



Dear {{FirstName or 'Friend'}},

As you know, our justice system thrives when diverse perspectives and experiences are included. Studies show that our courts function better when our benches are as diverse as the populations they serve.

In honor of Asian American and Pacific Islander Heritage Month, the Alliance for Justice released The Faces of Justice Volume 2: AAPI State Supreme Court Justices. Read the newest report [here](#).



VACANCIES

South Carolina Legislature to Elect Next State Supreme

Court Justice

The South Carolina Judicial Merit Selection Commission [released](#) the three candidates it is forwarding to the state legislature for their judicial election on June 5. The candidates are Court of Appeals Judge [Blake Hewitt](#), Circuit Court Judge [Jocelyn Newman](#), and Court of Appeals Judge [Letitia Verdin](#). However, right after Memorial Day, Newman [withdrew her name](#) from consideration. Then, Hewitt [also withdrew](#) from consideration days later. This leaves Verdin as the only candidate the legislature can elect to be retiring Justice Donald Beatty's successor on the court. Beatty is currently the only Black justice on the court. The South Carolina Supreme Court also has an all-male majority following the retirement of former justice Kaye Hearn. Learn more about how to get involved in this vacancy [here](#).

Connecticut Supreme Court Chief Justice to Retire

Chief Justice Richard Robinson [will retire](#) from the state supreme court in September, two years before his current term on the court expires. Robinson has served on the court since 2013 and has led the court as its chief justice since 2018. Notably, he is the first Black chief justice to serve on the state's highest court. Robinson has served at multiple levels of the state judiciary including the appellate and superior court. Prior to his career on the bench, Robinson worked for the City of Stamford Law Department.

To fill the vacancy, Gov. Ned Lamont (D) will nominate a successor who must be confirmed by the General Assembly. Lamont's previous attempt to fill a vacancy on the supreme court last fall was a tumultuous process. His first nominee, Sandra Slack Glover, [had to withdraw](#) her nomination following concerns about her record on reproductive rights and previous support of conservative U.S. Supreme Court Justice Amy Coney Barrett. Glover was replaced by current Justice Nora Dannehy.

**AFJ Action will be closely monitoring this vacancy and Lamont's nominee.*

ELECTIONS



Washington State Supreme Court Election Update

The filing deadline for the Washington State Supreme Court passed on May 10, with three seats up for election on November 5. Two incumbent justices, Steven Gonzalez and Sheryl McCloud, will run unopposed for full terms, with no candidates filing to run against either of them. The third seat is held by Justice Susan Owens, who must retire due to reaching the mandatory retirement age. Four candidates filed to run for Justice Owens's seat: civil litigators Todd Bloom, Sal Mungia, David Shelvey; and municipal court Judge Dave Larson. A primary election will take place on August 6, with the top two candidates in this nonpartisan contest advancing to the general election.



West Virginia and Idaho Supreme Court Elections

In the West Virginia Supreme Court general election on May 14, incumbent [Justice Haley Bunn](#) was unopposed in her election to a full 12-year term, and [State Senator Charles Trump](#) was unopposed in his race to fill the open seat vacated by the retirement of [Justice John Hutchison](#). Bunn and Trump will be sworn in on January 1, 2025. Justice Richard Bevan also ran unopposed in the Idaho Supreme Court election on May 21, and will return to the court after his current term ends for a second full six-year term in January 2025.



Georgia Supreme Court Election

Incumbent Justice Andrew Pinson was elected to a full term on the Georgia Supreme Court on May 21, defeating former Georgia Congressman John Barrow with 55% of the vote. Barrow made abortion the main issue of his campaign, attacking Pinson for his record of defending the state's six-week abortion ban when he served as the state's solicitor general. Pinson's supporters decried Barrow's efforts to focus on abortion, accusing Barrow of promising to rule a specific way on the issue in violation of judicial ethics rules that require judges to rule impartially. Barrow countered that he was simply sharing his belief that the Georgia Constitution protects abortion rights. Three other incumbent justices were also reelected to the court after facing no opponents. Read AFJ Action's statement [here](#).



REPRODUCTIVE JUSTICE

Alabama: [*LePage, et al. v. The Center for Reproductive Medicine, P.C., et al.*](#)

The Alabama Supreme Court declined to reconsider its controversial recent ruling that frozen embryos are considered children under the state's law that recognizes life as beginning at conception after the defendants, two fertility care providers, asked the court to rehear it. Two justices dissented, writing that they would have granted the request to rehear the case so that more information about its sweeping implications for Alabama families could be presented.



Arizona: [*Planned Parenthood, et al. v. Mayes, et al.*](#)

The Arizona Supreme Court stayed its recent ruling that a near-total abortion ban that was enacted in 1864 could be enforced, allowing a more recent abortion ban that prohibits abortions after 15 weeks to remain in place for 90 days. The ruling will likely allow the state legislature's recent repeal of the 1864 law to take effect before the court's ruling expires, and abortions will remain legal in Arizona until 15 weeks.

FOURTH AMENDMENT

California: [*People v. Flores*](#)

The California Supreme Court ruled in a unanimous opinion that police cannot determine that a person is displaying suspicion of criminal activity for appearing nervous, attempting to conceal themselves, or avoiding contact with police. The decision overturned the petitioner's guilty plea on weapons and narcotics possession after finding the only evidence police presented for stopping him on a sidewalk was his location in an area with high rates of crime and drug use and his hesitancy to speak to them or answer their questions.



Michigan: [*Long Lake Township v. Maxon*](#)

The Michigan Supreme Court ruled in a unanimous opinion that a local government's use of a drone to capture photographs of a couple's property was not an unreasonable search. The court found the township exercised reasonable measures to ensure that the couple, who were previously found to be in violation of the township's zoning and nuisance ordinances for operating a salvage yard, were complying with terms of a settlement for those zoning violations.

South Carolina: [*State v. Jones*](#)

In a unanimous decision, the South Carolina Supreme Court overturned the conviction of a man who was tackled and tased by police officers while standing on his own property after he refused to step back while asking the police why they had pulled over his visitor's vehicle in front of his house. The court ruled that his conviction for interfering with a county law enforcement officer was unconstitutionally applied to him, but declined his request to find that the county ordinance he was convicted of violating was facially unconstitutional.

ENVIRONMENTAL PROTECTIONS

Montana: *[Schutter v. State of Montana Board of Land Commissioners](#)*

In a case that was appealed to the Montana Supreme Court from the Montana Water Court, the Supreme Court unanimously affirmed the Water Court's ruling that the state can retain an ownership interest in water rights granted to owners of private property. Due to the dry, arid nature of Montana's climate, the court determined that water rights are included the state's property rights and affirmed the state's obligation to ensure that the proceeds of lands, including water, that are held in trust by the state are directed to the proper beneficiary, which is the state's public school system.



MUNICIPAL RIGHTS

Louisiana: *[Broome, et al. v. Rials, et al.](#)*

The Louisiana Supreme Court issued a 4-3 ruling allowing the organizers of a controversial effort to incorporate a new city in an affluent, majority-white area of Baton Rouge to proceed, allowing the organizers to formally incorporate the new City of St. George over the objections of leaders of Baton Rouge, including the mayor and a member of the city council, who argued that the move would divert tens of millions of dollars in tax revenue from the city of Baton Rouge and would legally segregate Baton Rouge, which is 54% Black, from the new city, which is 87% white. The opponents of the decision [have asked](#) the court to reconsider the case.



Nevada: *[Schools Over Stadiums v. Thompson](#)*

In a 5-2 decision, the Nevada Supreme Court struck down a proposed ballot measure that sought to allow voters to decide whether the state could spend public funding on a new MLB stadium in Las Vegas. The ballot initiative was supported by the state teachers' union, which has opposed public funding for professional sports teams at the expense of the state's public school system.





Alaska: State seeks quick Alaska Supreme Court ruling in appeal to resolve correspondence education issues

The Alaska Supreme Court has until June 30 to respond to the state's appeal of a lower court decision finding the use of public funds for private schools through the state's correspondence allotment program unconstitutional. This ruling stems from a case filed in 2022 by the NEA-Alaska school union challenging the law saying it violates the state constitution which mandates "No money shall be paid from public funds for the direct benefit of any religious or other private educational institution."



California: California Supreme Court to rule on high-stakes battle over ballot measure restricting tax increases

The California Supreme Court heard oral arguments in a case challenging a proposal to change the way taxes are regulated in the state. The current proposal, being challenged by Gov. Gavin Newsom and legislative Democrats in coalition with labor unions and progressive groups, would strip the governor and legislature of their ability to change or increase taxes, and instead, seek statewide approval. The proposal, supported by big business and corporate interests, could have widespread repercussions including limiting the government's ability to overcome budget deficits and fund new social programs as well as impact other previously approved increases like the state's mansion tax.



Georgia: Lawmakers arrested at state capitol going before GA Supreme Court to challenge state law

U.S. Representative Nikema Williams, a former Georgia state senator, and state Representative Park Cannon have asked the supreme court to overturn their arrests for separate protests at the state's capitol. Williams and Cannon, both Black women, were arrested for their "protests" in the state capitol and disrupting official proceedings from happening. Notably, Williams was arrested when standing with her constituents during a demonstration they were doing, and Cannon was arrested for knocking on Gov. Kemp's door during a press conference. Their attorneys said this rule infringes upon their free speech and is so vague that capitol police could arrest anyone they deem disruptive.



Montana: Letter to the editor: Montana Supreme Court is doing its job

This letter to the editor was written in response to conservative state legislators' [creation of committees](#) to assert more oversight of the Montana Supreme Court following the court's historic Held v. Montana decision allowing youth to sue the state for failing to provide a clean and healthy environment as well as other decisions protecting voting rights and abortion access in the state.



New Mexico: New Mexico Supreme Court announces change to pretrial system

Under new rules set by the New Mexico Supreme Court, if an individual on conditional release while awaiting trial commits another crime, they will be held in jail until their trial. The rule change only applies to all felonies and some misdemeanors. Moreover, if an individual breaks a no contact request, a judge must revisit their conditions of release.



Oklahoma: A final chance for the survivors of the Tulsa Race Massacre: 'This is it'

Survivors of the Tulsa Race Massacre have appealed their case to the state supreme court. The survivors asked the court to overturn a lower court judge's dismissal of their case.



Pennsylvania: Pa. Top Court will Consider Cannabis, Lower Court found it Covered under Comp Act

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Wisconsin: A case before the Wisconsin Supreme Court could reshape state government. Here's what to know

The Wisconsin Supreme Court will determine if a single state legislative committee has the power to invalidate parts of Gov. Tony Evers' Knowles-Nelson Stewardship land conservation program without being brought to a legislative vote from both chambers.



Wisconsin: Wisconsin Supreme Court's liberal justices appear willing to overturn ruling that barred most ballot drop boxes

The Wisconsin Supreme Court revisited a case it had decided in 2022 which overturned the use of ballot drop boxes in the election. Notably, the court, while officially non-partisan, flipped to liberal control. Some liberal justices stated their position that the statute does not explicitly prohibit the use of ballot drop boxes while conservative legislators urged the court to uphold its previous ruling.

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