

Ohio Supreme Court Justice Jennifer Brunner sues over partisan label law

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Ohio Supreme Court Justice Jennifer Brunner is suing to overturn the new law that requires partisan labels for supreme court and appellate court candidates.

In a lawsuit filed on Election Day, Brunner is asking the federal court to either declare the partisan label law unconstitutional or invalidate some of the rules that judges must abide by when campaigning for public office. Those rules include resigning from the bench before running for a nonjudicial office.

The lawsuit hints that Brunner, a Democrat now living in Columbiana County, may want to keep her option open to run for governor in 2026.

Brunner lost her bid for chief justice in 2022 against Republican Sharon Kennedy. That was the first election cycle in which the partisan label law was in force.

Brunner argues that the new law forces some judicial candidates to campaign on an unfair playing field.

They must follow the judicial canons, which restrict how they campaign. Failure to follow the canons can lead to discipline – anything from a public reprimand to disbarment.

Brunner also argues that partisan labels on appellate judges and supreme court justices gives the public the impression that they'll act as a "partisan check" on nonpartisan trial court judges.

Brunner has held judicial offices at the trial, appellate and supreme court levels and served one term as Ohio secretary of state.

The case is assigned to U.S. District Court Judge Benita Pearson. Brunner is being represented by her husband and her son-in-law.