

## **The 2014 Ohio Judicial Elections Survey**

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### **Executive Summary**

The 2014 Ohio Judicial Elections Survey offers new findings on the participation and attitudes toward judicial elections among Ohio registered voters. One-half of the respondents say they vote less frequently for judges compared to other offices (“drop off” in the vote for judges). A major cause of this pattern is a lack of information about judicial candidates and the court system in general. Ohio registered voters have mixed feelings toward judicial elections, but a positive view of the job performance of the courts.

Key findings include:

- Three-fifths of registered voters say that the most common reason they don’t vote for judges is a lack of knowledge about the candidate.
- Three-fifths of registered voters say that they frequently lack information to make good decisions in judicial elections.
- Radio and television news, newspaper stories and bar association ratings are the most important sources of information registered voters use in judicial elections.
- A candidate’s professional background and views on crime are the most important kinds of information registered voters want to know about judicial candidates.
- Two-fifths of registered voters say a non-partisan voter guide would be “very helpful” and another two-fifths say it would be “somewhat helpful” in judicial elections.
- One-fifth of registered voters say they are “very familiar” and three-fifths say they are “somewhat familiar” with the court system in Ohio.
- One-half of registered voters say that due to problems with judicial elections, unqualified candidates are likely to be elected.
- Three-fifths of registered voters are willing to consider alternative ways of selecting judges.
- Two-fifths of registered voters say the Ohio judiciary is doing an “excellent” or “good” job, and another two-fifths say the court’s job performance is “fair.”

### **The Survey**

The 2014 Ohio Judicial Elections Survey was a random sample of 1,067 registered voters conducted by telephone (with a cell phone component) between October 1 and November 6, 2014, with a margin of error of plus or minus three percentage points. The survey was co-sponsored by the Supreme Court of Ohio, the League of Women Voters of Ohio, the Ohio State Bar Association, and Justice At Stake. The results will provide baseline data for an effort to educate Ohio voters about judicial elections.

## Self-Reported Voting in Ohio Judicial Elections

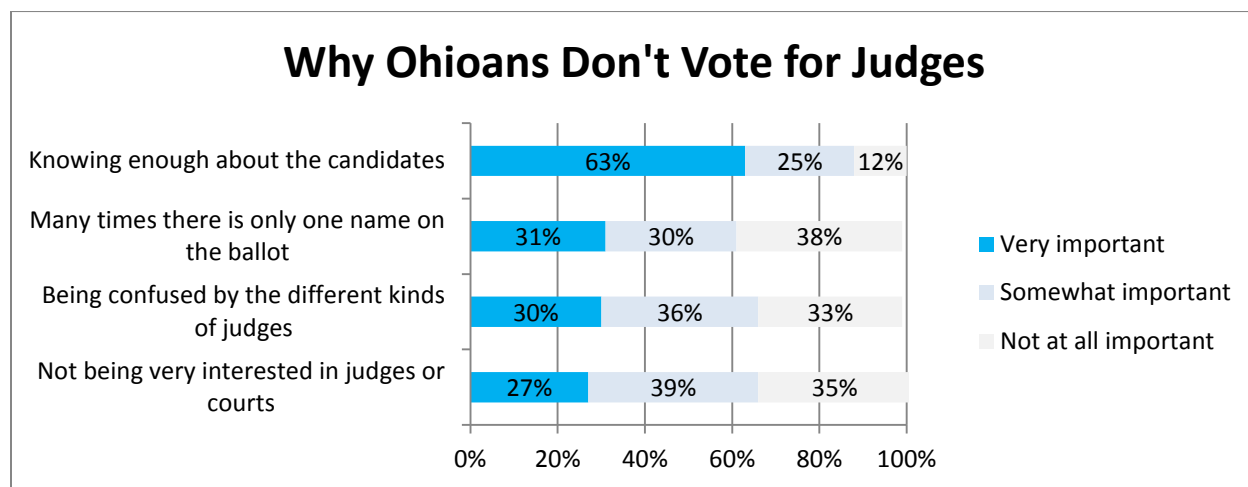
The 2014 Ohio Judicial Election Survey found that almost one-half of registered voters say they “always” cast a ballot for judges (49%), while 3 in 10 say they vote “most” or about “half the time” (30%) and one-fifth say they vote “not very often,” “rarely,” or “never” in judicial elections (21%).

These figures track closely with a standard question on habitual voting behavior asked at the conclusion of the survey.<sup>1</sup> Like other self-reports of voting behavior, these measures are likely to overstate the actual vote in judicial elections—and understate the drop off in voting for judges—due to social desirability effects.

However, the demographic differences between self-reported judicial voters and non-voters reflect factors that predict voter turnout generally. For example, respondents who claimed to “always” vote for judges were more likely than those who reported voting infrequently to be white (87% to 76%, respectively); 45 years or older (64% to 31%); married (64% to 35%); and having a college degree (45% to 23%).

## Reasons for Not Voting for Judges

Why do many registered voters fail to cast ballots for judges? By far the most prominent reason is a lack of knowledge about judicial candidates—named as “very important” by three-fifths (63%) of those asked.<sup>2</sup>



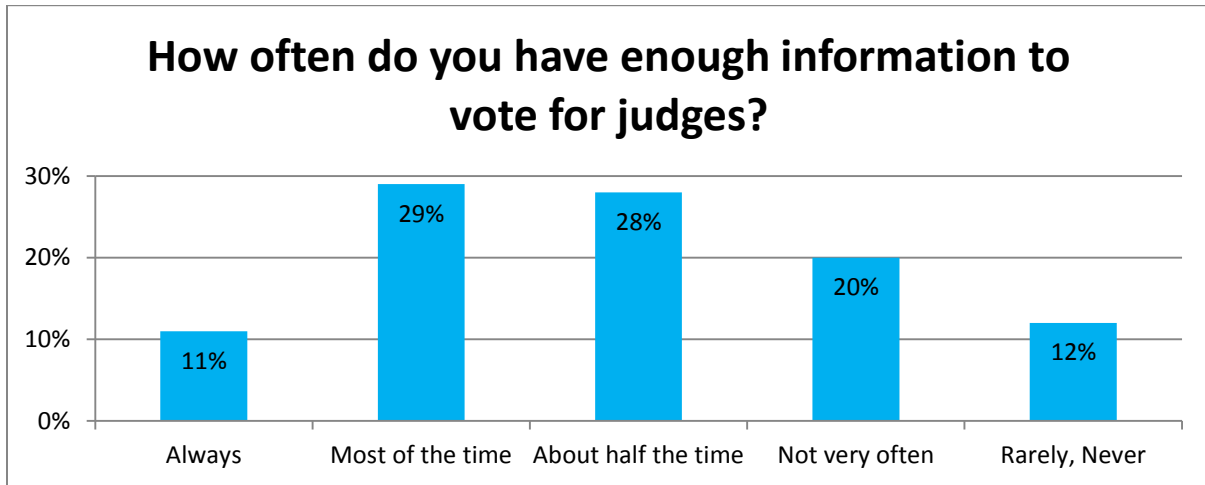
The other reasons for not voting for judges were less important: 1) only one name on the ballot (31% “very important”); 2) confusion about the different kinds of judges (30%); and 3) a lack of interest in courts and judges (27%).

<sup>1</sup> Thinking back on the different local, state, and federal elections in which you have been eligible to vote over the last four or five years, would you say you: always voted (50%); voted in nearly every or most elections (32%); voted in some, few or no elections (18%).

<sup>2</sup> These questions were not asked of respondents who reported that they “always” vote for judges.

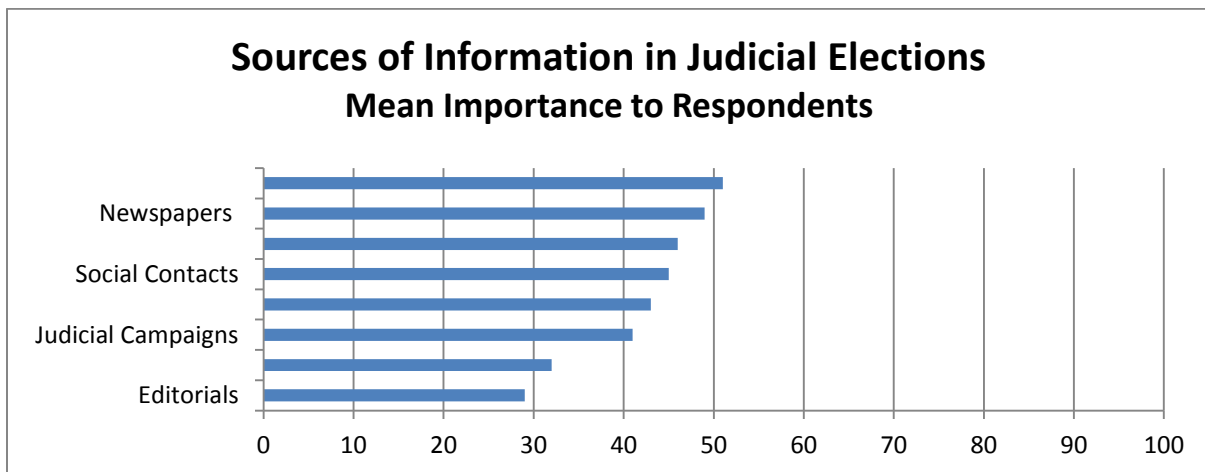
All these reasons reflect a lack of information—about candidates, sitting judges, the activities of particular courts, or the importance of the judiciary.

These findings are consistent with respondents’ perceptions of how much information they typically have about judicial elections. When asked *“How often do you feel you have the information you need to make up your mind about who to vote for judges?”*, two-fifths (40%) answered “always” or “most of the time,” while three-fifths (60%) answered “about half the time” or less often.



### Sources of Information in Judicial Elections

What sources of information are important to registered voters when making decisions in judicial elections? Overall, the top source is radio and television news, with a mean score of 51 on a 100-point scale (where 100 is “very important” and 0 is “not at all important”).<sup>3</sup>



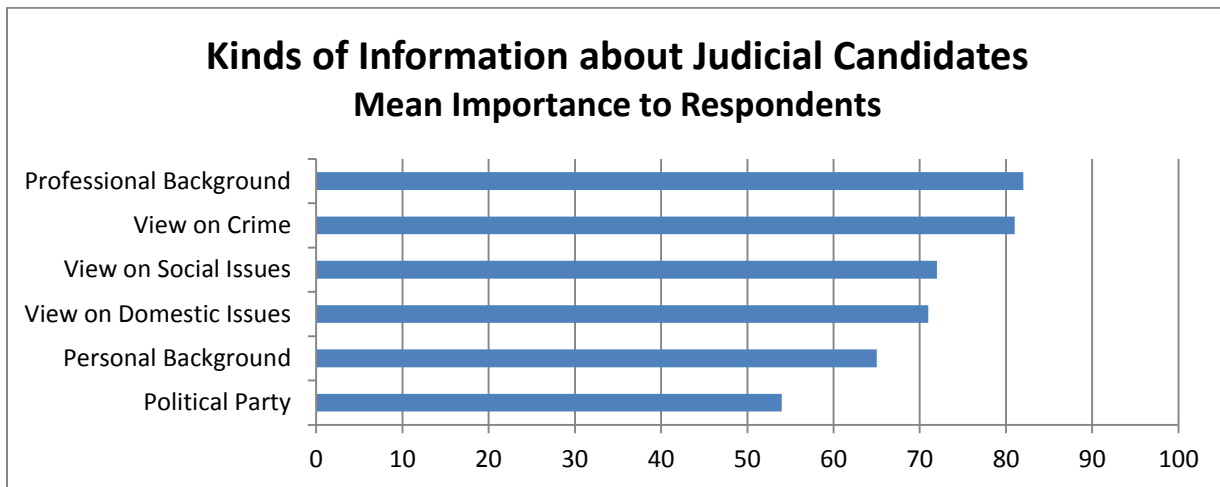
<sup>3</sup> The figures reported are the mean score for all registered voters where a “very important” response was scored as 100, a “somewhat important” response as 50, and a “not at all important” response as 0. For example, 29% of respondents say that radio and television news is “very important,” 45% say “somewhat important,” and 26% “not at all important.” When converted to a 100-point scale, the mean importance of radio and television news is 51 for the entire sample.

The electronic news media is followed closely by newspaper stories (mean of 49), bar association ratings (46), and social contacts (co-workers, family and friends, 45). Party endorsements (43) and judicial campaigns (41) came next, with websites/blogs (32) and editorials (29) the least important sources of information.

These figures show that Ohio registered voters use multiple sources of information on judicial campaigns and that no one source of information is dominant. The fact that the mean scores are typically less than one-half of the 100-point scale suggests that for many voters none of these sources of information are used in voting for judges.

### **Kinds of Information about Judicial Candidates**

What kinds of information do Ohio registered voters want to know about judicial candidates? Overall, the professional background of the candidates was the most important, with a mean of 82 on a 100-point scale.<sup>4</sup>



However, candidates' views on crime are almost as important (mean of 81), followed by candidates' views on social issues (such as abortion, 77), domestic issues (such as the environment, 71), and the candidate's personal background (65). Party affiliation was the least important information about candidates (54).

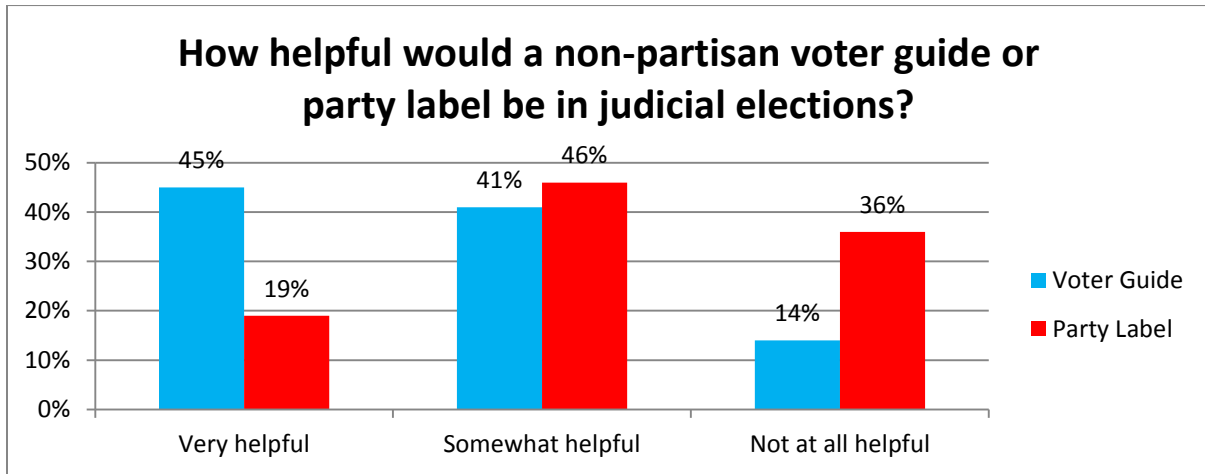
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<sup>4</sup> The figures reported are the mean score for all registered voters where a "very important" response was scored as 100, a "somewhat important" response as 50, and a "not at all important" response as 0. For example, 70% of respondents say that the professional background of candidates is "very important," 25% say "somewhat important," and 5% "not at all important." When converted to a 100-point scale, the mean importance of professional background is 82 for the entire sample.

### Non-partisan Voter Guide

Would a non-partisan voter guide be helpful in judicial elections? More than two-fifths (45%) of registered voters say such a guide would be “very helpful” and another two-fifths (41%) say it would be “somewhat helpful” in judicial elections.

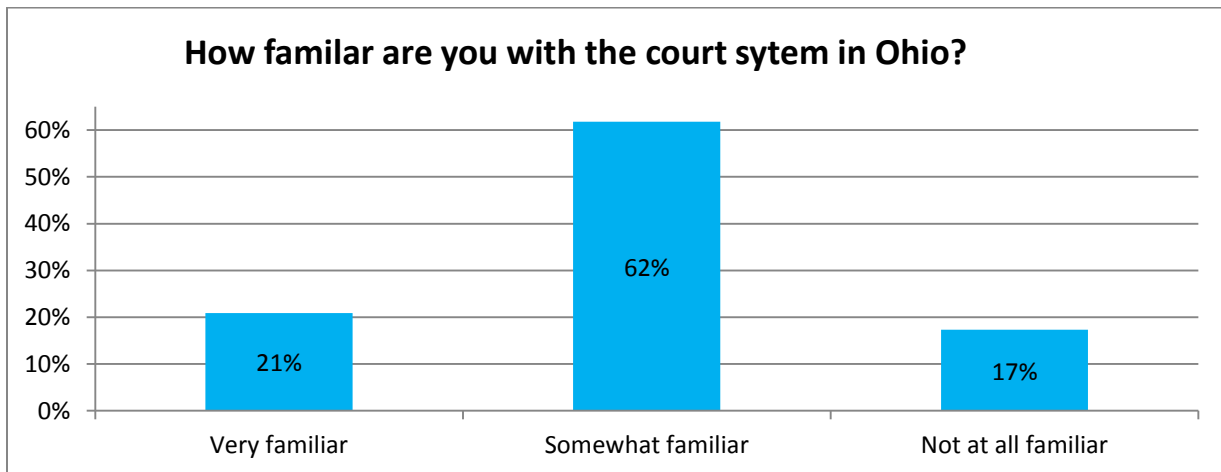
By way of comparison, one-fifth (19%) of respondents said that a party label for candidates would be “very helpful” in judicial elections.



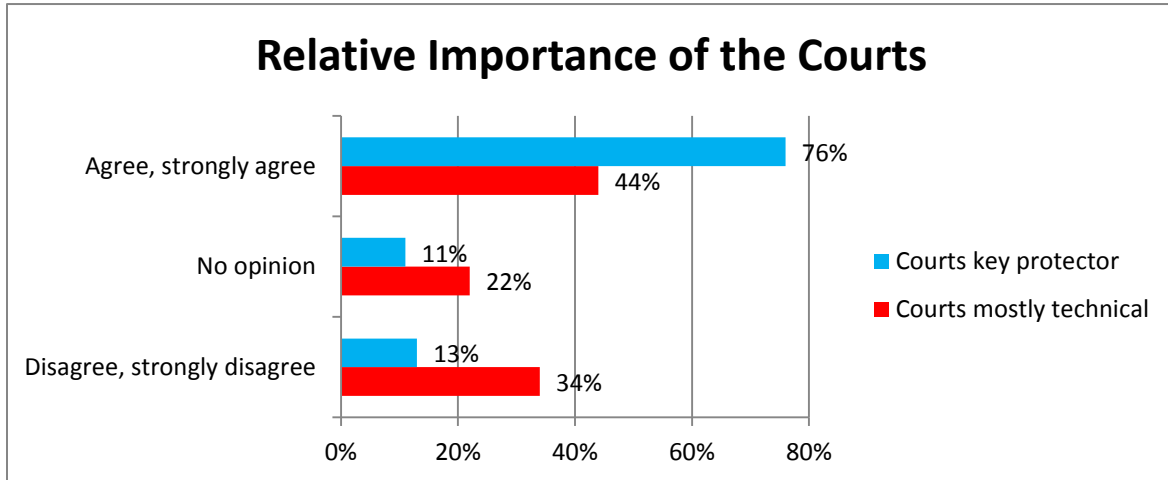
If these responses are put on a 100-point scale, the mean score for a non-partisan voter guide is 54—a bit higher than the relative importance for radio and TV news as a source of information. In contrast, the mean for party label is 40—or about the relative importance of party endorsements as an information source.

### Familiarity with the Court System in Ohio

How familiar are registered voters with the Ohio court system? Overall, one-fifth (21%) of registered voters say they are “very familiar,” three-fifths (62%) are “somewhat familiar,” and one-sixth (17%) are “not at all familiar” with the court system.

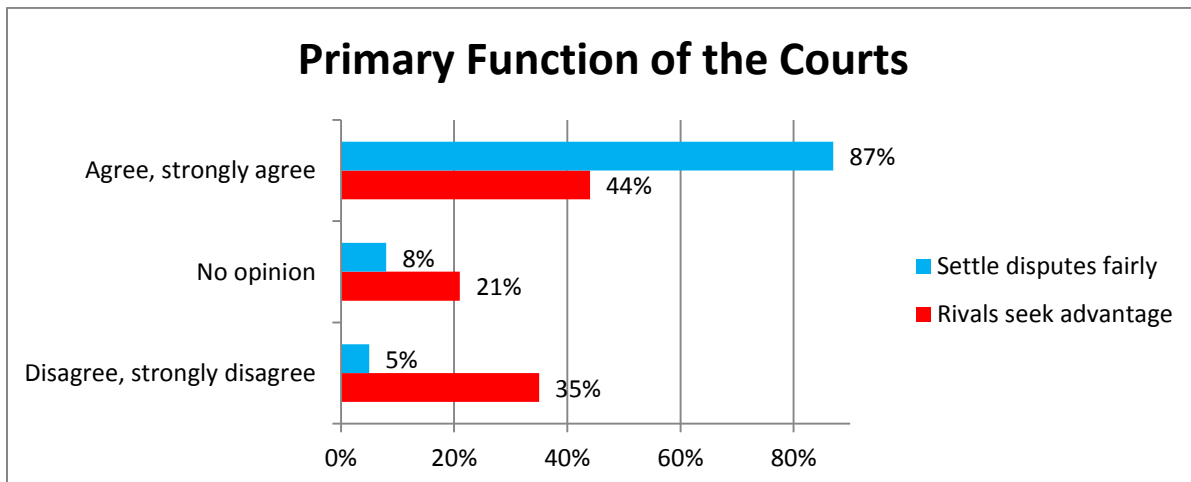


**Relative Importance of the Courts.** How do registered voters view the importance of the judiciary in Ohio government? Three-quarters (76%) agree or strongly agree with the statement: *“The court system is the key protector of individual liberty, safety and property.”* Thus most respondents have a traditional view of the courts as playing a central role to everyday life.



At the same time, however, registered voters are more divided on the statement: *“Courts mostly deal with narrow technical questions and not with the crucial issues of everyday life.”* Here about two-fifths (44%) agree or strongly agree, while about one-third (34%) disagree or strongly disagree. Thus a large minority of respondents hold a less traditional view of the courts as peripheral to everyday life.

**Primary Function of the Courts.** How do registered voters view the *primary* function of the judiciary in Ohio government? Almost nine-in-ten (87%) agree or strongly agree with the statement: *“The primary function of courts is to fairly and impartially settle disputes according to the law.”* Thus most respondents have a traditional view of the function of the courts as largely apolitical institutions.

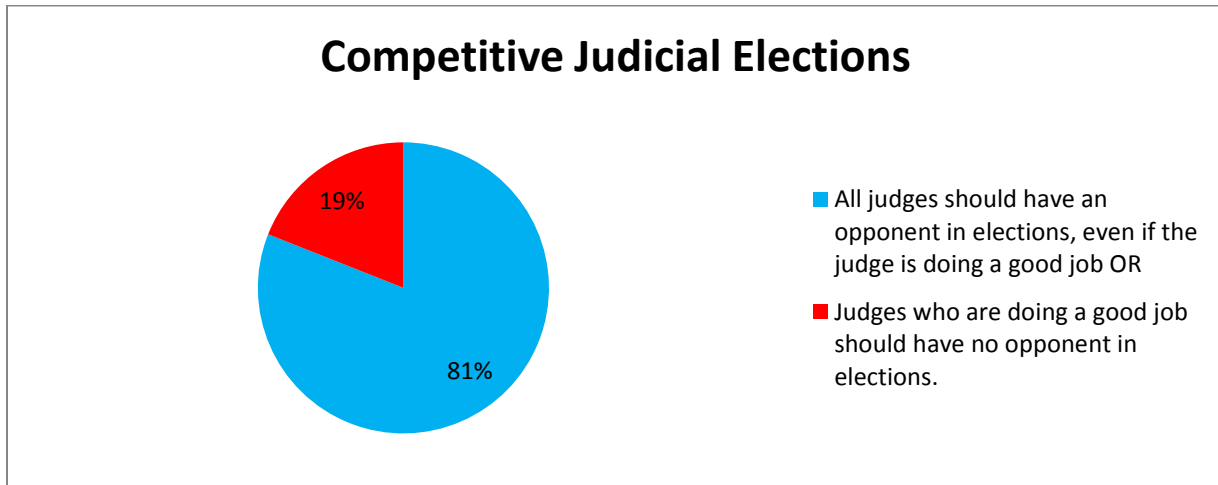


At the same time, Ohio registered voters are more divided on the statement: *“The courts are primarily political institutions where rival groups seek advantage under the law.”* Here about two-fifths (44%) agree or strongly agree with the statement, while about one-third (35%) disagree or strongly disagree.

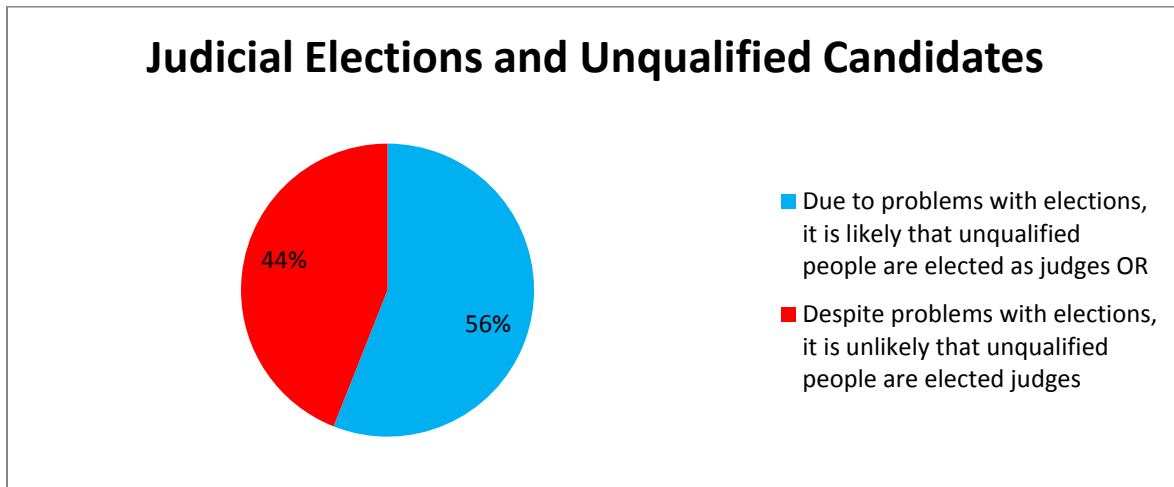
Thus a large minority of respondents hold the less traditional view that courts are largely political institutions.

### Views of Judicial Elections

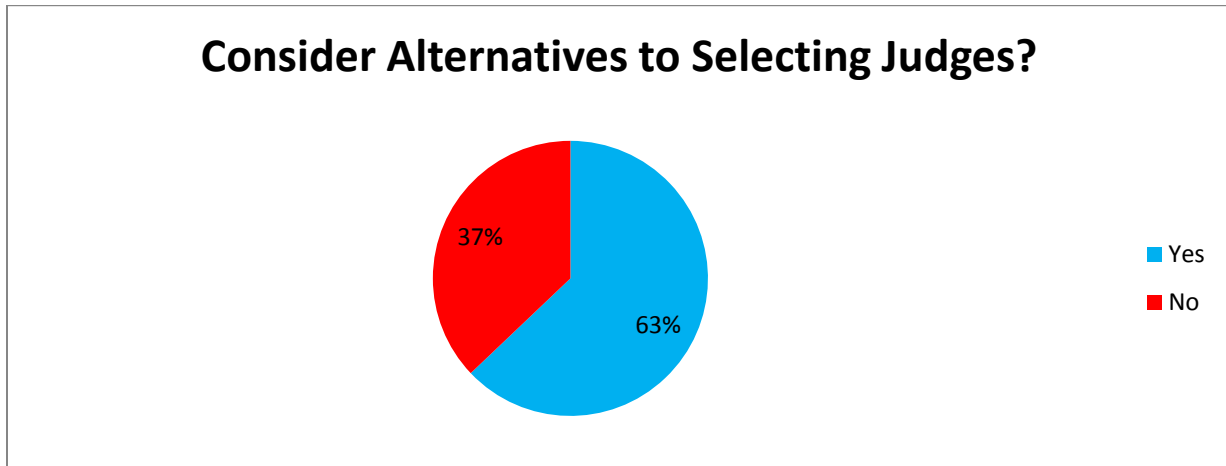
Ohio registered voters have mixed attitudes on judicial elections. On the one hand, four-fifths (81%) of registered voters believe that judges should face an opponent at the ballot box, even if the judge is “doing a good job” (19% disagree).



On the other hand, a majority (56%) of registered voters also agree that “due to problems with elections, it is likely that unqualified people are elected as judge.”



Given these mixed attitudes on judicial elections, it is not surprising that three-fifths (63%) of registered voters are willing to consider alternative methods for selecting judges (37% are not willing to consider alternatives).



One alternative method of judicial selection is a “retention election” system: judges are appointed for a term and then allowed to remain in office if a majority of the voters agree. Overall, Ohio registered voters are evenly divided on this alternative (50% in favor; 50% opposed). Another alternative is to appoint judges and allow them to be reappointed. Here, too, Ohio registered voters are closely divided (49% in favor, 51% opposed).

#### Job Performance of the Ohio Courts

Overall, Ohio registered voters have a positive view of the job performance of the state court system. More than two-fifths (45%) of respondents say the courts are doing an “excellent” or “good” job; nearly two-fifths (38%) rate the job as “fair;” and one-sixth (17%) say “poor” or “very poor.”

