



STATE OF CONNECTICUT  
SUPREME COURT

Chambers of  
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Testimony of Chase T. Rogers  
Chief Justice of the Connecticut Supreme Court  
Judiciary Committee  
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*S.B. 31, An Act Establishing a Commission on Judicial Compensation*

Senator Coleman, Representative Fox, Senator Kissel and Representative Hetherington, my name is Chase Rogers and I have the honor of serving as Chief Justice of the Connecticut Supreme Court. Thank you for the opportunity to testify today in strong support of one of Governor Malloy's bills, **Senate Bill 31, *An Act Establishing a Commission on Judicial Compensation.***

This bill creates a mechanism to establish a fair, transparent and objective compensation level for judges. Specifically, the bill establishes a Commission, similar to the Compensation Commission that the New York Legislature recently enacted. Under the proposal, members would be appointed by the Governor, Legislative leaders from both parties and the Chief Justice. The Commission would meet every four years and would be charged with examining judges' salaries and recommending salary levels for the next four-year period. It is important to note that legislators retain the authority to reject, modify or approve these recommendations, and that they become effective only if no action is taken.

Voting for this bill does not mean that you are voting to give judges a raise. To the contrary - - the Commission may recommend no increases at all after examining a number of factors such as: the overall economic climate in the state,

the rate of inflation, the state's interest in attracting highly qualified and experienced attorneys to serve in judicial capacities, the state's ability to fund increases in compensation and the compensation adjustments applicable to state employees. Moreover, the entire process will be open and transparent to the public.

Under this proposal, the General Assembly retains its power and authority over judicial compensation by virtue of the fact that it has absolute authority to accept or reject any proposed increases. And, as I already mentioned, your leaders will appoint members to the Commission which means that you will be part of the process from its inception.

Now is the time to act, because frankly, the current system is not working. The last time that the Legislature voted on judges' salaries was eight years ago, when it passed a three-year plan. The last time that judges received an increase in compensation was five years ago. That three-year plan has come and gone and our state judges have not received COLAs, annual increments or any other increases in their pay since then.

In addition, Connecticut's judges are underpaid compared with judges elsewhere and continue to fall behind other states. The most recent salary report issued in July of 2011, by the *National Center for State Courts*, ranks Connecticut as #45 in the nation in what it pays its trial judges, when the salary is adjusted for the cost of living. This represents further erosion when you consider that Connecticut was rated as #42 in the January 2011 report. Connecticut must do better.

I think that it is necessary to take a step back to remember what we are asking our judges to do. We ask them to make difficult decisions every day that profoundly affect people's personal and professional lives, their reputations and

their freedom. Put another way, we ask them to go into highly charged emotional situations and dispassionately apply the rule of law. For example, a judge may have to sentence to prison an 18-year-old who, while driving under the influence, caused the death of his best friend. Another judge could be presiding over a capitol felony case with complicated legal issues where death is the ultimate penalty. Another example might be a liability case where a young child died as a result of a defective product. A judge one day may be presiding over a complex commercial matter involving millions of dollars and then another day assigned to hear a motion in a hotly contested family case involving self-represented parties. It is impossible to overstate the importance and impact that these decisions have on the lives of Connecticut residents each and every day.

I hope you will agree that it takes a certain type of person who has all of the necessary qualities to handle these types of situations day after day. These qualities include: wisdom, compassion, courage, integrity and the ability to dispassionately apply the law. Historically, we have been able to attract such individuals to the Connecticut bench because they have a desire to make a difference through public service and are willing to make the necessary sacrifices.

However, I am concerned that if we do not establish an effective mechanism to address compensation, we will be unable to attract these individuals in the future.

I respectfully ask for your support of this bill. Thank you for the opportunity to testify and I would be pleased to answer any questions that you may have.