

MAINE STATE LEGISLATURE

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Final Report of the



JUDICIAL COMPENSATION COMMISSION

February 2013

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**Hon. Joshua A. Tardy, Chair
Daniel W. Marra
Dr. Joseph Reisert**

Table of Contents

Introduction.....	1
Meetings.....	2
Findings.....	4
Recommendations.....	4
Implications.....	5

Appendices:

Appendix A - State Ranking of Judicial Salaries

Appendix B – Proposed Legislation

**JUDICIAL COMPENSATION COMMISSION
2012-2013 REPORT**

INTRODUCTION

The Judicial Compensation Commission is established in Title 4, chapter 35 of the Maine Revised Statutes annotated. The Commission is required to study and make recommendations regarding the salary, benefits and retirement to be paid for all justices and judges of the Supreme Judicial Court, the Superior Court and the District Court. The Commission operates with a goal of making sure the most highly qualified lawyers in this state are willing to serve in Maine's judicial branch. One of the criteria is a comparison to compensation in other states.

In the most recent national rankings (see Appendix A), Maine was:

January 1, 2012	
Highest Court	49 th
General Jurisdiction Trial Court	48 th

The commission is required to report biennially by December 1st of even-number years to the joint standing committees of the Legislature having jurisdiction over appropriations matters and judicial matters.

The 3 members of the commission are:

Hon. Joshua A. Tardy, Chair

Daniel W. Marra, and

Dr. Joseph R. Reisert

MEETINGS

The Commission held three meetings. The first meeting was on September 25, 2012, the second was on November 13, 2012 and final meeting was on January 11, 2013.

September 25th Meeting

Members received an information packet including the agenda, the enabling legislation, 4 MRSA §1701, a state by state ranking of judicial salaries compiled by the National Center for State Courts, Judicial Branch responses to questions raised by the Legislative Office of the Executive Director, including Maine judicial salaries and a MainePERS Judicial Retirement Program member handbook for judges and justices.

Chief Justice Saufley was invited to address the commission to offer comments and reminded commission members that the Judicial Compensation Commission was created as a well-supported independent group to provide recommendations in a manner that avoids political issues between branches.

Chief Justice Saufley indicated to the commission members that she is fully aware of the economic realities and highlighted 4 reasons appropriate judicial compensation continues to be necessary:

- to attract highly qualified attorneys
- to provide a diverse group of professional backgrounds
- to deter existing judges from leaving the bench
- to ensure judges are not demoralized

Chief Justice Saufley commented that Maine's ranking of judicial salaries when compared to other states has declined over the past 5 years and expressed concern that compensation was no longer at a respectful level in comparison to other state employees. Chief Justice relayed a concern that trial judges feel demoralized as a judge with 20 years of experience is making the same salary as a new hire.

The Chief Justice also expressed a concern that the diversity of the bench is narrowing with most justices having a background in government or legal service agencies and not experience in private practice or business.

Following Chief Justice Saufley's comments, commission members reviewed a spreadsheet prepared by the Judicial Branch that identified actual salary data from fiscal year 1998-99 through fiscal year 2012-13 as well as what the justices' salaries would have been if the cost-of-living adjustments authorized by current law had been awarded.

The meeting concluded with a list of additional information to review at their next meeting.

November 13th Meeting

At the commission's second meeting, members reviewed the requested salary data of the following:

- Attorneys working in private practice in Maine
- Arbitrators and mediators who are hired as private judges
- Federal judicial salaries
- University of Maine Law School professors' salaries
- Commissioners and Constitutional Officers
- School superintendents
- Physicians employed by state government
- Public Utilities Commissioners

Commission members also reviewed information provided by the Governor's Office that identified the background and years of experience of the attorneys who applied for judicial appointments.

January 11th Meeting

The Commission's third and final meeting began with the adoption of the minutes of the November 13th, 2012 meeting. Members then reviewed a comparison of Maine's ranking of judicial salaries among other states from the period January 2008 to January 2012 to demonstrate how Maine's ranking had deteriorated over time.

Maine's Ranking of Judicial Compensation As Compared to Other States

	Highest Court	General-Jurisdiction Trial Court
January-12	49	48
July-11	49	48
January-11	48	47
July-10	48	47
January-10	47	47
July-09	48	47
January-09	46	45
July-08	46	45
January-08	47	47

Source: National Center for State Courts - Survey of Judicial Salaries

The Commission then welcomed Vendean Vafiadis, Esq. to join them to discuss her experiences as a former justice. She told members that she felt Maine has an excellent judiciary as a whole and that the motivation for many justices is a sense of public service, a quest for justice and a commitment to Maine. Although it is an honor to be appointed and serve, she indicated that many take a downward salary adjustment to do so. A commission member agreed and indicated that some attorneys have been reluctant to seek a judgeship because of the salary level. Ms. Vafiadis said it is important that judicial salaries keep pace with the cost-of-living and that failure to do so has an adverse impact on judges' morale.

She was also asked by a commission member if the lack of cost-of-living increase affected their retirement benefit. She indicated it certainly does because the benefit is calculated based on the individual's high three years. A commission member added that sooner rather than later people will stop applying for a judicial appointment because of salary and retirement benefit concerns.

The meeting ended with the commission members unanimously agreeing on the following findings and recommendations.

FINDINGS

The commission finds that higher judicial compensation continues to be necessary:

- to attract highly qualified attorneys
- to provide a diverse group of professional backgrounds
- to deter existing judges from leaving the bench
- to ensure judges are not demoralized

RECOMMENDATIONS

For this biennial report, the Judicial Compensation Commission recommends an increase in judicial salaries to raise salaries to the level they would have been if all authorized cost-of-living increases had been awarded. This was also a recommendation of the Judicial Compensation Commission report in 2008.

Recommendation #1 - Judicial Salaries

The Judicial Compensation Commission wants to reemphasize the need to appropriately fund Maine judicial salaries so that they are comparable to other states. This is necessary to achieve the commission's primary goal of attracting and employing high quality judges.

Specifically, the Judicial Compensation Commission recommends that, as of July 1, 2013, base salaries for the judiciary be increased from the current salaries paid in FY12 in the following manner:

- Chief Justice, Supreme Court from \$138,138 to \$157,475;
- Associate Justice, Supreme Court from \$119,477 to \$136,214;
- Chief Justice, Superior Court from \$116,981 to \$133,374;
- Associate Justice, Superior Court from \$111,969 to \$127,629;
- Chief Judge, District Court from \$116,981 to \$133,374;
- Deputy Chief Judge, District Court from \$114,465 to \$130,533; and
- Associate Judge, District Court from \$111,969 to \$127,629.

These recommended base salaries reflect what judicial salaries would be if the cost-of-living increases authorized in MRSA Title 4 were awarded in fiscal year 2003-04, fiscal year 2004-05, fiscal year 2010-11, fiscal year 2011-12 and fiscal year 2012-13.

Recommendation #2 – Report Deadline

The Judicial Compensation Commission recommends extending the reporting deadline from December 1st to December 15th to ensure that their future recommendations and proposed legislation is submitted to members of the incoming Legislature.

In making the recommendation regarding salary levels, the Commission recognizes the fiscal constraints facing the state but believes that the Commission’s original base salary level recommendations remain appropriate. The Commission once again notes that previously scheduled judicial salary increases have often been forestalled by budgetary decisions in recent years and the recommended increases contained in this report will finally restore judicial salaries to the intended and proper level. The Commission wishes to emphasize that any final increase to the base salaries which is less than the recommended levels and any future effort to deny previous commitments to cost-of-living increases will be counterproductive to the goal of achieving adequate compensation levels for members of Maine’s judiciary. Legislation to accomplish these recommendations is contained in Appendix B of this report.

IMPLICATIONS

The Commission remains convinced that judicial compensation, not just salary, is crucial to insure that the most qualified and highly trained individuals are retained as judges. The negative consequences of failing to adequately compensate members of Maine’s judiciary far outweigh the relatively small financial impact of providing long overdue resources to a crucial sector of Maine State government.

APPENDIX A

State Ranking of Judicial Salaries January 2012



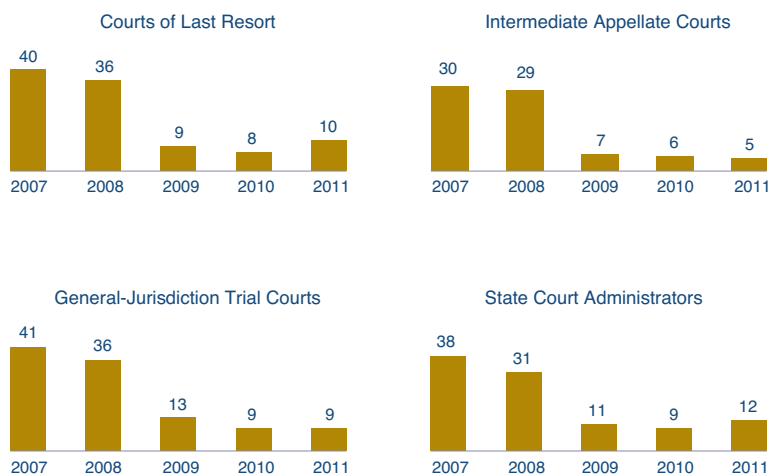
Judicial Salaries

The *Survey of Judicial Salaries*, published for nearly 30 years by the National Center for State Courts (NCSC) with the support of state court administrative offices across the United States, serves as the primary record of compensation for state judicial officers and state court administrators.

This issue of the *Survey of Judicial Salaries* reports salary data as of January 1, 2012. This cut-off date is important because states implement salary changes at various points during the year. However, a standard and unchanging cutoff date must be established to publish salary data in a timely and predictable fashion. Various tables and graphics show the number of states with salary increases, salary rankings across states, and the impact of cost-of-living indices on judicial salaries.

Beginning in 2009, only a handful of states have reported judicial salary increases.

Number of States Reporting Salary Increases



Through January 1, 2012, the average annual percent increase in salaries for the courts of last resort, the intermediate appellate courts, and general-jurisdiction judges was close to zero, only 0.63%, on average, across all states. This is nearly the same percentage increase seen in calendar year 2010. In addition, the number of states that increased salaries was very low by historical standards. For courts of last resort, only 10 states increased salaries in calendar year 2011; for intermediate appellate courts only 5 states; and for general-jurisdiction judges, just 9 states. For the state court administrators, the percent increase in salaries during 2011 was .94%, nearly the same as the 2010 increase. Twelve states increased salaries for state court administrators during 2011. The bar charts here summarize the number of states increasing judicial salaries over the past five years.

Note: This online version is the definitive version of the *Survey of Judicial Salaries*, Vol. 37 No. 1

Judicial Salaries at a Glance

The average annual percent change for the four judicial positions, and the state court administrators analyzed by the *Survey*, is .55% for 2011. As indicated in the table below, this increase is far less than the pre-recession (2003-2007) average increase of 3.24%. The lower 2008/2009 average increase of 1.67% was not unexpected as the nation's economy, and by extension government revenues, was mired in the vast economic recession. The 2011 average increase of .55% continues the downward trend. The ongoing impact of the sluggish economic recovery on tax revenue and on state budgets is anticipated to level off or possibly get worse before substantial improvement is seen. The following table summarizes current salaries for the major judicial positions.

	Mean	Median	Range	Average Annual % Change		
				Pre-Recession		
				2003-07	2008-09	2010-11
Chief, Highest Court	\$157,759	\$152,500	\$115,160 to \$228,856	3.19%	1.58%	0.67%
Associate Justice, Court of Last Resort	\$152,606	\$146,917	\$112,530 to \$218,237	3.21%	1.88%	0.64%
Judge, Intermediate Appellate Courts	\$146,887	\$140,732	\$105,050 to \$204,599	3.20%	1.60%	0.36%
Judge, General-Jurisdiction Trial Courts	\$137,151	\$132,500	\$104,170 to \$180,802	3.30%	1.91%	0.58%
State Court Administrators	\$136,547	\$130,410	\$89,960 to \$211,272	3.30%	1.38%	0.89%
Average				3.24%	1.67%	0.63%

Salaries and Rankings for Appellate and General-Jurisdiction Judges - Listed Alphabetically by State Name

The table below lists the salaries and rankings for associate justices of the courts of last resort, associate judges of intermediate appellate courts, and judges of general-jurisdiction trial courts (actual salaries and cost-of-living-adjusted salaries) as of January 1, 2012. Where possible, the salary figures are actual salaries. In jurisdictions where some judges receive supplements, the figures are the most representative available—either the base salary, the midpoint of a range between the lowest and highest supplemented salaries, or the median. Salaries are ranked from highest to lowest, with the highest salary for each position having a rank of “1.” The lowest salary has a rank of “51” except for intermediate appellate courts, which exist in only 39 states. The mean, median, and salary range for each of the positions are also shown.

	Highest Court		Intermediate Appellate Court		General-Jurisdiction Trial Court				
	Salary	Rank	Salary	Rank	Salary	Rank	<i>Adjusted for Cost of Living</i>		
							Adjustment Factor	Adjusted Salary	Adjusted Rank
Alabama	\$180,005	9	\$178,878	5	\$134,943	25	93.05	\$145,015	13
Alaska	\$192,372	4	\$181,752	4	\$177,888	4	133.68	\$133,068	24
Arizona	\$155,000	20	\$150,000	14	\$145,000	15	102.99	\$140,784	18
Arkansas	\$145,204	30	\$140,732	20	\$136,257	23	90.15	\$151,141	8
California	\$218,237	1	\$204,599	1	\$178,789	2	130.03	\$137,503	20
Colorado	\$139,660	34	\$134,128	28	\$128,598	33	101.46	\$126,749	33
Connecticut	\$162,520	17	\$152,637	11	\$146,780	14	133.11	\$110,271	45
Delaware	\$188,751	5			\$178,449	3	105.65	\$168,913	3
District of Columbia	\$184,500	7			\$174,000	5	143.50	\$121,251	36
Florida	\$157,976	19	\$150,077	13	\$142,178	16	97.68	\$145,555	11
Georgia	\$167,210	12	\$166,186	8	\$149,873	11	94.59	\$158,439	7
Hawaii	\$151,118	23	\$139,924	21	\$136,127	24	168.02	\$81,018	51
Idaho	\$119,506	48	\$118,506	37	\$112,043	47	92.63	\$120,955	37
Illinois	\$209,344	2	\$197,032	2	\$180,802	1	95.07	\$190,171	1
Indiana	\$151,328	21	\$147,103	17	\$125,647	35	92.25	\$136,200	21
Iowa	\$163,200	16	\$147,900	16	\$137,700	21	95.26	\$144,548	16
Kansas	\$135,905	40	\$131,518	32	\$120,037	43	93.06	\$128,987	29
Kentucky	\$135,504	41	\$130,044	34	\$124,620	37	91.53	\$136,147	22
Louisiana	\$150,772	24	\$143,647	19	\$137,744	20	95.11	\$144,823	14
Maine	\$119,476	49			\$111,969	48	113.07	\$99,023	50
Maryland	\$162,352	18	\$149,552	15	\$140,352	17	124.17	\$113,037	41
Massachusetts	\$145,984	27	\$135,087	27	\$129,694	30	122.18	\$106,153	47
Michigan	\$164,610	14	\$151,441	12	\$139,919	18	92.89	\$150,628	9
Minnesota	\$145,981	28	\$137,552	23	\$129,124	31	103.33	\$124,966	34
Mississippi	\$112,530	51	\$105,050	39	\$104,170	51	92.63	\$112,457	42
Missouri	\$137,034	38	\$128,207	35	\$120,484	42	93.18	\$129,302	27
Montana	\$121,434	47			\$113,928	46	100.10	\$113,810	40
Nebraska	\$142,760	32	\$135,622	26	\$132,053	28	92.77	\$142,340	17
Nevada	\$170,000	10			\$160,000	8	97.16	\$164,674	5
New Hampshire	\$146,917	26			\$137,804	19	119.93	\$114,906	39
New Jersey	\$185,482	6	\$175,534	6	\$165,000	7	129.71	\$127,206	32
New Mexico	\$123,691	46	\$117,506	38	\$111,631	49	99.33	\$112,383	43
New York	\$151,200	22	\$144,000	18	\$136,700	22	130.03	\$105,131	48
North Carolina	\$137,249	36	\$131,531	31	\$124,382	38	96.78	\$128,517	30
North Dakota	\$134,135	42			\$119,330	44	97.03	\$122,978	35
Ohio	\$141,600	33	\$132,000	30	\$121,350	41	93.93	\$129,198	28
Oklahoma	\$137,655	35	\$130,410	33	\$124,373	39	90.42	\$137,550	19
Oregon	\$125,688	45	\$122,820	36	\$114,468	45	106.85	\$107,130	46
Pennsylvania	\$195,309	3	\$184,282	3	\$169,541	6	101.85	\$166,468	4
Rhode Island	\$165,726	13			\$149,207	12	125.74	\$118,660	38
South Carolina	\$137,171	37	\$133,741	29	\$130,312	29	97.76	\$133,294	23
South Dakota	\$118,173	50			\$110,377	50	99.47	\$110,968	44
Tennessee	\$167,976	11	\$162,396	9	\$156,792	10	90.43	\$173,391	2
Texas	\$150,000	25	\$137,500	24	\$132,500	26	90.92	\$145,740	10
Utah	\$145,350	29	\$138,750	22	\$132,150	27	91.28	\$144,777	15
Vermont	\$129,245	44			\$122,867	40	122.15	\$100,588	49
Virginia	\$183,839	8	\$168,322	7	\$158,134	9	96.83	\$163,309	6
Washington	\$164,221	15	\$156,328	10	\$148,832	13	102.56	\$145,118	12
West Virginia	\$136,000	39			\$126,000	34	96.32	\$130,809	26
Wisconsin	\$144,495	31	\$136,316	25	\$128,600	32	97.29	\$132,186	25
Wyoming	\$131,500	43			\$125,200	36	98.38	\$127,259	31
Mean	\$152,606		\$146,887		\$137,151				
Median	\$146,917		\$140,732		\$132,500				
Range	\$112,530 to \$218,237		\$105,050 to \$204,599		\$104,170 to \$180,802				

Using the ACCRA Cost-of-Living Index

The Council for Community and Economic Research—C2ER (formerly the ACCRA organization)—is the most widely accepted U.S. source for cost-of-living indices, with nearly 400 reporting jurisdictions across America. The cost-of-living indices used in this report were developed by examining the average costs of goods and services for the latest four running fiscal quarters. The factors reflect an average of the reporting jurisdictions in a particular state (i.e., the cost-of-living index for Virginia is the average of the cost-of-living indices for each reporting jurisdiction in Virginia). More detailed information can be found at www.acra.org or www.c2er.org.

Salaries and Rankings for Appellate and General-Jurisdiction Judges - Listed in Order of State Rank

The tables below list the salaries for associate justices of the courts of last resort, associate judges of intermediate appellate courts, and judges of general-jurisdiction trial courts (actual salaries and cost-of-living-adjusted salaries) as of January 1, 2012. Where possible, the salary figures are actual salaries. In jurisdictions where some judges receive supplements, the figures are the most representative available—either the base salary, the midpoint of a range between the lowest and highest supplemented salaries, or the median. The listings are in rank order from highest to lowest salary. The mean, median, and salary range for each of the positions are also shown.

Highest Court		Intermediate Appellate Court		General-Jurisdiction Trial Court			
				Salary	Adjusted for Cost of Living		
California	\$218,237	California	\$204,599	Illinois	\$180,802	Illinois	\$190,171
Illinois	\$209,344	Illinois	\$197,032	California	\$178,789	Tennessee	\$173,391
Pennsylvania	\$195,309	Pennsylvania	\$184,282	Delaware	\$178,449	Delaware	\$168,913
Alaska	\$192,372	Alaska	\$181,752	Alaska	\$177,888	Pennsylvania	\$166,468
Delaware	\$188,751	Alabama	\$178,878	District of Columbia	\$174,000	Nevada	\$164,674
New Jersey	\$185,482	New Jersey	\$175,534	Pennsylvania	\$169,541	Virginia	\$163,309
District of Columbia	\$184,500	Virginia	\$168,322	New Jersey	\$165,000	Georgia	\$158,439
Virginia	\$183,839	Georgia	\$166,186	Nevada	\$160,000	Arkansas	\$151,141
Alabama	\$180,005	Tennessee	\$162,396	Virginia	\$158,134	Michigan	\$150,628
Nevada	\$170,000	Washington	\$156,328	Tennessee	\$156,792	Texas	\$145,740
Tennessee	\$167,976	Connecticut	\$152,637	Georgia	\$149,873	Florida	\$145,555
Georgia	\$167,210	Michigan	\$151,441	Rhode Island	\$149,207	Washington	\$145,118
Rhode Island	\$165,726	Florida	\$150,077	Washington	\$148,832	Alabama	\$145,015
Michigan	\$164,610	Arizona	\$150,000	Connecticut	\$146,780	Louisiana	\$144,823
Washington	\$164,221	Maryland	\$149,552	Arizona	\$145,000	Utah	\$144,777
Iowa	\$163,200	Iowa	\$147,900	Florida	\$142,178	Iowa	\$144,548
Connecticut	\$162,520	Indiana	\$147,103	Maryland	\$140,352	Nebraska	\$142,340
Maryland	\$162,352	New York	\$144,000	Michigan	\$139,919	Arizona	\$140,784
Florida	\$157,976	Louisiana	\$143,647	New Hampshire	\$137,804	Oklahoma	\$137,550
Arizona	\$155,000	Arkansas	\$140,732	Louisiana	\$137,744	California	\$137,503
Indiana	\$151,328	Hawaii	\$139,924	Iowa	\$137,700	Indiana	\$136,200
New York	\$151,200	Utah	\$138,750	New York	\$136,700	Kentucky	\$136,147
Hawaii	\$151,118	Minnesota	\$137,552	Arkansas	\$136,257	South Carolina	\$133,294
Louisiana	\$150,772	Texas	\$137,500	Hawaii	\$136,127	Alaska	\$133,068
Texas	\$150,000	Wisconsin	\$136,316	Alabama	\$134,943	Wisconsin	\$132,186
New Hampshire	\$146,917	Nebraska	\$135,622	Texas	\$132,500	West Virginia	\$130,809
Massachusetts	\$145,984	Massachusetts	\$135,087	Utah	\$132,150	Missouri	\$129,302
Minnesota	\$145,981	Colorado	\$134,128	Nebraska	\$132,053	Ohio	\$129,198
Utah	\$145,350	South Carolina	\$133,741	South Carolina	\$130,312	Kansas	\$128,987
Arkansas	\$145,204	Ohio	\$132,000	Massachusetts	\$129,694	North Carolina	\$128,517
Wisconsin	\$144,495	North Carolina	\$131,531	Minnesota	\$129,124	Wyoming	\$127,259
Nebraska	\$142,760	Kansas	\$131,518	Wisconsin	\$128,600	New Jersey	\$127,206
Ohio	\$141,600	Oklahoma	\$130,410	Colorado	\$128,598	Colorado	\$126,749
Colorado	\$139,660	Kentucky	\$130,044	West Virginia	\$126,000	Minnesota	\$124,966
Oklahoma	\$137,655	Missouri	\$128,207	Indiana	\$125,647	North Dakota	\$122,978
North Carolina	\$137,249	Oregon	\$122,820	Wyoming	\$125,200	District of Columbia	\$121,251
South Carolina	\$137,171	Idaho	\$118,506	Kentucky	\$124,620	Idaho	\$120,955
Missouri	\$137,034	New Mexico	\$117,506	North Carolina	\$124,382	Rhode Island	\$118,660
West Virginia	\$136,000	Mississippi	\$105,050	Oklahoma	\$124,373	New Hampshire	\$114,906
Kansas	\$135,905			Vermont	\$122,867	Montana	\$113,810
Kentucky	\$135,504			Ohio	\$121,350	Maryland	\$113,037
North Dakota	\$134,135			Missouri	\$120,484	Mississippi	\$112,457
Wyoming	\$131,500			Kansas	\$120,037	New Mexico	\$112,383
Vermont	\$129,245			North Dakota	\$119,330	South Dakota	\$110,968
Oregon	\$125,688			Oregon	\$114,468	Connecticut	\$110,271
New Mexico	\$123,691			Montana	\$113,928	Oregon	\$107,130
Montana	\$121,434			Idaho	\$112,043	Massachusetts	\$106,153
Idaho	\$119,506			Maine	\$111,969	New York	\$105,131
Maine	\$119,476			New Mexico	\$111,631	Vermont	\$100,588
South Dakota	\$118,173			South Dakota	\$110,377	Maine	\$99,023
Mississippi	\$112,530			Mississippi	\$104,170	Hawaii	\$81,018
Mean	\$152,606		\$146,887		\$137,151		\$132,461
Median	\$146,917		\$140,732		\$132,500		\$130,809
Range	\$112,530 to \$218,237	\$105,050 to \$204,599		\$104,170 to \$180,802		\$81,018 to \$190,171	


Information in this Survey is collected from designated representatives in each state. The National Center for State Courts has protocols in place to help ensure the accuracy of the data that are collected, analyzed, and ultimately reported.

National Center for State Courts

The National Center for State Courts is a nonprofit organization dedicated to the modernization of court operations and the improvement of justice at the state and local levels throughout the country. It functions as an extension of the state court systems, working for them at their direction and providing for them an effective voice in matters of national importance.

The National Center acts as a focal point for state judicial reform and provides the means for reinvesting in the all states the profits gained from judicial advances in any state. Funding for this *Survey* is made possible by assessments from all the states and territories and by individual contributions.

Points of view are those of the authors and do not necessarily represent the official position or policies of the National Center for State Courts. If you have questions or comments regarding this *Survey*, contact the National Center for State Courts, Knowledge and Information Services, 300 Newport Avenue, Williamsburg, VA 23185, (800) 616-6164, fax (757) 564-2075.

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JUDICIAL SALARY TRACKER

Introducing an interactive interface that presents judicial salary data in easily understood visual displays.

What salaries are required to keep pace with inflation?

How do your state's salaries compare when adjusted for cost of living?



APPENDIX B

Proposed Legislation

Appendix B

An Act to Implement the Recommendations of the Judicial Compensation Commission

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, current salaries for members of State's judiciary are among the lowest in the nation; and

Whereas, it is the recommendation of the Judicial Compensation Commission that increases to judicial salaries become effective July 1, 2013; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 4 MRSA §4, sub-§1, is amended to read:

1. Chief justice; salary. The Chief Justice of the Supreme Judicial Court is entitled to receive a salary, for fiscal year ~~1998-99~~ 2013-14 and thereafter, of ~~\$111,000~~ \$157,475, to be paid biweekly.

Sec. 2. 4 MRSA §4, sub-§2, paragraph A, is amended to read:

2. Associate justice; salary. Each Associate Justice of the Supreme Judicial Court shall receive a salary as follows:

A. For fiscal year ~~1998-99~~ 2013-14 and thereafter, ~~\$96,000~~ \$136,214, to be paid biweekly.

Sec. 3. 4 MRSA §102, sub-§1, is amended to read:

1. Chief justice; salary. The Chief Justice of the Superior Court is entitled to receive a salary, for fiscal year ~~1998-99~~ 2013-14 and thereafter, of ~~\$94,000~~ \$133,374, to be paid biweekly.

Sec. 4. 4 MRSA §102, sub-§2, paragraph A, is amended to read:

2. Associate justice; salary. Each Justice of the Superior Court shall receive a salary as follows:

A. For fiscal year ~~1998-99~~ 2013-14 and thereafter, ~~\$90,000~~ \$127,629 to be paid biweekly.

Sec. 5. 4 MRSA §157, sub-§2, is amended to read:

2. Chief Judge; salary. The Chief Judge of the District Court is entitled to receive a salary, for fiscal year ~~1998-99~~ 2013-14 and thereafter, of ~~\$94,000~~ \$133,374, to be paid biweekly.

Sec. 6. 4 MRSA §157, sub-§3, is amended to read:

3. Deputy Chief Judge; salary. The Deputy Chief Judge of the District Court is entitled to receive a salary, for fiscal year ~~1998-99~~ 2013-14 and thereafter, of ~~\$92,000~~ \$130,533, to be paid biweekly.

Sec. 7. 4 MRSA §157, sub-§4, paragraph 4, is amended to read:

4. Associate judge; salary. Each Associate Judge of the District Court shall receive a salary as follows:

A. For fiscal year ~~1998-99~~ 2013-14 and thereafter, ~~\$90,000~~ \$127,629, to be paid biweekly.

Sec. 8. 4 MRSA §1701, paragraph 13 is amended to read:

13. Biennial report required. No later than December ~~1st~~ 15th of each even-numbered year, the commission shall make its biennial report to the joint standing committees of the Legislature having jurisdiction over appropriations matters and judicial matters. The biennial report must include findings, conclusions and recommendations as to the proper salary and benefits, including retirement, to be paid from the State Treasury and other sources for all justices and judges of this State. The commission is

authorized to submit with its report any proposed legislation the commission determines necessary to implement these recommendations.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect July 1, 2013.

SUMMARY

This bill implements the recommendations of the Judicial Compensation Commission. It increases the salary of justices in the Supreme Judicial Court, Superior Court and District Court to provide a cost-of-living increase equal to the amount that would have been awarded had statutory increases been granted in fiscal year 2003-04, fiscal year 2004-05, fiscal year 2010-11, fiscal year 2011-12 and fiscal year 2012-13. It also changes the reporting deadline for the Judicial Compensation Commission from December 1st to December 15th.