

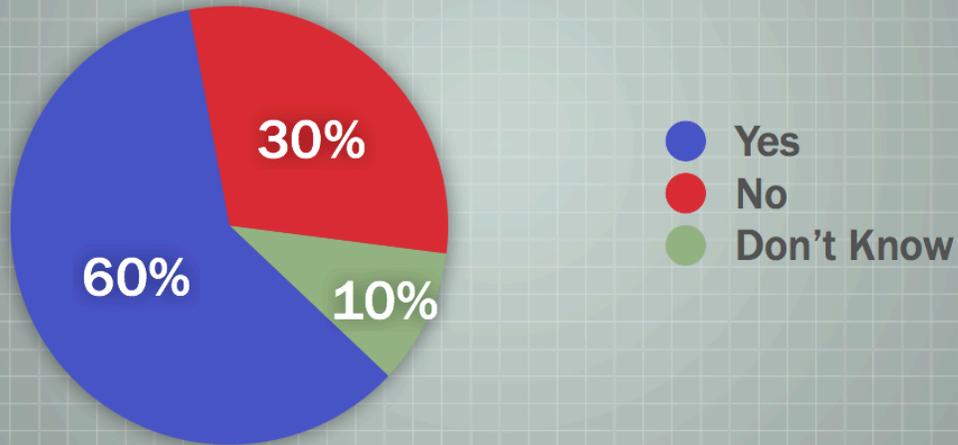
“INSIDE” INTELLIGENCE

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*The Texas Weekly/Texas Tribune insider poll
for the week of March 11*

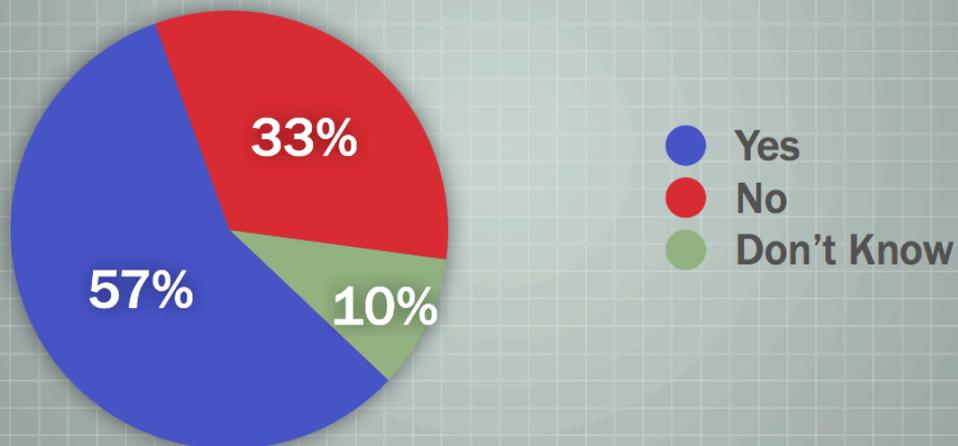
INSIDE INTELLIGENCE

Should state pay for judges be increased?



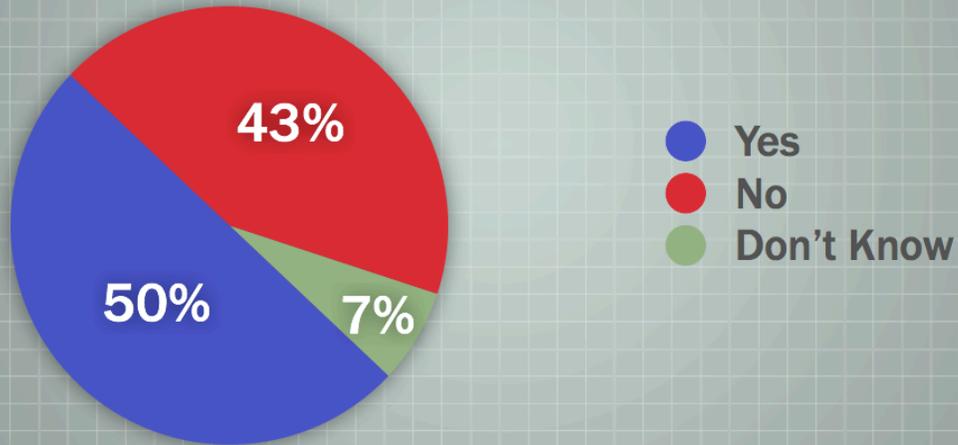
INSIDE INTELLIGENCE

Do judicial pay levels keep good prospects off the bench?



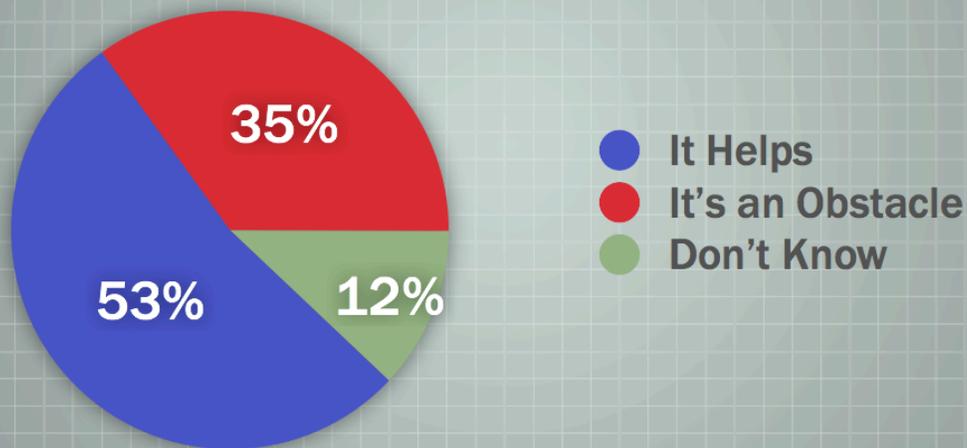
INSIDE INTELLIGENCE

Should lawmaker pensions be un-linked from judicial salaries?



INSIDE INTELLIGENCE

Does it help or hurt judges' chances to link pay to lawmakers?



Should pay for state judges in Texas be increased?

- "The salaries are low compared to big firm business litigators, but not for the vast majority of family, criminal, juvenile justice, etc. lawyers."
- "If Judges want their pay increased, they can go into private practice."
- "As with everything else, quality comes at a price."
- "State salaries are adequate now, in economic tough times"
- "Bad time to increase anyone's pay in government - even judges."
- "Judges pay should not be increased except as part of a broader review. Legislator pay should be increased and their retirement benefits should be delinked from judicial pay. Now if legislators voted to increase judicial pay they would also be voting to increase their own already very generous retirement benefits."
- "According to the Judicial Compensation Commission's latest report, our judges have not had a pay raise since 2005. When was the last time you went 7+ years without a pay raise?"
- "The only pay we should increase is the pay for jurist."
- "Many have left the bench when just hitting their stride due to financial strains."
- "I think they are adequately compensated with both salary and retirement. Remember they can sit as visiting judges after retirement from the bench."
- "They are civil servants but they should not have to struggle to make ends meet given the education requirements to be considered for the role."
- "No and elected officials' retirement packages shouldn't be linked to judicial salaries."
- "We under-pay everyone else so chances are excellent that applies to judges."
- "Why should judicial pay be increased but not teachers? It's a service and an honor to serve and appropriate to come with some salary hardship."
- "But only after de-linking legislative retirement from judicial salaries."
- "When State judges are in their offices on Fridays at 4pm, then we can sit down and talk about raises."
- "Not until we pay for Public Education."
- "Absolutely. They haven't had a raise in what, 8 years? Give them a bump."
- "Along with the minimum experience requirements to run."
- "It's too low. Been stagnant for a few sessions."

Does a differential in private pay for lawyers and public pay for judges keep good jurists off the bench?

- "Lawyers with booming practices hesitate to serve -- both because it may be a pay cut and because our partisan election system can 'fire' them at a whim. Why risk a good business for such uncertainty?"

- "Absolutely not. Partisan elections of judges keep good jurists off the bench."

- "While it may not affect lawyers at the end of their careers; lawyers raising families will not get on the bench early enough to make an impact on Texas jurisprudence."

- "Being a judge isn't about the money. There are other benefits such as less pressure, being in charge of your own schedule, self satisfaction of the job, more respect from the community, fewer hours per week, etc."

- "There are plenty of good candidates for any opening."

- "I want jurists on the bench who truly want to serve - not because of the paycheck."

- "Texas judges are paid well more than the average lawyer but much less than the much smaller number of lawyers at the top urban Texas law firms. Many good judges choose their jobs are preferable to the maximize your billable hours pressure of top firms."

- "The lucky few who secure those Big Law jobs right out of law school (or after a judicial clerkship) start off at a higher salary than that of the Chief

Justice of the Texas Supreme Court. That ain't right. We should want our best and brightest legal minds to serve on the bench, but many have families to support. It's an incredible sacrifice to them and their families to ask them to accept such huge pay cuts. I guess that's why it's called 'public service.'"

- "Sure, that's one reason they don't run for office. Another is partisan elections where they can be swept out of office on a whim."

- "Of course, how you define 'good Jurists' is the key. There never seems to be a shortage of judicial candidates."

- "There is no shortage of judge seekers but are we getting the best and brightest if we aren't close to what they can make in private sector"

- "Certainly no one expects the pay to be commiserate, but the vast difference in public and private pay does keep good jurists off the bench."

- "Yet another trick question?"

- "No because of the benefits now and after retirement."

- "How does one identify a 'good jurist'? As a tax-paying non-lawyer, I'm not inclined to just take the word of the bar or any group of lawyers."

- "If you're running for judge to get rich, you probably shouldn't be a judge."

- "Public services and sometimes ego will continue to drive good lawyers to look to be judges."

- "Probably, but I think I'd rather have a judge who is making a sacrifice to serve than a judge who benefits from the position."

- "A state district judge's salary clearly places the judge in the top 5% of all earners in this country. While a judge's salary is lower than their private counterparts, a judge has made a decision to trade income for power. In the end, a higher salary

wouldn't get you better jurists just greedier ones."

- "Probably."

- "Maybe. I'm sure the differential in pay for teachers keep many highly qualified people from being teachers and educators. We ask those folks to sacrifice a lot more for a lot less than we ask our Judges."

- "Not many anyway..."

- "Ambition and ego make up the diff."

Lawmaker pensions are based on judicial pay; should they be unlinked?

- "That's the only security judges have! It's a fair trade for the public service and lower income."

- "If the tethering of the two is what is keeping the legislature from increasing judicial pay then separate them."

- "Having the two linked is not necessarily a bad thing, however, the worst part of this link is exposed when the 'elected class' definition gets expanded from time to time to include favored staff members on the verge of retirement. The eligibility of lawmaker pensions for non-lawmakers should be abolished."

- "Lawmakers pensions should be linked to something over which they have no direct control. Why not tie their pensions to per capita income? This way, if the 'people' of Texas are doing better, so will the lawmakers."

- "Covert way to help legislators without them actually voting on the benefit to them."

- "Pure greed on the Leg's part. They know the pay-off is at the end of their legislative careers."

- "Only lawmakers think their pensions should be bases on judicial pay."

- "Come on! Really? Tie it to the average teacher pension and watch teacher salaries rise as a result."

- "We pay them too little to actually serve."

- "Legislators retirement and pay should be part of an up and down stand alone vote"

- "Yes, it's deception."

- "Pension plans for state and local government workers in Texas are strong and well funded, with two notable exceptions: We can afford to ignore the "pay-as-you-go" JRS-I plan for state judges because it covers fewer than 500 people and has been closed to new entrants for almost twenty years. On the other hand, our state's hidden pension plan for lawmakers--hidden because it doesn't stand alone as its own plan but is cached within the far larger plan for all other state employees--is the poster child for everything vice of which public pensions have been accused: (1) pension benefits for the "elected class" are inherently unsound because they are not pre-funded; (2) members of the "elected class" make tiny contributions that bear no relationship to the benefits they will earn; and (3) members of the "elected class" can vote to increase their own pension benefits at any time by raising state judicial salaries. There's nothing I enjoy more than watching fat dumb and unknowingly-happy ex-legislators whine about the meager retirement benefits earned by public workers while those fine former state officials get--for the rest of their lives--free high-quality health care and a pension annuity that's worth 300 to 2000 times their former salary."

- "Linking lawmaker pensions to judicial pay is a cowardly way to increase one's public pension without every having to directly vote on it."

- "Legislators pensions are a scandal - they dis-incentivize short-term 'citizen legislator' service which is what we want to encourage -- the best and the brightest take a few years off out of their careers to serve and then move on -- instead, we continually

hear about legislators who don't retire because they want to be 'vested.' Lawmakers shouldn't have to serve for free and they should get some kind of small retirement - not what we have here. That's why they call it public SERVICE."

- "No, unless we are going to pay our 'citizen legislators' a living wage. Lawmakers should first and foremost be paid for the full-time job they have."

- "Bottom line, lawmakers should serve as a public service, not because they stand to get hundreds of thousands in retirement."

- "Delinking them will make it easier to raise salaries for judges."

- "Serving in the legislature has it's own perks. Take away the expensive retirement and put it into education or give back to the taxpayers."

- "I'm not sure they should get pensions at all. It's a part time job."

- "I wonder how much better off state employees or teachers would be were retirement linked to ERS and TRS benefits."

- "But only in the context of changing the way legislators are compensated. It is almost impossible for most Texans to be a member of the legislature because of the way they are compensated. Some provision needs to be made for retirement, but the current system goes over the top on the retirement side to offset the low compensation for the job."

- "This crop of lawmakers doesn't even deserve the measly salaries!"

- "And base lawmaker retirement on \$7,200 per year when they sacrifice years of earning potential to serve in the Lege - years during which they might have funded a retirement account were it not for the public service? Uh, no."

- "Highly disingenuous to link the part-time legislators' pension to the full-time judge's salaries."

- "Of course, that is a fine legislative tradition!"

- "It's the only way either side gets paid."

Does the link to lawmaker pensions help judges get pay raises or create an obstacle for them?

- "If you are in the Tea Party, it's a huge obstacle."

anyone with a brain get kicked out over there? Sheesh"

- "The problem with tethering is that it allows the primary opponent to argue that a legislator voted herself a pension increase when what she did was vote for a pay raise for judges."

- "Lawmakers will liberally increase judicial benefits--not because they care about judges, but because they're feathering their own nests."

- "Certainly doesn't hurt."

- "In the past it was thought to be a help, but the tea is brewed more strongly these days."

- "If it helps judges get pay raises, then why haven't judges received a pay raise since 2005? A pay raise is a pay raise, and if the public won't tolerate it, it won't happen. And that's why judges haven't had a pay raise since 2005."

- "State lawmakers have a personal financial interest in boosting judicial pay. It would be corrupt if it weren't the law."

- "If the legislature raises judicial pay, the campaign ad simply says member X increased his or her own pension."

- "More often than not it keeps judicial salaries low because lawmakers are hesitant to raise their own salaries -- or they should be."

- "Duh!"

- "Of course it helps, but lawmakers would be so worried about their pension is they made a decent living."

- "It could be an obstacle since lawmakers might not want to feel they are self serving when they raise judicial pay."

- "I think it's neutral impact."

- "Is it real that y'all really DO have monkeys making up this shit? Does

- "How can it possibly be an obstacle? Oh, the 'good government' gang we have, right.... emmmm."

- "Wonder how much Susan Combs is drawing in retirement while she is still comptroller?"
- "It works as the authors intended: it helps get raises."
- "This sort of misses the point. District judges are at the bottom of the state judicial branch. Legislators are at the bottom of the state legislative branch. Parity in retirement is fair."
- "Of course it's an obstacle. It's been 8 years since judges last had a raise! The linkage benefits lawmakers, not judges."

Our thanks to this week's participants: Gene Acuna, Cathie Adams, Jenny Aghamalian, Jennifer Ahrens, Victor Alcorta, Clyde Alexander, George Allen, Doc Arnold, Jay Arnold, Charles Bailey, Dave Beckwith, Amy Beneski, Rebecca Bernhardt, Andrew Biar, Allen Blakemore, Tom Blanton, Chris Britton, David Cabrales, Kerry Cammack, Marc Campos, Thure Cannon, Janis Carter, William Chapman, Elna Christopher, James Clark, John Colyandro, Harold Cook, Kevin Cooper, Beth Cubriel, Randy Cubriel, Curtis Culwell, Denise Davis, Hector De Leon, June Deadrick, Tom Duffy, David Dunn, Jeff Eller, Jack Erskine, Neftali Garcia, Norman Garza, Dominic Giarratani, Bruce Gibson, Eric Glenn, Kinnan Golemon, Daniel Gonzalez, Jim Grace, John Greytok, Clint Hackney, Anthony Haley, Wayne Hamilton, Bill Hammond, Adam Haynes, Susan Hays, Ken Hodges, Deborah Ingersoll, Cal Jillson, Jason Johnson, Bill Jones, Mark Jones, Robert Jones, Lisa Kaufman, Robert Kepple, Richard Khouri, Tom Kleinworth, Ramey Ko, Sandy Kress, Pete Laney, Luke Legate, Leslie Lemon, Ruben Longoria, Matt Mackowiak, Luke Marchant, Phillip Martin, Dan McClung, Parker McCollough, Scott McCown, Mike McKinney, Robert Miller, Mike Moses, Steve Murdock, Nelson Nease, Keats Norfleet, Pat Nugent, Keith Oakley, Nef Partida, Gardner Pate, Wayne Pierce, Richard Pineda, Allen Place, Kraege Polan, Gary Polland, Jay Pritchard, Ted Melina Raab, Bill Ratliff, Patrick Reinhart, Stan Schlueter, Bruce Scott, Robert Scott, Dan Shelley, Bradford Shields, Jason Skaggs, Ed Small, Todd Smith, Larry Soward, Dennis Speight, Jason Stanford, Keith Strama, Bob Strauser, Colin Strother, Michael Quinn Sullivan, Sherry Sylvester, Jay Thompson, Gerard Torres, Trent Townsend, Trey Trainor, Vicki Truitt, Ware Wendell, Ken Whalen, Darren Whitehurst, Seth Winick, Peck Young, Angelo Zottarelli.