

We endorse: 2 bright minds for Washington Supreme Court, 1 for Pierce Superior Court

By The News Tribune Editorial Board

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Judging Washington state's judges and those who aspire to wear a black robe is the part of voting for which many people feel least equipped and most uncertain. Adding to the fog is that judges aren't supposed to discuss cases currently before the court — or even cases that might someday land in their laps.

Yet the [Washington Constitution](#) tells us to get over it; electing judges is our duty as citizens.

On the Nov. 3 ballot, the TNT Editorial Board endorses Justices **Raquel Montoya-Lewis** and **Helen Whitener** for **Washington Supreme Court** and Judge **Bryan Chuschcoff** for **Pierce County Superior Court**. Two other Supreme Court seats and 21 other Superior Court positions are unopposed.

It's no surprise that challengers emerged for the two junior Supreme Court justices, both appointed by Gov. Jay Inslee in the last 12 months. What's peculiar is that Pierce County's most senior Superior Court judge was the only one to draw an opponent in 2020.

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For **Position 3** on the state's nine-member high court, [Montoya-Lewis](#), 52, is a superb legal mind worthy of a six-year term. Her two-decade record as a tribal court and superior court judge in Whatcom County, plus a master's in social work to supplement her law degree, make her exceptionally well rounded.

Her history-making turn as Washington's first Native American justice is another asset. Anyone who's heard Montoya-Lewis tell how she was disenrolled from the Pueblo tribe, even while presiding over a different tribal disenrollment case, understands that due process is very personal to her.

The alternative for Position 3 is [Dave Larsen](#), a Federal Way Municipal Court judge who lost a 2016 Supreme Court bid. Larsen, 62, is a good candidate, thoughtful on issues such as restorative justice, with a solid career as a trial lawyer on complex national litigation. His judicial work the past dozen years has been more limited, handling traffic and misdemeanor cases.

Larsen said he agonized over running against a woman of color. But he's also running against a more experienced judge.

Bias, both explicit and implicit, has long haunted Washington courts, a heritage that dates to the unjust hanging death of Nisqually Chief Leschi in 1858. The state Supreme Court [posthumously exonerated Leschi](#) in 2004. Electing Montoya-Lewis would be another sign of redemptive progress.

For **Position 6**, [Whitener](#) is the only credible candidate. The 55-year-old University Place resident is adjusting to the high court after her appointment in April. Her five-year stint on the Pierce County bench wasn't a lot. But Whitener has a diverse background as a public defender, pro-tem judge and adjudicator on the state Board of Industrial Insurance Appeals.

She also brings fresh real-world insights to Olympia; when COVID-19 struck, Whitener was working a family law rotation on the Pierce bench and saw first-hand the hardships caused by the virus.

Her opponent, Richard Serns, acknowledges his candidacy is "audacious." That's putting it mildly; he passed the state bar exam in February, two decades after graduating law school. [Serns](#), 69, of Winlock is retired from an honorable career in public school administration, but the notion that he's fit for this office defies common sense.

Whitener is a self-described "black gay female immigrant disabled judge" who's active on gender and justice issues. As the seventh woman now on the high court, she firmly establishes Washington as a refreshing anomaly in an American judiciary that's [overwhelmingly white and male](#). Voters would be wise to retain her.

Likewise, for **Superior Court Department 4**, we see no reason why voters should oust Chuschcoff. First elected in 1996, the Tacoma native served four years as presiding judge. His institutional knowledge is vital for a court that's welcomed 10 new judges since 2015.

Beyond his work with the gavel, [Chuschcoff](#), 68, has led extracurricular projects such as translating court forms into Spanish and advising on pandemic cuts to the court budget. For the latter, he tapped into his experience from the Great Recession.

With so many neophytes on the local court, it's odd that Brady Horenstein, 37, challenged its most veteran member. The Gig Harbor resident didn't identify specific problems with the incumbent, aside from Chuschcoff's tangential role in temporarily sealing some records in the 2009 murder of four Lakewood police officers.

[Horenstein](#) has been a law clerk, lobbyist and worked in legislative relations for the state Administrative Office Of The Courts. While his passion for transparency is heartening, the absence of trial work on his resume is glaring.

We recommend staying with Chuschoff's steady hand on the Pierce County bench.

ABOUT OUR ENDORSEMENTS

The News Tribune Editorial Board interviewed candidates and did other research before making our picks for the 2020 election. Endorsements are intended to promote civic discourse and encourage voters to dig deeper. Board members in this set of interviews include: Stephanie Pedersen, TNT president and publisher; Matt Misterek, editorial page editor; Karen Irwin, editorial writer; Matt Driscoll, local news columnist; Pamela Transue, community representative and former president of Tacoma Community College; and Jim Walton, community representative and former Tacoma city manager. Read more about the candidates in our online [Voter Guide](#).

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