



# VACANCY GUIDE



# 2025

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This reference guide has been prepared to answer frequently asked questions and is intended to provide general information only. The San Joaquin County Registrar of Voters is not rendering legal advice. This guide does not have the force and effect of law and is not a substitute for legal counsel. In the unlikely event that there is a conflict between this guide and the law, the law shall take precedence. Before initiating any efforts related to a particular topic within this guide, please note that, it is the public's responsibility to obtain the most current and accurate information that may be available on a topic.

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## Definitions of Terms Used in this Guide

The following definitions are provided to assist in understanding the procedures and terminology related to vacancies in county offices and governing bodies.

**Appointee:** An individual selected to fill a vacancy in office by the appropriate appointing authority, per legal procedures.

**Board of Supervisors:** The governing body of the county, which has the authority to make appointments or call elections to fill certain vacancies.

**Certificate of Appointment:** An official document issued to confirm the appointment of an individual to a vacant office.

**Declared Vacancy:** A vacancy officially recognized by the governing body or relevant authority, following the occurrence of a qualifying event (e.g., resignation, death, ineligibility).

**Elective Office:** An office filled by voters through an election rather than by appointment.

**Governing Body:** The official group (e.g., board, council, commission) with the authority to govern a local agency or jurisdiction.

**Holdover:** A situation where an elected or appointed official continues to serve after their term has expired, until a successor is duly qualified.

**Notice of Vacancy:** A written notification posted and/or filed to inform the public and relevant agencies of a vacancy in office, under legal requirements.

**Provisional Appointment:** A temporary appointment made to fill a vacancy under specific conditions, often until an election is held or the regular appointment process is completed.

**Quorum:** The minimum number of members required to be present for a governing body to conduct official business. This number is typically defined by statute or local regulations.

**Resignation:** A written statement submitted by an officeholder voluntarily leaving their position which becomes effective upon acceptance or a specified date.

**Special Election:** An election held outside the regular election cycle to fill a vacancy or decide on a particular issue.

**Term of Office:** The legally defined period during which an individual serves in an elected or appointed position.

**Vacancy:** The unoccupied status of an office due to resignation, death, removal, disqualification, or other cause.

## Government Code § 1770 - Vacancies

An office becomes vacant on the happening of any of the following events before the expiration of the term:

- a) The death of the incumbent.
- b) An adjudication pursuant to a quo warranto proceeding declaring that the incumbent is physically or mentally incapacitated due to disease, illness, or accident, and that there is reasonable cause to believe that the incumbent will not be able to perform the duties of his or her office for the remainder of his or her term. This subdivision shall not apply to offices created by the California Constitution nor to federal or state legislators.
- c) (1) His or her resignation, except as provided in paragraph (2).  
(2) In the case of the office of city council member, upon the delivery of a letter of resignation by the resigning council member to the city clerk. The letter of resignation may specify a date on which the resignation will become effective.
- d) His or her removal from office.
- e) His or her ceasing to be an inhabitant of the state, or if the office be local and one for which local residence is required by law, of the district, county, or city for which the officer was chosen or appointed, or within which the duties of his or her office are required to be discharged.
- f) His or her absence from the state without the permission required by law beyond the period allowed by law.
- g) His or her ceasing to discharge the duties of his or her office for the period of three consecutive months, except when prevented by sickness, or when absent from the state with the permission required by law.
- h) His or her conviction of a felony or of any offense involving a violation of his or her official duties. An officer shall be deemed to have been convicted under this subdivision when trial court judgment is entered. For purposes of this subdivision, "trial court judgment" means a judgment by the trial court either sentencing the officer or otherwise upholding and implementing the plea, verdict, or finding.
- i) His or her refusal or neglect to file his or her required oath or bond within the time prescribed.
- j) The decision of a competent tribunal declaring void his or her election or appointment.
- k) The making of an order vacating his or her office or declaring the office vacant when the officer fails to furnish an additional or supplemental bond.
- l) His or her commitment to a hospital or sanitarium by a court of competent jurisdiction as a drug addict, dipsomaniac, inebriate, or stimulant addict; but in that event the office shall not be deemed vacant until the order of commitment has become final.
- m) (1) The incumbent is listed in the Excluded Parties List System and all of the following subparagraphs apply:
  - A. The office is one that the incumbent holds ex officio, by virtue of holding another office, or as an appointee.
  - B. The office is part of a local agency that is, or may be, involved in a transaction, pursuant to federal law.
  - C. A federal agency head has not granted the incumbent written permission to take part in a transaction that the local agency may reasonably be expected to be a participant(3) This subdivision shall not apply to an elective office.

**Note:** If an officeholder is listed in the **Excluded Parties List System** (a federal list of people barred from certain transactions), it **does not automatically make their elected office vacant**. (Rule only applies to appointed or ex officio positions, not to positions that are filled by election.)

## County-Wide Vacancies

### **Member Board of Supervisors (General Law)**

Whenever a vacancy occurs in any board of supervisors, the Governor shall fill the vacancy. The appointee shall hold office until the election and qualification of his or her successor.

Government Code §§ 25060

The election of a supervisor to fill the vacancy for the unexpired term shall be held at the next general election unless the term expires on the first Monday after January 1st succeeding the election.

Government Code §§ 25061

When a vacancy occurs from the failure of the person elected to file their oath or bond as provided by law, and the person elected is appointed to fill the vacancy, he or she shall hold office for the unexpired term.

Government Code §§ 25062

### **Elected County Offices**

- Assessor-Recorder-County Clerk
- Auditor-Controller
- District Attorney
- Sheriff
- Treasurer-Tax Collector

The board of supervisors shall fill a vacancy in the offices listed above by appointment. The appointee shall hold office for the unexpired term or until the first Monday after January 1st succeeding the next general election.

Government Code § 25304

If on the first Monday after January 1st following a general election, the person elected to an elective county office has resigned or died, the board of supervisors shall provide that the office that was made vacant shall be filled at the next regularly scheduled election. The Board of Supervisors may appoint a person to temporarily carry out the duties of any office to be filled by such an election, and that person shall serve until the results of the election are declared.

The person elected shall serve for the remainder of the term that began on the first Monday after January 1st immediately preceding the election.

Government Code § 25304.5

## **County Superintendent of Schools**

Except when the county board of supervisors fills vacancies by appointment pursuant to Government Code § 25304, county boards of education may fill by appointment any vacancy that occurs during the term of office of the county superintendent of schools.

In a county in which the superintendent is elected, the appointee shall hold office until the office is filled by election at the next gubernatorial election.

The authority shall be vested in a county board of education only upon its adoption by the board at a public meeting held pursuant to Education Code §§ 1000 – 1017.

## **Terms of County Offices**

County offices are up for election every four years.

While the law for filling vacancies in county offices does not specifically call for a primary and run-off election, should no candidate receive more than 50% of the vote, the decision in past vacancies has been to conduct the vacancy election as we would a regular election, with a primary and general run-off election if needed as indicated by Elections Code §§ 8000 and 8140.

Regularly scheduled elections for county offices are held in the spring or summer (in the case of primary elections) and November (in the case of general elections) of even-numbered years.

## School District Vacancies

### **Causes of Vacancies**

Vacancies on school district governing boards or community college district boards are caused by any of the events specified in Section 1770 of the Government Code or by a failure to elect.

A vacancy resulting from resignation occurs when the written resignation is filed with the county superintendent of schools having jurisdiction over the district, or on a deferred effective date if one is specified. A governing board member may not defer the effective date of the member's resignation for more than 60 days after the member files the resignation with the county superintendent of schools. Regardless of whether a deferred effective date is specified, a written resignation becomes irrevocable upon being filed with the county superintendent of schools.

Education Code § 5090

### **Action Required by the Governing Board**

If a vacancy occurs, or if a resignation has been filed with the county superintendent of schools containing a deferred effective date, the school district or community college district governing board shall, within 60 days of the vacancy or the filing of the deferred resignation, either order an election or make a provisional appointment to fill the vacancy.

If a governing board fails to make a provisional appointment or order an election within the prescribed 60-day period, the county superintendent of schools shall order an election to fill the vacancy.

Education Code § 5091(a)

As a matter of practice, a copy of the resignation and any notices, appointments, resolutions calling for an election, etc., should be sent to the San Joaquin County Registrar of Voters Office as soon as possible.

### **Election Ordered**

When an election is ordered, it shall be held on the next established election date provided under Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code, not less than 130 days after the order of the election.

Education Code § 5091(b)

A regular election, as defined by Elections Code § 1000, is:

- a) The first Tuesday after the first Monday in March of each even-numbered year that is evenly divisible by four.
- b) The first Tuesday after the first Monday in March of each odd-numbered year.
- c) The second Tuesday of April in each even-numbered year.

- d) The first Tuesday after the first Monday in June in each even-numbered year that is evenly divisible by four.
- e) The first Tuesday after the first Monday in November of each year.

However, an election for a school district or community college district may be conducted on any established election date as provided in Elections Code §1000.

Education Code § 5093

## **Provisional Appointment**

When a provisional appointment is made, the governing board shall, within 10 days of the appointment, post notices of both the actual vacancy or filing of a deferred resignation and the provisional appointment in three public places in the district. The notice shall contain the full text of Education Code § 5092.

A provisional appointment confers all powers and duties of a governing board member upon the appointee immediately following their appointment. A person appointed to fill a vacancy shall hold office only until the next regularly scheduled election for district governing board members.

An appointment shall be made under the following procedures:

- The governing board shall advertise in the local media to solicit candidate applications or nominations.
- The governing board shall select a provisional appointee from the list of candidates.

Education Code §§ 5091(a), 5092

## **Public Notice**

The notice of vacancy or deferred resignation and the provisional appointment shall be posted in the district as follows:

- The notices shall be posted in at least three public places in the district.
- The notices shall be posted within 10 days of the provisional appointment.
- The notice shall contain the full text of Education Code § 5092.

## **Contents of Public Notice**

The public notice must include the fact of the vacancy or deferred resignation, the date of the occurrence of the vacancy or deferred resignation, the date the provisional appointment was made, and the procedures and timelines for the filing of a petition calling for a special election.

## **Petition Calling for a Special Election**

If a provisional appointment is made to fill a vacancy on a school district governing board or a community college district governing board, the registered voters of the district may, within 30

days of the date of the provisional appointment, file a petition with the county superintendent of schools having jurisdiction over the district calling for a special election to fill the vacancy.

The petition shall be filed per the requirements of Elections Code §§ 100, 104, 105, 106, 107, 108, 113, and Education Code § 5091(c).

### **Signature Requirements**

The petition shall be signed by registered voters of the district equal in number to at least one and one-half percent (1.5%) of the number of registered voters of the district at the time of the last regular election for governing board members, or 25 registered voters, whichever is greater.

### **Petition Requirements**

The petition shall meet the requirements of Elections Code §§ 100, 104, 105, 106, 107, 108, and 113. A petition must be verified by the county elections official. The petition shall be filed within 30 days of the provisional appointment.

### **Who Can Sign the Petition**

Only registered voters of the school district can sign the petition calling for a special election.

### **Petition Circulator**

Any registered voter of the school district may circulate the petition. The circulator must declare under penalty of perjury that they are a resident of the district and qualified to circulate the petition.

### **Filing the Petition**

The petition must be filed with the county superintendent of schools having jurisdiction over the district. It must be filed within 30 days of the provisional appointment. Upon verification by the county elections official, if the petition is determined to be sufficient, the county superintendent of schools shall call a special election to fill the vacancy.

### **Term of Office**

An appointee to a vacancy holds office only until the next regularly scheduled election for district governing board members. The person elected to fill the vacancy serves for the remainder of the unexpired term.

### **Conditions for No Election or Appointment**

If a vacancy occurs on a school district or community college district governing board, and no appointment is made and no special election is called within the prescribed time, the county superintendent of schools shall order an election to fill the vacancy.

## Special District Vacancies

### **Action Required by the Governing Board**

When a vacancy occurs in a special district board, the remaining members of the board shall, within 60 days of the date of the vacancy or the filing of the member's deferred resignation, either fill the vacancy by appointment or order an election to fill the vacancy.

If the board fails to fill the vacancy or order an election within 60 days, the board of supervisors of the county in which the district is located shall fill the vacancy by appointment or order the district to call an election to fill the vacancy.

As a matter of practice, a copy of the resignation and any notices, appointments, resolutions calling for an election, etc., should be sent to the San Joaquin County Registrar of Voters Office as soon as possible.

### **Appointments to Fill Vacancies**

When an appointment is made to fill a vacancy on a special district board, the appointee shall hold office for the unexpired term or until the first Monday after January 1st succeeding the next general election.

### **Elections to Fill Vacancies**

When an election is ordered to fill a vacancy on a special district board, it shall be held on the next established election date provided according to Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code, not less than 130 days after the order of the election.

### **If the District Board Fails to Act**

If the district board fails to act within 60 days of the date of the vacancy or the filing of the member's deferred resignation, the board of supervisors of the county in which the district is located shall fill the vacancy either by appointment or by calling an election.

### **If the District Board Lacks a Quorum to Act within 60 Days**

If the district board lacks a quorum to act within 60 days of the date of the vacancy or the filing of the member's deferred resignation, the board of supervisors of the county in which the district is located shall fill the vacancy by appointment or order the district to call an election to fill the vacancy.

Government Code § 1780 (h)

### **If the City Council or Board of Supervisors Fails to Act**

If the vacancy is not filled within 90 days of the date of vacancy or the filing of the member's deferred resignation, the district shall call an election to fill the vacancy.

## **Term of Office**

An appointee to a vacancy on a special district board holds office for the unexpired term or until noon on the first Friday in December next following the general district election. Before taking office, each elective officer shall take the official oath and execute any bond required by the principal act.

Elections Code § 10554

## **Party Central Committee/County Council Vacancies**

### **Democratic Party / Republican Party / American Independent Party**

Vacancies are filled by the remaining members of the committee by appointment.

Elections Code §§ 7212-7215, 7410-7413, 7657-7658

### **Green Party**

Vacancies are filled by the remaining members of the county council by appointment.

Elections Code § 7905

### **Peace and Freedom Party / Libertarian Party**

For election purposes, the Libertarian party opted to utilize the provisions in the Elections Code pertaining to the Peace and Freedom Party (the party was disqualified in 1998 and re-qualified in 2003)

Therefore, the Peace and Freedom County Central Committee and the Libertarian Party County Central Committee, in their sole discretion, may appoint such additional members to the county central committee as they may desire. A committee may remove any member if:

- The member misses more than three consecutive regularly called meetings, unless his or her absence is caused by illness or temporary absence from the county on the date of the meeting; or
- The member, during his or her term of membership affiliates with, or registers as a member of another party, who publicly advocates against voting for the nominee of this party for any office, or who gives support or avows a preference for a candidate of another party or candidate who is opposed to a candidate nominated by this party.
- The removal of a residence by an elected or appointed member of a committee from the Assembly district or supervisor district from which he or she has been elected or appointed a member of that committee shall constitute his or her automatic resignation from the committee

## Federal, State, & Judicial Vacancies

### **President of the United States**

A vacancy in the office of President of the United States is filled by the Vice President of the United States.

U.S. Constitution, Amendment XXV

### **United States Senator**

When a vacancy occurs in the office of United States Senator, the Governor shall fill the vacancy by appointment. The appointee shall hold office until the next general election and until a successor is elected and qualified.

Elections Code § 10720

### **Congressional and Legislative Offices**

When a vacancy occurs in a congressional or legislative office, the Governor shall call a special election to fill the vacancy. The election shall be held within 140 days of the issuance of the proclamation calling the election.

Elections Code § 10700-10703

### **Governor**

When a vacancy occurs in the office of Governor, the Lieutenant Governor shall become Governor for the remainder of the term.

CA Constitution, Article V, Section 10

### **Other State Constitutional Offices**

When a vacancy occurs in any other state constitutional office, after the close of the nomination period in the final year of the term of office, no special election shall be held the Governor shall fill the vacancy by appointment.

CA Constitution, Article V, Section 5 and Elections Code § 10701

### **Supreme and Appellate Court Justices**

When a vacancy occurs in the office of a Supreme Court or Appellate Court justice, they can file a declaration of candidacy to succeed themselves within 30 days before August 16 before their term's expiration. If no declaration is filed, the Governor must nominate a candidate by September 16. In the next general election, only the judge who declared candidacy or the Governor's nominee will appear on the ballot, which will ask whether the candidate should be elected. The candidate needs a majority of votes to be elected; a candidate who does not

receive a majority cannot be appointed to that court but may be nominated and elected in the future. The Governor appoints judges to fill vacancies, and the appointee holds office until the Monday after January 1 following the first general election at which they could have been a candidate or until an elected judge qualifies. This appointment is effective upon confirmation by the Commission on Judicial Appointments. Additionally, county electors may apply this selection system to superior court judges by a majority vote, in a manner provided by the Legislature.

CA Constitution, Article VI, Section 16 (d)

### **Superior Court Judge**

When a vacancy occurs in the office of a Superior Court judge, the Governor shall fill the vacancy temporarily by appointment. The appointee shall hold office until the next general election after the second January 1 following the vacancy.

CA Constitution, Article VI, Section 16 (c)

## **Vacancies in Other Districts Not Covered by Gov. Code § 1780**

### **Municipal Utility Districts**

When a vacancy occurs in a municipal utility district, the remaining members of the board shall fill the vacancy by appointment within 60 days. If the board fails to fill the vacancy within 60 days, the board of supervisors of the county in which the district is located shall fill the vacancy by appointment.

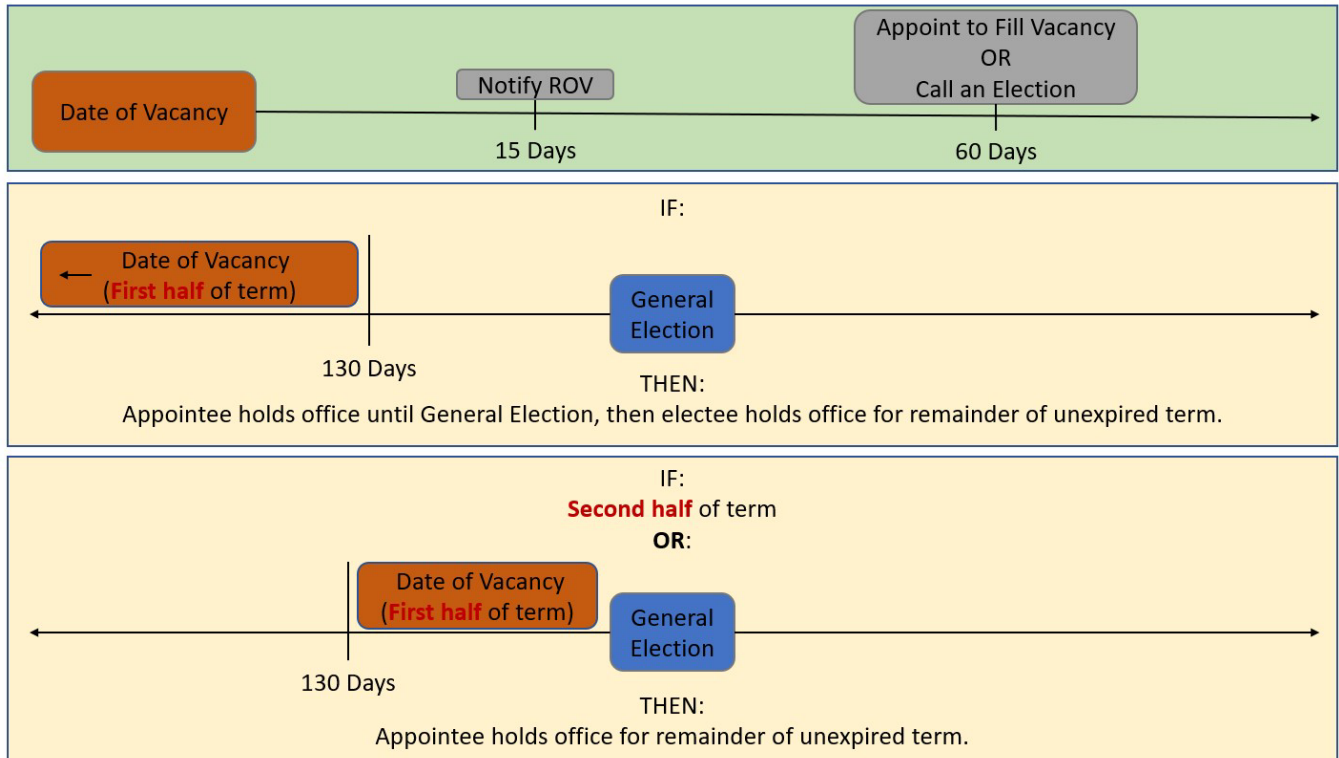
Public Utilities Code § 11865

### **Irrigation Districts with 500,000 or more acres**

When a vacancy occurs in an irrigation district with 500,000 or more acres, the remaining members of the board shall fill the vacancy by appointment within 60 days. If the board fails to fill the vacancy within 60 days, the board of supervisors of the county in which the district is located shall fill the vacancy by appointment.

Water Code Division 11, Part 5, Chapter 5 § 22849

## Vacancy Timeline



## Sample Public Notice of Vacancy and/or Appointment

Education Code §5092

1. A vacancy in the membership of the Governing Board of the **(name of district)** School District has occurred because of the **(resignation or other reason)** of **(name of trustee)**, effective **(date)**.
2. The resignation was filed in the office of the San Joaquin County Superintendent of Schools on **(date)**.
3. **(Name of appointee)** was appointed by the Governing Board on **(date)** to fill the above-named vacancy.
4. To challenge the appointment and order a special election, the following must be filed in the office of the San Joaquin County Superintendent of Schools within 30 days from the date of the provisional appointment:
  - File a petition calling for a special election containing the valid signatures of at least 1 ½ percent of the number of registered voters of the district at the time of the last regular election for governing board members held within the (name of district), or 25 registered voters of the district, whichever is greater, or
  - In districts with less than 2,000 registered voters, a petition shall be deemed to bear a sufficient number of signatures if signed by at least 5 percent of the number of registered voters of the district at the time of the last regular election for governing board members.

Governing Board of the **(name of district)**

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Clerk of the Board Signature

Date: \_\_\_\_\_

# Sample Petition for Special Election

## To Fill the Vacancy on the Governing Board of the \_\_\_\_\_ School District in San Joaquin County

The proponents of this petition, as named herewith, are registered voters of the aforementioned school district.

S/Voter 1, 3030 Sugar St., Santa Cruz, CA 95060  
S/Voter 2, 4010 Sugar Dr., Scotts Valley, CA 95066  
S/Voter 3, 501 Coco Rd., Capitola, CA 95050  
S/Voter 4, 32 Sugar Ave., Watsonville, CA 95076  
S/Voter 5, 189 Coco Blvd., Aptos, CA 95003

← Name and residence of at least one and not more than five proponents. Ed. Code §5091(f)

Pursuant to Education Code §5091, we, the undersigned, who are registered voters of the \_\_\_\_\_ School District of San Joaquin County, California, hereby petition the County Superintendent of Schools to call a special election for the purpose of filling the vacancy on the governing board of said school district.

When an election is called pursuant to this petition, the provisional appointment heretofore made by the governing board of said school district to fill the vacancy should be terminated.

The County Clerk in and for the County of San Joaquin has estimated the cost of conducting the special election called pursuant to this petition to be approximately \$ \_\_\_\_\_ (insert estimated cost here) \_\_\_\_\_.

Official  
Use Only

|   |                                      |                        |     |
|---|--------------------------------------|------------------------|-----|
| 1 | Print Your Name                      | Residence Address Only |     |
|   | Your Signature as Registered to Vote | City, State            | Zip |
| 2 | Print Your Name                      | Residence Address Only |     |
|   | Your Signature as Registered to Vote | City, State            | Zip |
| 3 | Print Your Name                      | Residence Address Only |     |
|   | Your Signature as Registered to Vote | City, State            | Zip |



### DECLARATION OF PERSON CIRCULATING SECTION OF PETITION FOR A SPECIAL ELECTION

I, \_\_\_\_\_ declare:  
(Print Name)

Each petition section shall have attached to it an affidavit to be completed by the circulator. §104, 9109

1. My residence address is \_\_\_\_\_, in San Joaquin County, California, and I am a registered voter in San Joaquin County;
2. I personally circulated the attached petition for signing;
3. I witnessed each of the appended signatures being written on the petition and to my best information and belief, each signature is the genuine signature of the person whose name it purports to be; and
4. The appended signatures obtained between the dates of \_\_\_\_\_ and \_\_\_\_\_, inclusive.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on \_\_\_\_\_ at \_\_\_\_\_  
(date) (Place of signing)

\_\_\_\_\_  
(Complete Signature of Petition Circulator)

It is recommended that you leave a 1" margin at the top, and a 1/2" margin on the left, right and bottom.

## Sample Application for Appointment to Vacancy

Instructions: If you are interested in serving on a special district Board of Directors, please complete this application and return it to (insert District Name) by (insert due date). The district board will advise you upon confirmation of your appointment. Thank you for your interest.

.....  
NAME: \_\_\_\_\_ AGE (optional): \_\_\_\_\_

RESIDENCE ADDRESS: \_\_\_\_\_

BUSINESS OR MAILING ADDRESS: \_\_\_\_\_

PHONE (DAYTIME): \_\_\_\_\_ PHONE (EVENING): \_\_\_\_\_

E-MAIL: \_\_\_\_\_

### **Statement of Qualifications:**

Please briefly describe your qualifications and why you are interested in serving on the Board of Directors.

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### **Certification:**

I certify that the information contained in this application is true and correct. I authorize the verification of the information in this application.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Sample Notice of Vacancy

## **NOTICE OF VACANCY**

Interested persons are hereby notified that pursuant to Government Code § 1780, there is a vacancy on the \_\_\_\_\_ (District Name) \_\_\_\_\_ Board of Directors.

The vacant position is a 4-year term ending December 20\_\_\_\_.

The seat will go to the election in November 20\_\_\_\_ for two years of the term.

NOTE: Eliminate the sentence above if the seat is up for a full term in the next election.

Applications are available at the  
\_\_\_\_\_ (District Name) \_\_\_\_\_ Office located at  
\_\_\_\_\_ (District Address) \_\_\_\_\_  
\_\_\_\_\_ (Phone Number) (Website) \_\_\_\_\_

Applications are due (Date)

This district board has 60 days from the date the board is notified of the vacancy or the effective date of the vacancy, whichever is later, to fill the vacancy by appointment or call a special election. Government Code §1780

Pursuant to Government Code §1780, this notice will be posted for 15 days in three or more conspicuous locations in the districts from \_\_\_\_\_ to \_\_\_\_\_.

## Sample Vacancy Letter to ROV

(Use District Letterhead)

(Insert Date)

San Joaquin County Registrar of Voters  
Attention: Candidate Services  
44 North San Joaquin Street  
Third Floor, Suite 350  
Stockton, CA 95202

Re: (District Name) District Board Notice of Vacancy

Candidate Services:

This letter is being sent according to the California Government Code §1780. On (Insert Date), the (Insert District Name) ("The District") received a notice of resignation from board member (Insert Board Member Name), indicating that (she/he) will be resigning as of (Insert Date). Accordingly, this is to provide your office with the notification of a board vacancy according to Government Code § 1780. The district expects to appoint a replacement (Name of replacement) within the sixty (60) day deadline.

Please do not hesitate to contact me should you have any questions or concerns.

Best Regards,

(Insert Name and Title)

## Sample Appointment Letter to ROV

(Use District Letterhead)

(Insert Date)

San Joaquin County Registrar of Voters  
Attention: Candidate Services  
44 North San Joaquin Street  
Third Floor, Suite 350  
Stockton, CA 95202

Re: Notification of Board Appointment – California Government Code §1780

Candidate Services:

This letter shall serve as a Notification of Board Appointment according to California Government Code §1780. On (Insert Date), at a regular meeting of the Board of Directors, the (Insert District Name) appointed (Insert member name) to serve as a director, filling the vacancy left by (Insert member name) who resigned effective (enter date).

Please do not hesitate to contact me should you have any questions or concerns.

Best Regards,

(Insert Name and Title)

## Sample Quorum Request Letter

(Use District Letterhead)

(Insert Date)

San Joaquin County Registrar of Voters  
Attention: Candidate Services  
44 North San Joaquin Street  
Third Floor, Suite 350  
Stockton, CA 95202

Re: Request for Board of Supervisors to Appoint Members to Establish a Quorum Pursuant to Government Code § 1780(h)

Candidate Services:

The (name of agency/district), a (type of agency, e.g., special district), currently lacks a quorum on its governing board due to (brief explanation of circumstances, e.g., resignations, vacancies, etc.).

Under Government Code § 1780(h), if a vacancy or vacancies occur on an appointed or elected board and a quorum cannot be established, the Board of Supervisors of the county in which the district is located may appoint a person or persons to fill the vacancies in order to establish a quorum. Once a quorum has been established, the district's board may then proceed to fill the remaining vacancies pursuant to applicable law.

As of this date:

Total number of board seats: (e.g., 5)

Number of current board members: (e.g., 1)

Number of vacant seats: (e.g., 4)

Quorum requirement: (e.g., 3)

Accordingly, the (district/agency name) respectfully requests that the San Joaquin County Board of Supervisors exercise its authority under Government Code § 1780(h) to appoint (number) board member(s) so that the (district/agency) may re-establish a quorum and resume conducting official business.

Thank you for your attention to this matter.

Sincerely,

(Insert Name and Title)

# Sample Oath of Office

## **Oath of Office**

(Government Code § 1360-1363. 3105)

(Section 3, Article XX, State Constitution)

STATE OF CALIFORNIA      }  
                                          SS.  
COUNTY OF SAN JOAQUIN

*I, \_\_\_\_\_, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.*

\_\_\_\_\_  
(Name of Office)

\_\_\_\_\_  
(Candidate's Signature)

*Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2025.*

\_\_\_\_\_  
(Signature of Person Administering Oath and Title)



# San Joaquin County Registrar of Voters' Office District Verification for Appointments

Filed in the County of  
San Joaquin

Please complete all fields on this form and return it to our office via email at [candidates@sjgov.org](mailto:candidates@sjgov.org) before appointing the candidate for the vacancy. The information provided is for internal use only.

\_\_\_\_\_  
Elections Official

## Candidate Information

Registered Name: \_\_\_\_\_  
Last First Middle

Preferred Name: \_\_\_\_\_ Phone: \_\_\_\_\_

District or Committee: \_\_\_\_\_

Office Sought: \_\_\_\_\_

Registered Address: \_\_\_\_\_  
Street Apartment/Unit #

\_\_\_\_\_  
City State Zip Code

Email Address (Required): \_\_\_\_\_

Requester's Name: \_\_\_\_\_

Additional Qualifications: \_\_\_\_\_

## District Verification Information

The candidate is: Active ☐ In District ☐ Out of District

The candidate is: Inactive (please have candidate contact our registration department at 209-468-VOTE)

Canceled (please have candidate contact our registration department at 209-468-VOTE)

Not a registered voter (please instruct candidate to register to vote)

Verified by: \_\_\_\_\_ & \_\_\_\_\_ Date: \_\_\_\_\_