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## **MICHIGAN COMMON SENSE PARTY FILES LANDMARK LAWSUIT TO RESTORE FUSION VOTING IN MICHIGAN**

### ***Plaintiffs Seek to Affirm State Constitutional Rights with the Aim of Empowering Voters With More Choices of Political Parties and Their Candidates***

LANSING, Mich. — The Michigan Common Sense Party today announced the filing of two lawsuits challenging Michigan’s 130-year-old ban on fusion voting, a system that once allowed multiple political parties to nominate the same candidate for office.

The first lawsuit was filed yesterday evening in the Michigan Court of Claims, and the second suit will be filed later today in the Ingham County Circuit Court. The Michigan Common Sense Party is joined in the suits by the Libertarian Party of Michigan and additional voter and candidate plaintiffs from across the political spectrum. They argue that Michigan’s fusion ban violates the Michigan Constitution by suppressing the development and growth of new and minor parties and depriving voters of the opportunity to cast ballots for parties that represent their views.

Fusion voting allows voters to support a candidate with a meaningful chance of winning and the political party that best reflects their values. Under fusion voting, a candidate can appear on more than one political party’s ballot line, with votes combined toward the candidate’s total.

Michigan once had a vibrant tradition of fusion voting, but the practice was banned by the legislature in 1895 to minimize the role of third parties. Before then, fusion voting helped new political movements gain influence and gave voters more choices of political parties without “wasting” their votes on candidates with little chance of winning.

“Michigan voters are tired of being trapped in a political system that deprives them of more options among political parties and candidates,” said **Jeff Timmer, co-founder of the Michigan Common Sense Party and former executive director of the Michigan Republican Party**. “Fusion voting gives voters more freedom, more voice, and more meaningful choices without acting as spoilers.”

The Court of Claims action argues that Michigan’s fusion ban violates constitutional protections for free speech and freedom of association, as well as the state constitution’s “purity of elections” clause, by unfairly advantaging the two major parties over emerging political movements.

The companion Circuit Court case argues that the fusion ban violates the “fundamental right to vote” provision added to the Michigan Constitution by voters in 2022. The complaint argues that the current system unreasonably burdens voters by forcing citizens who support minor parties into an impossible choice: vote for a major party they do not fully support, cast a “wasted” vote for a minor party candidate with little chance of success, or abstain entirely. (The lawsuits are being filed separately, per statutory requirements, but will likely be consolidated into one suit after filing.)

“The current system discourages cooperation, moderation, and coalition-building,” **Timmer said**. “It has increasingly rewarded extremist candidates, and we now find American democracy and free and fair elections in jeopardy. Fusion voting would encourage candidates to build broader coalitions and give voters the opportunity to support candidates who actually reflect their values, rather than simply voting against the other side.”

The Michigan Common Sense Party said restoring fusion voting would create new opportunities for pragmatic, centrist, and reform-minded voters to organize politically while still supporting viable candidates. If the ban is deemed unconstitutional, any political party could use fusion.

“The government should not be in the business of telling individuals and parties who they can and cannot associate with,” **said Donna Gundle-Krieg, the Communications Chair of the Libertarian Party of Michigan**, adding, “Instead, Michigan should have a political party system designed to increase choice and competition.”

The plaintiffs are represented by attorneys **Mark Brewer, Samuel R. Bagenstos, and Robert S. LaBrant**.

**Brewer is the former head of the Michigan Democratic Party, and Jeff Timmer is the former head of the Michigan Republican Party**. Both major party figures agree that eliminating the ban on fusion wouldn’t favor any party over another, but instead improve the elections process and help stabilize democracy. “This is something all voters, candidates, and parties would likely support,” **said Brewer**, “It’s about constitutional rights, freedom, choice, and fixing our broken politics.”

Read the plaintiffs’ complaint, filed yesterday evening in the Michigan Court of Claims, at [LINK](#). Plaintiffs’ second complaint, to be filed in the Ingham County Circuit Court later today, can be read at [LINK](#). Three expert reports supported the plaintiffs’ complaints: **University of Michigan political scientist Lisa Disch** and **Harvard University fellow and historian Kelly Goodman** on the rich history of fusion voting in Michigan; **retired longtime Director of Michigan Elections Chris Thomas** on the ease of implementing fusion voting in Michigan should the court rule in plaintiffs’ favor; and **political scientist Lee Drutman** on the destabilizing effects of our current two-party political system.

## **About the Michigan Common Sense Party**

The Michigan Common Sense Party, first organized in 2023, is a new political party dedicated to offering a true middle way for Michiganders seeking to defeat rising extremism and radicalism within the current two-party system. The party is dedicated to building the political center and promoting moderate, common-sense solutions by challenging the ban on fusion voting.

For more information, visit the Michigan Common Sense Party online at [MiCommonSenseParty.com](https://MiCommonSenseParty.com)

## **About Fusion Voting**

Visit the following links for more information on how fusion voting works and its benefits:

- [Protect Democracy: Fusion voting, explained](#)
- [New America: The Case for Fusion Voting and a Multiparty Democracy in America](#)
- [The Wall Street Journal: Fusion Voting Could Lower the Temperature](#)