration subsequent to a name-changing divorce is not precedential. Nor is *Shannon-DiCianni v. DuPage County Officers Electoral Board,* 2020 IL App (2d) 2000027 precedential when in that case the hyphen created a fictitious name. There simply can be no compelling argument here that the difference between "Rios Sierra" on the Nomination Petition and "Rios-Sierra" in the CBOE's data base is somehow a work of fiction.

That can be seen by examining another of Objector's citations in his Response Brief: *Pochie v. Cook County Officers Board.* 289 Ill. App. 3d 585 (1997). In *Pochie*, the Candidate's residence address sworn to in the Nomination papers was egregiously wrong. Thus, because election board data is largely address-centered, upon an address search, the Candidate's name never appeared. However, here an address search found "Norma Rios-Sierra"; similarly a name search *with* hyphen also found the registered voter at the stated address. Candidate's briefs have some interesting excursions into Latina culture and matronymic/patronymic involvement but the determinative point she argues is that there is no nomenclature difference between the surname with or without the hyphen. In her Reply Brief (at p.3) she simply states: "Candidate is required to be a registered voter. She is a registered voter."

This Hearing Officer finds it interesting (actually, surprising) that in this day and age when hyphenate-names are very common, if not the rage, that there is no "hyphenate-case" directly on point. Neither party cited to any compelling hyphenate precedent and this Hearing Officer found none. But in an electoral world where nicknames are allowed, quotation marks can be in or out of such names, middle initials, and suffixes such as "Jr.", "Sr." are not found necessary for the legal name, it strikes me that the presence or absence of a surname's hyphen *cannot be determinative* for ballot access.

As mentioned above, though neither party cited or discussed *Morton v. State Officers Electoral Board,* 311 Ill.App.3d 982 (4th Dist. 2000) in briefing, I sent them an email asking them to be prepared to discuss its "applicability or inapplicability" at the oral argument.

Despite that rather obvious invitation, neither party chose to discuss *Morton* in their initial arguments until specifically asked to comment. ((The 6/17/26 transcript (Tr.) is in the Record.)) *Morton, supra,* involves an Objector who omitted both his middle initial and his "Jr." suffix in his Objector's Petition – and thus would not come up in a name search for a "registered voter of that name". Therefore, Candidate Morton challenged the Objector's standing to object as the Objector was allegedly not a registered voter under that name at that address. That is precisely analogous to the hyphenate question here. (The standard for Objectors and Candidates re name specification is the same – Tr. p. 12, L 17-21; p. 28-30.) In short, there were significant deviations in the Objector's name that did not trouble the *Morton* appellate court. The proposition urged by Objector here that there must be *strict, undeviating, adherence* in the name correlation between voter rolls and Nomination papers is rebutted by the *Morton* appellate opinion.

It would seem the height of form over substance to strike a candidacy on the basis of a missing hyphen. "Substantial compliance" certainly seems the legal standard to apply here and it is my determination – and my recommendation to the Board – that the name on the Nomination papers "Rios Sierra" substantially complies with the name "Rios-Sierra" in the voter registration records, just as "Perry Smith" in the Objection in *Morton* substantially complied with "Perry S.

Smith, Jr." in the voter rolls there. *Pochie*'s *address* insufficiency is quite different from the *name-sufficiency* found in *Morton.*[2]

Recommendation

For all the reasons stated above, it is the recommendation of this Hearing Officer to overrule and dismiss the Objector's Petition and given the contemporaneously-filed Recommendation in 26-EB-SBD-012, the name "Norma Rios Sierra" should appear on the ballot in the November 3, 2026 election for the office of School Board Member (3A), City of Chicago, State of Illinois.

Terence Flynn/ Hearing Officer s/Terence Flynn

Dated: 7/14/26

[2] There is an ancient proverb about "For want of a nail the shoe was lost; For want of a shoe the horse was lost" – then losing the rider, and then the battle, all the way up to the" kingdom" being lost. I do not think that "for lack of a hyphen ballot access is lost" withstands either iambic pentameter or legal analyses.