

# Meet the McClearys

The person behind the most stunning lawsuit in Washington state history may not be who you expect.

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**TO GET THERE, YOU DRIVE PAST** the Cup and Muffin in Kingston and Gladys' Garden Nursery in Chimacum. You drive till you get to the dirt road that ends at a house with a boat under a tarp and a dog pen on the deck and a plaque at the door, daintily spelling *McCleary*. Below stretches a bluff, from which the view of Port Townsend Bay is so broad and sweeping, it takes your breath away.

This is the home of Stephanie McCleary, lead plaintiff in the Washington school districts' 2007 lawsuit against the state of Washington for neglecting adequate funding of K–12 education.

In superior court, McCleary prevailed. The state appealed, and in the state Supreme Court, McCleary *again* prevailed—this time with added muscle from the justices, who established themselves as watchdogs over the state's progress toward a viable plan to fully fund by 2018. Last September those watchdogs snarled, holding the legislature in contempt for failing to come up with a plan and promising punishments unless legislators produce one by the next session's close—next month.

As drama, this one has it all, beginning with a Washington constitution more boldly prioritizing education—"It is the paramount duty of the state to make ample provision for the education of all children"—than any other state in the union. But at the quiet center is a small-town working wife and mother of two named Stephanie McCleary, who doesn't go a day without seeing her name attached to what is perhaps the biggest legislative-versus-judicial showdown in state history.

Ironic for a woman without a contentious bone in her body. Maternal and kind eyed, Stephanie McCleary is a Chimacum School District administrator by day, a soccer mom by night. The lawsuit wasn't her idea; she was in its path when constitutional lawyer Thomas Ahearne passed through Chimacum signing on school districts and individuals as plaintiffs.

As both a school employee and a parent, McCleary saw the budget crunch from both sides—the hard trade-offs districts make to stay on budget, the corner cutting in her

kids' home-bound texts, the high school exchange students the McClearys host who encounter curriculum they mastered in eighth grade. Ahearne's kids, by contrast, were in the Bainbridge district, flush with donated computers and levies that pass.

So when she and her husband were asked to be lead plaintiffs, shy Stephanie McCleary stepped up. "Had I known then what it was going to be like," McCleary quietly declares, "I probably would've said no way."

There was the announcement of the suit at Seattle Public Library in 2007—McCleary's first time under the hot glare of the cameras—when she wanted to cry and she wanted to run. "The media, they come at you all at once, asking things like 'How have you been harmed? How have your children suffered?' And it's so aggressive." There was the 2008 deposition, where she sat for six hours in an attorney's overheated office, fumbling for words. "I didn't even sound literate."

Ahearne was less than thrilled. "Stephanie was the face of McCleary, but when I met her I was frankly not overly excited. Nice person, not a strong spokesman." The superior court trial was particularly tough; she was in a Seattle hotel for three days, having to be "on" by day and keep it together for her kids by night.

After the trial, McCleary broke down.

To her it felt like PTSD—the release after the anxiety of the trial, compounding to a moment where she blew up at a supportive colleague. Hardest for her was testifying about the insufficiencies of the school system that employed her. "I feel like I almost separated who I was in order to do what I needed to do," she says. She and her kids were in the front row of the courtroom when the superior court judge came back with his favorable decision, and McCleary was stunned. "I didn't think school districts could sue the state! I sure didn't think I'd be the one moving it along."

And somewhere amid the ups and downs, Stephanie McCleary rose to the occasion. "I first saw it on the steps of the Supreme Court after oral arguments," recalls Ahearne. "I was impressed with the calm, direct way she answered press questions, not falling for tricks. I remember thinking, 'She's turned into a great spokesman because she knows she's right.'"

Sitting at the dining room table of her house—the still fulcrum of an overstuffed household spinning with noisy teenagers, barking dogs, a buzzing phone, and about 3,000 of her beloved cookbooks—she radiates serene confidence. If by this session's close the legislature doesn't come up with a plan for making *ample* funding for education for *all* children its *paramount* priority—the high court may impose sanctions. It could order the lawmakers to sell state property. Invalidate whole categories of expenditures. With a swipe of its pen it could, if feeling feisty, turn off the water and heat in the statehouse.

She smiles when asked if it's been worth it. "The biggest lesson my kids have gotten from this was that this was really hard for me—and *it was all about them*. That's so huge.

"A few years ago, before we'd even had a ruling in our favor, I was with a friend saying, 'You know, I feel like I'm supposed to do something big, something to help kids.' My friend just stared at me," McCleary laughs. "I really thought it was going to be putting together bags for street people!"