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To: Representative John Barker, Chairman
Members of the House Judiciary Committee

From: Callie Jill Denton JD
Executive Director

Date: March 3, 2016

RE: HB 2704 concerning the judicial branch; relating to salaries of justices, judges, and non-judicial employees

The Kansas Association for Justice (KSAJ) is a statewide, nonprofit organization of trial attorneys. KSAJ supports HB 2704 and recommends its passage.

HB 2704 appropriates \$16.8 million from the State General Fund to the Judicial Branch in FY 2017. The bill is necessary to fund market adjustments for Judicial Branch compensation, and affects positions within the Judicial Branch (1,600 employees and 250 judges). Like compensation in other branches of government, Judicial Branch compensation has not been adjusted for many years. The Legislature approved adjustments in 2008 but they were not funded.

The Legislature must make appropriations that will ensure compensation for state employees reasonably reflects both the market price for their professional skills and the value of such skills to the citizens of Kansas. If Kansas does not provide competitive compensation to its employees, the State risks losing its significant investment in valuable human resources. The State may also be unable to hire qualified employees to fill essential open positions.

Losing skilled professionals within the Judicial Branch such as clerks, court services officers, court reporters and administrative assistants would impact the Judicial Branch's ability to innovate and to efficiently perform its duties as required under law. It could also impact the Judicial Branch's collection of monies from private judgments for the general funds of counties and the State. In 2014, court clerks collected \$54 million to fund state government.

Twenty-two states funded salary increases for judges between January and July, 2015.¹ Unfortunately, in Kansas, the Legislature has not funded even small, incremental adjustments for Judicial Branch compensation in seven years.

Kansas is one of only seven states in the nation that have failed to fund compensation adjustments for its judges in recent years (Michigan, New Jersey, Nevada, Arizona, Alabama, Kansas, and Kentucky).² Compared with other states, Kansas' judicial compensation is ranked at the bottom: for district court judges, 50th in the nation (45th when adjusted for cost of living); Court of Appeals judges, 36th in the nation; and Supreme Court justices, 45th in the nation.³

KsAJ requests that the Committee consider the appropriations history for Judicial Branch compensation and the impact of another delay in funding a market adjustment appropriation. We further request the Committee consider other states' decisions regarding compensation appropriations for their judicial branch employees. KsAJ respectfully requests that the Judiciary Committee recommend HB 2704 favorable for passage.

¹ See National Center for State Courts Judicial Salary Tracker, Vol. 40 No. 2, January 2016.

<http://www.ncsc.org/FlashMicrosites/JudicialSalaryReview/2016/resources/CurrentJudicialSalaries.pdf>

² National Center for State Courts, *supra*.

³ National Center for State Courts, *supra*.