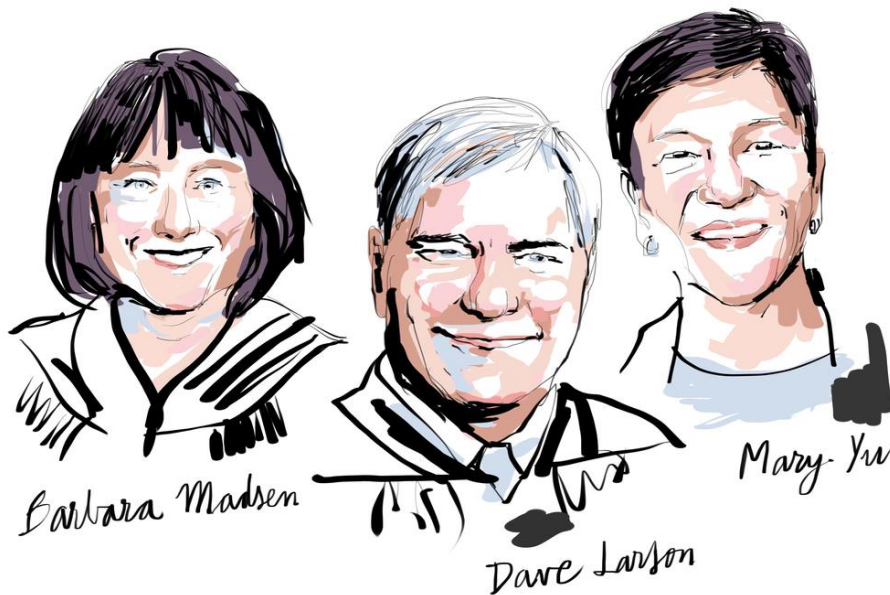


The Times recommends Mary Yu for state Supreme Court Position 1

Originally published August 19, 2016 at 3:53 pm Updated August 19, 2016 at 5:12 pm



Gabriel Campanario / The Seattle Times

While David DeWolf is a welcome challenger in the race for state Supreme Court Position 1, voters should re-elect Justice Mary Yu.

By [Seattle Times editorial board](#)

The Seattle Times

IN Position 1, incumbent Justice Mary Yu faces an articulate challenger who has closely watched the court and its rulings: David DeWolf, who recently ended a 28-year career teaching at Gonzaga University School of Law.

While DeWolf is a knowledgeable candidate, Yu is an exemplary judge with much more experience. Voters should elect Yu to another term on the court.

While the election is not a referendum on the court's McCleary ruling, DeWolf said he's running partly because of the court's "lack of judgment" in that case. He said education-funding problems should be fixed by the Legislature, and voters can elect new lawmakers as a remedy.

[Supreme court picks reflect paramount duties](#)

The state Supreme Court is front and center in one of Washington's most important issues arguably since the state's founding in 1889: the state's persistent underfunding of basic education over decades. That's why voters should pay attention to the three races they will find languishing near the bottom of their general-election ballot in

November. The Seattle Times editorial board interviewed the incumbents and their challengers, as well as dozens of others, including judges, lawyers, prosecutors, professors and state officials from around the state. Today, we offer these recommendations.

The Times recommends:

Barbara Madsen



Supreme Court Position 5

Strengths: Led the court on education-funding rulings

“ *Madsen is the better candidate for a term in which the McCleary case and its potential remedies — both judicial and legislative — will dominate. Voters should re-elect her. ...*”

[Read the full endorsement —>](#)

The Times recommends:

Dave Larson



Supreme Court Position 6

Strengths: Trial, bench and civic experience; a strong, credible challenge to the court

“ *Larson presents a strong, credible challenge to a court that has at times veered off course. He deserves a six-year term to the state Supreme Court. ...* ”

[Read the full endorsement →](#)

The Times recommends:

Mary Yu



Supreme Court Position 1

Strengths: Bipartisan support; supports racial-justice causes

“ *Yu contends McCleary is not an example of judicial activism. She said the court was presented with a legal question — to interpret what it means to amply provide for education and whether it’s the state’s paramount duty. ...* ”

[Read the full endorsement —>](#)

In its 2012 McCleary decision, the court found that the legislature and governor failed to amply fund education as required by the state constitution.

Yu joined the court after the 2012 ruling. She declined to second-guess its decision to retain jurisdiction to ensure progress, because she was not present at the briefings. But she has supported the court's increasingly firm hand in the case as the deadline approaches.

Yu and DeWolf agree the court must generally exercise restraint and not fix things that should be fixed by the Legislature.

But Yu contends McCleary is not an example of judicial activism. She said the court was presented with a legal question — to interpret what it means to amply provide for education and whether it's the state's paramount duty.

Yu joined the King County Prosecutor's Office in 1993 and served as a King County Superior Court judge from 2000 until she was appointed to the state Supreme Court in 2014. She was elected to a two-year term and is now running for a full, six-year term.

Both Republicans and Democrats have endorsed Yu, along with other justices and dozens of judges across the state.

DeWolf's endorsements are mostly from conservative legislators who share his concerns about the court asserting its authority in the McCleary case.

The candidates also differ on social issues.

While Yu is firmly progressive and supports racial-justice causes, DeWolf opposed a legislative proposal to require insurers to cover abortions. DeWolf also advocated for public-school teachers to be allowed to include the perspective of "intelligent design," a [theory conflicting with the science of evolution, which](#) assumes the involvement of a supreme being or outside force.

For many reasons, Yu is the clear choice for Position 1.

Editorial board members are editorial page editor Kate Riley, Frank A. Blethen, Ryan Blethen, Donna Gordon Blankinship, Brier Dudley, Mark Higgins, Jonathan Martin, William K. Blethen (emeritus) and Robert C. Blethen (emeritus).