

# THE SUPREME COURT OF WASHINGTON

MATHEW & STEPHANIE McCLEARY, )  
et al., )  
 )  
Respondents/Cross-Appellants, )  
 )  
v. )  
 )  
STATE OF WASHINGTON, )  
 )  
Appellant/Cross-Respondent. )  
 )

## ORDER

Supreme Court No.  
84362-7

King County No.  
07-2-02323-2 SEA **Filed** *EJM*  
Washington State Supreme Court

APR 30 2015

*E*  
*b/h*

**Ronald R. Carpenter**  
Clerk

In this court's order of contempt issued on September 11, 2014, the court directed that sanctions and other remedial measures would be held in abeyance to allow the State the opportunity to purge the contempt during the 2015 legislative session by complying with the court's order. The order provided that on the date following adjournment of the 2015 session, if the State had not complied with the court's order, the State should file in the court a memorandum explaining why sanctions or other remedial measures should not be imposed. On April 27, 2015, following the legislature's adjournment of the regular session on April 24, 2015, the "STATE OF WASHINGTON'S MEMORANDUM RESPONDING TO ORDER DATED SEPTEMBER 11, 2014" was filed. The memorandum indicates that there has been no final legislative action on the budget and that bills remain pending that propose remedies for the article IX violations identified by the court. The State's memorandum further indicates that the Governor has called a special session beginning April 29, 2015, and that the State assumes the Court will expect the State to file an updated memorandum at the close of the special session and requests that the updated memorandum be due the day after the Governor acts on the budget or the last *McCleary*-related bill passed by the Legislature.

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The "PLAINTIFFS' CONDITIONAL REQUEST FOR LEAVE TO FILE A RESPONSE TO DEFENDANT'S POST-ADJOURNMENT FILING" was filed on April 28, 2015.

After consideration of the State's memorandum and the Plaintiffs' request to file a response, the court agreed unanimously to entry of the following order.

Now, therefore, it is hereby

ORDERED:

Because the legislature is in special session and there has not been final action on either the budget or *McCleary*-related bills, the court's consideration of contempt sanctions and other remedial measures will continue to be held in abeyance until the adjournment of the 2015 special legislative session. Therefore, the request to file a response to the State's April 27, 2015, memorandum is denied. On the day following adjournment of the special session which commenced April 29, 2015, the State should file in this Court the response that was ordered in the September 11, 2014, order. As indicated previously, this memorandum is separate from the court's order requiring an annual progress report. No other pleadings should be filed by any of the parties except at the direction of the court.

DATED at Olympia, Washington this 30<sup>th</sup> day of April, 2015.

For the court:

  
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CHIEF JUSTICE