State of Kansas

Office of Judicial Administration

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House Judiciary Committee
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Testimony in Support of HB 2704

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Thank you, Chairman Barker, and the members of this committee for the opportunity to present testimony on House Bill 2704. HB 2704 contains funding for salary adjustments for both Judicial Branch judges and employees. The Judicial Branch is fortunate to have a great deal of experience and expertise through its more than 250 judges and approximately 1,600 employees all across the state. This level of expertise and experience has helped guide us through several major projects, including the recent implementation of e-filing. But the attraction and retention of quality judges and staff to operate within this system and to navigate other projects in the digital age is critical.

The Judicial Branch is having difficulty competing with private enterprise and other public entities in retaining experienced judges. For example, the Judicial Branch recently had two long-term judges resign to take other employment – a district judge to a county counselor position and a district magistrate judge to an administrative law judgeship in the Executive Branch. The employment changes resulted in greater income for these judges.

Adequate salaries are imperative in order to attract and retain the quality of judges Kansas citizens expect and deserve. Based on the most recent survey of judicial salaries by the National Center for State Courts, the salary of Kansas district court judges ranks 50th in the nation. Kansas judges have not received any increase since FY 2009 and had their salaries reduced by 5% the last six pay periods of FY 2010. HB 2704 provides a cost of living increase to bring Kansas district judge salaries in line with the average adjusted salary for trial court judges within the neighboring states of Colorado, Iowa, Missouri, Nebraska, and Oklahoma. In order to maintain the traditional differentials, HB 2704 further requests an increase for appellate judges and justices and district magistrate judges that is proportionate to that requested for district judges.

It has also become increasingly difficult to recruit and retain high-quality, experienced staff. Many capable long-term employees have found more beneficial employment outside of the Judicial Branch, some even with state agencies. For example, a long-time administrative assistant left the Judicial Branch after she was offered a significant pay increase to work for the Executive Branch. Another employee recently left to work for the Executive Branch to perform similar job duties but serving fewer employees for increased pay. Also, a recent potential job applicant commented that she makes more working part-time. These examples are only three of the many retention problems that the Judicial Branch is experiencing across the state. As for an example of problems in recruiting high-quality employees, one large urban district recently pronounced all of its job applicants unsuitable for a position and was forced to extend the application period. As the cost of living increases, we expect Judicial Branch recruitment and retention issues to only worsen – to the detriment of Kansans and their system of justice.

Our employees have had only one pay adjustment – of 2% – since FY 2009. So a salary adjustment is long overdue and is necessary to recruit and retain good, experienced employees. To help bring employee salaries to a competitive level, HB 2704 includes a 10.44% pay increase, based on the compounded Employment Cost Index, beginning in FY 2017 for employees.

This amount is in line with prior salary adjustments previously approved by the Legislature. In its budget submission for FY 2009, the Judicial Branch included a 15.75% salary increase for employees. This percentage would have returned the pay plan to documented market level. The 2008 Legislature agreed to fund the full increase. But it chose to implement the 15.75% increase over a three-year period to mirror the implementation of the below market initiative of the Executive Branch. Docket fees were increased to provide for the first 5.25% pay increase in FY 2009. But nothing else was done until the 2% adjustment provided by the 2014 Legislature that increased DUI driver's license reinstatement fees. Even this amount, however, was offset by increases in required employee contributions to KPERS. Funding for the remainder of the 2008 Legislature's three-year implementation plan for Judicial Branch employees has not been completed.

We ask that you thoughtfully consider HB 2704 and recommend salary adjustments for Judicial Branch judges and employees. Thank you for your time and consideration of this matter.