

# KANSAS SUPREME COURT: POWER, PURPOSE, AND IMPACT

The Kansas Supreme Court selection process is grounded in a merit-based system designed to ensure democratic representation, fairness, and judicial competence. Established after the 1956 “Triple Play” political scandal—when a Kansas Supreme Court seat was handed out as a political favor—the current system was overwhelmingly approved by Kansas voters.

In 2025, the Kansas Legislature voted in favor of a constitutional amendment to overhaul the process, which could lead to partisan elections. Vote no on August 4 to keep our courts fair and impartial and to keep money from buying our judges and courts.



KANSAS JUDICIAL CENTER

## CORE FUNCTIONS OF THE KANSAS SUPREME COURT

**Interpret State Laws:** Ensures laws passed by the legislature are applied correctly and consistently.

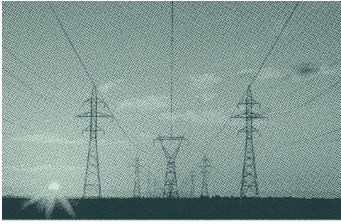
**Resolve Legal Disputes:** Acts as the state’s final panel of judges in major civil and criminal cases.

**Protect Constitutional Rights:** Upholds rights guaranteed by the U.S. and Kansas Constitutions, including protections from violations of due process and equal protection for every Kansan.

**Provide Checks and Balances on Other Branches:** Rules state actions or laws are unconstitutional to prevent overreach by the governor or legislature, maintaining the rule of law as apolitical.

**Establish an Appeals Pathway:** Allows Kansas Supreme Court decisions to be appealed to the federal Court of Appeals and, in rare cases, to the U.S. Supreme Court.

## NOTEWORTHY DECISIONS:



### ***Earthjustice, the Sierra Club, and Vote Solar v. the Kansas Corporation Commission: A Win for Self-Reliance, Energy Independence, and the Environment***

In 2020, the Kansas Supreme Court struck down a Kansas Corporation Commission-approved rate design that imposed extra fees on residential solar users, ruling that utilities cannot charge customers who generate their own power more than those who do not. Advocates hailed the ruling as both a moral and legal victory for renewable energy access, and the right of every Kansan to pursue energy independence and efficiency.



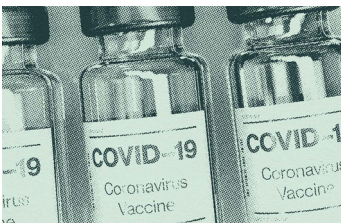
### ***League of Women Voters of Kansas v. Schwab: Protected Legislative Powers to Enforce Stricter Voting Laws in Kansas.***

This case centered on challenges to Kansas voting laws and whether they unduly restricted access to the ballot. The court ultimately reinforced the legislature's authority to regulate elections, making it more difficult to challenge stricter voting measures under the state constitution.



### ***Ross v. Nelson: Protected Personal Property Rights over Industry Profits***

The Kansas Supreme Court upheld adjacent landowners' property rights in a case involving roadside rights-of-way and nuisances caused by a large, industrial hog operation. The ruling was viewed as a significant victory for property rights and a limitation on attempts by industrial farming operations to use the statute as a shield, hurting other smaller farms.



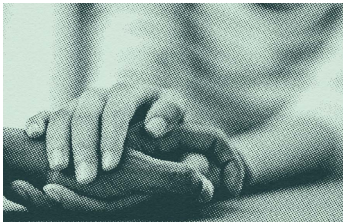
### ***Powerback Rehabilitation, LLC v. Kansas Department of Labor: Defended Religious Liberty of Individuals From Receiving COVID-19 Vaccinations***

This case examined whether individuals could claim religious exemptions from COVID-19 vaccine requirements tied to employment. The court sided with protecting individual religious liberty claims, even in the context of public health measures. The ruling emphasized limits on the state's ability to enforce broad workplace vaccination policies.



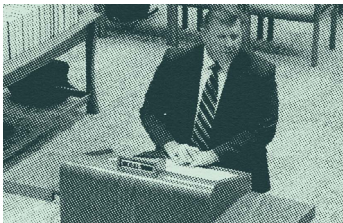
### ***Gannon v. State of Kansas: Constitutional Mandate for Long-Term Funding for Public Education***

The Kansas Supreme Court reaffirmed that school finance must meet constitutional standards of equity and adequacy under Article 6. The Court held that school districts must have reasonably equal access to educational opportunities at similar tax effort and that funding must be calculated to ensure students can meet set educational standards. The case has had significant policy implications, necessitating long-term increases in K–12 funding and oversight in Kansas.



### ***Hodes & Nauser v. State of Kansas: Safeguarded Liberty and Reproductive Rights***

The Kansas Supreme Court reaffirmed that the state constitution protects the right to bodily autonomy, including the right to abortion. The Court held that restrictive laws violated Section 1 of the Kansas Bill of Rights, which it previously interpreted to secure fundamental reproductive liberty. By striking down the laws, the Court maintained strong judicial safeguards for reproductive rights even after the U.S. Supreme Court overturned *Roe v. Wade*. The ruling reinforces Kansas as a state in which constitutional rights limit legislative efforts to restrict bodily autonomy.



### ***Johnson v. Bass Pro Outdoors: Ensured Gun Manufacturers Were Shielded from Liability in Gun Violence Case***

This case involved whether a gun retailer could be held liable for harm caused by a firearm it sold. The court ruled that existing legal protections shield manufacturers and sellers from such liability in most circumstances. The decision reaffirmed strong protections for the firearms industry against civil lawsuits related to gun violence.



### ***Alonzo v. Schwab: Upheld The Power of Legislature to Redistrict Legislative Maps Based on Partisanship***

This case addressed the legality of legislative redistricting maps and whether partisan considerations made them unconstitutional. The court upheld the maps, affirming that political considerations can play a role in the redistricting process. The decision reinforced the legislature's primary authority over drawing district boundaries.



## ***Dwagfys Manufacturing, Inc. v. City of Topeka: Defended Local Home Rule Powers to Regulate Businesses Profiting off of Youth Vaping***

In December 2017, the Topeka City Council voted to increase the minimum age to 21 for purchasing cigarettes, e-cigarettes, tobacco products, and liquid nicotine. Shortly afterward, the company that owns Vapebar Topeka and Puffs 'n' Stuff filed a lawsuit, claiming the city had gone beyond its authority under state home rule laws and was harming their bottom line. The Kansas Supreme Court ruled that the City of Topeka does have the legal authority to raise the minimum age for buying tobacco products within city limits.



### **Dwagfys Manufacturing, Inc. v. City of Topeka**

“Judges need an environment free of pressure from political parties, financial and personal interests. Campaigns and elections sully that environment by placing judicial contenders on the same footing as legislators... Having argued a case before the Kansas Supreme Court involving whether a city can prohibit retailers from selling e-cigarettes to those under 21, I'm thankful that each justice had been vetted by lawyers, non-lawyers, and the governor.” - *Deputy City Attorney, Mary Feighny*



#### **FOR MORE INFORMATION:**

Contact Logan Stenseng, Civic Engagement Manager, at: [lstenseng@kansasappleseed.org](mailto:lstenseng@kansasappleseed.org)

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