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EDITORIAL

Fair Pay for Judges

The rancid political quagmire that is Albany these days produced a rare breakthrough last week on a matter of great importance to New York's justice system — a pay raise for judges. There is at last a chance that the state's woefully underpaid judiciary will get a raise this year. But that will require Sheldon Silver, the Assembly speaker, to step up and make it happen.

Over the years, New York has been home to many great jurists, including giants like Benjamin Cardozo. Thanks to years of parsimony, however, its proud legal tradition is in danger. New York's judges last received a raise in 1999. Today, it ranks 49th of the 50 states in judicial pay when adjusted for the cost of living. The low pay makes it hard to attract and retain talented judges.

At this point, all of the leading players in Albany agree that judges deserve more money. But the judicial pay increase has repeatedly stalled over state legislators' greedy insistence on linking it to a pay increase for themselves, which in turn is caught up in Albany's byzantine political maneuvering.

Moving to break the logjam and, not incidentally, to embarrass Mr. Silver, the Republican-led Senate passed a measure last week granting a raise to judges, but not lawmakers. Gov. Eliot Spitzer has indicated that he would hold out for an overhaul of the state's broken campaign finance system before agreeing to legislative raises, but he is amenable to the judges-only approach.

The immediate result of the State Senate's action was to clarify responsibility for perpetuating New York's judicial compensation crisis. All that now stands in the way of addressing this serious threat to the quality of justice is the selfish intransigence of the Assembly speaker and members of his Democratic majority.

So far, Mr. Silver shows no sign that he is willing to return to Albany before year's end to do right by members of New York's bench. His fellow Democrats and he are trying to dismiss Senator Joseph Bruno's leadership on judicial pay raises as a cynical political stunt. It may be cynical, but whatever his motives, Mr. Bruno, the Senate majority leader, has led in the right direction.