

SUPREME COURT OF MISSOURI

Coyne v. Edwards

395 S.W.3d 509 (Mo. banc 2013) · Decided March 25, 2013

SUMMARY

The Missouri Supreme Court affirmed a judgment ordering the removal of Bernard Edwards's name from an election ballot because he untimely filed a required financial interest statement. The Court held that Community Fire Protection District had standing and that its fire chief had capacity to bring the action on the district's behalf. It also rejected Edwards's inadequate-notice, ballot-access, equal-protection, and due-process challenges.

CASE DETAILS

COURT	Supreme Court of Missouri
WRITING FOR THE COURT	Laura Denvir Stith
JURISDICTION	Missouri
DECIDED	March 25, 2013
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a St. Louis County circuit court judgment ordering removal of Edwards's name from the April 2013 general municipal election ballot after he failed to timely file a required financial interest statement.
STANDARD OF REVIEW	The judgment was reviewed under <i>Murphy v. Carron</i> and would be sustained unless unsupported by substantial evidence, against the weight of the evidence, based on an erroneous declaration of law, or based on an erroneous application of law. Constitutional challenges to statutes were reviewed under the presumption that statutes are constitutional and will not be invalidated unless they clearly and undoubtedly violate a constitutional provision.
PRECEDENTIAL VALUE	Published precedential opinion of the Supreme Court of Missouri
PARTIES	Bernard Edwards v. Charles Coyne

TOPICS

[election law](#)[ballot access](#)[equal protection](#)[procedural due process](#)[civil procedure](#)

PRACTICE AREAS

election law

constitutional law

civil procedure

QUESTIONS PRESENTED

1. Whether Chief Coyne had capacity and standing to bring an action on behalf of the Community Fire Protection District to remove Edwards's name from the ballot.
2. Whether Edwards received constitutionally adequate notice of the financial-interest-statement filing deadlines and applicable consequences.
3. Whether Missouri's statutory requirement that a candidate be disqualified and removed from the ballot for failing to timely file a financial interest statement unconstitutionally burdened ballot access under the First and Fourteenth Amendments.
4. Whether the different filing consequences for candidates and elected officials violated the Equal Protection Clause.
5. Whether the statutory scheme violated Edwards's procedural due process rights by disqualifying him without additional notice and a hearing.

HOLDINGS

1. Chief Coyne had legal capacity to maintain the action in his representative capacity because the Community Fire Board specifically authorized him to pursue the necessary legal action on its behalf. Community Fire also had standing because it was statutorily required to obtain removal of the disqualified candidate's name and was sufficiently affected by the candidacy for an office directing the district.
2. Edwards received constitutionally adequate notice of his obligation to file a financial interest statement and of the January 29 and February 5 deadlines and consequences of noncompliance. The district was not required to advise him separately about the applicable mailbox rule.
3. The statutory financial-interest-statement filing deadlines and resulting disqualification for untimely filing did not unconstitutionally burden Edwards's ballot access. Because the restrictions did not burden a fundamental right or involve the specially identified heightened-scrutiny categories, rational-basis review applied, and the requirements were rationally related to legitimate state interests.
4. The differing filing consequences for candidates and elected officials did not violate equal protection because candidates seeking office and elected officials already holding office are not similarly situated in all relevant respects.
5. Edwards's due process challenge failed because it was inadequately briefed and because he identified no particular circumstance or fact that additional notice and a pre-disqualification hearing would have enabled him to establish. He admitted that he did not timely file the required statement.

KEY QUOTATIONS

“A candidate’s access to the ballot or the right to run for office is not a ‘fundamental right.’” (518)

“The similarly situated standard is a “rigorous one” requiring proof that the two classes “were similarly situated in all relevant aspects.”” (519)

“For all of these reasons, the judgment is affirmed.” (521)

FACTUAL BACKGROUND

Bernard Edwards filed to run for Director of the Community Fire Protection District, which had an annual operating budget exceeding one million dollars and therefore was subject to Missouri's financial-interest-disclosure requirements. When he filed his candidacy declaration, he received and signed a notice stating that his financial interest statement was due January 29, 2013, and that failure to file by February 5 would result in disqualification and removal from the ballot. Edwards mailed the statement on February 5, but the statute required a February 4 postmark for mailing to qualify as timely, and the statement was postmarked February 5. The Community Fire Board authorized Fire Chief Charles Coyne to pursue the legal action necessary to remove Edwards's name from the ballot.

PROCEDURAL HISTORY

Community Fire Protection District notified the election authorities that Edwards was disqualified after his financial interest statement was postmarked one day late. Because the notification occurred during the statutory late-notification period, Chief Charles Coyne, authorized by the Community Fire Board of Directors, filed a petition in the St. Louis County circuit court seeking an order requiring removal of Edwards's name from the ballot. The circuit court overruled Edwards's motions to dismiss and for directed verdict, found that he was disqualified, and ordered removal of his name or posting of notices that votes for him would not be counted. The court of appeals transferred the case to the Supreme Court of Missouri because the validity of a statute was involved.

DISPOSITION

affirmed

CASES CITED

- Murphy v. Carron, 536 S.W.2d 30, 32 (Mo. banc 1976)
- State v. Faruqi, 344 S.W.3d 193, 199 (Mo. banc 2011)
- J.C.W. ex rel. Webb v. Wyciskalla, 275 S.W.3d 249, 253 (Mo. banc 2009)
- Southers v. City of Farmington, 263 S.W.3d 603, 609 (Mo. banc 2008)
- City of Wellston v. SBC Communications, Inc., 203 S.W.3d 189, 193 (Mo. banc 2006)
- In re Estate of Mapes, 738 S.W.2d 853, 855 (Mo. banc 1987)
- McNear v. Rhoades, 992 S.W.2d 877, 881 (Mo. App. 1999)
- Jackson Cnty. Bd. of Election Comm'rs v. Paluka, 13 S.W.3d 684, 689, 694 (Mo. App. 2000)
- State v. Young, 362 S.W.3d 386, 397 (Mo. banc 2012)
- Clements v. Fashing, 457 U.S. 957, 964 (1982)

- Missouri Prosecuting Attorneys & Circuit Attorneys Ret. Sys. v. Pemiscot Cnty., 256 S.W.3d 98, 102 (Mo. banc 2008)
- Storer v. Brown, 415 U.S. 724, 730 (1974)
- Cooper v. Missouri Bd. of Prob. & Parole, 866 S.W.2d 135, 137 (Mo. banc 1993)
- Murray v. Sw. Missouri Drug Task Force, 335 S.W.3d 566, 569 (Mo. App. 2011)
- Bishop v. Metro Restoration Servs., Inc., 209 S.W.3d 43, 47 (Mo. App. 2006)
- Sabri v. United States, 541 U.S. 600, 609 (2004)
- Lemke v. Cass County, Nebraska, 846 F.2d 469, 470-71 (8th Cir. 1988) (en banc)
- Morrissey v. Brewer, 408 U.S. 471, 489 (1972)
- Mathews v. Eldridge, 424 U.S. 319, 335 (1976)