

You are searching: 1 database (See list Change)

0 selected items | My Research | Sign in

[ProQuest Home](#) [News Home](#)[Preferences](#) [English](#) [Help](#)

New York Times

[Search](#) [Advanced](#) [Obituaries](#) [Publications](#) [About](#)[Full text](#) [Back to results](#)[Previous](#) **Article 5** of 179 [Next](#) [Add to selected items](#) [Save to My Research](#)[SHARE](#) [Facebook](#) [Twitter](#) [LinkedIn](#)[More like this](#)[Email](#) [Print](#) [Cite](#) [Export](#) [Save as file](#) [Tags](#)[See similar items](#)

The New York Times

Bluntly, New York's Top Judge Threatens to Sue to Get Raises

Cooper, Michael. *New York Times* [New York, N.Y.] 10 Apr 2007: .3.Other formats: [Citation/Abstract](#)[Turn on hit highlighting](#)[Abstract \(summary\)](#) [Translate](#)

When judges got their last raise, in 1999, the salary of a State Supreme Court judge was increased to \$136,700, bringing it in line with the salary of a Federal District Court judge. Since then, the salary of a Federal District Court judge has risen to over...

[Full Text](#) [Translate](#) [Turn on search term navigation](#)

New York's chief judge said on Monday that she was infuriated that the new state budget failed to include a long-sought raise for the state's judges and threatened to sue the state if the judges do not get raises by June.

The unusually blunt remarks by the chief judge, Judith S. Kaye, highlighted the extent to which the failure of judges to get raises since 1999 has frustrated the bench, and the way it has divided the state's judicial, legislative and executive branches.

Gov. Eliot Spitzer included \$111 million in his budget proposal to give the state's judges a retroactive raise. Lawmakers, though, want a raise of their own, so they supported a proposal to create a commission to raise the salaries of both judges and legislators. But the governor has not yet signed off on a raise for lawmakers, so the judicial raise was dropped during closed-door budget negotiations.

Judge Kaye assailed the other branches of government for failing to agree on the pay increase, and warned that the situation was creating a crisis in the state's courts.

"It is nothing short of disgraceful that we have been brought to this point, that for more than eight years, longer than any other judges in America -- likely longer than any workers in any field -- New York State judges, for no reason other than Albany politics, have been denied even a cost-of-living adjustment to their salaries," Judge Kaye said on Monday during a rare news conference at the Greek Revival courthouse here.

When judges got their last raise, in 1999, the salary of a State Supreme Court judge was increased to \$136,700, bringing it in line with the salary of a Federal District Court judge. Since then, the salary of a Federal District Court judge has risen to over \$165,000, more than the \$156,000 Judge Kaye earns as the state's chief judge. The salaries of all New York's state judges, though, have remained the same.

A recent study by the National Center for State Courts found that New York's judges were the 11th highest paid in the nation, but that when the salaries were adjusted to reflect regional cost-of-living factors, New York ranked 37th in the nation. Because first-year lawyers at many firms make much more than judges, recruiting top talent can be difficult.

The pay issue has galvanized the bench. Judge Kaye said that some judges had urged their colleagues to consider work stoppages or slowdowns, which she would not condone. Other judges have spoken of unionizing. Three judges have brought their own lawsuit against the state, seeking raises. Some judges have even asked if they could recuse themselves when legislators appeared before them as lawyers.

Judge Kaye said that if no action was taken by June on judicial salaries "the only remaining course of action available to us may well be to institute litigation."

She said that a lawsuit would be a last resort, and that she would recuse herself if it were heard by the state's highest court, the Court of Appeals. In the meantime, she said, she was asking for a chance to address the Legislature on the topic, and asking the state comptroller and state attorney general whether there is any way for her to increase the pay of judges without waiting for the Legislature to act.

Judge Kaye said that it was unseemly for judges to have to go "hat in hand, on bended knee" pleading for raises, so she has proposed having a commission meet every four years to set judicial salaries.

And she warned that public haggling over money could undermine confidence in a judiciary that sometimes rules on the powers of the executive and legislative branches, as it did in recent years by voiding New York's death penalty law and ruling that governors, not lawmakers, have the upper hand in making budgets.

"No judiciary can maintain public confidence in its independence if the public can question whether decisions are influenced by efforts to encourage pay raises or retaliate for their denial," she said in a brief address to reporters.

Legislative leaders have said that they expect judicial raises to be addressed at some point. An aide to Governor Spitzer said that the governor still thinks that the Legislature should approve the raises for judges on its own, without linking it to a raise in the salaries of lawmakers (which, under state law, could not take effect until 2009). The aide said that because many salaries in the executive branch had also remained unchanged, the Legislature would still have leverage to push for its own pay increase.

Judge Kaye, in the meantime, is adjusting to the unusual role of public supplicant. During a question-and-answer session with reporters here, the judge, who usually asks the questions from the bench, found herself fielding them

from reporters.

Faced with one of the multipronged questions reporters are so fond of, the judge said, "I would rule that out of order as a complex multiple question." Then she answered.

Photograph

New York's chief judge, Judith S. Kaye, at a news conference in Albany yesterday with the chief administrative judge, Jonathan Lippman. Judge Kaye assailed politicians over the lack of raises for judges since 1999. (Photo by Nathaniel Brooks for The New York Times)

Copyright New York Times Company Apr 10, 2007

Indexing (details)

	Cite
Subjects	Raises, Wages & salaries, State courts, Budgeting, Judiciary
Locations	New York
People	Kaye, Judith S, Spitzer, Eliot
Title	Bluntly, New York's Top Judge Threatens to Sue to Get Raises
Authors	Cooper, Michael
Publication title	New York Times
Pages	B.3
Number of pages	0
Publication year	2007
Publication Date	Apr 10, 2007
Year	2007
Dateline	ALBANY, April 9
Section	B
Publisher	New York Times Company
Place of Publication	New York, N.Y.
Country of publication	United States
Journal Subjects	General Interest Periodicals--United States
ISSN	03624331
CODEN	NYTIAO
Source type	Newspapers
Language of Publication	English
Document Type	News
ProQuest Document ID	433567190
Document URL	http://0-search.proquest.com.alpha1.suffolk.lib.ny.us/docview/433567190?accountid=35174
Copyright	Copyright New York Times Company Apr 10, 2007
Last Updated	2010-06-29
Database	New York Times

Tags [Go to My Tags](#)

Be the first to add a shared tag to this document.

Add tags

Sign in to My Research to add tags.

[Back to top](#)

[Contact Us](#) [Privacy Policy](#) [Accessibility](#) [Sitemap](#) [End Session](#)

Copyright © 2011 ProQuest LLC. All rights reserved. - [Terms and Conditions](#)

Live-brary^{corp}
Redefining Your World

Live-brary.com Suffolk Historic Newspapers