



Good morning Chair Wilkin, Vice Chair White, Ranking Member Sweeney, and members of the Ohio House Government Oversight Committee. Thank you for the opportunity to provide opponent testimony to House Bill 149— a bill to require party affiliation for certain judicial candidates on the general election ballot. This testimony is on behalf of the Ohio Voter Rights Coalition, a statewide nonpartisan voting rights advocacy organization.

We agree with the bill sponsors, that voters should have as much information as possible before stepping into the voting booth. Having a well informed electorate is a cornerstone of a flourishing democracy, and we are committed to ensuring voters have the necessary information to cast an informed ballot. Unfortunately, by adding partisan labels in some judicial races and not others, HB 149 misses the mark, and has the potential to cause harm to voters and the judiciary.

Judicial candidates are fundamentally different from politicians in other branches of government. Candidates for legislative and executive offices are expected to declare their policy preferences, and adhere to them when they assume office, while judicial candidates are prohibited from doing this by the [Ohio Code of Judicial Conduct](#). According to Canon 4 of the Ohio Code of Judicial Conduct:

*Campaigns for judicial office must be conducted differently from campaigns for other offices so as to foster and enhance respect and confidence for the judiciary. Judicial candidates have a special obligation to ensure the judicial system is viewed as fair, impartial, and free from partisanship. To that end, judicial candidates are urged to conduct their campaigns in such a way that will allow them, if elected, to maintain an open mind and uncommitted spirit with respect to cases or controversies coming before them.*

Including a political party identifier next to any judicial candidate on the general election ballot will undermine the perception of a candidate’s impartiality. Political scientists conclude a party label is a “heuristic cue” for voters that signals a candidate’s ideological alignment on public policy. However, judicial candidates, when elected, are charged with fairly weighing the unique circumstances of a case to current law, and then render a judgment free of personal political preferences.

By including a party label next to Supreme Court and Court of Appeals candidates, voters could incorrectly assume a particular judicial candidate has pledged to align their judgements to a partisan agenda – a practice expressly forbidden by the Ohio Code of Judicial Conduct. Put another way, including a party label for certain judicial candidates could give voters the illusion that those judges will consistently adjudicate in a predetermined way, and when these judges don’t, voters could be cynical and distrustful of future judicial rulings.

The Ohio Voter Rights Coalitions urges caution and forethought when debating this issue. HB 149, if enacted, could lead to the denigration of the judicial branch and politically taint the constitutional principle of blind justice. We urge this committee and the General Assembly to rethink the ramifications this bill will have on the integrity of the judiciary.

Instead of further politicizing the judicial branch, let’s explore ways to remove partisan affiliation entirely. Let’s make judicial elections in Ohio truly nonpartisan, because at the end of the day, Ohio’s judges are not beholden to a political party, they are beholden to the constitution and the rule of law.

