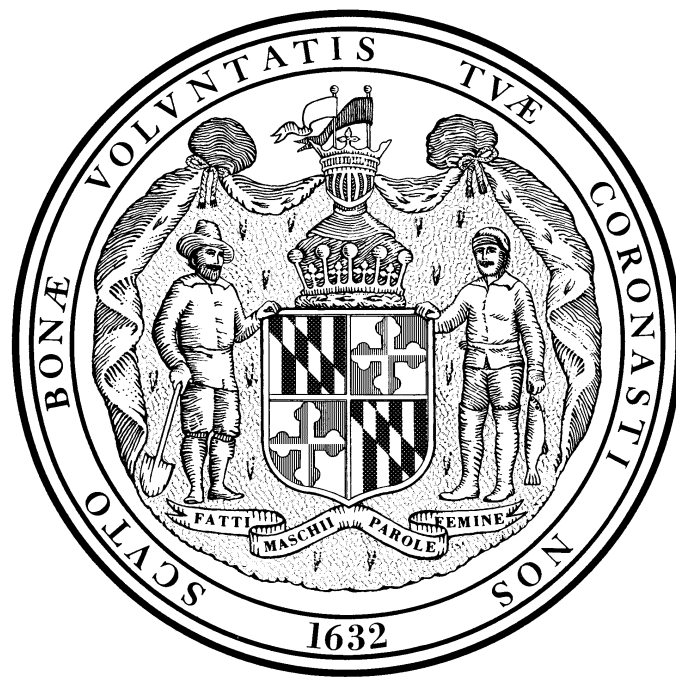


# SUPPLEMENT TO THE 2009 REPORT OF THE JUDICIAL COMPENSATION COMMISSION



ANNAPOLIS, MARYLAND  
DECEMBER 2009

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December 17, 2009

The Honorable Martin O'Malley  
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

Dear Gentlemen:

The Judicial Compensation Commission is resubmitting the salary recommendations that were not adopted by the legislature during the 2009 legislative session. Along with the recommendations, we are providing the General Assembly with a supplement to last year's compensation report.

We believe that our recommendations were, and remain, sound. The commission recommends that the salaries of all Maryland judges be increased over a four-year period in accordance with the following table. Pursuant to statute, judges will not receive any general salary increases proposed by the Governor for State employees in any fiscal year in which a judge's salary is increased in accordance with this resolution.

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<b>Judges' Salary Proposal</b>	<b>Current Salary</b>	<b>Proposed 7/1/2010</b>	<b>Proposed 7/1/2011</b>	<b>Proposed 7/1/2012</b>	<b>Proposed 7/1/2013</b>	<b>Phase-in</b>
<b>Court of Appeals</b>						
Chief Judge	\$181,352	\$190,463	\$200,121	\$210,358	\$221,210	\$39,858
Judge	162,352	171,463	181,121	191,358	202,210	39,858
<b>Court of Special Appeals</b>						
Chief Judge	\$152,552	\$161,663	\$171,321	\$181,558	\$192,410	\$39,858
Judge	149,552	158,663	168,321	178,558	189,410	39,858
<b>Circuit Court</b>	\$140,352	\$149,463	\$159,121	\$169,358	\$180,210	\$39,858
<b>District Court</b>						
Chief Judge	\$149,552	\$158,663	\$168,321	\$178,558	\$189,410	\$39,858
Judge	127,252	136,363	146,021	156,258	167,110	39,858

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The Honorable Martin O'Malley  
The Honorable Thomas V. Mike Miller, Jr.  
The Honorable Michael E. Busch  
December 17, 2009  
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Our salary recommendations are formulated as a four-year phase-in of compensation. Assuming our recommendation is adopted in 2010, and implemented as proposed, it would be our intent to not make another salary recommendation until 2014, thereby corresponding with the reports of the Legislative and Executive Compensation Commissions.

On behalf of each commission member, I thank you for the privilege of serving you and the State of Maryland.

Sincerely,

Elizabeth J. Buck  
Chairman

EJB:FMA/lab

cc: Judge Robert M. Bell  
Secretary T. Eloise Foster  
Mr. Karl S. Aro  
Mr. Warren G. Deschenaux

# Maryland Judicial Compensation Commission 2009 Membership Roster

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**Elizabeth J. Buck**  
Chair

## **Members**

Thomas Barbera

Annette Jones Funn

Edward J. Gilliss

Ray Langston

John Paterakis

Alice G. Pinderhughes

## **Committee Staff**

Flora M. Arabo

Jennifer K. Botts



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**Exhibit 3.1**  
**Judicial Compensation Commission Salary Recommendations – Revised Fiscal Impact**  
**Fiscal 2011-2014**

<u>Total Judgeships</u>		<u>Current Salary</u>	<u>Proposed Fiscal 2011</u>	<u>Proposed Fiscal 2012</u>	<u>Proposed Fiscal 2013</u>	<u>Proposed Fiscal 2014</u>	<u>Phase-in</u>
	<b>Court of Appeals</b>						
1	Chief Judge	\$181,352	\$190,463	\$200,121	\$210,358	\$221,210	\$39,858
6	Judge	162,352	171,463	181,121	191,358	202,210	39,858
	<b>Court of Special Appeals</b>						
12	Judge	\$149,552	\$158,663	\$168,321	\$178,558	\$189,410	\$39,858
157	<b>Circuit Court District Court</b>	\$140,352	\$149,463	\$159,121	\$169,358	\$180,210	\$39,858
1	Chief Judge	\$149,552	\$158,663	\$168,321	\$178,558	\$189,410	\$39,858
111	Judge	127,252	136,363	146,021	156,258	167,110	39,858
	Average Salary	\$151,852	\$160,963	\$170,621	\$180,858	\$191,710	
	Increase at 6.0% <sup>1</sup>		9,111	9,658	10,237	\$10,851	\$39,858
	Incremental Salaries <sup>2</sup>		\$2,743,947	\$2,908,494	\$3,082,914	\$3,267,798	\$12,003,153
	Incremental Social Security (at 1.45%)		39,787	42,173	44,702	47,383	174,046
	Incremental Pensions <sup>3</sup>		1,568,337	1,664,105	1,765,680	1,873,676	6,871,798
	<b>Incremental Fiscal Impact</b>		<b>\$4,352,071</b>	<b>\$4,614,772</b>	<b>\$4,893,296</b>	<b>\$5,188,858</b>	<b>\$19,048,997</b>

<sup>1</sup>. Increase per judge; based on average salary of prior year's judicial salary structure.

<sup>2</sup>. Includes salary increases for Public Defender, State Prosecutor, and members of Workers Compensation Commission, whose salaries are tied to judicial salaries. Does not include incremental costs for State's attorneys, whose salaries are also tied to judicial salaries but are funded locally.

<sup>3</sup>. 59.07% pension rate for judges. 11.69%, 13.12%, 14.52% , and 16.09% pension rates in fiscal 2011-2014, respectively, for all other State employees.

Note: Average Salary is based on the current salary structure for each level of court, not the weighted average of all judges.

Sources: Cheiron – Actuary to State Retirement Pension System, Social Security Administration

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**Exhibit 3.2**  
**Judicial Compensation Commission Salary Recommendations – Revised Fiscal Impact**  
**Fiscal 2011-2014**

	<u>Current Salary</u>	<u>% Increase Year 1</u>	<u>% Increase Year 2</u>	<u>% Increase Year 3</u>	<u>% Increase Year 4</u>
<b>Court of Appeals</b>					
Chief Judge	\$181,352	5.0%	5.1%	5.1%	5.2%
Judge	162,352	5.6%	5.6%	5.7%	5.7%
<b>Court of Special Appeals</b>					
Chief Judge	\$152,552	6.0%	6.0%	6.0%	6.0%
Judge	149,552	6.1%	6.1%	6.1%	6.1%
<b>Circuit Court</b>	\$140,352	6.5%	6.5%	6.4%	6.4%
<b>District Court</b>					
Chief Judge	\$149,552	6.1%	6.1%	6.1%	6.1%
Judge	127,252	7.2%	7.1%	7.0%	6.9%
Average		6.1%	6.1%	6.1%	6.0%

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

Drafted by: Botts  
Typed by: Alan  
Stored – 12/16/09  
Proofread by \_\_\_\_\_  
Checked by  \_\_\_\_\_

By: Leave Blank

SENATE JOINT RESOLUTION

1 A Senate Joint Resolution concerning

2 **Judicial Compensation Commission – Recommendations**

3 FOR the purpose of proposing an alteration to the compensation of the members of the  
4 Judiciary in this State in accordance with Section 1–708 of the Courts and  
5 Judicial 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 Thomas Barbera and Raymond Langston; appointment made on the nomination of the  
16 Maryland State Bar Association: Edward Gilliss; and appointments at large: Annette  
17 J. Funn and Alice G. Pinderhughes. The Commission members elected Elizabeth Buck  
18 to serve as the chair of the Commission. The Commission is charged with reviewing  
19 the salaries of the judges of the Judiciary of Maryland and making written  
20 recommendations to the Governor and the General Assembly every 4 years; and



1 WHEREAS, Section 1-708(d) of the Courts and Judicial Proceedings Article of  
 2 the Annotated Code of Maryland provides as follows: the General Assembly may  
 3 amend this Joint Resolution to decrease any of the Commission's salary  
 4 recommendations, but no reduction may diminish the salary of a judge during the  
 5 judge's continuance in office. The General Assembly may not amend this Joint  
 6 Resolution to increase these recommended salaries. Should the General Assembly not  
 7 adopt or amend this Joint Resolution within 50 days of its introduction, the salaries  
 8 recommended herein shall apply during fiscal years 2011 through 2014. Should the  
 9 General Assembly reject any or all of the salaries herein recommended, the salaries of  
 10 the judges so affected shall remain unchanged during fiscal years 2011 through 2014  
 11 unless modified under other provisions of the law; and

12 WHEREAS, The Judicial Compensation Commission held three meetings in  
 13 September and October 2008. The Commission considered many aspects and facets of  
 14 judicial compensation. The Commission did not meet in 2009, but each member  
 15 participated in a telephone poll, conducted by staff of the Department of Legislative  
 16 Services in November 2009, and voted to resubmit the recommendations made in the  
 17 Commission's January 2009 report. The Commission by a vote of five or more of its  
 18 members has recommended judicial salaries for fiscal years 2011 through 2014; now,  
 19 therefore, be it

20 RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That after  
 21 considering the recommendations of the Judicial Compensation Commission,  
 22 beginning July 1, 2010, judicial salaries shall be as follows:

23	Position	Current Salary	Proposed Salary
24	Court of Appeals		
25	Chief Judge	181,352	190,463
26	Associate Judge	162,352	171,463
27	Court of Special Appeals		
28	Chief Judge	152,552	161,663
29	Associate Judge	149,552	158,663
30	Circuit Courts		
31	Judge	140,352	149,463
32	District Court		
33	Chief Judge	149,552	158,663
34	Associate Judge	127,252	136,363;

1 and be it further

2 RESOLVED, That beginning July 1, 2011, judicial salaries shall be as follows:

3	Position	Proposed Salary
4	Court of Appeals	
5	Chief Judge	200,121
6	Associate Judge	181,121
7	Court of Special Appeals	
8	Chief Judge	171,321
9	Associate Judge	168,321
10	Circuit Courts	
11	Judge	159,121
12	District Court	
13	Chief Judge	168,321
14	Associate Judge	146,021;

15 and be it further

16 RESOLVED, That beginning July 1, 2012, judicial salaries shall be as follows:

17	Position	Proposed Salary
18	Court of Appeals	
19	Chief Judge	210,358
20	Associate Judge	191,358
21	Court of Special Appeals	
22	Chief Judge	181,558
23	Associate Judge	178,558
24	Circuit Courts	
25	Judge	169,358
26	District Court	
27	Chief Judge	178,558
28	Associate Judge	156,258;

29 and be it further

1           RESOLVED, That beginning July 1, 2013, judicial salaries shall be as follows:

2	Position	Proposed Salary
3	Court of Appeals	
4	Chief Judge	221,210
5	Associate Judge	202,210
6	Court of Special Appeals	
7	Chief Judge	192,410
8	Associate Judge	189,410
9	Circuit Courts	
10	Judge	180,210
11	District Court	
12	Chief Judge	189,410
13	Associate Judge	167,110.

14           RESOLVED, That a copy of this Resolution be forwarded by the Department of  
 15 Legislative Services to the Honorable Martin O'Malley, Governor of Maryland; the  
 16 Honorable Thomas V. Mike Miller, Jr., President of the Senate of Maryland; and the  
 17 Honorable Michael E. Busch, Speaker of the House of Delegates.