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Amendment 80 and the Effects on Arkansas Supreme Court Elections

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Amendment 80 and the Effects on Arkansas Supreme Court Elections

An Honors Thesis submitted in partial fulfillment of the requirements of Honors Studies in
Political Science

By

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Political Science

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Dedicated to Diane D. Blair.

INTRODUCTION

In recent years, the political culture across the United States has become a polarized point of division at the federal, state, and local level. Candidates at all levels are pulled to one side or another to take definitive stances on controversial topics. Although, the judicial branch of government is called to take a fair and impartial approach; however, this has proven to be difficult to ensure. Some believe that the solution to an impartial process is to hold nonpartisan judicial elections.

Across the country, there are 13 states who hold nonpartisan judicial elections at the state level, including Arkansas. (Ballotpedia) There are eight who hold partisan elections, five who select their justices through gubernatorial appointment, two who use legislative election, 21 states that use the assisted appointment method, and Michigan, which uses its own form of appointment. This range of election and appointment methods has changed for states over time. The intent behind holding these different forms of elections varies from state to state. Arkansas, a one-party state, changed their judicial election process with the passage of Amendment 80 in 2001. Ever since, judicial elections are nonpartisan and held during the statewide party primary elections, unless they go to a runoff, in which they are held during the general election. Behind this amendment were multiple goals that intended to improve the elections process. This impact can be tested by collecting extensive election records. Through an in-depth analysis of the election records for Arkansas Supreme Court candidates from the time the amendment was made, this project seeks to present an evaluation of the impacts of Amendment 80 and analyze the effects of nonpartisan judicial elections in Arkansas.

HISTORICAL CONTEXT

When the Arkansas judicial branch first came to be, the method of selection was through appointment. Later on, they were selected by the Governor, and by 1864, Arkansas modified their judicial elections so that candidates were elected through a popular vote. These popular votes were selected on a partisan basis where the parties would choose their nominee in the primary election, and the partisan candidates would face off in the general election. Amendment 80 changed the judicial election process substantially and has had the potential to produce lasting effects. There were many stipulations under Amendment 80, but the purpose of this study is to focus on the shift from partisan dominated by the Republican party. However, in 2001, when Amendment 80 was passed this was not the case. Upon the introduction of the Amendment, there was a fair amount of pushback from Democrats about changing the judicial elections from partisan to nonpartisan. According to Blair and Barth, some arguments were made about voters losing an important voter cue, but “these were undeniably window dressing for the real reason: dollars and cents.” (Blair and Barth, 2005) Before Amendment 80, many of the elected judges were from the Democratic Party. These justices had submitted filing fees that would eventually be used to help benefit the state Democratic Party and would also serve as a disadvantage to the Republican Party. (Blair and Barth, 2005) Within the Code of Judicial Conduct is Canon 5A which prohibits candidates from promising to make certain conduct decisions that are not impartial and prohibits them from making statements on issues that will most likely come before the court. (Blair and Barth, 2005) This is in place to ensure that the elections are fair and impartial.

Eventually, the draft of the Amendment, and the change to nonpartisan elections, was adopted by voters and the party ID voter cue was removed. The question was then asked by Blair

and Barth, “with party label never consequential and now absent and debates on issues deemed inappropriate, on what basis does the electorate choose between competing candidates?” (Blair and Barth, 2005) This question is still relevant to the elections that are held today.

As described in Amendment 80, Section 16, an Arkansas Supreme Court justice “shall be a licensed attorney for at least eight years immediately preceding the date of assuming office” and “shall be elected by the qualified electors of the State and shall serve eight-year terms.” (Arkansas Judiciary) The Amendment also notes that in the event one of the justices is unable to fulfil their entire term in office, the Governor will appoint someone to fill this position. However, Amendment 29 prohibits judicial appointee’s from being able to run for the position that they were appointed to. (Arkansas Judiciary) Meaning, those who are directly appointed by the Governor to a judicial position are unable to then run in an election for that same position.

The new method of judicial selection had multiple goals, two of those being to restructure the courts and also make the elections less partisan. There is a strong rationale behind holding judicial elections so that citizens can keep judges accountable for the work that they are doing and more specifically “...for the quality of their performance and their fidelity to the public trust.” (Blair and Barth, 2005) The component of using a popular vote, as opposed to gubernatorial or legislative appointment, was a method that did not change. However, the timing of holding Supreme Court elections during the state primary decreased the likelihood of having significant voter turnout. The research that follows seeks to analyze the impact of Amendment 80 on judicial elections in Arkansas and consider the different trends that have emerged from this change.

LITERATURE REVIEW

Judicial Elections and Nonpartisan Elections

One of the most important components of analyzing Amendment 80 and the impact that it has had since its implementation is both judicial elections and specifically nonpartisan judicial elections. Across the nation, judicial elections look different in every state and on every level. The following includes an in-depth review of the research that has been done on this topic.

Charles Adrian wrote a piece on the “Efficiency and Economy Movement” in the 1950s and discussed some of the characteristics of nonpartisanship with the information that was available at the time. He claims that the original goal of nonpartisanship was to weaken the power of local parties at the location of the elections. Another section of the article discusses the separation of political leaders who are partisan and those who are nonpartisan; and the importance of keeping those separate. Adrian felt it was necessary for politicians to choose one road or the other. He also discussed how nonpartisan elections affects the recruitment of candidates. Adrian believes that “channels for recruitment of candidates for partisan offices are restricted by nonpartisanship.” In Adrian’s opinion, nonpartisan elections can in turn create issues for the parties. (Adrian, 1952)

In another article authored by Charles Adrian, he provides a thorough history of nonpartisanship and follows four typologies of nonpartisan elections that differ in who was offered support. Those groups include elections where only candidates supported by a major political party have a chance at being elected, elections where candidates are supported by various political groups, elections where candidates are supported by interest groups but not political groups, and elections where political parties and slates of candidates are not important to the campaign. Adrian concludes that the goal of nonpartisan elections, to remove regular

political party machinery in various types of local, regional, and state elections, has been met (Adrian 1959).

Gerald Wright discussed the early research of nonpartisan elections that was done in the mid 1900s by Adrian. Wright discussed party labels, cues that are readily available, political consequences of the nonpartisan ballot and a hypothesis that Republicans benefit from nonpartisan judicial elections across the United States. His conclusion found that there have been policy consequences that nonpartisan elections have had on ballots, one of those being less concern shown to the working class and the poor (Wright, 2008).

As many states have changed their judicial election process over the years from partisan to nonpartisan and vice versa, the ability to keep elections impartial has been somewhat of a challenge. Bert Brandenburg notes that in recent years, judges have been asked more frequently to take a stance on controversial issues. Brandenburg also discusses how in some elections large parties are still making large contributions even when the election is nonpartisan. He also considers how state courts can attempt to keep interest group pressure out of nonpartisan elections in order to ensure impartialness (Brandenburg and Schotland, 2008).

There have been numerous Supreme Court cases that relate to judicial elections and their processes. Chris Bonneau and others analyzed *Minnesota v. White* and the effects it has had on judicial elections. The case was decided by the U.S. Supreme Court in 2002 and decided that part of Minnesota regulations for judicial elections violated individuals of their First Amendment rights. The case denounced the laws in place that prohibited candidates for judicial office to make statements that would compromise impartiality. Bonneau predicts that there will be an increase in the willingness of challengers to enter judicial elections, a decrease in electoral

support of incumbents, an increase in the cost of campaigns, and a decrease in participation from voters (Bonneau, Hall, and Streb, 2011).

An interesting point of contention is whether judges should be elected or appointed. Stephen Choi and other authors discussed the differing priorities among these two types of judges as well as the voters' role in the two processes. Choi elaborated on the merit of voters and how that plays a role in the election versus appointment of judges. Their goal was to test a long-held view that appointed judges were better than elected judges. Their conclusion led them to believe elected judges might be superior. If that was not the case in all states, Choi found that it was true for elected judges in small states rather than large states. (Choi, Gulati, and Posner, 2010).

David Pozen also wrote an article that considered the selection and election of state judges, but this research differed in that Pozen argued there are multiple ironies with selection versus election. One of those ironies discussed is that elective judiciaries are theoretically freer, but practically less free "to seek justice in the face of popular opposition" (Pozen, 2008). Pozen believes that the debate around how to conduct state judicial elections is being done in the wrong way.

The topic of voter turnout can often be discouraging as levels tend to be low, especially in local elections. Margaret Conway considers differing variables that impact voters in local nonpartisan elections including party affiliation (if included), name familiarity, media promotion, and support from local organizations (Conway, 1969). While no concrete conclusions were found as to how these aspects affect the elections, Conway concluded that they do have an impact.

One measure of voter turnout for judicial elections specifically is the under vote, also known as the roll-off vote. Shauna Reilly and Carol Walker studied the relationship between

direct democracy ballot measures and ballot roll-off. They found that there is an increase in roll-off voting when a judicial election is on the ballot (Reilly and Walker, 2010).

Brian Schaffner conducted research with Matthew Streb on general trends that relate to nonpartisan ballots in state and local elections. One finding was that the impact of incumbency will only become greater with time. The main hypothesis that is made in the article is that due to voters losing one of the most reliable shortcuts or cues, voting turnout will yield fewer votes in total. Schaffner and Streb believe that removing the party identification will lead to some voters removing themselves from voting entirely. Although, they believe that those who still choose to vote will seek out other voter cues as opposed to making information or content-based decisions (Schaffner and Streb, 2001).

While voter turnout can be an interesting issue to consider in judicial elections, additional research has been done on the amount of information that voters have prior to voting and how this impacts election results. Nicholas Lovrich and Charles Sheldon analyze different types of judicial elections across the country as well as the idea of public accountability in terms of voting. They elaborate on the character of voters and their decisions in the voting process. Lovrich asks whether voters are knowledgeable on the candidates and the qualifications that are needed to hold the positions that are up for election. Lovrich and other authors conducted a study that measured the knowledge that voters had before they voted in state elections. That study was less about judicial or nonpartisan elections and more so about the amount of information that voters have prior to casting their ballot. Lovrich found states should provide voters with information that leads them to independent campaign resources (Lovrich and Sheldon, 1983).

Narrowing the research from state Supreme Court elections to trial court elections, Philip Dubois sought to fill gaps in research related to low salience nonpartisan judicial elections. By

looking at trial court elections from 1976-1980, Dubois used various voter cues including incumbency, occupational ballot labels, campaign spending, endorsements, voter information, gender, and ethnicity. His main findings were that voter cues differed in largely politicized elections versus low visibility elections (Dubois, 1984).

The visibility of elections can have impacts on the outcome for candidates. Emily Rock and Lawrence Baum studied the impact of media coverage and campaign spending on Ohio Supreme Court elections. Their main finding was that in nonpartisan elections, high-visibility contests for a judicial position had more success than those with low-visibility. The findings showed that higher visibility makes voters more aware of basic information of candidate and therefore makes them more likely to vote for the. One other conclusion was that high visibility campaigns enhanced the levels of partisan voting, partially due to the access of information that voters had (Rock and Baum, 2010).

Voting cues have an additional level of importance when elections are nonpartisan. Peverill Squire and Eric Smith researched partisan cues for voters in nonpartisan elections. They found that partisan variables are the most important factor for a voter when the party label or information is present. One of the main findings was that the number of voters who had 'no opinion' on the judge was reduced significantly when partisan cues or information was provided (Squire and Smith, 1988).

In recent years, legitimacy of elections and the government as a whole has come into question in a more intense way. Anthony Nownes and Colin Glennon authored a piece that analyzed how judicial elections impacted the faith of the public in the judicial system. They sought to strengthen the opinions of previous articles that concluded elections do not negatively affect public perception of judicial legitimacy. Their main finding was that because many judicial

elections do not use the appointment method, they enhance the perception of judicial legitimacy. The authors argue that judicial appointments are the main contributing factor that degrades public perception of judicial legitimacy, not elections (Nownes and Glennon, 2016).

Election regulations in judicial elections tend to vary from other branches of government. Nancy Northup discusses the relationship between nonpartisan elections and the right to free speech in the First Amendment. She considers some overarching goals of nonpartisan elections and how they would affect the election process and the political arena. The article goes into detail about how the different components of campaigns relate to election laws and the First Amendment. Northup draws conclusions that “typical nonpartisan election laws are narrowly tailored to restrict the role of political parties... and not implicate First Amendment rights” (Northup 1987). She also concluded that nonpartisan regulation can “substantially burden a party’s core First Amendment rights by restricting that party’s ability to advocate the election of candidates to further its political agenda.”

In a nation with a two-party system, it would be interesting to consider whether nonpartisan elections benefit one party over the other. Brian Schaffner and others wrote an article that gave a thorough review of how nonpartisan elections are specifically providing an advantage to Republican candidates (Schaffner, Streb, and Wright 2007). The article argued that Democrats are at a disadvantage in local races compared to state and federal elections. The article acknowledged that some findings have shown nonpartisan elections lead to mixed support for both parties. One of the main arguments for why Republicans benefit from nonpartisan elections was that they have more access to wealthy donors which in turn leads to more name recognition overall. Schaffner goes on to explain how nonpartisan elections can also work against Republicans as well.

An area of research that dissects judicial elections even further is looking at the regional impact of judicial elections, specifically in urban areas. Susan Welch and Timothy Bledsoe analyzed the partisan effects of nonpartisan elections in these regions. (Welch and Bledsoe, 1986) Although this article was published in 1986, and the data used was 25 years old at the time, their findings are similar to work that has been published in more recent years. Welch and Bledsoe found that Republicans appeared to benefit more from nonpartisan elections than Democrats. One of the main reasons for this was the duality of name recognition and personal wealth. Welch and Bledsoe discuss the importance of strong community support and networks in both large and small cities. They found that without party identification or party support, individual recognition, relationships, and networking are more important.

Some research has looked at the aspects of nonpartisan elections in cities of different sizes and populations. Charles Gilbert considers how nonpartisan judicial elections may have different effects in larger cities (Gilbert, 1962). More specifically, he looks at how to measure the partisanship of these cities even when there are nonpartisan elections. The data that was collected for this study was from the early/mid 1900s and therefore provides a more historical point of view.

Diversity Among Judicial and Nonpartisan Candidates

It is important to have a thorough understanding of how diversity throughout judicial elections, specifically nonpartisan elections, has changed over the years as well as the impacts that it has had on the election and legislative process. There are a multitude of issue areas within this topic alone and it is important to consider how each of them has led to their own effects. When discussing the diversity of the court in terms of male versus female, most research

compares not only likelihood of success in an election, but also the likelihood of women running in the first place and the number of women who actually run.

One study found that state Supreme Court benches in the United States were overwhelmingly made up of white males. They discussed the reality that there is a lack of diversity among state Supreme Courts and therefore a lack of representation for many groups on judicial benches. Part of the study analyzed if methods of judicial selection impact the diversity of the bench. They found that judicial appointment led to more people of color being part of a judicial bench (Robbins, Bannon, and Bannon, 2019). Although, judicial appointment is not as common as judicial elections.

Charles Bullock and many other authors conducted a thorough study of women running in state trial court elections. While this is different from the basis of the study in this paper, the authors asked three very important questions. Those questions were 1) Are women winning at the same rate as men, 2) Are women just as likely to move into a gubernatorial appointment as men, and 3) Are women or men more likely to be appointed than win in an election as judge. Their research had many conclusions which included the following: women were more likely to seek open seats rather than challenge an incumbent in female-male contests', the female normally wins unless the male was a judge, and women who seek open seats generally win (Bullock, MacManus, Owen, Penberthy, Reid, and McPhee, 2014).

It is believed by some that women have a more difficult process of acquiring a judicial seat. Kate Eugenis wrote an article that was meant to dispel myths around women in judicial elections. Her findings were that women tend to have an advantage in primary elections, and they are more likely to move on to general elections when in a partisan race. She also found that women are more likely to have a female opponent when seeking re-election (Eugenis, 2021).

Eugenis also wrote an article with Rebecca Gill to further dispel the myth that women are at a disadvantage when running in a judicial election and to specifically noted that the issue has more to do with women not running for office in the first place. (Gill and Eugenis, 2019) While the number of women on judicial some benches has risen, that is not the case for all benches. Margaret Williams conducted a study that focused on the ambition of women and how that will impact the number of females who run for a judicial position. One note that she made was that with the increasing numbers of women in the legal field, there could be an increase in the number of women who feel qualified and compelled to seek a judicial office (Williams, 2008).

Brian Fredrick and Matthew Streb also sought to analyze whether gender has an impact on electoral outcomes in judicial elections. Their findings suggest that gender does not hinder success in judicial elections. If anything, it might work as an advantage. One stereotype that was discussed that could impact how individuals vote is the idea that men are harsher with their sentencing than women. That being said, their findings were that individuals might favor women rather than men when considering this point of view (Fredrick and Streb, 2008).

Taking a different approach, Rorie Solberg and Christopher Stout considered if the gender composition of state Supreme Courts had an impact on the way that individuals voted. Their main findings were that voters were not significantly affected by gender makeup of a court when trying to decide whether to support a female candidate. This led them to believe that voters might be more willing to support female candidates despite the gender makeup of the court (Solberg and Stout, 2021).

An additional group that would diversify courts is minority groups. Mark Hurwitz and Drew Lanier analyze both women and minority groups in state Supreme Court and Appellate

Court elections. Their main finding was that there was no one single component that affects minorities and women running for judicial election, but rather structural, political and demographic influences (Hurwitz and Lanier, 2003). An additional finding of this article was that women benefit from larger judicial benches.

Nicholas Lovrich, Charles Sheldon, and Erik Wasmann researched the race of candidates and justices when looking at judicial elections. They conducted a study in which a certain percentage of candidates were black. Their research looked at candidates who had similar levels of education, occupations, income, and age that were both black and white. They found that blacks tend to vote for black judicial candidates, political party preferences and ideological leanings are clearly relevant to racial issues, and incumbency tends to favor the black incumbent in black and white precincts (Lovrich, Sheldon, and Wasmann, 1988).

Judicial Campaign Finance and Expenditures

An incredibly relevant aspect of judicial elections is the regulation and laws on campaign finance and expenditures. This has been an important topic of debate that has fluctuated over time. The regulations that are imposed may vary from state to state although there is also federal legislation that regulates campaign finance across the country.

Chris Bonneau has performed an incredible amount of research on campaign spending in judicial elections. He has produced a lot of work on this issue and provided a thorough contribution. One of his earlier pieces was written in 2004 and looked at the changes in campaign expenditures over time. He found that both partisan and nonpartisan elections have become more expensive over time. Although, partisan elections are more expensive than nonpartisan elections (Bonneau, 2004). He also found that elections held during midterms were

more expensive, possibly because without a Presidential campaign going on there is more money that supporters are willing to donate.

Another contribution that was provided by Bonneau was research about the impact of campaign expenditures on incumbents in state Supreme Court elections. He found that overall, more spending in judicial elections can lead to an increase in competition and the promotion of electoral accountability. Bonneau found that incumbents are not able to increase the percentage of their vote by spending more money, but challengers are able to do so. The conclusion that Bonneau made in this article was that campaign spending was the one component that candidates had the most control over (Bonneau, 2007).

In 2011, Bonneau did further research with Damon Cann on the direct impact of campaign finance regulations for challengers and incumbents. They found that restrictive campaign finance regulations disproportionately affect challengers which increases the advantage for incumbents even further. The authors focused on whether challengers are able to meaningfully compete in judicial elections against incumbents. Bonneau and Cann argue that campaign spending is important in order to achieve a healthy level of competition that is linked to judicial accountability (Bonneau and Cann, 2011).

In 2010, the United States Supreme Court issued a 5-4 decision in favor of Citizens United in *Citizens United v. FEC* (2010). This complex case initiated changes to campaign finance regulations and has received conflicting feedback on the decision. Brent Boyea presents an in-depth overview of how judicial elections were specifically affected by the change in laws due to *Citizens United*. He found that states who limited outside groups saw an increase in the post *Citizens United* era while those whose state laws were not affected spending decreased.

Boyea's overall finding in this research was that those who had tried to limit the amount of spending on outside groups saw a larger impact. (Boyea, 2020)

Looking at campaign spending and contributions on the individual level also serves great importance. Boyea conducted a study in 2017 that explored the degree to which candidate characteristics, state political environments, and the attributes of state institutions impact the amount of contributions that an individual gives. The study investigates how contributions vary among partisan and nonpartisan elections. Boyea noted that the goal of the study is to reaffirm many motivators for donating to presidential, congressional, and state level campaigns is the same for state supreme court elections. One of Boyea's main findings was "where state supreme court campaigns affected the sitting chief justice, contributors gave 31.2% larger contributions than those featuring an associate chief justice or nonincumbent candidate" (Boyea, 2017). He also found that there was a 46.1% reduction in contributions in off years that did not coincide with presidential or midterm elections.

Matthew Streb and Brian Fredrick presented a different study that took a new approach at analyzing campaign spending and its impact on judicial elections (Streb and Fredrick, 2011). Streb and Fredrick looked at campaign spending for specifically appellate court elections. Typically, an increase spending leads to higher voter turnout or decreases in the ballot roll off or undervote according to Streb and Fredrick. This study found that in low-visibility elections, there is a specific threshold of spending that must be met in order for expenditures to have an impact. For example, there are some districts that are so large, even large amounts of money will not be enough to inform the majority of voters. Streb and Fredrick found that the issue differs among areas geographically.

DATA AND METHODS

In order to assess the impact that Amendment 80 has had on Arkansas Supreme Court elections changing from partisan to nonpartisan, this study performed an in-depth analysis of the elections that have occurred since the implementation of the Amendment from 2002-2022. In this research project, based on the literature review, three main questions are asked, and three hypotheses are considered:

Research Questions and Hypotheses:

Question 1

- In the post Amendment 80 era, how much diversity has there been in the candidates for Arkansas Supreme Court elections? Is there a distinct set of demographics and characteristics that overwhelm the candidate pool, or does the candidate profile not vary?

Hypothesis 1

- Based on the literature review, there will be a lack of diversity among candidates who are vying for a seat on the state Supreme Court bench, even with the elections being nonpartisan. Historically, Arkansas has been a one-party state with elected officials that tend to have similar points of view. This research will show that does not change in nonpartisan elections. Data will show that these candidates have similar backgrounds, demographics, and characteristics. Arkansas is not known for being diverse, and this will be reflected in the data of this study. Most elected officials in Arkansas are white males, which is hypothesized to be true in this study as well.

Question 2

- Are Arkansas Supreme Court Elections post Amendment 80 contested and competitive?
Is incumbency specifically making these elections more or less competitive?

Hypothesis 2

- Given the fact that a party label is not needed in order to run for a seat on the Arkansas Supreme Court, the data will show that the elections tend to be both contested and competitive. Although, the research will also show trends of different competitive advantages for candidates in these elections. While Arkansas is a one-party state, the lack of party identification will lead to Supreme Court elections including at least two candidates the majority of the time. Given the qualifications needed to be a Supreme Court justice in Arkansas, the pool of candidates will share some characteristics that will make the races more competitive. Incumbency is commonly noted as a distinct advantage in elections. Therefore, the data will show that elections with a candidate who is an incumbent will have a higher likelihood of being uncontested and less competitive.

Question 3

- Do Arkansas Supreme Court elections post Amendment 80 follow typical voter turnout trends in statewide Arkansas elections?

Hypothesis 3

- This study will show that turnout for Supreme Court elections in Arkansas tend to follow typical election turnout trends for statewide elections. Turnout in most statewide elections in Arkansas typically has a relatively low turnout, and this will be reflected in the research as well. Due to most Arkansas Supreme Court elections being held during the primary elections, turnout will be lower than when the elections are held in the general.

This research will show that turnout for Arkansas Supreme Court elections would most likely improve if the elections were always held in the general rather than primary election. With Arkansas Supreme Court elections being nonpartisan, turnout will be lower compared to total ballots cast or other statewide elections that are partisan.¹

Data

In an attempt to analyze the results of elections after Amendment 80 in Arkansas, a collection of election records was created for Arkansas Supreme Court elections from 2002-2022. Initially, this project was intended to include both Arkansas Supreme Court elections as well as Arkansas Court of Appeals elections. Although, the project shifted, and the data and figures focus solely on the Supreme Court elections. The research and data collection includes three main categories including diversity among candidates, competition, and voter turnout. Amendment 80 had various different changes that it made, and these three categories are able to encapsulate and analyze the main goals of the Amendment. The removal of the party label on statewide judicial elections would appear to provide more of an opportunity for more candidates, with differing backgrounds, to toss their name in the ring for such a position. Considering the amount of elections that include competition provides a partial analysis of how nonpartisan elections increase or decrease the sheer amount of individuals who are vying for a seat on the highest bench in Arkansas. Finally, measuring turnout of the Arkansas Supreme Court elections from the implementation of Amendment 80 will lead to an analysis of how the shift to nonpartisan elections is impacting voters and the rate at which they are showing up to the polls and choosing to use their voice in elections with no party label.

¹ Question 4 and Hypothesis 4 concerning campaign finance and campaign expenditures were originally part of the design of this research, however that information was difficult to acquire and not consistently accessible. The degree at which the information was unavailable was such that any analyses would have been incomplete.

Methods

The goal of this project was to perform an in-depth analysis on the judicial elections that have been held since the implementation of Amendment 80. In order to do so, an extensive data collection would take place to accumulate a wealth of information about not only election records, but also information about the candidates on the ticket. An Excel Spreadsheet was created that included the following for 47 Arkansas Supreme Court candidates from 2002-2022: name, gender, race, election cycle, position the candidate was seeking, percent of the vote won, raw vote, incumbent or nonincumbent, opposed or unopposed, law school attended, as well as additional information on the background of the candidate. This data collection took extensive work as not all of the basic election records were easy to access. This information would serve as a foundation to provide an overview of the candidates who have been running for a seat on the state bench over the last 20 years. Although, this data collection is different from typical election records due to the extensive information that is included about the background and demographics of the candidates. This is to ensure that a full analysis of the candidate can be taken, rather than simply looking at the wins and losses of said elections. The Excel sheet also includes election records and additional information for roughly 42 Arkansas Court of Appeals candidates as well as their background information and demographics. For some years, election records for the Court of Appeals races were inconclusive and unavailable. Therefore, further analysis of the information that was accumulated was not completed.

In the spreadsheet, each row accounts for one candidate who is running in the election. The spreadsheet follows every election in chronological order and includes both the initial elections held in the state primary as well as runoff elections. Because of this, some candidates are repeated in the spreadsheet when a runoff that is held in the general election took place. The

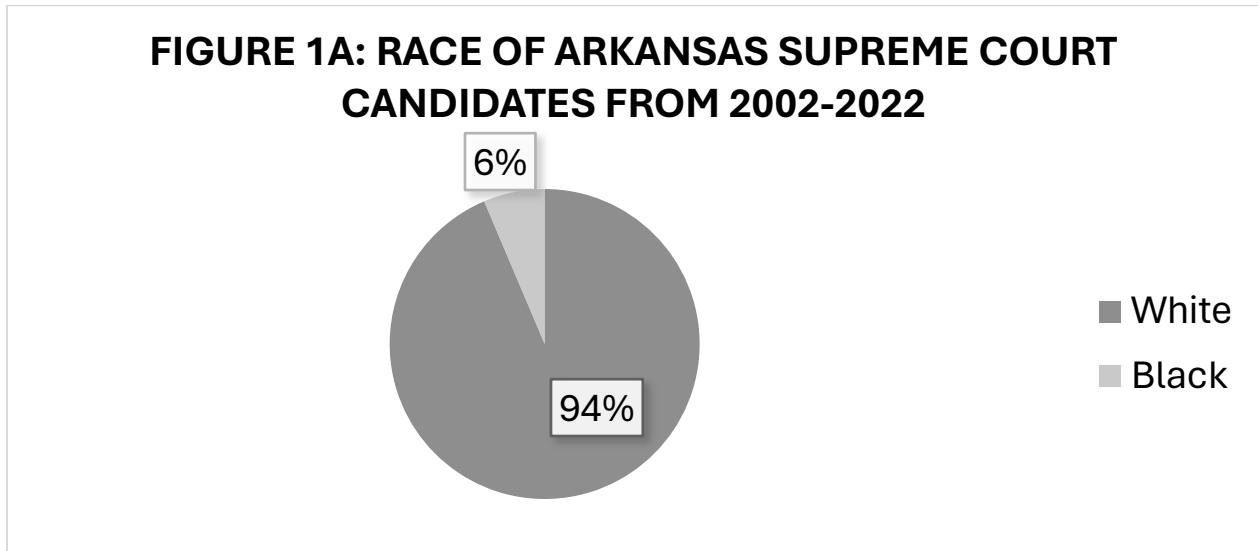
data was then combed through, and trends were found in demographics among candidates, the rate at which elections were contested, probability of incumbents running and winning, and many measures of turnout from voters with a comparison to the overall turnout in those elections. From this data, several graphs and figures were crafted in order to illustrate the effects of Amendment 80 and to make a thorough analysis of the impact it has had.

FINDINGS AND RESULTS

Since the implementation of Amendment 80 to the Arkansas Constitution, there have been a total of 21 Arkansas Supreme Court races with 47 candidates. The following figures attempt to track trends and patterns of the candidate composition and election results from 2002-2022, which can also be referred to as Post Amendment 80. Based on the extensive collection of election records, these figures display a glimpse into the trends, tendencies, and outcomes that have occurred in the last 20 years. The figures that follow are grouped based on the questions and hypotheses that were previously asked and made. All data presented in the following figures is compiled from election records, candidate files, and individual biographies.

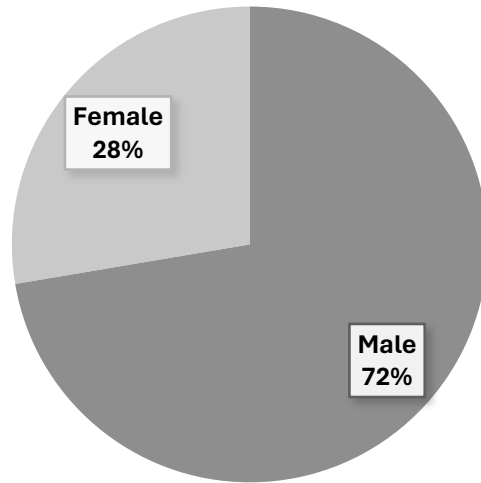
Question 1 Findings

Diversity of Candidates



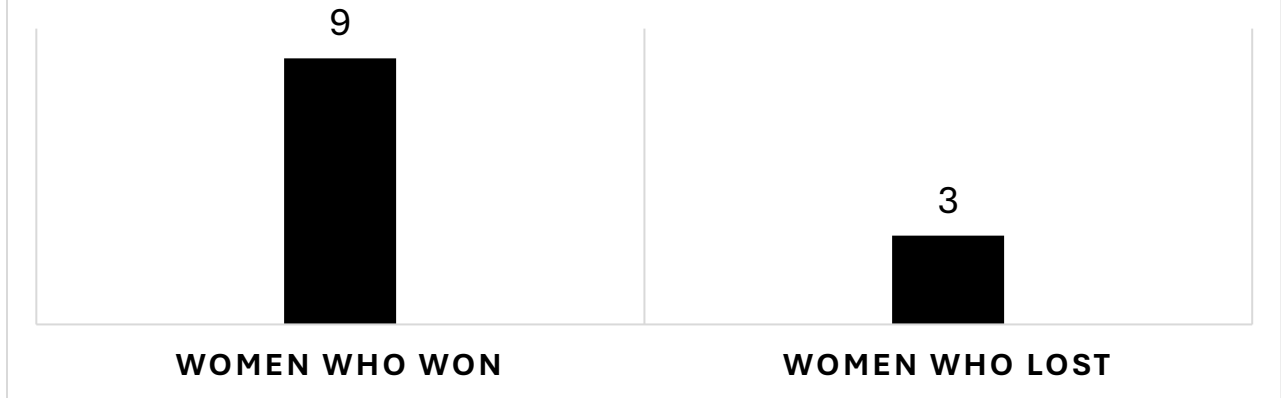
An important measure of diversity on the bench is the racial makeup of those who are elected as well as those who ran in the Supreme Court elections. Over the last 20 years, there have only been two black candidates who have run to be an Arkansas Supreme Court Justice, one of them running in two separate elections. Thus, 6% of candidates from 2002-2022 were black and an overwhelming 94% were white. Of these black candidates, none of them won a seat on the bench. No other race was represented among the candidates in the research. The percentage of black candidates does not represent the same percentage of individuals who are black in the state of Arkansas. This statistic shows the racial underrepresentation of candidates for the Arkansas Supreme Court. It is interesting to consider how the racial makeup of the candidates for a nonpartisan position might impact the turnout in these elections.

FIGURE 1B: GENDER OF ARKANSAS SUPREME COURT CANDIDATES FROM 2002-2012



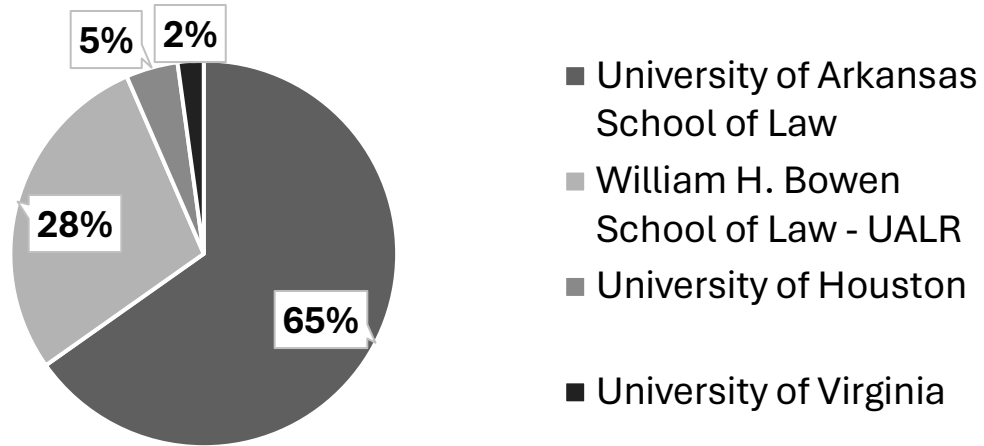
Another important measure of diversity that was included in this study was the gender disparity in the candidates for the Arkansas Supreme Court from 2002-2022. Thorough research has been done on the likelihood of women running for office, as well as the likelihood of them winning. Some believe that women are no longer at a disadvantage when they run for a state Supreme Court seat. Over the last 20 years, 28% of candidates have been female while 72% have been male. The number of women who put themselves on the ticket is relatively low in comparison with the state gender composition which is made up of about 50% women (United States Census Bureau, 2020).

FIGURE 1C: ELECTION OUTCOMES FOR FEMALE ARKANSAS SUPREME COURT CANDIDATES FROM 2002-2022



While the rate at which women run in these elections is quite low, their tendency to win when they run is high. Women were involved in 13 elections total, one of which was a runoff. Of the total wins and losses counted, not including the primary that led to the runoff election, women won 75% of Arkansas Supreme Court elections that they ran in. This data correlates with research that has been done in the past that suggests when women run, they are not at a disadvantage. It seems as though the deeper issue might be getting women in Arkansas to run for the state Supreme Court in the first place. It is important to note that of these 13 total elections, one female justice accounts for four of the elections that involved a female and one individual accounts for three of the elections. Both of these women currently serve on the bench and have run for re-election and placed themselves in the running for Chief Justice, although they did so in different years. In 2024, there are four women that sit on the Arkansas Supreme Court.

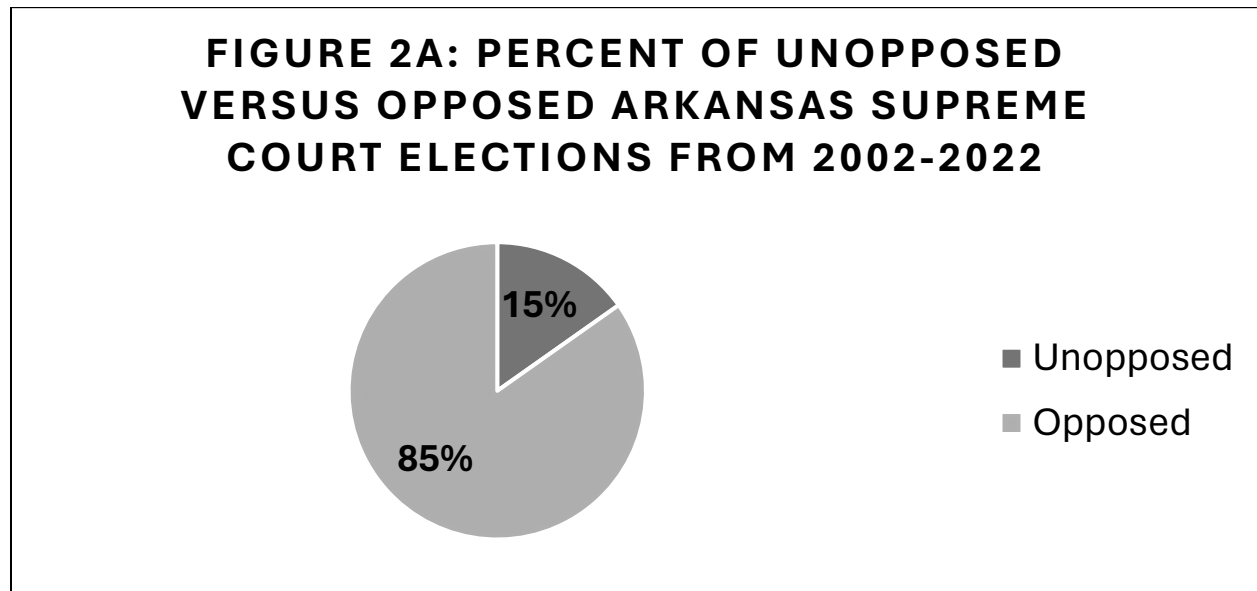
**FIGURE 1D: LAW SCHOOL ATTENDED BY
ARKANSAS SUPREME COURT CANDIDATES
FROM 2002-2022**



An additional measure of diversity is often education. For this study, the law school that candidates studied at seemed to be of great relevance. As mentioned previously, Arkansas Supreme Court justices must be practicing attorneys for a minimum of eight years. Analyzing the geographical location of where individuals attended law school shows another level of the diversity among candidates. The data shows that 65% of candidates in this study attended the University of Arkansas School of Law and 28% attended the William H. Bowen School of Law at the University of Arkansas at Little Rock. Meaning roughly 93% of Arkansas Supreme Court candidates earned their Juris Doctorate in state. On the other hand, two candidates attended law school at the University of Houston and one attended law school at the University of Virginia. Notably, the three individuals who did not attend law school in Arkansas won their election. The location of the law school attended by candidates may or may not be an indication of how likely one is to win in their election.

Question 2 Findings

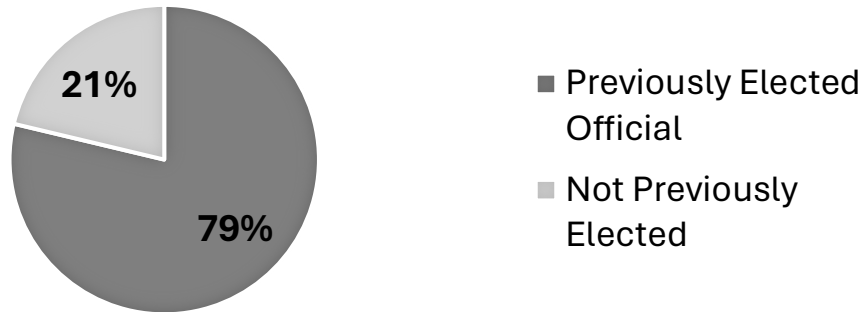
Competition and Contested Races



Of the 47 candidates who ran in an Arkansas Supreme Court election from 2002-2022, 7 of them ran unopposed while 39 ran opposed. Therefore, 85% of the elections had at least two, if not three candidates. One of the goals of Amendment 80 was to increase competition and participation from more candidates. Over the last 20 years, the majority of the elections have not lacked competition. Competition gives a reason for voters to show up and use their voice in elections. This figure shows that post Amendment 80 judicial elections do not seem to deter competition, and if anything, it has sustained or increased competition.

When considering the political impact that Supreme Court candidates can have on the state, this study looked to analyze the number of candidates who had run in a political election prior to running for the Arkansas Supreme Court.

FIGURE 2B: ARKANSAS SUPREME COURT CANDIDATES BETWEEN 2002-2022 WHO HAD PREVIOUSLY BEEN ELECTED OFFICIALS



The figure above shows that over three fourths of candidates had previously held an elected position prior to running for an Arkansas Supreme Court position. The vast majority of the elected positions that had been held prior to running were lower-level judicial positions. Of the 21%, or 10 candidates, who were running in an election for the first time, only one of them won their election. This data shows that having prior experience running in a campaign appears to help win an election whether that be because of name recognition, donors, or many other factors. For the other candidates who had previously held some sort of elected position, they most likely had the opportunity to make decisions or take positions on policy issues that influenced voters. First time candidates may have not had this sort of exposure before, but they could have potentially had exposure in other areas of life or work.

FIGURE 2C: ARKANSAS SUPREME COURT CANDIDATES FROM 2002-2022 WHO HAD PREVIOUSLY SERVED ON THE ARKANSAS COURT OF APPEALS

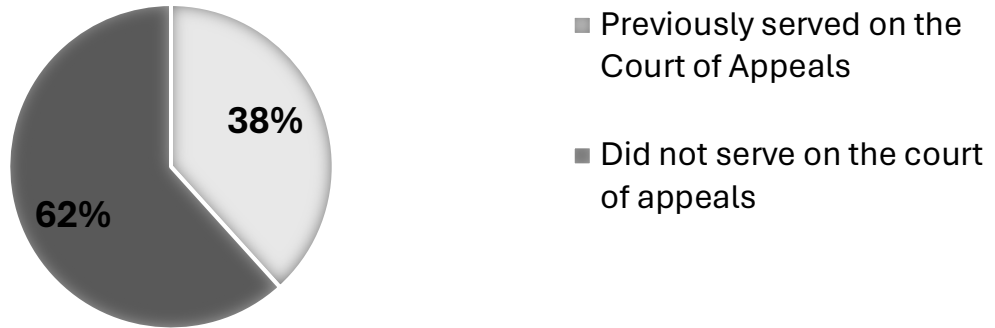
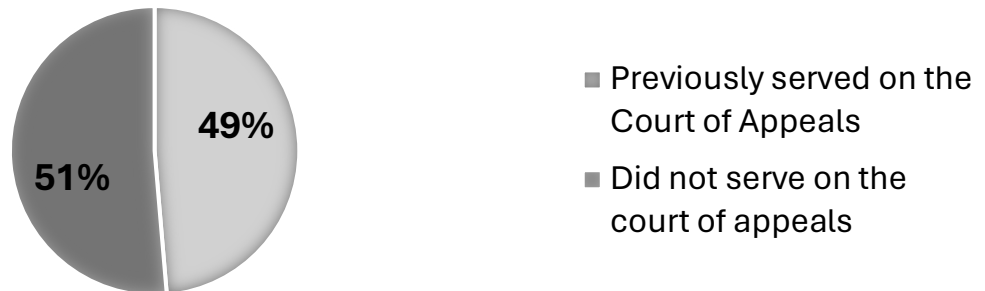


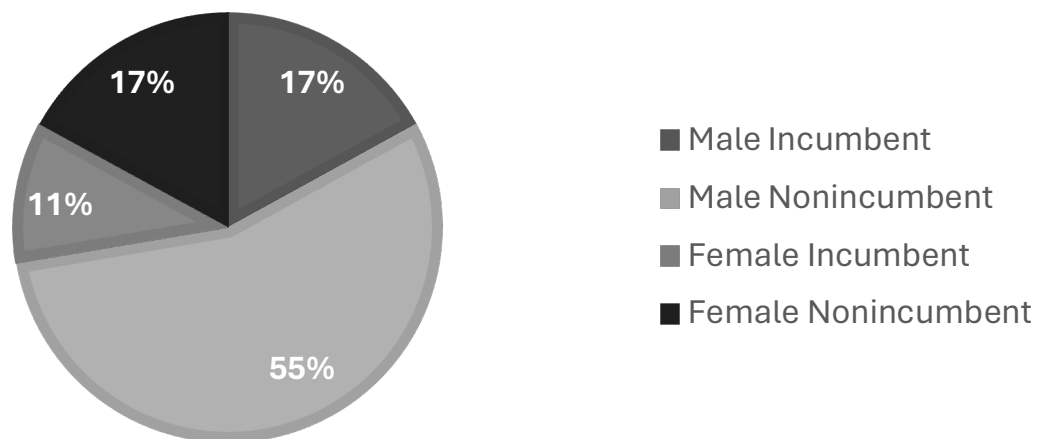
FIGURE 2D: ARKANSAS SUPREME COURT CANDIDATES FROM 2002-2022 WHO HAD PREVIOUSLY HELD AN ELECTED POSITION THAT INCLUDED SERVING ON THE ARKANSAS COURT OF APPEALS



As shown in Figure 2C, of the 47 candidates running for the Arkansas Supreme Court from 2002-2022, 38% of them had previously served on the Arkansas Court of Appeals. 37 of the candidates running for the Arkansas Supreme Court from 2002-2022 had previously held at least one elected position prior to running. Of those 37, 49% of them had been elected to the Arkansas Court of Appeals, shown in Figure 2D. This data shows that a significant number of candidates

running for the state Supreme Court position had previously held an elected position for the court that was just below the Supreme Court. Although this does not necessarily indicate whether serving on the Court of Appeals increases the likelihood of candidates winning, it certainly shows that the competition among candidates is between those who have campaign and or judicial election experience. Given that these elections tend to be competitive, it is interesting to consider how important serving on the Court of Appeals might be when running for a seat on the Arkansas Supreme Court.

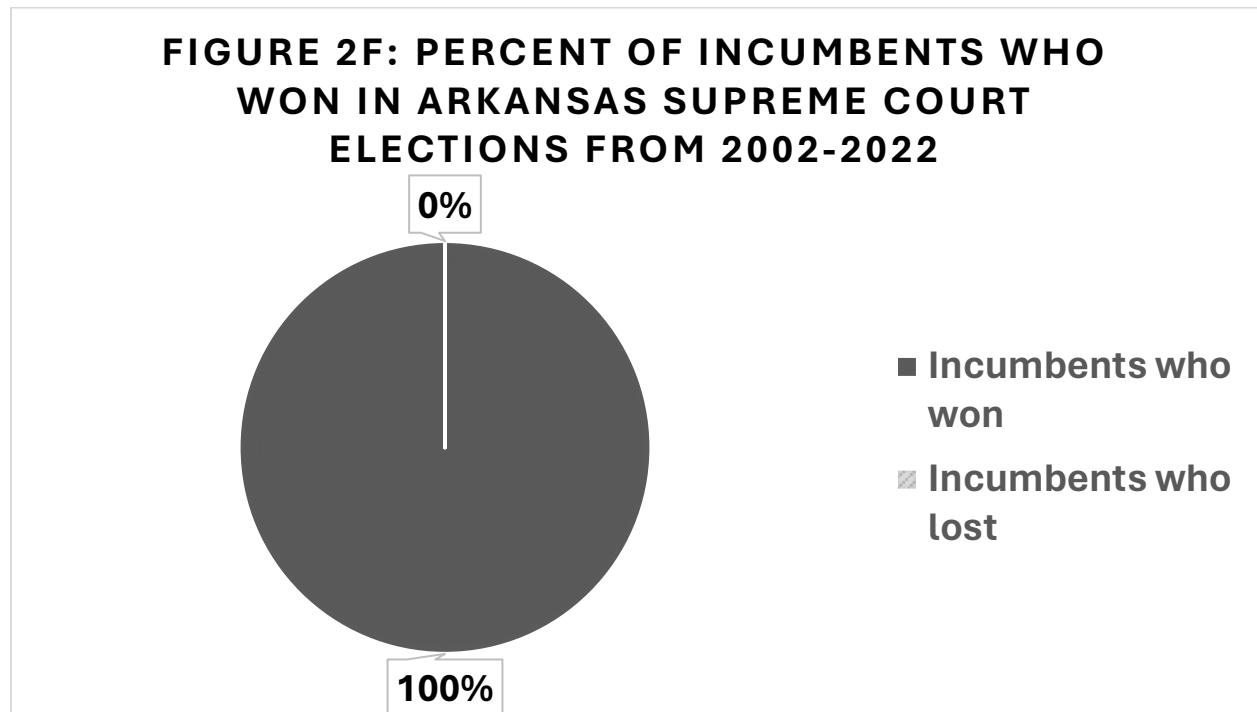
FIGURE 2E: INCUMBENT AND NONINCUMBENT CANDIDATES IN ARKANSAS SUPREME COURT ELECTIONS FROM 2002 - 2022



28% of the Arkansas Supreme Court candidates from 2002-2022 were incumbents, while 72% were nonincumbents. The figure above indicates that incumbents running in elections has not completely deterred others from running against them. Many studies indicate that when incumbents run for reelection, they have a much higher chance of winning. While that may be the case, in Arkansas, there is still a significant amount of candidates putting themselves on the ballot despite the odds being stacked against them. Figure 2E also provides an analysis of the

gender parity between incumbents and nonincumbents. The majority of candidates are male nonincumbents with 55% and male incumbents made up the same percentage as female nonincumbents with 17%. Meaning, female incumbents represented 11% of the candidates running for the Arkansas Supreme Court from 2002-2022.

To further compare the gender parity between incumbents, our study shows that of the 34 males in the study, 8 of them were incumbents and 26 were nonincumbents. Meaning, 23.5% of male candidates were incumbents while 76.5% of male candidates were nonincumbents. Women on the other hand had a higher percentage of incumbency as opposed to men. 38% of female candidates were incumbents in the study from 2002-2022. But, of the 5 females, 2 individuals were counted twice, due to running in multiple elections, meaning there were only literally three female incumbents. Men also had duplicates as well.



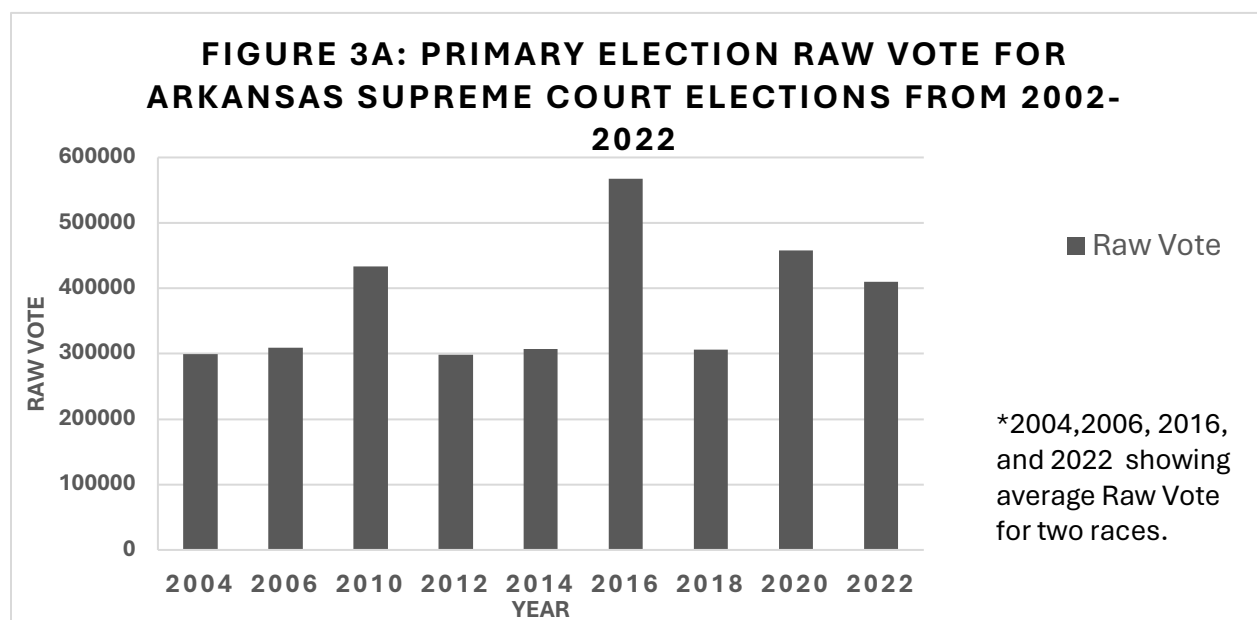
In total, there were 13 candidates who ran in elections as incumbents that were seeking re-election. The figure above shows a simple, yet staggering statistic that 100% of the time an

incumbent was running for a position on the Arkansas Supreme Court, they won. Research has proven that incumbency serves as an outstanding advantage for candidates, although finding a conclusion that leads to 100% is significant. In terms of competition, this indicates that it is incredibly difficult to remain competitive as a nonincumbent when running against an incumbent. While it would be incorrect to say that a nonincumbent candidate has no chance at beating an incumbent, it is clear that this feat would be one that is hard to achieve. Beating an incumbent in Arkansas has historically been difficult. According to Blair and Barth, “defeat of an incumbent judge is the rarest occurrence in Arkansas politics” (Blair and Barth, 2005).

Question 3 Findings

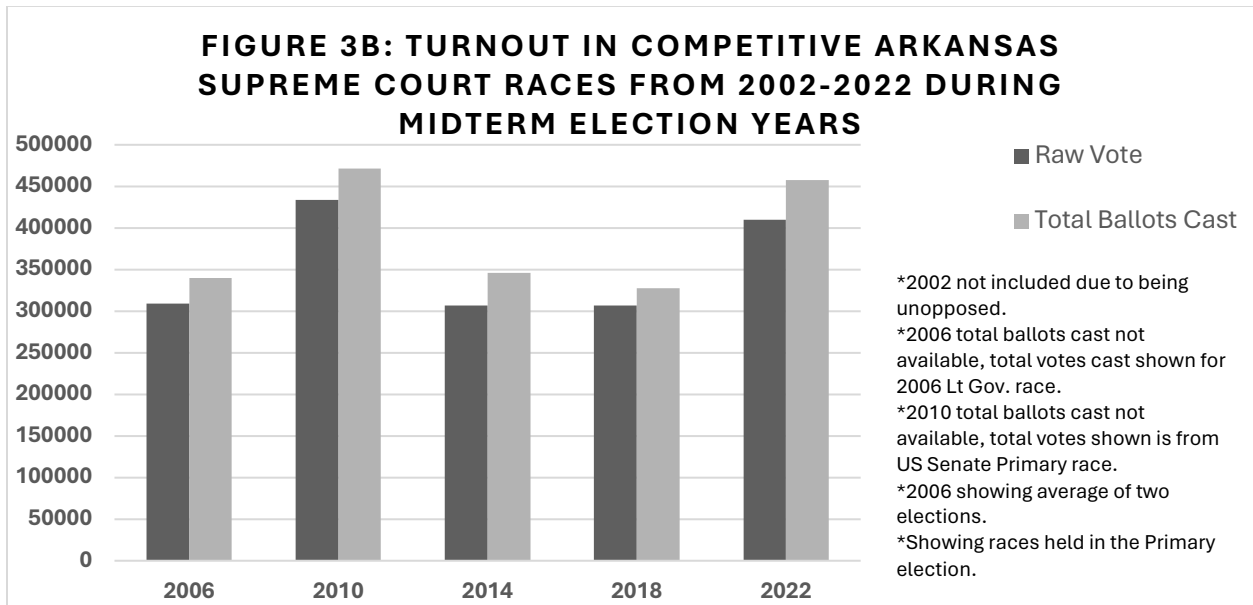
Turnout

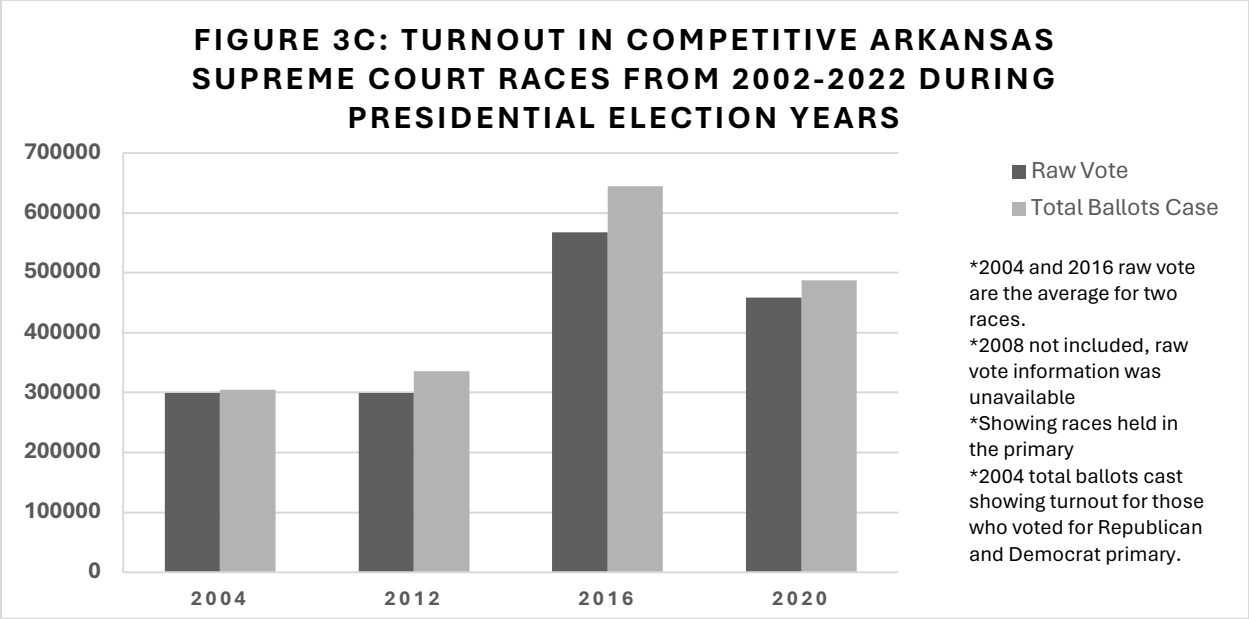
The state of Arkansas tends to have low turnout in elections as a whole. When analyzing how Amendment 80 has impacted elections, it is interesting to consider how choosing to hold nonpartisan elections might impact the turnout of voters. Below are the analyses of the voter turnouts in the primary and general elections for Arkansas Supreme Court elections from 2002-2022.



In the figure above, we can see that turnout for Arkansas Supreme Court elections from 2002-2022 never goes above 600,000. The highest turnout in a primary election was in 2016 with 573,950 voters for the Chief Justice race. It is interesting to note that the year with the highest turnout for Arkansas Supreme Court elections was also the year for a highly contested Presidential primary within the United States.

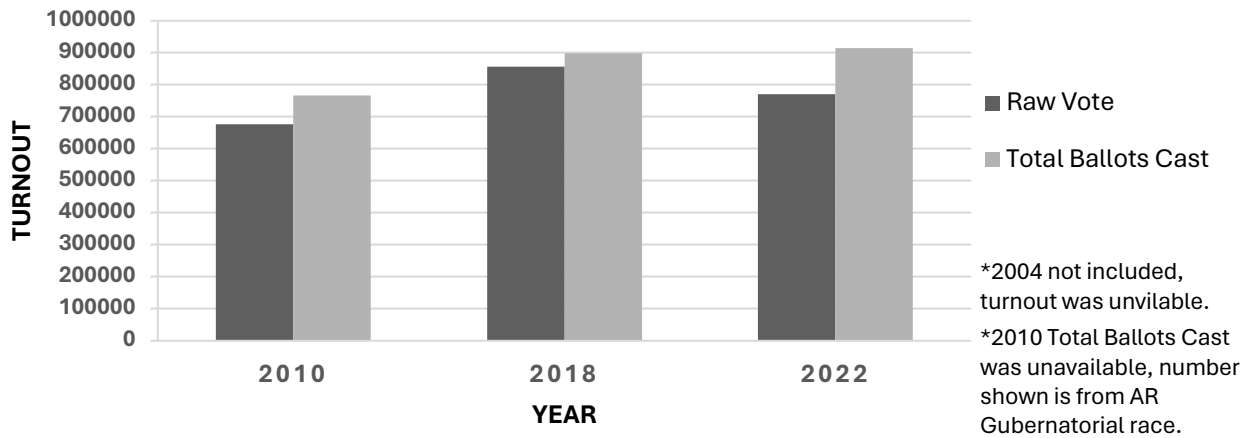
When looking at the turnout of voters in Arkansas Supreme Court elections, data clearly shows that general elections receive better turnout than primary. But it is also interesting to consider how other elections at the state and federal level might impact turnout as well. The following figures consider turnout in mid-term election years and United States Presidential election years.





Arkansas gubernatorial races fall on opposite years than United States Presidential races. Thus, the two figures above show the raw vote for the years when these elections took place. The study shows that the two years with the highest turnout for Arkansas Supreme Court elections were Presidential years, 2016 and 2020. In midterm year primaries, voter turnout never surpassed 450,000 voters. In Presidential election year primaries, voter turnout surpassed 500,000 voters and nearly reached 600,000.

FIGURE 3D: TURNOUT IN COMPETITIVE ARKANSAS SUPREME COURT RUNOFF ELECTIONS FROM 2002-2022 HELD DURING THE GENERAL ELECTION

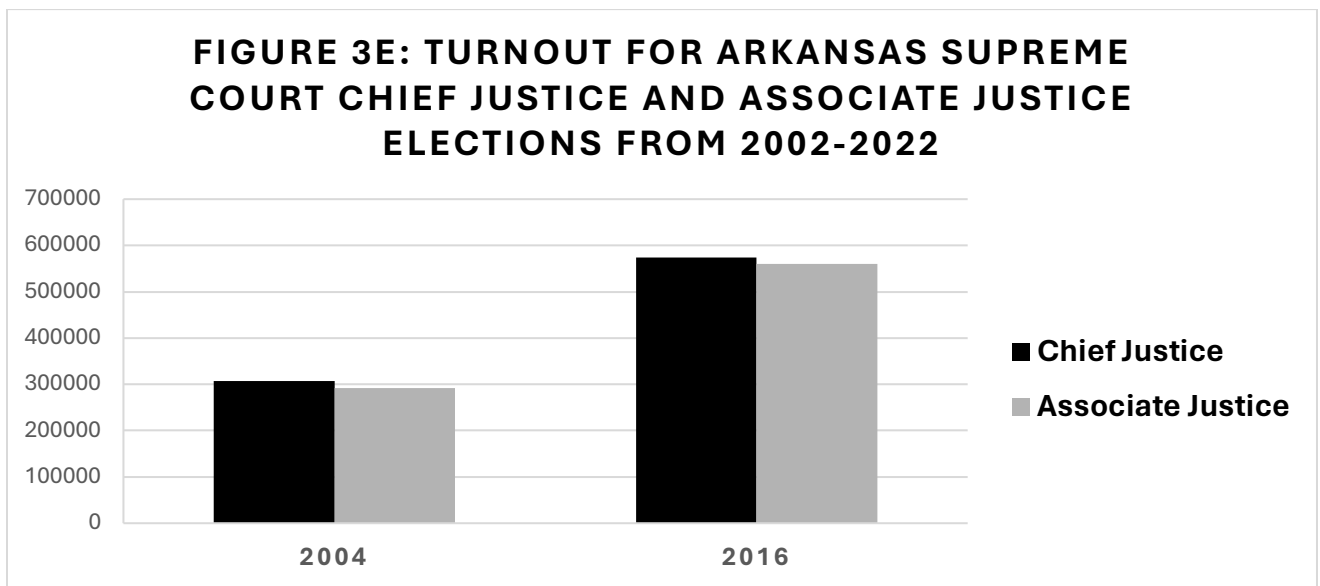


While comparing the turnout in midterm and Presidential election years provides a unique analysis, the comparison between primary and general election turnout for Arkansas Supreme Court elections is staggering. From 2002-2022, there were four Arkansas Supreme Court runoff elections which is shown in the above figure. Although, data for the raw vote in 2004 was unavailable and is therefore not included. These runoff elections are held during the general election, which is historically when Arkansas has higher turnout. This data shows that the turnout for the runoff elections for Arkansas Supreme Court elections receives significantly higher turnout than those that are held in the primary. There is a drastic shift in the turnout between elections held during the primary versus the general.

The lowest turnout for an Arkansas Supreme Court runoff held during the general election was in 2010 and had 677,452 votes while the highest primary turnout was in 2016 with 573,950 votes. The raw vote difference between these two elections was 103,502 voters. This means the highest raw vote for a primary election had at least 100,000 less votes than any of the

general elections. The data appears to show that less Arkansans are choosing who sits on the highest bench in the state because of when the state Supreme Court election is held. This data does not seem to indicate that the elections shifting from partisan to nonpartisan has led to a significant increase on the turnout of elections, even though they tend to be competitive and contested. The runoff elections that are held during the general elections produce higher turnout and therefore have a greater number of individuals voting for who will sit on the bench. Over time, turnout appears to have a slight uptick which could be in part due to an increase in the population of the state. Overall, the raw vote in the Arkansas Supreme Court elections held in the primary have lower turnout than elections held in the general election.

A final comparison that leads to an analysis of the turnout for Arkansas Supreme Court elections is the difference in the vote for a Chief Justice and an Associate Justice position, both running in the primary. This happened in two different years, 2004 and 2016.



The figure above shows the difference between the Chief Justice raw vote and the Associate Justice raw vote for 2004 which was 14,642 voters. In 2016, the difference between the Chief Justice election and the Associate Justice election was 13,324. Although, it is important

to note that in 2016, the raw vote for both the Chief Justice position and the Associate Justice position included over 250,000 more voters in total. This data indicates that voters were more likely to vote in the Chief Justice elections than the Associate Justice elections. Although, this is an incredibly small sample size which should be noted. Additionally, another Chief Justice election was held in 2008 in which the candidate ran unopposed.

CONCLUSION AND LIMITATIONS

Conclusion

This study looks at the election records for Arkansas Supreme Court races from 2002-2022 to analyze if any patterns have emerged that suggest Amendment 80 has been beneficial. Though, answering the questions and completely proving the hypotheses presented will require more elections and more information. The data that has been collected is only a minimal number of cases and the findings are not completely definitive, but they certainly offer an indication of the trends that are present.

Through looking at multiple measures of diversity, holding nonpartisan elections does not appear to increase the diversity of candidates. The characteristics that were found in candidates appear to be similar among the majority of individuals running for election. Supreme Court elections in Arkansas are overwhelmingly filled with white, male candidates. It is also important to note that the only two races represented in the candidates, those being black and white individuals. The lack of racial diversity of candidates was extreme.

Since 2002, most Supreme Court elections in Arkansas have been contested and proven to be competitive. From the data collected, a conclusion can be made that nonpartisan elections do not deter competition. In the last 20 years, elections have been consistently contested with at

least two individuals, if not three, the majority of the time. It is interesting to consider if this competition is partially due to the lack of diversity on the ticket.

When analyzing the turnout of the Supreme Court elections in Arkansas, more significant conclusions were found. The data shows that when Arkansas Supreme Court runoff elections are held during the general election, the turnout rate is much higher than when the election is held during the primary. When comparing turnout between mid-term and Presidential election years, there was not a significant difference. However, when comparing the primary election turnouts to the general election turnouts, the results were staggering. The turnout skyrockets when the runoff is held during the general election. This means that far fewer people are voting for those who are elected as opposed to if the elections were initially held during the general election.

When thinking about Amendment 80 and the data that has been collected, there seems to be a disconnect between holding nonpartisan elections during the party primary. If the Amendment changed the elections from partisan to nonpartisan, why did it not also amend when the elections would be held? This study highlights the significant finding that the greatest turnout for nonpartisan elections in Arkansas required there to be competition in the first place. In order to really receive a higher turnout, there has to be a runoff that goes to the general election. The reasoning for the current timing of the elections could primarily be due to the fact that it would be difficult to run a nonpartisan race when parties are involved in a general election. Parties cannot get involved with the primary elections and endorse any candidate until they are the party nominee. Although, they are heavily involved in the general election, and it would be challenging to keep the judicial election completely separate from the party politics that would take place leading up to the general elections.

The cost of the timing of when the judicial elections in Arkansas are held is that these elections are hearing less voices from Arkansans across the state. This is what the research and data collection has led to. Why was Amendment 80 created to change elections to nonpartisan races if they were going to be held at a time when there is lower turnout? This is an important question to ask given these elections are for a position in the state government that carries great weight.

On the federal level, there is a clear divide in the two major political parties within the United States. The national sentiment is that there is extreme polarization and working across the aisle is nearly impossible. Many individuals often say that there should be more work done between the two parties and they are tired of party politics. Why is it that when there is an election held with no party label, the turnout is lower than when there is a party label. Why is the national sentiment not adding up with the actions of voters. It seems as though people want work done across the aisle while also continuing to remain steadfast in their party ties. Nonpartisan judicial elections in Arkansas force individuals to step outside of their typical voter comfort zone and use other cues than they usually would, given there is no party identification by the candidates.

Limitations

When initially collecting data for this project, the goal was to gather election records and thorough background information on all Arkansas Supreme Court candidates as well as Arkansas Court of Appeals candidates from 2002-2022. While the expectation was that collecting this data would require a significant amount of time, the obstacles that were encountered along the way were surprising.

The first attempt at collecting the election records, not including additional personal information, was met with significant issues. Electronic election records on the Secretary of State website were unavailable online for any year before 2012. This project relied on having records for many of those years that were not available, specifically 2002-2010. Naturally, the next step was to reach out to the Elections Division through the Secretary of State's office and inquire about older election records that were not online. After receiving the request for election results needed for this project, the Elections Division responded that they were "not able to locate anything electronically." They elaborated that the electronic records during that time period were not handled well, and the official record of those elections was kept in physical books either at the State Capitol or the Arkansas Archives. Upon contacting the Arkansas State Archives, the same request was given for the election records, which included the time the Amendment was implemented to the time the elections were posted online. The Archives eventually called back and said the latest records that they received were from the late 1990's. After weeks of trying to locate the election records from any state agency, a complete roadblock was hit. Upon the conclusion of this project, the election records for Arkansas Supreme Court elections, and other statewide elections from 2002-2010, have still not been located collectively by a state agency.

In an effort to pivot the research so that conclusions could still be made, much of the election record data was collected from *Ballotpedia*. This website offered a fairly complete record for the Supreme Court elections, but not Court of Appeals elections. The Arkansas Democrat Gazette has a large online archive database, but finding the election records through that source was difficult and mostly not useful.

One specific aspect of election records that was incredibly cumbersome to find for all years considered in this research was the expenditures and contributions to these campaigns.

Once again, Ballotpedia was essentially the only place where some of these records could be located, but not nearly in a complete form. The only total expenditures that were readily available were for 2002-2010 which were the years election records could not be located by a state agency.

Due to the great number of records that have not been located by a state agency, this project has shifted to being something different from what the initial questions and hypotheses were looking for. This research has led to a concern for the way records are kept across the state. The data that was requested was for a very small and specific point in time. The lack of records might lead one to question what other records could be missing. The incomplete election results are highly problematic and need to be addressed urgently.

Further Research

An extensive portion of the literature review that was done on this topic was over campaign finance and regulations around expenditures and contributions in judicial elections. Initially, this study was going to collect data on the money raised and spent in Arkansas Supreme Court elections from 2002-2022 as well as analyze any patterns correlated with that money. However, expenditure and contribution data was not readily available. This would be an impactful area for future research as it would provide answers as to how money impacts Supreme Court elections in Arkansas. Campaign finance and expenditures is an extensive topic that would provide interesting information on how money impacts nonpartisan judicial elections in Arkansas, and more specifically how it can benefit or be used as an advantage for candidates.

Arkansas gubernatorial races must reach a simple majority, meaning whoever wins the highest percentage of votes will win the race. While Arkansas Supreme Court elections require candidates to cross 50% of the vote in order to win. It would be interesting to consider how

turnout might change or the elections might differ if the Arkansas Supreme Court elections also followed the regulations of only needing to meet a simple majority because there would likely not be as many runoff elections. Considering the simple majority along with the timing of when Supreme Court elections in Arkansas are held might lead to a profound impact on the voter turnout that is seen in these elections.

In the initial stages of collecting data, this study intended on providing a measurement of the party ties that Arkansas Supreme Court candidates have. Although these elections are nonpartisan, there are different cues that can provide information about what party a candidate might support based on previous elected positions, donors, and more. Measuring the partisanship of candidates in nonpartisan elections would be difficult but could lead to a deeper understanding of what cues voters use to identify candidates they support when a party ID is not present.

One comparison that could be made in order to gain more of an understanding on the impact of nonpartisan judicial elections is to compare different states that also use the same method of elections as well as those who use different methods. The pool of elections that this study pulled from was relatively small, and looking at a much larger number of candidates would allow for a more thorough analysis.

The lack of accessibility to election records that was previously discussed is also an opportunity for potential research and extensive data collection. The state of Arkansas would benefit greatly from a restructuring or revision of the elections records database that is currently being used. While the information that is available is useful, there is a significant opportunity to fill in the gaps where data is missing. This would be an impactful project that might be done in the future.

Finally, an in-depth comparison of the elections that took place before Amendment 80 and post Amendment 80 would show the true impact and changes that have been made due to the shift from partisan to nonpartisan elections. This study looked at what has happened since the implementation of the Amendment, but in order to understand the changes that have occurred because of the Amendment, including an analysis of election records pre-Amendment 80 will be necessary.

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APPENDIX

Supreme Court Election Records 2002-2022

Candidate Name	Election Cycle (year)	Position	Election Result	Percent of Vote	Total Contributions	Total Expenditures	Inclusion 1?	Gender 2?	Unopposed 3?	Judge on lower court prior to election?	Did the candidate respond to requests for information?	Previous work in public sector or legal field?	Previous Judicial appointments?	Source
Tom Glaze	2002 Primary	Position 3	W	N/A	16295	N/A	Yes	Male	Unopposed	Yes - Court of Appeals and Pulaski County chancery judge	N/A	Yes	No	https://ballotpedia.org/Arkansas_Supreme_Court_elections2002
Wendell Griffen	2004 Primary	Chief Justice Position 1	L	37%	128134	N/A	No	Male	Opposed	Court of Appeals	Yes	Yes	No	https://ballotpedia.org/Arkansas_Supreme_Court_elections2004
Jim Hannah	2004 Primary	Chief Justice Position 1	W	63%	183066	N/A	Yes	Male	Opposed	PA for Woodruff County, city judge in Keosau and Rosbush, White County Juvenile Judge, chancery and probate judge for 17th Judicial district	No	Yes	No	https://ballotpedia.org/Arkansas_Supreme_Court_elections2004
Paul E. Danielson	2004 Primary	Assoc. Justice Position 4	L	31%	118849	N/A	No	Male	Opposed	Circuit Judge for 15th judicial circuit, PA for 6th and 15th JD.	No	Yes	No	https://ballotpedia.org/Arkansas_Supreme_Court_elections2004
Jim Gunter	2004 Primary	Assoc. Justice Position 4	runoff	38%	261419	N/A	No	Male	Opposed	PA for 8th JD, Chancellor for 8th JD, circuit judge for 8th JD north.	Yes - Outpost one but not the other	Yes	No	https://ballotpedia.org/Arkansas_Supreme_Court_elections2004
Collins Kilgore	2004 Primary	Assoc. Justice Position 4	runoff	31%	288327	N/A	No	Male	Opposed	Division 2 chancery judge	Yes - outpost both opponents	Yes	No	https://ballotpedia.org/Arkansas_Supreme_Court_elections2004
Jim Gunter	2004 Runoff	Assoc. Justice Position 4	W	N/A	N/A	N/A	No	Male	Opposed	PA for 8th JD, Chancellor for 8th JD, circuit judge for 8th JD north.	N/A	Yes	No	https://ballotpedia.org/Arkansas_Supreme_Court_elections2004
Collins Kilgore	2004 Runoff	Assoc. Justice Position 4	L	N/A	N/A	N/A	No	Male	Opposed	Division 2 chancery judge	N/A	Yes	No	https://ballotpedia.org/Arkansas_Supreme_Court_elections2004
Donald Corbin	2006 Primary	Assoc. Justice Position 2	W	63%	97908	N/A	Yes	Male	Opposed	AR Court of Appeals	Yes	Yes	No	https://ballotpedia.org/Arkansas_Supreme_Court_elections2006
Roger Harrod	2006 Primary	Assoc. Justice Position 2	L	37%	50670	N/A	No	Male	Opposed	District Court Judge for Mammelle	Yes	Yes	No	https://ballotpedia.org/Arkansas_Supreme_Court_elections2006
Paul E. Danielson	2006 Primary	Assoc. Justice Position 5	W	57%	176704	N/A	No	Male	Opposed	Circuit Judge for 15th judicial circuit, PA for 6th and 15th JD.	No	Yes	No	https://ballotpedia.org/Arkansas_Supreme_Court_elections2006
Wendell Griffen	2006 Primary	Assoc. Justice Position 5	L	43%	71201	N/A	No	Male	Opposed	Court of Appeals	No	Yes	No	https://ballotpedia.org/Arkansas_Supreme_Court_elections2006
Annabelle Clinton Inghel Tucker	2006 Primary	Assoc. Justice Position 6	W	N/A	20467	N/A	Yes	Female	Unopposed	Chancery and probate judge for AR 6th judicial circuit	N/A	Yes	Yes	https://ballotpedia.org/Arkansas_Supreme_Court_elections2006
Robert L. Brown	2006 Primary	Position 7	W	N/A	24036	N/A	Yes	Male	Unopposed	No	N/A	Yes	No	https://ballotpedia.org/Arkansas_Supreme_Court_elections2006
Jim Hannah	2008 Primary	Chief Justice Position 1	W	N/A	61840	N/A	Yes	Male	Unopposed	PA for Woodruff County, city judge in Keosau and Rosbush, White County Juvenile Judge, chancery and probate judge for 17th Judicial district	N/A	Yes	No	https://ballotpedia.org/Arkansas_Supreme_Court_elections2008
Paul E. Danielson	2008 Primary	Assoc. Justice Position 5	W	N/A	24795	N/A	Yes	Male	Unopposed	Circuit Judge for 15th judicial circuit, PA for 6th and 15th JD.	N/A	Yes	No	https://ballotpedia.org/Arkansas_Supreme_Court_elections2008
John Foulkner	2010 Primary	Assoc. Justice Position 3	L	42%	334131	N/A	No	Male	Opposed	PA for Crittendon County	No	Yes	No	https://ballotpedia.org/Arkansas_Supreme_Court_elections2010
Courtney Goodson (Harris)	2010 Primary	Assoc. Justice Position 3	W	58%	695027	N/A	No	Female	Opposed	AR Court of Appeals	Yes	Yes	No	https://ballotpedia.org/Arkansas_Supreme_Court_elections2010
Karen Baker	2010 Primary	Assoc. Justice Position 6	runoff	48.40% 48%	473054	N/A	No	Female	Opposed	AR Court of Appeals	Yes	Yes	No	https://ballotpedia.org/Arkansas_Supreme_Court_elections2010
Tim Fox	2010 Primary	Assoc. Justice Position 6	runoff	36.876%	446135	N/A	No	Male	Opposed	Circuit Judge for 6th JD	No	Yes	No	https://ballotpedia.org/Arkansas_Supreme_Court_elections2010
Evelyn Moorehead	2010 Primary	Assoc. Justice Position 6	L	15%	17165	N/A	No	Female	Opposed	No	No	Yes	No	https://ballotpedia.org/Arkansas_Supreme_Court_elections2010
Karen Baker	2010 Runoff	Assoc. Justice Position 6	W	60%	473054	N/A	No	Female	Opposed	AR Court of Appeals	Yes	Yes	No	https://ballotpedia.org/Arkansas_Supreme_Court_elections2010
Tim Fox	2010 Runoff	Assoc. Justice Position 6	L	40%	\$446,135 - look at ballotpedia. Is this for both primary and general? One or the other?	N/A	No	Male	Opposed	Circuit Judge for 6th JD	No	Yes	No	https://ballotpedia.org/Arkansas_Supreme_Court_elections2010
Raymond Abramson	2012 Primary	Assoc. Justice Position 4	L	35%	N/A	N/A	No	Male	Opposed	No	N/A	Yes	Yes	https://results.enr.clarityelections.com/AR/39376/83979/en/summary.html#
Court of Appeals Judge Jo Hart	2012 Primary	Assoc. Justice Position 4	W	65%	N/A	N/A	No	Female	Opposed	AR Court of Appeals	N/A	Yes	Yes	https://results.enr.clarityelections.com/AR/39376/83979/en/summary.html#
Tim Cullen	2014 Primary	Assoc. Justice Position 2	L	48%	N/A	N/A	No	Male	Opposed	No	N/A	Yes	No	https://results.enr.clarityelections.com/AR/51266/133405/en/summary.html#
Court of Appeals Judge Robin Wayne	2014 Primary	Assoc. Justice Position 2	W	52%	N/A	N/A	No	Male	Opposed	Yes - AR Court of Appeals and District Court	N/A	Yes	No	https://results.enr.clarityelections.com/AR/51266/133405/en/summary.html#
Judge Karen R. Baker	2014 Primary	Assoc. Justice Position 6	W	N/A	N/A	N/A	Yes	Female	Unopposed	AR Court of Appeals	Unopposed - No.	Yes	No	https://ballotpedia.org/Arkansas_Supreme_Court_elections2014
Rhonda Wood	2014 Primary	Assoc. Justice Position 7	W	N/A	N/A	N/A	No	Female	Unopposed	Yes - circuit court and Court of Appeals	Unopposed - No.	Yes	Yes	https://ballotpedia.org/Arkansas_Supreme_Court_elections2014
State Supreme Court Justice Courtney Goodson	2016 Primary	Chief Justice Position 1	L	42%	N/A	N/A	No	Female	Opposed	AR Court of Appeals	N/A	Yes	No	https://results.enr.clarityelections.com/AR/58350/163701/Web01/en/summary.html
Judge Dan Kemp	2016 Primary	Chief Justice Position 1	W	58%	N/A	N/A	No	Male	Opposed	Circuit Judge for 16th circuit and Calico Rock City Court	N/A	Yes	No	https://results.enr.clarityelections.com/AR/58350/163701/Web01/en/summary.html
Clark W. Mason	2016 Primary	Position 5	L	33%	N/A	N/A	No	Male	Opposed	Special Assoc. Justice on the SC	N/A	Yes	Yes	https://results.enr.clarityelections.com/AR/58350/163701/Web01/en/summary.html
Judge Shawn A. Wornack	2016 Primary	Position 5	W	68%	N/A	N/A	No	Male	Opposed	Division 1 Judge of the 14th Circuit	N/A	Yes	No	https://results.enr.clarityelections.com/AR/58350/163701/Web01/en/summary.html
State Supreme Court Justice Courtney Goodson	2018 Primary	Position 3	runoff	37%	N/A	N/A	Yes	Female	Opposed	AR Court of Appeals	N/A	Yes	No	https://results.enr.clarityelections.com/AR/74831/Web02-state.203322/#/
Judge Kenneth Hines	2018 Primary	Position 3	L	29%	N/A	N/A	No	Male	Opposed	AR Court of Appeals	N/A	Yes	No	https://results.enr.clarityelections.com/AR/74831/Web02-state.203322/#/
David Sterling	2018 Primary	Position 3	runoff	34%	N/A	N/A	No	Male	Opposed	No	N/A	No	Yes	https://results.enr.clarityelections.com/AR/74831/Web02-state.203322/#/ https://votclarity.com/
State Supreme Court Justice Courtney Goodson	2018 Runoff	Position 3	W	56%	N/A	N/A	Yes	Female	Opposed	AR Court of Appeals	N/A	Yes	No	https://results.enr.clarityelections.com/AR/92174/Web02-state.216038/#/
David Sterling	2018 Runoff	Position 3	L	44%	**There are expenditures for his AG election and 2022 SC election but not 2018.	N/A	No	Male	Opposed	No	N/A	Yes	Yes	https://results.enr.clarityelections.com/AR/92174/Web02-state.216038/#/ https://votclarity.com/
Barbara Wornack Webb	2020 Primary	Position 4	W	54%	N/A	N/A	No	Female	Opposed	Circuit Judge	N/A	Yes	No	https://results.enr.clarityelections.com/AR/101561/web-245375/en/summary.html
Judge Margie Whip Welch	2020 Primary	Position 4	L	46%	N/A	N/A	No	Male	Opposed	No	N/A	Yes	No	https://results.enr.clarityelections.com/AR/101561/web-245375/en/summary.html
State Supreme Court Justice Karen Baker	2022 Primary	Position 6	W	64%	N/A	N/A	Yes	Female	Opposed	AR Court of Appeals	N/A	Yes	No	https://results.enr.clarityelections.com/AR/112731/web-285569/en/summary.html
Judge Channa DeLay	2022 Primary	Position 6	L	36%	N/A	N/A	No	Male	Opposed	No	N/A	Yes	Yes	https://results.enr.clarityelections.com/AR/112731/web-285569/en/summary.html
Supreme Court Justice Robin Wayne	2022 Primary	Position 2	runoff	50%	N/A	N/A	Yes	Male	Opposed	Yes - AR Court of Appeals and District Court	N/A	Yes	No	https://ballotpedia.org/Arkansas_Supreme_Court_elections2022
Judge Chris Carnahan	2022 Primary	Position 2	runoff	29%	N/A	N/A	No	Male	Opposed	Circuit Court	N/A	Yes	Yes	https://ballotpedia.org/Arkansas_Supreme_Court_elections2022
David Sterling	2022 Primary	Position 2	L	22%	N/A	N/A	No	Male	Opposed	No	N/A	No	Yes	https://ballotpedia.org/Arkansas_Supreme_Court_elections2022 https://votclarity.com/
Judge Chris Carnahan	2022 Runoff	Position 2	L	42%	N/A	N/A	No	Male	Opposed	Circuit Court	N/A	Yes	Yes	https://results.enr.clarityelections.com/AR/115767/web-307059/detail/1570
Supreme Court Justice Robin Wayne	2022 Runoff	Position 2	W	58%	N/A	N/A	Yes	Male	Opposed	Yes - AR Court of Appeals and District Court	N/A	Yes	No	https://results.enr.clarityelections.com/AR/115767/web-307059/detail/1570

