



CONNECTICUT
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Raised Bill 31
Public Hearing 3/9/12

TO: MEMBERS OF THE JUDICIARY COMMITTEE
FROM: CONNECTICUT TRIAL LAWYERS ASSOCIATION
DATE: MARCH 9, 2012

RE: *SUPPORT FOR RAISED BILL 31*
AN ACT ESTABLISHING A COMMISSION ON JUDICIAL COMPENSATION

Thank you Representative Fox, Senator Coleman and other members of the judiciary committee for the opportunity to testify concerning Senate Bill 31 An Act Establishing a Commission on Judicial Compensation. I am John Kennedy current President of the CTLA. I speak today in favor of the Senate Bill. This legislation proposed by the Governor would create a Compensation Commission, similar to the Compensation Commission that was recently established in New York, for the payment of Judicial Compensation.

Under the basic framework of the proposed legislation, a Commission would be created and its members would be appointed by the Governor, Legislative Leaders and the Chief Justice. The Commission would meet every 4 years to examine the judges' salaries and recommend salary levels for the next 4 year period. The bill requires the commission to take into account seven (7) objective and valid factors in making their recommendations. Those recommendations for salary levels made by the Commission, under the proposed legislation, would go into effect unless rejected or modified by the legislature. The Connecticut Trial Lawyers Association believes the proposed method as described above is objective, transparent, predicable and fair. Further, there is no cost to this proposal until FY 14 at the earliest.

The Connecticut Trial Lawyers Association believes that this proposed legislation is essential for our state to help ensure we have a highly qualified bench with a variety of experiences. While rarely an easy or welcome task, periodic increase of the salaries of public officials is necessary to ensure the effective operation of government. No effective system of government can consistently attract and retain qualified and dedicated public officials if their compensation falls far behind with no reliable method to fairly adjust compensation levels as economic conditions warrant. Protecting the compensation of Connecticut's judges and other public officials against inflation and other such factors is essential to prevent genuine hardship over time. Without these measures, financial hardship and considerations might increasingly discourage recruitment and retention of talented individuals to judgeships.

Unfortunately, we seem to be in a period in which greater public dissatisfaction with state employees and public officials has bred a growing unwillingness to address the salary issue at all. During this period, the value of a judges' salary has diminished.

It is clear that the current system is not working. Connecticut's judges are underpaid compared with judges elsewhere and continue to fall behind other states. The most recent salary report from July 2011 issued by the National Center for State Courts ranks Connecticut as number 45 in the nation when adjusted for cost of living. This represents further erosion as Connecticut was ranked number 42 in the January 2011 report.

Our falling behind other states may be due to the time which has passed since the Connecticut judges were last given a compensation increase. The last time Connecticut judges received an increase in compensation was on January 1, 2007. The last time that the Legislature voted to increase judges' salaries was in 2004 when it passed a three-year plan that increased judges' salaries by 5.5% in 2005, 2006 and 2007.

Judges do not receive COLAs, annual increments or other increases in their pay. Furthermore, judges in Connecticut are not elected. The Connecticut Trial Lawyers Association believes this is a good thing because it means fair, independent, impartial judges on the bench. However, it also means that judges are apolitical and do not lobby themselves for increases or adjustments to their pay. They must rely on government to adopt pay increases. With no consistent mechanism to adjust salaries and little hope that the Legislature will enact pay increases in the future due to the economic climate, highly qualified attorneys have not pursued judgeships. This is a loss to all citizens in the state who would clearly benefit from these qualified attorneys as judges.

We need to act now.

Under the proposal the new Commission would be effective July 1, 2012 and its first report would be due on January 2, 2013. The first opportunity for a pay raise for judges would be on July 1, 2013, which is the beginning of FY 14. The Commission as proposed in the new legislation would provide an objective, transparent, predictable and fair means for judges to obtain periodic increases in their salaries so that we maintain a highly qualified and effective bench. Simply put, the bill constitutes good government. The goals should be to place the best judges possible in position for litigants in the state and to compensate them fairly. This bill is directed at achieving that goal.

WE RESPECTFULLY URGE YOUR SUPPORT OF RAISED BILL 31