

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE
Revised

House Joint Resolution 5 (The Speaker) (Judicial Compensation Commission)
Appropriations Budget and Taxation and Judicial Proceedings

Judicial Compensation Commission Report

This joint resolution sets judicial salaries at their current levels rather than at a 5% increase above current levels, which was the recommendation of the Judicial Compensation Commission. Salaries recommended by the commission take effect automatically unless the resolution is amended by the General Assembly to decrease the salaries within 50 days following its introduction (i.e., on or before March 7, 2002).

Fiscal Summary

State Effect: None. The resolution maintains the status quo for judicial salaries.

Local Effect: None -- see above.

Small Business Effect: None.

Analysis

Current Law: Judges' salaries are currently as follows:

<u>Position</u>	<u>Current Salary</u>
<u>Court of Appeals</u>	
Chief Judge	\$150,600
Associate Judge	\$131,600
<u>Court of Special Appeals</u>	
Chief Judge	\$126,800
Associate Judge	\$123,800

<u>Position</u>	<u>Current Salary</u>
<u>Circuit Court</u>	
Judge	\$119,600
<u>District Court</u>	
Chief Judge	\$123,800
Associate Judge	\$111,500

Background: In 1980 the General Assembly created the Judicial Compensation Commission. The General Assembly may amend a joint resolution from the commission to decrease, but not increase, any of the commission salary recommendations. The General Assembly may not reduce a judge's salary below its current level. Failure to adopt or amend the joint resolution within 50 calendar days after its introduction results in adoption of the salaries recommended by the commission. If the General Assembly rejects any of the commission's recommendations, the judges' salaries remain unchanged, unless modified by other provisions of law.

Judges also receive any general State employee salary increases (also referred to as cost-of-living adjustments). A full report on the history and activities of the commission may be found in the *Report of the Judicial Compensation Commission, January 2002* distributed to all members of the General Assembly.

State Expenditures: By law, if the resolution passes the General Assembly without amendments to the recommendations of the Judicial Compensation Commission, or does not pass both houses by March 7, 2002, the salary increases recommended by the commission take effect. As amended, the resolution maintains judicial salaries at their current levels, resulting in no additional costs to the State.

The Governor's proposed budget for fiscal 2003 includes a 2% cost-of-living adjustment (COLA) for State employees effective January 1, 2003. Since judges receive any COLA that is awarded to State employees, the judges will receive this increase.

Additional Information

Prior Introductions: Resolutions to alter compensation for the Judiciary are introduced in a year in which there is a recommendation from the Judicial Compensation Commission. The last such recommendation was during the 2000 session and introduced as SJ 5/HJ 5. The resolution was rejected. In the 1998 session, SJ 2/HJ 2 took effect after the General Assembly failed to act within the 50-day time frame. As a result, judicial salaries increased by \$11,275 across the board beginning in fiscal 1999.

Cross File: SJ 5 (The President) (Judicial Compensation Commission) – Budget and Taxation and Judicial Proceedings.

Information Source(s): Judiciary (Administrative Office of the Courts), State’s Attorney’s Office, Workers’ Compensation Commission, Department of Legislative Services

Fiscal Note History: First Reader - January 28, 2002
ncs/jr Revised - House Third Reader - March 5, 2002

Analysis by: Debra A. Dickstein

Direct Inquiries to:
John Rixey, Coordinating Analyst
(410) 946-5510
(301) 970-5510