

# [***Appeals court leaves temporary hold on New Jersey's county line primary ballot design in place***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BTP-VK81-JC5B-G1R6-00000-00&context=1516831)

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**Body**

PHILADELPHIA — A federal appeals court on Wednesday affirmed a [*lower court's decision to order New Jersey Democrats scrap*](https://apnews.com/article/new-jersey-election-ballot-design-primary-court-3de3387c8faf5dcebf367b514dc50d52) a ballot design widely viewed as helping candidates with establishment backing.

The 3rd Circuit Court of Appeals considered a slimmed-down appeal brought by the Camden County Democrats after the county clerks — the officials charged with designing ballots in New Jersey — dropped out of the appeal of a lower court's temporary injunction.

The appeals court's decision means that U.S. District Judge Zahid Quraishi's order requiring clerks to stop using the so-called county line ballot, which lists candidates with political party support in a single column and often relegates others to “ballot Siberia” will stand.

But that court's order far from resolves the issue in New Jersey, which had been unique in the country for using the county line style ballots. Quraishi's order applies only to the Democratic primary on June 4 because Republicans sought to join the lawsuit after a deadline passed.

Once a pillar of ***politics*** in the state, the county line ballot began showing signs of crumbling this year. Senate candidate Democratic Rep. Andy Kim brought the lawsuit with House candidates Sarah Schoengood and Carolyn Rush, alleging that the system unfairly helped those with party backing get preferential ballot placement. Soon after, state Attorney General Matt Platkin said he found the county line to be unconstitutional.

Legislative leaders have said they acknowledge the need to address the issue, though it is unclear how it will end up.

For now, under the judge's order the Democratic primary will unfold with an “office block” ballot, or a listing of candidates near the office they are seeking, as the rest of the country uses.

In an emailed statement, William Tambussi, the attorney for Camden County Democrats, said the organization respects the court's decision.

"The Committee believes that the First Amendment freedom of association held by political parties is an important constitutional right to defend. The current system in Camden County has led to slates of elected officials of historic diversity and qualifications without limiting anyone’s access to the ballot," Tambussi said.

A message was left with the attorney for the Camden Democrats seeking a response to the appeals court's ruling.

Kim's lawsuit came in the context of — at the time — what looked like a challenging primary fight against first lady Tammy Murphy for the seat held by [*indicted Sen. Bob Menendez*](https://apnews.com/article/menendez-federal-bribery-indictment-136e45051b074dbe1a366214cee2634f). Menendez [*has said he won't seek reelection as a Democrat*](https://apnews.com/article/menendez-bribery-senate-new-jersey-7a8cd625f5be3d2f2c4c1f2c2a72ff9e), but he could possibly run as an independent after federal corruption trial ends.

Murphy had won the endorsement of a handful of county party leaders, winning the line on the ballot there. But Kim seemed to capture a growing tide of progressive frustration with the system. Murphy [*dropped out of the race*](https://apnews.com/article/tammy-murphy-new-jersey-us-senate-menendez-6157bad8de90950d9504153331c097ba), acknowledging the high stakes in November given that Democrats have a narrow majority in the Senate and saying she didn't want to attack a fellow Democrat.

Kim is now in a strong position for the Senate seat in a state that hasn't elected a Republican senator in over five decades.

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