
Editorial

Judges are overdue for a raise

After 12 years without hike in salaries, the state needs to be fair to judiciary

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Next month, a commission created by the State Legislature will decide whether to give judges long-overdue pay raises. The commission should agree on a reasonable pay increase, and lawmakers and the governor should refrain from vetoing it.

The Judicial Compensation Commission was created last year after the Legislature had blocked salary increases for the past 12 years. It remains to be seen what the seven-member commission, appointed by the governor, legislative leaders and the state's chief judge, will recommend. And further, what the Legislature and governor will do in response.

The state's highest-level trial court justices receive \$136,700 in salary. While that may seem like a king's ransom in Buffalo, it is woefully inadequate downstate and has been cited as the main reason for the recent flood of judges leaving the bench.

While some believe that judges don't work very hard and receive all kinds of perks and benefits denied to the average individual, the issue of compensation boils down to the quality of our judges. The job should attract the best-qualified candidates, not just those with enough resources so that pay is not an issue.

Judges have been forced to argue their case for a pay increase year after year, to no avail. Meantime, they have been put in a demoralizing position in which those around them, including some academics, school administrators, elected officials and courthouse employees, earn more money. And that's not to mention the salaries of top lawyers, or even average lawyers, presenting their cases.

The New York Times recently reported that, for the first time in memory, judges are leaving the bench in relatively large numbers—many to return to being practicing lawyers, and who could blame them? In New York State, at least a dozen have resigned and “explicitly cited pay,” according to the Times. Not exactly the kind of news that would elicit the best and brightest law students to aspire to the bench.

New York State reportedly has had the longest judicial pay freeze, and judicial salaries are ranked 46th in the country when measured by the cost of living, according to the National

Center for the State Courts.

On the other side of the argument, the state does find itself locked in its own fiscal crisis. Budget Director Robert L. Megna told the pay commission that there is an expected \$2.4 billion budget gap next year, and that pay increases for judges would mean cuts elsewhere. That may be true, but the increased salaries for judges would represent barely a ripple in the overall budget. The freeze has gone on for too long. The state should be fair to its judges.

Comments

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Yes, the State should be fair to its judges...as well as all of its employees. But a commission charged with reviewing and recommending pay rates for judges would be remiss if they do not also examine and consider the pension system that judges along with legislators and the executive branch enjoy. While our good governor has, as in the past, demanded takebacks and a seemingly endless string of new Tier levels, each of which reduced rank and file pensions for civil servants, that Common Retirement Fund is indeed at least progressive. Your retirement is based on your final average salary and number of years worked. Raising pay for judges without requiring them, legislators and the executive to forgo their cadillac (rather Rolls Royce) pension system would be a slap in the face to every civil servant and taxpayer. Also, the argument that because there are not a huge number of judges and raises and benefits are but a "ripple" in the overall budget has nothing to do with fairness and equity. In terms of pensions they should receive what they so heartily recommend for everyone else.

ROBERT H. MACCALLUM, SLOAN, NY on Sun Aug 7, 2011 at 01:02 PM

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