

**New York Office**

716-220-8983

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
- U.S. District Court, Eastern 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

- NY State Board of Elections Okays Use of Campaign Funds for Security Expenses
- How New Yorkers Can Resist Mamdani's Radicalism
- Bill to Ban Political Spending by Corporations Introduced in the New York State Legislature
- Bill Expanding Political Disclaimer Requirements in NYS Signed into Law
- New York's Party Designating Conventions: More than Just a Party for the Party Faithful
- Challenge to Mandatory Retirement Age for New York Judges Rejected
- New York State Board of Elections Put on Notice Regarding Alleged HAVA Violations
- New York State Court of Appeals Rejects Challenge to State Voting Rights Act
- What Candidates Need to Know Before Entering New York's Public Campaign Finance Program
- What Political Consultants Should Know Before Working With New York Independent Expenditure Committees
- Decision in Mail Ballot Case Could Have Major Impact on New York State Politics
- New York's Highest Court Upholds Even Year Election Law
- How New York Democrats Came to Embrace Anti-Zionism

- Holtzman Vogel Files Suit on Behalf of American Future Fund Challenging NYS Regulations Under First Amendment
- In-Compliance: Holtzman Vogel's September 2025 Political Law Update
- FARA Enforcement Gets a Major Shake-Up Under New Presidential Directive
- In-Compliance: Holtzman Vogel's August 2025 Political Law Round-Up
- The Persistent Pitfalls of Taxpayer Funded Campaigns
- Meet the New Boss of New York Politics
- New York State Board of Elections and Public Campaign Finance Board Meet
- In-Compliance - Holtzman Vogel's July 2025 Political Law Update
- Hochul Faces Legal and Political Roadblocks to Mid-Decade Redistricting in New York
- New York's Public Campaign Finance Program Goes on Trial: The Dao Ying Prosecution
- Controversial New York Judicial Reorganization Bill Likely to Soon Head to Governor's Desk
- New Yorkers Not Likely to See Musk's America Party on a Ballot Anytime Soon
- Defending America's Sovereignty Through FARA – Sun Case Exposes States' Vulnerabilities
- New York State Legislature Passes Bill to Give State Party Committees the Power to Expel Party Members
- State lawmakers approve bill to redraw court district lines, isolating Syracuse, Rochester, Buffalo into their own districts
- Red Hook Democratic Chair Says She Knew Town Caucus Might Be Declared Invalid—But Held It Anyway
- NY Democrats, pushing diversity, poised to pass bill to create court districts for Onondaga and other urban counties
- Democrats could lose New York in 2026, thanks to Kathy Hochul
- NYS rushes bill to give Dem bigwigs power to kick out members, as rivals rail 'when Democrats can't compete, they cheat'
- The Progressive vs. the Pragmatist
- In-Compliance: Holtzman Vogel's May 2025 Political Law Round-Up
- NYS Senate Elections Committee Approves Seven Bills
- Letitia James's Campaign Is on the Ropes
- Rewriting the Rules: What New York's Recent Campaign Finance Changes Mean for 2026
- New York State Budget Makes Changes to Public Campaign Finance Program
- Appellate Division, Fourth Department Upholds New York Even Year Election Law
- Albany Democrats Want to Give More Taxpayer Dollars to Would Be Politicians
- 19 State AGs Ask for Injunctive Relief From Trump Executive Order Changing Voting Rules

- New York State Senate Elections Committee to Meet and Consider Eleven Bills
- Scanlon asks Board of Elections for opinion on Ryan contribution limits
- The SAVE Act: Fact v. Fiction
- Hochul Signs Amendment to Ballot Drop Box Law
- Blue States Look to Pull the Plug on Tesla
- In-Compliance: Holtzman Vogel's March 2025 Round-Up
- Tips on Filing Objections and Judicial Proceedings Against Designating Petitions in New York State
- Joe Burns Speaks to South Shore Press on NYS Moving Elections to Even Years
- DOGE Comes to the Empire State
- NYS Board of Elections Approves Changes to Voter Registration Form
- NYS Board of Elections Approves 2025 Legislative Proposals
- In-Compliance: Holtzman Vogel's February 2025 Round-Up
- New York Senate and Assembly Committees to Consider Election Bills
- RNLA CLE: Ballot Access and Recent Changes to New York Election Law
- New York's Highest Court Upholds the Constitutionality of Ethics Commission
- New York's Commission on Ethics and Lobbying in Government: Constitutional Structure and the Future of a State Ethics Watchdog
- Delaying a Special Election in New York State
- Holtzman Vogel Attorney Joe Burns on Special Election Legislation
- Bill Introduced to Alter New York State Special Election Process
- New York State Senate Elections Committee to Meet and Consider Eleven Bills
- Threat to Democracy: New York Democrats Delay Special Elections
- In-Compliance: January 2025 Round-Up
- Second Department Reverses Trial Court and Holds State Voting Rights Act to Be Constitutional
- Republicans in Washington should seize this chance to pass election integrity laws
- New York State Assembly Election Law Committee Considers Three Bills
- Election Commissioners Association of the State of New York Releases 2025 Legislative Agenda
- Joe Burns Appears on South Shore Press Podcast
- Hochul Releases 2026 New York State Budget Proposal
- NYS Senate Begins 2025 Legislative Session Passing Election-Related Bills
- Kathy Hochul's Highly Uncertain Future
- 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
- End of 2025 New York State Legislative Session - Election Related Bills on Gov. Hochul's Desk
- New York State Senate Finance Committee to Consider Diversity, Equity, and Inclusion (DEI) Bill

## **Publications**

- NY State Board of Elections Okays Use of Campaign Funds for Security Expenses
- How New Yorkers Can Resist Mamdani's Radicalism
- Bill to Ban Political Spending by Corporations Introduced in the New York State Legislature
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- New York State Senate Finance Committee to Consider Diversity, Equity, and Inclusion (DEI) Bill
- "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

## **Speaking Engagements**

- Joe Burns Speaks to South Shore Press on NYS Moving Elections to Even Years
- RNLA CLE: Ballot Access and Recent Changes to New York Election Law
- Holtzman Vogel Attorney Joe Burns on Special Election Legislation
- Joe Burns Appears on South Shore Press Podcast
- Joe Burns Speaks to Amherst Republican Women on Election Law
- Addressing Post-Election Challenges and Litigation 2024: An Overview and Discussion of the Relevant Laws and Rules
- Joe Burns Presents Election Law CLE for New York RNLA

## **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, 2024 and 2025)
- 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 Law Power 100*

- 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"