

# [***Democrats hope to flip Ohio's supreme court this fall. Tuesday's primary settled the contests***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BKM-BJ41-DYMD-60SK-00000-00&context=1516831)

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**Body**

Tuesday’s primaries for three contested seats on the Ohio Supreme Court kicked off a high-stakes battle for partisan control of the court this fall.

The court, which currently has a 4-3 Republican majority, is expected to determine how to implement an [*amendment to the state constitution*](https://apnews.com/article/ohio-abortion-amendment-election-2023-fe3e06747b616507d8ca21ea26485270) protecting abortion rights that voters overwhelmingly approved last year.

Of the three seats up for election this year, [*just one had a contested primary*](https://apnews.com/article/election-2024-ohio-supreme-court-abortion-primary-0f2b7df8332a52a804e2a1a7ac177773). Lisa Forbes, an 8th District Court of Appeals judge who was endorsed by the state Democratic Party, defeated Judge Terri Jamison, who sits on the 10th District Court of Appeals.

“We’re honored to receive the support of Ohioans across the state who are ready to restore justice, fairness and the rule of law to the Ohio Supreme Court,” Forbes said in a joint statement with the two other Democratic judges who will be on the November ballot. “With so much at stake in 2024, we need all hands on deck to defend our democracy.”

She now will face Dan Hawkins, a Republican judge of the Franklin County Court of Common Pleas, for what is the court’s only open slot. Hawkins and the state Republican Party did not immediately respond to requests for comment.

Ohio is one of 33 states with [*supreme court races*](https://apnews.com/article/state-supreme-courts-abortion-redistricting-2024-931a453131fac282815ae31b4f0ea271) this year and among the few where voters have an opportunity to flip partisan control of the court. The institutions have been under increasing scrutiny in recent years because they often are the court of last resort for some of the most high-profile issues that divide the nation, including abortion, voting rights and redistricting.

Just weeks ago, the Alabama Supreme Court ruled [*that frozen embryos can be considered children*](https://pronto.associatedpress.com/ruled%20that%20frozen%20embryos%20can%20be%20considered%20children), a decision that temporarily halted in vitro fertilization treatments in the state and sparked a national debate over reproductive rights. A race for one seat on the [*Wisconsin Supreme Court*](https://apnews.com/article/wisconsin-supreme-court-liberal-8800fc9d37e6194f777c2fed261c5d37) last year was [*the costliest state high court campaign on record*](https://apnews.com/article/wisconsin-supreme-court-abortion-spending-82a3481a75665110e6d4b3d503ee2a24) – $42 million – and eventually flipped control from conservatives to liberals.

To flip control of Ohio’s court, Democrats must sweep all three contested races in November, retaining two incumbents — Justices Michael Donnelly and Melody Stewart — and the open seat for which Forbes won the nomination on Tuesday. That will be a difficult task, given that the state Supreme Court has been under Republican control since 1986 and the former swing state’s overall ***politics*** have [*tacked right in recent years*](https://apnews.com/no-longer-mirror-of-us-ohios-electoral-bellwether-quiets-dab40fe319d7c13b17fe309caaf09a67).

But Democrats see an opening after 57% of Ohio voters backed a reproductive rights measure last fall. They plan to draw attention to the [*court’s influence over the amendment’s future*](https://apnews.com/article/abortion-ohio-constitutional-amendment-republicans-courts-fb1762537585350caeee589d68fe5a0d) and see the races as a possible way [*to chip away*](https://apnews.com/article/election-2024-senate-race-ohio-sherrod-brown-873f34413637043dc6b1ff6edb83d181) at the Republican Party’s longstanding control of all three branches of government in Ohio.

Forbes has served on the 8th District Court of Appeals since 2020. Before then, she was a partner at a Cleveland office of a national law firm, where she focused on business and consumer class-action law.

During her campaign, Forbes hinted at the importance of building a Democratic majority on the court, referring to it as a “firewall” in a state that has long been under full Republican political control.

In a statement Tuesday night to The Associated Press, Forbes said she had heard from Ohioans that “they want a judiciary that will protect them and their rights.”

Deametrious St. John, senior strategist for Jamison’s campaign, said he was disappointed by the results and criticized the state Democratic Party for picking sides.

“I think state parties should leave primaries alone,” he said. “We’re all Democrats. We’re looking to see a fair election to see who’s best equipped to represent us, and that’s not what happened here.”

The open seat for which Forbes will compete against Hawkins is being vacated by [*Republican Joe Deters*](https://apnews.com/article/ohio-mike-dewine-851ed03cd83a96cb5b65df87db8a0f19), who was appointed by Gov. Mike DeWine in 2022. Deters has decided not to seek reelection but to instead challenge Democratic Justice Melody Stewart for her seat in November.

The term for Stewart’s seat runs through 2030 — four years longer than what’s available on Deters’ current seat. The incumbent-versus-incumbent primary would tend to favor the Republican, given the state’s ***politics***.

In the third court race, Donnelly will face Hamilton County Common Pleas Court Judge Megan Shanahan, a Republican, in November’s general election.

Besides abortion, [*redistricting*](https://apnews.com/article/redistricting-political-maps-lawsuit-ohio-8007ca46e3c7602d14ee0fa7f1ea8208), public education, health care, the environment and criminal justice may also arise as campaign issues.

“Passing the reproductive freedom amendment didn’t automatically strike down all of the now unconstitutional restrictions on abortion in Ohio,” said Kellie Copeland, executive director of Pro-Choice Ohio. “There are only two paths to doing that. One is through the legislative process, which we don’t see as a realistic path for some time. And the second is through court challenges that will definitely fall to the state supreme court.”

Aaron Baer, president of Center for Christian Virtue in Ohio, also emphasized the importance of abortion rights in these races, raising concerns over judges too loosely interpreting the new constitutional amendment to include issues such as gender-affirming care.

“The question is if we’re going to have judges who push their political agenda on the country or judges who just interpret the law,” said Baer, who served on the board for Protect Women Ohio, the Issue 1 opposition campaign.

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