

Raises, at last, for N.Y. judges

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The purpose of Wednesday's hearing in Albany by the state Judicial Compensation Commission couldn't be more urgent. Depriving the state's judges of a pay raise for 12 years has put New York close to the point where justice could become ill-served, even denied. It's past time to fix that.

It's not just the more than 1,200 judges who suffer under such an extended pattern of neglect. All 19 million New Yorkers have a stake in ensuring that the ranks of the state's judges consist of the best and most dedicated legal minds. The public is absolutely entitled to believe that the quest for justice isn't undermined by the state's failure to see to it that judges' salaries don't lag so far behind inflation.

There's ample reason to worry when judges in New York are the lowest paid in the nation, once the cost of living in such a generally expensive state is factored in. The Legislature has allowed that, as it refused to give judges a raise unless its own members were similarly rewarded.

Finally, a breakthrough came last year, with the establishment of a commission empowered to set judges' salaries for a four-year period. The Legislature would have to vote to block the commission's decision.

How high, then, should the commission go? How much should judges make?

Take a deep breath, New York. The cost of 12 years of no raises can be staggering, especially when seemingly everyone across the state -- public employees in particular -- is being asked to sacrifice.

Simply adjusting the \$136,700 that state Supreme Court justices make for the cumulative effects of 12 years of inflation, and compensating other judges accordingly, would bring their pay to \$195,754.

That's more than New York, still struggling to emerge from a fiscal crisis can bear right now. And it's almost certainly more than the public might tolerate.

A more reasonable level of compensation for people who, remember, would be substantially better paid in private practice, would be \$174,000 as a first step. That, as it happens, is what federal judges are paid, for handling cases that aren't so different from the complex work that New York Supreme Court justices do.

As for where the money for these raises to be paid next April -- some \$50 million -- would

come from, keep in mind that it still would be a tiny percentage of the state budget. If only New York had put all the money that might have gone to judges' raises over the past 12 years to better use.

To increase judges' salaries to anything less than \$174,000 would be to resort to state government's frequent tendency to apply shortsighted, politically craven fixes to long-simmering problems.

Such large but necessary raises should come with this understanding, too -- that they have to be followed up with regular, cost-of-living adjustments, again subject to legislative and gubernatorial approval. Otherwise, New York will be back on its way to underpaying the people who perform perhaps the most vital service in state government.

None of this is easy, not the underpayment of judges and not the political difficulties of making up for that.

It invites questions like this, from Judicial Compensation Commission member Bill Mulrow.

"How much can the state afford?" he asks.

Fair enough. But how can it afford the stiff, if intangible, price of maintaining a judiciary on the cheap?

THE ISSUE:

A state commission is ready to decide how much judges should be paid.

THE STAKES:

An inadequately compensated judiciary comes at its own cost.

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