

Michigan Supreme Court: Political Parties Have Standing in Poll Worker Partisan Disparity Disputes

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In a decision with implications for election oversight and administration, the Michigan Supreme Court has ruled that political parties have standing to bring challenges in jurisdictions that fail to appoint an equal number of poll workers from the two major political parties. The case clarifies who can enforce partisan poll worker parity in elections and signals potential heightened scrutiny of how local officials staff polling places.

Settling a contested issue from the 2022 elections, the Michigan Supreme Court, in *Michigan Republican Party v Donahue* (Docket No. SC 166973), ruled on July 14, 2025, that major political parties have a right to initiate challenges for alleged failures by election officials to ensure partisan parity among poll workers (known as election inspectors) due to the political parties' unique role in the appointment process, distinct from the general public. The decision underscores that political parties themselves—not only individual county chairs, who have a more direct role in the appointment process by submitting lists of potentially interested poll workers—may initiate challenges regarding violations of the partisan parity requirements. The case now returns to the trial court for proceedings on the merits.

The case revolves around how election inspectors were chosen in Flint during the 2022 elections and whether the process met statutory requirements about major political party representation.

Under the Michigan Election Law, county chairs of the two major political parties may submit a list of individuals interested in serving as election inspectors to city and township clerks, and, under MCL 168.674(2), the board of election commissioners in each city and township must appoint election inspectors in equal numbers, as nearly as possible, from a list supplied by each major political party.

As the Court noted, MCL 168.674(2) does not explicitly grant any party the right to sue if election officials fail to achieve partisan parity. The Court, however, emphasized that using the reasoning adopted by the Court of Appeals and denying political parties standing would result in denying anyone—including county party chairs who submit the list of proposed inspectors—standing to challenge violations.

The Court rejected that outcome, ruling that major political parties have a “special right” and “substantial interest” in ensuring compliance with partisan parity goals. Because the law gives major political parties the right to submit names for inspector appointments, the Court explained, they are uniquely positioned to challenge failures to achieve partisan balance. The Court's decision, therefore, clarifies the scope of major political parties' ability to advocate for election inspector parity.

What Happened in Flint:

According to the complaint, before the August 2022 primary, the Republican National Committee and Michigan GOP allege they submitted names of Republicans who wanted to be election inspectors and that 27 were initially appointed, compared to 442 Democrats. For the November 2022 general election, the RNC and Michigan GOP again claim they submitted names and asked the city clerk to ensure the applicants would be contacted and appointed. Of 562 total election inspectors appointed in the city for the November 8, 2022, election, 57 were Republicans.

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The Flint city attorney allegedly responded to requests for greater partisan parity by saying that more than 120 Republicans had been appointed overall and that outreach to additional applicants was ongoing. Soon after, the RNC and Michigan GOP filed suit seeking declaratory judgment and a writ of mandamus.

Please reach out to your Miller Canfield attorney or one of the authors of this alert if you would like to discuss how this could affect election administration or engagement in future electoral