

# [***Federal court scraps New Jersey's controversial 'county line' ballot design***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BNN-3P61-JBSS-S01D-00000-00&context=1516831)

CNN Wire

March 29, 2024 Friday 7:25 PM GMT

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**Length:** 895 words

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**Dateline:** (CNN)

**Body**

(CNN) &#8212; Voting rights advocates scored a major victory Friday in New Jersey when a federal judge struck down [*the use of a controversial primary ballot design*](https://www.cnn.com/2024/03/24/politics/new-jersey-senate-democratic-primary/index.html) that favored party-backed candidates.

The decision is potentially a grave blow to the state's powerful political machines, which have for decades used the so-called county line to prop up their endorsed candidates. The system is currently used in 19 of the Garden State's 21 counties.

The preliminary injunction granted by US District Judge Zahid Quraishi is almost certain to be appealed, but, for now, it means that New Jersey voters will use office block ballots - the standard across most of the country - during the June primary. The lawsuit was brought by [*Democratic Rep. Andy Kim*](https://www.cnn.com/2023/09/23/politics/menendez-andy-kim-senate/index.html), who is running for the seat of [*scandal-tarred incumbent Sen. Bob Menendez*](https://www.cnn.com/2024/03/21/politics/bob-menendez-reelection-plans/index.html), and two other South Jersey-based House candidates, who argued that the current system is unconstitutional.

Quraishi's order includes specific language barring county elections officials from organizing their ballots "by column or row" and replacing it with a "randomized ballot order system ... which affords each candidate for the same office an equal chance at obtaining the first ballot position."

Anger over the "county line" ballots has been growing for years in New Jersey, the only state that uses the design. Activists filed a lawsuit in 2021 that Kim, with the same lawyers, effectively revived with his Senate bid as he competed against party machine-favored rival [*Tammy Murphy*](https://www.cnn.com/2023/11/15/politics/tammy-murphy-new-jersey-senate-menendez/index.html), the first lady of New Jersey.

But Murphy [*dropped out of the race*](https://www.cnn.com/2024/03/24/politics/tammy-murphy-suspends-new-jersey-senate-bid/index.html) earlier this week amid a grassroots backlash tied, in part, to frustration over the advantages conferred by "the line."

"Today's decision is a victory for a fairer, more democratic ***politics*** in New Jersey. It's a victory built from the incredible grassroots work of activists across our state who saw an undemocratic system marginalizing the voices of voters, and worked tirelessly to fix it," Kim said in a statement that described the ruling as a triumph for those working "to restore and protect voting rights."

New Jersey Working Families Party state director Antoinette Miles also praised the decision and its impact.

"County party bosses and clerks will no longer be able to unconstitutionally design ballots meant to elect favored candidates and party insiders," said Miles, whose organization has spent years pushing for a ballot overhaul. "Candidates will now be answerable to voters at the ballot box - not corporate special interests who control the awarding of the line."

Friday's ruling, if it holds, could affect other down-ballot races in New Jersey this year. Democratic Reps. Bill Pascrell and Robert Menendez, the son of the incumbent senator, are facing primary challenges in the state's New York City suburbs, and there's a competitive Democratic primary for Kim's South Jersey seat.

The ruling could also alter the state's 2025 gubernatorial race. Democratic Gov. Phil Murphy, now in his second term, cannot run again. There are several well-known candidates either considering or already vying for the Democratic nomination to succeed him. One of them, Jersey City Mayor Steven Fulop, initially endorsed Tammy Murphy in the Senate primary.

But last week, before the first lady had dropped out of the race, he flipped and announced he would back Kim after observing a county convention season in which the grassroots largely backed the congressman.

"New Jersey has taken a major step forward today to a fairer, more representative electoral system and away from the political bossism and corruption that has plagued our state for too long," Fulop said in a statement Friday. "This is a victory for the people, and proof that nothing can stop determined residents fighting for what's right."

Tammy Murphy's entrance into the primary in November, about two months after Kim, was greeted with a flood of endorsements, several of which either guaranteed or strongly suggested she would be given a plum spot on the primary ballot - and a potentially decisive advantage over Kim before the campaign had begun in earnest.

Ezra Levin, the co-founder and co-executive director of Indivisible, a Democratic group supporting Kim that was formed after [*Donald Trump*](https://www.cnn.com/politics/president-donald-trump-45)'s election in 2016, called "the line" a "thorn in democracy."

"Mere months ago, pundits said Andy Kim's candidacy was a long shot and that his lawsuit against the New Jersey political machine was doomed," Levin said in a statement. "Now Andy is on his way to being a U.S. senator, and the corrupt machine is going down.

Kim's rivals for the Democratic Senate nomination include progressive activist Patricia Campos-Medina and Larry Hamm, a community organizer from Newark who unsuccessfully challenged Democratic Sen. Cory Booker in a 2020 primary.

Menendez announced last week that he would not run for reelection in the Democratic primary this year but left open the possibility of running as an independent.

He [*faces bribery charges*](https://www.cnn.com/2024/01/15/politics/bob-menendez-separate-trial-wife-nadine/index.html) for allegedly taking steps to benefit the governments of Egypt and Qatar and help several New Jersey businessmen and receiving, in exchange, gold bars, cash, a luxury car and Formula One Grand Prix race tickets. Menendez has denied the charges against him.

By Gregory Krieg, CNN

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**Load-Date:** March 29, 2024

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