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## Stagnant Salaries Affect Quality of the Bench, Bar Groups Say

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ALBANY - Two New York City bar organizations recommended to a judicial compensation commission yesterday that state court judges be granted pay raises of around 40 percent effective April 1 to end a 13-year drought that, according to the New York County Lawyers' Association, has been "demoralizing, disrespectful and discouraging."

"By any measure, New York state's judges currently are severely underpaid, and they and their families have paid a heavy price for remaining on the bench without an increase for over a decade," the New York City Bar said in [its recommendation](#) to the seven-member commission that began work this week.

Current salary levels are "woefully deficient" to maintain the quality of the state's judiciary, the city bar said, noting that the judges' salaries trail those of private attorneys, federal judges and even some of the state court's non-judicial employees.

"Stagnant and inadequate compensation deters qualified lawyers in the private sector from seeking to become judges, resulting in a loss of experience and perspective which are invaluable to courts in a major commercial and cultural state such as New York," the city bar said.

NYCLA said in [its submission](#) that the lack of a raise since Jan. 1, 1999, has had a "corrosive effect" on the state's ability to "recruit and retain the highly qualified judges that litigants deserve and expect in the nation's financial capital."

The city bar recommended that the current \$136,700 annual salaries for Supreme Court justices be immediately increased to at least \$195,000 a year, or around 42.6 percent. In fact, the city bar said, there is "ample justification" for an increase to \$200,000 or more, but that it would propose only the \$195,000 level for the time being.

NYCLA advocated for an advance in justices' salaries to between \$190,000 and \$196,000.

The salary of a Supreme Court justice is regarded as a benchmark. In all proposals for a raise, other judges would get proportionate salaries.

NYCLA noted that at least 10 of the state's 1,200 judges have quit the bench in the past few years in order to make more money and meet familial responsibilities.

That, in turn, could ultimately affect how justice is administered in the state, NYCLA said.

"Inadequate judicial compensation is not merely unfair... it undermines the bedrock principles of judicial independence and the rule of law and threatens the administration of justice," NYCLA said.

The salary commission was created late last year to recommend judicial compensation without political interference. Its suggestions will automatically go into effect unless the Legislature votes to halt them.

The commission held its first meeting on Monday in Manhattan ([NYLJ, July 12](#)) and will hold a hearing next week in Albany. At that meeting, Chief Administrative Judge Ann Pfau is expected to reprise [the judiciary's recommendation](#) that judges receive at least a 41 percent raise to make up for inflation in the last 13 years.

## Raise Proposals

### \$136,700 - Current salary of Supreme Court justices

#### Office of Court Administration

**\$195,754**

Matching inflation since Jan. 1, 1999

**\$220,836**

Lifting New York to 25th  
from 50th among states using  
a cost-adjusted index

**\$194,068**

Lifting New York to 40th using  
a cost-adjusted index

**\$192,218**

Re-establishing the 1999 ratio  
between salaries of senior clerks  
and the justices they serve

**\$193,813**

Calibrating salaries of state judges  
to their federal counterparts

#### New York County Lawyers' Association

**\$190,000-\$196,000**

Based on OCA criteria above

#### New York City Bar

**\$195,000 or more**

Based on inflation, disparity between  
judges' pay and legal salaries in  
the private sector and the disparity  
between the pay of judges in New  
York and other states

But the judiciary presented several options, topped by a \$220,000 salary for Supreme Court justices, a 62 percent increase.

Also expected to address the panel are former chief judge Judith S. Kaye, who lobbied throughout the mid- and late-2000s for a pay commission and a judicial salary increase, and the state AFL-CIO president, Denis Hughes, who is expected to argue that a strong judiciary is in the best interests of both business and labor.

Chief Judge Jonathan Lippman declined to comment yesterday. He has named two members to the commission: New York City Partnership president Kathryn S. Wylde and Robert Fiske Jr. of David Polk & Wardwell. Judge Lippman said he did not want his comments to influence his

appointees' work.

Meanwhile, the chairman of the Senate's Judiciary Committee, John Bonacic, R-Mount Hope, told the Gannett News Service yesterday that pay increases of the magnitude envisioned by the court system were out of line with the state's economic realities, particularly upstate.

"The range that Judge Pfau is suggesting seems very generous, especially with middle-class families that are struggling," he told Gannett.

Mr. Bonacic said he is hopeful state leaders can work with the commission to find common ground.

The chairman of the commission, former New York City comptroller William Thompson Jr., who was appointed by Governor Andrew M. Cuomo, did not return a call for comment.

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