

PETITION SIGNATURE VERIFICATION GUIDELINES

(These are general guidelines for processing and verifying signatures for initiative, referendum, recall, nomination, and signature in lieu of filing fee petitions.)

1. Petition Format (F1 - F13) - Pages 1 - 2
2. Petition Signature (S1 - S30) - Pages 3 - 8
3. Declaration of Circulator (C1 - C17) - Pages 9 - 11
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PETITION FORMAT						
#	TITLE	SITUATION	CURRENT PROCEDURE/ PRACTICE		NOTES	APPLIES TO: Initiative, Referendum, Recall, Nomination and Signature in Lieu of Filing Fee Petitions <i>*Except as Noted</i>
			RAW COUNT?	SIG VALID?		
F1	Address as registered	Petition form directs signers to include "address as registered" rather than "residence address."	N	N	See Exhibit A: Assembly v. Deukmejian (1982) 30 Cal, 3d 638 (EC 100, 9020)	All Petitions (Excludes recall which is pre-reviewed)
F2	Title & Summary	One or any page of a multi-page section fails to include the title & summary while remaining pages of the same section are properly identified.	N	N	However, failure to include the title and summary on one page of a section does not invalidate other pages of the same section that are otherwise proper in form. (EC 9008, 9014, 9108)	Initiative and referendum petitions only
F3	Space for jurisdiction name	Space for jurisdiction name is left blank. For example, the name of the county, city, or district in which the petition is circulated is missing.	Y	Y	The blank should be filled in; however, failure to do so does not invalidate otherwise valid signatures. (EC 9001, 9021)	All Petitions
F4	Parts cut off section	Required text of measure, declaration of circulator, or title and summary have been cut off one page of a multi-page petition section. A section of a petition may be a single page or multiple pages that are securely bound together	N	N	Failure to include these items on one page of a section does not invalidate other pages of the same section that are otherwise proper in form. (EC 104, 9008, 9014, 9022, 9108, 9109)	All Petitions
2018 - revised						
F5	Parts of an informal petition missing	Signature on loose-leaf or other paper informally identified as part of a petition, but not bearing proper caption, text, or in the case of initiative and referendum petitions, the official title and summary.	N	N	(EC 9008, 9010, 9014, 9108)	All Petitions (Excludes recall which is pre-reviewed)
F6	Two-sided section with signatures on the back	Signatures appearing on the back of a printed petition. (Signatures must appear <u>before</u> the declaration of circulator.)	Y	Y	Each page bearing signatures must have the statutorily required text and declaration of circulator. (EC 9008 (a), 9014, 9108)	All Petitions (Excludes recall which is pre-reviewed)
F7	Attorney General (AG) number is missing	The AG number is missing on petition section.	N	N	(EC 9004, 9008)	State initiative and referendum petitions only

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F8	Section belongs to another county/ signatures not in county of filing	Petition sections in which the entire face of the section indicates the petition sections were circulated among voters of counties other than the county where actually filed. Note: If detected <u>before</u> filing, the petition should be returned to the filer.	Y	Y	Validate any signature if the address is within the county of filing.	All Petitions
				N	If detected <u>after</u> filing: count signatures on these sections in the raw count; declare "not sufficient" or "invalid" any signatures of voters not registered in the county of filing. (EC 9021)	
F9	Section belongs to two or more counties	Petition sections labeled as being circulated in counties other than the county of filing, but containing one or more signatures of voters registered in the county of filing.	Y	Y	Validate signatures of registered voters in county of filing. (EC 9021)	All Petitions
				N	Invalidate signatures of voters registered in another county. (EC 9021)	
F10	Original signatures on photocopied sections	The petition is photocopied but it bears original signatures, printed names, and addresses.	Y	Y	All requisite elements of the original petition must be included on the photocopy. (EC 100, 9020)	All Petitions
F11	Section handwritten	Entire petition reproduced in handwriting	Y	Y	As a general rule, signatures on documents that contain all the requisite statutory elements for an initiative petition section [proper title and summary, text of the measure, etc.] should not be invalidated solely by reason of appearing on a handwritten section. All statutory elements must be present, including the correct title and summary and text. (EC 100, 104, 9008, 9014, 9020, 9022, 9108, 9109)	All Petitions (Excludes recall which is pre-reviewed)
F12	Section printed without one inch margins	Petition sections fail to include one-inch space at top of each page and after name of signer.	Y	Y	Lack of spaces does not invalidate petition signatures. (EC 100, 9011, 9013)	All Petitions (Excludes recall which is pre-reviewed)
F13	Proponent's information	Some cities require the name and signature of the proponent to appear on the petition.	Y	Y/Maybe	There is no requirement in the Elections Code for petitions to include the proponent's name and signature. However, the decision to count signatures on petitions which fail to include this information will be made by the city.	City initiative and referendum petitions only
Definition of "Petition Section": A single page or multiple that are securely bound together that include the title and summary, Notice of Intention for non-State petitions, consecutively numbered spaces for voter information and signatures, and one declaration of circulator section.						

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S1	Signature missing	Signer printed name and address but left signature space blank.	Y	N	Invalidate if the signature on the voter's registration is missing or does not match. (EC 2150 (b), 9020)	All Petitions
				Y	Validate if the signature on the voter's registration is printed and otherwise matches the signature on the petition. (EC 9020)	
S2 2018-revised	Different or missing apartment number	Signer lists same house number and street but a missing or different number/letter in the apartment field.	Y	Y	The elections official shall not invalidate a signature for an incomplete or inaccurate apartment or unit number in the signer's residence address. (EC 105 (a)(2), 9020(a)(3))	All Petitions
S3	Different house number	Signer lists a house number that is different from their registered address.	Y	N	This is considered a move. The voter must have re-registered by the day petition is signed in order for signature to be valid. (EC 2102 (b)) See Exhibit B: Mapstead v. Anchundo (1998) 63 Cal. App. 4th 246	All Petitions
S4 2018 - revised	Automatic updates to a voter's registration	Changes/updates such as NCOA, DMV, CAN (8-d-2), ACS, made to voter records after the petition was circulated.	Y	Y	The voter's address on the petition is the same as the address provided after automatic updates; and the address was updated via NCOA, DMV, CAN (8-d-2), or ACS. The registration effective date is on or before the date the voter signed the petition.	All Petitions
				N	The voter's address on the petition is the same as the address provided after automatic updates; and the address was updated via NCOA, DMV, CAN (8-d-2), or ACS. The registration effective date is after the date the voter signed the petition.	
				Y	The voter's address on the petition is different from the address provided after automatic updates; and the address was updated via NCOA, DMV, CAN (8-d-2), or ACS. The registration effective date is after the date the voter signed the petition.	
				N	The voter's address on the petition is different from the address provided after automatic updates; and the address was updated via NCOA, DMV, CAN (8-d-2), or ACS. The registration effective date is on or before the date the voter signed the petition.	

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S5	Abbreviated street name	Signer abbreviates street name (provided the house number is the same), or the signer uses another name for the street Example: Address on petition 1234 Hwy 49 (old street name) Address on file 1234 Coloma Road (new/current street name)	Y	Y	Validate if the house number is the same, the street name used is common knowledge, and the post office delivers.	All Petitions
S6	Fraction house number	Signer has a fraction as part of house number and the fraction is either missing or changed. Example: 1/2, 3/4	Y	Y	Treat this like an apartment number. The address is valid if the street name and house number are the same, even if the fraction changes or is missing.	All Petitions
S7	Transposed house numbers	Signer transposed house number Example: Registered at house #123, but on petition listed #132	Y	N	The house number must match exactly with the information on the voter file. See Exhibit B: Mapstead v. Anchundo (1998) 63 Cal. App. 4th 246 See also Exhibit C: Hartmann v. Kenyon (EC 2102 (b))	All Petitions
				Y/N	If the signer signed the same petition twice, but transposed the house number on one of the two signatures, the signature with the correct information will be validated, while the other will be invalidated for not registered (if the number exists), or duplicate (if the number does not exist).	
S8	Two addresses in same signer box for one voter	Signer lists a PO Box and a street address in same box.	Y	Y	Validate if the street address matches the voter file.	All Petitions
		Signer lists two addresses: previous address and current address (moved during the circulation of petition).		Y	Validate signature if the voter was properly registered at one of the addresses during circulation period.	

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S9	Two signers and one address in same signer box	Two signers occupy the same signer box and list one address	Y (assign numbers to both signers)	Y (for one only)	SIGNER'S OWN HANDWRITING Validate the signature for the person who handwrote the address. (EC 100, 9020) TYPED REGISTRATION If handwriting cannot be determined because of typed registration (i.e. online form), use the first name in the box.	All Petitions
S10	Social titles and name variations	Signer prints MR. AND MRS. SMITH and signs Mr. & Mrs. Smith or uses a nickname, initials, prefixes, maiden name, married name, spouse's name, or a misspelling.	Y	Y	Validate only the name with the matching signature. Validate if the address is correct and the signature appears to have been made by the same person. (EC 100, 9020)	All Petitions
S11	Signature and/or name and address information crossed off	A line appears through signature, name, and address.	N	N	Do not count or give a stamp number if the signature, name and address are lined out.	All Petitions
2018 - revised		A line appears through signature, name, or address, but not all three.	Y	MAYBE	If other information (e.g., city or zip code) is lined out, it is a judgment call whether sufficient information is present to validate the signature. (EC 100, 9020)	
S12	White-out	White-out was used to cross out signer's information and new information was written over it.	N	N	The use of white-out on a petition section automatically invalidates the signature.	All Petitions
S13	Address preprinted, (i.e. address label, stamp, etc.), disabled voter or not written by signer	Signer did not use their own handwriting to write their name, address or signature or is preprinted prior to circulation.	Y	N	(EC 100, 9020)	All Petitions
				Y	Validate the signature only if the signer is disabled and can't sign their name or address, or if the voter has a signature stamp and it is the same on the voter's registration on file. In both cases a witness must also sign. (EC 100.5, 354.5(e))	
S14	Signature in circulator's area only	No signatures or identifying information appear in the signer spaces, but one or more signatures appear in the completed declaration of circulator.	N	N	There are no signers in the spaces on the petition section. (EC 100, 104, 9020, 9022)	All Petitions
S15	Signatures appended to a section	Signatures appended to section so as to appear <u>after</u> the declaration of circulator.	N	N	Disqualify any signature appended after the declaration of circulator.	All Petitions
S16	Name missing (only address listed)	Signer's written and printed names are missing.	Y	N	(EC 100, 9020)	All Petitions
S17	PO Box only, or address missing	Signer includes post office box address without a residence address, or lists no address.	Y	N	If the signer has no residence address (homeless), they must print the original identifying information that placed them in a precinct. See Exhibit B: Mapstead v. Anchundo (1998) 63 Cal. App. 4th 246 (EC 100, 9020)	All Petitions

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S18	Address with no city	Signer includes residence street and number, but not the city and zip code.	Y	N	If no city and zip code, even if it's readily ascertained, do not validate. See Exhibit B: Mapstead v. Anchundo (1998) 63 Cal. App. 4th 246 (EC 2102(b))	All Petitions
		Signer includes residence street and number, and zip code, but not the city.	Y	Y	If zip code is correct and it's a common mix up	
S19	City name change or abbreviation	Signer provides residence street and number, but abbreviates or uses another name for the city. Example 1: <u>CITY NAME CHANGE</u> Address on petition 123 Broadway Street Hollywood, CA 12345 Address on file 123 Broadway Street Los Angeles, CA 12345 Example 2: <u>CITY NAME ABBREVIATION</u> Address on petition 456 Main Street CV, CA 91910 Address on file 456 Main Street Chula Vista, CA 91910	Y	Y	Validate if the city name used is common knowledge, and the post office delivers.	All Petitions
S20 2018 - revised	Voter is a confirmed canceled voter due to - Request - Move outside county - Death - Felon - Incompetent - Jury Summons - VoteCal	If the address on the voter's registration is different or the voter is no longer registered but they are at the correct address as a confirmed canceled voter .	Y	Y	<ul style="list-style-type: none"> If voter's cancellation effective date was after the last date of circulation of the petition section or If placed in canceled file in error. Example: Signed - 10/10/17, Canceled - 10/12/17 = VALID (EC 2102)	All Petitions
				N	If the voter's cancellation effective date was before the first date of circulation of the petition section or at a different address. (EC 2201)	

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S21	Address is same - but found as an unconfirmed inactive voter	Voter is at the correct address as an unconfirmed inactive voter	Y	Y	If voter was inactivated and is still claiming they live at their old address, the unconfirmed inactive voter may have been placed there in error. Restore registration to original address. (e.g. VNC is returned undeliverable)	All Petitions
S22 2018 - revised	Address is different - voter re-registered (including written statement from voter other than an affidavit)	Voter's current address on file is different from petition due to re-registration (including written statement from voter other than an affidavit).	Y	Y	Voter's current address on file is different due to re-registration (including written statement from voter other than an affidavit), but was at address on petition at time of signing.	All Petitions
S23	Moved within same precinct	Signer has different address but moved within the same precinct	Y	N	Voters who move within the same precinct may vote, but they must re-register in order to sign a petition. (EC 2035, 2116, 14311)	All Petitions
S24	Name is not printed	Signer uses cursive writing in the space designated for printed name	Y	Y	If the signer can be identified and signature matches.	All Petitions
				N	If the signer cannot be identified, or the signature doesn't match.	
S25	Name has suffix	A suffix such as Jr. or II is added or omitted from either the petition or the voter file.	Y	Y	Validate if the signer is at the correct address and the signature appears to have been made by the same person.	All Petitions
S26	The voter's registration has no date of execution (signature date)	No date of execution on the voter's registration.	Y	Y	If the date the voter's registration was received in the elections office is on or before the last date of circulation of the petition section. (EC 2102(b))	All Petitions
				N	If the date the voter's registration was received in the elections office is after the last date of circulation of the petition section.	
S27	The voter's registration is signed after the voter signs the petition	The voter's registration is timely received but is signed after the voter signs the petition.	Y	N	The voter's registration must meet both requirements of EC 2102(b): it must be signed on or before the date the petition is signed and received on or before the date the petition is filed. (EC 2102)	All Petitions

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S28	Signer lists a "non-traditional" address	Signer has a non-traditional address (house/street) but moves within the same precinct (see examples below)					All Petitions
		NATIVE AMERICAN INDIAN RESERVATION	Y	Y	If the address is assigned by the tribe or a non-public agency and the move is within the reservation, treat as an apartment change.		
				N	If the address is assigned by a public agency and is listed in the Master Street File, any change would invalidate the address.		
		MARINA (boat slip)	Y	Y	If the address is within the same marina, treat as an apartment change.		
		UNIVERSITY	Y	Y	If the address is in same building/residence hall and has the same street number, treat as an apartment change.		
		MILITARY BASE	Y	Y	If it is a non-traditional address or equivalent, treat it as an apartment change.		
				N	If it is a traditional address and is listed in the Master Street File, any changes would invalidate the signature.		
		HOMELESS (cross streets, not PO Box)	Y	N	A change in the cross streets would invalidate the signature.		
MOBILE HOME PARK	Y	Y	If the address is within the same mobile home park and the same street number, treat as an apartment change.				
FRACTION	Y	Y	If the street number is the same, treat as an apartment change.				
S29 new	NIXIE Post Office Label (CFS yellow sticker) updates to a voter's registration	Address changes due to NIXIE label made to voter records after the petition was circulated.	Y	Y	The voter's address on the petition is the same as the address provided through a NIXIE label. The registration effective date (or the transaction date if the registration date was not updated by the transaction) is on or before the date the voter signed the petition.		All Petitions
				N	The voter's address on the petition is the same as the address provided through a NIXIE label. The registration effective date (or the transaction date if the registration date was not updated by the transaction) is after the date the voter signed the petition.		
				Y	The voter's address on the petition is the different from the address provided through a NIXIE label. The registration effective date (or the transaction date if the registration date was not updated by the transaction) is after the date the voter signed the petition.		
				N	The voter's address on the petition is different from the address provided through a NIXIE label. The registration effective date (or the transaction date if the registration date was not updated by the transaction) is on or before the date the voter signed the petition.		
S30 new	Pre-Registered Voter	Signer is pre-registered, not yet 18 years of age.	Y	N	The underaged persons can not sign a petition until his/her 18th birthday regardless of pre-registration.		All Petitions

DECLARATION OF CIRCULATOR

#	TITLE	SITUATION	CURRENT PROCEDURE/ PRACTICE		NOTES	APPLIES TO: Initiative, Referendum, Recall, Nomination and Signature in Lieu of Filing Fee Petitions <i>*Except as Noted</i>
			RAW COUNT?	SIG VALID?		
C1	Declaration of Circulator is blank but petition has one or more signatures	Signatures appear in signer's spaces but declaration of the circulator is left blank or unsigned.	Y	N	(EC 104, 9022)	All Petitions
C2	Circulator fails to sign using full name	Circulator fails to sign full name including middle name.	Y	Y	(EC 104(c), 9022(b)) *SB1188 (Circulator's Signature)	All Petitions
C3	Dates of circulation in different handwriting	Dates of circulation in the declaration of the circulator are in handwriting different from the circulator's handwriting.	Y	Y	If the difference in handwriting is subtle or not readily apparent, validate signatures on the petition.	All Petitions
				N	If it is obvious the handwriting is different, invalidate signatures on the petition. (EC 104(a))	
C4	Dates of circulation preprinted	Dates of circulation on the declaration of the circulator are preprinted or stamped on the petition.	Y	Y	If year is preprinted but month and day are handwritten, validate signatures on the petition. See Exhibit D: Per Susan Lapsley of SOS in 2006.	All Petitions
				N	If month, day, and year are preprinted, invalidate signatures on the petition. (EC 104)	
C5	Dates of circulation and execution missing	The declaration of the circulator has no date of execution and no dates of circulation.	Y	N	(EC 104(a) (3) and (c))	All Petitions
C6	Dates of circulation and execution missing	The declaration of the circulator has no date of execution and no dates of circulation, but the circulator has signed the petition and provided a date of signing.	Y	Y	The circulator must be a petition signer and must have provided a date of signing.	All Petitions

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C7 2018 - revised	Generalized dates of circulation	Generalized dates other than the particular range of dates on which the petition section was circulated, (i.e., the date of circulation has only a month and year, but no day). Example 1: circulation date - April 2018 petition filed - May 28, 2018 last date of circulation deemed to be - April 30, 2018 (last day of the month)	Y	Y	If the signature date on the voter's registration was on or before the last day of the month of circulation for the petition section, validate signatures on the petition. (EC 9022, 2102)	All Petitions
		Example 2: circulation date - April 2018 petition filed - April 15, 2018 last date of circulation deemed to be - April 15, 2018		Y	If the signature date on the voter's registration was on or before the petition file date, validate signatures on the petition.	
		Example 3: circulation date - April 2018 petition filed - April 15, 2018 last date of circulation deemed to be - April 15, 2018 voter registration/sign date - April 18, 2018		N	In the event the signature date on the voter's registration was after the petition file date, invalidate signatures on the petition.	
C8	One date of circulation	The declaration of the circulator on a petition contains a space for the beginning date of the circulation and a separate space for the ending date of circulation, and only one of the spaces is complete.	Y	Y	The date supplied by the circulator becomes the date by which the signer must be registered.	All Petitions
C9	Section has either a date of circulation or a date of execution	The declaration of the circulator on a petition contains either a date of circulation <u>or</u> date of execution, but not both.	Y	Y	The date supplied by the circulator becomes the date by which the signer must be registered.	All Petitions
C10	Date before circulation	The month, day, or year on the declaration of the circulator precedes the first date of circulation.	Y	N	It is possible the petition was circulated too early.	All Petitions (Excludes recall which is pre-reviewed)
C11	Dates after filing	Dates on the declaration of the circulator are after the date the petition was filed.	Y	Y	This is an obvious error and may be disregarded. See Exhibit B: Mapstead v. Anchundo (1998) 63 Cal. App. 4th 246	All Petitions
C12	Conflicting dates supplied by signers	Dates supplied voluntarily by signers of a petition conflict with dates on the declaration of the circulator.	Y	Y	The dates on the declaration of the circulator are presumed correct. Signers' dates may be disregarded.	All Petitions

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C13	Circulator is not a registered voter	Circulator of a petition is not registered to vote, or is not registered in the jurisdiction in which the petition is circulated or filed.	Y	Y	In January 1999, the US Supreme Court in Buckley v. American Law Foundation declared unconstitutional the requirement for initiative circulators to be registered voters of the jurisdiction in which they circulate the petition. The Attorney General (Opinion No. 99-712) opined that EC section 9209, which requires circulators to declare they are voters of a city, was unconstitutional. In addition, circulators of a city petition need not declare they are city residents. See Exhibit E: Buckley v. American Law Foundation	All Petitions
C14	Circulator is not a resident	Circulator is not a resident of the state or political jurisdiction in which the petition is circulated.	Y	Y	(EC 102, 104, 8066, 8451, 9021, 9022, 11045, 11046) See Exhibit G: Nader v. Brewer	All Petitions (Excludes candidate petitions)
C15	No address or only a PO Box	The declaration of the circulator lists no address or only a post office box address.	Y	Y	See C13 (Exhibit E: Buckley v. American Law Foundation)	All Petitions
C16	Photocopy	Information on the declaration of the circulator is photocopied.	Y	N	Do not rely on photocopied information. (EC 104)	All Petitions
C17	No signature	Circulator fails to sign the declaration of circulator.	Y	Y	Only if circulator is also a petition signer and provides his/her information (residence address and signature) on same petition section.	All Petitions
			Y	N	Circulator is not a petition signer and did not provide his/her information on same petition section.	

SIGNER WITHDRAWAL

#	TITLE	SITUATION	USE TO WITHDRAW?	NOTES	APPLIES TO: Initiative, Referendum, Recall, Nomination and Signature in Lieu of Filing Fee Petitions
SW1 2018 - revised	Missing information	Any of the following information is omitted from the written request to withdraw: 1. Identification of the petition (either a name or number required) 2. Signature of voter 3. Address of voter 4. Statement that voter seeks to withdraw a signature after signing petition	N	EC 103, 9602 and 11303 - CA AB1535 signed 2015-10-10 See Exhibit F: SOS memo 92117 dated April 20, 1992 (Note EC 43 is now EC 103 and EC 5352 is now EC 9602).	All Petitions
SW2 2018 - revised	Preprinted withdrawals	The request to withdraw is a preprinted form with only the signature in writing.	Y	The preprinted form must contain the voter's name, residence address and signature. (EC 103, 9602 and 11303)	All Petitions
SW3	Signature in doubt	The signature on the request to withdraw is in doubt.	N	When the signature is in doubt, do not use to withdraw. See Exhibit F: SOS memo 92117 dated April 20, 1992 (Note EC 43 is now EC 103 and EC 5352 is now EC 9602).	All Petitions
SW4 2018 - revised	Arrives on or after day petition is filed	The request to withdraw arrives on the day the petition is filed or after.	N	The request to withdraw must arrive <u>prior</u> to the date the petition is filed. (EC 103, 9602 and 11303) See Exhibit F: SOS memo 92117 dated April 20, 1992 (Note EC 43 is now EC 103 and EC 5352 is now EC 9602).	All Petitions
SW5 2018 - revised	Withdrawal dated day of or after petition filed	The request to withdraw is dated the day the petition is filed, or after, but is received prior to the day the petition is filed.	Y	The request to withdraw is not required to contain a date. (EC 103, 9602 and 11303)	All Petitions
SW6 2018 - revised	Withdrawal dated prior to petition filing	The request to withdraw is dated prior to the date the petition section is circulated containing petition signature.	Y	The request to withdraw is not required to contain a date. (EC 103, 9602 and 11303)	All Petitions
SW7 2018 - revised	Request to withdraw signature via fax or email	The request to withdraw is received by fax or email <u>prior</u> to the day petition is filed.	Y	Fax or email requests are accepted and can be used to withdraw signatures if the name or number of the petition, signer name, residence address, signature, and a request to withdraw are provided. (EC 103, 9602 and 11303)	All Petitions