

Judicial Compensation in New York State – Fact Sheet

A salary adjustment for New York Judges is long overdue.

- It has been over six years since the last judicial pay increase.
- This is an unprecedented sacrifice that is being asked of New York Judges:
 - ▶ A Judge serving since 1995 would have received only one pay increase.
 - ▶ A Judge serving since 1988 would have received only two pay increases.

The value of judicial compensation in New York State has been seriously eroded since the last salary increase. The cost-of-living has increased by over 18 percent since 1999.

Since 1999, New York judges have seen the salaries of others, including federal judges, judiciaries in other states, and non-judicial employees, regularly increased to keep pace with the rising cost-of-living.

- Since 1999, when the New York State Legislature re-established the history parity between Federal District Court Judges and New York Supreme Court Justices, federal judges have received six annual salary increases.
- Federal District Court Judges now earn more than \$25,000 a year more than New York Supreme Court Justices. Federal District Court Judges earn more than every New York State Judge, including the Judges of the Court of Appeals.
- Since the 1999 judicial salary increase, State employees covered by collective bargaining agreements have received salary increases in the amount of 18.25 percent.
- Stagnant judicial salaries in the face of regular increases for non-judicial employees have narrowed, and at times bridged, the gap that traditionally existed between judicial and non-judicial pay levels. Many employees in the Executive and Judicial Branches earn more than Judges.

New York State has been losing ground compared to other states

- New York has traditionally been a leader among the states regarding judicial compensation.
- New York has steadily been losing ground to other states. When adjusted for the high regional cost-of-living, NY ranks only 23rd among the states in the level of compensation paid to judges of the trial court of general jurisdiction.
- Among the 8 most populous states – the most apt comparison – New York ranks second to last in a cost-adjusted ranking:

Illinois
Michigan
Florida
Pennsylvania
Texas
Ohio
New York
California

- Of the 50 states, only Texas and Indiana have gone longer than New York without a judicial pay increase.

Other states have mechanisms, such as automatic cost-of-living adjustments, to ensure that judicial compensation is reviewed regularly. Such mechanisms include:

- Cost-of-living adjustments
- Automated adjustments linked to adjustments given to other groups, such as non-judicial employees
- Commissions that review and make recommendations with respect to salary adjustments

The Judiciary Salary Proposal

The Judiciary's salary proposal would establish appropriate salary levels, together with a mechanism to insure that these levels are periodically adjusted. The three components of the proposal are:

First, it provides for **immediate adjustment** of the salaries of Justices of the Supreme Court, our trial court of general, original jurisdiction, to restore them to parity with their counterparts, the Judges of the Federal District Courts. At the same time, salaries of the Judges of our appellate courts should be increased in appropriate proportion.

Second, the proposal addresses the issue of **pay disparity**. While the disparity among trial court Judges should be eliminated altogether, such a significant reform cannot be undertaken without a clear consensus among the State's policymakers. At the same time, however, steps should be taken now to mitigate some of the more palpably unfair instances of judicial pay disparity. Thus, the proposal with regard to parity is in two parts.

Part one provides for adjustment of the salaries of Judges of the trial courts of limited jurisdiction to reduce the extent of salary disparity both within the same level of court and among Judges of all trial courts.

Part two of the parity section of the proposal calls for a salary commission that would meet every two years to consider whether remaining pay disparities should be further reduced or eliminated. In this manner, the larger issue of proper pay relationships among trial Judges can be addressed by an expert body that will evaluate those relationships on an ongoing basis.

Third, the proposal **establishes a mechanism for future salary adjustments**, by providing that salaries of Justices of the Supreme Court will automatically, and without need for further legislative action, be adjusted annually to keep pace with those of Judges of the Federal District Courts, and that the salaries of Judges of other State-paid courts be adjusted to preserve their relationships with those of Justices of the Supreme Court.