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## Courts suggest as much as 62 percent pay increase for NY judges

By Joseph Spector and Rebecca Baker Albany Bureau

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ALBANY -- The state courts system is recommending that judges get a pay raise of up to 62 percent after having their pay frozen since 1999.

The recommendations come in a report this week from chief administrative judge Ann Pfau to the state Commission on Judicial Compensation, which is evaluating the pay for the state's roughly 1,300 judges.

State Supreme Court judges receive a salary of \$136,700, but Pfau recommended judges' salaries increase to as high as \$220,836 to put them on par with other states, based on cost of living standards. She recommended a salary between \$192,000 and \$220,836.

Pfau called the recommendations "prudent and responsible." She said New York ranks last in the nation for judicial pay based on cost of living and 20th for actual salary.

"After such a lengthy pay freeze, the cost of the reform of past practices must not prevent this commission from fulfilling its urgent mandate to provide appropriate compensation to New York's judges," she wrote in the report.

The seven-member panel is expected to release its findings in late August. The commission's recommendations will automatically become law unless state lawmakers try to halt them.

Some Republican lawmakers questioned Pfau's recommendations, saying that while judges may deserve a pay raise it should be within reason.

"The range that Judge Pfau is suggesting seems very generous, especially with middle-class families that are struggling," said Senate Judiciary Committee Chairman John Bonacic, R-Mount Hope, Orange County.

Bonacic said he is hopeful that lawmakers, Gov. Andrew Cuomo and the judiciary can work with the commission to find common ground.

Pfau's report said the \$136,700 salary was once on par with U.S. District Court salaries, but that no longer holds true. Federal judges have seen a 27.3 percent pay raise since 1999, to \$174,000, while state judges have seen zero.

The commission was established last year to evaluate every four years how much the state judges should be paid. Judicial pay has traditionally been tied to salary increases for the state Legislature, which also hasn't had a raise above their \$79,500 base salary since 1999.

Courts say they are dealing with a record number of cases, while state law bars them from hiring more judges. The number of criminal cases has stayed relatively flat since 1998, about 1.9 million a year, Gannett's Albany Bureau reported earlier this year. But the number of civil cases grew 35 percent between 1998 and 2010, from 1.3 million to 1.8 million.

To offset the lack of pay raises, New York judges receive \$10,000 yearly expense allowances. The stipend was instituted in 2008 and doubled to \$10,000 a year later, costing taxpayers about \$12.4 million a year.

The courts have argued that it is hard to attract and retain qualified judges because of the pay scale.

But Assemblyman Sean Hanna, R-Mendon, Monroe County, said there are plenty of lawyers in upstate New

York who want to serve as judges for the current pay.

"In upstate New York, when a judicial position opens there is a line wrapping around the block of very qualified attorneys chopping at the bit to be named to the position or elected to the position," Hanna, a lawyer who serves on the Assembly Judiciary Committee, said.

The request for pay raises comes months after the Office of Court Administration laid off more than 500 employees to save \$170 million. It was forced to cut roughly 6 percent of its \$2.7 billion budget this year because of the state's fiscal challenges.

The layoffs were part of the largest decrease in court services in nearly 20 years. The funding cut has already led courts to reduce services, including ending court sessions at 4:30 p.m. each day, reducing jury pools and eliminating judicial hearing officers to handle cases.

The state Civil Service Employees Association, whose membership was most affected by the layoffs, had no comment on Pfau's report.

New York State Supreme Court Officers Association is supporting the move to pay judges more, but didn't offer a pay recommendation.

"They deserve a raise - they deserve a substantial raise," union President John Strandberg said. "If they gave them a 35 percent raise? I know the court employees' raises have not gone up 35 percent since 1999."

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