



STATE *OF* JUSTICE

Dear {{FirstName or 'Friend'}},

Welcome to the *new* State of Justice! In these issues moving forward, you'll see a snapshot of what AFJ Action's State Courts team has been monitoring. Preview our content below and click the links to get our in-depth review of all things state supreme courts!

First up, Happy Pride! 🌈 To celebrate this Pride Month, our affiliate AFJ just released the third [Faces of Justice](#) report. This one documents LGBTQ+ representation on our states' highest benches. [Read the report here!](#) Read the past reports [here](#) and [here](#).



JUNE RECAP

The U.S. Supreme Court conservative super majority has consistently undermined federal rights and protections for marginalized groups. As a result, expanding rights through federal legislation is not currently a realistic goal. However, given our federalist system, states often have the power to expand rights well beyond current federal protections, and state supreme courts play a key role in that. For example, same sex marriage was endorsed by the [Supreme Court in 2015](#), yet some states had already spearheaded the march toward same-sex marriage equality, including [Vermont](#), Iowa, and [Massachusetts](#). In addition to expanding on federal rights, many state constitutions have enshrined rights that the Constitution has failed to protect. In an example of environmental action beyond what the federal government can currently accomplish, [Montana recently allowed a lawsuit](#) to proceed under the Montana Constitution's right to a clean and healthful environment.

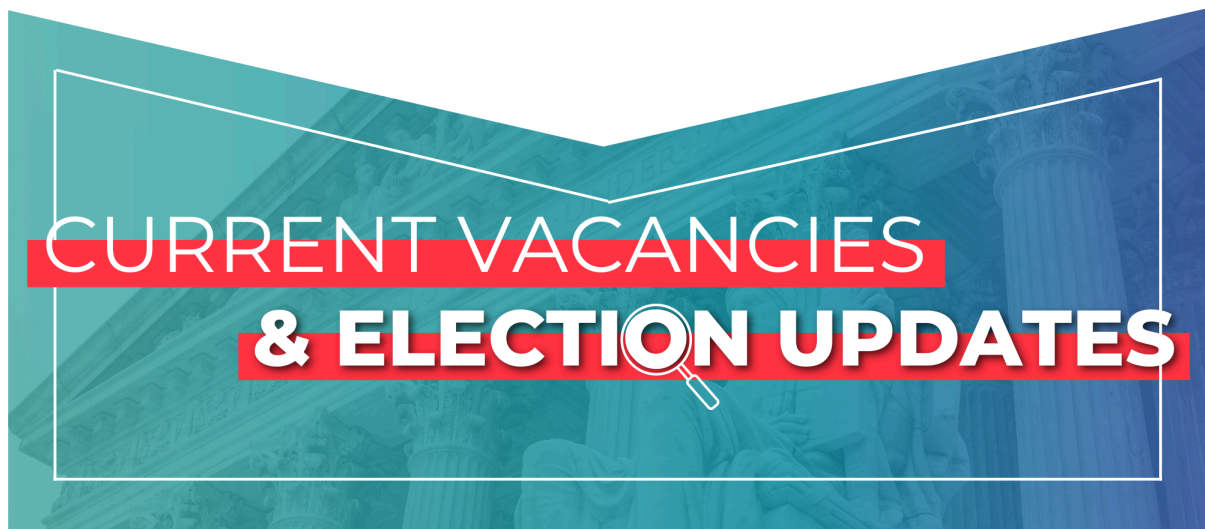
But conservatives have been actively working to undermine the expansion of rights in state constitutions by packing the state supreme courts with partisan ideologues, threatening to impeach fair and impartial justices, or by turning

independent elections into hypercompetitive partisan debates. Because state courts are deciding our rights based in state law, voters have a right to know how potential state court justices view those rights. The best chance to attain justice and fairness is to ensure that judges have an expansive view of those rights. Read more from the New Yorker [here](#).

ETHICS UPDATE

State supreme courts in Arkansas and Texas flex their ethics muscles... when will the U.S. Supreme Court do the same? [Get the updates here!](#)

[MORE: Sign our petition to call for a U.S. Supreme Court Code of Ethics!](#)



VACANCIES

The AFJ Action team is closely watching **state supreme court vacancies** in Alaska, New Jersey, South Carolina, and Minnesota. Alaska Supreme Court Chief Justice Peter Massen will retire in January 2025, with his replacement to be selected by the governor from recommendations by the Alaska Judicial Council, a constitutionally mandated independent seven-member commission. The commission is comprised of three members selected by the state bar, three non-attorney members selected by the governor who are subject to confirmation by the legislature, and the supreme court chief justice. New Jersey Gov. Phil Murphy (D) announced his intent to nominate a conservative former acting state attorney general John Jay Hoffman to fill a vacancy on that state's court, honoring a decades-long tradition of maintaining the court's 4-3 partisan balance. The South Carolina Supreme Court loses all racial diversity on the court with the election of Judge Letitia Verdin by the state's legislature.

ELECTIONS

In **2024 state supreme court election news**, the top two candidates advanced in two races for the Montana Supreme Court following the state's primary on June 11, and election deniers are among those who have filed to challenge incumbents on the Minnesota and Michigan supreme courts. [Learn everything you need to know in our Vacancies and Elections update here!](#)



In June, state supreme courts issued important decisions affecting **consumer protections, indigenous rights, racial justice, religious freedom, reproductive rights, and voting rights.** [Learn more here!](#)



In upcoming decisions, state supreme courts will **determine the scope of COVID-19 closure orders, redefine workers' rights, and shape access to the ballot** in California, Mississippi, Vermont, and Delaware. [Read through to learn about the cases state supreme courts are taking on!](#)

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