

**721—25.3(17A,39A,47) Filing, service, and initial review of complaint.**

**25.3(1) Filing.** The complaint shall be filed with the state commissioner of elections and shall be accompanied by adequate proof of service of the complaint, as required by subrule 25.3(2).

**25.3(2) Service.** Service of a complaint upon each respondent shall be made by personal service as in civil actions, by restricted certified mail, return receipt requested, or by the acceptance of service by the respondent or the respondent's duly authorized legal representative.

**25.3(3) Initial review of complaint.**

*a.* The director of elections within the office of the state commissioner of elections shall examine each complaint to determine whether it falls within the jurisdiction of these rules and may reject it if:

- (1) It is not signed, notarized, or sworn under oath;
- (2) It does not identify the complainant or include an adequate mailing address;
- (3) It does not, on its face, allege a violation of Title III with regard to a federal election; or
- (4) More than 90 days have elapsed since the final certification of the results of the federal election at issue.

*b.* A determination as to jurisdiction shall be made within five business days of the date of filing of the complaint.

*c.* If the complaint is rejected, the director shall issue a written statement specifying the reasons for the rejection and provide copies of the statement to the complainant and all respondents by regular mail.

*d.* If the complaint is accepted, the complaint and any accompanying documentation shall be forwarded to the presiding officer for further action in accordance with these rules.