



WASHINGTON
COURTS

**WASHINGTON JUDICIARY'S
PRESENTATION TO THE
WASHINGTON CITIZENS'
COMMISSION ON SALARIES
FOR ELECTED OFFICIALS**

2016

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SALARIES FOR ELECTED OFFICIALS**

TABLE OF CONTENTS

Tab 1	The Duties of Judges in Washington Courts <i>Establishing Appropriate Judicial Salaries</i>
Tab 2	Washington State Court System, 2016 Washington State Judiciary Years of Service and Age Information
Tab 3	Salaries of Washington State Law School Deans Salaries of Federal Judges Former Washington State Judges on Federal Bench and in Arbitration and Mediation Services Judicial Salary Notes from <i>A Report of our First 20 Years, 1987 – 2007</i> , Washington Citizens’ Commission on Salaries for Elected Officials
Tab 4	Attorney Salary Comparisons
Tab 5	National Comparison of State Court Judicial Salaries Judicial Compensation Developments (Excerpt from the October 2012 Edition of the Newsletter of the Conference of Chief Justices’ Task Force on Politics and Judicial Selection/Compensation)

TAB 1

THE DUTIES OF JUDGES IN WASHINGTON COURTS ESTABLISHING APPROPRIATE JUDICIAL SALARIES

INTRODUCTION

In creating the Washington Citizens' Commission on Salaries for Elected Officials, the Legislature stated the policy of the state is to base salaries for judges and other elected officials on realistic standards: 1) according to the duties of their offices, and 2) to attract citizens of the highest quality to public service (RCW 43.03.300).

To attract high quality judicial candidates to the bench, and to retain these individuals, establishing and maintaining an adequate salary is essential. Having salaries that are sufficient to attract talented people is a common problem throughout government; however, it is especially difficult for the judiciary. When experienced lawyers consider trading private practice for public service on the bench they know that they will be prohibited from practicing law, and must forego all outside business and professional interests as a condition of holding office. Unlike other public servants, judges must curb most other financial endeavors in order to preserve their impartiality. At the same time, they know that the potential monetary benefits of private practice usually exceed that of public service in the judiciary. Therefore, adequate salaries, which do not erode with inflation, become crucial for attracting and retaining high quality candidates.

The most reasoned approach to judicial salary setting lies in ongoing regular increases which reflect the rising cost of living. This approach is viewed as one of the most important factors in attracting high quality candidates to judicial office. Consistent with the 2004 *Study on Salaries of Legislators and The Judiciary*, the salaries of judges in Washington State should move toward and maintain a degree of parity with the Federal Judiciary¹. Further, normalized salaries of judges in other states provide a useful point of reference for the maintenance of appropriate judicial salaries in Washington State. Judges do not expect to achieve parity with many of their colleagues in private practice. But, at a minimum, the expected economic sacrifices of a career on the bench must not be further compounded by a failure of judicial salaries to keep pace with inflation or fall substantially below that of the Federal Judiciary.

¹ Study on Salaries of Legislators and The Judiciary, Project Report, November 18, 2004. Owen-Pottier Human Resource Consultants for the Washington Citizens' Commission on Salaries for Elected Officials at Page 15.

TYPICAL RESPONSIBILITIES OF JUDGES

Judges are expected to preside at criminal trials, impose punishment for crimes, preside over civil cases, decide complex issues on appeal, manage growing caseloads, and see that the courts' orders are enforced. Our communities expect judges to resolve disputes that involve violence, family abuse, and juvenile crime, as well as settle civil conflicts among individuals, businesses and government agencies. The duties of judges require them to remain impartial and to make difficult, often unpopular decisions. Judges also have an administrative responsibility—they must make sure the courts run efficiently and safely, and that citizens have access to the justice system.

A typical day for a trial court judge involves a variety of different duties. For example, a judge will spend a portion of the day “in chambers,” which is the judge’s office, reviewing the files in preparation of cases to be heard. During this time, a judge may also hear brief motions and hold scheduling conferences outside the formal courtroom. Sometimes judges may be asked to interrupt other activities to hear an emergency matter, such as a request for emergency relief in a domestic law case. Trial court judges spend a large portion of their time on the bench presiding over trials, sentencing hearings and other proceedings. Judges may spend time responding to inquiries about court procedures and assisting research entities with data collection.

Each court has a presiding judge who assigns cases and manages the court’s calendar for other judges on the bench. Judges also hold “settlement conferences” in order to allow parties to resolve their disputes outside of the courtroom. Judges supervise their staff and attend meetings with other judges on their bench, often during lunchtime, in order to make policy decisions relating to court procedures. On a typical day, a judge may also leave the court to attend a committee meeting or to participate in a community activity such as attending a school event known as, *Judges in the Classroom*.

Litigants have a constitutional right to file a direct appeal in the Court of Appeals. The Court of Appeals considers and decides appeals from final Superior Court judgments and orders, except those rendered in death penalty cases. The Court of Appeals also decides appeals from final administrative decisions. Court of Appeal judges read the briefs and excerpts of the record submitted in the cases, research the legal issues necessary to resolve the cases, hear oral argument on selected cases, then conference (discuss) every case in panels of three judges. After the case is conferenced, the writing judge drafts an opinion that is read and edited by other panel members. Sometimes the judges draft concurring or dissenting opinions.

Published Court of Appeal decisions are binding precedent in the state. Unpublished opinions are considered “persuasive authority” in the state. The published opinions are available in bound form in law libraries across the country;

all of the opinions are available on the Court's public website. In addition to deciding cases that result in formal opinions, Court of Appeal judges decide personal restraint petitions and various motions such as motions for discretionary review, motions for reconsideration, and motions to modify commissioner rulings, as well as procedural motions.

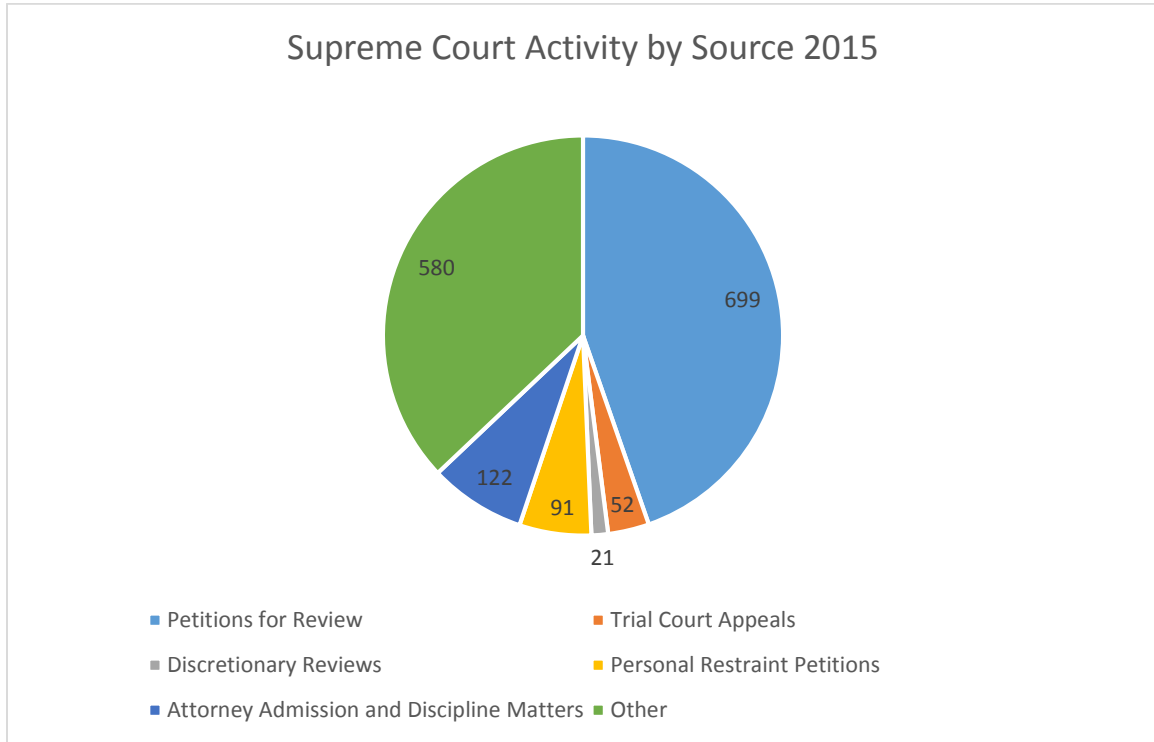
Court of Appeal judges are also responsible for the oversight of the Court's budget and personnel and the management and processing of cases. They participate on statewide judicial administration committees, and in community or school activities. They also sit as pro tem judges in trial courts and on the Supreme Court.

The Supreme Court is the state's highest court. Opinions of the Supreme Court become the law of the state, and set precedent for subsequent cases decided in Washington. All nine justices sit as a panel to hear oral arguments. Following oral arguments, the justices meet (conference) to discuss the case. Following the conference a justice is assigned to write the majority opinion and, if appropriate, another justice is tasked with writing the dissenting opinion. The justices also have supervisory responsibility over certain activities of the Washington State Bar Association including attorney admission and discipline matters. The justices have responsibility for adopting rules that govern court practices and processes statewide. As leaders of the state judicial branch, the justices frequently preside over efforts to improve the judicial system by serving as chairs or members of the Board for Judicial Administration, the Gender and Justice Commission, the Minority and Justice Commission, the Interpreter Commission, the Judicial Information System Committee, the Bench-Bar-Press Committee, and many others. The Supreme Court also governs the Pattern Forms Committee, the Pattern Jury Instruction Committee, and the Certified Professional Guardian Board (all of which are very important.) The Supreme Court governs the certification and discipline of professional guardians, and also hears cases involving the suspension or removal of a judge.

DUTIES OF JUDGES

Caseload Reports²

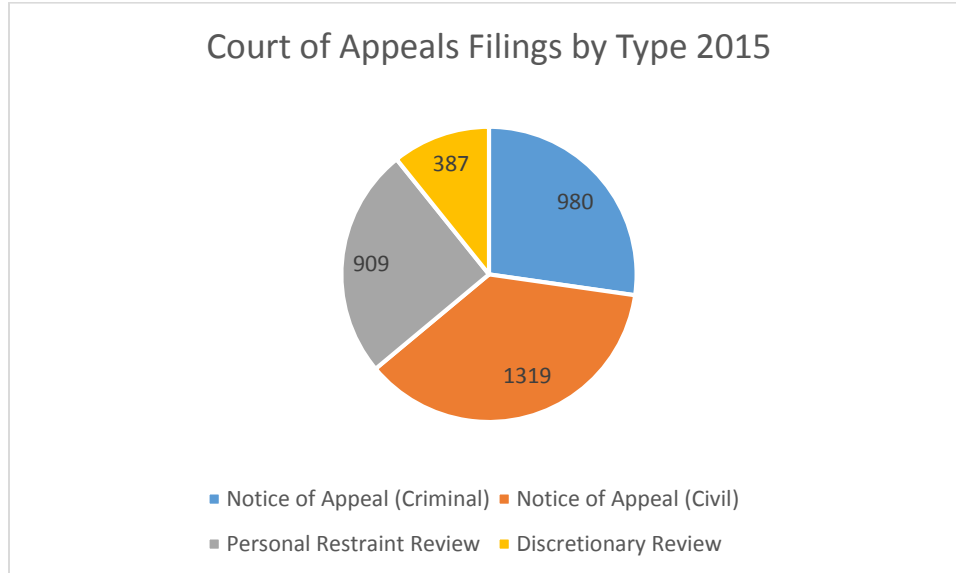
Supreme Court



The Supreme Court received 1,565 new case filings in 2015, including 699 (44.7%) petitions for review, 52 trial court appeals (3.7%), 21 (1.3%) discretionary reviews, 91 (5.8%) personal restraint petitions, 122 (7.8%) attorney admission and discipline matters, and 580 (37%) other reviews, including direct appeals from the trial courts, actions against state officers, and cases certified from federal court. Please note: Due to rounding, percentages may not add precisely to 100.

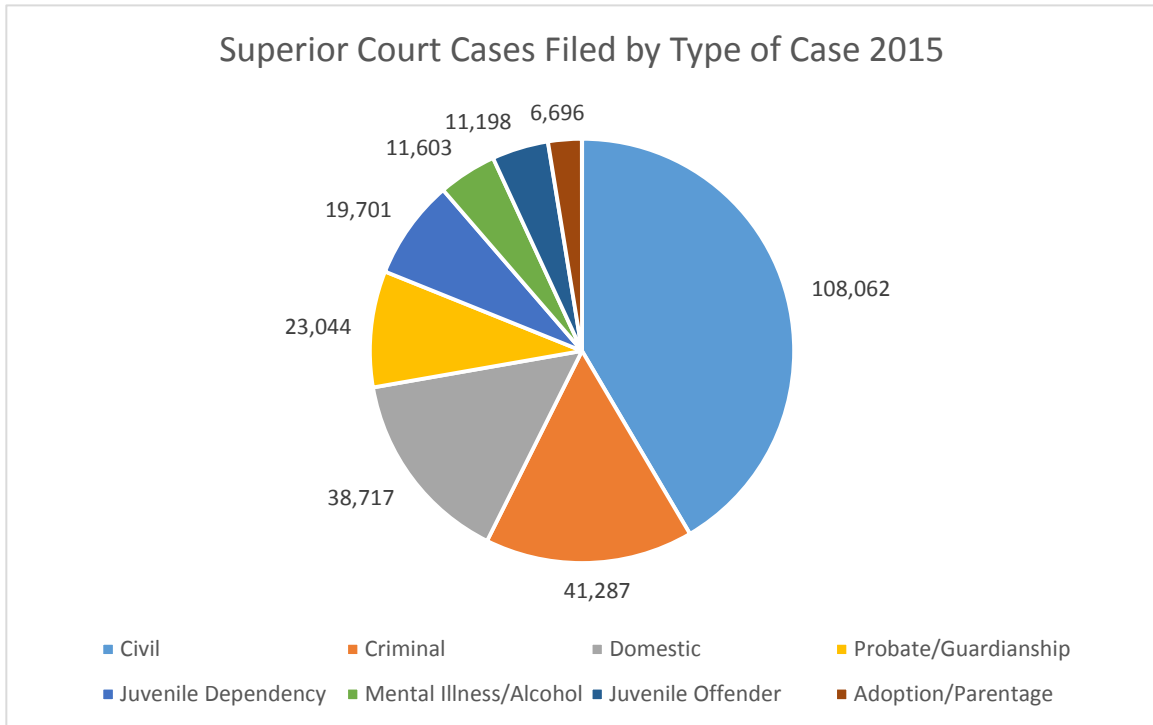
² <http://www.courts.wa.gov/caseload/>

Court of Appeals



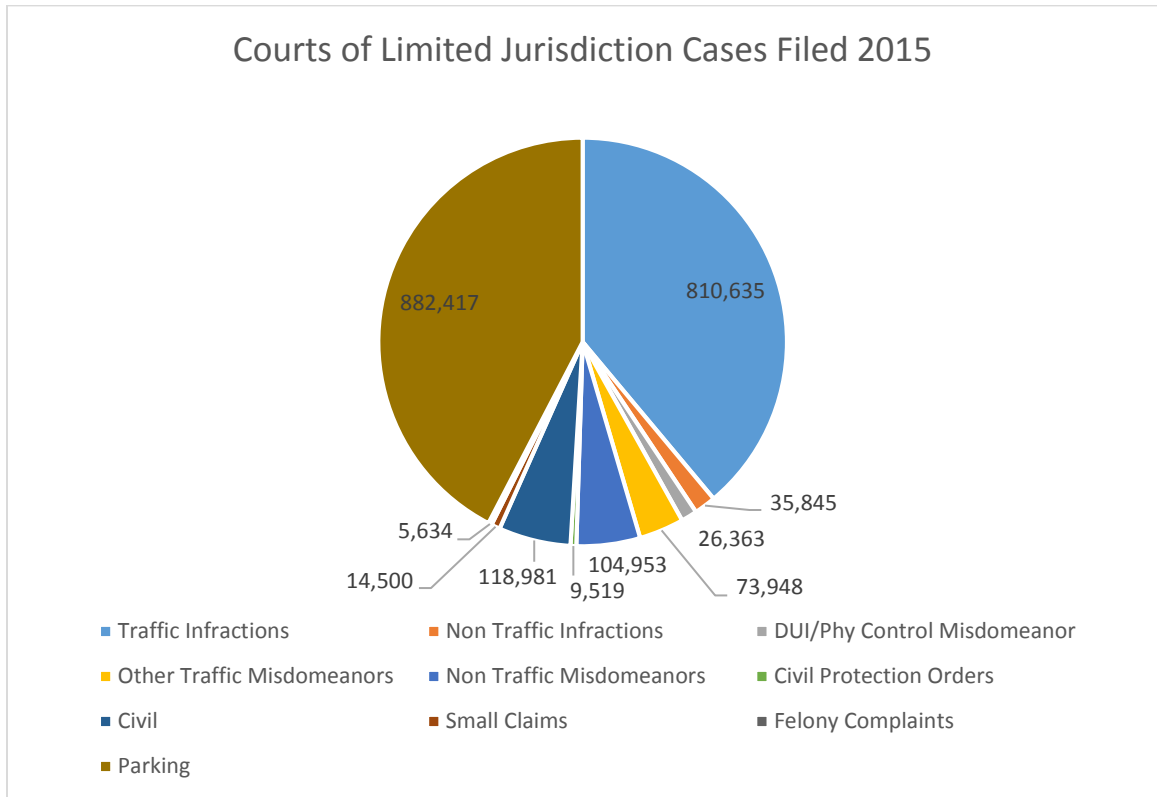
In 2015, 3,595 new cases were filed in the Washington Court of Appeals, including 1319 (36.7%) civil notices of appeal, 980 (27.3) criminal notices of appeal, 909 (25.3%) personal restraint reviews, and 387 (10.8%) discretionary reviews. Please note: Due to rounding, percentages may not add precisely to 100.

Superior Court



There were 260,308 cases filed in Washington's superior courts during calendar year 2015. Civil cases contributed to 41.5% of the filings, followed by criminal cases (15.9%) and domestic cases (14.9%). Please note: Due to rounding, percentages may not add precisely to 100.

District Courts



There were 2,082,795 cases filed in Washington's district courts during the calendar year 2015. Parking infractions contributed to 42.4% of this filings, followed closely by traffic infractions (38.9%). Please note: Due to rounding, percentages may not add precisely to 100.

Find Better Ways to Resolve Disputes

- Society demands new ways to handle old problems. Washington judges have initiated specialized therapeutic courts addressing drug or alcohol addiction, family recovery, domestic violence, and veterans' needs for adults. Similar courts exist for juvenile offenders including a juvenile gang court in Yakima. Therapeutic courts require judges to learn special skills, such as motivating defendants to make their own decision to move away from a lifestyle involving drugs. This requires judges to spend extra time building one-on-one relationships with defendants. Research shows these efforts by judges pay off in terms of fewer repeat offenders, lives put back on track, and families restored.
- Judges have created Mental Health courts in several jurisdictions to allow judges, lawyers, and treatment providers to work as a team to find ways to limit criminal behavior by identifying appropriate treatment or interventions.
- In 2008, the Board for Judicial Administration adopted the Washington State Family and Juvenile Court Improvement Plan (FJCIP). The Legislature provided start-up funds. The FJCIP set in motion a strategy to encourage and fund improvements to local court operations that are consistent with Unified Family Court (UFC) principles. The statewide plan promotes a system of local improvements that are incremental and measurable. The impetus for this project was the desire among judges, the Legislature, and stakeholders to improve court operations for children and families. The funding for 13 superior courts improved several measurements of court processes, notably a reduction in the time between a child entering the dependency system and exiting the system with a permanent placement. Judges continue working to reduce the length of this stressful time for children.
- District and municipal courts in many counties operate programs to help reinstate the driver licenses for people who have lost their license due to unpaid traffic tickets. These drivers may keep their licenses as long as they adhere to a payment schedule and address other behavior that leads to license revocation. This program started in the courts and helps break the cycle of suspended licensees reoffending in their daily lives.
- Yakima County allows drivers to contact the court by e-mail to explain why they received a traffic ticket, and to ask the court for a reduced fine. The number of in-person hearings in these cases has been reduced by half.
- Led by Clark County and Kitsap County, trial courts in many counties host centralized domestic violence courts to provide more coordinated services in these cases.
- All but four superior courts employ "courthouse facilitators" to help the growing number of litigants without attorneys. The facilitators work with "pro-se" litigants to understand his or her court case and the steps to resolve the

case. Courthouse facilitators work especially with litigants in marriage dissolution cases.

Ensure Courts Are Accessible When People Need Help

- Judges are increasingly called upon to perform their duties “after normal business hours.” For example, every weekend trial court judges are assigned to hear the “jail calendar” and make appropriate release decisions. Trial court judges are frequently called at night by law enforcement officers to consider issuance of “telephone search warrants” and domestic violence protection orders.
- Judges must make sure the court is accessible to all people—including those who are not represented by an attorney. Some estimates indicate that nearly 60% of all domestic relations cases feature at least one self-represented party. Litigants expect judges to simplify their procedures so that everyone, *not* just attorneys, can appear in court effectively.
- The number of non English-speaking litigants and witnesses appearing in Washington courts is increasing. In 2013, there were over 89 languages spoken in court cases. The variety includes Spanish, Chinese, Russian, Vietnamese, Korean, Albanian, Amharic, several dialects of Arabic, ASL, Tagalog, Bengali, Bosnian, Cham, Dinka, Farsi, Kanjobal, Khmer, Kurdi, Lao, Mam, Marshallese, Panjabi, Pohnpeian, Romanian, Samoan, Yap, and many others. Judges have a duty to make sure everyone who has a case before the court can communicate and understand the proceedings. The courts’ customers have changed, and judges change the way they conduct their business in order to serve their communities.
- Both the Americans with Disabilities Act and the Washington Law Against Discrimination require courts to make both their facilities and their programs and services accessible to persons with disabilities, including deaf and hard of hearing persons. General Rule 33 sets forth a process for requests for accommodation that courts and judges follow to ensure that court buildings, programs, and services are equally accessible by all.

Stay Current with Changes in the Law

- Judges must keep abreast of changes in state and federal statutes as well as developments in case law. Judges at all levels must maintain their personal proficiency and knowledge of the changes to statutes and recent case law.
- Court rule requires all judges and court commissioners to complete a minimum of 45 hours of continuing judicial education in each three-year period.

Keep Courthouses Safe

- Courts and courthouses are the location where difficult conflicts are resolved, and criminal acts receive punishment. The frequency of violent events in courthouses is increasing. This requires judges to spend time planning and implementing courtroom security precautions.
- Outside the courtroom, some judges have been required to take extra steps to protect themselves and their families against threats of violence from angry litigants. While judges accept it as their duty to do everything possible to keep court staff and the public safe, they do their work with an awareness of the increasing risk associated with their jobs.

Manage the Courts

- Trial court presiding judges assign and monitor the flow of cases, and ensure the training and orientation of new judges.
- Judges manage probation services and, in some locations, juvenile detention facilities.
- Judges are responsible for the administration of their court, including oversight of the court's budget and personnel. In larger courts, professional administrators and clerks assist judges.
- Judges adopt local court rules directing the management and processing of cases.
- Judges often chair or are members of local government councils or boards that address policy, practice and budget issues across local justice systems.
- Judges participate in many community and school activities such as "*Judges in the Classroom*," Mock Trial competitions, and neighborhood justice forums.

Manage the State Court System

The Washington court system is a decentralized, non-unified court system. Therefore, in addition to hearing and deciding cases and managing their local courts, judges ensure coordination of statewide policy and practice through the participation in judicial associations, boards, commissions, committees, and taskforces:

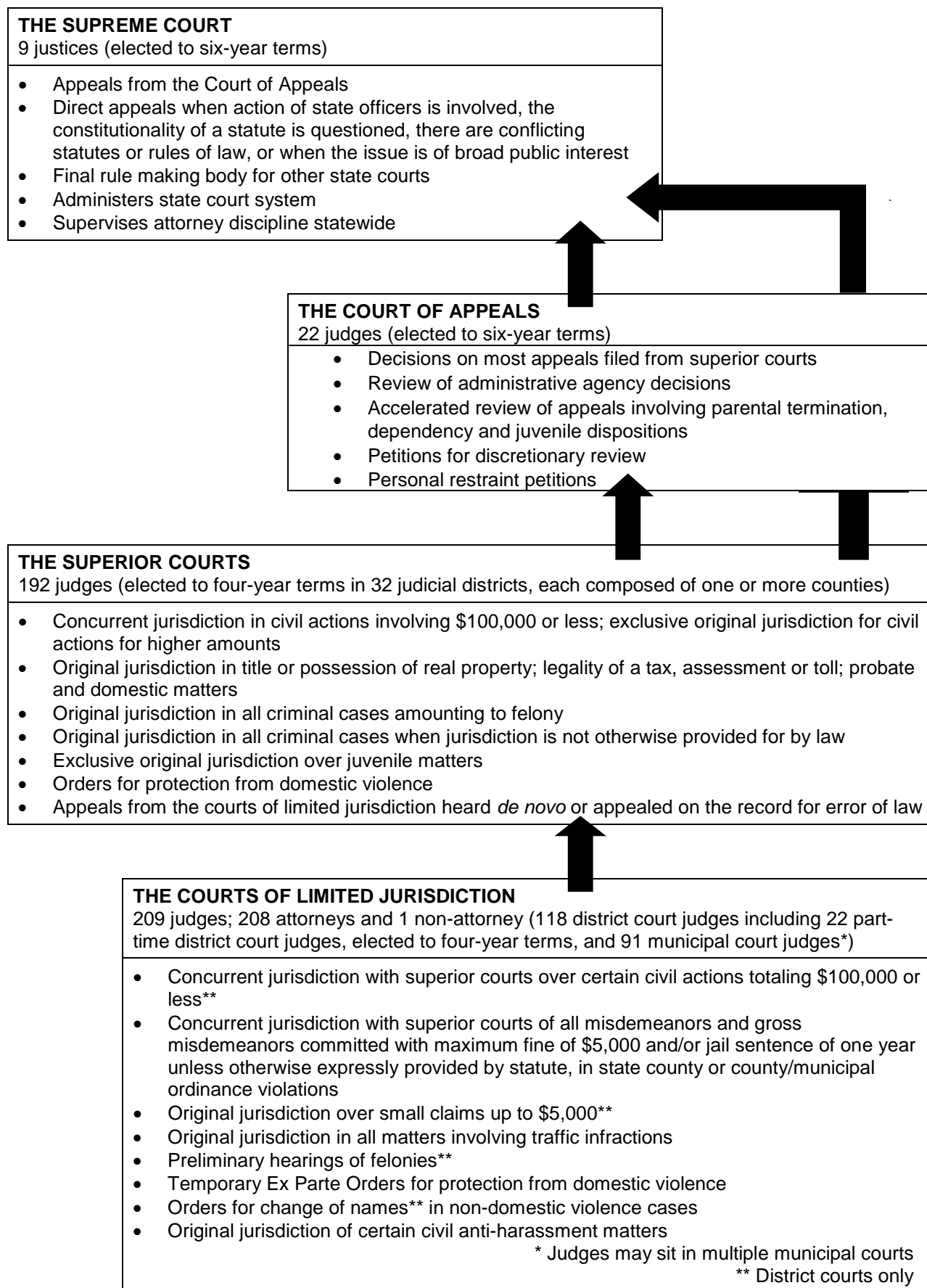
- Judges direct the development of the statewide court computer systems.
- Judges serve on commissions that explore ways to make the system better by addressing barriers to access and bias based on gender, race, ethnicity, age, physical and mental abilities, income, and other characteristics of people who interact with the courts and justice system.
- Judges work with state executive branch agencies on policy and practice issues where their work intersects. Examples include working with the

Department of Social and Health Services on services provided to families in dependency cases and with the Department of Licensing on records relating to drivers' licenses and traffic case dispositions.

- Judges work with the Legislature on legislation that affects the administration of justice.
- Judges develop the curriculum for educational programs for judicial officers regarding the administration of justice, the application of new laws, and social science research on the effectiveness of court programs. Many judges serve as faculty on education programs for judges, administrators, and other court personnel.
- Judges work on the development of proposed statewide court rules and the Supreme Court justices are responsible for final consideration, amendment, and adoption of proposed statewide court rules.
- Supreme Court justices are responsible for lawyer discipline and the final review of matters related to judicial discipline recommending suspension, removal, or retirement.
- Trial court judges are the chairpersons, and also serve as members, on the statewide committees that create the pattern court forms for use in all criminal, family law, juvenile law, protection order, guardianship, and civil commitment cases.
- Trial court judges are the chairpersons, and also serve as members, on the statewide committees that draft the pattern jury instructions used in every jury trial in the state.

TAB 2

Washington State Court System, 2016



**WASHINGTON STATE JUDICIARY
YEARS OF SERVICE AND AGE INFORMATION**

COURTS OF RECORD (Supreme Court, Court of Appeals, Superior Courts)

	Number	Percentage*
Number of judges with 20 or more years of service on the bench as of December 31, 2016	25	11.3%
Number of judges age 65 or older as of December 31, 2016	55	24.8%
Number of judges 50 years old or younger as of December 31, 2016	28	12.6%
Number of judges leaving the bench (mostly due to retirements) between June 23, 2014 and July 14, 2016	21	9.5%

COURTS OF LIMITED JURISDICTION (District and Municipal Courts)

	Number	Percentage**
Number of judges with 20 or more years of service on the bench as of December 31, 2016	41	19.6%
Number of judges age 65 or older as of December 31, 2016	53	25.4%
Number of judges 50 years old or younger as of December 31, 2016	45	21.5%
Number of judges leaving the bench (mostly due to retirements and a few moving to superior court) between April 2014 and June 2016	23	11%

* Based on 222 judges

** Based on 209 judges, with data missing from one judge

TAB 3

WASHINGTON STATE LAW SCHOOL DEANS SALARY INFORMATION

As of September 2016

University of Washington Law School Dean Salary	\$378,900
Median Annual Salary for Law School Dean in US*	\$275,708

*from <http://www1.salary.com/Dean-of-Law-Salaries.html>. Unable to get information from Seattle University and Gonzaga law schools about their salaries.

As of October 2014

University of Washington Law School Dean Salary	\$375,000
Seattle University Law School Dean Salary	Salary range for professors and entry-level deans: \$120,000 - \$250,000
Gonzaga University Law School Dean Salary	Gonzaga has a policy of not disclosing personnel information of this sort

As of October 2012

University of Washington Law School Dean Salary	\$352,008
Seattle University Law School Dean Salary	Salary range for professors and entry-level deans: \$120,000 - \$250,000
Gonzaga University Law School Dean Salary	Gonzaga has a policy of not disclosing personnel information of this sort

As of October 2010

University of Washington Law School Dean Salary	\$352,008
Seattle University Law School Dean Salary	Salary range for professors and entry-level deans: \$120,000 - \$250,000
Gonzaga University Law School Dean Salary	Gonzaga has a policy of not disclosing personnel

information of this sort

As of October 2008

University of Washington Law School Dean Salary	\$255,600
Seattle University Law School Dean Salary	Salary range for professors and entry-level deans: \$120,000 - \$250,000
Gonzaga University Law School Dean Salary	\$233,028

As of October 2006

University of Washington Law School Dean Salary	\$251,580
Seattle University Law School Dean Salary	\$241,114
Gonzaga University Law School Dean Salary	Salary Range: \$175,100 – \$236,900 Current salary being paid is close to the top of the range.

As of October 2004

University of Washington Law School Dean Salary	\$197,880
Seattle University Law School Dean Salary	\$220,830
Gonzaga University Law School Dean Salary	Salary Range: \$160,000 – \$190,000 Current salary being paid is close to the top of the range.

As of January 2003

University of Washington Law School Dean Salary	\$190,200
Seattle University Law School Dean Salary	\$210,038
Gonzaga University Law School Dean Salary	Confidential – per Director and Corporate Counsel

**COMPARISON OF WASHINGTON’S JUDICIAL SALARIES
WITH FEDERAL JUDICIAL SALARIES**

2016 STATE AND FEDERAL JUDICIAL SALARIES*

Washington	Salary	Federal	Current Salary
Supreme Court Chief Justice	\$185,661	U.S. Supreme Court Chief Justice	\$260,700
		U.S. Supreme Court Associate Justices	\$249,300
Supreme Court	\$183,021	U.S. Circuit Courts of Appeal	\$215,400
Court of Appeals	\$174,224		
Superior Court	\$165,870	U.S. District Court	\$203,100
District Court	\$157,933		
		U.S. Court of Federal Claims	\$203,100
		U.S. Court of International Trade	\$203,100
		U.S. Bankruptcy Court	\$186,852
		Magistrate Judges – U.S. District Court	\$186,852

The Federal Judicial salaries are provided as comparators. These positions draw from the same pool of attorneys as state judicial offices. There are federal courts in several locations in Washington including Seattle, Tacoma, Bellingham, Vancouver, Spokane, Yakima, and Richland.

Federal Supreme and Appellate courts are similar in function to Washington’s Supreme and Appellate courts. The Federal District Court is similar to Washington Superior court. The various specialty courts operate with less breadth of topic, however the Magistrate Judge is most similar to Washington District court, hearing misdemeanor cases, preliminary hearings and civil trials.

Notes:

1. According to the 2004 *Washington Citizens’ Commission on Salaries for Elected Officials Study on Salaries of Legislators and The Judiciary* by Owen-Pottier Human Resource Consultants:

“A reasonable course of action for the Commission to follow is to move *toward* a degree of parity with the federal bench over time. Such action can be justified in part by the fact that federal judges perform substantially similar work as our state judges but have significantly more job security since they are appointed for life, while state judges must run for reelection.

2. The American Bar Association in 1981 adopted the following policy: “Be it resolved that the American Bar Association recommends that salaries of justices of the highest courts of the states should be substantially equal to the salaries paid to judges of the United States

court of appeals, and the salaries of the state trial judges of courts of general jurisdiction should substantially equal the salaries paid to judges of the United States district courts.”

The judges of the state courts are called on to decide many more disputes than the judges of the federal courts. Their decisions affect the “life, liberty and property” of literally millions of citizens every year. While only on rare occasions do their decisions achieve the publicity accorded by the media to many decisions of the United States Supreme Court, the quality of justice accorded in state courts is in reality the quality of justice in the United States. (Annual Report of the American Bar Association, August 10-12, 1981 New Orleans, Louisiana)

*Washington salaries based on: <http://www.salaries.wa.gov/salary> Federal salaries, based on: <http://www.uscourts.gov/JudgesAndJudgeships/JudicialCompensation/judicial-salaries-since-1968.aspx> and http://www.fjc.gov/history/home.nsf/page/js_7.html

**FORMER WASHINGTON STATE JUDGES
CURRENTLY IN FEDERAL COURTS**

**U.S. District Court - Eastern and
Western Districts of Washington:**

U.S. District Judges

Judge Stanley A Bastian
*Senior Judge Robert J. Bryan
Senior Judge John C. Coughenour
*Senior Judge Carolyn R. Dimmick
*Judge Richard A. Jones
* Judge Robert S. Lasnik
Judge Ronald B. Leighton
*Chief Judge Ricardo S. Martinez
*Senior Judge Walter T. McGovern
*Judge Salvador Mendoza Jr.
Senior Judge William Fremming Nielsen
Senior Judge Marsha J. Pechman
Judge Rosanna Malouf Peterson
Senior Judge Justin L. Quackenbush
Chief Judge Thomas O. Rice
Senior Judge James L. Robart
*Senior Judge Barbara Jacobs Rothstein
Judge Benjamin H. Settle
Senior Judge Edward F. Shea
Senior Judge Lonny R. Suko
*Senior Judge Fred Van Sickle
*Senior Judge Robert H. Whaley
Senior Judge Thomas S. Zilly

Magistrate Judges

*Magistrate Judge J. Kelly Arnold (Recalled)
Magistrate Judge David W. Christel
Magistrate Judge J. Richard Creatura
Magistrate Judge Mary K. Dimke
Chief Magistrate Judge James P. Donohue
Magistrate Judge Paula McCandlis (Part-time)
Magistrate Judge John T. Rodgers
*Magistrate Judge Karen L. Strombom
Magistrate Judge Mary Alice Theiler
Magistrate Judge Brian A. Tsuchida
Magistrate Judge John L. Weinberg (Recalled)

**U.S. Bankruptcy Court - Eastern and
Western Districts of Washington:**

Judges

Judge Christopher Alston
Judge Marc Barreca
Chief Judge Frederick P. Corbit
Judge Timothy W. Dore
*Judge Frank L. Kurtz
Chief Judge Brian Lynch
Judge John Rossmeissl
Judge Paul B. Snyder

**FORMER WASHINGTON STATE JUDGES
CURRENTLY IN MEDIATION AND ARBITRATION SERVICES**

Judicial Dispute Resolution (JDR)

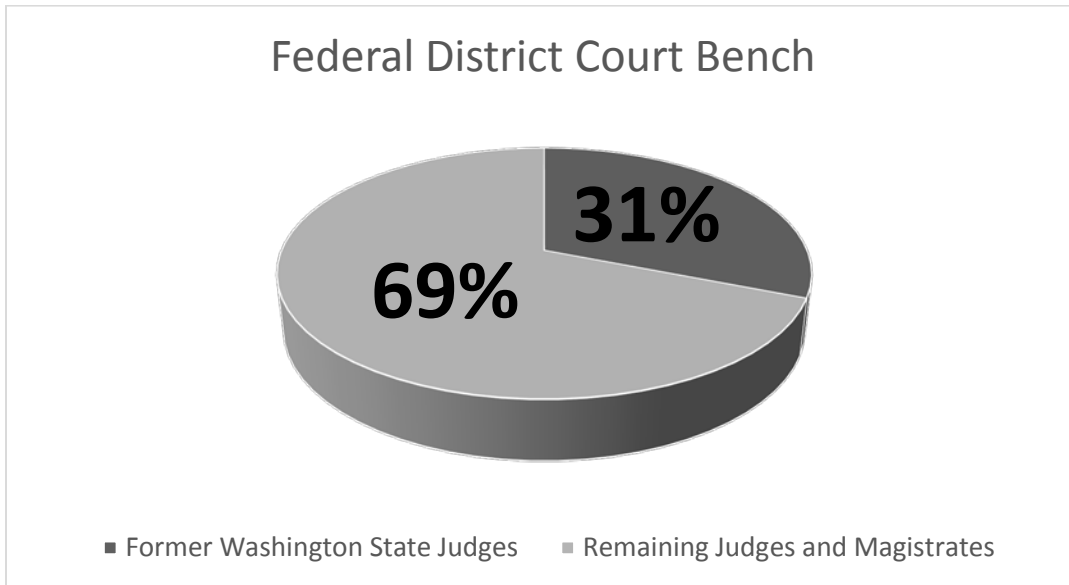
*Charles Burdell Jr.
*George Finkle
*Larry A. Jordan
*Paris Kallas
*Linda Lau
*Steve Scott

Judicial Arbitration and Mediation Services (JAMS)

*Sharon Armstrong
M. Wayne Blair
Fred R. Butterworth
William J. Cahill
*Paula Casey
Zela "Zee" G. Claiborne
*Anne L. Ellington
*Deborah D. Fleck
Daniel B. Garrie
Kenneth Gibbs
*J. Kathleen Learned
*Terry Lukens
*Thomas McPhee
Lawrence Mills
James Nagle
Randal J. Newsome
Douglas Oles
James Ware
James Warren
*Eric Watness
Catherine A. Yann

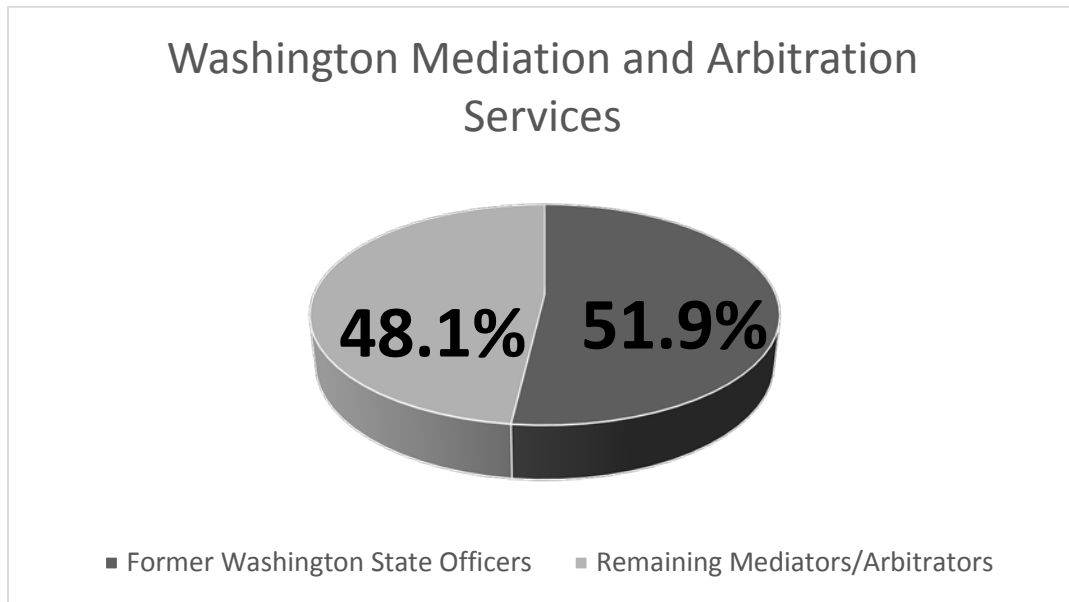
FORMER WASHINGTON STATE JUDGES ON FEDERAL DISTRICT COURT BENCH

Of the 42 federal judges and magistrates for the Eastern and Western Districts of Washington, 13 or 31% are former Washington State judges.



FORMER WASHINGTON STATE JUDGES IN ARBITRATION/MEDIATION

Of the 21 Washington members of Judicial Arbitration and Mediation Services, eight are former Washington State judges. Of the six members of Judicial Dispute Resolution, all of them are former Washington State judicial officers. Of the total 27 members of the two arbitration and mediation services, 14 or 51.9% are former Washington State judicial officers.



JUDICIAL SALARY NOTES

1987-1988

- The differential between superior and district court judges was reduced to 5% in 1988.
- The salaries established for 1987-88 were catch up increases because of the lapses in past years in adjustments to the elected officials' salaries.

1989-1991

- The 1989 salaries reflected a 4.8% COLA over 1988; based on the western states' CPI for September 1989.
- The 1990 salaries were increased by a 3% COLA.

1991-1992

- The standard benchmark set by the previous commission to tie the Supreme Court justices' salaries to the judges of the Federal Court of Appeals was maintained.
- Increased judges' salaries by the 10.2% COLA and 9.8% in equity in equal amounts over 2 years.
- Part-time district judges' salaries were proportionate to time worked.

1993-1994

- The Commission froze the salaries of elected officials for two years.

1995-1996

- All judges' salaries were increased by 2.5% in 1995; no adjustment was made for 1996

1997-1998

- Only minor adjustments were made in 1997. The position of Secretary of State was increased by \$4,700, the position of Attorney General was increased by \$1,000, and all judges received a 2% increase.
- No increases were made for 1998.

1999-2000

- Much of the 1999 adjustment was to catch up to the increases received by state employees since 1994.
- The elected officials received a 3% increase in September 2000; the same amount state employees received in July 2000.
- The historical 5% differential between each of the four court levels was retained.

2001-2002

- Members of the judicial branch were granted a \$5,000 increase in base salary. This increase was motivated by concern that good judges were leaving the bench

to work in private mediation and arbitration firms and to send a message about the importance of the judiciary's work.

- A 2.3% cost of living adjustment (COLA) for all positions was made for 2001 and 2002. Commissioners concluded that the implicit Price Deflator (IPD) data from the March 2001 forecast had not significantly changed from the November 2000 forecast which was used as the basis for the 2001-02 Proposed Salary Schedule.

2003-2004

- For 2003, no across-the-board increases were made. However, equity adjustments were made for the positions of Secretary of State and Insurance Commissioner to recognize increased responsibilities and to bring those positions into alignment with the positions of Treasurer and Auditor.
- For 2004, a 2.0% across-the-board increase was made for all positions.

2005-2006

- A 2% across-the-board cost-of-living (COLA) adjustment was granted to all positions effective September 1, 2005 and September 1, 2006.
- An additional 1% per year for positions in the Judiciary was granted.
- The 2005 Commission utilized Willis evaluations establish benchmarks for parity for state judges compared to the federal bench.

2007-2008

- A 3.2% general wage adjustment (GWA) effective September 1, 2007 and 2.0% effective September 1, 2008 was granted to all positions.
- Judicial Branch- 3.5% catch-up adjustment to the salary of all judges effective September 1, 2007 and 3.5% on September 1, 2008.

2009-2010

- No salary increase provided.

2011-2012

- A 2% salary increase for judicial branch.

2013-2014

- A 2% salary increase for the judicial branch in 2013
- A 3% salary increase for judicial branch in 2014

2015- 2016

- A 3% General Wage Adjustment to the Judicial Branch in 2015 and 1% in 2016
- A 1% in 2015 for the Judicial Branch and 1% in 2016, to maintain working toward the benchmark of federal court judges.
- A 1.5% increase to the Supreme Court Justice, to recognize additional responsibilities of that position.

TAB 4

**MEDIAN AND MEAN SALARIES OF IN-HOUSE NORTHWEST STAFF
ATTORNEYS
2016**

Position	Median	Mean
General Counsel (>1,000 employees)	\$232,000	\$241,600
General Counsel <=1,000 employees	\$187,001	\$197,985
Director of Legal Services	\$143,306	\$149,978
Attorney - Senior*	\$140,675	\$147,403
Attorney - Senior Specialized	\$177,632	\$169,202

Source: 2015 Milliman Northwest Management and Professional Salary Survey (2015)

*The difference between Senior level and Attorneys is Seniors had 5-8 years of experience and Attorneys had 2-4 years of experience.

**NATIONAL COMPENSATION SURVEY
Hourly Wage Percentiles
2015**

Position	50% (Median)	75%
Lawyer	\$115,835 ($\55.69×2080 hrs)	\$174,283 ($\83.79×2080 hrs)

Source: US Department of Labor; Bureau of Labor Statistics (May 2015) –

<http://www.bls.gov/oes/current/oes231011.htm>

**SALARIES OF ATTORNEYS IN WASHINGTON
2016**

Position	Average Wage	75%
Lawyer	\$110,032 ($\52.90×2080 hrs)	\$154,003 ($\74.04×2080 hrs)

Source: Washington State Employment Security Department 2016 Occupational Employment and Wage Estimates.

https://esdorchardstorage.blob.core.windows.net/esdwa/Default/ESDWAGOV/labor-market-info/Libraries/Occupational-reports/OES/2016%20OES%20Databook_Print.pdf

**SALARIES OF ATTORNEYS IN SEATTLE
2016**

Position	Average Wage	75%
Lawyer	\$122,116 ($\58.71×2080 hrs)	\$168,542 ($\81.03×2080 hrs)

Source: Washington State Employment Security Department 2016 Occupational Employment and Wage Estimates:

https://esdorchardstorage.blob.core.windows.net/esdwa/Default/ESDWAGOV/labor-market-info/Libraries/Occupational-reports/OES/2016%20OES%20Databook_Print.pdf

TAB 5

JUDICIAL SALARY COMPARISON
Rank of Washington versus Other States

Comparison Date	Court Level	Salary	Actual Ranking	Normalized Ranking ¹
October 2016	Supreme Court	183,021	Not Available ²	Not Available
	Court of Appeals	\$174,224	Not Available	Not Available
	Superior	\$165,870	Not Available	Not Available
	District	\$157,933	Not Available	Not Available
October 2015	Supreme	\$179,432	12/50	18/50
	Court of Appeals	\$170,808	12/39	15/39
	Superior	\$162,618	12/50	17/50
	District	\$154,836	Not Available ³	Not Available
October 2014	Supreme	\$172,531	13/50	21/50
	Court of Appeals	\$164,238	13/39	17/39
	Superior	\$156,363	13/50	17/50
	District	\$148,881	6/17	8/17
October 2013	Supreme	\$167,505	17/50	22/50
	Court of Appeals	\$159,455	13/39	18/39
	Superior	\$151,809	14/50	21/50
	District	\$144,544	7/17	9/17
October 2012	Supreme	\$164,221	14/50	16/50
	Court of Appeals	\$156,328	10/39	13/39
	Superior	\$148,832	12/50	12/50
	District	\$141,710	6/17	6/17
October 2010	Supreme	\$164,221	14/50	14/50
	Court of Appeals	\$156,328	11/39	13/39
	Superior	\$148,832	11/50	14/50
	District	\$141,710	1/17	2/17
October 2006	Supreme	\$145,636	14/50	13/48
	Court of Appeals	\$138,636	12/39	13/39
	Superior	\$131,988	11/50	12/48
	District	\$125,672	4/16	4/16

¹ Figures were calculated based on state's cost of living index.

² The WCCSEO set the salary schedule for 2016, but the National Center for State Courts has yet to pull and compare state salary data for 2016.

³ The National Center for State Courts no longer tracks district court salaries.

November 2004	Supreme	\$137,276	13/50	16/49
	Court of Appeals	\$130,678	10/39	12/39
	Superior	\$124,411	11/50	15/49
	District	\$118,458	4/17	4/16
October 2002	Supreme	\$134,584	12/50	16/47
	Court of Appeals	\$128,116	11/39	16/39
	Superior	\$121,972	10/50	19/47
	District	\$116,135	4/17	8/14

NORMALIZATION OF SALARIES

Comparing salaries between states can be misleading. States with a higher cost of living tend to have higher salary schedules. Each table includes a listing of the salaries adjusted for the differences in cost of living. The National Center for State Courts (NCSC) has derived an adjustment measure for most states using the Council for Community and Economic Research C2ER Cost-of-Living Index.

The C2ER cost of living factors come from looking at average costs of goods and services purchased by a typical professional and/or managerial household. The “basket” of goods and services includes items from within a reporting jurisdiction along with seven additional variables— grocery items, utilities, housing, transportation, health care, and other goods and services.

This factor is used here to “normalize” salaries across all states. The “normalization” formula is as follows:

$$\text{Normalized Salary} = \text{Actual Judicial Salary} / (\text{C2ER Factor}/100)$$

Prior to the October 2002 report, the Administrative Office of the Courts (AOC) used per capita income to normalize salaries. The technique described above is the same, only the adjustment factor differs. Thus, care should be exercised in comparing the normalized results to prior years’ reports.

Cost of Living Index source:

C2ER Cost-of-Living Index, National Center for State Courts, *Survey of Judicial Salaries*, Volume 39, Number 1, As of January 1, 2014.

Judicial Salary source:

National Center for State Courts, *Survey of Judicial Salaries*, Volume 39, Number 1, As of January 1, 2014.

JUDICIAL SALARY COMPARISON
Highest Appellate Court as of 2015

State		Actual Salary	State		Normalized Salary
1	California	\$ 230,750	1	California	\$ 246,321
2	Illinois	\$ 220,873	2	Delaware	\$ 216,671
3	Hawaii	\$ 214,524	3	Illinois	\$ 214,835
4	Alaska	\$ 205,176	4	Pennsylvania	\$ 206,015
5	Pennsylvania	\$ 203,409	5	Alabama	\$ 201,070
6	New York	\$ 192,500	6	Alaska	\$ 194,221
7	Virginia	\$ 192,458	7	Michigan	\$ 193,522
8	Delaware	\$ 192,360	8	Connecticut	\$ 191,065
9	Connecticut	\$ 185,610	9	Georgia	\$ 190,854
10	New Jersey	\$ 185,482	10	Florida	\$ 189,513
11	Tennessee	\$ 182,508	11	New Jersey	\$ 186,339
12	Washington	\$ 179,432	12	Virginia	\$ 181,788
13	Maryland	\$ 176,433	13	New York	\$ 177,757
14	Massachusetts	\$ 175,984	14	Tennessee	\$ 176,346
15	Rhode Island	\$ 175,870	15	Texas	\$ 176,346
16	Colorado	\$ 173,024	16	Rhode Island	\$ 173,953
17	Iowa	\$ 170,544	17	Massachusetts	\$ 171,625
18	Missouri	\$ 170,292	18	Washington	\$ 171,216
19	Nevada	\$ 170,000	19	Maryland	\$ 169,706
20	Utah	\$ 168,150	20	Iowa	\$ 169,292
21	Texas	\$ 168,000	21	Arizona	\$ 167,294
22	Alabama	\$ 167,685	22	Hawaii	\$ 164,266
23	Georgia	\$ 167,210	23	Nevada	\$ 163,649
24	Arkansas	\$ 166,500	24	Indiana	\$ 163,231
25	Nebraska	\$ 166,159	25	Ohio	\$ 161,945
26	Indiana	\$ 165,078	26	Minnesota	\$ 161,769
27	Wyoming	\$ 165,000	27	Arkansas	\$ 157,997
28	Michigan	\$ 164,610	28	Wisconsin	\$ 157,993
29	Louisiana	\$ 164,590	29	New Hampshire	\$ 157,012
30	Minnesota	\$ 162,630	30	Kentucky	\$ 155,669
31	Florida	\$ 162,200	31	South Carolina	\$ 155,018
32	New Hampshire	\$ 155,907	32	Oklahoma	\$ 154,126
33	Arizona	\$ 155,000	33	North Carolina	\$ 149,559
34	North Dakota	\$ 152,436	34	Nebraska	\$ 149,126
35	Ohio	\$ 148,700	35	Utah	\$ 147,954
36	Wisconsin	\$ 147,403	36	Vermont	\$ 145,779
37	Vermont	\$ 147,095	37	Louisiana	\$ 145,339
38	Oklahoma	\$ 145,914	38	Kansas	\$ 145,297
39	South Carolina	\$ 144,111	39	Missouri	\$ 144,604
40	Mississippi	\$ 142,320	40	Colorado	\$ 144,571
41	North Carolina	\$ 139,896	41	West Virginia	\$ 142,253
42	Montana	\$ 136,177	42	Wyoming	\$ 135,551
43	West Virginia	\$ 136,000	43	New Mexico	\$ 135,246
44	Kansas	\$ 135,905	44	Mississippi	\$ 132,295
45	Oregon	\$ 135,688	45	Maine	\$ 132,024
46	Kentucky	\$ 135,504	46	South Dakota	\$ 130,953
47	Idaho	\$ 135,000	47	Idaho	\$ 129,908
48	South Dakota	\$ 131,713	48	North Dakota	\$ 126,040
49	New Mexico	\$ 131,174	49	Oregon	\$ 123,677
50	Maine	\$ 129,626	50	Montana	\$ 118,603

JUDICIAL SALARY COMPARISON
Intermediate Appellate Court as of 2015

Thirty-nine states have intermediate appellate courts

	State	Actual Salary		State	Normalized Salary
1	California	\$ 216,330	1	California	\$ 230,929
2	Illinois	\$ 207,882	2	Illinois	\$ 202,200
3	Hawaii	\$ 198,624	3	Alabama	\$ 199,748
4	Alaska	\$ 193,386	4	Pennsylvania	\$ 194,383
5	Pennsylvania	\$ 191,926	5	Georgia	\$ 189,687
6	Alabama	\$ 178,878	6	Alaska	\$ 183,499
7	New York	\$ 177,900	7	Florida	\$ 180,038
8	Virginia	\$ 176,510	8	Connecticut	\$ 179,446
9	Tennessee	\$ 176,436	9	Michigan	\$ 178,040
10	New Jersey	\$ 175,534	10	New Jersey	\$ 176,346
11	Connecticut	\$ 174,323	11	Virginia	\$ 172,699
12	Washington	\$ 170,808	12	Tennessee	\$ 170,468
13	Georgia	\$ 166,186	13	New York	\$ 169,292
14	Colorado	\$ 166,170	14	Arizona	\$ 163,884
15	Massachusetts	\$ 165,087	15	Washington	\$ 162,986
16	Maryland	\$ 163,633	16	Texas	\$ 161,651
17	Arkansas	\$ 161,500	17	Massachusetts	\$ 158,814
18	Utah	\$ 160,500	18	Indiana	\$ 158,674
19	Indiana	\$ 160,468	19	Maryland	\$ 158,185
20	Texas	\$ 158,500	20	Iowa	\$ 157,606
21	Nebraska	\$ 157,851	21	Arkansas	\$ 153,131
22	Missouri	\$ 155,709	22	Minnesota	\$ 152,429
23	Iowa	\$ 154,556	23	Hawaii	\$ 152,099
24	Florida	\$ 154,140	24	South Carolina	\$ 151,142
25	Louisiana	\$ 154,059	25	Ohio	\$ 150,952
26	Minnesota	\$ 153,240	26	Kentucky	\$ 149,391
27	Michigan	\$ 151,441	27	Wisconsin	\$ 149,050
28	Arizona	\$ 150,000	28	Oklahoma	\$ 146,015
29	South Carolina	\$ 140,508	29	North Carolina	\$ 143,328
30	Wisconsin	\$ 139,059	30	Kansas	\$ 142,617
31	Ohio	\$ 138,600	31	Nebraska	\$ 141,670
32	Oklahoma	\$ 138,235	32	Utah	\$ 141,194
33	Mississippi	\$ 134,883	33	Colorado	\$ 138,844
34	North Carolina	\$ 134,109	34	Louisiana	\$ 137,779
35	Oregon	\$ 132,820	35	Missouri	\$ 135,199
36	Kansas	\$ 131,518	36	Idaho	\$ 128,733
37	Kentucky	\$ 130,044	37	New Mexico	\$ 128,483
38	Idaho	\$ 130,000	38	Mississippi	\$ 123,501
39	New Mexico	\$ 124,616	39	Oregon	\$ 120,856

JUDICIAL SALARY COMPARISON
Trial Court as of 2015

	State	Actual Salary		State	Normalized Salary
1	Hawaii	\$ 193,248	1	California	\$ 201,796
2	Illinois	\$ 190,758	2	Delaware	\$ 197,625
3	Alaska	\$ 189,720	3	Illinois	\$ 185,544
4	California	\$ 189,041	4	Alaska	\$ 179,591
5	Delaware	\$ 180,733	5	Pennsylvania	\$ 178,833
6	Pennsylvania	\$ 176,572	6	Connecticut	\$ 172,561
7	New York	\$ 174,000	7	Florida	\$ 170,562
8	Tennessee	\$ 170,352	8	Nevada	\$ 169,645
9	Connecticut	\$ 167,634	9	Virginia	\$ 168,762
10	Virginia	\$ 166,136	10	New Jersey	\$ 165,765
11	New Jersey	\$ 165,000	11	Tennessee	\$ 164,590
12	Washington	\$ 162,618	12	Michigan	\$ 164,494
13	Arkansas	\$ 160,000	13	New York	\$ 160,710
14	Nevada	\$ 160,000	14	Arizona	\$ 159,652
15	Massachusetts	\$ 159,694	15	Rhode Island	\$ 156,614
16	Colorado	\$ 159,320	16	Texas	\$ 155,772
17	Rhode Island	\$ 158,340	17	Washington	\$ 155,170
18	Georgia	\$ 156,252	18	Massachusetts	\$ 152,474
19	Maryland	\$ 154,433	19	Maryland	\$ 150,896
20	Nebraska	\$ 153,697	20	Arkansas	\$ 148,261
21	Utah	\$ 152,850	21	Iowa	\$ 148,154
22	Wyoming	\$ 150,000	22	Hawaii	\$ 147,961
23	Texas	\$ 149,000	23	South Carolina	\$ 147,267
24	Louisiana	\$ 148,108	24	New Hampshire	\$ 147,200
25	Missouri	\$ 146,803	25	Kentucky	\$ 143,127
26	New	\$ 146,236	26	Minnesota	\$ 143,090
27	Florida	\$ 146,080	27	Wisconsin	\$ 140,613
28	Arizona	\$ 145,000	28	Oklahoma	\$ 139,255
29	Iowa	\$ 143,897	29	Ohio	\$ 138,784
30	Minnesota	\$ 143,851	30	Vermont	\$ 138,586
31	Michigan	\$ 139,919	31	Nebraska	\$ 137,941
32	Vermont	\$ 139,837	32	Georgia	\$ 137,255
33	North Dakota	\$ 139,679	33	West Virginia	\$ 136,374
34	Indiana	\$ 137,062	34	North Carolina	\$ 135,538
35	South Carolina	\$ 136,905	35	Indiana	\$ 135,530
36	Alabama	\$ 134,943	36	Kansas	\$ 134,979
37	Oklahoma	\$ 131,835	37	Utah	\$ 134,493
38	Wisconsin	\$ 131,187	38	Colorado	\$ 133,120
39	Mississippi	\$ 128,042	39	Alabama	\$ 131,640
40	Ohio	\$ 127,450	40	Louisiana	\$ 130,454
41	North Carolina	\$ 126,875	41	Wyoming	\$ 129,085
42	Montana	\$ 126,131	42	Missouri	\$ 126,969
43	West Virginia	\$ 126,000	43	Maine	\$ 123,795
44	Kentucky	\$ 124,620	44	Mississippi	\$ 122,466
45	Oregon	\$ 124,468	45	South Dakota	\$ 122,315
46	Idaho	\$ 124,000	46	New Mexico	\$ 122,060
47	South Dakota	\$ 123,024	47	Idaho	\$ 121,796
48	Maine	\$ 121,472	48	North Dakota	\$ 115,295
49	Kansas	\$ 120,037	49	Oregon	\$ 112,626
50	New Mexico	\$ 118,384	50	Montana	\$ 110,620

JUDICIAL SALARY COMPARISON ACCRA Factor*

Alabama	95.71
Alaska	135.65
Arizona	108.25
Arkansas	95.08
California	139.89
Colorado	109.40
Connecticut	136.08
Delaware	108.29
Florida	105.83
Georgia	100.35
Hawaii	157.91
Idaho	96.96
Illinois	112.15
Indiana	97.32
Iowa	98.95
Kansas	100.27
Kentucky	93.87
Louisiana	99.56
Maine	122.49
Maryland	120.70
Massachusetts	133.26
Michigan	98.46
Minnesota	105.38
Mississippi	90.94
Missouri	98.77
Montana	104.11
Nebraska	100.21
Nevada	109.80
New Hampshire	126.50
New Jersey	125.68
New Mexico	104.88
New York	148.76
North Carolina	101.16
North Dakota	105.25
Ohio	97.97
Oklahoma	96.53
Oregon	114.29
Pennsylvania	112.89
Rhode Island	127.95
South Carolina	101.55
South Dakota	101.87
Tennessee	95.93
Texas	102.02
Utah	102.56
Vermont	124.51
Virginia	107.76
Washington	114.83
West Virginia	99.36
Wisconsin	103.07
Wyoming	107.58

* Rounded numbers, as reported by NCSC. The C2ER cost of living factors come from looking at average costs of goods and services purchased by a typical professional and/or managerial household. The "basket" of goods and services includes items from within a reporting jurisdiction along with seven additional variable- grocery items, utilities, housing, transportation, health care, and other goods or services.

The following is excerpted from the

NEWSLETTER OF THE CONFERENCE OF CHIEF JUSTICES' TASK FORCE ON POLITICS AND JUDICIAL SELECTION/COMPENSATION

This Newsletter provides Task Force members with updates on significant developments related to judicial selection and judicial compensation, as well as updates on Task Force Activity. It is prepared by National Center for State Center staff as a resource for the Task Force four times annually

October 2012 Edition

II. JUDICIAL COMPENSATION DEVELOPMENTS

A. News Articles Bring Attention to the Importance of Judicial Pay

A July 24 article in the Wall Street Journal Law Blog highlighted growing concerns about stagnant judicial pay: “Judiciaries have been losing judges to higher-paying jobs for years now, usually at private law firms which can pay well over \$1 million year.”¹ The article looked at data from a 2012 National Center for State Courts report on judicial salaries in all 50 states. The report found that 42 states have some form of salary freeze, with 13 having reduced salaries in order to cut costs. (Our own research identified an additional two states in which salary freezes have been imposed): “Judicial salary increases essentially flat-lined, increasing less than 1% nationwide compared with pre-recession pay rates between 2003 and 2007, which rose on average around 3.24% per year.”² Analysis of the report led an NCSC analyst to conclude that “if judicial salaries aren’t competitive, talented and diverse types of legal practitioners will turn to private practice over the bench.”³

Similarly, the ABA Journal’s “Law News Now” recently published an article bringing attention to the link between judicial salaries and retirement from the federal bench. The article discussed the findings of a new study on why federal judges retire, resign, or take senior status. “Financial concerns were paramount for judges who retired after senior status, as well as for judges who retired directly from active service.”⁴ The most popular reason cited for retirement by both

¹ Chelsea Phipps, *State Court Concerned about Losing Judges After No Salary Growth*, WALL STREET J. (July 24, 2012), <http://blogs.wsj.com/law/2012/07/24/state-courts-concerned-about-losing-judges-after-no-salary-growth/>.

² *Id.*

³ *Id.*

⁴ Debra Cassens Weiss, *Why Do Federal Judges Retire? More Income Is Top Answer*, A.B.A. J. (Aug. 5, 2012), http://www.abajournal.com/news/article/why_do_federal_judges_retire_more_income_is_top_answer/?utm_source=maestro&utm_medium=email&utm_campaign=weekly_email.

groups of judges was “I wanted more income.”⁵ An exodus of senior judges due to stagnant pay could be worrying. According to U.S. District Judge Sarah Evans Barker of the Southern District of Indiana, “senior judges provide a huge dollop of the work that gets done.” The findings of the study underscored this, as it found that the effect of the elimination of senior judge positions would be that “147 district court judgeships and 23 appellate judgeships would have to be created.”⁶

B. Judicial Compensation Legislation Focuses on Pensions and Retirement

The efforts to alter judicial compensation over the past year have taken a negative turn, seeking to reduce rather than enhance compensation. An analysis of legislative efforts shows that legislators are beginning to focus on judicial retirement and pensions as a means of affecting judicial compensation. The following efforts are a sample of legislation that has targeted judicial compensation through changes to pension and retirement provisions.

Several states are reducing employer contribution rates to pensions. **Alabama HB414**, for example, raised the contribution paid by justices and judges to their pensions. The bill, which was passed into law, increased the contribution rate for judges and justices from 6% of their salary to 8.5%. “Supporters of House Bill 414 said the state contribution to the TRS and ERS retirement systems has jumped \$450 million, 87 percent, in five years, and this year will total \$966.6 million.”⁷ They argued that making covered employees pay more will lower taxpayer’s costs.

Similarly, **New Jersey SCR 110**, which passed both houses and was filed with the Secretary of State on July 30, 2012, is an attempt to circumvent the state’s judicial salary protection clause. Last year, a bill a plan to increase the amount government employees would have to pay into the state’s retirement system was struck down under the clause. NJ SCR 110 would amend the constitutional provision to read “[judicial salaries] shall not be diminished . . . except for deductions from such salaries for contributions, established by law from time to time, for pensions.”

Cost of living modifications for retired judges have also been considered in 2012. **Illinois HB 1447**⁸ decreases cost of living increases for retired judges by changing the cost of living calculation to be at 3% or one-half the annual unadjusted percentage increase in the consumer price index

⁵ *Id.*

⁶ *Id.*

⁷ David White, *Alabama pension bill for state and public school employees could become law next week, begin May 1*, BIRMINGHAM NEWS (Apr. 21, 2012), http://blog.al.com/spotnews/2011/04/alabama_pension_bill_for_state.htmlhttp://blog.al.com/spotnews/2011/04/alabama_pension_bill_for_state.html.

⁸ Bill Raftery, JUDICIAL RETIREMENT PLANS/PENSIONS 2011: MIDWESTERN STATES, GAVEL TO GAVEL (Apr. 5, 2011), <http://gaveltogavel.us/site/2011/04/05/judicial-retirement-planspensions-2011-midwestern-states/>.

(whichever is less), rather than 3% or the annual unadjusted percentage increase, as it currently stands. The bill was re-referred to the House Rules Committee on July 27, 2012.

Another, more controversial approach sought to tie pension benefits to the content of judicial decisions. **Maryland HB1061**,⁹ which received an unfavorable report from committee, removed pension benefits for judges whose decisions fell within certain parameters. For example, judges would be penalized if a decision refuses to enforce applicable law, or is contrary to or disregards applicable law.

Last year, Michigan adopted yet another approach for saving money, which was to eliminate tax exemptions for pensions. **Michigan HB 4484**, which was signed into law, makes any distributions from employer contributions (and earnings on those contributions) under the Michigan Judges Retirement Act subject to state tax in 2012. Previously, they had been tax-exempt.

The National Center will continue to monitor and analyze this legislative trend.

Please Note: In early 2011 the Task Force on Politics and Judicial Compensation made available “*A Guide to Setting Judicial Compensation in the 21st Century*.” The *Guide* (a) evaluates alternative methods for setting judicial compensation, (b) proposes appropriate criteria for evaluating the adequacy of judicial compensation, and (c) reviews practices to use when advocating on behalf of increased judicial compensation. Copies of the *Guide* can be obtained by contacting David Rottman at drottman@ncsc.org.

⁹ Bill Raftery, MARYLAND: PUNISHING JUDGES FOR THEIR OPINIONS VIA THE COMMISSION ON JUDICIAL DISABILITIES; JUDGES ARE JUST EMPLOYEES, GAVEL TO GAVEL (Mar. 7, 2012), <http://gaveltogavel.us/site/2012/03/07/maryland-punishing-judges-for-their-opinions-via-the-commission-on-judicial-disabilities-judges-are-just-employees/>.