

SUPREME JUDICIAL COURT

for the Commonwealth

Case Docket

ROBERT GOLDSTEIN & others vs. SECRETARY OF THE COMMONWEALTH

SJC-12931

CASE HEADER

Case Status	Decided, Rescript issued	Status Date	04/17/2020
Nature	211/3 reservat'n & report	Entry Date	04/09/2020
Appellant	Plaintiff	Case Type	Civil
Brief Status		Brief Due	
Quorum	Gants, C.J., Lenk, Gaziano, Lowy, Budd, Cypher, Kafker, JJ.	Decision Date	04/17/2020
Argued Date	04/16/2020	Citation	484 Mass. 516
AC/SJ Number	SJ-2020-0150	Lower Ct Number	SJ-2020-0150
DAR/FAR Number		Lower Ct Judge	Elsbeth B. Cypher, J.
Lower Court	SJC for Suffolk County		
Route to SJC	Direct Entry: Single Justice Reservation & Report		

FUTURE CALENDAR

Thursday, April 16th 2020, 2:00 PM

Presiding: Gants, C.J., Lenk, Gaziano, Lowy, Budd, Cypher, Kafker, JJ.

No Location

INVOLVED PARTY

Robert Goldstein

Petitioner/Appellant

Kevin O'Connor

Petitioner/Appellant

Melissa Bower Smith

Petitioner/Appellant

William Galvin, Secretary of Commonwealth

Respondent/Appellee

Ranked Choice Voting 2020 Committee

Amicus

Awaiting green brief

ATTORNEY APPEARANCE

[Robert G. Jones, Esquire](#)

[Patrick Roath, Esquire](#)

[Robert G. Jones, Esquire](#)

[Patrick Roath, Esquire](#)

[Robert G. Jones, Esquire](#)

[Patrick Roath, Esquire](#)

[Juliana deHaan Rice, A.A.G.](#) - Withdrawn

[Elizabeth Kaplan, A.A.G.](#)

[Anne Sterman, A.A.G.](#)

[Richard S. Weitzel, A.A.G.](#)

[Amy Spector, A.A.G.](#)

[Thomas O. Bean, Esquire](#)

DOCKET ENTRIES

Entry Date	Paper	Entry Text
04/09/2020	#1	Entered. (This matter is opened conditioned upon the filing of the entry fee within 10 days.)
04/09/2020	#2	Emergency Petition for Relief Pursuant to G.L. c. 214, § 1 and G.L. c. 231A, § 1, filed for Robert Goldstein, Kevin O'Connor and Melissa Bower Smith by Attorney Robert Jones & another.
04/09/2020	#3	Appearance filed for William Galvin, Secretary of Commonwealth by Elizabeth Kaplan, A.A.G..
04/09/2020	#4	Emergency Motion for enlargement of time to file brief and agreed statement of facts filed for William Galvin, Secretary of Commonwealth by Elizabeth Kaplan, A.A.G..
04/09/2020	#5	ORDER: The emergency motion to enlarge time is ALLOWED. The response, supplemental memorandum, and agreed statement of facts are due by 5:00 PM, Tuesday, April 14, 2020; replies may be filed by 5:00 PM, Wednesday, April 15, 2020. Oral argument is scheduled for 2:00 PM, Thursday, April 16, 2020. Filing and service shall be through e-FileMA and electronic mail. By the Court.
04/09/2020	#6	Appearance filed for William Galvin, Secretary of Commonwealth by Anne Sterman, A.A.G..
04/09/2020	#7	Appearance filed for William Galvin, Secretary of Commonwealth by Richard Weitzel, A.A.G..
04/09/2020	#8	Appearance filed for William Galvin, Secretary of Commonwealth by Amy Spector, A.A.G..
04/14/2020	#9	Amicus Letter filed for Ranked Choice Voting 2020 Committee by Attorney Thomas O. Bean.
04/14/2020	#10	Supplemental Memorandum filed for Robert Goldstein, Kevin O'Connor and Melissa Bower Smith by Attorney Robert Jones.
04/14/2020	#11	Brief filed for Appellee William Galvin, Secretary of Commonwealth by Attorney Anne Sterman.
04/14/2020	#12	Joint Statement of Facts filed for William Galvin, Secretary of Commonwealth by Attorney Elizabeth Kaplan.

4/26/2020		Mass Appellate Courts - Public Case Search
04/14/2020	#13	Affidavit of Christina Knowles filed for William Galvin, Secretary of Commonwealth by Attorney Elizabeth Kaplan.
04/14/2020	#14	Affidavit of Michelle Tassinari filed for William Galvin, Secretary of Commonwealth by Attorney Elizabeth Kaplan.
04/15/2020	#15	Reply Memorandum filed for Robert Goldstein, Kevin O'Connor, and Melissa Bower Smith by Attorney Robert Jones.
04/16/2020		Oral argument held. (Gants, C.J., Lenk, J., Gaziano, J., Lowy, J., Budd, J., Cypher, J., Kafker, J.). View Webcast
04/17/2020	#16	RESCRIPT (Full Opinion): The plaintiffs' application for declaratory relief is allowed to the extent that it is declared, in the limited context of the current pandemic, that the minimum signature requirements in G. L. c. 53, §§ 7 and 44, for candidates in the September 1, 2020, primary election are unconstitutional. As a remedy for this constitutional violation, it is ordered that (1) the number of required signatures be reduced by fifty percent (50%) for all offices; (2) the deadlines for candidates running for State district and county offices to submit their nomination papers to local election officials for certification and for the filing of certified nomination papers with the Secretary be extended to May 5, 2020, and June 2, 2020, respectively, which are the current due dates for party candidates running for Federal and Statewide offices; and (3) subject to the restrictions outlined in this decision, the Secretary shall allow the submission and filing of nomination papers with electronic rather than "wet" signatures. (By the Court)
04/17/2020		RESCRIPT ISSUED to trial court.
04/20/2020	#17	ORDER: It is ordered that the Secretary of the Commonwealth shall provide the court with the text of the "clear guidance" that the Secretary is required by the court's opinion (see pp. 29-30) to provide forthwith to prospective candidates as to how the process of electronic signature collection may be accomplished effectively. The Secretary's report shall be filed no later than noon on Tuesday, April 21, 2020. By the Court.
04/21/2020	#18	Report filed for William Galvin, Secretary of Commonwealth by Anne Sterman, A.A.G. & others.

As of 04/24/2020 10:20am