

Four candidates are vying to fill the open WA Supreme Court seat

Washington voters will choose a replacement for Justice Susan Owens from among an ideologically broad slate of legal professionals.

by [Julia Park](#)
Seattle Crosscut
July 10, 2024



Washington state Supreme Court candidates, from left, Sal Mungia, Dave Larson, Todd Bloom and David R. Shelvey, are running to fill the seat vacated by Justice Susan Owens. (Courtesy of the candidates)

The Washington Supreme Court has one open seat up for grabs in this year's election. Four candidates say they can make the state's justice system better.

The top two vote-getters from the primary will advance to the general election in November. Voters will decide who will fill the vacancy left by [Justice Susan Owens](#), who is retiring per the [state constitution's requirement](#) that justices retire at the end of the year in which they reach their 75th birthday. Owens was elected in 2000 to be the seventh woman to serve on Washington's highest court.

[Chief Justice Steven C. González](#) and [Justice Sheryl Gordon McCloud](#) are also up for reelection this year. They are running unopposed and their names will not appear on the primary ballot.

In Washington, justices are elected in staggered nonpartisan elections. In the case of vacancies between elections, the governor appoints replacements who must win the next election to stay in office.

In recent years, the state Supreme Court has ruled on some contentious issues.

In [*McCleary, et al. v. State of Washington*](#), the Court ruled in 2012 that the state was failing to fulfill its constitutional obligation to amply fund public education. More recently, it has made decisions affecting [evicted tenants](#), the [tax system](#) and [voting districts](#), and has examined the flaws in Washington's legal system such as exploring [racism in jury selection](#).

Cases come to the Supreme Court primarily from lower courts and are permitted for review as long as the money or value of property involved is more than \$200, according to the [court website](#). The Supreme Court must review cases in which the death penalty has been ordered by a lower court. It also has original jurisdiction in cases against state officers, which means that such cases go immediately before the Supreme Court without first being heard at lower court levels.

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Hugh Spitzer, a University of Washington professor and expert in state constitutional law, said that he understands the current members of the state Supreme Court to have fairly progressive views as individuals, but hesitated to make generalizations about the ideological bent of the Court's past rulings.

The judges will "split into different groupings in different cases, just based on how each person understands the law and what the right understanding of the law is," Spitzer said. As for the justices' judicial approaches, Spitzer said the Court tends to split almost 50/50 in leaning "activist" — aiming to change or improve the law through rulings, such as in cases relating to social justice — or "conservative."

The main job of the state Supreme Court is to interpret state laws and the state Constitution. The U.S. Supreme Court interprets federal laws and the U.S. Constitution,

so generally the two bodies overlap only when there's a conflict between state and federal law, which Spitzer said is rare.

Technically, federal law supersedes state law, but the U.S. government may decide it's not cost-efficient to enforce federal laws across the country when states disagree, such as over issues like [legalizing marijuana](#), according to Spitzer.

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The Supreme Court also administers Washington's justice system and oversees the Washington State Bar Association, which regulates attorneys and sets rules such as the requirements for admission to the bar.

The only eligibility requirement to run for Supreme Court is that the candidate be admitted to practice law in the state. Here's what the candidates for Position 2 had to say about their further qualifications.

Sal Mungia

Sal Mungia is a trial and appellate court lawyer currently working for [Gordon Thomas Honeywell](#) in Tacoma, where he has practiced law for 38 years. He said in an interview with Cascade PBS that his 40-year career in law gives him an edge in experience over other candidates.

He has argued cases at every level of both federal and state appellate courts, including the U.S. Supreme Court and many cases concerning constitutional issues, he said.

Mungia said he is running because he values respect for the rule of law and equitable access to justice.

"I've spent my whole career fighting for access to justice and combating bias and discrimination within the legal system," he said. "I'm hoping to use the platform that being on the state Supreme Court gives a person to continue furthering those goals as well."

Mungia was one of a group of lawyers who proposed a new judicial rule to help guard against racial discrimination in jury selection, specifically during peremptory challenges, when attorneys request to remove potential jurors without explanation. The precedent set by the U.S. Supreme Court was a rule proposed in their decision on the case [Batson v. Kentucky](#), but Mungia and his colleagues said they had an alternative that better addressed implicit bias and made it easier for a court to decide that race or ethnicity could have influenced a decision to strike a particular juror from the panel.

That alternative was [General Rule 37](#), which the Washington Supreme Court adopted in 2018.

Mungia has also served as a cooperating attorney with the [American Civil Liberties Union of Washington](#) from 1986 to the present. He has represented groups doing pro bono work — providing free civil legal services for those who can't afford it — in cases involving people incarcerated in the King County and Pierce County jails, detained people at the Northwest Detention Center, and people fighting their landlords over security deposits.

Mungia was born in Lakewood, Washington, studied law at Georgetown University and clerked for state Supreme Court Justice Fred Dore and then U.S. District Court Judge Carolyn Dimmick before joining Gordon Thomas Honeywell in 1986. He is currently chair of the firm's Board of Directors and managing partner.

During his career in private practice, Mungia has represented plaintiffs and defendants in the areas of medical malpractice, personal injury, civil rights, business and commercial disputes and real property lawsuits, according to his [company biography](#).

He has been endorsed by eight of the nine current Supreme Court justices, in addition to four retired justices and over a hundred current or retired judges throughout the state. Mungia has also received endorsements from elected officials including Gov. Jay Inslee, state and federal legislators and several organized labor unions.

Mungia has raised the most money of all the candidates — \$293,729, according to the state [Public Disclosure Commission](#).

Dave Larson

Dave Larson, a judge for the Federal Way Municipal Court, has been serving on the bench since March 2008. Larson said in an interview with Cascade PBS that his candidacy is distinguished from his opponents by the diversity of his experiences as both a lawyer and a judge, as well as his record of working to pass reforms in the state Legislature.

“I’ve been a trial judge for 16 years, so I’m in the trenches,” Larson said. “I’m actually affected by the decisions that the Supreme Court makes and see the impacts that they have on our courts.”

Larson was a trial lawyer for 23 years prior to becoming a judge and argued cases in both state and federal courts, according to his [campaign website](#). During his time as an attorney, Larson was an active member of the Washington State Bar Association, King County Bar Association and Tacoma-Pierce County Bar Association, according to his biography on the [city of Federal Way’s website](#).

Larson said that as a lawyer he represented clients mainly in civil cases. As a judge, he has worked to bring about legislative changes to the court system, and said he is running for the Supreme Court “to bring those home.”

One area of reform Larson has focused on concerns the treatment of criminal defendants. Larson is a member of the Therapeutic Courts Committee within the [District and Municipal Court Judges Association](#), and said he believes that the courts should prioritize therapeutic approaches to get to the root of why people commit crimes and to help them resolve underlying issues, rather than relying on a punitive system.

The Judges Association monitors and works to improve the administration and function of limited-jurisdiction courts under the oversight of the state Supreme Court, governor and Legislature, according to the Association’s website.

[One bill](#) Larson wrote in 2017 led to another version or substitute bill which became law 2021. The law permits district and municipal courts and probation departments to enter

into agreements concerning probation supervision services for defendants in misdemeanor cases.

“Many defendants have cases in multiple courts and fail in probation due to the complexity of reporting to multiple probation departments. This bill allows courts and probation departments to agree to have the person report to one probation department to increase the chance of success,” Larson wrote in a clarifying email.

Larson described himself as a candidate who would bring a different viewpoint to the Court by prioritizing interpreting the law over making decisions based on his personal opinions. He wants to “get the politics out of the courts,” he said.

“We need to get back to our main purpose,” Larson said. “And that’s to be that independent, neutral body that helps society keep moving forward with decisions that are consistent with the law and not with our personal opinion.”

Asked about his endorsements, Larson said he has some, but prioritizes campaign issues over endorsements. According to Larson, he has been endorsed by several former state officials.

Larson ran for Supreme Court Justice [Position 6 in 2016](#), losing to incumbent Charlie Wiggins, and for [Position 3 in 2020](#), losing to Raquel Montoya-Lewis. He received his legal degree from the Seattle University School of Law in 1984.

He has raised \$32,828 for his campaign, according to the [Public Disclosure Commission](#).

David R. Shelvey

David Shelvey has been practicing law for nine years. Currently in private legal practice in Sumner, he provides mainly estate planning services, but also is available to take on family law and tax cases, he said in an interview with Cascade PBS.

Previously, he worked for four years as a family law attorney and also as a tax preparer for H&R Block, he said. He was a paralegal for four years before receiving his law degree from Thomas M. Cooley Law School.

Shelvey also serves as the volunteer president of the Tacoma Eagles Aerie #3, a chapter of the [Fraternal Order of Eagles](#). Shelvey said his leadership experience in the group has taught him to ask questions, a skill he wants to bring to the Court when hearing cases.

He said he wants to make sure he'd be "non-biased and fair to each person that comes in the courtroom in the Supreme Court and says I've been wrongly treated," and "seek to talk with the other justices, to make sure that [he is] understanding the problem correctly."

One of his campaign priorities is supporting the Court in re-evaluating past cases in which they are understood to have made a wrongful conviction or ruling. He brought up [State of Washington v. Jim Wallahee](#), which the Court ruled on in May with the majority opinion that in 1924 the Court had wrongfully convicted Yakama Nation citizen Jim Wallahee of illegally hunting on ceded Yakama land. Shelvey wants to see the Court continue to review past cases and decide if other wrongs need to be righted.

Shelvey does not list endorsements on his website because he said he does not want to take positions, since justices are supposed to be impartial.

He has raised \$2,398 so far, according to the [Public Disclosure Commission](#).

Todd Bloom

Todd A. Bloom is a tax attorney who provides legal advice and professional services to corporations, business owners and families, according to his [statement in the Washington voter guide](#). He also served as an arbitrator for the Financial Industry Regulatory Authority from 1999 to 2020. He earned his law degree from Tulane University and is also a CPA, a chartered financial analyst and a certified financial planner.

He says his goal on the Supreme Court would be to work for an independent, impartial and objective judicial system. Bloom, who has served on the Washington State Bar Association Board of Governors, says he was encouraged to run for a seat on the Court

because of his desire to seek honesty, integrity, intellectual curiosity and fairness in the state's judges.

Bloom says his childhood on a farm and his time in the Navy taught him the dignity of hard work and the value of working beside people from other backgrounds.

After 9/11, he was called up from the Reserves to active duty, and served for more than 10 years.

“Putting my career on hold and leaving my wife and children to deploy to the Persian Gulf was challenging, even before considering the usual hazards of arduous sea duty,” he said in his candidate statement. “The skill sets I have developed through addressing complex situations and collaborating on solutions, along with my demonstrated honor, courage and commitment, will help me ensure the integrity and independence of our Judiciary.”

Bloom did not respond to requests for an interview with Cascade PBS.

He has raised \$2,539, according to the [Public Disclosure Commission](#).

About the Authors & Contributors



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