

2024 MICHIGAN SUPREME COURT ELECTION

In March 2024, GOP Justice David Viviano announced that he would not seek reelection to the Michigan Supreme Court. Three prospective candidates are seeking nominations for his seat. State lawmaker Andrew Fink (R-Adams Twp.) and Court of Appeals Judge Mark Boonstra are expected to seek the Republican nomination. Kimberly Ann Thomas, a law professor, is expected to seek a Democratic party nomination.

Voters will also decide whether Justice Kyra Harris Bolden will remain on the bench to finish out the remainder of former Chief Justice Bridget McCormack's term. Bolden was nominated to the court by Gov. Whitmer in November 2022 to replace McCormack. She is seeking the Democratic nomination. Branch County 15th Circuit Judge Patrick William O'Grady will seek the Republican party nomination for Bolden's seat.

Michigan's primary election occurs on August 6th, 2024.

Key Findings:

Fink has launched specious attacks against the legitimacy of the 2020 election. Michigan Advance listed Fink as one of 23 election deniers in the Michigan House of Representatives in 2022. According to the Daily Reporter, Fink was among the crowd of Trump supporters gathered at the Michigan Capitol on Jan. 6, 2021, in a "Stop The Steal" protest of the 2020 presidential election certification. In November 2020 Facebook Post, Fink said, "I join all my Republican colleagues in concern and outrage over the lack of transparency and irregularities in counting and recording votes across Michigan. We're lucky this whole mess is being investigated by the Trump campaign and our state party, and the outstanding election attorneys they've retained." On January 6, 2021, Fink posted a photo on Facebook of a rally at the Michigan Capitol and said "all citizens have the constitutional right to petition the government for the redress of grievances, and these citizens have the right to know that all our elections are free and fair." On January 4, 2021, Fink wrote on Facebook that "the 2020 election has generated deeper concern and more questions about the integrity of our elections than any other election of my lifetime" and argued that "a complete review of the 2020 election must continue." In 2022, Fink claimed "the 2020 election exposed many flaws with our electoral system as we witnessed Michigan's election officials commit glaring misconduct."

Fink and Boonstra have opposed LGBTQ+ rights. Fink sponsored House Bill 4075, which was introduced prior to last year's expansion of the Elliott-Larsen Civil Rights Act (ELCRA) to include gender identity and sexual orientation. Fink's bill would limit government action that burdens a person's exercise of religion, in effect providing a loophole around ELCRA. Fink supported measures that would allow parents to sue public schools that host drag shows, though he admitted he didn't know whether a Michigan school had ever hosted a drag show. In 2022, Boonstra refused to use a defendant's preferred pronouns, writing in an opinion that he declined "to join in the insanity that has apparently now reached the courts." Boonstra said the court "should not be altering its lexicon whenever an individual prefers to be identified in a manner contrary to what society throughout all of human history has understood to be the immutable truth." Justice Kyra Bolden wrote "history is made by being the first" in a concurring opinion when the Supreme Court approved a new rule requiring judges to use preferred pronouns.

Fink vehemently opposes abortion and women's access to reproductive health. In 2020, Fink said he opposed abortion and touted his endorsement from Right to Life. While running for the Michigan House of Representatives, Fink said he had "been active in the pro-life movement" since he was kid,

“participating in pro-life rallies, concerts, and fundraisers.” Similarly, a post on his Facebook page claimed that he had experience “praying at abortion clinics as a little boy with his family.” During the 2020 campaign, Fink said “Michigan law already prohibits abortion and recognizes that all human life is inherently valuable, and I will fight to prevent policies that will end the lives of more innocent babies.” While serving in the House, Fink sponsored a bill to ban abortion care after fetal viability and voted to prohibit research on stem cells obtained from an abortion. In 2021, Fink encouraged the Hillsdale City Council to adopt an ordinance that would declare the city a “sanctuary for the unborn,” criminalizing any person from performing abortions or providing abortion-inducing drugs at any stage of pregnancy in the city and would make it illegal to 'aid or abet' an abortion that occurs within city limits, such as providing transportation, instructions or money for an abortion. It would allow citizens to file civil lawsuits against anyone they believe violated or intended to violate the ordinance. In 2022, Fink shared an article about the Supreme Court voting to overturn Roe v. Wade and said “this is great news for the sanctity of life.”

On the Court of Appeals, Boonstra opposed a 2-week absentee ballot extension. In 2020, the Michigan Court of Appeals ruled that ballots must arrive by Election Day to be counted, overruling a 14-day extension of a lower court. Boonstra took part in the unanimous 3-0 decision. According to Detroit News, Boonstra strongly rebuked it, writing “... policy-making under the guise of judicial decision making is simply tyranny by another name.”

O’Grady likely opposes abortion. O’Grady attended the Branch County Right to Life annual dinner in 2012.

VIVIANO’S SEAT

Candidate	Total Raised	Total Expenditures	Cash on Hand
Andrew Fink	\$18,750.00	\$16,838.25	\$1,911.75
Mark Boonstra	-	-	-

[Campaign Finance, Michigan Department of State, accessed 4/13/24]

REP. ANDREW FINK (R-ADAMS TWP.)

Fink initially intended to challenge Bolden for her partial term, but said he would seek a GOP nomination to run for Viviano’s open seat after he announced his retirement. “Fink initially intended to challenge Bolden for her partial term, but more recently said he’ll seek a GOP nomination to run for Viviano’s open seat after the sitting justice announced his retirement.” [Bridge Michigan, [3/27/24](#)]

Background

Fink was a Republican lawmaker in the state House of Representatives, where he served as vice chair of the House Judiciary Committee. “Fink, of Adams Township, currently serves as a Republican lawmaker in the state House of Representatives, where he serves as vice chair of the House Judiciary Committee.” [Bridge Michigan, [3/27/24](#)]

Fink served as an officer in the U.S. Marine Corps from 2009 to 2016. “Fink graduated from Hillsdale College and University of Michigan Law School, then served as an officer in the U.S. Marine Corps from 2009 to 2016.” [Bridge Michigan, [3/27/24](#)]

Philosophy

Fink said he would take an originalist approach to the court and would strive to interpret laws as written. “In a September 2023 statement announcing his candidacy, Fink said he would take an originalist approach to the court and would strive to interpret laws as written.” [Bridge Michigan, [3/27/24](#)]

LGBTQ Rights

Fink had demonstrated conservative views, such as opposition to LGBTQ+ rights. “Both Fink and Boonstra have demonstrated conservative views, such as in opposition to LGBTQ+ rights.” [Michigan Advance, [3/18/24](#)]

- **Fink sponsored HB4075 to limit government action that burdens a person’s exercise of religion which would have effectively provided a loophole around the Elliott-Larsen Civil Rights Act.** “Fink is the sponsor of House Bill 4075, which was introduced prior to last year’s expansion of the Elliott-Larsen Civil Rights Act (ELCRA) to include gender identity and sexual orientation. Fink’s bill would limit government action that burdens a person’s exercise of religion, in effect providing a loophole around ELCRA. The bill was sent to the House Government Oversight Committee by majority Democrats, where it remains.” [Michigan Advance, [3/18/24](#)]

Fink supported measures that would allow parents to sue public schools that host drag shows, though he admitted he didn't know whether a Michigan school had ever hosted a drag show. “Two weeks later, gubernatorial candidate Tudor Dixon, a Republican apparently desperate for an issue that could help her catch up, vowed to fight a ‘culture war’ and introduce legislation that would allow parents to sue public schools that host drag shows. Rep. Andrew Fink, a Hillsdale Republican who supports such measures, admitted he didn't know whether a Michigan school had ever hosted a drag show.” [Detroit Free Press, 1/1/23]

Guns

Fink is a NRA member. “Fink earned a bachelor of arts in politics from Hillsdale College in 2006 and a juris doctor from the University of Michigan in 2010. Fink served in the Marine Corps as a captain from 2009 to 2016 and is a NRA member.” [Daily Reporter, 9/19/23]

During the 2022 campaign, Fink touted his support for legislation that amended the state's Emergency Management Act to prevent a governor from issuing executive orders, including those that prohibit or curtail the lawful possession or sale of firearms and ammunition and lockdowns orders for COVID-19. “Fink is countering with ads showing his support for bills that amended the state's Emergency Management Act to prevent a governor from issuing executive orders, including those that prohibit or curtail the lawful possession or sale of firearms and ammunition and lockdowns orders for COVID-19.” [Daily Reporter, 7/16/22]



Fink touted his A+ rating from the NRA. “I am proud to announce that I am the ONLY candidate in the race for State Representative in the 35th District to receive an A+ rating from the NRA! ‘Our members will interpret your ‘A+’ rating and endorsement as being a solid pro-gun/pro-hunting candidate who is a staunch defender of the Right to Keep and Bear Arms.’ - NRA-PRF #votefink #thinkfink August 2, 2022” [Andrew Fink, Facebook, [6/28/22](#)]

2020 Election

Fink, 2020: “I join all my Republican colleagues in concern and outrage over the lack of transparency and irregularities in counting and recording votes across Michigan.” “One of them, newly-elected Michigan state representative Andrew Fink, said in a November 5 Facebook post that ‘I join all my Republican colleagues in concern and outrage over the lack of transparency and irregularities in counting and recording votes across Michigan. We’re lucky this whole mess is being investigated by the Trump campaign and our state party, and the outstanding election attorneys they’ve retained.’” [Energy & Policy Institute, [1/12/21](#)]

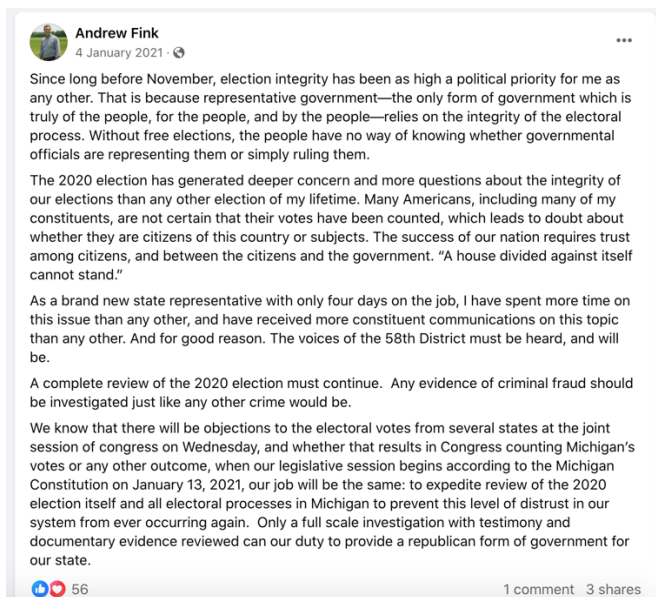
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Fink was among the crowd of Trump supporters gathered at the Michigan Capitol on Jan. 6, 2021, in a “Stop The Steal” protest of the 2020 presidential election certification. “Fink was among the crowd of former President Donald Trump supporters who gathered at the state Capitol on Jan. 6, 2021, in the “Stop the Steal’ protest of President Joe Biden’s 2020 presidential election certification.” [Daily Reporter, 9/19/23]



On January 6, 2021, Fink posted a photo of a rally at the Michigan Capitol and said “all citizens have the constitutional right to petition the government for the redress of grievances, and these citizens have the right to know that all our elections are free and fair.” [Andrew Fink, Facebook, [1/6/21](#)]

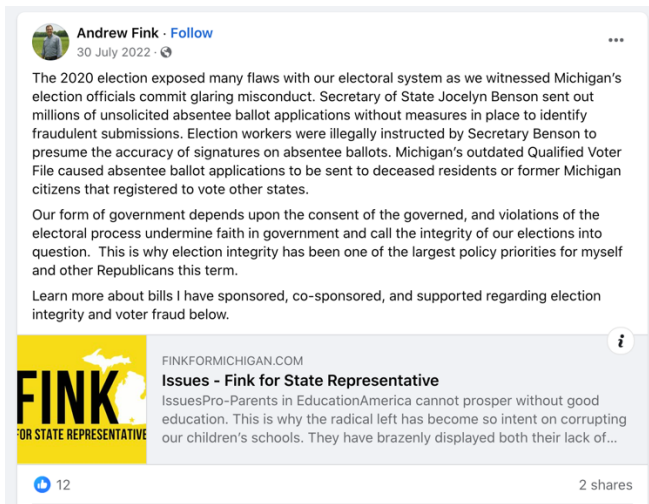
- **Fink:** “All citizens have the constitutional right to petition the government for the redress of grievances, and these citizens have the right to know that all our elections are free and fair. Governor Whitmer and Secretary Benson, these are your constituents, too. Will you commit to helping make sure Michigan elections are beyond reproach? Because that's our job.” [Andrew Fink, Facebook, [1/6/21](#)]



Fink, January 2021: “The 2020 election has generated deeper concern and more questions about the integrity of our elections than any other election of my lifetime. [...] A complete review of the 2020 election must continue.” “Since long before November, election integrity has been as high a political priority for me as any other. That is because representative government—the only form of government which is truly of the people, for the people, and by the people—relies on the integrity of the electoral process. Without free elections, the people have no way of knowing whether governmental officials are representing them or simply ruling them. The 2020 election has generated deeper concern and more questions about the integrity of our elections than any other election of my lifetime. Many Americans, including many of my constituents, are not certain that their votes have been counted, which leads to doubt about whether they are citizens of this country or subjects. The success of our nation requires trust among citizens, and between the citizens and the government. ‘A house divided against itself cannot stand.’ As a brand new state representative with only four days on the job, I have spent more time on this issue than any other, and have received more constituent communications on this topic than any other. And for good reason. The voices of the 58th District must be heard, and will be. A complete review of the 2020 election must continue. Any evidence of criminal fraud should be investigated just like any other crime would be. We know that there will be objections to the electoral votes from several states at the joint session of congress on Wednesday, and whether that results in Congress counting Michigan’s votes or any other outcome, when our legislative session begins according to the Michigan Constitution on January 13, 2021, our job will be the same: to expedite review of the 2020 election itself and all electoral processes in Michigan to prevent this level of distrust in our system from ever occurring again. Only a full scale investigation with testimony and documentary evidence reviewed can our duty to provide a republican form of government for our state.” [Andrew Fink, Facebook, [1/4/21](#)]

According to Michigan Advance, Fink was one of 23 election deniers in the Michigan House of Representatives. “There are a total of 23 election deniers in the new state House, composing nearly 43% of the 54-member House GOP caucus. Besides Hall, Maddock and Rigas, that list includes: Reps.-elect Mike Hoadley (R-Flint), Rachele Smit (R-Grand Rapids) and Jamie Thompson (R-Dearborn); and current state Reps. Andrew Beeler (R-Port Huron), Bob Bezotte (R-Howell), Ann Bollin (R-Brighton Twp.), Ken Borton (R-Gaylord), Steve Carra (R-Three Rivers), Andrew Fink (R-Hillsdale), Gregory Markkanen (R-Hancock), Luke Meerman (R-Coopersville), Mike Mueller (R-Linden), Pat Outman (R-Six Lakes), Brad Paquette (R-Niles), Bryan Posthumus (R-Cannon Twp.) and John Roth (R-Traverse

City); and state Sens. Curtis VanderWall (R-Ludington), Pauline Wendzel (R-Watervliet), Douglas Wozniak (R-Shelby Twp.) and Dale Zorn (R-Ida).” [Michigan Advance, [11/20/22](#)]

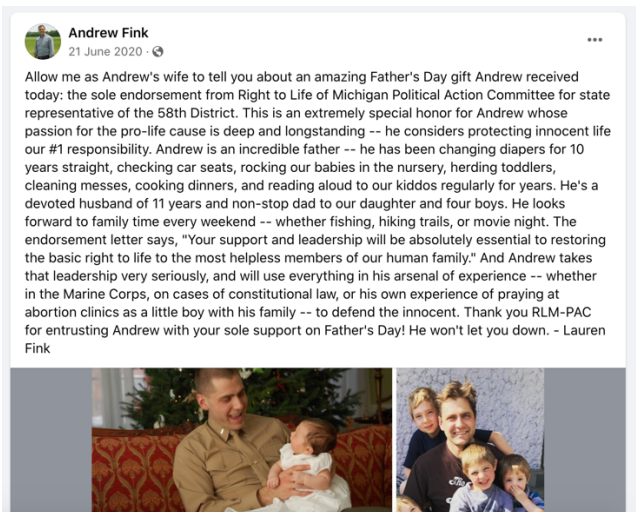


Fink said “The 2020 election exposed many flaws with our electoral system as we witnessed Michigan’s election officials commit glaring misconduct.” “The 2020 election exposed many flaws with our electoral system as we witnessed Michigan’s election officials commit glaring misconduct. Secretary of State Jocelyn Benson sent out millions of unsolicited absentee ballot applications without measures in place to identify fraudulent submissions. Election workers were illegally instructed by Secretary Benson to presume the accuracy of signatures on absentee ballots. Michigan’s outdated Qualified Voter File caused absentee ballot applications to be sent to deceased residents or former Michigan citizens that registered to vote other states. Our form of government depends upon the consent of the governed, and violations of the electoral process undermine faith in government and call the integrity of our elections into question. This is why election integrity has been one of the largest policy priorities for myself and other Republicans this term. Learn more about bills I have sponsored, co-sponsored, and supported regarding election integrity and voter fraud below.” [Andrew Fink, Facebook, [7/30/22](#)]

Abortion

Fink sponsored a bill to ban abortion care after fetal viability. “Fink sponsored a bill in this term to ban abortion care after fetal viability, which died in committee in the Democratic-led house.” [Daily Reporter, 9/19/23]

Fink voted to prohibit research on stem cells obtained from an abortion. “The conservative Fink also voted to limit emergency gun restrictions and prohibit research on stem cells obtained from an abortion.” [Coldwater Daily Reporter, 10/18/22]



Fink's Facebook page touted his endorsement from Right to Life and noted his experience "praying at abortion clinics as a little boy with his family." "Allow me as Andrew's wife to tell you about an amazing Father's Day gift Andrew received today: the sole endorsement from Right to Life of Michigan Political Action Committee for state representative of the 58th District. This is an extremely special honor for Andrew whose passion for the pro-life cause is deep and longstanding -- he considers protecting innocent life our #1 responsibility. Andrew is an incredible father -- he has been changing diapers for 10 years straight, checking car seats, rocking our babies in the nursery, herding toddlers, cleaning messes, cooking dinners, and reading aloud to our kiddos regularly for years. He's a devoted husband of 11 years and non-stop dad to our daughter and four boys. He looks forward to family time every weekend -- whether fishing, hiking trails, or movie night. The endorsement letter says, 'Your support and leadership will be absolutely essential to restoring the basic right to life to the most helpless members of our human family.' And Andrew takes that leadership very seriously, and will use everything in his arsenal of experience -- whether in the Marine Corps, on cases of constitutional law, or his own experience of praying at abortion clinics as a little boy with his family -- to defend the innocent. Thank you RLM-PAC for entrusting Andrew with your sole support on Father's Day! He won't let you down. - Lauren Fink" [Andrew Fink, Facebook, [6/21/20](#)]

- **Lauren Fink said Fink considered "protecting innocent life our #1 responsibility."** "Allow me as Andrew's wife to tell you about an amazing Father's Day gift Andrew received today: the sole endorsement from Right to Life of Michigan Political Action Committee for state representative of the 58th District. This is an extremely special honor for Andrew whose passion for the pro-life cause is deep and longstanding -- he considers protecting innocent life our #1 responsibility. Andrew is an incredible father -- he has been changing diapers for 10 years straight, checking car seats, rocking our babies in the nursery, herding toddlers, cleaning messes, cooking dinners, and reading aloud to our kiddos regularly for years. He's a devoted husband of 11 years and non-stop dad to our daughter and four boys. He looks forward to family time every weekend -- whether fishing, hiking trails, or movie night. The endorsement letter says, 'Your support and leadership will be absolutely essential to restoring the basic right to life to the most helpless members of our human family.' And Andrew takes that leadership very seriously, and will use everything in his arsenal of experience -- whether in the Marine Corps, on cases of constitutional law, or his own experience of praying at abortion clinics as a little boy with his family -- to defend the innocent. Thank you RLM-PAC for entrusting Andrew with your sole support on Father's Day! He won't let you down. - Lauren Fink" [Andrew Fink, Facebook, [6/21/20](#)]

Fink: “I oppose abortion.” “‘I am a strong conservative,’ he said. ‘I support strong families, free markets, and low taxes, and I oppose abortion and socialism.’ He is endorsed by Right to Life.” [Coldwater Daily Reporter, 10/27/20]

Fink: “I’ve been active in the pro-life movement since I was a kid, participating in pro-life rallies, concerts, and fundraisers.” “Fink: I’m against it. I’ve been active in the pro-life movement since I was a kid, participating in pro-life rallies, concerts, and fundraisers. A law like the RHA would be a major step back-wards. Michigan law already prohibits abortion and recognizes that all human life is inherently valuable, and I will fight to prevent policies that will end the lives of more innocent babies.” [Hillsdale Collegian, 2/13/20]

In 2020, Fink said “Michigan law already prohibits abortion and recognizes that all human life is inherently valuable, and I will fight to prevent policies that will end the lives of more innocent babies.” “Fink: I’m against it. I’ve been active in the pro-life movement since I was a kid, participating in pro-life rallies, concerts, and fundraisers. A law like the RHA would be a major step back-wards. Michigan law already prohibits abortion and recognizes that all human life is inherently valuable, and I will fight to prevent policies that will end the lives of more innocent babies.” [Hillsdale Collegian, 2/13/20]

Fink supported an ordinance from the Hillsdale City Council that would declare the city a “sanctuary for the unborn,” banning the aid of abortion and allowing citizens to file civil lawsuits against anyone they believed intended to violate the ordinance. “The Hillsdale City Council is considering an ordinance that would declare the city a ‘sanctuary for the unborn.’ The ordinance, on the agenda at the Monday, Aug. 2 city council meeting, would immediately outlaw any person from doing abortions or providing abortion-inducing drugs at any stage of pregnancy in the city. Those who violate the ordinance would be fined \$500 and serve 90 days in jail. Each violation would constitute for a separate offense. The ordinance has exemptions, however, including if the procedure is done as part of an accidental miscarriage, to remove an ectopic pregnancy or if the mother’s life is at risk due to the pregnancy. The ordinance would also allow private citizens to file civil lawsuits against anyone they believe violated, or intended to violate, the ordinance. Additionally, the ordinance would make it illegal within city limits to knowingly aid in an abortion, including providing transportation to an abortion provider, providing instructions or providing payment or insurance toward the abortion. While enacting this ordinance can be approved and immediately enforced, a section of it that prevents Hillsdale city residents from getting an abortion outside the city limits could not be enforced unless the U.S. Supreme Court overturns Roe v. Wade and Planned Parenthood v. Casey. Roe v. Wade, passed in 1973, is a U.S. Supreme Court decision in which the court ruled the U.S. Constitution protects a pregnant woman’s right to choose to have an abortion without government restriction. Planned Parenthood v. Casey reaffirmed Roe v. Wade, but altered the standard for analyzing restrictions. State Rep. Andrew Fink, R-Adams Township, issued a statement Friday, July 30, in support of the ordinance.” [Jackson Citizen Patriot, 8/2/21]

- **The ordinance would criminalize any person from performing abortions or providing abortion-inducing drugs at any stage of pregnancy in the city and would make it illegal to ‘aid or abet’ an abortion that occurs within city limits, such as providing transportation, instructions or money for an abortion.** “The ordinance would criminalize any person from performing abortions or providing abortion-inducing drugs at any stage of pregnancy in the city and would make it illegal to ‘aid or abet’ an abortion that occurs within city limits, such as providing transportation, instructions or money for an abortion. Violation of the ordinance could be punishable up to 90 days in jail and a \$500 fine. State Rep. Andrew Fink (R-Adams Twp.)

said in a statement Friday that he supports Hillsdale's ordinance and encourages the City Council to adopt it.” [Michigan Advance, 8/4/21]

Fink introduced legislation to ban abortions if the physician is aware that the pregnant person wants the abortion because of disability, sex or race. “House Bills 4737[7] and 4738[8], introduced by Reps. Julie Calley (R-Portland) and Andrew Fink (R-Hillsdale) in 2021, respectively, and Senate Bills 760[9] and Senate Bills 774[10], introduced by Sen. Lana Theis (R-Brighton), ban abortions if the physician is aware that the pregnant person wants the abortion because of disability, sex or race. These bills were referred to committees and did not get a hearing.” [Michigan Advance, 10/6/22]



May 2022: Fink shared an article about the Supreme Court voting to overturn Roe v. Wade and said “this is great news for the sanctity of life.” “Breaking! This is great news for the sanctity of life.” [Andrew Fink, Facebook, [5/2/22](#)]

Immigration

Fink proposed legislation that would ban sanctuary cities in Michigan. “State Rep. Andrew Fink has proposed legislation that would ban Michigan sanctuary cities. Michigan would ban cities from refusing to cooperate with national agencies over the enforcement of immigration laws, under legislation proposed this summer by state Rep. Andrew Fink, R-Hillsdale. House Bill 6276, which Fink proposed in June, would prevent local governments from declaring themselves ‘sanctuary cities’ for illegal immigrants, and fine them up to \$7,500 for violations.” [Hillsdale Collegian, 9/1/22]

Fink listed ending sanctuary cities and fixing the broken immigration system as a top priorities for his district in 2020. “Fink: 1) Gov. Whitmer has already demon-strated that she does not con-sider rural areas and small towns as important as big cities when it comes to road funding and that her plans will be based around increased taxes and increased spending - I will fight for fair treatment for all of Michigan infra-structure investments; 2) Auto insurance regulation will continue to need policy attention as the reforms put in place last year take effect; 3) Ending so-called ‘sanctuary’ cities, cracking down on

human trafficking, and helping to get control of our broken immigration system.” [Hillsdale Collegian, 2/13/20]

GOP Leaders

Fink said he admired Ron DeSantis and said DeSantis had “spoken with a clear voice to defend traditional American values and made a strong stand for freedom in the face of the hysterical liberal media.” “State Rep. Andrew Fink '06, R-Hillsdale, agreed with Bellino's assessment of DeSantis's character. ‘I did not sign on to the letter, but I am an admirer of Gov. DeSantis,’ Fink said. ‘He's spoken with a clear voice to defend traditional American values and made a strong stand for freedom in the face of the hysterical liberal media.’” [Hillsdale Collegian, 2/2/23]

Education

Fink graduated from Hillsdale College and the University of Michigan Law School. “Fink graduated from Hillsdale College and University of Michigan Law School, then served as an officer in the U.S. Marine Corps from 2009 to 2016.” [Bridge Michigan, [3/27/24](#)]

MICHIGAN COURT OF APPEALS JUDGE MARK BOONSTRA

Background

Boonstra was a sitting Court of Appeals judge. “Boonstra is a sitting Court of Appeals judge and entered the race for Supreme Court after Viviano announced his retirement.” [Bridge Michigan, [3/27/24](#)]

Boonstra worked as a private practice attorney with Miller Canfield before joining the Court of Appeals in 2012. “Boonstra worked as a private practice attorney with Miller Canfield before joining the Court of Appeals in 2012, and has authored books on the U.S. Constitution and its signers. He graduated from Michigan State University and the University of Michigan.” [Bridge Michigan, [3/27/24](#)]

Boonstra served a two-year term on the Michigan Court of Claims, by appointment of the Michigan Supreme Court, from May 2015 to May 2017, where his docket included cases arising out of the Flint Water Crisis. “In addition to his appellate duties, Judge Boonstra served a two-year term on the Michigan Court of Claims, by appointment of the Michigan Supreme Court, from May 2015 to May 2017, where his docket included cases arising out of the Flint Water Crisis.” [judgeboonstra4supremecourt.com, accessed [4/13/24](#)]

Boonstra authored books on the U.S. Constitution and its signers. “Boonstra worked as a private practice attorney with Miller Canfield before joining the Court of Appeals in 2012, and has authored books on the U.S. Constitution and its signers. He graduated from Michigan State University and the University of Michigan.” [Bridge Michigan, [3/27/24](#)]

Boonstra authored several books lamenting the decline of Christianity in the U.S. “The Michigan Republican Party's Mackinac Leadership Conference once was an event with national political significance: an important campaign stop for Republicans seeking the White House and a proving ground for early gubernatorial candidates. [...] Mark Boonstra, a judge on Michigan's third district court of appeals, is also scheduled to appear. He's authored several books lamenting the decline of Christianity in the U.S. Chuck Thurston, a creationist who hosts a Christian apologetics show Karamo has a degree in Christian apologetics will be addressing the attendees.” [Jackson Citizen Patriot, 9/19/23]

Boonstra served as president of the Washtenaw County Republican Party. “Mark Boonstra, president of the Washtenaw County Republican Party, said he isn't willing to give up on McCain winning the state, even though he isn't campaigning here.” [Ann Arbor News, 10/26/08]

Philosophy

Boonstra claimed he would provide an “unbiased, rule-of-law approach” if elected to the Supreme Court. “Boonstra, who is expected to seek a GOP nomination, said in a statement announcing his campaign that he would provide an ‘unbiased, rule-of-law approach’ if elected to the high court.” [Bridge Michigan, [3/27/24](#)]

LGBTQ Rights

Boonstra had demonstrated conservative views, such as opposition to LGBTQ+ rights. “Both Fink and Boonstra have demonstrated conservative views, such as in opposition to LGBTQ+ rights.” [Michigan Advance, [3/18/24](#)]

- **2022: Boonstra refused to use a defendant’s preferred pronouns, writing in an opinion that he declined “to join in the insanity that has apparently now reached the courts.”** “In 2022, Boonstra drew the ire of nearly 20 organizations including Equality Michigan, the American Civil Liberties Union (ACLU) of Michigan and the LGBTQA Section of the Michigan State Bar, when he flatly refused to use a defendant’s preferred pronouns, writing in an opinion that he declined ‘to join in the insanity that has apparently now reached the courts.’ That incident became a catalyst for a rule changes that began this year in Michigan courts preventing judges from purposely misgendering defendants, litigants, attorneys and others having business before the bench.” [Michigan Advance, [3/18/24](#)]

In a concurring opinion, Boonstra declined to acknowledge the defendant in a criminal sex assault case, People v Gobrnick, as a transgender female “In a concurring opinion issued Dec. 21, Judge Mark Boonstra, who was appointed by former GOP Gov. Rick Snyder, declined to acknowledge the defendant in a criminal sex assault case, People v Gobrnick, as a transgender female. In the opinion, which upheld the defendant’s conviction, the majority on the three-judge panel noted that both the defense attorney and prosecutor used the appropriate gender nonbinary pronouns ‘they’ and ‘them’ when referring to the defendant.” [Michigan Advance, [2/7/22](#)]

- **Boonstra called the defendant a “biological man” and said the court “should not be altering its lexicon whenever an individual prefers to be identified in a manner contrary to what society throughout all of human history has understood to be the immutable truth.”** “However, in a concurring opinion, Boonstra refused to do so, calling the defendant a ‘biological man,’ adding that while he respects ‘the right of every person to self-identify however he or she may wish,’ the court ‘should not be altering its lexicon whenever an individual prefers to be identified in a manner contrary to what society throughout all of human history has understood to be the immutable truth.’” [Michigan Advance, [2/7/22](#)]

Elections

2020: Boonstra and two fellow Court of Appeals judges ruled that ballots must arrive by Election Day to be counted, overruling a 14-day extension of a lower court. “The Michigan Court of Appeals

ruled that ballots must arrive by Election Day to be counted, overruling a 14-day extension of a lower court. [...] The ruling, a unanimous 3-0 decision, says that ballots must be returned by 8 p.m. on Nov. 3. Democrats have argued that more time is needed for people to return ballots, citing concerns over the coronavirus pandemic. [...] Appeals court Judges Michael Gadola, Mark Boonstra, and Thomas Cameron heard the case. All three were appointed by former Republican Gov. Rick Snyder.” [Examiner, 10/16/20]

- **Boonstra: “... policy-making under the guise of judicial decision making is simply tyranny by another name.”** “Following the lead of Gov. Gretchen Whitmer, Secretary of State Jocelyn Benson is now taking her turn at playing monarch. Benson on Friday issued an order banning firearms from being openly carried at polling places. That's a sensible policy, and one I support. But Michigan has very detailed gun laws, written by the Legislature and signed by various governors. Benson doesn't have the power to unilaterally rewrite them. Nor, according to a Michigan appeals court panel, does she have the authority to change election laws without getting approval from the Legislature and governor. Benson had tried to unilaterally extend the deadline for ballots to arrive at local clerk's offices in defiance of established state law. A lower court said it was OK. But the Michigan Court of Appeals slapped it down with a strong rebuke from Judge Mark Boonstra, who wrote: ‘... policy-making under the guise of judicial decision making is simply tyranny by another name.’ Perhaps it would be easier, Boonstra said, to live under a ‘benevolent dictator’ who wouldn't have ‘to endure the inconvenience of others' input.’” [Detroit News, 10/19/20]

Boonstra and fellow Court of Appeals judges ruled in favor of Michigan Republicans challenging Secretary of State Benson’s 2022 instructional manual for election challengers and poll watchers.

“A state appellate panel on Thursday ruled in favor of Michigan Republicans challenging Democratic Secretary of State Jocelyn Benson's 2022 instructional manual for election challengers and poll watchers. The Court of Appeals panel upheld a lower court ruling from last year that found Benson should have issued the guidance through the state's rule-making process, the Administrative Procedures Act, which would have required months of review and hearings. ‘Defendants may issue mere instructions that are binding on election workers who operate as defendants' employees and subordinates, but regulations targeting election challengers or poll watchers reach beyond defendants' general supervisory scope and must be promulgated as APA rules,’ said Court of Appeals Judges Mark Boonstra, Stephen Borrello and Kathleen Feeney.” [Detroit News, 10/22/23]

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In a case related to Michigan’s ballot drive law, Boonstra agreed with the appeals court decision that struck down the 15% cap on signatures that can be used from any of Michigan’s 14 congressional districts. “Another Michigan court has vacated changes to the state's ballot drive law,

declaring that a geographic limitation on collecting petitions unconstitutionally takes power out of the hands of voters. The state appeals court, in a 2-1 decision Monday, affirmed a lower judge. It struck down the 15% cap on signatures that can be used from any one of Michigan's 14 congressional districts and nullified a new requirement that each petition indicate whether a circulator is paid or a volunteer. [...] Judge Mark Boonstra partly concurred and partially dissented. He agreed that the 15% limit and the affidavit requirement are unconstitutional, but disagreed with the majority's findings that the Legislature has no standing in the case and that the check-box rule is illegal” [AP, 1/28/20]

- **Boonstra disagreed with the majority’s findings that the legislature had no standing in the case and that the check-box rule was illegal.** “Another Michigan court has vacated changes to the state's ballot drive law, declaring that a geographic limitation on collecting petitions unconstitutionally takes power out of the hands of voters. The state appeals court, in a 2-1 decision Monday, affirmed a lower judge. It struck down the 15% cap on signatures that can be used from any one of Michigan's 14 congressional districts and nullified a new requirement that each petition indicate whether a circulator is paid or a volunteer. [...] Judge Mark Boonstra partly concurred and partially dissented. He agreed that the 15% limit and the affidavit requirement are unconstitutional, but disagreed with the majority's findings that the Legislature has no standing in the case and that the check-box rule is illegal” [AP, 1/28/20]

Emergency Orders

In a 2-1 opinion, Boonstra and the Court of Appeals ruled that the Michigan Department of Health and Human Services did not have the authority to prohibit restaurants from fully opening their dine-in sections, limit indoor gatherings and restrict other activities during the COVID-19 pandemic. “The Michigan Department of Health and Human Services did not have the authority to prohibit restaurants from fully opening their dine-in sections, limit indoor gatherings and restrict other activities during the COVID-19 pandemic, a split Court of Appeals panel ruled Thursday. Writing for the majority in a 2-1 opinion, Judges Michael Gadola and Mark Boonstra wrote the state law cited by MDHHS Director Elizabeth Hertel in issuing a March 2021 public health order was unconstitutional — stating the law is too vague in its delegation of authority.” [Detroit Free Press, 6/30/23]

- **Writing for the majority, Boonstra wrote the state law cited by MDHHS Director Elizabeth Hertel in issuing a March 2021 public health order was unconstitutional — stating the law is too vague in its delegation of authority.** “Writing for the majority in a 2-1 opinion, Judges Michael Gadola and Mark Boonstra wrote the state law cited by MDHHS Director Elizabeth Hertel in issuing a March 2021 public health order was unconstitutional — stating the law is too vague in its delegation of authority.” [Detroit Free Press, 6/30/23]

In a concurring opinion, Boonstra criticized Gov. Whitmer for her COVID-19 emergency orders in a case that was unrelated to the pandemic. “Another example was a 13-page concurring opinion from a Republican judge excoriating Whitmer for her COVID-19 emergency orders—in a case that had nothing to do with the pandemic (at issue was an emergency rule prohibiting the sale of flavored nicotine pods for e-cigarettes). ‘Totalitarianism,’ the judge intoned, ‘has no place in America.’ The judge’s rhetoric was so extreme, it bordered on parody: ‘Will we live under the thumb of autocrats in the hope that they will keep us safe? The world of our children and grandchildren hangs in the balance.’” [Atlantic, [10/7/20](#)]

- **Boonstra: “Will we live under the thumb of autocrats in the hope that they will keep us safe?”** “Another example was a 13-page concurring opinion from a Republican judge

excoriating Whitmer for her COVID-19 emergency orders—in a case that had nothing to do with the pandemic (at issue was an emergency rule prohibiting the sale of flavored nicotine pods for e-cigarettes). ‘Totalitarianism,’ the judge intoned, ‘has no place in America.’ The judge’s rhetoric was so extreme, it bordered on parody: ‘Will we live under the thumb of autocrats in the hope that they will keep us safe? The world of our children and grandchildren hangs in the balance.’” [Atlantic, [10/7/20](#)]

Boonstra wrote a 13-page opinion attacking Whitmer for her COVID-19 orders, quoting articles from far-right publications that called her a “dictator,” a “little tyrant,” and “tyrannical soul.” “This is not the first time Boonstra has drawn attention because of his strongly worded opinions. In 2020, he authored a 13-page letter attacking Michigan Democratic Gov. Gretchen Whitmer for her COVID-19 orders. In that letter, he quoted articles from far-right publications calling the governor a ‘dictator,’ a ‘little tyrant’ and claiming she has a ‘tyrannical soul.’” [Michigan Advance, [2/7/22](#)]

Criminal Cases

Michigan Court of Appeals declared that a fetus qualified as victim in an assault case, with Boonstra writing, “under the circumstances of this case, and without declaring the fetus in this case to be a ‘person’ under the law, we conclude the trial court did not err in counting the fetus as a “victim.” “A fetus qualifies as a victim, according to a decision of the Michigan Court of Appeals released last week. The state appeals court upheld a decision rendered by an Allegan County judge in 2014 that counted both a fetus and its mother as victims when it sentenced their attacker to a minimum of nearly three years in prison. The attacker, Samuel Ambrose, faced a larger prison sentence because the court determined he assaulted two victims rather than one. Judge Peter O 'Connell, a member of the appeals panel, noted no appellate decision had yet considered whether a fetus may be counted as a victim. ‘Under the circumstances of this case, and without declaring the fetus in this case to be a ‘person’ under the law,’ Judge Mark Boonstra wrote in the court’s decision, ‘we conclude the trial court did not err in counting the fetus as a ‘victim.’” [The Holland Sentinel, 11/2/16]

Education

Boonstra graduated from Michigan State University and the University of Michigan. “Boonstra worked as a private practice attorney with Miller Canfield before joining the Court of Appeals in 2012, and has authored books on the U.S. Constitution and its signers. He graduated from Michigan State University and the University of Michigan.” [Bridge Michigan, [3/27/24](#)]

Personal Life

Boonstra lived in Holland with his wife, Martha. “Mark and his wife, Martha, reside in Holland. They were married on Valentine's Day in 2009 and have been married for over 15 years. Together they share 4 children and 5 grandchildren.” [judgeboonstra4supremecourt.com, accessed [4/13/24](#)]

Boonstra has 4 children and 5 grandchildren. “Mark and his wife, Martha, reside in Holland. They were married on Valentine's Day in 2009 and have been married for over 15 years. Together they share 4 children and 5 grandchildren.” [judgeboonstra4supremecourt.com, accessed [4/13/24](#)]

Boonstra was born in Muskegon, Michigan. “Mark was born in Muskegon, Michigan, into a family with deep Dutch American roots. He grew up alongside his older brother, Bob, and younger sister, Beth, in a humble environment, deeply influenced by his parents' values of hard work and perseverance.”

[judgeboonstra4supremecourt.com, accessed [4/13/24](#)]

BOLDEN'S SEAT

Candidate	Total Raised	Total Expenditures	Cash on Hand
Patrick O'Grady	-	-	-

[Campaign Finance, Michigan Department of State, accessed 4/13/24]

CIRCUIT JUDGE PATRICK WILLIAM O'GRADY

O'Grady will seek the Republican party nomination for the Michigan Supreme Court. “Branch County 15th Circuit Judge Patrick William O'Grady announced Friday that he will seek the Republican party nomination for the Michigan Supreme Court. After talking to Pete Hoekstra, the new chairman of the Michigan GOP, O'Grady decided to seek the nomination at the Aug. 1 party convention.”

[Coldwater Daily Reporter, [4/5/24](#)]

- **O'Grady was running for the seat held by Justice Bolden.** “Judge O'Grady will seek the seat held by Justice Kyra Harris Bolden. Gov. Gretchen Whitmer appointed Bolden in 2022 to replace Bridget Mary McCormack, who retired. Bolden will seek reelection to complete the last four years of an eight-year term.” [Coldwater Daily Reporter, [4/5/24](#)]

Background

O'Grady had 15 years on the trial bench, presiding over thousands of civil and criminal cases. “In his announcement, he said that after 15 years on the trial bench, presiding over thousands of civil and criminal cases, ‘I fully understand the significance of being a Rule of Law Judge.’” [Coldwater Daily Reporter, [4/5/24](#)]

- **As of 2020, O'Grady had handled more than 11,000 cases.** “During his 11 years on the bench, he has handled more than 11,000 cases. At any one time there are 3,000 open cases dealing with family law matters as the result of prior divorces and related issues, such as support and visitation.” [Daily Reporter, [2/27/20](#)]

O'Grady obtained his law degree from Cooley Law School while he served six years as a Michigan State Police Trooper in Metro Detroit and Ann Arbor. “The judge obtained his law degree from Cooley Law School during the six years he served as a Michigan State Police trooper working in the Metro Detroit and Ann Arbor posts.” [Coldwater Daily Reporter, [4/5/24](#)]

O'Grady was an assistant prosecutor for eight years in Branch County. “O'Grady then served as an assistant prosecutor for eight years in Branch County before winning a contested election to the circuit bench in November 2008. He was re-elected in 2014 and 2020. His current term ends in 2026.” [Coldwater Daily Reporter, [4/5/24](#)]

O'Grady won a contested election to the circuit bench in November 2008 and won re-election in 2014 and 2020. “O'Grady then served as an assistant prosecutor for eight years in Branch County before winning a contested election to the circuit bench in November 2008. He was re-elected in 2014 and 2020. His current term ends in 2026.” [Coldwater Daily Reporter, [4/5/24](#)]

Philosophy

O’Grady said he would “not legislate from the bench” and would “simply apply the law as written.” “O’Grady said, ‘I take my duty to remain impartial in all civil and criminal matters seriously. I will not legislate from the bench; rather, I will simply apply the law as written.’” [Coldwater Daily Reporter, [4/5/24](#)]

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Abortion

2012: O’Grady attended the Branch County Right To Life annual dinner. “There are many political issues with the Nov. 6 general election coming up. But Paul Miller told 140 at the Branch County Right to Life annual dinner, at the Eby-Klein Youth and Family Center on Thursday night, ‘Life is God’s gift to us. God gives us lives in His infinite wisdom and His love for us. For those reasons we make the defense of life our highest priority.’ [...] Special guests were recognized, including U.S. Rep. Tim Walberg, R-Tipton, state Sen. Bruce Cas-well, R-Hillsdale, and state Rep. Ken Kurtz, R-Cold-water. Also attending were Kashian, Branch County Circuit Judge Bill O’Grady and Beginnings Care for Life Director Jane Ford. [Coldwater Daily Reporter, 10/20/12]

Immigration

O’Grady placed a defendant on two years’ probation in case U.S. Immigration officials did not pick him up for deportation proceedings. “Cesar Cesar-Morales will wait now to find out if U.S. Immigration and Customs Enforcement will begin deportation proceedings against him. The 26-year-old Coldwater man was sentenced to six months county jail time after a no contest plea to an assault with a dangerous weapon charge that stemmed from threats toward Ahmed Ahmed made at Whispering Pines Apartments on Sept. 4. Branch County Circuit Judge Bill O’Grady was concerned that ICE would not pick up Cesar-Morales, so he placed him on two years’ probation in case federal officials did not follow through.” [Coldwater Daily Reporter, 2/5/13]

O’Grady said he would suspend the 90-day sentence of Roberto Gomez-Zarco if immigration authorities wanted to pick him up for deportation. “Branch County Circuit Court Judge Bill O’Grady said he will suspend the 90-day sentence of Roberto Gomez-Zarco, 20, if immigration authorities want to pick him up for deportation. Gomez-Zarco pleaded guilty to possession of an analogue drug on June 4, after he called police to turn himself in. Officers found the pills on him. Gomez-Zarco said he was suffering from anxiety because of a warrant from Tennessee, where he previously lived. He had been in an accident and failed to complete community service.” [Coldwater Daily Reporter, 12/18/17]

- **Gomez-Zarco said he had applied for asylum to remain in the U.S. because he would be tortured if sent back to Mexico as a homosexual.** “The then-teen had lived in Coldwater for a year on Green Street. Gomez-Zarco said he had applied for asylum to remain in the United States because he would be tortured if sent back to Mexico as a homosexual. O’Grady placed Gomez-Zarco on probation for a year, with 40 days credit on his nine-month sentence.” [Coldwater Daily Reporter, 12/18/17]

O’Grady exceeded Michigan Sentencing Guidelines to send a defendant to prison for 16 months to four years for possession of cocaine in order to give ICE time to prepare for deportation. “Branch County Circuit Judge Bill O’Grady exceeded Michigan Sentencing Guidelines to send Alexjandro Ruiz-Rojas, 32, to prison for 16 months to four years for possession of cocaine. This will give U.S. Immigration and Customs Enforcement (ICE) time to prepare for Ruiz-Rojas’ deportation after he is released from prison. O’Grady said d his departure from a recommended county jail sentence was ‘based on (Ruiz-Rojas’) illegal status.’ Agents from Southwest Enforcement Team (SWET) of the Michigan State Police targeted Ruiz-Rojas in February 2010 after reports he was selling cocaine from his Coldwater area home. An undercover agent made a purchase of 6.9 grams for \$75. There was an interpreter in court for sentencing even though Ruiz-Rojas appeared to understand the proceedings. He made no comment. Ruiz-Rojas was not arrested until this year while an investigation into his possible Mexican gang connections in the region continued. For the last five years Ruiz-Rojas had been illegally working at manufacturing jobs in the area.” [Coldwater Daily Reporter, 7/31/13]

Personal Life

O’Grady is a father of three and lives with his wife, Wendy, in Coldwater. “A father of three, the 53-year-old judge and his wife, Wendy, live in Coldwater. She is employed at Hillsdale College.” [Coldwater Daily Reporter, [4/5/24](#)]

- **O’Grady’s wife was employed at Hillsdale College.** “A father of three, the 53-year-old judge and his wife, Wendy, live in Coldwater. She is employed at Hillsdale College.” [Coldwater Daily Reporter, [4/5/24](#)]