# REPORT ON JUDICIAL SALARIES AND TURNOVER

For Fiscal Years 2014 and 2015

Section 72.030 of the Government Code requires the Office of Court Administration (OCA) to collect data relating to judicial turnover and the reasons for that turnover. The report must also include findings comparing the compensation of Texas' state judges with compensation of judges at corresponding levels in the five states closest in population and to lawyers engaged in private practice. A report containing this information is to be released no later than December 1 of each even-numbered year. This report contains the information required by Section 72.030, updating the information presented in the last judicial turnover report issued in 2014.

## Judicial Turnover Sets Record

History of Judicial Turnover Rates
Fiscal Years 2004 through 2015

| Fiscal Year | Judicial Turnover Rate (Number of Judges Leaving) |
|---|---|
| 2004-2005 | 7.6% |
| 2006-2007 | 14.2% |
| 2008-2009 | 14.1% |
| 2010-2011 | 13.2% |
| 2012-2013 | 12.4% |
| 2014-2015 | 15.1% |

The judicial turnover rate during Fiscal Years 2014 and 2015 was **15.1 percent, the highest level** since turnover data have been collected. The record turnover rate was present in both the election and non-election years of the biennium. Most notably, the **voluntary turnover rate was 10.8 percent**, exceeding the previous high voluntary turnover rate in the 2010-2011 biennium by over two percent.

The most significant factors in judges' decisions to leave were **retirement** and the **judicial election process**. The percentage of judges naming retirement and the election process increased from the previous biennium, while the percentage of judges naming salary decreased. The percentage of judges **retiring increased** over the last three biennia.

## Judicial Compensation Continues to Lag Behind Other States

Texas state judges last received an increase in state compensation in September 2013, the first increase since 2005. The increase in 2013 represented just over half of the amount recommended by the Judicial Compensation Commission. State judges in **four of the five other most populous states have received increases** in salary since 2013. The **state salaries of Texas judges continue to lag** behind the salaries of judges at corresponding levels in all of the five states closest to Texas in population, except for justices of the Florida Supreme Court, who have lower salaries than their counterparts in Texas. The state salary of Texas judges is at least 25 percent lower than the average salary of their counterparts in the five states closest to Texas in population.

**Salary Summary for State Judges as of September 1, 2015**

| Judge | State Salary | Maximum County Supplement | Maximum Compensation |
|---|---|---|---|
| Justice/Judge[1] – Supreme Court or Court of Criminal Appeals | $168,000 | N/A | $168,000 |
| Justice[2] – Court of Appeals | $154,000 | up to $9,000 | $163,000 |
| District Judge | $140,000 | up to $18,000 | $158,000 |

## Compensation for Judges Lags Behind Attorneys, Even with Much More Experience

Justices and judges for the Supreme Court, Court of Criminal Appeals, and Courts of Appeals are required to have at least 10 years of experience as lawyers, and judges for the district courts must have at least four years of experience. Based on attorney income data collected by the State Bar of Texas for 2013,[3] the state salaries for all judges are **less than the average salary of lawyers** with more than 10 years of experience. In fact, the state salaries for district and intermediate appellate court judges are less than the average salary of lawyers overall, regardless of years of experience.

Very few Texas justices or judges have been licensed as attorneys for less than 15 years. Rather, the average length of time since licensure is over 30 years for judges on the appellate and district courts. Despite this vast level of experience, the average salary of similarly situated private practitioners with over 25 years since licensure is $172,825, **more than 23 percent higher than the state salary of a district judge and higher than any judicial salary in Texas**.

[1] The Chief Justice and Presiding Judge receive an additional $2,500 in state compensation.
[2] The Chief Justice receives an additional $2,500 in state compensation.
[3] The State Bar of Texas plans to update this survey for attorney income later in 2015.

## Extent of Turnover in the Judiciary

During the 2014-2015 biennium,[4] 557 judges served in the state's appellate and district courts. During this period, 84 judges left the state judiciary—**a turnover rate of 15.1 percent**. However, 24 judges left involuntarily, primarily due to defeat in a primary or general election. The **voluntary turnover rate was 10.8 percent**.

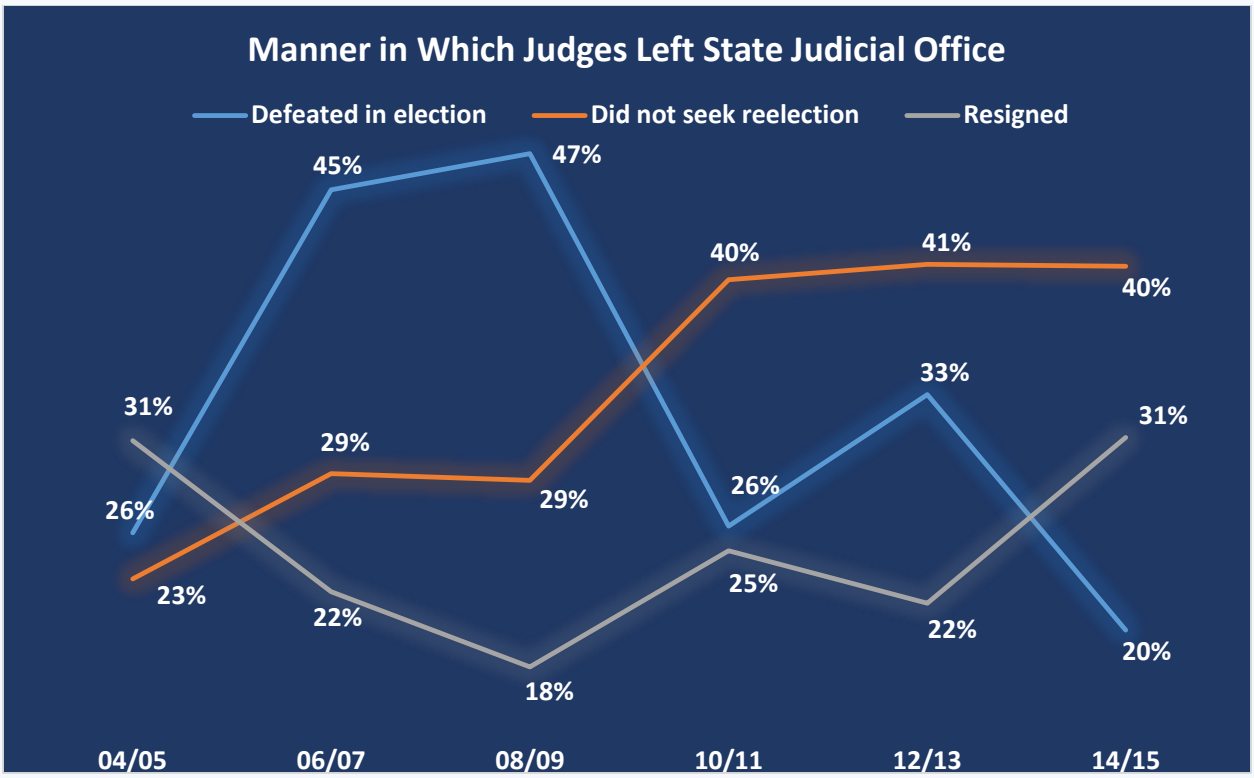
| Turnover of State Appellate and District Judges<br>September 1, 2013 through August 31, 2015 | | |
|---|---|---|
| | **Number of Judges** | **Percentage of All Judges** |
| Total Number of Appellate and District Judge Positions | 557 | 100.0 % |
| Judges Leaving State Judiciary | 84 | 15.1% |
| **Judges Leaving State Judiciary Voluntarily** | **60** | **10.8%** |

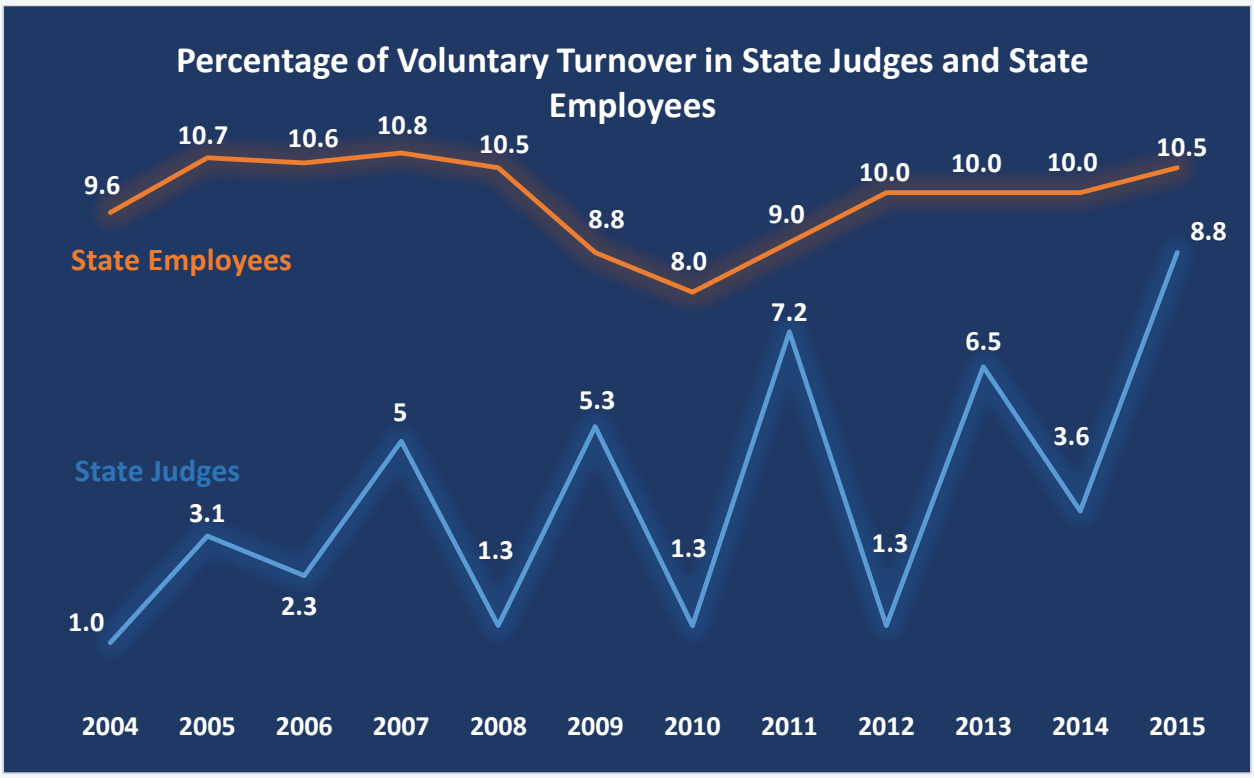
| Manner in Which State Appellate and District Judges Left Office<br>September 1, 2013 through August 31, 2015 | | | |
|---|---|---|---|
| | **Number** | **Percentage of All Judges Leaving Office** | **Percentage of All Judges** |
| Did not seek reelection | 34 | 40% | 6.1 % |
| Resigned | 26 | 31% | 4.7 % |
| Defeated in election | 17 | 20% | 3.1 % |
| Reached mandatory retirement age | 4 | 5% | 0.7 % |
| Deceased | 3 | 4% | 0.5 % |
| Removed from office | 0 | 0% | 0.0 % |
| **Total** | **84** | **100 %** | **15.1 %** |

Over the last three biennia, **40 percent** of judges left office by **not seeking reelection**. During this biennium, the percentage of judges leaving by **resignation climbed** from the previous period to the highest level since 2004, while the percentage of judges defeated for reelection fell to a low of 20 percent.[5]

[4] September 1, 2013 to August 31, 2015

[5] See Appendix B for the number of judges in each category.




The voluntary turnover rate for judges varies considerably from year to year. In years with a general election, turnover increases as judges decide not to run for reelection. **In the last**

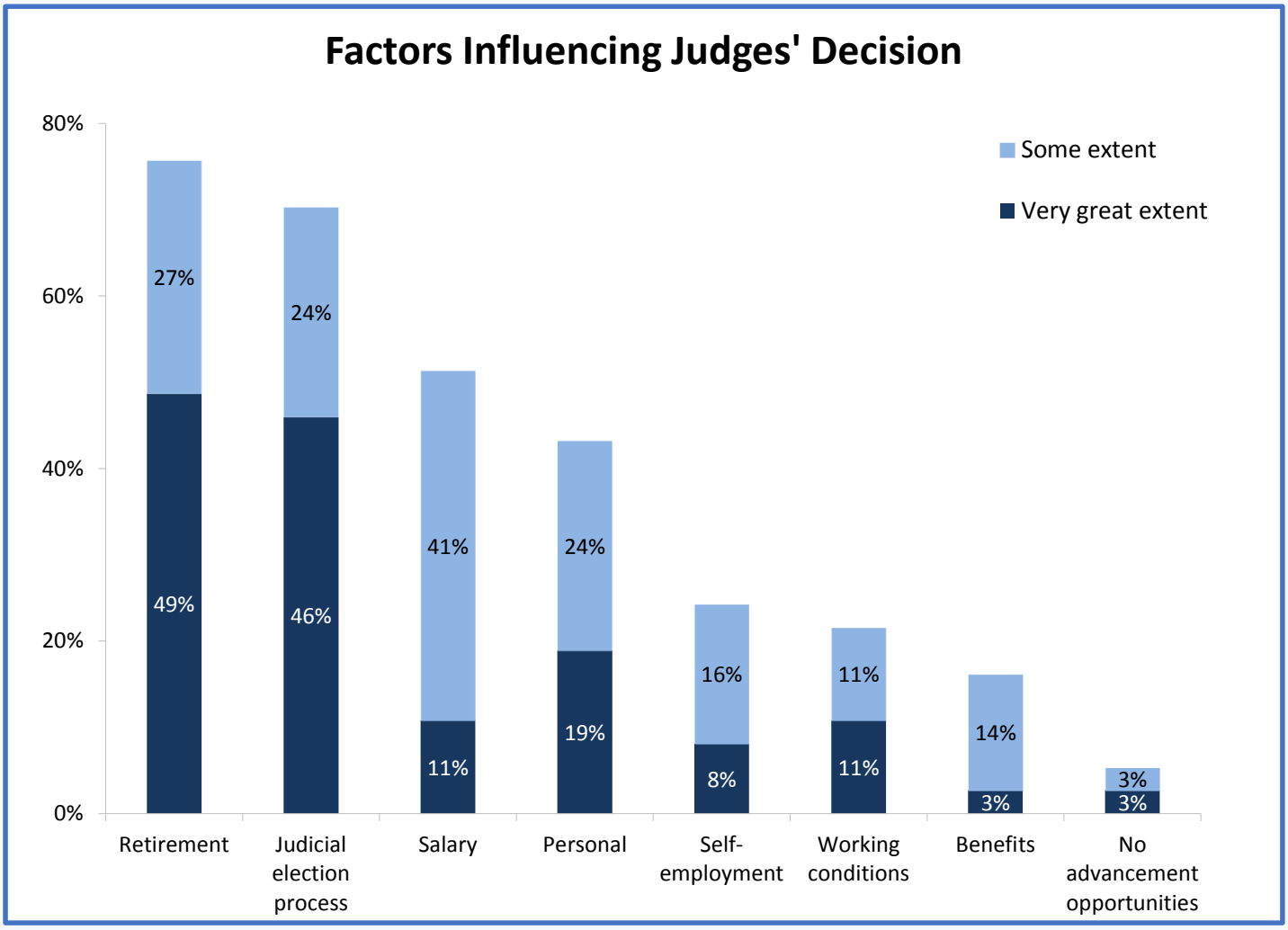
**biennium, the turnover rates for judges in the election year as well as in the non-election year rose to the highest levels since turnover data have been collected**.

## Survey of Judges Who Voluntarily Left State Judicial Office

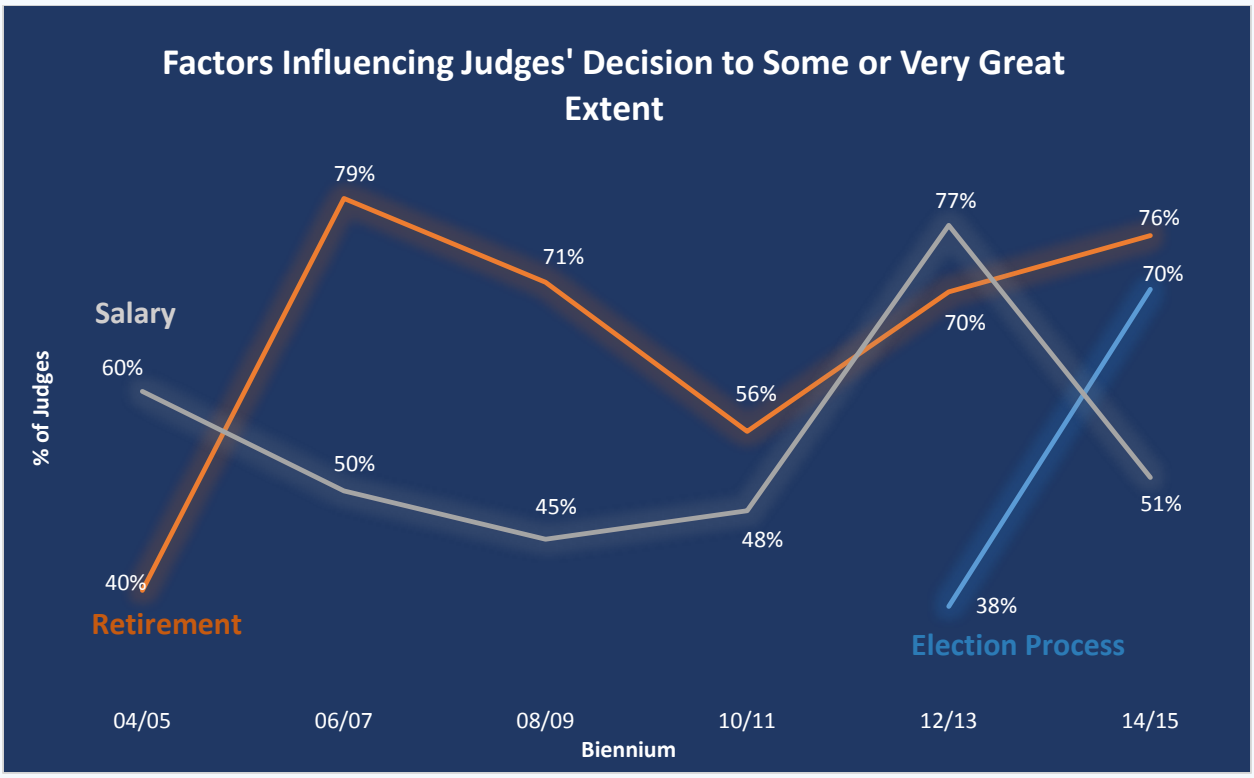
In an effort to determine why judges left state judicial office, the Office of Court Administration regularly surveys judges for the factors influencing their decision.[6] The results of the surveys for the 2014-2015 biennium are below.

### *Which Factor(s) Influenced Your Decision?*

The most significant factors in judges' decisions to leave state judicial office were **retirement** and the **judicial election** process. The judicial election factor was named almost as frequently as retirement, despite the election process being a minor factor in the previous biennium. More than half of judges also indicated that **salary** was a factor in their decision.




[6] The methodology for the survey can be found in Appendix A.



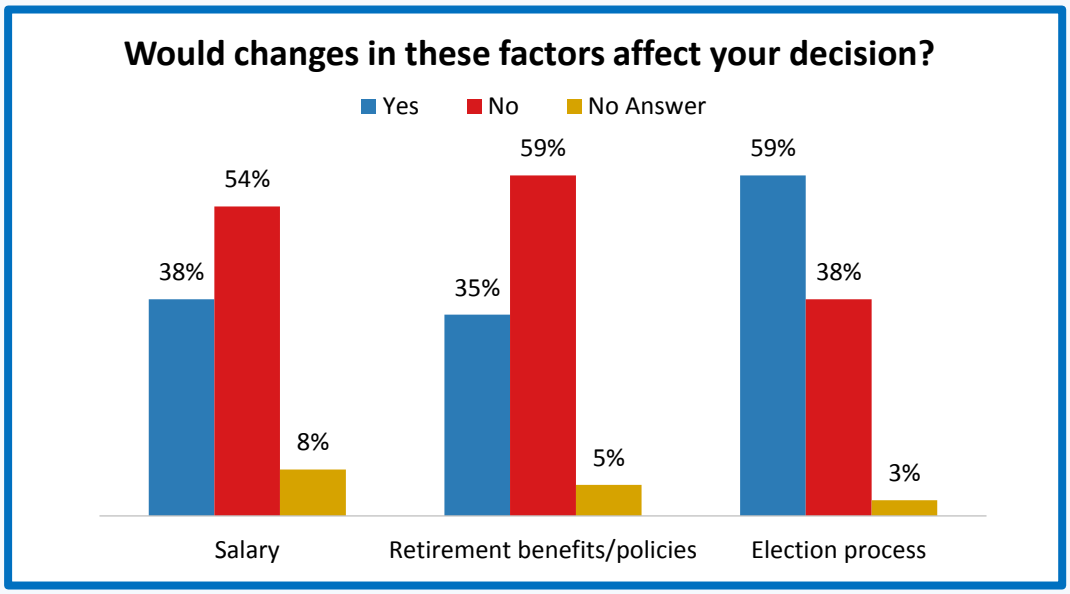

Judges identified the following additional factors that influenced their decision "to a very great extent":

- Restrictions on speech and activities
- The monastic isolated nature of the job
- Having served 20 years
- Health questions

*Which Factor(s) would Compel You to Continue Serving?*

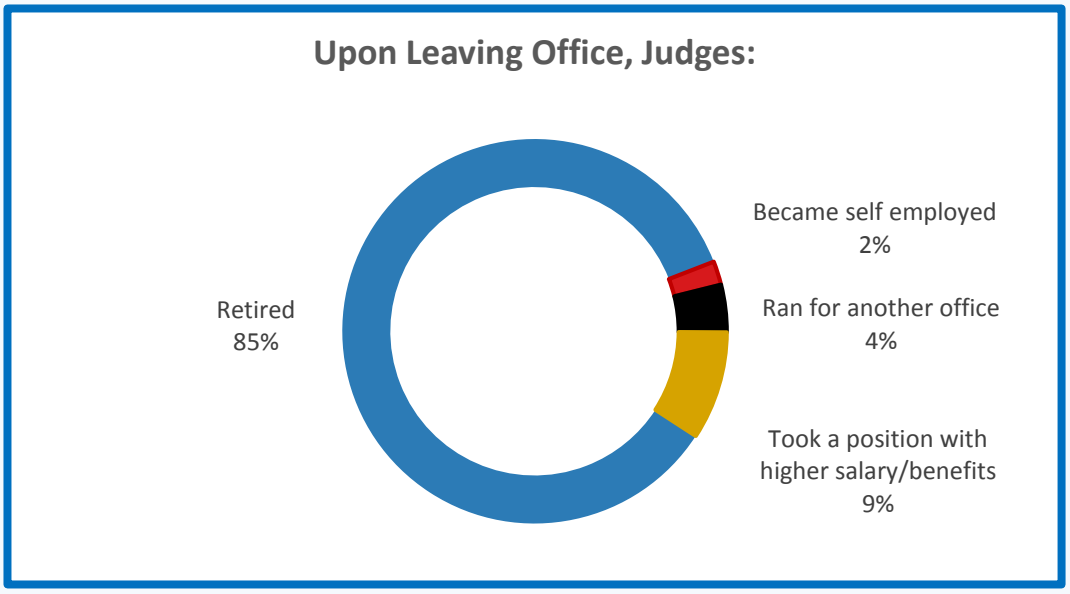
The survey asked respondents whether changes in salary, retirement benefits or policies, or the judicial election process would have compelled them to continue serving as a state judge. While a majority of judges indicated that neither changes in salary or retirement benefits/policies would alter their decision to leave, almost **60 percent indicated that changes in the election process would change their decision to leave the bench**. This finding corresponds with the high number of judges indicating that the judicial election process affected their decision to leave the bench. The results of this survey are significantly different from the previous biennium, when almost three-fourths of judges indicated changes in salary would have compelled them to continue

serving, and only 39 percent indicated changes in the judicial election process would compel them to stay.[7]



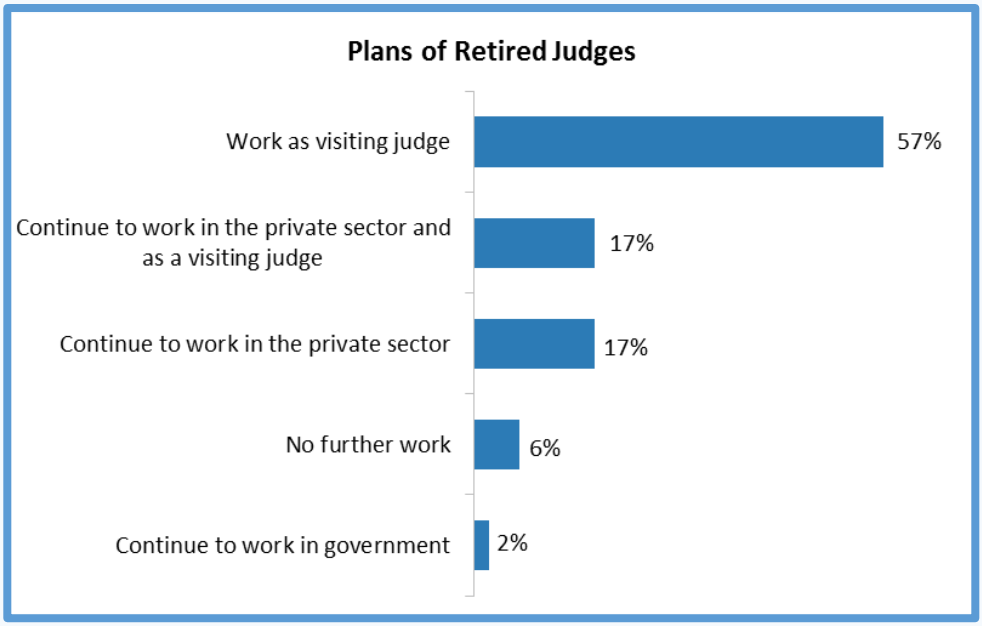

*Next Step for Judges after Resigning or Completing Their Terms*

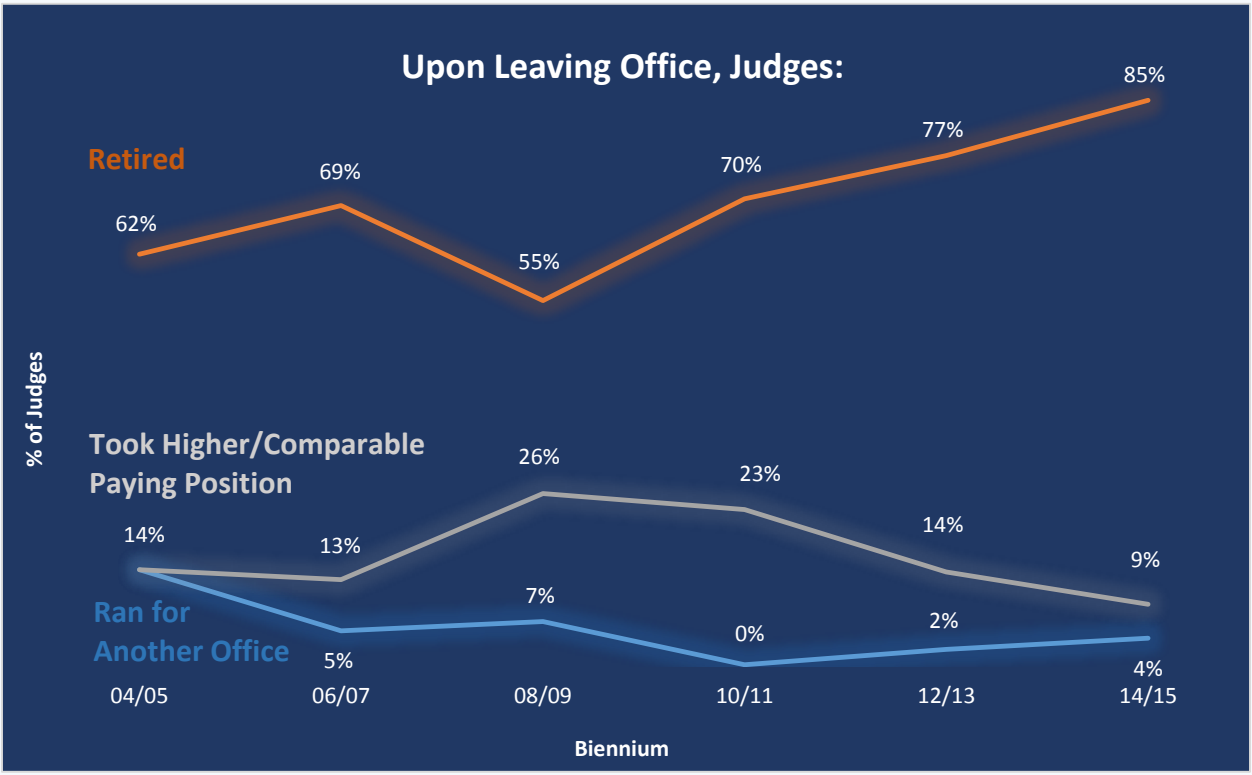
The vast majority of the 55 judges who left voluntarily office during the biennium retired. However, **more than 10 percent of those who left voluntarily took a position with higher salary or benefits or became self-employed**.




[7] It should be noted that the previous biennial survey was conducted prior to the increase in state compensation effective September 1, 2013.

Judges who retire from the bench choose different paths, but **only six percent indicated that they planned no further work**. Rather, more than of half of the 47 judges who retired planned to continue working as a visiting (or assigned) judge.[8]




Of the judges leaving office, the percentage of judges retiring has increased over the last three biennia in relationship to the number of judges taking high/comparable paying positions outside the judiciary or running for another office.

[8] Tex. Govt. Code § 74.054

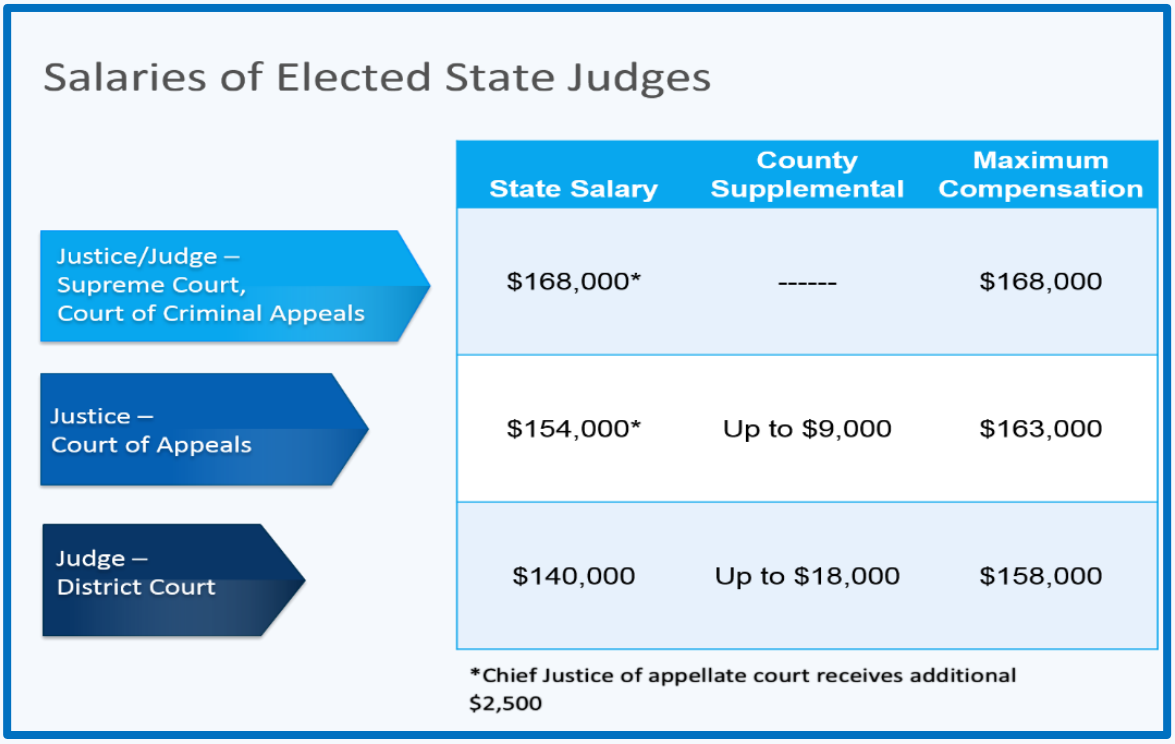
## Salaries of Elected State Judges

As of September 1, 2015, the annual state salary of a district judge was $140,000.[9] State law also authorizes the salaries of district court judges to be supplemented from county funds, up to a total amount that is $5,000 less than the combined salary from state and county sources provided for a justice of a court of appeals.[10]

The annual state salary of a justice of a court of appeals is 110 percent of the annual state salary of a district judge.[11] State law authorizes salaries of the justices to be supplemented by the counties in each court of appeals district, up to a total amount that is $5,000 less than the state salary paid to a justice of the Supreme Court.[12]

The annual state salary of a justice of the Supreme Court or a judge of the Court of Criminal Appeals is 120 percent of the annual state salary of a district judge.[13]

The chief justice and presiding judge of an appellate court receives $2,500 more than the other justices of the court.[14]




[9] Schedule of Exempt Positions, page IV-33, Chapter 1281 (H.B. 1), Acts of the 84th Legislature, Regular Session, 2015 (the General Appropriations Act).
[10] Tex. Govt. Code § 659.012(a)(1)
[11] Tex. Govt. Code § 659.012(a)(2)
[12] *Id.*
[13] Tex. Govt. Code § 659.012(a)(3)
[14] Tex. Govt. Code § 659.012(a)(4)

All of the justices of the 14 courts of appeals receive county supplements, and 93 percent of them receive the maximum amount allowed by law. Ninety-eight percent of district judges receive a county supplement, and 72 percent receive the maximum amount allowed by law.

| County Supplements Received | | | |
|---|---|---|---|
| | % of Judges Receiving Supplement | Average Supplement | Total Average Compensation |
| Courts of Appeals Justice | 100% | $8,915 | $162,915 |
| District Judge | 98% | $16,120 | $156,036 |

Judges are also entitled to monthly longevity pay equal to 3.1 percent of their current monthly state salary for each year of service credited in the retirement system after completing 16 years of service.[15] 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 described above.

## Salaries of State Judges in the Six Most Populous States

It is difficult to find positions with which to compare judicial compensation. The most accepted method is to compare the salary of Texas' state judges with comparable positions in other states of similar size. After eight years of state salary stagnation, Texas state judges last received an increase in state salary on September 1, 2013, in an amount that was just over half of the amount recommended by the Judicial Compensation Commission.[16] The recommendation by the Commission in 2014 to increase judicial compensation by five percent was not implemented. Since 2013, the average salaries of district judges and courts of appeals justices increased slightly due to increases in supplemental compensation from the counties.

| Percentage Change in State Salaries from 2013 to 2015 | |
|---|---|
| California | 4% |
| Pennsylvania | 2% |
| Illinois | 1% |
| New York | 1 – 4% |
| Florida | 0% |
| **Texas** | **0%** |

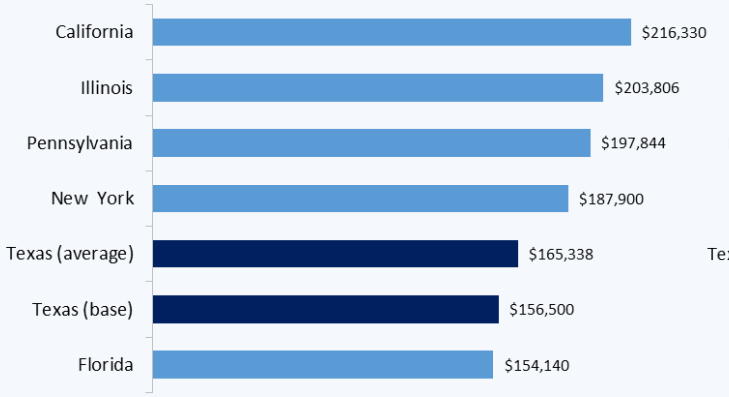
While Texas' judicial compensation has remained stagnant, judges in four of the five other states received increases in salary since 2013.

[15] Tex. Govt. Code § 659.0445

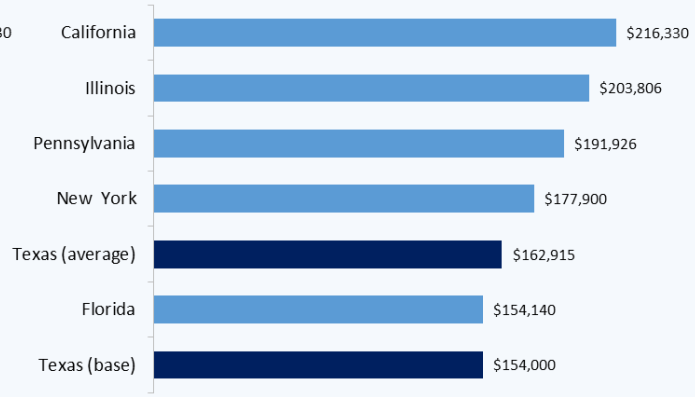
[16] The Judicial Compensation Commission is a gubernatorially-appointed body whose is responsible for studying and recommending to the legislature the proper salaries to be paid by the state for all justices and judges of the Supreme Court, the Court of Criminal Appeals, the Courts of Appeals, and the District Courts. (Tex. Govt. Code § 35.102).

The state salaries of judges in Texas continued to lag behind the salaries of judges at corresponding levels in four of the five states closest to Texas in population. Only justices of Florida Supreme Court had lower salaries than their counterparts in Texas.

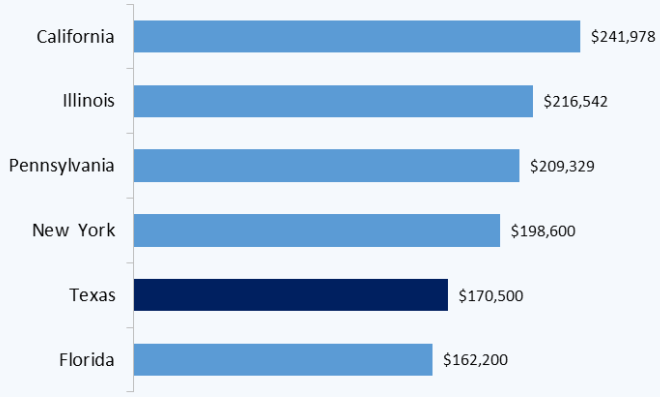
**Salary of Chief Justice of Intermediate Appellate Court**



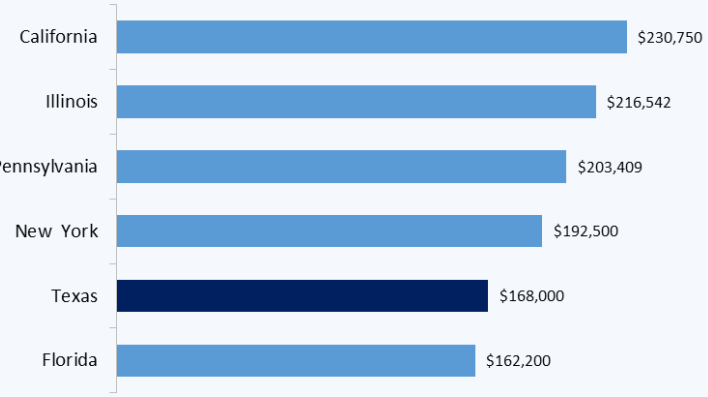

**Salary of Justice of Intermediate Appellate Court**



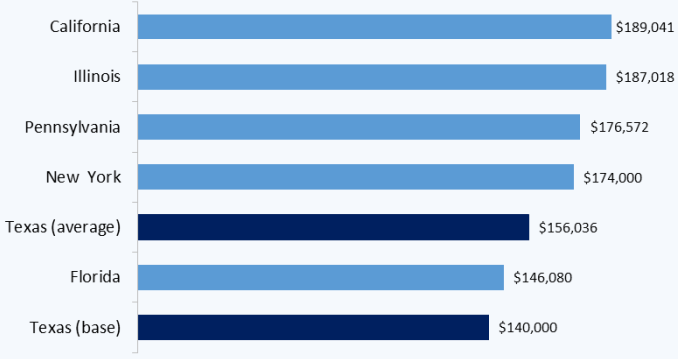

**Salary of Chief Justice of Highest Appellate Court**




**Salary of Justice of Highest Appellate Court**




**Salary of General Jurisdiction Trial Court Judge**




***The state salary of Texas judges is at least 25 percent lower than the average salary of their counterparts in the five states closest to Texas in population.***

| Court | Texas State Salary | Average Salary of 5 Most Populous States | Percent Difference |
|---|---|---|---|
| Justice/Judge – Supreme Court and Court of Criminal Appeals | $168,000 | $209,882 | **-25.0%** |
| Justice – Court of Appeals | $154,000 | $194,184 | **-26.1%** |
| District Judge | $140,000 | $185,586 | **-32.6%** |

## Salaries of Private Practitioners

Justices and judges for the Supreme Court, Court of Criminal Appeals, and Courts of Appeals are required to have at least 10 years of experience as lawyers.[17] Judges for the district courts must have at least four years of experience. Based on attorney income data collected by the State Bar of Texas for 2013,[18] the state salaries for all judges is less than the average salary of lawyers with more than 10 years of experience.[19] In fact, the state salaries for district and intermediate appellate court judges is **less than the average salary of lawyers overall, regardless of years of experience**.

Of Texas' 98 appellate justices and judges, only one justice on a court of appeals has been licensed as a lawyer less than 15 years.[20] Rather, the average length of time since licensure is over 30 years for the appellate courts. Similarly, only 29 of Texas' 462 district judges have been licensed less than 15 years, and the average length of time since licensure is 30 years. The average salary of similarly situated private practitioners with over 25 years since licensure is $172,825, **more than 23 percent higher than the state salary of a district judge and higher than any judicial salary in Texas**.

**2013 Full-Time Private Practitioner Income Distribution**

| Midpoint of Income Ranges | All | 11 to 15 Years of Experience | 16 to 20 Years of Experience |
|---|---|---|---|
| Median Net Income | $123,982 | $146,634 | $159,308 |
| Average Net Income | $161,560 | $186,200 | $207,737 |

[17] Tex. Const. art. V, § 2(b), § 4(a), § 6(a)
[18] Tex. Const. art. V, § 7
[19] The State Bar of Texas plans to update this survey for attorney income later in 2015.
[20] Appendix F contains demographic data for Texas judges as of September 1, 2015.

# Appendix A: Purpose and Methodology

## Purpose of Report

To provide the Legislature with information to facilitate legislation that ensures that the compensation of state judges is adequate and appropriate, the 79th Texas Legislature charged the Office of Court Administration (OCA) with collecting information relating to state judicial turnover. **Section 72.030** of the Texas Government Code requires OCA to:

1) obtain data on the rate at which state judges resign from office or do not seek reelection, as well as the reason for these actions; and

2) file a report containing this data for the preceding state fiscal biennium with the governor, lieutenant governor, speaker of the house of representatives, and presiding officers of the standing committees of each house of the Legislature with jurisdiction over the judiciary or appropriations.

The report must also include the following findings:

1) whether the compensation of state judges exceeds, is equal to, or is less than the compensation of judges at corresponding levels in the five states closest in population to Texas; and

2) whether the compensation of state judges exceeds, is equal to, or is less than the average salary of lawyers engaged in the private practice of law.

## Methodology

Data for **general** turnover in the state judiciary for the biennium were compiled from

- notices of resignation and notices of appointment from the Governor's Office,
- election results from the Secretary of State's website,
- surveys sent to departing judges, and
- news articles concerning the departure of judges.

The findings on **reasons for voluntary turnover** are based on the survey responses of state appellate and district judges who left the state judiciary voluntarily during the period. Designed by OCA staff and reviewed and approved by the Chief Justice of the Supreme Court, the survey instrument asked respondents to indicate:

- to what extent certain factors influenced their decision to leave their current positions,
- whether certain factors would compel the individual to continue serving as a state judge, and
- what they did immediately after leaving office.

Surveys were sent to each of the appellate and district judges who left the state judiciary voluntarily and did not resign under allegations of misconduct during the biennium. Once OCA received notification about a resignation, a survey was sent to the judge by email, fax, or regular mail. Follow-up notifications, along with another copy of the questionnaire, were sent to judges who had not responded.


## Other Data Sources

01 State Auditor's Office
**State employee turnover**
*An Annual Report on Classified Employee Turnover for Fiscal Year 2015*

02 State Comptroller of Public Accounts
**Salaries of appellate and district judges**
As of January 1, 2016

03 National Center for State Courts
**Salaries of state judges in other states**
Judicial Salary Tracker, As of July 1, 2015

04 State Bar of Texas
**Salaries of private practitioners**
*Private Practitioner 2013 Income Fact Sheet*

## Appendix B: Manner in Which State Appellate and District Judges Left Office Each Biennium

| | 04/05 | 06/07 | 08/09 | 10/11 | 12/13 | 14/15 |
|---|---|---|---|---|---|---|
| **Defeated in election** | 10 | 34 | 36 | 19 | 23 | 17 |
| **Did not seek reelection** | 9 | 22 | 22 | 29 | 28 | 34 |
| **Resigned** | 12 | 17 | 14 | 18 | 15 | 22 |
| **Resigned (allegations of misconduct)** | n/a | n/a | n/a | n/a | n/a | 4 |
| **Mandatory retirement** | 3 | 2 | 3 | 1 | 1 | 4 |
| **Deceased** | 4 | 1 | 1 | 5 | 1 | 3 |
| **Removed from office** | 1 | 0 | 1 | 1 | 1 | 0 |
| **Total Leaving State Judiciary** | **39** | **76** | **77** | **73** | **69** | **84** |

# Appendix C: Results of Judicial Turnover Survey

## for Fiscal Years 2014 and 2015

| | A. Please indicate to what extent each of the following factors contributed to your decision to leave the Texas state judiciary. | To Very Great Extent | To Some Extent | To a Small Extent | Not At All | No Answer |
|---|---|---|---|---|---|---|
| 1 | Salary | 11% | 41% | 14% | 22% | 14% |
| 2 | Benefits | 3% | 14% | 16% | 54% | 14% |
| 3 | Little or no career advancement opportunities | 3% | 3% | 8% | 73% | 14% |
| 4 | Desire for self-employment | 8% | 16% | 22% | 38% | 16% |
| 5 | Working conditions/environment (e.g., safety, work-related stress, and/or workload issues) | 11% | 11% | 14% | 49% | 16% |
| 6 | Retirement | 49% | 27% | 3% | 14% | 8% |
| 7 | Personal | 19% | 24% | 14% | 27% | 16% |
| 8 | Having to campaign/judicial election process | 46% | 24% | 3% | 16% | 11% |

| | B. Would changes in the following factors compel you to continue serving as a state judge? | Yes | No | No Answer |
|---|---|---|---|---|
| 1 | Salary | 38% | 54% | 8% |
| 2 | Retirement benefits/policies | 35% | 59% | 5% |
| 3 | Other benefits | 14% | 73% | 14% |
| 4 | Judicial election process | 59% | 38% | 3% |

| | C. Please indicate (√) what you plan to do after resigning or finishing out your term. *(Check only one.)* | |
|---|---|---|
| 1 | Obtain another position with higher salary and/or better benefits | 9% |
| 2 | Obtain another position with comparable salary and/or benefits | 0% |
| 3 | Become self-employed | 2% |
| 4 | Run for another office | 4% |
| 5 | Retire and not continue to work | 5% |
| 6 | Retire but continue to work as a visiting judge | 49% |
| 7 | Retire but continue to work in the private sector | 15% |
| 8 | Retire but continue to work in the private sector and as a visiting judge | 15% |
| 9 | Retire but continue to work in state or local government | 2% |

# Appendix D: Comments from Respondents

## Elections

1. Elections should be non-partisan. Judges should be barred from participating in party politics; not forced to do so.
2. I am 71 years old and want to travel with my awesome husband. I hate the election process and the nastiness of politics.
3. Did not relish the thought of going through the campaign process again. Did not want to jeopardize the ability to serve as a visiting judge.
4. I have enjoyed my years of service 1993-2014, but did not want to run another political campaign. Thanks – I appreciate all OCA has done to help me for almost 22 years.
5. Having to run for an elected position as a judge is the worst part of being a judge. A judge should be the least political person in the world, but sadly, in Texas, that is not the case. I hope it changes.

## Elections & Salary

1. I could have run one more time, but it was not worth the possibility of a contested campaign in 19 counties. I did not want to ask my friends for contributions again. I have worked a long time and it's time to retire. The judiciary is a great profession – the method of selection and retention is the biggest drawback. While salary and benefits did not substantially affect my decision to retire, it did make it difficult at times. I went for two eight year periods without any raise while my expenses continued to increase. A regular salary increase would be a major improvement rather than waiting for years hoping for a large increase.
2. Low pay is now and always has been a factor in attracting qualified jurists. The secondary, but equally detrimental factor is having to run for office. Judges are not and should not be forced to become politicians.
3. The office of appellate justice or chief justice is a great honor and truly a calling. The pay, however, is inadequate, especially when lawyers one or two years out of law school make as much as judges. But, more significant than the salary, is the continued requirement that judges face partisan elections every four to six years. I am unaware of any other job that leaves an employee's status to the decision of total strangers who make their decision not on the basis of performance or competence, but on political affiliation – completely irrelevant to the judge's job. From politics, to campaign funding, to inadequate experience requirements for judicial candidates – it all needs honest restructuring.

## Salary

1. Salary is far too low for the job.
2. This is a perfect job for those at the end of their careers who do not have to put children through college and have built up personal savings and who do not have opponents in

elections. Others cannot easily afford to be a judge if they are at the top of their profession.

3. I really enjoyed being a judge, but I have been in public service for 39 years. I need to make some money.
4. When the present value of retirement benefits are considered, it costs money to serve after 20 years. This combined with a salary which is well below market opportunities makes for compelling motivation to leave service. I love serving in the judiciary, but the financial disincentives have gotten too great.

### Personal

1. Ill health

### Retirement

1. JRS II should be enhanced to allow for increases in cost of living – perhaps tied to active district judge salary levels.
2. Having completed three six-year terms and reached the age of 67, I simply decided to retire.
3. Served 25+ years (since 10/18/1989)

### Working Conditions

1. It seems like I was always under a deadline to file a report of some kind and not being computer savvy made it stressful to get them filed. Also, I know the trend is for courts to go paperless and my eyes got weary very quickly looking at a computer screen whereas I can scan paperwork all day long and not have my eyes get tired and watering.
2. The amount of pro se litigants was somewhat frustrating and prohibited me frequently from hearing cases where the Bar were prepared, polite and intelligent. The quality of behavior in court equaled the Jerry Springer Show or Judge Judy—enough of the craziness. One last thought—I realized my people skills were great but my tolerance for working with idiots was wearing thin! I am much healthier and happier now!

### Other

1. It has been a great privilege to serve as an elected member of the Texas judiciary and I look forward to continuing to serve the people of Texas as a senior judge.
2. I was honored and grateful to have been appointed in the 252nd Criminal District Court. The opportunity and experience was a blessing and life changing. Thank you!

# Appendix E: Salaries of Elected State Judges as of September 1, 2015

| Judge[1] | State Salary | Additional Compensation[2] | Other | Total |
|---|---|---|---|---|
| Chief Justice – Supreme Court or Court of Criminal Appeals | $170,500 | N/A | | $170,500 |
| Justice – Supreme Court or Court of Criminal Appeals | $168,000 | N/A | | $168,000 |
| Chief – Court of Appeals | $156,500 | up to $9,000[3] | | up to $165,500 |
| Justice – Court of Appeals | $154,000 | up to $9,000[3] | | up to $163,000 |
| Presiding Judge of Administrative Judicial Region (active district judge) | $140,000 | up to $18,000[3] | not to exceed $33,000[4] | up to $191,000 |
| Presiding Judge of Administrative Judicial Region (retired or former judge) | N/A | N/A | $35,000 - 50,000[5] | up to $50,000 |
| District Judge – Local administrative judge who serves in county with more than 5 district courts | $140,000 | up to $18,000[3] | $5,000[6] | up to $163,000 |
| District Judge | $140,000 | up to $18,000[3] | | up to $158,000 |
| District Judge – Presiding judge of silica or asbestos multi-district litigation | $140,000 | up to $18,000[3] | not to exceed $33,000[7] | up to $173,000 |
| Retired Judge – Presiding judge of silica or asbestos multi-district litigation | $140,000 | $18,000[3] | | $158,000[8] |

**Notes:**

1. 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.
2. Additional compensation provided by counties in judicial and appellate districts for extra judicial service performed by judges and justices. Government Code Secs. 659.012, 31.001 and 32.001.
3. The state salary of a district judge whose county supplement exceeds $18,000, or appellate justice whose county supplement exceeds $9,000, 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 $158,000 (district judge), $163,000 (appellate justice), or $165,500 (appellate chief justice). Government Code Secs. 659.012, 31.001 and 32.001.
4. Presiding judges' salary set by Texas Judicial Council. Government Code Sec. 74.051(b). Paid by counties in administrative judicial region on a pro rata basis based on population.
5. Presiding judges' salary based on number of courts and judges in region. Government Code Sec. 74.051(c). Paid by counties in administrative judicial region on a pro rata basis based on population.
6. Government Code Sec. 659.012(d).
7. Government Code Sec. 659.0125(a).
8. Government Code Sec. 659.0125(c).

# Appendix F: Profile of Appellate and Trial Judges

## As of September 1, 2015*

| | Supreme Court | Court of Criminal Appeals | Court of Appeals | District Courts | Criminal District Courts | County Courts at Law | Probate Courts | County Courts | Justice Courts | Municipal Courts |
|---|---|---|---|---|---|---|---|---|---|---|
| NUMBER OF JUDGES: | | | | | | | | | | |
| Number of Judge Positions | 9 | 9 | 80 | 451 | 13 | 241 | 18 | 254 | 807 | 1,272 |
| Number of Judges | 9 | 9 | 80 | 449 | 13 | 238 | 18 | 254 | 804 | 1,255 |
| Number of Vacant Positions | 0 | 0 | 0 | 2 | 0 | 3 | 0 | 0 | 2 | 17 |
| Number of Municipalities w/ Courts | -- | -- | -- | -- | -- | -- | -- | -- | -- | 928 |
| Cities with No Courts | -- | -- | -- | -- | -- | -- | -- | -- | -- | 248 |
| AGE OF JUDGES: | (n=9) | (n=9) | (n=80) | (n=427) | (n=13) | (n=214) | (n=17) | (n=238) | (n=765) | (n=1,158) |
| Mean | 58 | 59 | 58 | 55 | 58 | 54 | 58 | 54 | 58 | 49 |
| Oldest | 70 | 73 | 75 | 74 | 71 | 75 | 71 | 78 | 89 | 97 |
| Youngest | 45 | 44 | 40 | 36 | 44 | 32 | 44 | 29 | 26 | 0 |
| RANGE OF AGE: | | | | | | | | | | |
| Under 25 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| 25 through 34 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 7 | 13 | 23 |
| 35 through 44 | 0 | 1 | 6 | 43 | 1 | 21 | 2 | 13 | 64 | 118 |
| 45 through 54 | 4 | 2 | 20 | 131 | 5 | 69 | 1 | 44 | 175 | 268 |
| 55 through 64 | 3 | 3 | 41 | 172 | 4 | 89 | 7 | 93 | 286 | 356 |
| 65 through 74 | 2 | 3 | 11 | 81 | 3 | 32 | 7 | 72 | 192 | 298 |
| Over 75 | 0 | 0 | 2 | 0 | 0 | 1 | 0 | 9 | 35 | 93 |
| GENDER OF JUDGES: | (n = 9) | (n = 9) | (n = 80) | (n = 449) | (n = 13) | (n = 238) | (n = 18) | (n = 254) | (n = 804) | (n = 1,255) |
| Males | 7 | 5 | 45 | 306 | 7 | 167 | 10 | 228 | 511 | 781 |
| Females | 2 | 4 | 35 | 143 | 6 | 71 | 8 | 26 | 293 | 474 |
| ETHNICITY OF JUDGES: | (n = 9) | (n = 9) | (n = 80) | (n = 423) | (n = 13) | (n = 217) | (n = 16) | (n = 242) | (n = 750) | (n = 1,110) |
| African-American | 0 | 0 | 3 | 23 | 4 | 7 | 2 | 0 | 26 | 67 |
| American Indian or Alaska Native | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 2 | 8 |
| Asian or Pacific Islander | 0 | 0 | 0 | 4 | 0 | 3 | 0 | 1 | 0 | 10 |
| Hispanic/Latino | 1 | 1 | 10 | 70 | 1 | 36 | 2 | 20 | 143 | 197 |
| White (Non-Hispanic) | 8 | 8 | 67 | 324 | 8 | 170 | 12 | 221 | 577 | 815 |
| Other | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 2 | 13 |
| LENGTH OF SERVICE: | (n = 9) | (n = 9) | (n = 80) | (n = 449) | (n = 13) | (n = 238) | (n = 18) | (n = 254) | (n = 805) | (n = 1,553) |
| Average | 8 Yr 5 Mo | 10 Yr 10 Mo | 8 Yr 6 Mo | 8 Yr 0 Mo | 6 Yr 6 Mo | 8 Yr 0 Mo | 11 Yr 5 Mo | 6 Yr 2 Mo | 8 Yr 4 Mo | 9 Yr 11 Mo |
| Longest | 26 Yr 8 Mo | 22 Yr 8 Mo | 21 Yr 9 Mo | 34 Yr 8 Mo | 20 Yr 6 Mo | 28 Yr 8 Mo | 34 Yr 0 Mo | 28 Yr 8 Mo | 52 Yr 5 Mo | 50 Yr 10 Mo |
| RANGE OF SERVICE ON THIS COURT IN YEARS: | | | | | | | | | | |
| Under 1 Year | 0 | 3 | 9 | 63 | 1 | 47 | 3 | 72 | 155 | 99 |
| 1 through 4 | 3 | 1 | 25 | 112 | 4 | 55 | 6 | 73 | 188 | 453 |
| 5 through 9 | 2 | 0 | 13 | 113 | 5 | 42 | 1 | 40 | 154 | 398 |
| 10 through 14 | 3 | 1 | 20 | 71 | 2 | 42 | 1 | 32 | 121 | 264 |
| 15 through 19 | 0 | 2 | 6 | 44 | 0 | 32 | 2 | 16 | 84 | 160 |
| 20 through 24 | 0 | 2 | 7 | 31 | 1 | 17 | 2 | 17 | 74 | 82 |
| 25 through 29 | 1 | 0 | 0 | 9 | 0 | 5 | 1 | 4 | 14 | 47 |
| 30 through 34 | 0 | 0 | 0 | 6 | 0 | 0 | 2 | 0 | 9 | 31 |
| 35 through 39 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 15 |
| Over 40 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 10 |
| FIRST ASSUMED OFFICE BY: | (n = 9) | (n = 9) | (n = 80) | (n = 449) | (n = 13) | (n = 241) | (n = 18) | (n = 254) | (n = 804) | (n = 1,253) |
| Appointment | 7 (78%) | 1 (11%) | 46 (58%) | 162 (36%) | 2 (15%) | 54 (22%) | 4 (22%) | 44 (17%) | 204 (25%) | 1,560 (125%) |
| Election | 2 (22%) | 8 (89%) | 34 (43%) | 287 (64%) | 11 (85%) | 188 (78%) | 14 (78%) | 210 (83%) | 600 (75%) | 17 (1%) |

| | Supreme Court | Court of Criminal Appeals | Court of Appeals | District Courts | Criminal District Courts | County Courts at Law | Probate Courts | County Courts | Justice Courts | Municipal Courts |
|---|---|---|---|---|---|---|---|---|---|---|
| EDUCATION: | (n = 9) | (n = 9) | (n = 80) | (n = 446) | (n = 13) | (n = 235) | (n = 19) | (n = 245) | (n = 755) | (n = 1,199) |
| HIGH SCHOOL: | | | | | | | | | | |
| Attended | -- | -- | -- | -- | -- | -- | -- | -- | 34 (5%) | 24 (2%) |
| Graduated | -- | -- | -- | -- | -- | -- | -- | -- | 715 (95%) | 1,123 (94%) |
| COLLEGE: | | | | | | | | | | |
| Attended | 0 (0%) | 0 (0%) | 1 (1%) | 4 (1%) | 1 (8%) | 2 (1%) | 2 (11%) | 42 (17%) | 176 (23%) | 143 (12%) |
| Graduated | 9 (100%) | 9 (100%) | 76 (95%) | 416 (93%) | 11 (85%) | 207 (88%) | 17 (89%) | 158 (64%) | 258 (34%) | 809 (67%) |
| LAW SCHOOL: | | | | | | | | | | |
| Attended | 0 (0%) | 0 (0%) | 0 (0%) | 0 (0%) | 0 (0%) | 1 (0%) | 0 (0%) | 2 (1%) | 1 (0%) | 2 (0%) |
| Graduated | 9 (100%) | 9 (100%) | 80 (100%) | 446 (100%) | 13 (100%) | 234 (100%) | 19 (100%) | 42 (17%) | 66 (9%) | 697 (58%) |
| LICENSED TO PRACTICE LAW: | | | | | | | | | | |
| Number Licensed | 9 (100%) | 9 (100%) | 80 (100%) | 449 (100%) | 13 (100%) | 238 (100%) | 18 (100%) | 40 (16%) | 64 (8%) | 705 (56%) |
| Mean Year Licensed | 1984 | 1982 | 1985 | 1986 | 1985 | 1988 | 1983 | 1988 | 1988 | 1987 |
| YEARS LICENSED: | | | | | | | | | | |
| 4 Years or Less | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 6 |
| 5 to 9 Years | 0 | 0 | 0 | 10 | 0 | 5 | 0 | 1 | 6 | 45 |
| 10 to 14 Years | 0 | 0 | 1 | 18 | 1 | 22 | 1 | 0 | 5 | 56 |
| 15 to 19 Years | 0 | 1 | 5 | 56 | 2 | 28 | 3 | 7 | 8 | 92 |
| 20 to 24 Years | 3 | 1 | 14 | 86 | 1 | 39 | 2 | 10 | 12 | 117 |
| 25 to 29 Years | 2 | 2 | 19 | 71 | 3 | 53 | 0 | 5 | 5 | 99 |
| 30 or More Years | 4 | 5 | 41 | 208 | 6 | 91 | 12 | 15 | 28 | 290 |
| ORIGINALLY CAME TO THIS COURT FROM: | | | | | | | | | | |
| Attorney Private Practice | 1 (11%) | 1 (11%) | 50 (63%) | -- | -- | -- | -- | -- | -- | -- |
| Judge of Lower Court | 6 (67%) | 4 (44%) | 22 (28%) | -- | -- | -- | -- | -- | -- | -- |
| Legislative Service | 0 (0%) | 0 (0%) | 0 (0%) | -- | -- | -- | -- | -- | -- | -- |
| Other Governmental Service | 2 (22%) | 3 (33%) | 6 (8%) | -- | -- | -- | -- | -- | -- | -- |
| PREVIOUS EXPERIENCE: | | | | | | | | | | |
| Prosecutor | 1 (11%) | 6 (67%) | 16 (20%) | 175 (39%) | 5 (38%) | 108 (45%) | 5 (28%) | 13 (5%) | -- | -- |
| Attorney Private Practice | 9 (100%) | 6 (67%) | 27 (34%) | 347 (77%) | 9 (69%) | 154 (65%) | 16 (89%) | 30 (12%) | -- | -- |
| Judge of Lower Court | 6 (67%) | 1 (11%) | 19 (24%) | 54 (12%) | 3 (23%) | 28 (12%) | 3 (17%) | 14 (6%) | -- | -- |
| County Commissioner | 0 (0%) | 0 (0%) | 0 (0%) | 0 (0%) | 0 (0%) | 0 (0%) | 0 (0%) | 27 (11%) | -- | -- |

*Data may be incomplete, as this chart includes only information reported to OCA.

## Appendix G: County Supplements

Sections 31.001 and 32.001 of the Texas Government Code authorize counties to supplement the salaries of the courts of appeals justices residing within their courts of appeals districts and the judges of the district courts that have jurisdiction in their counties. Judges of the Supreme Court and Court of Criminal Appeals do not receive supplements.

| County Supplements Received by Intermediate Appellate Court Justices | | |
|---|---|---|
| **Number of Justices** | **Percentage of Justices** | **County Supplement** |
| 74 | 92.5% | $9,000 |
| 3 | 3.8% | $8,001 |
| 3 | 3.8% | $7,725 |
| **AVERAGE** | | **$8,915** |

| County Supplements Received by District Judges | | |
|---|---|---|
| **Number of Judges** | **Percentage of all Judges** | **County Supplement** |
| 333 | 71.6% | $17,999 to $25,772 |
| 9 | 1.9% | $17,000 to $17,998 |
| 3 | 0.6% | $16,000 to $16,999 |
| 32 | 6.9% | $15,000 to $15,999 |
| 8 | 1.7% | $14,000 to $14,999 |
| 6 | 1.3% | $13,000 to $13,999 |
| 6 | 1.3% | $12,000 to $12,999 |
| 7 | 1.5% | $11,000 to $11,999 |
| 18 | 3.9% | $10,000 to $10,999 |
| 5 | 1.1% | $9,000 to $9,999 |
| 5 | 1.1% | $8,000 to $8,999 |
| 9 | 1.9% | $7,000 to $7,999 |
| 2 | 0.4% | $6,000 to $6,999 |
| 1 | 0.2% | $5,000 to $5,999 |
| 8 | 1.7% | $4,000 to $4,999 |
| 0 | 0.0% | $3,000 to $3,999 |
| 3 | 0.6% | $2,000 to $2,999 |
| 0 | 0.0% | $1,000 to $1,999 |
| 1 | 0.2% | $1 to $999 |
| 9 | 1.9% | $0 |
| **AVERAGE** | | **$16,120** |

# Appendix H: Salaries of State Judges in the Six Most Populous States [21]

## As of July 1, 2015

## Listed in Population Order

| Judge | California | Texas | New York | Florida | Illinois | Pennsylvania |
|---|---|---|---|---|---|---|
| Chief Justice – Court of Last Resort | $241,978 | $170,500 | $198,600 | $162,200 | $216,542 | $209,329 |
| Associate Justice – Court of Last Resort | $230,750 | $168,000 | $192,500 | $162,200 | $216,542 | $203,409 |
| Chief – Intermediate Court of Appeals | $216,330 | $156,500*<br>$165,338** | $187,900 | $154,140 | $203,806 | $197,844 |
| Justice – Intermediate Court of Appeals | $216,330 | $154,000*<br>$162,915** | $177,900 | $154,140 | $203,806 | $191,926 |
| Judge – General Jurisdiction Trial Courts | $189,041 | $140,000*<br>$156,036** | $174,000 | $146,080 | $187,018 | $176,572 |

**Notes:**
* Basic state salary. Does not include supplements paid by counties.
** Average salary statewide, including supplements paid by counties as of October 1, 2015.

[21] Source: Knowledge and Information Services Division, National Center for State Courts, Survey of Judicial Salaries as of July 1, 2015. The National Center for State Courts attempts to use actual salaries whenever possible. Thus, the data for each state will include local supplements whenever relevant and feasible.

## Appendix I: Salaries of Private Practitioners

In 2014, the State Bar of Texas collected attorney income data for its 2013 Income Fact Sheet. A questionnaire was sent electronically on March 31, 2014 to all active State Bar of Texas attorneys who had not opted out of taking surveys (87,775 attorneys). The survey's response rate was 12 percent, with a total of 10,347 attorneys responding.

A total of 5,365 full-time, private practitioner attorneys responded to the survey. Results of the survey showed that the salaries of lawyers vary widely. Overall, full-time private practitioners had a median salary of $123,982 and an average salary of $161,560. Thirty-two percent of the attorneys had salaries of $187,500 or more.

Lawyers with 11 to 15 years of experience had a median salary of $146,634 and an average salary of $186,200. Thirty-seven percent of attorneys in this group had salaries of $187,500 or more. Lawyers with 16 to 20 years of experience had a median salary of $159,308 and an average salary of $207,737. Forty-four percent of lawyers in this group had salaries of $187,500 or more.

**2013 Full-Time Private Practitioner Income Distribution**

| Midpoint of Income Ranges | All (N = 5,365) | 11 to 15 Years of Experience (N = 532) | 16 to 20 Years of Experience (N = 465) |
|---|---|---|---|
| **$5,000** | 41 | 2 | 0 |
| **$15,000** | 46 | 0 | 4 |
| **$25,000** | 91 | 6 | 4 |
| **$35,000** | 130 | 8 | 10 |
| **$45,000** | 207 | 12 | 16 |
| **$55,000** | 265 | 21 | 17 |
| **$65,000** | 304 | 13 | 13 |
| **$75,000** | 359 | 29 | 28 |
| **$85,000** | 312 | 38 | 12 |
| **$95,000** | 232 | 13 | 16 |
| **$112,500** | 725 | 79 | 57 |
| **$137,500** | 406 | 52 | 38 |
| **$162,500** | 520 | 64 | 47 |
| **$187,500** | 230 | 21 | 22 |
| **$225,000** | 444 | 57 | 53 |
| **$275,000** | 288 | 26 | 38 |
| **$350,000** | 333 | 43 | 44 |
| **$450,000** | 161 | 23 | 18 |
| **$625,000** | 149 | 18 | 13 |
| **$875,000** | 57 | 3 | 8 |
| **>$1 Mil.** | 65 | 4 | 7 |
| **Median Net Income** | **$123,982** | **$146,634** | **$159,308** |
| **Average Net Income** | **$161,560** | **$186,200** | **$207,737** |

Source: State Bar of Texas, *2013 Income Fact Sheet* (Austin: Department of Research and Analysis, State Bar of Texas, 2014).

At the time of publication, information on private practitioner income for 2015 was not available. Data collection is expected to be completed by the fall.

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