



WASHINGTON
COURTS

**DISTRICT AND MUNICIPAL
COURT JUDGES' ASSOCIATION**

BOARD MEETING

May 14, 2016

**BEST WESTERN
DAYTON, WASHINGTON**

**DISTRICT AND MUNICIPAL COURT JUDGES' ASSOCIATION
SCHEDULE OF BOARD MEETINGS
2015-2016**

DATE	TIME	MEETING LOCATION
Tentative: Friday, July 10, 2015	12:30 – 3:30 p.m.	AOC SeaTac Office Center
Friday, Aug. 14, 2015	12:30 – 3:30 p.m.	AOC SeaTac Office Center
Thursday, Sept. 3, 2015	10:30 a.m. – 1:30 p.m.	AOC Puget Sound Conference Room, Olympia
Friday, Oct. 9, 2015	12:30 – 3:30 p.m.	AOC SeaTac Office Center
Friday, Nov. 13, 2015	12:30 – 3:30 p.m.	AOC SeaTac Office Center
Friday, Dec. 11, 2015	12:30 – 3:30 p.m.	AOC SeaTac Office Center
Friday, Jan. 8, 2016	12:30 – 3:30 p.m.	AOC SeaTac Office Center
Friday, Feb. 12, 2016	12:30 – 3:30 p.m.	AOC SeaTac Office Center
Friday, March 11, 2016	12:30 – 3:30 p.m.	AOC SeaTac Office Center
Friday, April 8, 2016	12:30 – 3:30 p.m.	AOC SeaTac Office Center
Friday, May 13, 2016 & Saturday, May 14, 2016	May 13: 12:00-5:00 p.m. May 14: 9:00-1:00 p.m.	Best Western Dayton, WA
Sunday, June 5, 2016	9:00 a.m. – 12:00 p.m.	Campbell's Resort, Chelan, WA, in conjunction with Spring Program

AOC Staff: Sharon Harvey

(AOC Conference Room Reserved)

Updated: October 27, 2015



WASHINGTON
COURTS

DMCJA BOARD MEETING
SATURDAY, MAY 14, 2016
11:10 AM – 1:00 PM
BEST WESTERN
DAYTON, WA

PRESIDENT JUDGE DAVID STEINER

AGENDA

TAB

Call to Order

General Business

- A. Minutes – April 8, 2016 (pp 1-5)
- B. Treasurer’s Report – *Judge Burrowes* (pp 7-30)
- C. Special Fund Report – *Judge Ahlf* (pp 31-34))
- D. Standing Committee Reports
 - 1. Rules Committee Minutes for March 23, 2016 (pp 35-36)
- E. Trial Court Advocacy Board (TCAB)

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Liaison Reports

- A. District and Municipal Court Management Association (**DMCMA**) – *Ms. Linda Baker*
- B. Superior Court Judges’ Association (**SCJA**) – *Judge Sean O’Donnell*
- C. Washington State Bar Association (**WSBA**) – *Sean Davis, Esq.*
- D. Washington State Association for Justice (**WSAJ**) – *Loyd Willaford, Esq.*
- E. Board for Judicial Administration (**BJA**) – *Judges Garrow, Jasprica, Lambo, and Ringus*

Action

- A. Whether to adopt the DMCJA Rules Committee’s Recommendation regarding ACLU’s Proposed Amendments to General Rule 35, *Jury Selection* (pp 37-44)
- B. DMCJA National Leadership Grant Applications (pp 45-54)
- C. DMCJA Vice-President to serve on the BJA Policy and Planning Committee (pp 55-58)
- D. DMCJA Rules Committee Recommendation regarding Proposed Amendments to GR 26 (pp 59-64)

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Discussion

- A. Washington State Center for Court Research Follow-up: Whether to invite a researcher to discuss effective methods of handling drug addiction in the courts (pp 65-82)
- B. Whether the DMCJA Should Reconsider its Proposed Amendment to CrRLJ 3.2 (pp 83-84)
- C. Judge Sean O’Donnell’s Request that the BJA have final hiring authority for the new Judicial Lobbyist (Departure of Mellani McAleenan, Esq.) (pp 85-88)
- D. DMCJA Bylaws – Interpretation of Bylaw regarding BJA Representative Term Limits (pp 89-92)

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Information A. The DMCJA Annual Spring Conference is June 5-8, 2016, at the Campbell's Resort, in Chelan, WA. B. Receipt for Flowers sent to Memorial Service for Mr. Don Dietz, husband of State Court Administrator, Callie Dietz (p 93) C. DMCJA Support Letter for Minority and Justice Commission Grant regarding LFOs (p 95)	4
Other Business A. The next DMCJA Board Meeting is Sunday, June 5, 2016, 9:00 a.m. to 12:00 p.m., at the Campbell's Resort, in Chelan, WA.	
Adjourn	



DMCJA Board of Governors Meeting
Friday, April 8, 2016, 12:30 p.m. – 3:30 p.m.
AOC SeaTac Office
SeaTac, WA

MEETING MINUTES

Members Present:

Chair, Judge David Steiner
Judge Joseph Burrowes
Judge Linda Coburn
Judge Karen Donohue
Judge Michelle Gehlsen
Judge Michael Lambo (non-voting)
Commissioner Rick Leo
Judge G. Scott Marinella
Judge Kevin Ringus (non-voting)
Judge Rebecca Robertson
Judge Douglas Robinson
Judge Charles Short
Judge David Svaren

Guests:

Ms. Linda Baker, DMCMA
Ms. Sarah Clinton, YMCA
Judge Michael Downes, SCJA
Sean Davis, Esq., WSBA
Ms. Deena Kaelin, MCA
Lloyd Willaford, Esq., WSAJ

AOC Staff:

Ms. J Benway, Legal Analyst (via phone)
Ms. Vicky Cullinane, Business Liaison
Ms. Sharon R. Harvey, Primary DMCJA Staff

Members Absent:

Judge Scott Ahlf
Judge Douglas Fair
Judge Janet Garrow (non-voting)
Judge Judy Jasprica (non-voting)
Judge Samuel Meyer
Judge Tracy Staab

CALL TO ORDER

Judge David Steiner, District and Municipal Court Judges' Association (DMCJA) President, noted a quorum was present and called the DMCJA Board of Governors (Board) meeting to order at 12:30 pm. Judge Steiner asked attendees to introduce themselves.

GENERAL BUSINESS

A. Minutes

The Board motioned, seconded, and passed a vote (M/S/P) to approve the Minutes for March 11, 2016, with an amendment to the *Judicial Information System Committee Report* that states, "The JISC **has hired** an independent quality control entity, which is required on projects of this size, to determine the risks that could possibly torpedo the SC-CMS Project." The former sentence stated, "The JISC **will hire** an independent quality control entity, which is required on projects of this size, to determine the risks that could possibly torpedo the SC-CMS Project."

B. Treasurer's Report

M/S/P to approve the Treasurer's Report. Judge Burrowes' report provided a list of the DMCJA Judges who have not paid their annual dues. He stated that he would contact these DMCJA members with e-mails and follow-up telephone calls to remind these members to pay their DMCJA dues.

C. Standing Committee Reports

1. Rules Committee Minutes for February 24, 2016

Ms. Benway, AOC Staff for the DMCJA Rules Committee, reported that the Committee met on February 24, 2016 and discussed topics relating to General Rule (GR) 11.3 (Telephonic Interpretation), Infraction Rules for Courts of Limited Jurisdiction (IRLJ) 3.4 (Hearing on Mitigating Circumstances), and GR 14.1 (Citation to Unpublished Opinions).

D. Trial Court Advocacy Board (TCAB) Update

Judge Svaren reported that the TCAB met the morning of Friday, April 8, 2016. The group discussed issues regarding video testimony court rules, Court Security Rule, and Court Funding. The Senate Bill (SB) 5177, *Improving timeliness of competency evaluation and restoration services*, workgroup has developed court rules regarding video testimony. Further, TCAB members noticed a discrepancy between the Superior Court and Courts of Limited Jurisdiction rules. Namely, in Superior Court Criminal Rule (CrR) 3.4 (e)(1) the language is discretionary while language in CrRLJ 3.4 (e)(1) is mandatory. Judge Svaren will send a letter to Judge Ronald Kessler, SB 5177 Workgroup Chair, requesting discretionary language in both rules.

Judge Steiner reported that TCAB members noticed that the court security standards clause was omitted from the proposed Rule when the Supreme Court reformatted the Rule. The Supreme Court deleted the court security standards language because there are no security standards that have been adopted by the TCAB. For this reason, Judge Steiner requested that Judge Robertson, Trial Court Security Committee Chair, convene a meeting to promulgate TCAB Court Security standards and to report back by the May 20, 2016 TCAB meeting.

Judge Marinella reported that trial court funding is a priority for TCAB. The group discussed the Trial Court Improvement Account (TCIA), which was created in 2005 by Second Engrossed Substitute Senate Bill (2ESSB) 5454. The bill was to provide for phased-in funding. The goal was to have the state pay fifty percent of the district court judges' salaries and twenty-five percent of elected municipal court judges' salaries, with savings to be deposited in the TCIA. However, these amounts have yet to be realized. Judge Marinella further reported that TCAB will contact Ms. Callie Dietz, State Court Administrator, regarding obtaining additional staff support to assist with issues related to 2ESSB 5454.

E. Judicial Information System (JIS) Report (Vicky Cullinane)

Ms. Cullinane reported on the status of the (1) Courts of Limited Jurisdiction Case Management System (CLJ-CMS) Project, (2) Information Technology Governance (ITG) 41, Destruction of Documents, (3) Expedited Data Exchange, and (4) Plain Paper Notices. She informed that the CLJ-CMS Project Steering Committee, and then the JIS Committee will review the request for proposal (RFP) for the new CLJ-CMS, and they are expecting to release the RFP early this fall. Regarding ITG 41, Destruction of Records, AOC created a way for courts to flag deferred prosecution cases to prevent their deletion, and will wait until a court has marked them before deleting that court's other non-conviction cases. Ms. Cullinane then reported on the Expedited Data Exchange (EDE) Project. She explained that once King County District Court (KCDC) is completely on its own system, KCDC case information will not appear in JIS. Users will have to use JABS to get a complete criminal history. Ms. Cullinane then informed that in a few months courts will be able to print hearing notices on plain paper, as many courts do now for warrants.

LIAISON REPORTS

A. District and Municipal Court Management Association (DMCMA)

Ms. Baker, DMCMA President, reported that the DMCMA will not meet in April 2016. She further reported on an issue related to the Abstract Court Record (ACR) reports that the court submits to the Department of Licensing (DOL) via a web based form. Ms. Baker informed that the DOL no longer strictly adheres to its policy that courts provide the password used to submit the ACR report to Washington Technology Solutions (WaTech), after being advised that the DMCMA opposes the practice because it considers it unsafe.

B. Misdemeanant Corrections Association (MCA)

Ms. Kaelin reported that the MCA met in March 2016. The MCA has an AD HOC Committee to review the current risk assessment tool. The Committee will research and obtain a new tool or assist in the development of a new risk assessment tool.

C. Board for Judicial Administration (BJA)

Judge Ringus informed that the BJA will not meet in April 2016. He reported that in March, the Association discussed issues regarding the budget committee, the Special Legislative Session, the civil legal needs study and the reduction of BJA Standing Committees. The group will discuss the next steps for the BJA at its May meeting.

D. Superior Court Judges' Association (SCJA)

Judge Downes reported that neither the Senate Bill (SB) 6317, *Establishing an office of superior courts*, nor the budget proviso to fund the Office of Superior Court passed out of the Legislature. He informed that there was discussion between the AOC and the SCJA to hire a mediator from the National Center for State Courts to resolve issues between the two entities. Judge Downes then announced that this is his last meeting as the SCJA liaison to the DMCJA because he will become the SCJA President at the end of the month.

E. Washington State Association for Justice (WSAJ)

Mr. Willaford reported that the WSAJ has concerns regarding judicial education relating to the Washington Rules of Civil Procedure. Judge Burrowes, DMCJA Education Committee Co-Chair, requested that Mr. Willaford send a list of concerns to Judge Burrowes' attention.

F. Washington State Bar Association (WSBA)

Mr. Davis reported that the WSBA Board of Governors will review comments regarding the Task Force reports next week.

DISCUSSION

Board Packets

Prior to addressing the discussion items on the agenda, Judge Steiner informed that he wanted to add an item to the list, namely, whether judges want to continue to receive hard copies of Board packets. Judge Steiner took a straw poll and determined that Board members want to continue hard copies of Board packets.

A. YMCA Regional Mock Trial Competition

Ms. Sarah Clinton, YMCA Executive Director, expressed her gratitude to the DMCJA for financially contributing to the YMCA Youth and Government Program (Program). The DMCJA has financially supported the Program for more than a decade. Ms. Clinton informed that the Program includes both the (1) Mock Trial competition, and (2) Youth Legislators. There are approximately twelve hundred high school students in Washington State participating in the Program. DMCJA judges have been instrumental in the Mock Trial Program by serving as judges, according to Ms. Clinton. She also informed that the YMCA aims to instill its core values of caring, honesty, respect, and responsibility to all students participating in the Program.

B. Washington State Center for Court Research Follow-up: Whether to invite a researcher to discuss effective methods of handling drug addiction in the courts

This topic is a follow-up to the WSCCR presentation at the February board meeting. During the WSCCR presentation, Dr. Carl McCurley was asked for statistics related to the effectiveness of jail and drug treatment courts for defendants with drug addictions. Dr. McCurley informed that a professor at the Washington State University could best provide answers to questions regarding the courts and drug addiction and offered to request that the Professor speak to the Board on the topic. Judge Steiner informed the Board that he inquired information from WSCCR to determine what the researcher could provide to the Board. Judge Steiner is awaiting a response. Judge Donohue, DMCJA Education Committee Co-Chair, informed that there will be a

Plenary Session, *Treating the Addicted Brain: What Works* that will address issues regarding effective methods of handling drug addiction in the courts. Judge Robertson reported that the program in Judge Portnoy's courtroom, *The Heroin Epidemic New Challenges for the Courts*, was phenomenal. Judge Downes also stated that there is a television show that addresses the heroin epidemic in the Seattle area. Judge Steiner stated that he would provide a link of this television show to the Board.

This issue will be a discussion item at the May Board meeting because the necessary information was not obtained in time for the April Board meeting.

C. DMCJA Rules Committee Recommendation regarding Proposed Amendments to GR 26

Ms. Benway reported that the Rules Committee reviewed the District and Municipal Court Management Association (DMCMA) proposed amendments to General Rule (GR) 26, *Mandatory Continuing Judicial Education*, and is in favor of the idea. The Committee, however, had concerns with the manner in which the proposed amendments are set forth. Thus, the Rules Committee requested that Ms. Margaret Yetter, DMCMA, make a few changes and prepare a GR 9 sheet that would provide more background regarding the proposed Rule. Ms. Yetter made the necessary changes and forwarded the documents to the Education Committee, which is now reviewing the proposed amendments.

D. DMCJA Rules Committee Recommendation regarding Proposed Amendments to GR 35

This issue relates to proposed amendments to GR 35, *Jury Selection*, by the American Civil Liberties Union (ACLU). Ms. Benway reported that the proposal is technically a new rule regarding peremptory or Batson challenges. The Rules Committee is concerned that the issue is premature because there is developing case law regarding the issue of peremptory challenges. The Committee, therefore, recommends that the Board not endorse the proposed amendments at this time. The Superior Court Judges Association has also taken no position at this time, according to Judge Downes. This topic will be an action item at the next Board meeting.

E. DMCJA National Leadership Grant Applications

Judge Steiner informed that four DMCJA judges have submitted National Leadership Grant Applications. These judges are (1) Judge Richard Kayne, Medical Lake Municipal Court, (2) Judge Janet Garrow, King County District Court, (3) Judge Karen Donohue, Seattle Municipal Court, and (4) Judge Marilyn Paja, Kitsap County District Court. M/S/P to make this an action item at the Board meeting in May 2016.

F. DMCJA Vice-President to serve on the BJA Policy and Planning Committee

Judge Marinella reported that the BJA Policy and Planning Committee has proposed amendments to its Charter that would allow for an additional DMCJA member. Judge Marinella recommended that the additional member be the DMCJA Vice President in order to provide continuity for the position. DMCJA members on this Committee will include the (a) DMCJA President-Elect, (b) DMCJA Representative on the BJA, and (c) DMCJA judge. This topic will be an action item at the next Board meeting in May 2016.

G. Judicial Information System Committee (JISC) Meeting Follow-up: E-Filing

Judge Marinella reported that the JISC is considering an electronic filing (e-filing) system for all court levels. In Washington State, only five counties offer the e-filing of court cases, namely, King, Pierce, Thurston, Clark, and Chelan. Judge Marinella informed that the JISC intends to make a decision regarding how e-filing should be implemented in Washington. He noted that as the JISC approaches the new court case management system, the JISC must decide whether to include e-filing. There are various questions surrounding a statewide e-filing system, such as how it will be funded and whether it should be mandatory for all counties. For this reason, Justice Mary Fairhurst, JISC Chair, has asked each JISC member to request from its group the types of issues and policy questions that will need to be addressed regarding e-filing. Thus, Judge Marinella presented the issue to the Board.

ACTION

- A. Bylaws Committee Report regarding amendment to the Nominating and Diversity Committees that states, "The Chair of the Diversity Committee shall be a member of the Nominating Committee."

M/S/P to approve the amendment to the Nominating and Diversity Committees proposed by the Bylaws Committee. M/S/P to propose this amendment at the Annual Spring Conference.

INFORMATION

The Board Retreat is May 13-14, 2016 at the Best Western in Dayton, WA. Please complete and return the RSVP form to Sondra Hahn.

OTHER BUSINESS

The agenda packet stated that the next DMCJA Board meeting is Saturday, May 14, 2016, 11:10 am to 1 p.m. at the Best Western in Dayton, WA.

ADJOURNED at 1:55 PM.

District and Municipal Court Judges' Association

President

JUDGE DAVID STEINER
King County District Court
585 112th Ave SE
Bellevue, WA 98004
(206) 477-2102

President-Elect

JUDGE G. SCOTT MARINELLA
Columbia County District Court
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Dayton, WA 99328-1279
(509) 382-4812

Vice-President

JUDGE SCOTT K. AHLF
Olympia Municipal Court
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PO Box 1967
Olympia, WA 98507-1967
(360) 753-8312

Secretary/Treasurer

JUDGE JOSEPH M. BURROWES
Benton County District Court
7122 W Okanogan Pl. Bldg A
Kennewick, WA 99336-2359
(509) 735-8476

Past President

JUDGE DAVID A. SVAREN
Skagit County District Court
600 S 3rd Street
PO Box 340
Mount Vernon, WA 98273-0340
(360) 336-9319

Board of Governors

JUDGE KAREN DONOHUE
Seattle Municipal Court
(206) 684-7903

JUDGE DOUGLAS J. FAIR
Snohomish County District Court
(425) 744-6804

JUDGE MICHELLE K. GEHLSSEN
Bothell Municipal Court
(425) 487-5587

JUDGE SAMUEL MEYER
Thurston County District Court
(360) 786-5562

COMMISSIONER SUSAN J. NOONAN
King County District Court
(206) 477-1720

JUDGE REBECCA C. ROBERTSON
Federal Way Municipal Court
(253) 835-3000

JUDGE DOUGLAS B. ROBINSON
Whitman County Dist. Court
(509) 397-5297

JUDGE CHARLES D. SHORT
Okanogan County District Court
(509) 422-7170

JUDGE TRACY A. STAAB
Spokane Municipal Court
(509) 625-4400

To: President Steiner; DMCJA Officers; DMCJA Board of Governors

From: Joseph M. Burrowes, DMCJA Treasure

Subject: Monthly Treasure's Report for April 2016

Dear President Steiner, Officers and Members of the DMCJA:

The following is a summary of the total DMCJA accounts, expenditures and deposits, as well as an update regarding the finances of our associations.

ACCOUNTS

US Bank Platinum Business Money Market Account	
Fund Balance as of April 2016:	\$100,647.74
Interest for April 2016	\$ 8.25
Bank of American Accounts:	
Investment Account as of April 30, 2016:	\$ 23,548.72
Checking Account as of April 30, 2016:	\$113,860.98
Balance as of April 31, 2016	\$137,409.70

EXPENDITURES

Total 2015/2016 adopted budget:	\$253,400.00
Total expenditures to date, March 31, 2016:	\$ 95,797.15
Total remaining budget as of March 31, 2016:	\$157,602.85

DEPOSITS AND CREDITS

Total deposits from March 2016 to April 31, 2016:	\$ \$4,241.16
Total Interest as of March 31, 2016:	\$.39

FEE'S

Total fee's as of March 31, 2016:	\$.0
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Outstanding Membership Dues as of May 6, 2016

Terri Cooper
Larry Freedman
David Hatch
Kathleen Hitchcock (Questioned –Under review)
Denis Maher
Marlynn Markley
William Stewart
Thomas Verge

DMCJA 2015-2016 Budget			
ITEM COMMITTEE	Beginning Balance	Total Costs	Ending Balance
1 Access to Justice Liaison	\$500.00	\$0.00	\$500.00
2 Audit	\$2,000.00	\$0.00	\$2,000.00
3 Bar Association Liaison	\$5,000.00	\$0.00	\$5,000.00
4 Board Meeting Expense	\$30,000.00	\$22,287.10	\$7,712.90
5 Bookkeeping Expense	\$3,000.00	\$2,275.00	\$725.00
6 Bylaws Committee	\$250.00	\$0.00	\$250.00
7 Conference Committee	\$3,500.00	\$0.00	\$3,500.00
Conference Incidental Fees For Members			
8 Spring Conference 2016	\$40,000.00	\$0.00	\$40,000.00
9 Diversity Committee	\$2,000.00	\$5.95	\$1,994.05
10 DMCJA/SCJA Sentencing Alternatives	\$2,500.00	\$2,724.10	-\$224.10
11 DMCMA Liaison	\$500.00	\$0.00	\$500.00
12 DOL Liaison Committee	\$500.00	\$24.71	\$475.29
13 Education Committee	\$9,000.00	\$6,901.78	\$2,098.22
14 Educational Grants	\$5,000.00	\$3,521.68	\$1,478.32
15 Education-PJ Conference	\$12,000.00	\$0.00	\$12,000.00
16 Education-Security	\$2,000.00	\$0.00	\$2,000.00
17 Judicial Assistance Committee*	\$14,000.00	\$12,748.89	\$1,251.11
18 Judicial Community Outreach	\$4,000.00	\$3,100.00	\$900.00
19 Legislative Committee	\$6,000.00	\$1,601.59	\$4,398.41
20 Legislative Pro-Tem	\$2,500.00	\$679.24	\$1,820.76
21 Lobbyist Contract	\$55,000.00	\$20,000.00	\$35,000.00
22 Lobbyist Expenses	\$1,000.00	\$68.00	\$932.00
23 Long-Range Planning Committee	\$1,500.00	\$408.67	\$1,091.33
24 MCA Liaison	\$1,500.00	\$360.25	\$1,139.75
25 National Leadership Grants	\$5,000.00	\$0.00	\$5,000.00
26 Nominating Committee	\$400.00	\$13.25	\$386.75
27 President Expense	\$7,500.00	\$2,846.02	\$4,653.98
28 Professional Services	\$15,000.00	\$11,088.60	\$3,911.40
29 Reserves Committee	\$250.00	\$0.00	\$250.00
30 Rules Committee	\$500.00	\$37.56	\$462.44
31 Salary and Benefits Committee	\$2,500.00	\$0.00	\$2,500.00
32 SCJA Board Liaison	\$1,000.00	\$76.00	\$924.00
33 Technology/CMS Committee	\$7,500.00	\$0.00	\$7,500.00
34 Therapeutic Courts	\$3,500.00	\$8.76	\$3,491.24
35 Treasurer Expense and Bonds	\$1,000.00	\$20.00	\$980.00
36 Trial Court Advocacy Board	\$5,000.00	\$5,000.00	\$0.00
37 Uniform Infraction Committee	\$1,000.00	\$0.00	\$1,000.00
TOTAL	\$253,400.00	\$95,797.15	\$157,602.85
TOTAL DEPOSITS MADE	\$148,986.88		
CREDIT CARD (balance owing)	\$0.00		

*includes \$7,000 from the SCJA



P.O. Box 1800
Saint Paul, Minnesota 55101-0800

3452 TRN

Y ST01

Business Statement

Account Number: [REDACTED]

Statement Period:

Apr 1, 2016
through
Apr 30, 2016

Page 1 of 2

000113469 1 AV 0.376 106481491240593 P
THE WASHINGTON STATE DISTRICT AND
MUNICIPAL COURT JUDGES ASSOCIATION
PO BOX 7
DAYTON WA 99328-0007



To Contact U.S. Bank

24-Hour Business

Solutions: 1-800-673-3555

Telecommunications Device

for the Deaf: 1-800-685-5065

Internet: usbank.com

INFORMATION YOU SHOULD KNOW

Effective May 16th, 2016, the "Your Deposit Account Agreement" booklet includes a number of updates. The changes are slight, but may affect your rights. As of May 16th, 2016 you may pick up copies at your local branch, view copies at usbank.com, or call 1-800-USBANKS (1-800-872-2657) for a copy. Please see the Additional Information Section of this statement for the main updates that were made to "Your Deposit Account Agreement" booklet.

U.S. Bank has teamed up with ADP® to deliver payroll and tax processing plus people management for small businesses and startups. From hiring and handbooks to payroll and compliance, ADP brings unmatched depth and expertise to helping clients build a better workforce.

- Pay your people, file taxes and track time effortlessly
- Recruit, hire and manage your team with confidence
- Access insurance benefits through ADPIA***
- Help protect your company from tax and compliance risk

Act today and earn up to a \$400 credit on your full-service payroll processing fees! Talk to a banker to find out more or visit www.usbank.com/adp.

Service may be subject to credit approval. Eligibility requirements and other conditions apply. U.S. Bank and its representatives do not provide tax or legal advice. Contact your tax or legal advisor for advice and information concerning your particular situation. Deposit products offered by U.S. Bank National Association. Member FDIC.

PLATINUM BUSINESS MONEY MARKET

Member FDIC

U.S. Bank National Association

Account Number [REDACTED]

Account Summary

	# Items				
Beginning Balance on Apr 1		\$	100,647.74	Annual Percentage Yield Earned	0.09%
Other Deposits	1		8.25	Interest Earned this Period	\$ 8.25
Ending Balance on Apr 30, 2016		\$	100,655.99	Interest Paid this Year	\$ 33.26
				Number of Days in Statement Period	30

Other Deposits

Date	Description of Transaction	Ref Number	Amount
Apr 29	Interest Paid	[REDACTED]	\$ 8.25
Total Other Deposits			\$ 8.25

ADDITIONAL INFORMATION

Effective May 16th, 2016 the main updates to note in the revised "Your Deposit Account Agreement" booklet sections, and sub sections, include:

- Addition of the "Your Deposit Account Agreement" booklet being the sole and exclusive superseding agreement
- Addition of contact information within the Funds Transfers section
- Clarity on overdraft protection pertaining to dormant or escheated accounts and those linked to a U. S. Bank Reserve Line
- Update to rights within the section Statement and Notices; Your Address sub section
- Updated URL in the S.T.A.R.T Program Agreement for U.S. Bank Rewards Visa Card terms and conditions
- Addition of Consumer Report Disputes in the All Deposit Accounts section
- Updates to Consumer Report Disputes in the U.S. Bank Consumer Reserve Line Agreement
- Deletion of the definition of "debt" in the Set Off section



THE WASHINGTON STATE DISTRICT AND
MUNICIPAL COURT JUDGES ASSOCIATION
PO BOX 7
DAYTON WA 99328-0007

Business Statement

Account Number:
[REDACTED]

Statement Period:
Apr 1, 2016
through
Apr 30, 2016

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ADDITIONAL INFORMATION

(CONTINUED)

- Additional clarification from examples within the Security Interest In Accounts section
- Addition of Foreign Checks section
- Addition of Restricted Transactions sub section in Business Account Issues section
- Addition of Other Electronic Transactions types in both Business and Consumer Electronic Banking Agreements
- Addition of daily return limits for purchases made with your Consumer and Business Debit Card in the Electronic Banking Agreement sections
- Addition of payment limits received from third parties through your U.S. Bank Debit Card for both Business and Consumer customers in the Electronic Banking Agreement sections
- Removal of ATM Cards making cash advances in Limits On Transfers sections
- Deletion of Arbitration within the U.S. Bank Consumer Reserve Line Agreement
- Within the U.S. Bank Business Reserve Line Agreement additional clarity in Credit Review

As of May 16th, 2016 you may pick up copies at your local branch, view the updated booklet at usbank.com, or call 1-800-USBANKS (1-800-872-2657) for a copy. Retail Statement Messages Shared/MN/USB@USB



P.O. Box 1800
Saint Paul, Minnesota 55101-0800

3452 TRN

Y ST01

Business Statement

Account Number: [REDACTED]

Statement Period:
Mar 1, 2016
through
Mar 31, 2016

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000119229 1 AV 0.391 106481452767732 P
THE WASHINGTON STATE DISTRICT AND
MUNICIPAL COURT JUDGES ASSOCIATION
PO BOX 7
DAYTON WA 99328-0007



To Contact U.S. Bank

24-Hour Business

Solutions: 1-800-673-3555

Telecommunications Device

for the Deaf: 1-800-685-5065

Internet: usbank.com

PLATINUM BUSINESS MONEY MARKET

Member FDIC

U.S. Bank National Association

Account Number [REDACTED]

Account Summary

	# Items				
Beginning Balance on Mar 1		\$	100,639.22	Annual Percentage Yield Earned	0.09%
Other Deposits	1		8.52	Interest Earned this Period	\$ 8.52
Ending Balance on Mar 31, 2016		\$	100,647.74	Interest Paid this Year	\$ 25.01
				Number of Days in Statement Period	31

Other Deposits

Date	Description of Transaction	Ref Number	Amount
Mar 31	Interest Paid	[REDACTED]	\$ 8.52
Total Other Deposits			\$ 8.52



P.O. Box 15284
Wilmington, DE 19850

WASHINGTON STATE DISTRICT AND
COURT JUDGES ASSN
7122 W OKANOGAN PL BLDG A
KENNEWICK, WA 99336-2359

Bus Platinum Privileges

Customer service information

1.888.BUSINESS (1.888.287.4637)

bankofamerica.com

Bank of America, N.A.
P.O. Box 25118
Tampa, FL 33622-5118

Your Bus Platinum Privileges combined statement

for April 01, 2016 to April 30, 2016

Your deposit accounts	Account/plan number	Ending balance	Details on
Business Economy Checking	[REDACTED]	\$113,860.98	Page 3
Business Investment Account	[REDACTED]	\$23,548.72	Page 7
Total balance		\$137,409.70	



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IMPORTANT INFORMATION: BANK DEPOSIT ACCOUNTS

Updating your contact information - We encourage you to keep your contact information up-to-date. This includes address, email and phone number. If your information has changed, the easiest way to update it is by visiting the Help & Support tab of Online Banking. Or, you can call our Customer Service team.

Deposit agreement - When you opened your account, you received a deposit agreement and fee schedule and agreed that your account would be governed by the terms of these documents, as we may amend them from time to time. These documents are part of the contract for your deposit account and govern all transactions relating to your account, including all deposits and withdrawals. Copies of both the deposit agreement and fee schedule which contain the current version of the terms and conditions of your account relationship may be obtained at our financial centers.

Electronic transfers: In case of errors or questions about your electronic transfers- If you think your statement or receipt is wrong or you need more information about an electronic transfer (e.g., ATM transactions, direct deposits or withdrawals, point-of-sale transactions) on the statement or receipt, telephone or write us at the address and number listed on the front of this statement as soon as you can. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared.

- Tell us your name and account number.
- Describe the error or transfer you are unsure about, and explain as clearly as you can why you believe there is an error or why you need more information.
- Tell us the dollar amount of the suspected error.

For consumer accounts used primarily for personal, family or household purposes, we will investigate your complaint and will correct any error promptly. If we take more than 10 business days (10 calendar days if you are a Massachusetts customer) (20 business days if you are a new customer, for electronic transfers occurring during the first 30 days after the first deposit is made to your account) to do this, we will credit your account for the amount you think is in error, so that you will have use of the money during the time it will take to complete our investigation.

For other accounts, we investigate, and if we find we have made an error, we credit your account at the conclusion of our investigation.

Reporting other problems - You must examine your statement carefully and promptly. You are in the best position to discover errors and unauthorized transactions on your account. If you fail to notify us in writing of suspected problems or an unauthorized transaction within the time period specified in the deposit agreement (which periods are no more than 60 days after we make the statement available to you and in some cases are 30 days or less), we are not liable to you for, and you agree to not make a claim against us for the problems or unauthorized transactions.

Direct deposits - If you have arranged to have direct deposits made to your account at least once every 60 days from the same person or company, you may call us at the telephone number listed on the front of this statement to find out if the deposit was made as scheduled. You may also review your activity online or visit a financial center for information.

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**Your Business Economy Checking
Bus Platinum Privileges**

WASHINGTON STATE DISTRICT AND COURT JUDGES ASSN

Account summary

Beginning balance on April 1, 2016	\$117,686.86	# of deposits/credits: 3
Deposits and other credits	4,241.16	# of withdrawals/debits: 32
Withdrawals and other debits	-8,067.04	# of deposited items: 3
Checks	-0.00	# of days in cycle: 30
Service fees	-0.00	Average ledger balance: \$119,409.60
Ending balance on April 30, 2016	\$113,860.98	

Your account has overdraft protection provided by deposit account number 

Deposits and other credits

Date	Description	Amount
04/04/16	Counter Credit	3,304.16
04/04/16	Counter Credit	187.00
04/11/16	Counter Credit	750.00
Total deposits and other credits		\$4,241.16



Small Business
Online Banking

TIP OF THE MONTH

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- Be notified when transactions have cleared

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¹Alerts received as text messages on your mobile access device may incur a charge from your mobile access service provider. This feature is not available on the Mobile website. Wireless carrier fees may apply. | AR5XKMCP | SSM-01-16-8548.B

Withdrawals and other debits

Date	Description	Amount
04/01/16	Administrative Off of the Courts Bill Payment	-820.13
04/01/16	Steve Buzzard Bill Payment	-108.00
04/01/16	Barbara Harper Bill Payment	-100.00
04/01/16	Ingallina's Box Lunch Bill Payment	-67.23
04/01/16	Scott Ahlf Bill Payment	-54.00
04/01/16	Michelle Gehlsen Bill Payment	-24.84
04/01/16	Franklin Dacca Bill Payment	-22.68
04/01/16	Timothy Jenkins Bill Payment	-20.70
04/01/16	Mary Logan Bill Payment	-18.64
04/28/16	Melanie Stewart Bill Payment	-2,000.00
04/28/16	Cave B Bill Payment	-1,730.16
04/28/16	Rambling Jacks Bill Payment	-455.60
04/28/16	Ingallina's Box Lunch Bill Payment	-373.18
04/28/16	Judith Anderson Bill Payment	-263.85
04/28/16	Charles Short Bill Payment	-253.80
04/28/16	Timothy Jenkins Bill Payment	-224.75
04/28/16	Marybeth Dingledey Bill Payment	-220.15
04/28/16	Barbara Harper Bill Payment	-204.05
04/28/16	Michael Finkle Bill Payment	-200.60
04/28/16	Susanna Kanther-Raz Bill Payment	-199.45
04/28/16	Lisa Worswick Bill Payment	-173.00
04/28/16	Susan Woodard Bill Payment	-118.93
04/28/16	Barbara Harper Bill Payment	-100.00
04/28/16	David Svaren Bill Payment	-82.08
04/28/16	Fran Chmelewski Bill Payment	-58.00
04/28/16	Michelle Gehlsen Bill Payment	-33.48
04/28/16	Michael Lambo Bill Payment	-25.92
04/28/16	Joseph Burrowes Bill Payment	-25.20
04/28/16	David Steiner Bill Payment	-24.84
04/28/16	Rick Leo Bill Payment	-24.18
04/28/16	Kevin Ringus Bill Payment	-21.60
04/28/16	Douglas Robinson Bill Payment	-18.00
Total withdrawals and other debits		-\$8,067.04



Your checking account

WASHINGTON STATE DISTRICT AND | Account # [REDACTED] | April 1, 2016 to April 30, 2016

Daily ledger balances

Date	Balance (\$)	Date	Balance(\$)	Date	Balance (\$)
04/01	116,450.64	04/11	120,691.80	04/28	113,860.98
04/04	119,941.80				

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Your Business Investment Account

Bus Platinum Privileges

WASHINGTON STATE DISTRICT AND COURT JUDGES ASSN-GRAYS HARBOR

Account summary

Beginning balance on April 1, 2016	\$23,548.33	# of deposits/credits: 1
Deposits and other credits	0.39	# of withdrawals/debits: 0
Withdrawals and other debits	-0.00	# of days in cycle: 30
Service fees	-0.00	Average ledger balance: \$23,548.34
Ending balance on April 30, 2016	\$23,548.72	Average collected balance: \$23,548.34

Annual Percentage Yield Earned this statement period: 0.02%.
Interest Paid Year To Date: \$1.56.

Deposits and other credits

Date	Description	Amount
04/29/16	Interest Earned	0.39
Total deposits and other credits		\$0.39

Daily ledger balances

Date	Balance (\$)	Date	Balance(\$)
04/01	23,548.33	04/29	23,548.72

✓ To help you BALANCE YOUR CHECKING ACCOUNT, visit bankofamerica.com/statementbalance or the Statements and Documents tab in Online Banking for a printable version of the How to Balance Your Account Worksheet.

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District & Municipal Court Judges/Comms/Magis 2016 Members in Good Standing 5/1/2016 deadline

red=payment received after May 1

At 10/2015 Board meeting, decision made to NOT count BJA dues as part of "good standing"

LastFirstMiddle		Pos.	Gen. Dues Paid Amount	Gen. Dues Pd	Spec Fund N/A for 2016
1	Ahlf, Scott K.	Judge	\$750.00	1	1
2	Allen, Sandra L.	Judge	\$187.00	1	1
3	Andersen, Bradley	Judge	\$187.00	1	
4	Anderson, Marcine S.	Judge	\$750.00	1	
5	Andrew, Stewart R.	Judge	\$750.00	1	1
6	Arb, Susan C.	Judge	\$187.00	1	1
7	Baker, Jeffrey J.	Judge	\$375.00	1	
8	Ball, Dennis	Comm	\$600.00	1	1
9	Barlow, Brian D.	Comm	\$600.00	1	1
10	Bates, Christopher	Judge	\$187.00	1	
11	Bathum, Richard	Judge	\$750.00	1	1
12	Beall, Andrea L.	Judge	\$750.00	1	
13	Bejarano, Elizabeth M.	Judge	\$375.00	1	
14	Bennett, Roger A.	Judge	\$375.00	1	
15	Bisagna, Donald	Judge	Remove		
16	Blauvelt, III, Arthur A.	Judge	\$187.00	1	
17	Blinn, Grant	Judge	\$750.00	1	1
18	Bobbink, Michael	Judge	\$375.00	1	
19	Bradley, Claire A.	Judge	\$750.00	1	
20	Brown, Thomas D.	Judge	\$375.00	1	
21	Brueher, Gary J.	Judge	\$375.00	1	1
22	Buckley, Brett	Judge	\$750.00	1	1
23	Bui, Tam T.	Judge	\$750.00	1	
24	Burrowes, Joseph M.	Judge	\$750.00	1	1
25	Butler, Katharine A.	Judge	\$750.00	1	1
26	Buttorff, Karla E.	Judge	\$750.00	1	1
27	Buzzard, James M.B.	Judge	\$375.00	1	
28	Buzzard, R.W.	Judge	\$750.00	1	
29	Buzzard, Steven R.	Judge	\$150.00	1	1
30	Caniglia, Gerald	Comm	\$600.00	1	
31	Castelda, Anthony	Judge	Remove		
32	Chapman, Arthur R.	Judge	\$750.00	1	
33	Chow, Mark C.	Judge	\$750.00	1	
34	Christie, David M.	Judge	\$750.00	1	1
35	Chung, Robert E.	Magis	\$600.00	1	
36	Clough, Steve M.	Judge	\$750.00	1	
37	Coburn, Linda	Judge	\$750.00	1	
38	Connolly Walker, Patricia	Judge	\$750.00	1	
39	Cooper, Terri K.	Comm	\$150.00	1	
40	Copland, Thomas A.	Judge	\$750.00	1	
41	Crowell, Chancey C.	Judge	\$375.00	1	
42	Curry, John F.	Judge	\$187.00	1	
43	Dacca, Franklin L.	Judge	\$750.00	1	1
44	Dane, Melanie	Judge	\$187.00	1	
45	Decker, Tarrell	Judge	\$375.00	1	1
46	DeLaurenti, II, Charles J.	Judge	\$750.00	1	1
47	Derr, Sara B.	Judge	\$750.00	1	1
48	Devilla, Francis	Magis	\$600.00	1	
49	Docter, James N.	Judge	\$750.00	1	1
50	Doherty, John H.	Judge	\$375.00	1	1

	LastFirstMiddle	Pos.	Gen. Dues Paid Amount	Gen. Dues Pd	Spec Fund N/A for 2016	
51	Donohue, Karen	Judge	\$750.00	1	1	2
52	Druffel, Bill	Judge	\$187.00	1		1
53	Dunn, Michael A.	Judge	\$375.00	1		1
54	Ebenger, David	Judge	\$187.00	1		1
55	Eide, D. Mark	Judge	\$750.00	1		1
56	Eilmes, Kevin G.	Comm	\$600.00	1	1	2
57	Eisenberg, Adam	Magis	\$600.00	1	1	2
58	Elich, Matthew S.	Judge	\$750.00	1		1
59	Ellington, Thomas M.	Judge	\$187.00	1	1	2
60	Ellis, Darrel R.	Judge	\$375.00	1		1
61	Eng, Park	Magis	\$600.00	1	1	2
62	Engel, Donald	Judge	\$750.00	1	1	2
63	Fair, Douglas J.	Judge	\$750.00	1		1
64	Fassbender, Jennifer	Judge	\$187.00	1	1	2
65	Faubion, William J.	Judge	\$375.00	1		1
66	Faul, Bronson	Judge	\$375.00	1		1
67	Finkle, Michael J.	Judge	\$750.00	1	1	2
68	Fitterer, Richard C.	Judge	\$750.00	1	1	2
69	Fore, Roy S.	Judge	\$750.00	1	1	2
70	Fraser, Beth	Judge	\$750.00	1	1	2
71	Freedman, Larry	Comm				0
72	Garrison, Douglas K.	Judge	\$187.00	1	1	2
73	Garrow, Janet E.	Judge	\$750.00	1	1	2
74	Gehlsen, Michelle K.	Judge	\$375.00	1	1	2
75	George, Todd N.	Comm	\$300.00	1		1
76	Gilbert, Warren M.	Judge	\$750.00	1		1
77	Gillings, Fred L.	Judge	\$750.00	1		1
78	Goddard, Dianne E.	Comm	\$600.00	1	1	2
79	Goelz, Douglas E.	Judge	\$375.00	1		1
80	Goodwin, Jeffrey D.	Judge	\$750.00	1	1	2
81	Grant, David	Judge	\$750.00	1	1	2
82	Green, Nathaniel	Judge	\$750.00	1		1
83	Gregory, Willie J.	Judge	\$750.00	1		1
84	Grim, Robert W.	Judge	\$750.00	1	1	2
85	Hagensen, John P.	Judge	\$750.00	1	1	2
86	Hamilton, Robert W.	Judge	\$187.00	1		1
87	Hanlon, Tamara A.	Comm	\$300.00	1		1
88	Hansen, Randall L.	Comm	\$300.00	1		1
89	Hansen, Rick L.	Judge	\$375.00	1		1
90	Harmon, Nancy A.	Judge	\$750.00	1	1	2
91	Harn, Corinna D.	Judge	\$750.00	1		1
92	Harper, Anne C.	Judge	\$750.00	1		1
93	Harrison, Noah	Comm	\$150.00	1		1
94	Hart, John H.	Judge	\$187.00	1		1
95	Hatch, David S.	Judge				0
96	Hawkins, W. H.	Judge	\$750.00	1	1	2
97	Hayes, Debra R.	Judge	\$750.00	1	1	2
98	Hedine, Kristian E.	Judge	\$750.00	1		1
99	Heller, James R.	Judge	\$750.00	1	1	2
100	Henke, Drew	Judge	\$750.00	1		1
101	Henry, John R.	Judge	\$375.00	1		1
102	Heslop, Ronald D.	Judge	\$750.00	1	1	2
103	Hightower, Judith	Judge	\$750.00	1	1	2
104	Hill, Tyson R.	Judge	\$750.00	1		1
105	Hille, Adalia A.	Judge	\$375.00	1		1
106	Hitchcock, Kathleen E.	Judge				0
107	Holman, Stephen J.	Judge	\$750.00	1		1

	LastFirstMiddle	Pos.	Gen. Dues	Gen. Dues Pd	Spec Fund	
			Paid Amount		N/A for 2016	
108	Howard, Anthoney E.	Judge	\$750.00	1	1	2
109	Hurson, James E.	Judge	\$750.00	1		1
110	Hyde, Stephen J.	Judge	\$187.00	1		1
111	Imler, Kyle L.	Judge	\$187.00	1		1
112	Jahns, Jeff	Judge	\$750.00	1	1	2
113	Jasprica, Judy Rae	Judge	\$750.00	1		1
114	Jenkins, Timothy A.	Judge	\$375.00	1	1	2
115	Johnson, Dan B.	Judge	\$750.00	1	1	2
116	Jorgensen, Karli K.	Judge	\$750.00	1	1	2
117	Jurado, Terry L.	Judge	\$750.00	1		1
118	Kaino, Kristopher A.	Judge	\$187.00	1		1
119	Kathren, Daniel F.	Judge	\$750.00	1		1
120	Kato, Eileen A.	Judge	\$750.00	1		1
121	Kayne, Richard	Judge	\$187.00	1		1
122	Kernan, Tina	Judge	\$750.00	1		1
123	Kipling, Linda B.	Comm	\$600.00	1		1
124	Knowlton, John O.	Judge	\$375.00	1	1	2
125	Kondo, C. Kimi	Judge	\$750.00	1		1
126	Koss, David	Judge	\$750.00	1	1	2
127	Ladenburg, David B.	Judge	\$750.00	1	1	2
128	Lambo, Michael J.	Judge	\$750.00	1	1	2
129	Landes, Jill	Judge	\$750.00	1		1
130	Langsdorf, Sonya L.	Judge	\$750.00	1	1	2
131	Larson, David A.	Judge	\$750.00	1		1
132	Leland, Richard M.	Judge	\$750.00	1		1
133	Leo, Rick	Judge	\$600.00	1		1
134	Leone, Lisa	Judge	\$750.00	1	1	2
135	Lev, Debra A.	Judge	\$750.00	1		1
136	Lewis, Terrance G.	Judge	\$187.00	1	1	2
137	Lineberry, Jeanette A.	Judge	\$750.00	1		1
138	Logan, Mary C.	Judge	\$750.00	1		1
139	Luken, Terri	Magis	\$600.00	1		1
140	Lyon, Patricia L.	Judge	\$750.00	1		1
141	Maher, Dennis P.	Judge				0
142	Mahoney, Susan L	Judge	\$750.00	1		1
143	Mano, Jr., Joseph M.	Judge	\$187.00	1	1	2
144	Marinella, G. Scott	Judge	\$375.00	1	1	2
145	Markley, Marlynn	Comm				0
146	Marshall, Ronald S.	Judge	\$750.00	1		1
147	Maurer, Aimee	Judge	\$750.00	1	1	2
148	Maxwell, John E.	Judge	\$187.00	1	1	2
149	McBeth, Dale A.	Judge	\$375.00	1		1
150	McCann, Kevin A.	Judge	\$750.00	1	1	2
151	McCauley, Judith L.	Judge	\$750.00	1	1	2
152	McCulloch, Sara L.	Judge	\$375.00	1	1	2
153	McKenna, Edward	Judge	\$750.00	1		1
154	Meadows, Victoria C.	Judge	\$750.00	1		1
155	Meyer, David	Judge	\$750.00	1	1	2
156	Meyer, Samuel G.	Judge	\$750.00	1		1
157	Meyer, Thomas L.	Judge	\$187.00	1		1
158	Michels, Steven L.	Judge	\$375.00	1	1	2
159	Miller, John A.	Judge	\$187.00	1		1
160	Mistachkin, David J.	Judge	\$750.00	1		1
161	Moore, Stephen E.	Judge	\$750.00	1		1
162	Murphy, Therese	Judge	\$187.00	1		1
163	Nault, Peter L.	Judge	\$750.00	1	1	2
164	Odell, Timothy B.	Judge	\$750.00	1		1

	LastFirstMiddle		Gen. Dues	Gen. Dues Pd	Spec Fund	
		Pos.	Paid Amount		N/A for 2016	
165	Olbrechts, Kristen	Judge	\$750.00	1		1
166	Olson, John R.	Comm	\$150.00	1		1
167	Olwell, Kelley C.	Judge	\$750.00	1	1	2
168	Osborne, Steve	Judge	\$750.00	1		1
169	Osler, Kelli E.	Judge	\$750.00	1		1
170	O'Toole, Lisa Napoli	Judge	\$750.00	1		1
171	Paja, Marilyn G.	Judge	\$750.00	1		1
172	Parcher, Kristen L.	Comm	\$600.00	1		1
173	Parise, Anthony	Comm	\$600.00	1	1	2
174	Penoyar, Elizabeth	Judge	\$375.00	1	1	2
175	Petersen, David L.	Judge	\$375.00	1		1
176	Peterson, Vance W.	Judge	\$750.00	1		1
177	Phillips, Glenn M.	Judge	\$750.00	1		1
178	Porter, Rick L.	Judge	\$750.00	1		1
179	Portnoy, Linda S.	Judge	\$375.00	1	1	2
180	Putka, Edward J.	Judge	\$750.00	1		1
181	Reynier, Jr., Ronald	Judge	\$375.00	1		1
182	Ringus, Kevin G.	Judge	\$750.00	1		1
183	Roach, Jerry	Judge	\$750.00	1	1	2
184	Robertson, Rebecca C.	Judge	\$750.00	1	1	2
185	Robinson, Douglas B.	Judge	\$750.00	1		1
186	Rochon, L. Stephen	Judge	\$187.00	1		1
187	Roewe, Michael	Comm	\$150.00	1		1
188	Rosen, Steven	Judge	\$750.00	1		1
189	Ross, Margaret Vail	Judge	\$750.00	1	1	2
190	Roy, Kevin M.	Judge	\$750.00	1		1
191	Rozzano, Mara J.	Judge	\$187.00	1		1
192	Sage, C Scott	Judge	\$187.00	1		1
193	Samuelson, Wade	Judge	\$750.00	1		1
194	Sanderson, Brian K.	Judge	\$750.00	1		1
195	Schreiber, Vernon L.	Judge	\$750.00	1		1
196	Schweppe, Alfred G.	Judge	\$750.00	1	1	2
197	Seaman, Shane	Comm	\$150.00	1		1
198	Seitz, Vicki M.	Judge	\$750.00	1		1
199	Shadid, Damon G.	Judge	\$750.00	1		1
200	Shah, Ketu	Judge	\$750.00	1		1
201	Short, Charles D.	Judge	\$750.00	1		1
202	Smiley, Pete	Comm	\$600.00	1		1
203	Smith, Douglas J.	Judge	\$750.00	1		1
204	Solan, Susan	Judge	\$375.00	1		1
205	Staab, Tracy	Judge	\$750.00	1	1	2
206	Steele, George A.	Judge	\$375.00	1		1
207	Steiner, David A.	Judge	\$750.00	1	1	2
208	Stephenson, Elizabeth D.	Judge	\$750.00	1		1
209	Stewart, Kevin D.	Comm	\$600.00	1		1
210	Stewart, N. Scott	Judge	\$375.00	1		1
211	Stewart, Wayne	Judge	\$375.00	1		1
212	Stewart, William J.	Judge			1	1
213	Stiles, Brock D.	Judge	\$187.00	1		1
214	Sussman, Claire	Judge	\$750.00	1		1
215	Svaren, David A.	Judge	\$750.00	1		1
216	Swanger, James P.	Judge	\$750.00	1		1
217	Szambelan, Michelle	Judge	\$750.00	1	1	2
218	Tanner, Terry M.	Judge	\$750.00	1	1	2
219	Tedrick, Marjorie	Judge	\$187.00	1		1
220	Tolman, Jeff	Judge	\$375.00	1	1	2
221	Towers, Lorrie C.	Judge	\$750.00	1	1	2

	LastFirstMiddle	Pos.	Gen. Dues	Gen. Dues Pd	Spec Fund	
			Paid Amount		N/A for 2016	
222	Tripp, Gregory J.	Judge	\$750.00	1		1
223	Tripp, Wendy	Comm	\$150.00	1		1
224	Tucker, Donna K.	Judge	\$750.00	1		1
225	Turner, Michael S.	Judge	\$187.00	1	1	2
226	Tveit, Gina	Judge	\$750.00	1		1
227	Van De Veer, Philip J.	Judge	\$375.00	1	1	2
228	Van Slyck, Laura	Judge	\$750.00	1	1	2
229	Verge, Thomas L.	Judge	\$705.00	1		1
230	Verhey, Elizabeth	Judge	\$750.00	1	1	2
231	Walden, Kimberly A.	Judge	\$375.00	1	1	2
232	Whitener-Moberg, Janis	Judge	\$750.00	1	1	2
233	Wilcox, Kalo	Judge	\$750.00	1		1
234	Williams, Matthew	Judge	\$750.00	1		1
235	Wilson, Donna	Judge	\$750.00	1		1
236	Wohl, Paul	Comm	\$600.00	1		1
237	Woodard, Susan J.	Judge	\$750.00	1	1	2
238	Wyninger, Karen S.	Comm	\$300.00	1		1
239	Zimmerman, Darwin J.	Judge	\$750.00	1		1
			\$134,265.00	231	90	

% who have NOT paid regular dues 3.35%
 % who have NOT paid special fund 62.34%
 % who have NOT paid any dues 2.93%

% in good standing in 2016 37.24% Note: special fund dues WERE assessed in 2016

% in good standing in 2015 98.76% Note: special fund dues not assessed in 2015
 % in good standing in 2014 97.47% Note: special fund dues not assessed in 2014
 % in good standing in 2013 97.93% Note: special fund dues not assessed in 2013
 % in good standing in 2012 96.64% Note: special fund dues not assessed in 2012
 % in good standing in 2011 98.32% Note: special fund dues not assessed in 2011
 % in good standing in 2010 85.19%
 % in good standing in 2009 84.81%
 % in good standing in 2008 72.03%
 % in good standing in 2007 71.06%
 % in good standing in 2006 87.77%
 % in good standing in 2005 78.30%
 % in good standing in 2004 69.87%

DMCJA\dues notices\DMCJADuesPaid 2016.xls

Individuals Who have not Paid as of 5/6/16

Larry Freedman
 Noah Harrison

Kathleen Hitchcock (questioned)
 Denis Maher
 Marlynn Markley

LastFirstMiddle		Gen. Dues	Gen. Dues Pd	Spec Fund
	Pos.	Paid Amount		N/A for 2016

William Stewart

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WA STATE DIST & MUNICIPAL COURT JUDGES' 10957
 JUDGE SCOTT AHLF
 PO BOX 1967
 OLYMPIA, WA 98507-1967

Statement of Account

PAGE 1 OF 1

Statement Ending Date April 30, 2016

Last Statement Date April 1, 2016

To report a lost or stolen card,
 call 800-472-3272.

For 24-hour telephone banking,
 call 877-431-1876.

For questions or assistance with your account(s),
 please call us at 800-324-9375 or stop by your local branch.

Business Money Market Summary - # 3329100238

Annual Percentage Yield Earned for this Statement Period	0.100%
Interest Rate	0.100%
Year-to-Date Interest Paid	\$14.12

Beginning Balance	\$43,454.14
Interest Earned This Period	+3.57
Deposits and Credits	+275.00
Checks Paid	-0.00
ATM, Electronic and Debit Card Withdrawals	-0.00
Other Transactions	-0.00
Ending Balance	\$43,732.71

	Total for This Period	Total Year-to-Date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

Interest Earned This Period

Date	Description	Amount
04-30	Credit Interest	3.57
Total Interest Earned This Period		3.57

Deposits and Credits

Date	Description	Amount
04-21	Deposit	275.00
Total Deposits and Credits		275.00



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WA STATE DIST & MUNICIPAL COURT JUDGES' 16949
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 OLYMPIA, WA 98507-1967

Statement of Account

PAGE 1 OF 2

Statement Ending Date March 31, 2016

Last Statement Date March 1, 2016

To report a lost or stolen card after business hours call 800-472-3272.

For 24-hour telephone banking
 1-877-431-1876

For questions or assistance with your account(s),
 please call us at 800-324-9375 or stop by your local branch.

Business Money Market Summary - # 3329100238

Annual Percentage Yield Earned for this Statement Period	0.100%
Interest Rate	0.100%
Year-to-Date Interest Paid	\$10.55

Beginning Balance	\$42,375.46
Interest Earned This Period	+3.68
Deposits and Credits	+1,075.00
Checks Paid	-0.00
ATM, Electronic and Debit Card Withdrawals	-0.00
Other Transactions	-0.00
Ending Balance	\$43,454.14

	Total for This Period	Total Year-to-Date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

Interest Earned This Period

Date	Description	Amount
03-31	Credit Interest	3.68
Total Interest Earned This Period		3.68

Important Updates.

Washington Federal has modified its Business Deposit Account Agreement and Disclosures. Please view a copy of these disclosures on our public website at washingtonfederal.com/account-details or ask for a copy at any of our locations.

We've also made a couple of fee changes you should be aware of: First, there is no longer an overdraft advance fee from a line of credit. Second, the fee to place a stop payment is now \$25 for Simple and Stellar Business Checking accounts and \$15 for Analyzed Checking accounts.



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Statement of Account

PAGE 2 OF 2

Statement Ending Date March 31, 2016
Last Statement Date March 1, 2016

For 24-hour telephone banking
1-877-431-1876

Deposits and Credits

Date	Description	Amount
03-02	Deposit	100.00
03-02	Deposit	325.00
03-02	Deposit	325.00
03-02	Deposit	325.00
Total Deposits and Credits		1,075.00





DMCJA Rules Committee

Wednesday, March 23, 2016 (12:00 p.m. – 1:00 p.m.)

Via Teleconference

MEETING MINUTES

Members:

Chair, Judge Dacca
Judge Buttorff
Judge S. Buzzard
Judge Dane
Judge Garrow
Judge Goodwin
Judge Harmon
Judge Portnoy
Judge Robertson
Judge Samuelson
Judge Szambelan
Judge Williams
Ms. Patti Kohler, DMCMA Liaison

AOC Staff:

Ms. J Benway

Guests:

Ms. Margret Yetter, DMCMA

Judge Dacca called the meeting to order at 12:02 p.m.

The Committee discussed the following items:

1. Minutes from the February 2016 meeting

It was motioned, seconded and passed to approve the minutes from the February 24, 2016 Rules Committee meeting as presented.

2. Discuss proposed amendments to GR 26, proposed by the DMCMA

Ms. Margaret Yetter of Kent Municipal Court provided background information regarding a DMCMA proposal to establish continuing education requirements for court administrators, who are not currently subject to such a requirement. The Committee was in favor of the concept and had specific suggestions regarding certain provisions. The Committee also requested that Ms. Yetter prepare a draft GR 9 Cover Sheet for the proposal. Ms. Yetter agreed to consider the suggestions, prepare a Cover Sheet as requested, and provide a revised draft to the Committee. Judge Dacca stated that he would provide a memo to the Board with an update.

3. Discuss proposed amendments to IRLJ 3.5, Decision on Written Statements, proposed by the Technology Subcommittee

A Technology Subcommittee, comprised of Judge Garrow, Judge Buzzard and Judge Goodwin, reviewed the court rules to determine if changes could be suggested that would facilitate court

access through the use of technology. Judge Goodwin presented a recommendation to amend IRLJ 3.5 to allow for telephonic or video conference appearance at infraction mitigation hearings as a local option. The Committee had suggestions regarding the wording and placement of the subsection. The Committee was particularly concerned about a current provision of IRLJ 3.5(a), which states that a decision on written statements for a contested hearing shall not be governed by the Rules of Evidence. Judge Goodwin stated that he would revise the draft and provide the revised proposal to the Committee for comment.

4. Discuss proposed new General Rule 35, pertaining to jury selection, proposed by ACLU-WA

The Committee discussed a proposal from the ACLU to add a new general rule pertaining to preemption in juror selection. First, the Committee noted that as a GR 35 currently exists, the new general rule would be GR 36 or later. The Rules Committee appreciated the thoughtful concern demonstrated by the ACLU regarding this developing area of case law, and discussed how the Supreme Court is continuing to closely review this important area in cases which may come under consideration. For these reasons, the Rules Committee voted to recommend that the Board not endorse this proposed Rule.

5. DMCJA Board Report

Ms. Benway stated that the DMCJA proposals to amend CRLJ 26, CRLJ 56, and CrRLJ 3.2 were published for comment by the Supreme Court with a deadline of April 30, 2016. Ms. Benway also stated that the WSBA Rules Committee recently declined approving a WSP proposal to amend IRLJ 6.6, pertaining to speed measuring devices.

6. Other Business and Next Meeting Date

The next Committee meeting is scheduled for Wednesday, April 27, 2016 at noon. The meeting will be held via teleconference and materials will be provided before the meeting.

There being no further business, the meeting was adjourned at 1:00 p.m.

TO: Judge David Steiner, President, DMCJA Board
FROM: Judge Frank Dacca, Chair, DMCJA Rules Committee
SUBJECT: Proposed General Rule 35
DATE: March 30, 2016

As you know, the ACLU-W Committee has proposed a new GR rule to address potential bias in peremptory juror exclusions and has requested comment from the DMCJA. In addition to a proposed GR 35, Mr. Salvador Mungia has further submitted a letter dated February 23, 2016 outlining the background and issues relating to this proposal.

At your request, the DMCJA Rules Committee considered the proposed new GR and the issues cited in Mr. Mungia's letter at its regular meeting on March 23, 2016. At the outset, the Committee wishes to point out that a GR 35 currently exists under the title of Official Certified Superior Court Transcripts. Therefore, any new such GR would be GR 36, not GR 35.

In its discussion, the Rules Committee expressed its appreciation of the thoughtful concern demonstrated by the ACLU regarding this developing area of case law. The Committee is also cognizant that the Supreme Court of Washington is continuing to closely review this important area in cases which may come under consideration. For these reasons, the Rules Committee recommends that the Board not endorse this proposed Rule.

Thank you for consideration of these comments. If you have any questions, please contact me at 253-798-7712 or fdacca@co.pierce.wa.us.

Attachments: Letter from Mr. Mungia Regarding Proposed GR 35
Proposed New General Rule, GR 35

CC: DMCJA Rules Committee
J Benway, AOC Staff

Direct: (253) 620-
E-mail:

February 23, 2016

Jennifer Benway
Legal Services Senior Analyst
Administrative Office of the Court
P.O. Box 41170
Olympia, WA 98504-1170

RE: DMCJA Rules Committee

Dear Jennifer:

I want to thank the DMCJA Rules Committee for considering our Proposed General Rule 35. This ACLU-W committee has been working on this issue for over two years. We are now taking the proposed rule to various stakeholders with one of the obvious stakeholders being the DMCJA.

A. The Problem: *Batson* isn't working

The three-part test set forth in *Batson v. Kentucky*, 476 U.S. 79 (1986) is not working.¹ As Michigan State University law professors Catherine M. Grosso and Barbara O'Brien wrote in their article about racial bias in jury selection in North Carolina:

Among those who laud its mission, it seems that the only people not disappointed in *Batson* are those who never expected it to work in the first place.

¹ As you know, in order to make a *Batson* challenge, a party challenging a peremptory challenge "must make out a prima facie case of purposeful discrimination by showing that the totality of the relevant facts gives rise to an inference of discriminatory purpose." *Batson*, 476 U.S. at 93-94. Second, "the burden shifts to the State to come forward with a [race]-neutral explanation" for the challenge. *Id.* at 97. Third, "the trial court then [has] the duty to determine if the defendant has established purposeful discrimination." *Id.*

Reply to:
Tacoma Office
1201 Pacific Ave., Suite 2100 (253) 620-6500
Tacoma, WA 98402 (253) 620-6565 (fax)

Seattle Office
600 University, Suite 2100 (206) 676-7500
Seattle, WA 98101 (206) 676-7575 (fax)

Their 2012 study found that North Carolina prosecutors used 60 percent of their peremptory challenges to strike black jurors, who made up only 32 percent of potential jury members. The study also found that defense attorney used 87 percent of their strikes against white jurors, who made up 68 percent of the jury pool.

In Houston County, Alabama, prosecutors between 2005 and 2009 used their peremptory strikes to eliminate 80 percent of the blacks qualified for jury service in death penalty cases. The result was that half of these juries were all white, and the remainder had only a single black member, even though the county is 27 percent black.

In 2012, a state trial judge in North Carolina found that prosecutors in his state had created a "cheat sheet" of race-neutral reasons to offer when challenged. Among the reasons given were "air of defiance," "arms folded" and monosyllabic responses. (New York Times, August 16, 2015.)

Here are some reasons prosecutors have offered for excluding blacks from juries: They were young or old, single or divorced, religious or not, failed to make eye contact, lived in a poor part of town, had served in the military, had a hyphenated last name, displayed bad posture, were sullen, disrespectful or talkative, had long hair, wore a beard. (New York Times, August 16, 2015.)

As was stated in the Washington Post:

Studies and experience have concluded that only the most incompetent lawyer will fail to come up with a justification that a judge can accept.

(Washington Post, October 25, 2015.)

B. Washington State is no exception

"Twenty-six years after *Batson*, a growing body of evidence shows that racial discrimination remains rampant in jury selection," wrote Washington State Supreme Court Justice Wiggins in *State v. Saintcalle*, 178 Wn.2d 34, 309 P.3d 326 (2013). "In part, this is because *Batson* recognizes only 'purposeful discrimination,' whereas racism is often unintentional, institutional or unconscious."

Kirk Saintcalle, an African American defendant, challenged his first-degree felony murder conviction for a 2007 homicide, alleging racial bias in jury selection at his trial. The only black person in the jury pool was singled out by prosecutors for additional questioning about her views on race in the justice system. During that questioning, she revealed that a friend had been murdered two weeks earlier.

The prosecutor used a peremptory challenge to dismiss the potential juror claiming he did so because the potential juror said she did not know how her friend's murder would affect her during the trial. The prosecutor also justified his use of the peremptory by stating that the potential juror had checked out during voir dire. The prosecutor attempted to use a peremptory challenge against the sole Mexican-American juror in the venire but the judge sustained a *Batson* challenge to that strike rejecting each of the prosecutor's proffered reasons as pretextual.

The Court ruled that *Batson* requires a finding of purposeful discrimination and the trial court's finding of no purposeful discrimination was not clearly erroneous. Accordingly, the Court sustained the trial court's rejection of the *Batson* challenge. The Court made it clear, however, that *Batson* is not working.

However, we also take this opportunity to examine whether our *Batson* procedures are robust enough to effectively combat race discrimination in the selection of juries. We conclude that they are not. Twenty-six years after *Batson*, a growing body of evidence shows that racial discrimination remains rampant in jury selection. In part, this is because *Batson* recognizes only "purposeful discrimination," whereas racism is often unintentional, institutional, or unconscious. We conclude that our *Batson* procedures must change and that we must strengthen *Batson* to recognize these more prevalent forms of discrimination.

C. The *Batson* bar is high

As the *Saintcalle* Court noted, *Batson* requires a finding of purposeful discrimination – an element that makes it difficult on the attorney making the objection, difficult on the attorney accused of engaging in behavior alleged to be purposeful, and difficult on the judge if the judge upholds the objection.

In addition, Washington courts have used the expansive language of *State v. Vreen*, 143 Wn.2d 923, 927 (2002) that the prosecutor's explanations need not be "persuasive, or even plausible" to accept a range of reasons for peremptory challenges. See, e.g., *State v. Williams*, No. 28608-4-II, 2003 Wash. App. LEXIS 2893 at *7 (Wash. Ct. App. Dec. 9, 2003); *State v. Titalii*, No. 30187-3-II, 2005 Wash. App. LEXIS 2571 at *17 (Wash. Ct. App. Sept. 27, 2005).

The following are some reasons given for exercising peremptory challenges that have survived *Batson* objections.

- The potential juror expressed hostility to the justice system by noting the racial disparities in the seated jury pool, asking "[i]s this really a makeup of Tacoma or Pierce County?" *State v. Thomas*, 166 Wn.2d 380, 396 (Wash. 2009).

- The potential juror has low intelligence. Opening Brief of Appellant at *7, *State v. Sadler*, 147 Wn. App. 97 (Wash. Ct. App. 2008) (No. 35021-1-II), available at <http://www.courts.wa.gov/content/Briefs/A02/350211%20appellant.pdf>.
- “[The potential juror] has a large family, similar to the family makeup of the defendants.” *State v. Titalii*, No. 30187-3-II, 2005 Wash. App. LEXIS 2571 at *15 (Wash. Ct. App. Sept. 27, 2005).
- The potential juror answered “[t]here is no comment to make. None of it's applicable to me. I'll do my best” when asked if she could set aside prejudice. *State v. Jalothot*, No. 28660-2-II, 2003 Wash. App. LEXIS 1716 at *8 (Wash. Ct. App. July 29, 2003).
- The potential juror was suspicious of the criminal justice system because she said “it's not infallible. There's problems, as there are anywhere else” to a question about flaws in the system. *State v. Nordlund*, No. 26859-1-II, 2002 Wash. App. LEXIS 2219 at *14 (Wash. Ct. App. Sept. 13, 2002).
- The potential juror mentioned “beyond a shadow of a doubt” in an answer when the legal standard was actually “beyond a reasonable doubt.” *State v. Powell*, 55 Wn. App. 914, 916 n.1 (Wash. Ct. App. 1989).

In several cases the reasons proffered for striking a minority juror also applied to non-minority jurors who were not removed. See, e.g., Opening Brief of Appellant at *7, *State v. Sadler*, 147 Wn. App. 97 (Wash. Ct. App. 2008) (No. 35021-1-II), available at <http://www.courts.wa.gov/content/Briefs/A02/350211%20appellant.pdf> (a minority juror was challenged in part for (1) having a military background and (2) not understanding the word “sodomasochism” – several jurors with similar characteristics were not challenged); *State v. Luvone*, 127 Wn.2d 690, 700 (Wash. 1995) (a minority juror was removed because (1) a family member had a criminal history and (2) the juror appeared uncomfortable discussing the death penalty – the prosecutor did not challenge several other jurors had similar characteristics).

D. The Proposal

Our Proposed General Rule 35 eliminated the requirement for a finding of purposeful discrimination. Instead, it employs a test of whether an objective person viewing the peremptory challenge could find that race or ethnicity was a factor for the peremptory challenge. The proposed rule includes comments to provide guidance to judges and lawyers. Comments four and five provide examples that are discussed in case law and provides that if those are the proffered reasons then there is a rebuttal presumption that the peremptory challenge is invalid.

E. Our Request

We have two requests. The first is that we would like to have any feedback you may have regarding the proposed rule. We have presented the proposed rule to the Washington State Minority and Justice Commission and received the comment that the trial judge should not have to rely upon an objection being made by a litigant but instead *sua sponte* rule that a peremptory challenge is invalid under the rule. We thought that was a valid point and will be including that in the next draft. Any suggestions you may have will be welcomed and considered.

Second, we would like to have the DMCJA endorse either the rule itself or at least the overall concept and framework of the proposed rule. We have received the latter from the Minority and Justice Commission and would welcome a similar endorsement from the DMCJA. I am presuming that your committee will be making a recommendation to the DMCJA Board for the endorsement we are seeking so I am hoping your committee will recommend supporting the proposed rule.

I am available to meet with either the committee, or the DMCJA Board, if requested to do so to answer questions or provide further information.

Once again, thank you for taking the time to consider this proposal.

Salvador A. Mungia

1 RULE 35. JURY SELECTION

2 (a) **Scope of rule.** This procedure is to be followed in all jury trials.

3 (b) A party may object to an adverse party's use of a peremptory challenge on the
4 grounds that the race or ethnicity of the prospective juror could be viewed as a
5 factor in the use of the challenge. When such an objection is made the
6 adverse party must, on the record, articulate the reasons for the peremptory
7 challenge.
8 challenge.

9 (c) Using an objective observer standard the court shall evaluate the reasons
10 proffered for the challenge. If the court determines that an objective observer
11 could view race or ethnicity as a factor for the peremptory challenge then the
12 challenge shall be denied.

13 **Comment**

14 [1] The purpose of this rule is to eliminate the unfair exclusion of potential jurors
15 based on race. This rule provides a different standard than that provided for in *Batson v.*
16 *Kentucky*, 476 U.S. 79 (1986) to determine whether a peremptory challenge is invalid.
17 For purposes of this rule it is irrelevant whether it can be proved that a prospective juror's
18 race or ethnicity actually played a motivating role in the exercise of a peremptory
19 challenge.
20 challenge.

21 [2] An objective observer is one who is aware that purposeful discrimination and
22 unintentional, institutional, or unconscious bias have resulted in the unfair exclusion of
23 potential jurors based on race in Washington.

24 [3] In determining whether an objective observer could view race or ethnicity as a
25 factor in the use of the peremptory challenge, the court shall consider the following: (a)
26 the number and types of questions posed to the prospective juror, and (b) whether other

1 prospective jurors provided similar answers but were not the subject of a peremptory
2 challenge by that party.

3 [4] Because historically the following reasons proffered for peremptory challenges
4 have operated to exclude racial and ethnic minorities from serving on juries in
5 Washington, there is a presumption that the following are invalid reasons for a
6 peremptory challenge: (a) having prior contact with law enforcement officers; (b)
7 expressing a distrust of law enforcement or a belief that law enforcement officers engage
8 in racial profiling; (c) having a close relationship with people who have been stopped,
9 arrested, or convicted of a crime; (d) living in a high-crime neighborhood; (e) having a
10 child outside of marriage; (f) receiving state benefits; and (g) not being a native English
11 speaker.
12

13 [5] If any party intends to exercise a preemptory challenge on the basis that a
14 prospective juror has been sleeping, not paying attention, or providing unintelligent
15 answers, sufficient advance notice must be provided to the court and opposing party so
16 that the behavior can be verified and addressed in a timely manner.
17
18
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26

DMCJA National Grant Recipients for the Past 5 Years

2015

Judge Richard Kayne	(\$1500)
Judge Marilyn Paja	(\$1500)

2014

Judge Eileen Kato	(\$1200)
Judge Richard Kayne	(\$1400)
Judge Marilyn Paja	(\$1400)
Judge James Riehl	(\$1000)

2013

Judge Richard Kayne	(\$1500)
Judge Marilyn Paja	(\$1500)

2012

Judge Kato	(\$1100)
Judge Kayne	(\$1500)
Judge Paja	(\$2500)

2011

Judge Kato	(\$1500)
Judge Kayne	(\$1500)
Judge Paja	(\$1500)

THE MUNICIPAL COURT OF SEATTLE
Karen Donohue
Presiding Judge



February 10, 2016

Judge David Steiner,
President DMCJA Board

DMCJA Board Members

RE: DMCJA National Leadership Grant

Dear Judge Steiner & DMCJA Board Members,

I would like to be considered for a DMCJA National Leadership Grant in 2016 to attend the National Association of Women Judges (NAWJ) Annual Conference in Seattle.

The mission of the NAWJ is "to promote the judicial role in protecting the rights of individuals under the rule of law through strong, committed, diverse judicial leadership; fairness and equality in the courts; and equal access to justice."

NAWJ members work to achieve fairness and equality for vulnerable populations, to ensure equal justice and access to the courts for women, minorities and other historically disfavored groups, and to preserve judicial independence. Our membership includes trial, appellate and administrative judges on federal, state and tribal courts at every level of the judiciary, including U.S. Supreme Court Justices and military judges, throughout the country and internationally. We are engaged in projects and cutting edge judicial education that include, among other things, human trafficking/modern day slavery, conditions for women in prison, problems facing immigrants in our court system, bioethics, voter education in states with judicial elections and outreach to students about legal and judicial careers.

I am the Washington State Chair for NAWJ and the co-chair of the education committee for our annual conference, to be held at the Seattle Sheraton October 5 – 9, 2016. I also serve on the conference planning committee. As such, I will need to be present at all events, which begin as early as 7:00 am and end as late as 11:00 pm. Assistance from the DMCJA in the costs of attendance and the hotel stay would be very helpful, as my responsibilities at the Conference would make it difficult to make a weekday commute each day. I am asking for funding in the amount of \$985.00, which breaks down as follows:

Early Bird Conference Registration fee	\$525.00
Hotel room (will share with another judge) (4 nights @ \$229/2)	\$460.00

Seattle Justice Center, Room 1037, 600 Fifth Ave., P.O. Box 34987, Seattle, WA 98124-4987
Tel: (206) 684-8709 Fax: (206) 615-0766

With regard to the Leadership Grant criteria, I believe I meet all of the eligibility requirements:

- 1) I have been a member of the NAWJ since 2011 and presently serve in several leadership positions. In addition to the roles mentioned above, I am the chair of the website redevelopment committee and have served on this committee since 2014. I was also a member of the planning committee for the Success Inside and Out conference held at the Mission Creek Correctional Facility in November. Success Inside and Out is an NAWJ program for women in prison which focuses on providing offenders with tools to help them be successful in their transition out of prison.
- 2) I have served on the DMCJA education committee since 2012 and currently am the co-chair of that committee. I've also served on the DMCJA DOL Liaison Committee and the Uniform Citation Committee. I joined the DMCJA Board last spring and, 3) remain a member in good standing.

I am very excited about the educational programming that the DMCJA conference committee has put together and am certainly willing to bring some of the programming back to the State. I have also brought Washington State programming to the NAWJ. At the conference this fall, we will be holding a session on Legal Financial Obligation similar to the session presented at our Washington State Fall Conference, as well as a session featuring The If Project. The If Project is a local program co-founded by a Seattle Police Detective, which focuses on intervention, prevention and reduction in incarceration and recidivism.

Thank you for considering my application for the 2016 DMCJA National Leadership Grant. I very much appreciate the opportunity to serve the courts of our state in any way that I am able. If you have any further questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karen Donohue', with a long horizontal flourish extending to the right.

Karen Donohue

KING COUNTY DISTRICT COURT
East Division – Redmond Courthouse

Judge Janet E. Garrow
Judge Arthur Chapman
Judge Lisa N. O'Toole

8601 – 160th Avenue NE
Redmond, WA 98052

Kathy Orozco, Court Manager
Redmond Courthouse
206-477-3200

March 30, 2016

President David Steiner and DMCJA Board Members

Re: DMCJA National Leadership Grant

Dear Judge Steiner and DMCJA Board Members:

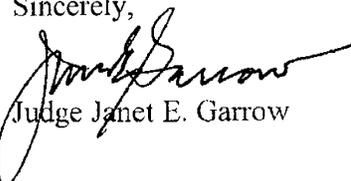
I am applying for a DMCJA National Leadership Grant to attend the 2016 National Association of Women Judges' (NAWJ) annual conference which is being held in Seattle from October 5-9, 2016. I have been a member of NAWJ for several years but have not previously had the time to attend a national conference.

As you know, I am a DMCJA-elected member of the Washington Board for Judicial Administration (BJA) and have served in that capacity for several years. Currently I serve as chair of the BJA's Policy and Planning Committee. For many years I served as the chair of the DMCJA's Rules Committee. I continue to serve as a member of that committee and am interested in trying to developing additional ways to enhance access to justice through technology.

Attending a national conference gives judges the opportunity to not only participate in educational sessions with judges from across the United States, but the ability to be enlightened, through individual conversations with other judicial officers, about different approaches and innovations occurring in their courts.

The registration fee for the NAWJ conference is \$525. I am not requesting lodging. I would appreciate additional funds of up to \$75 for travel expenses. The total requested is \$600.

If you have any questions, please do not hesitate to contact me. Thank you for your consideration of this request.

Sincerely,

Judge Janet E. Garrow

Application for Judge Richard B. Kayne

To Sharon Harvey, Sharon.Harvey@COURTS.WA.GOV

Re: National Leadership Grant

I am hereby expressing interest in the DMCJA National Leadership Grant to attend the AJA 2016 Annual Conference in Toronto, Canada, September 25-30th. The approximate costs for me to attend include \$800 airfare, \$1,200 room, and \$400 registration, for a \$2,400 total.

- 1) I am a member of the American Judges Association.
- 2) I am currently Secretary of the AJA and Co-Chair of its Education Committee.
- 3) I am a member in good standing of DMCJA.

1. In addition, I am engaged in judicial education on the national level, serving as faculty for AJA education programs, as well as faculty at the NJC.

2. I have and will continue to take educational opportunities and programs developed at the national (and international) level, and bring them back to the state of Washington.

3. I have and will continue to take educational opportunities and programs developed at the state level, and take them to the national (and international) level.

4. At last year's fall judicial conference at Seattle, held jointly with the AJA, I was Co-Chair of the Joint Education Planning Committee. We exchanged and shared innovative ideas from the U.S. and Canada, and worked with AOC and the State Supreme Court, in presenting these ideas to the Judges of the Courts in the state of Washington.

5. I am currently a member in good standing of the DMCJA as provided by DMCJA bylaws.

Judge Richard B. Kayne
Medical Lake Municipal Court/
Kalispel Tribal Court
2918 W. 17th Ave
Spokane, WA 99224

(509) 953-1162
rbkayne@comcast.net

Application for Judge Marilyn G. Paja

Dear President Steiner and DMCJA Board:

I am very grateful to the DMCJA Board for continuing the budget line for the National Leadership Grant. Over the years, I believe that exposure to national organizations has greatly benefitted both the DMCJA and WA Courts in general.

I would like to be considered for funding in 2016 to attend the National Association of Women Judges (NAWJ) Annual Conference in Seattle. The mission of the NAWJ is "to promote the judicial role in protecting the rights of individuals under the rule of law through strong, committed, diverse judicial leadership; fairness and equality in the courts; and equal access to justice". Men and women judicial officers may be members. While the Conference is closer geographically than it has been in prior years, because it is being held in Seattle, my duties at the Conference (and the lead-up to it) are considerably greater. Assistance from the DMCJA in the costs of attendance and the hotel stay would be very helpful, as my responsibilities at the Conference would make it difficult to make a weekday commute of 2 hours each way each day. I am asking for funding of \$ 1,050 estimated as follows:

Early Bird Conference Registration fee	\$525
½ conference hotel room (will share with another judge) (4 nights @ \$229/2 = \$115)	
= \$460	
Mileage and bridge toll to and from Seattle	\$ 65

With regard to the DMCJA Leadership Grant criteria, I believe I qualify in all regards:

I have been a member of the NAWJ since 1995 and presently serve in several leadership positions. Currently and since 2012 I have served as Chair of the Membership Committee of the NAWJ (co-chair the past two years). Since 2014 and to the present I also serve on the Board of the NAWJ as the Director from District 13 (which includes the States of WA, AK, MT, OR, HA, ID), having served previously in that Board position from 2010-2012. I have served on many DMCJA Committees, am a past DMCJA Board member and past President of the DMCJA as well.

I am a member of the Education Committee for the 2016 NAWJ Annual Conference. In addition I serve on the 2016 Conference Planning Committee and Chair the Events Committee.

In the past I have taken educational opportunities and programs developed at prior NAWJ Conferences and helped bring them back to the state of Washington, including but not limited to the following: Judicial education such as Immigration Issues for Victims of DV, Immigration and Firearms, Internet Privacy and 'Revenge Porn', and Girls in Trouble (girls in the juvenile system), as well as Success Inside & Out (an NAWJ program of education of women in prison with a goal toward reducing recidivism).

Recently, I have reported to the NAWJ President and Executive Board with regard to the Gender & Justice Commission/Minority and Justice Commission partnership to expand diversity in law and justice careers statewide. This Youth Diversity Initiative seeks to identify all programs statewide designed to inform teens about opportunities to succeed in law and justice careers

from bailiffs, law enforcement, lawyers and judges. This WA State Initiative shows great promise, both to show what kinds of programs are available (and providing a template for duplication), and also to develop an evaluation that might be used nationwide for all youth programs of this type. I serve on the Youth Initiative Planning Committee. The NAWJ program called "Color of Justice" is one of the youth programs offered in our state that is part of this initiative, so are programs such as the annual WA State Kiwanis Youth Law Enforcement Camp and the annual Benton-Franklin County Youth Diversity Conference, and many others.

In addition I have reported extensively to the NAWJ President and Board about the biennial DMCJA/WSBA Pro tem Training Program that also has as its goal increased opportunity for minority/diverse lawyers to consider pro tem work as a path to the bench.

In part as a result of my work with the NAWJ I have been asked to serve on the Gender & Justice Commission here in Washington, and have been able to capitalize on the efforts of AOC, DMCJA and the NAWJ by helping be a bridge of communication between these organizations. For the second time, I coordinated with the Mission Creek Corrections Center for Women (MCCCW) to present Success Inside and Out. Many more judges participated, I was asked to be the emcee, and the evaluations made it clear that the education that AOC was able to help DOC coordinate was of great interest to the offenders. All of the judges who participated expressed their strong interest in further involvement in the issue of reducing recidivism.

I am a member in good standing of the DMCJA.

Thank you for considering my application for the 2016 DMCJA National Leadership Grant. I truly appreciate the opportunity to serve the courts of our state in any way that I am able. If you have any further questions, please do not hesitate to contact me.

Marilyn G. Paja
Judge Marilyn G. Paja
Kitsap County District Court
614 Division Street, MS-25
Port Orchard, WA 98366

Chambers: 360-337-7261



April 15, 2016

The Honorable David Steiner
President, District and Municipal Court Judges' Association
1309 114th Ave. S.E.
Suite 100
Bellevue, WA 98004

RE: Membership Opportunity, BJA Policy and Planning Committee

Dear Judge Steiner,

I write to ask for your assistance in identifying a district or municipal court judge to fill a newly created seat on the Board for Judicial Administration's Policy and Planning Committee. As you know, the BJA recently amended the charter of the committee to allow it to add several additional members, including one district or municipal court judge.

It would be most helpful if you would circulate the attached materials to the rank and file district and municipal court judges and encourage them to consider volunteering for service on this important committee. In terms of a timeline, the committee would like to fill this seat by July 1st or soon thereafter. The planning committee meets on June 17th and would greatly appreciate a recommendation from your board prior to that date.

Please find attached a position announcement and a copy of the committee's current charter. I would be most appreciative if you would forward these materials to all of our district and municipal judge colleagues and encourage them to consider services on this committee.

Please let the judges know they can contact me directly if they have any questions at 206-477-2103 or janet.garrow@kingcounty.gov. Thank you for your assistance.

Sincerely,

Judge Janet Garrow, Chair

ENCLOSURES

CC: Judge G. Scott Marinella
Ms. Sharon Harvey



Committee Membership Opportunity

The Board for Judicial Administration Policy and Planning Committee seeks a qualified district or municipal court judge for membership on the committee. The membership term is for two years commencing on July 1, 2016. Letters of interest should be submitted no later than May 20, 2016.

The Policy and Planning Committee is a standing committee of the Board for Judicial Administration (BJA). The BJA was created by court rule “to provide effective leadership to the state courts system and to develop policy to enhance the administration of justice in Washington State.” (BJAR 1.) In 2014 the BJA reorganized its committee structure to create four standing committees. One of those committees is the Policy and Planning Committee (the committee). The BJA recently amended the charter of the committee to allow the committee to add up to five additional members, including one district or municipal court judge.

The committee has primary responsibility for long term and strategic planning within BJA and the judicial branch of Washington, and has jurisdiction “to research and make recommendations regarding any area of policy affecting the courts of Washington which is within the plenary authority of the BJA.” The committee is very active in addressing its mandates as well as responding to a broad range of policy matters referred to it by the BJA. Since 2014 the committee has been developing and implementing an innovative approach to collaborative planning designed for a non-unified court structure.

Service on the committee provides a unique opportunity to work with judicial leadership from all levels of court in the governance of the judicial branch. Committee meetings generally occur on the afternoon of the third Friday of each month at the Administrative Office of the Courts facility in SeaTac.

The committee is particularly interested in judges who possess the following characteristics:

- A strong interest in court policy, planning, and branch governance.
- An interest in access to justice initiatives.
- Members of the judiciary generally underrepresented in court leadership.
- Will be an active and engaged committee member.

Interested judges should provide a letter of interest by May 20, 2016 to:

The Honorable David A. Steiner
President, DMCJA Board of Governors
c/o Ms. Sharon Harvey

Email: Sharon.Harvey@courts.wa.gov

Or: Administrative Office of the Courts
P.O. Box 41170
Olympia WA 98504
Email:

TO: Judge David Steiner, President, DMCJA Board
FROM: Judge Frank Dacca, Chair, DMCJA Rules Committee
SUBJECT: Proposed Amendments to CRLJ 26
DATE: May 3, 2016

As you may recall, the DMCJA Board recently forwarded a request to the DMCJA Rules Committee to consider proposed changes to GR 26 relating to education for Court Administrators. It is my understanding that the proposed changes had been submitted to the DMCJA Board by representatives of the DMCMA (District and Municipal Court Management Association).

At the regular meeting of the DMCJA Rules Committee on April 27, 2016, the Committee considered the proposed changes and a proposed GR 9 Cover Sheet pertaining to the proposed amendments. After considerable discussion, the Committee came to the conclusion that it wished to table any further discussion until the review process continued and additional input could be received from other stakeholders. Therefore, the Committee is recommending that the Board not take any action as to these amendments at this time.

Thank you for consideration of these comments. If you have any questions, please contact me at 253-798-7712 or fdacca@co.pierce.wa.us.

CC: Ms. Margaret Yetter, DMCMA
DMCJA Rules Committee
J Benway, AOC Staff

TO: Judge David Steiner, President, DMCJA Board
FROM: Judge Frank Dacca, Chair, DMCJA Rules Committee
SUBJECT: Proposed Amendment to GR 26
DATE: March 31, 2016

The District and Municipal Court Management Association (DMCMA) has drafted proposed amendments to GR 26 pertaining to mandatory judicial and/or administrative education for court administrators. At its regular meeting on March 23, 2016, the DMCJA Rules Committee considered these proposed amendments. Ms. Margaret Yetter, Court Administrator for the Kent Municipal Court (and Co-Chair of the DMCMA Conference Committee) was kind enough to join us in our tele-conference meeting and provide helpful background information about the proposed education requirements.

The Rules Committee expressed their general support for the proposed amendments. However, the Committee did express some concern over certain language and provisions of the amendments. First of all, the Committee highlighted the importance of the requirement of GR 9 to prepare a detailed Cover Sheet outlining the background and rationale of the proposed changes. The Committee also suggested that the DMCMA review proposed paragraph (e) dealing with enforcement of the education requirements, and proposed paragraph (g) regarding delegation of authority which may be beyond the scope of this Rule. Ms. Yetter expressed her appreciation to the Committee for its input and related that she plans to resubmit a revised rule and GR 9 Cover Sheet to the Committee in the immediate future.

As noted above, the Committee is generally in favor of educational requirements for court administrators and would like to review the revised proposal and GR 9 Cover sheet when provided by Ms. Yetter. The Committee requests that the DMCJA Board table the matter until those additional materials are submitted for review.

Thank you for consideration of these comments. If you have any questions, please contact me at 253-798-7712 or fdacca@co.pierce.wa.us.

Attachment: Proposed Amendment to GR 26

CC: Ms. Margaret Yetter, Kent Municipal Court
DMCJA Rules Committee

DMCMA PROPOSED CHANGES TO GR 26
MANDATORY CONTINUING JUDICIAL AND ADMINISTRATIVE EDUCATION

Preamble: The protection of the rights of free citizens depends upon the existence of an independent and competent judiciary. The challenge of maintaining judicial competence requires ongoing education of judges in the application of legal principles and the art of judging in order to meet the needs of a changing society. Education in court administration is necessary to maintain judicial independence and carry out the judicial branch's obligation to administer justice impartially and competently. This rule establishes the minimum requirements for continuing judicial education of judicial officers and administrators.

(a) Minimum Requirement. Each judicial officer and administrator shall complete a minimum of 45 credit hours of continuing ~~judicial education~~ judicial education or administrative education in accordance with their position and as approved by the Board for Court Education (BCE) every three years, commencing January 1 of the calendar year following the adoption of this rule. If a judicial officer or administrator completes more than 45 such credit hours in a three-year reporting period, up to 15 hours of the excess credit may be carried forward and applied to ~~the judicial officer's~~ their education requirement for the following three-year reporting period. At least six credit hours for each three-year reporting period shall be earned by completing programs in judicial ethics approved by the BCE. The fifteen credit hours that may be carried forward may include two credit hours toward the judicial ethics requirement.

(b) Judicial College Attendance.

1) A judicial officer shall attend and complete the Washington Judicial College program within twelve months of the initial appointment or election to the judicial office.

2) A judicial officer who attended the Washington Judicial College during his or her term of office in a court of limited jurisdiction shall attend and complete the Washington Judicial College within twelve months of any subsequent appointment or election to the Superior Court. A judicial officer who attended the Washington Judicial College during his or her term of office in the Superior Court shall attend and complete the Washington Judicial College within twelve months of any subsequent appointment or election as a judicial officer in a court of limited jurisdiction. A judicial officer who attended the Washington Judicial College during his or her term of office in a superior court or court of limited jurisdiction and is subsequently appointed or elected to an appellate court position is not required to attend the Washington Judicial College.

3) A judicial officer of a District Court, Municipal Court, Superior Court, or an appellate court, who has been a judicial officer at the time of the adoption of this rule for less than four years but has not attended the Washington Judicial

College, shall attend and complete the Washington Judicial College program within twelve months of the adoption of this rule.

(c) Accreditation. BCE shall, subject to the approval of the Supreme Court, establish and publish standards for accreditation of continuing judicial and administrative education programs and may choose to award continuing judicial and administrative education credits for self-study or teaching. Continuing judicial and administrative education credit shall be given for programs BCE determines enhance the knowledge and skills that are relevant to the judicial office position.

(d) Compliance Report. Each judicial officer and administrator shall file a report with the Administrative Office of the Courts (AOC) on or before January 31 each year in such form as the Administrative Office of the Courts shall prescribe concerning the judicial officer's progress toward the continuing judicial and administrative education requirements of sections (a) and (b) of this rule during the previous calendar year. If a judicial officer or administrator does not respond by January 31, their credits will be confirmed by default. Judicial officers and administrators who do not have the requisite number of hours at the end of their three-year reporting period, will have until March 1 to make up the credits for the previous three-year reporting period. These credits will not count toward their current three-year reporting period. AOC shall publish a report with the names of all judicial officers and administrators who do not fulfill the requirements of sections (a) and (b) of this rule. AOC may require a designated training coordinator from each administrative association to assist with compliance reporting. The AOC report shall be disseminated by means that may include, but are not limited to, publishing on the Washington Courts Internet web site; publishing the information as part of any voter's guide produced by or under the direction of the Administrative Office of the Courts, and releasing the information in electronic or printed form to media organizations throughout the Washington State.

(e) Delinquency. Failure to comply with the requirements of this rule may be deemed a violation of the Code of Judicial Conduct. A that would subject a judicial officer will be subject to sanctions by the Commission on Judicial Conduct.

(f) Definitions. In this section, the following definitions apply:

The term

"Judicial officer" as used in this rule shall not include judges pro tempore but shall otherwise include all full or part time appointed or elected justices, judges, court commissioners, and magistrates.

"Administrator" as used in this rule refers to the court administrator or other titled person responsible for the day-to-day administrative duties of the court and reports directly to the chief justice, chief judge, or presiding judge.

(g) Authority. The administrative responsibilities set forth in this rule cannot be delegated to persons in either the legislative or executive branches of government.

[Adopted effective July 1, 2002; amended effective November 7, 2002; December 31, 2003; December 31, 2003; December 31, 2007.]

DRAFT

Credentials for Michael G. McDonnell, Ph.D.
(Dr. McDonnell's Response To Questions regarding his Expertise)

1. *How can the presenter help the Board regarding the issue of substance abuse and an effective response? i.e. treatment, long-term jail*

My expertise is in the implementation of evidenced based addiction treatments in publicly funded community settings. This includes information about how to identify individuals who are most likely to respond to specific interventions. I am also an expert in the use of urine alcohol and drug tests to monitor outcome and compliance in those receiving addiction treatment.

2. *Is the presenter an expert?*

I am an Associate Professor in the Elson S Floyd College of Medicine at WSU. Prior to this I was an Associate Professor in the Department of Psychiatry at the UW. I have received numerous large federal grants focused on studying the efficacy of behavioral treatments for addictions, with a specific focus on those with co-occurring severe mental health problems. The specific treatment I study is focused on using positive incentives to treat severe addictions in populations that are difficult to engage or suffer from high rates of addictions. The majority of individuals in my studies are involved in the justice system in some one, often through therapeutic courts. I have authored 36 peer reviewed publications on the topics of assessment and treatment of addictions and mental severe psychiatric disorder, and I have practiced as a clinical psychologist for the last 11 years. I have also conducted a number of state-funded evaluations of DSHS funded mental health treatment programs.

3. *What would the presenter share? i.e. findings?*

I would be happy to share my expertise regarding evidenced based treatments for addictions, identification of those that might benefit from these different treatments, and use of these treatments in the court setting. I am also happy to provide information about best-practice use of urine tests and the incentive treatment I research, particularly how they might be used in therapeutic courts.

4. *Are there materials that the presenter has prepared that are relied upon in the community?*

I have attached some examples of my recent published articles. My work has been widely disseminated through scientific conferences, as well as through my close relationships with the community agencies and providers that I collaborate with.

Randomized Controlled Trial of Contingency Management for Stimulant Use in Community Mental Health Patients With Serious Mental Illness

Michael G. McDonell, Ph.D.

Debra Srebnik, Ph.D.

Frank Angelo, M.A.

Sterling McPherson, Ph.D.

Jessica M. Lowe, B.A.

Andrea Sugar, B.A.

Robert A. Short, Ph.D.

John M. Roll, Ph.D.

Richard K. Ries, M.D.

Objective: The primary objective of this study was to determine whether contingency management was associated with increased abstinence from stimulant drug use in stimulant-dependent patients with serious mental illness treated in a community mental health center. Secondary objectives were to determine whether contingency management was associated with reductions in use of other substances, psychiatric symptoms, HIV risk behavior, and inpatient service utilization.

Method: A randomized controlled design was used to compare outcomes of 176 outpatients with serious mental illness and stimulant dependence. Participants were randomly assigned to receive 3 months of contingency management for stimulant abstinence plus treatment as usual or treatment as usual with reinforcement for study participation only. Urine drug tests and self-report, clinician-report, and service utilization outcomes were assessed during the 3-month treatment period and the 3-month follow-up period.

Results: Although participants in the contingency management condition were significantly less likely to complete the treatment period than those assigned to the control condition (42% compared with 65%), they were 2.4 times (95% CI=1.9–3.0) more likely to submit a stimulant-negative urine test during treatment. Compared with participants in the control condition, they had significantly lower levels of alcohol use, injection drug use, and psychiatric symptoms and were one-fifth as likely as those assigned to the control condition to be admitted for psychiatric hospitalization during treatment. They also reported significantly fewer days of stimulant drug use during the 3-month follow-up.

Conclusions: When added to treatment as usual, contingency management is associated with large reductions in stimulant, injection drug, and alcohol use. Reductions in psychiatric symptoms and hospitalizations are important secondary benefits.

(*Am J Psychiatry* 2013; 170:94–101)

Approximately 50% of adults with serious mental illness, such as schizophrenia spectrum, bipolar, and recurrent major depressive disorders, suffer from a substance use disorder at some point during their lives (1). Relative to people with only one of these conditions, individuals with co-occurring disorders have more severe substance use and psychiatric symptoms (2), poorer treatment adherence (3), and higher rates of homelessness (4), HIV infection (2), psychiatric hospitalization (5), emergency room use (6), and incarceration (7).

Despite the frequent co-occurrence of these disorders and associated detrimental outcomes, few individuals receive concurrent treatment for both conditions (8, 9). Integrated treatments delivered via individual (10, 11), group (12), case management (13), or multiple component (14) models have been associated with reductions in drug use. While these treatments have been associated with reduced psychiatric symptom severity in some studies, not

all studies have obtained this result (15). Few individuals receive such treatments in community mental health centers, where most adults with co-occurring disorders receive care (8), for various reasons, including the cost of these interventions, organizational barriers, and the need for extensive training and adherence to these models (16–18).

Interventions that are less costly and easier to implement (e.g., do not require clinical staff, extensive training, supervision, and adherence ratings) are needed to improve outpatient treatment of co-occurring disorders. Contingency management is an evidence-based intervention in which individuals are provided with reinforcers (e.g., vouchers, prizes) based on abstinence from drugs. Contingency management is associated with the largest reductions in drug and alcohol use compared with all other psychosocial treatments (19). Contingency management has also demonstrated improved treatment retention and attendance (20, 21) and long-term efficacy

This article is featured in this month's AJP Audio, is discussed in an Editorial by Dr. Weiss (p. 6), is the subject of a CME course (p. 129), and is an article that provides Clinical Guidance (p. 101)

(22, 23) in populations with psychiatric diagnoses below the threshold of serious mental illness. Initial evidence suggests similar improvements in treatment retention and abstinence for persons with serious mental illness (24, 25). Bellack and colleagues (14) observed reductions in drug use and hospitalizations, as well as increases in quality of life and financial management, in adults with co-occurring disorders who received a 6-month cognitive-behavioral group-based treatment that included contingencies for drug abstinence. These data suggest that contingency management may be an effective treatment approach for adults with co-occurring disorders. However, no adequately powered randomized controlled trial has been conducted to evaluate the efficacy of contingency management alone as an adjunct to treatment as usual for substance use disorders in seriously mentally ill outpatients.

Our primary aim in this study was to determine whether the addition of contingency management for psychostimulant drug abstinence would be successful in reducing stimulant use, as measured by urine drug tests and self-report, in persons with serious mental illness and stimulant dependence receiving treatment in a community mental health center. Our secondary aims were to determine whether contingency management was associated with reductions in use of other drugs and alcohol, drug use severity, psychiatric symptom severity, HIV risk behavior, and community problems (e.g., psychiatric hospitalizations and incarcerations). Stimulants were targeted because of the frequent abuse of these drugs by those with serious mental illness and the association between stimulant use and psychiatric symptom exacerbation (26).

Method

Participants

Participants were recruited from a multisite community mental health and addiction treatment agency in Seattle. To be eligible, participants had to have used stimulants during the past 30 days and had to meet Mini International Neuropsychiatric Interview criteria for methamphetamine, amphetamine, or cocaine dependence as well as criteria for schizophrenia, schizoaffective disorder, bipolar I or II disorder, or recurrent major depressive disorder. Exclusion criteria were presence of organic brain disorder, dementia, or medical disorders or psychiatric symptoms severe enough to compromise safe participation.

Overall, 205 individuals provided written informed consent for study participation. Of these, 201 completed the initial study assessment, and 197 met inclusion criteria (see the CONSORT diagram in the data supplement that accompanies the online edition of this article). Consistent with previous studies that used a noncontingent reinforcement control condition (27), the first five participants were assigned to the contingency management condition. Of the 192 individuals available for randomization, 176 returned for their second study visit, at which they were informed of their group assignment; these individuals are considered the intent-to-treat sample. Study procedures were approved by the University of Washington's Human Subjects Division.

Design and Procedure

The study was a 3-month quasi-yoked randomized controlled trial of contingency management with a 3-month posttreatment follow-up period. Participants were randomly assigned to contingency management plus treatment as usual (N=91) or treatment as usual plus rewards for study participation only (noncontingent rewards; N=85). Randomization was conducted using the urn randomization procedure (28), balancing groups on gender, substance use severity, mood versus psychotic disorder, and psychiatric hospitalization in the past year.

Measures

Participants completed a structured psychiatric interview and study outcome measures. During the treatment phase, participants provided alcohol breath samples (Alco-Sensor III, Intoximeters, St. Louis) and urine samples for drug testing. Drugs were assessed using on-site immunoassays of amphetamine, methamphetamine, cocaine, marijuana, and opiate use (Integrated E-Z Split Key Cup, Innovacon, San Diego). Participants provided breath and urine samples three times a week (Monday, Wednesday, and Friday) and received prize draws as stipulated by their test results and experimental condition. During the follow-up period, participants provided breath and urine samples once a month. At weeks 4, 8, 12, 16, 20, and 24, participants completed other study outcome measures to assess days of substance use and substance use severity (the Addiction Severity Index-Lite Version [29]), psychiatric symptom severity (the Brief Symptom Inventory [30] and the Positive and Negative Syndrome Scale [31]), and HIV risk behavior (the HIV Risk Behavior Scale [32]). Participants were reimbursed for completing these interviews.

Community outcomes were gathered from administrative sources for the 3 months prior to randomization, the 3-month intervention period, and the 3-month follow-up period. Data included counts of outpatient mental health and chemical dependency visits, inpatient substance use and psychiatric treatment admissions and days, detoxification admissions, emergency department utilization, and incarcerations.

Treatment as Usual

Treatment as usual consisted of mental health, chemical dependency, housing, and vocational services. Most clients saw their case manager once a week, had access to psychiatric medication management, and could participate in various group treatments. Forty-six percent (N=42) and 54% (N=46) of individuals in the contingency management group and the noncontingent control group, respectively, received intensive outpatient group or individual substance abuse treatment during the study.

Treatment Conditions

Contingency management group. Participants assigned to the contingency management condition received the variable magnitude of reinforcement procedure each time they tested negative for amphetamine, methamphetamine, and cocaine. This procedure is well researched (33) and involves making "draws" from a bowl of tokens representing different magnitudes of reinforcement. Fifty percent of the tokens read "good job" (no tangible reinforcer). The other 50% were associated with a tangible prize (41.8% read "small" [\$1.00 value], 8% read "large" [\$20.00 value], and 0.2% read "jumbo" [\$80.00 value]). Participants began by earning one opportunity to engage in the reinforcement procedure for each urine sample that demonstrated abstinence. One additional opportunity to engage in the reinforcement procedure was earned for each week of continuous stimulant abstinence. Missing or drug-positive samples

resulted in no delivery of reinforcement at that visit and a reset to one in the number of opportunities to engage in the reinforcement procedure when the next negative sample was submitted. After a reset, participants could return to the point in the escalation at which the reset occurred by providing three consecutive stimulant-negative samples. Participants were provided with one additional opportunity to engage in the reinforcement procedure during each visit if they submitted samples that demonstrated abstinence from alcohol, opioids, and marijuana.

Noncontingent control group. Consistent with previous studies, participants assigned to the noncontingent control condition were quasi-yoked to participants in the contingency management condition (27) in order to equate the number of prize draws received between conditions while isolating the contingent nature of reinforcement for drug abstinence. To determine the number of prize draws received by individuals assigned to the noncontingent condition in the first week of the study, the first five individuals recruited to the study were assigned to the contingency management condition. These individuals were treated for 1 week, and their average number of prize draws was used to set the number of prize draws received by participants in the noncontingent group during their initial week of participation. For the remainder of the study, the number of prize draws of the noncontingent condition was equal (yoked) to the average number of draws earned by the contingency management group during the preceding week. The five individuals initially assigned to the contingency management condition were not included in the intent-to-treat sample.

Reinforcers and Earnings

Reinforcers were useful, supportive items, including shampoo, toothpaste, gift cards, microwave ovens, and electronics. The total average value of prizes earned was \$150.30 (SD=130.94) for the contingency management condition and \$201.48 (SD=343.32) for the noncontingent control condition (not statistically different).

Analysis

Chi-square tests for categorical variables and t tests for continuous variables (including outcome measures) revealed no significant differences between the groups in baseline demographic, clinical, or outcome variables. Analyses were conducted on data from the intent-to-treat sample. Generalized estimating equations were used for the analyses conducted on outcome measures that were assessed over time in conjunction with the robust maximum likelihood estimation procedure to protect against type I error (34). Analyses utilized bidirectional tests despite our hypotheses being unidirectional to further protect against type I error. Odds ratios with 95% confidence intervals (CIs) are presented for binary measures, and unstandardized regression coefficients with 95% CIs are presented for continuous measures. This method of analysis has been used in previous contingency management trials and is an effective and efficient method of analyzing outcomes across time nested within participants (20, 33). Generalized estimating equations were used to evaluate the significance of changes in outcomes over time by treatment condition.

Multiple imputation procedures were used to handle missing data in primary and secondary outcome analyses. This approach has significant advantages over single imputation or listwise deletion (35) or other techniques (36, 37) in conjunction with generalized estimation equation analyses and has frequently been used in psychiatric studies with similar levels of missing data (38, 39). Use of multiple imputations requires the assumption of “missing at random”—a more conservative approach compared with the default listwise deletion used in generalized estimating equation analysis, which assumes “missing completely at random.” Preliminary analyses identified 12

variables that predicted missingness due to treatment dropout. We used these variables during the imputation phase to help ensure that our “missing at random” assumption was tenable. While there is no test for whether missing data are truly “missing at random” as opposed to “missing not at random,” our inclusive strategy for auxiliary variables (i.e., variables used during the imputation but not the analysis phase) during the imputation phase made for a tenable assumption that data were “missing at random.” Multiple imputation procedures use a regression-based approach to fill in the missing values to produce multiple data sets. To maximize the efficiency of our standard errors, 50 data sets were analyzed for each analysis. Parameters and standard errors were combined using Rubin’s rules (35). Analyses were performed using Stata, version 11.2 (StataCorp, College Station, Tex.). We performed extensive sensitivity analyses to assess the relative stability of the effect of treatment on the primary outcome measure (stimulant abstinence) across different missing data handling techniques. In addition to the multiple imputation analysis, we performed analyses that used listwise deletion and last observation carried forward on both the intent-to-treat sample and the treatment completer only. In addition, we performed latent growth curve modeling that utilized maximum likelihood using Diggle-Kenward selection and Wu-Carroll selection modeling. While we attempted to fit a basic pattern mixture model (36, 37), convergence proved difficult and we were not able to obtain parameter estimates.

Results

The demographic and clinical characteristics of the sample are summarized in Table 1. There were no statistically significant differences between groups.

Participants were considered treatment dropouts if they were absent from nine consecutive study appointments (i.e., 3 weeks) during the treatment phase. Significantly fewer participants in the contingency management group were retained throughout treatment compared with those in the control group (N=38 [42%] and N=55 [65%], respectively; $\chi^2=9.8$, $df=1$, $p<0.05$). Contingency management participants were retained for fewer weeks (mean=7.25; SD=4.25) than participants in the noncontingent control group (mean=9.33; SD=3.98). Dropout typically occurred during the first 4 weeks (contingency management group: N=34 [64%]; control group, N=19 [63%]).

Analyses conducted on data from the intent-to-treat sample revealed that participants in the contingency management group were 2.4 times (95% CI=1.9–3.0, $p<0.05$) as likely as those in the noncontingent group to submit a stimulant-negative urine sample during the treatment period (three urine tests submitted per week, for 12 weeks). The proportion of stimulant-abstinent participants (assessed by urine tests) in each group across the 12 weeks of the treatment period is displayed in Figure 1. The sensitivity analyses conducted on the intent-to-treat and treatment completer samples revealed a similar statistically significant group effect on stimulant abstinence. During the follow-up period, participants in the contingency management group were more likely than those in the noncontingent group to submit a stimulant-negative urine test (N=42 [46%] compared with N=30

TABLE 1. Demographic and Clinical Characteristics of Participants in a Randomized Controlled Trial of Contingency Management for Stimulant Use in Patients With Serious Mental Illness

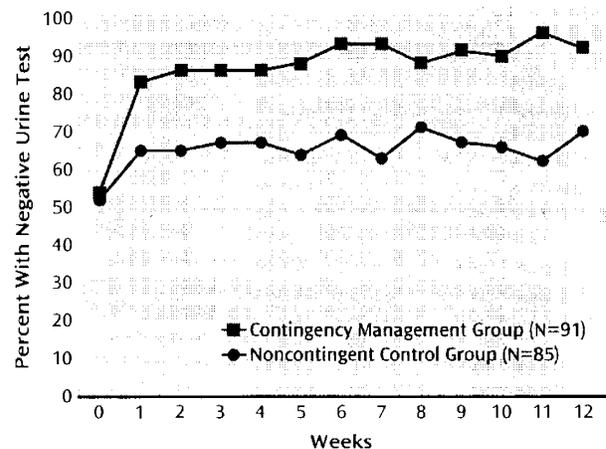
Characteristic	Contingency Management Condition (N=91)		Noncontingent Control Condition (N=85)	
	N	%	N	%
Female	31	34	30	35
Race/ethnicity				
Caucasian	46	50	49	57
African American	31	34	22	26
Other	14	15	14	16
Homeless or unstable housing	59	56	56	66
Diagnosis				
Major depressive disorder	26	29	21	25
Bipolar disorder	30	33	30	35
Schizoaffective-spectrum disorder	35	39	34	40
Inpatient psychiatric care in the past year	30	33	29	34
Current substance use disorders				
Cocaine dependence	88	96	80	94
Amphetamine or methamphetamine dependence	32	35	36	42
Nonstimulant drug abuse or dependence	52	57	59	58
Alcohol abuse or dependence	43	47	37	44
	Mean	SD	Mean	SD
Age	43.01	9.27	42.45	9.97
Days of substance use in the 30 days prior to study entry				
Cocaine	6.00	7.28	6.53	7.65
Amphetamines	0.65	1.84	0.80	2.86
Alcohol	5.46	7.21	6.61	9.67
Cannabis	3.55	7.95	2.99	7.37
Opioids	1.72	5.45	0.89	3.04
Other drugs	0.30	1.66	0.95	4.33

[35%]; odds ratio=1.4, 95% CI=1.0–1.9, $p < 0.05$ using multiple imputation procedures). However, significant group differences during the follow-up period were inconsistently observed in the sensitivity analyses.

Participants assigned to the contingency management condition reported significantly fewer days of stimulant use during the treatment period ($\beta=2.70$, 95% CI=0.91–4.31, $p < 0.05$) and the follow-up period ($\beta=2.16$, 95% CI=0.18–3.24, $p < 0.05$) compared with those in the noncontingent control condition. Table 2 provides descriptive statistics for outcome measures that demonstrated statistically significant group differences. Participants in the contingency management group reported fewer days of alcohol use than those in the noncontingent group during treatment ($\beta=2.44$, 95% CI=0.60–4.29, $p < 0.05$), but not during follow-up. All other measures of other drug use and Addiction Severity Index composite scores did not differ between groups.

No group differences were observed in HIV risk-associated sexual behavior. Approximately 24% of the sample (contingency management group, N=21 [23%]; noncontingent control group, N=21 [25%]) reported injecting illicit drugs in the month prior to study entry. Participants in the contingency management group were less than one-third as likely (odds ratio=3.3, 95% CI=1.8–5.9, $p < 0.05$) to report engaging in injection drug use during treatment compared with those in the

FIGURE 1. Percent of Participants With Stimulant-Negative Urine Samples, From Baseline Through the 12-Week Treatment Period^a



^a Those assigned to the contingency management group were 2.4 times (95% CI=1.9–3.0, $p < 0.05$) as likely to submit a stimulant-negative urine test as those in the noncontingent control group during the 12-week treatment period.

noncontingent group; the groups did not differ significantly on this measure during the follow-up period.

Contingency management participants reported lower levels of psychiatric symptoms on the Brief Symptom

TABLE 2. Primary and Secondary Outcome Measures During Treatment and Posttreatment Follow-Up in a Randomized Controlled Trial of Contingency Management for Stimulant Use in Patients With Serious Mental Illness^a

Measure	During Treatment				During Follow-Up ^a			
	Contingency Management Condition (N=91)		Noncontingent Control Condition (N=85)		Contingency Management Condition (N=52)		Noncontingent Control Condition (N=55)	
	Mean	SD	Mean	SD	Mean	SD	Mean	SD
Days of stimulant use ^{b,c}	0.91	2.40	4.67	7.69	1.83	4.94	3.65	7.15
Days of alcohol use ^c	1.84	4.77	4.32	8.43	3.60	7.92	4.21	7.86
Brief Symptom Inventory score ^c	1.04	0.79	1.24	0.71	1.17	0.85	1.25	0.79
Positive and Negative Syndrome Scale, excitement subscore ^c	10.60	2.58	11.69	3.42	11.17	3.18	11.57	3.01
	N	%	N	%	N	%	N	%
Injection drug use ^c	34	37	56	66	23	44	31	56

^a During the follow-up period, 43% (N=39) and 36% (N=30) of participants in the contingency management and noncontingent control conditions, respectively, did not provide data that could be descriptively analyzed.

^b Significant difference between groups during the treatment and follow-up periods ($p < 0.05$).

^c Significant difference between groups during the treatment period ($p < 0.05$).

Inventory compared with those in the noncontingent condition during treatment ($\beta = 0.25$, 95% CI = 0.08–0.43, $p < 0.05$). They also had lower ratings on the excitement subscale of the Positive and Negative Syndrome Scale ($\beta = 0.86$, 95% CI = 0.11–1.60, $p < 0.05$). The groups did not differ significantly on these measures during the follow-up period. One individual from each group was admitted for a psychiatric hospitalization during the 3 months preceding randomization (length of stay: contingency management group, 24 days; noncontingent control group, 6 days). During the 6 months following randomization, two participants (2%) in the contingency management condition and nine (10%) in the noncontingent condition were admitted for inpatient psychiatric care ($\chi^2 = 5.4$, $df = 1$, $p = 0.02$). The groups also differed in the total number of days hospitalized (contingency management group, 14 days; noncontingent control group, 152 days). The groups did not differ on other community outcomes.

Discussion

To our knowledge, this is the first large randomized controlled trial to investigate the efficacy of a contingency management intervention for drugs of abuse as an adjunct to treatment as usual in a typical outpatient setting. Participants who received the contingency management intervention were 2.4 times as likely as those in the control condition to submit a stimulant-negative urine sample during treatment. Contingency management also had a positive impact on substance use and psychiatric outcomes that were not the primary focus of the intervention. Relative to those assigned to the control condition, individuals who received contingency management experienced reductions in alcohol use, HIV risk behavior (injection drug use), psychiatric symptoms, and inpatient care. The reduced injection drug/HIV risk associated with contingency management in our sample is

consistent with previous research in stimulant-abusing adults without serious mental illness (40). Reductions in injection drug use are of particular public health relevance given the relatively high comorbidity of stimulant and injection drug use (approximately 25%) observed in this sample.

Group differences in psychiatric symptoms were corroborated by differences in inpatient psychiatric utilization. Compared with participants in the control condition, those in the contingency management condition were one-fifth as likely to be admitted for a psychiatric hospitalization during treatment. Changes in substance use, psychiatric symptoms, and inpatient psychiatric care observed in this study were equivalent to those reported in previous studies of more comprehensive and costly psychosocial interventions that are currently the gold standard for evidence-based treatment for co-occurring disorders (10–13), suggesting that contingency management in combination with treatment as usual may be a viable alternative to these treatments.

Our data suggest that an effect of contingency management on stimulant abstinence persisted after treatment was discontinued. While results of multiple imputation analyses suggested higher levels of stimulant abstinence in the contingency management group relative to the noncontingent control group during the follow-up period, results of sensitivity analyses yielded inconsistent results (only the multiple imputations technique showed a statistically significant group difference). Lower levels of self-reported stimulant use were observed during the follow-up period by participants in the contingency management group relative to those in the control group. While these differences in self-reported stimulant use are consistent with previous studies in non-seriously mentally ill populations that demonstrated treatment effects up to 1 year after completion (22), this result should be interpreted with caution given the high level of missing data during follow-up.

Group differences in primary and secondary outcome measures were observed even though the contingency management dropout rate was somewhat higher (59%) than has been previously observed in stimulant-abusing populations (approximately 50%) (20). The higher dropout rate in this study likely reflects the psychiatric comorbidity in this sample and the fact that 66% of our sample was homeless. While the groups did not differ in psychiatric severity or homelessness, it is possible that lower-functioning individuals were more likely to consistently attend study sessions when provided with reinforcement for attendance, but not when the additional contingency of abstinence was added. Others have found that treatment completion is improved after patients are exposed to an initial period of noncontingent reinforcement (41). This and other approaches (e.g., providing higher-value rewards, such as housing [42], or adding contingency management to evidence-based treatments for mental illness) might improve treatment retention in this population.

This is the second study in a population with co-occurring disorders to find that contingency management can be delivered at a low cost. The cost of urine testing and reinforcers was \$256 per participant for the entire treatment group (\$864 for individuals with ≥ 8 weeks of abstinence). In this sample, individuals assigned to the contingency management condition experienced 138 fewer days of psychiatric hospitalization than those in the control condition. Although few participants in either group were hospitalized (two in the contingency management group and nine in the noncontingent control group) and differences in hospitalization rates may be due in part to chance, evidence from this study suggests that savings related to reductions in psychiatric hospitalization could offset the costs of contingency management.

Despite empirical support, potential cost savings, and characteristics that suggest that contingency management could be disseminated into clinical practice, it has not been fully utilized in clinical practice. The primary barriers to dissemination appear to be financial, rather than clinical or theoretical objections by clinicians (43). While the cost of delivering contingency management increases when individuals respond to the treatment (they receive more prizes), this increase is modest compared with savings in inpatient care demonstrated in this and other studies (14). While a number of innovative strategies have been explored to provide funding for contingency management reinforcers (e.g., use of donated funds/prizes, opportunities to work) (41), it is likely that contingency management will continue to be underutilized until payers provide funding for the costs of delivering this treatment. An example of this type of reform recently occurred within the Veterans Health Administration, where contingency management has been approved as a treatment for illicit drug use in veterans receiving intensive outpatient treatment (44).

The generalizability of our results may be limited because recruitment for the study occurred at one large treatment agency. Methodologically, the lower treatment completion rate in the contingency management condition relative to the noncontingent control condition resulted in group differences in rates of missing data. However, we used robust statistical methods (i.e., multiple imputation), which have been frequently used in psychiatric research where comparable levels of missing data were observed (38, 39), to account for missing data, and we conducted multiple sensitivity analyses to corroborate the findings of our multiple-imputation approach. Despite these consistent results, it is important to note that all imputation strategies bias study results, with some (e.g., single imputation) introducing more bias than others.

Despite these limitations, our results provide evidence that contingency management is an effective technique for reducing drug and alcohol use, HIV risk behavior, psychiatric symptoms, and rates of inpatient hospitalization in seriously mentally ill adults. If financial and other barriers to dissemination can be overcome, contingency management might be an effective adjunctive treatment for this population. Future research investigating the efficacy of contingency management in this population should focus on identifying strategies to improve treatment retention and exploring how contingency management might be optimally combined with other evidence-based interventions to further improve outcomes.

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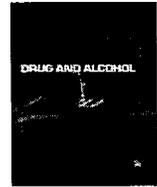
Clinical Guidance: Contingency Management of Stimulant Use in Seriously Mentally Ill Patients

Awarding a chance to receive a prize in return for each stimulant-free urine sample reduces stimulant use in outpatients with serious mental illness and stimulant dependence. In a 3-month study of 176 patients with amphetamine, methamphetamine, or cocaine dependence, McDonnell et al. calculated the cost of urine testing and reinforcers to be \$864 for each participant abstinent for 8 or more weeks, but the patients had only 14 total days of hospitalization, compared to 152 days for patients in a control condition. Stimulant abstinence is associated with improvements in additional outcomes, such as alcohol use, use of injected drugs, and psychiatric symptoms. Abstinence may persist for several months after the intervention ends. Editorialist Weiss (p. 6) applauds the integration of addiction treatment and psychiatry and emphasizes the potential financial advantage for payers, such as the Veterans Health Administration, which recently approved contingency management for drug dependence.



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Full length article

An economic evaluation of a contingency-management intervention for stimulant use among community mental health patients with serious mental illness

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ABSTRACT

Background: This study examines the cost-effectiveness of contingency-management (CM) for stimulant dependence among community mental health patients with serious mental illness (SMI)

Methods: Economic evaluation of a 12-week randomized controlled trial investigating the efficacy of CM added to treatment-as-usual (CM + TAU), relative to TAU without CM, for treating stimulant dependence among patients with a SMI. The trial included 176 participants diagnosed with SMI and stimulant dependency who were receiving community mental health and addiction treatment at one community mental health center in Seattle, Washington. Participants were also assessed during a 12-week follow-up period. Positive and negative syndrome scale (PANSS) scores were used to calculate quality-adjusted life-years (QALYs) for the primary economic outcome. The primary clinical outcome, the stimulant-free year (SFY) is a weighted measure of time free from stimulants. Two perspectives were adopted, those of the provider and the payer.

Results: At 12-weeks neither the provider (\$2652, $p = 0.74$) nor the payer (\$2611, $p = 0.99$) cost differentials were statistically significant. This was also true for the payer at 24-weeks ($-\$125$, $p = 1.00$). QALYs gained were similar across groups, resulting in small, insignificant differences (0.04, $p = 0.23$ at 12-weeks; 0.01, $p = 0.70$ at 24 weeks). CM + TAU experienced significantly more SFYs, 0.24 ($p < 0.001$) at 12 weeks and 0.20 ($p = 0.002$) at 24 weeks, resulting in at least an 85% chance of being considered cost-effective at a threshold of \$200,000/SFY.

Conclusion: Contingency management appears to be a wise investment for both the provider and the payer with regard to the clinical outcome of time free from stimulants.

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1. Introduction

Contingency management (CM) is a well-established intervention for drug and alcohol use disorders. CM employs positive reinforcers (e.g., vouchers or prizes) when individuals demonstrate drug or alcohol abstinence. Meta-analyses of CM have found it to be associated with higher rates of treatment retention and abstinence, relative to standard care (Benishek et al., 2014; Dutra et al., 2008; Lussier et al., 2006; Prendergast et al., 2006). CM

has demonstrated efficacy as a treatment for stimulants (cocaine, amphetamine, methamphetamine), marijuana, opioids, nicotine, and alcohol use disorders. Importantly, Dutra et al. (2008) compared CM approaches to all other psychosocial treatments and found that they had the highest rates of in-treatment abstinence. However, the relatively high in-treatment abstinence rates of CM are not typically sustained (Dutra et al., 2008; Rawson et al., 2006, 2002).

Emerging literature has demonstrated the effectiveness of CM for individuals with substance use disorders (SUDs) who also suffer from severe mental illnesses (SMI; Bellack et al., 2006; McDonell et al., 2013; Roll et al., 2004). Adults with SMI, such as schizophrenia, bipolar and re-occurring major depressive disorders suffer from high rates of SUDs, with lifetime rates as high as 50% (Regier et al., 1990). Relative to people with only one of these conditions,

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individuals with co-occurring SMIs and SUDs have more severe substance use and psychiatric symptoms (RachBeisel et al., 1999), poorer treatment adherence (Bennett et al., 2001), increased homelessness (Galanter et al., 1998), and higher rates of smoking (de Leon et al., 2007), HIV infection (RachBeisel et al., 1999), psychiatric hospitalization (Haywood et al., 1995), emergency room use (Bartels et al., 1993) and incarceration (Abram and Teplin, 1991). The high rates of SUDs among individuals with SMI, and the consequences of this comorbidity, directly contribute to the high economic cost of SMI in the U.S., which is estimated to be well over \$400 billion (2013 USD) annually (Insel, 2008).

Many people with comorbid SUD and SMI do not receive concurrent treatment for the disorders (Substance Abuse and Mental Health Services Administration, 2002; Watkins et al., 2001a), although integrated treatments have been shown to reduce drug use (Baker et al., 2006; Barrowclough et al., 2010; Bellack et al., 2006; Drake et al., 1998; Epstein et al., 2004; Watkins et al., 2001b; Weiss et al., 2009). While the results pertaining to reductions in psychiatric severity associated with many integrated treatments are mixed (Drake et al., 2008), two randomized, controlled trials (RCTs) have shown that CM alone (McDonnell et al., 2013), or as part of a cognitive behavioral treatment (Bellack et al., 2006) can reduce drug and alcohol use, improve psychiatric symptoms, and reduce inpatient hospitalizations in adults who suffer from co-occurring SUDs and SMI. Moreover, a recent Cochrane Collaboration review reported that CM is a promising treatment for SUDs in outpatients with SMI (Hunt et al., 2013).

Despite the apparent promise of CM interventions in treating co-occurring SMI and SUD, perceived cost and an inability to bill for urine tests and tangible reinforcers present a significant barrier to implementation (Kirby et al., 1999; McGovern et al., 2004; Petry and Simcic, 2002; Srebnik et al., 2013). Information regarding the cost-effectiveness of CM is needed to inform policymakers who are increasingly making decisions about the availability of such treatments based on their clinical and cost effectiveness (Petry et al., 2014). Previous cost-effectiveness analyses (CEAs) on CM have been favorable, but have focused on its application to the treatment of specific drugs rather than co-occurring SMI and SUD, and have focused solely on clinical measures for the effectiveness outcome, such as abstinence or treatment completion (Olmstead and Petry, 2009; Olmstead et al., 2007a, 2007b, 2007c; Sindelar et al., 2007a, 2007b). No studies to date have investigated the cost-effectiveness of CM for individuals with comorbid SMI and SUD, a particularly costly population.

Given that substance misuse affects most areas of functioning and SUDs are generally chronic conditions, quality-of-life is increasingly viewed as an important component of long-term recovery (Laudet, 2011); despite that, it is rarely included as an outcome in contingency-management CEAs. A cost-utility analysis (CUA) assesses the relative cost-effectiveness of an intervention; however, the outcome includes a measure of utility (i.e., satisfaction), and is often expressed as quality-adjusted life years (QALYs). QALYs are beneficial as a measure of effectiveness, in that they reflect the combined preference for length and quality of life. The purpose of this study is to conduct an economic evaluation of a CM intervention as an add-on to treatment-as-usual (TAU) for treating stimulant use disorders among 176 outpatients with a SMI.

2. Methods

2.1. CM intervention

McDonnell et al. (2013) conducted a 12-week randomized controlled trial of CM with treatment-as-usual (CM+TAU) relative to TAU with non-contingent rewards for 176 individuals with SMI and stimulant dependence who were receiving community mental health and addiction treatment at one community mental health center in Seattle, Washington. Participants were assessed during the intervention as well as during a 12-week follow-up period. Eligibility criteria for the study included using

stimulants in the 30 days prior to the study, and meeting Mini International Neuropsychiatric Interview criteria for methamphetamine, amphetamine or cocaine dependence, and criteria for schizophrenia or schizoaffective (39% of participants), bipolar I or II (34% of participants), or recurrent major depressive disorder (27% of participants). The urn randomization procedure was used to balance the groups according to gender, substance use severity, mood versus psychotic disorder, and psychiatric hospitalization in the year prior to the study.

Participants were randomized to either CM+TAU or TAU with noncontingent rewards for participation. The variable magnitude of reinforcement CM procedure was used. To start, participants in the CM group earned 1 draw from a bowl of tokens for each urine sample that was negative for stimulants (i.e., amphetamine, methamphetamine and cocaine). The tokens varied in value, with 50% simply reading "good job", and the remainder being associated with a prize valued anywhere between \$1 and \$80. Urine samples were collected 3 times per week with reward draws at each session. Each full week of continued stimulant abstinence resulted in an additional opportunity to draw a token, as did testing negative for alcohol, opioids and marijuana. If a participant tested positive for stimulants, or missed their session, they were unable to draw a token on that session, and had their number of draws reset to 1. TAU participants were quasi-yoked to those in the CM+TAU group, such that their number of prize draws was equal to the average number for CM participants in the week prior. The number of prize draws for the first week was determined by reassigning the first 5 TAU participants to CM+TAU and calculating their average number of prize draws. These 5 participants were then excluded from the intention-to-treat sample. Noncontingent participants therefore received the same number of prizes as their CM+TAU counterparts, but received prizes for submitting urine samples, instead of for submitting drug-free urine samples. Services provided as part of TAU included: mental health, chemical dependency, housing, and vocational.

For the 12-week intervention period, CM+TAU was associated with significantly fewer days of stimulant use (0.91 versus 4.67, $p < 0.05$) and alcohol use (1.84 versus 4.32, $p < 0.05$), and a significantly lower rate of injection drug use engagement (37% vs. 66%, $p < 0.05$) compared with TAU. Days-of-stimulant-use was also significantly lower for CM+TAU relative to TAU during the follow-up period (1.83 versus 3.65, $p < 0.05$).

2.2. Cost measures

The resource costing method was used to calculate costs. This method consists of multiplying the number of units of each resource utilized by participants, by the respective unit cost. The cost for each participant is then obtained by summing the relevant costs.

Few resources were required for the intervention itself; these included: a case manager, urine analysis (UA) supplies, and reinforcers. The case manager's time (including the time it took to order and manage prizes) was valued using the median annual salary from the Bureau of Labor Statistics' (BLS) Occupational Outlook Handbook (2014), \$28,850, as well as the BLS' estimated benefit rate of 30.2% for the health care and social assistance industry group. The case manager's estimated total annual compensation was \$41,332 (\$19.87 per hour). Case managers spent approximately 15 min with each client per visit, and 5 h per week managing prizes for all clients. The values of the (UA) supplies and reinforcers were obtained from the principal investigator and research coordinator. The average cost of UA supplies and reinforcers was \$256. Intervention costs varied by individual, by week, depending on session attendance, the number of draws for prizes, and the value of the prizes received. We did not include the cost of the noncontingent prizes received by the control group, as the prizes were not designed to influence the decision-making process of the control group and would not be used in "real-world" applications of the intervention. Therefore, incorporating the value of the noncontingent prizes would bias the costs in favor of the CM group.

The number of non-study outpatient mental-health and chemical-dependency visits, days of inpatient psychiatric and substance abuse treatment, number of detoxification admissions and the number of emergency department (ED) visits were collected from the Washington State Department of Social and Health Services' (DSHS) databases (McDonnell et al., 2013). Mean unit cost estimates from SAMHSA's Alcohol and Drug Services Study (ADSS; Substance Abuse and Mental Health Services Administration, 2003) were used to value outpatient, inpatient and detoxification services. ED visits were valued using mean expenditures for adults aged 18 to 64 years from the Health, United States, 2012 report (National Center for Health Statistics, 2013). All dollar values were converted to 2013 U.S. dollars using the BLS Consumer Price Index for medical care.

2.3. Effectiveness measures

We calculated both a clinical and an economic measure of effectiveness. The clinical outcome, stimulant-free years, is a weighted measure of time free of stimulants. This measure was based on the number of stimulant positive urine samples, measured 3 times a week during the intervention period and monthly during the 12-week follow-up period.

Our primary economic effectiveness measure is the QALY. QALYs are calculated by multiplying the duration of time spent in a given health state by a preference-weighted health-related quality-of-life (HRQoL) score associated with that state. The weights typically range from 0 to 1, with 0 representing death and 1 representing

perfect health. Therefore, 1 additional QALY represents 1 additional year of perfect health. With regard to the health states, it has been suggested that generic HRQoL instruments may not be sensitive enough to measure condition-specific effects on quality of life for patients with SMI (Lenert et al., 2005, 2004; Mavranzouli, 2010). The positive and negative syndrome scale (PANSS; Kay et al., 1987) is one of the most commonly used measures of condition-specific effects for SMIs. The PANSS was originally developed to measure symptom severity among individuals with schizophrenia, but it is also commonly used as a psychotic symptom assessment tool for individuals with mood disorders given that it assesses symptoms associated with such disorders, such as mood lability, depressed mood and hostility. Studies have shown the PANSS to identify similar psychotic symptom domains between patients with schizophrenia and bipolar disorder (Daneluzzo et al., 2002; Lindenmayer et al., 2004, 2007), and between schizophrenia and major depressive disorder (Eisenberg et al., 2009; Milak et al., 2007; Purnine et al., 2000)—the three serious mental disorders with which participants had been diagnosed. However, before the PANSS scores can be used to weight life years, they must be linked to a measure of utility and converted to the aforementioned 0–1 health-utility index. We used the mapping function developed by Mohr et al. (2004), which categorizes each individual into one of 8 disease states based on their PANSS scores. Preference-weighted HRQoL scores were then assigned according to Lenert et al. (2004), who used a visual analog scale followed by the standard gamble method to assign health-utility index values to each of the 8 states. The PANSS was administered at baseline and then monthly during the treatment and follow-up phases.

2.4. Cost effectiveness

The analyses were performed from the perspective of both the provider and the payer. The provider's perspective is important given that is their decision whether or not to adopt the intervention as part of the treatment program. The payer's perspective is important given their obvious role in the reimbursement decisions.

The incremental cost-effectiveness ratios (ICERs) are the primary outcomes of interest. The ICERs calculated from the provider's perspective reflect the 12-week study-provided direct medical costs (the costs of CM and the costs of outpatient mental health and chemical dependency treatment provided by the community mental health center) per QALY and per stimulant-free year. The payer-perspective ICERs reflect the total direct medical costs (all provider costs and the cost of the following non-study medical services—inpatient substance use and psychiatric services, detoxification admissions and ED visits) per QALY and per stimulant-free year over the 12-week intervention period as well as the entire 24-week study period.

2.5. Analysis

Differences in participants' demographic characteristics, healthcare utilization for the 12-week intervention and follow-up periods, and the total direct medical costs for the 12-weeks prior to randomization, were tested via chi-square tests for categorical variables, *t*-tests for continuous variables, and Wilcoxon–Mann–Whitney tests for count variables.

All 12-week intervention and 12-week follow-up cost estimates were obtained using individual multivariable generalized linear model (GLM) regressions. The distributions and link functions were chosen according to the fit of the data, and the decisions were guided by the use of the modified Parks test (Manning and Mullahy, 2001; Park, 1966) for the family, and the Pregibon link, Modified Hosmer and Lemeshow, and Pearson's correlation tests for the link functions (Glick et al., 2007). The predicted 12-week intervention and follow-up costs were summed to generate the 24-week estimates. Given that the healthcare resources utilized by each participant were obtained from administrative data, and information on the utilization of intervention resources was recorded at the time of each visit, missing cost data was not an issue.

For the 12-week intervention period, 42% of HRQoL preference weights were missing, as was 53% of stimulant-abstinence information; 57% of the HRQoL and 52% of stimulant-abstinence data was missing for the entire 24-weeks. CM + TAU participants remained in treatment 7.25 (SD = 4.25) weeks on average, versus 9.33 (SD = 3.98) weeks for TAU participants. The mean number of missing stimulant-abstinence and HRQoL observations was significantly higher among the CM + TAU group; the amount of missingness did not differ between serious mental diagnosis groups. (Information on missingness by period is available from the author upon request.) Multivariable models were used to predict the HRQoL preference weights and the probability of stimulant free urine (Glick et al., 2007). Missing data was addressed using inverse probability weighting (IPW) and weighted-GLM regressions. IPW performs well at removing the bias associated with missing data when the data are missing at random (MAR; Seaman and White, 2013), which it appears to be (McDonnell et al., 2013). As with the cost models, the appropriate family and link functions were chosen according to the fit of the data (Manning and Mullahy, 2001; Park, 1966). QALYs and stimulant-free years gained for the intervention period were estimated by calculating the area-under-the-curve of the predicted HRQoL and likelihood of stimulant-free urine values, respectively, for the first 12 weeks. Using the same methodology, the QALYs and stimulant-free years gained were then calculated for the full 24 weeks.

The method of recycled predictions was used to estimate all predicted costs, with the exception of the CM intervention itself, QALYs and stimulant-free years (Glick

et al., 2007). To account for sampling uncertainty, *p*-values and standard errors were derived by performing the above analyses within a nonparametric bootstrap (1000 iterations). The parameters obtained from the bootstrap were then used to estimate acceptability curves via parametric methods (Glick et al., 2007). Acceptability curves demonstrate the likelihood that the intervention would be considered cost-effective (i.e., a "good value") at different levels of "willingness-to-pay".

3. Results

Descriptive statistics for patients' demographic information, healthcare utilization (both intervention and follow-up) and direct medical costs for the 12-weeks prior to randomization, by study group, can be viewed in Table 1. The only significant difference between the two treatment groups was the number of inpatient days in the follow-up period, with the noncontingent-control group experiencing 4 and the CM group 0.

3.1. Cost

Table 2 contains the 12-week provider's-perspective cost results, while Table 3 contains the 12- and 24-week cost results presented from the payer's perspective. The predicted mean cost of CM was \$396 (SE = 41) for the 12-week intervention period.

The 12-week total direct medical cost differentials for CM + TAU relative to TAU were not significantly different for either

Table 1
Descriptive statistics.

Variable	CM + TAU		TAU	
	<i>n</i>	Mean	<i>n</i>	Mean
Age (S.D.)	91	43.01 (9.27)	84	42.96 (8.87)
Female	91	34%	85	35%
White/Caucasian	91	51%	85	58%
Black/African American	91	34%	85	26%
Other race	91	15%	85	16%
12-Week intervention counts (S.D.)				
Emergency department visits	91	0.87 (1.90)	85	0.78 (1.64)
Outpatient visits	91	32.23 (43.87)	85	31.24 (29.61)
Detoxification visits	91	0.07 (0.29)	85	0.05 (0.21)
Inpatient days	91	0.13 (0.99)	85	0.58 (2.88)
12-Week follow-up counts (S.D.)				
Emergency department visits	91	0.77 (1.99)	85	0.61 (1.48)
Outpatient visits	91	23.78 (25.55)	85	27.19 (33.17)
Detoxification visits	91	0.07 (0.29)	85	0.02 (0.15)
Inpatient days	91	0 (0.00)	85	0.73 (3.69)
Total direct medical costs 12-weeks prior ^a	91	\$58,478 (58,685)	85	\$65,077 (\$103,077)

^a Unadjusted.

Table 2
Adjusted cost and effectiveness outcomes—provider perspective.

Variable	12-Weeks			
	CM + TAU	TAU	Diff (SE)	<i>p</i> -Value
Costs				
Contingency management	396	0	396 (41)	<0.001
Outpatient services	62,274	60,018	2256 (8099)	0.78
Total costs	62,670	60,018	2652 (8097)	0.74
Outcomes				
Stimulant-free years ^a	0.85	0.61	0.24 (0.04)	<0.001
QALYs ^a	0.85	0.81	0.04 (0.04)	0.23

^a Annualized.

Table 3
Adjusted cost and effectiveness outcomes—payer perspective.

Variable	12-Weeks				24-Weeks			
	CM+TAU	TAU	Diff (SE)	p-Value	CM+TAU	TAU	Diff (SE)	p-Value
Costs								
Contingency management	396	0	396 (41)	<0.001	396	0	396 (41)	<0.001
Outpatient services	62,274	60,018	2256 (8099)	0.78	113,896	114,540	-645 (13,249)	0.96
Nonstudy services	797	838	-41 (272,902)	1.00	1487	1364	124 (368,214)	1.00
Total costs	63,467	60,856	2611 (272,807)	0.99	115,779	115,904	-125 (368,360)	1.00
Outcomes								
Stimulant-free years ^a	0.85	0.61	0.24 (0.04)	<0.001	0.77	0.58	0.20 (0.07)	0.002
QALYs ^a	0.85	0.81	0.04 (0.04)	0.23	0.83	0.82	0.01 (0.02)	0.70

^a Annualized.

Table 4
Incremental cost-effectiveness ratios.

	12-Weeks			24-Weeks		
	Point estimate	Lower interval	Upper interval	Point estimate	Lower interval	Upper interval
Provider costs/QALY	308,665	2681,341 ^a	Dominated	NA	NA	NA
Payer costs/QALY	303,900	1965,838 ^a	Dominated	Dominates	Dominated	Dominated
Provider costs/stimulant-free year	48,133	Dominates	370,968	NA	NA	NA
Payer costs/stimulant-free year	47,390	Dominates	407,435	Dominates	Dominates	487,888

^a CM costs and QALYs are <TAU.

the provider (\$2652; SE=8097, $p=0.74$) or the payer (\$2611; SE=272,807) following the 12-week intervention; this was also true for the payer over the full 24-week time horizon (-\$125; SE=368,360, $p=1.00$). The high levels of insignificance are due to the sizeable standard error of the outpatient variable and, to a larger extent, the non-study services variable. The variability in outpatient and non-study services limits our ability to draw inferences about the direct-medical costs of CM+TAU relative to TAU, particularly from the payer’s perspective.

3.2. Effectiveness

The 12-week annualized results from the QALY and stimulant-free year analyses can be viewed in Tables 2 and 3; the 24-week results are available in Table 3. Over the 12-week intervention period, the annualized stimulant-free years gained by CM+TAU relative to TAU alone were 0.24 (SE=0.04, $p<0.001$). The differential narrowed slightly after 24 weeks, but remained in favor of CM+TAU at 0.20 (SE=0.07, $p=0.002$) stimulant-free years

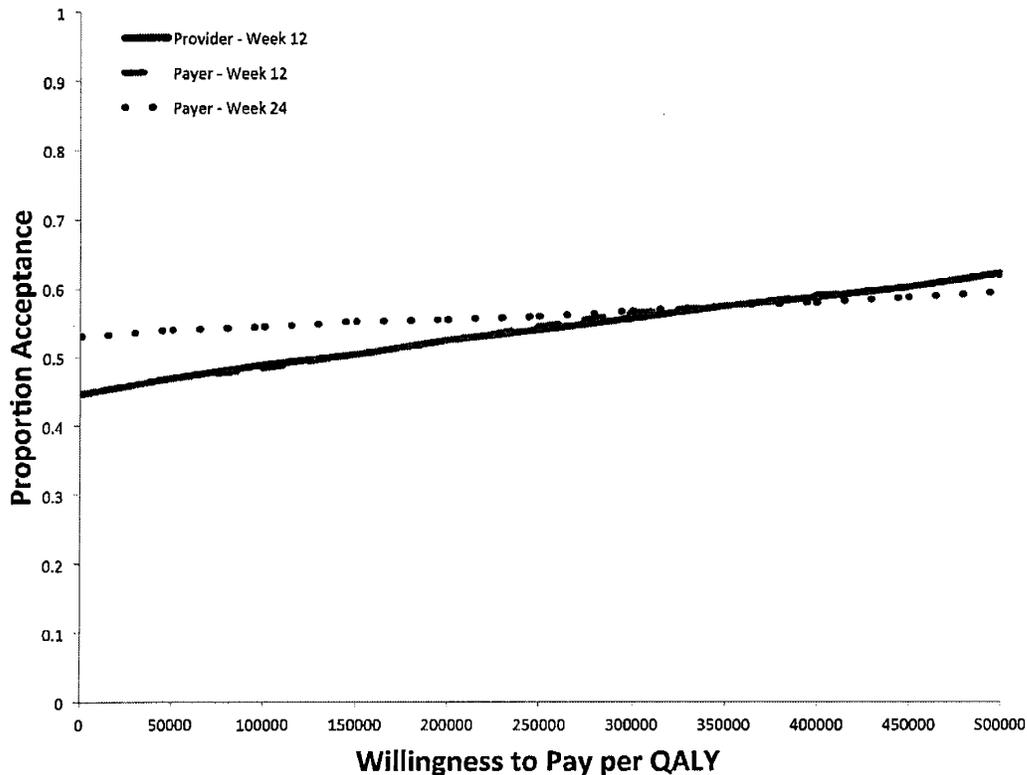


Fig. 1. Cost per QALY acceptability curves.

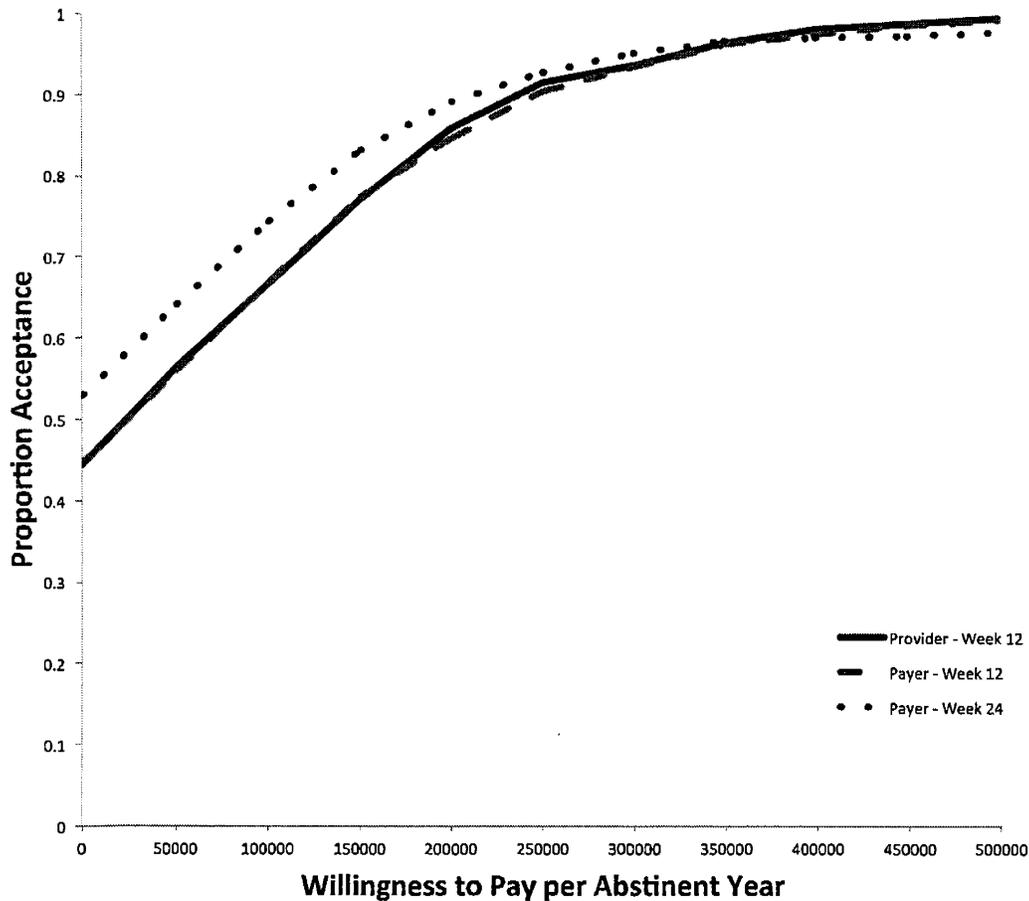


Fig. 2. Cost per stimulant-free year acceptability curves.

(annualized). The QALYs gained by CM+TAU also exceeded those of TAU alone at 12 and 24 weeks; however, the differences were not statistically significant. Over the first 12-weeks, CM+TAU experienced 0.85 QALYs (annualized) compared to 0.81 QALYs (annualized) for TAU alone ($SE=0.04$, $p=0.23$). The QALYs experienced by CM+TAU and TAU over the 24-week time horizon were also very similar at 0.83 (annualized) and 0.82 (annualized), respectively ($SE=0.02$, $p=0.70$).

3.3. Cost-effectiveness

Table 4 contains the ICERs for the provider and the payer. The small QALY differentials contribute to large point estimates for both the provider and payer at 12-weeks; the point estimate for the payer at 24-weeks indicates that CM+TAU dominates TAU. However, the variability in costs and the small, insignificant, differences in QALYs result in wide confidence intervals around the point estimates and low levels of certainty regarding CM+TAU being considered cost-effective at common willingness-to-pay (WTP) threshold values (see Fig. 1).

The provider point estimate for cost per stimulant-free year over the first 12 weeks is \$48,133. The cost per stimulant-free year for the payer over the 12-week intervention period is very similar at \$47,390. Using a 24-week time horizon, the point estimate indicates that CM+TAU dominates TAU from a payer perspective when using stimulant-free years as the effectiveness measure. As is reflected in the acceptability curves displayed in Fig. 2, CM+TAU has a higher likelihood of being considered a “good value” when stimulant-free years are used as the measure of effectiveness. At a WTP threshold

of \$200,000 per stimulant-free year, CM+TAU has approximately an 85% chance of being deemed cost-effective at 12-weeks for both the provider and the payer; at 24-weeks the likelihood climbs to 89% for the payer.

4. Discussion

The contingency management add-on to treatment as usual for patients with comorbid substance-use and serious-mental disorders costs an estimated \$396 per individual over a 12-week treatment episode. Although the total direct medical cost differentials are all highly insignificant, due to the variability in the outpatient and non-study service variables, the results highlight some points worth of consideration for future CM studies. After adding outpatient mental-health and chemical-dependency treatment services offered by the provider (i.e., the community mental health center) to CM, the direct medical cost for CM+TAU is \$2652 higher than TAU. Similarly, from the perspective of the payer, the inclusion of outpatient and non-study services results in CM+TAU costing \$2611 more than TAU at 12 weeks. At 24 weeks CM+TAU is \$125 less than TAU from the payer’s perspective. The predicted means reflect the raw counts of utilization displayed in Table 1. At 12-weeks the outpatient treatment services account for approximately 85% of the total direct medical costs for both the provider and the payer. Although the standard error of the non-study services cost variable is very large, these services account for very little of the total payer cost at 12 and 24 weeks. There is a small, but insignificant, cost offset in outpatient services at 24 weeks. While a decrease in utilization of mental health services could potentially

be problematic, there was a sustained significant increase in time free from stimulants for the CM + TAU group relative to TAU, with a small, but insignificant, increase in HRQoL. Moreover, the QALY findings give us an idea of the general HRQoL levels of this very ill population, and how they changed over time following engagement with treatment services.

As mentioned above, the variability in costs and the small, insignificant, difference in QALYs introduces a great deal of uncertainty into the cost per QALY estimates with regard to assessing “value”. Therefore, we focus more on our clinical effectiveness measure of time free from stimulants. Unfortunately, unlike QALYs, there is not a generally accepted range for which cost per stimulant-free years would be considered cost-effective. For QALYs the range is generally considered to be \$50,000 to \$200,000 (Hirth et al., 2000). Using the 12-week time horizon, the cost per stimulant-free year point estimates for the provider and payer are under \$50,000, and at 24-weeks CM + TAU dominates TAU from a payer perspective. Moreover, even with the variability in costs, CM + TAU has roughly an 85% chance of being accepted as cost-effective from both the provider's and payer's perspective at 12-weeks using a threshold of \$200,000 per stimulant-free year. Using the same measure of “value”, there is an 89% chance that CM + TAU would be considered cost-effective at 24-weeks for the payer.

4.1. Strengths and limitations

To the best of our knowledge, this is the first study to assess the cost-effectiveness of CM for SUDs among individuals with an SMI. Moreover, studies on CM interventions seldom incorporate preference-weighted HRQoL and calculate QALYs. Even though the QALYs gained by CM relative to TAU were not statistically significant, this is an important addition to the literature. As mentioned above, the belief that quality-of-life should be a core component of long-term recovery from SUDs is becoming the consensus. Furthermore, we were able to use the condition-specific PANSS to measure preference-weighted QoL and calculate QALYs, which is important given that generic HRQoL instruments are likely not sensitive enough to fully capture changes in quality of life for this population. However, given that 39% of participants had a primary diagnosis of schizophrenia, while 34% had a diagnosis of bipolar disorder and 27% had a diagnosis of major depressive disorder, the fact that the HRQoL preference weights were developed for schizophrenic health states identified via the PANSS is a limitation, as is the fact that, to the best of our knowledge, the mapping function has only been applied to and tested on individuals with a primary diagnosis of schizophrenia (Heeg et al., 2008; Järbrink et al., 2009; Lenert et al., 2005; Rabinowitz et al., 2013). Although, as discussed above, studies have shown similarities between schizophrenia and bipolar and major depressive disorders with regard to the psychotic symptom domains identified by the PANSS (Daneluzzo et al., 2002; Eisenberg et al., 2009; Lindenmayer et al., 2004, 2007; Milak et al., 2007; Purnine et al., 2000). Moreover, we only observed significant group differences on PANSS ratings related to mood lability, rather than psychotic symptoms, in a sample that was primarily mood disordered. With regard to the HRQoL preference weights, the only significant group difference over time was between participants with diagnosed schizophrenia and those diagnosed with major depressive disorder, with schizophrenics scoring lower. Additionally, the fact that HRQoL was not also measured using a generic instrument limits our ability to generalize the QALY findings.

Another limitation of the study is that, aside from ED use, we do not have healthcare utilization data on non-psychiatric/chemical-dependency care. The missing preference-weighted HRQoL scores, which were used to calculate QALYs, and the missing stimulant-abstinence data also serve as limitations. We addressed the missingness with an approach shown to perform well with

regard to correcting bias when the data is missing at random (Seaman and White, 2013), which it appears to be. In addition, we applied a missing-completely-at-random (MCAR) assumption and found no discernible difference in the results. Still, the missing data reduces the power of our effectiveness findings.

5. Conclusion

CM added to TAU appears to be a wise investment for providers and payers for treating SUDs among the very costly and difficult-to-manage population of individuals with a co-occurring SMI. CM plus TAU significantly improved time free from stimulants relative to TAU, an effect that was sustained over the follow-up period, with no significant difference in direct-medical costs or health-related quality-of-life.

Author disclosures

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Contributors

Authors SMM, MGM and SM conceived the study, and managed the literature searches and summaries of previous related work. MGM, SM and FA were responsible for obtaining and cleaning the data. SMM performed the statistical analyses and wrote the first draft of the manuscript. All authors provided input on the statistical approach, performed critical reviews and collaborated with SMM on manuscript revisions. All authors have approved the final manuscript.

Conflict of interest

Drs. McPherson and Roll have received research funding from the Bristol-Myers Squibb Foundation. Dr. Ries has been on the speakers bureaus of Alkermes and Janssen. The other authors report no financial relationships with commercial interests.

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TO: Judge David Steiner, President, DMCJA Board
FROM: Judge Frank Dacca, Chair, DMCJA Rules Committee
SUBJECT: DMCJA Proposed Amendments to CrRLJ 3.2 (*Barton*)
DATE: May 2, 2016

I won't provide the extensive background regarding this proposed amendment, as it is well-known to the Board. In sum, in response to the Supreme Court action to delete CrR 3.2(b)(4) in light of the *Barton* decision, the DMCJA Board recommended that the same subsection, (b)(4), be deleted from CrRLJ 3.2. This proposal was published for comment by the Supreme Court Rules Committee with a deadline for comment of April 30, 2016.

Subsequent to that publication, comments have been received suggesting that removal of subsection (b)(4) is not the best way to address *Barton* and may be detrimental to low-income litigants. The ACLU presented on this topic at the March 11, 2016 DMCJA Board meeting. At that time, the Board voted to take no action. Nonetheless, in response to continued concern, Judge Steiner requested that the Rules Committee again consider the desirability of the proposed amendment. The Rules Committee discussed the matter during its April 27, 2016 meeting.

Given the posture of the rule, and the apparent concern of the SCJA (despite the fact that they were the sponsor of the original amendment), the Rules Committee now recommends that the DMCJA Board request that the Supreme Court delay consideration of its proposal to amend CrRLJ 3.2. This delay would allow representatives of the DMCJA and the SCJA time to propose a recommendation that will address the concerns of both associations.

Thank you for consideration of these comments. If you have any questions, please contact me at 253-798-7712 or fdacca@co.pierce.wa.us.

CC: DMCJA Rules Committee
J Benway, AOC Staff

Superior Court for the State of Washington
in and for the County of King

JUDGE SEAN P. O'DONNELL
Department 29

King County Courthouse
Seattle, Washington 98104-2361

April 22, 2016

Chief Justice Barbara Madsen
Judge Scott Sparks
Board for Judicial Administration

RE: Proposed Agenda Item, May 20th 2016 BJA meeting

Dear Chief Justice Madsen and Judge Sparks:

With the recent announcement of Mellani McAleenan's departure from her position as the BJA and AOC BJA lobbyist, a significant decision as to whom will be the BJA's "voice" with the legislature is on the horizon. This is an important and exciting opportunity. Ms. McAleenan has worked diligently on behalf of the Board and finding the right person to replace her will be no small task.

Because this person's primary responsibility will be to advise and work on behalf of the Board for Judicial Administration to accomplish its legislative priorities, I am asking that the following resolution be placed on the BJA's May 20, 2016 agenda for discussion. My hope is that the issue could then be voted on at our subsequent meeting on June 17, 2016.

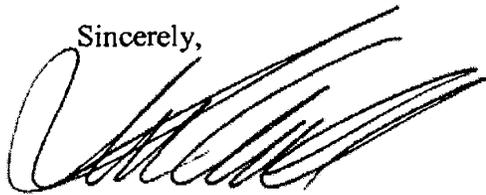
RESOLUTION: It is the position of the Board for Judicial Administration that the Administrative Office of the Courts should delegate its authority for final hiring approval of the new lobbyist to the BJA.

As I will explain at our meeting, this is not a request to recruit candidates, set the terms of pay, or otherwise manage the new lobbyist's day-to-day activities. It would simply mean that the BJA will request that the AOC honor the BJA's vote, and extend an offer to the candidate approved by the BJA.

As part of this discussion, I do think it would be helpful to have a clear understanding of the new lobbyist's chain of command with respect to his or her work with the BJA, AOC, and the judicial branch. For example, it would be useful to address who will be directing the lobbyist's activities and how potential conflicting directives are to be reconciled. While the practice has been for the BJA Legislative Committee to work directly with Ms. McAleenan, having these expectations either restated or clarified for all stakeholders, including the new hire, will be helpful. My hope is that this topic can be considered by the BJA in the context of this resolution.

I am happy to discuss this proposal with you or an AOC representative in advance of our next meeting.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sean P. O'Donnell', written in a cursive style.

Sean P. O'Donnell

cc:

Members, Board for Judicial Administration

Ms. Callie Dietz, AOC

Ms. Misty Butler, AOC



April 25, 2016

Honorable Sean P. O'Donnell
King County Superior Court
516 Third Avenue, Room C-203
Seattle, WA 98104

Dear Judge O'Donnell:

RE: Proposed Agenda Item, May 20, 2016 BJA Meeting

We received your letter regarding a resolution that the Administrative Office of the Courts (AOC) delegate its authority for final hiring approval of its new legislative liaison to the Board for Judicial Administration (BJA). We do agree that the individual in this position needs to meet the needs of the BJA, the AOC and the branch. However, the legislative liaison position performs activities which affect all the committees, commissions, and boards that are supported by the AOC, including the Judicial Information System Committee (JISC), whose role is set by statute, the Supreme Court Minority and Justice Commission, Gender and Justice Commission, Interpreter Commission, the Commission on Children in Foster Care, the Washington State Center for Court Research Oversight Board, the Supreme Court, the Court of Appeals and more.

Of course, there is an important relationship between the legislative liaison and the BJA. As you are aware, the BJA Legislative Committee is responsible for developing a legislative agenda and proactively working together on moving that agenda forward. They are also charged with taking positions on legislation that affect every level of court and the administration of justice. The legislative liaison's responsibility is to be the voice of the BJA and work with the Legislature when direction is given. In matters on which the BJA has taken a position, she/he takes their direction from the BJA. As we have seen, there may be times that there is dissonance between entities within the branch and in a non-unified system that is to be expected. In those cases, the legislative liaison must make it clear who they are representing when working with the Legislature.

ADMINISTRATIVE OFFICE OF THE COURTS

Letter to Honorable Sean P. O'Donnell
April 25, 2016
Page 2 of 2

Based on your concerns, we plan to add this topic, but not the resolution, to the May 20 BJA meeting agenda for clarification because we believe it will be helpful for members of the BJA to understand the role of the liaison and the relationship of the liaison to the BJA Legislative Committee. We can also discuss whether the BJA wants to be part of the interview process. In the end we all have the same goal; finding an individual that meets all our needs.

Sincerely,



Barbara Madsen, Chair
Board for Judicial Administration



Scott Sparks, Member Chair
Board for Judicial Administration

cc: Board for Judicial Administration Members
Ms. Callie Dietz, AOC
Ms. Misty Butler, AOC

CORRESPONDENCE REGARDING DMCJA TERM LIMITS FOR BJA REPRESENTATIVE

From: Kevin Ringus
Sent: Tuesday, May 03, 2016 1:29 PM
To: Steiner, David; James Docter
Cc: DavidSvaren; Harvey, Sharon; Butler, Misty
Subject: RE: BJA position

Good afternoon all...

BJA members are elected to 4 year terms (as indicated below). In an effort to give all members the opportunity to serve as member co-chair, representatives served less than full terms on 2 occasions. This is the only reason that 'less than full term' was added to the bylaws along with the 2 years of shortened terms. Every other shortened term involves serving out an unexpired term. The bylaws allow for serving *less than a full term* and then two consecutive terms. Again, a full term is defined as 4 years.

All that being said, I am willing to serve a second full term and will defer to the Board as to whether I am eligible.

Cheers

Kevin

From: Steiner, David
Sent: Tuesday, May 03, 2016 12:09 PM
To: James Docter
Cc: Kevin Ringus; DavidSvaren; Harvey, Sharon
Subject: FW: BJA position

Both Judge Svaren and I have looked for some way that we could consider reappointing Judge Ringus to the BJA position for a municipal court judge. Kevin has obviously served with distinction in his two terms as one of our BJA representatives. The rule (below) seems, however, to preclude that possibility.

While two years would currently be half of a term, when Judge Ringus served his first term, a two year term was a full term. Judge Ringus served on the BJA from 2010 to 2012. According to Article VIII, Section 1 of the DMCJA Bylaws, "the terms of members which begin on July 1, 2010 and July 1, 2011 shall be for two years." Judge Ringus also served as a BJA Representative from 2012 to 2016. During this period, DMCJA Bylaws state, "positions shall be for a term of four years." Judge Ringus, therefore served another full term. Article VIII, Section 1 further reads, "Representatives shall not serve more than two terms consecutively." Judge Ringus served a term from 2010 to 2012, then from 2012 to 2016.

Section 1. BJA Representative:

The Association shall be represented on the Board for Judicial Administration (BJA) by the Association President and by four members, as follows: One (1) municipal court judge, one (1) district court judge and two (2) members at large. Selection shall be by vote of the membership as with other Association officers. The Association President position shall be for the period of the Association Presidency. The President-Elect shall be an *ex officio* member of the BJA during their term as President-Elect. All other positions shall be for a term of four years—provided that the terms of members which begin on July 1, 2010 and July 1, 2011 shall be for two years. Representatives shall not serve more than two terms consecutively. A representative may serve an unexpired term, less than a full term, and then serve two consecutive terms.

Selection of BJA representatives shall be based on demonstrated commitment to improving the courts and should reflect ethnic, gender, geographic and caseload differences.

If anyone has any idea how we can make this work, please let me know. The only other thing I can think of is letting the whole board interpret the rule. But I would not expect a different outcome.

From: Harvey, Sharon

Sent: Tuesday, May 03, 2016 11:00 AM

To: Steiner, David

Subject: RE: BJA position

Judge Steiner,

Judge Docter would like an official ruling on the issue of whether Judge Kevin Ringus is eligible to run for the DMCJA BJA Representative. According to Judge Docter, Judge Ringus thinks that he is eligible because he only served a two-year term prior to his four year term from 2012 to 2016. Judge Svaren has noted that Judge Ringus served a term from 2010 to 2012, which was considered a full term during those years under Article VIII, Section 1 of the DMCJA Bylaws. Judge Docter would like an official ruling regarding these two conflicting bylaws interpretations. Thanks.

Board at least 10 days in advance. The Association may reimburse the Board of Governors their necessary travel expenses to attend any Board meeting, except in connection with the Annual Meeting.

- (b) A quorum for a meeting of the Board of Governors shall be one-half of its members.
- (c) The Board of Governors shall provide for at least on an annual basis, an audit of the books, records and accounts maintained by the Treasurer and the audit shall review the Treasurer's Annual Report.

ARTICLE VIII - Board for Judicial Administration

Section 1. BJA Representative:

The Association shall be represented on the Board for Judicial Administration (BJA) by the Association President and by four members, as follows: One (1) municipal court judge, one (1) district court judge and two (2) members at large. Selection shall be by vote of the membership as with other Association officers. The Association President position shall be for the period of the Association Presidency. The President-Elect shall be an *ex officio* member of the BJA during their term as President-Elect. All other positions shall be for a term of four years—provided that the terms of members which begin on July 1, 2010 and July 1, 2011 shall be for two years. Representatives shall not serve more than two terms consecutively. A representative may serve an unexpired term, less than a full term, and then serve two consecutive terms.

Selection of BJA representatives shall be based on demonstrated commitment to improving the courts and should reflect ethnic, gender, geographic and caseload differences.

Section 2. Election of Representatives:

Election of all representatives shall be held at the Spring Conference. Terms of office shall commence on July 1, of the year in which elected, or at the conclusion of the Annual Meeting, whichever last occurs.

Section 3. Vacancies:

All vacancies in office shall be filled by a member of the Association appointed by the President with ratification of the Board of Governors.



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May 2, 2016

Washington State Minority and Justice Commission
1206 Quince Street SE
Olympia, WA 98504

Dear Minority and Justice Commission:

Re: Letter of Support for the Bureau of Justice Assistance Price of Justice Grant

The Washington State Minority and Justice Commission has requested support for its application for the Bureau of Justice Assistance Price of Justice Grant. As President of the District and Municipal Court Judges' Association (DMCJA) I share the concerns of the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, and Minority and Justice Commission with current Legal Financial Obligations (LFOs) practices and believe it is time to rethink the consequences of LFOs. Knowing that LFOs exacerbate the many difficulties associated with the re-entry process, there is a real need for understanding the impacts of LFOs and the extent to which stakeholders can reform practices in order to ensure equity, fairness, and an individual's successful re-entry.

The Minority and Justice Commission is in a unique position to accept the Price of Justice Grant because of the Commission's statewide reach and proven ability to provide quality evidence-based programs, practices, and resources, such as its 2008 research report, "The Assessment and Consequences of Legal Financial Obligations in Washington State."

The DMCJA is promulgated by statute. The Association shall continuously survey and study the operation of the courts served by its membership, the volume and condition of business of such courts, the methods of procedure therein, the work accomplished, and the character of the result, pursuant to Revised Code of Washington (RCW) 3.70.010.

The DMCJA is willing to commit to work with the Minority and Justice Commission to promote the mission of the project in the following ways:

- Participate in stakeholder meetings.
- Provide support for reforming approaches to LFOs.

Thank you for your commitment to finding innovative approaches to reforming LFO practices throughout the United States.

Sincerely,

Judge David A. Steiner
DMCJA President

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