

Governor names first openly gay, Asian American to state's high court

Gov. Jay Inslee has appointed King County Superior Court Judge Mary Yu to the Washington state Supreme Court. Appointed as a judge in 2000 by then-Gov. Gary Locke, Yu will be the first openly gay justice, and the first Asian American, on the state's high court.

The Associated Press and The Seattle Times



MIKE SIEGEL / The Times

King County Superior Court Judge Mary Yu was appointed to the Washington state Supreme Court on Thursday.

Mary Yu

Age: 56

Experience: King County Superior Court judge since 2000. Previously, deputy chief of staff to King County Prosecutor Norm Maleng, director of the Peace and Social Justice Office for the Archdiocese of Chicago.

Education: Bachelor's degree in theology from Dominican University in River Forest, Ill; master's degree in theology from Mundelein College of Loyola University, Chicago; law degree from University of Notre Dame.

King County Superior Court Judge Mary Yu was appointed to the Washington state Supreme Court on Thursday, becoming the first openly gay justice, as well as the first Asian American, to serve on the state's high court.

The 56-year-old, one of 19 applicants for the seat being vacated by Justice James Johnson, was appointed by Gov. Jay Inslee on Thursday.

Johnson, considered the court's most conservative member, announced his retirement last month, citing health issues. He left the bench Wednesday.

Yu was appointed to the King County Superior Court by former Gov. Gary Locke in 2000 and earlier served as deputy chief of staff to the late King County Prosecutor Norm Maleng. She is Inslee's first appointment to the Supreme Court. To keep the seat, she will have to run for election in November to serve the rest of Johnson's term, which was to expire in January 2017.

Yu, Inslee said, is "someone of great intellect, dedication, compassion with a never-wavering commitment to ensure justice for everyone."

The daughter of immigrants — her mother is from Mexico and her father is from China — Yu will be the sixth woman on the nine-member court and the second ethnic minority when she is sworn in this month. She is also the first female Hispanic member of the court, and the third of Hispanic descent in court history.

On Dec. 9, 2012, as the state's first same-sex weddings started around the state, she officiated over King County's first.

In 2011, along with now-Supreme Court Justice Steven Gonzalez, Yu received the Outstanding Judge of the Year award from the Washington State Bar Association for work researching racial disparity in the state's criminal-justice system.

Yu and Gonzalez will be the only justices with experience as superior court judges — which is important given that most of the Supreme Court's work is to review decisions that come out of the state's superior courts, said Seattle appellate attorney Howard Goodfriend.

"They're telling Superior Court judges how to interpret the law, so it's good to have that experience," Goodfriend said. "I'm going to miss Justice Johnson, but we will have a talented and hardworking justice in Judge Yu. I imagine the debate in chambers is going to be very different."

Paul Guppy of the Washington Policy Center, a free-market think tank, said his organization doesn't track judges but worries about the possible lack of ideological and geographical diversity on the bench.

"I think she's pretty liberal or far to the left," Guppy said of Yu, noting that she comes from Western Washington like the majority of current justices. "I think the people of Washington have to be confident the court is serving the cause of justice rather than ideology."

Johnson, first elected to the court in 2004, often wrote in favor of individual property rights, police tactics and the state's Public Records Act. He was sometimes alone in dissent, and he recently cast the only vote against having the court retain oversight of education spending in

Washington, saying the court was overstepping its bounds, and his was the only vote against allowing the governor's office to claim "executive privilege" in withholding documents from public view.

Johnson, 68, decided to not serve out the rest of his term after missing oral arguments because of illness. He told The (Tacoma) News Tribune that in addition to needing a hip replacement redone, he had been diagnosed with polycythemia vera, a rare blood disease that causes headaches and fatigue.

Johnson told the Northwest News Network that while he personally likes Yu, he was concerned that "this court still is not balanced, does not represent all the people of the state, and I'm not sure this is a positive step."

Yu earlier Thursday addressed the potential consternation some may have with the fact that she's from predominantly liberal Seattle.

"While I am from King County, I want each of you to know I am truly and earnestly committed to serving all the people of Washington," she said.

Kellye Testy, dean of the University of Washington law school, has known both Johnson and Yu for years.

Johnson, she said, is "someone who cared about victims' rights, who was always willing to push a question so the court was looking at something from all sides." Yu, with her social-justice background and experience will bring a different but balanced approach, Testy said.

"Mary is so smart, so hardworking ... You know she's there to make sure justice gets done," she said.

Recently, Yu has been the trial judge in the criminal case against Seattle attorney Danford Grant, who is accused of raping five Seattle-area massage therapists.

According to Ian Goodhew, deputy chief of staff to King County Prosecutor Dan Satterberg, Yu informed the parties that "she has a contingency plan to go forward as scheduled," with jury selection to begin Monday under a different judge.

The parties will be in court Friday to discuss how to proceed in light of Yu's appointment to the high court, Goodhew said.

Yu earned her bachelor's degree in theology from Dominican University in River Forest, Ill., and a master's of theology from Mundelein College of Loyola University in Chicago. She got her law degree from the University of Notre Dame.

Before coming to Washington state, she worked for the Archdiocese of Chicago, first as an associate and later as the director of the Peace and Social Justice Office for the Archdiocese of Chicago.