

Justices received political contributions from groups involved in *McCleary* lawsuit

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Key Findings

1. State reports show supreme court justices have received financial contributions from groups involved in the *McCleary* education funding case.
2. The groups stand to benefit from increased public spending, primarily through mandatory union dues.
3. The justices plan to review the level of state education spending when the legislature adjourns in April.

New research finds that some justices on the state supreme court have received political contributions from groups that stand to gain from increased spending called for by the court's ruling in *McCleary v. State of Washington*.

In January 2012, the supreme court held in the *McCleary* case the state had failed to fully fund education. In the 2013-15 budget, the legislature added \$1.7 billion to spending on education, from \$13.64 billion to \$15.2 billion, an 11.4 percent increase. In September 2014, the court held the legislature in contempt for failing to submit a complete plan for fully implementing its program of basic education. The justices, however, delayed imposing sanctions "and other remedial measures" on the legislature to allow lawmakers time to comply with the court's order during the 2015 legislative session. It is unknown what punishment the court is planning to impose on lawmakers.

Meanwhile, state disclosure reports show some justices have received financial contributions from interested groups. One of the lead plaintiffs in the *McCleary* lawsuit, the Washington Education Association (WEA) union, has made campaign donations to four justices who sought re-election last year. Justices serve six-year terms. WEA union executives say they want the court to require the legislature to dramatically increase spending on public schools.

Mandatory union membership for public school teachers means the union often benefits financially from increases in school budgets. Most teachers must give as much as \$1,000 a year to union executives through required dues and fees.

Public Disclosure Commission reports show four justices received maximum campaign contributions from the WEA union in 2014.

- Justice Mary I. Yu – \$1,900 from WEA Political Action Committee.

- Justice Mary E. Fairhurst – \$1,900 from Washington Education Association.
- Justice Charles W. Johnson – \$1,900 from WEA Political Action Committee.
- Justice Debra L. Stephens – \$1,900 from WEA Political Action Committee.
- Justice Sheryl Gordon McCloud – \$1,800 from WEA Political Action Committee.

Additional contributions were made by unions that support the *McCleary* lawsuit. Reports show Justices Fairhurst, Johnson, Stephens, Owens, Gonzalez and McCloud received political contributions from Service Employees International Union (SEIU) and Washington Federation of State Employees (WFSE/AFSCME), interest groups that also benefit from increased public spending.

State disclosure reports show three other justices received maximum political contributions from the WEA union for their own election campaigns in 2012.

- Justice Susan J. Owens – \$1,800 from Washington Education Association.
 - Justice Stephen C. Gonzalez – \$1,800 from WEA Political Action Committee.
- The court has retained jurisdiction in the *McCleary v. State of Washington*, a public education spending case in which executives at the WEA union hold a strong financial and political interest. WEA executives have spent about \$4 million pursuing the case. The court plans to review the level of public education spending after the legislature adjourns in April.

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