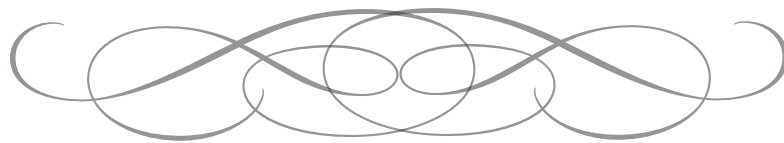


Report of the Judicial Compensation Commission



Annapolis, Maryland
January 2018

Contributing Staff

Writers

Jennifer K. Botts
Benjamin B. Wilhelm

Reviewers

David B. Juppe
Douglas R. Nestor

Other Staff Who Contributed to This Report

Emily Ordakowski

For further information concerning this document contact:

Library and Information Services
Office of Policy Analysis
Department of Legislative Services
90 State Circle
Annapolis, Maryland 21401

Baltimore Area: 410-946-5400 • Washington Area: 301-970-5400

Other Areas: 1-800-492-7122, Extension 5400

TTY: 410-946-5401 • 301-970-5401

Maryland Relay Service: 1-800-735-2258

Email: libr@mlis.state.md.us

Home Page: <http://dls.maryland.gov>

The Department of Legislative Services does not discriminate on the basis of age, ancestry, color, creed, marital status, national origin, race, religion, gender, gender identity, sexual orientation, or disability in the admission or access to its programs, services, or activities. The Department's Information Officer has been designated to coordinate compliance with the nondiscrimination requirements contained in Section 35.107 of the Department of Justice Regulations. Requests for assistance should be directed to the Information Officer at the telephone numbers shown above.

JUDICIAL COMPENSATION COMMISSION

January 22, 2018

The Honorable Lawrence J. Hogan, Jr.
Governor of Maryland

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate

The Honorable Michael E. Busch
Speaker of the House of Delegates

Gentlemen:

Herewith, the Judicial Compensation Commission transmits to you the commission's 2017 review of judicial compensation in Maryland.

As you are aware, after remaining stagnant for several years, an amended resolution providing for a three-year judicial salary plan was passed by the General Assembly during the 2012 session. The resolution, which reflected an almost \$15,000 reduction from the salary increases as originally proposed by this commission, established salary increases for all judges in fiscal 2014 through 2016. Although the commission reviewed salaries again in 2013 and continued to believe that further increases were warranted and necessary, it did not recommend additional increases at that time in deference to the State's economic climate. However, when comparing Maryland judicial salaries with regional counterparts as well as nationally, the State's position has generally dropped since the commission last proposed salary increases and salaries have failed to keep pace with inflation. While the commission recognizes the continuing economic challenges in the State, it has been six years since a recommendation has been proposed and judges have not received a salary increase since July 1, 2015. Accordingly, a majority of the commission members agree that there is now a compelling need to increase judicial salaries, in order to assure that qualified individuals will continue to be attracted to serve as judges. Specifically, the commission recommends a phased-in increase of \$35,000 per judge for all courts over fiscal 2019 through 2022, as shown in the following table. Pursuant to statute, judges will not receive any general salary increases proposed by the Governor for State employees in any fiscal year in which a judge's salary is increased in accordance with a resolution.

The Honorable Lawrence J. Hogan, Jr.
The Honorable Thomas V. Mike Miller, Jr.
The Honorable Michael E. Busch
January 22, 2018
Page 2

	<u>Current Salary</u>	<u>Proposed 7/1/2018</u>	<u>Proposed 7/1/2019</u>	<u>Proposed 7/1/2020</u>	<u>Proposed 7/1/2021</u>	<u>Phase-in</u>
Court of Appeals						
Chief Judge	\$195,433	\$205,433	\$215,433	\$222,933	\$230,433	\$35,000
Judge	176,433	186,433	196,433	203,933	211,433	35,000
Court of Special Appeals						
Chief Judge	166,633	176,633	186,633	194,133	201,633	35,000
Judge	163,633	173,633	183,633	191,133	198,633	35,000
Circuit Court	154,433	164,433	174,433	181,933	189,433	35,000
District Court						
Chief Judge	163,633	173,633	183,633	191,133	198,633	35,000
Judge	141,333	151,333	161,333	168,833	176,333	35,000

On behalf of each commission member, I thank you for the privilege of serving you and the State of Maryland.

Sincerely,

Elizabeth J. Buck
Chairman

EJB/JKB/ero

cc: Judge Mary Ellen Barbera
Secretary David R. Brinkley
Ms. Victoria L. Gruber
Mr. Ryan Bishop

Maryland Judicial Compensation Commission 2017 Membership Roster

Elizabeth J. Buck
Chair

Members

Norman H. Conway

Edward J. Gilliss

Van T. Mitchell

Alice G. Pinderhughes

Joshua E. Schmerling

John M. Suit II

Committee Staff

Jennifer K. Botts

Benjamin B. Wilhelm

Contents

Transmittal Letter.....	iii
Executive Summary	ix
Chapter 1. Introduction.....	1
Statutory Provisions and Reporting Requirements	1
Activities to Date	2
Chapter 2. Compensation Principles and Data.....	9
Compensation Principles	9
Comparability	9
Judicial Pensions	12
The Economy	12
Recruitment of Qualified Candidates.....	12
Workplace Conditions	13
The Future	13
Chapter 3. Fiscal 2019-2022 Salary Recommendations	15
Appendix 1. Annotated Code of Maryland.....	19
Appendix 2. National and Regional Judicial Salary Rankings	23
Appendix 3. Federal Court Judicial Salaries.....	35
Appendix 4. Salaries of Selected Maryland Officials.....	37
Appendix 5. Salaries of Maryland Cabinet Secretaries	39
Appendix 6. State’s Attorney Salaries	41
Appendix 7. Joint Resolution.....	43

Executive Summary

The Judicial Compensation Commission has examined salaries paid to Maryland officials, State's Attorneys, federal judges, and judges in all other states and received information or presentations from the Department of Legislative Services and the Judiciary. Based on a review of this information, the commission continues to believe that further salary increases are merited and necessary in order to assure that qualified individuals from diverse backgrounds will be attracted to serve as judges, without unreasonable economic hardship. The commission is also concerned that judges have not received salary increases since July 1, 2015, which has contributed to a widening gap between salaries and inflation. The commission, by a majority of five or more of its members, voted to recommend the salaries below for the next four fiscal years. The recommendations reflect a total salary increase per judge of \$35,000, to be implemented as follows over the next four fiscal years:

Fiscal 2019 Salary Effective July 1, 2018		Fiscal 2021 Salary Effective July 1, 2020	
Court of Appeals		Court of Appeals	
Chief Judge	\$205,433	Chief Judge	\$222,933
Judge	186,433	Judge	203,933
Court of Special Appeals		Court of Special Appeals	
Chief Judge	176,633	Chief Judge	194,133
Associate Judge	173,633	Associate Judge	191,133
Circuit Court Judge	164,433	Circuit Court Judge	181,933
District Court		District Court	
Chief Judge	173,633	Chief Judge	191,133
Associate Judge	151,333	Associate Judge	168,833
Fiscal 2020 Salary Effective July 1, 2019		Fiscal 2022 Salary Effective July 1, 2021	
Court of Appeals		Court of Appeals	
Chief Judge	\$215,433	Chief Judge	\$230,433
Judge	196,433	Judge	211,433
Court of Special Appeals		Court of Special Appeals	
Chief Judge	186,633	Chief Judge	201,633
Associate Judge	183,633	Associate Judge	198,633
Circuit Court Judge	174,433	Circuit Court Judge	189,433
District Court		District Court	
Chief Judge	183,633	Chief Judge	198,633
Associate Judge	161,333	Associate Judge	176,333

By statute, the commission's salary recommendations to the General Assembly for the 2018 session must be introduced as a joint resolution in each house of the General Assembly by the fifteenth day of the session.

Section 1-708(d) of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland provides that the General Assembly may not amend the resolution to increase the recommended salaries. Should the General Assembly not adopt or amend the joint resolution to reduce the proposal within 50 days after its introduction, the salaries recommended by the commission become effective for fiscal 2019 on July 1, 2018, and on July 1 each subsequent year through July 1, 2021. If the General Assembly rejects any or all of the commission's salary recommendations, the salaries of the judges remain unchanged, unless, pursuant to the Courts and Judicial Proceedings Article, Section 1-703(b), the judges' salaries are increased by the same percentage awarded to State employees.

Chapter 1. Introduction

In 1980 the General Assembly created the Judicial Compensation Commission by adding § 1-708 to the Courts and Judicial Proceedings Article of the Annotated Code of Maryland.

Statutory Provisions and Reporting Requirements

The commission includes seven members, all appointed to six-year terms by the Governor and nominated as follows: two by the President of the Senate, two by the Speaker of the House of Delegates, one by the Maryland State Bar Association, and two at large. The commission elects a chairman from among its membership. Appointees are eligible for reappointment. Members of the General Assembly, State and local employees or officers, and judges or former judges are not eligible for appointment to the commission.

When established, the commission was required to review judicial salaries and pensions every two years and make recommendations every four years; however, the commission could review and make recommendations more often. In recent years, the meeting schedule and reporting requirements have changed numerous times, which will be discussed in further detail later in this chapter. Current statutory provisions require that on or after September 1, 2011, September 1, 2013, and every four years thereafter, the commission must review salaries and pensions and make written recommendations to the Governor and General Assembly on or before the next ensuing regular session of the General Assembly.

Section 1-708, which appears in **Appendix 1**, also provides the following:

- A joint resolution incorporating the commission's salary recommendations must be introduced in each house of the General Assembly by the fifteenth day of the session following the commission's proposals.
- The General Assembly may amend the joint resolution to decrease, but not increase, any of the commission salary recommendations. The General Assembly may not reduce the salary of a judge below current levels. Failure to adopt or amend the joint resolution within 50 calendar days after its introduction results in adoption of the salaries recommended by the commission. If the General Assembly rejects any of the commission's recommendations, the salaries of the judges remain unchanged, unless modified under other provisions of law.
- Commission pension recommendations shall be introduced as legislation by the Presiding Officers of the Senate and the House of Delegates. These recommendations shall become effective only if passed by both houses.

Judicial salaries are also adjusted in accordance with §§ 1-702 and 1-703 of the Courts and Judicial Proceedings Article. Chapter 444 of 2005, § 1-703 provides that general State employee salary increases apply to judges only in years in which judges' salaries are not increased in accordance with a resolution from the commission's recommendations. Section 1-702 provides that the Chief Judge of the District Court receive a salary equivalent to the salary paid to an Associate Judge of the Court of Special Appeals.

Activities to Date

Activities Prior to 2005

Since it began its deliberations in late 1980, the commission has made numerous salary proposals, the first of which applied to fiscal 1983. **Exhibit 1.1** summarizes the commission's previous salary proposals and subsequent General Assembly action from fiscal 1983 through 2005. Exhibit 1.1 also shows general employee salary increases, as prior to the 2005 legislative session, judges typically received the benefit of salary increases both from any joint resolutions that were adopted as well as any general employee salary increase.

Exhibit 1.1 Salary Proposals

<u>Fiscal Year</u>	<u>Judicial Compensation Commission Proposal</u>	<u>Assembly Action</u>	<u>General Salary Increase</u>
2018	None	None	None
2017	None	None	None
2013	None for fiscal 2013; phase-in of \$29,006, over fiscal 2014-2016	Phase-in of \$14,081 over fiscal 2014-2016	2% ⁽¹⁾
2011	Four-year phase in of \$39,858	Reject	None ⁽²⁾
2010	Four-year phase in of \$39,858	None ⁽³⁾	None ⁽²⁾
2006-2009	Four-year phase in of \$15,000-\$30,000	None ⁽⁴⁾	2% ⁽⁵⁾
2005	Four-year phase in of \$15,000-\$30,000	Reject	\$752
2004	None	None	None
2003	5% increase	Reject	None
2002	None	None	4% ⁽⁶⁾
2001	\$10,000	Reject	4% ⁽⁷⁾
2000	None	None	\$1,275 ⁽⁸⁾
1999	\$11,275	None ⁽⁹⁾	\$1,275 ⁽⁸⁾
1998	\$9,000	Reject	None
1997	2.9%, 9.5-10%	2.9-3.0% ⁽¹⁰⁾	None
1996	None	None	2%
1995	3-8.1%	Reject	3%
1994	None	None	None ⁽¹¹⁾
1993	None	None	None ⁽¹²⁾
1992	None	None	None ⁽¹²⁾⁽¹³⁾
1991	4%	4-25% ⁽¹⁴⁾	4%
1990	None	None	4%
1989	10.5-14.3%	10.5-14.3%	4%
1988	13.0-22.7%	6.4-11.8%	2.50%
1987	None	None	3.50%
1986	6.3-8.9%	Reject	4%
1985	11.2-13.9%	9%	6%

<u>Fiscal Year</u>	<u>Judicial Compensation Commission Proposal</u>	<u>Assembly Action</u>	<u>General Salary Increase</u>
1984	None	None	None
1983	10.5-12.1%	10.5-12.1%	9%

Notes:

(1) The General Assembly also approved the following cost-of-living (COLA) increases: (1) 3% in fiscal 2014; (2) 2% in fiscal 2015; and (3) 2% in fiscal 2016. Because judges did not have a scheduled salary increase in fiscal 2013, they were eligible for the 2.0% COLA.

(2) There were no COLAs for State employees in fiscal 2010 or 2011. Instead, State employees were subject to furloughs in both years, resulting in an average salary reduction of 2.6% in each fiscal year.

(3) Chapter 2 of 2009, an emergency measure, established, for the 2009 session only, that the failure of the General Assembly to act on a joint resolution by the fiftieth day of session would not allow the recommended salary increases to become effective.

(4) The Judicial Compensation Commission's recommended increases took effect because the General Assembly failed to act on the resolution within the required 50-day timeframe.

(5) In addition, fiscal 2007 increases were \$900 for employees making less than \$45,000 at the end of fiscal 2006, \$1,400 for employees making \$70,000 or more, and 2% for those remaining. The General Assembly approved a 2% COLA for fiscal 2008. Although a 2% COLA was included in the fiscal 2009 budget, a furlough for State employees effective December 16, 2008, reduced employee salaries by an average of approximately 1.5%.

(6) For fiscal 2002, the General Assembly approved a 4% cost-of-living (COLA) effective January 1, 2002. By statute, members of the Judiciary received the same percentage COLA.

(7) The General Assembly approved a 4% COLA effective November 15, 2000.

(8) For fiscal 1999 and 2000, the General Assembly approved a COLA in the dollar amount of \$1,275 for all State employees. By statute, members of the Judiciary received the same percentage COLA.

(9) The Judicial Compensation Commission's recommended increase took effect because the General Assembly failed to act on the resolution within the required 50-day timeframe.

(10) For fiscal 1997, the General Assembly approved the 2.9% increase recommended for the Chief Judge of the Court of Appeals. All others were amended to a 3.0% increase. All salary adjustments were delayed until October 1, 1996.

(11) In fiscal 1994, Executive and Judicial branch employees (except judges) received in-grade increments but no general salary increase. Legislative Branch employees received a uniform 3% increase but no increments.

(12) Employees in all three branches of government did not receive in-grade increments in fiscal 1992 and 1993.

(13) All employees of the Executive, Legislative, and Judicial branches, except judges and elected officials, were required to take one to five days leave without pay in fiscal 1992.

(14) The Chief Judge of the Court of Appeals received a 25% salary increase.

Source: Department of Legislative Services

The commission made no formal recommendations other than to endorse the general salary increase for fiscal 1984, 1987, 1990, 1992, 1993, 1994, 1996, 2000, 2002, and 2004. The commission made formal recommendations in 1983 and 1989, which were adopted by the General Assembly; the commission's proposal in fiscal 1999 was also adopted when the General Assembly failed to act on the resolution within the required 50 days. The commission made formal recommendations in 1986, 1995, 1998, 2001, 2003, and 2005 which were rejected. Finally, in 1985, 1988, 1991, and 1997, the commission's recommendations were adopted with modifications by the General Assembly.

Activities Since 2005

During the 2005 legislative session, the commission resubmitted the salary recommendations that were not adopted during the 2004 session. The *Supplement to the 2004 Report of the Judicial Compensation Commission* advised that, if the salaries were increased as proposed, the commission did not intend to make another salary recommendation until fiscal 2010. When the General Assembly failed to act on the legislation within the required time period, the proposal was implemented by operation of law, rendering the salary structure effective.

The 2005 session also marked the beginning of two significant changes regarding the work of the commission. First, Chapter 444 of 2005 limited the frequency of review of judicial compensation and recommendations by the commission by establishing a schedule of once every four years, instead of the prior requirements that the commission review judicial compensation every two years and make recommendations at least every four years. In addition, Chapter 444 provided that general employee salary increases do not apply to judges in years in which salaries are increased in accordance with a resolution from the commission's recommendations.

The commission met in 2008 and made recommendations for a four-year phased-in salary plan for fiscal 2010 through 2013 that was introduced by Senate Joint Resolution 4/House Joint Resolution 2 of the 2009 session; however, no further action was taken on the joint resolutions. Instead, Chapter 2 of 2009, an emergency measure, established, for the 2009 session only, that the failure of the General Assembly to act on a joint resolution by the fiftieth day of session would not allow the recommended salary increases to become effective.

In recognition of the failure to take salary action for the Judiciary, the time period for the commission's meeting schedule was altered to allow another meeting in fall 2009. This action aligned the schedule of the commission with the meeting schedules of the Governor's and General Assembly's compensation commissions. Although the commission did not hold a formal meeting in 2009, the members participated in a telephone poll and voted to resubmit the same salary recommendations that were submitted in the prior session, as shown in **Exhibit 1.2**.

Exhibit 1.2
Judicial Compensation Commission Salary Recommendations
Fiscal 2010-2013

<u>Position</u>	<u>Prior Salary</u>	<u>Proposed FY 10</u>	<u>Proposed FY 11</u>	<u>Proposed FY 12</u>	<u>Proposed FY 13</u>
Court of Appeals					
Chief Judge	\$181,352	\$190,463	\$200,121	\$210,358	\$221,210
Associate Judge	162,352	171,463	181,121	191,358	202,210
Court of Special Appeals					
Chief Judge	152,552	161,663	171,321	181,558	192,410
Associate Judge	149,552	158,663	168,321	178,558	189,410
Circuit Court	140,352	149,463	159,121	169,358	180,210
District Court					
Chief Judge	149,552	158,663	168,321	178,558	189,410
Associate Judge	127,252	136,363	146,021	156,258	167,110

Source: Department of Legislative Services

The recommendations were again rejected by the General Assembly during the 2010 session. However, Chapter 484 of 2010 (the Budget Reconciliation and Financing Act of 2010) altered the meeting schedule of the commission again to allow for a review of salaries in 2011 and 2013, then every four years thereafter.

In 2011, the commission met twice and voted to submit recommendations increasing judicial salaries through fiscal 2016. However, the commission did not recommend a salary increase in the first year (fiscal 2013). Instead, the commission recommended a salary increase of \$29,006 over a three-year period, as shown in **Exhibit 1.3**. Specifically, the joint resolution proposed the following annual increases for all judges at each of the seven salary levels: (1) \$9,111 beginning July 1, 2013; (2) \$9,658 beginning July 1, 2014; and (3) \$10,237 beginning July 1, 2015.

Exhibit 1.3
Judicial Compensation Commission Salary Recommendations
Fiscal 2013-2016

<u>Position</u>	<u>Prior Salary/ FY 2012</u>	<u>Proposed FY 2013</u>	<u>Proposed FY 2014</u>	<u>Proposed FY 2015</u>	<u>Proposed FY 2016</u>	<u>Phase-in</u>
Court of Appeals						
Chief Judge	\$181,352	\$181,352	\$190,463	\$200,121	\$210,358	\$29,006
Associate Judge	162,352	162,352	171,463	181,121	191,358	29,006
Court of Special Appeals						
Chief Judge	152,552	152,552	161,663	171,321	181,558	29,006
Associate Judge	149,552	149,552	158,663	168,321	178,558	29,006
Circuit Court	140,352	140,352	149,463	159,121	169,358	29,006
District Court						
Chief Judge	149,552	149,552	158,663	168,321	178,558	29,006
Associate Judge	127,252	127,252	136,363	146,021	156,258	29,006
Average Salary	\$151,852	\$151,852	\$160,963	\$170,621	\$180,858	
Increase at 6%¹			\$9,111	\$9,658	\$10,237	\$29,006

¹Fiscal 2013 represents salaries as of when the commission originally submitted recommendations, prior to the General Assembly adopting a 2% cost-of-living adjustment for State employees in fiscal 2012.

Source: Department of Legislative Services

The General Assembly amended the resolution submitted by the commission so that the annual salaries for all judges increase as follows: (1) \$4,556 beginning July 1, 2013; (2) \$4,692 beginning July 1, 2014; and (3) \$4,833 beginning July 1, 2015. **Exhibit 1.4** shows the current salary structure that resulted from Senate Joint Resolution 3 of 2012. However, since judges did not receive a salary increase in fiscal 2013, they received the 2% cost-of-living adjustment that was effective December 31, 2012, for all State employees, thus offsetting some of the impact from the \$4,556 increase. Although the commission also met in fall 2013, it did not propose additional salary increases at that time. Because salaries were not increased in accordance with any resolution, judges would have been eligible for any general salary increases awarded to State employees in fiscal 2017 and 2018. However, because State employees were not provided a salary increase in either of those fiscal years, judicial salaries have remained the same since fiscal 2016.

Exhibit 1.4
Senate Joint Resolution 3 of 2012
Implemented Salary Proposal
Fiscal 2013-2016

<u>Position</u>	<u>Prior Salary/ FY 2012</u>	<u>FY 2013</u>	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>
Court of Appeals					
Chief Judge	\$181,352	\$184,879	\$185,908	\$190,600	\$195,433
Associate Judge	162,352	165,599	166,908	171,600	176,433
Court of Special Appeals					
Chief Judge	152,552	155,603	157,108	161,800	166,633
Associate Judge	149,552	152,543	154,108	158,800	163,633
Circuit Court	140,352	143,159	144,908	149,600	154,433
District Court					
Chief Judge	149,552	152,543	154,108	158,800	163,633
Associate Judge	127,252	129,797	131,808	136,500	141,333

Note: As amended, Senate Joint Resolution 3 set salaries at \$4,556 per judge over fiscal 2012 salary amounts, effective July 1, 2013 (fiscal 2014). However, because judges did not have a salary increase in fiscal 2013, judges were eligible that year for a 2% cost-of-living adjustment (COLA) provided to all State employees. Accordingly, fiscal 2013 salaries represent salaries as of December 31, 2012, after the COLA.

Source: Department of Legislative Services

The commission also made recommendations in its 2011 report on appropriate retirement benefits and member contribution levels, which took into account the sustainability of pension systems, based on instructions included in Chapter 397 of 2011. The commission voted to include in its report a recommendation that the contribution rate for judges appointed after July 1, 2012, increase from 6% to 8%. Chapter 485 of 2012 increased the member contribution rate from 6% to 8% of earnable compensation for all members of the Judges' Retirement System (JRS), and further added a five-year vesting requirement for individuals who become JRS members on or after July 1, 2012.

Chapter 2. Compensation Principles and Data

Since its inception, certain compensation principles have guided the commission's judicial salary recommendations. This chapter discusses the compensation principles and summarizes salary data reviewed by the commission.

Compensation Principles

The commission has traditionally considered many compensation principles and variables when developing its recommendations. The commission members have identified these themes through independent research and from the testimony of jurists who have appeared before the commission throughout the years. Among the topics that have been discussed in the commission's meetings are:

- salary levels compared to other states' judges, federal judges, and other State and local officials;
- economic and fiscal conditions;
- the ability to attract and retain qualified individuals from diverse backgrounds; and
- workplace conditions and accomplishments of the Judiciary.

The commission continues to regard these factors as applicable and relevant in formulating any recommendations concerning judicial salaries. It also recognizes that all of the issues need to be collectively considered. For example, achieving parity with the private sector would very likely attract more individuals with diverse legal experiences, yet it would also place Maryland's judicial salaries significantly higher than cabinet secretaries, other states' judges, and federal judges, as well as necessitate a substantial expenditure increase. Conversely, relying only on salary levels in other states could result in a recommendation too low to attract qualified individuals, particularly when considering the higher cost of living in the State. Additional details about these factors are provided in the following pages and in the Appendices.

Comparability

Comparability relates to salaries paid to Maryland judges as compared to judges in other states and the federal judiciary as well as other important elected and appointed officials in Maryland State and local government. Below are some of the categories the commission considers worthy of comparison when considering the salaries of Maryland judges.

Judges in Other States

The National Center for State Courts (NCSC) routinely surveys all states to compare salaries at each judicial level. The commission used this data to study the salary rankings of Maryland judges compared to judges at similar levels in other states. These national and regional rankings are shown in **Appendix 2** of this report. However in some cases, direct comparisons could not be made from state to state. NCSC no longer tracks salary data for the Chief Judge of the Intermediate Appellate Court (the equivalent of the Court of Special Appeals in Maryland), so no comparison is made under this category. Likewise, because not all states have comparable courts of limited jurisdiction (the equivalent of the District Court in Maryland), NCSC no longer tracks this salary data.

The available data indicates that almost all states have provided salary increases since the commission last met in 2013. Furthermore, although average national salaries have increased by approximately 7% to 8% for all comparable court levels, Maryland judicial salaries increased by no more than 6.57%, as shown in **Exhibit 2.1** below. While the State's salaries are still above the national average, the commission has routinely recognized the high cost of living in the State when considering recommendations. Since the commission last proposed salary increases in 2012, the State's national ranking has slipped for almost every level of court and regional rankings have slipped or remained the same at every level. For example, in the 2012 report, Maryland's compensation for circuit court judges was the fifteenth highest among the states; as of January 1, 2017 (the latest data available for comparison), compensation is the twenty-first highest. NCSC also provides rankings for general jurisdiction court compensation (circuit courts) that is adjusted for a cost-of-living index. When factoring in this index, Maryland slips to the bottom half of the rankings (36) among the states.

Exhibit 2.1 Maryland's Comparison with Average National Salaries July 1, 2013 and January 1, 2017

<u>Position</u>	<u>Average Salaries as of 7/1/2013</u>	<u>Average Salaries as of 1/1/2017</u>	<u>Percent Increase</u>	<u>Maryland Salaries as of 7/1/2013</u>	<u>Maryland Salaries as of 1/1/2017</u>	<u>Percent Increase</u>
Highest Court – Chief Judge	\$162,424	\$174,379	7.36%	\$185,908	\$195,433	5.12%
Highest Court – Associate Judge	156,989	168,360	7.24%	166,908	176,433	5.71%
Intermediate Appellate Court Judge	151,178	163,319	8.03%	154,108	163,633	6.18%
General Jurisdiction Court Judge	140,668	151,474	7.68%	144,908	154,433	6.57%

Source: Department of Legislative Services; National Center for State Courts

Federal Judges

Comparisons between the salaries of Maryland judges and federal judges have been considered due to the State's proximity to Washington, DC. Though the two jobs differ slightly, the high compensation, regular salary increases, and lifetime tenure make a federal judicial appointment very attractive. A listing of federal judges' salaries appears in **Appendix 3**.

Salaries of Maryland and Local Officials

Salaries for the Governor, Lieutenant Governor, Attorney General, Comptroller, Treasurer, and Secretary of State are established every four years by the Governor's Salary Commission. As required by the Maryland Constitution, the commission develops salary recommendations and submits them to the General Assembly for approval. The commission last recommended increases in the 2014 session. These increases, which were phased in over the 2015-2018 term, increased the Governor's salary by 20%. During the same term, salaries for the Attorney General, Comptroller, and Treasurer increased by 19.6%; the Secretary of State's salary increased by 20.6%. The current salaries of constitutional officers are shown in **Appendix 4**. The commission members were advised that the Governor's Salary Commission was due to meet during the 2017 interim to discuss recommendations for the 2019-2022 term, but had not yet done so.

The General Assembly Compensation Commission submits salary recommendations for the members of the General Assembly. The commission's last recommendations, which phased in a 15.7% increase over four years for members and the Presiding Officers, were submitted in the 2014 session. The General Assembly Compensation Commission noted in its report that the recommendations were in recognition of the fact that legislative salaries had not been increased since 2006. Because the General Assembly did not modify the recommendations by resolution, the increases became effective. Current salaries for General Assembly members and officers are shown in **Appendix 4**. The commission members also were advised that the General Assembly Compensation Commission was due to meet in the 2017 interim, but had not yet done so.

The commission reviewed the salaries of various Maryland officials, including cabinet secretaries and constitutional officers. In fiscal 2018, the salaries for incumbent cabinet secretaries range from \$114,555 to \$236,000. This represents an increase from a range of \$106,174 to \$210,000 in fiscal 2014, the applicable fiscal year when this commission last met. More information regarding salaries for Maryland officials can be found in **Appendix 5**. The commission also reviewed the salaries of local State's Attorneys, which can be found in **Appendix 6**.

Judicial Pensions

Comparisons between the pension systems for Maryland judges and those for judges in other states and federal judges were thoroughly reviewed and considered by the Judicial Compensation Commission in 2011. Maryland's State Employee Pension Systems underwent significant changes during the 2011 legislative session, and the commission was charged by the General Assembly with making specific recommendations concerning appropriate benefit and member contribution levels for the Maryland Judge's Retirement System. The number of members of the Maryland Judge's Retirement System is only a fraction of the membership of the various State Employee Pension Systems; however, the members of the Maryland Judge's Retirement System receive a considerable retirement salary benefit. Prior to fiscal 2013, Maryland judges contributed 6% of their annual salary for the first 16 years of service toward a full retirement benefit of two-thirds of the salary of an active judge in a comparable position to the retired member. The benefit accrues at a fraction of this rate for each year of service prior to 16 years. No contribution is required after 16 years of service. Maryland judges may retire at the age of 60 and are required to retire at the age of 70. In addition to the annual retirement salary benefit, Maryland judges are also entitled to survivor benefits, disability benefits, and retiree health benefits. Pursuant to Chapter 485 of 2012, all judges now contribute 8% of their annual salary for the first 16 years of service toward their pension plan. Further, judges appointed after July 1, 2012, must remain a judge for five years before they become vested in the pension system.

While acknowledging the substantial retirement benefit afforded to judges, the commission is also aware that increased contributions such as the ones enacted in 2012 have the practical effect of negatively impacting judicial salaries by offsetting any salary increases. The commission does not propose any changes to judicial benefits at this time.

The Economy

The commission once again is considering judicial salaries during a challenging period for the State's budget. The Department of Legislative Services (DLS) briefed the commission on recent developments in the economic and financial climate that have directly affected revenues for the general fund balance. While the State's economy is stronger than when the commission last met, revenue growth has been modest and pressure to increase spending for safety net programs, education, and debt service is increasing. DLS reported that based on current projections, the State's general fund will face growing structural deficits over the next five years.

Recruitment of Qualified Candidates

As required by its statutory mandate, the commission has focused on the current salary structure's ability to attract highly qualified attorneys to the bench. In its presentation to the commission, the Judiciary noted that judges are public servants who are aware that serving on the

bench often involves an economic sacrifice, particularly when compared to other potential legal careers. However, the commission believes it is important to ensure that this sacrifice not be so great as to render the opportunity unviable for many. Achieving a culturally, racially, and professionally diverse bench remains an issue of extreme importance, as the commission recognizes the need to obtain diversity of jurists, enlist experienced applicants for judicial vacancies, and attract individuals with a broad range of public- and private-sector experience.

Traditionally, attorneys with public-sector experience are attracted to the bench more often than those in the private sector. The commission is aware that many attorneys who have the broad experience required to handle the variety of cases from the bench are already making lucrative salaries at private law firms and may be unlikely to take the significant pay cut required to serve on the bench. For example, the salary for a fourth year associate is over \$204,000 annually (based on average salaries for Baltimore law firms), which is higher than the current salary for the Chief Judge of the Court of Appeals. While acknowledging that salary is only one of many factors one likely weighs, the commission nevertheless believes that a more competitive salary will help ensure that qualified individuals are interested in judicial vacancies.

Workplace Conditions

The commission continues to be mindful of the increased demands on judicial time. While case volumes have not increased substantially, the complexity of cases has increased and the implementation of the new Maryland Electronic Courts system will require all judges to adapt to new operations in their chambers. In addition, the number of problem-solving courts in the State is expanding, and judges in many jurisdictions are now at the center of the effort to help individuals facing opioid addiction. Cases in these problem-solving courts are both time consuming and complex, typically involving regular status hearings with the individuals in the programs, status meetings with stakeholders, and constant vigilance over months or years to maximize the chance of success for participants.

The Future

The commission believes that salaries of Maryland's judges should keep pace with the projected earnings of judges in other states, especially those in the mid-Atlantic region. The commission is acutely aware that the quality of the State's Judiciary depends on its ability to attract competent and diverse individuals, and believes that the recommendations proposed in this report will ensure the Judiciary's continuing ability to serve the citizens of the State.

Chapter 3. Fiscal 2019-2022 Salary Recommendations

The commission met two times in fall 2017 to consider salary recommendations. The Department of Legislative Services (DLS) provided information on the State's economic condition, national and regional salary rankings when available for different levels of courts, and salary information for various local and Executive and Legislative branch officials. The commission also heard presentations from the Maryland Judiciary on the workload of the courts and its concerns regarding judicial salaries. In its presentation, the Maryland Judiciary's Special Committee on Judicial Compensation expressed a preference for judges at all levels to be treated equitably by the commission and that any recommendation include a dollar, rather than percentage, increase that was the same for all judges. This would ensure that judges with higher current salaries would not also enjoy larger increases than their colleagues. The commission considered this position, and believes that this is a reasonable strategy to ensure that salary increases do not increase the compensation gap between judges at different levels.

In December 2017, the commission, by a vote of five or more of its members, finalized its recommendation to increase the salaries of all Maryland judges by \$35,000 over the next four years. Joint resolutions that will be introduced in the 2018 session will propose the following annual salary increases for all judges at each of the seven levels: (1) \$10,000 beginning July 1, 2018; (2) \$10,000 beginning July 1, 2019; (3) \$7,500 beginning July 1, 2020; and (4) \$7,500 beginning July 1, 2021. These changes, as well as current salary levels, are presented in **Exhibit 3.1**.

Exhibit 3.1
Judicial Compensation Commission Salary Recommendations
Fiscal 2019-2022

	<u>Total Judgeships</u>	<u>Current Salary</u>	<u>Proposed FY 2019</u>	<u>Proposed FY 2020</u>	<u>Proposed FY 2021</u>	<u>Proposed FY 2022</u>
Court of Appeals						
Chief Judge	1	\$195,433	\$205,433	\$215,433	\$222,933	\$230,433
Associate Judge	6	176,433	186,433	196,433	203,933	211,433
Court of Special Appeals						
Chief Judge	1	166,633	176,633	186,633	194,133	201,633
Associate Judge	14	163,633	173,633	183,633	191,133	198,633
Circuit Court	173	154,433	164,433	174,433	181,933	189,433
District Court						
Chief Judge	1	163,633	173,633	183,633	191,133	198,633
Associate Judge	117	141,333	151,333	161,333	168,833	176,333
Incremental Salaries ¹			\$3,250,000	\$3,250,000	\$2,437,500	\$2,437,500
Incremental Social Security (at 1.45%)			47,125	47,125	35,344	35,344
Incremental Pensions ²			763,184	4,763,184	717,388	527,388
Incremental Compensation for Retired Judges			438,448	438,448	328,836	328,836
Annual Fiscal Impact			\$4,498,757	\$8,498,757	\$3,519,068	\$3,329,068
Cumulative Fiscal Impact			\$4,498,757	\$12,997,514	\$16,516,582	\$19,845,650

¹Includes salary increases for Public Defender, State Prosecutor, and members of the Workers' Compensation Commission, whose salaries are tied to judicial salaries. Does not include incremental costs for states attorneys, whose salaries are also tied to judicial salaries but are funded locally.

² The impact on judicial pensions is based on an actuarial estimate prepared to account for the recommended salary increases. The actuarial adjustment to contribution rates occurs in fiscal 2020. The contribution rate for regular employees is assumed to be 19.32%.

Source: Bolton Partners - Actuary to the Department of Legislative Services; Maryland Judiciary; Department of Legislative Services

Under the commission's current proposal, judges at all levels would receive salary increases of equal amount, totaling \$35,000, over the four-year period. In the final year of the plan, the cost to the State of this action would be \$19.8 million. This amount includes \$11.4 million for salary increases assuming that no new judgeships are created and \$164,938 for Social Security contributions.

The commission's proposal also affects the retirement benefit paid to retired judges. After 16 years of service, a member of the Judges' Retirement System (JRS) becomes eligible for the maximum retirement allowance of two-thirds of the annual salary of an active judge in a similar position. Exhibit 3.1 indicates that the approximate increase in pension costs as a result of the recommendations will be \$763,184 in fiscal 2019 and will reach \$6.8 million by fiscal 2022. This estimate is based on the contribution rates determined by the DLS actuary under the recommended salary scale. This figure also includes the impact of increased pension contributions to the regular employee system for the Public Defender, State Prosecutor, and Commissioners of the Workers' Compensation Commission based on the fiscal 2019 employer contribution rate of 19.32%.

The Judiciary consistently relies on using retired judges to supplement current resources. The commission's proposal also impacts the cost of using these recalled judges, whose compensation is based on current judicial salaries under Courts and Judicial Proceedings Article § 1-302. Based on the Judiciary's current utilization of retired judges, the proposal is expected to cumulatively increase costs for retired judge compensation by \$1.5 million by fiscal 2022.

The recommended flat dollar increase impacts each judge differently depending on which level of court they serve. As **Exhibit 3.2** outlines, the percent salary growth at each level of court increases as salary decreases. This is because a flat dollar hike in pay is of greater benefit to those at lower salaries. By fiscal 2022, the highest paid judge will have received a 17.9% increase while the lowest paid judges will have received 24.8%. Over the four-year period, however, the actual salary gap between the highest and lowest paid judges is maintained at \$54,100.

Exhibit 3.2
Judicial Compensation Commission Salary Recommendations
Fiscal 2019-2022

	<u>Current Salary</u>	<u>% Proposed Increase</u>
Court of Appeals		
Chief Judge	\$195,433	17.9%
Judge	176,433	19.8%
Court of Special Appeals		
Chief Judge	166,633	21.0%
Judge	163,633	21.4%
Circuit Court	154,433	22.7%
District Court		
Chief Judge	163,633	21.4%
Judge	141,333	24.8%
Average		21.3%

Appendix 1

Annotated Code of Maryland

Article – Courts and Judicial Proceedings

Title 1. Court Structure and Organization

Subtitle 7. Judicial Salaries and Allowances

§ 1-708. Judicial Compensation Commission

(a) Salaries and pensions of judges. - The salaries and pensions of the judges of the Court of Appeals, the Court of Special Appeals, the circuit courts of the counties, and the District Court shall be established as provided by this section, §§ 1-701 through 1-707 of this subtitle, and Title 27 of the State Personnel and Pensions Article.

(b) Established.

(1) There is a Judicial Compensation Commission. The Commission shall study and make recommendations with respect to all aspects of judicial compensation, to the end that the judicial compensation structure shall be adequate to assure that highly qualified persons will be attracted to the bench and will continue to serve there without unreasonable economic hardship.

(2) The Commission consists of seven members appointed by the Governor. No more than three members of the Commission may be individuals admitted to practice law in this State. In nominating and appointing members, special consideration shall be given to individuals who have knowledge of compensation practices and financial matters. The Governor shall appoint:

(i) Two members from a list of the names of at least five nominees submitted by the President of the Senate;

(ii) Two from a list of the names of at least five nominees submitted by the Speaker of the House of Delegates;

(iii) One from a list of the names of at least three nominees submitted by the Maryland State Bar Association, Inc.; and

(iv) Two at large.

(3) A member of the General Assembly, officer or employee of the State or a political subdivision of the State, or judge or former judge is not eligible for appointment to the Commission.

(4) The term of a member is six years, commencing July 1, 1980, and until the member's successor is appointed. However, of the members first appointed to the Commission, the Governor shall designate one of the members nominated by the President of the Senate to serve for three years and one for six years; one of the members nominated by the Speaker to serve for four years and one for five years; the member nominated by the Maryland State Bar Association, Inc., to serve for three years; and one of the members at large to serve for two years, and one for six years. A member is eligible for reappointment.

(5) Members of the Commission serve without compensation, but shall be reimbursed for reasonable expenses incurred in carrying out their responsibilities under this section.

(6) The members of the Commission shall elect a member as chairman of the Commission.

(7) The concurrence of at least five members is required for any formal Commission action.

(8) The Commission may request and receive assistance and information from any unit of State government.

(c) Written recommendations and funding. - On or after September 1, 2011, September 1, 2013, and every four years thereafter, the Commission shall review the salaries and pensions of the judges of the courts listed in subsection (a) of this section and make written recommendations to the Governor and General Assembly on or before the next ensuing regular session of the General Assembly. The Governor shall include in the budget for the next ensuing fiscal year the funding necessary to implement those recommendations, contingent on action by the General Assembly under subsections (d) and (e) of this section.

(d) Recommendation as house joint resolution.

(1) The salary recommendations made by the Commission shall be introduced as a joint resolution in each House of the General Assembly not later than the fifteenth day of the session. The General Assembly may amend the joint resolution to decrease any of the Commission salary recommendations, but no reduction may diminish the salary of a judge during his continuance in office. The General Assembly may not amend the joint resolution to increase the recommended salaries. If the General Assembly fails to adopt or amend the joint resolution within 50 days after its introduction, the salaries recommended by the Commission shall apply. If the joint resolution is adopted or amended in accordance with this section within 50 days after its introduction, the salaries so provided shall apply. If the General Assembly rejects any or all of the Commission's salary recommendations, the salaries of the judges affected remain unchanged, unless modified under other provisions of law.

(2) The Governor or the General Assembly may not increase the recommended salaries, except as provided under § 1-703(b) of this subtitle.

(e) Legislation. - The recommendation of the Commission as to pensions shall be introduced by the presiding officers of the Senate and the House of Delegates in the form of legislation, and shall become effective only if passed by both Houses.

(f) Changes in salaries and pensions. - Any change in salaries or pensions adopted by the General Assembly under this section takes effect as of the July 1 of the year next following the year in which the Commission makes its recommendations.

(g) Sections unaffected. - This section does not affect § 1-702(b), § 1-703(b), or §§ 1-705 through 1-707 of this subtitle, or Title 27 of the State Personnel and Pensions Article.

[1980, ch. 717; 1982, ch. 820, § 3; 1992, ch. 131, § 12; 1994, ch. 468; 1997, ch. 14, § 1; 1998, ch. 21, § 2; 2005, ch. 25, § 13; ch. 444, § 1; 2006, ch. 44, § 6; 2009, ch. 2; 2010, ch. 72; ch. 484, § 2.]

Appendix 2

National and Regional Judicial Salary Rankings

Appendix 2.1A

National Judicial Salary Rankings

Highest Appellate Court – Chief Judge

<u>Rank</u>	<u>State</u>	<u>Salaries</u>	<u>Last Changed</u>
1	California	\$245,269	2016
2	Hawaii	226,962	2016
3	Illinois	224,628	2016
4	New York	220,300	2016
5	Pennsylvania	212,051	2017
6	Alaska	205,776	2016
7	Virginia	204,293	2016
8	Delaware	204,148	2016
9	Connecticut	200,599	2015
10	Maryland	195,433	2015
11	Rhode Island	193,458	2015
12	New Jersey	192,795	2008
13	Tennessee	187,692	2017
14	Minnesota	186,048	2016
15	Washington	185,661	2016
16	Massachusetts	181,239	2014
17	Alabama	181,127	2008
18	Arkansas	180,000	2015
19	Missouri	179,883	2016
20	Iowa	178,538	2014
21	Utah	176,950	2016
22	Colorado	176,799	2015
23	Louisiana	176,448	2016
24	Georgia	175,600	2017
25	Nebraska	171,975	2016
26	Texas	170,500	2014
27	Indiana	170,195	2016
28	Nevada	170,000	2008
29	New Hampshire	167,271	2017
30	Ohio	166,350	2017

<u>Rank</u>	<u>State</u>	<u>Salaries</u>	<u>Last Changed</u>
31	Wyoming	165,000	2012
32	Michigan	164,610	2002
33	Arizona	162,400	2017
34	Florida	162,200	2014
35	North Dakota	161,517	2016
36	Vermont	159,827	2016
37	Mississippi	159,000	2016
38	South Carolina	156,234	2016
39	Oklahoma	155,820	2015
40	Oregon	150,572	2017
41	Maine	150,454	2016
42	North Carolina	150,086	2016
43	Wisconsin	147,403	2015
44	Idaho	142,000	2016
45	Kentucky	140,504	2009
46	Kansas	139,310	2008
47	Montana	137,571	2015
48	South Dakota	137,270	2016
49	West Virginia	136,000	2011
50	New Mexico	133,174	2014
	Average	\$174,379	
	District of Columbia	\$218,100	2017

Source: National Center for State Courts

Appendix 2.1B
Regional Judicial Salary Rankings
Highest Appellate Court – Chief Judge

<u>Rank</u>	<u>State</u>	<u>Salaries</u>	<u>Last Changed</u>
1	New York	\$220,300	2016
2	District of Columbia	218,100	2017
3	Pennsylvania	212,051	2017
4	Virginia	204,293	2016
5	Delaware	204,148	2016
6	Connecticut	200,599	2015
7	Maryland	195,433	2015
8	Rhode Island	193,458	2015
9	New Jersey	192,795	2008
10	North Carolina	150,086	2016
11	West Virginia	136,000	2011

Source: National Center for State Courts

Appendix 2.2A
National Judicial Salary Rankings
Highest Appellate Court – Associate Judge

<u>Rank</u>	<u>State</u>	<u>Salaries</u>	<u>Last Changed</u>
1	California	\$233,888	2016
2	Illinois	224,628	2016
3	Hawaii	218,820	2016
4	New York	213,600	2016
5	Pennsylvania	206,054	2017
6	Alaska	205,176	2016
7	Delaware	195,245	2016
8	Virginia	192,458	2015
9	Connecticut	185,610	2015
10	New Jersey	185,482	2008
11	Washington	183,021	2016
12	Tennessee	182,688	2017
13	Maryland	176,433	2015
14	Massachusetts	175,984	2014
15	Rhode Island	175,870	2015
16	Georgia	175,600	2017
17	Utah	174,950	2016
18	Colorado	173,024	2015
19	Missouri	172,017	2016
20	Nebraska	171,975	2016
21	Iowa	170,544	2014
22	Indiana	170,195	2016
23	Nevada	170,000	2008
24	Minnesota	169,135	2016
25	Louisiana	168,045	2016
26	Texas	168,000	2014
27	Alabama	167,685	2008
28	Arkansas	166,500	2015
29	Wyoming	165,000	2012
30	Michigan	164,610	2002
31	New Hampshire	162,240	2017
32	Florida	162,200	2014

<u>Rank</u>	<u>State</u>	<u>Salaries</u>	<u>Last Changed</u>
33	Arizona	157,325	2017
34	North Dakota	157,009	2016
35	Ohio	156,150	2017
36	Vermont	152,538	2016
37	Mississippi	152,250	2016
38	South Carolina	148,794	2016
39	Oregon	147,559	2017
40	Wisconsin	147,403	2015
41	North Carolina	146,191	2016
42	Oklahoma	145,914	2015
43	Idaho	140,000	2016
44	Montana	136,177	2015
45	West Virginia	136,000	2011
46	Kansas	135,905	2008
47	Kentucky	135,504	2009
48	South Dakota	135,270	2016
49	New Mexico	131,174	2014
50	Maine	130,136	2016
	Average	\$168,360	
	District of Columbia	\$217,600	2017

Source: National Center for State Courts

Appendix 2.2B
Regional Judicial Salary Rankings
Highest Appellate Court – Associate Judge

<u>Rank</u>	<u>State</u>	<u>Salaries</u>	<u>Last Changed</u>
1	District of Columbia	\$217,600	2017
2	New York	213,600	2016
3	Pennsylvania	206,054	2017
4	Delaware	195,245	2016
5	Virginia	192,458	2015
6	Connecticut	185,610	2015
7	New Jersey	185,482	2008
8	Maryland	176,433	2015
9	Rhode Island	175,870	2015
10	North Carolina	146,191	2016
11	West Virginia	136,000	2011

Source: National Center for State Courts

Appendix 2.3A
National Judicial Salary Rankings
Intermediate Appellate Court – Associate Judge

<u>Rank</u>	<u>State</u>	<u>Salaries</u>	<u>Last Changed</u>
1	California	\$219,272	2016
2	Illinois	211,416	2016
3	New York	203,400	2016
4	Hawaii	202,596	2016
5	Pennsylvania	194,442	2017
6	Alaska	193,836	2016
7	Alabama	178,878	2008
8	Tennessee	176,616	2017
9	Virginia	176,510	2015
10	New Jersey	175,534	2008
11	Georgia	174,500	2017
12	Connecticut	174,323	2015
13	Washington	174,224	2016
14	Utah	167,000	2016
15	Colorado	166,170	2014
16	Indiana	165,443	2016
17	Massachusetts	165,087	2014
18	Nevada	165,000	2014
19	Maryland	163,633	2015
20	Nebraska	163,476	2016
21	Arkansas	161,500	2015
22	Minnesota	159,370	2016
23	Texas	158,500	2014
24	Louisiana	157,294	2016
25	Missouri	157,242	2016
26	Iowa	154,556	2014
27	Florida	154,140	2014
28	Michigan	152,955	2016
29	Arizona	152,250	2017
30	Ohio	145,550	2017
31	South Carolina	145,074	2016
32	Mississippi	144,827	2016

<u>Rank</u>	<u>State</u>	<u>Salaries</u>	<u>Last Changed</u>
33	Oregon	144,535	2017
34	North Carolina	140,144	2016
35	Wisconsin	139,059	2015
36	Oklahoma	138,235	2015
37	Kansas	131,518	2008
38	Kentucky	130,044	2008
39	Idaho	130,000	2016
40	New Mexico	124,616	2014
	Average	\$163,319	

Source: National Center for State Courts

Appendix 2.3B
Regional Judicial Salary Rankings
Intermediate Appellate Court – Associate Judge

<u>Rank</u>	<u>State</u>	<u>Salaries</u>	<u>Last Changed</u>
1	New York	\$203,400	2016
2	Pennsylvania	194,442	2017
3	New Jersey	175,534	2008
4	Connecticut	174,323	2015
5	Massachusetts	165,087	2014
6	Maryland	163,633	2015
7	North Carolina	140,144	2016

Source: National Center for State Courts

Appendix 2.4A
National Judicial Salary Rankings
General Jurisdiction Courts – Associate Judges

<u>Rank</u>	<u>State</u>	<u>Salaries</u>	<u>Last Changed</u>
1	Hawaii	\$197,112	2016
2	Illinois	194,001	2016
3	New York	193,000	2016
4	California	191,612	2016
5	Alaska	189,720	2016
6	Delaware	183,444	2016
7	Pennsylvania	178,868	2017
8	Tennessee	170,520	2017
9	Connecticut	167,634	2015
10	Virginia	166,136	2015
11	Washington	165,870	2016
12	New Jersey	165,000	2008
13	Georgia	162,442	2017
14	Arkansas	160,000	2015
15	Nevada	160,000	2008
16	Massachusetts	159,694	2014
17	Colorado	159,320	2015
18	Nebraska	159,077	2016
19	Utah	159,050	2016
20	Rhode Island	158,340	2015
21	Maryland	154,433	2015
22	New Hampshire	152,159	2017
23	Louisiana	151,218	2015
24	Wyoming	150,000	2012
25	Minnesota	149,605	2016
26	Texas	149,000	2014
27	Missouri	148,263	2016
28	Arizona	147,175	2017
29	Florida	146,080	2014
30	Vermont	145,011	2016
31	Iowa	143,897	2014
32	North Dakota	143,869	2016

<u>Rank</u>	<u>State</u>	<u>Salaries</u>	<u>Last Changed</u>
33	South Carolina	141,354	2016
34	Michigan	141,318	2016
35	Indiana	141,311	2016
36	Mississippi	136,000	2016
37	Oregon	135,775	2017
38	Alabama	134,943	2008
39	Ohio	133,850	2017
40	North Carolina	132,584	2016
41	Oklahoma	131,835	2014
42	Wisconsin	131,187	2015
43	Idaho	128,500	2016
44	South Dakota	126,346	2016
45	Montana	126,131	2015
46	West Virginia	126,000	2011
47	Kentucky	124,620	2009
48	Maine	121,967	2016
49	Kansas	120,037	2008
50	New Mexico	118,384	2014
	Average	\$151,474	
	District of Columbia	\$205,100	2017

Source: National Center for State Courts

Appendix 2.4B
Regional Judicial Salary Rankings
General Jurisdiction Courts – Associate Judges

<u>Rank</u>	<u>State</u>	<u>Salaries</u>	<u>Last Changed</u>
1	District of Columbia	\$205,100	2017
2	New York	193,000	2016
3	Delaware	183,444	2016
4	Pennsylvania	178,868	2017
5	Connecticut	167,634	2015
6	Virginia	166,136	2015
7	New Jersey	165,000	2008
8	Rhode Island	158,340	2015
9	Maryland	154,433	2015
10	North Carolina	132,584	2016
11	West Virginia	126,000	2011

Source: National Center for State Courts

Appendix 3

Federal Court Judicial Salaries

	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
Supreme Court				
Chief Justice	\$255,500	\$258,100	\$260,700	\$263,300
Associate Justice	244,400	246,800	249,300	251,800
Court of Appeals				
Judges	211,200	213,300	215,400	217,600
Trial Courts				
District Court Judges, International Trade Court Judges, and Claims Court Judges	199,100	201,100	203,100	205,100
Bankruptcy Judges and Magistrate Judges	183,172	185,012	186,852	188,692
<p>Note: Salaries for bankruptcy judges and Magistrate judges who are judicial officers of the U.S. District Courts are set at 92% of a District Court judge's pay.</p> <p>Source: United States Courts</p>				

Appendix 4

Salaries of Selected Maryland Officials¹

Calendar 2014 and 2018

Constitutional Officers	Annual Salary <u>2014</u>	Annual Salary <u>2018</u>
Governor	\$150,000	\$180,000
Lieutenant Governor	125,000	149,500
Attorney General	125,000	149,500
Comptroller	125,000	149,500
Treasurer	125,000	149,500
Secretary of State	87,500	105,500
 General Assembly		
Members	\$43,500	\$50,330
President of the Senate	56,500	65,371
Speaker of the House	56,500	65,371

¹ Both the Governor's Salary Commission and the General Assembly Compensation Commission are scheduled to meet to discuss salary recommendations for the calendar 2019-2022 term. Final recommendations of these salary commissions were not available at the time the commission met.

Source: Maryland Budget Bills

Appendix 5

Salaries of Maryland Cabinet Secretaries

Fiscal 2014 and 2018

<u>Cabinet Secretaries</u>	<u>2014</u>	<u>2018</u>	<u>Percent Change 2014-2018</u>
Superintendent of Schools	\$210,000	\$236,000	12.38%
Budget and Management	169,404	177,906	5.02%
Commerce	158,100	175,462	10.98%
Transportation	169,404	174,419	2.96%
Health	169,404	174,417	2.96%
State Police	158,100	171,015	8.17%
Human Services	157,917	170,818	8.17%
Juvenile Services	153,166	169,059	10.38%
Labor, Licensing, and Reg.	153,000	165,215	7.98%
Natural Resources	151,754	162,499	7.08%
Public Safety and Corr. Serv.	169,404	162,254	-4.22%
Higher Education	145,350	160,710	10.57%
Housing and Comm. Dev.	151,754	156,245	2.96%
Environment	143,847	155,599	8.17%
General Services	141,142	149,678	6.05%
Agriculture	132,651	143,488	8.17%
Disabilities	124,479	140,526	12.89%
Aging	127,345	137,749	8.17%
Planning	127,345	137,749	8.17%
Veterans Affairs	106,174	114,555	7.89%

Source: Executive Pay Plan, Budget Bills

Appendix 6

State's Attorney Salaries

Fiscal 2014 and 2017

<u>County</u>	<u>FY 2014</u>	<u>FY 2017</u>
Allegany	\$114,527	\$125,307
Anne Arundel	160,729	175,634
Baltimore City	238,772	238,772
Baltimore	198,181	204,187
Calvert	114,527	122,850
Caroline	101,801	113,066
Carroll	101,802	113,067
Cecil	120,889	134,267
Charles	140,352	140,352
Dorchester	103,838	113,066
Frederick	140,351	154,333
Garrett	103,838	113,066
Harford	112,044	115,423
Howard	127,252	141,333
Kent	101,802	109,200
Montgomery	199,000	206,476
Prince George's	150,000	199,000
Queen Anne's	127,252	132,000
St. Mary's	114,526	127,200
Somerset	98,000	98,000
Talbot	103,838	113,066
Washington	114,527	114,527
Wicomico	114,527	122,850
Worcester	114,527	122,850

Source: Maryland Association of Counties

Appendix 7

Joint Resolution

HOUSE JOINT RESOLUTION 3

D1

8lr1619
CF SJ 5

By: **The Speaker (By Request)**

Introduced and read first time: January 24, 2018

Assigned to: Appropriations

HOUSE JOINT RESOLUTION

1 A House Joint Resolution concerning

2 **Judicial Compensation Commission – Recommendations**

3 FOR the purpose of establishing the compensation of the members of the Judiciary in this
4 State in accordance with Section 1–708 of the Courts and Judicial Proceedings
5 Article of the Annotated Code of Maryland.

6 WHEREAS, Section 1–708(b)(2) of the Courts and Judicial Proceedings Article of the
7 Annotated Code of Maryland establishes a seven–member Judicial Compensation
8 Commission appointed by the Governor with two members appointed on nomination of the
9 President of the Senate, two members appointed on nomination of the Speaker of the House
10 of Delegates, one member appointed on nomination of the Maryland State Bar Association,
11 and two members appointed at large. The Judicial Compensation Commission is
12 constituted as follows: appointments made on the nomination of the President of the
13 Senate: Elizabeth Buck and Joshua Schmerling; appointments made on the nomination of
14 the Speaker of the House of Delegates: Norman Conway and Van Mitchell; appointment
15 made on the nomination of the Maryland State Bar Association: Edward Gilliss; and
16 appointments at large: John Suit II and Alice Pinderhughes. The Commission members
17 elected Elizabeth Buck to serve as the chair of the Commission. The Commission is charged
18 with reviewing the salaries of the judges of the Judiciary of Maryland and making written
19 recommendations to the Governor and the General Assembly on or after September 1, 2011,
20 September 1, 2013, and every 4 years thereafter; and

21 WHEREAS, Section 1–708(d) of the Courts and Judicial Proceedings Article of the
22 Annotated Code of Maryland provides as follows: the General Assembly may amend this
23 Joint Resolution to decrease any of the Commission’s salary recommendations, but no
24 reduction may diminish the salary of a judge during the judge’s continuance in office. The
25 General Assembly may not amend this Joint Resolution to increase these recommended
26 salaries. Should the General Assembly not adopt or amend this Joint Resolution within 50
27 days of its introduction, the salaries recommended herein shall apply during fiscal years
28 2019 through 2022. Should the General Assembly reject any or all of the salaries herein
29 recommended, the salaries of the judges so affected shall remain unchanged during fiscal
30 years 2019 through 2022 unless modified under other provisions of the law; and



WHEREAS, The Judicial Compensation Commission held several meetings in 2017 (September and December) and considered many aspects and facets of judicial compensation. The Commission, by a vote of five or more of its members as required by § 1–708(b)(7) of the Courts Article, has recommended an increase in judicial salaries for fiscal years 2019 through 2022; now, therefore, be it

RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That after considering the recommendations of the Judicial Compensation Commission, beginning July 1, 2018, judicial salaries shall be as follows:

Position	Current Salary	Proposed Salary
Court of Appeals		
Chief Judge	195,433	205,433
Associate Judge	176,433	186,433
Court of Special Appeals		
Chief Judge	166,633	176,633
Associate Judge	163,633	173,633
Circuit Courts		
Judge	154,433	164,433
District Court		
Chief Judge	163,633	173,633
Associate Judge	141,333	151,333;

and be it further

RESOLVED, That beginning July 1, 2019, judicial salaries shall be as follows:

Position	Proposed Salary
Court of Appeals	
Chief Judge	215,433
Associate Judge	196,433
Court of Special Appeals	
Chief Judge	186,633
Associate Judge	183,633
Circuit Courts	
Judge	174,433
District Court	
Chief Judge	183,633
Associate Judge	161,333;

and be it further

RESOLVED, That beginning July 1, 2020, judicial salaries shall be as follows:

Position	Proposed Salary
----------	-----------------

Court of Appeals	
------------------	--

Chief Judge	222,933
-------------	---------

Associate Judge	203,933
-----------------	---------

Court of Special	
------------------	--

Appeals	
---------	--

Chief Judge	194,133
-------------	---------

Associate Judge	191,133
-----------------	---------

Circuit Courts	
----------------	--

Judge	181,933
-------	---------

District Court	
----------------	--

Chief Judge	191,133
-------------	---------

Associate Judge	168,833;
-----------------	----------

and be it further

RESOLVED, That beginning July 1, 2021, judicial salaries shall be as follows:

Position	Proposed Salary
----------	-----------------

Court of Appeals	
------------------	--

Chief Judge	230,433
-------------	---------

Associate Judge	211,433
-----------------	---------

Court of Special	
------------------	--

Appeals	
---------	--

Chief Judge	201,633
-------------	---------

Associate Judge	198,633
-----------------	---------

Circuit Courts	
----------------	--

Chief Judge	189,433
-------------	---------

District Court	
----------------	--

Chief Judge	198,633
-------------	---------

Associate Judge	176,333.
-----------------	----------

RESOLVED, That a copy of this Resolution be forwarded by the Department of Legislative Services to the Honorable Lawrence J. Hogan, Jr., Governor of Maryland; the Honorable Thomas V. Mike Miller, Jr., President of the Senate of Maryland; and Honorable Michael E. Busch, Speaker of the House of Delegates.