

Please accept this as testimony on:

Raised Bill 1434

***AN ACT CONCERNING THE COMPENSATION OF JUDGES, FAMILY
SUPPORT MAGISTRATES, REFEREES AND TEMPORARY EMPLOYEES OF
THE JUDICIAL BRANCH***

On behalf of:

***The Commission on Compensation
of
Elected State Officers and Judges***

State of Connecticut



**Commission on Compensation
of
Elected State Officers and Judges**

Report to the General Assembly

February 2007

State of Connecticut



COMMISSION ON COMPENSATION
OF ELECTED STATE OFFICIALS
AND JUDGES

LEGISLATIVE OFFICE BUILDING
HARTFORD, CONNECTICUT 06106-1591

February 2007

To: Members of the Connecticut General Assembly

On behalf of the Commission on Compensation of Elected State Officers and Judges, established by Section 2-9a of the Connecticut General Statutes, I hereby offer the commission's twenty-seventh report to the members of the 2007 session of the Connecticut legislature for your consideration.

Commission members are pleased to serve the State of Connecticut in this capacity. We are ready to provide any information and assistance required by the General Assembly in its deliberations on legislation and any other necessary action.

Sincerely,

Lewis B. Rome
Chairman

**COMMISSION ON COMPENSATION
OF ELECTED STATE OFFICERS AND JUDGES**

MEMBERS

Appointed by the Governor

John Miller of Wethersfield
Lewis B. Rome of Bloomfield, Commission Chairman

Appointed by the Senate President Pro Tempore

Karl R. Dudek of Enfield
Margaret Sandberg of West Hartford

Appointed by the Speaker of the House of Representatives

Kay Maxwell of Greenwich
Marisol Rodriguez of Bridgeport

Appointed by the Senate Minority Leader

Neil Griffin of Glastonbury
Al Candido of Southbury

Appointed by the House Minority Leader

Robert J. Berta of Southport
F. Joseph Paradiso of Stafford Springs

There is currently one commission vacancy: one member who is appointed by the Governor.

OBJECTIVES

For many years, the work of independent bipartisan compensation commissions has been guided by seven objectives:

1. to recommend compensation levels that will assure that state service can attract competent and effective people;
2. to recommend levels that will make public service possible for every eligible citizen, not just those whose financial status enables them to serve;
3. to recommend levels that will compensate elected officials and judges adequately for the time required and the experience necessary to perform the duties of their offices;
4. to recommend compensation appropriate for the officials of a state that is economically and socially diverse and highly developed industrially;
5. to recommend levels that compare favorably with those set for elected executive branch officials and judges in states of similar complexity and size;
6. to recognize changes in cost of living indices for the state, region, or both; and
7. to recommend compensation levels appropriate to the state's financial resources.

Commission members believe firmly that their purpose is to help attract able people from all walks of life to the service of the State of Connecticut. Great public servants often draw from their private careers the experience, wisdom, and understanding of people's lives, needs, and aspirations that superior state service requires.

SUMMARY OF RECOMMENDATIONS

Judges

Salary increases for judges and family support magistrates and the per diem rates paid to family support magistrate referees, senior judges, and judge trial referees should automatically increase based on the average salary increases for state managers. The increases should take effect July 1 each year starting on July 1, 2007.

General Assembly Members

Salary increases for all members of the General Assembly, including the three leadership positions in each house, should automatically increase each term based on the cost of living increases for state managers for the previous two fiscal years. The increase should take effect on the first Wednesday after the first Monday of every odd numbered year beginning in January 2009.

COMMISSION ACTIVITIES AND RECOMMENDATIONS

In its 2004 report to the General Assembly, the Commission on Compensation of Elected State Officers and Judges recommended increasing the salaries of judges by 6%, effective July 1, 2004. Later the General Assembly enacted and the Governor signed PA 04-2, May Special Session, which gave judges a 5.5% salary increase beginning each calendar year in 2005, 2006, and 2007. Current salaries are set by that legislation.

The *2006 Survey of Judicial Salaries* by the National Center for State Courts shows that the salary for Superior Court judges ranks 8th highest among the states but, when adjusted for the cost-of-living, ranks 32nd. The commission met on January 4, 2007 to hear a proposal by the chief court administrator to tie salary increases for judges and family support magistrates and the per diem rates paid to family support magistrate referees, senior judges, and judge trial referees to the average salary increases for state managers. The president of the Connecticut Judges Association also supported this proposal. The chief court administrator also supported, as an alternative, increasing salaries by 5% each of the next three years.

The commission met again on January 11 to consider these proposals. The members considered the importance of the salary increases in terms of the cost of living in Connecticut, the need to attract and keep highly qualified judges on the bench, and the value of the predictability of raises for judges. They considered that changing the method of setting salary increases from one that requires a statutory change for increases to one that provides for automatic increases, would provide more predictability for judges.

The commission recommended adopting the proposal for automatic annual increases tied to the average salary increase for state managers. But commission members agreed to change the effective date of the first salary increase from the original proposal's July 1, 2008 date to July 1, 2007. A copy of a draft bill is attached (see Attachment 1).

The commission met again on January 29 to consider Chairman Rome's proposal to recommend a method for automatic increases for members of the General Assembly. Commission members discussed the need for a salary increase and, as with the judges, provide a means for more predictable increases for legislators. Legislators salaries have not increased since 2001. Commissioners noted that without an automatic

method, General Assembly members are put in the awkward position of having to vote for their own raises.

The commissioners discussed the possibility of having additional, one-time raises for the three legislative leaders of each house, but decided not to include that provision because it could be seen as a step toward a full-time legislature. They also agreed that salary increases for legislators should be tied only to cost of living increases for state managers and not also to managers' merit raises. At the end of the discussion, the commission voted to recommend automatic salary increases for General Assembly members tied to the cost of living increases for executive branch managers, effective January 2009 (the next term of the legislature).

The draft bill attached provides a raise at the beginning of each two-year term that captures the cost of living increases from the previous two years (see Attachment 2).

The commissioners agreed to review the compensation for the state's constitutional officers next year.

BACKGROUND

Judicial Salaries

The current salaries for judges were established in PA 04-2, May Special Session. The act increased salaries of judges and family support magistrates by 5.5% on each of the following dates: January 1, 2005, January 1, 2006, and January 1, 2007. The chart below displays the effect of these increases.

Position	Prior Law	Under the Act		
	As of 4/1/02	As of 1/1/05	As of 1/1/06	As of 1/1/07
	\$149,582	\$157,809	\$166,489	\$175,645
Chief Court Administrator*	143,738	151,644	59,984	168,783
Supreme Court Associate Justice	138,404	146,016	154,047	162,520
Appellate Court Chief Judge	136,873	144,401	152,343	160,722
Appellate Court Judge	129,988	137,137	144,680	152,637
Deputy Chief Court Administrator**	127,617	134,636	142,041	149,853
Superior Court Judge	125,000	131,875	139,128	146,780
Chief Family Support Magistrate	108,821	114,806	121,120	127,782
Family Support Magistrate	103,569	109,265	115,275	121,615

* The chief court administrator earns this salary if he is a judge of the Supreme, Appellate, or Superior Court.

** The deputy chief court administrator earns this salary if he is a Superior Court judge.

The law's provisions result in salary increases for other officials whose salaries are tied to those of judges. The salaries of workers' compensation commissioners vary depending on experience and are tied to those of Superior Court judges. The salaries of probate court judges are capped at 75% of a Superior Court judge's salary.

PA 04-2, May Special Session also increased the per diem fees paid to judge trial referees from \$200 to \$211 and to family support referees from \$180 to \$190.

General Assembly Member Salaries

PA 00-231 established the current salaries for legislative leaders, committee chairs, ranking members, and rank and file members. The act gave all legislators a 28.5% raise.

Position	Prior Salary	Salary As Of 1/3/01
House speaker and Senate president pro tempore	\$30,108	\$38,689
House and Senate majority and minority leaders	28,665	36,835
Deputy House speaker and House and Senate deputy majority and minority leaders	26,806	34,446
House and Senate assistant majority and minority leaders and majority and minority whips, and standing committee chairs	25,090	32,241
Standing committee ranking members	23,660	30,403
Rank and file members	21,788	28,000

An Act Concerning the Compensation of Judges and Family Support Magistrates

Be it enacted by the senate and house of representatives in general assembly convened:

Section 1. Subsection (a) of section 51-47 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) The judges of the Superior Court, judges of the Appellate Court and judges of the Supreme Court shall receive annually salaries as follows:

(1) On and after April 1, 2002, (A) the Chief Justice of the Supreme Court, one hundred forty-nine thousand five hundred eighty-two dollars; (B) the Chief Court Administrator if a judge of the Supreme Court, Appellate Court or Superior Court, one hundred forty-three thousand seven hundred thirty-eight dollars; (C) each associate judge of the Supreme Court, one hundred thirty-eight thousand four hundred four dollars; (D) the Chief Judge of the Appellate Court, one hundred thirty-six thousand eight hundred seventy-three dollars; (E) each judge of the Appellate Court, one hundred twenty-nine thousand nine hundred eighty-eight dollars; (F) the Deputy Chief Court Administrator if a judge of the Superior Court, one hundred twenty-seven thousand six hundred seventeen dollars; (G) each judge of the Superior Court, one hundred twenty-five thousand dollars.

(2) On and after January 1, 2005, (A) the Chief Justice of the Supreme Court, one hundred fifty-seven thousand eight hundred nine dollars; (B) the Chief Court Administrator if a judge of the Supreme Court, Appellate Court or Superior Court, one hundred fifty-one thousand six hundred forth-four dollars; (C) each associate judge of the Supreme Court, one hundred forty-six thousand sixteen dollars; (D) the Chief Judge of the Appellate Court, one hundred forty-four thousand four hundred one dollars; (E) each judge of the Appellate Court, one hundred thirty-seven thousand one hundred thirty-seven dollars; (F) the Deputy Chief Court Administrator if a judge of the Superior Court, one hundred thirty-four thousand six hundred thirty-six dollars; (G) each judge of the Superior Court, one hundred thirty-one thousand eight hundred seventy-five dollars.

(3) On and after January 1, 2006, (A) the Chief Justice of the Supreme Court, one hundred sixty-six thousand four hundred eighty-nine dollars; (B) the Chief Court Administrator if a judge of the Supreme Court, Appellate Court or Superior Court, one hundred fifty-nine thousand nine hundred eighty-four dollars; (C) each associate judge of the Supreme Court, one hundred fifty-four

thousand forty-seven dollars; (D) the Chief Judge of the Appellate Court, one hundred fifty-two thousand three hundred forty-three dollars; (E) each judge of the Appellate Court, one hundred forty-four thousand six hundred eighty dollars; (F) the Deputy Chief Court Administrator if a judge of the Superior Court, one hundred forty-two thousand forty-one dollars; (G) each judge of the Superior Court, one hundred thirty-nine thousand one hundred twenty-eight dollars.

(4) On and after January 1, 2007, (A) the Chief Justice of the Supreme Court, one hundred seventy-five thousand six hundred forty-five dollars; (B) the Chief Court Administrator if a judge of the Supreme Court, Appellate Court or Superior Court, one hundred sixty-eight thousand seven hundred eighty-three dollars; (C) each associate judge of the Supreme Court, one hundred sixty-two thousand five hundred twenty dollars; (D) the Chief Judge of the Appellate Court, one hundred sixty thousand seven hundred twenty- dollars; (E) each judge of the Appellate Court, one hundred fifty-two thousand six hundred thirty-seven dollars; (F) the Deputy Chief Court Administrator if a judge of the Superior Court, one hundred forty-nine thousand eight hundred fifty-three dollars; (G) each judge of the Superior Court, one hundred forty-six thousand seven hundred eighty dollars.

(5) On July 1, 2007, and of each year thereafter, the salary for the offices of the Chief Justice of the Supreme Court, the Chief Court Administrator if a judge of the Supreme Court, the Appellate Court or Superior Court, an associate justice of the Supreme Court, the Chief Judge of the Appellate Court, a judge of the Appellate Court, the Deputy Chief Court Administrator if a judge of the Superior Court and each judge of the Superior Court shall be increased by a percentage, rounded up to the nearest one-hundredth, that equals the average increase in the annualized salaries for state managers for the fiscal year commencing prior to the fiscal year in which such increases are paid. As used in this subdivision, "state manager" means a managerial employee in the classified service as defined by section 5-196 of the general statutes. For the purposes of this section, the average increase in salaries for state managers shall include all increases in the base salary, annual increments, and any other increase reflected in the employee's regular paycheck, except longevity payments. All amounts used in calculating salary increases shall be rounded up to the next highest dollar.

Section 2. Subsection (h) of section 46b-231 of the general statutes is repealed and the following is substituted in lieu thereof:

(h) On and after April 1, 2002, the Chief Family Support Magistrate shall receive a salary of one hundred eight thousand eight hundred twenty-one dollars, and other family support magistrates shall receive an annual salary of one hundred three thousand five hundred sixty-nine dollars.

(1) On and after January 1, 2005, the Chief Family Support Magistrate shall receive a salary of one hundred fourteen thousand eight hundred six dollars, and other family support magistrates shall receive an annual salary of one hundred nine thousand two-hundred sixty-five dollars.

(2) On and after January 1, 2006, the Chief Family Support Magistrate shall receive a salary of one hundred thirty thousand four hundred ninety-eight dollars, and other family support magistrates shall receive an annual salary of one hundred twenty-four thousand two hundred dollars.

(3) On and after July 1, 2006, the Chief Family Support Magistrate shall receive a salary of one hundred twenty-one thousand one hundred twenty dollars, and other family support magistrates shall receive an annual salary of one hundred fifteen thousand two hundred seventy-five dollars.

(4) On July 1, 2007, and each year thereafter, the salary for the offices of the Chief Family Support Magistrate and other family support magistrates shall be increased by a percentage, rounded up to the nearest one-hundredth, that equals the average increase in the annualized salaries for state managers for the fiscal year commencing prior to the fiscal year in which such increases are paid. As used in this subdivision, "state manager" means a managerial employee in the classified service, as defined by section 5-196 of the general statutes. For the purposes of this subdivision, the average increase in salaries for state managers shall include all increases in the base salary, annual increments, and any other increase reflected in the employee's regular paycheck, except longevity payments. All amounts used in calculating salary increases shall be rounded up to the next highest dollar.

Section 3. Section 46b-236 of the general statutes is repealed and the following is substituted in lieu thereof:

(b) Each family support magistrate referee shall receive, for acting as a family support referee, in addition to the retirement salary, the sum of one hundred ninety dollars and expenses, including mileage, for each day a family support referee is so engaged. On July 1, 2007, and each year thereafter, said sum shall be increased by a percentage, rounded up to the nearest one-hundredth, that equals the average increase in the annualized salaries for state managers for the fiscal year commencing prior to the fiscal year in which such increases are paid. As used in this subdivision, "state manager" means a managerial employee in the classified service, as defined by section 5-196 of the general statutes. For the purposes of this subsection, the average increase in salaries for state managers shall include all increases in the base salary, annual increments, and any other increase reflected in the employee's regular paycheck, except increases in longevity payments. All amounts used in calculating salary increases shall be rounded up to the next highest dollar.

Section 4. Subsection (f) of section 52-434 of the general statutes is repealed and the following is substituted in lieu thereof:

(f) Compensation. Each judge trial referee shall receive, for acting as a referee or as a single auditor or committee of any court or for performing duties assigned by the Chief Court Administrator with the approval of the Chief Justice, for each day the judge trial referee is so engaged, in addition to the retirement salary: [(1)(A)] On [and after January 1, 2006, and before January 1, 2007, the sum of two hundred fifteen dollars, and (B) on] and after January 1, 2007, the sum of two hundred twenty dollars[; and (2) expenses, including mileage. Such amount shall be taxed by the court making the reference in the same manner as other court expenses]. (2) On July 1, 2007, and each year thereafter, the amount of specified in subdivision (1)(A) of this subsection shall be increased by a percentage, rounded up to the nearest one-hundredth, that equals the average increase in the annualized salaries for state managers for the fiscal year commencing prior to the fiscal year in which such increases are paid. As used in this subdivision, "state manager" means a managerial employee in the classified service, as defined by section 5-196 of the general statutes. For the purposes of this section, the average increase in salaries for state managers shall include all increases in the base salary, annual increments, and any other increase reflected in the employee's regular paycheck, except increases in longevity payments. All amounts used in calculating salary increases shall be rounded up to the next highest dollar. In addition to said amount, each judge trial referee shall receive expenses, including mileage.

STATEMENT OF PURPOSE: To provide for an indexed increase for the salaries of the judges of the Supreme Court, Appellate Court and Superior Court and the family support magistrates, and to increase the per diem rates paid to family support magistrate referees, senior judges and judge trial referees.