



## New York Office

716-220-8983

[jburns@holtzmanvogel.com](mailto:jburns@holtzmanvogel.com)

## Related Practice Areas

- Election Law
- Environmental
- Government Ethics Compliance
- Political Law

## Joseph T. Burns

### Partner

Joe Burns is a partner with Holtzman Vogel and focuses his practice on representing candidates and party committees in election cases throughout New York State.

Prior to joining the firm, Joe served as Deputy Director of Election Operations at the New York State Board of Elections. In this role, he worked with county Boards of Elections, candidates, and party committees, and was involved in New York State's transition from lever to optical scan voting. He also conducted hearings for the NYSBOE and represented it in court proceedings.

Additionally, Joe has served as an attorney for the Erie County and New York State Republican Committees, and has also represented candidates for a variety of public offices throughout New York State, including candidates for U.S. Congress and New York State Supreme Court.

From 2018 to 2024, Joe was the Deputy Administrative Director for the Erie County Water Authority; and from 2015 to 2018, he was the Secretary to the Erie County Water Authority.

A life-long resident of Upstate New York and active member of the Western New York community, Joe served as vice chair of the Erie County Charter Revision Commission in 2016, and was a member of the Erie County Advisory Commission on Reapportionment in 2021.

Joe is a frequent commentator and author on New York State and national politics, and election law.

## Education

- Albany Law School, J.D.
- Syracuse University, B.A., History and Political Science

## Bar & Court Admissions

- New York State Bar
- U.S. District Court, Northern District of New York
- U.S. District Court, Western District of New York
- U.S. District Court, Southern District of New York

## Clerkship/Government Experience

- Erie County Water Authority, Deputy Administrative Director (2018-2024) and Secretary to the Authority (2015-2018)
- New York State Board of Elections, Deputy Director of Election Operations (2009-2015)
- Office of New York State Sen. John A. DeFrancisco, Legislative Counsel
- New York State Unified Court System, Legal Fellow

## **Representative Matters**

- Successfully defended a county Board of Elections decision to invalidate the designating petition of a candidate for county executive at the Appellate Division, 4th Department.
- Reversed the decision of a county Board of Elections to invalidate the independent nominating petition of an incumbent village mayor running for reelection.
- Successfully defended the decision of a county Board of Elections to invalidate the independent nominating petition of a candidate for town board at the Appellate Division, 4th Department.
- Successfully defended candidates whose Supreme Court nominations were being challenged due to an alleged deficiency in how the judicial convention was constituted.
- Defended, before the Court of Appeals, the decision of the State Board of Elections to invalidate a candidate's petition due to the candidate's late filing of an acceptance.
- Successfully invalidated a nomination made at a judicial district convention due to the convention's lack of proportionality.
- Successfully defended a candidate for town supervisor in Supreme Court who was accused of violating the town's term limits law.
- Successfully defended a political party's Wilson-Pakula and the party's candidates before the Appellate Division, 4th Department.

## **News & Insights**

- Biden must not finalize the Equal Rights Amendment
- Ongoing legal challenge to Hochul not without merit
- Challenge to New York Ballot Canvassing Law Thrown Out by State High Court
- In-Compliance: December 2024 Round-Up
- Scrap the State's Taxpayer Funding of Elections
- Hochul Signs Law Allowing Absentee Ballot Boxes in New York
- Republicans Are Having a Moment in Deep-Blue New York State
- In-Compliance: Holtzman Vogel's November 2024 Round-Up

- Joe Burns Speaks to Amherst Republican Women on Election Law
- Joseph Burns: Stefanik is the Right Choice to Represent the U.S. at the UN
- Times Union Op-Ed: Stefanik is the right choice to represent the U.S. at the UN
- Spectrum News Interviews Joe Burns on Elise Stefanik's Potential Replacement Process
- Joe Burns Quoted by National Review on New York AG Unprecedented Control Over Election Rules
- In-Compliance: Holtzman Vogel's October 2024 Round-Up
- Addressing Post-Election Challenges and Litigation 2024: An Overview and Discussion of the Relevant Laws and Rules
- Joseph Burns Named in City & State NY's Upstate Power 100
- Experts predict Supreme Court likely to stay out of 2024 presidential election
- Golden Day is Coming to New York's Elections
- New York State Attorney General's Pre-Election Advisory on Voter Intimidation and the Right to Vote
- Fusion Voting and Its Impact on the Upcoming Election
- State Supreme Court Decision: Even Year Election Move Violates New York State Constitution
- New York High Court Orders New Maps Before Election
- In Compliance - Holtzman Vogel's September 2024 Round-Up
- Joe Burns Presents Election Law CLE for New York RNLA
- Court of Appeals must reverse lower court's decision on how absentee ballots are counted
- Golden Day in New York Bumps Up Against the Intent of the Constitution
- Lawsuit to boot Vroman from Montgomery County race tossed
- The New Absentee Canvassing Law Must Go
- New York Post Op-Ed: New state law gives Letitia James power over NY's closest election contests
- RFK Jr.'s Battle for Ballot Access: A Closer Look
- In Compliance: Holtzman Vogel's August 2024 Round-Up
- New York's Absentee Ballot Integrity Is Undermined and Should Be Restored
- NY Court Errs in Removing RFK Jr. from Ballot: A Legal Analysis
- Holtzman Vogel Welcomes New York State Election Law Expert Joseph Burns

## **Publications**

- "Countries Across the Pond Get it Right on Voter ID," Op Ed, *South Shore Press*, July 7, 2024
- "Ballot harvesting must be banned in New York state," Op Ed, *Buffalo News*, June 15, 2024
- "Protect our elections by making sure only citizens vote," Op Ed, *Albany Times Union*, June 12, 2024
- "Protecting Election Integrity," Op Ed, *South Shore Press*, June 2, 2024
- "Courts Were Correct to Protect Ballot Counting in NYS," Op Ed, *South Shore Press*, May 17, 2024
- "New York City's law allowing noncitizens to vote in local elections is not only unconstitutional, it's dangerous," Op Ed, *Albany Times Union*, April 8, 2024
- "Do Not Let Illegal Immigrants Vote," *South Shore Press*, Op Ed, April 3, 2024
- "Suit challenging Trump's place on N.Y. ballot should fail," Op Ed, *Albany Times Union*, February 15, 2024
- "Moving local elections to even-numbered years is a disservice to New York residents," Op Ed, *Buffalo News*, December 1, 2023
- "NY's top court should obey voters, stop partisan gerrymandering," Op Ed, *Syracuse Post Standard*, November 27, 2023
- "N.Y.'s congressional map must remain: The state's top court should turn down a redistricting case," Op Ed, *New York Daily News*, November 1, 2023
- "New York's Municipal Home Rule Law Trumps Local Effort to Institute Term Limits," *The Federalist Society*, October 20, 2023
- "New voting law ignores the will of New Yorkers," Op Ed, *Buffalo News*, October 8, 2023
- "Moving NY's local elections to even years will drown out your voice," Op Ed, *Syracuse Post Standard*, September 26, 2023
- "State Court Docket Watch: Harkenrider v. Hochul." *The Federalist Society*, December 22, 2022

## Community Involvement

- Official Proceedings staff, Republican National Convention (2012 and 2016)
- Erie County Charter Revision Commission, former Vice Chair (2016)

- Erie County Advisory Commission on Reapportionment, former member (2021)
- Presiding Officer/Chairman, 8th Judicial District Nominating Convention, Republican Party (2017, 2018, 2019, 2021, 2022 and 2024)
- New York Republican State Committee, Treasurer (2022-2023)
- Alternate Delegate, 26th Congressional District of New York, Republican National Convention (2024)
- Republican National Lawyers Association, member and New York State Co-Chair
- The Federalist Society, member
- Erie County Republican Committee, member

### **Awards & Recognition**

- Listed in *City & State New York's* 2024 Upstate Power 100 list.
- Listed by *City & State* as a New York State Trailblazer in Law (2024)
- Recognized by *City and State* as one of Albany's "40 Under 40"