



JUDICIAL CANDIDATES AUTOMATICALLY NOMINATED FROM 2006 PRIMARY ELECTION TO 2006 GENERAL ELECTION

In certain cases, some nonpartisan judicial offices that were open for filing for the May 16, 2006, Primary Election appear on our website's official candidate list for the Primary election as "no candidate filed." For the following candidates, this does not mean they did not file or qualify for the 2006 Primary Election. Because of state law affecting nonpartisan candidates who file for an office that is up for election to fill a mid-term vacancy, these candidates are automatically nominated to the 2006 General Election without appearing on the 2006 Primary Election ballot. The reason for this situation is explained in more detail after the following list of candidate names.

For your information, we provide the following list of the state candidates who are automatically nominated to the 2006 General Election ballot and will not appear on the 2006 Primary Election ballot. ORS 249.091. They are:

- Ellen Rosenblum, Judge of the Court of Appeals, Position 9, Incumbent
- Adrienne Nelson, Judge of the Circuit Court, 4th District, Position 4, Incumbent
- Pat Wolke, Judge of the Circuit Court, 14th District, Position 2, Incumbent
- Walter M. Beglau, Marion County District Attorney
- Gary Thompson, Sherman County Judge

Questions often arise regarding nominations to nonpartisan office. ORS 249.091 provides that if only one or two candidates have filed for the offices of Sheriff, County Treasurer or County Clerk, or to fill a vacancy in a nonpartisan office, then those candidates shall be the nominees for that office at the general election only. The names of those candidates shall not be printed on the ballot at the primary election. Please note that if the nonpartisan office would regularly be filled by election during this election year, the regular election rule in ORS 249.088 applies.

However, if three or more candidates file for County Clerk, Treasurer, Sheriff or a nonpartisan office to fill a vacancy, the contest will be on the primary ballot at the nominating election. If one of the three or more candidates receives a majority of the votes cast (50% plus one vote), then only that candidate is nominated and goes forward to the general election ballot. (They are not elected at the primary election.) If no one receives a majority, then the top two vote getters move forward to the general election.

Also, a nonpartisan candidate (except those described above) can be elected at the primary election if the candidates receive a majority of the votes cast (50% plus one vote). ORS 249.088. As noted above, ORS 249.091 applies only to the nonpartisan offices where the candidate must be elected at the general election as provided by Article V, section 16 and Article VI, section 6 of the Oregon Constitution.