

Clear choices for high court are Johnson and Stephens

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Two sitting state Supreme Court justices are running against underfunded and underqualified opponents in next month's general election. The two incumbents, Charles Johnson in Position 4 and Debra Stephens in Position 7, are on opposite ends of the experience ladder; Johnson is finishing his fourth term and Stephens her first. But both have compiled impressive records on the court and are clearly superior to their opponents.

The Yakima Herald-Republic editorial board endorses Charles Johnson for Position 4 and Debra Stephens for Position 7 of the Washington state Supreme Court.

- **POSITION 4:** Johnson is especially strong on ensuring access to public records; he was a dissenter in a 2004 ruling that attorney-client privilege takes precedence over the Public Disclosure Act. "If a record is held by a public agency, by and large it is disclosable," he said at a joint interview with the board and challenger Eddie Yoon.

Johnson also voted with the majority in the 2012 McCleary decision, in which the court ruled the state was not living up to its paramount duty of adequately funding K-12 education. Johnson framed the ruling as upholding previous court rulings on education funding and holding the Legislature to following through on its own funding plan.

Yoon, like Johnson, hails from Pierce County. He has worked as an assistant prosecutor and court arbitrator in Pierce County and in recent years as a professor at a law school in South Korea. In meeting with the board, he admitted — when needed by Johnson — that he had registered to vote the day before he filed for the court position.

He cited as an accomplishment his taking two cases to the U.S. Supreme Court involving South Korean issues, but he didn't adequately explain how that experience would help him with issues that come before the state court.

Johnson, in contrast, has a solid grasp of court issues and deserves another term.

- **POSITION 7:** Stephens of Spokane is a relative newcomer, having been appointed to the court in 2007 and winning election without opposition in 2008. Though she has been a justice for only one full term, she already has exerted her influence in the court's most important ruling in recent times.

Stephens penned the majority opinion in the McCleary school-funding decision. In a telephone conference call with the editorial board and opponent John "Zamboni" Scannell, Stephens explained the legal reasoning: The court wasn't mandating school funding levels; instead, it was holding the Legislature accountable for a school-funding plan that it had approved.

Stephens expresses proper concern about fair access to the judicial process regardless of income, and on maintaining openness to public records.

Her opponent, Scannell, insists on using the “Zamboni” nickname on the ballot, which says plenty right there. He claims to stand up for the common man and cites as a major accomplishment his legal maneuvers that delayed — but didn’t deter — the construction of Seattle sports stadiums in the 1990s.

Scannell also has been disbarred for obstructing a Washington State Bar Association investigation into his handling of a case, and for letting a suspended lawyer improperly perform legal work using his name and office. The decision to disbar Scannell was written by Stephens, which pretty much covers specious reasons for running. His disbarment raises a serious constitutional question as to whether he can hold the judicial office if he is elected.

Scannell takes his “Zamboni” moniker from his years of driving the ice-maintenance machine at the Seattle Center ice rink. It turns out he was actually fired from that job for safety violations, according to seattlepi.com, and Supreme Court justice is one job he shouldn’t hold in the first place.

Debra Stephens is clearly the choice for state Supreme Court.

- To view a video interview with candidates Charles Johnson and Eddie Yoon, go to yakimaherald.com/opinion.