

## STATES WITHOUT JUDICIAL COMPENSATION COMMISSIONS

State	Salary Increases Initiated By	Process	Judicial Salary Escalators
Alaska	Legislative action.	Statute defines schedule for salaries and COLAs. Increases to salaries are part of general bills and do not change the salary statute.	Geographic COLA applied to first \$40,000 of base salary for a justice of supreme court, judge of superior/district court. Salaries also tied to performance - additional salary paid if judge files an affidavit stating that no matter referred for opinion or decision has been uncompleted or undecided for a period of more than 6

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Arkansas	Legislative action on request of the judiciary.	General assembly sets salaries and fees for all officers in the state.	None.
California	Department of Personnel Administration (DPA).	Periodically, a change in the base salary of judges is made through the DPA, which sets salaries for judges.	By statute, judicial salaries are tied to the average increase for state employees. These would be the equivalent of COLA. These raises need not be approved by the legislature. Calculation and approval of COLA is made by the DPA.
Colorado	Legislative action.	Statute defines compensation of justices and judges. Adjustments are defined by statute and determined by the general assembly. Increase in judicial compensation is set forth in an annual general appropriations bill and is for that fiscal year only.	None.
District of Columbia	The Congress of the United States determines whether federal and DC judges receive any increase.	DC Court of Appeals judges are compensated at the same rate as judges of the US Courts of Appeals, except that the chief judge receives an additional \$500 per annum. Judges of the superior court are compensated at the rate prescribed by law for judges of the United States district courts, with the chief judge receiving an additional \$500 per annum.	The compensation of judges in DC tied to that of judges on the federal bench and thus increases automatically as federal judges receive pay increases based upon the Employment Cost Index (ECI).
Florida	Legislative action.	Statute grants authority to the supreme court to govern the selection of judicial employees, the determination of qualifications and compensation, and the establishment of policies relating to the work of such employees, including hours of work, leave, and other matters.	None.
Idaho	Legislative action.	Supreme court recommends a % increase in salaries, generally consistent with increases proposed for all state employees. The increase is introduced as separate legislation, in consultation with house/senate leadership and the chairs of the respective judiciary committees. Generally if the judiciary committee recommends the legislation, the bill passes.	None.
Kansas	Legislature appropriates COLAs when state employees get COLAs, usually annually.	The annual salary of the justices of the supreme court, the judges of the court of appeals, and each district and magistrate judge shall be increased by the average increase from step movements of the pay plan for persons in the classified service of the Kansas civil service act.	The judges' COLAs are tied to the increases given to classified employees of the executive branch.
Kentucky	By statute, executive-branch employees receive an annual 5% increase unless the general assembly changes it. This is extended to all employees, including judges.	The general assembly sets the salaries of judges. The chief justice and the director of the court administrative office present the budget before legislative committees, if the request is for greater than 5%.	General assembly approves annual COLA and gives the same percentage increase to all state employees, including judges.
Massachusetts	Legislative action.	There are no special procedures required.	None.
Mississippi	Legislative action.	State personnel board compares Mississippi salaries with those of four adjacent states. Judicial increases are part of an omnibus pay bill involving state employees.	None.
Montana	Biennial salary survey.	As required by law, the salaries of the chief justice and justices of the Montana Supreme Court and district court judges are adjusted biennially according to a salary survey of judges' salaries in surrounding states.	None.
Nebraska	Legislative action.	Judges are given salary adjustments only when appropriations for such adjustments are given by the legislature.	None.
New Hampshire		Judges compensation set by statute.	The legislature has amended statute to increase judicial compensation by an annual COLA equal to that given to state employees. In addition, any "state official" (includes judges) with 10 years' service is awarded an annual payment of \$300 plus an additional \$300 for each additional 5 years of service.
New York	Legislative action. Temporary compensation commissions.	If the recommendations on salaries are accepted by the governor and legislative leaders, the increases are generally enacted.	None.
North Dakota	Legislature approves judicial budget.	Judicial salary commission recommends increases to the judiciary, which incorporates them into the budget.	None.
Ohio	Legislative action.	There is no formal process. Informally, the chief justice and other judicial leaders work with legislative leaders to craft legislation that will increase judicial compensation.	CPI escalator with a cap of 3 percent. This COLA applies to all state and county elected officials.
Pennsylvania	Legislative action.	Increases are automatic as of January 1 based on CPI announced in previous November (CPI-U for the Pennsylvania, New Jersey, Delaware, and Maryland areas).	COLA based on the CPI Urban Index for Pennsylvania, Delaware, New Jersey, and Maryland.
Rhode Island	General Assembly.	Chief justice has authority to set the salary of and authorize salary increases for judges/magistrates. Chief justice/state court administrator include funding of salary increases in judiciary's budget request that is submitted and appropriated by the general assembly.	Judges receive same longevity increases as state employees: 5% of base after 5 years, 10% after 11 years, 15% after 15 years, 17.5% after 20 years, 20% after 25 years.
South Carolina	Legislative action.	Recommendations from a temporary study committee. Increases are usually tied to raises for state officials.	None.
South Dakota	Legislative action.	Recommendations from a temporary study committee. Increases are usually tied to raises for state officials.	Law provides that salaries of judges shall be adjusted annually by the same rate appropriated as the across-the-board increase to base salaries of state employees.
Tennessee		Annual increases based on consumer price index. Judges get increases even if other state employees do not.	Annual COLA adjustment tied to consumer price index (CPI). No reduction in salary on account of decrease in the CPI. No adjustment may exceed 5% unless CPI exceeds 10% where the adjustment is 5%, plus 1% for each 1% or fraction thereof beyond the 10%.
Vermont	Legislative action.	Requires new legislation each time. The legislation doesn't mention COLA; it just sets a new salary. Requires a new bill/act every year or every two years.	Yes. Based on the COLA negotiated between the state employees' union and management.
Virginia	Legislative action.	Judges are grouped with employees for salary-increase purposes.	None.
West Virginia	Legislative action on recommendation of circuit court judges association.	The legislature considers recommendation of the supreme court of appeals, which considers recommendations of associations (e.g., circuit court judges, judicial association; family court judges, etc). The legislature does not need a recommendation from supreme court to consider salary increases.	None.
Wisconsin	Legislative action.	Chief justice and secretary of the department of employment relations take salary package to the legislature, which can accept or reject, but not change the recommendation. Generally the increase is the same percentage as for nonrepresented state employees.	None.
Wyoming	Legislative action on request of the judiciary.		None.