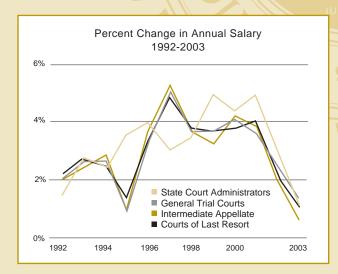
Junual Survey of Survey of

As of October 1, 2003

The National Center for State Courts (NCSC) regularly gathers information about the salaries of judges and state court administrators with the assistance of the state court administrative offices. The *Survey of Judicial Salaries* is the primary record and comparative analysis for state judicial salaries. This *Survey* reports salaries as of October 1, 2003.

In addition to incorporating the latest salary data, this issue of the *Survey* continues to feature several enhancements from the prior report. First, the percentage changes in annual judicial salaries are presented for the period 1992-2003. This historical information is shown for the four positions for which data have been reported most consistently—associate justices of courts of last resort (COLRs), associate judges of intermediate appellate courts (IACs), general jurisdiction trial court judges, and state court administrators. Second, additional analysis takes into account cost of living differences, allowing comparisons of salaries across all 50 states. The cost of living factors are applied to the salaries of trial court judges, allowing for a direct comparison of salaries after accounting for cost of living differences.

A new feature of this issue of the *Survey* relates to senior and retired judges recalled to service. A table is provided which examines pay rates for previously retired judges who return to the bench; the table also assesses the impact of returning to service on retirement benefits. This information is provided in a comparative format for each state, where available.



Annual Percentage Change in Real Salaries

Annual salary growth rates are shown in the adjacent chart, covering the 50 states and the District of Columbia. The annual percentage change in real dollar salaries is shown for each of the four judicial positions. From 1992-2003, the change in each of the salary groups was about 3.0 percent annually. Coinciding with strained state budgets, the average percentage change in salary dropped again in 2003. The average 2003 increase for each of the positions was about 1 percent, making it two consecutive years of declining pay increases. Increases for general jurisdiction trial courts, intermediate appellate courts, and courts of last resort tend to be similar over the 1992-2003 period. Annual increases for state court administrators tend to be slightly higher and less variable.

Judicial Salaries at a Glance

About one-third of the jurisdictions reported salary changes at the general jurisdiction level or above since April 1, 2003. In five of these states, the only apparent change was an increase in the state court administrator's salary. The following table summarizes current salaries for the major judicial positions.

	Mean	Median	Range	Average Annual % Change 1997-2003
Chief, Highest Court	\$ 130,221	\$ 125,485	\$ 95,000 to 191,483	2.9%
Associate Justice, Court of Last Resort	125,292	122,418	95,000 to 175,575	3.3%
Judge, Intermediate Appellate Courts	121,697	117,000	91,469 to 164,604	3.2%
Judge, General Jurisdiction Trial Courts	112,724	109,810	86,896 to 154,700	3.4%
State Court Administrator	112,306	108,288	83,784 to 175,728	3.6%

The bar charts to the right show the states that reported salary increases for the period October 2, 2002—October 1, 2003. Fifteen states reported increases for general jurisdiction court judges, while nine reported increases for intermediate appellate court judges (states that did not receive increases are not shown). In general, salary adjustments were modest for the states shown, with a median increase of 1.6 percent for IAC judges, and 2.1 percent for general jurisdiction judges. However, when averaging salaries over seven years (1997-2003), the median salary adjustments are 3.4 percent and 3.0 percent, respectively.

Two states, Wyoming and Nevada, stand out as having received large increases at the general jurisdiction level. These two states are among those with a history of large yet sporadic salary adjustments, separated by longer periods of salary freezes. As of October 1, 2003, six states had gone three or more years with no increase for general jurisdiction judges; New York and West Virginia had gone four years, and Indiana six years, without increases. In Texas, although some local supplements have changed more recently, the state-funded base salary has not increased since 1998. At the IAC level, six states had gone three or more years without raises. Texas had gone five years, and Indiana six, without increases.

General J	General Jurisdiction Judges Salary Increases					
	2002	2003				
General Jurisdiction	Salary	Salary	Percent Increase			
Wyoming	83,700	100,000	19.5%			
Nevada	111,000	130,000	17.1%			
Montana	82,600	88,164	6.7%			
Louisiana	100,743	105,780	5.0%			
District of Columbia	150,000	154,700	3.1%			
California	139,476	143,838	3.1%			
Minnesota	111,359	114,700	3.0%			
Arkansas	115,659	118,128	2.1%			
South Dakota	94,029	95,910	2.0%			
Pennsylvania	119,315	121,225	1.6%			
Tennessee	111,060	112,836	1.6%			
Kansas	98,744	100,255	1.5%			
Vermont	102,813	104,355	1.5%			
Ohio	106,200	107,600	1.3%			
Kentucky	113,266	114,348	1.0%			

Intermediate Appellate Judges Salary Increases					
	2002	2003			
Intermediate Appellate	Salary	Salary	Percent Increase		
Louisiana	106,706	112,041	5.0%		
California	159,657	164,604	3.1%		
Minnesota	118,627	122,186	3.0%		
Arkansas	119,569	122,093	2.1%		
Tennessee	116,064	117,924	1.6%		
Pennsylvania	133,083	135,213	1.6%		
Kansas	109,157	110,794	1.5%		
Ohio	115,500	117,000	1.3%		
Kentucky	118,300	119,380	0.9%		

COST OF LIVING ADJUSTED SALARIES _

The cost of living varies across the United States, masking the true purchasing power of the dollar when comparing salaries across regions, states, or localities. Recognizing inherent variation in the U.S. dollar's purchasing power, the *Survey* includes salary information that accounts for differences in cost-of-living, allowing for a more direct comparison of "normalized" salaries.

The table on the next page compares the average real dollar salaries (through September 2003) to the cost-of-living-adjusted salaries for general jurisdiction trial court judges in all states and Washington, DC. The table is sorted alphabetically with columns for real salary rank and rank for each state based on the ACCRA adjusted salary. The factor used to calculate the adjusted salary is provided in the last column.

This "normalization" of trial court judge salaries showed some interesting results. New York, for example, is ranked 6th in the real salary column and has an ACCRA factor of 1.22. The basic interpretation is that the average purchasing power of a salary in New York (\$111,864) is lower than its real dollar salary (\$136,700). The change in the two salary measurements is significant, resulting in the large movement in New York's salary rankings (6th to 24th). In contrast, Arkansas, ranked 18th in the real salary column, ended up being ranked 4th after adjusting for a more modest cost of living.

GENERAL JURISDICTION TRIAL COURT JUDGES STATE SALARIES, 2003

	Real Salaries	Real Salary Rank	Cost of Living Adjusted Salary	Adjusted Rank	ACCR. Facto
Alabama	\$ 111,973	24	\$122,036	11	0.92
Alaska	109,032	28	84,795	49	1.29
Arizona	120,750	15	120,792	13	1.00
Arkansas	118,128	18	133,398	4	0.89
California	143,838	2	110,890	25	1.30
Colorado	104,637	35	100,239	36	1.04
Connecticut	125,000	10	97,920	41	1.28
Delaware	140,200	4	135,276	2	1.04
District of Columbia	154,700	1	113,627	21	1.36
Florida	133,250	8	133,347	5	1.00
Georgia	121,938	13	132,871	6	0.92
Hawaii	106,922	32	69,291	50	1.54
Idaho	95,718	45	103,409	33	0.93
Illinois	136,546	7	134,913	3	1.01
Indiana	90,000	48	95,646	43	0.94
Iowa	109,810	26	116,417	16	0.94
Kansas	100,255	39	107,125	30	0.94
Kentucky	114,348	20	124,729	9	0.92
Louisiana	105,780	34	109,974	27	0.96
Maine	98,377	41	N/A	N/A	N/A
Maryland	119,600	16	106,119	31	1.13
Massachusetts	112,777	23	87,635	47	1.29
Michigan	139,919	5	139,749	1	1.00
Minnesota	114,700	19	110.820	26	1.04
Mississippi	94,700	46	102,900	34	0.92
Missouri	108,000	30	115,953	18	0.93
Montana	88,164	50	89,600	46	0.98
Nebraska	110,330	25	115,810	19	0.95
Nevada	130,000	9	126,900	7	1.02
New Hampshire	106,187	33	101,306	35	1.05
New Jersey	141,000	3	99,682	38	1.41
New Mexico	86,896	51	85,212	48	1.02
New York	136,700	6	111,864	24	1.22
North Carolina	104,523	36	107,227	29	0.97
North Dakota	90,671	47	98,715	40	0.92
Ohio	107,600	31	112,100	22	0.96
Oklahoma	95,898	43	106,027	32	0.90
Oregon	95,800	44	90.826	45	1.05
Pennsylvania	121,225	14	120,996	12	1.00
Rhode Island	119,579	17	N/A	N/A	N/A
South Carolina	113,535	21	119,720	15	0.95
South Dakota	95,910	42	100,146	37	0.96
Tennessee	112,836	22	125,875	8	0.90
Texas	109,158	27	120,534	14	0.90
Utah	103,700	38	109,696	28	0.95
Vermont	103,700	37	92,118	44	1.13
Virginia	123,027	11	123,700	10	0.99
•		12		17	1.05
Washington West Virginia	121,972 90,000	49	116,146 95,815	42	0.94
Wisconsin	,	49 29	,	23	
	108,950		112,094		0.97
Wyoming	100,000	40	99,391	39	1.01

The ACCRA organization was formed 40 years ago and has nearly 400 reporting jurisdictions (e.g., chambers of commerce, local/state government agencies, etc.) making it the most widely accepted U.S. source for cost of living indices. The ACCRA cost of living factors used in this report were developed by examining average costs of goods and services purchased by a mid-management professional. The "basket" of goods and services used has six component indices – grocery items, housing, utilities, transportation, health care and miscellaneous goods and services.

The factors used in this analysis reflect an average of the reporting jurisdictions in a particular state (i.e., the ACCRA factor for Virginia is the average of the ACCRA factors for each of the eight reporting jurisdictions in Virginia). It should be noted that cost of living differences can exist within large metropolitan areas and between suburbs and a central metropolitan area. Taxes are not factored into the ACCRA cost of living index. More detailed information can be found at www.accra.org.

STATE TABLES.



The following 7 pages show the salaries for each state and the 5 other jurisdictions that have reported current data as part of the *Survey*. Each state table shows an assigned region, the salary for each position, the date of the last reported salary change, and any special notations.

The four geographical regions are those recognized by the U.S. Labor Department: Northeast, Midwest, South, and West. The map to the left shows the states within each region.

NORTHEAST REGION

Connecticut

Appellate and General*

Chief Justice Associate Justice \$138 State Court Admin. \$144

Appellate Court \$130, Chief \$137

Superior Court \$125
*Plus 3% semiannually after 25 or more years,

3/4 of 3% after 20-25 years, 1/2 of 3% after 15-20 years,

1/4 of 3% after 10-15 years.

Limited and Special

Probate Court \$94

Other Family Support Magistrate

\$104, Chief \$109

Maine

Appellate and General

Chief Justice \$121 Associate Justice \$105 State Court Admin. \$92

Superior Court \$98, Chief \$103

Limited and Special

Probate Court Set by legislature for each county

\$98, Deputy Chief \$101, District Court

Chief \$103

Massachusetts

as of 7-1-01

Appellate and General

\$132 Chief Justice \$127 Associate Justice \$122 State Court Admin.

\$117, Chief \$122 Appeals Court \$113, Chief \$117 Superior Court

Limited and Special

\$113, Chief \$117 Juvenile Court \$113, Chief \$117 **Probate Court Housing Court** \$113, Chief \$117 District Court \$113, Chief \$117

\$113 (Boston), Chief \$117 Municipal Court

Land Court \$113, Chief \$117

New Hampshire

as of 12-27-02

NE

NE

Appellate and General

Chief Justice \$117 Associate Justice \$113 State Court Admin. \$96

Superior Court \$106, Chief \$113

Limited and Special

Probate Court \$106 (full time), \$24-38 (part)* **District Court** \$106 (full time), \$9-74 (part)*

Municipal Court set locally

Based on caseload.

New Jersey

Appellate and General

\$164 Chief Justice Associate Justice \$159 \$150 State Court Admin.

Superior Court Appellate

\$150 Division

\$141, Assignment Superior Court Judge \$147

Limited and Special

Surrogate Judge Set locally Municipal Court Set locally \$141 Tax Court

New York

as of 1-1-99

Appellate and General \$156 \$151 \$148 Chief Judge Associate Judge State Court Admin.

Appellate Division

\$144, Presiding \$148 \$140, Presiding \$143 \$137 Appellate Terms Supreme Court County Court \$120-137 (outside NYC)

Limited and Special

Court of Claims \$137, Presiding \$144
Civil and Criminal Court, NYC \$126
District Court \$123, Presiding \$127 (Nassau & Suffolk)
Family Court \$120-137 (NYC Admin. Judge \$142)

Surrogates' Court \$120-137 \$115

Housing Court, NYC Other City Courts

\$109-120

Pennsylvania

Chief Justice \$143 Associate Justice

\$140 State Court Admin. \$136

Superior Court/ \$135, Presiding \$137

Commonwealth Court Court of Common Pleas

\$121, Presiding \$121-124 (based on # of judges/population)

Limited and Special **District Court**

Appellate and General

\$60 (excluding Philadelphia and

Pittsburgh)

Municipal Court \$118, Presiding \$120

(Philadelphia)

Traffic Court (Philadelphia) \$63.5, Presiding \$64

Rhode Island

as of 6-30-02

Appellate and General Chief Justice \$146 \$133 Associate Justice Special Master \$112 State Court Admin. \$107

\$120, Presiding \$132, Magistrate \$112 Superior Court

Limited and Special

District Court

Family Court \$120, Chief \$132, Magistrates \$112 Probate Court Set locally

\$112, Chief \$132, Admin. Judge \$118, Magistrate \$112, Clerk \$87

\$112, Chief \$123 Workers' Compensation Court Traffic Tribunal \$95, Magistrate \$87

Note: Judge/Justice may also receive longevity pay.

Vermont

Appellate and General

Chief Justice \$115 Associate Justice \$110 State Court Admin. \$104

Superior/District/Family Court \$104, Admin. Judge \$110 (Asst. Judges \$120.64/day)

Limited and Special

Child Support Magistrate Probate Court \$25-78 Traffic/Municipal Hearing Officer \$79 **Environmental Court** \$104

MIDWEST REGION

Illinois

MIDWEST as of 7-1-02

Appellate and General

Chief Justice \$158 \$158 Associate Justice State Court Admin. \$149 **Appellate Court** \$149

Circuit Court \$137, \$127 Associate

Limited and Special

None

Indiana

as of 8-1-97

MIDWEST

Appellate and General

Chief Justice \$115 + \$5.5 subsistence Associate Justice \$115 + \$3 subsistence State Court Admin. \$99

Court of Appeals \$110 Associates + \$3 subsist.

(\$5.5 Chief subsist.)

Circuit and Superior \$90-95 (based on local supplement)

Court

Limited and Special

Probate Court \$90-95, based on local supplements County Court \$90-95, based on local supplements

Iowa

MIDWEST as of 12-20-02

Appellate and General

Chief Justice \$125 \$120 Associate Justice \$123 State Court Admin.

\$116, Chief \$120 \$110, Chief \$114, Associate \$96, Court of Appeals

District Court

Part-time Magistrate \$29

Limited and Special

None

Kansas

as of 7-20-03 MIDWEST

Appellate and General

\$118 Chief Justice \$115 Associate Justice \$100 State Court Admin.

\$111, Chief \$114 Court of Appeals

Judge \$100, Admin. Judge \$101, District Court

Magistrate \$47

Limited and Special

Municipal Court Not Available

Michigan

MIDWEST

Appellate and General

Chief Justice \$165 Associate Justice \$165 State Court Admin. \$130 Court of Appeals \$151

Circuit Court \$140 (Equalized salary) Court of Claims \$140 (Equalized salary)

Limited and Special

\$140 (full time), \$63 (part) **Probate Court** \$138 (Equalized salary) District Court

no longer listed Municipal Court

Minnesota

as of 1-1-03

MIDWEST

Appellate and General

Chief Justice \$143 Associate Justice \$130 State Court Admin. \$115'

Court of Appeals \$122, Chief \$128

District Court \$115, Chief \$120, Child Support Magistrate \$103, Referee \$103

*Cannot exceed salary of District Ct. Judge

Missouri as of 7-1-03

MIDWEST

Appellate and General

Chief Justice \$126 Associate Justice \$123 \$115 State Court Admin. Court of Appeals \$115

Circuit Court \$108, Associate \$96, Commissioner \$96

\$96 Family Court

\$96 Drug Court

Probate Court \$108, Deputy \$96

Limited and Special

Municipal Court Set locally

*Now tied to Appellate Salary.

Nebraska as of 7-1-03 MIDWEST

Appellate and General

Chief Justice \$119
Associate Justice \$119
State Court Admin. \$98
Court of Appeals \$113*
District Court \$110*

Limited and Special

Juvenile Court \$110* County Court \$107* Workers' Compensation Court \$110*

*Salary set as % of Associate Justice

North Dakota as of 7-1-02 MIDWEST

Appellate and General

Chief Justice \$102 Associate Justice \$99 State Court Admin. \$84

District Court \$91, Presiding Judge \$93

Limited and Special

Municipal Court Set locally

Ohio **MIDWEST** as of 1-1-03 Appellate and General Chief Justice \$134 Associate Justice \$126 State Court Admin. \$115 Court of Appeals \$117 Court of Common Pleas \$108* Limited and Special Juvenile/Domestic Relations Court \$117* **Probate Court** \$117* \$58* (part) \$101* (full time) County Court Municipal Court

South Dakota as of 7-1-03 MIDWEST

Appellate and General

Chief Justice \$105 Associate Justice \$103 State Court Admin. \$92

Circuit Court \$96, Presiding Judge \$98,

Law-Trained Magistrate \$70

Limited and Special

None

Wisconsin as of 7-22-02 MIDWEST

\$58* (part)

Appellate and General

*Equalized salary

Chief Justice \$130
Associate Justice \$122
State Court Admin. \$115*
Court of Appeals \$115
Circuit Court \$109

Limited and Special

Municipal Court Set locally

*Tied to salary of Court of Appeals.

SOUTH REGION

Alabama

s of 10-1-03

SOUTH

Appellate and General

Chief Justice \$178 Associate Justice \$152-190 State Court Admin. \$78-119

Court of Appeals, \$151, Presiding Judge \$152-189

Civil & Criminal State Circuit Court

\$112-140

Limited and Special

Probate Court Set locally
District Court \$111-139
Municipal Court Set locally

Arkansas as of 7-1-03 SOUTH

Appellate and General

Chief Justice \$136 Associate Justice \$126 State Court Admin. \$93

Court of Appeals \$122, Chief \$124

Circuit Court \$118

Limited and Special

District Court \$3-125 City Court Local

Delaware

as of 7-1-02

SOUTH

Appellate and General

Chief Justice \$153 Associate Justice \$147 State Court Admin. \$108

Superior Court Associate \$140, Presiding \$145

Commissioner \$86

Limited and Special

Family Court Assoc

Associate \$140, Presiding \$145 Commissioner \$86

Chancellor Court
Justice of Peace Court
Ct. Com. Pleas.

Chancellor \$145, Vice \$140
\$58-62, Chief Magistrate \$101
Associate \$137, Chief \$144

Commissioner \$86

District of Columbia as of 1-14-03

Appellate and General

Chief Judge \$164.5 Associate Judge \$164 \$154.7* **Executive Officer**

Superior Court \$154.7, Chief \$155.2 Magistrate Judge \$125

Limited and Special

None

*Tied to salary of Superior Court.

Florida

SOUTH

Appellate and General

Chief Justice \$154 Associate Justice \$154 State Court Admin. \$126 **District Courts of Appeal** \$142 Circuit Court \$133

Limited and Special

County Court \$120

Georgia as of 10-1-02 SOUTH

Appellate and General

Chief Justice \$153 Associate Justice \$153 State Court Admin. \$117 Court of Appeals \$152

Superior Court \$110-143 (mid is \$122)

Limited and Special

Juvenile Court \$60-130 (full time), \$3-67 (part)

\$25-129 **Probate Court**

(full time) \$14-104, Chief \$21-113 Magistrate Court

(part time) \$1.49-40, Chief \$13-43 \$35–136 (full time), \$10–52 (part) State Court Municipal Court

\$120 (up to), Chief up to \$123

SOUTH

Kentucky SOUTH as of 7-1-03

Appellate and General

Chief Justice \$129 Associate Justice \$124 State Court Admin. \$114

Court of Appeals \$119, Chief \$122 Circuit Court \$114, Chief \$115

Limited and Special

District Court \$103, Chief \$104

Louisiana

as of 7-1-03

Appellate and General*

Chief Justice \$124 Associate Justice \$118 State Court Admin. \$112

Courts of Appeal \$112, Chief \$118

District Court \$106

*Includes annual supplements

Limited and Special

Juvenile Court

Municipal/Traffic Court \$34. New Orleans (based on local

supplements)

City Court \$34, (based on local supplements)

Parish Court

Maryland



Appellate and General

Chief Justice \$151 Associate Justice \$132 State Court Admin. \$119

Court of Special Appeals \$124, Chief \$127

Circuit Court \$120

Limited and Special

Orphan's Court Set by county between \$1.7-65

District Court \$112, Chief \$124

Mississippi

SOUTH

Appellate and General

Chief Justice \$105, Presiding \$103

Associate Justice \$102 State Court Admin. \$85

Court of Appeals \$96, Chief \$98

Circuit/Chancery Court \$95

Limited and Special

Justice of Peace Court Set by legislature & population

adjusted

County Court \$70-94 (population adjusted)

Municipal Court Set locally

North Carolina

as of 7-1-00

SOUTH

Appellate and General

Chief Justice \$118 \$115 Associate Justice State Court Admin. \$108

\$111, Chief \$112 Court of Appeals

Superior Court \$105, Senior Judge \$108

Limited and Special

District Court \$92, Chief \$95

Note: Judge/Justice salaries may include longevity pay.

Oklahoma

SOUTH

Appellate and General

\$110 Chief Justice/

Presiding Judge Associate Justice \$107

State Court Admin. \$102

Court of Appeals \$102, Presiding Judge \$103

\$96, Associate \$88 (pop over 30,000) **District Court**

or \$86 (pop up to 30,000),

Special judge lawyer/nonlawyer \$80

Limited and Special

Municipal Court Set locally

Workers' Compensation Court \$89

Note: District Judges serve on Courts of Tax & Bank Review.

South Carolina

Appellate and General

Chief Justice \$125* Associate Justice \$120

State Court Admin. \$99

\$117,* Chief \$118* \$114* Court of Appeals Circuit Court

Limited and Special

Family Court \$111* Probate Court Set locally Municipal Court Set locally Magistrate Court Set locally

*Set as % of Associate Justices

Tennessee

SOUTH as of 7-1-03

\$113

Appellate and General

Chief Justice \$124 Associate Justice \$124 State Court Admin. \$118 Court of Appeals/Court of Criminal \$118 Appeals

Circuit/Chancery/Probate/Criminal

Limited and Special

Juvenile Court Set locally County Court (Probate) Set locally General Sessions Court Set locally Set locally **Municipal Court**

Texas

SOUTH as of 9-1-03

Appellate and General

Chief Justice/ \$115 Presiding Judge

Associate Justice \$113 State Court Admin. \$98

Courts of Appeals \$107-112 (based on local supplements) District Court \$102-111 (based on local supplements*

Masters \$76-90, Associate \$80-83

SOUTH

Limited and Special

Probate Court Set locally Justice of Peace Court Set locally County Court Set locally Municipal Court Set locally

*Supplements changed.

Virginia SOUTH

Appellate and General

Chief Justice \$141* Associate Justice \$133* State Court Admin. \$125

Court of Appeals \$126,* Chief \$127*

Circuit Court \$123

Limited and Special

Juvenile/Domestic Relations Court \$111 General District Court

*Plus 6,500 in lieu of travel, lodging and other expenses.

West Virginia SOUTH

Appellate and General

Chief Justice \$95 \$95 Associate Justice State Court Admin. \$88

\$90, Family Court Judge \$63, Circuit Court

Commissioner \$65/hr.

Limited and Special

Magistrate Court \$33-40 (depending on population)

WEST REGION

Alaska

as of 7-1-02

WES1

Appellate and General

Chief Justice \$118 Associate Justice \$118 State Court Admin. \$116* Court of Appeals \$111

Superior Court \$109-116 (varies by location and cost of living)

Limited and Special

District Court \$92-99

Magistrate Court \$18-101 (varies by caseload and law training)

*2,000 less than Supreme Ct. Justice.

Arizona

as of 1-1-01

WEST

Appellate and General

Chief Justice \$129 Associate Justice \$127 State Court Admin. \$136 Court of Appeals \$124

Superior Court \$121, Commissioner \$109

Limited and Special

Justice of Peace Court

based on formula using filings

Police Court \$40-157 (full time) \$2-65 (part)

California

WEST

Appellate and General

Chief Justice \$191* Associate Justice \$176 State Court Admin. \$168-185

Courts of Appeal \$165, Presiding \$171*

\$144, Presiding (15+ judges) \$150* Superior Court Presiding (1-14 judges) \$147*

Limited and Special

*Includes an additional 4% over others on court.

*Includes an additional 2% over others on court.

Colorado

as of 7-1-03

WEST

Appellate and General

Chief Justice \$116 Associate Justice \$114 State Court Admin. \$112*

Court of Appeals \$109, Chief \$112

District Court \$105

Limited and Special

Juvenile Court \$105 (Denver only) Probate Court \$105 (Denver only) County Court \$124 (Denver only) Class B \$100 Municipal Court Set locally

Water Court \$105 *Tied to salary of Court of Appeals

Hawaii as of 7-1-00

WEST

Appellate and General

Chief Justice \$117 Associate Justice \$116 State Court Admin. \$90

Intermediate Court of Appeals \$111, Chief \$112

Circuit Court \$107

Limited and Special

District Court \$101

Idaho as of 7-1-02

WEST

Appellate and General

Chief Justice \$104 Associate Justice \$102 State Court Admin. \$97 Court of Appeals \$101

District Court \$96, Administrative \$97

Magistrates \$91

Limited and Special

None

Montana

as of 7-1-03

WEST *

Appellate and General

Chief Justice \$97 Associate Justice \$96 \$87 State Court Admin. \$88 District Court \$88 Water Court Workers Comp. Court \$88

Limited and Special

Justice of Peace Court Set locally City Court Set locally Municipal Court Set locally

Nevada

as of 1-6-03

WEST

Appellate and General

Chief Justice \$140-171 (may include longevity pay) Associate Justice \$140-171 (may include longevity pay) \$100 State Court Admin.

\$100-159 (may include longevity pay District Court and dependent on election cycle)

Limited and Special

Justice Court \$42-154 (includes supplements) Municipal Court \$106-134 (includes supplements)

Salaries include longevity pay in addition to base pay: 8% semiannually after 4 years of service. Each year after an additional 2% up to a maximum of 22% after 11 years of service.

New Mexico

as of 7-7-01

\$87

WEST

Appellate and General

Chief Justice \$98 Associate Justice \$96 State Court Admin. \$94

Court of Appeals \$91, Chief \$93

District Court

Limited and Special

Probate Court Set locally Metropolitan Court \$78 (Bernalillo)

Magistrate Court

Oregon as of 7-1-02

WEST

Appellate and General

\$108 Chief Justice \$105 Associate Justice \$87-117 State Court Admin.

Court of Appeals \$103, Chief \$105

\$99 Tax Court Circuit Court \$96

Limited and Special

Justice of Peace Court Set locally Municipal Court Set locally City Court Set locally

Utah **WEST** as of 7-1-01

Appellate and General

Chief Justice \$116 \$114 Associate Justice State Court Admin. \$104

\$109, Chief \$110 Court of Appeals

\$104, Presiding Judge \$105 District Court

Limited and Special

Juvenile Court \$104, Presiding Judge \$105 Justice of Peace Court States \$88 Set locally with recommend. by State Court

Admin.

Washington WEST

Appellate and General

Chief Justice \$135 \$135 Associate Justice State Court Admin. \$116* Court of Appeals \$128

Superior Court \$122, Pro tem judge (if retired judge) \$292.72/day, Pro tem judge

(if attorney) \$487.88/day

OTHER*

Limited and Special

District Court \$116 Municipal Court Set locally

*95% of Superior Ct. Judge salary.

Wyoming ăs of 1-6-03

WEST

Appellate and General

Chief Justice \$105 Associate Justice \$105 State Court Admin. \$87 \$100 **District Court**

Limited and Special

Magistrates \$18-32 Circuit Court \$82 Municipal Court Set locally

<u>OTHER REGION</u>

Federal System

Appellate and General

Chief Justice \$201 Associate Justice \$193 Administrative Director \$157* Court of Appeals \$166 District Court \$157

Limited and Special

Claims Court \$157 Courts of International Trade \$157

U.S. Magistrate Court \$144** (full time)

\$144** U.S. Bankruptcy Court

*Tied to salary of District Court.

**92% of U.S. District Ct. judge's salary.

Guam

Appellate and General

Chief Justice Associate Justice \$126 Superior Court Executive Officer \$73 Admin. Director Supreme Court \$80

General Trial Court

\$100, Presiding Judge \$125

Limited and Special

None

Northern Mariana Islands

Appellate and General

Chief Justice \$130 \$126 Associate Justice \$70

\$120, Presiding Judge \$123

Limited and Special

None

State Court Admin. Superior Court

Puerto Rico

Appellate and General

Chief Justice \$125 Associate Justice \$120 State Court Admin. \$96 Circuit Court of Appeals \$90 Superior Court \$80

Limited and Special

Municipal Court \$65

Virgin Islands



Appellate and General

Territorial Court \$135, Presiding Judge \$145

Administrator \$85

Limited and Special

None

In the handling of business within the court system, many states employ former judges to augment their full-time judicial resources. These former judges are most often officially retired from judicial service and draw retirement benefits. Some do not yet qualify for retirement but left the bench for various reasons, including voluntary pursuit of other interests or defeat in reelection campaigns. Former judges may be recalled to service on both short-term and long-term bases. They may fill in for a few days when judges are sick or vacationing or for extended periods when there is a judicial vacancy or a heavy workload in a particular court.

The terminology used among the states to refer to these former judges is not uniform. In some states, terms such as "senior judge" and "retired judge recalled to service" are used interchangeably. However, in a few states, including Delaware, Idaho, Kansas, Kentucky, Oregon, Virginia, and West Virginia, distinctions are made between former judges who serve for a limited number of days on an ad hoc basis and those who commit to a minimum number of days of service over a given period of time. In these states, the title "senior judge" commonly refers to an individual who has made a long-term commitment although in Idaho and Oregon, "Plan B" judges are the ones who make long-term commitments. Elsewhere, distinctions in classification are based on the age of the retired judge (Connecticut) or the court level to which one is recalled to service (Federal Court System). The terms of compensation frequently vary where there are such distinctions in the classifications of these recalled judges, with greater retirement benefits or higher salaries accruing to those making long-term commitments.

Knowing that senior and recalled judges can be a vital resource to courts when political or economic conditions prevent the filling of full-time judicial vacancies or the creation of new full-time judgeships, the National Center for State Courts added some questions about the use and compensation of senior and retired judges recalled to service to its October 2003 survey of judicial compensation. Selected responses from 49 states (all but Georgia), the District of Columbia, Guam, Puerto Rico, the Virgin Islands, and the Federal Courts have been summarized in the following table.

In general:

- Using retired or senior judges to assist with the work of the courts occurs in practically all states; moreover, their use appears fairly routine for many states.
- In addition to pension benefits, many states compensate judges using a daily rate, most often based on the current salary of the judges of the court on which they are serving.
- Many states limit the total annual compensation (pension plus service pay) that a recalled judge can earn; the maximum is usually the annual salary of a sitting judge of the court on which they are serving.

In general, few states reported an effect on the retirement benefits of a recalled judge. Most states avoid consequences to retirement status by how they set daily compensation—subtracting daily retirement income from the daily rate of current judges or similarly setting the daily rate for retired judges with an eye to any annual compensation limit. Hawaii avoids the suspension of judicial retirement benefits by limiting the consecutive number of days that a recalled judge serves.

	Rate of compensation for retired judges recalled to service	Are there limits to the annual compensation paid to senior or retired judges recalled to service?	Does compensation for continued service affect retirement benefits?
Alabama	Pre-retirement salary	Cannot exceed sitting judge salary, less \$1000	No
Alaska	\$225/day at all court levels	Cannot exceed the salary of a sitting judge	Yes
Arizona	Superior Court judge's salary less retirement income	Total compensation (retirement pay plus service pay) may not exceed the salary of a Superior Court Judge	No
Arkansas	50% of sitting judge	No	No
California	92% of sitting judge	No	No
Colorado	60-day contract: 20% of current salary for pre- retirement position; 90-day contract: 30%	No provision for income above rates indicated in 60 and 90 day contracts	No
Connecticut ¹	\$200/day for senior judges and trial referees	Cannot exceed the salary of a sitting judge	No
Delaware ²	Retired judge: \$250/day. Retired justice of peace: 1/260th of current 2nd-term salary (currently, \$230/day).	Pay plus pension shall not exceed current salary of position from which judge retired. For retired justice of peace, total annual compensation shall not equal current salary for 2nd-term justice of peace.	No
Florida	Up to \$300/day	No	No
Hawaii	1/252 of sitting judge annual salary, per day	No. Recalled judge's pension plus compensation for service could exceed salary of current judge (in theory) but judges do not serve enough days for this to happen.	Yes. To avoid suspension of retirement allowance, retired judges must not work periods longer than 89 consecutive days.
Idaho	"Senior" judges receive 85% of daily rate of cument judge in the court which they will serve. "Plan B" judges receive no per diem, but retirement benefits are enhanced.	Pension plus per diem may not exceed salary of current judge in the court which they will serve. Not an issue for Plan B judges.	Not for senior judgesannual compensation limits avoid need for adjusting benefits. For Plan B judges, a higher benefit is the compensation for service.
Illinois	Applicable to the assigned position.	Compensation is equal to that of an active judge in the assigned position.	Yes. Retirement pay is replaced by the compensation applicable to the assigned position.
Indiana	Sr. Judges: \$50/day, 1st 30 days; \$75/day, days 31-100; >100 days, no pay. If serves 30 days/year, state also pays insurance benefits.	Senior judges are limited to pay for 100 days; judges serving as Supreme Court pro tems have no limit.	No
Iowa	\$6370/year plus higher retirement annuity calculation than that of other retired judges	No	Increase in retirement benefits as active judges receive increase
Kansas	Retired judge: \$78.75 daily rate plus \$86 per diem (for expenses). Senior judge: commits to work 40% of year for 25% of current judges' salary.	May not exceed salary of current judge.	No
Kentucky ³	Special Judges (non-Senior status):\$150 per diem plus expenses. Sr. status: enhanced retirement benefit.	Special judges-no; senior status judges-enhanced retirement benefit cannot exceed 100% of final compensation.	No: Special judges; Yes: Senior status judges.
Louisiana	75% of sitting judge	No	No
Maine	\$300/day or \$175/half day for "active retired judges"	No	No
Maryland	Per diem based on daily salary of judge serving in the court from which inactive judge retired.	Pension plus per diem may not exceed salary of current sitting judge in court from which inactive judge retired.	No

	Rate of compensation for retired judges recalled to service	Are there limits to the annual compensation paid to senior or retired judges recalled to service?	Does compensation for continued service affect retirement benefits?
Massachusetts	Daily rate: 1/220th of current position annual salary less annual pension/retirement allowance.	No assignment for a retired judge shall be longer than 90 days.	No. Pay is in addition to the pension or retirement allowance received.
Michigan	Daily rate: 1/250th of current position annual salary less annual pension/retirement allowance.	Pension plus per diem may not exceed salary of current judges.	No
Minnesota	District Court: \$324 per diem; Court of Appeals: \$342 per diem.	No	No
Mississippi	1/260th of sitting judge annual salary, per day, plus travel expenses.	Yes. Yearly compensation for retired judge/justice may not exceed 25% of current salary in effect for chancery or circuit court judge.	No
Missouri	50% of sitting judge	Total compensation (retirement plus half rate pay) cannot exceed salary of current judge.	Yes, it adds to their total time worked which increases their retirement rate.
Montana	<180 days/year: actual expenses plus daily salary of sitting judge; >180 days: 1/20th sitting judge monthly salary less daily retirement benefit, per day.	Yes, as indicated in previous column.	No
Nebraska	Monthly rate: salary of sitting judge less retirement salary.	No	No
Nevada	\$82.60 per hour calculated from 1/240th of sitting judge annual salary, per day.	No	Yes. Retirement allowances forfeited for duration of employment, but retiree may reenroll in retirement plan for added benefits depending upon duration of recall.
New Hampshire	No additional pay for recalled judges. Retirees receive 75% of current salary for position from which they retired, for life.	75% of current salary for position from which they retired	No
New Jersey	\$300 per diem	Pension plus per diem may not exceed salary of current judges.	No
New Mexico	Judges pro tempore \$71.51 per hour	No	No
New York	Judicial Hearing Officers are retired or former judges compensated at \$250/day	No	No
North Carolina	\$300/day regardless of court level	Total annual compensation may not exceed that received by a sitting justice or judge	No
North Dakota	Supreme Court: \$413.01/day District Court: \$377.80/day	No	No
Ohio	Daily pay equals 1/250th salary for current judges at court on which retired judge serves	Total may not exceed compensation of judges of highest court for which retired judge sits during year	No
Oklahoma	\$300 per day plus mileage	No	No
Oregon	Senior judge: 5% per day of current judge's monthly gross. "Plan B" judge: higher retirement benefit for serving at least 35 days/year for 5 years. Both get some expenses paid.	No	If senior judge ever worked over 1039 hours/year (1/2 time), benefits would stop and judge would be reenrolled in retirement plan. For Plan B judges, a higher benefit is the compensation for service.
Pennsylvania	Senior traffic court judge: \$174.53/day; senior district justice: \$164.92/day; all other senior judges: \$371.00/day	Salary plus retirement benefit may not exceed salary of a sitting judge on the court from which judge retired.	No

	Rate of compensation for retired judges recalled to service	Are there limits to the annual compensation paid to senior or retired judges recalled to service?	Does compensation for continued service affect retirement benefits?
Rhode Island	No added pay if retired judge's salary is same as current judge. If current salary is more, judge receives difference between current and retirement salary. Monthly health benefit paid if recalled 10 or more days in month.	Yes, compensation scheme is designed not to exceed that of a current judge.	No
South Carolina	Salary of sitting judge less retirement salary	Salary plus retirement salary may not exceed salary of a sitting judge	No
South Dakota	Paid hourly rate of circuit judge	Not Applicableappointments are case-by-case, not of sufficient magnitude for annual pay to be an issue	No
Tennessee	50% of current compensation of the office from which judge retired	No	No
Texas	Appellate and county courts: daily rate of sitting judge. District courts: 85% of daily rate of sitting judge.	No	No effect on benefits from state's judicial retirement system. Effect unknown for deferred compensation plans and county judges participating in local retirement systems.
Utah	\$49.86/hour	May not earn more than \$103,700	No
Vermont	\$401/day	No	Yes, social security
Virginia	Retired/recalled judges: \$200/day. Sr. judges (appellate courts only, serving 25% to full-time): 25% of salary of full-time judge on court on which they sit.	Limited to 25% of sitting judge salary	No
Washington	COLR: Expenses plus salary differential: salary of court last served, less retirement pay. IAC and Superior Court: Expenses plus 60% of 1/250th annual justice/judge salary.	Limited to sitting judge salary	No
West Virginia	Retired judges and magistrates not of "senior status" not compensated when recalled. Sr. judge = \$300/day; sr. magistrate = \$130/day. Former family court judge = \$200/day.	Pension plus per diem of senior status judge may not exceed the current salary of a sitting judge.	No
Wisconsin	\$293/day	Limited to sitting judge salary	No
Wyoming	Current compensation of postion to which he is assigned, less retirement benefit.	Not Applicable	No
District of Columbia	Superior Court: \$595/day Court of Appeals: \$630.77/day	Total compensation may not exceed difference between judge's annuity and current annual salary of associate judges.	No
Federal System	Bankruptcy or magistrate judges may serve full time at salary of sitting judge. Part-time judges are paid based on days served. "Senior" judges (District Courts and Circuit Courts of Appeal) are paid the same as active judges.	Limited to sitting judge salary	Yes, in very limited circumstances for bankruptcy and magistrate judges.
Guam	\$48.08-Trial Judges; \$60.58-Justices	Subject to legislative appropriation	No
Puerto Rico	Retired judges are no longer recalled	Not Applicable	Not Applicable
Virgin Islands	Per diem basis, not to exceed current salary of a Territorial Court judge.	Pension plus per diem may not exceed the salary of sitting judges	No

¹ Connecticut - Senior judges are those retired from full-time active service and not yet age 70. They have all the powers of a judge. Judge trial referees are judges over age 70 who are designated by the Supreme Court's chief justice

¹ Connecticut - Senior judges are mose retured from full-time active service and not yet age 70. They have an use powers of a judge status judges are insected and included to be temporary appointments to the Supreme Court, the Court of Chancery, and the Superior Court. Any retired judges may serve as a senior judge, consistent with qualifications, manner of appointment, term of office, compensation, duties and all other matters relating to the office. The only statutes that address the assignment of such individuals make no distinction between the categories.

3 Kentucky - A Senior Status Program for Special Judges is being pilot tested through 2007. A judge who retires and elects senior status receives a monthly allowance equal to 5% of his/her final compensation multiplied by the years of service. Senior Status judges must serve 120 days a year for each of 5 years. Senior status judges do not receive a per diem or salary (special judges do), only an enhanced retirement benefit.

The table below lists the salaries for associate justices of the courts of last resort, associate judges of intermediate appellate courts, and judges of general jurisdiction trial courts as of October 1, 2003. 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. Salary data for the federal government and several U.S. territories are also included.

Salary data for judges of limited jurisdiction courts are not ranked because the large number and diverse nature of this set of courts make duties less comparable. Furthermore, many of these salaries vary considerably within given states because they are set locally.

	Highest Court	Rank	Intermediate	Rank	General	Rank
A	•		Appellate Court		Trial Court	
Alabama	\$152,027	8	\$151,027	4	\$ 111,973	24
Alaska	117,900	31	111,384	27	109,032	28
Arizona	126,525	20	123,900	13	120,750	15
Arkansas	126,054	21	122,093	16	118,128	18
California	175,575	1	164,604	1	143,838	2
Colorado	113,637	37	109,137	32	104,637	35
Connecticut	138,404	13	129,988	10	125,000	10
Delaware	147,000	10	. 20,000	. 0	140,200	4
District of Columbia		3			154.700	1
Florida	153,750	6	141,963	8	133,250	8
Georgia		7	152,139	2	121,938	13
	153,086			20		
Hawaii	115,547	32	110,618	29	106,922	32
Idaho	102,125	47	101,125	37	95,718	45
Illinois	158,103	5	148,803	6	136,546	7
Indiana	115,000	34	110,000	31	90,000	48
Iowa	120,100	27	115,540	22	109,810	26
Kansas	114,769	35	110,794	28	100,255	39
Kentucky	124,415	23	119,380	17	114,348	20
Louisiana	118,301	30	112,041	26	105,780	34
Maine	104,929	44	, ,		98,377	41
Maryland	131,600	17	123,800	14	119,600	16
Massachusetts	126,943	19	117,467	19	112,777	23
Michigan	164,610	2	151,441	3	139,919	5
Minnesota	129,674	18	122,186	15	114,700	19
Mississippi	102,300	46	95,500	38	94,700	46
Missouri	123,000	25	115,000	24	108,000	30
Montana	95,493	50			88,164	50
Nebraska	119,276	29	113,312	25	110,330	25
Nevada	140,000	11			130,000	9
New Hampshire	113,266	38			106,187	33
New Jersey	158,500	4	150,000	5	141,000	3
New Mexico	96,283	49	91,469	39	86,896	51
New York	151,200	9	144,000	7	136,700	6
North Carolina	115,336	33	110,530	30	104,523	36
North Dakota	99,122	48	110,000	00	90,671	47
Ohio	125,500	22	117,000	20	107,600	31
Oklahoma		41		36		43
	106,716		101,714		95,898	
Oregon	105,200	42	102,800	35	95,800	44
Pennsylvania	139,585	12	135,213	9	121,225	14
Rhode Island	132,816	15			119,579	17
South Carolina	119,510	28	116,521	21	113,535	21
South Dakota	102,684	45			95,910	42
Tennessee	123,684	24	117,924	18	112,836	22
Texas	113,000	39	107,350	34	109,158	27
Utah	114,050	36	108,900	33	103,700	38
Vermont	109,771	40			104,355	37
Virginia	132,523	16	125,899	12	123,027	11
Washington	134,584	14	128,116	11	121,972	12
West Virginia		51	120,110	1.1		49
	95,000		445 400	22	90,000	
Wisconsin	122,418	26	115,490	23	108,950	29
Wyoming	105,000	43			100,000	40
Mean	122,418		117,000		109,810	
Median	125,292		121,697		112,724	
Range	95,000 to 175,575		91,469 to 164,604		86,896 to 154,700	
Federal System	193,000		165,500		157,000	
Guam	128,000				100,000	
Northern Mariana Is					120,000	
Puerto Rico	120,000		90,000		80,000	
Virgin Islands	120,000		30,000		135,000	

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.

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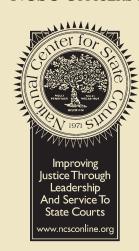
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