

Montgomery County judge rejects term-limits referendum lawsuit

Ficker says he might appeal

—Margie Hyslop |

A Montgomery County Circuit Court judge has dismissed a lawsuit challenging the county election board's rejection of thousands of signatures on petitions to put a question on the ballot seeking term limits for County Council members.

Judge Robert A. Greenberg told County Council candidate and term-limits activist Robin Ficker on Tuesday that the plaintiff — the Citizens Charter Committee, a campaign organization formed by Ficker and some supporters of the petition drive — lacked standing under a legal standard that the plaintiff must be more aggrieved than the average taxpayer or voter.

At the heart of the complaint is the board's strict interpretation of rules for qualifying signatures as written by registered voters.

Ficker said he is considering appealing the lawsuit, which would have to be heard quickly in order to get the question on the ballot for the Nov. 2 general election.

Ficker said he disagreed with the judge's decision that his organization had no standing, noting that his group "spent countless hours collecting signatures. But Ficker said he agreed with Greenberg's comment that the elections board was wrong to disqualify several signatures that exceeded 10 per page.

Ficker also said the elections board should have specified the reasons for disqualifying signatures.

Later Tuesday, Greenberg rejected arguments that the county volunteer firefighters association lacked standing to sue in order to ask voters whether they want to repeal a new county ambulance fee.

Lawyers for the county contended that the organization lacked standing because it was not aggrieved, but Greenberg disagreed, allowing the case, which is expected to take several days, to proceed.