

FINAL REPORT

**JUDICIAL
COMPENSATION COMMISSION**

**Presented to the Legislative Council
and the Iowa General Assembly
January 1993**

Prepared by the Legislative Service Bureau

FINAL REPORT

JUDICIAL COMPENSATION COMMISSION

January 1993

AUTHORIZATION AND APPOINTMENT

The Judicial Compensation Commission was established in 1987. It consists of eight members, four appointed by the Governor and four appointed by the Legislative Council. Section 602.1514 of the Iowa Code charges the Commission to review the compensation and related benefits paid to statutory judicial officers; to review the compensation and related benefits paid for comparable positions in other states, the federal government, and private enterprise; and to recommend compensation and related benefits for judges to the Governor and the General Assembly based on the review of those benefits and other factors. Prior to 1987, this charge was a part of the Commission on Compensation, Expenses, and Salaries of Elected State Officials which included review of compensation of the executive, legislative, and judicial branches. The recommendations are to be made no later than February 1 of each odd-numbered year.

The members of the Judicial Compensation Commission for the 1993-1994 biennium are:

- Mr. Wayne Edsall, Des Moines, Chairperson, Governor's Appointee 1990,
Term Expires 6/30/94.
- Ms. Lois Bliesman, Denison, Governor's Appointee 1992, Term Expires 6/30/96.
- Ms. Mary Chalupsky, Fairfax, Governor's Appointee 1990, Term Expires 6/30/94.
- Mr. Buell Jackson, Mechanicsville, Legislative Council Appointee 1992, Term Expires
6/30/96.
- Ms. Dorothy Kerkhoff, Audubon, Legislative Council Appointee 1990, Term Expires
6/30/94.
- Mr. Michael Liebe, Davenport, Legislative Council Appointee 1992, Term Expires
6/30/96.
- Ms. Linda Life, Oskaloosa, Legislative Council Appointee 1990, Term Expires
6/30/94.
- Mr. Robert Van Vooren, Governor's Appointee 1992, Term Expires 6/30/96.

MEETING DAY

The Commission met on January 5, 1993. Mr. Wayne Edsall was Chairperson for the meeting. Mr. Michael Liebke was elected as temporary chairperson for the next meeting.

INFORMATION RECEIVED

Members reviewed the following information:

1. Background Statement, Legislative Service Bureau, summarizing the statutory authorization and duties of the Commission.
2. Final Reports from the Judicial Compensation Commission submitted to the General Assembly in January 1989 and in January 1991.
3. A Legislative Fiscal Bureau Memorandum, prepared by Mr. Doug Wulf, depicting FY 91-92 and FY 93 salary levels.
4. A listing entitled "20 States Paying the Highest Salary to Judges of General Jurisdiction," prepared by the National Center for State Courts.
5. A publication entitled "Survey of Judicial Salaries, 1992," prepared by the National Center for State Courts, which contains a listing of judicial salaries in all 50 states.
6. A report entitled "Survey of State Judicial Fringe Benefits," published by the American Bar Association, which contains a listing of judicial fringe benefits in all 50 states, 1988.
7. Packet of information compiled by Peggy Sullivan and Becky Colton, State Court Administrator's Office, summarizing salary rates from 1983 to 1993, summarizing fringe benefits for Iowa judges, and presenting information on the judicial retirement system.

PRESENTATIONS

The following individuals made presentations to the Commission:

1. The Honorable Art Gamble, Judge, Iowa District Court, Co-chair of the Legislative Committee of the Iowa Judges Association, appeared and offered written and oral testimony. Judge Gamble made the following recommendations: support for the budget requests of the Iowa Supreme Court; increase judicial salaries by the same percentage as salary increases for state employees; increase judicial pension to 60 percent of salary; senior judges should receive state benefits during their tenure, including health and life insurance; senior judge program should be funded from the general fund of the state rather than the judicial retirement fund;

money should be appropriated to the judicial retirement fund so that it is actuarially sound; and the mileage reimbursement rate should be restored to at least 24 cents per mile.

2. The Honorable David B. Hendrickson, Judge, Iowa District Court, President of the Iowa Judges Association, appeared and offered written and oral testimony. Judge Hendrickson agreed with the recommendations and comments made by Judge Gamble and reiterated that the judiciary be given the same percentage increases in salary as is granted to the rest of the state employees through the collective bargaining process or otherwise, that the judicial branch be given adequate funding, and that the judicial retirement system be reviewed.

3. The Honorable Pamela Lewis, Magistrate, Linn County, President of the Magistrates Association, appeared and offered written and oral testimony. Magistrate Lewis explained the laborious duties and increased workload of the magistrates and made the recommendation that magistrates' salaries be increased until they are equivalent to one-third of a District Associate Judge's salary.

RECOMMENDATIONS

After careful review of the information presented, the Commission adopted the following recommendations:

1. That the senior judges program be funded from the general fund of the state rather than the judicial retirement fund.
2. That the salary levels of judges should be increased at commensurate salary levels of other state employees.
3. That judicial pensions should be increased to 60 percent of salary level rather than the current 50 percent in order to make the judicial retirement benefit consistent with the IPERS and Peace Officers' Retirement benefits.

STATE LIBRARY OF IOWA



3 1723 02090 2367