

# Report on Judicial Salaries and Turnover

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For Fiscal Years 2006 and 2007



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# Executive Summary

To provide the legislature with information to facilitate legislation that ensures that the compensation of state judges is adequate and appropriate, the 79<sup>th</sup> Texas Legislature charged the Office of Court Administration (OCA) with collecting information relating to state judicial turnover and salaries.

## Extent of and Reasons for Judicial Turnover

From September 1, 2005 through August 31, 2007, 14.2 percent of the 535 judges that served in the state's appellate and district courts left the state judiciary. Of the 76 judges that left the state judiciary, 48.7 percent left involuntarily, primarily due to defeat in a primary or general election. Other reasons for involuntary separation included death and mandatory retirement.

Thirty-four of the 39 judges (87.2 percent) who voluntarily left the state judiciary responded to OCA's survey. Respondents were asked to indicate which factor(s) influenced their decision to leave the state judiciary. The most common factor that strongly influenced respondents' decision to leave was *retirement* (70.6 percent). In addition, 23.5 percent named *personal reasons* and 20.6 percent named *inadequate salary* as significant contributors to their departures.

## Judicial Salaries

In 2008, the State Bar of Texas conducted a survey of the salaries received by full-time attorneys in the state during the previous year. Results of the survey showed the average income of private practitioners to be \$233,060. The average salary of a private practitioner was 55.4 percent higher than the salary of a justice or judge on the state's two courts of last resort, 60.9 percent higher than the *average* state salary of a justice of an intermediate court of appeals, and 68.7 percent higher than the *average* state salary of a district judge.

The *average* salary for a district judge in Texas was 1.0 percent higher than the salary of a general jurisdiction trial court judge in New York—the state with the next lowest salary—and was 29.4 percent lower than the salary of a similar judge in California—the state with the highest level of compensation.

*Average* salaries for Texas appellate court judges ranged from 0.6 percent higher to 2.3 percent lower than salaries for similar judges in New York, which had the lowest salaries among the five other states, and were 29.4 to 50.1 percent lower than salaries for similar judges in California, the state with the highest levels of compensation for appellate court judges.

# Introduction

## Purpose

To provide the legislature with information to facilitate legislation that ensures that the compensation of state judges is adequate and appropriate, the 79<sup>th</sup> Texas Legislature charged the Office of Court Administration (OCA) with collecting information relating to state judicial turnover. Section 72.030 of the Texas Government Code<sup>1</sup> requires OCA to: 1) obtain data on the rate at which state judges resign from office or do not seek re-election, as well as the reason for these actions; and 2) file a report containing this data for the preceding state fiscal biennium with the governor, lieutenant governor, speaker of the house of representatives, and presiding officers of the standing committees of each house of the legislature with jurisdiction over the judiciary or appropriations. The report must also include the following findings: 1) whether the compensation of state judges exceeds, is equal to, or is less than the compensation of judges at corresponding levels in the five states closest in population to Texas; and 2) whether the compensation of state judges exceeds, is equal to, or is less than the average salary of lawyers engaged in the private practice of law.

## Methodology

OCA does not receive formal notification when a judge leaves office. As a result, data for general turnover in the state judiciary from September 1, 2005 through August 31, 2007 were compiled from OCA's judicial directory database, notices of appointment from the Governor's Office, election results from the Secretary of State's website, resolutions passed by the Texas Legislature honoring certain judges for their service, and newspaper articles concerning the departure of judges.

The findings on reasons for voluntary turnover presented in this report are based on the survey responses of state appellate and district judges who left the state judiciary voluntarily during the period. Designed by OCA staff and reviewed and approved by the Chief Justice of the Supreme Court, the survey instrument asked respondents to indicate: 1) to what extent certain factors influenced their decision to leave their current positions; and 2) what they did immediately after leaving office.

Surveys were mailed to each of the 39 appellate and district judges that left the state judiciary voluntarily during the biennium. Surveys were sent the same day that OCA received notification about a resignation. Follow-up letters, along with another copy of the questionnaire, were mailed once again to those judges who had not responded within a month. Thirty-four responses were received, for a response rate of 87.2 percent.

Data on the average salaries of Texas appellate and district judges, including supplements paid by counties, were obtained from the State Comptroller of Public Accounts for the fiscal year beginning September 1, 2008. Data on salaries of private practitioners in Texas were obtained from the 2007 survey on the income of attorneys conducted by the State Bar of Texas. Data on salaries of state judges in other states were obtained from the July 2008 survey of state judicial salaries conducted by the National Center for State Courts.<sup>2</sup>

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<sup>1</sup> Added by H.B. 11, 79<sup>th</sup> Legislature, 2<sup>nd</sup> Called Session (2005).

<sup>2</sup> National Center for State Courts. Judicial Salary Resource Center. National Center for State Courts. [http://www.ncsconline.org/D\\_KIS/salary\\_survey/query.asp](http://www.ncsconline.org/D_KIS/salary_survey/query.asp) (accessed November 3, 2008).

# Judicial Turnover

## *Extent of Turnover in the Judiciary*

In fiscal years 2006 and 2007, 535 judges served in the state’s appellate and district courts.<sup>3</sup> During this period, 80 judges left their current positions, representing a turnover rate of 15.0 percent. However, three of these judges were appointed to a higher-level state court position, and another successfully ran for a higher-level judge position, making the turnover rate for judges leaving the state judiciary 14.2 percent. When taking into account whether judges left the state judiciary voluntarily, the turnover rate fell to 7.3 percent—4.1 percent did not seek reelection, and 3.2 percent resigned. (See Tables 1 and 2.)

**Table 1: Turnover of State Appellate and District Judges  
September 1, 2005 through August 31, 2007**

	Number of Judges	Percentage of All Judges
Total Number of Appellate and District Judge Positions	535	100.0 %
Judges Leaving Current Office	80	15.0 %
Judges Leaving State Judiciary	76	14.2 %
Judges Leaving State Judiciary Voluntarily	39	7.3%

**Table 2: Manner in Which State Appellate and District Judges Left Office  
September 1, 2005 through August 31, 2007**

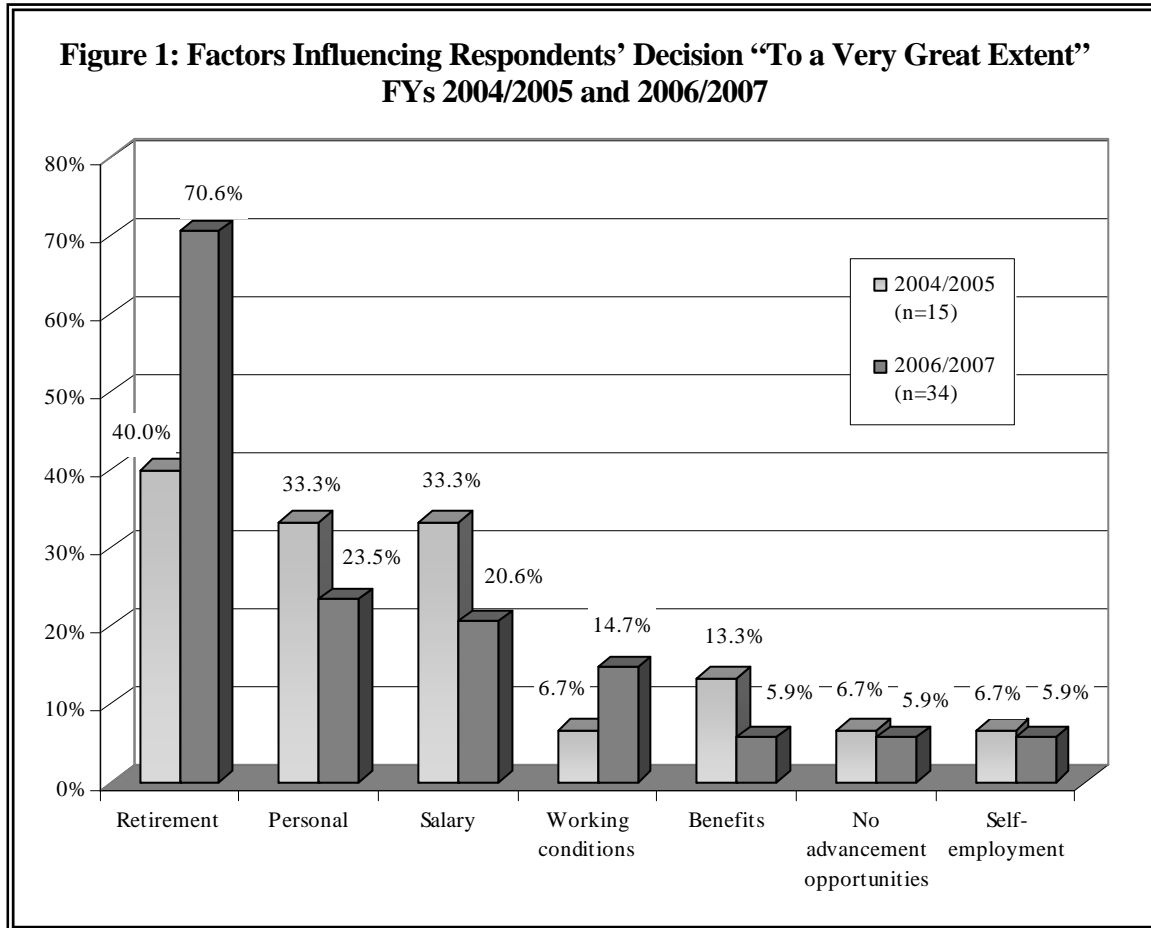
	Number	Percentage of All Judges Leaving Office	Percentage of All Judges
Defeated in election	34	42.5 %	6.4 %
Did not seek reelection	22	27.5 %	4.1 %
Resigned	17	21.3 %	3.2 %
Appointed/elected to higher state court	4	5.0 %	0.7 %
Reached mandatory retirement age	2	2.5 %	0.4 %
Deceased	1	1.3 %	0.2 %
<b>Total</b>	<b>80</b>	100.0 %	15.0 %

Of the 76 judges leaving the state judiciary during the biennium, nearly half (48.7 percent) left involuntarily, primarily due to defeat in a primary or general election. Other reasons for involuntary separation were death and mandatory retirement.

<sup>3</sup> One judge served on each of the state’s 437 district courts, and 98 judges served on the state’s 16 appellate courts.

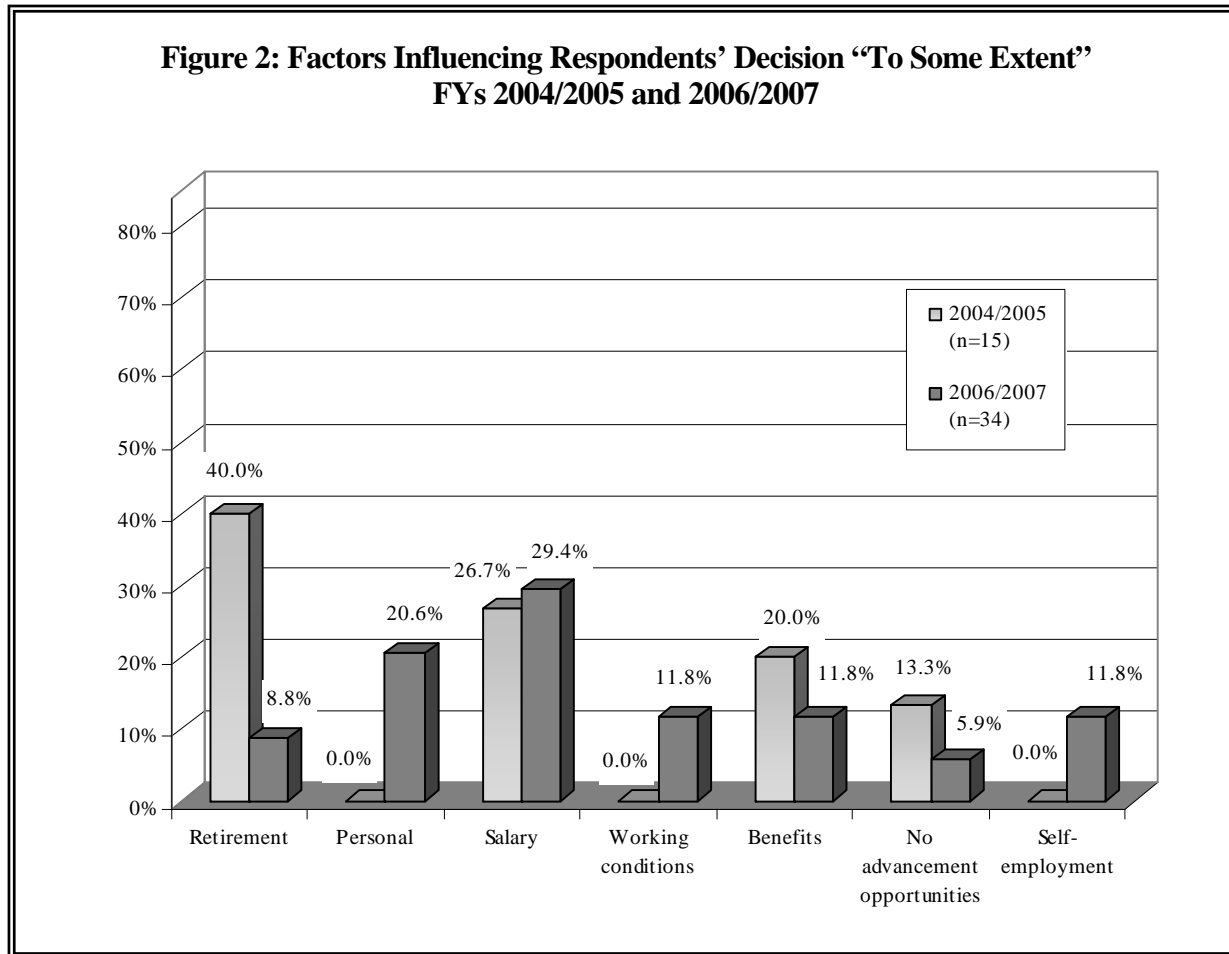
### Reasons for Voluntary Turnover

Thirty-four of the 39 judges who voluntarily left the state judiciary in FYs 2006 and 2007 responded to OCA's survey. Respondents were asked to indicate which factor(s) influenced their decision to leave the state judiciary. More than 70 percent of these respondents indicated that **retirement** played a large role in their decision to leave. In addition, nearly a quarter of respondents named **personal reasons**, and approximately 21 percent named **inadequate salary**, as large contributors to their departures. (See Figure 1.)





In FYs 2006 and 2007, judges most frequently indicated that **salary** was a factor “to some extent” in their decisions, with approximately 30 percent of judges selecting this factor. **Personal reasons** ranked second, with nearly 21 percent of judges selecting that factor. (See Figure 2.)



The survey form also allowed respondents to note other factors that contributed to their decision. In FYs 2006 and 2007, respondents identified the following additional factors that influenced their decision “to a very great extent”:

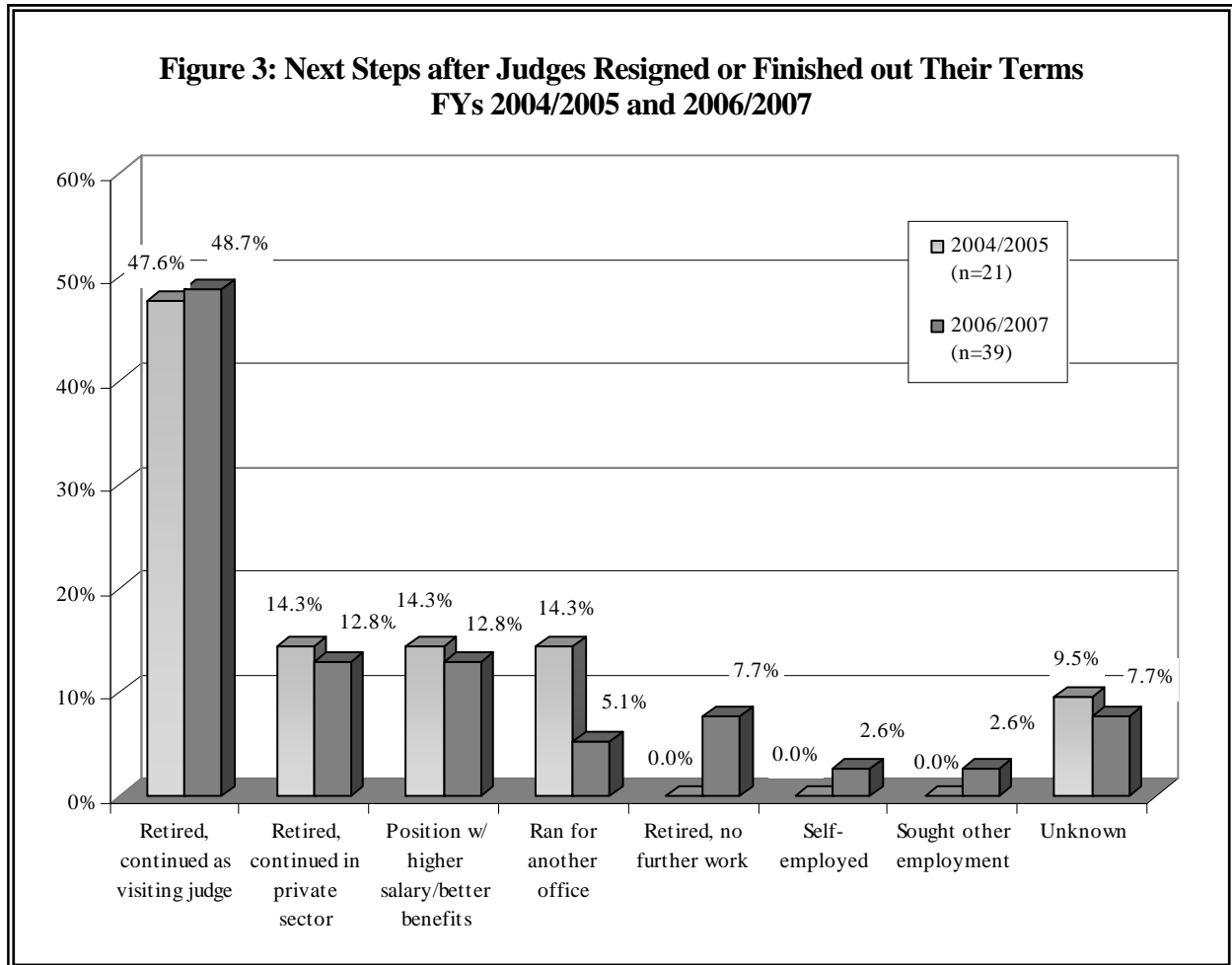
- § Health (5.9 percent of all respondents);
- § Burnout (2.9 percent);
- § Opportunity to enjoy retirement (2.9 percent);
- § Inadequate State retirement (2.9 percent);
- § Having to run for reelection (2.9 percent);
- § Personal restrictions placed on judges (2.9 percent); and
- § Asked to accept position as First Assistant Attorney General (2.9 percent).

Respondents identified the following additional factors that influenced their decision “to some extent”:

- § Had reached mandatory retirement age (2.9 percent);
- § Administrative load from State (2.9 percent); and
- § Lack of support by Legislature (2.9 percent).

*Next Steps for Judges after Resigning or Finishing Out Their Terms*

After resigning or finishing out their terms, nearly half (19, or 48.7 percent) of the 39 judges that voluntarily left office in FYs 2006 and 2007 retired but continued to work as a visiting judge. Five judges (12.8 percent) retired from the judiciary but continued to work in the private sector, five (12.8 percent) took another position with higher salary and/or better benefits, three (7.7 percent) retired and did not continue to work, two (5.1 percent) ran for another office, one (2.6 percent) became self-employed, and one (2.6 percent) sought other employment. The outcome for three of the judges was unknown. (See Figure 3.)



## **Judicial Salaries**

### *Salaries of Elected State Judges as of September 1, 2007*

In August 2005, the 79<sup>th</sup> Legislature amended statutes relating to the compensation of state judges (H.B. 11, 79<sup>th</sup> Legislature, Second Called Session (2005)).

Effective December 1, 2005, the annual state salary of a district judge increased to \$125,000. While Chapter 32 of the Government Code authorizes the state salaries of district court judges to be supplemented from county funds, amendments made to Section 659.012 of the Government Code limited the total annual salary for a district judge to a combined sum from state and county sources of \$5,000 less than the state salary provided for a justice of a court of appeals. In addition, the enactment eliminated special provisions created in Chapter 32 during the 78<sup>th</sup> Legislature allowing unrestricted payment by certain counties of an annual supplemental salary to district judges.

The annual state salary of a justice of a court of appeals increased to 110 percent of the annual state salary of a district judge. In addition, the chief justice of an appellate court receives \$2,500 more than the other justices of the court. While Chapter 31 of the Government Code authorizes the counties in each court of appeals district to pay each justice of the court of appeals for that district for judicial and administrative services rendered, amendments made to Section 659.012 of the Government Code limit the total salary for a justice of a court of appeals to a combined sum from state and county sources of \$5,000 less than the state salary paid to a justice of the Texas Supreme Court. This same provision limits the chief justices of the courts of appeals to receive a combined salary of \$2,500 less than the state salary paid to justices of the Supreme Court. Finally, the annual state salary of a justice of the Supreme Court or a judge of the Court of Criminal Appeals increased to 120 percent of the annual state salary of a district judge. Moreover, the chief justice or presiding judge of these courts receives \$2,500 more than the other justices or judges on the courts.

Effective September 1, 2007, district judges presiding over silica or asbestos multi-district litigation became entitled to receive, in addition to their regular district judge salary and supplement, the maximum amount of compensation set by the Texas Judicial Council for a presiding judge under Section 74.051 (b) of the Government Code.

In addition, all state judges became entitled to monthly longevity pay of \$20 for each year of service credited in the retirement system (maximum of \$320 per month) after completing 16 years of service.

**Table 3: Salary Summary for Elected State Judges as of September 1, 2007**

Judge <sup>1</sup>	State Salary	Additional Compensation <sup>2</sup>	Other	Total
Supreme Court - Chief Justice	\$152,500	N/A		\$152,500
Supreme Court - Justice	\$150,000	N/A		\$150,000
Ct. of Criminal Appeals - Presiding Judge	\$152,500	N/A		\$152,500
Ct. of Criminal Appeals - Judge	\$150,000	N/A		\$150,000
Court of Appeals - Chief	\$140,000	up to \$7,500 <sup>3</sup>		\$147,500
Court of Appeals - Justice	\$137,500	up to \$7,500 <sup>3</sup>		\$145,000
Presiding Judge - Admin. Judicial Region (Active District Judge)	\$125,000	up to \$15,000 <sup>3</sup>	not to exceed \$33,000 <sup>4</sup>	up to \$173,000
Presiding Judge - Admin. Judicial Region (Retired or Former Judge)	N/A	N/A	\$35,000 - 50,000 <sup>5</sup>	up to \$50,000
District Judge - Local Admin. Judge who serves in county with more than 5 dist. cts.	\$125,000	up to \$15,000 <sup>3</sup>	\$5,000 <sup>6</sup>	\$145,000
District Judge	\$125,000	up to \$15,000 <sup>3</sup>		\$140,000
District Judge – Presiding judge of silica or asbestos multi-district litigation	\$125,000	up to \$15,000 <sup>3</sup>	not to exceed \$33,000 <sup>7</sup>	up to \$173,000

**Notes:**

1. Entitled to monthly longevity pay of \$20 for each year of service credited in the retirement system (maximum of \$320 per month) after completing 16 years of service.
2. Additional compensation provided by counties in judicial and appellate districts for extra judicial service performed by judges and justices. Tex. Gov't Code Secs. 31.001 and 32.001.
3. The state salary of a district judge whose county supplement exceeds \$15,000, or appellate justice whose county supplement exceeds \$7,500, will be reduced by the amount of the excess so that the maximum salary the judge or justice receives from state and county sources is \$140,000 (district judge), \$145,000 (appellate justice), or \$147,500 (appellate chief justice). Tex. Gov't Code Secs. 659.012, 31.001 and 32.001.
4. Presiding judges' salary set by Texas Judicial Council. Tex. Gov't Code 74.051(b). Paid by counties in administrative judicial region on a pro rata basis based on population.
5. Presiding judges' salary based on number of courts and judges in region. Tex. Gov't Code Sec. 74.051(c). Paid by counties in administrative judicial region on a pro rata basis based on population.
6. Tex. Gov't Code Sec. 659.012(d).
7. Tex. Gov't Code Sec. 659.0125.

***Judicial Salaries Compared with Salaries of Private Practitioners***

In 2008, the State Bar of Texas conducted a survey of the salaries received by full-time attorneys in the state during the previous year. Results of the survey showed the average income of private practitioners to be \$233,060. The average salary of a private practitioner was 55.4 percent higher than the salary of a justice or judge on the state's two courts of last resort, 60.9 percent higher than the average salary of a justice of an intermediate court of appeals, and 68.7 percent higher than the average salary of a district judge. (See Table 4.)

**Table 4: Comparison of Salaries of Elected State Judges to Salaries of Private Practitioners in Texas**

	<b>Average Salary</b>	<b>Difference between Average Salary of Private Practitioners and Elected State Judges</b>
<b>Private Practitioner</b>	\$233,060 <sup>1,2</sup>	-----
<b>Chief Justice/Presiding Judge of Highest Court of Appeals</b>	\$152,500	52.8 %
<b>Justice/Judge of Highest Court of Appeals</b>	\$150,000	55.4 %
<b>Chief Justice of Intermediate Court of Appeals</b>	\$140,000 <sup>3</sup> \$147,176 <sup>4</sup>	66.5 % 58.4 %
<b>Justice of Intermediate Court of Appeals</b>	\$137,500 <sup>3</sup> \$144,808 <sup>4</sup>	69.5 % 60.9 %
<b>District Court Judge</b>	\$125,000 <sup>3</sup> \$138,134 <sup>4</sup>	86.4 % 68.7 %

**Notes:**

1. State Bar of Texas, *Private Practitioner 2007 Income Report* (Austin: Department of Research and Analysis, State Bar of Texas, 2008).
2. The median salary for private practitioners was \$149,694.
3. Basic state salary. Does not include supplements paid by counties.
4. Includes supplements paid by counties as of October 1, 2008. Data on supplemental compensation are from affidavits filed with the State Comptroller of Public Accounts.

***Salaries of State Judges in the Six Most Populous States***

According to data obtained from the National Center for State Courts, the state salaries of state judges in Texas lagged behind the salaries of judges at corresponding levels in the five states closest to Texas in population. (See Table 5.)

**Table 5: Salaries of State Judges in the Six Most Populous States as of January 1, 2008<sup>1</sup> Listed in Population Order**

<b>Judge</b>	<b>California</b>	<b>Texas</b>	<b>New York</b>	<b>Florida</b>	<b>Illinois</b>	<b>Pennsylvania</b>
Chief Justice - Court of Last Resort	\$228,856	\$152,500	\$156,000	\$161,200	\$196,322	\$186,649
Associate Justice - Court of Last Resort	\$218,237	\$150,000	\$151,200	\$161,200	\$196,322	\$181,371
Chief - Intermediate Court of Appeals	\$204,599	\$140,000 <sup>2</sup> \$147,176 <sup>3</sup>	\$148,000	\$153,140	\$184,775	\$176,409
Justice - Intermediate Court of Appeals	\$204,599	\$137,500 <sup>2</sup> \$144,808 <sup>3</sup>	\$144,000	\$153,140	\$184,775	\$171,131

Judge - General Jurisdiction Trial Courts	\$178,789	\$125,000 <sup>2</sup> \$138,134 <sup>3</sup>	\$136,700	\$145,080	\$169,555	\$157,441
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**Notes:**

1. Source: Knowledge and Information Services Division, National Center for State Courts, survey of judicial salaries as of July 1, 2008. The National Center for State Courts attempts to use actual salaries whenever possible. Thus, the data for each state will include local supplements whenever relevant and feasible.
2. Basic state salary. Does not include supplements paid by counties.
3. Average salary statewide, including supplements paid by counties as of October 1, 2008.

The *average* salary for a district judge in Texas was 1.0 percent higher than the salary of a general jurisdiction trial court judge in New York—the state with the next lowest salary—and was 29.4 percent lower than the salary of a similar judge in California—the state with the highest level of compensation (see Table 6).

*Average* salaries for Texas appellate court judges ranged from 0.6 percent higher to 2.3 percent lower than salaries for similar judges in New York, which had the lowest salaries among the five other states, and were 29.4 to 50.1 percent lower than salaries for similar judges in California, the state with the highest levels of compensation for appellate court judges.

**Table 6: Percentage Difference Between the Salary of Texas Judges and the Salaries of State Judges in the Five States Closest to Texas in Population**

Judge	California	New York	Florida	Illinois	Pennsylvania
Chief Justice - Court of Last Resort	50.1%	2.3%	5.7%	28.7%	22.4%
Associate Justice - Court of Last Resort	45.5%	0.8%	7.5%	30.9%	20.9%
Chief - Intermediate Court of Appeals	46.1% <sup>1</sup> 39.0% <sup>2</sup>	5.7% <sup>1</sup> 0.6% <sup>2</sup>	9.4% <sup>1</sup> 4.1% <sup>2</sup>	32.0% <sup>1</sup> 25.5% <sup>2</sup>	26.0% <sup>1</sup> 19.9% <sup>2</sup>
Justice - Intermediate Court of Appeals	48.8% <sup>1</sup> 41.3% <sup>2</sup>	4.7% <sup>1</sup> -0.6% <sup>2</sup>	11.4% <sup>1</sup> 5.8% <sup>2</sup>	34.4% <sup>1</sup> 27.6% <sup>2</sup>	24.5% <sup>1</sup> 18.2% <sup>2</sup>
Judge - General Jurisdiction Trial Courts	43.8% <sup>1</sup> 29.4% <sup>2</sup>	9.4% <sup>1</sup> -1.0% <sup>2</sup>	16.1% <sup>1</sup> 5.0% <sup>2</sup>	35.6% <sup>1</sup> 22.7% <sup>2</sup>	26.0% <sup>1</sup> 14.0% <sup>2</sup>

1. Compared to basic state salary in Texas. Does not include supplements paid by counties.
2. Compared to average salary in Texas, including supplements paid by counties.

# **APPENDICES**

## Results of Judicial Turnover Survey For Fiscal Years 2006 and 2007

A. Please indicate to what extent each of the following factors contributed to your decision to leave the Texas state judiciary. (n=34)		To Very Great Extent	To Some Extent	To a Small Extent	Not At All	No Answer
1	Salary	20.6%	29.4%	5.9%	35.3%	8.8%
2	Benefits	5.9%	11.8%	8.8%	55.9%	17.6%
3	Little or no career advancement opportunities	5.9%	5.9%	2.9%	70.6%	14.7%
4	Desire for self-employment	5.9%	11.8%	8.8%	61.8%	11.8%
5	Working conditions/environment (e.g., safety, work-related stress, and/or workload issues)	14.7%	11.8%	0.0%	55.9%	17.6%
6	Retirement	70.6%	8.8%	0.0%	14.7%	5.9%
7	Personal	23.5%	20.6%	2.9%	35.3%	14.6%
8	Other: <i>Health</i>	5.9%	0.0%	0.0%	0.0%	94.1%
9	Other: <i>Burnout</i>	2.9%	0.0%	0.0%	0.0%	97.1%
10	Other: <i>Had reached mandatory retirement age</i>	0.0%	2.9%	0.0%	0.0%	97.1%
11	Other: <i>Opportunity to enjoy retirement</i>	2.9%	0.0%	0.0%	0.0%	97.1%
12	Other: <i>Inadequate State retirement</i>	2.9%	0.0%	0.0%	0.0%	97.1%
13	Other: <i>Having to run for re-election</i>	2.9%	0.0%	0.0%	0.0%	97.1%
14	Other: <i>Personal restrictions placed on judges</i>	2.9%	0.0%	0.0%	0.0%	97.1%
15	Other: <i>Administrative load from State</i>	0.0%	2.9%	0.0%	0.0%	97.1%
16	Other: <i>Lack of support by Legislature</i>	0.0%	2.9%	0.0%	0.0%	97.1%
17	Other: <i>Asked to accept position as First Assistant Attorney General</i>	2.9%	0.0%	0.0%	0.0%	97.1%



<b>B. After resigning or finishing out the term, judges:</b>		(n=39)
1	Took another position with higher salary and/or better benefits	12.8%
2	Took another position with comparable salary and/or benefits	0.0%
3	Became self-employed	2.6%
4	Ran for another office	5.1%
5	Sought other employment ( <i>Did not have another position when left office</i> )	2.6%
6	Retired and did not continue to work	7.7%
7	Retired, but continued to work as a visiting judge	48.7%
8	Retired, but continued to work in the private sector	12.8%
9	Retired, but continued to work in state government	0.0%
10	Unknown	7.7%

### ***Comments from Respondents***

1. To avoid the appearance of impropriety, I did not, really ethically could not, begin to seek employment until after I left the court. Three months later, I have the job I want with twice my state salary and better benefits. I think the way this questionnaire is worded will yield results that fail to reflect the extent to which judges leave office because of the pains of running for election and the low state salaries (by assuming re-employment at a higher salary and better benefits immediately after leaving office without consideration of the ethical constraints).
2. The terms should be longer and the pay better if we want to attract truly qualified career judges.
3. I had a wonderful experience as a district judge. The sad reality is that we do not want to pay our judges very hard. In order to keep good quality judges on the bench we are going to have to increase their salaries!
4. I left the bench because the pay raise was not enough to support my family in the way that I needed to. Further, the retirement benefits under Plan B or Plan II are very poor. I would have finished my term but the Governor's Office asked me to resign. I loved being on the bench but when I started I had one son and now we have three. So, I left for 3 reasons: (my 3 sons).
5. I was asked by the Attorney General to accept the position of First Attorney General.
6. It has been a wonderful, enjoyable time that has enabled me to provide for my family, educate my children and live a very comfortable lifestyle. My work has been fulfilling and afforded me the opportunity to meet many very fine people. The Judiciary has been extremely good to me and I am grateful to all those who made it possible. I have absolutely no regrets about the 24 years I spent as a member of the Judiciary and would definitely make the same choice if given the same opportunity.
7. I was intending to retire when my 6th term expired in 2002, but was talked into running again. When I announced that I was not intending to run for an 8th term, only 1 person sought my job. I chose to retire early so that my replacement could

move on in this position, and the unopposed candidate for his position can move on in to that position. I have enjoyed probably the first 28 years of my 29.5 years as a district judge; however, during the last few months my patience has grown thin, my hearing has worsened, and it's just time for me to go. While I do have some concerns about courthouse security, have not had any close calls. I do wish that the State could come up with funding for better courthouse security to assist the rural counties.

8. I am a single parent putting a child through college. Judicial compensation was an issue for me. It should remain the focus for the executive and legislative branches of state government.
9. The unwillingness of the Legislature to give periodic pay raises, and pay judges commensurate with the market and cost of living was very discouraging to me over the years. Something needs to be done about that if we are to have capable lawyers joining the judiciary.
10. Personal restrictions on freedom of speech, political activity, family members, ability to respond to critics, etc. has a stifling effect on one's sense of freedom and individuality. I understand why we have reports to be made to the Ethics Commission--but to an honest person there seems to be a presumption of dishonesty. The annual financial statement is personally intrusive. Having retirement annuity limited to 60% of salary is not appropriate or encouraging to continue employment.
11. After serving in public office for 36 years, I felt it was time to retire.
12. Hope to do some mediation as well as visiting judge. Will also work on rental property.
13. I served 29 years and 4 months without an opponent. I don't envision that happening again anytime soon because of the political upheaval that affects all elected offices.
14. The mandatory retirement age for district and appellate judges should be abolished. Political affiliation should be removed from the judicial election process.
15. The retirement system essentially forces a judge with 10+ years service and 65 years of age to retire. The judge must contribute to the retirement system but gets no additional return. There was a small advance in this matter when the legislature provided an additional 2% retirement increase if the judge continues to serve after 20 years. In my case I'd have to contribute \$8,750 per year for 3 years without any benefit. After 20 years the cost would still be \$8,750 and the increase would be about \$1,500 per year.
16. I am retiring after 43.5 years as a district judge, county court at law judge and assistant district attorney. I am retiring at 69 years of age after spending 24 years as judge of the 54th District Court and 14 years as judge of county court at law.
17. State retirement benefits are inadequate to live on long term. I ran for a county court, which means I'm hearing misdemeanors instead of felonies. Salary is identical, but county retirement benefits are superior to state.
18. I have greatly enjoyed working at the court, but have done it as long as I want, and I would now like to be involved in a different area of public service.



## OFFICE OF COURT ADMINISTRATION

CARL REYNOLDS  
Administrative Director

February 1, 2006

The Honorable  
Address  
City, TX ZIP

Dear Judge :

The Office of Court Administration (OCA) has recently been charged with collecting information relating to state judicial turnover. Section 72.030 of the Texas Government Code requires OCA to obtain data on the rate at which state judges resign from office or do not seek re-election, as well as the reason for these actions.

**Please complete the enclosed survey and return it to our office at your earliest convenience.** We greatly appreciate your assistance. The valuable information you provide will be included in a report to the governor, lieutenant governor, and members of the legislature to provide them better information about judicial compensation and turnover.

If you have any questions about the survey or the report, please contact Angela Garcia, Judicial Information Manager, at (512) 936-1358.

Sincerely,

Carl Reynolds



## Office of Court Administration Survey on Judicial Turnover

Section 72.030 of the Texas Government Code requires OCA to obtain data on the rate at which state judges resign from office or do not seek re-election, as well as the reason for these actions. **The valuable information you provide will be included in a report to the governor, lieutenant governor, and members of the legislature assist them in ensuring that the compensation of state judges is adequate and appropriate.**

Name: \_\_\_\_\_

Court: \_\_\_\_\_ Last Date of Service: \_\_\_\_\_

<b>A. Please indicate to what extent each of the following factors contributed to your decision to leave the Texas state judiciary.</b>		To Very Great Extent	To Some Extent	To a Small Extent	Not At All
1	Salary				
2	Benefits				
3	Little or no career advancement opportunities				
4	Desire for self-employment				
5	Working conditions/environment (e.g., safety, work-related stress, and/or workload issues)				
6	Retirement				
7	Personal				
8	Other ( <i>please specify</i> ): _____				
9	Other ( <i>please specify</i> ): _____				

**B. Please indicate (✓) what you did immediately after resigning or finishing out your term. (✓)**

1	Took another position with higher salary and/or better benefits	
2	Took another position with comparable salary and/or benefits	
3	Became self-employed	
4	Ran for another office	
5	Sought other employment ( <i>Did not have another position when left office</i> )	
6	Retired and did not continue to work	
7	Retired, but continued to work as a visiting judge	
8	Retired, but continued to work in the private sector	
9	Retired, but continued to work in state government	

**C. Please share with us any additional comments you may have regarding the topic in this survey.**

**Please return your survey in the pre-addressed, stamped envelope provided.**

Return  
Address:

**Office of Court Administration  
Attn: Angela Garcia  
P O Box 12066  
Austin, TX 78711-2066**

For questions regarding this survey,  
please contact:  
Angela Garcia - (512) 936-1358  
e-mail: [Angela.Garcia@courts.state.tx.us](mailto:Angela.Garcia@courts.state.tx.us)