

# Salaries of Elected State Judges

In August 2005, the 79<sup>th</sup> Legislature amended statutes relating to the compensation of state judges (H.B. 11, 79<sup>th</sup> Legislature, Second Called Session). Effective December 1, 2005, the annual state salary of a district judge increased to \$125,000. While Chapter 32 of the Government Code authorizes the state salaries of district court judges to be supplemented from county funds, amendments made to Section 659.012 of the Government Code limit the total annual salary for a district judge to a combined sum from state and county sources of \$5,000 less than the combined salary from state and county sources provided for a justice of a court of appeals.<sup>1</sup> In addition, the enactment eliminated special provisions created in Chapter 32 during the 78<sup>th</sup> Legislature allowing unrestricted payment by certain counties of an annual supplemental salary to district judges.

The annual state salary of a justice of a court of appeals increased to 110 percent of the annual state salary of a district judge. The chief justice of an appellate court receives \$2,500 more than the other justices of the court. While Chapter 31 of the Government Code authorizes the counties in each court of appeals district to pay each justice of the court of appeals for that district for judicial and administrative services rendered, amendments made to Section 659.012 of the Government Code limit the total salary for a justice of a court of appeals to a combined sum from state and county sources of \$5,000 less than the state salary paid to a justice of the Supreme Court. This same provision limits the chief justices of the courts of appeals to receive a combined salary of \$2,500 less than the state salary paid to justices of the Supreme Court.

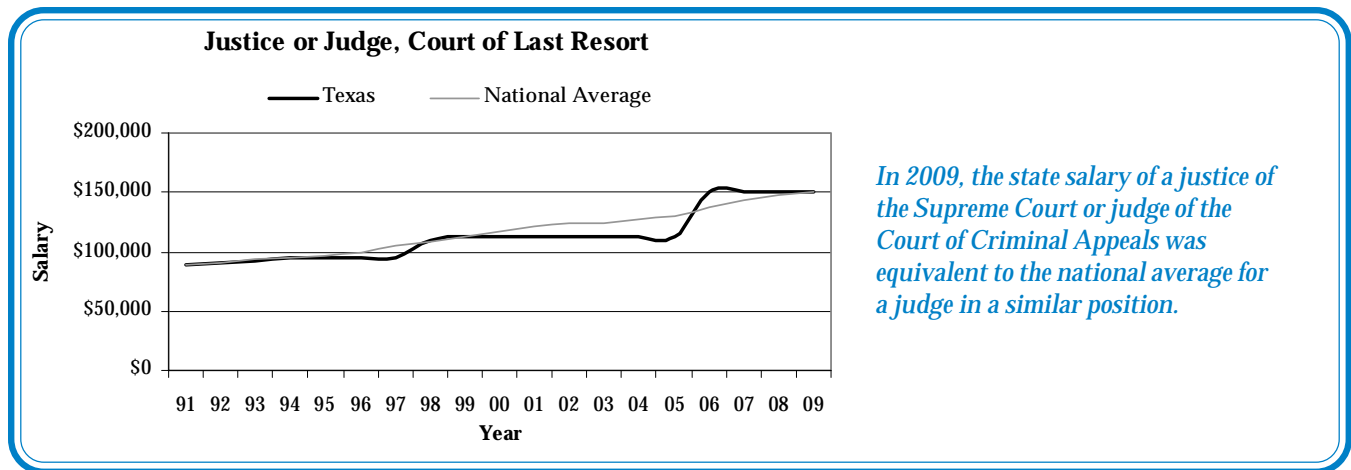
Finally, the annual state salary of a justice of the Supreme Court or a judge of the Court of Criminal Appeals increased to 120 percent of the annual state salary of a district judge. The chief justice or presiding judge of these courts receives \$2,500 more than the other justices or judges on the courts.

Beginning September 1, 2007, judges became entitled to monthly longevity pay of \$20 for each year of service credited in the retirement system (maximum of \$320 per month) after completing 16 years of service. In addition, district judges presiding over silica or asbestos multi-district litigation became entitled to receive, in addition to their regular district judge salary and supplement, the maximum amount of compensation set by the Texas Judicial Council for a presiding judge of an administrative judicial region under Sec. 74.051(b) of the Government Code.

In June 2009, the 81<sup>st</sup> Legislature amended the statutes relating to longevity pay (S.B. 497, 81<sup>st</sup> Legislature, Regular Session). Effective September 1, 2009, judges became entitled to monthly longevity pay equal to 3.1 percent of their current monthly state salary, rather than \$20 a month, for each year of service credited in the retirement system after completing 16 years of service. In addition, the counties' commissioners courts were authorized to provide longevity pay calculated in accordance with these criteria to any active state judge who had previously served as a statutory county court judge in the county and would be entitled to longevity pay if the service credit the judge or justice earned as a statutory county court judge was established in the applicable retirement system.

Furthermore, this legislation clarified that longevity pay is not included as part of the judge's or justice's combined salary from state and county sources for purpose of the salary limitations provided by Section 659.012.

1. Attorney General Opinion GA-0437 (2006).



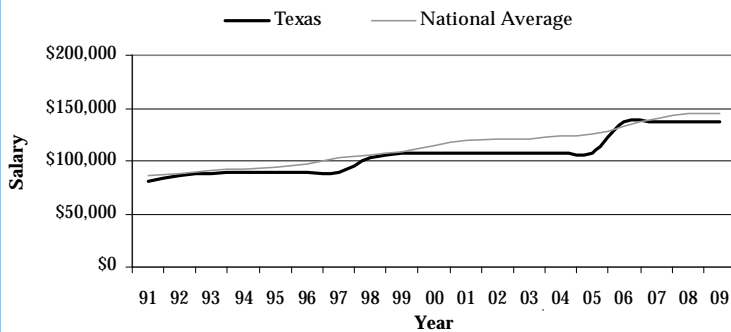
## Salary Summary for Elected State Judges as of September 1, 2009

Judge <sup>1</sup>	State Salary	Additional Compensation <sup>2</sup>	Other	Total
Supreme Court - Chief Justice	\$152,500	N/A		\$152,500
Supreme Court - Justice	\$150,000	N/A		\$150,000
Ct. of Criminal Appeals - Presiding Judge	\$152,500	N/A		\$152,500
Ct. of Criminal Appeals - Judge	\$150,000	N/A		\$150,000
Court of Appeals - Chief	\$140,000	up to \$7,500 <sup>3</sup>		\$147,500
Court of Appeals - Justice	\$137,500	up to \$7,500 <sup>3</sup>		\$145,000
Presiding Judge - Admin. Judicial Region (Active District Judge)	\$125,000	up to \$15,000 <sup>3</sup>	not to exceed \$33,000 <sup>4</sup>	up to \$173,000
Presiding Judge - Admin. Judicial Region (Retired or Former Judge)	N/A	N/A	\$35,000 - 50,000 <sup>5</sup>	up to \$50,000
District Judge - Local Admin. Judge who serves in county with more than 5 district courts	\$125,000	up to \$15,000 <sup>3</sup>	\$5,000 <sup>6</sup>	\$145,000
District Judge	\$125,000	up to \$15,000 <sup>3</sup>		\$140,000
District Judge - Presiding judge of silica or asbestos multi-district litigation	\$125,000	up to \$15,000 <sup>3</sup>	not to exceed \$33,000 <sup>7</sup>	up to \$173,000

**Notes:**

- Entitled to monthly longevity pay of 3.1 percent of current monthly state salary for each year of service credited in the retirement system after completing 16 years of service.
- Additional compensation provided by counties in judicial and appellate districts for extra judicial service performed by judges and justices. Tex. Gov't Code Secs. 31.001 and 32.001.
- The state salary of a district judge whose county supplement exceeds \$15,000, or appellate justice whose county supplement exceeds \$7,500, will be reduced by the amount of the excess so that the maximum salary the judge or justice receives from state and county sources is \$140,000 (district judge), \$145,000 (appellate justice), or \$147,500 (appellate chief justice). Tex. Gov't Code Secs. 659.012, 31.001 and 32.001.
- Presiding judges' salary set by Texas Judicial Council. Tex. Gov't Code Sec. 74.051(b). Paid by counties in administrative judicial region on a pro rata basis based on population.
- Presiding judges' salary based on number of courts and judges in region. Tex. Gov't Code Sec. 74.051(c). Paid by counties in administrative judicial region on a pro rata basis based on population.
- Tex. Gov't Code Sec. 659.012(d).
- Tex. Gov't Code Sec. 659.0125.

### Justice, Intermediate Court of Appeal



*In 2009, the state salary of a justice of a Court of Appeals was nearly \$8,000 less than the national average for a judge in a similar position.*

*In 2009, the state salary of a district court judge was approximately \$9,200 less than the national average for a judge in a similar position.*

### Judge, General Jurisdiction Trial Court

