



State Representative DJ Swearingen
Joint-Sponsor Testimony on House Bill 149
March 4th, 2021

Chairman Wilkin, Vice Chair White, Ranking Member Sweeney, thank-for for the opportunity to testify today about House Bill 149, which would add party affiliation on the general election ballot for judicial candidates for Ohio's Courts of Appeal and the Ohio Supreme Court.

Currently, State Supreme Court races and appellate court races are listed without party affiliation on the ballot. Though, there are plenty of activities of partisan nature that is involved in getting candidates for these races elected. One such example is handing out slate cards with the various party endorsements included. Yet, on the ballot we hide this fact from the voter by not indicating the party endorsements.

The Ray C. Bliss Institute conducted a survey in 2014 to ask voters if a label next to the judicial candidates name would be helpful in their participation of voting for judicial candidates. An overwhelming majority of those asked, 65 percent, said that would help them in their participation. This shows that Ohio voters want this information on the ballot so they can make an educated choice in who they want elected in these positions.

The election of 2020 showed that without this information, the rate of participation for the State Supreme Court races dropped by 18% and 16%, in each race, respectively. The sixth district Court of Appeals race, which has my house district, showed a 23 percent voter drop-off. This is empirical evidence that the number shown in the previously mentioned study was not a fluke. Rather, shows a problem we have with voter participation in these races.

Finally, while we are debating the addition of party affiliation to the ballot, we do not believe this issue should be overly partisan. As recently as last year, a version of this bill which went even further, by adding party affiliation for all judges, had a Democratic joint sponsor and a Democratic co-sponsor. Our bill does nothing to favor one party or another; rather, it simply allows the parties to compete on an equal playing field. The ballot designation identifies them as they do on their campaign literature, their yard signs, and their ads broadcasted over TV and radio.

Finally, Ohio judges are required to be fair and objective in their analysis of the law under their code of ethics and we don't expect party affiliation being included on the ballot to change that fact.

We respectfully ask for the Committee's favorable consideration of House Bill 149. Rep. Stewart and I will be happy to answer any questions you may have