



2026 Washington State Supreme Court Judicial Scorecard

Much attention is given by Washingtonians to the actions of the state legislature, governor, and other statewide elected officials such as the attorney general. Citizens pay scant attention to Washington’s judges or to the decisions they render which can have a profound impact on their lives by affecting public safety, taxes, business climate, citizens’ constitutional rights, and voter-approved ballot measures, among many other issues.

Full Court Press is releasing a first-of-its-kind, comprehensive scorecard highlighting key rulings taken by the Washington State Supreme Court from 2020-2026. Important rulings by our state’s justices deserve more attention and citizens need more information about them. This analysis by Full Court Press of key judicial rulings through its judicial scorecard makes it easier for the public to follow those rulings.

These 12 rulings have been broken into four categories, each with an evaluation criteria:

1. PUBLIC SAFETY

Does this ruling make our state safer and more livable?

2. GOVERNMENT ACCOUNTABILITY

Does this ruling promote transparency and responsible government?

3. PROTECTION OF CONSTITUTIONAL RIGHTS

Does this ruling protect the constitutional rights of citizens?

4. TORT LIABILITY

Does this ruling fairly treat both plaintiffs and defendants in personal injury cases?

Applying these evaluation criteria, when a Supreme Court ruling answers “no” in a given category, a justice’s vote with the majority is scored negatively (red box), while a justice’s vote in the minority (dissenting opinion) is scored positively (green Box)—and vice versa when the ruling answers “yes.” A white box indicates the justice did not participate in that ruling.

In Supreme Court decisions, the majority opinion is the controlling decision and its legal reasoning is supported by more than half of the justices (at least 5 of 9), establishing binding precedent. The minority (dissenting) opinion is authored by justices who disagree with the majority’s outcome or reasoning and offers an alternative legal interpretation.

FULL COURT PRESS

■ Does not Align with FCP’s Evaluation Criteria
 ■ Aligns with FCP’s Evaluation Criteria

Principle	Case	Stephens	Johnson	Madsen**	Gonzalez	McCloud	Yu*	Montoya-Lewis	Whitener	Mungia
Public Safety	Public Defender Caseload Reduction	Majority	Majority	Majority	Majority	Majority	Majority	Majority	Majority	Majority
Public Safety	Making It Easier for Judges to Dismiss Criminal Cases	Majority	Majority	Majority	Majority	Majority	Majority	Majority	Majority	Majority
Public Safety	Voter-Approved Spokane Homeless Camping Initiative	Minority	Majority	Majority	Majority	Majority	Majority		Minority	
Public Safety	Ruling Drug Possession Laws Unconstitutional	Majority	Majority	Minority	Majority	Majority	Majority			
Government Accountability	Collective Bargaining with State Employee Unions	Majority	Majority	Majority	Majority	Majority	Majority	Majority	Majority	Minority
Government Accountability	Failed Attempt by Opponents of the Let’s Go Washington Initiatives to Have Them Removed from the Ballot	Majority	Majority	Majority	Majority	Majority	Majority	Majority	Majority	
Government Accountability	Ruling that Spokane County’s Open Union Negotiations are Unconstitutional	Majority	Majority	Majority	Majority	Majority	Majority	Majority	Majority	
Constitutional Rights	State Capital Gains Tax	Majority	Minority	Majority	Majority	Minority	Majority	Majority	Majority	
Constitutional Rights	Ruling Agriculture’s Exemption from Time and a Half Overtime Pay is Unconstitutional	Minority	Minority	Majority	Majority	Majority	Majority			
Tort Liability	Reversing an Established Legal Principle and Expanding Medical Provider Exposure	Majority	Minority	Minority	Majority	Majority	Majority	Majority		
Tort Liability	Overtaken Longstanding Hospital Liability Rule	Majority	Majority	Majority	Majority	Majority	Majority	Majority	Majority	
Tort Liability	Upholding Certain Defenses in Medical Malpractice Cases	Majority	Majority	Majority	Majority	Majority	Majority	Majority	Majority	

* Justice Mary Yu retired effective December 31, 2025, and Governor Ferguson appointed Colleen Melody to succeed her on the court.

** Justice Barbara Madsen retired effective April 3, 2026, and Governor Ferguson appointed Theo Angelis to succeed her on the court.

Washington State Supreme Court Judges

DEBRA L. STEPHENS

Chief Justice

SEAT #7

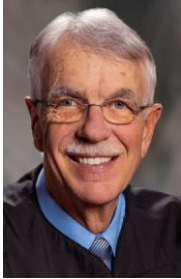


START: January 1, 2008
CHIEF TERM: 2025-present
TERM ENDS: 2026
MANDATORY RETIREMENT: 2040
APPOINTER: Christine Gregoire (D)

CHARLES W. JOHNSON

Associate Chief Justice

SEAT #4



START: January 14, 1991
CHIEF TERM: -
TERM ENDS: 2026
MANDATORY RETIREMENT: 2026
Elected 1990

BARBARA MADSEN**

SEAT #5



START: January 11, 1993
CHIEF TERM: 2010-2017
RESIGNED: April 2026
MANDATORY RETIREMENT: 2027
Elected 1992

STEVEN GONZÁLEZ

SEAT #8



START: January 1, 2012
CHIEF TERM: 2021-2025
TERM ENDS: 2030
MANDATORY RETIREMENT: 2038
APPOINTER: Christine Gregoire (D)

SHERYL GORDON MCCLLOUD

SEAT #9



START: January 9, 2013
CHIEF TERM: -
TERM ENDS: 2030
MANDATORY RETIREMENT: 2030
Elected 2012

MARY YU*

SEAT #1



START: May 20, 2014
CHIEF TERM: -
RESIGNED: December 2025
MANDATORY RETIREMENT: 2032
APPOINTER: Jay Inslee (D)

RAQUEL MONTOYA-LEWIS

SEAT #3



START: January 6, 2020
CHIEF TERM: -
TERM ENDS: 2026
MANDATORY RETIREMENT: 2043
APPOINTER: Jay Inslee (D)

HELEN WHITENER

SEAT #6



START: April 24, 2020
CHIEF TERM: -
TERM ENDS: 2028
MANDATORY RETIREMENT: 2039
APPOINTER: Jay Inslee (D)

SAL MUNGIA

SEAT #2



START: January 13, 2025
CHIEF TERM: -
TERM ENDS: 2030
MANDATORY RETIREMENT: 2034
Elected 2024

* Justice Mary Yu retired effective December 31, 2025, and Governor Ferguson appointed Colleen Melody to succeed her on the court.

** Justice Barbara Madsen retired effective April 3, 2026, and Governor Ferguson appointed Theo Angelis to succeed her on the court.

Supreme Court Cases

Public Defender Caseload Reduction

Amendments to CrR 3.1 / CrRLJ 3.1 (2026)

RULE: [HTTPS://WWW.COURTS.WA.GOV/COURT_RULE_RELATED_ORDERS/ORDERS/25700-A-1681.PDF](https://www.courts.wa.gov/court_rule_related_orders/orders/25700-A-1681.pdf)

Issue: The Washington Supreme Court adopted an amendment to state court rules that reduced the maximum allowable caseloads for public defenders across the state in a year. The rule cuts felony case limits by nearly 70% and cuts misdemeanor case limits by roughly 60%.

Why This Decision Is Significant: While ensuring effective assistance of counsel is a constitutionally sound objective, the scale of this Court-ordered reform creates substantial fiscal and structural challenges statewide. The Court's amendments to public defender caseload rules constitute a sweeping overhaul, not a minor adjustment. The Court has fundamentally reshaped the state's public defense system.

Because local governments fund public defense, they must now either significantly increase spending to hire more attorneys; reduce prosecution levels; or adopt a combination of both. In practice, this will result in higher local taxes across the state and fewer criminal cases being prosecuted as pressure on local government budgets causes reductions in public safety and other spending. **This rule change may adversely impact local governments' ability to fund their public safety programs.**

Criminal Rule 8.3(b) Change (Making It Easier for Judges to Dismiss Criminal Cases)

Proposed Amendment to CrR 8.3/CrRLJ 8.3 (2025)

RULE: [HTTPS://WWW.COURTS.WA.GOV/COURT_RULE_RELATED_ORDERS/ORDERS/25700-A-1655.PDF](https://www.courts.wa.gov/court_rule_related_orders/orders/25700-A-1655.pdf)

Issue: Washington's Supreme Court changed court rules to give judges more power to throw out criminal cases if they think the government acted unfairly. All judges in the state can now look at a broader set of issues to determine whether the defendant can receive a fair trial.

Why This Decision Is Significant: Before this change, a judge could not dismiss a criminal case unless the defendant's right to a fair trial was clearly harmed. Judges weren't allowed to dismiss cases just because they disagreed with what charges the prosecutor filed, for example.

Now, judges have much more freedom to dismiss cases based on their personal judgment rather than clear legal standards. This can lead to criminal cases being dismissed even when there is strong evidence, including cases involving violent crimes. **This rule change could adversely affect public safety by fundamentally changing judicial proceedings in our state.**

Voter-Approved Spokane Homeless Camping Initiative

Jewels Helping Hands & Ben Stuckart v. Brian Hansen, et al, No. 39924-9 (2023)

OPINION: [HTTPS://WWW.COURTS.WA.GOV/OPINIONS/PDF/1028148.PDF](https://www.courts.wa.gov/opinions/pdf/1028148.pdf)

Issue Before the Justices: Whether a local initiative passed by voters in Spokane regulating where homeless individuals could camp was allowable through the local initiative process.

Ruling: The Court ruled voters can only use local ballot initiatives to make big policy decisions, not to manage how a city runs its day-to-day operations.

Why This Decision Is Significant: This ruling limited the types of issues voters can decide through local initiatives. As a result, voters now have less ability to directly shape policies in their own communities. **This ruling weakens the ability of voters to utilize their constitutionally protected right to the initiative process.**

Ruling Drug Possession Laws Unconstitutional

State v. Blake, No. 96873-0 (2021)

OPINION: [HTTPS://WWW.COURTS.WA.GOV/OPINIONS/PDF/968730.PDF](https://www.courts.wa.gov/opinions/pdf/968730.pdf)

Issue Before the Justices: Whether Washington state's drug possession laws were constitutional.

Ruling: The Court ruled in 2021 that the state's drug possession laws were unconstitutional.

Why This Decision Is Significant: Once the decision took effect in 2021, hundreds of people in prison solely

for drug possession were released. Many serving time for other crimes but with drug possession convictions had their sentences reduced. The state had to vacate tens of thousands of past convictions, creating huge workloads for already strained courts and prosecutors. The state became responsible for millions in refunds and compensation for wrongful incarceration. Prosecutors had to drop pending possession cases and dismiss outstanding warrants. Because the Legislature didn't pass a fix during the 2023 session, a special session was called in May 2023 to pass what became known as the "Blake Fix" at additional cost to the taxpayers. Under this new law, drug possession is now treated as a gross misdemeanor instead of a felony. **This ruling erodes public safety.**

Collective Bargaining with State Employee Unions

Citizen Action Defense Fund v. Washington State Office of Financial Management, No. 103370-2 (2025)

OPINION: [HTTPS://WWW.COURTS.WA.GOV/OPINIONS/PDF/1033702.PDF](https://www.courts.wa.gov/opinions/pdf/1033702.pdf)

Issue Before the Justices: Whether public-sector collective bargaining negotiations should be subject to public disclosure before the governor signs the state budget funding those agreements.

Ruling: The Court ruled that collective bargaining offers and proposals between the Governor and public sector labor unions are exempt from disclosure until after the governor signs the agreement into the state budget.

Why This Decision Is Significant: This decision limits the public's access to information about multi-billion-dollar government labor contract negotiations, even while the state budget is being drafted and debated by state legislators to include those costs. Prior court rulings have protected the public's ability to

review documents once they are created, regardless of political sensitivity. **This ruling could erode government accountability and transparency.**

Opponents of the Let's Go Washington Initiatives to Have Them Removed from the Ballot

Defend Wash. v. Hobbs, No. 102996-9 (2024)

OPINION: [HTTPS://WWW.COURTS.WA.GOV/CONTENT/PUBLICUPLOAD/SUPREME%20COURT%20ORDERS/1029969%20PUBLIC%20ORDER%20OTHER%2008092024.PDF](https://www.courts.wa.gov/content/publicupload/supreme%20court%20orders/1029969%20public%20order%20other%2008092024.pdf)

Issue Before the Justices: Whether the Secretary of State's signature-verification method for statewide initiatives complied with Washington election laws.

Ruling: The Court ruled that the Secretary of State's signature-verification method for initiatives in 2024 followed state election laws.

Why This Decision Is Significant: This ruling approved the Secretary of State's process for verifying signatures and protected voters' ability to put initiatives on the ballot. However, the Court did not include the initiative sponsors or allow outside groups to weigh in, which raises fairness concerns. Removing Initiatives 2081, 2109, 2111, 2117, and 2124 from the ballot would have taken away voters' voices and would damage public trust in our election process. **This ruling protected voters' constitutional right to the initiative process.**

Ruling that Spokane County's Open Union Negotiations are Unconstitutional

Wash. State Council of County & City Emps. v. City of Spokane, No. 100676-4 (2022)

OPINION: [HTTPS://WWW.COURTS.WA.GOV/OPINIONS/PDF/1006764.PDF](https://www.courts.wa.gov/opinions/pdf/1006764.pdf)

Issue Before the Justices: Whether a voter-approved provision to the City of Spokane's Charter that required city union contract negotiations to be open to the public was constitutional.

Ruling: The Court ruled that the provision was unconstitutional and invalid because it conflicted with state law.

Why This Decision Is Significant: This decision prioritizes government and union secrecy over public accountability, especially since collective bargaining agreements directly affect the size, scope and cost of government.

State Capital Gains Tax

Quinn v. State, No. 100769-8 (2023)

OPINION: [HTTPS://WWW.COURTS.WA.GOV/OPINIONS/PDF/1007698.PDF](https://www.courts.wa.gov/opinions/pdf/1007698.pdf)

Issue Before the Justices: Whether a state tax on capital gains that was passed by the legislature in 2021 (long-term capital gains reported to the IRS on federal income tax returns) is constitutional.

Ruling: The Court ruled the tax is not really on "income" but is an excise imposed on the sale of assets that is measured by the amount of income generated, so it is constitutional.

Why This Decision Is Significant: This decision overturned decades of precedent which recognized that taxes that are based on income are income taxes, even when labeled as "excise" taxes by the legislature. **By treating the capital**

gains tax as an “excise tax,” the Court made it easier for the government to tax more types of income in the future.

Ruling Agriculture’s Exemption from Time-and-a-Half Overtime Pay is Unconstitutional

Martinez-Cuevas v. DeRuyter Bros. Dairy, Inc., No. 96267-7 (2020)

OPINION: [HTTPS://WWW.COURTS.WA.GOV/OPINIONS/PDF/962677.PDF](https://www.courts.wa.gov/opinions/pdf/962677.pdf)

Issue Before the Justices: Whether Washington state’s law granting an exemption from overtime pay to agriculture workers was constitutional.

Ruling: The Court ruled that the exemption was unconstitutional.

Why This Decision Is Significant: The Court ruled that the legislature didn’t have a good reason for exempting the agricultural industry, even though there was strong evidence supporting the exemption. The ruling had real financial consequences for farmers, including higher labor costs in an industry that already operates on thin margins, making farm survival uncertain, increasing the use of machines, and moving production out of Washington state. Worker’s hours are being capped because employers can’t afford overtime and many agricultural workers are being forced to take second jobs to make up lost income. **This ruling prioritized public policy over the law and worsens the state business climate for Washington farmers.**

Reversing an Established Legal Principle and Expanding Medical Provider Exposure

Bennett v. United States, No. 101300-1 (2023) - On Certification from the U.S. District Court

OPINION: [HTTPS://WWW.COURTS.WA.GOV/OPINIONS/PDF/1013001.PDF](https://www.courts.wa.gov/opinions/pdf/1013001.pdf)

Issue Before the Justices: A federal court asked the Washington Supreme Court to decide whether the state’s eight-year time limit for medical malpractice claims is constitutional.

Ruling: The Court ruled that the current law, RCW 4.16.350(3), that blocks malpractice claims after eight years, is unconstitutional under state law.

Why This Decision Is Significant: This ruling means healthcare providers and insurers could face liability for much longer periods, which will likely increase malpractice insurance costs, encourage defensive medicine (ordering extra tests or procedures to avoid lawsuits), and require much longer record-keeping. In short, it will make healthcare more expensive for patients. **This ruling will make healthcare more expensive by unnecessarily increasing liability for healthcare providers.**

Overtured Longstanding Hospital Liability Rule

Est. of Essex v. Grant County Pub. Hosp. Dist. No. 1, No. 101745-6 (2024)

OPINION: [HTTPS://WWW.COURTS.WA.GOV/OPINIONS/PDF/1017456.PDF](https://www.courts.wa.gov/opinions/pdf/1017456.pdf)

Issue Before the Justices: Whether a hospital can be held responsible if a doctor who isn’t an employee of the hospital makes a mistake while working there.

Ruling: The Court ruled that even if a doctor is not an employee, the hospital is still responsible for key duties related to providing care.

Why This Decision Is Significant: This ruling overturns previous decisions that required patients to prove a doctor was a direct hospital employee. Hospitals can now be held responsible for mistakes made by third-party contracted providers practicing in their facilities. This change will raise malpractice insurance, increase risk management costs, and drive-up overall healthcare expenses, especially for rural communities. This will also limit access to care and hospitals will now choose not to have other doctors and specialists in their region providing needed services in local hospitals. **This ruling may increase liability for medical providers and make healthcare more expensive.**

Upholding Certain Defenses in Medical Malpractice Cases

Mari Davies, Appellant v. Multicare Health System Et Al., Respondents, No. 100079-1 (2022)

OPINION: [HTTPS://WWW.COURTS.WA.GOV/OPINIONS/PDF/1000791.PDF](https://www.courts.wa.gov/opinions/pdf/1000791.pdf)

Issue: Whether a patient can sue a hospital or doctor for not being fully told about the risks or options for treatment, even if the doctors didn’t make a clear mistake in how they treated the patient.

Ruling: The Court ruled that doctors and hospitals can defend themselves by showing a misdiagnosis was an honest mistake or a reasonable judgment call.

Why This Decision Is Significant: This ruling is an important safeguard for doctors and hospitals. It prevents people from unfairly judging medical decisions after the fact, based on outcomes that couldn’t have been predicted. Without this protection, almost any bad result could be called a mistake, increasing lawsuits and driving up healthcare costs. **This ruling strengthens an important defense for medical providers.**