

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW

DOUG HAGER : NO. 2024-23656
 :
 :
 vs. :
 :
 :
 MONTGOMERY COUNTY BOARD OF :
 COMMISSIONERS, ET AL. :

ORDER
PRELIMINARY INJUNCTION

AND NOW, this 30th day of October, 2024, upon consideration of Plaintiff’s Petition for a Special and Preliminary Injunction and Defendants’ Answer, and after oral argument, it is hereby **ORDERED** that the Petition is **GRANTED IN PART**. Defendants Montgomery County Board of Commissioners, Montgomery County Board of Elections, and Montgomery County Voter Registration Commission, together with their members and all other individuals with managerial authority in such bodies, are preliminarily enjoined from conducting voter registration at the mobile voter services van without first posting reasonable advance notice to the public of the address of the place where the van will be located and the days and hours when the van will be open for the registration of qualified electors at such location. “Reasonable advance notice” means written notice posted at the main office of the Voter Registration Commission and at the scheduled location of the van no later than:

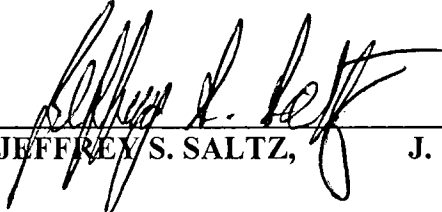
(a) except as set forth in paragraph (b) below, twenty-four (24) hours before the scheduled arrival of the van at such location;

(b) when a decision to schedule the van at a given location arises from unforeseen circumstances arising less than thirty-six (36) hours before the scheduled arrival, then as soon as practicable after the decision is made.¹

This Preliminary Injunction shall take effect upon Plaintiff’s filing of a bond or deposit of cash with the Prothonotary, in accordance with Rule 1531(b) of the Pennsylvania Rules of Civil Procedure, in the amount of Five Hundred Dollars (\$500.00), and shall continue in effect until further order of the Court.

Nothing in this Order shall provide a basis for the invalidation of any voter registration or other election-related activity conducted at the van.

BY THE COURT:



JEFFREY S. SALTZ, J.

¹ The statute at issue, 25 Pa. C.S. § 1322(b), requires public notice to be posted “within a reasonable time” — a term that is not explicitly defined. The Court concludes that in most cases, twenty-four hours’ advance notice is reasonable. When, however, a “last-minute” decision is made to locate the van in response to newly arising circumstances, a rigid 24-hour requirement may not be reasonable.

efiled on: 10.30.24

copies emailed on: 10.30.24 to:

Michael Jorgensen, Court Administration – Civil Division

Kevin Pineda, Court Administration – Civil Division