TEXAS JUDICIAL COUNCIL

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CHAIR:
HON. JIMMY BLACKLOCK
Chief Justice, Supreme Court

VICE CHAIR:
HON. DAVID J. SCHENCK
Presiding Judge, Court of Criminal Appeals

EXECUTIVE DIRECTOR:
MEGAN LAVOIE

MEMORANDUM

TO: Texas Judicial Council

FROM: Hon. Ken Wise, Chair, Judicial Compensation and Benefits Committee

Cc: Megan LaVoie, Executive Director, Texas Judicial Council

RE: Judicial Compensation and Benefits Committee Memorandum

DATE: September 11, 2026

In January 2026, Chief Justice Blacklock charged the Judicial Compensation and Benefits Committee with studying judicial compensation and benefits and making any recommendations for improvement regarding:

- Cost of living increase (COLA); and
- Judicial retirement.

Members of the Committee are:

Honorable Ken Wise, Chair
Representative Jeff Leach
Presiding Judge David J. Schenck
Honorable Grant Dorfman
Honorable Missy Medary
Honorable Edward Spillane
Honorable Kathleen Person
Mr. Kevin Bryant
Mr. David Dunmoyer

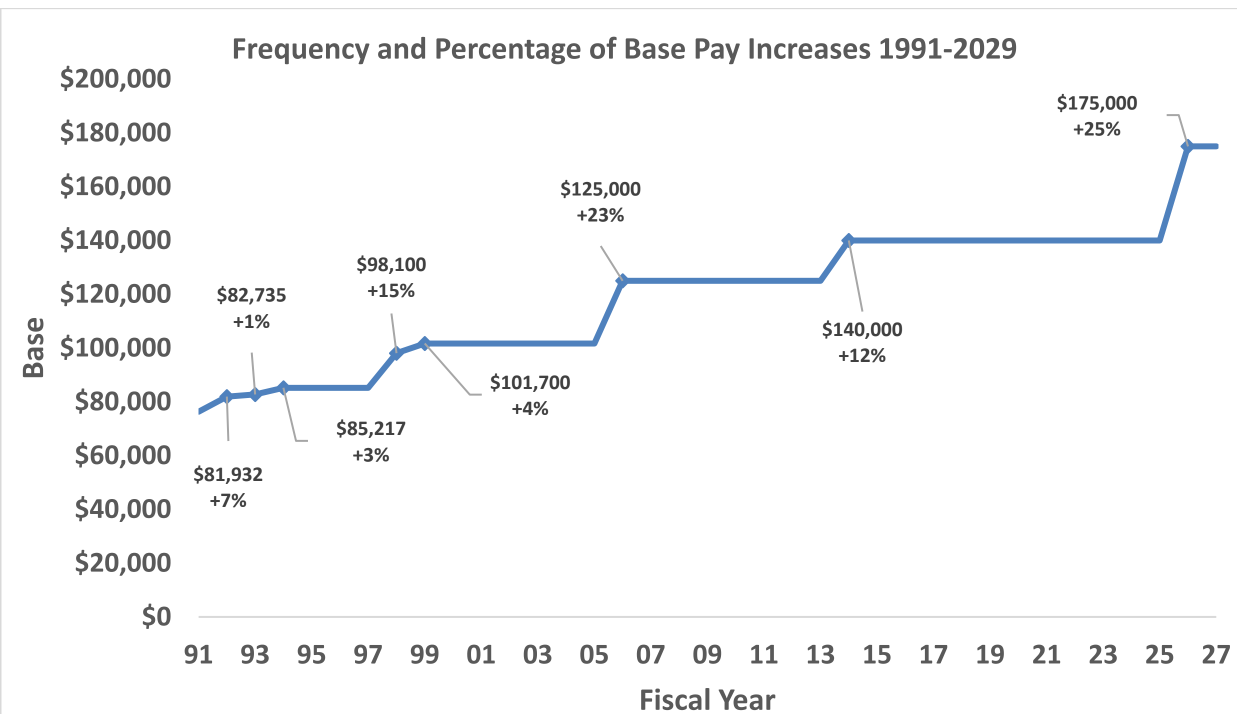
The Texas Judicial Council's Compensation and Benefits Committee met on April 13 and August 26, 2026.

Cost of Living (COLA)

Recommendation 1: The Legislature should establish a permanent cost-of-living adjustment for judges tied to the consumer price index to prevent the erosion of judicial salaries to inflation.

Judicial compensation is incredibly important to attract the most highly qualified individuals in the state, from a diversity of life and professional experiences, to serve in the judiciary without unreasonable economic hardship and with judicial independence unaffected by financial concerns.[1] In September 2025 the base salary of a district court judge, $175,000, as set by the Texas Legislature went into effect.[2]

During the past 35 years the base pay has been adjusted only eight times. The frequency and amount of increases to the base pay have been unpredictable. For example, between 1991 and 1994 the base pay was adjusted three times but from 2014 to 2025 it was not adjusted at all. As a result of the inconsistent adjustments, since 1999 there have been double digit increases needed to "play catch up"; 23% in 2006, 12% in 2014, and 25% in 2026. Just before the most recent increase, the base pay had fallen behind every state except West Virginia.



According to the OCA Report on Judicial Salaries and Turnover, the number of judges voluntarily leaving office has steadily increased since 2005. Up to 70% of judges who left the bench chose to

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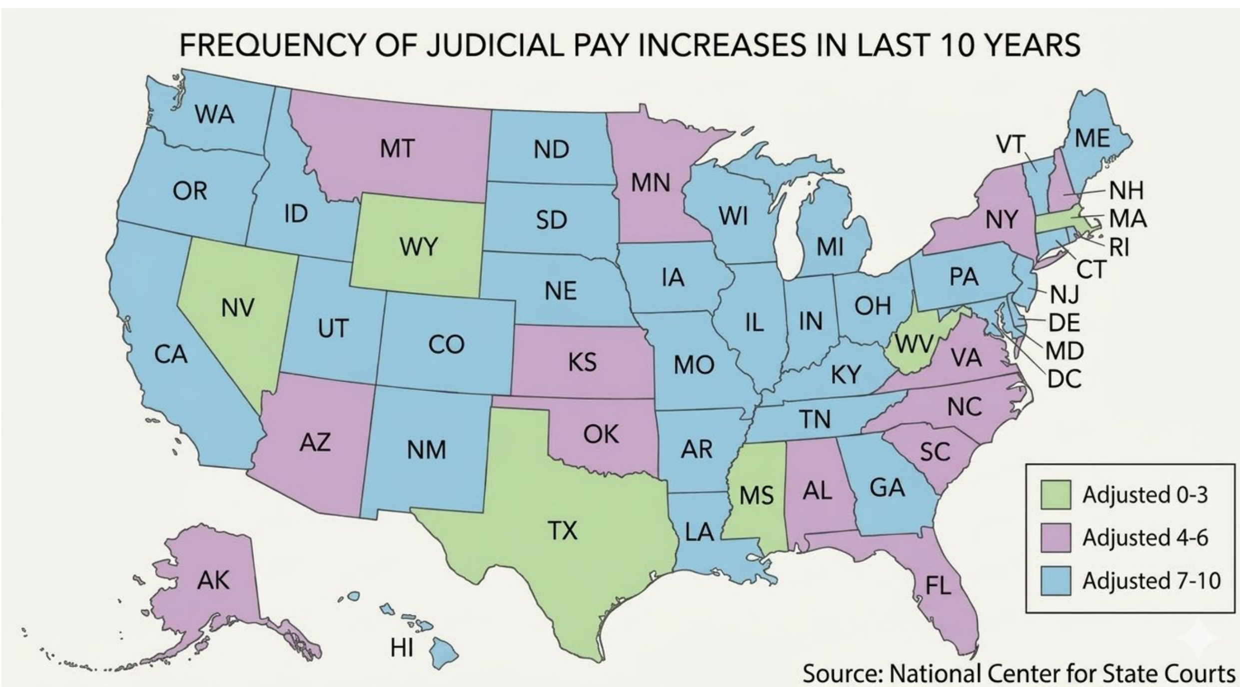
[1] Government Code §35.102(a)(8)
[2] Government Code §659.012(a)(1).

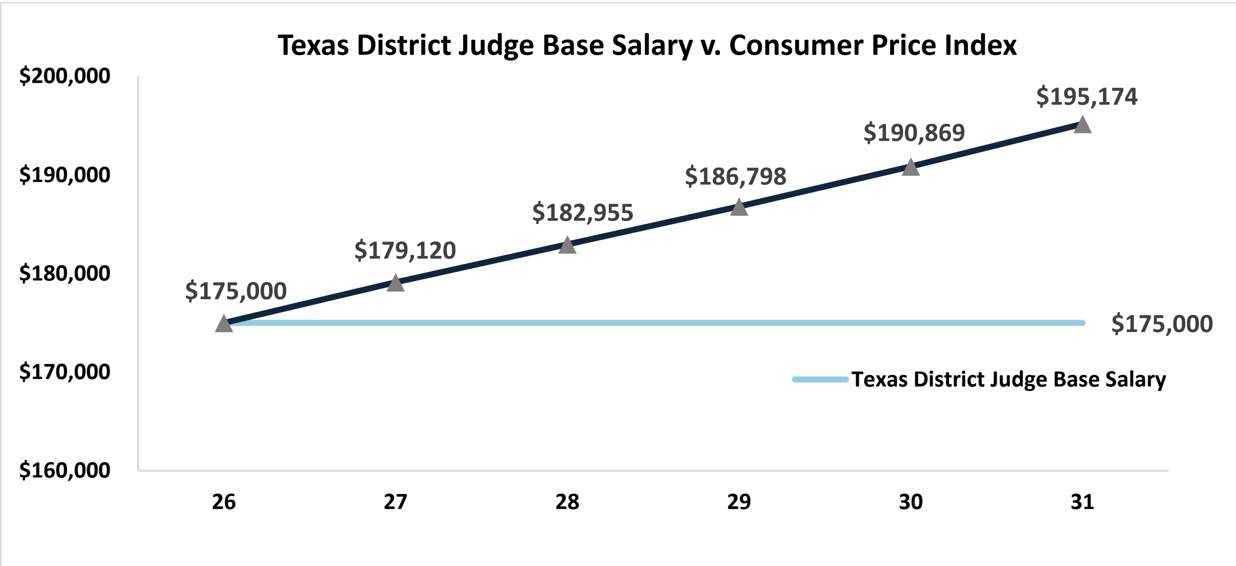
not seek reelection as opposed to resigning. This percentage has steadily increased in the past twenty years. When looking at the various factors influencing a judge's decision, more than 60% of respondents indicated that salary was a major factor in declining to seek reelection in the most recent election period. This was up from 26% from the previous election period, and more than half of these judges indicated that a change in salary would have influenced their decision to leave.

Texas needs a mechanism to more consistently address judicial compensation and remedy the inconsistent and unpredictable nature of judicial pay increases. Texas has adjusted the base pay of a District Judge only once in the past 10 years while the average amongst the other 10 most populous states was 7.2 times. Ohio, Michigan, and the District of Colombia adjusted their pay annually. The average amongst all states, the District of Colombia, and the federal judiciary was 6.6 times.



Twenty-eight other states and the federal government have a mechanism to more regularly address judicial compensation. Currently, the base pay of a Texas District Judge ranks 39th in the nation, falling from 34th after the 25% increase in FY 2026.

Instituting a permanent cost of living adjustment to the base pay of a District Court Judge tied to the Consumer Price Index would create a systematic and reliable approach to judicial compensation. Maintaining a competitive salary is necessary to attract new judges to the bench but just as important to retain experienced jurists.



Judicial Retirement

Recommendation 2: The Legislature should instruct ERS to recalculate the annuities of annuitants in JRS 2 to make a one-time permanent annuity adjustment, institute a cost-of-living adjustment, and repeal the statute (Government Code Section 834.102(e) and (f)) that made the 89th increase to the base salary of a district judge inapplicable to JRS 1 retirees.

The Texas Association of Retired, Senior and Former Judges provided information regarding retired judges and the ongoing challenges of inflation on judicial retirement annuities. Judges and justices who retired from active service before September 1, 2005, and judges and justices who retired on or after September 1, 2019, have not received any increase in their retirement benefits and are experiencing the effects of inflation and loss of purchasing power in connection with their retirement. Although the 89th Legislature increased judicial compensation through Senate Bill 293 (SB 293), which delinked judicial salaries from legislative retirement, SB 293 also amended Section 834.102 of the Government Code, which relates to the calculation of the service retirement annuity for Judicial Retirement Service (JRS) Plan One annuities. SB 293 prohibited the use of any increase in the base salary for a district judge in calculating a JRS 1 annuity where the judge retired before September 1, 2025. The bill also extended the applicability of the FY 2025 base salary to future JRS 1 annuity computations.