

Published: Sunday, September 14, 2014, 12:01 a.m.
In Our View/State Supreme Court

McCleary: Change starts now

McCleary. The 2012 state Supreme Court ruling breathed life into Article IX of the state Constitution. By affirming a declaratory ruling of the King County Superior Court, the Supremes agreed that Washington was not meeting its “paramount duty...to make ample provision for the education of all the children residing within its borders.”

But the devil is in the phase-in details and periodic benchmarks to reach the 2018 deadline for full funding, that the Legislature “demonstrate that its budget meets its plan.”

Oh, that. Earlier this year, the Supreme Court cried “contempt” and let loose the dogs of partisanship, as McCleary suddenly became shorthand for judicial overreach. But holding up a mirror isn't overreach simply because you don't cotton to the reflection. As the court [underlined in its Thursday ruling](#) holding the state in contempt, the order is predicated on inconvenient reality, not “disrespect.”

“The state assured the court that a contempt order is not necessary to get the Legislature's attention, that school funding is the number one issue on the Legislature's agenda, and that the 2015 session will provide the best opportunity to take meaningful action on the matter,” the court wrote in its unanimous decision. “The court has no doubt that it already has the Legislature's ‘attention.’ But that is not the purpose of a contempt order. Rather, contempt is the means by which a court enforces its lawful orders when they are not followed.”

We won't see shackled legislators taking the perp walk. The court gave lawmakers a pass until the end of the 2015 session. The reprieve provides legislators adequate time to meet their obligation.

It also forces an adult conversation on sustainable budgeting, public values and priorities for the Northwest now and decades from now. (A small-minded solution would shred the social safety net or target higher ed, which is finally on the rebound.)

Rep. Reuven Carlyle, D-Seattle, chairman of the House Finance Committee, calls it the “opportunity of the crisis,” and he's right.

“That ruling is a reflection of more than our Legislature's political will. It is a reflection of whether we have the courage as a representative institution of government to tackle the most difficult, structural policy issues facing our state together and put conscience and constituents above politics.” [Carlyle writes](#). “We need a ‘kids and community’ budget not one that pits schools against the wide range of community services and supports needed to enhance quality of life for our seven million residents.”

Put everything on the table and take the long view. Leaders lead.

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