

MINUTES OF THE MEETING  
GENERAL GOVERNMENT & HIGHWAYS SUBCOMMITTEE  
50TH LEGISLATIVE SESSION  
HOUSE OF REPRESENTATIVES

The meeting of the General Government & Highways Subcommittee was called to order by Chairman Rehberg on January 16, 1987, at 8:10 a.m. in Room 132 of the State Capitol.

ROLL CALL: All members were present. Sen. Keating was late. Also present were Flo Smith from the OBPP, Clayton Schenck, Senior Fiscal Analyst and Pam Joehler, Senior Fiscal Analyst.

28A:000

HOUSE BILL 20

Representative Marian W. Hanson, House District 100, introduced House Bill 20, (Exhibit No. 1) "An Act Creating A Legislative Committee on Indian Affairs." The Interim Committee on Indian Affairs was formed in 1979 and had a budget of \$40,000.00, with eight members. At the present time, the budget is \$6,000.00 with four members. There were seven meetings in the last interim. This committee has kept the communications open with the Indian tribes around the state. For no other reason than the water rights concerns, the committee is well worth the money expended.

Chairman Rehberg called for proponents.

PROPOSERS

Senator Delwyn Gage, District No. 5, who was chairman during the last interim, expanded on Rep. Hanson's testimony. He stated the committee feels they were very instrumental in getting the Fort Peck Compact signed. This feeling is shared by the Indian community. The amount of good this committee has done in dialogue between the Indian nation and the State of Montana has not yet been realized. This committee felt they should comply with the Governor's request to cut back on state spending and refunded \$1,000.00 to the state prior to the time they knew just what their expenditures were going to be.

Chairman Rehberg called for opponents.

OPPOSERS - None

In closing, Rep. Hanson urged the committee to give serious thought to the \$6,000.00 funding.

The meeting closed on HB 20.

JUDICIARY:

District Court

EXECUTIVE ACTION

Rep. Quilici moved the LFA be accepted with subsequent adjustments.

A voice vote was taken and the motion PASSED unanimously.

The OBPP Budget included \$16,000.00 per year for continuing legal education for district court judges. In FY 86, training was held at a cost of \$100.00 for a general fund savings of \$31,800.00.

EXECUTIVE ACTION

Senator Gage moved the committee not include the funding for continuing legal education in the LFA budget, and the LFA budget be reduced by \$200.00 and that district court judges fund their own continuing legal education.

Rep. Rehberg proposed to the committee the motion could include eliminating the out-of-state travel for continuing legal education.

Jim Oppedahl said they were paying for a program to keep these judges informed on issues around the state. He felt this program kept the judges current and efficient in their operations.

There was discussion regarding the pay for the district judges in Montana as compared to other states. Montana ranks 49th in this area. (Exhibit No. 2)

Jim explained in 1986, this money was used to pay salaries of retired judges. The money was moved into personal services. For education, they borrowed talent from other agencies of state government to put on an educational program to fulfill these requirements.

There was discussion regarding the continuing legal education for district court judges in the surrounding states. Jim said these states are committed to a program for their judges.

28B:10.18

A voice vote was taken and the motion DID NOT PASS, with Sen. Stimatz, Rep. Quilici and Rep. Poulsen voting no.

EXECUTIVE ACTION

Rep. Quilici moved to accept the LFA, with adjustments, and to substitute the OBPP Budget in personal services.

A voice vote was taken and the motion PASSED unanimously.

Supreme Court Operations - Modified

The issue was whether to fund the Supreme Court at five or seven or to let the Legislature decide without the committee assuming the Supreme Court will be raised to seven. In the current budget addressed by the committee, the Supreme Court funded at five. There was no motion on this issue.

29A:2.15

STATE AUDITOR

Central Management Program

EXECUTIVE ACTION

Rep. Quilici moved the LFA be accepted, with subsequent adjustments.

A voice vote was taken and the motion PASSED unanimously.

The OBPP Budget deleted two FTE positions, Administrative Assistant II and a Data Processing Control Technician, for a cost reduction of approximately \$73,900.00 including an allowance for vacancy savings. Both positions were filled as of August 1986 and are included in the LFA current level. The State Auditor has requested these positions be reinstated.

The OBPP Budget is \$11,155.00 higher than the LFA current level for equipment and included \$5,290.00 for room dividers and a conference table.

(10:00)

Clayton Schenck, LFA, said if the committee adopted the OBPP Budget, they would, in effect, be making the five percent cuts permanent somewhere within that budget. If the LFA is adopted, approximately \$88,000.00 of the five percent will be put back.

Audit Department

Clayton stated the difference between the two budgets totaled approximately \$6,900.00 in FY 88 and \$6,300.00 in FY 89. This difference is almost entirely in personal services as a result of a shift in FTE. The major difference is the manner in which the OBPP proposed to fund this division. The OBPP Budget is \$134,000.00 more in general fund and \$228,000.00 less of state special revenue. (Exhibit No. 3)

(18.15)

Clayton said the two supplementals were approved by the committee and have been heard by the full appropriations committee. If passed, the Central Payroll Operating Account would be reduced \$55,000.00 and that would make it impossible to do what they propose in this budget. He said if the modifieds are passed as presented by the State Auditor, they would be, in effect, taking that balance down \$149,000.00 and there would have to be an adjustment.

The committee recessed at 9:30 a.m.

Meeting reconvened at 9:50 a.m.

Sen. Keating came to the meeting.

#### EXECUTIVE ACTION

Rep. Quilici moved the LFA be accepted with subsequent adjustments.

A voice vote was taken and the motion PASSED unanimously.

(33.43)

Donna Warner, Administration of State payroll, explained the new method of funding. She agreed there was an accumulation over the years and it would be necessary they have something to charge against the first two months of the year before the agencies can be billed. They have been reducing that balance over the past six years. There is a statute requiring non-general funds be used before using the general funds.

Flo Smith said if the committee recommended to spend the cash on hand, or the fund balance, first, then any expenditures made after that could be split in accordance with the plan, as far as federally supported agencies to general fund.

29B:1.50

In personal services, the committee should recommend the OBPP budget be adopted, or add \$12,500.00 to personal services budget per year.

#### EXECUTIVE ACTION

In order to accomplish the transfer as requested, Senator Gage moved the committee eliminate administrative clerk, Grade 6, from the Dept. of Administration and add a personal tech, Grade 10, and related funding.

A voice vote was taken and the motion PASSED unanimously.

Clayton Schenck, LFA, reviewed the insurance issues. The OBPP budget deleted two FTE positions, an administrative officer and an unclassified position, providing a cost reduction of approximately \$101,000.00. Both positions are currently occupied. The LFA budget is current level.

#### EXECUTIVE ACTION

Rep. Quilici moved that the committee adopt the LFA, with subsequent adjustments.

A voice vote was taken and the motion PASSED unanimously.

Clayton said the OBPP budget is higher in all second level expenditure categories and the LFA current level took the reductions for one-time development costs appropriated by the last Legislature for the new insurance laws.

(12.02)

In Computer Maintenance Cost, the OBPP Budget included \$18,000.00 more in the biennium for maintenance contracts. These costs were to be largely offset by the cancellation of the contract on the System Six. There is also a difference in equipment.

Sen. Keating suggested there be written testimony in the books stating employees were asked to take an eighty-five hour reduction in work and they did show up and work those hours without pay. He also suggested that written testimony be prepared as to why they need additional personnel and what work they are doing on behalf of the insurance industry and to include those points made by the industry representative regarding the need for actuarial reports. If it is of benefit to the taxpayer, this should be included. Ms. Bennett indicated they would be able to furnish these.

(19.51)

Regarding the title insurance and non-gender insurance issues, Clayton, LFA, stated the appropriation of the 1985 Legislature did allow additional funds for the two laws on an ongoing basis, but the Legislature also specified that there were one-time costs and designated those amounts, which was \$19,000.00 and specified that those were not to be ongoing costs. The Legislature wanted that amount taken out as they were one-time costs.

(20.55)

Securities Division

Clayton said there were minor differences in the operating expenses on the second level comparison not raised in his narrative. \$2,441.00 in postage and \$720.00 in training for new systems were deleted by the LFA. The OBPP included \$4,700.00 to purchase a WANG. This is not in the LFA current level.

EXECUTIVE ACTION

Senator Keating moved the LFA be adopted with subsequent adjustments.

A voice vote was taken and the motion PASSED unanimously.

EXECUTIVE ACTION

Senator Keating moved to fund the equipment in the amount of \$5,148.00 and restoration of the \$2,000.00 in communication, replacing the \$2,441.00 difference.

For purposes of clarification, Chairman Rehberg said the \$2,000.00 replaces the \$2,441.00 difference. So, in fact, the committee would be putting the \$2,000.00 back into communications, as well as \$4,700.00 for the WANG computer.

A voice vote was taken and the motion PASSED, with Rep. Quilici voting no.

See Exhibit No. 4, Excess of Revenues over Expenditures.

30A:3.05

Modifications

Chairman Rehberg opened the hearing to comment, discussion or motions on any of the issues.

Warrant Replacement System

The length of time to get the check writing system on line is due to systems development. There is a substantial financial penalty for not getting the warrants out by the deadline. Senator Keating requested that figure be made available to the committee. Doug Booker explained the problem is in the programming. Sen. Gage suggested it be impressed upon ISD the committee felt it important this be given high priority.

Terry Lazure pointed out that \$81,000.00 of the \$199,000.00 is for hardware, equipment and machines. There is no reason why the purchase would have to be delayed for two years. As far as

purchasing the equipment in the next biennium, the cost would probably go up. He said he would feel a little uncomfortable in justifying the expense of the special payroll funds on this project with the federal auditor. Ms. Bennett suggested the committee check with the Dept. of Administration before splitting any part of the recommendations.

Sen. Keating said the committee would be granting spending authority only and he hoped they would not buy the equipment too soon. In the meantime, that money will be invested.

Flo Smith explained the original request came in for 100 percent general fund. The funding for the audit division is split, sixty-three percent general fund and thirty-seven percent state special. The thirty-seven percent state special goes into the payroll function, which is non-general fund supported, and it was their recommendation that, if this was funded, part of those funds be used to support this program.

Terry Lazure said only thirteen percent of the actual number of warrants printed in FY 86 were central payroll. He said he could be comfortable justifying that thirteen percent to a federal auditor, but not the thirty-seven percent.

(21.06)

Doug Booker said if the committee decided the thirty-seven percent would come from state special revenue, which comes from charges for payroll, they would have to go back in and put authority in other budgets so these agencies would have an avenue to collect that money. Full appropriations would have the authority to affect other budgets.

Clayton reminded the committee they had approved the LFA budget for this division wherein the balance in the central payroll operating account would be used to fund the 89 biennium. Therefore, any of these expenditures approved to come out of that state special revenue fund means they would have to go back into the approved budget, take out state special revenue and put in general fund. It will be a wash in the long run.

(29.55)

#### EXECUTIVE ACTION

Senator Gage moved \$199,250.00 be funded with general funds for Warrant Replacement System, pending investigation as to the possibility of funding this by State Anticipation Notes.

A voice vote was taken and the motion PASSED unanimously.

General Government and Highways Subcommittee

January 16, 1987

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30B:000

There was discussion regarding the need for an actuary and the benefit to the taxpayers. Terry Lazure stated this would ensure that Montana taxpayers are charged fair and reasonable rates. Ms. Bennett said the law read that the State Auditor's office, insurance department, is to review the excessiveness, inadequacy or reasonableness of rates. The department is not doing anything to enforce this at present.

ADJOURNMENT: The meeting was adjourned at 11:20 a.m.

  
DENNIS R. REHBERG, Chairman



RE-REFERRED AND  
APPROVED BY COMMITTEE  
ON APPROPRIATIONS

AS AMENDED

HOUSE BILL NO. 20

INTRODUCED BY HANSON

BY REQUEST OF THE COMMITTEE ON INDIAN AFFAIRS

1 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A LEGISLATIVE  
2 COMMITTEE ON INDIAN AFFAIRS; PROVIDING FOR THE COMMITTEE'S  
3 TERMINATION IN 1989; APPROPRIATING FUNDS FOR THE COMMITTEE;  
4 AND PROVIDING AN EFFECTIVE DATE."

5 WHEREAS, the 1985 Montana Legislature, through adoption  
6 of House Bill No. 14, provided for appointment of a  
7 four-member, equally bipartisan Committee on Indian Affairs;  
8 and

9 WHEREAS, House Bill No. 14 directed the Committee to  
10 perform a variety of tasks, including holding hearings to  
11 promote better understanding between the tribes and public  
12 agencies, acting as a liaison between the Indian people and  
13 the Legislature, and promoting amicable Indian/non-Indian  
14 relations; and

15 WHEREAS, the Legislature appropriated \$6,000 to  
16 the Committee to fulfill the mandates of its enabling  
17 legislation; and

18 WHEREAS, within this limited budget, the Committee held  
19 seven meetings and addressed such topics as alcoholism and  
20 the Indian Child Welfare Act of 1978; and

1 WHEREAS, these meetings were well attended by both  
2 tribal representatives and state agency personnel; and

3 WHEREAS, these meetings provided a forum for both  
4 Indian and non-Indian people to discuss their concerns  
5 before a legislative body; and

6 WHEREAS, the Committee succeeded in developing good  
7 rapport with many tribal representatives; and

8 WHEREAS, the Indian people in Montana have indicated  
9 support for appointment of a legislative committee to  
10 continue the work of the 1984-85 Committee on Indian  
11 Affairs; and

12 WHEREAS, it is in the interest of all Montanans that  
13 Indian/non-Indian communications and relations be enhanced;  
14 and

15 WHEREAS, appointment of a legislative committee on  
16 Indian affairs would enhance Indian/non-Indian  
17 communications, relations, and cooperation.

18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

19 Section 1. Definition. As used in [sections 1 through  
20 9], "committee" means the committee on Indian affairs  
21 created in [section 2].

22 Section 2. Committee on Indian affairs -- appointment  
23 and composition. (1) There is a committee on Indian affairs.

24 (2) The committee consists of two members of the

Exhibit #1  
Date 1-16-81



1 senate, appointed by the president of the senate, and two  
 2 members of the house of representatives, appointed by the  
 3 speaker of the house. No more than one member from either  
 4 house may be members of the same party.

5 (3) Appointments must be made before final adjournment  
 6 of a regular session.

7 Section 3. Term of office. Appointments to the  
 8 committee are for 2 years. A member of the committee serves  
 9 until his term of office as a legislator is ended or his  
 10 successor is appointed, whichever occurs first.

11 Section 4. Vacancies. (1) A vacancy occurring during a  
 12 legislative session must be filled in the same manner as the  
 13 original appointment.

14 (2) A vacancy occurring when the legislature is not in  
 15 session must be filled by the selection of a member of the  
 16 appropriate house and political party by the remaining  
 17 members of the committee.

18 (3) An appointment to the committee under this section  
 19 is for the unexpired term of the original member.

20 Section 5. Officers. The committee shall elect one of  
 21 its members as chairman and may elect other officers if  
 22 considers necessary.

23 Section 6. Meetings and compensation. (1) The  
 24 committee shall meet as often as the chairman considers it  
 25 necessary during and between legislative sessions.

1 (2) Committee members are entitled to receive  
 2 compensation and expenses as provided in 5-2-302.

3 Section 7. Staff assistance. The legislative council  
 4 shall provide staff assistance to the committee. The  
 5 legislative council has the same authority of investigation  
 6 and examination and the same authority to hold hearings on  
 7 behalf of the committee as it has for other committees under  
 8 5-11-106 and 5-11-107.

9 Section 8. Duties of the committee. The committee  
 10 shall:

11 (1) seek opinions of and information from Indian  
 12 tribes, Indian tribal organizations, state agencies, local  
 13 governments, non-Indians living on or near Indian  
 14 reservations, and other interested persons and agencies to  
 15 gain insight into Indian/non-Indian relations;

16 (2) hold hearings both on and off reservations to  
 17 promote better understanding between the tribes and public  
 18 agencies and to improve both the Indian people's knowledge  
 19 of the structure of state agencies and the legislative  
 20 process and the non-Indian people's knowledge of tribal  
 21 government and institutions;

22 (3) encourage and foster participation of Indian  
 23 people at its meetings;

24 (4) act as an available liaison between the Indian  
 25 people and the legislature;

1 (5) encourage tribal-state and tribal-local government  
2 cooperation and otherwise promote amicable Indian/non-Indian  
3 relations; and

4 (6) report its activities, findings, recommendations,  
5 and any proposed legislation to the 51st legislature.

6 Section 9. Termination date. The committee shall  
7 terminate upon the convening of the 51st legislature in  
8 regular session in 1989.

9 Section 10. Appropriation. There is appropriated for  
10 the biennium ending June 30, 1989, \$3,000 from the  
11 general fund to the legislative council for use by the  
12 committee on Indian affairs.

13 Section 11. Effective date. This act is effective on  
14 passage-and-approval JULY 1, 1987.

-End-



The Supreme Court of Montana  
 ROOM 315 - JUSTICE BUILDING  
 HELENA, MONTANA 59620  
 TELEPHONE (406) 444-2621

EXHIBIT 2  
 DATE 1-16-87  
 '83 \_\_\_\_\_

JIM OPPEDAHL  
 Court Administrator

January 16, 1987

Representative Paulsen  
 House of Representatives  
 State Capital  
 Helena, MT 59620

Dear Representative Paulsen:

You asked that I provide you with comparative salary information regarding judges salary. The following information compares Montana with surrounding states. I have also enclosed a publication from the National Center for State Courts which is the basis of this information.

	<u>SUPREME COURT</u>	<u>INTERMEDIATE APPELLATE COURT</u>	<u>DISTRICT COURT</u>
MONTANA	50,452	NA	49,178
IDAHO	59,750	58,750	56,000
NORTH DAKOTA	59,140	NA	55,519
WYOMING	63,500	NA	61,000

Please contact me if I can be of any further assistance.

Sincerely,

Jim Oppedahl  
 Court Administrator

cc: Members, Appropriations Subcommittee on Highways and General Government

# of Judicial Salaries

Published by the National Center for State Courts

November 1986

Volume 12 Number 2

## SUMMARY OF SALARIES

The National Center for State Courts gathers information regularly on the salaries of state court judges and state court administrators by contacting state court administrators. They are asked to report current salaries and to note any pending or future changes. This information is presented in the *Survey of Judicial Salaries*, which is published in May and November of each year.

This issue of the *Survey* reports salaries as of November 30, 1986, except for those marked with asterisks, which are scheduled to be effective after November 30, 1986, but on or before January 1, 1987.

Since the last issue of the *Survey of Judicial Salaries* (May 1986), 32 states have reported changes or scheduled changes in judicial salaries. According to the latest information:

- Salaries of associate justices of the highest courts range from \$50,452 to \$99,489, with a mean (average) salary of \$70,994 and a median salary of \$71,851.
- Salaries of judges of intermediate appellate courts range from \$55,000 to \$93,272, with a mean (average) salary of \$70,221 and a median of \$70,448.
- Salaries of judges of general jurisdiction trial courts range from \$47,000 to \$85,000, with a mean (average) salary of \$63,605 and a median of \$62,987.
- Salaries of state court administrators range from \$34,099 to \$93,272, with a mean (average) salary of \$61,114 and a median of \$57,875.

## Judicial SALARY SETTING

Judges receive various types of compensation, salary being the most significant. Other types include retirement, disability and death benefits, expense accounts, leave for vacations, holidays and sickness, and various forms of insurance coverage. These non-salary components of judges' compensation are important to judges and to attorneys who might be interested in becoming judges.

To maintain the high quality of our justice system, judicial compensation must be set sufficiently high so that the most able attorneys are attracted to the bench and experienced judges can afford to remain on the bench. It is hoped that this *Survey of Judicial Salaries* will be helpful as each state legislature determines the appropriate salary levels for its judges.

### Compensation commissions

For information on the use of judicial compensation commissions, which advise the legislatures of many states on judicial salary levels, see *Judicial Compensation Commissions* (Marilyn McCoy Roberts, National Center for State Courts, 1979). Information on the strategies and techniques that have been used to secure adequate judicial salaries is included in *A Handbook on State Judicial Salaries* (American Bar Association, 1986), prepared by the American Bar Association/Judicial Administration Division's Committee on State Judicial Salaries, chaired by Edward B. McConnell, President of the National Center for State Courts. Copies of this handbook can be obtained from the Staff Director, Judicial Administration Division, American Bar Association, 750 North Lake Shore Drive, Chicago, IL 60611.

### Non-salary components

During the first phase of its work, the Committee on State Judicial Salaries collected information on the methods used to obtain judicial salary increases. During the second phase, the committee is collecting information on the non-salary components of judicial compensation. All of the information collected by the committee is available at the National Center for State Courts, which is serving as a clearinghouse for such information. It can be obtained by contacting the Research and Information Service, National Center for State Courts, 300 Newport Avenue, Williamsburg, VA 23187-8798.

# Courts of Appellate and General Jurisdiction and State Court Administrators

	Highest Court CJ	AJ	State Court Administrator	Intermediate Appellate Court	General Trial Court
Alabama	78,420	77,420	65,884	CCvA 76,420 CCrA 76,420 PJ 76,920	State CC 52,800 Local supps 1,200 to 22,620
Alaska	85,728 to 97,728 depending on location and cost of living differentials	85,728 to 97,728	83,728	CA 79,992	SC 77,304 to 90,828 depending on location and cost of living differentials
Arizona	75,000**	75,000**	69,500	CA 72,500**	SC 70,000** Comm. 45,050, set by Presiding Judge, not to exceed 85% salary of SC Judge
Arkansas	71,870	66,010	50,763	CJ 64,887 AJ 63,763	CC 61,513 ChC 61,513
California	104,330	99,489	93,272	CA 93,272	SC 81,505
Colorado	65,500	63,000	58,500	CA CJ 61,000 AJ 58,500	DC 54,000
Connecticut*	77,960†	71,103†	74,373 SCA is also a SupCt AJ	CJ 70,163† J 65,938†	SC 62,878†
† plus 3 % after 25 or more yrs., 3/4 of 3 % after 20-25 yrs., 1/2 of 3 % after 15-20 yrs., and 1/4 of 3 % after 10-15 yrs.					
Delaware	82,600	79,500	52,900		SC PJ 78,400 AJ 75,300
Florida*	78,064	78,064	56,000	DCA 70,448	CC 67,276
Georgia	73,722	73,722	56,415	CA 73,154	SC 60,653 Local supps to 19,052
Hawaii	80,000	78,500	68,400	CJ 75,500 AJ 73,500	CC 69,500
Idaho	61,250	59,750	57,750	CA 58,750	DC 56,000 Magistrate Div: Lawyers (full time) 44,800 to 50,400 Lay (full time) 18,000 to 35,500
Illinois*	88,825	88,825	80,000	AC 83,600	CCJ 76,785 AJ 71,560
Indiana	60,000 Subsistence allowance 3,000	60,000 3,000	55,440	CA 55,000 Subsistence allowance 3,000	CC, SC 47,000 to 50,000 Counties may add supplements
Iowa	66,200	60,900	48,600	CA CJ 59,100 AJ 57,800	DC CJ 56,500 AJ 54,000 DAJ 44,800; Mag. (part- time) 12,500

	Highest Court CJ	AJ	State Court Administrator	Intermediate Appellate Court	General Trial Court
Kansas	66,049	64,268	55,872	CA CJ 63,664 J 61,974	Dist J designated as Adm J 56,508 Dist J 55,872 A Dist J 53,332 A Dist J designated as Adm J 53,969 Dist Magistrate Judge 26,780
Kentucky	63,783	62,507	52,500	CJ 60,594 J 59,956	CC 57,405
Louisiana	76,166	76,166	69,769	CA 72,967	DC 69,769
Maine*	68,485	65,244	52,395		SC CJ 66,806 SCJ 63,625
Maryland	75,200	73,500	68,300	CSA EJ 72,300 AJ 70,500	CC CJ 68,300 CC AJ 68,300
Massachusetts	83,500	80,500	77,400	AC CJ 77,400 AJ 74,500	SC CJ 74,700 AJ 71,520
Michigan	81,400	81,400	78,144	CA 78,144	CC 44,770 Local supps 12,430 to 30,118 Recorders Court (Detroit) 74,888
Minnesota	79,713**	73,981**	not to exceed 65,436**	CA CJ 71,169** J 68,248**	DC 65,436**
Mississippi	CJ 60,000 PJ 59,500	59,000	51,000		CC 51,000 Chc 51,000
Missouri	80,800	78,300	62,100	CA 72,900	CC J 67,500 AJ 59,400 Mun. C. Div. of CC: up to 60,180
Montana	51,722	50,452	34,099		DC 49,178
Nebraska	61,662	61,662	49,014		DC 57,038
Nevada	73,500**	73,500**	40,000		DC 67,000**
New Hampshire	66,641	64,154	59,061		SC CJ 64,154 AJ 62,476
New Jersey	95,000	93,000	90,000	SC App Div 90,000	SC assignment judges 88,000 SC 85,000
New Mexico	61,425	60,375	52,920	CA CJ 56,436 AJ 57,330	DC 54,350

# Courts of Appellate and General Jurisdiction and State Court Administrators

## Abbreviations

**AC** Appellate Court  
**AJ** Associate Judge, Justice  
**App** Appellate  
**Asst** Assistant  
**CA** Court of Appeals  
**CC** Circuit Court  
**Ch** Chancellor  
**Cir** Circuit  
**CJ** Chief Justice, Judge  
**Co** County  
**Comm** Commissioner  
**Comp** Compensation  
**CP** Court of Common Pleas  
**Cr** Criminal  
**CSA** Court of Special Appeals  
**DC** District Court  
**DCA** District Court of Appeals  
**Gen Sess Ct** General Sessions Court  
**J** Judge  
**JC** Justice Courts  
**P** Presiding or President  
**SC** Superior Court  
**SCA** State Court Administrator  
**SpecJ** Special Judge  
**Sup** Supreme  
**Supp** Supplement

**NOTE:** Boldface figures indicate changes since last survey.

\*See page 7 for pending or future changes.

\*\*Becomes effective after November 30, 1986, but on or before January 1, 1987.

Courts of  
Appellate and  
General  
Jurisdiction  
and  
State Court  
Administrators

	Highest Court CJ	State Court AJ	State Court Administrator	Intermediate Appellate Court	General Trial Court
New York	95,000	92,500	91,250	App Div Sup Ct 1,2,3,4th Depts PJ 90,000 AJ 87,500 App Terms Sup Ct 1,2,9,10,11,12th Dists 84,000	SC 1st through 12th Judicial Districts 82,000
North Carolina	74,136†	72,600†	63,048	CA CJ 70,284† AJ 68,748†	SC Senior J 63,048† J 61,044†
† plus 4.8 % after 5 yrs. and 9.6 % after 10 yrs., 14.4 % after 15 yrs., and 19.2 % after 20 yrs.					
North Dakota	60,785	59,140	53,568		DCPJ 56,835 J 55,519
Ohio	81,000**	75,500**	71,700	CA 70,000**	CC Pleas 52,500** to 66,500**
Oklahoma	71,042	68,006	63,756	CA 63,756	DC Dist. J 56,672 A Dist. J Pop. over 30,000 51,005 10,000 to 30,000 45,338 under 10,000 42,504 Spec # (lawyer and nonlawyer) 42,504
Oregon	71,292	69,552	57,072	CA CJ 69,552 AJ 67,896 Tax Court 65,172	CC 63,096
Pennsylvania	79,000	76,500	64,000	SC & Commonwealth Ct. PJ 76,000 AJ 74,500	CP PJ 65,000 to 67,500 depending on number of judges and population J 65,000
Rhode Island	76,960†	70,236†	48,997 to 55,220†		SC PJ 68,998† AJ 62,613†
† plus 5 % after 7 years, 10 % after 11 years, 15 % after 15 years, 17½ % after 20 years, and 20 % after 25 years.					
South Carolina	83,238	79,076	58,000	CA CJ 78,285 J 75,123	CC 75,123
South Dakota	58,975	56,975	38,709 to 58,053		PCirJ 54,210 CirJ 53,210 Law-trained magistrate up to 35,360 Magistrate (part time) up to 17.00 per hour
Tennessee	68,175	65,650	63,125	PJ 64,135 AJ 63,125	CC 60,600 ChC 60,600 CrC 60,600 Equity C 60,600

# Courts of Appellate and General Jurisdiction and State Court Administrators

	Highest Court CJ	State Court AJ	State Court Administrator	Intermediate Appellate Court	General Trial Court
Texas	79,310	78,795	56,135	CA CJ 71,379 J 70,916 Local supps to salary 1,000 less than SupCJ	DC state salary 56,135 Local supps up to salary 1,000 less than CAJ
Utah	59,000	58,000	54,000	CJ <b>56,100**</b> AJ <b>55,100**</b>	DC 54,000
Vermont	<b>57,975</b>	<b>55,325</b>	<b>52,600</b>		AdJ <b>55,325</b> SC and DCJ <b>52,600</b> Asst J 59.00 per day
Virginia	<b>83,651</b> plus 4,000 in lieu of travel expenses	<b>78,463</b>	<b>72,840</b>	CJ <b>75,540</b> J <b>74,540</b>	CC <b>72,840</b>
Washington	66,000	66,000	57,000	CA 63,000	SC 60,000 ProTemJ 144 per day ProTemAtty 240 per day
West Virginia	55,000	55,000	51,000		CC 50,000
Wisconsin	<b>82,054</b>	<b>73,903</b>	<b>69,556</b>	CA <b>69,556</b>	CC <b>65,208</b>
Wyoming	63,500	63,500	<b>39,857</b>		DC 61,000
District of Columbia	75,380 DC Court of Appeals	74,880	70,830 ExecOff of DC Courts		SC CJ 71,330 AJ 70,830
Federal System	108,400	104,100	AdDirCt 78,700	CA 83,200	DC 78,700
American Samoa	<b>84,000</b>	<b>73,000</b>	20,177		Handled by CJ or AJ
Guam			36,838		PJ 62,500 J 60,000
Puerto Rico	62,600	60,000	<b>50,000</b>		SC <b>48,000</b> DC <b>42,000</b>
Virgin Islands			42,800		Territorial Ct. PJ 59,950 AJ 57,200

## Abbreviations

**AC** Appellate Court  
**AJ** Associate Judge, Justice  
**App** Appellate  
**Asst** Assistant  
**CA** Court of Appeals  
**CC** Circuit Court  
**Ch** Chancellor  
**Cir** Circuit  
**CJ** Chief Justice, Judge  
**Co** County  
**Comm** Commissioner  
**Comp** Compensation  
**CP** Court of Common Pleas  
**Cr** Criminal  
**CSA** Court of Special Appeals  
**DC** District Court  
**DCA** District Court of Appeals  
**Gen Sess Ct** General Sessions Court  
**J** Judge  
**JC** Justice Courts  
**P** Presiding or President  
**SC** Superior Court  
**SCA** State Court Administrator  
**SpecJ** Special Judge  
**Sup** Supreme  
**Supp** Supplement

NOTE: Boldface figures indicate changes since last survey.

\*See page 7 for pending or future changes.

\*\*Becomes effective after November 30, 1986, but on or before January 1, 1987.

# Appellate and Trial Courts

This table lists salaries paid to associate justices of the highest courts, judges of intermediate appellate courts, and judges of general trial courts. In states (four) where localities supplement state-paid salaries, the highest possible supplement added to the basic salary is shown in parentheses immediately below the first figure, which reflects the sum of the state pay and the lowest supplement paid by the localities. Salary ranges, based on cost-of-living differences, length of service, or other factors, and median salaries (if available) are also indicated. The boldface figures in parentheses immediately following salaries indicate the state's ranking (high to low) in salaries paid to judges at each level.

The last column indicates the date of the last salary change for highest, intermediate appellate, or general trial court judges for each state court system.

The mean, median, and range for each level of court is shown following Wyoming. For the highest and the general trial courts these measures are based on data from the 50 states. For intermediate appellate courts, the measures are based on data from the 37 states that have such courts. For the states in which judges receive local supplements or a salary within a given range, all means, medians, ranges, and ranks are based on the median salary, if available. Otherwise, they are based on the lowest salary of a range or on the state-paid salary plus the lowest supplement paid by the localities.

Salary information on special and limited jurisdiction state courts is available by contacting:

Keith Coehring  
 Director, Survey of Judicial Salaries  
 National Center for State Courts  
 300 Newport Avenue  
 Williamsburg, VA 23187-8798  
 804/253-2000

	Highest Court		Intermediate Appellate Court		General Trial Court		Date of Last Salary Change
Alabama	77,420	(15)	76,420	(7)	54,000 (11) (75,420)		10-1-86
Alaska	85,728 to 97,728 85,728†	(5)	79,992	(5)	77,304 (4) to 90,828 77,304†		7-16-85
Arizona	75,000	(19)	72,500	(17)	70,000	(12)	1-1-87
Arkansas	66,010	(30)	63,763	(26)	61,513	(29)	7-1-86
California	99,489	(1)	93,272	(1)	81,505	(3)	7-1-86
Colorado	63,000	(37)	58,500	(33)	54,000	(41)*	7-1-84
Connecticut	71,103	(26)**	65,938	(25)**	62,878	(26)**	7-1-86
Delaware	79,500	(8)			75,300	(5)	7-1-86
Florida	78,064	(14)	70,448	(19)	67,276	(19)	1-1-86
Georgia	73,722	(22)	73,154	(14)	60,653 (14) (79,705) 69,653†		7-1-86
Hawaii	78,500	(11)	73,500	(13)	69,500	(15)	1-1-86
Idaho	59,750	(43)	58,750	(32)	56,000	(37)	7-1-86
Illinois	88,825	(4)	83,600	(4)	71,560 (9) to 76,785		7-1-86
Indiana	60,000	(42)	55,000	(37)	47,000 (50) to 50,000		1-1-85
Iowa	60,900	(40)	57,800	(34)	54,000	(41)*	7-1-84
Kansas	64,268	(34)	61,974	(30)	55,872	(38)	8-1-86
Kentucky	62,507	(38)	59,956	(31)	57,405	(34)	7-1-86
Louisiana	76,166	(17)	72,967	(15)	69,769	(13)	9-16-86
Maine	65,244	(33)			63,625	(24)	7-1-86
Maryland	73,500	(23)*	70,500	(18)	68,300	(17)	7-1-86
Massachusetts	80,500	(7)	74,500	(11)*	71,520	(10)	7-1-86
Michigan	81,400	(6)	78,144	(6)	57,200 (7) (74,888) 74,888†		1-1-86
Minnesota	73,981	(20)	68,248	(23)	65,436	(21)	1-1-87
Mississippi	59,000	(45)			51,000	(47)	7-1-86
Missouri	78,300	(13)	72,900	(16)	67,500	(18)	7-1-85
Montana	50,452	(50)			49,178	(49)	7-1-85
Nebraska	61,662	(39)			57,038	(35)	1-1-86
Nevada	73,500	(23)*			67,000	(20)	1-1-87
New Hampshire	64,154	(35)			62,476	(28)	9-12-86
New Jersey	93,000	(2)	90,000	(2)	85,000	(1)	7-1-86
New Mexico	60,375	(41)	57,330	(35)	54,350	(40)	7-1-86
New York	92,500	(3)	87,500	(3)	82,000	(2)	1-1-85
North Carolina	72,600	(25)**	68,748	(22)**	61,044	(30)**	7-1-86
North Dakota	59,140	(44)			55,519	(39)	7-1-86
Ohio	75,500	(18)	70,000	(20)	52,500 (46) to 66,500		1-1-87
Oklahoma	68,006	(29)	63,756	(27)	56,672	(36)	7-1-85
Oregon	69,552	(28)	67,896	(24)	63,096	(25)	9-1-86
Pennsylvania	76,500	(16)	74,500	(11)*	65,000	(23)	12-1-83
Rhode Island	70,236	(27)**			62,613	(27)**	7-6-86
South Carolina	79,076	(9)	75,123	(9)	75,123	(6)	6-2-86
South Dakota	56,975	(47)			53,210	(44)	7-1-86
Tennessee	65,650	(32)	63,125	(28)	60,600	(32)	7-1-83
Texas	78,795	(10)	70,916 (8) (77,795) 76,179†		56,135 (16) (76,795) 69,003†		9-1-85
Utah	58,000	(46)	55,100	(36)	54,000	(41)*	7-1-85
Vermont	55,325	(48)			52,600	(45)	7-1-86
Virginia	78,463	(12)	74,540	(10)	72,840	(8)	7-1-86
Washington	66,000	(31)	63,000	(29)	60,000	(33)	7-1-84
West Virginia	55,000	(49)			50,000	(48)	7-1-84
Wisconsin	73,903	(21)	69,556	(21)	65,208	(22)	8-1-86
Wyoming	63,500	(36)			61,000	(31)	1-1-82
Mean (Average)	70,994		70,221		63,605		
Median	71,851		70,448		62,987		
Range	50,452 to 99,489		55,000 to 93,272		47,000 to 85,000		
District of Columbia	74,660				70,830		1-1-86
Federal System	104,100		83,200		78,700		1-1-85
American Samoa	73,000						4-9-86
Guam					60,000		7-23-85
Puerto Rico	60,000				42,000 to 48,000		10-1-86
Virgin Islands					57,200		10-1-82

\*Tie rank.

\*\*The base pay is supplemented by increments for length of service.

†Median salary. If more than half the salaries are the same as the minimum or the maximum salary, then the median (the midpoint above which and below which half the salaries fall) is either the minimum or maximum salary.

**Connecticut:** Effective April 1, 1987: Supreme Court chief justice \$80,460, associate justices \$73,603; Appellate Court chief presiding judge \$72,663, associate judges \$68,438; Superior Court judges \$65,378; chief court administrator \$76,873. Effective July 1, 1987: Supreme Court chief justice \$84,483, associate justices \$77,283; Appellate Court chief presiding judge \$76,296, associate judges \$71,860; Superior Court judges \$68,647; chief court administrator \$80,717.

**Florida:** Effective February 1, 1987: Supreme Court chief justice \$85,000, associate justices \$85,000; District Court of Appeals chief judge \$80,000, associate judges \$80,000; Circuit Court judges \$75,000.

**Illinois:** Effective July 1, 1987: Supreme Court chief justice \$93,266, associate justices \$93,266; Appellate Court judges \$87,780; Circuit Court judges \$80,599, associate judges \$75,113.

**Maine:** Effective July 1, 1987: Supreme Judicial Court chief justice \$75,333, associate justices \$71,746; Superior Court chief justice \$72,151, associate justices \$68,715. Effective July 1, 1988: Supreme Judicial Court chief justice \$81,165, associate justices \$77,300; Superior Court chief justice \$76,755, associate justices \$73,100.

## Future Salaries and Pending Legislation

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Clement C. Torbert, Jr., Chief Justice, Supreme Court of Alabama, *Chairman-Elect*

Arthur H. Snowden, II, Administrative Director of the Courts, Alaska, *Vice-Chairman*

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Robert L. Doss, Jr., Director, Administrative Office of the Courts, Georgia

Haliburton Fales, 2d, White and Case, New York City

Gordon R. Hall, Chief Justice, Supreme Court of Utah

Harriet P. Henry, Judge at Large, Maine District Court

Charles V. Johnson, Judge, Superior Court, King County, Washington

Gladys Kessler, Judge, Superior Court, District of Columbia

Edward B. McConnell, President, National Center for State Courts

Margie M. Meacham, Judge, County Court, Carbon County, Wyoming

J. Denis Moran, Director of State Courts, Wisconsin

Robert N.C. Nix, Jr., Chief Justice, Supreme Court of Pennsylvania

John T. Racanelli, Presiding Justice, Court of Appeal, First District, California

C. Kenneth Roberts, General Counsel, Exxon Company, Texas

Thomas J. Stovall, Presiding Judge, 2nd Administrative Judicial District, Texas

Gerald T. Wetherington, Chief Judge, Eleventh Judicial Circuit, Florida

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Harry W. Swegle, *Washington Liaison*

Washington Project Office  
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Arlington, VA 22203  
Richard Van Duizend, *Director*

# National Center for State Courts

The National Center for State Courts is a nonprofit organization dedicated to the modernization of court operations and the improvement of justice at the state and local levels throughout the country. It functions as an extension of the state court systems, working for them at their direction and providing for them an effective voice in matters of national importance.

In carrying out its purpose, the National Center acts as a focal point for state judicial reform, serves as a catalyst for setting and implementing standards of fair and expeditious judicial administration, and finds and disseminates answers to the problems of state judicial systems. In sum, the National Center provides the means for reinvesting in all states the profits gained from judicial advances in any state.

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SUPREME COURT OF MONTANA  
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HELENA MT 59620

EXHIBIT 3  
 DATE 1-16-87

STATE AUDITOR  
 CENTRAL PAYROLL OPERATING ACCOUNT  
 STATE SPECIAL REVENUE FUND

LFA CURRENT LEVEL PROPOSED TO UTILIZE THE BALANCE IN THE CENTRAL PAYROLL OPERATING ACCOUNT TO FUND 1989 BIENNIUM OPERATIONS. THE USE OF THE ACCOUNT TO FUND SUPPLEMENTALS AND MODIFIED REQUESTS WILL REQUIRE THE AMOUNT OF STATE SPECIAL REVENUE IN LFA CURRENT LEVEL BE REDUCED BY A LIKE AMOUNT AND THAT GENERAL FUND BE INCREASED.

CASH FLOW

CENTRAL PAYROLL OPERATING ACCOUNT

	FY 87	FY 88	FY 89
BEG BALANCE	\$204,158	\$188,127	\$94,063
REVENUE	\$252,000	\$373,358	\$364,101
AVAILABLE	\$456,158	\$561,485	\$458,164
EXPENDITURE	\$268,031	\$467,422	\$458,164
ENDING BALANCE	\$188,127	\$94,063	\$0

CENTRAL PAYROLL OPERATING ACCOUNT REDUCTIONS

SUPPLEMENTALS

PAYROLL CLERK POSITION	FY 87	\$20,162
P/R/P MODIFICATIONS	FY 87	\$35,000

MODIFIEDS

P/R/P MODIFICATIONS	FY 88	\$15,400
P/R/P ON-LINE STUDY	FY 88	\$5,400
WARRANT REPLACEMENT SYSTEM	FY 88/89	\$73,700

TOTAL BALANCE REDUCTION \$149,662

EXHIBIT 4  
 DATE 1-16-87  
 HB \_\_\_\_\_

STATE AUDITOR  
 EXCESS OF REVENUES OVER EXPENDITURES  
 INSURANCE AND SECURITIES LICENCES AND FEES

	FY 84	FY 85	FY 86
<u>INSURANCE</u>			
RECEIPTS	\$1,180,030	\$1,137,390	\$1,051,763
EXPENDITURES	\$604,072	\$662,634	\$704,653
TO GENERAL FUND	<u>\$575,958</u>	<u>\$494,746</u>	<u>\$347,100</u>
<u>SECURITIES</u>			
RECEIPTS	\$1,585,315	\$1,719,086	\$1,982,715
EXPENDITURES	\$228,919	\$243,979	\$259,446
TO GENERAL FUND	<u>\$1,359,396</u>	<u>\$1,475,107</u>	<u>\$1,723,269</u>

3  
1-16-87

STATE AUDITOR  
CENTRAL PAYROLL OPERATING ACCOUNT  
STATE SPECIAL REVENUE FUND

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4  
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STATE AUDITOR  
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<u>SECURITIES</u>			
RECEIPTS	\$1,586,315	\$1,719,086	\$1,982,715
EXPENDITURES	\$268,919	\$243,779	\$259,446
TO GENERAL FUND	<u>\$1,317,396</u>	<u>\$1,475,107</u>	<u>\$1,723,269</u>

