

LOUISIANA JUDICIARY: COMPARISON WITH OTHER STATES

PERFORMANCE AUDIT SERVICES

Informational Report
Issued September 25, 2023

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September 25, 2023

The Honorable Patrick Page Cortez,
President of the Senate
The Honorable Clay Schexnayder,
Speaker of the House of Representatives

Dear Senator Cortez and Representative Schexnayder:

This informational report provides the results of a comparison of selected aspects of the judiciary in Louisiana, including number of judges, method of selection, and compensation, to courts in other states. This report is intended to provide timely information related to an area of interest to the legislature or based on a legislative request. I hope this report will benefit you in your legislative decision-making process.

We would like to express our appreciation to the Louisiana Supreme Court and the National Center for State Courts for their assistance during this review.

Respectfully submitted,



Michael J. "Mike" Waguespack, CPA
Legislative Auditor

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JUDICIAL COMP



Louisiana Legislative Auditor

Michael J. "Mike" Waguespack, CPA



Louisiana Judiciary: Comparison with Other States

September 2023

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Introduction

This report provides the results of a comparison of selected aspects of the judiciary in Louisiana, including number of judges, method of selection, and compensation, to courts in other states. Pursuant to a legislative request, we researched and compared courts in Louisiana and other states and territories. Specifically, we compared courts in the following areas:

1. Number of judges per capita
2. Judicial selection methods
3. Salary setting methods
4. Judicial supplemental pay
5. Judicial salaries
6. Judicial per diem
7. Judicial retirement

Our research included judges at three levels in the judicial system of each state:¹

- 1. General Jurisdiction Trial Courts** – often called major trial courts; have primary jurisdiction on all issues not delegated to specialized or limited jurisdiction courts, most often hearing serious criminal or civil cases. Cases are also designated to these courts based on the severity of the punishment, allegation, or dollar value of the case.
- 2. Intermediate Appellate Courts²** – hear appeals or consider writ applications on cases or matters decided in general jurisdiction courts or limited jurisdiction courts.

¹ Our analysis did not include courts of specialized jurisdiction (e.g., juvenile or family courts), or limited jurisdiction (e.g., city or parish courts).

² Not all states have intermediate appellate courts.

3. Courts of Last Resort³ – also called state supreme courts; have final authority over all appeals filed in state courts.

A significant portion of this report is based on research conducted by the National Center for State Courts (NCSC), an independent, non-profit organization with a mission of promoting the rule of law and improving the administration of justice in state courts. In addition, we researched statutes, constitutions, and travel reimbursement policies from other states and obtained specific information on Louisiana judges from the Louisiana Supreme Court (LASC).

The objective of this report was:

To compare selected aspects of the judiciary in Louisiana, including number of judges, method of selection, and compensation, to courts in other states.

Our results are summarized on the next page and discussed in detail throughout the remainder of the report. Appendix A contains our scope and methodology. Appendix B details the population and number of judges in each state as of July 1, 2022; Appendix C describes the selection method for judges by state; and Appendix D summarizes how judicial salaries are set in each state. In addition, Appendix E contains the full results of NCSC's salary study for all states/territories as of January 1, 2023; and Appendix F compares the salary history of Louisiana judges from 2013 through 2023 to five other states with similar populations. Appendix G compares state judicial travel rules, including reimbursement rates for meals, lodging, and mileage; and Appendix H summarizes information on Louisiana's and 33 other states' retirement plans.

Informational reports are intended to provide more timely information than standards-based performance audits. While these informational reports do not follow *Governmental Auditing Standards*, we conduct quality assurance activities to ensure the information presented is accurate. We incorporated LASC's feedback throughout this informational report.

³ Most states have a single court of last resort, but Oklahoma and Texas have separate courts for civil and criminal appeals.

Objective: To compare selected aspects of the judiciary in Louisiana, including number of judges, method of selection, and compensation, to courts in other states.

Overall, we found the following:

- **The number of judges in each state is determined either in constitution or statute. As of June 2023, Louisiana has 219 general jurisdiction trial/district court judges, 53 intermediate appellate judges, and 7 supreme court justices.** While other states have more judges, Louisiana has more judges per capita than states with similar populations; however, this analysis does not factor in the caseloads of courts in each state.
- **The majority of judges in other states are elected, similar to Louisiana, for both their initial and additional terms.** The governor, legislature, judiciary, or president appoints judges in other states.
- **Judicial salaries in Louisiana, similar to 23 other states, are set by a judicial compensation commission. In Louisiana, state law establishes a Judicial Compensation Commission that submits recommendations concerning judges' salaries to the legislature every two years.** In addition, Louisiana, along with 28 other states, constitutionally protects judicial salaries from any reductions.
- **Louisiana, Georgia, and Texas are the only three states that provide supplemental pay to judges. As of September 2023, Louisiana district judges, appellate judges, and supreme court justices receive approximately \$950 per month in extra pay from the Judges' Supplemental Compensation Fund.⁴** According to Act 63 of the 1985 Regular Legislative Session, the legislature intended the Fund to be used for salary supplements to judges and commissioners and to cover related increased retirement costs to the state.

⁴ LA R.S. 13:10.3(D) provides in part: "After making provisions for necessary and associated administrative expenses, the [Judges' Supplemental Compensation Fund] board shall authorize the judicial administrator to set aside and transmit monthly an amount to provide the additional employer's retirement contribution due by the state on the supplemental compensation to the State Employees' Retirement System on behalf of the judges who are members of the system. ..."

- **As of January 1, 2023, Louisiana salaries ranked 27th of 55 states and territories for general jurisdiction trial court judges, 17th of 51 for the adjusted cost-of-living salaries of general jurisdiction trial court judges, 27th of 42 for intermediate appellate court judges, and 28th of 55 for court of last resort associate justices.**
- **During fiscal year 2022, approximately \$3.6 million (1.5%) of total Louisiana district court and courts of appeal expenditures of \$241.3 million were reimbursements for travel and support expenses. States use various methods to reimburse judges for meals, lodging, and mileage, including set per diems, actual cost reimbursement, or federal rate requirements.** Louisiana has a \$118 per diem for meals and reimbursement varies depending on several factors for lodging.
- **All 33 of the states reviewed, similar to Louisiana, offer defined benefit retirement plans to judges.** Five (15.2%) of the 33 states also offer defined contribution plans and four (12.1%) offer combination defined benefit and defined contribution plans.

This information is discussed in more detail on the pages that follow.

The number of judges in each state is determined either in constitution or statute. As of June 2023, Louisiana has 219 general jurisdiction trial/district court judges, 53 intermediate appellate judges, and 7 supreme court justices. While other states have more judges, Louisiana has more judges per capita than states with similar populations; however, this analysis does not factor in the caseloads of courts in each state.

In every state, judicial power is vested to a court of last resort, or a supreme court, by its constitution,⁵ and intermediate appellate courts and general jurisdiction trial courts are established in either state constitution or statute. Similarly, how each state determines the number of justices or judges at each court level varies. For example, Georgia's Constitution provides for the number of court of last resort justices and intermediate appellate judges, while state code establishes the number of general jurisdiction trial court judges. In Louisiana, our

⁵ The District of Columbia vests the judicial authority to the Court of Appeals, which is its court of last resort, in statute.

constitution specifies the number of Supreme Court justices while the number of judges at other levels is set in statute.

According to the Louisiana Supreme Court (LASC), as of June 2023, Louisiana has 219 general jurisdiction trial/district court judges, 53 intermediate appellate court judges, and 7 supreme court justices. Using information provided by the State Court Organization (SCO)⁶ and state judicial websites, we determined the range of the number of judges in each of the three court levels is as follows:

- General jurisdiction trial courts – 23 (Maine) to 1,756 (California)
- Intermediate appellate courts – 3 (Alaska, Nevada, and West Virginia) to 106 (California)
- Courts of last resort – 4 (New Hampshire) to 18 (Texas)

As of July 1, 2022, the U.S. Census Bureau estimated Louisiana’s population to be approximately 4.6 million.⁷ Exhibit 1 compares the number of judges per capita in Louisiana to five states with similar populations. It should be noted that this analysis does not factor in the caseloads of the courts in each state.

Exhibit 1 Number of Judges per Capita in States with Similar Populations* As of July 1, 2022						
State	Population	Number of General Jurisdiction Trial Judges	Number of Intermediate Appellate Court Judges	Number of Court of Last Resort Justices	Total Judges	Judges per 100,000 Capita
South Carolina	5,282,634	49	9	5	63	1.2
Alabama	5,074,296	146	10	9	165	3.3
Louisiana	4,590,241	219	53	7	279	6.1
Kentucky	4,512,310	92	14	7	113	2.5
Oregon	4,240,137	177	13	7	197	4.6
Oklahoma	4,019,800	152	11	14	177	4.4
*Similar populations refers to the total number of individuals within the state and does not consider the demographic composition (e.g. age, race, level of education, median income, etc.) of the population. Source: Prepared by legislative auditor’s staff using information from the U.S. Census Bureau, Population Division; NCSC; LASC; and state judicial websites.						

Appendix B details the population and number of judges in each state as of July 1, 2022.

⁶ SCO is a component of the Court Statistics Project, a joint project with the National Center for State Courts (NCSC) and the Conference of State Court Administrators. SCO presents detailed comparative information about how state trial and appellate courts are organized and administered.

⁷ U.S. Census Bureau, Population Division

The majority of judges in other states are elected, similar to Louisiana, for both their initial and additional terms.

States select judges by various methods, including elections and appointments by various entities. According to NCSC, Louisiana has partisan⁸ elections for the initial terms of judges in general jurisdiction trial courts and intermediate appellate courts as well as supreme court justices. For intermediate appellate judges and supreme court justices, Louisiana uses a blanket primary in which candidates appear with party labels or “no party” on the primary ballot, then the two candidates that receive the most votes compete in the general election. Exhibit 2 summarizes the count of courts based on the method of appointment for judges’ initial terms.

Exhibit 2 Initial Term Appointment Method, by Count of States					
Selection Method	General Jurisdiction Trial Court	Intermediate Appellate Court	Court of Last Resort	Total	% of Total
Election*,**	29	21	22	72	47.0%
Gubernatorial Appointment	15	16	26	57	37.3%
Legislative Appointment	2	2	2	6	3.9%
Judicial Appointment	0	2	0	2	1.3%
Presidential Appointment	1	0	1	2	1.3%
Varies by District	4	1	0	5	3.3%
No Court	0	9	0	9	5.9%
Total	51	51	51	153	100%
*Includes partisan and nonpartisan elections					
**Includes Louisiana					
Source: Prepared by legislative auditor’s staff using NCSC data.					

According to NCSC, Louisiana also has partisan elections for the additional terms of judges in general jurisdiction trial courts and intermediate appellate courts as well as supreme court justices. Louisiana uses the same blanket primary system for the additional terms of intermediate appellate judges and supreme court justices as it does for their initial term. Exhibit 3 summarizes the count of courts based on the method of appointment for judges’ additional terms.

⁸ Candidates for public office in partisan elections are required to commit to a political party, or list “no party” as the alternative.

Exhibit 3					
Additional Terms Appointment Method, by Count of States					
Selection Method	General Jurisdiction Trial Court	Intermediate Appellate Court	Court of Last Resort	Total	% of Total
Election***	35	34	38	107	70.0%
Gubernatorial Appointment	4	1	4	9	5.9%
Legislative Appointment	3	2	4	9	5.9%
Judicial Appointment	1	2	1	4	2.6%
Presidential Appointment	1	1	1	3	1.9%
Varies by District	4	1	0	5	3.3%
Serve for Life/Until Retirement	3	1	3	7	4.5%
No Court	0	9	0	9	5.9%
Total	51	51	51	153	100%
*Includes partisan, nonpartisan, and retention elections					
**Includes Louisiana					
Source: Prepared by legislative auditor's staff using NCSC data.					

Appendix C details the selection methods for judges in each of the three levels for each state.

Judicial salaries in Louisiana, similar to 23 other states, are set by a judicial compensation commission. In Louisiana, state law establishes a Judicial Compensation Commission that submits recommendations concerning judges' salaries to the legislature every two years. In addition, Louisiana, along with 28 other states, constitutionally protects judicial salaries from any reductions.

The method by which judicial salaries are set varies from state to state. Some states, such as Louisiana, have advisory judicial compensation commissions that present recommended salary reports to the legislature. Other states have commissions that present binding salary reports that can or cannot be overridden by the legislature or voters. Others establish judicial salaries in statute, or the legislature appropriates the salaries each year.

In Louisiana, state law⁹ establishes a Judicial Compensation Commission (Commission) that may submit recommendations concerning judges' salaries to the legislature every two years in even-numbered years. Any increase in salaries may be enacted by the legislature only after submission of the Commission's report and must be approved by a favorable vote of the majority of the elected members of each house. The Commission consists of 15 members, subject to Senate confirmation, including one appointed by the governor, four by

⁹ LA R.S. 13:42(A)

the president of the Senate, four by the speaker of the House of Representatives, two by the chief justice of LASC, one by the Conference of the Courts of Appeal, one by the Louisiana District Judges Association, one by the Louisiana City Judges Association, and one by the Louisiana State Bar Association. Members serve four-year terms.

According to Act 178 of the 2019 Regular Legislative Session,¹⁰ the January 9, 2018, Commission's report recommended that the salary of the judges of the supreme court, courts of appeal, district courts, city courts, and parish courts be increased by 2.5% on July 1, 2019, 2020, 2021, 2022, and 2023. The salary increase is contingent upon approval prior to each July 1 by LASC and the Louisiana Judicial Budgetary Control Board, after each has determined that the judiciary has sufficient funding from the state and other sources to fund the salary increases prior to approving the increases.

According to NCSC, 24 of 51 reporting jurisdictions¹¹ utilize judicial compensation commissions. These commissions come in four types:

1. **Advisory** – the commission presents a salary report that serves as a recommendation for legislative action (includes Louisiana)
2. **Binding unless overridden by the legislature** - the commission's salary report goes into effect unless changed or overridden by the legislature. The threshold can be a simple majority or as high as two-thirds.
3. **Binding unless overridden by voters** – limited to Washington
4. **Binding cannot be overridden** – the commission's salary report goes into effect and cannot be changed or overridden by the legislature. Limited to Arkansas.

The remaining 27 jurisdictions either do not have commissions or have commissions that do not cover judges, as shown in Exhibit 4.

Exhibit 4 Judicial Salary Methods	
Salary Commission Type	Number of Jurisdictions
Advisory*	14
Binding unless overridden by legislature	8
Binding unless overridden by voters	1
Binding, cannot be overridden	1
Commission does not cover judges	3
No commission	24
Total	51
*Includes Louisiana Source: Prepared by legislative auditor's staff using NCSC data.	

¹⁰ <https://legis.la.gov/Legis/ViewDocument.aspx?d=1143917> (LA R.S. 13:50)

¹¹ 50 states and District of Columbia

See Appendix D for detailed salary methodology for each state.

Louisiana, along with 28 other states, have constitutionally protected judicial salaries from any reductions. According to a law review,¹² a vital way of assuring judicial independence is to guarantee that judges not fear that their salaries will be reduced if they render unpopular or controversial decisions. According to NCSC,¹³ the salaries of federal judges are protected by Article III, Section 1 of the Constitution of the United States. Similarly, some states have constitutionally¹⁴ insulated their state's judicial salaries from any reductions, including Louisiana. Specifically:

- 29 states have constitutional provisions prohibiting the reduction of salaries for general jurisdiction trial and appellate judges during their terms of office;¹⁵
- Five states have constitutional provisions that allow for reductions in judges' salaries if the reduction applies to all public officers;
- 15 states do not clearly address reductions in judges' salaries during their terms in office; and
- One state, Wisconsin, has a constitutional provision that NCSC interprets to allow the salaries of judges to be reduced.

¹² Entin, Jonathan L., "Getting What You Pay For: Judicial Compensation and Judicial Independence" (2011). Faculty Publications. 84. https://scholarlycommons.law.case.edu/faculty_publications/84

¹³ <https://www.ncsc.org/salarytracker/special-reports/salary-reductions>

¹⁴ NCSC's research does not include statutory limitations on judicial salary reductions; according to NCSC, these limitations are not as meaningful to assess because they can be changed more readily than state constitutional provisions.

¹⁵ One of these states, North Dakota, provides this protection only to members of the state's supreme court.

Louisiana, Georgia, and Texas are the only three states that provide supplemental pay to judges. As of September 2023, Louisiana district judges, appellate judges, and supreme court justices receive approximately \$950 per month in extra pay from the Judges' Supplemental Compensation Fund.¹⁶

According to NCSC, Louisiana is unique from other states because it provides supplemental pay for its judges from a civil filing fee. State law¹⁷ established the Judges' Supplemental Compensation Fund (Fund) in 1985, which is funded by court fees.¹⁸ According to Act 63 of the 1985 Regular Legislative Session, the legislature intended the Fund to be used for salary supplements to judges and commissioners and to cover related increased retirement costs to the state.

La. R.S. 13:10.3 states that, after making provisions for necessary and associated administrative expenses, the Judges' Supplemental Compensation Fund Board (Board) shall authorize the judicial administrator to set aside and transmit monthly an amount to provide the additional employer's retirement contribution due by the state on the supplemental compensation to the State Employees' Retirement System on behalf of the judges who are members of the system. The Board, through the judicial administrator, shall then distribute the proceeds from the Fund monthly in equal supplemental compensation to justices of the supreme court, appellate court judges, and district, family, and juvenile court judges, including the magistrate of the criminal district court for Orleans Parish. City, traffic, municipal, and parish court judges and commissioners shall receive supplemental compensation in the proportion that their current state-paid salary bears to the current state-paid salary of a district judge.

As of September 2023, judges receive approximately \$950 per month in extra pay from the Fund.¹⁹ Proceeds from the Fund are distributed monthly equally to LASC justices, appellate court judges, and district, family and juvenile court judges, including the magistrate of the criminal district court for Orleans Parish. According to the Louisiana House Fiscal Division, approximately \$6.2 million will be

¹⁶ LA R.S. 13:10.3(D) provides in part: "After making provisions for necessary and associated administrative expenses, the [Judges' Supplemental Compensation Fund] board shall authorize the judicial administrator to set aside and transmit monthly an amount to provide the additional employer's retirement contribution due by the state on the supplemental compensation to the State Employees' Retirement System on behalf of the judges who are members of the system. ..."

¹⁷ LA R.S. 13:10.3

¹⁸ In addition to any other filing fee imposed by law, a nonrefundable fee of \$10 for every civil filing in the office of each clerk of city, parish, juvenile, family, district, appellate, and supreme court is levied. LA. R.S. 13:10.3 provides for a base fee of \$10 which shall be increased based upon the percent of increase in the average consumer price index. According to La. R.S. 13:10.3 C, each clerk of court shall remit all fees collected pursuant to this statute monthly to the state treasurer to be credited to the Fund.

¹⁹ City court and other lower court judges receive supplemental compensation in the proportion that their current state-paid salary bears to the current state-paid salary of a district judge.

paid out of the Fund during fiscal year 2024.²⁰ These funds are to be used for salary supplements to judges and commissioners, administrative expenses of the Board, and contributions to state or municipal retirement funds.

Research conducted by NCSC states that only two other states currently provide supplemental pay to judges, but these supplements are funded at the local level rather than the state. Georgia caps total local supplementation at \$50,000,²¹ and counties in Texas can supplement courts of appeal judges' salaries up to \$9,000 and district court judges up to \$18,000.²² According to NCSC, California has phased out its supplemental pay system.

As of January 1, 2023, Louisiana salaries ranked 27th of 55 states and territories for general jurisdiction trial court judges, 17th of 51 for the adjusted cost-of-living salaries of general jurisdiction trial court judges, 27th of 42 for intermediate appellate court judges, and 28th of 55 for court of last resort associate justices.

NCSC publishes *The Survey of Judicial Salaries*, which serves as the primary record of compensation for state judicial officers and state court administrators. NCSC biannually gathers salary information for judges of general jurisdiction courts and intermediate appellate courts, as well as associate justices of the courts of last resort.²³

As of January 1, 2023, Louisiana salaries ranked 27th of 55 for general jurisdiction trial court judges, 17th of 51 for the adjusted cost-of-living salaries of general jurisdiction trial court judges, 27th of 42²⁴ for intermediate appellate court judges, and 28th of 55 for court of last resort associate justices.²⁵ The purpose of adjusting (or normalizing) the trial court salary data is to allow for an apples-to-apples comparison of salaries between states by adjusting salaries in each state by a cost-of-living factor to determine the purchasing power of that salary in a given state. NCSC uses the most widely accepted United States source of cost-of-living indices, the indices produced by the

²⁰ Fiscal Year 2024 Executive Budget Review – Louisiana Judiciary; House Fiscal Division; April 17, 2023

²¹ Ga. Code Ann. § 15-6-29.1(c)

²² [Texas Judicial Compensation Commission, Report of the Judicial Compensation Commission, 2022](#)

²³ In jurisdictions where some judges receive supplements, the figures reported are the most representative available – either the base salary, the midpoint of a range between the lowest and the highest supplemented salaries, or the median.

²⁴ There is only a total of 42 states/territories because nine states and three territories do not have intermediate appellate courts and North Dakota only has a temporary intermediate appellate court.

²⁵ These rankings are based on Louisiana base salaries and supplemental pay.

Council for Community and Economic Research (C2ER²⁶). Exhibit 5 summarizes the mean, median, minimum, and maximum salaries for all states in each of the three court systems, as well as Louisiana's salary and rank as of January 1, 2023.

Exhibit 5 Judicial Salaries at a Glance As of January 1, 2023						
Court Level	Mean	Median	Minimum	Maximum	LA Salary	LA Rank
General Jurisdiction Trial	\$177,247	\$168,949	\$132,300	\$232,600	\$168,949	27 of 55
Adjusted General Jurisdiction Trial*	166,415	163,909	124,554	223,212	173,795	17 of 51**
Intermediate Appellate	189,429	188,505	142,500	264,542	175,797	27 of 42***
Court of Last Resort – Associate Justice	197,396	189,198	149,600	282,177	187,914	28 of 55
Court of Last Resort – Chief Justice	201,762	197,823	125,000	295,908	197,250****	N/A*****
*With cost-of-living adjustment using the C2ER cost-of-living index **C2ER does not provide cost of living index for U.S. territories. ***Nine states and three territories do not have intermediate appellate courts and North Dakota only has a temporary intermediate appellate court. ****Effective December 1, 2022, the Chief Justice's salary includes a base salary of \$186,450 and an annual supplement of \$10,800. *****NCSC does not share Chief Justice salary data with the public. Source: Prepared by legislative auditor's staff using NCSC data and information provided by LASC.						

Appendix E contains the full results of NCSC's salary study for all states.

During fiscal years 2013 to 2023, the Louisiana legislature has approved increases to the salaries of general jurisdiction trial court judges totaling 22.7% (\$31,205).²⁷ Five other states with similar populations²⁸ have increased judicial salaries ranging from 10.1% (\$13,569) to 51% (\$68,433) during the same time. Exhibit 6 compares the salary trends as of January 1, 2023 for general jurisdiction trial court judges in Louisiana and five states with comparable populations, including Alabama, Kentucky, Oklahoma, Oregon, and South Carolina:²⁹

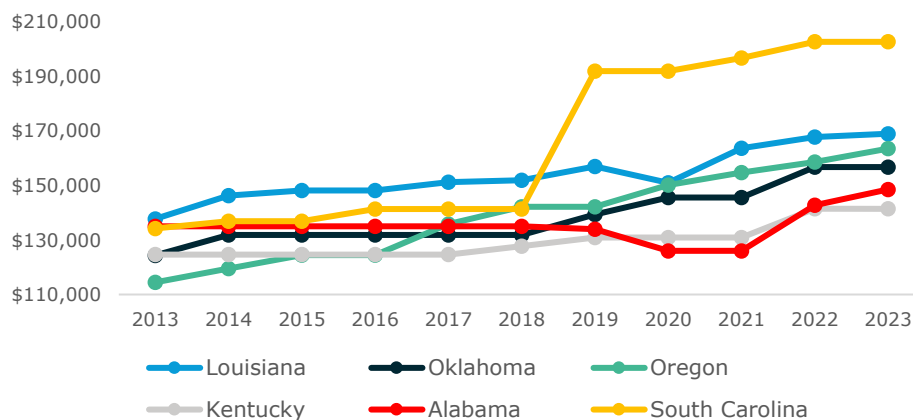
²⁶ C2ER is the most widely accepted U.S. source for cost-of-living indices, with nearly 400 reporting jurisdictions across the U.S. C2ER uses a robust, multi-variable model that incorporates the costs of goods and services within a reporting jurisdiction along with seven additional variables to greatly improve predicted, statewide average C2ER factors. The seven variables are community, population, population density, income, growth rate, utility rates, efficiency of government sector, and location of the region. More detailed information can be found at www.c2er.org.

²⁷ Our analysis was based on salaries as of the end of each fiscal year.

²⁸ Alabama, Kentucky, Oklahoma, Oregon, and South Carolina

²⁹ See highlighted populations in Appendix B.

Exhibit 6
Salary History by State
General Jurisdiction Trial Court Judges



Source: Prepared by legislative auditor's staff using NCSC data (<https://www.ncsc.org/salarytracker/explore-the-data>).

See Appendix F for the trends of Louisiana compared to the same five states for the adjusted cost-of-living salaries of general jurisdiction trial court judges and the salaries of intermediate appellate court judges and court of last resort associate justices.

During fiscal year 2022, approximately \$3.6 million (1.5%) of total Louisiana district court and courts of appeal expenditures of \$241.3 million were reimbursements for travel and support expenses. States use various methods to reimburse judges for meals, lodging, and mileage, including set per diems, actual cost reimbursement, or federal rate requirements. Louisiana has a \$118 per diem for meals and reimbursement varies depending on several factors for lodging.

According to Louisiana Rules of the Supreme Court, judges are entitled to reimbursement or payment from public funds for mileage expenses when using a private vehicle; meals, tips, and miscellaneous expenses when attending a meeting outside of a 50-mile radius from his or her respective court; and lodging when attending a meeting. Specifically:

- La. R.S. 13:103 provides that the chief justice and each associate justice of the supreme court shall be reimbursed for reasonable housing and other expenses incurred while on official duty.³⁰
- La. R.S. 13:313 provides that judges of courts of appeal shall be reimbursed for reasonable expenses incurred while absent from their respective parishes of residence on official duty.³¹
- La. R.S. 13:694 provides that district judges and judges of the courts of appeal shall be reimbursed actual traveling and hotel expenses incurred in the discharge of their official duties. The supreme court, by rule, shall define the conditions under which such allowances will be granted.³²

In Louisiana, mileage reimbursement is limited to actual mileage at a rate not to exceed the Internal Revenue Service (IRS) Federal Mileage Rate, which is 65.5 cents/mile as of January 1, 2023. According to LASC, an allowance for daily meals and incidentals, also known as per diem, is approved by the Supreme Court Conference annually. As of 2023, the rate has stayed at \$118 since 2008.³³ Judges' lodging expense reimbursements are limited to the special group rate at any hotels of meeting sites, if available, or to reasonable actual costs if there is no group rate available. If judges do not submit adequate supporting documentation, lodging reimbursements are limited to the current IRS rates.

Between fiscal years 2018 to 2022, LASC made a total of \$647,472 in per diem payments to judges. According to LASC, it only tracks per diem payments made by LASC; these payments do not include separate lodging and mileage reimbursements. These amounts also do not include any per diem payments that may have been made by an individual district court such as from the Judicial Expense Fund, or by an intermediate appellate court. Louisiana Court of Appeal judges receive their per diem payments directly from their respective courts.³⁴ Exhibit 7 summarizes per diem payments paid to Louisiana judges by LASC during fiscal years 2018 through 2022.

³⁰ Payable out of the self-generated funds provided for in R.S. 13:124 in amounts not to exceed the amounts allocated under the authority of this Section as of May 1, 1989.

³¹ Provision for payment of such expenses shall be included by the legislature in the general expense appropriation of the respective courts of appeal.

³² No allowance shall be granted for round trips of less than 10 miles from the judge's bona fide residence to the place or places where he performs the official duties of his office. In addition, LA R.S. 13:698 provides for the reimbursement of office expenses for district judges; family court judges for the parish of East Baton Rouge; and juvenile court judges for the parishes of East Baton Rouge, Caddo, Jefferson, and Orleans; including "salaries of stenographers, clerks, law books, legal periodicals, stationery, telephone, and like expense incurred in the discharge of their duties. Such expenses shall not exceed the sum of five thousand dollars for any judge in any one year."

³³ The full reimbursement rate of \$118 is for travel outside of a 50-mile radius from respective courts in one of the following situations: travel does not require an overnight stay and total travel time is eight or more continuous hours; travel which begins before 12 p.m. and requires an overnight stay; travel that extends beyond 6 p.m. on the final day of travel; or intervening travel days. Judges also can receive a partial reimbursement rate of \$59 for shorter travel periods.

³⁴ One Court of Appeal judge received a per diem in 2022 from LASC that was due to special circumstances.

Exhibit 7						
Per Diem Payments Made by LASC						
Fiscal Years 2018 through 2022						
Court Type	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	Total
Supreme Court	\$50,209	\$45,865	\$37,583	\$12,036	\$34,987	\$180,680
Courts of Appeal*	0	0	0	0	59	59
District Courts**	118,445	107,178	89,843	27,730	123,536	466,732
Total	\$168,654	\$153,043	\$127,426	\$39,766	\$158,582	\$647,471
*One Court of Appeal judge received a per diem in 2022 from LASC that was due to special circumstances.						
**Does not include juvenile court judges or family court judges						
Source: Prepared by legislative auditor's staff using information provided by LASC.						

In addition, during fiscal year 2022, approximately \$3.6 million (1.5%) of state district court and court of appeal total expenditures of \$241.3 million were reimbursements for judges' travel and support expenses. Specifically, according to the 2022 LASC Annual Revenue and Expense Reporting,³⁵ district courts spent approximately \$3.0 million (1.6%) out of a total of \$186.5 million and courts of appeal spent approximately \$0.6 million (1.1%) of \$54.8 million on travel and support expenses for judges. These expenses include travel expenses such as judges' per diem, conference fees, mileage, and meals, and other support expenses such as cell phones, dues, and liability insurance.

Based on an evaluation of judicial rules for 40³⁶ states, judicial travel rules vary. For example, the judicial administration/legislation of some states, such as Oklahoma and Wyoming, set reimbursement rates for meals, lodging, and mileage based on the United States General Services Administration (GSA) established rates³⁷ and/or IRS established rates. Other states, such as Georgia and Kansas, reimburse judges for actual meal and lodging expenses incurred, while states including Louisiana, Michigan, and Utah limit the maximum amount that can be reimbursed. For instance, Louisiana provides judges a per diem rate of \$118 for meals and incidentals while traveling either in- or out-of-state. See Appendix G for a comparison of state judicial travel rules, including meal rates, lodging, and mileage.

³⁵ In April 2022, LASC adopted a rule that requires all courts to collect and report revenue and expenditure data, which it then publishes in a publicly available report.

³⁶ We either found other state judicial travel rules online or the state responded to our email request for information.

³⁷ GSA rates are used by federal agencies to reimburse their employees for lodging, meals, and incidental expenses incurred while on official travel based on location.

All 33 of the states reviewed, similar to Louisiana, offer defined benefit retirement plans to judges. Five (15.2%) of the 33 states also offer defined contribution plans and four (12.1%) offer combination defined benefit and defined contribution plans.

The types of retirement plans offered vary by state but include defined benefit plans, defined contribution plans, or a combination of the two. *Defined benefit* plans provide a fixed, pre-established monthly benefit at retirement. The benefit may be an exact dollar amount (e.g., \$100), or, more commonly, the benefit is calculated through a formula considering factors such as salary and service (e.g., 1% of average salary for the last five years of employment for every year of service with an employer). *Defined contribution* plans only specify what the employer and/or the employee contribute to an employee's retirement account (e.g., 5% of earnings annually). The amount of the benefit depends on the amount saved and how well the employee's fund investments perform. Examples of defined contribution plans include 401(k), 403(b), employee stock ownership, and profit-sharing plans.

Louisiana judges are in one of three retirement plans depending on their first employment date. All three are defined benefit plans with maximum annual pension payments that cannot exceed 100% of their final average compensation (FAC) based on either 36 or 60 months, depending on the plan. Judges who took office after June 30, 2015 are enrolled in the *Judicial Employees 3* plan and have a required contribution rate of 13%. Retirement benefits for these judges are calculated by multiplying their FAC based on their highest successive 60 months of earnings by 2.5% plus an additional 1% for all years served as a judge. Members of the *Judicial Employees 3* plan are eligible for retirement at age 62 after five years of service as a judge, or at any age after 20 years of service with an actuarially reduced benefit based on the number of months they are away from being eligible for full retirement. Exhibit 8 summarizes Louisiana's three defined benefit retirement plans for judges.

Exhibit 8 Louisiana Defined Benefit Judicial Retirement Plans As of Fiscal Year 2024					
Plan Name	Maximum Annual Pension Payment	Benefit Calculation Formula	Requirements	Required Judge Contribution	Required Employer Contribution
Judicial Employees (took office before 1/1/2011)	Cannot exceed 100% of FAC*	2.5% x FAC* plus additional 1.0% for all years served as judge	Age 65 with 10 years of service as a judge; age 55 with 12 years; any age with 18 years; age 50 with 20 years of total service with at least 12 years as a judge; age 70 with any number of years	11.5%	45.8%
Judicial Employees 2 (took office 1/1/2011 – 6/30/2015)			Age 60 with 5 years of service or any age with 20 years with an actuarially reduced benefit based on number of months away from eligibility for an unreduced retirement	13.0%	44.7%
Judicial Employees 3 (took office after 6/30/2015)			Age 62 with 5 years of service or any age with 20 years with an actuarially reduced benefit based on number of months away from eligibility for an unreduced retirement	13.0%	44.7%
*FAC is based on highest successive 36 months of earnings for Judicial Employees plan, and 60 months for Judicial Employees 2 and 3 plans. Source: Prepared by legislative auditor's staff using information provided by the Louisiana State Employees' Retirement System.					

At the request of the Conference of Chief Justices Committee on Judicial Selection and Compensation, NCSC gathered information on state judicial retirement plans including the number and type of plans in each state, who contributes and how much, and benefits and how they are calculated. According to our review of the retirement information NCSC received from court administrative offices in 33 states:

- All 33 (100%) states offer defined benefit plans (similar to Louisiana);
- Five (15.2%) of the 33 states also offer defined contribution plans; and
- Four (12.1%) of the 33 states also offer combination defined benefit and defined contribution plans.

Appendix H details information on Louisiana's and 33 other state retirement plans, including plan types and names; maximum allowed pension payments; benefit calculation formulas; employee and employer minimum and maximum contributions, and age, length of service, and other requirements for payments.

APPENDIX A: SCOPE AND METHODOLOGY

This report provides information based on our comparison of selected aspects of the judiciary in Louisiana to courts in other states. We conducted this review in response to legislative interest. Our objective was:

To compare selected aspects of the judiciary in Louisiana, including the number of judges, method of selection, and compensation, to courts in other states.

Informational reports are intended to provide more timely information than standards-based performance audits. While these informational reports do not follow *Government Auditing Standards*, we conduct quality assurance activities to ensure the information presented is accurate.

To answer our objective, we performed the following steps:

- Researched and reviewed legal criteria, including information provided by the National Center for State Courts (NCSC) and the Louisiana Supreme Court (LASC), related to the judicial organization/structure of state courts, including the number of judges for each.
- Researched and reviewed legal criteria for each state, including information provided by NCSC, related to how judges are appointed to initial terms of office and additional terms of office for judges of general jurisdiction trial courts, intermediate appellate courts, and courts of last resort.
- Obtained and analyzed population data for each state from the U.S. Census Bureau.
- Obtained and reviewed legal criteria, including information provided by NCSC, related to how states set judicial salaries. Analyzed and compared Louisiana to other state's selection methods.
- Obtained and reviewed legal criteria, including information provided by NCSC, related to states that provide supplemental pay to judges.
- Obtained and analyzed salary information, including information provided by NCSC, for general jurisdiction trial court judges, intermediate appellate court judges, and courts of last resort associate justices. Included adjusted cost-of-living salaries of general jurisdiction trial court judges, as provided by NCSC.
 - Analyzed salary trends for Louisiana and five other states with similar populations using information provided by NCSC.

- Obtained and analyzed per diem legal criteria and policies for each state.
 - Obtained per diem payments to judges during fiscal years 2018 through 2022 from LASC.
- Obtained and reviewed information related to retirement plans for judges, including information provided by NCSC and Louisiana State Employees' Retirement System.
- Reviewed our results with representatives from LASC and incorporated their feedback into the report.

APPENDIX B: POPULATION AND NUMBER OF JUDGES IN EACH STATE AS OF JULY 1, 2022

State	Population	Number of General Jurisdiction Trial Court Judges	Number of Intermediate Appellate Court Judges	Number of Court of Last Resort Judges	Total Number of Judges
California	39,029,342	1,756	106	7	1,869
Texas	30,029,572	478	80	18	576
Florida	22,244,823	605	64	7	676
New York	19,677,151	269	63	7	339
Pennsylvania	12,972,008	457	32	7	496
Illinois	12,582,032	383	54	7	444
Ohio	11,756,058	397	69	7	473
Georgia	10,912,876	213	15	9	237
North Carolina	10,698,973	99	15	7	121
Michigan	10,034,113	217	25	7	249
New Jersey	9,261,699	366	32	7	405
Virginia	8,683,619	173	11	7	191
Washington	7,785,786	195	22	9	226
Arizona	7,359,197	180	22	7	209
Tennessee	7,051,339	89	24	5	118
Massachusetts	6,981,974	75	25	7	107
Indiana	6,833,037	317	16	5	338
Missouri	6,177,957	351	32	7	390
Maryland	6,164,660	172	15	7	194
Wisconsin	5,892,539	249	16	7	272
Colorado	5,839,926	192	22	7	221
Minnesota	5,717,184	296	19	7	322
South Carolina	5,282,634	49	9	5	63
Alabama	5,074,296	146	10	9	165
Louisiana	4,590,241	219	53	7	279
Kentucky	4,512,310	92	14	7	113
Oregon	4,240,137	177	13	7	197
Oklahoma	4,019,800	152	11	14	177
Connecticut	3,626,205	132	10	7	149
Utah	3,380,800	77	7	5	89
Iowa	3,200,517	337	9	7	353
Nevada	3,177,772	90	3	7	100
Arkansas	3,045,637	123	12	7	142
Mississippi	2,940,057	57	10	9	76
Kansas	2,937,150	246	14	7	267
New Mexico	2,113,344	102	10	5	117
Nebraska	1,967,923	56	6	7	69
Idaho	1,939,033	41	4	5	50
West Virginia	1,775,156	75	3	5	83
Hawaii	1,440,196	28	6	5	39
New Hampshire	1,395,231	28	N/A	4	32
Maine	1,385,340	23	N/A	7	30
Montana	1,122,867	46	N/A	7	53
Rhode Island	1,093,734	27	N/A	5	32

State	Population	Number of General Jurisdiction Trial Court Judges	Number of Intermediate Appellate Court Judges	Number of Court of Last Resort Judges	Total Number of Judges
Delaware	1,018,396	28	N/A	5	33
South Dakota	909,824	38	N/A	5	43
North Dakota	779,261	52	N/A	5	57
Alaska	733,583	45	3	5	53
District of Columbia	671,803	62	N/A	9	71
Vermont	647,064	41	N/A	5	46
Wyoming	581,381	26	N/A	5	31

Source: Prepared by legislative auditor's staff using information provided on state judicial websites, U.S. Census data (<https://www.census.gov/data/tables/time-series/demo/popest/2020s-state-total.html>), and NCSC data (<https://www.ncsc.org/sco>).

APPENDIX C: JUDICIAL SELECTION METHODS, BY STATE

State	General Jurisdiction Trial Courts			Intermediate Appellate Courts			Courts of Last Resort			Source
	Court Name	Initial Term	Additional Terms	Court Name	Initial Term	Additional Terms	Court Name	Initial Term	Additional Terms	
Alabama	Circuit	Partisan election	Partisan election	Court of Criminal Appeals & Court of Civil Appeals	Partisan election	Partisan election	Court of Last Resort	Partisan election	Partisan election	Amendment 328 of the Alabama Constitution
Alaska	Superior	Gubernatorial appointment from judicial nominating commission	Retention election	Court of Appeals	Gubernatorial appointment from judicial nominating commission	Retention election	Court of Last Resort	Gubernatorial appointment from judicial nominating commission	Retention election	Article 4 of the Alaska Constitution; AK Stat § 22.07.070
Arizona	Superior	Multiple different systems used ³⁸	Multiple different systems used ³⁸	Court of Appeals	Gubernatorial appointment from judicial nominating commission	Retention election	Court of Last Resort	Gubernatorial appointment from judicial nominating commission	Retention election	Article 6 of the Arizona Constitution; A.R.S. 12-120.02
Arkansas	Circuit	Nonpartisan election	Nonpartisan election	Court of Appeals	Nonpartisan election	Nonpartisan election	Court of Last Resort	Nonpartisan election	Nonpartisan election	Amendment 80 of the Arkansas Constitution
California	Superior	Nonpartisan election	Nonpartisan election	Courts of Appeal	Gubernatorial appointment with confirmation by commission on judicial appointment	Retention election	Court of Last Resort	Gubernatorial appointment with confirmation by commission on judicial appointment	Retention election	Article VI of the California Constitution

³⁸ Coconino, Maricopa, Pima, and Pinal counties: initial term – gubernatorial appointment from judicial nominating commission; additional terms – retention election. Apache, Cochise, Coconino, Gila, Graham, Greenlee, La Paz, Mohave, Navajo, Santa Cruz, Yavapai, and Yuma counties: initial and additional terms – nonpartisan election.

State	General Jurisdiction Trial Courts			Intermediate Appellate Courts			Courts of Last Resort			Source
	Court Name	Initial Term	Additional Terms	Court Name	Initial Term	Additional Terms	Court Name	Initial Term	Additional Terms	
Colorado	District	Gubernatorial appointment from judicial nominating commission	Retention election	Court of Appeals	Gubernatorial appointment from judicial nominating commission	Retention election	Court of Last Resort	Gubernatorial appointment from judicial nominating commission	Retention election	Article VI of the Colorado Constitution
Connecticut	Superior	Gubernatorial appointment from judicial nominating commission with consent of the legislature	Gubernatorial appointment from judicial nominating commission with consent of the legislature	Appellate Court	Gubernatorial appointment from judicial nominating commission with consent of the legislature	Gubernatorial appointment from judicial nominating commission with consent of the legislature	Court of Last Resort	Gubernatorial appointment from judicial nominating commission with consent of the legislature	Gubernatorial appointment from judicial nominating commission with consent of the legislature	Article 5 and Amendment Article XX of the Connecticut Constitution
Delaware	Superior & Court of Chancery	Gubernatorial appointment from judicial nominating commission with consent of the senate	Gubernatorial appointment from judicial nominating commission with consent of the senate	No Intermediate Appellate Court	No Court	No Court	Court of Last Resort	Gubernatorial appointment from judicial nominating commission with consent of the senate	Gubernatorial appointment from judicial nominating commission with consent of the senate	Article IV of the Delaware Constitution
District of Columbia	Superior	Presidential appointment from judicial nomination commission, with senate confirmation	Reapproval by commission OR presidential reappointment with senate confirmation ³⁹	No Intermediate Appellate Court	No Court	No Court	Court of Appeals	Presidential appointment from judicial nomination commission, with senate confirmation	Reapproval by commission OR presidential reappointment with senate confirmation ³⁹	D.C. Code § 1-204.31 and 1-204.33
Florida	Circuit	Nonpartisan election	Nonpartisan election	District Courts of Appeals	Gubernatorial appointment from judicial nominating commission	Retention election	Court of Last Resort	Gubernatorial appointment from judicial nominating commission	Retention election	Article V of the Florida Constitution and Title V, Section 43.291
Georgia	Superior	Nonpartisan election	Nonpartisan election	Court of Appeals	Nonpartisan election	Nonpartisan election	Court of Last Resort	Nonpartisan election	Nonpartisan election	Article VI of the Georgia Constitution

³⁹ For additional terms, if the Tenure Commission determines the declaring candidate to be well qualified for reappointment to another term, then the term of such declaring candidate shall be automatically extended for another full term. If not, the President may nominate such candidate, in which case the President shall submit to the Senate for advice and consent the renomination of the declaring candidate as judge OR nominate a new person.

State	General Jurisdiction Trial Courts			Intermediate Appellate Courts			Courts of Last Resort			Source
	Court Name	Initial Term	Additional Terms	Court Name	Initial Term	Additional Terms	Court Name	Initial Term	Additional Terms	
Hawaii	Circuit	Gubernatorial appointment from judicial nominating commission with consent of the senate	Judicial nominating commission reappoints	Intermediate Court of Appeals	Gubernatorial appointment from judicial nominating commission with consent of the senate	Judicial nominating commission reappoints	Court of Last Resort	Gubernatorial appointment from judicial nominating commission with consent of the senate	Judicial nominating commission reappoints	Article VI of the Hawaii Constitution
Idaho	District	Nonpartisan election	Nonpartisan election	Court of Appeals	Nonpartisan election	Nonpartisan election	Court of Last Resort	Nonpartisan election	Nonpartisan election	Article V of the Idaho Constitution; Section 1-2404 of the Idaho Code
Illinois	Circuit	Partisan election	Retention election ⁴⁰	Appellate Court	Partisan election	Retention election ⁴⁰	Court of Last Resort	Partisan election	Retention election ⁴⁰	Article VI of the Illinois Constitution
Indiana	Circuit & Superior	Partisan election	Partisan election	Court of Appeals & Tax Court	Gubernatorial appointment from judicial nominating commission	Retention election	Court of Last Resort	Gubernatorial appointment from judicial nominating commission	Retention election	Article 7 of the Indiana Constitution; Title 33 of the Indiana Code
Iowa	District	Gubernatorial appointment from judicial nominating commission	Retention election	Court of Appeals	Gubernatorial appointment from judicial nominating commission	Retention election	Court of Last Resort	Gubernatorial appointment from judicial nominating commission	Retention election	Article V of the Iowa Constitution; Chapter 46 of the Iowa Code
Kansas	District	Multiple different systems used ⁴¹	Multiple different systems used ⁴¹	Court of Appeals	Nonpartisan election	Nonpartisan election	Court of Last Resort	Gubernatorial appointment from judicial nominating commission	Retention election	Article 3 of the Kansas Constitution; Chapter 20 of the Kansas Statutes

⁴⁰ Must receive 60% "Yes" retention vote

⁴¹ 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 21st, 25th, 28th, 30th, and 31st Judicial Districts: initial term – gubernatorial appointment from judicial nominating commission; additional terms – retention election. All other judicial districts: initial and additional terms – partisan election.

State	General Jurisdiction Trial Courts			Intermediate Appellate Courts			Courts of Last Resort			Source
	Court Name	Initial Term	Additional Terms	Court Name	Initial Term	Additional Terms	Court Name	Initial Term	Additional Terms	
Kentucky	Circuit	Nonpartisan election	Nonpartisan election	Court of Appeals	Nonpartisan election	Nonpartisan election	Court of Last Resort	Nonpartisan election	Nonpartisan election	Sections 117, 118, and 119 of the Kentucky Constitution
Louisiana	District	Partisan election	Partisan election	Courts of Appeal	Partisan election ⁴²	Partisan election ⁴²	Court of Last Resort	Partisan election ⁴²	Partisan election ⁴²	Article V of the Louisiana Constitution
Maine	Superior	Gubernatorial appointment with consent of the legislature	Gubernatorial appointment with consent of the legislature	No Intermediate Appellate Court	No Court	No Court	Supreme Judicial Court	Gubernatorial appointment with consent of the legislature	Legislature reconfirms ⁴³	Articles V and VI of the Maine Constitution
Maryland	Circuit	Nonpartisan election	Nonpartisan election	Court of Special Appeals	Gubernatorial appointment from judicial nominating commission with consent of the legislature	Retention election	Court of Appeals	Gubernatorial appointment from judicial nominating commission with consent of the legislature	Retention election	Article IV of the Maryland Constitution
Massachusetts	Superior Court Dept	Gubernatorial appointment with approval of elected executive council	Serve until mandatory judicial retirement age	Appeals Court	Gubernatorial appointment with approval of elected executive council	Serve until mandatory judicial retirement age	Supreme Judicial Court	Gubernatorial appointment with approval of elected executive council	Serve until mandatory judicial retirement age	Part II, Chapters II and III of the Massachusetts Constitution
Michigan	Circuit	Nonpartisan election	Nonpartisan election	Court of Appeals	Partisan election	Nonpartisan election ⁴⁴	Court of Last Resort	Partisan election	Nonpartisan election ⁴⁴	Article VI of the Michigan Constitution
Minnesota	District	Nonpartisan election	Nonpartisan election	Court of Appeals	Nonpartisan election	Nonpartisan election	Court of Last Resort	Nonpartisan election	Nonpartisan election	Article VI of the Minnesota Constitution

⁴² Uses a blanket primary in which all candidates appear with party labels on the primary ballot. The two top vote-getters compete in the general election.

⁴³ For additional terms, a Joint House/Senate legislative committee recommends confirmation or rejection. That recommendation is binding unless the Senate overrides with 2/3 vote.

⁴⁴ Candidates may be nominated by political parties but are elected on a nonpartisan ballot.

State	General Jurisdiction Trial Courts			Intermediate Appellate Courts			Courts of Last Resort			Source
	Court Name	Initial Term	Additional Terms	Court Name	Initial Term	Additional Terms	Court Name	Initial Term	Additional Terms	
Mississippi	Circuit	Nonpartisan election	Nonpartisan election	Court of Appeals	Nonpartisan election	Nonpartisan election	Court of Last Resort	Nonpartisan election	Nonpartisan election	Article 6 of the Mississippi Constitution; Section 9-4-5 of the Mississippi Code
Missouri	Circuit	Multiple different systems used ⁴⁵	Multiple different systems used ⁴⁵	Court of Appeals	Gubernatorial appointment from judicial nominating commission	Retention election	Court of Last Resort	Gubernatorial appointment from judicial nominating commission	Retention election	Article V of the Missouri Constitution
Montana	District	Nonpartisan election	Nonpartisan election	No Intermediate Appellate Court	No Court	No Court	Court of Last Resort	Nonpartisan election	Nonpartisan election OR Retention election ⁴⁶	Article VII of the Montana Constitution
Nebraska	District	Gubernatorial appointment from judicial nominating commission	Retention election	Court of Appeals	Gubernatorial appointment from judicial nominating commission	Retention election	Court of Last Resort	Gubernatorial appointment from judicial nominating commission	Retention election	Article V of the Nebraska Constitution; Section 24-1101 of the Nebraska Revised Statutes
Nevada	District	Nonpartisan election	Nonpartisan election	Court of Appeals	Nonpartisan election	Nonpartisan election	Court of Last Resort	Nonpartisan election	Nonpartisan election	Article 6 of the Nevada Constitution
New Hampshire	Superior	Gubernatorial appointment from judicial nominating commission with approval of elected executive council	Serve until mandatory judicial retirement age	No Intermediate Appellate Court	No Court	No Court	Court of Last Resort	Gubernatorial appointment from judicial nominating commission with approval of elected executive council	Serve until mandatory judicial retirement age	Articles 46 and 73 of the New Hampshire Constitution; Executive Order 2013-6

⁴⁵ 6th, 7th, 16th, 21st, 22nd, and 31st Judicial Circuits: initial term – gubernatorial appointment from judicial nominating commission; additional terms – retention election. All other judicial circuits: initial and additional terms – partisan election.

⁴⁶ Nonpartisan election if contested OR retention election if uncontested

State	General Jurisdiction Trial Courts			Intermediate Appellate Courts			Courts of Last Resort			Source
	Court Name	Initial Term	Additional Terms	Court Name	Initial Term	Additional Terms	Court Name	Initial Term	Additional Terms	
New Jersey	Superior	Gubernatorial appointment with consent of the senate ⁴⁷	Gubernatorial appointment with consent of the senate until age 70	Appellate Division of Superior Court	Elevation by chief justice from lower court ⁴⁸	Elevation by chief justice from lower court ⁴⁸	Court of Last Resort	Gubernatorial appointment with consent of the senate ⁴⁷	Gubernatorial appointment with consent of the senate until age 70	Article VI, Sections VI and VII of the New Jersey Constitution
New Mexico	District	Partisan election	Retention election ⁴⁹	Court of Appeals	Partisan election	Retention election ⁴⁹	Court of Last Resort	Partisan election	Retention election ⁴⁹	Article VI of the New Mexico Constitution
New York	Supreme ⁵⁰	Partisan election	Partisan election	Appellate Division of Supreme Court & Appellate Terms of the Supreme Court	Multiple different systems used ⁵¹	Multiple different systems used ⁵¹	Court of Appeals	Gubernatorial appointment from judicial nominating commission with consent of the senate	Gubernatorial reappointment with reconfirmation by the senate	Article VI of the New York Constitution
North Carolina	Superior	Nonpartisan election	Nonpartisan election	Court of Appeals	Partisan election	Partisan election	Court of Last Resort	Partisan election	Partisan election	Article IV of the North Carolina Constitution
North Dakota	District	Nonpartisan election	Nonpartisan election	Temporary Court of Appeals ⁵²	Appointment by chief justice	Appointment by chief justice	Court of Last Resort	Nonpartisan election	Nonpartisan election	Article VI of the North Dakota Constitution; ND Code Chapter 27-02.1

⁴⁷ Initial term - seven years; additional terms – until age 70

⁴⁸ The Chief Justice "shall assign Judges of the Superior Court to the Divisions and Parts of the Superior Court, and may from time to time transfer Judges from one assignment to another, as need appears."

⁴⁹ Must receive 57% "Yes" retention vote

⁵⁰ In New York, the Supreme Court is the court of general jurisdiction and not the state's court of last resort.

⁵¹ Appellate Division of Supreme Court: initial and additional terms – elevation by governor from lower court. Appellate Terms of the Supreme Court (First and Second Departments only): initial and additional terms – appointed by the Chief Administrative Judge with the approval of presiding justice of the appropriate appellate division.

⁵² Court comes into existence "if the chief justice certifies to the governor that the supreme court has disposed of 250 cases in the 12 months preceding September first of any year." Chief justice may select from any active or retired district court judges, retired justices of the supreme court, and lawyers.

State	General Jurisdiction Trial Courts			Intermediate Appellate Courts			Courts of Last Resort			Source
	Court Name	Initial Term	Additional Terms	Court Name	Initial Term	Additional Terms	Court Name	Initial Term	Additional Terms	
Ohio	Court of Common Pleas	Partisan election	Partisan election	Courts of Appeals	Partisan election	Partisan election	Court of Last Resort	Partisan election	Partisan election	Article 6 of the Ohio Constitution
Oklahoma	District	Nonpartisan election	Nonpartisan election	Court of Civil Appeals	Gubernatorial appointment from judicial nominating commission	Retention election	Supreme Court and Court of Criminal Appeals	Gubernatorial appointment from judicial nominating commission	Retention election	Articles 7 and 7B of the Oklahoma Constitution; Title 20, Section 30-18 of the Oklahoma Statutes
Oregon	Circuit	Nonpartisan election	Nonpartisan election	Court of Appeals	Nonpartisan election	Nonpartisan election	Court of Last Resort	Nonpartisan election	Nonpartisan election	Article VII (Amended) of the Oregon Constitution
Pennsylvania	Court of Common Pleas	Partisan election	Partisan election	Superior Court & Commonwealth Court	Partisan election	Retention election	Court of Last Resort	Partisan election	Retention election	Article V of the Pennsylvania Constitution
Rhode Island	Superior	Gubernatorial appointment from judicial nominating commission with consent of the legislature	Serve for life	No Intermediate Appellate Court	No Court	No Court	Court of Last Resort	Gubernatorial appointment from judicial nominating commission with consent of the legislature	Serve for life	Article X of the Rhode Island Constitution
South Carolina	Circuit	Legislative appointment from judicial nominating commission	Legislative appointment from judicial nominating commission	Court of Appeals	Legislative appointment from judicial nominating commission	Legislative appointment from judicial nominating commission	Court of Last Resort	Legislative appointment from judicial nominating commission	Legislative appointment from judicial nominating commission	Article V of the South Carolina Constitution
South Dakota	Circuit	Nonpartisan election	Nonpartisan election	No Intermediate Appellate Court	No Court	No Court	Court of Last Resort	Gubernatorial appointment from judicial nominating commission	Retention election	Article V of the South Dakota Constitution

State	General Jurisdiction Trial Courts			Intermediate Appellate Courts			Courts of Last Resort			Source
	Court Name	Initial Term	Additional Terms	Court Name	Initial Term	Additional Terms	Court Name	Initial Term	Additional Terms	
Tennessee	Circuit	Multiple different systems used ⁵³	Multiple different systems used	Court of Appeals & Court of Criminal Appeals	Gubernatorial appointment with consent of the legislature ⁵⁴	Retention election	Court of Last Resort	Gubernatorial appointment with consent of the legislature ⁵⁴	Retention election	Article VI of the Tennessee Constitution; Title 17, Chapter 4 of the Tennessee Code
Texas	District	Partisan election	Partisan election	Courts of Appeals	Partisan election	Partisan election	Supreme Court and Court of Criminal Appeals	Partisan election	Partisan election	Article 5 of the Texas Constitution
Utah	District	Gubernatorial appointment from judicial nominating commission with consent of the senate	Retention election	Court of Appeals	Gubernatorial appointment from judicial nominating commission with consent of the senate	Retention election	Court of Last Resort	Gubernatorial appointment from judicial nominating commission with consent of the senate	Retention election	Article VIII of the Utah Constitution
Vermont	Superior	Gubernatorial appointment from judicial nominating commission with consent of the legislature	Legislature reconfirms	No Intermediate Appellate Court	No Court	No Court	Court of Last Resort	Gubernatorial appointment from judicial nominating commission with consent of the legislature	Legislature reconfirms	Chapter 2, Sections 32, 33, and 34 of the Vermont Constitution
Virginia	Circuit	Legislative appointment	Legislative appointment	Court of Appeals	Legislative appointment	Legislative appointment	Court of Last Resort	Legislative appointment	Legislative appointment	Article VI, Section 7 of the Virginia Constitution

⁵³ Shelby County: initial and additional terms – nonpartisan election. All other judicial circuits: initial and additional terms – partisan election.

⁵⁴ Governors have created a Governor's Council for Judicial Appointments but this is an advisory body only.

State	General Jurisdiction Trial Courts			Intermediate Appellate Courts			Courts of Last Resort			Source
	Court Name	Initial Term	Additional Terms	Court Name	Initial Term	Additional Terms	Court Name	Initial Term	Additional Terms	
Washington	Superior	Nonpartisan election	Nonpartisan election	Courts of Appeal	Nonpartisan election	Nonpartisan election	Court of Last Resort	Nonpartisan election	Nonpartisan election	Article IV of the Washington Constitution; Chapter 2.06 of the Revised Code of Washington
West Virginia	Circuit	Partisan election	Partisan election	Intermediate Court of Appeals	Nonpartisan election	Nonpartisan election	Supreme Court of Appeals	Nonpartisan election	Nonpartisan election	Article VIII of the West Virginia Constitution
Wisconsin	Circuit	Nonpartisan election	Nonpartisan election	Court of Appeals	Nonpartisan election	Nonpartisan election	Court of Last Resort	Nonpartisan election	Nonpartisan election	Article VII of the Wisconsin Constitution
Wyoming	District	Gubernatorial appointment from judicial nominating commission	Retention election	No Intermediate Appellate Court	No Court	No Court	Court of Last Resort	Gubernatorial appointment from judicial nominating commission	Retention election	Article 5 of the Wyoming Constitution
Source: Prepared by legislative auditor's staff using NCSC data (https://www.ncsc.org/consulting-and-research/areas-of-expertise/court-leadership/judicial-selection).										

APPENDIX D: JUDICIAL SALARY METHODOLOGY, BY STATE

State	Salary Commission Name	Salary Commission Type	Salary Commission Language	Format for Specific Amount	Source
Alabama	Judicial Compensation Commission	Binding unless overridden by legislature	Unless rejected by a joint resolution or altered by act of the Legislature at the session to which the report is submitted, the recommendations of the commission shall become law upon the adjournment of that session of the Legislature.	Computational. Original base salary set by 2000 law phasing out local supplements. Longevity bonus system in place for judges. The commission may recommend changes as well.	Ala. Code § 12-10A-1 through § 12-10A-5
Alaska	State Officers Compensation Commission	Commission does not cover judges	The commission shall review the salaries, benefits, and allowances of members of the legislature, the governor, the lieutenant governor, and each principal executive department head and prepare a report on its findings at least once every two years, but not more frequently than every year.	Set by statute for base amounts; however, salary is automatically adjusted based on increases given to classified and partially exempt employees under the Public Employment Relations Act. In addition and depending on the location being served, geographic cost-of-living adjustments may be paid on a base amount of \$100,000 of the judge's annual base salary for that year.	AS 22.10.190, AS 39.27.020(a), and AS 39.27.011
Arizona	Commission on Salaries for Elective State Officers	Binding unless overridden by legislature	Such recommendations shall become effective at a time established by the legislature after the transmission of the recommendation of the governor without aid of further legislative action unless, within such period of time, there has been enacted into law a statute which establishes rates of pay other than those proposed by the governor, or unless either house of the legislature specifically disapproves all or part of the governor's recommendation.	Recommendation of commission binding unless overridden.	A.R.S. 41-1904

State	Salary Commission Name	Salary Commission Type	Salary Commission Language	Format for Specific Amount	Source
Arkansas	Independent Citizens Commission	Binding, cannot be overridden	The salaries of the positions under subsection (d) of this section: (A) Shall not be subject to appropriation by the General Assembly; and (B) Shall be paid from the Constitutional Officers Fund or its successor fund or fund accounts in the amount determined by the independent citizens commission.	Set by salary commission. Funds are automatically appropriated.	No statutory or legislative language
California	California Citizens Compensation Commission	Commission does not cover judges	"State officer," as used in this section, means the Governor, Lieutenant Governor, Attorney General, Controller, Insurance Commissioner, Secretary of State, Superintendent of Public Instruction, Treasurer, member of the State Board of Equalization, and Member of the Legislature.	Set by statute for base amounts. Salary is automatically adjusted based on the average percentage salary increase for the current fiscal year for California state employees.	CA Gov Code 68200-68222; §68203 in particular.
Colorado	No commission	No commission	N/A	Annual general appropriations bill	N/A
Connecticut	Commission on Judicial Compensation	Advisory	Not later than January 2, 2013, and every four years thereafter, the commission shall submit a report on its findings, in accordance with section 11-4a, to the Governor, the Secretary of the Office of Policy and Management, the General Assembly, the Chief Justice of the Supreme Court and the Chief Court Administrator.	General appropriations bill includes amendments to statute for a specific amount.	C.G.S. 51-47
Delaware	Delaware Compensation Commission	Binding unless overridden by legislature	The remuneration for all offices specified in § 3303 of this title established by the report shall take effect and have the force and effect of law as of July 1 following submission, unless the General Assembly shall by joint resolution reject the report in its entirety within 30 days following the commencement of its session.	The recommendation of the commission goes into effect unless the legislature rejects it. General appropriations bill includes specific amounts (e.g., Chancellor - Court of Chancery \$194,738).	N/A

State	Salary Commission Name	Salary Commission Type	Salary Commission Language	Format for Specific Amount	Source
District of Columbia	No commission	No commission	N/A	Court of Appeals - judges of the Court shall be compensated at the rate prescribed by law for judges of the US courts of appeal. The chief judge while serving in that position shall receive an additional \$500 per annum. Judges of the Superior Court shall be compensated at the rate prescribed by law for judges of the United States District Courts. The chief judge, while serving in that position, shall receive an additional \$500 per annum. The Executive Officer shall receive the same compensation as an associate judge of the Superior Court.	D.C. Code Sections 11-703, 11-904, and 11-1703(d)
Florida	No commission	No commission	N/A	Set by General Appropriations Act annually	F.S. 29.23
Georgia	Judicial, District Attorney, and Circuit Public Defender Compensation Commission (2015) & State Commission on Compensation (1971)	Advisory	Such bill and the compensation contained therein, in order to become effective, shall receive the same number of readings and go through and be subject to the same procedure as required by the Constitution of Georgia for any other bill; provided, however, that the bill relative to the commission's compensation plan, whether introduced in the House or the Senate, or both, shall be automatically engrossed by both the House and the Senate, and any such bill shall not be changed in either the House or the Senate after its introduction.	Standalone bill amends statute (e.g., "Each superior court judge 126,265.00") + \$6,000 Accountability Court Supplement + Local supplements (local supplements above \$50k capped 1/1/16)	Ga. Code Ann. 45-7-4 and 15-6-29.1

State	Salary Commission Name	Salary Commission Type	Salary Commission Language	Format for Specific Amount	Source
Hawaii	Commission on Salaries	Binding unless overridden by legislature	The recommended salaries submitted by the commission shall become effective July 1 of the next fiscal year unless the legislature disapproves the recommended salaries submitted by the commission through the adoption of a concurrent resolution, which shall be approved by a simple majority of each house of the legislature, prior to adjournment sine die of the legislative session in which the recommended salaries are submitted; provided that any change in salary which becomes effective shall not apply to the legislature to which the recommendation for the change in salary was submitted.	Commission makes a recommendation that is binding unless overridden	H.R.S. 26-56
Idaho	Citizens' Committee on Legislative Compensation	Commission does not cover judges	N/A	Set by statute for base amounts. Standalone bill amends statute.	Idaho Code 59-502
Illinois	No commission (Compensation Review Board abolished in 2009, see section 40 of Public Act 96-800)	No commission	N/A	Computational. Had been set by the Compensation Review Board until it was repealed. Board in 1990 directed cost of living adjustments for judicial salaries. Any attempt to tamper with the COLAs was held to be an unconstitutional diminishment of salaries under Jorgensen v. Blagojevich 811 N.E.2d 652. (Ill. 2004). COLA is to be based on the Employment Cost Index, Wages and Salaries for State and Local Government Workers, issued by the U.S. Department of Labor, up to a maximum of 5% in any year.	N/A

State	Salary Commission Name	Salary Commission Type	Salary Commission Language	Format for Specific Amount	Source
Indiana	No commission (Public Officers Compensation Advisory Commission abolished in 2011, see Section 1 of P.L.201-2011)	No commission	N/A	Set by statute for base amounts; however, salary is automatically adjusted based on average percentage salary increase for the current fiscal year for Indiana state employees.	I.C. 33-38-5-6 and 33-38-5-8.1
Iowa	No commission (Judicial Compensation Commission abolished in 2008, see Sections 52 & 58 of Act 1156 of 2008)	No commission	N/A	Set by salary bill (e.g., "The chief justice and each justice of the supreme court shall receive the salary set by the general assembly.")	Iowa Code 602.1501
Kansas	No commission	No commission	N/A	Set by General Appropriation bill	N/A
Kentucky	Judicial Branch Compensation Commission (court rule) & Public Officials Compensation Commission (statute)	Advisory	The commission shall study the retirement benefits, per diem, mileage, travel expenses and other allowances, reimbursements and emoluments of public officials, in order to make specific recommendations to the General Assembly.	Set by the legislature in the appropriation bill	N/A
Louisiana	Judicial Compensation Commission	Advisory	Any increase in salaries may be enacted by the legislature only after submission of the aforesaid report and must be approved by a favorable vote of the majority of the elected members of each house, whether in an odd-numbered or even-numbered year, or at any extraordinary session if included within the objects of that session.	Set by specific bill amending various statutes and/or adding sections to existing law to give percentage increase	R.S. 13-48 through R.S. 13-50

State	Salary Commission Name	Salary Commission Type	Salary Commission Language	Format for Specific Amount	Source
Maine	Judicial Compensation Commission	Advisory	No later than December 15th of each even-numbered year, the commission shall make its biennial report to the joint standing committees of the Legislature having jurisdiction over appropriations matters and judicial matters. The biennial report must include findings, conclusions and recommendations as to the proper salary and benefits, including retirement, to be paid from the State Treasury and other sources for all justices and judges of this State. The commission is authorized to submit with its report any proposed legislation the commission determines necessary to implement these recommendations.	Statutory for base amounts; however, salary is automatically cost of living adjusted based on CPI-U.	4 MRSA 4(1), 4(2), and 4(2-A)
Maryland	Judicial Compensation Commission	Binding unless overridden by legislature	If the General Assembly fails to adopt or amend the joint resolution within 50 days after its introduction, the salaries recommended by the Commission shall apply. If the joint resolution is adopted or amended in accordance with this section within 50 days after its introduction, the salaries so provided shall apply.	Joint Resolution adopted by House and Senate	N/A
Massachusetts	No commission	No commission	N/A	Set by statute	MGL 211 Sec. 22

State	Salary Commission Name	Salary Commission Type	Salary Commission Language	Format for Specific Amount	Source
Michigan	State Officers Compensation Commission	Advisory	The concurrent resolution may amend the salary and expense determinations of the state officers compensation commission to reduce the salary and expense determinations by the same proportion for members of the legislature, the governor, the lieutenant governor, the attorney general, the secretary of state, and the justices of the supreme court.	Prior to 2002 constitutional amendment, salaries set by the State Officers Compensation Commission became automatic unless rejected by the legislature. Court of Appeals, Circuit, District: Base set by statute plus pay increases tied to pay increases paid to civil service nonexclusively represented employees classified as executives and administrators. Supreme Court: Base set by 1961 statute plus adjustments made by State Officers Compensation Commission. Amount set in general appropriations ("Supreme court justices' salaries--7.0 justices \$ 1,152,300").	MCL 600.208, 600.555, and 600.8202
Minnesota	Minnesota State Compensation Council	Advisory	The salary recommendations for judges and constitutional officers take effect if an appropriation of money to pay the recommended salaries is enacted after the recommendations are submitted and before their effective date. Recommendations may be expressly modified or rejected.	Appropriations language grants raises (e.g., "Judges' compensation is increased by 2.5 percent each year.")	N/A
Mississippi	No commission, but State Personnel Board makes recommendation	No commission	N/A	Base set by statute. "From and after January 1, 2019, and every four (4) years thereafter, the annual salaries of the judges...shall be fixed at the level of compensation recommended by the State Personnel Board according to the board's most recent report on judicial salaries, as required under Section 25-9-115, to the extent that sufficient funds are available. The annual salaries fixed in accordance with this subsection (4) shall not become effective until the commencement of the next immediately succeeding term of office."	MS. Code 25-3-35

State	Salary Commission Name	Salary Commission Type	Salary Commission Language	Format for Specific Amount	Source
Missouri	Missouri Citizens Commission on Compensation for Elected Officials	Binding unless overridden by legislature	The schedule of compensation shall become effective unless disapproved by concurrent resolution adopted by a two-third majority vote the general assembly before February 1 of the year following the filing of the schedule.	Set by commission unless overridden by legislature. Since 2010 state judicial salaries set at 69%-73% of comparable federal salaries (e.g., Missouri Chief Justice = 69% of SCOTUS Chief Justice).	N/A
Montana	No commission	No commission	N/A	Salary of supreme court justices and district court judges must be equal to average of similar judges in North Dakota, South Dakota, Wyoming, and Idaho.	MCA 2-16-403 and MCA 3-5-211
Nebraska	No commission	No commission	N/A	Set by statute for supreme court, other salaries are a percent of supreme court	Neb. Rev. Stat 24-201.01, 24-301.01, and 24-1101
Nevada	Commission to Review Compensation	Advisory	The affirmative vote of five members is required to approve the recommendations of the Commission regarding compensation.	Set by statute for supreme court. Base and longevity raises set by statute for Court of Appeals and District Court.	N.R.S. 2.050, 2A.080, and 3.030
New Hampshire	No commission	No commission	N/A	Set by statute	R.S.A. 491-A:1
New Jersey	Public Officers Salary Review Commission	Advisory	The commission shall submit its first report with proposed recommendations, if any, on or before December 1, 2003, and then on or before December 1 of every fourth calendar year thereafter.	Set by statute. Starting in 2020 for payments starting in 2021 automatic adjustments based on CPI annually.	N.S. Stat. 2B § 2-4
New Mexico	Judicial Compensation Commission	Advisory	On or before December 1 of each year, the commission shall report to the legislative finance committee and the department of finance and administration its findings and recommendations on salaries for judges and justices.	The Legislature sets the salary of an Associate Justice and a statutory formula sets the salaries of all other judges (e.g., "The chief justice of the supreme court shall receive an annual salary that is two thousand dollars (\$2,000) more than the annual salary of a justice of the supreme court...a judge of the court of appeals shall receive an annual salary that is ninety-five percent of the annual salary of a justice of the supreme court...")	NM ST 34-1-9

State	Salary Commission Name	Salary Commission Type	Salary Commission Language	Format for Specific Amount	Source
New York	New York State Commission on Judicial compensation	Binding unless overridden by legislature	Each recommendation made to implement a determination pursuant to section two of this act shall have the force of law, and shall supersede, where appropriate, inconsistent provisions of article 7-B of the judiciary law, section 169 of the executive law, and sections 5 and 5-a of the legislative law, unless modified or abrogated by statute prior to April first of the year as to which such determination applies to judicial compensation and January first of the year as to which such determination applies to legislative and executive compensation.	Set by commission unless overridden by legislature. Since 2016 state judicial salaries set as percent of U.S. District Court judges salaries (e.g. Supreme Court Justice = 100% U.S. District Court judge)	N/A
North Carolina	No commission	No commission	N/A	Set by Current Operations Appropriations Act + longevity raises	G.S. 7A-6-7, 7A-10-13, 7A-18, 7A-20-21, 7A-41.1, 7A-44-44.1, 7A-62, 7A-64-65, 7A-95, 7A-101-102, 7A-144, 7A-171.1, 7A-198, 7A-300.1, 7A-341-342, 7A-498.6-498.8
North Dakota	No commission	No commission	N/A	Set by statute	ND Code 27-02-02 and 27-05-03
Ohio	No commission	No commission	N/A	Set by statute	ORS 141.04
Oklahoma	Board on Judicial Compensation	Binding unless overridden by legislature	Pursuant to the provisions of Section 11 of Article VII of the Oklahoma Constitution, members of the State Judiciary shall receive compensation as shall be fixed by the Board on Judicial Compensation as provided in this act, unless such compensation is rejected or amended by law passed by a majority vote of each house of the Legislature.	Set by commission unless overridden by legislature	20 Okl. St. Ann. § 3.3

State	Salary Commission Name	Salary Commission Type	Salary Commission Language	Format for Specific Amount	Source
Oregon	Public Officials Compensation Commission	Advisory	The Public Officials Compensation Commission shall review and make recommendations to the Legislative Assembly regarding the salary of each officer subject to ORS 292.907 to 292.930 and all compensation of members of the Legislative Assembly for the succeeding biennium.	Set by statute + cost-of-living adjustments	ORS 292.406 - .416 and 292.428
Pennsylvania	No commission	No commission	N/A	Set by statute for base amounts + CPI adjustments	42 Pa.C.S.A. § 1741
Rhode Island	No commission	No commission	N/A	Judicial salaries are set by the state court administrator. Use of step-based paygrade system for base salaries. Grandfathered longevity bonuses, as well as other adjustments, are also applicable on top of base salaries.	RI General Laws section 8-15-4
South Carolina	No commission	No commission	N/A	Set by annual general appropriation act. Statute sets judicial salaries generally as a percent of the chief justice. (S.C. Code 14-1-200)	SB 4000 of 2019
South Dakota	No commission	No commission	N/A	Judges receive across-the-board increase to base salaries of state employees under the General Appropriations Act in each corresponding year	SDCL § 3-8-2.1
Tennessee	No commission	No commission	N/A	N/A	Tennessee Code Annotated Section 8-23-103(1) and (2)
Texas	Judicial Compensation Commission	Advisory	Not later than December 1 of each even-numbered year, the commission shall make a biennial report to the legislature. In the report, the commission shall recommend 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 appeal, and the district courts.	Set by statute for floor (trial courts) + local supplements. Longevity bonuses put into effect.	Government Code Section 659.012

State	Salary Commission Name	Salary Commission Type	Salary Commission Language	Format for Specific Amount	Source
Utah	Elected Official and Judicial Compensation Commission	Advisory	The commission shall recommend to the Legislature...salaries for justices of the Supreme Court and judges of the constitutional and statutory courts of record.	Salaries of judges established annually in appropriations act as a percentage of a District Court judge e.g., Supreme Court = 110% of District Court judge	UT Code 67-8-1
Vermont	No commission	No commission	N/A	Set by statute	32 V.S.A. §1003(c)
Virginia	No commission	No commission	N/A	Set by general appropriations act for Supreme Court and Circuit. Court of Appeals salary equal to 95% of Supreme Court.	VA Code 17.1-324, 17.1-523, and 17.1-415
Washington	Citizens' Commission on Salaries for Elected Officials	Binding unless overridden by voters	Any change of salary shall be filed with the secretary of state and shall become law ninety days thereafter without action of the legislature or governor, but shall be subject to referendum petition by the people, filed within the ninety-day period.	Set by commission unless overridden by voters	N/A
West Virginia	Judicial Compensation Commission	Advisory	The Judicial Compensation Commission is hereby established as an advisory commission to the West Virginia Legislature.	Set by statute	WV Code 51-1-10a and 51-2-13
Wisconsin	No commission	No commission	N/A	Statute establishes a "consistent and equitable salary setting mechanism for all elected officials..." Compensation adjustments for judges are established as part of the state's compensation plan, and when the dollar values are set, the eligibility for the judges and justices to receive such salary occurs at the time a new judge or justice takes the oath of office. The compensation plan is developed by the executive branch and approved by the legislative joint committee on employment relations.	Wis. Stat. 20.923, 20.923 (3), and s. 230.12
Wyoming	No commission	No commission	N/A	Set by statute, but legislature may provide COLA adjustments "in a footnote to the budget bill"	WY Stat 5-1-110

Source: Prepared by legislative auditor's staff using NCSC data (<https://www.ncsc.org/salarytracker/special-reports/how-states-set-salaries/map>).

APPENDIX E: JUDICIAL SALARIES, BY STATE/TERRITORY AS OF JANUARY 1, 2023

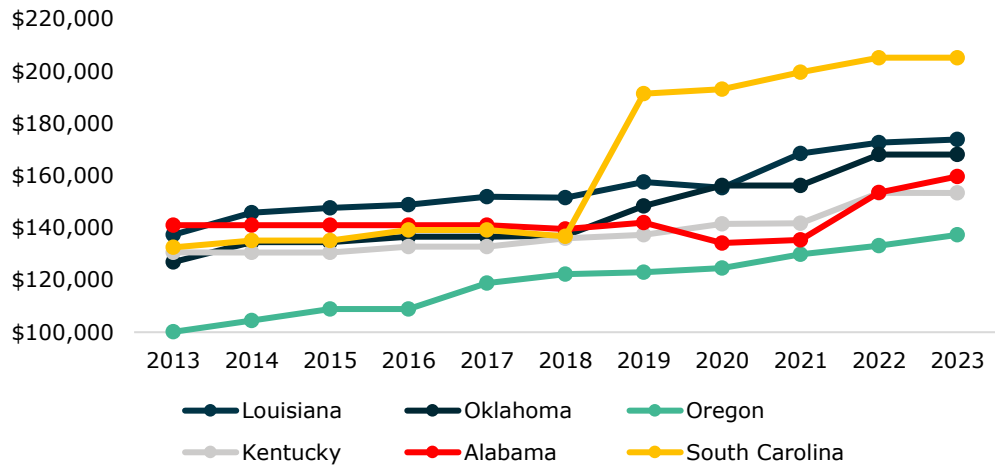
State/Territory	General Jurisdiction Trial Court Judge		Adjusted General Jurisdiction Trial Court Judge		Intermediate Appellate Court Judge		Court of Last Resort Associate Justice		Date of Last Salary Increase
	Salary	Rank (of 55)	Salary	Rank (of 51)	Salary	Rank (of 42)	Salary	Rank (of 55)	
Alabama	\$148,512	47	\$159,646	33	\$184,579	22	\$185,640	30	10/01/2022
Alaska	199,193	13	151,059	38	203,522	11	215,436	14	10/31/2022
Arizona	164,700	31	160,925	30	190,000	20	205,000	20	01/01/2023
Arkansas	192,919	16	212,908	2	197,596	14	203,625	22	11/28/2022
California	231,174	2	170,993	19	264,542	1	282,177	1	07/01/2022
Colorado	183,816	21	165,481	23	191,724	19	199,632	23	07/01/2022
Connecticut	189,483	18	149,216	39	197,046	15	209,770	17	07/01/2022
Delaware	199,612	12	181,347	11	N/A	-	212,315	16	07/03/2022
District of Columbia	232,600	1	145,351	41	N/A	-	246,600	3	01/01/2023
Florida	182,060	23	179,771	13	202,440	12	239,442	5	07/01/2022
Georgia	180,915	24	193,773	6	182,990	23	184,112	35	04/01/2022
Guam	144,110	50	N/A	-	N/A	-	160,454	48	10/01/2021
Hawaii	213,096	5	141,840	46	218,796	5	235,680	6	01/01/2023
Idaho	144,400	49	145,045	42	150,400	39	160,400	49	07/01/2021
Illinois	223,219	3	223,212	1	243,256	2	258,456	2	07/01/2022
Indiana	165,276	30	172,922	18	193,501	18	199,059	24	07/01/2022
Iowa	158,056	40	161,711	29	169,765	33	187,326	29	07/01/2022
Kansas	148,912	46	151,799	37	163,156	37	168,598	46	06/12/2022
Kentucky	141,401	52	153,322	35	147,562	40	153,751	52	07/01/2022
Louisiana	168,949	27	173,795	17	175,797	27	187,914	28	12/01/2022
Maine	145,642	48	124,554	51	N/A	-	155,397	51	07/01/2022
Maryland	184,433	20	145,563	40	193,633	17	206,433	19	07/01/2022
Massachusetts	207,855	8	156,307	34	213,924	6	226,187	9	07/01/2022
Michigan	168,759	29	184,703	9	182,656	24	181,483	36	10/01/2022
Minnesota	169,264	26	164,957	24	180,313	25	191,359	26	07/01/2021
Mississippi	158,000	41	178,722	15	168,467	34	173,800	42	01/01/2023
Missouri	163,082	35	180,285	12	172,937	30	189,198	27	07/01/2022
Montana	142,683	51	137,376	49	N/A	-	155,920	50	07/01/2021

State/Territory	General Jurisdiction Trial Court Judge		Adjusted General Jurisdiction Trial Court Judge		Intermediate Appellate Court Judge		Court of Last Resort Associate Justice		Date of Last Salary Increase
	Salary	Rank (of 55)	Salary	Rank (of 51)	Salary	Rank (of 42)	Salary	Rank (of 55)	
Nebraska	183,545	22	182,128	10	188,505	21	198,427	25	07/01/2022
Nevada	160,000	37	142,369	45	165,000	35	170,000	44	01/01/2009
New Hampshire	168,761	28	139,576	47	N/A	-	179,942	38	07/01/2022
New Jersey	200,163	11	164,452	25	211,319	8	221,855	13	01/01/2023
New Mexico	163,125	34	162,943	28	171,710	32	180,748	37	07/01/2022
New York	210,900	7	187,708	8	222,200	4	233,400	7	04/01/2019
North Carolina	152,188	45	159,788	31	160,866	38	167,807	47	07/01/2022
North Dakota	155,219	43	143,958	44	N/A	-	169,162	45	07/01/2022
Northern Mariana Islands	120,000	54	N/A	-	N/A	-	126,000	54	10/01/1993
Ohio	158,206	39	170,870	20	172,034	31	184,575	34	01/01/2023
Oklahoma	156,732	42	168,026	22	164,339	36	173,469	43	07/01/2022
Oregon	163,476	33	137,275	50	173,316	29	176,724	39	08/01/2022
Pennsylvania	212,495	6	207,689	4	230,974	3	244,793	4	01/01/2023
Puerto Rico	89,600	55	N/A	-	105,000	42	120,000	55	07/01/2002
Rhode Island	217,637	4	169,296	21	N/A	-	225,804	10	06/19/2022
South Carolina	202,654	10	205,125	5	207,987	9	213,321	15	06/02/2022
South Dakota	163,036	36	163,865	27	N/A	-	174,551	41	07/01/2022
Tennessee	194,808	14	211,019	3	201,768	13	208,704	18	07/01/2022
Texas	154,000	44	159,670	32	178,400	26	184,800	32	09/01/2019
Utah	185,200	19	179,471	14	194,450	16	203,700	21	07/01/2022
Vermont	175,654	25	144,939	43	N/A	-	184,771	33	07/04/2022
Virginia	193,848	15	189,305	7	204,868	10	222,308	12	07/10/2022
Virgin Islands	191,360	17	N/A	-	N/A	-	226,564	8	10/01/2021
Washington	203,169	9	176,846	16	213,400	7	224,176	11	07/01/2022
West Virginia	132,300	53	138,489	48	142,500	41	149,600	53	07/01/2022
Wisconsin	164,487	32	163,909	26	\$174,366	28	184,829	31	01/01/2023
Wyoming	\$160,000	37	\$151,876	36	N/A	-	175,000	40	07/08/2019

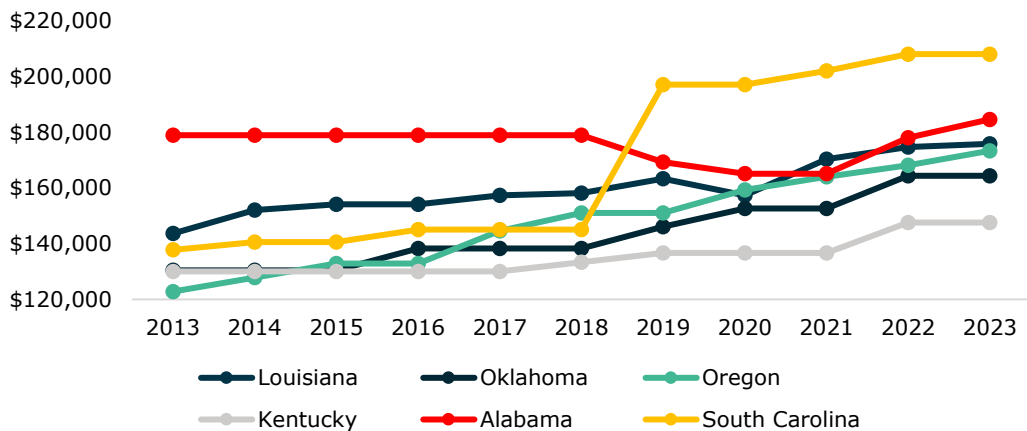
Source: Prepared by legislative auditor's staff using NCSC data (<https://www.ncsc.org/salarytracker/explore-the-data>).

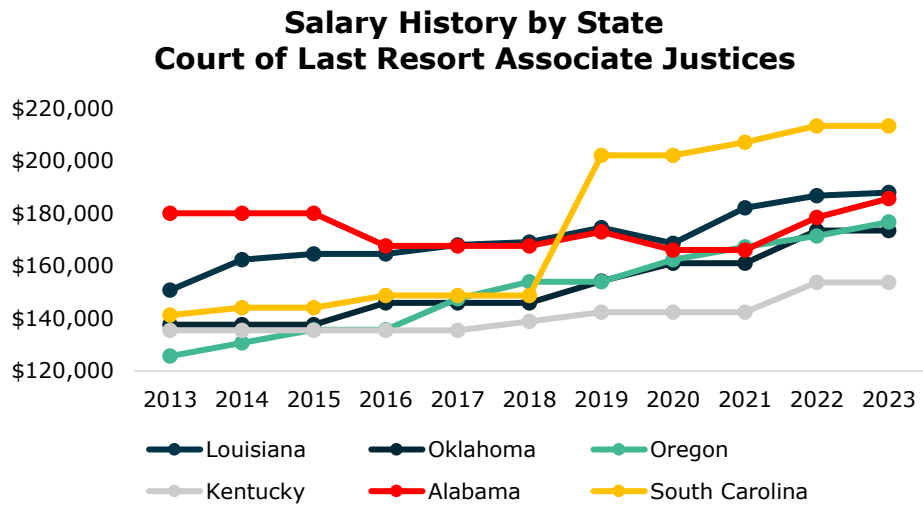
APPENDIX F: SALARY TRENDS FOR STATE WITH SIMILAR POPULATIONS 2013 THROUGH 2023

**Adjusted Salary History by State
General Jurisdiction Trial Judges**



**Salary History by State
Intermediate Appellate Judges**





Source: Prepared by legislative auditor’s staff using NCSC data (<https://www.ncsc.org/salarytracker/explore-the-data>).

APPENDIX G: JUDICIAL PER DIEM OVERNIGHT TRAVEL FOR 30 OR FEWER DAYS

State	Meals	Lodging	Mileage Using Private Vehicle ⁵⁵	Source
Alabama	Appellate courts - reimbursed for actual travel costs, including transportation, meals, lodging, etc., with approval of Chief Justice without any regard to state employee travel regulations, in or outside the state Circuit/District courts - reimbursed for reasonable and necessary costs, including transportation, meals, lodging, etc., regardless of whether location is within or outside circuit/district whenever ordered by Chief Justice to attend conference, seminar, college, institute or other education meeting			Ala. Code 1975 § 12-1-17, 12-1-18
Alaska	\$44/day in-state; GSA rate out-of-state	Actuals or \$30/night noncommercial option	\$0.655/mile (IRS)	Alaska Rules of Court, Rule 25; AS § 39.20.110
Arizona	\$49-\$69/day actual reimbursement limit depending on dates and location	\$98-\$310/night actual reimbursement limit depending on dates and location	\$0.625/mile	A.R.S. § 38-621 - §38-626
Arkansas	GSA rates		\$0.52/mile	A.C.A. 16-10-119, 19-4-903
California				
Colorado	Reimbursed for actual expenses		2WD: 90% IRS rate or \$0.59/mile 4WD: 95% IRS rate or \$0.62/mile	C.R.S.A. § 13-3-110, 24-9-104
Connecticut	\$49/day	No established lodging rate	\$0.655/mile (GSA)	CT Court Administrative Rules
Delaware	GSA rates		\$0.40/mile	DE Code Title 29, § 7102; Judicial Branch Operating Procedures
District of Columbia				
Florida	\$80/day or if actual expenses exceed \$80, then \$36 for meals and actual reimbursement for lodging at single-occupancy rate		\$0.445/mile	F.S.A. § 112.061
Georgia	Reimbursed for actual expenses incurred		GSA rate	Ga. Code Ann., §15-6-30; §50-19-7

⁵⁵ Some states specify that mileage reimbursement is only permitted when a state-owned vehicle is not available.

State	Meals	Lodging	Mileage Using Private Vehicle ⁵⁵	Source
Hawaii	\$90 in-state; \$145 out-of-state		IRS rate	Judiciary Financial Administration Manual
Idaho				
Illinois				
Indiana	\$41 in-state; \$52 out-of-state	Reimbursed for actual expenses based on reasonability	\$0.49/mile	Indiana Department of Administration
Iowa	\$37 in-state maximum reimbursement for actual costs; no limit out-of-state but incurred expenses must be reasonable	\$80 in-state maximum reimbursement for actual cost of single occupancy plus taxes; no limit out-of-state but incurred expenses must be reasonable	\$0.39/mile	Iowa Court Rules
Kansas	Reimbursed for actual expenses		\$0.585/mile	K.S.A. 75-3216
Kentucky	\$36 in-state; GSA rate out-of-state and Supreme Court Justices	Reimbursed for actual expenses	\$0.45/mile	K.R.S.A. Administrative Procedures Part VII, Sections 3-5
Louisiana	\$118	Limited to special group rate at hotel of meeting site, if available; reimbursed for reasonable actual costs if no group rate available; limited to IRS rate without adequate supporting documentation	IRS rate	Rules of the Supreme Court of Louisiana, Part G
Maine	GSA rates	Reimbursed for actual expenses not to exceed GSA rates	\$0.46/mile	State of Maine Judicial Branch Travel and Expense Reimbursement Policies and Procedures
Maryland	\$63 in-state; GSA out-of-state	GSA rates	\$0.655/mile	Judicial Branch Travel Policy
Massachusetts				
Michigan	\$41.50-\$51.50 in-state; \$50.50-\$59.00 out-of-state	\$85+taxes in-state; actual supported by receipts out-of-state	\$0.655/mile (IRS)	Judiciary Standardized Travel Rates
Minnesota				
Mississippi	\$46-\$51 maximum reimbursement for actual costs depending on location in-state; Supreme Court Justices and Court of Appeals judges receive expense allowance equal to the maximum daily expense rate allowable to employees of federal government when traveling in Jackson	Reimbursed for actual expenses	Federal employee rate	Miss. Code Ann. § 25-3-41, 25-3-43

State	Meals	Lodging	Mileage Using Private Vehicle ⁵⁵	Source
Missouri	\$38-\$48 depending on location in-state; \$34-\$87 depending on location out-of-state	Reimbursed for reasonable and necessary costs at the single room rate using IRS rates as benchmark	\$0.655/mile (IRS)	V.A.M.S. 477.087, 478.020
Montana	\$33.50 in-state; \$54 out-of-state	Reimbursed for actual costs at maximum of \$98 or GSA rates, depending on location	\$0.655/mile (IRS)	Montana Judicial Branch Administrative Policies
Nebraska	Reimbursed for actual costs not to exceed GSA rates	Reimbursed for actual costs at state rate for lodging not to exceed GSA rates	\$0.655/mile	Supreme Court Travel Policies
Nevada	Reimbursed for actual costs not to exceed GSA rates	Reimbursed for actual costs of a standard room not to exceed GSA rates	\$0.655/mile (IRS)	Supreme Court of Nevada Travel Policy
New Hampshire	\$46 in-state; GSA rates out-of-state	GSA rates	\$0.655/mile	New Hampshire Judicial Branch Financial Policy Manual
New Jersey	Reimbursed for actual reasonable costs not to exceed GSA rates		\$0.47/mile	Judicial Travel Reimbursement Policy
New Mexico				
New York	Federal (IRS) rates	Reimbursed for actual costs	Federal (IRS) rate	New York Judicial Travel Rules
North Carolina	\$81 in-state; \$93 out-of-state	Reimbursed for actual costs	IRS rate	N.C.G.S.A. § 7A-44, 138-6
North Dakota	\$35 in-state; GSA out-of-state	\$88.20 plus taxes in-state; Reimbursed for actual costs out-of-state	\$0.655/mile	Unified Judicial System Policies
Ohio				
Oklahoma	GSA rates		IRS rate	20 Okl.St. Ann. § 104, 105.1; 74 Okl.St. Ann. § 500
Oregon				
Pennsylvania				
Rhode Island	Not reimbursable in-state except when circumstances make this expense necessary; \$50 out-of-state	Not reimbursable in-state except when circumstances make this expense necessary; out-of-state lodging reimbursed at single room or lowest rate available	\$0.655/mile (IRS)	Rhode Island Judiciary Travel Policies and Procedures
South Carolina	\$35 in-state; \$32 out-of-state	Reimbursed for actual expenses	\$0.655/mile	South Carolina Courts Disbursement Regulations
South Dakota	\$40 in-state; \$56 out-of-state; supreme court justices and circuit court judges can be reimbursed for actual expenses	\$75 plus tax in-state; \$175 plus tax out-of-state; supreme court justices and circuit court judges can be reimbursed for actual expenses	\$0.51/mile automobile;	Travel Rules

State	Meals	Lodging	Mileage Using Private Vehicle ⁵⁵	Source
			\$0.68 van, pickup, SUV	
Tennessee	GSA rates	Reimbursed for actual expenses at single occupancy or approved conference room rate	\$0.625/mile	Tennessee Supreme Court Administrative Office of the Courts
Texas	Reimbursed for actual costs not to exceed maximum GSA rates		IRS rate	Texas General Appropriations Act
Utah	\$54 in-state; \$54 out-of-state per diem or \$61-\$71 actual reimbursement depending on location	Reimbursed for actual costs up to \$75-\$150, depending on location in-state; reimbursed for actual cost per night plus tax and any mandatory fees out-of-state	\$0.62/mile	Utah State Court Administration Travel Rules
Vermont				
Virginia	\$55 maximum reimbursable in-state; \$65 maximum reimbursable out-of-state	Reimbursement based on GSA rates	\$0.585/mile	Judicial System Meal and Lodging Guidelines
Washington	\$59-\$79 in-state; GSA rates out-of-state	\$96 maximum for non-high-cost locations in- and out-of-state; GSA rates for maximum rates in high-cost locations	\$0.655/mile (IRS)	State Administrative and Accounting Manual
West Virginia	GSA rates	Reimbursed for actual expenses up to the maximum GSA rate ⁵⁶	GSA rate	Supreme Court of Appeals of West Virginia Travel Policy and Standards
Wisconsin	Reimbursed for actual, reasonable, and necessary expenses up to \$41 in-state and \$50 out-of-state	Reimbursed for actual expenses up to \$90-\$95, depending on location in-state; up to \$120-\$523 depending on location and dates out-of-state	Rate not to exceed \$0.02/mile less than rate paid to federal employees	Wisconsin Court System Travel and Expense Policies
Wyoming	GSA Rates		\$0.655/mile (IRS)	The Guide to Judicial Branch Employment
Source: Prepared by legislative auditor's staff using information provided by other states and their websites.				

⁵⁶ May request reimbursement up to 300% of maximum per diem allowance in advance of travel

APPENDIX H: JUDICIAL RETIREMENT INFORMATION AS OF JANUARY 2022

State	Plan Type	Plan Name	Maximum Annual Pension Payment	Benefit Calculation Formula	Requirements	Required Judge Contribution	Required Employer Contribution
Alabama				Not provided to NCSC			
Alaska	Defined benefit	Judicial Retirement Plan Tier II (judges hired after 7/1/1978)	75% of the annual salary earned by a current sitting judge in the same position held by the retiree	Each year (or part year) of service is calculated at 5% of the current base salary of the public office retired from.	Vesting occurs with 5 paid years of membership. After 15 years of contributions are made, the judge no longer contributes to the plan.	7%	40.72%
Arizona	Defined benefit	Tier 1: Hired into an Elected Officials' Retirement Plan (EORP) before 1/1/2012	80%	<p>Normal Retirement: Average Monthly Salary x .04 x Credited Service = Gross Monthly Pension</p> <p>Early Retirement: <ul style="list-style-type: none"> Average Monthly Salary x .04 x Credited Service = Gross Monthly Pension based on Normal Retirement Gross Monthly Pension based on Normal Retirement x .0025 (reduction factor not to exceed 120 months or 30%) x months to normal retirement = Monthly Reduction Gross Monthly Pension based on Normal Retirement – Monthly Reduction = Gross Monthly Pension Based on Early Retirement </p>	No age requirement with 20 years of credited service, 62 with 10 years of credited service, 65 with 5 years of credited service.	7-13%	61.43%
		Tier 2: Hired into an EORP position on/after 1/1/2012	75%	Average Monthly Salary x .03 (multiplier) x Credited Service = Gross Monthly Pension	62 with 10 years of credited service; 65 with 5 years of credited service.	12.41%	61.62%

State	Plan Type	Plan Name	Maximum Annual Pension Payment	Benefit Calculation Formula	Requirements	Required Judge Contribution	Required Employer Contribution
Arizona con't	Defined contribution	Tier 3: Newly appointed or elected on/after 1/1/2014	N/A	Employee and employer contributions and earnings are immediately vested in this Plan.	N/A	8.125%	61.55%
Arkansas				Not provided to NCSC			
California	Defined benefit	CLASSIC JRS II (appointed/elected on or after 11/9/1994)	75%	18.75% - 75%	Age 65 with 20 years of service, or Age 70 with 5-19 years (3.75% multiplied by years of service)	8%	24.24%
		JRS I (appointed/elected prior to 11/9/1994)	75%	65% - 75%	Age 60 with 20 years of service or Age 70 with 10 years	8%	8%
		PEPRA JRS II (appointed/elected on or after 1/1/2013) ⁵⁷	75%	18.75% - 75%	Age 65 with 20 years of service or Age 70 with 5-19 years (3.75% multiplied by years of service)	16%	24.24%
Colorado	Defined benefit	PERA Defined Benefit Plan	100%	Highest Average Salary x 2.5% x Years of service	Any age with 35 years; age 65 with any years' service If hired 1/1/11 – 12/31/16: 30 years at age 58 If hired 1/1/17 – 12/31/19: 30 years at age 60 If hired on or after 1/1/2020: 30 years at age 64	15.5%	17.81%
Connecticut				Not provided to NCSC			
Delaware				Not provided to NCSC			
District of Columbia				Not provided to NCSC			

⁵⁷ With no prior membership in any California Public Retirement System or with membership with another California Public Retirement, but not subject to reciprocity

State	Plan Type	Plan Name	Maximum Annual Pension Payment	Benefit Calculation Formula	Requirements	Required Judge Contribution	Required Employer Contribution
Florida	Defined benefit	FRS Pension Plan	N/A	Years of Creditable Service X Percentage Value X Average Final Compensation (AFC) = Annual Option 1 Benefit at Normal Retirement. AFC is the average of highest 5 years of salary if initially enrolled in system prior to 7/1/11 and the average of highest 8 years of salary if initially enrolled in system on or after 7/1/11.	If initially enrolled before 7/1/11 – either age 62 with at least 6 years of service OR 30 years of service at any age If initially enrolled on or after 7/1/11 - either age 65 with at least 8 years of service OR 33 years of service at any age	3%	40.91%
	Defined contribution	FRS Investment Plan	N/A	There is no formula, as this plan is entirely dependent on the employee's investment choices and the associated stock market fluctuations.	Vesting is one year, and the employee cannot take any type of disbursement until 90 days after termination of employment	3%	40.91%
Georgia	Not provided to NCSC						
Hawaii	Defined benefit	Tier 1 - first hired before 7/1/1999	75% of the member's average final compensation ⁵⁸	3.5% x Years of Credited Service x Average Final Compensation Average Final Compensation: the average of the judge's three highest years of earnings excluding any lump sum vacation pay ⁵⁹	Full Retirement – Age 55 with 5 years mixed service (Judge/General service)	7.8%	24%
		Tier 2 - first hired 7/1/1999 to 6/30/2012			Early Retirement (age penalty ⁶⁰) - Any age with 10 years mixed service		
					Full Retirement - Age 55 with 5 years mixed service (Judge/General service)		
					Early Retirement (age Penalty ⁶¹) – Any age with 25 years mixed service	7.8%	24%

⁵⁸ If the 75% limitation is exceeded, the member is refunded the annuity value of the excess contributions. The refund is applicable only to contributions derived from service as a Judge.

⁵⁹ Judges also receive an annuity equal to the actuarial equivalent of the judge's accumulated contributions to the retirement system (only on the contributions made while serving as a Judge).

⁶⁰ Age reduction factors applied to general service if below age 55 (no pension reduction for service as a judge).

⁶¹ Age reduction factors applied to ALL service if below age 55.

State	Plan Type	Plan Name	Maximum Annual Pension Payment	Benefit Calculation Formula	Requirements	Required Judge Contribution	Required Employer Contribution
		Tier 3 - first hired after 6/30/2012		3.0% x Years of Credited Service x Average Final Compensation Average Final Compensation: the average of the judge's five highest years of base pay earnings excluding any lump sum vacation pay ⁵⁹	Full Retirement – Age 60 with 10 years mixed service (Judge/General service) Early Retirement (Age Penalty ⁶²) – Age 55 with 25 years mixed service	9.8%	24%
Idaho	Defined benefit	Judges' Retirement Fund	75%	For each year in the first 10 years of service, 5% per year of service, up to 50%. For each year in the second 10 years of service, 2.5% per year of service, up to 25%.	Age 65, 4 Years of Service; age 60, 10 years of service; age 55, 15 years of service; any age 20; years of service	11.57%	62.53%
Illinois	Defined benefit	Judges Retirement System (JRS) of Illinois (Tier 1)	85% of final rate of pay or final average salary (4-year average) depending on JRS membership date ⁶³	First 10 years of service credit in JRS - 3.5% per yr. Second 10 years of service credit in JRS - 5% per yr.	Age 55 w/10 years of service subject to age discount of 1/2 of 1% for each month under age 60. Age 55 with 26 years - no age reduction. Age 60 w/10 years. Age 62 with 6 years. Maximum benefits w/20 years aged 60 and older.	8.5-11%	0%
		JRS of Illinois (Tier 2)	60% of 8-year final average salary, subject to annual salary max cap with 20 years of JRS service and age 67 (normal retirement age)	3% for each year of JRS service	8 years minimum to vest. Age 62 early ⁶⁴ ; age 67 normal retirement	8.5-11% ⁶⁵	0%
Indiana				Not provided to NCSC			
Iowa				Not provided to NCSC			

⁶² Age reduction penalty for ALL service if below age 60.

⁶³ Membership dates prior to 8/10/09 - final rate of pay on last day of employment. Membership dates 8/10/09 - 12/31/10 - four highest consecutive years of salary within last 10 years of service as a judge.

⁶⁴ Subject to age discount of 1/2 of 1% for each year under age 67 (normal retirement age)

⁶⁵ 11% if married and paying into survivor annuity 2.5%

State	Plan Type	Plan Name	Maximum Annual Pension Payment	Benefit Calculation Formula	Requirements	Required Judge Contribution	Required Employer Contribution
Kansas	Defined benefit	Judges Retirement	Maximum is 20 year multiplier in formula	Final average salary x statutory multiplier x years of service = annual benefit at normal retirement age	20 years with no age requirement	2-6%	18.4%
Kentucky	Defined benefit	Judicial Retirement Plan (JRP) - Tier 1 (Pre-2014)	Maximum benefits from JRP cannot exceed 100% of final compensation	2.75% x Final Comp (average last 60 months) x Years of Service	Age 65 with at least 8 years OR any age with 27 years of total service ⁶⁶	5-6%	4-100%
		JRP - Tier 2 (Post-2014)	N/A	Hybrid Cash Balance Plan provides benefit based on member's accumulated account balance (total contributions and interest earned)	Age 65 with at least 5 years OR Age 57 with rule of 87 (age + service)	5-6%	4-100%
		Kentucky Employees Retirement System - Tier 1 ⁶⁷	N/A	Final Compensation x Benefit Factor x Years of Service = Annual Benefit Benefit Factor is 1.97% without 13 months credit for 1/1/1998 - 1/1/1999 Benefit Factor is 2.00% with 13 months credit for 1/1/1998 - 1/1/1999	N/A	5%	10.1-84.43%
Louisiana	Defined benefit	Judicial Employees (took office before 1/1/2011)	Cannot exceed 100% of Final Average Compensation (FAC)	2.5% x FAC ⁶⁸ plus an additional 1.0% for all years served as a judge	Age 65 with 10 years of service as a judge; age 55 with 12 years; any age with 18 years; age 50 with 20 years of total service with at least 12 years as a judge; age 70 with any number of years	11.5%	45.8% ⁶⁹
		Judicial Employees 2 (took office 1/1/2011 - 6/30/2015)		2.5% x FAC ⁷⁰ plus an additional 1.0% for all years served as a judge	Age 60 with 5 years of service or any age with 20 years with an actuarially reduced benefit based on number of months away from eligibility for an unreduced retirement	13%	44.7% ⁶⁹

⁶⁶ The normal retirement age is 65, except that it shall be reduced by one year, but no more than five years total, for each five years of service credit in JRP Post-2014 Judges.

⁶⁷ Optional for judges starting participation before 9/1/2008

⁶⁸ Based on highest successive 36 months of earnings

⁶⁹ Fiscal Year 2024 employer contribution rates

⁷⁰ Based on highest successive 60 months of earnings

State	Plan Type	Plan Name	Maximum Annual Pension Payment	Benefit Calculation Formula	Requirements	Required Judge Contribution	Required Employer Contribution
		Judicial Employees 3 (took office after 6/30/2015)			Age 62 with 5 years of service or any age with 20 years with an actuarially reduced benefit based on number of months away from eligibility for an unreduced retirement	13%	44.7% ⁶⁹
Maine	Defined benefit	Judicial MainePERS (Judges and Justices)	<p>Maximum amount depends on formula that MainePERS determines</p> <p>Maximum Benefit Determination: If appointed on or after 12/1/1984, or in service on 12/1/1984, benefit cannot exceed 70% of average final compensation</p>	<p>Prior Service Based Benefit: Prior Service Years ÷ 10 x 75% of 11/30/1984 salary from retired position = Annual Service Retirement Benefit under the Full Benefit option at Normal Retirement Age</p> <p>Service Credit Based Benefit: AFC x Years of Service Credit through 6/30/1998 x 2% = Annual Service Retirement Benefit under the Full Benefit option at Normal Retirement Age</p> <p>AFC x Years of Service Credit from 7/1/1998 x 3% = Annual Service Retirement Benefit under the Full Benefit option at Normal Retirement Age = Total Annual Service Retirement Benefit Under the Full Benefit option at Normal Retirement Age</p>	Vested after 5 years. The normal retirement age is age 60 if, before 7/1/1993, had at least 10 years of service credits. Age 62 if before 7/1/1993, had less than 10 years of service credit and before 7/1/2011, had at least 5 years of service credit. The normal retirement age is 65 if, before 7/1/2011, had less than 5 years.	7-8%	7%
Maryland	Defined benefit	Judges' Retirement System (JRS)	N/A	<p>6667 x normal salary of active judge holding same position x (years of service credit up to 16 years ÷ 16) = annual Basic Allowance</p> <p>At least 16 years of service credit: retirement allowance will equal two-thirds of the salary payable in fiscal year to a member holding the same level judicial position</p> <p>Less than 16 years of service credit: prorated amount based on the service credit earned during membership</p>	<p>Member before 7/1/2012: At least age 60</p> <p>Member on or after 7/1/2012: At least age 60 and at least 5 years of eligibility service or at the mandatory retirement age required by Article IV, § 3 of the Maryland Constitution with less than 5 years of eligibility service, if the member has eligibility service equal to the required mandatory retirement age minus the member's age when the member first became a member of the JRS.</p>	8%	41.92%

State	Plan Type	Plan Name	Maximum Annual Pension Payment	Benefit Calculation Formula	Requirements	Required Judge Contribution	Required Employer Contribution
Massachusetts	Defined benefit	Massachusetts State Board of Retirement	75%	Percentage based on salary and age factor and years of service	N/A	7-8%	0%
Michigan	Defined benefit	Plan is a closed group available for judges hired on or before 3/31/1997	Plan 2, 3, 4 and 5 (Judges who took the bench after 1/1/1983): maximum 60% of FAC	If less than 12 years of service, 50% of final compensation plus 2/5% of final compensation x by the number of years and fraction of a year of service in excess of 12 years of credited service, but not more than 16 years.	Age 60 or over with 8 or more years of service; Age 55 or over with 18 years of service, the last 6 continuous; 25 or more years of service, the last 6 years continuous - no age requirement Early retirement - must be age 55 or over, but less than 60 years of age, with 12 or more, but less than 18 years of service ⁷¹	3.5-7%	0-3.5% ⁷²
	Defined contribution	Plan is for judges hired after 3/31/1997	N/A	N/A	Age 59 ½ based on the following vesting schedule: 2 years of service = 50% vested; 3 years = 75%; 4 years = 100%	3-5%	3-4%
Minnesota					Not provided to NCSC		
Mississippi					Not provided to NCSC		
Missouri					Not provided to NCSC		

⁷¹ If retire under the early retirement provision, there is a permanent reduction to the retirement allowance that would have been paid at age 60. The permanent reduction is one-half (.5) percent for each month retired prior to age 60.

⁷² The State contributes annually, the greater of 3.5% of the aggregate annual compensation of State base salaries, or the difference between the total actuarial requirement for current service and unfunded accrued liabilities minus the revenues received from court filing fees and member contributions.

State	Plan Type	Plan Name	Maximum Annual Pension Payment	Benefit Calculation Formula	Requirements	Required Judge Contribution	Required Employer Contribution
Montana	Defined benefit	Judges' Retirement System	For members hired on or after 7/1/2013, Highest Average Compensation (HAC) will be capped at 110% on compensation earned during the highest average compensation period	<p>Calculation depends on whether covered under the Guaranteed Annual Benefit Adjustment (GABA):</p> <p>Non-GABA Coverage formula: 3.333% of current salary per year for first 15 years of service, plus 1.785% of current salary per year for each year after 15 years.</p> <p>GABA Coverage formula: 3.333% of HAC per year for first 15 years plus 1.785% of HAC per year for each year after 15 years</p> <p>HAC is average of highest consecutive 36 months of compensation.</p>	Eligibility for service retirement benefits upon completing five years of membership service and 60 years of age	7%	25.81%
		Public Employees' Retirement System (PERS) ⁷³	For members hired on or after 7/1/2013, HAC capped at 110% on compensation earned during each year of the HAC period	<p>Less than 25 years: 1.7857% x Years of Service Credit x HAC</p> <p>25 years or more: 2% x Years of Service Credit x HAC</p> <p>PERS retirement benefit is based on highest consecutive 36 months of compensation. This does not have to be last 36 months of employment.</p>	Members hired before 7/1/2011: Age 60 with at least five years membership service; Attain age 65 while employed; regardless of years of membership service; 30 years of membership service at any age	6.9-7.9%	8.77%
Nebraska	Defined benefit	Nebraska Judges Retirement Plan - Tier 1 (members in plan prior to 7/1/2015)	70% of FAC (FAC based on 3 highest 12-month salary periods, counting back from final month of pay)	Years of creditable service x FAC x Formula factor (3.5%) = Monthly benefit ⁷⁴	Benefits reduced for retirement before 65. No mandatory retirement age. COLA capped at 2.5%. Benefit payment option chosen can also affect payment levels.	1-9%	0%

⁷³ Judges who were members of prior to 10/1/1985 could have elected to remain in PERS

⁷⁴ Benefits are based on 1994 mortality tables

State	Plan Type	Plan Name	Maximum Annual Pension Payment	Benefit Calculation Formula	Requirements	Required Judge Contribution	Required Employer Contribution
		Tier 2 (members in plan after 7/1/2015 and prior to 7/1/2017)	70% of FAC (FAC based on 5 highest 12-month salary periods, counting back from final month of pay)		Benefits reduced for retirement before 65. No mandatory retirement age. COLA capped at 1.0%. Benefit payment option chosen can also affect payment levels.	10%	0%
		Tier 3 (members in plan after 7/1/2017)		Years of creditable service x FAC x Formula factor (3.5%) = Monthly benefit ⁷⁵		10%	0%
Nevada	Combined	Judicial Retirement System - post 7/1/15	75%	3.091 service credit up to 75% of salary	5 years of service at age 65, 10 years at age 60, any age with 30 years	11%	11%
	Defined benefit	Judicial Retirement System - pre 7/1/15	75%	4.1666 service credit before 2002. 3.4091 service credit after that. Both max out at 75% of the retirees salary for the yearly benefit.	Fully vested after 5 years and the age of 60	0%	22%
New Hampshire	Not provided to NCSC						
New Jersey	Defined benefit	Judicial Retirement System	75%	75% of annual salary	Age 70 with 10+ years Age 65+ with 15+ years Age 60+ with 20+ years	12%	0%

⁷⁵ Benefits are based on mortality tables approved by the Public Employees Retirement Board

State	Plan Type	Plan Name	Maximum Annual Pension Payment	Benefit Calculation Formula	Requirements	Required Judge Contribution	Required Employer Contribution
New Mexico ⁷⁶	Defined benefit	Judicial Retirement Fund (non-magistrate state judges) Tier 1 – judges starting on or after 7/1/2014 Tier 2 – service between 7/1/2005 and 6/30/2014 Tier 3 – before 7/1/2005	85%	Service credit of 3.25% per year multiplied by years of service multiplied as a % by Final Average Salary (12-month average of highest 60 months of service salary)	Age 60 and minimum 8 years of service or age 60 and minimum of 15 years of service	10.5%	15%
		Magistrate Judges Fund Tier 1 – magistrates starting on or after 7/1/2014 Tier 2 - before 7/1/2014	85%	Service credit at 3.0% per year multiplied by years of service as a % of Final Average Salary (12-month average of highest 60 months of salary)	Age 65 with minimum of 8 years of service or age 60 with minimum of 15 years of service or any age with 24 years of service	10.5%	15%
New York		Not provided to NCSC					
North Carolina	Defined benefit	Consolidated Judicial Retirement System	75% of final compensation	A percentage of the final compensation x years of service as follows: District Court Judge (3.02%); Superior Court Judge (3.52%); Supreme Court Justice and Court of Appeals Judge (4.02%)	Early retirement at age 50 with at least 5 years of service. Retire with unreduced benefits at age 65 with at least 5 years of service or at age 50 with at least 24 years	6%	36.44%

⁷⁶ All information is for Tier 1 in both plans, which include most of the currently serving judges/magistrates.

State	Plan Type	Plan Name	Maximum Annual Pension Payment	Benefit Calculation Formula	Requirements	Required Judge Contribution	Required Employer Contribution
North Dakota	Defined benefit	Judges Retirement Fund	50% of annual salary at retirement	3.5% of final average salary x the first 10 years of service, 2.8% of final average salary x the second 10 years, and 1.25% of final average salary x the number of years of judicial service exceeding twenty years	Retirement ages with years of service: 65 years and 20; 66 and 18; 67 and 16; 68 and 14; 69 and 12 years; 70 and 10	4%	22.66%
Ohio	Combined	Ohio Public Employees Retirement System (OPERS) - Combined Benefit (no longer an option for new members effective 1/1/2022)	N/A	<p>Defined Benefit Portion -</p> <p>Groups A & B: 1% of final average salary * # Years of Service for the first 30 years * 1.25% of final average salary for each year over 30</p> <p>Group C: 1% of final average salary * # Years of Service for the first 305 years * 1.25% of final average salary for each year over 35</p> <p>Defined Contribution Portion -</p> <p>Final Account Value (Employee + Employer Contributions, with any investments gains/losses) * Annuity Factor⁷⁷</p>	<p>Group A unreduced benefit: 30 years of service OR age 65 and 5 years of service</p> <p>Group B unreduced benefit: 32 years OR age 52 and 31 years OR age 66 and 5 years</p> <p>Group C unreduced benefit: 32 years of service OR age 55 OR age 67 and 5 years</p>	10%	14%
	Defined benefit	OPERS - Traditional	N/A	<p>Groups A & B: 2.2% of final average salary * # Years of Service for the first 30 years * 2.5% of final average salary for each year over 30</p> <p>Group C: 2.2% of final average salary * # Years of Service for the first 305 years * 2.5% of final average salary for each year over 35</p>		10%	14%
	Defined contribution	OPERS - Member-Directed	N/A	Final Account Value (Employee + Employer Contributions, with any investments gains/losses) * Annuity Factor ⁷⁷	Must be at least age 55. Not required to reach a certain number of years in the plan.	10%	14%
	Oklahoma	Not provided to NCSC					

⁷⁷ OPERS actuaries determine annuity factors by applying underlying interest rate and mortality assumptions to a standard annuity formula.

State	Plan Type	Plan Name	Maximum Annual Pension Payment	Benefit Calculation Formula	Requirements	Required Judge Contribution	Required Employer Contribution
Oregon	Defined benefit	PERS Judge Member Retirement System	Plan A - 65% Plan B - 75% ⁷⁸	Plan A - Years of service x final average salary (the higher of 3 highest years or last 36 months) x 2.8125% for the first 16 years. Years of service x final average salary (the higher of 3 highest years or last 36 months) x 1.67% for years in excess of 16 years. Plan B - Years of service x final average salary (the higher of 3 highest years or last 36 months) x 3.75% for the first 16 years. Years of service x final average salary (the higher of 3 highest years or last 36 months) x 2.0% for years in excess of 16 years.	Vested after making contributions to the Judge Member fund in each of 5 calendar years before reaching age 75 Plan A – full retirement age is 65 Plan B – full retirement age is 60. Requires 175 hours of pro tem service over 5 years after retirement	0%	7%
Pennsylvania	Combined	State Retirement Plan- Judges starting on or after 1/1/2019 (Hybrid 1)	2% x class of service multiplier x years of service x FAS = maximum annual retirement allowance	DB: 1.25% x FAS (average of 5 high calendar years) x years of service DC: Total DC employee/ employer contributions +/- investment earnings/ losses	Unreduced pension – age 67 with 3 years of service or after 35 years if age + years of service is at least 97	8.25% (5% to DB + 3% to DC)	19.93% (17.68 DB + 2.25% DC)
		State Retirement Plan- Judges starting on or after 1/1/2019 (Hybrid 2)	The Retirement Code Section 5702(c) limits the amount you may receive in annual pension	DB: 1% x FAS (average of 5 high calendar years) x years of service DC: Total DC employee/employer contributions +/- investment earnings/ losses	Vested for DB under age 67 with 10 years of service or after age 67 with 3 years	7.5% (4% to DB + 3.5% to DC)	19.93% (17.93% DB + 2% DC)
	Defined benefit	Plan A – judges who contributed to SERS Prior to 1/1/2019	The Retirement Code Section 5702(c) limits the amount you may receive in annual pension	2% x Final Average Salary x Years of Service. FAS = avg of 3 highest years' salary	Unreduced pension (superannuation) – age 60 with 3 years of retirement service credit; or after 35 years of service at any age. Early/superannuation pension – under age 60 with 5 years or after age 60 with 3 years.	5%	29.98%

⁷⁸ Judges who participated in the variable account (no new enrollment since 2004) may have a higher or lower benefit based on the performance of that account.

State	Plan Type	Plan Name	Maximum Annual Pension Payment	Benefit Calculation Formula	Requirements	Required Judge Contribution	Required Employer Contribution
		Plan with special option for judges only to elect upgraded plans E-1 and SSI (Social Security Integration). Judges who contributed to SERS prior to 1/1/2019.	payments to no more than the highest compensation you received during any 12-month period as an active employee.	10% of gross earnings during 1st 10 years of judiciary service; 7.5% of gross earnings during all years over 10. Optional SSI = 5% of earnings in excess of annual social security wage base. 4% x FAS x 1st 10 years of service; plus 3% x FAS x all years over 10. SSI benefit formula= 2% x average annual earnings over SS wage base x years of SSI service FAS = average of 3 highest years' salary.	Unreduced pension (superannuation) – age 60 with 3 years or after 35 years at any age	7.5-10%	47.48%
		Plan with special option for Magisterial District Judges (MDJ) only to elect upgraded plans E-2 and SSI. Judges who contributed to SERS prior to 1/1/2019.		7.5% of gross earnings. Optional SSI = 5% of earnings in excess of annual social security wage base 3% x FAS x all years of MDJ service. SSI benefit formula= 2% x average annual earnings over SS wage base x years of SSI service. FAS = avg of 3 highest years' salary.		7.5%	47.48%
	Defined contribution	State Retirement Plan - Judges first entering state service on or after 1/1/2019. 401(a)	N/A	Total employee/employer contributions ± investment earnings/losses (less plan fees)	Vesting criteria: N/A for pension; after 3 years of service to get employer contributions	7.5%	19.88%
Rhode Island	Defined benefit	January-June 2009 Judges' Retirement System	90% of average highest 3 consecutive years of compensation	70% or 90% of average highest 3 consecutive years of compensation	70% - 20 years, or 10 years and age 65; 90% - 20 years and age 65, or 15 years and age 70	12%	21.82%

State	Plan Type	Plan Name	Maximum Annual Pension Payment	Benefit Calculation Formula	Requirements	Required Judge Contribution	Required Employer Contribution
		July 1997-2008 Judges' Retirement System	100% of average highest 3 consecutive years of compensation	75% or 100% of average highest 3 consecutive years of compensation	75% - 20 years, or 10 years and age 65; 100% - 20 years and age 65, or 15 years and age 70	12%	21.82%
		July 2009+ Judges' Retirement System	80% of average highest 5 consecutive years of compensation	65% or 80% of average highest 5 consecutive years of compensation	65% - 20 years, or 10 years and age 65; 80% - 20 years and age 65, or 15 years and age 70	12%	21.82%
		Up to July 1997 Judges' Retirement System	100% of final annual salary	75% or 100% of final annual salary	75% - 20 years, or 10 years and age 65; 100% - 20 years and age 65, or 15 years and age 70	0-12%	21.82-100%
South Carolina	Defined benefit	Judges and Solicitors Retirement Plan (JSRS)	90% maximum	<p>Step 1. Multiply the current active salary for the respective position of justice, judge, solicitor or circuit public defender by 71.3%.</p> <p>Step 2. Calculate the additional benefit by multiplying the respective salary by 2.67% for each year of earned service over 25 for a judge or over 24 for a solicitor or circuit public defender.</p> <p>Step 3. Add the results from Steps 1 and 2.</p> <p>Step 4. Divide the total by 12 to obtain the monthly annuity amount.</p>	<p>Must meet one of the following age and service requirements: 25 years of service credit as a justice or judge; Age 65 with at least 20 years of service credit in JSRS; or Age 70 with at least 15 years of service credit in JSRS</p>	10%	62.94%

State	Plan Type	Plan Name	Maximum Annual Pension Payment	Benefit Calculation Formula	Requirements	Required Judge Contribution	Required Employer Contribution
South Dakota	Defined benefit	Foundation Judicial Class B Member	N/A	<p>FAC is determined by averaging the highest specified number of consecutive calendar quarters out of the last 40 quarters (10 years) of pay. The specified number of quarters used for averaging is dependent on when your contributory service ends as follows:⁷⁹</p> <p>Prior to 7/1/2021: Average of highest 12 consecutive quarters of last 40 quarters (highest 3 years of pay out of last 10 years)</p> <p>Between 7/1/2021 and 6/30/2022: Average of highest 16 consecutive quarters of last 40 quarters (highest 4 years of pay out of last 10 years)</p> <p>After 7/1/2022: Average of highest 20 consecutive quarters of last 40 quarters (highest 5 years of pay out of last 10 years)</p>	<p>Class B Judicial Normal Retirement (unreduced benefit): Age 65</p> <p>Class B Judicial Special Early Retirement (unreduced benefit): Rule of 80</p> <p>Class B Judicial Early Retirement (reduced benefit): As early as age 55</p>	9%	9%
		Generational Judicial Class B Member	N/A	<p>FAC is determined by average annual salary during the highest 20 consecutive calendar quarters in the last 40 quarters of SDRS membership (the highest 5 of last 10 years of pay)⁸⁰</p>	<p>Class B Judicial Normal Retirement (unreduced benefit): Age 67</p> <p>Class B Judicial Early Retirement (reduced benefit): As early as age 57</p>	9%	9%
Tennessee				Not provided to NCSC			
Texas	Defined benefit	Judicial Retirement System Plan 1	90%	A judicial retiree is entitled to 50% of the state annual salary being paid to a judge of a court of the same	A retiree is entitled to an additional 10% if the judge has not been out of office for	9.5%	0%

⁷⁹ For members with contributory service after June 30, 2020, annual compensation increases will be capped at 105% for each of the years used in determining FAC. FAC is also subject to adjustments for extraordinary payments in the final year. FAC is used in calculating all SDRS benefits, including retirement, disability, and survivor benefits.

⁸⁰ Annual compensation increases are capped at 105% for each of the five years used in determining your FAC. FAC is subject to adjustments for extraordinary payments in the final year. FAC is used in calculating all SDRS benefits, including retirement, disability, and survivor benefits.

State	Plan Type	Plan Name	Maximum Annual Pension Payment	Benefit Calculation Formula	Requirements	Required Judge Contribution	Required Employer Contribution
		Judicial Retirement System Plan 2		classification as the last court to which the retiring judge held judicial office who has the same number of years of contributing service if the retiree meets one of the following: is 65 years of age with 10 years of service and currently holding office; is 65 years of age with 12 years of service if not holding office; is any age with 20 years of service, whether holding office or not; has 12 years of service on an appellate court and the sum of the judge's age and amount of service credit equals or exceeds the number 70.	<p>more than one year at retirement or has accepted an assignment as a visiting judge within one year of the judge's effective date of retirement.</p> <p>At age 60 with 10 years of service and currently holding office or age 60 with 12 years of service if not holding office, the judge is entitled to a reduced amount depending on age as follows: at least 60 but less than 61 - 40% at least 61 but less than 62 - 41.7% at least 62 but less than 63 - 43.6% at least 63 but less than 64 - 45.6% at least 64 but less than 65 - 47.7%</p> <p>A judge is not required to continue making contributions after 20 years of service. The annuity of a judge who elects to continue making contributions after 20 years of service or after reaching the Rule of 70 with 12 years on an appellate court would be based on 50% of the judge's state salary plus 2.3% for each subsequent year, not to exceed 90%.</p>	9.5%	0%
Utah	Defined benefit	Tier 1 Judges Retirement System	There is no maximum	Up to 10 years x 5%; 10-20 years x 2.25%; over 20 years x 1%	Age 70 with 6 years of service; age 62 with 10 years; age 55 with 20 years (with an actuarial reduction); any age with 25 years (with no actuarial reduction)	0%	44.31%

State	Plan Type	Plan Name	Maximum Annual Pension Payment	Benefit Calculation Formula	Requirements	Required Judge Contribution	Required Employer Contribution
Vermont	Not provided to NCSC						
Virginia	Defined benefit	Judicial Retirement System Plan 1	78%	Age, service credit and highest 36 consecutive months of service	Age 73	5%	5%
		Judicial Retirement System Plan 2		Age, service credit and the highest 60 consecutive months of salary		5%	5%
Washington	Not provided to NCSC						
West Virginia	Defined benefit	Judges Retirement System	75%	75% of current salary Elected after 7/1/2005 – 75% of last 36 month average	Age 65 with 12 years on bench. Elected after July 1, 2005, 14 years.	7-10.5%	0%
Wisconsin	Combined	Wisconsin Retirement System (WRS)	70% of final average earnings	<p>Calculation is based on one of two methods:</p> <p>The formula benefit = years of service x final average monthly earnings x formula factor(s) x actuarial reduction factor for early retirement (if applicable). Prior to 2011, the formula factor for elected officials was 2.0 but since that time it is 1.6.</p> <p>The money purchase benefit = All the money in your account x Money Purchase Factor Based on your age at retirement x 00.563 = Benefit Amount</p> <p>Employees are paid the highest paying annuity option</p>	Elected officials have a lower eligibility than the other participants for a normal retirement benefit. It begins at age 62, for those in the WRS prior to 2015. For general employees, normal retirement is age 65. For all employees who started after 2011, vesting eligibility begins after 5 years. Minimum retirement age is 55 and normal retirement age is 57 with 30 years of service. Pensions are reduced if an individual does not meet the minimum. Otherwise, normal retirement age without penalty is 62 for judges and other elected officials (in other words, if the individual is between 55-61 they are only eligible for a reduce pension unless they have 30 years of service).	6.75%	6.75%

State	Plan Type	Plan Name	Maximum Annual Pension Payment	Benefit Calculation Formula	Requirements	Required Judge Contribution	Required Employer Contribution
	Defined benefit			The formula benefit = years of service x final average monthly earnings x formula factor(s) x actuarial reduction factor for early retirement (if applicable)	Elected officials have a lower eligibility than the other participants for a normal retirement benefit. It begins at age 62, for those in the WRS prior to 2015. For general employees, normal retirement is age 65.	6.75% ⁸¹	6.75%
Wyoming	Defined benefit	Judicial Pension Plan	100%	Highest Average Salary x 4% for each of 1 st 5 years' service 3% for each year from 6-15 2% for each year from 16-20 1% for each year 21+	Must have 48 months of service to be vested. Eligible for unreduced retirement when: Age 65 and vested or Age 60 with 20 years or Age 70 and have served continuously from appointment until age 70	3.65%	20.07%
Source: Prepared by legislative auditor's staff using NCSC data (https://www.ncsc.org/salarytracker/special-reports/retirement-map-and-states) and information provided by LASC.							

⁸¹ All participating employees contribute half the retirement costs. For 2021, that share is 6.75% of salary. It does fluctuate each year based on actuarial assessments and fund performance over a five year period.