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New York State Commission on Judicial Compensation

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2023 Quadrennial Salary Commission

64 Beaver Street, Box 454

New York, NY 10004

Dear Members of the Commission,

On behalf of the Westchester County Bar Association, I respectfully write to urge the Commission to approve a statewide raise in judicial salaries, which have not been raised since 2019. Central to our Bar's mission is to promote, facilitate and provide access to the administration of justice at the highest level. Our state judges are the gatekeepers of these principles, making decisions that can profoundly impact, and in many instances, completely alter the course of people's lives every day.

Those who serve in this role have always understood that the job, like all public service commitments, calls for a measure of self-sacrifice, both in terms of the level of dedication required to get the work done (regardless of time of day or weekend), as well as financially, given the choice that these experienced and talented legal professionals make to decline the opportunity to earn much higher compensation in the private sector. Our state judges recognize that the job is not about the money, but instead they are charged with the sacred task of doing justice, which means doing as much for as many people as possible to ensure that they have access to the courts and an opportunity to be heard, and that their matter proceeds to resolution as efficiently as possible, while ensuring that the laws are consistently and impartially upheld, obeyed, and respected.

Given the importance of the position and its real-world impact, we seek to reduce the financial strain on our judiciary. The fact that state judges work just as hard as federal judges doing the same type of work, while getting paid less than those judges, not only adds unnecessary financial stress, but it also has a demoralizing impact on those who we need to feel good about going to work. Put another way, we want our state judges to feel good about coming to work, respected for the work they do, and free from stresses that serve to make their job harder. We also do not want to lose good judges, or deter talented people from seeking to come on the bench based on the financial challenge.

As noted in the testimony of the President of the statewide Association of Elected Judges, the Hon. Mary M. Farley, J.S.C., submitted to this Commission in October 2023, without implementing the common-sense measure of ensuring parity with federal judges whose natures and duties are similar, their "fear is real: the New York State judiciary will see significant attrition among our ranks. Losing the most experienced and efficient members of the bench will have a devastating impact on the millions of New Yorkers we serve."

It goes without saying that litigators depend on judges who are serious, focused, dedicated, motivated to do their work, and undistracted by financial strains as the cost of living goes up while their salaries remain stagnant, all while federal judges doing comparable work are paid more. This disparity is significant. Currently, Federal District Court Judges are paid \$232,600 while New York State Supreme Court Justices continue to remain at the 2019 Federal District Judge payrate of \$210,900 – an approximately \$22,000 difference, or roughly 10% less for performing equivalent work. We refer you to Judge Farley’s testimony for additional details about the very real financial strains that state judges feel when their wages are stagnant while costs of living, including state-provided health benefits, continue to rise. It simply makes no sense for state judges not to have parity, when the work done by state judges is no less important or impactful than that done by federal judges.

Notably, the judiciary’s co-equal branch, the New York State Legislature, received a 29% raise in 2023, after also going years without pay increases. It follows that co-equal branches deserve co-equal consideration when it comes to ensuring that our public servants are sufficiently compensated to be able to do their jobs well. Here, the state judges would be receiving *approximately one third less than the legislature increase on a percentage basis*.

We understand that the Commission determined in 2020 to deny any pay increase recommendation for members of the judiciary, with the result being that it has been several years since any significant salary increase. At the time, then-Chief Administrative Judge Lawrence Marks was quoted in a December 27, 2019 Democrat & Chronicle article as saying, “The decision threatens a return to the dysfunctional and demoralizing periods when New York’s judges were denied cost of living adjustments for long, multi-year stretches.” We believe that we are at the precipice, facing another such period, should the Commission decline to implement pay parity between state and federal judges.

The Westchester County Bar Association is confident that this Commission will see the wisdom in implementing the requested raise and salary adjustments, and act in a manner that will ensure that the state judiciary continue to keep great people on the bench and that those legal minds who would aspire to one day take the bench will be incentivized to seek to become a judge, based on the actions the Commission takes in terms of appropriately recognizing state judges for their critical contribution to facilitating the administration of justice. We respectfully urge the Commission to implement a pay scale for state judges that is on par with their federal counterparts, together with appropriate costs of living adjustments.

Respectfully submitted,



Andrew Schriever
President, Westchester County Bar Association