

Texas Judicial Compensation Commission

“Legislative History of Judicial Compensation”

May 15, 2024

Judge Alfonso Charles

Regular Pay Increases in the 1990's

- Five (5) pay increases from 1991 to 1999
- Ranges from 1.0% to 15.1%
- No salary increases in 2001 or 2003.

Three Pay Increases Since 1999

- **2005:** *22.9% increase* to \$125,000.00 for District Judge. Creates formula for all state judicial salaries based off District Judge salary.
- **2007:** Judicial Compensation Commission (JCC) created by legislature. Legislature did not pass a pay increase but did address County Court at Law salaries.

Three Pay Increases Since 1999

- **2009:** JCC recommends pay increases of 5.7% for District Judge, 7.2% for Court of Appeals, and up to 8.7% for Supreme Court and Court of Criminal Appeals. Legislature does not pass pay increase.
- **2011:** JCC had same recommendation. The Judiciary did not pursue a pay increase due to the economic situation with the state.

Three Pay Increases Since 1999

- **2013:** JCC recommends pay increase of 21.5% for all levels of state courts. The legislature raises salary of District Judge by 12% to \$140,000.00.
- The Conference Committee members urged the judiciary to request remainder of raise in next session.

Three Pay Increases Since 1999

- **2015:** JCC recommends pay increase of 5% for all levels of state courts. The recommendation was partially based on the comments from legislators at the end of the 2013 session. The legislature does not pass a pay increase for the judiciary.

Three Pay Increases Since 1999

- **2017:** JCC recommends pay increases of 10.2% for all levels of state courts. The legislature does not pass a pay increase for the judiciary despite a fury of phone calls, emails and letters at the end of the session by the judiciary.

Three Pay Increases Since 1999

- **2019:** JCC recommends pay increase of 15% for all levels of state courts. Funding for pay raise was placed in the initial comptroller budget. The legislature does not raise the base salary but creates a tiered salary structure.
- HB 2384 by Rep. Leach: Maintained the current county supplement scheme and did not permit increases in the county contribution over what it is now without an increase in the base.

HB 2384

- Established a tiered pay structure based upon tenure as a judge in the state, as follows (county supplements allowed at the base salary would be in addition to these amounts):
- Judges with **at least 4 years of service** will have a salary from the state that is 110% of the state base salary (state salary for district judges would be \$154,000, COA justices would be \$169,400, SC/CCA justices/judges would be \$184,800).

HB 2384

- Judges with **at least 8 years of service** will have a salary from the state that is 120% of the state base salary (state salary for district judges would be \$168,000, COA justices would be \$184,800, SC/CCA justices/judges would be \$201,600).
- Third tier for judges with at least 12 years of service (130% of base salary) was not included in final version of bill.

HB 2384 Salary Structure

Salary Summary for Elected State Judges as of September 1, 2019

Judge	State Base Salary (Based on Experience)	Maximum County Supplement	Maximum Salary	Average Salary (Jan. 2022)	State Longevity Pay (12+ Years)
Chief Justice – Supreme Court or Court of Criminal Appeals	0-4: \$168,000 4-8: \$184,800 8+: \$201,600 Chief supplement: \$2,500 - \$3,000	N/A	\$204,600	\$204,600	\$10,080
Justice – Supreme Court or Court of Criminal Appeals	0-4: \$168,000 4-8: \$184,800 8+: \$201,600	N/A	\$201,600	\$191,100	\$10,080
Chief Justice – Court of Appeals	0-4: \$154,000 4-8: \$169,400 8+: \$184,800 Chief supplement: \$2,500 - \$3,000	up to \$9,000	up to \$196,800	\$194,493	\$9,240
Justice – Court of Appeals	0-4: \$154,000 4-8: \$169,400 8+: \$184,800	up to \$9,000	up to \$193,800	\$177,436	\$9,240
District Judge	0-4: \$140,000 4-8: \$154,000 8+: \$168,000	up to \$18,000	up to \$186,000	\$171,069	\$8,400

HB 2384

- County Courts at Law and Statutory Probate Court Judges included:
- Minimum salary at \$1000.00 less than a comparable District Judge.
- Maximum salary \$1000.00 less than a 12 year District Judge including longevity (\$193,400.00)

HB 2384

- Longevity pay lowered to 12 years and is 5% of the state salary the judge is receiving at that time.
- It set child protection court and child support court associate judges' salaries at 90% of a district judge's base salary (\$140,000)

HB 2384

- Regional Presiding Judge salaries are linked as a percentage of a district judge's state base salary as opposed to the current law which has set amount.
- Retirement contributions are increased to 9.5% to make JRS2 actuarially sound and to be consistent with all other state employees. **(Resulted in a take home pay decrease for judges with less than 4 years of service)**

HB 2384

- **It DID NOT raise legislative retirement.**
- Ensures that the longer a judge serves, the more the judge will be paid.
- Increases a state judges pay by 10 percent of the base pay (140K) every four years. Thus, a judge who remains on the bench 8 years will be paid base plus 20% (\$168K) annually.
- **It DID NOT benefit JRS 1 retirees.**

Three Pay Increases Since 1999

- **2021:** JCC recommends pay increase of 10% for all levels of state courts. Due to the COVID situation, the judiciary did not pursue a pay increase. Rep. Schofield did file a formula pay bill which got a hearing.

Three Pay Increases Since 1999

- **2023:** JCC recommends pay increase of 22.5% for all levels of state courts. Sen. Hughes files SB 802 and Rep. Leach files HB 2779 that follows that recommendation.
- House passes Rep. Schofield's House COLA bill 138-10. It is assigned to Senate Finance and dies in committee without a hearing
- House budget includes a 10% increase for judicial salaries. Senate cuts that out.

HB 2779

- House passes HB 2779 unanimously. Would provide a 22.5% pay increase to the base salary. In addition, it delinked legislative retirement from judicial salaries. House members are very supportive of increase for judiciary.

HB 2779

- Assigned to Senate Finance. Last minute hearing on a committee substitute bill that only provided for 3rd tier and had a negative impact on JRS Plan 1 retirees. Senate passes.
- Conference committee appointed in house. Senate declines to appoint conferees and bill dies.
- All other state employees received a 5% increase in FY2024 and will receive another 5% in FY 2025.

12 years since base salary increased

- The base salary for the judiciary has been at \$140,000.00 since 2013.
- Harder to attract qualified candidates for the judiciary.
- Experienced judges and justices considering leaving the bench.

2024 Proposal

- Asking for a recommendation of at least on par with what you recommended last session 22.5%. When we have gotten a pay increase, your recommendation has always been cut.
- Consider recommendations on the link between judicial salaries and legislative retirement.
- Consider recommendation on additional tier.
- Consider recommendations on a formula pay structure in the future.
- ***Make your recommendation matter.***

THANK YOU

A group of hands holding up large red letters that spell out 'THANK YOU'. The letters are thick and three-dimensional, and the hands are positioned below each letter, holding it from underneath. The background is plain white.