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Pay Frozen, More New York Judges Leave Bench

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By WILLIAM GLABERSON

The state's judges, who have not had a raise in 12 years, are resigning in relatively large numbers, not to retire but to return to practicing law.

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214 Readers' Comments

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101. James  
Cambridge  
July 5th, 2011  
11:45 am

While there is some reasonableness in Andrew Lee (comment #28)'s contention that we need not be scraping the bottom of the barrel for judges, his alternative, that we should in fact be hiring the "the most qualified who also want to serve on the bench" is preposterous. Andrew in essence provides us two extremes - the 'bottom of the barrel' or the 'most qualified.' Can't it be somewhere in the middle that provides good value to the taxpayer? Must we always go for the 'gold plated' option? Andrew then adds insult to insult by suggesting that since the lawyers can make '10x' the amount they now make in private practice, that they must be 'the best and brightest.' To most of us, it is clear that what gives them value is the contacts and influence that they have built up during their judgeships that makes them so marketable.

Recommend Recommended by 2 Readers

102. Banty  
Upstate New York  
July 5th, 2011  
11:45 am

noroids:"I really wish I could feel bad about hearing this news but after watching the pay structure in my own field of expertise be dismantled and outsourced after years of serving it loyally I just can't. Since where does it say that judges should command a 6 figure salaries, and perks beyond that? "

You know what - me too. Even though my firm and division is making a large profit in the high-tech sector which has done relatively well in this recession. Our pay structure (yes, even in the oft-cited supposedly golden STEM fields) are being squeezed down and largely outsourced. But what I don't understand, is why your is reaction to drag judgeships down to the bottom with us? This sort of thing only serves to peg our compensation packages at a lower level permanently, management on each side of the public-sector/private-sector divide pointing to the other and saying "why should you expect to be paid more than \*them\*?". This is a problem of income disparity which is society-wide.

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103. Jay  
NYC  
July 5th, 2011  
12:00 pm

Although I do not make anything close to a six-figure salary, I am wary of the argument that judges make too much money. There seems to a race to the bottom argument gaining traction in our discourse about public service.

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I fear that the US will not be able to compete with the countries shoring up their public sectors to work more efficiently, effectively, and combating corruption, which decent salaries for public sector work prevents.

Teachers should earn as much as judges, not the other way around. But, to hear Americans tell it, government workers are a waste of public funding. Privatized courts anyone? We already have privatized prisons.

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104. Daniel  
New York  
July 5th, 2011  
12:05 pm

Very few of the judge's bellyaching about their salaries left more lucrative positions to serve on the bench. Rather, they became judges because it was the best job they could get. And in that job they enjoy a benefits package nowhere to be found in the private sector, and have very, very little accountability. Moreover, lawyers everywhere laugh at their jokes even if they're not funny. It seems that years of lawyers bowing before them has made them delusional- they seem to think that the private sector wants to pay them lots of money when it didn't before they were judges. The only thing they have going for them now, that they didn't before is that now they can trade on their status as former judges and sell that status to law firms who in turn want to peddle the appearance of influence to their clients. But before they were judges and still after their time as judges, most of these folks had neither the credentials, the talent or the stamina and work ethic to make it as partners at the world's largest law firms serving the world's wealthiest private clients. They were regular lawyers that people called Bill and Mary instead of "Your Honor."

Yes, we should have judicial salaries that attract competent and talented lawyers to the bench. But the vast majority of the judges presently serving do not want that. They simply want a raise for themselves.

These judges act as if they all took the bench the day before they were to be made partners at Sullivan and Cromwell. That's simply not the case. Most of them became judges after realizing they'd maxed out in the DA's office, legal aid society, city law department, etc. Somewhere along the way, they got it in their heads that they should have houses in the Hamptons. Nobody will call the judges out on this because the only people who know it are the lawyers who appear in front of them and its not in their interest to say anything.

Recommend Recommended by 6 Readers

105. CJM  
Georgia  
July 5th, 2011  
12:10 pm

State employees, regardless of what State they reside in, are more often than not the last to receive a pay raise, wait longer periods of time in order to receive a token raise (private sector gets 5%, State employee gets 1 1/2% - 2 1/2%). Unions don't matter--they do nothing anyway except collect forced coinage from your paycheck, then spit in your face if you complain. Jobs are hard to come by; I'll take an empty bench any day of the week; it sure beats unemployment or forced retirement.

Recommend Recommended by 0 Readers

106. II  
queens  
July 5th, 2011  
12:20 pm

It would have been desirable for the article to address how many of those retiring gave up large salaries in the first place--unfortunately I suspect not many; and whether many are now being lured by large firms because of the influence and connections gained during their judicial tenure. I'm not sure I see the difference between a defense department employee leaving to work for Boeing and an appellate division judge handling cases before his colleagues in the courts.

Recommend Recommended by 5 Readers

107. HIGHLIGHT (What's this?)

Mashed Potatos  
Florida  
July 5th, 2011  
12:20 pm

One thing that has not been discussed: the Courtroom is a pressure cooker - just waiting to blow, at all times. Lawyers feel it, Court personnel feel it and the Judge feels it from all sides, including the inner seething that most litigants experience b/c litigating in New York is one long trial, often lasting years. Judges deserve a raise as the job takes time off their lives' owing to the extreme stress and relentless work. I know of very few lazy judges. They work hard, they have nothing but study and writing and arguing to do, day in, day out. The politicians are holding them hostage and allowing the judicial system to erode by their lack of attention to the most important branch of government, that which grants or takes away freedom. Get with it New York. Pay the judges fairly, you have no problem increasing your own pay, and you work about a quarter of the time they put in. Judges are slaves in an overburdened, burned out system and morale is terrible. Money has a way of improving peoples' attitudes about their jobs, but judges work tirelessly under extreme pressure. It is time we give them a break, and they deserve what they make now and much more. They put their heart, soul and physical wellbeing into their job on a daily basis and are not only underpaid but underappreciated. I am proud of the New York State Judiciary and hope that the legislature stops playing political games with the careers' and lives' of one of our most treasured and important group of people. Having practiced for many years in most courts in the metro area, I personally have watched judge after judge retire or die off from the stress. We need more judges and we need to pay them their worth. It is only fair.

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108. Jim Sylvester  
Menifee CA  
July 5th, 2011  
12:20 pm

The easiest and most effective way to corrupt our Judicial System is to under pay its judges.

I understand that to many people, including me, that \$144,000 is quite a good salary, but if I could easily earn 5 or 10 times that much, I would. It is a tragedy that so many experienced judges are leaving the bench, but its not a tragedy for the judges, its a tragedy for the county, our people and our court system! The ex judges will do fine; justice will suffer.

After reading some of the comments above, I am saddened to find that there are so many people, so petty and small minded, that they are spitefully happy to see highly trained people leaving essential jobs for lack of the income they worked and trained for. And deserve.

I repeat my opening statement: the easiest way to corrupt and degrade our courts is to underpay its employees. We will be sorry!

Recommend Recommended by 3 Readers

109. Chris B.  
Middletown, NY  
July 5th, 2011  
12:20 pm

It is truly amazing that judges understand their own plight while not giving a hoot for anyone else. In my case it is the Worker's Compensation Board Commissioners(judges)who are my worst enemy. They allow insurance companies to cut your benefits to zero on almost a whim. They have stopped paying me my benefits as of April 1, 2011 and we're just getting to a hearing in August to try and clarify things. They have also stopped paying my doctors and lied about it when they told the practice that my case had been closed in September of 2009! The Commissioners let them get away with murder and it leaves one to wonder if, somehow, they're not in cahoots with one another. I wish that all Commissioners and judges could feel this pinch the way I have had to. Then they would know that an injured worker is

entitled to and cannot live without those benefits which are granted us under the law.

Recommend Recommended by 0 Readers

110. shemaro  
Washington DC  
July 5th, 2011  
12:25 pm

One judge who isn't hurting is Mr. Supreme Court Justice Clarence Thomas. His right-wing wife accepts huge payments from other right-wingers who have business before the Supreme Court. Mr. Thomas, following what passes for ethics among today's conservatives, refuses to recuse himself. In short, he's being paid by those he's ruling on.

The financial predicament of judges is real, as it is for Senators and Representatives. But the Thomas "solution" is better suited to the corruption of Iraq or Pakistan than to the integrity of our beloved country. I hope the Thomas virus doesn't spread. But most likely it will.

Recommend Recommended by 2 Readers

111. Andrea  
Virginia  
July 5th, 2011  
12:25 pm

I'm a professor at a public institution. I earn much less than \$140k. Is it fair, for someone who earned a doctorate and could make at least three times as much in the private sector? No. But I chose this life, with the perks and the responsibilities, and, yes, the pathetic pay. Certainly, \$140k is not enough for a house in the Hamptons, but it IS enough to live on in NYC, especially after a (presumably) long career in the private sector. Honestly, it's unseemly to complain about this kind of pay. Wonder why average Americans resent "the elites"? Well here's a great example.

Recommend Recommended by 7 Readers

112. kofender  
New York City  
July 5th, 2011  
12:29 pm

Um, uh, forgive me if I disagree with the early posts here (and not about any specific judge). Considering what we ask judges to do in New York State, I find this article appalling. Like them or not (and I've known of judges I'd never want to meet in or out of court), judges provide a huge service to every citizen of the state. And for what they do here, I think they are grossly underpaid. Ask yourselves: would you stay with any job in which you haven't received a raise in 12 years? I know I certainly would not, and I do not blame these judges for leaving the profession and going back to the practice of law.

We should be ashamed as a state to have not properly compensated these judges for the work they do. I know some people might look at these salaries and be quite content with them. But really, these are judges and we should be compensating them accordingly.

Recommend Recommended by 2 Readers

113. purpledot  
Boston, MA  
July 5th, 2011  
12:29 pm

I am sure that this issue is very under reported. Twelve years is a very long time for anyone in any position to forego a raise. No matter how you feel about the salary, everyone deserves a raise and review every year.

The class warfare is typical in the comments. No one wants to be pay public school principals, politicians, police, fire, teachers, public works, highway, water safety, superintendents, generals, colonels, majors, mayors, etc. Each of their public responsibilities are enormous and no private company could ever compete with the low dollars these positions receive for the jobs they perform each and every day. It's a personal choice for the public service employee, up to a point. Asking for raises when making \$144,000.00 is tough in the public sector. This is precisely why pensions are so important. That's the trade-off. Pensions in lieu of high salary (that are

contributory by the employee) for huge, back-breaking, life- on- the- line, reputation- on -the- line jobs. it bothers me that so many local politicians need to be independently wealthy in order to run for office. Again, this issue is obscured yet very consequential for the public at large.

However, even generals and school principals have received a COLA adjustment in the past twelve years.

What's wrong with New York? Judges are staying are doing the job. Give them a raise. It is long overdue.

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114. Lee Pefley  
Bama  
July 5th, 2011  
12:29 pm

"...had to sell a summer home in the Hamptons."

I've already drenched three (3) handkerchiefs with tears of blood! (A friend of mine, the finest person I've ever known, makes \$17,000/yr.)

Recommend Recommended by 6 Readers

115. Da Bronx Guy  
The Bronx, New  
York City  
July 5th, 2011  
12:29 pm

If New york judges feel that they need more money, then by all means leave and seek another profession. There are plenty of people that want to be paid their current salaries! Poor babies selling their summer retreats. Real immature and materialistic.

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116. WMIT26  
Durham, NC  
July 5th, 2011  
12:29 pm

As long as Judge Judy is still taking cases justice will continue to be served.

Recommend Recommended by 1 Reader

117. furious  
usa  
July 5th, 2011  
12:29 pm

no no no. judging the complexities of law in cases that dermine whether we are a just and noble society...that is meaningless. the only people who deserve raises are those who pour through excel sheets looking for new ways to screw people out of their money.

Recommend Recommended by 1 Reader

118. P Robison  
Wyoming  
July 5th, 2011  
12:29 pm

There is a good reason Judges (and cops)should be paid well, you don't want them venerable to bribes.

Recommend Recommended by 2 Readers

119. Mary  
Atlanta, GA  
July 5th, 2011  
12:29 pm

There are teachers in retirement making more in a year than the judges in NYC. I believe that \$144K is a good salary for a judge, although in NYC that doesn't go too far. Perhaps the real question is 'why were they making \$144K 12 years ago?'

Sounds to me that they were paid too high to start with (collective bargaining?).

Recommend Recommended by 3 Readers

120. Ecce Homo  
Jackson Heights,  
NY

Sometimes, American public opinion just kills me. We say we're capitalists,

July 5th, 2011  
12:29 pm

and we call anyone a "socialist" who argues for regulation of any kind. But we want our public servants to be people who are not motivated by money. Isn't that a pretty good definition of a "socialist"?

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121. trudy  
RI  
July 5th, 2011  
12:29 pm

Take a look at their pensions. In RI pensions for judges are giant and they don't contribute one dime to them.

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122. Person  
MA  
July 5th, 2011  
12:29 pm

"Here I am," Justice Goodman said, "in a position where I'm working to achieve justice for other people and I don't feel that I'm experiencing justice."

Your honor, I suggest you try public defense.

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123. mike w  
cleveland, ohio  
July 5th, 2011  
12:29 pm

As long as politics plays any part in the selection of judges, you absolutely will not get "the best and the brightest" regardless of the salary you wish to pay. In Ohio, politics have everything to do with getting a judgeship, academic, scholarly or intellectual merit has very little to do with being a judge.

Somehow, I don't think Benjamin Nathan Cardozo would have left the NY bench because of money issues.

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124. Cathy Kayser  
San Jose, Costa  
Rica  
July 5th, 2011  
12:29 pm

A couple of days ago the NYT ran a story about absurdly high salaries in the private sector, the top salary being \$84,000,000. Lots of money for overpaid CEOs, not enough money for judges and teachers....this does not bode well for the future of the US.

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125. Tony  
New York  
July 5th, 2011  
12:29 pm

I am so glad that Democrats in very Democrat New York want to starve the beast and put the screws to public servants. How is this different than what they claim Republicans are doing? Maybe it is because the judges are not unionized? It just seems that Democrats are the ultimate in hypocrisy. Not ok when Republicans try to cut the wages of public workers, way cool when Democrats don't give public workers a raise for 12 years. I guess New Yorkers don't care that they don't get the best judges, the same way they worry that not giving teachers big fat salary increases will cause teachers to leave the teaching profession.

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