ANNEXATION - ILLINOIS

Board of Educ. of Du Page High School Dist. 88 v. Pollastrini

Appellate Court of Illinois, Second District - August 29, 2013 - N.E.2d - 2013 IL App (2d) 120460

Pursuant to the Illinois School Code (School Code) (105 ILCS 5/1–1 et seq.), parents filed a petition with the Regional Board of School Trustees of Du Page County (the Board) for detachment. The petitioners sought to detach the Timber Trails area from Districts 48 and 88 and have the area annexed into Butler School District 53 (District 53) and Hinsdale Central High School District 86 (District 86).

A dispute ensued regarding the validity of the signatures gathered in support of the annexation.

The appeals court set out the requirement for valid signatures, stating:

"We therefore turn to a consideration of the signatures that the petitioners submitted in support of their detachment petition. We note that there is a dearth of Illinois law on the subject of how such signatures should be analyzed. However, in considering existing Illinois law as well as foreign authorities, certain standards emerge. Substantial compliance will be found if the signature transposes the first name and middle initial (*Board of Education of Wapella Community Unit School District No. 5 v. Regional Board of School Trustees*, 247 Ill.App.3d 555, 560 (1993)), if the middle initial is omitted (*People ex rel. Owen v. Dunn*, 247 Ill. 410, 413 (1910)), if a suffix, such as Junior, is omitted (*Morton v. State Officers Electoral Board*, 311 Ill.App.3d 982, 985 (2000)), or if a common shortened version of a first name (such as Ray) is used instead of the full first name (such as Raymond) (*Bonardo v. People*, 182 Ill. 411, 424 (1899); *In re Nomination Petition of Gales*, 54 A.3d 855, 859 (Pa.2012)). Substantial compliance will not be found if one uses an initial for a first or last name. *In re Nomination Petition of Flahery*, 770 A.2d 327, 332 (Pa.2001). Similarly, if using an initial instead of a full first name is not substantial compliance, then omitting a first or last name completely is not substantial compliance. See id. Further, substantial compliance will not be found if the signature is printed rather than in cursive as it appears on the corresponding registration form. *State ex rel. Rogers v. Taft*, 594 N.E.2d 576, 579 (Ohio 1992)."

Copyright © 2026 Bond Case Briefs | bondcasebriefs.com