

Association of the Judges of the Criminal Court of the City of New York

November 4, 2019

New York State Commission on
Legislative, Judicial and Executive Compensation
64 Beaver Street
Box 454
New York, NY 10004

To the Members of the Commission:

I write on behalf of the Association of the Judges of the Criminal Court of the City of New York, an association of the 107 judges appointed by the Mayor of the City of New York upon the recommendation of the Mayor's Advisory Committee on the Judiciary. Our association is pleased to voice its support of pay increases for Criminal Court Judges to take effect on April 1, 2020.

We urge the members of this Commission to recommend that the New York State Judiciary continue to receive pay parity with the Federal Judiciary. Since April 1, 2016, the annual salary of New York State Supreme Court Justices has been fixed at 100% of the salary of United States District Court Judges. The contributions of judges throughout the state, and their commitment to implementation of the Chief Judge's Excellence Initiative, speak for themselves, and justify continued parity with their Federal bench colleagues.

Additionally, we respectfully urge the members of this Commission to end the disparity that exists between the salaries of Supreme Court Justices and New York City Criminal Court Judges. The 2015 Commission recommended that the salary of the judges in the New York City Criminal Court, New York City Civil Court, and the District Court be set at 93% of the salary of a Supreme Court Justice. We believe that there is no justification for this lesser salary recommendation.

It cannot be disputed that the work of the Criminal Court, and its judges, is among the most important in the entire justice system. It has been described by more than one court administrator as "the place where the rubber meets the road" - meaning the setting where the Constitution intersects with real people who have real cases. Our judges make decisions on a daily basis that literally affect the rights and liberties of those who stand before them. Our judges are regularly called upon to make safety determinations and issue orders to protect crime victims. Our judges preside in arraignment parts that work 365 days - and nights - a year, including weekends and holidays.

Criminal Court Judges are subject to the same legal requirements for office, and the same

restrictions on outside income, as their Supreme Court colleagues, and yet they are paid less. They serve in the same capacity as full-time judges, but face the additional requirement of night and weekend assignments, from which their elected Supreme Court colleagues are exempt. We note, too, that while Supreme Court Justices may be certificated and serve until age 76, our judges are unable to obtain the benefit of those additional years of income and the concomitant enhancement of their pension benefits.

A recommendation by this Commission that the Criminal Court Judges receive complete pay parity would be an acknowledgment of the crucial role our judges play in the full and fair administration of justice.

In the event there is no consensus among the Commissioners on this proposal, we would urge as an alternative that the Commission recommend a narrowing of the pay differential that currently exists between the Criminal Court Judges and our colleagues in the Supreme Court (as well as the Family Court, the Court of Claims, and the Surrogate's Court). We would respectfully request that the commission recommend that the salary of Criminal Court Judges be fixed at no less than 97% of the salary of a Supreme Court Justice.

On behalf of the members of the Association of the Judges of the Criminal Court of the City of New York, I thank you for the opportunity to be heard and for your serious consideration of our proposals.

Very truly yours,

Miriam Cyrulnik
President