

Voters have no choice but to re-elect Justices Owens, Gonzalez and McCloud.

By [The Seattle Times editorial board](#)

Washington voters have no choice but to re-elect the three state Supreme Court justices running for re-election this year.

Fortunately the incumbents, Susan Owens, Sheryl McCloud and Steve Gonzalez, are all eminently qualified.

While there may be various points of disagreement with each, they are members of a strong, feisty and productive panel that's also active in efforts to improve the judicial system statewide, address bias and broaden participation.

Generations of Washingtonians should benefit from the current justices' firm hand in education reform, which forced Gov. Jay Inslee and legislators to finally fulfill their constitutional obligation to amply fund public schools via the McCleary case.

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Only Justice Steve Gonzalez faces a challenge on the ballot, from Nathan Choi, a Bellevue attorney. Choi is not a reasonable option. He failed to abide by state campaign disclosure rules during a 2017 run for appellate judge and appears to be doing so again this year. He was [also admonished by the King County Bar Association](#) for falsely describing himself as a judge in campaign ads last fall.

Owens and McCloud initially faced challengers, but they were unqualified and won't appear on the Nov. 6 ballot.

The dearth of challengers is disappointing. Even if incumbents are the best choice, they need to be pressed to defend their records and explain to voters why they deserve another six-year term. The court could also benefit from more geographic diversity since it serves the entire state. It now has two nonwhite members and six of nine justices are women, but justices are almost entirely from the Puget Sound region.

Susan Owens, Position 2

Before she was elected in 2000, Justice Owens was a District Court and tribal judge in Clallam County. This will be her last term because she'll turn 75 in its sixth year, the age at which Washington justices must retire. The Tumwater resident brings a valuable rural perspective to the court and said the McCleary work was a highlight of her career. Although justices generally decline to critique each other publicly, an [April opinion authored](#) by Owens drew an unusually sharp response from Justice Mary Yu. Yu agreed with Owens' opinion, clarifying when fees are awarded if arbitrated disputes go to trial, but filed a one-paragraph concurrence stating that "its simple conclusion is lost in its meandering analysis" and didn't require a "mind-boggling, convoluted explanation." Owens said justices "get passionate" backstage. "You don't take it personally. Everybody gets along pretty well."

Steve Gonzalez, Position 8

A former federal prosecutor and King County Superior Court judge, Gonzalez was appointed justice in 2011 and elected in 2012. While this board is concerned that Gonzalez may not be a strong advocate for public records, especially in a pending case in which the Legislature is seeking special treatment to be less transparent than other public agencies, he is nevertheless a high-performing justice deserving voters' support. Gonzalez, who lives in Olympia, said he's worked to increase productivity as the court's circulation chair. His campaign received the most of any justice this year, \$241,769 as of Friday, including large donations from labor groups. Gonzalez said he'll remain objective and doesn't look to see who donated.

Sheryl McCloud, Position 9

McCloud, a Bainbridge Island resident, was a longtime defense attorney before her election to the court in 2012. Her campaign material highlights that she authored the court's 2017 opinion that a Richland florist violated state anti-discrimination law by refusing to arrange flowers for a gay couple's wedding. A closely-watched [juvenile case](#) decided last week is also illuminating. The majority affirmed procedures that automatically send 16- and 17-year-olds with previous felony convictions, and charged with certain serious crimes, to adult court, instead of juvenile court. McCloud, Yu and Gonzalez dissented, with Yu writing the argument that juvenile-court hearings should be required for all juveniles. While it's up to the Legislature to write new policy, McCloud, in an interview, adamantly defended the court's authority to make this change on constitutional grounds.
