

# REPORT ON JUDICIAL SALARIES AND TURNOVER



FISCAL YEARS 2012 & 2013

# Report on Judicial Salaries and Turnover

For Fiscal Years 2012 and 2013



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June 2014

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# Executive Summary

## Judicial Turnover

From September 1, 2011 through August 31, 2013, 12.4 percent of the 555 judges who served in the state's appellate and district courts left the state judiciary. Of the 69 judges who left the state judiciary, **62.3 percent** (43 judges) **left the judiciary voluntarily**, either by resigning or not running for reelection, for a **voluntary turnover rate of 7.7 percent**. The remaining 26 judges (37.7 percent) left involuntarily, primarily due to defeat in a primary or general election. Other reasons for involuntary separation included death, mandatory retirement, and removal from office.

Thirty-one of the 43 judges (72.1 percent) who voluntarily left the state judiciary during this time period responded to OCA's judicial turnover survey. Respondents were asked to indicate which factor(s) influenced their decision to leave the state judiciary. The most common factors that strongly influenced respondents' decision to leave were **salary** (76.7 percent) and **retirement** (70.0 percent).

Nearly three-quarters of the respondents indicated that a change in **salary** would have compelled them to continue serving.

## Judicial Salaries

### *Salaries of Judges in Texas*

Effective September 1, 2013, the annual state salary of a district judge increased from \$125,000 to \$140,000. The following table shows the level of compensation received by state judges in Texas as of September 1, 2013.

<b>Salary Summary for Elected State Judges as of September 1, 2013</b>			
<b>Judge</b>	<b>State Salary</b>	<b>County Supplement</b>	<b>Total</b>
Chief Justice - Supreme Court or Court of Criminal Appeals	\$170,500	N/A	\$170,500
Justice - Supreme Court or Court of Criminal Appeals	\$168,000	N/A	\$168,000
Chief - Court of Appeals	\$156,500	up to \$9,000	up to \$165,500
Justice - Court of Appeals	\$154,000	up to \$9,000	up to \$163,000
District Judge	\$140,000	up to \$18,000	up to \$158,000

### *County Supplements*

Sections 31.001 and 32.001 of the Texas Government Code authorize counties to supplement the salaries of the courts of appeals justices residing within their courts of appeals districts and the judges of the district courts that have jurisdiction in their counties. Judges of the Supreme Court and Court of Criminal Appeals do not receive supplements.

As of October 1, 2013, **42.5 percent of justices of the courts of appeals and 44.0 percent of district judges were earning the maximum salary allowed by law.** This is a significant decrease from fiscal year 2013, when a large majority of judges (91.3 percent of justices and 74.1 percent of district judges) received the maximum salary allowed by law.

<b>Average Salaries as of October 1, 2013</b>	
	<b>Average Salary</b>
Chief Justice - Court of Appeals	\$163,690
Justice - Court of Appeals	\$162,546
District Judge	\$155,247

### *Private Practitioners*

The table below summarizes the results of a survey conducted by the State Bar of Texas on salaries of full-time private practitioners in 2013.

<b>Compensation of Full-Time, Private Practitioners in 2013</b>	
	<b>Average Salary</b>
Overall	\$161,560
Lawyers with 11 to 15 years of experience	\$186,200
Lawyers with 16 to 20 years of experience	\$207,737

The state-funded portion of salaries for district and intermediate appellate court judges was **less than** the average salary of lawyers overall, and the state-funded portion of salaries for all judges was **less than** the average salary of lawyers with more than 10 years of experience.

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

Although Texas state judges received an increase in salary as of September 1, 2013, the **salaries of state judges in Texas continued to lag behind the salaries of judges at corresponding levels in four of the five states closest to Texas in population.** Only justices of the court of last resort in Florida had lower salaries than their counterparts in Texas. Judges in the other five states all received increases in salary over the last year.

# **Introduction**

## **Purpose**

To provide the Legislature with information to facilitate legislation that ensures that the compensation of state judges is adequate and appropriate, the 79th 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 requires OCA to: 1) obtain data on the rate at which state judges resign from office or do not seek reelection, 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**

Data for general turnover in the state judiciary from September 1, 2011 through August 31, 2013 were compiled from notices of resignation and notices of appointment from the Governor's Office, election results from the Secretary of State's website, surveys sent to departing judges, and news 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; 2) whether certain factors would compel the individual to continue serving as a state judge; and 3) what they did immediately after leaving office.

Surveys were sent to each of the 43 appellate and district judges who left the state judiciary voluntarily during the biennium. Once OCA received notification about a resignation, a survey was sent to the judge by email, fax, or regular mail. Follow-up notifications, along with another copy of the questionnaire, were sent to judges who had not responded. Thirty-one responses were received, for a response rate of 72.1 percent.

Data on the average salaries of Texas appellate and district judges as of October 1, 2013, including supplements paid by counties, were obtained from the State Comptroller of Public

Accounts. Data on salaries of private practitioners in Texas were obtained from income data collected by the State Bar of Texas for its Private Practitioner 2013 Income Fact Sheet. Data on salaries of state judges in other states were obtained from the July 2013 survey of state judicial salaries conducted by the National Center for State Courts.<sup>1</sup>

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<sup>1</sup> National Center for State Courts. Judicial Salary Resource Center. National Center for State Courts.  
<http://www.ncsc.org/FlashMicrosites/JudicialSalaryReview/2014/home.html> (accessed May 6, 2014).

# Judicial Turnover

## *Extent of Turnover in the Judiciary*

In fiscal years 2012 and 2013, 555 judges served in the state’s appellate and district courts.<sup>2</sup> During this period, 72 judges left their current positions, representing a turnover rate of 13.0 percent. However, three of these judges were appointed to a higher-level state court position, making the turnover rate for judges leaving the state judiciary 12.4 percent. When taking into account whether judges left the state judiciary voluntarily, the turnover rate fell to 7.7 percent—5.0 percent did not seek reelection, and 2.7 percent resigned.

<b>Turnover of State Appellate and District Judges September 1, 2011 through August 31, 2013</b>		
	<b>Number of Judges</b>	<b>Percentage of All Judges</b>
Total Number of Appellate and District Judge Positions	555	100.0 %
Judges Leaving Current Office	72	13.0%
Judges Leaving State Judiciary	69	12.4%
Judges Leaving State Judiciary Voluntarily	43	7.7%

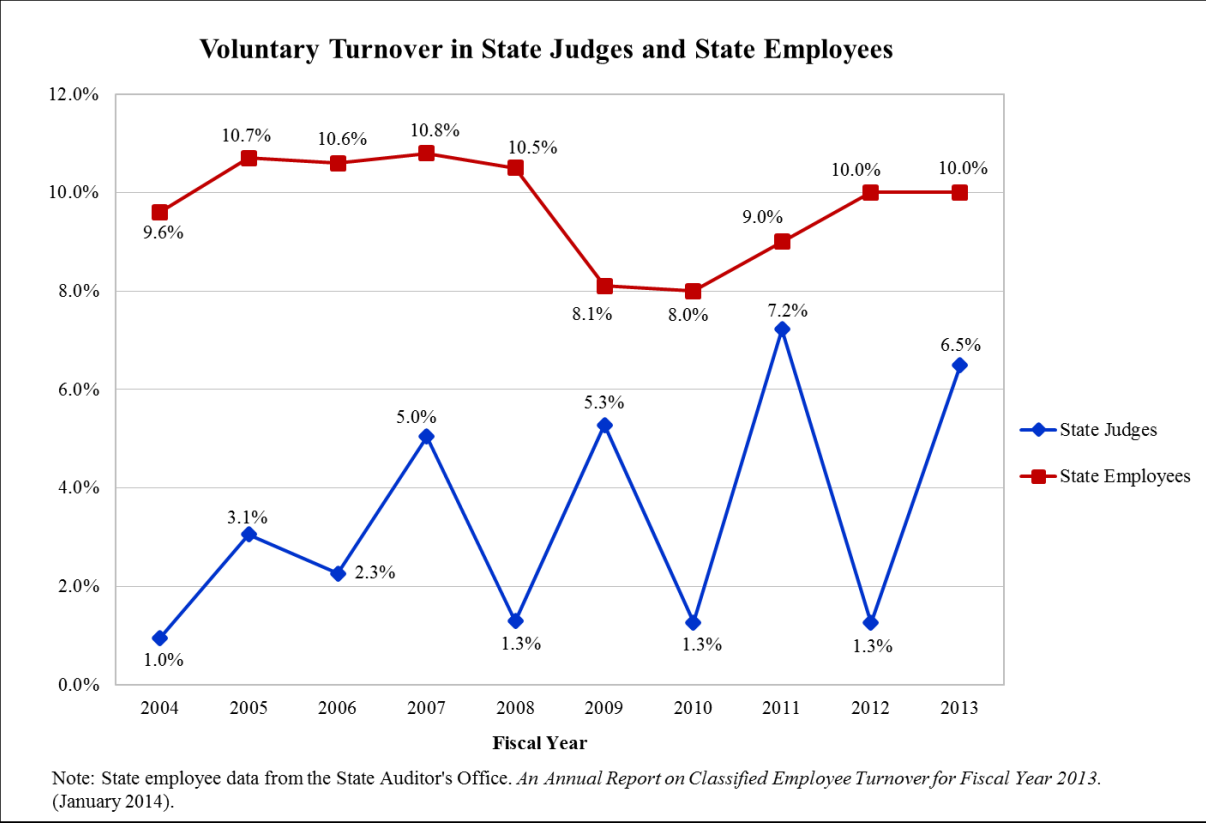
Of the 69 judges leaving the state judiciary during the biennium, approximately 38 percent left involuntarily, primarily due to defeat in a primary or general election. Other reasons for involuntary separation were death, mandatory retirement, and removal from office.

<b>Manner in Which State Appellate and District Judges Left Office September 1, 2011 through August 31, 2013</b>			
	<b>Number</b>	<b>Percentage of All Judges Leaving Office</b>	<b>Percentage of All Judges</b>
Did not seek reelection	28	40.6 %	5.0 %
Defeated in election	23	33.3 %	4.1 %
Resigned	15	21.7 %	2.7 %
Deceased	1	1.4 %	0.2 %
Reached mandatory retirement age	1	1.4 %	0.2 %
Removed from office	1	1.4 %	0.2 %
<b>Total</b>	<b>69</b>	<b>100.0 %</b>	<b>12.4 %</b>

<sup>2</sup> One judge served on each of the state’s 457 district courts, and 98 judges served on the state’s 16 appellate courts.



The turnover rate for judges varies considerably from year to year, primarily due to judges deciding not to run for reelection at the end of their terms. After reaching an eight-year high of 7.2 percent in fiscal year 2011, the voluntary turnover rate for judges decreased to 6.5 percent in 2013. The voluntary judicial turnover rate remained lower than the voluntary turnover rate for state employees, which increased to 10.0 percent in fiscal year 2012 and held steady in fiscal year 2013.



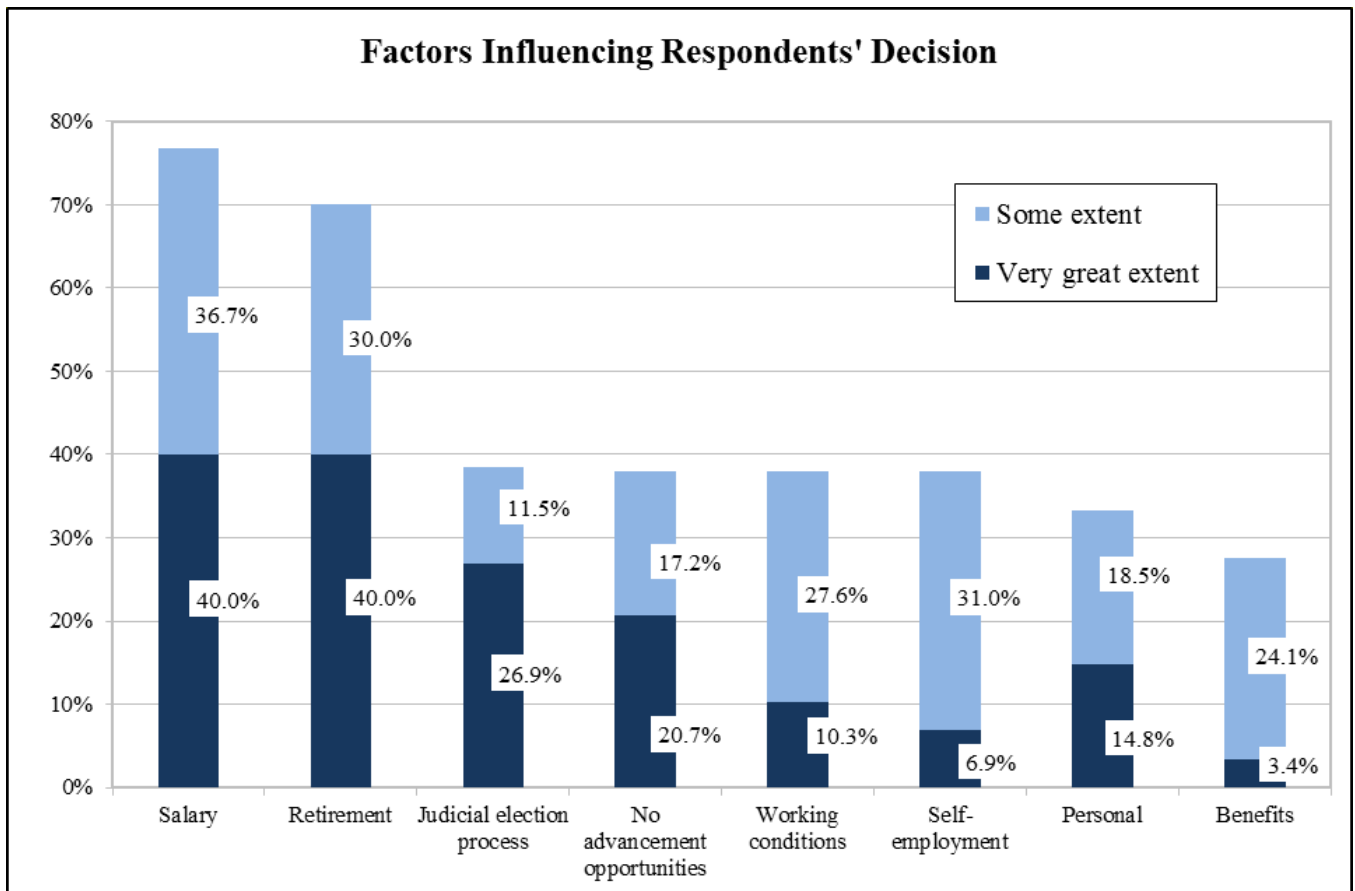
While the number of judges who did not seek reelection remained stable in fiscal years 2012 and 2013, there was a slight decrease in the number of judges who resigned.

Manner in Which State Appellate and District Judges Left Office Each Biennium					
	2004/5	2006/7	2008/9	2010/11	2012/13
Removed from office	1	0	1	1	1
Deceased	4	1	1	5	1
Mandatory retirement	3	2	3	1	1
Resigned	12	17	14	18	15
Did not seek reelection	9	22	22	29	28
Defeated in election	10	34	36	19	23
<b>Total Leaving State Judiciary</b>	<b>39</b>	<b>76</b>	<b>77</b>	<b>73</b>	<b>69</b>

### Reasons for Voluntary Turnover

Thirty-one of the 43 judges who voluntarily left the state judiciary in fiscal years 2012 and 2013 responded to OCA’s survey. Respondents were asked to indicate which factor(s) influenced their decision to leave the state judiciary. Nearly 77 percent of respondents indicated that **salary** factored in their decision to leave to some or to a very great extent. Seventy percent named **retirement**, and approximately 38 percent of respondents named the **judicial election process**, as significant contributors to their departures.

The majority of respondents named salary as the most significant factor, and this was reflected in their comments which often referred to the **infrequency of salary increases** and the **need for a substantial increase in salaries**. Concerns about the judicial election process were also mentioned. (See comments in **Appendices**.)

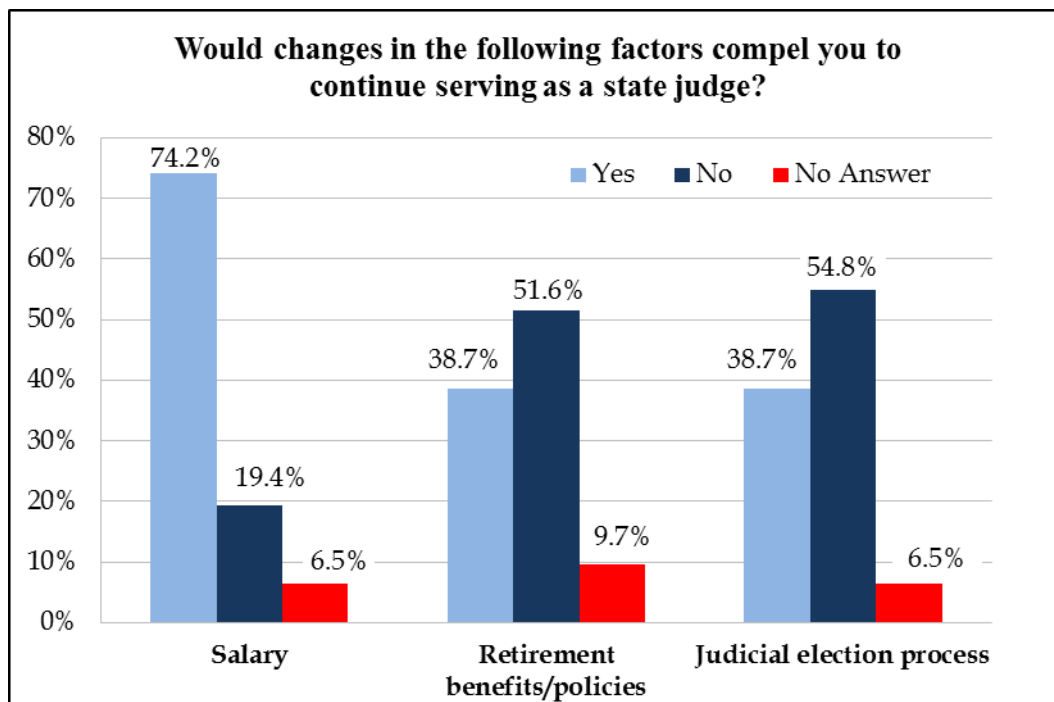


The survey also allowed respondents to note other factors that contributed to their decision. In fiscal years 2012 and 2013, respondents identified the following additional factors that influenced their decision “to a very great extent”:

- “Continuing erosion of judicial discretion by the Legislature”;
- “Personnel in the ... District Attorney’s office”; and
- “Aftermath of back surgery makes sitting in court for extended periods of time difficult.”

*Factors that would Compel Judges to Continue Serving*

The survey asked respondents whether changes in salary, retirement benefits or policies, other benefits, or the judicial election process would have compelled them to continue serving as a state judge. The majority of the respondents (23 judges or 74.2 percent) indicated that a change in **salary** would have compelled them to continue serving. Changes in both **retirement benefits or policies** and the **judicial election process** would have compelled 12 judges (38.7 percent) to continue serving.



The survey also gave respondents the opportunity to identify other factors, if changed, would have compelled them to continue serving as a state judge. In fiscal years 2012 and 2013, respondents noted the following additional factors:

- “Workload on criminal bench in ... County is huge”;
- “Decrease in idle time”;
- “Legislature understanding separation of powers and the concept of an independent judiciary” and
- “Complete personnel change in the ... District Attorney’s office.”

### *Next Step for Judges after Resigning or Completing Their Terms*

After resigning or completing their terms, of the 43 judges who voluntarily left office in fiscal years 2012 and 2013, 19 judges (44.2 percent) retired from the judiciary but continued to work in the private sector, and many of those judges continued to also serve as visiting judges. Six judges (14.0 percent) took another position with higher salary or better benefits, and one judge (2.3 percent) became self-employed. Twelve judges (27.9 percent) retired but continued to work as a visiting judge.

<b>Next Step After Judges Resigned or Completed Their Terms</b>									
<b>Biennium (No. of Judges)</b>	<b>Position with higher salary/ benefits</b>	<b>Position with comparable salary/ benefits</b>	<b>Self- employed</b>	<b>Retired, no further work</b>	<b>Retired, continued as visiting judge</b>	<b>Retired, continued in private sector, and maybe as visiting judge</b>	<b>Retired, continued to work in gov't</b>	<b>Ran for another office</b>	<b>Other/ Unknown</b>
2004/2005 (n=21)	14.3%	n/a	0.0%	0.0%	47.6%	14.3%	0.0%	14.3%	9.5%
2006/2007 (n=39)	12.8%	n/a	2.6%	7.7%	48.7%	12.8%	0.0%	5.1%	10.3%
2008/2009 (n=31)	25.8%	n/a	12.9%	6.5%	12.9%	29.0%	6.5%	6.5%	0.0%
2010/2011 (n=25)	19.1%	4.3%	0.0%	8.5%	29.8%	27.7%	4.3%	0.0%	6.4%
2012/2013 (n=31)	14.0%	0.0%	2.3%	4.7%	27.9%	44.2%	0.0%	2.3%	4.7%

## Judicial Salaries

### *Salaries of Elected State Judges as of September 1, 2013*

Effective September 1, 2013, the annual state salary of a district judge increased from \$125,000 to \$140,000. While Chapter 32 of the Government Code authorizes the state salaries of district court judges to be supplemented from county funds, the total annual salary for a district judge is limited to a combined sum from state and county sources of \$5,000 less than the combined salary from state and county sources provided for a justice of a court of appeals.

The annual state salary of a justice of a court of appeals is 110 percent of the annual state salary of a district judge. 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 salaries of the justices to be supplemented by the counties in each court of appeals district, the total salary for a justice of a court of appeals is limited to a combined sum from state and county sources of \$5,000 less than the state salary paid to a justice of the 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 is 120 percent of the annual state salary of a district judge. The chief justice or presiding judge of these courts receives \$2,500 more than the other justices or judges on the courts.

Judges are also entitled to monthly longevity pay equal to 3.1 percent of their current monthly state salary for each year of service credited in the retirement system after completing 16 years of service. Longevity pay is not included as part of the judge or justice's combined salary from state and county sources for purpose of the salary limitations described above.

### Salary Summary for Elected State Judges as of September 1, 2013

Judge <sup>1</sup>	State Salary	Additional Compensation <sup>2</sup>	Other	Total
Chief Justice - Supreme Court or Court of Criminal Appeals	\$170,500	N/A		\$170,500
Justice - Supreme Court or Court of Criminal Appeals	\$168,000	N/A		\$168,000
Chief - Court of Appeals	\$156,500	up to \$9,000 <sup>3</sup>		up to \$165,500
Justice - Court of Appeals	\$154,000	up to \$9,000 <sup>3</sup>		up to \$163,000
Presiding Judge of Administrative Judicial Region (active district judge)	\$140,000	up to \$18,000 <sup>3</sup>	not to exceed \$33,000 <sup>4</sup>	up to \$191,000
Presiding Judge of Administrative Judicial Region (retired or former judge)	N/A	N/A	\$35,000 - 50,000 <sup>5</sup>	up to \$50,000
District Judge - Local administrative judge who serves in county with more than 5 district courts	\$140,000	up to \$18,000 <sup>3</sup>	\$5,000 <sup>6</sup>	up to \$163,000
District Judge	\$140,000	up to \$18,000 <sup>3</sup>		up to \$158,000
District Judge - Presiding judge of silica or asbestos multi-district litigation	\$140,000	up to \$18,000 <sup>3</sup>	not to exceed \$33,000 <sup>7</sup>	up to \$173,000
Retired Judge - Presiding judge of silica or asbestos multi-district litigation	\$140,000	\$18,000 <sup>3</sup>		\$158,000 <sup>8</sup>

**Notes:**

1. Entitled to monthly longevity pay of 3.1 percent of current monthly state salary for each year of service credited in the retirement system 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. Government Code Secs. 659.012, 31.001 and 32.001.
3. The state salary of a district judge whose county supplement exceeds \$18,000, or appellate justice whose county supplement exceeds \$9,000, 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 \$158,000 (district judge), \$163,000 (appellate justice), or \$165,500 (appellate chief justice). Government Code Secs. 659.012, 31.001 and 32.001.
4. Presiding judges' salary set by Texas Judicial Council. Government Code Sec. 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. Government Code Sec. 74.051(c). Paid by counties in administrative judicial region on a pro rata basis based on population.
6. Government Code Sec. 659.012(d).
7. Government Code Sec. 659.0125(a).
8. Government Code Sec. 659.0125(c).

## County Supplements

Sections 31.001 and 32.001 of the Texas Government Code authorize counties to supplement the salaries of the courts of appeals justices residing within their courts of appeals districts and the judges of the district courts that have jurisdiction in their counties. Judges of the Supreme Court and Court of Criminal Appeals do not receive supplements.

All 80 of the justices of the 14 courts of appeals in Texas receive county supplements, but only 34 (42.5 percent) of the justices receive the maximum salary allowed by law and all 34 are associate justices. None of the chief justices receive the maximum salary allowed by law. This is a significant decrease from fiscal year 2013, when 91.3 percent of justices received the maximum salary allowed by law.

<b>County Supplements Received by Intermediate Appellate Court Chief Justices</b>			
<b>Number of Justices</b>	<b>Percentage of Justices</b>	<b>County Supplement</b>	<b>Total Salary</b>
0	0.0%	\$9,000	\$165,500
12	85.7%	\$7,500	\$164,000
1	7.1%	\$6,573	\$163,073
1	7.1%	\$4,087	\$160,587
<b>AVERAGE</b>		<b>\$7,190</b>	<b>\$163,690</b>

<b>County Supplements Received by Intermediate Appellate Court Associate Justices</b>			
<b>Number of Justices</b>	<b>Percentage of Justices</b>	<b>County Supplement</b>	<b>Total Salary</b>
34	51.5%	\$9,000	\$163,000
3	4.5%	\$8,628	\$162,628
22	33.3%	\$8,250	\$162,250
5	7.6%	\$7,500	\$161,500
2	3.0%	\$6,573	\$160,573
<b>AVERAGE</b>		<b>\$8,546</b>	<b>\$162,546</b>

As the table below shows, of the 457 district court judges in the state, only nine do not receive a county salary supplement. Forty-four percent (201 judges) receive the maximum salary allowed by law. However, this is a significant decrease from fiscal year 2013, when a large majority of judges (338 judges or 74.1 percent) received the maximum salary allowed by law.

County Supplements Received by District Judges			
Number of Judges	Percentage of all Judges	County Supplement	Total Salary
201	44.0%	\$17,999 to \$24,863	\$157,999 to \$161,644 <sup>1</sup>
19	4.2%	\$17,000 to \$17,998	\$157,000 to \$157,998
60	13.1%	\$16,000 to \$16,999	\$156,000 to \$156,999
63	13.8%	\$15,000 to \$15,999	\$155,000 to \$155,999
24	5.3%	\$14,000 to \$14,999	\$154,000 to \$154,999
5	1.1%	\$13,000 to \$13,999	\$153,000 to \$153,999
12	2.6%	\$12,000 to \$12,999	\$152,000 to \$152,999
7	1.5%	\$11,000 to \$11,999	\$151,000 to \$151,999
15	3.3%	\$10,000 to \$10,999	\$150,000 to \$150,999
8	1.8%	\$9,000 to \$9,999	\$149,000 to \$149,999
8	1.8%	\$8,000 to \$8,999	\$148,000 to \$148,999
8	1.8%	\$7,000 to \$7,999	\$147,000 to \$147,999
3	0.7%	\$6,000 to \$6,999	\$146,000 to \$146,999
1	0.2%	\$5,000 to \$5,999	\$145,000 to \$145,999
7	1.5%	\$4,000 to \$4,999	\$144,000 to \$144,999
3	0.7%	\$3,000 to \$3,999	\$143,000 to \$143,999
3	0.7%	\$2,000 to \$2,999	\$142,000 to \$142,999
0	0.0%	\$1,000 to \$1,999	\$141,000 to \$141,999
1	0.2%	\$1 to \$999	\$140,001 to \$140,999
9	2.0%	\$0	\$140,000
<b>AVERAGE</b>		<b>\$15,314</b>	<b>\$155,247</b>

<sup>1</sup> While the total salary of a district judge cannot exceed \$158,000, one judge receives additional compensation due to a drug court supplement.

### *Salaries of Private Practitioners*

In 2014, the State Bar of Texas collected attorney income data for its *2013 Income Fact Sheet*. A questionnaire was sent electronically on March 31, 2014 to all active State Bar of Texas attorneys who had not opted out of taking surveys (87,775 attorneys). The survey's response rate was 12 percent, with a total of 10,347 attorneys responding.

A total of 5,365 full-time, private practitioner attorneys responded to the survey. Results of the survey showed that the salaries of lawyers vary widely. Overall, full-time private practitioners had a median salary of \$123,982 and an average salary of \$161,560. Thirty-two percent of the attorneys had salaries of \$187,500 or more.



Lawyers with 11 to 15 years of experience had a median salary of \$146,634 and an average salary of \$186,200. Thirty-seven percent of attorneys in this group had salaries of \$187,500 or more. Lawyers with 16 to 20 years of experience had a median salary of \$159,308 and an average salary of \$207,737. Forty-four percent of lawyers in this group had salaries of \$187,500 or more.

<b>2013 Full-Time Private Practitioner Income Distribution</b>			
<b>Midpoint of Income Ranges</b>	<b>All (N = 5,365)</b>	<b>11 to 15 Years of Experience (N = 532)</b>	<b>16 to 20 Years of Experience (N = 465)</b>
\$5,000	41	2	0
\$15,000	46	0	4
\$25,000	91	6	4
\$35,000	130	8	10
\$45,000	207	12	16
\$55,000	265	21	17
\$65,000	304	13	13
\$75,000	359	29	28
\$85,000	312	38	12
\$95,000	232	13	16
\$112,500	725	79	57
\$137,500	406	52	38
\$162,500	520	64	47
\$187,500	230	21	22
\$225,000	444	57	53
\$275,000	288	26	38
\$350,000	333	43	44
\$450,000	161	23	18
\$625,000	149	18	13
\$875,000	57	3	8
>\$1 Mil.	65	4	7
<b>Median Net Income</b>	<b>\$123,982</b>	<b>\$146,634</b>	<b>\$159,308</b>
<b>Average Net Income</b>	<b>\$161,560</b>	<b>\$186,200</b>	<b>\$207,737</b>
Source: State Bar of Texas, <i>2013 Income Fact Sheet</i> (Austin: Department of Research and Analysis, State Bar of Texas, 2014).			

The state-funded portion of salaries for district and intermediate appellate court judges is **less than** the average salary of lawyers overall, and the state-funded portion of salaries for all judges is **less than** the average salary of lawyers with more than 10 years of experience.

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

Although Texas state judges received an increase in salary as of September 1, 2013, the state salaries of state judges in Texas continued to lag behind the salaries of judges at corresponding levels in four of the five states closest to Texas in population. Only justices of the court of last resort in Florida had lower salaries than their counterparts in Texas. Judges in the other five states all received increases in salary over the last year.

Salaries of State Judges in the Six Most Populous States as of October 1, 2013 Listed in Population Order						
Judge	California	Texas	New York	Florida	Illinois	Pennsylvania
Chief Justice – Court of Last Resort	\$232,060	\$170,500	\$190,600	\$162,200	\$213,552	\$206,032
Associate Justice – Court of Last Resort	\$221,292	\$168,000	\$184,800	\$162,200	\$213,552	\$200,205
Chief – Intermediate Court of Appeals	\$207,463	\$156,500 <sup>2</sup> \$163,690 <sup>3</sup>	\$180,400	\$154,140	\$200,992	\$194,145
Justice – Intermediate Court of Appeals	\$207,463	\$154,000 <sup>2</sup> \$162,546 <sup>3</sup>	\$176,000	\$154,140	\$200,992	\$188,903
Judge – General Jurisdiction Trial Courts	\$181,292	\$140,000 <sup>2</sup> \$155,247 <sup>3</sup>	\$167,000	\$146,080	\$184,436	\$173,791
<b>Notes:</b> 1. Source: Knowledge and Information Services Division, National Center for State Courts, Survey of Judicial Salaries as of July 1, 2013. 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, 2013.						

# APPENDICES

## APPENDIX A

### Results of Judicial Turnover Survey for Fiscal Years 2012 and 2013

<b>A. Please indicate to what extent each of the following factors contributed to your decision to leave the Texas state judiciary.</b>		<b>To Very Great Extent</b>	<b>To Some Extent</b>	<b>To a Small Extent</b>	<b>Not At All</b>	<b>No Answer</b>
1	Salary	38.7%	35.5%	0.0%	22.6%	3.2%
2	Benefits	3.2%	22.6%	6.5%	61.3%	6.5%
3	Little or no career advancement opportunities	0.0%	19.4%	16.1%	58.1%	6.5%
4	Desire for self-employment	6.5%	29.0%	12.9%	45.2%	6.5%
5	Working conditions/environment (e.g., safety, work-related stress, and/or workload issues)	9.7%	25.8%	12.9%	45.2%	6.5%
6	Retirement	38.7%	29.0%	12.9%	16.1%	3.2%
7	Personal	12.9%	16.1%	29.0%	29.0%	12.9%
8	Having to campaign/judicial election process	22.6%	9.7%	29.0%	22.6%	16.1%

<b>B. Would changes in the following factors compel you to continue serving as a state judge?</b>		<b>Yes</b>	<b>No</b>	<b>No Answer</b>
1	Salary	74.2%	19.4%	6.5%
2	Retirement benefits/policies	38.7%	51.6%	9.7%
3	Other benefits	12.9%	67.7%	19.4%
4	Judicial election process	38.7%	54.8%	6.5%

## APPENDIX A

<b>C. Please indicate (✓) what you plan to do after resigning or finishing out your term. (Check only one.)</b>		
1	Obtain another position with higher salary and/or better benefits	16.1%
2	Obtain another position with comparable salary and/or benefits	0.0%
3	Become self-employed	3.2%
4	Run for another office	0.0%
5	Retire and not continue to work	0.0%
6	Retire but continue to work as a visiting judge	25.8%
7	Retire but continue to work in the private sector	6.5%
8	Retire but continue to work in the private sector and as a visiting judge	48.4%
9	Retire but continue to work in state or local government	0.0%
10	Other ( <i>please specify</i> ): _____	0.0%

## APPENDIX B

### Results of Judicial Turnover Survey Comments from Respondents

1. A wonderful career but clear that there is little or no possibility of a pay or retirement increase, and, ergo, I have a limited time to improve my financial position.
2. I was sitting idle a minimum of 2 to 3 days per week, quite often being idle when nothing was even scheduled, not because scheduled matters settled. In my opinion, there is not a need for 2 district judges for Jasper and Newton counties.
3. I am taking early retirement on June 30, 2012. I will have served on the district court bench for 31 years as of June 8, 2012, and will be 70 years of age in September of this year. Although my current term of office will not expire until December 31, 2014, I felt it was time to take senior status and maybe sit from time to time without having to deal with the administrative aspects of the office. I have enjoyed serving in the judiciary, and although not the reason for my early retirement, I truly believe that something needs to be done to provide a substantial increase in salaries for those who wish to serve in the Texas judiciary as a career and to provide regular cost of living increases to enable our best and brightest lawyers to remain in the judiciary. The legislature tends to give the judiciary raises only every 6 or 8 years. Also, I think we really need to remove party politics from judicial elections and provide for non-partisan elections of judges. I always thought that if my personal politics played any part in a decision I was called upon to make and someone could tell if I was a democrat or republican by the decision I reached, then I was not a good judge.
4. When I first came on as a district judge, I made \$3,000 more than the D.A. A cap on the county supplement was imposed about twenty years ago because the State was "supposed" to compensate us. I have had to turn down raises for 25 years, so the district attorney now makes over \$170,000 in my county. I am retiring at age 59. There is little incentive to stay on as a judge. Longevity pay is capped at 16 years. I have 30 years of service. I should have received 90% of my salary at retirement but the statute was changed. There is never any real information given to the trial judges about legislation that will affect us. We have many administrative duties that judges in other states do not have. We run an alternative school! We run adult and juvenile probation departments. We run a juvenile detention center. We hire and fire the purchasing agent and the auditor's office. We sit on the bail bond board. I handle a general jurisdiction court. And we run for office. I truly love my job and I have run unopposed since 1984. No one was looking to run against me but when it became apparent that I was really "working" for the county supplement I decided to retire. I am leaving the office at a very young age and will continue to help the judges when and if they need assistance. I have received training as a mediator and an arbitrator and hope to do that as well. I worked hard to uphold the integrity of the office. I am very worried about the judges' ability to raise a family and send them to college. I fear that the legislature will not properly compensate judges for their service.
5. This has been a great job for 20 years.

## APPENDIX B

6. The current climate surrounding judicial elections is too venomous to be borne.
7. One raise in twelve years on the bench, which did not even compensate for reduced purchasing power due to increases in the cost of living, is inadequate. I thoroughly enjoyed serving as a district judge, but need more income.

# APPENDIX C



## OFFICE OF COURT ADMINISTRATION

CARL REYNOLDS  
Administrative Director

February 1, 2013

The Honorable  
Address  
City, TX ZIP

Dear Judge :

The Office of Court Administration (OCA) is 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 attached 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.



# APPENDIX D



## 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: \_\_\_\_\_

A. Please indicate to what extent each of the following factors contributed to your decision to leave the Texas state judiciary.		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	Having to campaign/judicial election process				
9	Other <i>(please specify)</i> :				
10	Other <i>(please specify)</i> :				

## APPENDIX D

<b>B. Would changes in the following factors compel you to continue serving as a state judge?</b>			Yes	No
1	Salary			
2	Retirement benefits/policies			
3	Other benefits			
4	Judicial election process			
5	Other <i>(please specify)</i> :			

<b>C. Please indicate (✓) what you plan to do after resigning or finishing out your term. (Check only one.)</b>		
1	Obtain another position with higher salary and/or better benefits	
2	Obtain another position with comparable salary and/or benefits	
3	Become self-employed	
4	Run for another office	
5	Retire and not continue to work	
6	Retire but continue to work as a visiting judge	
7	Retire but continue to work in the private sector	
8	Retire but continue to work in the private sector and as a visiting judge	
9	Retire but continue to work in state or local government	
10	Other <i>(please specify)</i> : _____	

## APPENDIX D

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

**Please mail, fax, or email the completed survey to:**

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

Fax: **512-936-2423**

E-Mail: [angela.garcia@txcourts.gov](mailto:angela.garcia@txcourts.gov)

For questions regarding this survey, please contact:  
Angela Garcia - (512) 936-1358



Published by the

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