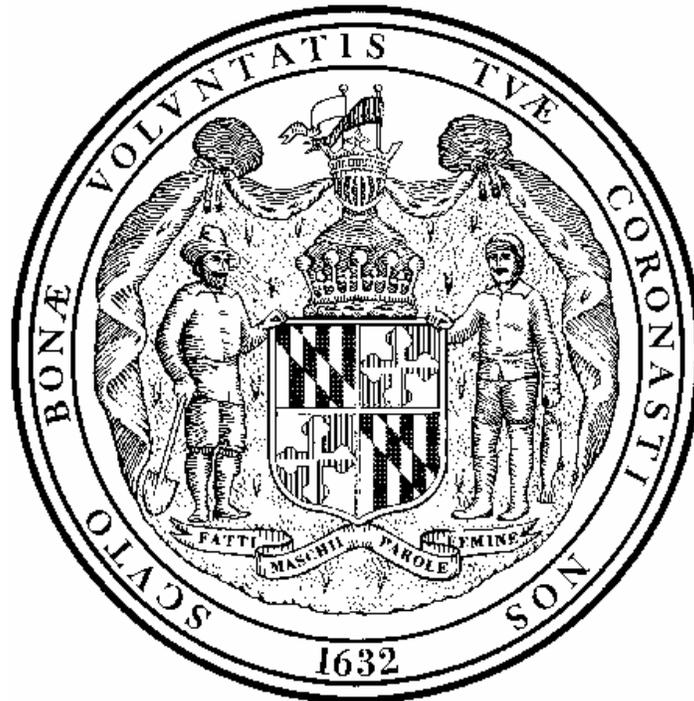


# **SUPPLEMENT TO THE 2004 REPORT OF THE JUDICIAL COMPENSATION COMMISSION**

**(Note: The full 2004 Report of the Judicial Compensation Commission  
is available on-line at  
[www.mdarchives.state.md.us/msa/mdmanual/26excom/html/22jcomp.html](http://www.mdarchives.state.md.us/msa/mdmanual/26excom/html/22jcomp.html))**



**DEPARTMENT OF LEGISLATIVE SERVICES  
OFFICE OF POLICY ANALYSIS  
ANNAPOLIS, MARYLAND**

**JANUARY 2005**

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January 19, 2005

The Honorable Robert L. Ehrlich, 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:

The Judicial Compensation Commission is resubmitting the salary recommendations that were not adopted by the legislature during the 2004 legislative session. Along with the recommendations, we are providing the General Assembly with a supplement to last year's compensation report.

As I know you are aware, the commission was created by the legislature and our charge is "to recommend compensation that is adequate to insure highly qualified persons will be attracted to the bench and will continue to serve there without unreasonable economic hardship." We take our charge seriously and believe we are recommending a reasonable compensation plan that adequately compensates our judges.

The commission, in formulating its recommendations, considers many compensation principles and variables when it develops its salary recommendations. Among the principles the commission considers are the salary levels compared to other Maryland officials, other states' judges, and federal judges; economic and fiscal conditions; the ability to attract and to retain qualified individuals; and workplace conditions.

We believe that our recommendations were sound and remain sound. In 2005, the ability of State government to deal with the fiscal crisis has improved along with the economy. During the intervening period, federal judicial salaries and judicial salaries in our neighboring states have increased, some significantly, as can be seen from the attachments.

You will note that our salary recommendations are formulated as a four-year phase-in of compensation, a procedure used by the General Assembly Compensation Commission and the Governor's Salary Commission. We think that the salary increases, phased-in over four years, is reasonable. In addition, assuming our recommendation is adopted in 2005, and implemented as

January 19, 2005

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proposed, it would be our intent not to make another salary recommendation until 2010, thereby corresponding with the reports of the legislative and executive compensation commissions.

Further, the commission wishes to ensure that judges' surviving spouses and dependent children are eligible for participation in health benefit programs. To this end, the commission recommends legislation to permit the surviving spouse or dependent child of a member of the Judges' Retirement System who died while employed by the State to enroll and participate in the health insurance benefit options established under the program as long as the spouse or child is receiving an allowance under the Judges' Retirement System and is entitled to one-sixteenth of the State subsidy allowed a State employee for each year of the retiree's creditable service up to 16 years.

We thank you in advance for your consideration of the findings in our report and the resulting recommendations.

Respectfully,

Laurence Levitan  
Chairman

LL/JLS/cdm

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**National Judicial Salary Rankings**  
**Highest Appellate Court – Chief Judge**  
**Effective Fiscal 2005 (As of October 2004)**

<u>Rank</u>	<u>State</u>	<u>Current Salary</u>	<u>Effective Date</u>	<u>Comments</u>
1	California	\$191,477	10/1/2003	
2	Alabama	179,825	10/1/2003	Actual salary of incumbent with longevity; base salary is increased by 1.3% for every year of service to a maximum of 25%
3	Illinois	173,261	7/1/2004	Represents a 9.6% increase
4	Michigan	164,610	1/1/2002	
5	New Jersey	164,250	1/1/2002	
6	Delaware	157,700	7/1/2004	Represents a 3.4% increase
7	New York	156,000	1/1/1999	
8	Florida	155,150	12/1/2003	Same as Associate Justices; represents a 0.91% increase
9	Georgia	153,086	10/1/2002	
<b>10</b>	<b>Maryland</b>	<b>151,352</b>	<b>7/1/2004</b>	<b>Represents a \$752 COLA increase</b>
11	Connecticut	149,582	4/1/2002	\$157,809 effective 1/1/05; base salary shown; actual salary includes longevity as follows: .75% after 10 years, 1.5% after 15 years, 2.25% after 20 years, and 3% after 25 years
12	Minnesota	146,920	1/1/2004	
13	Pennsylvania	146,813	1/1/2004	Represents a 2.4% increase
14	Rhode Island	146,098	7/1/2002	
15	Virginia	144,465	11/25/2003	\$151,833 effective 11/25/04; plus \$6,500 allowance for travel, lodging, and other expenses
16	Nevada	140,000	1/6/2003	Plus longevity pay up to a maximum of 22% or \$170,800
17	Arkansas	139,143	7/1/2003	
18	Washington	137,276	9/1/2004	Represents a 2% increase
19	Ohio	136,800	1/1/2004	Represents a 2.3% increase
20	Wisconsin	131,876	7/16/2004	Represents a 1.1% increase
21	Massachusetts	131,512	7/1/2001	
22	Kentucky	131,281	7/1/2004	All judges received a 1.5% increase
23	South Carolina	129,249	7/1/2004	Represents a 3% increase
24	Arizona	129,150	1/1/2001	
25	Iowa	127,040	12/5/2003	
26	Tennessee	126,528	7/1/2004	Represents a 2.3% increase
27	Missouri	125,500	7/1/2000	
28	Louisiana	124,216	7/1/2003	All judges received a 5% increase
29	North Carolina	121,391	7/1/2004	Represents a 2.5% increase
30	Kansas	121,389	7/1/2004	Represents a 3% increase
31	Maine	121,329	7/1/2002	
32	Vermont	120,162	7/11/2004	Represents a 4.5% increase
33	Nebraska	119,276	7/1/2002	
34	Colorado	118,788	7/1/2004	Represents a 2.3% increase
35	Alaska	118,476	7/1/2002	
36	Utah	117,211	7/1/2004	Represents a 1% COLA

<u>Rank</u>	<u>State</u>	<u>Current Salary</u>	<u>Effective Date</u>	<u>Comments</u>
37	New Hampshire	\$116,807	12/27/2002	
38	Hawaii	116,779	7/1/2000	
39	Mississippi	115,390	1/1/2004	Represents a 10% increase
40	Indiana	115,000	8/1/1997	Also receives a \$5,500 subsistence allowance
41	Texas	115,000	9/1/2003	
42	Oklahoma	110,299	1/1/2001	A 6.6% increase to \$117,571 planned effective 7/1/2005
43	South Dakota	107,767	7/1/2004	Represents a 3% increase
44	Oregon	107,600	7/1/2002	
45	New Mexico	107,120	7/1/2004	
46	Idaho	105,668	7/1/2004	Represents a 2% increase
47	Wyoming	105,000	1/6/2003	\$108,150 effective 1/05
48	North Dakota	102,021	7/1/2002	
49	Montana	96,999	7/1/2003	
50	West Virginia	95,000	1/1/2003	
	District of Columbia	168,000	1/1/2004	Represents a 2.2% increase
	Federal system	203,000	1/1/2004	Represents a 2.2% increase

Source: National Center for State Courts Judicial Salary Survey, April 2003. (Survey conducted by the Administrative Office of the Courts, September 2004.)

**National Judicial Salary Rankings**  
**Highest Appellate Court – Associate Judge**  
**Effective Fiscal 2005 (As of October 2004)**

<u>Rank</u>	<u>State</u>	<u>Current Salary</u>	<u>Effective Date</u>	<u>Comments</u>
1	California	\$175,575	10/1/2003	
2	Illinois	173,261	7/1/2004	Represents a 9.6% increase
3	Michigan	164,610	1/1/2002	
4	New Jersey	158,500	1/1/2002	
5	Florida	155,150	12/1/2003	Represents a 0.91% increase
6	Georgia	153,086	10/1/2002	
7	Alabama	152,027	10/1/2002	Base salary is increased by 1.3% for every year of service to a maximum of 25%
8	Delaware	152,000	7/1/2004	Represents a 3.4% increase
9	New York	151,200	1/1/1999	
10	Pennsylvania	142,936	1/1/2004	Represents a 2.4% increase
11	Nevada	140,000	1/6/2003	Plus longevity pay up to a maximum of 22% or \$170,800
12	Connecticut	138,404	4/1/2002	\$146,016 effective 1/1/05; base salary shown; actual salary includes longevity as follows: .75% after 10 years, 1.5% after 15 years, 2.25% after 20 years, and 3% after 25 years
13	Washington	137,276	9/1/2004	Represents a 2% increase
14	Virginia	135,505	11/25/2003	\$142,416 effective 11/25/04; plus \$6,500 allowance for travel, lodging, and other expenses
15	Minnesota	133,564	1/1/2004	Represents a 3% increase
16	Rhode Island	132,817	7/1/2002	
<b>17</b>	<b>Maryland</b>	<b>132,352</b>	<b>7/1/2004</b>	<b>Represents a \$752 COLA increase</b>
18	Arkansas	128,669	7/1/2003	
19	Ohio	128,400	1/1/2004	Represents a 2.3% increase
20	Massachusetts	126,943	7/1/2001	
21	Tennessee	126,528	7/1/2004	Represents a 2.3% increase
22	Arizona	126,525	1/1/2001	
23	Kentucky	126,281	7/1/2004	Represents a 1.5% increase
24	Wisconsin	123,876	7/16/2004	Represents a 1.2% increase
25	South Carolina	123,095	7/1/2004	Represents a 3% increase
26	Missouri	123,000	7/1/2000	
27	Iowa	122,500	12/5/2003	Represents a 2% increase
28	Nebraska	119,276	7/1/2002	
29	Louisiana	118,301	7/1/2003	All judges received a 5% increase
30	North Carolina	118,219	7/1/2004	Represents a 2.5% increase
31	Kansas	118,212	7/1/2004	Represents a 3% increase
32	Alaska	117,900	7/1/2002	
33	Colorado	116,251	7/1/2004	Represents a 2.3% increase
34	Hawaii	115,547	7/1/2000	
35	Utah	115,191	7/1/2004	Represents a 1% COLA adjustment
36	Indiana	115,000	8/1/1997	Also receives a \$3,000 subsistence allowance
37	Vermont	114,670	7/11/2004	Represents a 4.5% increase

<u>Rank</u>	<u>State</u>	<u>Current Salary</u>	<u>Effective Date</u>	<u>Comments</u>
38	New Hampshire	\$113,266	12/27/2002	
39	Texas	113,000	9/1/2003	
40	Mississippi	112,530	1/1/2004	Represents a 10% increase
41	Oklahoma	106,706	1/1/2001	A 6.4% increase to \$113,571 planned effective 7/1/2005
42	South Dakota	105,767	7/1/2004	Represents a 3% increase
43	Oregon	105,200	7/1/2002	
44	New Mexico	105,120	7/1/2004	Represents a 6% increase
45	Wyoming	105,000	1/6/2003	\$108,150 effective 1/05
46	Maine	104,929	7/1/2002	
47	Idaho	104,168	7/1/2004	Represents a 2% increase
48	North Dakota	99,122	7/1/2002	
49	Montana	95,493	7/1/2003	
50	West Virginia	95,000	1/1/2003	
	District of Columbia	167,600	1/1/2004	Represents a 2.2% increase
	Federal system	194,000	1/1/2004	Represents a 2.2% increase

Source: National Center for State Courts Judicial Salary Survey, April 2003. (Survey conducted by the Administrative Office of the Courts, September 2004.)

**National Judicial Salary Rankings**  
**Intermediate Appellate Court – Chief Judge**  
**Effective Fiscal 2005 (As of October 2004)**

<u>Rank</u>	<u>State</u>	<u>Current Salary</u>	<u>Effective Date</u>	<u>Comments</u>
1	California	\$171,182	10/1/2003	
2	Illinois	163,070	7/1/2004	Represents a 9.6% increase
3	Georgia	152,139	10/1/2002	
4	Michigan	151,441	1/1/2002	
5	Alabama	151,027	10/1/2002	Base salary is increased by 1.3% for every year of service to a maximum of 25%
6	New Jersey	150,000	1/1/2002	
7	New York	147,600	1/1/1999	
8	Florida	143,363	12/1/2003	Same as Associate Judges; represents 0.99% increase
9	Pennsylvania	140,549	1/1/2004	Represents a 2.4% increase
10	Connecticut	136,873	4/1/2002	\$144,401 effective 1/1/05; base salary shown; actual salary includes longevity as follows: .75% after 10 years, 1.5% after 15 years, 2.25% after 20 years, and 3% after 25 years
11	Minnesota	132,143	1/1/2004	Represents a 3% increase
12	Washington	130,678	9/1/2004	Represents a 2% increase
13	Virginia	129,730	11/25/2003	\$136,295 effective 11/25/04; plus \$6,500 allowance for travel, lodging, and other expenses
<b>14</b>	<b>Maryland</b>	<b>127,552</b>	<b>7/1/2004</b>	<b>Represents a \$752 COLA increase</b>
15	Arkansas	126,661	7/1/2003	
16	Kentucky	124,171	7/1/2004	All judges received a 1.5% increase
17	Arizona	123,900	1/1/2001	Same as Court of Appeals Judge
18	Iowa	122,380	12/5/2003	Represents a 2% increase
19	Massachusetts	122,050	7/1/2001	
20	South Carolina	121,864	7/1/2004	Represents a 3% increase
21	Tennessee	120,636	7/1/2004	Represents a 2.3% increase
22	Ohio	119,700	1/1/2004	Represents a 2.3% increase
23	Louisiana	117,643	7/1/2003	All judges received a 5% increase
24	Kansas	117,134	7/1/2004	Represents a 3% increase
25	Wisconsin	116,865	7/16/2004	Represents a 1.2% increase
26	North Carolina	115,263	7/1/2004	Represents a 2.5% increase
27	Missouri	115,000	7/1/2000	
28	Colorado	114,205	7/1/2004	Represents a 2.3% increase
29	Nebraska	113,312	7/1/2002	
30	Hawaii	112,466	7/1/2000	
31	Alaska	111,384	7/1/2002	
32	Utah	110,999	7/1/2004	Represents a 1% COLA increase
33	Indiana	110,000	8/1/1997	Also receives a \$5,500 subsistence allowance
34	Mississippi	108,130	1/1/2004	Represents a 10% increase
35	Texas	107,850	9/1/2003	
36	Oregon	105,200	7/1/2002	
37	Idaho	103,168	7/1/2004	Represents a 2% increase

<u>Rank</u>	<u>State</u>	<u>Current Salary</u>	<u>Effective Date</u>	<u>Comments</u>
38	Oklahoma	\$103,109	1/1/2001	
39	New Mexico	101,764	7/1/2004	Represents a 5.8% increase
40	Delaware	N/A	N/A	
41	Maine	N/A	N/A	
42	Montana	N/A	N/A	
43	Nevada	N/A	N/A	
44	New Hampshire	N/A	N/A	
45	North Dakota	N/A	N/A	
46	Rhode Island	N/A	N/A	
47	South Dakota	N/A	N/A	
48	Vermont	N/A	N/A	
49	West Virginia	N/A	N/A	
50	Wyoming	N/A	N/A	
	District of Columbia	N/A	N/A	
	Federal system	167,600	1/1/2004	Represents a 2.2% increase

Source: National Center for State Courts Judicial Salary Survey, April 2003. (Survey conducted by the Administrative Office of the Courts, September 2004.)

**National Judicial Salary Rankings**  
**Intermediate Appellate Court – Associate Judge**  
**Effective Fiscal 2005 (As of October 2004)**

<u>Rank</u>	<u>State</u>	<u>Current Salary</u>	<u>Effective Date</u>	<u>Comments</u>
1	California	\$164,604	10/1/2003	
2	Illinois	163,070	7/1/2004	Represents a 9.6% increase
3	Georgia	152,139	10/1/2002	
4	Michigan	151,441	1/1/2002	
5	Alabama	151,027	10/1/2002	Base salary is increased by 1.3% for every year of service to a maximum of 25%
6	New Jersey	150,000	1/1/2002	
7	New York	144,000	1/1/1999	
8	Florida	143,363	12/1/2003	Represents a 0.99% increase
9	Pennsylvania	138,459	1/1/2004	Represents a 2.4% increase
10	Washington	130,678	9/1/2004	Represents a 2% increase
11	Connecticut	129,988	4/1/2002	\$137,137 effective 1/1/05; base salary shown; actual salary includes longevity as follows: .75% after 10 years, 1.5% after 15 years, 2.25% after 20 years, and 3% after 25 years
12	Virginia	128,730	11/25/2003	Plus \$6,500 allowance for travel, lodging, and other expenses; additional 5.1% to \$135,295 (+\$6,500) to be effective 11/25/2004
13	Minnesota	125,851	1/1/2004	Represents a 3% increase
14	Arkansas	124,652	7/1/2003	
<b>15</b>	<b>Maryland</b>	<b>124,552</b>	<b>7/1/2004</b>	<b>Represents a \$752 COLA increase</b>
16	Arizona	123,900	1/1/2001	
17	Kentucky	121,171	7/1/2004	All judges received a 1.5% increase
18	Tennessee	120,636	7/1/2004	Represents a 2.3% increase
19	South Carolina	120,017	7/1/2004	Represents a 3% increase
20	Ohio	119,700	1/1/2004	Represents a 2.3% increase
21	Iowa	117,850	12/5/2003	Represents a 2% increase
22	Massachusetts	117,467	7/1/2001	
23	Wisconsin	116,865	7/16/2004	Represents a 1.2% increase
24	Missouri	115,000	7/1/2000	
25	Kansas	114,118	7/1/2004	Represents a 3% increase
26	Nebraska	113,312	7/1/2002	
27	North Carolina	113,293	7/1/2004	Represents a 2.5% increase
28	Louisiana	112,040	7/1/2003	All judges received a 5% increase
29	Colorado	111,647	7/1/2004	Represents a 2.3% increase
30	Alaska	111,384	7/1/2002	
31	Hawaii	110,618	7/1/2000	
32	Indiana	110,000	8/1/1997	Also receives a \$3,000 subsistence allowance
33	Utah	109,989	7/1/2004	Represents a 1% COLA increase
34	Texas	107,350	9/1/2003	Up to \$112,000
35	Mississippi	105,050	1/1/2004	Represents a 10% increase
36	Idaho	103,168	7/1/2004	Represents a 2.0% increase
37	Oregon	102,800	7/1/2002	

<u>Rank</u>	<u>State</u>	<u>Current Salary</u>	<u>Effective Date</u>	<u>Comments</u>
38	Oklahoma	\$101,714	1/1/2001	A 6.51% increase to \$108,336 planned effective 7/1/2005
39	New Mexico	99,864	7/1/2004	Represents a 6% increase
40	Delaware	N/A	N/A	
41	Maine	N/A	N/A	
42	Montana	N/A	N/A	
43	Nevada	N/A	N/A	
44	New Hampshire	N/A	N/A	
45	North Dakota	N/A	N/A	
46	Rhode Island	N/A	N/A	
47	South Dakota	N/A	N/A	
48	Vermont	N/A	N/A	
49	West Virginia	N/A	N/A	
50	Wyoming	N/A	N/A	
	District of Columbia	N/A	N/A	
	Federal system	167,600	1/1/2004	Represents a 2.2% increase

Source: National Center for State Courts Judicial Salary Survey, April 2003. (Survey conducted by the Administrative Office of the Courts, September 2004.)

**National Judicial Salary Rankings**  
**General Trial Court**  
**Effective Fiscal 2005 (As of October 2004)**

<u>Rank</u>	<u>State</u>	<u>Current Salary</u>	<u>Effective Date</u>	<u>Comments</u>
1	Illinois	\$149,638	7/1/2004	Associate Judges, \$139,446; represents a 9.6% increase
2	Delaware	145,000	7/1/2004	Presiding Judge, \$150,300; represents a 3.4% increase
3	California	143,838	10/1/2003	Presiding Judges over 4 to 14 judges @ 2% higher; if over 14 judges, @ 4% higher
4	New Jersey	141,000	1/1/2002	Superior Court Assignment Judge, \$146,750
5	Michigan	139,919	1/1/2002	
6	New York	136,700	1/1/1999	
7	Florida	134,650	12/1/2003	Represents a 1.05% increase
8	Nevada	130,000	1/6/2003	Plus longevity pay up to a maximum of 22% or \$158,600
9	Virginia	125,795	11/25/2003	5.1% increase to \$132,211 effective 11/25/04
10	Connecticut	125,000	4/1/2002	\$131,875 effective 1/1/05; base salary shown; actual salary includes longevity as follows: .75% after 10 years, 1.5% after 15 years, 2.25% after 20 years, and 3% after 25 years
11	Washington	124,411	9/1/2004	Represents a 2% increase
12	Pennsylvania	124,135	1/1/2004	Represents a 2.4% increase
13	Georgia	121,938	10/1/2002	Range minimum shown; maximum is \$143,162; actual varies based on population of jurisdiction and full-time/part-time status
14	Arizona	120,750	1/1/2001	
15	Arkansas	120,632	7/1/2003	
<b>16</b>	<b>Maryland</b>	<b>120,352</b>	<b>7/1/2004</b>	<b>Represents a \$752 COLA increase</b>
17	Rhode Island	119,579	7/1/2002	Presiding Judge, \$131,537
18	Minnesota	118,140	1/1/2004	District Court Chief Judge, \$124,047; represents a 3% increase
19	South Carolina	116,940	7/1/2004	Represents a 3% increase
20	Kentucky	116,061	7/1/2004	Chief Circuit Reg. Judge, \$118,806; all judges received a 1.5% increase
21	Tennessee	115,428	7/1/2004	Represents a 2.3% increase
22	Massachusetts	112,777	7/1/2001	Superior Court Chief Judge, \$117,499
23	Iowa	112,010	12/5/2003	Chief Judge, \$116,760; Associate Judge, \$97,610; Part-time Magistrate, \$29,100; represents a 2% increase
24	Alabama	111,973	10/1/2002	Base salary is increased by 1.3% for every year of service to a maximum of 25%
25	Nebraska	110,330	7/1/2002	
26	Wisconsin	110,250	7/16/2004	Represents a 1.2% increase
27	North Carolina	110,215	7/1/2004	Represents a 2.5% increase
28	Ohio	110,050	1/1/2004	Represents a 2.3% increase

<u>Rank</u>	<u>State</u>	<u>Current Salary</u>	<u>Effective Date</u>	<u>Comments</u>
29	Texas	\$109,158	4/1/2003	
30	Alaska	109,032	7/1/2002	
31	Vermont	109,013	7/11/2004	Represents a 4.4% increase
32	Missouri	108,000	4/1/2003	Circuit Court Judge, \$108,000; others are Associate Judges
33	Colorado	107,044	7/1/2004	Represents a 2.3% increase
34	Hawaii	106,922	7/1/2000	
35	New Hampshire	106,187	12/27/2002	Superior Court Chief Judge, \$113,266
36	Louisiana	105,780	7/1/2003	All judges received a 5% increase
37	Utah	104,737	7/1/2004	Represents a 1% COLA increase
38	Mississippi	104,170	1/1/2004	Presiding Judge, \$113,190; represents a 10% increase
39	Kansas	103,232	7/1/2004	Administrative Judge, \$104,368; represents a 3% increase
40	Wyoming	100,000	1/6/2003	\$103,000 effective 1/05
41	South Dakota	98,787	7/1/2004	Represents a 3% increase
42	Maine	98,377	7/1/2002	Chief Deputy Judge, \$105,542
43	Idaho	97,632	7/1/2004	Presiding Judge, \$99,162; represents a 2% increase
44	Oklahoma	95,898	1/1/2001	A 6.9% increase to \$102,529 planned effective 7/1/2005
45	Oregon	95,800	7/1/2002	
46	New Mexico	94,871	7/1/2004	Represents a 6% increase
47	North Dakota	90,671	7/1/2002	
48	Indiana	90,000	8/1/1997	
49	West Virginia	90,000	1/1/2003	
50	Montana	88,164	7/1/2003	
	District of Columbia	158,100	1/1/2004	Chief Judge, Trial Courts, \$158,600; represents a 2.2% increase
	Federal system	158,100	1/1/2004	Represents a 2.2% increase

Source: National Center for State Courts Judicial Salary Survey, April 2003. (Survey conducted by the Administrative Office of the Courts, September 2004.)

**National Judicial Salary Rankings**  
**Courts of Limited Jurisdiction**  
**Effective Fiscal 2005 (As of October 2004)**

<u>Rank</u>	<u>State</u>	<u>Current Salary</u>	<u>Effective Date</u>	<u>Comments</u>
1	Delaware	\$141,200	7/1/2004	Chief Judge, \$148,700; represents a 3.4% increase
2	New Jersey	141,000	1/1/2002	Tax Court Judge; Municipal Judges from \$60,000 to \$88,000
3	Michigan	138,272	1/1/2002	
4	New York	122,700	1/1/1999	Nassau and Suffolk counties Presiding Judge, \$126,900
5	Pennsylvania	120,854	1/1/2004	Philadelphia Municipal Court; others start at \$61,472; represents a 2.4% increase
6	Florida	121,325	12/1/2003	
7	Washington	118,458	9/1/2004	Represents a 2% increase
8	Virginia	113,216	11/25/2003	5.1% increase to \$118,988 effective 11/25/04
9	Massachusetts	112,777	7/1/2001	Chief Judge, \$117,499
<b>10</b>	<b>Maryland</b>	<b>112,252</b>	<b>7/1/2004</b>	<b>Represents a \$725 COLA increase</b>
11	Rhode Island	112,116	7/1/2002	
12	Alabama	110,973	10/1/2002	Base salary is increased by 1.25% for every year of service to a maximum of 25%
13	Vermont	109,013	7/11/2004	Represents a 4.4% increase
14	Arizona	108,674	1/1/2001	Salaries set locally; Phoenix Municipal Courts (shown) are considered near average
15	Nebraska	107,348	7/1/2002	Juvenile Court
16	New Hampshire	106,108	12/27/2002	
17	Louisiana	105,781	7/1/2003	All judges received a 5% increase
18	Kentucky	104,871	7/1/2004	Chief Judge, \$105,886; all judges received a 1.5% increase
19	Ohio	103,450	1/1/2004	Municipal Judge – Juvenile, Drug, and Probate Judges, \$110,050; represents a 2.3% increase
20	Colorado	102,440	7/1/2004	Represents a 2.3% increase
21	Hawaii	100,761	7/1/2000	
22	Maine	98,377	7/1/2002	Chief Judge, \$100,574; Deputy Chief Judge, \$105,542
23	Missouri	96,000	7/1/2000	Family Court, Drug Court, Probate Court – Chief Judge, Probate Court, \$108,000
24	Arkansas	95,000	7/1/2002	Ranges \$95,000 to \$125,000 based on locality and full-time/part-time
25	North Carolina	94,207	7/1/2004	Chief Judge, \$94,912; represents a 2.5% increase
26	Connecticut	93,750	4/1/2002	\$98,906 effective 1/1/05; Probate Court used as basis
27	Idaho	92,632	7/1/2004	Represents a 2% increase
28	Alaska	92,424	7/1/2002	
29	Wyoming	84,460	7/1/2004	Represents a 3% increase

<u>Rank</u>	<u>State</u>	<u>Current Salary</u>	<u>Effective Date</u>	<u>Comments</u>
30	New Mexico	\$64,038	7/1/2004	Represents a 6% increase
31	South Carolina	62,444	6/3/2001	
32	Kansas	48,838	7/1/2004	Up to \$61,000; salaries set locally; represents a 3% increase
33	California	N/A	N/A	No longer has limited jurisdiction courts
34	Georgia	N/A	N/A	Ranges from \$10,000 to \$136,000; varies by court, by full-time/part-time and by population of assigned jurisdiction; full-time ranges are Juvenile \$60K-\$130K, Probate \$25K-\$129K, Magistrate Court \$14K-\$104K, State Courts \$35K-\$136K, and Municipal Court up to \$120K; Chief Judges earn slightly more
35	Illinois	N/A	N/A	
36	Indiana	N/A	N/A	
37	Iowa	N/A	N/A	No Court of Limited Jurisdiction
38	Minnesota	N/A	N/A	
39	Mississippi	N/A	N/A	
40	Montana	N/A	N/A	
41	Nevada	N/A	N/A	
42	North Dakota	N/A	N/A	
43	Oklahoma	N/A	N/A	
44	Oregon	N/A	N/A	
45	South Dakota	N/A	N/A	
46	Tennessee	N/A	N/A	
47	Texas	N/A	N/A	
48	Utah	N/A	N/A	
49	West Virginia	N/A	N/A	
50	Wisconsin	N/A	N/A	Set by municipalities
	District of Columbia	N/A	N/A	Eliminated Court of Limited Jurisdiction
	Federal system	158,100	1/1/2004	Represents a 2.2% increase

Source: National Center for State Courts Judicial Salary Survey, April 2003. (Survey conducted by the Administrative Office of the Courts, September 2004.)

# HOUSE JOINT RESOLUTION 1

D1  
HJ 1/04 – APP

5r1213  
CF 5r1214

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By: **The Speaker (By Request – Judicial Compensation Commission)**

Introduced and read first time: January 18, 2005

Assigned to: Appropriations

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## HOUSE JOINT RESOLUTION

1 A House Joint Resolution concerning

2 **Judicial Compensation Commission Report**

3 FOR the purpose of proposing an alteration to the compensation of the members of  
4 the Judiciary in this State, pursuant to Section 1–708 of the Courts and Judicial  
5 Proceedings Article of the Annotated Code of Maryland.

6 WHEREAS, Section 1–708(b)(2) of the Courts and Judicial Proceedings Article  
7 of the Annotated Code of Maryland establishes a seven–member Judicial  
8 Compensation Commission appointed by the Governor with two members appointed  
9 on nomination of the President of the Senate, two members appointed on nomination  
10 of the Speaker of the House of Delegates, one member appointed on nomination of the  
11 Maryland State Bar Association, and two members appointed at large. The Judicial  
12 Compensation Commission is constituted as follows: appointments made on the  
13 nomination of the President of the Senate: John Paterakis and Elizabeth Buck;  
14 appointments made on the nomination of the Speaker of the House of Delegates:  
15 Laurence Levitan and Charles R. Jenkins, Sr.; appointment made on the nomination  
16 of the Maryland State Bar Association: J. Michael Conroy, Jr.; appointments at large:  
17 Annette J. Funn and Alice G. Pinderhughes. The Commission members elected  
18 Laurence Levitan Chairman; and

19 WHEREAS, Section 1–708(d) of the Courts and Judicial Proceedings Article of  
20 the Annotated Code of Maryland provides as follows: the General Assembly may  
21 amend this Joint Resolution to decrease any of the Commission’s salary  
22 recommendations, but no reduction may diminish the salary of a judge during the  
23 judge’s continuance in office. The General Assembly may not amend this Joint  
24 Resolution to increase these recommended salaries. Should the General Assembly not  
25 adopt or amend this Joint Resolution within 50 days of its introduction, the salaries  
26 recommended herein shall apply during fiscal years 2006 through 2009. Should the  
27 General Assembly reject any or all of the salaries herein recommended, the salaries of  
28 the judges so affected shall remain unchanged during fiscal years 2006 through 2009  
29 unless modified under other provisions of the law; and

30 WHEREAS, The Judicial Compensation Commission held two meetings in  
31 October and December 2003. The Commission considered many aspects and facets of  
32 judicial compensation. The Commission did not meet in 2004, but each member  
33 signed a statement in December 2004 ratifying the recommendations made in the  
34 Commission’s January 2004 report. The Commission by a vote of five or more of its



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**HOUSE JOINT RESOLUTION 1**

1 members has recommended judicial salaries for fiscal years 2006 through 2009; now,  
2 therefore, be it

3 **RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND,** That after  
4 considering the recommendations of the Judicial Compensation Commission,  
5 beginning July 1, 2005, judicial salaries shall be as follows:

6	Position	Current Salary	Proposed Salary
7	Court of Appeals		
8	Chief Judge	151,352	155,852
9	Associate Judge	132,352	136,852
10	Court of Special Appeals		
11	Chief Judge	127,552	131,302
12	Associate Judge	124,552	128,302
13	Circuit Courts		
14	Judge	120,352	123,352
15	District Court		
16	Chief Judge	124,552	128,302
17	Associate Judge	112,252	114,502;

18 and be it further

19 **RESOLVED,** That beginning July 1, 2006, judicial salaries shall be as follows:

20	Position	Proposed Salary
21	Court of Appeals	
22	Chief Judge	163,352
23	Associate Judge	144,352
24	Court of Special Appeals	
25	Chief Judge	137,552
26	Associate Judge	134,552
27	Circuit Courts	
28	Judge	128,352
29	District Court	
30	Chief Judge	134,552
31	Associate Judge	118,502;

32 and be it further

33 **RESOLVED,** That beginning July 1, 2007, judicial salaries shall be as follows:

34	Position	Proposed Salary
35	Court of Appeals	
36	Chief Judge	172,352
37	Associate Judge	153,352
38	Court of Special Appeals	
39	Chief Judge	145,052
40	Associate Judge	142,052
41	Circuit Courts	

**HOUSE JOINT RESOLUTION 1**

**3**

1	Judge	134,352
2	District Court	
3	Chief Judge	142,052
4	Associate Judge	122,752;

5 and be it further

6 **RESOLVED**, That beginning July 1, 2008, judicial salaries shall be as follows:

7	Position	Proposed Salary
8	Court of Appeals	
9	Chief Judge	181,352
10	Associate Judge	162,352
11	Court of Special Appeals	
12	Chief Judge	152,552
13	Associate Judge	149,552
14	Circuit Courts	
15	Judge	140,352
16	District Court	
17	Chief Judge	149,552
18	Associate Judge	127,252.

19 For fiscal year 2006, these salaries include any general salary increase  
20 attributable to the provisions of § 1-703(b) of the Courts and Judicial Proceedings  
21 Article.



P4

5lr1449  
CF 5lr1784

Bill No.: \_\_\_\_\_  
Requested: \_\_\_\_\_  
Committee: \_\_\_\_\_

Drafted by: Whayland-Daly  
Typed by: Angela  
Stored - 01/20/05  
Proofread by \_\_\_\_\_  
Checked by \_\_\_\_\_



By: **The President (By Request - Judicial Compensation Commission)**

A BILL ENTITLED

AN ACT concerning	1
<b>State Employee Health and Welfare Benefits Program - Judges' Retirement System - Eligibility - Surviving Spouse or Dependent Child</b>	2
	3
FOR the purpose of authorizing surviving spouses or dependent children of certain members or retirees of the Judges' Retirement System to enroll and participate in certain health insurance benefits under the State Employee and Retiree Health and Welfare Benefits Program; providing that certain surviving spouses or dependent children are eligible for certain State subsidies; and generally relating to the State Employee Health and Welfare Benefits Program, the Judges' Retirement System, and the enrollment and benefit eligibility of surviving spouses and dependent children.	4
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BY repealing and reenacting, with amendments,	12
Article - State Personnel and Pensions	13
Section 2-507 and 2-508(c)	14
Annotated Code of Maryland	15
(2004 Replacement Volume)	16
SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF	17
MARYLAND, That the Laws of Maryland read as follows:	18

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.

<b>Article – State Personnel and Pensions</b>	19
2-507.	20
(a) Subject to the regulations adopted under § 2-503 of this subtitle, a State employee may enroll and participate in any of the health insurance or other benefit options established under the Program.	21 22 23
(b) The surviving spouse of a State employee who died while employed by the State may enroll and participate in the health insurance benefit options established under the Program as long as the surviving spouse:	24 25 26
(1) is receiving an allowance under Title 29, Subtitle 2 of this article; or	27
(2) is the sole primary designated beneficiary and receiving a periodic distribution of benefits under an optional retirement program under Title 30 of this article.	28 29 30
(c) The surviving minor child or dependent parent of a State Police officer who died while employed by the State may enroll and participate in the health insurance benefit options established under the Program as long as the child or parent is receiving an allowance under Title 29, Subtitle 2 of this article.	31 32 33 34
(D) THE SURVIVING SPOUSE OR DEPENDENT CHILD OF A MEMBER OF THE JUDGES' RETIREMENT SYSTEM WHO DIED WHILE EMPLOYED BY THE STATE MAY ENROLL AND PARTICIPATE IN THE HEALTH INSURANCE BENEFIT OPTIONS ESTABLISHED UNDER THE PROGRAM AS LONG AS THE SURVIVING SPOUSE OR DEPENDENT CHILD:	35 36 37 38 39
(1) IS RECEIVING AN ALLOWANCE UNDER TITLE 27 OF THIS ARTICLE; AND	40 41
(2) IS ENTITLED, UNDER § 2-508(C) OF THIS SUBTITLE, TO 1/16 OF THE STATE SUBSIDY ALLOWED A STATE EMPLOYEE FOR EACH YEAR OF THE RETIREE'S CREDITABLE SERVICE, UP TO A MAXIMUM OF 16 YEARS.	42 43 44

2-508. 45

(c) (1) If a retiree receives a State disability retirement allowance or has 16 46  
or more years of creditable service, the retiree or the retiree's surviving spouse or 47  
dependent child is entitled to the same State subsidy allowed a State employee. 48

(2) [In] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, 49  
IN all other cases, if a retiree has at least 5 years of creditable service, the retiree or 50  
the retiree's surviving spouse or dependent child is entitled to 1/16 of the State 51  
subsidy allowed a State employee for each year of the retiree's creditable service up to 52  
16 years. 53

(3) Notwithstanding paragraph (2) of this subsection and subsection 54  
(a)(4)(i) of this section, if a retiree is an additional employee or agent of the State 55  
Racing Commission, for the purposes of determining a retiree's State subsidy, 56  
creditable service shall be determined with respect to service as an additional 57  
employee or agent beginning from the initial date of employment or January 1, 1986, 58  
whichever is later. 59

(4) THE SURVIVING SPOUSE OR DEPENDENT CHILD OF A RETIREE OF 60  
THE JUDGES' RETIREMENT SYSTEM: 61

(I) MAY ENROLL AND PARTICIPATE IN THE HEALTH INSURANCE 62  
BENEFIT OPTIONS ESTABLISHED UNDER THE PROGRAM; AND 63

(II) IS ENTITLED TO 1/16 OF THE STATE SUBSIDY ALLOWED A STATE 64  
EMPLOYEE FOR EACH YEAR OF THE RETIREE'S CREDITABLE SERVICE, UP TO A 65  
MAXIMUM OF 16 YEARS. 66

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 67  
October 1, 2005. 68