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LDF Files Lawsuit to Ensure Black Voters Have Voice in Electing Judges to Highest State Courts in Arkansas

Today, the NAACP Legal Defense and Educational Fund, Inc. (LDF), with co-counsel, Arkie Byrd of Mays, Byrd & O’Guinn, P.A., and the law firm of Shearman & Sterling, LLP filed a federal lawsuit on behalf of Black voters challenging the method of electing judges to the Arkansas Supreme Court and Court of Appeals. The election processes for those courts have for decades denied Black voters an equal opportunity to participate in the political process and elect candidates of their choice, in violation of Section 2 of the Voting Rights Act. The lawsuit is filed on behalf of individual Black voters, Marion Humphrey, Olly Neal and Ryan Davis, and two non-profit organizations, Christian Ministerial Alliance and Arkansas Community Institute, which are both dedicated to furthering racial justice in the state of Arkansas and empowering voters.

“Judges matter. Black voters in Arkansas have been consistently denied fairness and the opportunity to elect judges of their choice to the Arkansas Supreme Court and Court of Appeals,” said Natasha Merle, Senior Counsel at LDF. “When the methods for electing judges result in diluting Black votes, Black voters are silenced. Arkansas must open the political process and provide avenues for fair voting for all of its citizens.”

Black residents comprise nearly 16 percent of Arkansas’ population, are geographically concentrated within the state, and consistently vote together in contested elections. But the methods for electing judges to the state’s two highest courts deprive Black voters from a fair opportunity to elect their candidates of choice. As a result, no Black candidate has ever been elected to the Arkansas Supreme Court.

“This case is about finally providing an opportunity for Black voters in Arkansas to elect our preferred judges,” said Marion Humphrey, a Plaintiff in the lawsuit. “We simply have not had that opportunity and changes to the process of electing the state’s highest judges will contribute significantly to providing justice and fairness under the law.”

LDF has for decades advocated on behalf of Black voters in Arkansas. In the 1990s, LDF successfully challenged Arkansas’s method of election for trial court judges in *Hunt v. Arkansas*. That case resulted in the creation of fair electoral methods for trial court judges. It also led to the election of eight Black trial level judges. In 2017, LDF won a similar lawsuit against Louisiana state officials, where an at-large voting model has prevented Black voters from having a fair opportunity to elect candidates of their choice to a state court.

“The unfortunate reality is that, in Arkansas, Black voters have consistently been blocked from electing their candidates of choice to the Supreme Court and the Court of Appeals” said Arkie Byrd. “We seek to fundamentally change that reality with this lawsuit, just as we did for the state’s trial courts. For over 35 years the Little Rock law firm of Mays, Byrd & O’Guinn has been committed to enhancing equity and opportunity in our state’s judiciary. We are proud to continue that commitment into the 21st century by serving as local counsel in this newest litigation.”

Read the full complaint [here](#).

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation’s first civil and human rights law organization. LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF’s Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.

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