

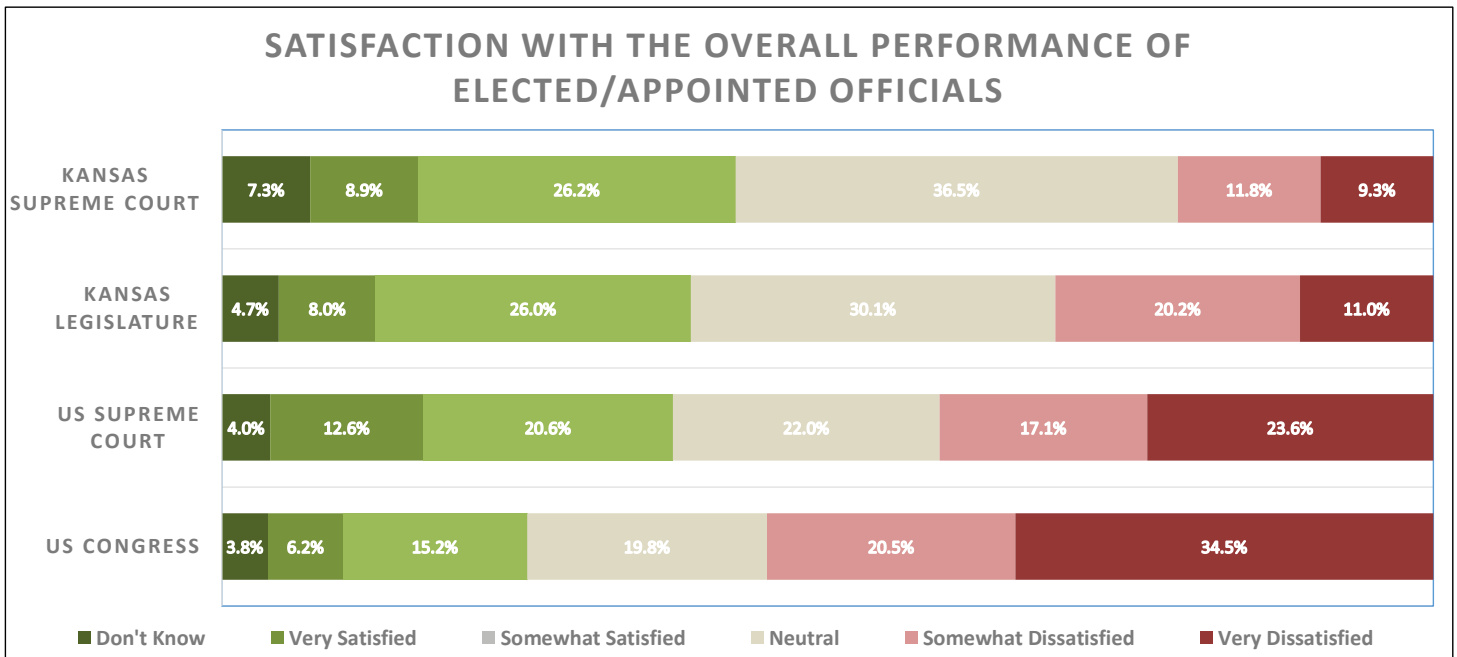


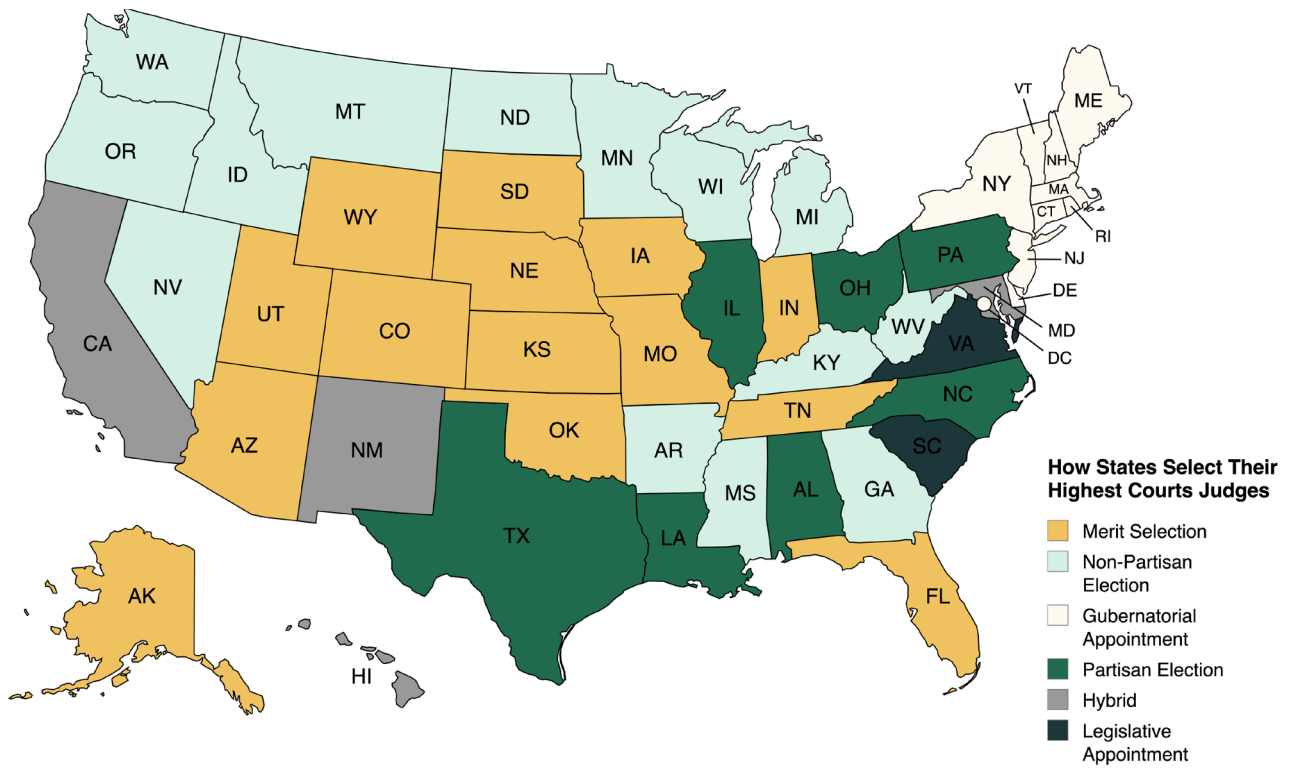
# OUR COURTS ARE NOT FOR SALE VOTE NO AUGUST 4

## FIXING WHAT ISN'T BROKEN: KANSAS COURTS UNDER ATTACK

A fall 2025 survey by the Docking Institute at Fort Hays State University found the majority of Kansans held a very satisfied to neutral view of the Supreme Court's overall performance. The Supreme Court had the least amount of dissatisfied respondents out of every elected position that Kansans were asked about. Since 2016 – when the Docking Institute first began asking the question – the Supreme Court has consistently ranked as the most favorably viewed public institution among those participating in the surveys. There have been no recorded mass local social movements and/or community organizing efforts around altering the Supreme Court.

States take widely different approaches to selecting their Supreme Court justices, reflecting an ongoing tension between democratic accountability and judicial independence. Hybrid selection systems for Supreme Court justices combine elements of appointment and election in different ways, such as versions of the merit selection model that operate without a binding nominating commission or retention elections. For example, Hawaii's system relies on a judicial selection commission rather than retention elections to determine whether sitting justices continue in office. Twenty-one states hold elections for Supreme Court justices. States with partisan elections show





there are real and well-founded concerns that injecting politics into judicial races erodes public confidence in the court’s independence and impartiality. A notable example occurred in Texas, during the *Pennzoil v. Texaco* trial. *Pennzoil’s* attorneys contributed \$315,000 to each judge who was expected to rule on the case, while Texaco attorneys contributed a total of \$72,700.<sup>43</sup> The Texas Supreme Court ultimately ruled in *Pennzoil’s* favor, a case worth \$10.3 billion to their company.

It is possible *Pennzoil* won the case based on the law, but according to Richmond Public Interest Law Review, “the appearance of impropriety diluted the outcome and left the public questioning the neutrality of Texan justices.” A decade after this case, a survey found that 83% of Texas adults and 79% of Texas attorneys believed campaign contributions influence judicial decisions. Outside observers will most likely never be able to verify if special interest campaign funding given to justices influenced their decision-making, but public surveys illustrate that campaign financing reduces public trust and confidence in our justice system.

In states that hold partisan elections for Supreme Court justices, the effects of political pressure and money don’t fade after election day – they shape the courts and public trust in them for generations. This issue was not lost on the late-Senator Bob Dole, who noted, “When these political action committees give money, they expect something in return other than good government.”

Section 8 of Article 3 of the Kansas Constitution “prohibits justices of the Supreme Court who are appointed or retained and district court judges from directly or indirectly making contributions to or holding any office in a political party or organization or taking part in any political campaign.” If the constitutional amendment passes, this section will be removed, and a new process of political Supreme Court elections will be created that upends our merit-based process.

In the 2021-2022 cycle of state Supreme Court elections, spending soared to \$100.8 million, breaking nationwide records. This surge in outside, dark money is largely a consequence of the Citizens United v. FEC (2010) decision, which enabled unlimited independent campaign expenditures. The dramatic rise in dark money in Supreme Court campaigns increased polarization and division, letting politicians further expand the influence of money in government.

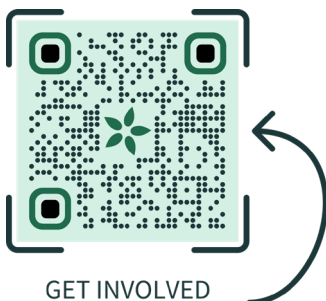
The sharp increase in spending by candidates, interest groups, and political parties on state Supreme Court elections led to record-setting, expensive races in Kentucky, Montana, North Carolina, and Ohio. And now, with the Kansas Legislature voting in 2025 to double campaign finance limits for candidates, there is a real danger that special-interest money could begin to flood into our own judicial elections. This influx could place political influence over Kansas’s Supreme Court, threaten its long-standing impartiality, and erode public trust in our state’s highest court.

Our state’s judicial selection system was designed by Kansans to prevent political corruption, protect fairness, and maintain the nonpartisan independence of our highest court. Today, that trusted merit-based process is at risk of being replaced with a system driven by political campaigns, partisan pressure, and unprecedented outside spending—threats that would undermine the integrity of justice in our state.

On August 4, we have the power once again to decide whether Kansas courts remain accountable to the people or become vulnerable to the influence of wealthy special interests. We need every Kansan who believes in fair courts, honest government, and justice for all to join this movement.

**Vote NO on August 4 to protect our independent Kansas Supreme Court from outside influence.**

**We invite you to connect with our staff to learn how you can volunteer, spread the word, and help protect the future of justice in Kansas. Together, we can ensure our courts remain independent, impartial, and truly for all the people.**





**JUSTICE  
FOR ALL**  
VOTE **NO** AUGUST 4

**FOR MORE INFORMATION:**

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