

**Presentation To The
New York State
Judicial Compensation
Commission**

Submitted By The

**Coalition of New York State
Judicial Associations**

**Association of Supreme Court Justices of the State of New York
New York City Supreme Court Justices Association
Designated Supreme Court Justices Association
New York State Court of Claims (Parts B, D & E) Judges Association
New York State Surrogate Judges Association
New York State Family Court Judges Association
New York City Family Court Judges Association
New York City Civil Court Judges Association
New York City Criminal Court Judges Association
New York City Housing Court Judges Association
New York State District Court Judges Association
New York State City Court Judges Association**

Respectfully submitted,

JUNE 10, 2011

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The judiciary article is the most important part of the Constitution. The organization of our courts and the establishment of our judicial policy is what comes nearest to the everyday life of the people, and on which most depends their progress and their happiness. We shall have a Legislature and a Governor, and the various administrative departments of the State and municipal government, any way, as they perform their functions better or worse, the State will profit more or less. But these matters, however important, are by no means so vital to the welfare of the people as the organization of that department of the government which is to administer justice to and between its people. The degree of perfection in the methods of the administration of justice is the supreme test of a nation's civilization.

Hon. Walter S. Logan,
Justice, First Judicial District
Proceedings of the New York
State Bar Association, 1894

We conclude that the independence of the judiciary is improperly jeopardized by the current judicial pay crisis and this constitutes a violation of the Separation of Powers Doctrine.

Maron v. Silver, 14 NY3d 230, February 23, 2010.

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Note: Each Judicial Association has reserved the right to submit a separate position statement raising matters of individual concern.

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1. INTRODUCTION

The Special Commission on Judicial Compensation was created by the New York State Legislature by Chapter 567 of the Laws of 2010. The Commission is

required to study and make a August 29, 2011. determine whether salaries for the should be adjusted and on each April

POLICY OF THE STATE: In order to attract unusual merit and ability to the service of the state of New York.... and to reward merit,.... it is hereby declared to be the policy of the state to provide equal pay for equal work, and regular increases in pay in proper proportion to increase of ability, increase of output and increase of equality of work demonstrated in service.
CIVIL SERVICE LAW § 115

undertake a determination by They must the annual State-paid judges on April 1, 2012, 1st thereafter for

each of the next three years. The Commission's determination as to any salary adjustment "shall have the force of law...unless modified or abrogated by statute by April 1st of the year as to which such determination applies."

In addition to making a determination as to salary adjustments, the Commission must also make a "report" to the Governor, the Legislature and the Chief Judge of its "findings, conclusions and recommendations." To make this report, the Commission is charged with taking into account "all appropriate factors." This includes but is not limited to "the overall economic climate; rates of inflation; changes in public-sector spending; the levels of compensation and non-salary benefits received by judges, executive branch officials and legislators of other states

and of the federal government; the level of compensation and non-salary benefits received by professionals in government, academia and profit and non-profit enterprises; and the state's ability to fund increases in compensation and non-salary benefits." ¹ In summary, after examining all relevant factors, it is the duty of the Commission to (1) make a determination as to salaries and (2) recommendations as to other non-salary benefits. This Coalition is not asking for any change in non-salary benefits. As a general rule, Judges receive the same leave time, health insurance and retirement benefits as received by the other 220,000 state employees and 1.2 million local government employees.

It is this Coalition's position that there are two primary issues before the Commission. First, what salary increase do the Judges of New York State deserve and second, what salary increase does the State have the ability to pay. We believe this salary is \$192,500 per year. We also believe that this salary adjustment can be made without any adverse consequences to the taxpayers of this State. In making a determination as to what salary increase the Judges deserve, the Coalition believes that the following five factors are most important:

- (1) The change in the Consumer Price Index since the date of the last Judicial pay increase, January 1, 1999 (41% as of April 1, 2011).
- (2) The salary and other benefits paid to Federal Judges and to the State judges in the most comparable States, which are California, Illinois, Pennsylvania, Florida and Texas. (On a cost of living adjusted basis, New York's Judges, once the highest paid in America, are now the lowest.)

- (3) The salary and benefits paid to partners in law firms located in metropolitan New York and to professors of New York State law schools. (There are at least 40 law firms in New York City that, as of 2007, paid their 8th year associates more than \$250,000 per year.
- (4) The salary and benefits paid to other professionals employed by the State and local governments in New York. (Some assistant Corporation Counsel in New York City were paid more than \$200,000 per year in 2009 and some assistant District Attorneys were paid more than \$196,000.)
- (5) The increases in salaries paid to other State employees and in particular to non-judicial employees of the Unified Court System (UCS) since 1999. (Judges are asking for a 41% raise, non-judicial employees have received 44% raises since 1999.)

The Coalition will also show that the State has the ability to pay for judicial raises. There are sufficient funds available within existing spending limits to pay for the increase that we recommend to this Commission. This report will show that for the past budget years, as far back as 2005, money for judicial salary raises that would have established parity with Federal District Court Judges, including money for retroactive raises, has regularly been approved by the Legislature and the Governor.

The Coalition also believes that it is the duty of the Governor and the Legislature to first adequately fund core services before spending taxpayer money or tax subsidies on non-governmental functions. This means, for example, that funds to pay adequate judicial salaries should be approved before discretionary, non-governmental spending is made. Or, for example, socially beneficial taxes could

be implemented, such as an increase in the bottle tax or a tax on sugar drinks to fund a raise. Another source of funding could be provided by not letting the “millionaires tax” expire or increasing court user fees. Finally, for the last two decades the Court System has proposed to the Legislature a plan to reorganize the courts. The efficiencies realized by that reorganization would amount to about \$160 million over five years.

The law establishing this Commission requires that a comparison be made to the salaries and benefits of legislators. For the 13+ years that judicial salaries will have been frozen, the salaries of New York’s Legislators (which also have been self-frozen) have been, for most of that time, the highest in the nation and are still in second place—and that does not include the stipends received by almost every legislator that range from \$9,000 to \$41,500 per session (§ 5-a, Legislative Law). Each house convenes about 63 times during a legislative season.

Ultimately, this Coalition of New York State Judges is asking the Commission to do for us what we have sworn to do and what we actually do everyday for every person that comes before us; render justice with fairness, compassion and equity. Over the last 135 years, New York’s Judges have received just 20 raises. On average, that is one raise about every seven years. In the modern era, since 1967, inflation has increased the cost of living by over 600%. During this period, New York’s Judges saw their salary go up 270%, less than half the general inflation rate. During the 45 year period from 1967 to 2011, Judges received only 13 raises. At the

same time, non-judicial employees received raises almost every year. New York's Judges have seen the economic well being of themselves and their families cut by almost 60% since 1967. Perhaps no judge actually served during all that time, but the deprivation will have continued on into his or her retirement. The erosion in a Judge's pay was persistent and unyielding, occurring week to week, month to month and year to year.

The situation is even worse when one considers the sporadic nature of Judicial salary increases. Over the last 24 years, matters have reached an intolerable level, with Judges receiving only two raises—on average, a raise just every 12 years. Because judicial raises are never made retroactive (as are raises for non-judicial employees), the losses are both cumulative and never recoverable. The deprivation becomes permanent.

After the Commission fairly and thoroughly weighs all the relevant factors, it is this Coalition's belief that the Commission will be convinced of the following:

1. That a fair and equitable compensation adjustment will provide New York State Supreme Court Justices with an annual salary, as of April 1, 2012, of at least \$192,500 per year.
2. That for each of the following three years, judicial salaries should be increased by the greater of:

(A) the increase in the CPI over the previous twelve months, or

(B) the increase in salary to be paid to non-judicial employees, or

(C) the increase in salary paid to Federal District Court Judges whichever is

(3) That Judges should receive a lump sum payment equal to cost of living adjusted salary levels for each year since April 1, 2005.

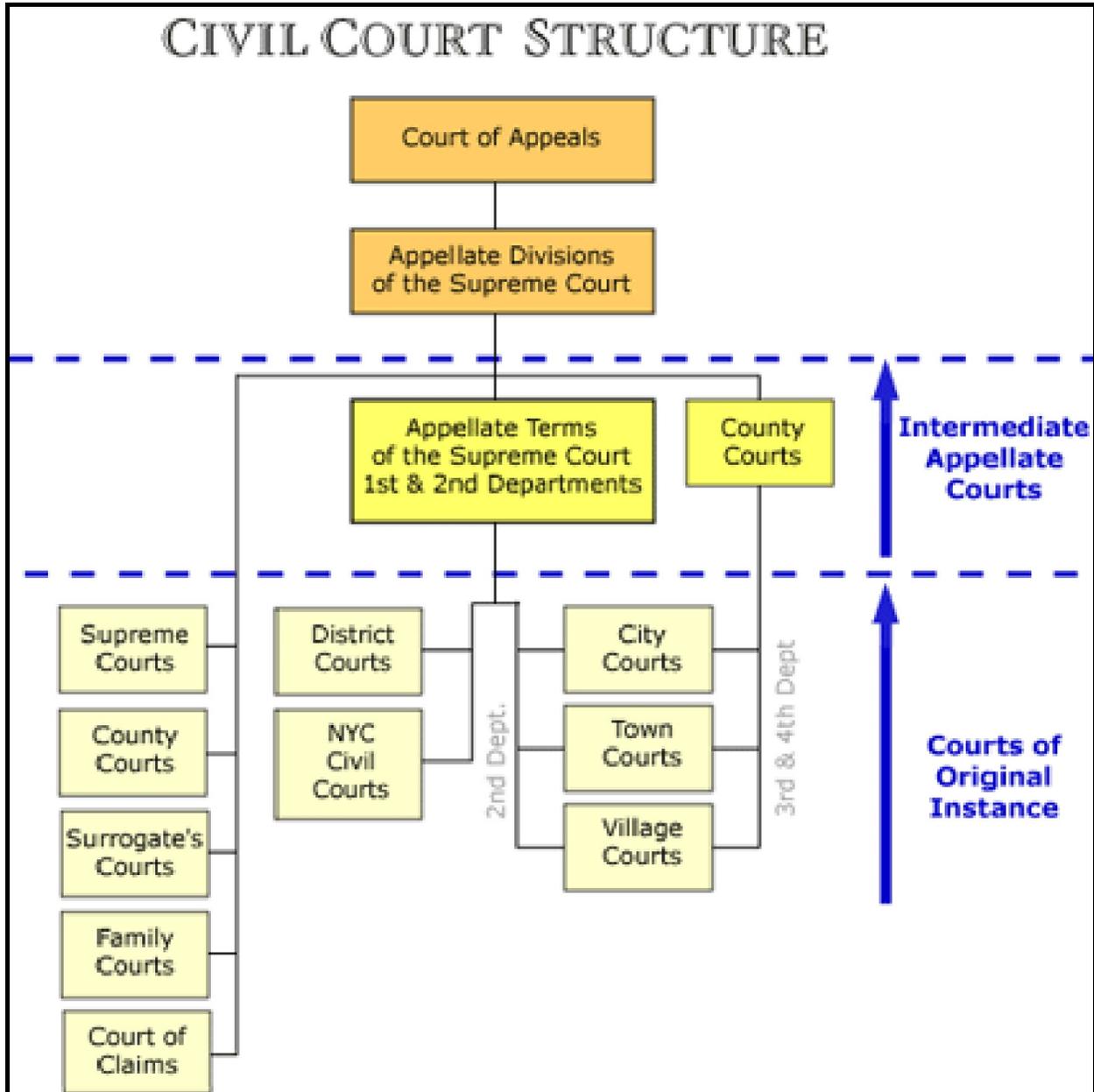
1.1 MAP OF JUDICIAL DISTRICTS

(Four Judicial Departments made out of 13 Judicial Districts.)



1.2 CHART OF CIVIL COURT STRUCTURE

(Three Appellate Courts, 12 trial Courts. The three New York City trial courts, Civil, Criminal and Housing are not separately shown on this chart.)



1.3 CHART OF CRIMINAL COURT STRUCTURE

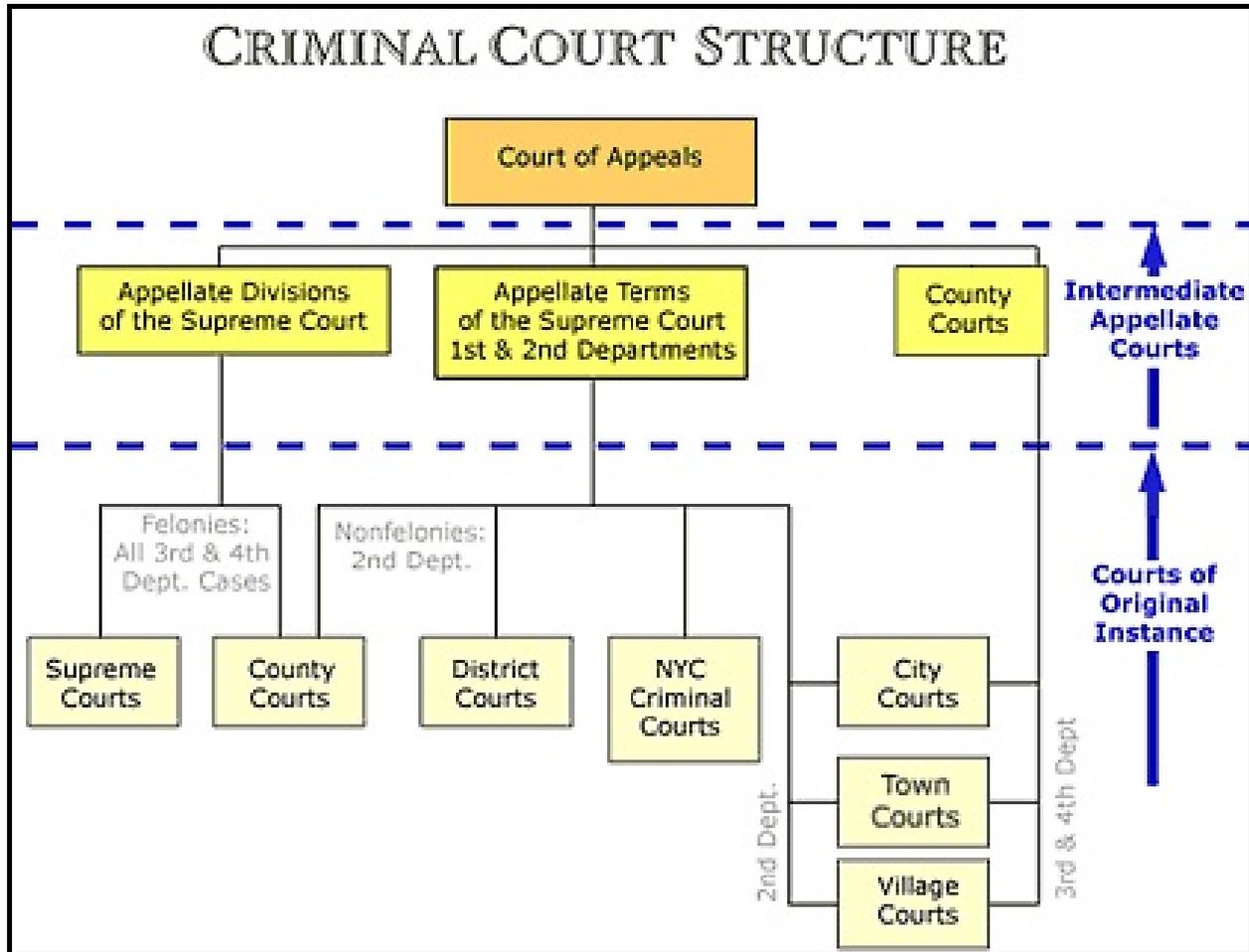


CHART 1

**Case Load Increase
Filings Per Judge
1999 - 2010***

Year	No. Filings*	# of Judges	Filings/Judge
1999	3,590,000	1,199	2,994
2000	3,806,000	1,199	3,174
2001	3,754,000	1,199	3,131
2002	4,244,000	1,207	3,516
2003	4,294,000	1,211	3,546
2004	4,129,000	1,203	3,432
2005	4,308,000	1,218	3,537
2006	4,592,000	1,210	3,795
2007	4,536,000	1,215	3,733
2008	4,671,000	1,220	3,829
2009	4,641,000	1,225	3,789
2010	**4,700,000	1,229	3,824
INC.	31%	2.5%	28%

The court system has never done a time and motion work load study. For example, in Family Court, a paternity petition for one child is given the same relative work-load weight as a petition alleging the abuse of one child. Paternity petitions are almost all resolved by DNA tests and are relatively simple. Abuse cases can be the

functional equivalent of a non-jury murder trial. It works just about the same when counting indictments in criminal court, index numbers in civil cases or filings in the appellate courts. Over the last decade, the complexity of cases in every court has increased geometrically because of the changing face of society, legislative mandates and new procedures mandated by the appellate courts. For this reason, just looking at the numerical increase does not tell the whole story. On the other hand, the increase in workload has been ameliorated to a degree by the increased use of judicial hearing officers, support magistrates, and court attorney referees. These quasi-judicial officers have stepped in with heroic efforts to keep the levees from collapsing under the pressure of the flood of additional cases. However, the downside in that area is that those persons come with no support staff such as a secretary, law clerk or separate courtroom staff. Also, the number of judges listed above is not adjusted to a full time equivalency of the many part-time City Court Judges because this is the manner in which the court system reports these numbers. (*Rounded to nearest thousand. ** Estimated Source: Reports of Chief Administrator) For an example of how stressed the New York's Judiciary is in terms of work load, that is often not revealed in caseload numbers alone, please review *Kids And Families Can't Wait: The Urgent Case For New Family Court Judgeships* (October 20, 2009). This report prepared for the New York State Senate Committee on the Judiciary made the following findings and recommendations.

1. "Huge dockets are overwhelming Family Court and edging the family

justice system toward danger.”

2. “Difficult economic conditions are clogging Family Court calendars with cases, affecting the safety and stability of New York families.”
3. “For decades, the state has not created Family Court Judgeships commensurate with dockets.”
4. “Family Court is working hard to make the best of a bad situation.”
5. “The lack of adequate Family Court Judgeships jeopardizes the quality of justice for vulnerable families, violence victims and children.”
6. “Docket-related delays jeopardize federal funding and raise local social service costs.”
7. “These trends are not sustainable and require immediate redress.” [AS OF MAY, 2011, 1.5 YEARS AFTER THE REPORT WAS ISSUED, NO REDRESS IS IN SIGHT.]
8. “The Senate should immediately create 21 new Family Court Judgeships and phase in another 18 Judgeships.”
9. “The Legislature should eliminate unnecessary legal barriers to the temporary assignment of judges to Family Court and the court system should expand such assignments.”

The issue of Judge shortages is not one affecting only Family Court. For example, Cyrus R. Vance, the New York County District Attorney, wrote in the April 7, 2011 *New York Law Journal* (p.6, col. 4), that from July to December, 2010, the most recently measured period, 238 misdemeanor trials had to be adjourned because no judges were available to hear the cases. In 2009, there were just 19 judges in Manhattan Criminal Court to handle 107,000 cases. *“Without adequate judicial staffing, cases can not proceed to trial, the backlog of criminal cases awaiting*

final disposition increases, public safety is adversely affected, defendants do not receive swift resolution of their cases and victims are forced to endure delays and enormous inconvenience,” Vance said.

CHART 2

Fed. Dist. Judge v. JSC v. CPI: 1967 - 2010

Year	Federal Court	JSC	CPI Salary
1967	\$30,000	\$37,000	\$37,000
1968	\$30,000	\$39,100	\$38,085
1969	\$40,000	\$39,100	\$40,364
1970	\$40,000	\$40,583	\$43,185
1971	\$40,000	\$40,583	\$46,006
1972	\$40,000	\$43,317	\$48,284
1973	\$40,000	\$43,317	\$50,238
1974	\$40,000	\$48,998	\$55,120
1975	\$42,000	\$48,998	\$60,111
1976	\$44,000	\$48,998	\$63,801
1977	\$54,500	\$48,998	\$67,164
1978	\$54,500	\$52,428	\$70,419
1979	\$61,500	\$56,098	\$75,194
1980	\$67,100	\$58,000	\$91,252
1981	\$70,300	\$60,900	\$100,584
1982	\$73,100	\$65,163	\$106,768
1983	\$73,100	\$65,163	\$109,915
1984	\$76,000	\$65,163	\$115,123
1985	\$78,700	\$82,000	\$119,138
1986	\$85,700	\$82,000	\$123,044
1987	\$89,500	\$82,000	\$130,422
1988	\$89,500	\$95,000	\$136,933
1989	\$89,500	\$95,000	\$144,094
1990	\$96,600	\$95,000	\$153,642
1991	\$125,100	\$95,000	\$158,091
1992	\$129,500	\$95,000	\$165,035
1993	\$133,600	\$95,000	\$167,097
1994	\$133,600	\$104,000	\$168,724
1995	\$133,600	\$113,000	\$171,111
1996	\$133,600	\$113,000	\$173,065
1997	\$133,600	\$113,000	\$177,513
1998	\$136,700	\$113,000	\$182,504
1999	\$136,700	\$136,700	\$186,953
2000	\$141,300	\$136,700	\$189,666
2001	\$145,100	\$136,700	\$189,883
2002	\$150,000	\$136,700	\$194,548
2003	\$154,700	\$136,700	\$200,625
2004	\$158,100	\$136,700	\$204,531
2005	\$162,100	\$136,700	\$211,258
2006	\$165,200	\$136,700	\$216,900
2007	\$165,200	\$136,700	\$225,798
2008	\$169,300	\$136,700	\$234,261
2009	\$174,000	\$136,700	\$240,627
2010	\$174,000	\$136,700	\$249,418
Total	\$4,400,600	\$3,914,307	\$5,933,494

Lost Income Due to Inflation, 1967 - 2010 = CPI Salary - JSC Salary = \$2,019,190

CHART 3
FEDERAL DISTRICT COURT JUDGE
VS.
SUPREME COURT JUSTICE
VS.
CONSUMER PRICE INDEX
1999 - 2011

Year	Federal Court	JSC	CPI Salary
1999	\$136,700	\$136,700	\$136,700
2000	\$141,300	\$136,700	\$140,059
2001	\$145,100	\$136,700	\$144,433
2002	\$150,000	\$136,700	\$147,245
2003	\$154,700	\$136,700	\$152,089
2004	\$158,100	\$136,700	\$156,150
2005	\$162,100	\$136,700	\$162,556
2006	\$165,200	\$136,700	\$168,649
2007	\$165,200	\$136,700	\$173,232
2008	\$169,300	\$136,700	\$179,561
2009	\$174,000	\$136,700	\$182,320
2010	\$174,000	\$136,700	\$186,670
2011	\$174,000	\$136,700	\$192,543
Total	\$2,069,700	\$1,777,100	\$2,122,204

13 Year JSC - CPI Cumulative Salary Lag = \$345,100

13 Year JSC - FDCJ Cumulative Salary Lag = \$292,600

CHART 4
Grade 18 Court Clerk v. Supreme Court Judge
Percent Increase in Salaries
From Hiring Rate to Maximum Rate
(With Step-Increases)
1999 - 2010

Year	Grade 18 Salary	Grade 18 % Increase	JSC % Increase	JSC Salary
1999	\$34,879	0%	0%	\$136,700
2000	\$38,917	12%	0%	\$136,700
2001	\$42,261	21%	0%	\$136,700
2002	\$45,792	31%	0%	\$136,700
2003	\$48,642	39%	0%	\$136,700
2004	\$51,140	47%	0%	\$136,700
2005	\$54,705	57%	0%	\$136,700
2006	\$58,570	68%	0%	\$136,700
2007	\$61,152	75%	0%	\$136,700
2008	\$62,987	81%	0%	\$136,700
2009	\$64,877	86%	0%	\$136,700
2010	\$67,473	93%	0%	\$136,700

This chart shows the salary progression of a Grade 18 court clerk, hired on April 1, 1999, who then progresses through the six yearly step-increments while also receiving cost of living raises. That clerk would have received an increase of 93% in salary over the period April 1, 1999 to April 1, 2010, compared with a 0% increase for a Judge.

CHART 5
Grade 18 (Hiring Rate) v. Supreme Court Judge
Percent Change in Salaries
(Not Including Step-Increments or Longevity)
1999 - 2010

Year	Grade 18 Salary	Grade 18 % Increase	JSC % Increase	JSC Salary
1999	\$34,879	0%	0%	\$136,700
2000	\$37,003	6%	0%	\$136,700
2001	\$38,229	10%	0%	\$136,700
2002	\$39,642	14%	0%	\$136,700
2003	\$40,442	16%	0%	\$136,700
2004	\$40,635	17%	0%	\$136,700
2005	\$41,751	20%	0%	\$136,700
2006	\$43,002	23%	0%	\$136,700
2007	\$45,115	29%	0%	\$136,700
2008	\$46,467	33%	0%	\$136,700
2009	\$47,860	37%	0%	\$136,700
2010	\$49,777	43%	0%	\$136,700

A court clerk hired in 1999 would, by 2010, have received 11 cost of living raises. In addition, he or she would have received six step-increments and each of those increments would have been increased each year by the cost of living raise for that year. If he worked long enough, that clerk would have also received longevity payments. Judges received none of these salary increases. This chart shows only the change in the hiring rate of a typical court clerk's salary. As you can see, a Judge's 1999 hiring rate has been her 2010 finishing rate.

CHART 6
Supreme Court Justice's Salary
As Diminished By Inflation
1999 - 2010

Year	Salary	CPI*	Salary** as Depressed by Inflation	Loss of Purchasing Power
1999	\$136,700	175.0	\$136,700	\$0
2000	\$136,700	179.3	\$133,422	(\$3,278)
2001	\$136,700	184.9	\$129,381	(\$7,319)
2002	\$136,700	188.5	\$126,910	(\$9,790)
2003	\$136,700	194.7	\$122,869	\$13,831
2004	\$136,700	199.9	\$119,672	\$17,028
2005	\$136,700	208.1	\$114,957	\$21,743
2006	\$136,700	215.9	\$110,804	\$25,896
2007	\$136,700	221.8	\$107,872	\$28,828
2008	\$136,700	229.9	\$104,070	\$32,630
2009	\$136,700	233.4	\$102,495	\$34,205
2010	\$136,700	239.0	\$100,107	\$36,593
2011	\$136,700	246.5	\$97,048	\$39,651

This chart shows that in each year since 1999, a New York State Judge has effectively received a pay cut. By 2011, that pay cut amounted to \$38,000 per year.

* Rounded to the nearest 1/10th

** Diminished Salary = $\$136,700 \times (1999 \text{ CPI} / \text{Respective Year CPI})$
= $\$136,700 \times (175 / 246.5) = \$97,048$ as of April, 2011

CHART 7
**Supreme Court Justice's Salary
 Cumulative Loss Due to Inflation
 1999 - 2011**

Year	Actual Salary	Inflation Adj. Salary	Loss In Salary	Loss In 2011 Dollars
1999	\$136,700	\$136,700	\$0	\$0
2000	\$136,700	\$140,059	\$3,359	\$4,545
2001	\$136,700	\$144,433	\$7,733	\$10,148
2002	\$136,700	\$147,245	\$10,545	\$13,574
2003	\$136,700	\$152,089	\$15,389	\$19,177
2004	\$136,700	\$156,150	\$19,450	\$23,609
2005	\$136,700	\$162,556	\$25,856	\$30,147
2006	\$136,700	\$168,649	\$31,949	\$35,906
2007	\$136,700	\$173,232	\$36,532	\$39,970
2008	\$136,700	\$179,561	\$42,861	\$45,242
2009	\$136,700	\$182,320	\$45,620	\$47,426
2010	\$136,700	\$186,670	\$49,970	\$50,737
2011	\$136,700	\$192,542	\$55,482	\$55,482
Total			\$345,105	\$376,323

Over the last 12 years, a New York State Judge has lost more than a third of a million dollars in cost of living raises. It is as if that Judge had worked almost three years for free. By April 1, 2012, this amount will approach \$400,000 in lost earnings.

$$\text{Inflation Adjusted Salary} = \frac{(\text{Respective year's CPI} - 1999 \text{ CPI}) \times \$136,700 + \$136,700}{1999 \text{ CPI}}$$

$$\text{Loss in 2011 Dollars} = \text{Loss in Salary for selected year} \times (2011 \text{ CPI} / \text{selected year's CPI})$$

CHART 8
CUMULATIVE SALARY INCREASES
NON-JUDICIAL EMPLOYEES v. CPI v. JSC
1999 - 2011

Year	Non-Judicial* (CSEA)	CPI**	Supreme Court Justice
1999	0%	0%	0%
1999	3%	2%	0%
2000	6%	2%	0%
2001	10%	6%	0%
2002	14%	8%	0%
2003	15%	11%	0%
2004	16%	14%	0%
2005	20%	19%	0%
2006	23%	23%	0%
2007	25%	27%	0%
2008	33%	21%	0%
2009	37%	33%	0%
2010	43%	37%	0%
2011	43%***	41%	0%

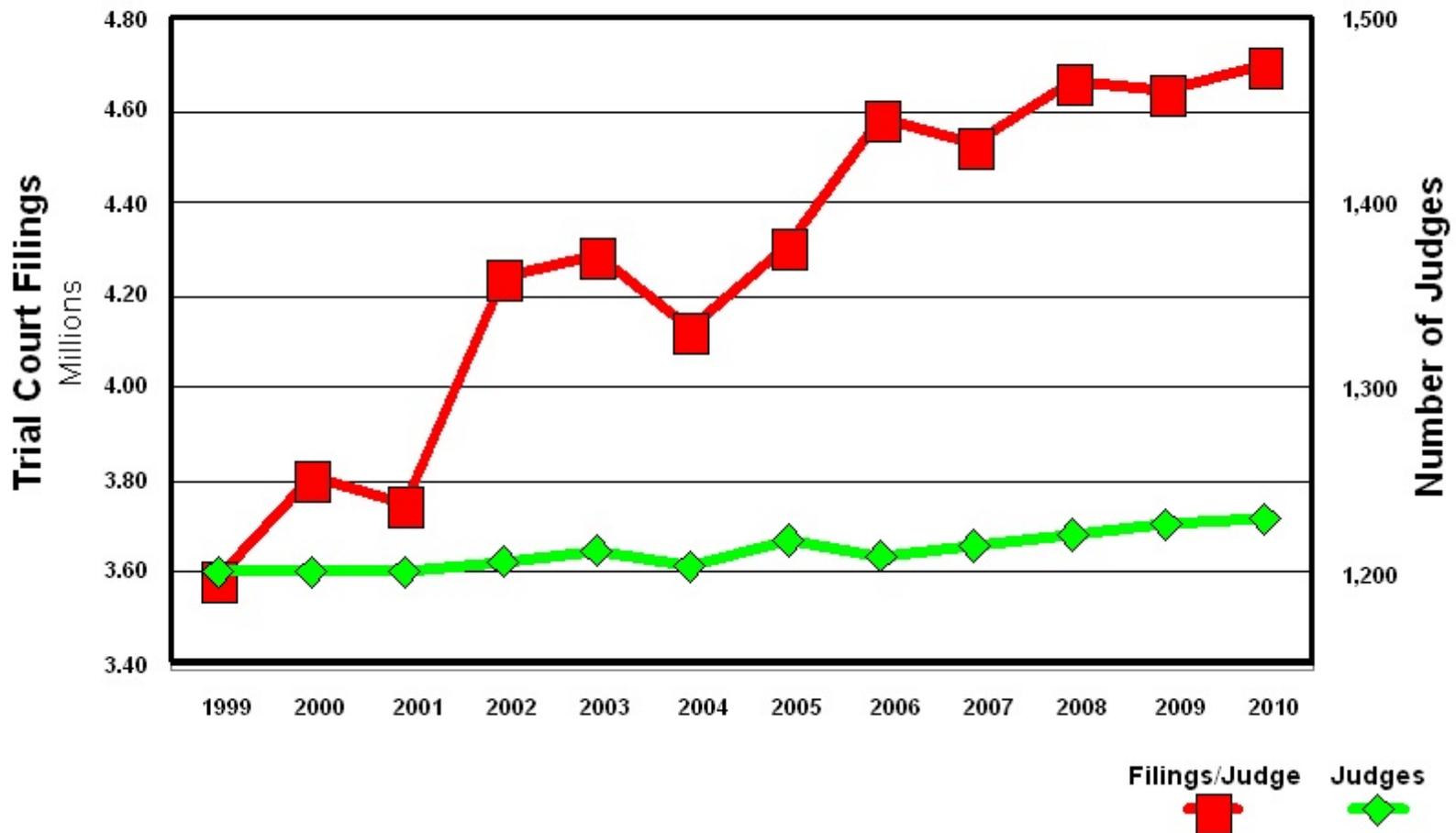
This chart shows that from 1999 to 2011, the base hiring rate of a grade 18 court clerk increased 43% at a time when the cost-of-living increased 39% and Judges' salaries increased 0%.

* Assumes pay Freeze in 2011

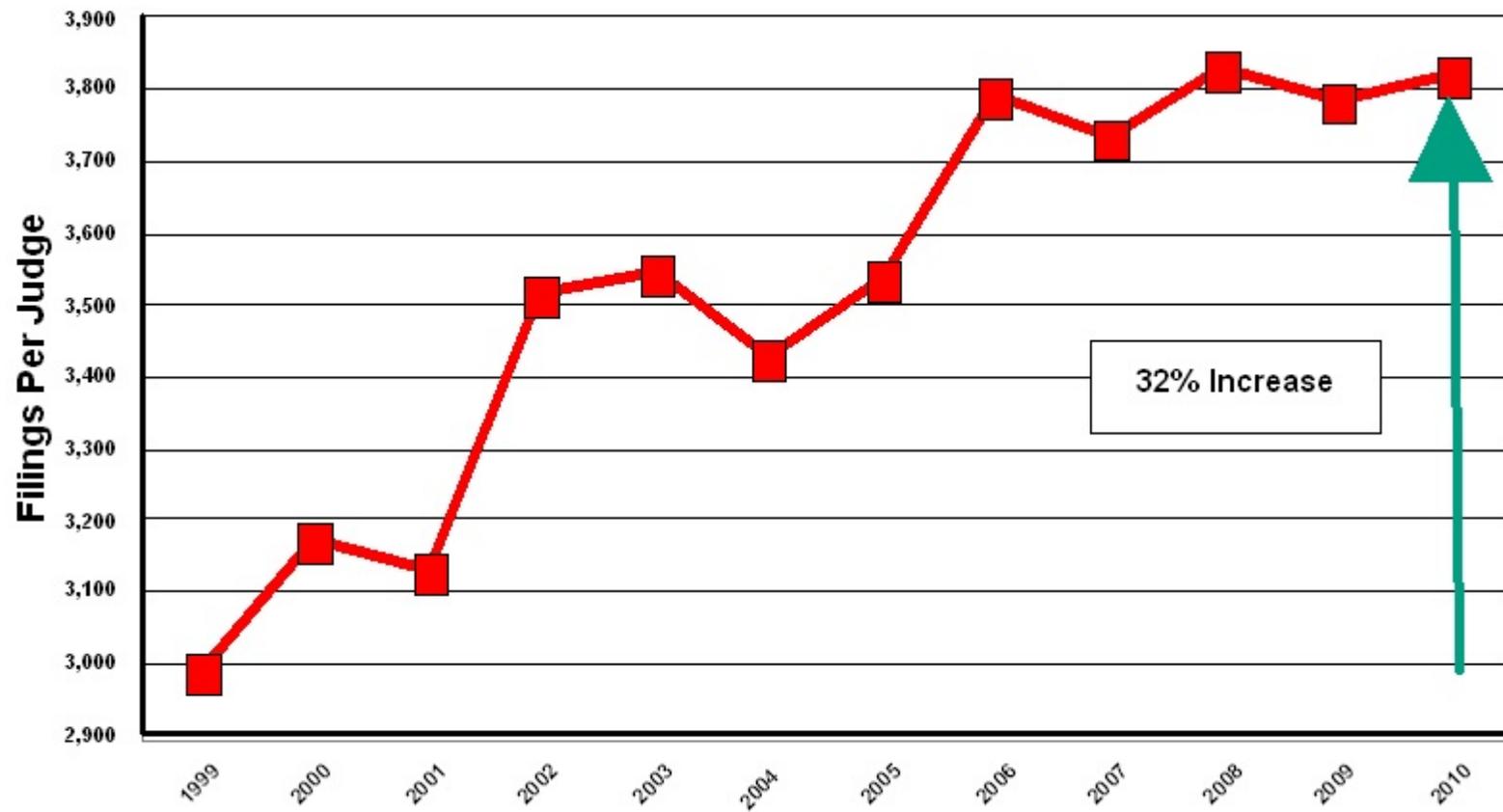
** $\frac{([\text{April 1, 2010 hiring rate}] - [\text{March 31, 1999 hiring rate}]) \times 100}{[\text{March 31, 1999 Hiring Rate}]} = 43\%$

*** $\frac{([\text{April, 2011 CPI}] - [\text{January, 1999 CPI}])}{[\text{January, 1999 CPI}]} = 40.85\%$

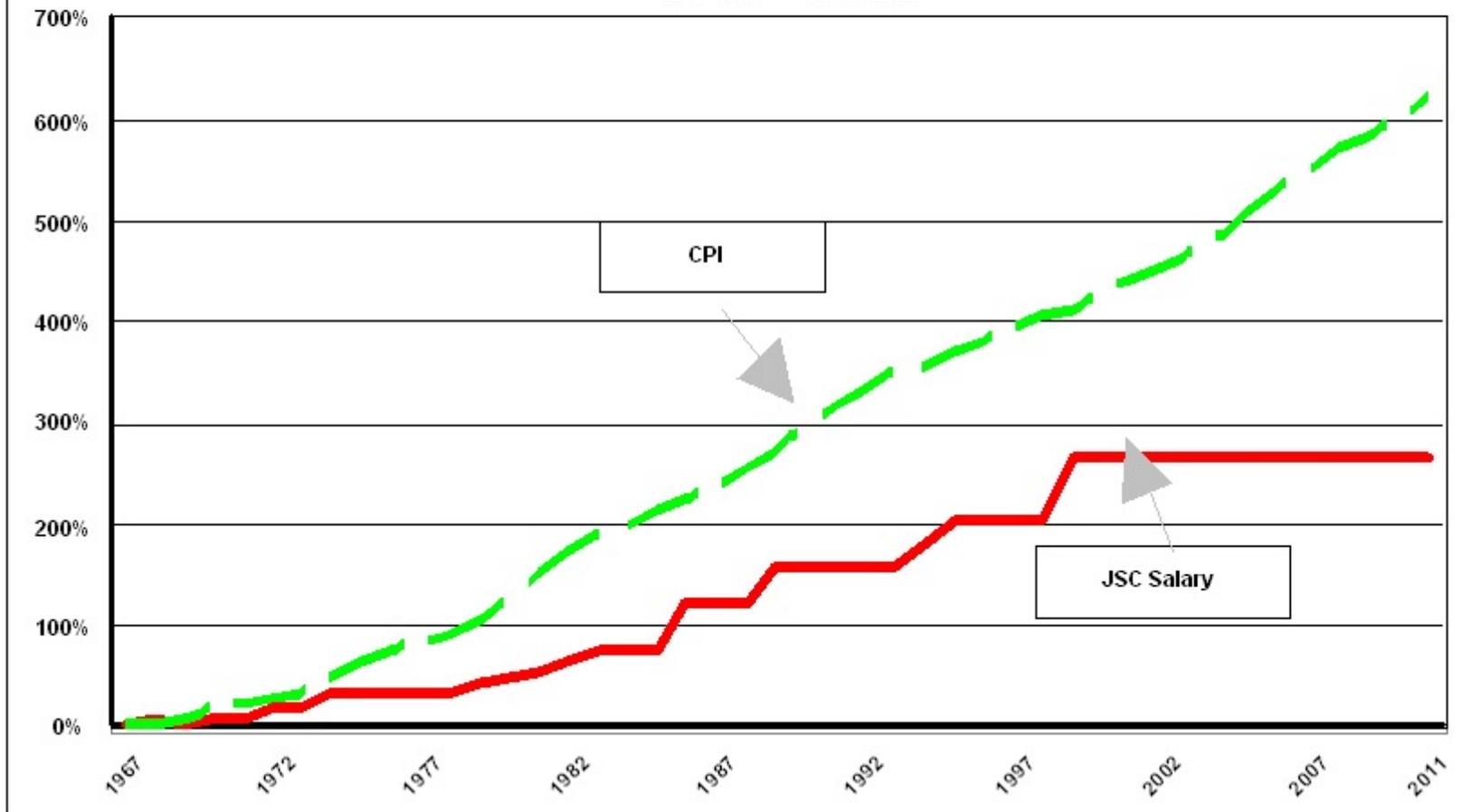
Court Filings vs. Number of Judges 1999 - 2010



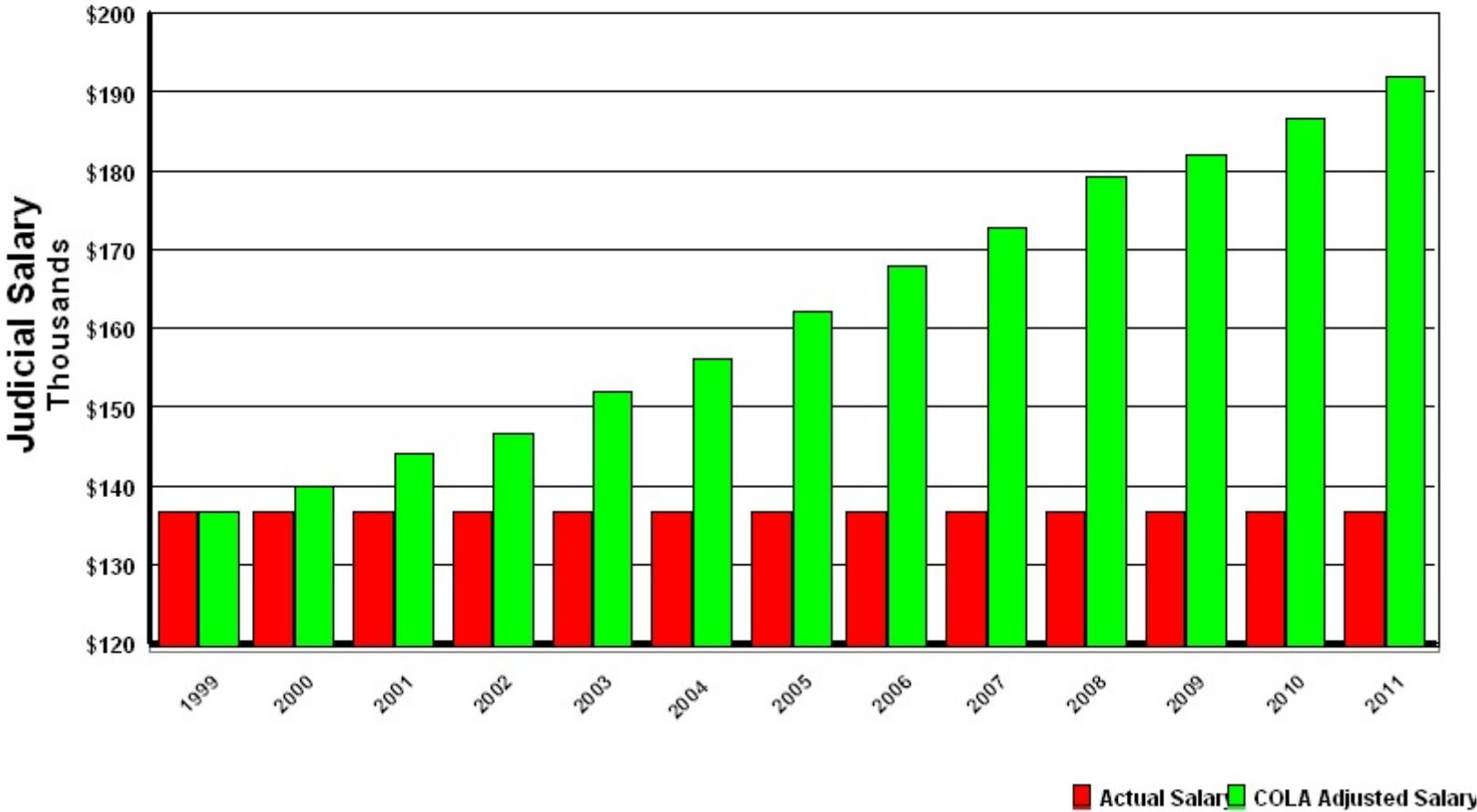
Court Filings Per Judge 1999 - 2011



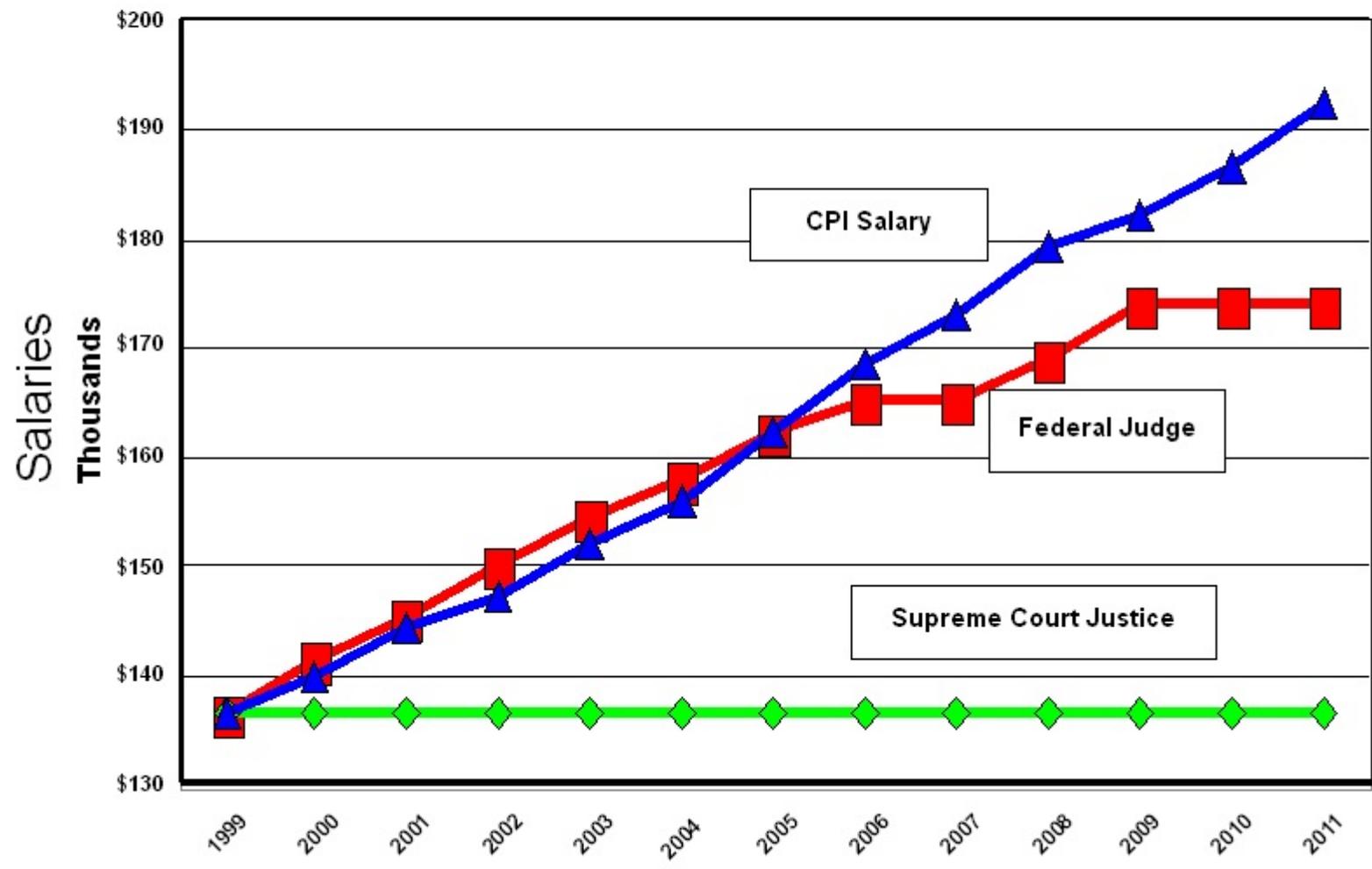
Supreme Court Justice's Salary vs. CPI Percent Increase 1967 - 2011



Actual Judicial Pay vs. COLA Adjusted Pay 1999 - 2011



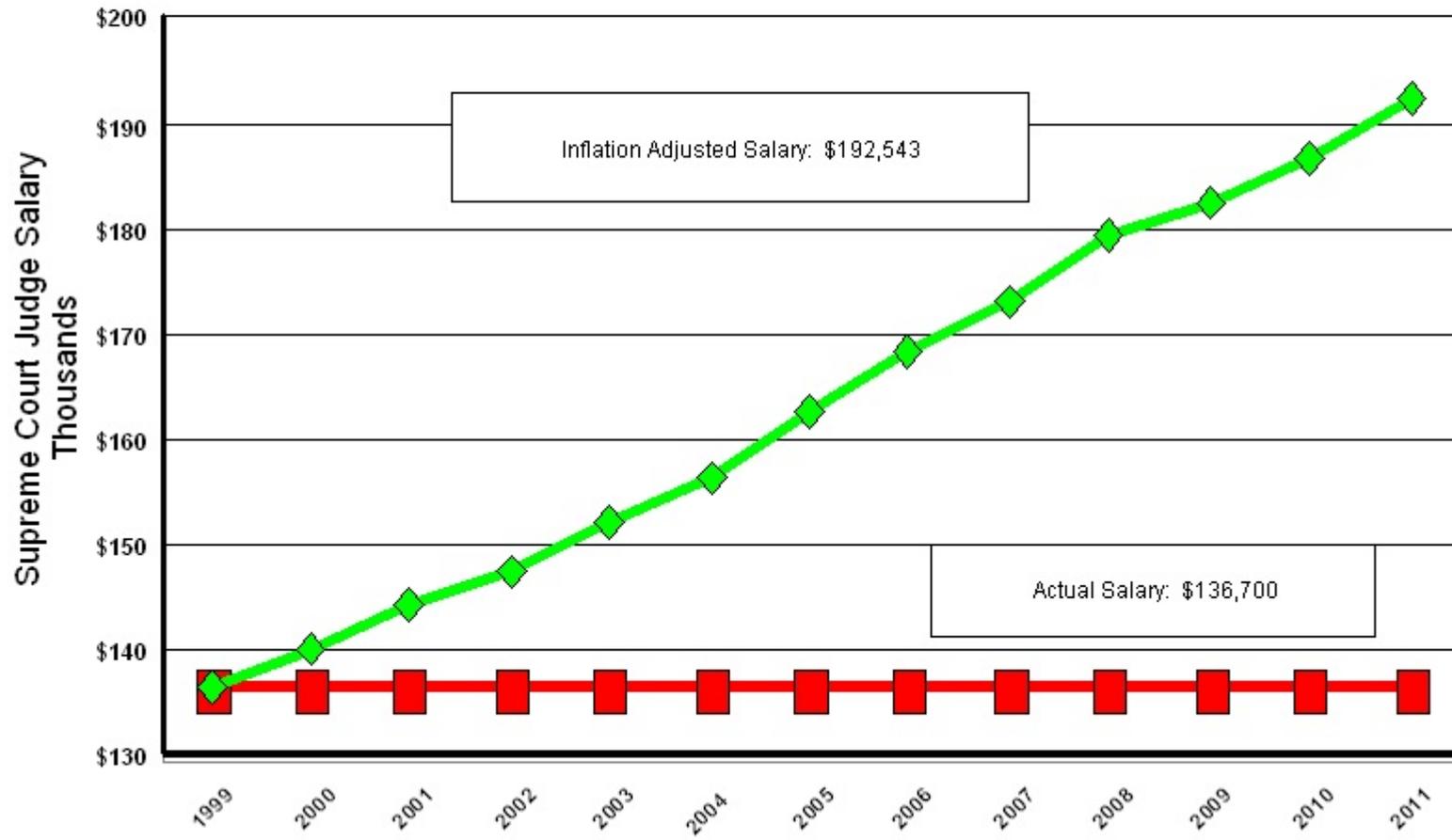
Federal District Court Judge vs. SCJ v. CPI 1999 - 2011



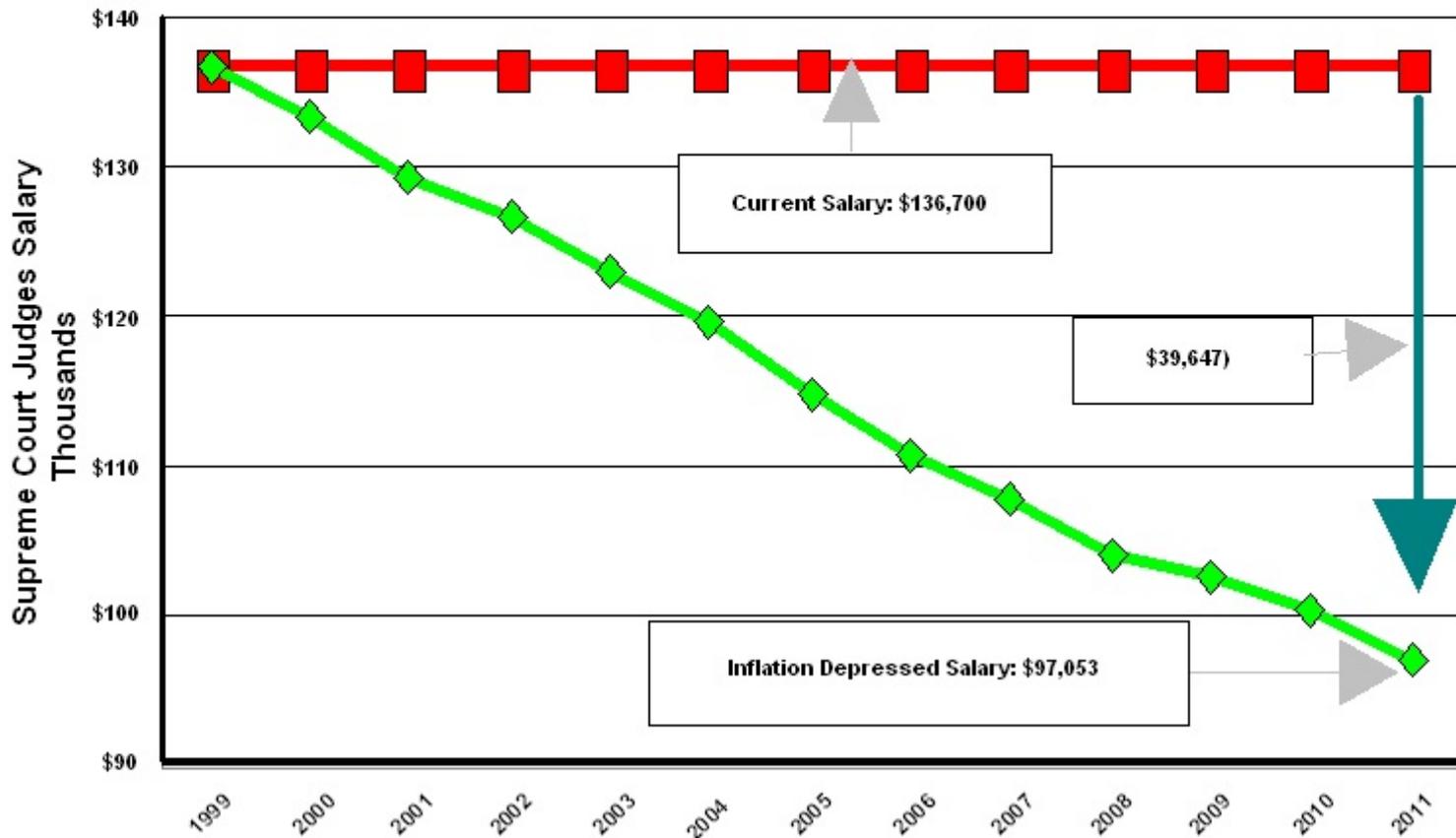
Supreme Court Justice's Salary

If Kept Pace With Inflation

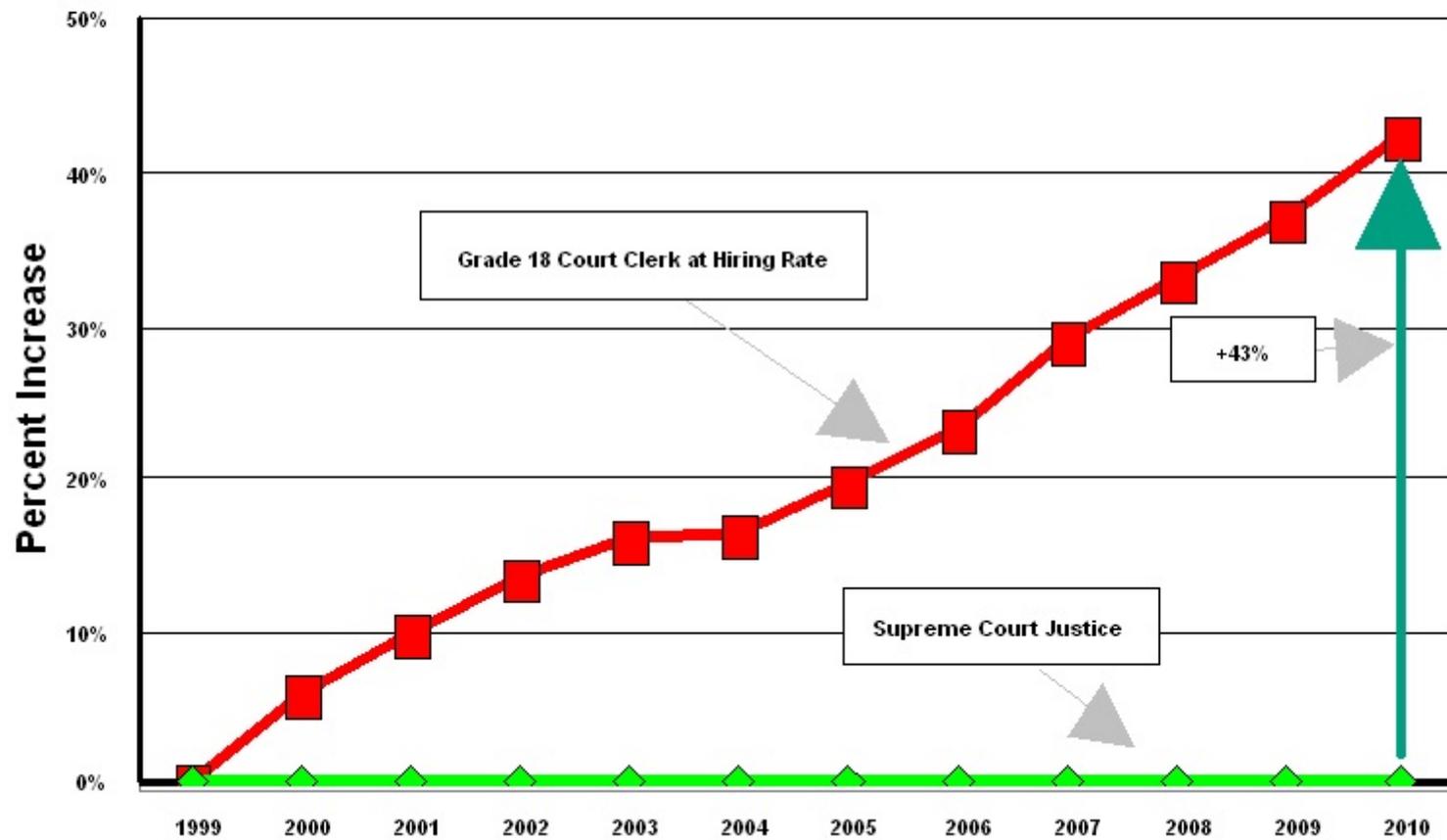
1999 - 2010



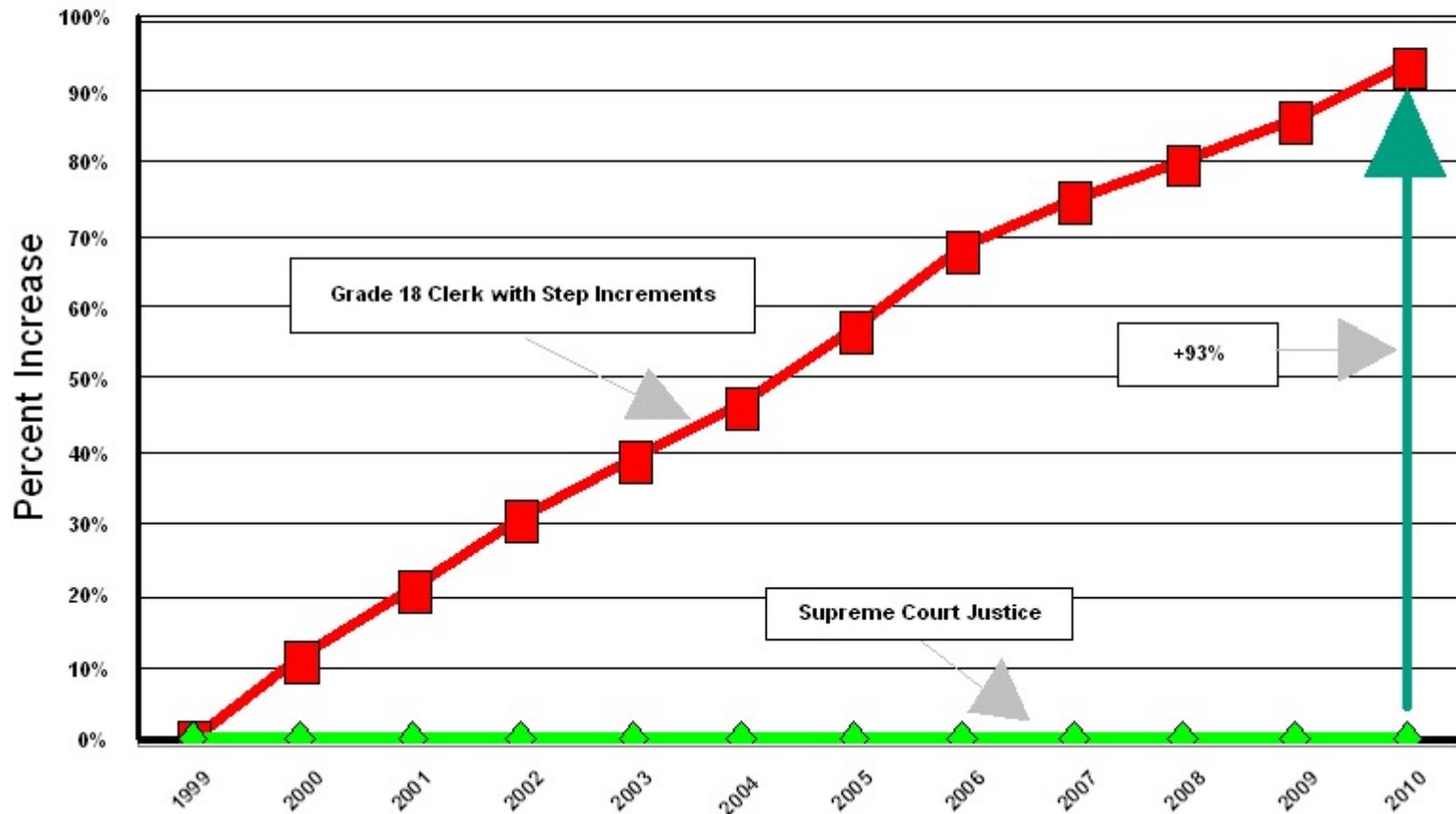
Supreme Court Justice's Salaries 1999 - 2011 As Depressed By Inflation



Grade 18 Court Clerk v. Supreme Court Justice Increase in Hiring Rate 1999 - 2010



Grade 18 Clerk vs. Supreme Court Justice With Step Increases 1999 - 2010



2. A SHORT HISTORY OF THE NEW YORK STATE JUDICIARY

Courts have been functioning in New York for almost 400 years. For at least the last 100 years, the New York State Judiciary has operated at the focal point of the financial and commercial center of the World. It is the New York Courts that have kept that financial and commercial center on an even keel. Because New York is the center of the world's financial and commercial transactions, it also finds itself as the venue for the most complex criminal prosecutions in the world.

The Dutch, operating through the Dutch East India Company, first organized this territory in North America as New Netherland, with settlements at Albany (then called Fort Orange) and in Manhattan (then called New Amsterdam). In 1664, New Netherland came under English control and became New York.² Over the next several decades, the court system evolved from the Dutch Patroons' manoral and council courts, into county courts presided over by justices of the peace and borough and mayor's courts established in the cities. As the Colony of New York grew, the Court of Assizes, consisting of the governor, his council and several designated justices of the peace, became the centerpiece of the New York judicial system. In 1684, the Court of Assizes was abolished and its jurisdiction was taken over by the Court of Chancery, while Courts of Session continued to conduct most trials.

In 1691, the Colonial Assembly (New York was unicameral at the time) enacted a major reorganization of the courts. A Court of Sessions was created to

meet in every city. A Court of Common Pleas was created to hear civil cases and a Supreme Court of Judicature was given jurisdiction over all cases. A Court of Appeals was made up of the governor and his Council with a limited right to appeal to the British Privy Council.³

The next major change in New York's courts took place in 1777, when a Constitution was adopted by a State Convention. Most of the colonial courts were continued but a new "Court for the Trial of Impeachments and the Correction of Errors" was created to exercise final appellate jurisdiction. This court was made up of the members of the Senate, the Chancellor, and all the judges of the Supreme Court. Because of distrust in colonial executive authority, veto power was vested in a Council of Revision made up of the governor, the chancellor and the judges of the Supreme Court. However, the Council of Revision became so politicized that it was abolished after the changes recommended by the Constitutional Convention of 1821 were approved by the voters.

Over the next 24 years, the Constitution of 1822 was amended only twice with respect to the Courts. One of those amendments provided that Judges could be removed only for cause. However, the Constitution of 1846 made significant changes to our court system. With an organizational structure that we would recognize today, the new Constitution created the Court of Appeals. The new amendments also abolished the Court of Chancery and the Court for the Trial of Impeachments and the Correction of Errors. This finally removed the Senate from

appellate jurisdiction and it established the bright line date for the complete separation of the judicial powers from the executive and legislative branches of government. The new Court of Appeals was made up of four judges, elected for eight year terms and four judges of the Supreme Court designated by the governor, who each sat for one year terms. This would be the structure of New York's highest court until the Constitution of 1870 created a seven member Court of Appeals, all elected on a statewide basis for 14 year terms. The Supreme Court of Judicature was replaced by a new Supreme Court as the court with general jurisdiction over all matters of both law and equity. New County Courts replaced the Courts of Common Pleas and the Courts of General Sessions.

Over the next fifty years, the need for judicial reform would become obvious. One historian states that, "*Partisan control and relatively rapid turnover in personnel helped to reduce the judiciary to the level of incompetence that characterized the other branches of the state government.*"⁴ During this time, judges were elected for eight year terms. There were thirty-three Supreme Court Judges, who also sat for eight terms each year in an appellate mode. The Court of Appeals had four elected judges and four Supreme Justices, who each served one year terms.⁵

In 1894, a new Constitution again re-organized the courts. Several minor courts were consolidated in the larger cities (then New York, Brooklyn and Buffalo) and the four appellate divisions were created. In 1897, the Court of Claims was created as a statutory court but it would not become a Constitutional Court until

1950. The New York Judicial system that evolved in the 20th Century will be described in a following section.⁶

3. A SHORT HISTORY OF NEW YORK'S JUDGES

New York has been the national leader in graduating members of its bench and bar to the Supreme Court of the United States. To date, 18 New Yorkers have served as Justices of the Supreme Court with four of those serving as Chief Justices. These include our first Chief Justice, John Jay and Chief Justices Charles Evans Hughes, Harlan F. Stone and John G. Roberts. The most renowned Judge to go from the State bench to the Supreme Court would no doubt be Benjamin Cardozo. It is also worth mentioning “the tenth Justice,” Learned Hand. Hand was born in Albany and sat on the Federal bench for 52 years. For 37 of those years, he sat on the 2nd Circuit Court of Appeals in New York City. Justice Benjamin Cardozo was once asked to name the greatest living American Justice on the Supreme Court. Speaking of Hand, Cardozo answered that the greatest living American jurist was not on the Supreme Court. James Kent, our great State Chancellor, is considered the father of American common law and equity law. Of the 112 persons who have served on the U.S. Supreme Court since 1789, 16% have come from the State of New York. The list of lawyers and State Judges, born or raised in New York, who have served on the United States Supreme Court, in order of appointment are: 1. John Jay, 2. Henry Brockholst Livingston, 3. Smith Thompson, 4. Samuel Nelson, 5. Joseph P. Bradley, 6. Ward Hunt, 7. Samuel Blatchford, 8. Rufus W. Peckham,

9. Charles Evans Hughes, 10. Harlan F. Stone, 11. Benjamin N. Cardozo, 12. Felix Frankfurter, 13. Robert H. Jackson, 14. John Marshall Harlan II, 15. Antonin Scalia, 16. Ruth Bader Ginsburg, 17 Sonia Sotomayor, and 18. Elena Kagan. It is indeed remarkable, that five of the current nine United States Supreme Court Justices are New Yorkers.

One scholar states that:

“It is no idle boast to say that the Empire State has been a leader in establishing judicial policy and process throughout the history of the United States...Rulings in the state’s own courts have long influenced decisions in federal and other state courts. Throughout much of the 20th Century, in particular, New York’s pre-eminence in business and industry helped set the stage for its Court of Appeals to become a national leader in developing commercial and business law.”⁷

Where the State of New York has not maintained pre-eminence for its judiciary is in the area of salaries. On a cost of living weighted basis, New York State’s Judges are now the lowest paid State Judges in America. The Chief Judge is paid \$45,000 less than bureau heads in both the New York City District Attorneys’ Offices and in the office of the New York City Corporation Counsel. There are Assistants in the New York Attorney General’s Office who earn more than the Chief Judge. Most incredibly, there are over 20,000 employees of State and local government who are paid more than a State Supreme Court Justice and more than 7,000 persons who earn more that the Chief Judge. ⁸

4. A SHORT HISTORY OF JUDICIAL SALARIES IN NEW YORK.

In 1846, the New York Constitution was amended to provide that judicial salaries could not be increased or decreased during a judge's term. In 1869, an amendment removed the prohibition on increasing a judge's salary but in 1894, the Constitution was again amended to revert back to the 1846 language prohibiting salary increases. In 1909, an amendment deleted both the increase and decrease provisions and established in the Constitution that salaries for Supreme Court Justices would be \$10,000 per year. From that point on, the Legislature was without power to modify judicial salaries by statute until that provision was changed by the voters in 1925.

During this time—and lasting up to 1974—Supreme Court Judges in New York City were paid a supplement, in addition to their State-paid salary. At first, the supplement was paid just to Supreme Court Judges in New York City and it was paid by the City. At a later point, the supplements were extended to other Judges in the metropolitan area but paid by the State. Still later, the Legislature required the upstate counties to pay a supplement of a lesser amount. As early as 1875, the New York City area supplement amounted to \$7,500 which was added to a Judge's State paid salary of \$10,000, for a total yearly salary of \$17,500. At this point in time, a New York Supreme Court Justice was the second highest paid civil servant in America, behind only the President of the United States, who, up to 1873, was

paid \$25,000 per year. In contrast, for example, in 1909, Federal District Court Judges were paid \$6,000 per year.

In 1925, the “no diminishment” clause was reinserted into the Constitution and two years later the Judges received their first raise in about 50 years. For 40 of those years, the increase in the cost of living was negligible but did increase about 35% during and after WW I. By 1935, during the Great Depression, New York Supreme Court Justices were paid \$25,000 per year while Federal Judges earned only \$10,000. The policy of New York City supplementing salaries of Justices of the Supreme Court came under court scrutiny in 1949. At that time, New York City JSC’s were paid \$18,000 per year by the State of New York and \$10,000 per year by the City of New York (pursuant to Judiciary Law § 144). Also, other judges not living in the City, but part of the Second Department, were paid the same supplement by the State (Judiciary Law §§ 145 and 146). To correct some of this salary inequality, the Legislature passed a law requiring that the upstate counties supplement their JSC’s salaries by \$5,000 per year (Ch. 814 of the Laws of 1949). The constitutionality of this legislative plan was eventually upheld in *County of Broome v. Bates* (302 NY 587).

Until 1974, the salaries paid to New York’s Judges were still a hodgepodge of State and local laws, policies and practices. In 1974, the State took over the full funding of all Judges except for Town and Village Judges. But serious salary disparities still existed between the Courts with co-jurisdiction and among different

Courts that broke down mostly on a geographical basis that were based on reasons mostly lost to history. For example, Albany County Family Court Judges are still paid \$7,000 less than Sullivan County Family Court Judges and \$11,000 less than Albany County Court Judges. For more detail on the historical progression of Judicial salaries in New York, please see footnote #22. ⁹

The salary chart set forth below shows in dramatic fashion the historical decline in the salary of New York State Judges. Supreme Court Judges went from being the second highest paid public servants in America, behind only the President, to being the lowest paid State Judges in America, when their salary is adjusted for the cost of living. Through the first half of the 20th Century, up to as late as 1968, a Justice of the New York Supreme Court was paid in the neighborhood of a quarter of a million dollars per year in today's dollars. Starting around 1974, the inexorable effects of inflation and the absence of regular pay raises, have seriously eroded judicial salaries. **A judge's 1999 salary of \$136,700 now has a purchasing power equivalent to about \$97,000.**¹⁰ The numbers on the next page are derived from the inflation calculator available on the Bureau of Labor Statistics web page. The last number, a JSC's inflation adjusted salary, is computed based on the January, 1999, CPI of 175 and the April, 2011, of 246.49. The formula for this calculation is as follows:

1. $246.49 - 175 = 71.49 / 175 = 40.85\%$ increase in inflation; 1-1999 to 4-2011
2. $40.85\% \times \$136,700 = \$55,844 =$ amt. to bring old salary up to COLA level

3. $\$136,700 + 55\,844 = \mathbf{\$192,543}$

4.1 137 YEAR HISTORY OF JUDICIAL RAISES IN NEW YORK

YEAR	ACTUAL SALARY ¹¹	EQUIVALENT 2011 SALARY ¹²
1875	\$17,500	\$344,000
1927	22,500	285,000
1932	25,000	402,000
1933	22,500 ¹³	381,000
1946	26,000	294,000
1950	30,000	274,000
1956	32,000	259,000
1960	34,500	245,000
1965	37,000	259,000
1968	39,100	247,000
1970	40,833	232,000
1972	43,317	228,000
1974	48,998	219,000
1978	52,428	177,000
1979	56,098	170,000
1980	58,000	155,000
1981	60,900	148,000
1982	65,163	149,000
1985	82,000	168,000
1987	95,000	184,000
1993	99,500	152,000
1993	104,000	159,000
1994	108,500	161,000
1994	113,000	168,000
1999	136,700	192,543*
2011	\$136,700	\$97,000*

The salaries shown for 1999 and 2011 are a bit different from those derived using the salary calculator, which uses a national average CPI. For 1999 and 2011, we have used the metro-NY CPI. What this chart show's, quite dramatically, is that for the 50 years from 1927 to 1974, a Judge's salary held 77% of its value. For the 37 years between 1974 and 2011, a Judge's salary held only 44% of its original value.

5. THE STRUCTURE OF THE NEW YORK STATE COURT SYSTEM TODAY

The judicial system of the State of New York is comprised of about 3,500 judges. These judges serve in 12 different trial courts and in 3 appellate courts. The Town and Village judges are not included in this salary evaluation process because, they are not “State-paid judges” are they are not covered by the Commission’s charter. However, this is not to diminish, in any way, the contribution those Judges and those Courts make to the administration of justice in New York. The Judges in those Courts handle many of the same matters that are heard by State-paid Judges in City, District and Municipal courts. While many of the Town and Village courts are in very small jurisdictions, many are in communities that are much larger than many of New York’s 62 cities. For example, the City Court of Watervliet, near Albany, serves a population of about 9,500, with State-paid judges. Next to Watervliet, is the Town of Colonie, population 82,000, served by Town Justices who are paid by the town. The main difference between Town Courts and the Courts with State-paid Judges is that the Judges in Town Courts need not be lawyers, though in the bigger town courts, most are.¹⁴

The State of New York has the most complex court organizational structure in America. Most states have a basic two tiered trial court system, consisting of, for example, a district court and a circuit court. In some states, there is only one level of trial court (California, Illinois, Minnesota, South Dakota, District of Columbia,

Idaho, Puerto Rico and Virgin Islands).¹⁵ In February, 2002, the Unified Court System commissioned a study, certified by the accounting company of Marvin and Company, P.C. This study concluded that “a consolidated court structure [would] provide an estimated net savings of over \$131 million in the first five years, projected to be 2004-2008.”¹⁶ Adjusting the study’s 2008 savings figure by the January 2011, CPI and then applying an estimated 2.5% yearly increase in inflation for the next four years, court consolidation, implemented at this point in time, could reasonably be projected to provide a first five year savings in the amount of at least \$160 million.¹⁷

For working purposes, we can say that there are about 1,200 “State-paid” judges and 2,300 “local-paid” judges that make up New York’s judiciary.¹⁸ As mentioned earlier, the Commission is not charged with reviewing issues concerning local-paid (Town and Village) Judges.

Among the appellate, general jurisdiction and specialized courts in New York, there are many permutations. First, §140 of the Judiciary Law limits the number of Supreme Court Justices to 328. This does not include JSC’s who reach the mandatory retirement age of 70, who then can be certificated for three additional two year terms. There are often 50-70 certificated Judges serving at any given time. The Constitution, Article VI, § 6[d], limits the number of Supreme Court Justices to one for every 50,000 people. With a current population of 19.5 million, this would permit 391 JSC’s. This population-limiting provision does not apply to County level or City Court Judges.

Of the 328 statutorily authorized JSC's and the certificated judges, many are governor-appointed to the Appellate Divisions (for five-year terms), along with others who are temporarily assigned to that Court upon a certification by an Appellate Division that increasing case loads present a need for additional Justices [Constitution, Article VI, § 4(e)]. The Presiding Justices of each Appellate Division are selected by the Governor and serve in that capacity during their entire judicial term up to age 70 [Constitution, Article VI, § 4(c)]. Other JSC's are assigned the Appellate Term by the Chief Administrator with the approval of the Presiding Justice of that Appellate Division. The Appellate Terms hear appeals from the New York City Criminal and Municipal Courts. The Third and the Fourth Departments could, but presently do not, have Appellate Terms. Appeals in those Departments and in the counties not covered by Appellate Terms in the Second Department from local courts are heard by the County Courts.

In the Court of Claims, originally organized to hear claims against the State, many judges are assigned to civil and criminal terms of Supreme Court. This is a process that started with the inception of the "Rockefeller Drug Laws," in the early 1970's, and has been used to address other case load increase in Supreme Court. At the County level, in upstate areas, many judges sit as "two" or "three hatters," meaning that they handle Surrogate, County and Family Court matters. There are also many City and District Court judges who sit as acting-County Judges. Of course, the biggest portion of this group includes the many municipal and criminal

Judges in New York City who sit as acting-Supreme Court Justices. Finally, there are Town and Village Justices who sit as acting-City Court Judges. In descending order of relative jurisdiction, the Courts of the State of New York are represented below. As a general proposition, the judges of these Courts are paid at different rates, have different qualifications, different terms of office and are selected in different ways. It is the goal of this Coalition to bring some uniformity to the system by consolidating the welter of disparate salaries so that there are just two salary rates for State-paid trial judges.

For the purposes of this Commission's work, this Judicial Coalition takes the position that every judge in this State is equally dedicated, works equally hard, applies similar levels of legal and judicial skills to the cases over which he or she must preside, that those cases present relatively equal though different types of difficulty and, except for some modest differentials between the Courts of appellate, general and limited jurisdiction, which also often reflects a length of service factor, all judges should be paid at nearly the same rate. For this reason, the Coalition of Judicial Associations feels there is no need to delineate in this report each court's jurisdiction and describe each court's operations.¹⁹

It is also worth noting that there are probably more than 200 judges serving by designation in higher paying positions. These are mainly Municipal, Surrogate, Family and County Court judges serving as acting-Supreme Court Judges. It also includes Municipal and City Court Judges serving as Family and County Court

Judges and other county level judges serving as Supervising Judges or in Integrated Domestic Violence Parts. All together, nearly 900 of New York’s 1200 State-paid Judges are currently paid at the rate of a JSC or higher.

The New York State Judicial system is comprised of the courts set forth in **Chart 5.1.**

5.1 New York State’s Courts.

1	Court of Appeals
2	Appellate Divisions (4 Departments)
3	Appellate Terms of Supreme Court (In 1st & 2nd Depts.)
4	Supreme Court
5	Court of Claims
6	Surrogate’s Court
7	County Court. (Not in NYC)
8	Family Court
9	City Court (Outside NYC & LI, except for Long Beach).
10	Municipal Court (NYC).
11	Criminal Court (NYC)
12	Housing Court (NYC)
13	District Court (Nassau and Suffolk Counties)
14	Town Court (Not included in this study)
15	Village Court (Not included in this study)

Because of the cross-assignment of Judges, it is no exaggeration to say that about 70% of the trial judges in this State do serve in a truly unified court system, at least as far as salary is concerned. However, it is time that the *de facto* becomes the *de jure*. We are asking that this Commission do what so many other Commissions in the past have recommended. The Commission should determine that all county level and above trial Judges receive the same salary and that the City, Municipal, District Court and Housing Court Judges should be paid 95% of that rate.

In **Chart 5.2** that follows, we list each type of State-paid judge and the number that serve in that position. All Judges in the Appellate Divisions and Appellate Terms are Supreme Court Justices sitting by appointment or assignment. This chart also includes Justices who are certificated to serve after the mandatory retirement age of 70. Judiciary Law § 140-a sets the number of JSC's at 338. By way of reference, in 1999, there were 324 JSC positions authorized.

At the present time, § 2104 of the Uniform City Court Act authorizes 165 City Court Judges. However, 32 of those are half-time and 35 are quarter-time. Accordingly, there are only 123 full time equivalent City Court Judges. Because all other Judges listed above are full -time, we are using the full time equivalent (FTE) number for City Court Judges. As noted elsewhere, in support of our request that there be just two pay grades for trial judges, of the 1199 judges listed in **Chart 5.3**, almost 900 now receive the salary of a Supreme Court Justice or higher, primarily because of the assignment system which has County and Municipal Court Judges

serving as acting-Supreme Court Justices.

In **Chart 5.3**, we list Judicial positions by salary. As one can see, we now have 26 separate pay scales for State-paid Judges including 16 different scales for full-time trial judges and multiple scales for the same Judicial position. One example will illustrate the irrationality of this system. Albany County Family Court has a significantly higher case load compared with Ulster and Sullivan County, which are in the same Judicial District as Albany County. Albany County is also a significantly more populous county and has a higher cost of living compared with the other two counties. Yet, Ulster and Sullivan County Family Court Judges are paid \$7,200 more per year than Albany County Family Court Judges.

5.2 NUMBER OF NEW YORK JUDGES BY POSITION

OFFICE	NUMBER
1. Chief Judge	1
2. Associate Judges of the Court of Appeals	6
3. Presiding JSC: Appellate Divisions	4
4. Associate Appellate Division JSC's	58
5. Presiding JSC, Court of Claims	1
6. Presiding JSC, Appellate Term	3
7. Associate JSC's of the Appellate Term	11
8. Supreme Court Justices, Trial Term	302
9. Court of Claims Judges	84
10. Surrogate Court Judges	32
11. County Judges	70
12. Family Court Judges	130
13. "Two-Hatters"	12
14. "Three-Hatters"	41
13. NYC Civil Court Judges	116
14. NYC Criminal Court Judges	106
15. NYC Housing Court Judges	51
16. District Court Judges	48
17. City Court Judges (FTE's)	123
Total	1199

5.3 SALARY ARRAY OF NEW YORK STATE JUDGES

OFFICE	SALARY
1. Chief Judge	\$156,000
2. Associate Judges of the Court of Appeals	151,200
3. Presiding Justices of the Appellate Divisions	147,600
4. Associate Appellate Division Justices	144,000
5. Presiding Judge, Court of Claims	144,000
6. Presiding Justice, Appellate Term	142,700
7. Associate Justices of the Appellate Term	139,700
8. Supreme Ct., Court of Claims. Surrogate, County, & Family Court Judges in Westchester, Nassau, & Suffolk Counties & NYC	136,700
9. Surrogate Court Judges	135,800
10. County Judges	131,400
11. Surrogate Court Judges	129,900
12. Surrogate, Family and County Judges	127,000
13. NYC Civil & Criminal Ct.; Surrogate, County and Family Court	125,600
14. District Court Judges	122,700
15. Surrogate and County Court Judges	121,200
16. Surrogate, Family Court, County Court Judges	119,800
17. City Court, Chief Judge	119,500
18. City Court Judges	118,300
19. City Court Judges	116,800
20. Housing Court Judges	115,400
21. City Court, Chief Judge	115,100
22. City Court Judges	113,900
23. City Court Judges	108,800
24. City Court Judges, 3/4 time	81,600
25. City Court Judges, 1/2 time	54,400
26. City court Judges, 1/4 time	\$27,200

This chart reflects the salaries that are set by the Judiciary Law. There are multiple entries for the same title because the law designates different salaries for Judges holding those titles.

6. PROPOSED SALARY ARRAY

Historically, judicial salaries have been adjusted by the Legislature in separate bills not connected with or passed at the time the Court's budget was approved. In 2005, for the first time in modern history, funding for judicial salary increases was included in the budget submitted by the Unified Court System. At this point in time, the schedule for judicial salaries is still set forth in Judiciary Law §§ 221-221-i and 223.

For each year since 2005, the Court, in its proposed budget, has asked for approval of a salary schedule that would peg the salary of a Justice of the Supreme Court (JSC) to that of a Federal District Court Judge and the salaries of the other state-paid judges would be pegged to the salary of a JSC. The UCS budget proposals also made a significant attempt to close some of the unwarranted salary disparities among the trial courts. Set forth in **Chart 6.1**, is the schedule as proposed by the UCS and that proposed by this Coalition. As can be seen, continuing the UCS salary array proposed in their budgets still results in fractional amounts that, to this Coalition, are cumbersome and missing the virtue of simplicity. It also leads to the impression that the salary relationships were derived with some great degree of precision when, in truth, the reason for the ratios between and among the salaries paid to judges of different courts is largely lost to history. For example, as noted elsewhere in this report, the salaries of the judges of the Court

of Appeals were, for quite a long period of time, once less than the salaries of Justices of the Supreme Court. This Coalition believes that there should be substantial uniformity in salaries paid to the Judges of the trial Courts.

The Coalition also believes that the salary differentials should be expanded at some points, compressed at other points and, in some cases, eliminated. Supporting this are resolutions passed in 2004 by the Judicial Associations representing the four main trial courts: Supreme, Surrogate, County and Family. Those resolutions declared that all trial court judges should be paid the same. (See Exhibit A, attached.) The spirit of this policy has been uniformly recommended and advanced to varying degrees of success in OCA policy, legislative direction, prior Commission findings and in the pay parity law suits that have been brought over the last four decades.

To properly administer the Courts, OCA has found that it must assign many judges as acting-Justices of the Supreme Court and acting Judges in County, Family and City Courts. At this point in time, there are approximately 286 Judges who are temporarily receiving acting-JSC pay.²⁰ In addition, many county level judges, who perform administrative duties in addition to handling their regular case assignments, receive acting-JSC pay. Also, all Surrogate, Family and County Court Judges sitting in Westchester, New York City, Nassau and Suffolk Counties receive a salary equal to that of a JSC. The UCS salary bills provided that these “downstate” judges should continue being paid at the JSC rate. There are about 1200 State-paid judges

in New York and the *SeeThroughNY* web site, which posts the public payrolls, lists 871 entries for judges who are paid at the rate of a JSC or higher. This would leave just a little over 300 judges who are paid at the upstate county level Judge rate or the City, District or Housing Court Judge rate. For all of these reasons, there is little reason left for any pay disparity to continue and certainly there is no rational basis to have 16 pay scales for the trial courts.

It is the Coalition's belief that all judges in every Court supply an equality of worth to the administration of justice in this State and that any salary differential should be limited in scope and should be minimal in amount. New York has a long history of judicial pay equality among different courts. In 1855, for example, upon recommendation of a special commission, the New York City Board of Supervisors raised the salaries of the Judges of the Superior Court, the Court of Common Pleas, the Surrogate, the Recorder and the City Court Judge all to \$6,000 (See *New York Times*, June 12, 1855). The Commission noted: "***If we want the proper kind of men for judges, we must pay for the full value of their services.***"²¹ For an earlier example, in 1847, the salary for JSC's and General Session Judges was equalized at \$2,500 (See L. Of 1847, ch. 277).²²

The one exception to our recommendation for greater salary equalization is with respect to the salary of the Chief Judge, which the Coalition believes should be markedly increased—to \$290,000. This is 150% of JSC rate that we are proposing. Even this amount seems too low for the person running one of the largest judicial

systems in the world. Who would seriously claim that any public sector lawyer in this State should be paid more than the Chief Judge of the State? However, even at a salary of \$290,000, the Chief Judge would be paid less than the counsel for NYRA (\$440,000); the general counsel for the Power Authority (\$361,699); the executive attorney of the New York City Legal Aid Society (\$355,278); the chief attorney for the Legal Aid Society (\$300,396) and just ahead of the 2009 salaries for eighth year associates (but only if we do not count their bonuses) at the 26 largest New York City law firms. Not only is the Chief Judge the leader of the Court of Appeals, our highest court, but also the leader of one of the largest, most complex court systems in America (California might be larger but certainly not more complex. The Federal court system is significantly smaller and much less complex.). This enormous responsibility, as the head of one of the three independent branches of our government, should have a salary that reflects all of those factors and one that places the Chief Judge head and shoulders above other government lawyers. For this reason, we propose that the Chief Judge's salary be 150% of that of a Justice of the Supreme Court.

In proposing this schedule, the Coalition recognizes that nearly 70% of New York's Judges live and work in metropolitan New York City, which has the highest cost of living in America.²³ It must be admitted that there is a basic unfairness that results when a Judge in Manhattan is paid the same as his or her colleague in Malone or a Justice in Brooklyn is paid the same as one in Binghamton. Of course,

this was not always the case. For a significant period of time in the 20th Century, Judges in metropolitan New York received a salary supplement paid by either the City of New York or the State.

On the other hand, the Governor, and every State Senator and Assembly Member are paid at the same rate, regardless of where they live. At this point in time, because this is such a complex issue and because of the pressing need to address general salary increases in a meaningful way, this Coalition believes that the location differential issue should be left to another day. To address this issue, the Chief Administrator of the Courts should have the authority to establish location differentials. Such a procedure would allow the fine tuned adjustments that would take into account all relevant factors. Related to the issue of administrative discretion, the Chief Administrator should also have the discretion to designate a higher pay schedule for Judges serving in various administrative capacities. There is no need that this internal issue be addressed by law.

The justification for the salary scheme that follows is obvious. It is elegantly simple and contains an internal logic that reflects, in a coherent way, what Judges do and the Courts in which they do it. If further evidence is required, one can see from **Chart 5.2**, that New York State now has 26 different pay scales for its judges. 16 of these exist in the trial courts. California has one pay scale for its trial court. We propose just two pay scales for the trial courts. This is in keeping with at least five current policies and practices:

1. About 70% of the Court System's trial judges are now paid, by law, at the Supreme Court rate (all Supremes, all Court of Claims Judges and all downstate Surrogate, County and Family Court Judges).
2. About 20% more (Upstate Surrogate, County and Family Court Judges) are paid, because of their assignments, as acting-Supreme Court Judges.
3. About 50 New York City Municipal and Criminal Court Judges are assigned as acting Supreme Court Judges.
4. The prior pay Commissions have all recommended more judicial pay parity.
5. The four State-wide judicial associations (Surrogate, County, Family and Supreme) have recommended pay parity.

In further support of this salary array, we would draw the Commission's attention to the State of Texas which operates under what they call a "95/90" scheme. Under that plan, an Appeals Court Judge receives 95% of that of a Supreme Court Judge (their highest court judge) and a District Court Judge (their general jurisdiction court) receives 90%.²⁴

6.1 THE COALITION'S PROPOSED SALARY ARRAY

COURT	UCS SCHEDULE	COALITION SCHEDULE
CHIEF JUDGE	114.12%	150%
ASSOCIATE JUDGE, CT. OF APPEALS	110.61	120
PRESIDING JUSTICE, APP. DIVISION	107.97	115
ASSOCIATE JUSTICE, APP. DIVISION	105.34	110
PRESIDING JUDGE, CT. OF CLAIMS	105.34	110
PRESIDING JUSTICE APP. TERM	103.51	110
JUSTICE, APPELLATE TERM	102.19	105
SUPREME COURT JUSTICE	100	100
COURT OF CLAIMS JUDGE	100	100
SURROGATE COURT JUDGE	95	100
COUNTY COURT JUDGE	95	100
FAMILY COURT JUDGE	95	100
NYC MUNICIPAL COURT JUDGE	93	95
NYC CRIMINAL COURT JUDGE	93	95
PRES. DIST. CT. BOARD OF JUDGES	96.18	95
DISTRICT COURT JUDGE	93	95
CHIEF JUDGE CITY COURT	90.95	95
CITY COURT JUDGE	90	95
HOUSING COURT JUDGE	88.35%	95%

7. THE CONSUMER PRICE INDEX

The Consumer Price Index, issued by the Bureau of Labor Statistics, has become the benchmark for measuring the cost of everyday life in America and we will be citing it at many points in this submission. Accordingly, a few words about the CPI and our use of it are in order. **In January, 1999, the CPI was 175. As of April, 2011 it is 246.49. This represents a 41% increase in the cost of living.**

Because about 70% of New York's Judges both reside and preside in the metropolitan New York City area, we will be using the CPI - All Urban Consumers, New York MSA index.²⁵ The area covered by this index includes New York-Northern New Jersey-Long Island and covers all items purchased by all consumers that are measured in the CPI's market basket of goods and services. It is computed back to 1914. All CPI information is available in many searchable formats at the BLS web site. For cost of living information before 1914, several economists have reconstructed CPI's and those have been used in this submission for historical perspectives.²⁶

In summary, comparing the changes in the Consumer Price Index with judicial salaries shows that New York Judges have had a steady economic decline for over 100 years (See **Chart 7.1**). One criticism often raised (for example, by the State in the Judges' law suits) with CPI comparisons is that it depends on where you start counting. The State, in the judicial pay law suits, made a point that the failure to

adjust judicial raises for over 12 years did not result in a Constitutional deprivation because there had been longer periods when Judges went without a raise. Aside from perhaps making the point that those periods without raises were also constitutional deprivations, it is true that Judges went without a raise for about 50 years from 1875 to 1927. However, there was virtually no increase in the cost of living for 40 of those years, between 1875 and 1914. Also, during that time, New York State Supreme Court Judges were the highest paid public servants in the United States, with the exception of the President. Despite not having received any raise for that long period, they still earned more than Federal Judges. The Judges also went from 1932 to 1946 without a raise, a 14 year period that included the Great Depression and World War II. However, for the first ten years of that period, the cost of living went up only 3.5%. After that, from 1941-1945, which was during the war, the cost of living went up 30%. In short, during 14 years that included the worst depression and worst total war in this country's history, Judges' salaries fell about 34% behind the inflation rate. As an overall measure of the judicial compensation policy of the State of New York, Federal Judges never earned more than State Supreme Court Justices until 1974 (See Chart 2, page 120). During the last 12+ years, a period of time that included one of the great economic expansions in American history, the salaries of New York's Judges have fallen 39% behind the cost of living.²⁷

The National Bureau of Economic Research reports that the business cycle

expanded from March of 1991 to March of 2001, then again from November of 2001 to December of 2007, that is, almost 16 years of uninterrupted economic expansion. The recession that started in December, 2007, ended in June, 2009. The Dow Jones Industrial Average peaked in October, 2007, at 14,165, bottomed out in March, 2009, at 6,547 and since then, as of June 1, 2011, standing at 12,442, has recovered to 88% of its peak value.²⁸

The following chart shows that, regardless of what period that is selected, Judges' salaries have continually fallen behind the cost of living for the last 100 years. This has seriously eroded the quality of life for Judges and their families' lives.

7.1 Periodic Percentage Increases CPI v. Salaries

For All Periods Of Time, Starting at Any Point In Time, New York Judicial Salaries Have Substantially Lagged Behind the Cost of Living.

PERIOD	CPI INCREASE	SALARY INCREASE
1913 - 2011	2,350%	681%
1932 - 2011	1,609%	447%
1946 - 2011	1,164%	426%
1960 - 2011	709%	296%
1967 - 2011	612%	270%*
1974 - 2011	378%	179%
1993 - 2011	56%	37%
<u>1999 - 2011</u>	41%	0%**

* January, 1967: Salary = \$37,000, CPI = 34.1
 ** January, 1999: Salary = \$136,000, CPI = 175.0
 ** April, 2011: Salary = \$136,000, CPI = 246.5

8. ABILITY TO PAY

In this section, we will show that the State has the clear ability to pay a salary adjustment that will bring judges up to a level that provides them with a deserved wage. Compared with the overall State budget in general and the Judiciary budget in particular, the portion of those budgets that go to pay judicial salaries are minuscule where the State budget is considered and modest where the Judiciary's budget is considered. The reason for this is that judges make up only about ½% of all State-paid employees (1,200 of 225,000) and less than 7% of all judicial employees (1,200 of 18,500).²⁹ The current yearly payroll expense for Judges (salary, Social Security, Medicare and retirement) is about \$190,000,000 or 7% of the Court's \$2.7 billion annual budget. So Judges, comprising 7% of all court system employees, also account for about 7% of Court's spending. If the requested raise is included, then the Judges would account for about 9.8% of Court Spending, which is not surprising because Judges would then, once again, be the highest paid employees of the court

"I think the Council 82 contract is a fair and reasonable contract. I think it recognizes the economic reality that we're in." Governor Cuomo commenting on his agreement to the Union contract that awards \$48 million in raises, retroactive to April, 2005, for a 1,200 member bargaining unit. Quoted in the *New York Post*, April 14, 2011, p. 6.

(On May 10, 2011 the Contract was voted down by greater than a 2-1 margin because it froze salaries for 3 years.)

system.

Determining the number of people on state and local government payrolls and where they work is a deceptively difficult job. One source is the State Comptroller, who reports the number of active members in the retirement system, as opposed to those former employees retired and receiving pensions. The Comptroller reports that on the first payroll week of January 2010, there were 228,595 FTE employees on the State payroll.³⁰ As for active (not yet receiving pensions) members of the retirement system, the Comptroller reports the number of government employees as set forth in **Chart 8.1:**³¹ It is abundantly clear, that if government had the ability to give regular cost-of-living raises to 1.4 million employees (including Town and Village Judges) over the last 13 years, it has the ability to give raises to 1,200 other employees.

8.1 NUMBER OF STATE AND LOCAL GOVERNMENT EMPLOYEES BY RETIREMENT MEMBERSHIP.

1	New York State Employees Retirement System	643,875
2	New York State Police and Fire Retirement System	35,342
3	New York State Teachers Retirement System	285,774
4	New York City Employees' Retirement System	232,092
5	New York City Teachers Retirement System	112,472
6	New York City Board of Ed. Retirement System	22,702
7	New York City Police Pension Fund	34,956
8	New York City Fire Pension Fund	11,574
	TOTAL STATE AND LOCAL GOVERNMENT EMPLOYEES	1,378,787

Of the 1.4 million government employees, 99.99% received regular cost of living raises over the last 12 years and .01% did not. Only New York State's Judges did not. **Chart 8.2** lists the 12 largest State Agencies and the State University and City University systems as of March, 2010. It does not include any authorities, local governments or school systems. The total is the number of State-paid employees.

8.2 NUMBER OF STATE EMPLOYEES BY DEPARTMENT.

	DEPARTMENT	# OF EMPLOYEES
1	CORRECTIONS	30,302
2	OMRDD	21,657
3	JUDICIARY	18,080
4	MENTAL HEALTH	16,310
5	TRANSPORTATION	9,993
6	HEALTH	6,087
7	STATE POLICE	5,872
8	TAX & FINANCE	5,597
9	ENVIRONMENTAL CONSERV.	3,818
10	EDUCATION	3,762
11	CHILDREN AND FAMILIES	3,532
12	LEGISLATURE	3,510
↓		
57	CONSUMER PROTECTION BOARD	24
	SUB-TOTAL	163,462
	SUNY (48,000) CUNY (17,143)	65,134
	TOTAL	228,595

8.3 THE NEW YORK STATE BUDGETING PROCESS³²

One way of looking at whether the State could have afforded a raise for Judges then and can afford a judicial raise now, is to look at what the State and the Judiciary has spent over the last 12 years, during the period when Judges received no raise. The charts below lay out the numbers. They show the amount spent for each year and the total cumulative spending over the base year of 1999. During this period, the State spent \$366.5 billion more than 1999 levels. The Court System spent an additional \$9 billion during this period, compared with 1999 levels (8/10ths of one percent of that amount, less than 1/10th of a percent per year, would have funded the requested judicial raises). These numbers reflect all funds received from all sources and spent on all expenses. In the third chart that follows, we show the amounts spent on operations only. During the period of time reflected in these charts, the CPI went up 39% while State spending went up 85.3% and Court spending went up 99%.

It is also relevant to look at revenue sources that the State could access to fund judicial raises. For example, the Legislature recently passed a budget that did not extend the “millionaires tax.” According to the estimates calculated by Department of Budget, sun setting this tax in January of 2011, will deprive the State of over a \$1 billion in revenues for the last three months of in this current budget year. This is enough to fund the requested judicial raise for 13 years! In 2012, the elimination of the millionaires tax will result in a \$5 billion reduction in revenues per year.³³ The Fiscal Policy Institute reports that even with the “millionaires tax” in place, “*the*

wealthiest 1% of households pay a much smaller share of their income in state and local taxes as do all other New Yorkers.” For example, estimating that the typical household income range of a New York Judge falls into the fourth quintile (\$95,000 to \$209,000), 10.7% of a Judge’s income went to state and local taxes. For households over \$633,000, the top 1%, the figure in 2009 was 8.4%. This is a 20% difference.

The Fiscal Policy Institute also reports that tax subsidies that went to business increased from \$4 billion to \$5.4 billion. This extra loss of \$1.4 billion in tax revenue represents a 35% increase. Where does the money go? *“For example, New York State agreed to a \$1.2 billion subsidy package for Advanced Micro Devices (AMD) in 2006 to build a multi-billion dollar semi-conductor fabrication plant in Luther Forest located in Malta, north of Albany. The original subsidy package included a capital grant of \$500 million. In late 2008, AMD transferred the project to an entity now known as GlobalFoundries which is a joint venture of AMD and an entity called Advanced Technology Investment Company, a government-sponsored investment arm of Abu Dhabi.”*³⁴

We argued earlier that the Governor and the Legislature have an obligation to adequately fund core governmental services (such as the Courts) before funding non-governmental expenses such as chip fab plants. The Legislature could also easily fund Judicial raises by passing a sugar drink tax, by increasing the bottle tax or not letting the millionaires tax expire. For more information on the mis-prioritizing of the New York spending process please see footnotes 34 and 35.

8.4 COURT SPENDING ³⁵

BUDGET YEAR	ALL FUNDS BUDGET (Billions)	CUMULATIVE \$ INCREASE (Millions)	% INCREASE	% CPI INCREASE
1999	\$1.363			
2000	\$1.563	\$200		
2001	\$1.683	\$320		
2002	\$1.738	\$375		
2003	\$1.580	\$217		
2004	\$1.576	\$213		
2005	\$2.051	\$688		
2006	\$2.322	\$959		
2007	\$2.443	\$1,080		
2008	\$2.523	\$1,160		
2009	\$2.526	\$1,163		
2010	\$2.676	\$1,313		
2011	\$2.706	\$1,343		
	TOTAL	\$9,032	99%	39%

8.5 STATE SPENDING: 1999-2010 ³⁶

BUDGET YEAR	ALL FUNDS SPENDING (Billions)	CUMULATIVE DOLLAR INCREASE	% INCREASE	% CPI INCREASE
1999	\$73.4			
2000	\$79.9	\$6.5	↓	↓
2001	\$85.6	\$12.2		
2002	\$89.7	\$16.3		
2003	\$97.8	\$24.4		
2004	\$101.0	\$27.6		
2005	\$104.5	\$31.1		
2006	\$113.7	\$40.3		
2007	\$116.2	\$42.8		
2008	\$122.0	\$48.6		
2009	\$127.5	\$54.1		
2010	\$136.0	\$62.6		
	TOTAL	\$366.5		

Chart 8.6 that follows, shows total State spending and also spending on Government and Court operations. These numbers can be found in the “*Summary Reports: Spending By Major Service Functions*,” Office of the State Comptroller, available on the Comptroller’s web site. What these three charts show is that for the last 12 years, when Judges received no raises, the State as a whole and the Court system in particular found money to fund everything else and they found a lot of money to do this----amounts that exceeded the rate of inflation by over 100%. At

this point in time, it is reasonable to ask the people who control the money to do some reallocating of resources given the sacrifices that Judges have made for more than a decade.

8.6 OPERATIONAL SPENDING

	TOTAL STATE FUNDS SPENT (\$Billions)	% Inc.	SPENDING ON GOV. OPS. (\$Billions)	% Inc.	COURT SPENDING (\$ Billions)	% Inc.
1999	\$48,690		\$4,884		\$1,140	
2000	\$50,452		\$5,096		\$1,156	
2001	\$54,757		\$5,625		\$1,309	
2002	\$57,541		\$5,904		\$1,393	
2003	\$56,710		\$6,251		\$1,456	
2004	\$62,316		\$6,761		\$1,429	
2005	\$64,929		\$7,420		\$1,506	
2006	\$70,403		\$8,113		\$1,616	
2007	\$77,840		\$8,771		\$1,729	
2008	\$81,624		\$9,135		\$1,794	
2009	\$83,633		\$9,218		\$1,967	
2010	\$82,194	69%	\$9,655	106%	\$2,005	76%

8.7 NEW YORK'S COURT BUDGETING PROCESS.

For most of New York's history, the Court budgeting process did not include requests for increases in Judges' salaries. We were told by court administrators that because raises were set forth separately in the Judiciary Law, salary increases were also better handled outside the normal budget negotiating process. That never worked out very well for Judges. In the 2006-2007 Court's budget, for the first time

in modern history, contained funding for judicial salary increases. The proposal called for a \$69.5 million appropriation that, retroactively to April 1, 2005, would again establish parity between a Supreme Court Justice and a Federal District Court Judge who, in 2006, was paid \$165,200. That budget proposal was enacted but the money was never disbursed. In the 2007-2008 budget, that request was continued along with an additional \$41.9 million to fund the raise for that budget year. In the 2008-2009 Court's budget, the request was increased to \$143 million to again cover retroactive raises and raises for the current year. The 2009-2010 budget memo submitted by the Court System again stated that, *"The Judiciary budget bill includes language that would raise judicial compensation in New York, retroactive to April 1, 2005, and the budget provides for appropriate funding."* Similar comments and similar amounts, under the rubric "re-appropriations," were contained in the 2010-2011 and 2011-2012 budget memos and bills.

In the meantime, the Executive and the Legislature were addressing judicial salaries—in a fashion. In June, 2005, Governor Pataki introduced a bill to give JSC's pay parity with Federal Judges. *"We need to continue to do everything we can to attract the highly skilled professionals that have served our state so well...and provide our judges and justices with the support they have earned and deserve"* (Quoted in NYLJ, June 6, 2005, p. 1). In 2006, the Legislature and Governor approved a budget that contained the \$69.5 million appropriation for judicial salary increases. As noted above, these funds would also pay for raises retroactive to April 1, 2005 (L.2006, c.51, § 2). Judicial salaries were never increased because the

Judiciary Law was never amended to change the Judges' salary schedule. The taxpayers paid for a pay raise for judges that never happened.

In March 2007, the Assembly passed a judicial pay bill (A. 4306-B) and in April 2007, the Senate passed its own bill (S. 5313). Those bills were never reconciled because the Legislature tied passage to a raise for themselves and the Governor tied a raise for Legislators to his campaign finance reform plan. In December, 2007, the Senate unanimously passed a stand-alone judicial pay bill (S. 6550) that provided for pay parity for JSC's with Federal Judges (who were still paid \$165,200) retroactive to January 1, 2007. It also established a judicial pay commission. In April, 2008, the Governor and the Legislature again approved a budget which contained raises for judges but again no authorizing legislation was passed, making it a "dry appropriation." In 2009, the Governor's Program Bill #49 proposed a judicial salary commission whose recommendations would be effective April 1, 2011. "*In recent years,*" said the Governor in his memo, "*judicial salaries have been the subject of much controversy. Efforts have been made to tie such salaries to other legislative enactments, impeding the ability of the Legislature and Executive to properly address the issue.*" Of, course, the statement would have been more accurate had the Governor said that he had also been one of the persons tying legislative enactments to judicial salary increases.

What one can take away, with absolute confidence, from these Legislative and Executive machinations over Judicial salaries, is that the State of New York had and has sufficient resources to pay its Judges a substantial raise and the Governor and

the Legislature agree that those raises should be retroactive. The benchmark at that time was the salary paid to Federal District Court Judges. However, this pay rate is now woefully inadequate, as Federal Judges have faced many of the same political problems that have faced New York Judges regarding salary increases.

The strongest evidence of the inadequacy of a Federal Judge's salary was the bi-partisan support in 2007 for the *Federal Judicial Salary Restoration Act*. That bill would have raised the District Court Judge's salary to \$221,000 (Federal District Judges now earn \$174,000 but earned \$165,000 then). That bill was approved by both the Senate and House Judiciary committees on a bi-partisan basis. One reason for the wide support for this bill (which ended up being drowned in presidential year politics) was that Congress regularly voted down the Judges' cost of living adjustments.

We are now four years down the road from the point where the U.S. Congress realized that Federal Judges were under paid by \$56,000 per year—which is the raise that we are now seeking. During this time, the third New York Governor in a row weighed in on the issue of judicial raises: “[*There is*] the need to find a way to raise [*judicial*] salaries because we are trying to get the best and the brightest to stay on the bench, knowing that their salaries are not even up to first year associates at major law firms” (Governor David A. Paterson, quoted in the NYLJ, March 14, 2008, p.1). We have now found a way to raise judicial salaries----a citizen salary commission to do what others could or would not do.

8.8 COSTING OUT THE RAISES: METHODOLOGY.

To estimate an ability to pay, one must first know the total cost of any particular raise. This is usually done by computing the base cost of a 1% raise. From that point, the cost of any particular raise is easily calculated. The cost of each percent will obviously be 1% of the current salary plus 1% of each non-salary benefit that is “salary sensitive.” A benefit is “salary sensitive” when its cost increases in parallel with any increase in salary, even though the base cost of the benefit remains the same. So, for Judges, as with all employees, benefits such as health insurance are not salary sensitive. And, in fact, the cost to the taxpayers of providing family health coverage to a Judge is the same as it is for a snow plow driver employed by DOT or a school teacher employed at a BOCES.

The benefits received by Judges that are salary sensitive are: 1. Retirement (16.3%); 2. Social Security (6.2%, up to \$106,800 of salary); and 3. Medicare (1.45%).³⁷ There is no separate budgetary expense for Judges for workers’ compensation or disability insurance. We are also disregarding any potential increase in costs due to an increase in a Judge’s in-service death benefit, which is three year’s salary, for two reasons. First, due to the very few number of Judges dying in office each year, the cost would be negligible. Second, a Judge’s death benefit decreases by 4% each year after age 60 down to 60% of three years salary. Because any raise for a judge would be above the Social Security ceiling of \$106,800, only the Medicare portion would apply to raises. Accordingly, the total

cost of salary sensitive benefits is comprised of retirement and Medicare costs which totals 17.75% of payroll.³⁸

For the purposes of this submission, the costs of the requested raise will be computed using the State Actuary's most recent estimate of 16.3% for retirement costs. This estimate will introduce a conservative factor into the costing-out process. The current retirement billing rates have been in the 11-12 % range for the last few years but during the boon years of the 1990's, the contribution rates were minimal, even 0% for several years. The improving economy should temper the employer's retirement contribution rate.³⁹ For example, the Comptroller recently reported that the common retirement fund's balance as of December 31, 2010 was \$140.63 billion. This is an increase over the previous quarter of \$7.8 billion and represents a 6.1% annual rate of return. Just before the crash in 2008, the retirement fund stood at \$153.88 billion. In 2009, it bottomed out at \$109 billion. It has now recovered over 91% of its previous peak value.

We will also be using 1,199 as the actual number of full time equivalent State-paid judges (See chart on page 23) and adjust the base cost of a 1% raise for a Supreme Court Justice downward by 1.08% to reflect a weighted salary over the entire cohort of judges. This factor is computed in the chart that appears in the end notes. When a weighted average of the salaries of Judges who earn more than a JSC and those who earn less is computed, based on the proposed salary array, the average salary of all 1199 FTE State-paid judges is 98.92% of that of a Supreme

Court Justice.⁴⁰ Based on the above, the salary cost calculations are set forth in the chart below.

8.9 THE COST OF THE REQUESTED RAISES: CALCULATIONS.

1	Cost of Salary Sensitive Benefits	$\$136,700 \times 17.75\%$	=	\$24,264
2	Total Individual Salary Costs	$\$136,700 + \$24,264$	=	\$160,964
3	Un-weighted Total Payroll Costs	$\$160,964 \times 1199 \text{ Judges}$	=	\$192,995,830
4	Weighted Payroll Costs	$\$192,995,830 \times 98.99\%$	=	\$191,046,570
5	Cost of Each 1% of raise	$\$191,046,570 \times 1\%$	=	\$1,910,465
6	Amount of Requested raise	$\$192,500 - \$136,700$	=	\$55,800
7	Percentage increase of raise	$\$192,500 / \$136,700$	=	40.8%
8	Cost of Requested Raise	$\$1,910,465 \times 40.8$	=	\$78.1 million/yr.

This raise represents less than a 3% increase in the Court's 2011 budget and about 5/100ths of one percent of the 2011 State budget (.0005).

8.10 NEW YORK'S ECONOMY IS ON THE MEND

New York's economy is on the mend. By April 2012, increased tax revenues will have eased the State's fiscal plight so that the raises requested by this Coalition will be affordable. The **State Comptroller's** report, 2-2012, released April 28, 2011, makes the following points:

- **Job losses during the recession were less severe in New York State (3.8 percent) than in the nation (6.1 percent).**
- **The Gross State Product (GSP) expanded by 2.2 percent in 2010 after two years of decline.**
- **Private sector employment grew by 95,100 jobs during 2010 (1.4 percent) and by another 27,600 jobs during the first quarter of 2011.**
- **Public sector employment declined by 28,200 jobs (1.9 percent) between December 2009 and March 2011, as governments at every level grappled with budgetary pressures.**
- **The unemployment rate in New York doubled during the recession, and by March 2011 had eased to 8 percent from its recent peak (8.9 percent in September 2009).**
- **Personal income rose by 4.1 percent during 2010—the second-highest rate of growth among the states—reflecting modest job growth and higher Wall Street bonuses.**
- **Wall Street earned \$27.6 billion in 2010, second only to the record profits of \$61.4 billion earned in 2009, which were fueled by federal bailouts and low interest rates.**
- **Economic output in all metropolitan areas of the State rebounded in 2010, with increases ranging from 0.7 percent in Binghamton to 3.3 percent in Ithaca.**

- **Private sector job growth resumed in 2010 in all but two of the State's 13 metropolitan areas. The fastest job growth occurred in Glens Falls (3.5 percent).**
- **Home values in the five major upstate metropolitan regions (Albany, Binghamton, Buffalo, Rochester, and Syracuse) rose sharply in the fourth quarter of 2010.**

In his report, Comptroller DiNapoli states that: *"In 2010, personal income rebounded by 4.1 percent to its highest level ever—\$946.1 billion (see Figure 7). The growth in personal income exceeded the national rate (3 percent) and ranked second among the 50 states (New Mexico ranked first with a 4.2 percent gain)."* One of the Comptroller's graphs showed that since Judges last got a raise, personal income in New York has grown from \$590 Billion in 1999 to \$946 Billion in 2010, an increase of 60%. Of course, none of that increase was provided by any New York Judge.

The **United States Department of Commerce**, the **Bureau of labor Statistics** and the New York Commissioner of Tax and Finance also report good news for the economy in general and New York's economy in particular.

- **New York State led all states in 2010 in the growth in net earnings.**
- **New York led all states in the absolute growth in net earnings.**
- **New York accounted for 12.9% of the national growth in net earnings despite having only a 7.7% share of personal income.**
- **New York had the second fastest growth among states in 2010 in residential personal income.**
- **New York had a faster growth than the nation in the categories of**

dividends, rent and interest.

- **Over the last year average weekly earnings of American's have increased 2.4%.**
- **In May 2011, monthly wages passed the previous peak of \$85.8 billion which occurred in June, 2008.**
- **State income taxes are being collected faster than estimated. For example, in April 2011, revenues were 35% higher than in April, 2010.**

The **Nelson A. Rockefeller Institute of Government**, on May 25, 2011, reported good news about state tax collections. For New York, the following increase recorded for the first quarter of 2011, compared with the first quarter 2010.

- **Personal income tax collections increased 3.2%.**
- **Corporate income tax collections increased 15.3%.**
- **Sales tax collections increased 12.7%.**
- **Overall tax collections increased 6.2%.⁴¹**

Another source of funding for Judicial raises and a good place to look to ease the fiscal strain on the State would be in the area of more vigorous tax collection. As of January, 2010 there were 65,536 persons or business entities that, individually, owe the State more \$8,000. The average amount owed is \$65,536 and the total delinquent amount is almost \$4.3 billion in back taxes. (Source: FOIL request to the Department of Tax and Finance, April, 2011.)

9. COMPARABLE STATES

In this section, we will highlight the salaries received by judges in the six largest states, California, Texas, New York, Florida, Pennsylvania and Illinois. In particular, we will concentrate on the salaries paid in those States' largest metropolitan areas. Each of these States has a judiciary, which like New York's, has upwards of 70% of its Judges living and presiding in large metropolitan areas. For this reason, the Coalition believes that it is most instructive and most fair to compare metropolitan New York Judges with Judges in Los Angeles, Chicago, Dallas-Fort Worth, Miami-Fort Lauderdale and Philadelphia. We believe these comparisons are instructive but not dispositive because the New York metropolitan area is unique, not only in terms of the cost of living, but also in terms of the legal environment within which New York Judges preside.

We have not made an attempt to compare non-salary benefits among the other state judiciaries because of the lack of reliable current data and the apples and oranges nature of such comparisons. Also, a benefit comparison with other states would be only marginally helpful because, as noted earlier, Judges receive the same benefits as the other 225,000 state employees and we are asking for no change in that area.

9.1: STATE POPULATION

RANK	STATE	POPULATION ⁴²
1.	California	36,962,000
2.	Texas	24,782,000
3.	New York	19,541,000
4.	Florida	18,538,000
5.	Illinois	12,910,000
6.	Pennsylvania	12,605,000

9.2 METROPOLITAN AREA POPULATION

RANK	METROPOLITAN AREA	POPULATION
1.	New York City	18,900,000
2.	Los Angeles	12,800,000
3.	Chicago	9,500,000
4.	Dallas-Fort Worth	6,400,000
5.	Philadelphia	6,000,000
8.*	Miami-Fort Lauderdale	5,600,000

* Source: 2010 Census. Houston and Washington are the 6th and 7th largest MSA's.

We recognize that no comparisons are perfect. However, any raise determined

by this Commission must first recognize the economic environment in which most of this State's Judges live and work. Accordingly, it is fair to compare metropolitan New York with the other largest metropolitan areas in the United States.

There are many ways to do this and many measuring devices. For example, CNNMoney has a "salary calculator" which shows what a New York Judge would have to earn to have parity with a judge in another city based on that Judge's salary. This produces a fair snapshot at a given point in time, but it should also be remembered that the judges in these other States have received regular raises over the last thirteen years that resulted in actual take-home pay that New York's Judges will never see. Using the CNN Salary calculator shows the following: ⁴³

9.3 NEW YORK JUDGE'S SALARY: FROM THERE TO HERE.

CITY	CURRENT NY SALARY IN THAT CITY	EQUIVALENT SALARY IN NEW YORK	AVERAGE
LOS ANGELES	\$136,700	Nassau \$170,279 Man. 253,269 Brook. 212,423 Queens \$185,855	\$205,457
CHICAGO	\$136,700	Nassau \$216,665 Man. 322,242 Brook. 270,272 Queens \$236,470	\$261,412
DALLAS	\$136,700	Nassau \$157,356 Man. 234,033 Brook. 196,289 Queens \$171,740	\$189,854
PHILADELPHIA	\$136,700	Nassau \$146,034 Man. 217,194 Brook. 182,166 Queens \$159,382	\$176,194
MIAMI	\$136,700	Nassau \$187,640 Man. 279,074 Brook. 234,066 Queens \$204,792	\$226,393
		COMPOSITE AVERAGE	\$211,862

The above chart shows what a judge living in one of the other cities, making what a New York Judge makes now, would have to earn if he or she relocated to metro-New York and wanted to have the same standard of living. The chart below looks at the situation from a similar but more instructive point of view.

9.4 COMPARABLE STATES' JUDICIAL SALARIES: FROM THERE TO HERE.

CITY	CURRENT SALARY IN THAT CITY	EQUIVALENT SALARY IN NEW YORK	METRO NY AVERAGE
LOS ANGELES	\$228,789	Nassau \$244,411 Man. 363,509 Brook. 304,884 Queens \$266,752	\$294,889
CHICAGO	\$174,303	Nassau \$216,665 Man. 322,242 Brook. 270,272 Queens \$236,470	\$261,976
DALLAS	\$145,752	Nassau \$231,012 Man. 343,580 Brook. 288,169 Queens \$252,128	\$278,723
PHILADELPHIA	\$164,602	Nassau \$189,474 Man. 281,802 Brook. 236,354 Queens \$206,794	\$228,606
MIAMI	\$142,178	Nassau \$195,159 Man. 290,257 Brook. 243,446 Queens \$212,998	\$235,465
		COMPOSITE AVERAGE	\$259,932

Chart 9.3 shows the dramatic difference in the cost of living between the set of comparable cities and the metro New York area. It shows that if averaged across those five cities, and if a Judge in those cities received a New York Judge's salary,

they would be living at a level of a person in New York who made \$212,000 per year. Again, those judges have been living at that level for the past several years.

Chart 9.4 shows what it would take to bring New York Judges to parity with their colleagues in the comparable cities based on the actual salaries that those Judges now receive. When averaged across those five cities, for a New York Judge to have *purchasing-power-parity* with those Judges, he or she would have to be paid \$260,000 per year. In asking that our salaries be raised to \$192,500, we are recognizing that 13 years of deprivation is a lot to ameliorate in one shot. However, based on CNN-Money's calculator, even this raise would leave metropolitan New York Judges paid over \$65,000 less per year when adjusted salaries are compared with other Judges in the sample large metropolitan areas. To raise our salaries to some figure less than \$192,500 will just continue the financial deprivation we have suffered into the future with a realization that New York's Judges will always remain in a second or third tier status. It can also be expected that within a year or so, the Judges in those other states will receive raises because, for most of them, they will have gone 4 or more years since their last raise.

To cross-check the numbers set forth above, one can refer to the **ACCRA Index** (American Chamber of Commerce Research Association), which compares the cost of living from a geographical point of view, as opposed to the CPI, which compares the change in the cost of living from a temporal point of view. The ACCRA cost of living index is published by the C2ER which is the Council for Community and

Economic Research. It describes itself this way: *“The ACCRA Cost of Living Index is the most reliable source of city-to-city comparisons of key consumer costs available anywhere. ACCRA COLI data is recognized by the U.S. Census Bureau, US Bureau of Labor Statistics, CNN Money, and the President's Council of Economic Advisors.”*

As reported through the last quarter of 2010, the comparable cities relate to Brooklyn in the following way. (This is a subscriber service, requiring a fee for each report. Other cities are available. Brooklyn was selected as the most representative of the metro New York area communities.)

9.5 BROOKLYN COST OF LIVING VS. 5 CITIES: ACCRA INDEX

ACCRA Index	Brooklyn	Los Ang.	Chicago	Dallas	Miami	Phila.	Nat. Ave.
Composite (100%)	181.7	136.4	116.9	91.9	106.0	126.5	100.0
Grocery (13.3%)	130.6	106.0	111.2	96.2	110.9	124.9	100.0
Housing (29.3%)	317.8	207.1	134.8	70.7	107.7	141.3	100.0
Utilities (10.2%)	165.0	101.7	117.3	105.5	91.9	135.9	100.0
Transport. (9.9%)	103.0	113.6	116.5	100.9	108.8	105.8	100.0
Health (4.2%)	111.5	109.1	108.5	103.8	105.7	108.2	100.0
Misc. (33.1%)	119.5	107.0	104.4	100.4	106.2	119.6	100.0

According to this chart, Brooklyn is more expensive than the compared cities in

all categories except for transportation. For example, it is about twice as expensive to live in Brooklyn compared with Dallas. **Chart 9.6** shows that, based on the **ACCRA INDEX**, for a Judge in Brooklyn to have a salary comparable to a Judge in the compared city, it would require, when averaged over the five cities an annual salary of nearly \$268,500. It is immediately apparent that using this measure results in a comparable salary quite close to that computed using the CNN-Money salary calculator. It also highlights and supports the reasonableness of the Coalition’s request that salaries be raised to \$192,500 per year.

9.6 FIVE CITY JUDICIAL SALARIES IF EQUALIZED TO BROOKLYN’S COST OF LIVING

CITY	BROOKLYN COST DIFFERENTIAL	CURRENT JUDGE SALARY IN COMPARED CITY	EQUIVALENT JUDGE SALARY IN BROOKLYN
LOS ANGELES	+ 33%	\$228,789	\$304,290
DALLAS	+ 98%	\$145,178	\$288,589
CHICAGO	+ 55%	\$174,303	\$270,169
MIAMI	+ 71%	\$142,178	\$243,124
PHILADELPHIA	+ 44%	\$164,402	\$237,026
5 CITY AVG.	+ 57%	\$170,970	\$268,423

9.7 STATE SPENDING ON COURT SYSTEMS

Somewhat interesting, but perhaps only moderately helpful because of so many funding and operational variables, is a comparison of how much each state spends, per-capita, on their court systems. For whatever it is worth, it certainly does not support any conclusion that New York's spending on its court system is out of proportion so as to support a restriction in Judicial salaries. Those figures are reported by the Census Bureau. For 2008, the last year for which data is available, it shows the following:⁴⁴

RANK	STATE	JUDICIAL BUDGET \$'s PER CAPITA
1.	Alaska	\$271
2.	Connecticut	172
3.	Hawaii	164
4.	Delaware	157
5.	New Mexico	133
6.	Massachusetts	132
7.	New York	128
8.	California	114
9.	Wyoming	114
10.	New Jersey	\$102

The reason that these types of cross-state comparisons deserve caution is because of the myriad ways that States organize their judicial systems. For example, in Texas, the District Attorney offices are included in the judiciary budget. In New York, as we know, the Town and Village courts are a local expense. Many retirement systems are also locally funded, while New York's is a relatively unified state system. Judges in some States, most notably California, receive local salary supplements (Over \$50,000 per year in the major counties). At a minimum, it does show that New York's spending on its court system is not an outlier on the high side.

9.8 CURRENT GENERAL JURISDICTION COURTS: CURRENT JUDICIAL SALARIES.

For the reasons stated above, and because the focal point of every court system is the general jurisdiction court, the salary of a State's general jurisdiction judge provides the benchmark for making all other comparisons. Listed below are the current yearly salaries for general jurisdiction judges in the 14 highest paying states, as reported by the National Center For State Courts. Also included is the date of each State's last salary adjustment.

	STATE	SALARY	LAST ADJUSTED
1.	California	\$228,789*	(November, 2007)
2.	Illinois	\$178,835	(July, 2010)
3.	Delaware	\$174,950	(July, 2011)
4.	Alaska	\$174,396	(July, 2009)
5.	Pennsylvania	\$164,602*	(January, 2011)
6.	New Jersey	\$165,000	(January, 2009)
7.	Nevada	\$160,000	(January, 2009)
8.	Virginia	\$158,134	(November, 2008)
9.	Tennessee	\$154,320	(July, 2009)
10.	Washington	\$148,832	(September, 2008)
11.	Connecticut	\$146,780	(January, 2007)
12.	Texas	\$145,000*	(January, 2009)
13.	Georgia	\$144,752	(January, 2008)
14.	Florida	\$142,178	(July, 2009)
19	NEW YORK	\$136,700	(January, 1999)

The above numbers are as reported by the National Center for State Courts in

their July 1, 2010 report, with the following exceptions. The NCSC did not include local supplements paid to California and Texas Judges and it did not include the January, 2011 increase for Pennsylvania Judges. New York's unadjusted salary comes in at #19. However, New York's cost of living adjusted salary is dead last, as will be illustrated later in this report.

California Superior Court Judges receive a base compensation from the State of \$178,789 and then local county supplements of up to \$50,000, as in Los Angeles. In fiscal year 2007-2008, 436 Los Angeles Superior Court Judges split a benefit fund of \$23.5 million, or about \$54,000 per Judge. These funds were paid in various ways such as 401K plans, 457 plans, or stipends. \$14.5 million was in the form of cash supplements. California has a single level of trial court. Texas also receives local supplements and \$4,500 longevity payments after 15 years of service.⁴⁵

9.9 SALARIES IN THE OTHER COMMON LAW COUNTRIES

Judicial compensation has been decreasing in the United States in general and in New York in particular for the last 100 years. Not so for our colleagues in the other common law countries. The chart below shows current salaries for judges in those general jurisdiction courts.

COUNTRY	SALARY
AUSTRALIA	\$307,846
UNITED KINGDOM	\$284,778
CANADA-FEDERAL	\$269,288
IRELAND	\$263,028
CANADA-PROVINCIAL	\$231,135
NEW ZEALAND	\$226,884

Sources: Ireland: www.Independent.ie, May 5, 2011;
United Kingdom: www.justice.gov.uk;
New Zealand: www.legislation.govt.nz;
Australia: www.sat.wa.gov.au;
Canada, google search: "judicial salaries Canada 2011."
All salaries are expressed in \$U.S. as of May 5, 2011.

9.10 RESIDENTIAL PROPERTY TAXES

Another way to look at how one area's judicial salaries are comparable with another's is to examine residential property taxes. Residential property taxes are a proxy for the overall cost of living and provide a validating factor for the CPI and the ACCRA Index. The Tax Foundation has collected this data.

New York has a reputation for being a high taxing state and that reputation is true. However, New York's relative position is modestly improving. Also, few ever take the time to examine the other side of the ledger. Government, like any other commercial entity, provides products and services. Just as the lawn service cares for your lawn, the Parks Department cares for Central Park. Each of those services has a cost but it also has a value. A well functioning court system with the best judges available has a value to the community it serves. No doubt New York's governments provide a lot of services.

In 2009, taxpayers across the country paid an average of 9.8% of their income for state and local taxes. In New York, taxpayers paid 12.1% of income. New Jersey stood at 12.2% and Connecticut came in at 12.0%. This is not as bad as it looks if one considers that in 1977, New Yorkers paid 13.2% of income for state and local taxes.⁴⁶ The **Tax Foundation** collected residential property tax information from 792 counties across the country. The median property tax (50% pay higher and 50% pay lower) and rankings are shown below in **Chart 9.11**. Also shown, in

Chart 9.12, are New York counties and the sample counties' residential property tax burden that measures taxes as a percent of household income. Reference is made to the Tax Foundation's web site for an explanation of the methodology used to make these numbers comparable.⁴⁷

With respect to the data that show the percentage of household income spent on property taxes, one could hypothesize several ways this could happen. The most obvious one would be that a poor geographical area must fund an expensive government. It could also mean that a more wealthy area chooses to spend more on government. Given the wealth generated by the financial industry in New York City and the philosophy of government that guides New York's public sector, one could safely say that this State has chosen to have a full service government. Whatever the case, we are saying that a Judge's salary must fairly reflect the economic environment in which he or she lives and works and that, while the Legislature is free to ease the tax burden by moderating government employee salaries, they are not free to single out Judges to achieve that goal. A 13 year freeze on Judicial salaries is not shared sacrifice. The charts that follow show how much higher the property tax burden is on a New York Judge, especially a metropolitan New York City Judge, compared with Judges in the comparable metropolitan areas:

9.11 MEDIAN RESIDENTIAL PROPERTY TAXES

	COUNTY	MEDIAN PROP. TAX	NATIONAL RANK (N = 792)
1	Westchester	\$9,044	1
2	Nassau	\$8,940	2
3	Suffolk	\$7,360	11
4	New York*	\$4,742	81
5	Albany	\$3,760	81
6	Cook County (Chicago)	\$3,739	83
7	Los Angeles County, CA	\$3,099	124
8	Queens*	\$2,834	143
9	Brooklyn*	\$2,834	158
10	Miami-Dade County	\$2,686	182
11	Dallas County, Texas	\$2,637	193
12	Philadelphia County	\$1,247	537

* The residents of the counties that make up the City of New York are subject to a City income tax of 3.65%. Philadelphia also has a city income tax of 3.98% ⁴⁸

**9.12 PROPERTY TAX BURDEN ON RESIDENTIAL
HOUSING AS A % OF HOUSEHOLD INCOME:
(2007-2009)**

	COUNTY	NATIONWIDE RANK (N = 792)
1.	Nassau	4
2.	Rockland	6
3.	Westchester	7
4.	Putnam	8
5.	Suffolk	9
6.	Orange	28
7.	Sullivan	42
8.	Dutchess	46
9.	Ulster	50
10.	Monroe	52
11.	Schenectady	54
12.	Tompkins	62
13.	Columbia	66
14.	Washington	70
15.	Niagara	71
16.	Orleans	73
17.	Cook	76
18.	Wayne	82
19.	Erie	89

20.	Onondaga	93
21.	Cortland	94
22.	Miami-Dade	96
23.	Genesee	99
24.	Greene	102
25.	Montgomery	105
26.	Livingston	108
27.	Albany	134
28.	Ontario	138
29.	Wyoming	140
30.	Cayuga	148
31.	Madison	151
32.	Yates	172
33.	Chautauqua	173
34.	Dallas	181
35.	Oneida	191
36.	Broome	197
37.	Saratoga	198
38.	Harris (Houston)	207
39.	Los Angeles	281
40.	Philadelphia	712

The comparable counties are shaded and **slotted in among New York's Counties.** New York State has 62 counties. The list does not include New York counties that rank between Harris County at #207 and Philadelphia County at 712.)

9.13 AVERAGE HOME PRICES IN BROOKLYN APRIL, 2011*

BOROUGH AVERAGE	\$569,800
EAST BROOKLYN East New York, Brownsville, Bedford- Stuyvesant, Crown Heights	\$398,550
NORTH BROOKLYN Williamsburg, Greenpoint	\$629,885
NORTHWEST BROOKLYN Downtown, Cobble Hill, Prospect Heights, Park Slope, Brooklyn Heights	\$725, 650

* Source: Miller Samuel Inc./Prudential Douglas Ellman Real Estate, reported in *New York Post*, April 15, 2011.

10. NEW YORK GOVT. EMPLOYEES: OTHER SALARY COMPARABLES

Looking at what State and local governments pay employees who exercise responsibilities comparable to a judge is instructive. Because judges are paid by the State, we will compare the salary of a Supreme Court Justice with other state employees. But, because most Judges live in metropolitan New York, we believe that a comparison between a JSC salary with similar positions in government in the metro New York City are the most instructive. According to the *See Through NY* web site, reporting mostly 2009 salary data, there are 3,208 employees of the City of New York who are paid more than a Supreme Court Justice and for all levels of government reported on that site there are, statewide, almost 20,000 employees paid more than a Supreme Court Justice. **Chart 10.1** lists agencies of the City of New York and related City authorities and the number of positions that in 2009 were paid more than \$136,700 per year, the current salary of a Supreme Court Justice.

10.1 NEW YORK CITY DEPARTMENT POSITIONS THAT PAID MORE THAN A SUPREME COURT JUSTICE AS OF 2009.

	DEPARTMENT	# OF POSITIONS > \$136,700
1.	NYC Department of Corrections	23
2.	NYC Fire Department	373
3.	NYC Mental Hygiene	127
4.	NYC Housing Authority	61
5.	NYC Law Department	51
6.	NYC Mayor's Office	54
7.	NYC Parks and Recreation	16
8.	NYC Police Department	421
9.	NYC Sanitation Department	50
10.	NYC Depart. of Transportation	27
11.	NYC District Attorney Offices	225
12.	NYC Public Library	168
13.	Metropolitan Trans. Authority	750
14.	Port Authority	229
16.	Various Municipal Authorities	1,448

In the New York City Law Department, for example, 27 positions make between \$152,136 and \$205,116. The Police Department has 45 positions that are paid between \$189,786 and \$200,000 which is \$33,000 to \$44,000 more than the salary

of the Chief Judge of the State. The Sanitation Department has 50 persons earning more than \$150,000. The Department of Transportation has 37 positions paid more than a Supreme Court Justice. The District Attorney Offices have 31 attorneys who make more than a Federal Judge. At the State-run Roswell Park Cancer Institute, 116 positions are salaried at \$200,000 or more. At the New York City Public Library, 60 positions are paid more than \$176,620. In addition, various municipal authorities have over 300 positions salaried at more than \$200,000. What follows is a sampling of salaries paid to State and local government employees in New York State.

10.2 Legal & Related Positions, New York Governmental Agencies: 2009 Salaries

NY State Racing Association	President	\$460,000
NY State Racing Association	Counsel	\$440,000
NY State Racing Association	Chief Operating Officer	\$413,000
Legal Aid Society NYC	Executive-Attorney	\$355,278*
NYS Ind. Pwr System Operator	General Counsel	\$361,689
Legal Aid Society NYC	Executive-Attorney	\$321,736*
NY State Racing Association	Chief Financial Officer	\$325,000
Legal Aid Society NYC	Chief Attorney	\$300,396*
NY State Racing Association	Chief Administ. Off.	\$295,000
SUNY Buffalo	Provost	\$272,875
SUNY Buffalo	Dean Law School	\$270,000

NY State Racing Association	Chief Infor. Officer	\$260,000
SUNY Binghamton	Provost	\$255,530
NY State Racing Association	Human Resources Dir.,	\$255,000
Port Authority of NY&NJ Law	General Counsel	\$251,421
Port Authority	General Counsel	\$251,421
CUNY School of Law	Dean Of Law School	\$250,064
SUNY Stony Brook Hospital	Associate Counsel	\$230,000
New York City Hlth/Hosp. Corp.	Chief Inform. Officer	\$226,982
SUNY Albany	Dean Criminal Justice	\$220,045
SUNY Buffalo	Professor (Law)	\$215,864
Legal Aid Society NYC	Executive-Attorney	\$213,992
Office of the Mayor NYC	Coord., Criminal Justice	\$209,230
Law Department NYC	Corporation Counsel	\$209,230
Law Department NYC	First Ast. Corp. Counsel	\$209,165
Port Authority of NY&NJ	Inspector General	\$208,189
Port Authority of NY&NJ	Senior Counsel	\$207,614
Legal Aid Society	Executive-Attorney	\$207,213
Law Department NYC	Assistant Corp Counsel	\$207,324
SUNY BUFFALO	Professor Law School	\$206,600
Legal Aid Society NYC	Executive Attorney	\$206,371
MTA Headquarters	Dir Labor Relations	\$205,435
Law NYC	Corporation Counsel	\$205,180
Investigation NYC	Commissioner	\$205,180
Law NYC	Asst. Corp. Counsel	\$205,116
Port Authority of NY&NJ	First Dep. Gen. Counsel	\$203,681

City Council NYC	Legislative Counsel	\$202,906
Comptroller NYC	Executive Counsel	\$201,546
Law Department NYC	Assistant Corp Counsel	\$200,168
City Council NYC	Legal Counsel	\$198,978
Battery Park City	General Counsel	\$198,919
MTA NYC Transit Authority	Supt Labor Relations	\$198,451
District Attorney Bronx County	Assistant D.A.	\$196,648
Dept. of Admin Svcs. NYC	Chief Admin Law Judge	\$195,992
Department of Juvenile Justice	Comm. Juvenile Justice	\$195,992
District Attorney Kings County	Assistant D.A.	\$195,260
Finance NYC	Executive Counsel	\$194,688
Police Department NYC	Ex. Agency Counsel	\$194,525
Department Police Department	Labor Relations Analyst	\$194,525
Conflicts of Interest Board NYC	Counsel	\$194,317
Law Department NYC	Assistant Corp Counsel	\$194,056
NYC Health & Hosp. Corp.	Chief Inform. Officer	\$193,249
District Attorney Kings County	Assist. D.A.	\$193,190
District Attorney Queens Cnty	Assist. D.A.	\$193,016
District Attorney Kings County	Assist. D.A.	\$192,715
District Attorney Kings County	Assist. D.A.	\$192,691
District Attorney Kings County	Assist. D.A.	\$192,691
Education Administration NYC	Counselor	\$192,528
Education Administration NYC	Attorney	\$192,528
Homeless Serv.,Comm. NYC	Gen. Counsel	\$192,428
District Attorney Bronx County	Assist. D.A.	\$192,618

Juvenile Justice NYC	Commissioner	\$192,198
Dept. of Investigation NYC	Superv. Inspector Gen.	\$192,126
Office of Mgt. & Budget NYC	Exec. Agency Counsel	\$191,669
District Attorney Kings County	Assist. D.A.	\$191,324
District Attorney Bronx County	Assist. D.A.	\$191,168
District Attorney Bronx County	Assist. D.A.	\$191,168
MTA Headquarters	Dir Policy & Media Rel.	\$190,550
Port Authority of NY&NJ	Dir. Human Resources	\$190,496
SUNY Buffalo	Professor (Law)	\$189,159
NYS Urban Dev. Corp.	Upstate Gen. Counsel	\$188,850
Conflict of Interest Board NYC	Counsel	\$188,644
Investigation NYC	Super. Invest. General	\$187,034
Management & Budget NYC	Executive Counsel	\$187,959

* Salaries are from *SeeThroughNY* web site. Top Legal Aid salaries are taken from their 2009 IRS 990 and include non-taxed deferred compensation and cash retirement contributions.

10.3: COMPARABLE NEW YORK CITY GOVERNMENT SALARIES.

DEPARTMENT	POSITION	2009 SALARY
Borough Presidents	President	\$160,000
Actuary	Chief	245,757
	Admin. Actuary	162,853
Bronx Community College	President	215,269
	Sr. Vice-President	200,000
Aging	Commissioner	192,198
	Dep. Comm.	186,000

Building Department	Commissioner Admin. Engineer General Counsel	205,174 193,878 184,568
Business Integrity Comm.	Chair Counsel	204,656 151,424
Business Service Depart.	Commissioner Admin. Analyst General Counsel	192,206 195,198 145,475
Campaign Finance Board	Director Counsel	201,749 168,881
Child Services Admin.	Commissioner Executive Counsel	205,219 164,251
City Clerk	Clerk Admin. Manager	200,853 151,604
City Council	Chief of Staff Legal Counsel	209,973 198,978
City Planning	Chair Counsel	205,180 161,867
Administrative Services	Commissioner Chief Ad. Law Judge General Counsel	205,180 192,198 181,333
Civilian Complaint Rev. Bd.	Chair	166,360
Collective Bargain. Office	Director Deputy Director	205,180 164,124
Comptroller	Special Deputy Executive Counsel	224,579 201,546
Conflict of Interest Board	Counsel	188,644
Consumer Affairs	Commissioner Counsel	192,198 160,000
Corrections	Commissioner Deputy Comm. Warden	205,180 194,980 194,977

	Deputy Warden	181,438
Cultural Affairs	Commissioner	192,198
Design & Construction	Commissioner Counsel	205,180 156,890
Education Administration	Chancellor Counselor Admin. Attorney Ex. Counsel	250,000 192,528 192,528 178,889
Education	Comm. Supervisor Local Inst. Super.	196,575 167,306
Board of Elections	Director	172,753
Emerg. Management Office	Commissioner Admin. Manager	205,180 182,997
Employee Retire. System	Executive Director Exec Admin. Counsel	205,178 175,927
Environ. Prot. Agency	Dep. Administrator Counsel Admin. Engineer	201,546 181,472 181,471
Finance	Commissioner Executive Counsel Deputy Comm.	205,180 194,688 156,832
Fin. Infor. Services Agency	Executive Director Executive Counsel	205,180 176,447
Fire	Commissioner Assistant Chief	205,180 196,067
Health	Commissioner Medical Examiner	205,180 180,834
Homeless Services	Commissioner Gen. Counsel Deputy Comm. Deputy Counsel	205,180 192,428 182,316 156,909

Hostos	Comm. College Pres Sr. Univ. President	204,000 188,511
Housing Authority	Chair Exec. Ag. Counsel	189,700 171,116
Housing	President Deputy Comm. General Counsel	205,180 200,096 160,609
Human Rights Comm.	Chair Dept Com. Law Enf.	192,198 182,227
Hunter Coll. High School	Administrator	166,400
Ind. Budget Office	Director	184,593
Information Technology	Commissioner Admin. Staff Analyst Executive Counsel	205,180 196,367 161,236
Investigation	Commissioner Super. Invest. General	205,180 187,034
Juvenile Justice	Commissioner Admin. Analyst	192,198 164,212
Kingsboro Comm. College	President Vice President	223,724 162,347
Office of Labor Relations	Commissioner Deputy Comm. Counsel	205,180 205,116 143,961
LaGuardia Comm. College	President Vice President	219,834 178,750
Landmark Pres. Comm.	Chair	192,198
Law	Corporation Counsel Asst. Corp. Counsel	205,180 205,116
Management & Budget	Director Executive Counsel	201,180 187,959
Manhattan Comm. College	President	222,251

	Vice President	210,783
Mayor	First Deputy Deputy Mayor	245,760 212,614
Mun. Water Fin. Authority	Budget Analyst	150,077
Parks & Recreation	Commissioner Deputy Comm. Counsel	205,180 187,149 143,961
Payroll Administration	Executive Director Dep. Exec. Director	205,180 169,878
Police Department	Commissioner Chief of Trans.	205,180 195,480
Police Pension Fund	Executive Director Deputy Director	192,198 189,738
Probation Office	Exec. Assist. Comm	174,178
Public Advocate	Advocate	165,000
Queensboro Comm. Coll.	President Sr. Vice President	224,271 195,000
Sanitation Dept.	Commissioner Deputy Comm.	205,180 201,058
Tax Commission	President Dir. of Hearing Bur.	192,198 142,430
Taxi & Limo Commission	Chair Executive Counsel	192,198 150,500
Teachers Ret. System	Executive Director	205,171
Transportation	Commissioner Counsel	205,180 194,336
Youth & Comm. Develop	Commissioner	192,198

10.4: New York City Public Authorities

AUTHORITY	POSITION	2009 SALARY
Battery Park City	President	\$223,298
	General Counsel	198,919
Dormitory Authority	Executive Director	181,552
	General Counsel	161,269
Env. Facilities Corp	General Counsel	151,304
	Dep General Counsel	146,897
Housing Finance Agency	Deputy CFO	159,718
	Associate Counsel	138,807
Metro. Transit Authority	Chair	350,000
	CFO	300,000
	Executive Director	290,000
Mortgage Agency	President	236,882
	General Counsel	175,100
	Deputy Counsel	150,221

10.5: Other Authorities

NYC Health & Hosp. Corp.	Director	\$457,005
	Exe. Vice Pres.	319,433
	Chief Information Officer	220,220
Long Island Power Authority	President	295,000
	CFO	275,000
Nassau Health Care Corp.	Physician	275,002
	Counsel	260,000
NYC Economic Dev. Corp.	President	189,721
Hudson Yard Dev. Corp.	President	187,881
NYS Olympic Reg. Dev. Auth	Director	175,000
NYS Urban Dev. Corp.	CEO	215,000
	President	213,200
	President Upstate	200,000

	General Counsel	188,850
NYSERDA	President General Counsel	157,955 145,866
NYSTAR	Executive Director	143,534
Port Authority	Executive Director General Counsel	304,494 251,421
Roosevelt Island Operation	President General Counsel	150,355 145,326
Roswell Park Cancer Instit.	President	580,000
State University Const. Fund	Deputy General Mgr. Counsel	174,907 162,907
New York State Independent Power System Operator (Reported in the <i>Times-Union</i> , 12-22-09)	President (2008 Salary) Vice-President General Counsel	902,603 439,600 361,689
NY State Racing Association (Reported in the <i>Times-Union</i> , February 22, 2010, p. A1, A9)	President Chief Operating Officer Counsel Chief Financial Officer Chief Administrative Off. Chief Information Officer Human Resources Dir.	460,000 440,000 413,000 325,000 295,000 260,000 255,000

10.6 YONKERS EMPLOYEES

JURISDICTION	POSITION	2009 SALARY
YONKERS	REPORT	\$218,598
YONKERS	DISCLOSED	216,856
YONKERS	ONLY	216,453
YONKERS	NAME	215,526
YONKERS	AND NOT	213,567
YONKERS	POSITION	213,373

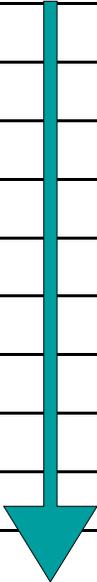
YONKERS		211,257
YONKERS		210,910
YONKERS		210,543
YONKERS		208,871
YONKERS		207,413
YONKERS		205,294
YONKERS		202,942
YONKERS		202,821
YONKERS		202,063
YONKERS		200,906
YONKERS		200,412
YONKERS		199,852
YONKERS		199,593
YONKERS		199,283
YONKERS		198,696
YONKERS		198,686
YONKERS		198,496
YONKERS		197,514
YONKERS		197,051
YONKERS		196,721
YONKERS		195,873
YONKERS		194,677
YONKERS		193,813
YONKERS		193,521
YONKERS		192,824
YONKERS		192,638
YONKERS		192,469
YONKERS		192,250
YONKERS		192,185

YONKERS		192,080
YONKERS		190,040
YONKERS		190,430
YONKERS		\$189,184

10.7 TOWN JUSTICES

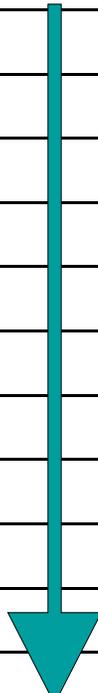
As noted elsewhere, Town Judges preside in courts that are the jurisdictional equivalent of City Courts and District Courts. While numerically, most of the judges are not lawyers and preside in very small jurisdictions, others preside in very large jurisdictions. For example, the Town of Colonie sits between Albany and Schenectady and has a population of 85,500. It is perennially rated as the “safest town in America.” Albany’s population is 97,500 and Schenectady’s is 61,500. The part-time City Court judges in those cities, who are paid by the State, earn \$54,000 per year. The part-time Town Justice in Colonie earns \$71,836 per year and since 1999 has received raises totaling 48.4%. In chart form, it looks like this: ⁴⁹

YEAR	COLONIE TOWN JUSTICE SALARY	PERCENT RAISE	CUMULATIVE INCREASE	JSC SALARY WITH TJ RAISE
1999	\$48,399			\$136,700
2000	49,851	3%		140,801
2001	51,347	3%		145,025
2002	52,887	3%		149,375
2003	53,945	2%		152,363
2004	55,294	2.5%		156,172
2005	56,676	2.5%		160,076
2006	58,093	2.5%		164,078
2007	58,093	0%		164,078
2008	59,836	3%		169,001
2009	71,836	20%		202,801
2011	\$71,836	0%	48.4%	\$202,801

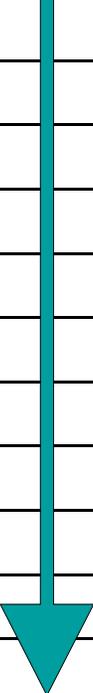


If one wants to look at a community that fits the profile of a “typical” town, consider the bedroom community of Bethlehem, New York, population 33,000, which sits on the southern border of the City of Albany. Both the Town of Colonie and the Town of Bethlehem show at the micro level the raises that government knew Judges deserved over the last 12 years.⁵⁰

YEAR	BETHLEHEM TOWN JUSTICE SALARY	PERCENT RAISE	CUMULATIVE INCREASE	JSC SALARY WITH TOWN JUSTICE RAISE
1999	\$33,360			\$136,700
2000	34,362	3%		140,801
2001	35,392	3%		145,025
2002	36,453	3%		149,375
2003	39,048	7%		159,832
2004	40,220	3%		164,627
2005	41,829	4%		171,212
2006	43,085	3%		176,348
2007	44,377	3%		181,632
2008	46,152	4.7%		190,176
2009	46,614	1%		192,078
2010	46,614	0%		192,078
2011	46,614	0%	39.7%	192,078



As a cross check on these two communities, one can also look at the Town of Guilderland which is a western suburb of Albany and has a population of 35,503. It is not quite as much of a bedroom community as is Bethlehem because it has *Crossgates*, one of the largest shopping malls in New York State and the primary campus of the University of Albany is located in Guilderland. The University has its own police department.

YEAR	GUILDERLAND TOWN JUSTICE SALARY	PERCENT RAISE	CUMULATIVE INCREASE	JSC SALARY WITH TOWN JUSTICE RAISE
1999	\$28,614			\$136,700
2000	29,468	3%		140,801
2001	31,000	5.2%		148,123
2002	31,930	3%		152,566
2003	32,888	3%		157,143
2004	34,375	4.5%		164,214
2005	35,406	3%		169,141
2006	35,406	0%		169,141
2007	42,000	18.6%		200,601
2008	43,260	3%		206,619
2009	44,588	3%		212,818
2010	45,926	3%	219,202	
2011	45,926	0%	61%	\$219,202

What the three charts showing Town Justice salaries illustrate is; (1) that governments with responsible budgeting policies recognize that employees, and in this case judges, should receive regular, periodic raises that keeps their salary apace with the cost of living; (2) that a modest raise each year has a dramatic compounding effect over time, without which; (3) an employee suffers a huge economic deprivation.

10.8 SOCIAL SECURITY RECIPIENTS

Virtually every employee group in America has received regular raises over the last 12 years—except New York Judges. The following chart tracks the progression of a Judge’s salary if he or she received raises equal to those received by Social Security recipients. Social Security raises are calculated in December of each year to go into effect for the next calendar year.

YEAR	SOCIAL SECURITY % RAISE	JUDGE’S SALARY WITH SSI RAISE
1999		\$136,700
2000	2.5	140,118
2001	3.5	145,022
2002	2.6	150,097
2003	1.4	152,198
2004	2.1	155,395
2005	2.7	159,590
2006	4.1	166,133
2007	3.3	171,616
2008	2.3	175,562
2009	5.8	185,745
2010	0.0	\$185,745
	CUMULATIVE INCREASE 35.9%	

10.9 MINIMUM WAGE RECIPIENTS

How ironic, that if a New York Judge received the same raise to equal those received by minimum wage recipients he or she would now be paid at the exact amount that we are asking this Commission to set for us as of April 1, 2012.

YEAR	MINIMUM WAGE	PERCENT INC.	JSC SALARY WITH MINIMUM WAGE RAISE
1999	\$5.15		\$136,700
2007	5.85	13.6%	155,291
2008	6.55	12.0%	173,926
2009	\$7.25*	10.7%	\$192,536
	Total Inc.	40.8%	

*** President Obama has called for an increase in the minimum wage to 9.50 by 2011.**

11. New York State Employees: Benefit Comparables

New York Judges have benefits comparable to the other 1.4 million State and local government workers, though in several important respects they are less generous. Judges are participants in Plan 75-h of the Public Employees Retirement System. The benefits in that plan are generally the same as those for almost all other State and local employees. However, law enforcement and firefighters have significantly better retirement benefits and there are a couple of significant benefits available to non-judicial employees that are not available to Judges.

For example, Judges are not permitted to accrue vacation or sick leave which non-judges may do. Except for Judges, the other 1.4 million State and local government employees may use a certain amount of vacation credits to cash in at retirement. Also, State employees, under CSL § 41-j, may use accumulated sick leave credits for up to three-quarters of a year of retirement credit. They may also use their sick leave credits to pay for health insurance after retirement.

Chart 11.1 sets out Judicial retirement benefits and **Chart 11.2** lists the specific benefits provided to non-judicial Court employees by their union contracts that are not available to Judges or equivalently available as described. However, because there has been much recent public discussion about whether public employees have lavish pensions, it will be instructive to chart out the benefits that Judges are

provided with their retirement plan.

It is common mis-perception by the public that over the years the Legislature has added a number of pension “sweeteners” for public employees. For the Judges, there has been only one “sweetener” and that covers only a handful of Judges. Article 19 of the Retirement and Social Security Law, which also applies to all other State employees, provides one month of extra service credit for each year of service up to 24 months. However, that benefit only applies to Tier 1 and 2 members; that is anyone joining the retirement system before July 27, 1976.⁵¹

Judges have a death benefit worth three years of salary. However, that benefit decreases 4% every year after age 60 until it reaches 60% of its original value. Also, because the average age of a Judge when he or she first takes the bench is about 45, unless he or she had prior government service, it will be a long haul for that Judge to earn full retirement benefits. Over the years, in an effort to reduce pension costs, the Legislature has created different pension tiers that set benefits based on the first year in which an employee enrolls in the pension system. We are now up to Tier 5. However, none of those changes reflect the unique circumstances under which a new judge would first join the retirement system.

Over the last 35+ years, the Legislature has created new retirement plans that are more restrictive than the ones that preceded it. The restrictions have been in four main areas: 1. The minimum age at which a person may collect retirement without a reduction in benefits. 2. The number of years of service needed to collect a full

retirement benefit. 3. The number of years needed to have vested rights. 4. The formula for computing final average salary. 5. The percentage of yearly income that is applied to final average salary for each year of service that is used to compute the retirement benefit. (This is primarily an overtime cap but it would adversely affect judges if they got a raise of more than 10%)

Tier 1, which has the most generous benefits, covers anyone joining the retirement system before July 1, 1973. On balance, anyone in this system is now older than 65. There are few Tier 1 employees still working.

Tier 2 covers members who joined between July 1, 1973 and July 26, 1976. These Judges would be, on average, between 62 and 66 years old.

Tier 3 covers judges who joined the retirement system between 1976 and 1983, making them between about 55 and 62.

Tier 4 includes Judges who joined the retirement system between September 1, 1983 and December 31, 2009.

Tier 5 covers judges who joined on January 1, 2010 or after. The Governor is now proposing a Tier 6 which would change the retirement plan from a defined benefit to a defined contribution system. Because almost all New York Judges must have practiced law for 10 years to be eligible for office, they would be at least 35 at the earliest point that they could become a judge. More realistically, they were 45.

Tier 1 members can retire with full benefits with 25 years of service at age 55. The retirement benefit will be 50% of FAS plus 2% of FAS for each year of service

over 25 years up to a maximum of 79% of salary. Final average service is the highest 36 consecutive months of earnings, but no amounts in a succeeding year that exceed 20% of a preceding year are counted. These income caps will affect all New York Judges if the Commission awards the raise requested by this Coalition, unless a covered Judge serves 4-5 years beyond the initial award date.

Tier 2 members can not receive full retirement benefits until age 62 and have 20 years of service. At that point, they would receive 2% of FAS for each year of service. If an employee has 30 years of service, there is no penalty for retiring at any point in time between ages 55 and 62.

Tier 3 and 4 members can retire with the same general benefits as Tier 2 employees with a couple of other restrictions. Tier 3 and 4 employees must contribute 3% of salary toward their retirement but only for the first ten years of service. FAS is subject to a 10% yearly cap as opposed to a 20% cap for Tiers 1 and 2. For service after 30 years, Tier 3 and 4 employees only get credit for 1.5% of FAS instead of 2%. Tier 5 members have the same retirement benefits and restrictions as Tier 3 and 4 members with the following exceptions. Each employee in Tier 5 must contribute 3% of salary for all years of service, instead of just the first 10 years and their retirement does not vest until 10 years of service compared with 5 for the other tiers. Also, the 10% earnings cap is figured on the average salary of the previous two years and the penalties for retiring before age 62 are greater.

Chart 11.1 summarizes this information.

11.1 RETIREMENT CHART

	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5
Membership Date	Before July 1, 1973	July 1, 1973 to July 26, 1976	July 27, 1976 to Aug. 31, 1983	Sept. 1, 1983 to Dec. 31, 2009	After Jan. 1, 2010
100% Vested	> 5 YEARS	> 5 YEARS	> 5 YEARS	> 5 YEARS	> 10 YEARS
Contribution	None	None	3% for 10 yrs.	3% for 10 yrs	3% for all yrs.
Retirement Date	Full Benefits at age 55.	Full Benefits at age 62 or at age 55 with 30 years of service.	Same as Tier 2	Same as Tier 2	Full Benefits at age 62.
Full Benefit Amount	With 20 yrs., 2% of FAS for each yr. of service, up to 75%.	Same as Tier 1.	Same as Tier 1 up to 30 yrs. Then 1.5% of FAS > 30 yrs.	Same as Tier 3	Same as Tier 3
Reduced Benefits	< 20 yrs., 1.66% of FAS for each year of service	Same as Tier 1	Same as Tier 1	Same as Tier 1	Same as Tier 1
Early Retirement Age Penalty	No Additional Reduction.	62 0% 61 6% 60 12% 59 15% 58 18% 57 21% 56 24% 55 27%	Same as Tier 2	Same as Tier 2	62 0% 61 6.67% 60 13.33% 59 18.33% 58 23.33% 57 28.33% 56 33.33% 55 38.33%
Final Average Salary Limitations	Earnings > 20% of the previous year are excluded.	Earnings > 20% of average of previous 2 years are excluded.	Earnings > 10% of average of previous 2 years are excluded.	Same as Tier 3	Same as Tier 3 but overtime earnings are capped at \$15,000.

What is most important to take away from this chart is this: Every judge needs at least 20 years of service to retire without a penalty. Any person thinking about the bench as a career option after age 50 must take into consideration that she will be in that position for the most productive earning years of her life. However, she will not earn a full retirement benefit from judicial service unless she works to age 70. If she receives a large raise at her 17th year or later, little of that raise will be reflected in her retirement. For these reasons, in addition to the relative paucity of

the pay, there is a great disincentive for attorneys in the private sector to become judges. This is why the applicant pool for new judges is made up overwhelmingly by younger government attorneys. Only the most wealthy of lawyers, who have no real need for a government salary, can afford to become judges.

11.2 UNION BENEFITS: CURRENT CSEA CONTRACT, NON-JUDICIAL COURT EMPLOYEES.

1. Organizational Leave. *(None for Judges)*
2. Yearly raises: Union:2007 3%, 2008 3%, 2009 3%, 2010 4%.
Judges: 0% 0% 0% 0%
3. Location Pay: \$3,700. *(Judges recently started receiving a stipend which started at \$5,000 in 2009 and was recently increased to \$10,000 per year. This was obviously an effort by Court Administrators to provide the Judges with some salary relief. It also reflected the fact that Judges have many of the expenses that other people in private sector business have but Judges were not being reimbursed and the expenses had none of the tax advantages attached. Also, there are many jurisdictions that have similar policies. For example, North Carolina pays its Judges a “chambers fee” of \$300 per month.)*
4. Longevity: \$5,000 (pensionable). *(Judges: None)*
5. Shift differential: 10%. *(Judges: None)*
6. Annual leave: 27 days, 54 days may be banked, above 54 days, it may be banked in sick leave. *(Judges: Prior to the late 1970's, Judges received 7 weeks of vacation. During one of the many budget crises faced by the State, the Judges relinquished 3 of those weeks. About 3 years ago, vacations for Judges who had served at least 5 years were increased to 5 weeks per year. Judges do not receive any specific bereavement leave, sick leave or personal leave as do non-judicial employees. Judges can not bank any leave time and non-judicial employees earn 2 more days per year)*

compared with judges.)

7. Sick leave: 13 days per year, bankable up to 200 days, used to pay for health insurance upon retirement and it may be credited toward retirement service. ***(Judges: As noted above, Judges do not receive any specified sick leave and can not bank any sick leave that may be converted to a benefit upon retirement or used for service credits.)***
8. Bereavement leave: 4 days for each of 14 categories of people. ***(Judges: None)***
9. Comp time: accruable up to 50 days. ***(Judges: None)***
10. Work week: 35 hours. ***(There has never been a survey of how many hours Judges work per year but anecdotal evidence supports a conclusion that almost all Judges take work home and work significantly more than 40 hours per week.)***
11. Conference leave: 4 days per year. ***(Judges: None)***
12. Meal allowance: \$6. ***(In New York City, Judges who work the evening arraignment part can be reimbursed for meals.)***
13. Labor/management committees. ***(Judges: None)***
14. Grievance procedure. ***(Judges: None)***
15. Uniform allowance: \$925 per year. ***(Judges: None)***
16. Employee Benefit fund: \$1,255 contribution by State per employee per year. ***(Judges: None)***
17. Blazer maintenance allowance: \$925 per year. ***(Judges: None)***
18. Property damage allowance: \$350. ***(Judges: None)***
19. Guarantee of benefits provision. ***(Judges: None)***

Over the last several months, we have seen a significant backlash across the country against public employees: it is claimed that we have Cadillac health plans,

lavish retirement benefits, gold plated health insurance plans. Usually these claims are made without any evidence, in the face of contrary evidence or using circumspect “averages.” Of course, it is just as easy (and more plausible) to suggest that salaries and benefits in the private sector are too meager.

We have noted elsewhere that Judges receive the same health benefits as the other 1.4 million employees of State and local government in New York and we are in the same basic retirement plan. However, there are a few other aspects of retirement benefits for judges that deserve comment. First, any career income earner is able to plan his or her retirement over a lifetime of earnings. A judge, on the other hand, to become a Judge, must change his or her career in mid-stream, usually at the start of the most productive earning years of their lives.

So, at 45, a typical age when a Judge first takes the bench, he or she will place that previously earned 401-k plan or other retirement earnings on hold and start in the New York State Employee Retirement plan. That new plan will be worth little unless the Judge is able to serve in office for 20 years and reach the age of 62 so his or her retirement will be fully vested and available without an early retirement penalty. The bigger risk, however, is the “death gamble.” What this means is that a judge can work for 19 years and if he or she dies before retiring, the judge’s family will receive nothing. On the other hand, that 401-k plan will still be there for them. Yes, there is a death benefit valued at 3 years salary. However, that is reduced by law by 4% for each year worked after age 60.

A final consideration is this. Over 50% of the Judiciary will have retired between the time we received our last raise and when we will receive our next raise. This will be 13 years during which they will have earned no allotment in their pensions from a pay raise—because there have been no pay raises. This means that these Judges will have been deprived each year, for the rest of their lives, of about 2/3rds of any pay raise that should have been received. For many of the Judges still serving, they will also receive a diminished retirement benefit because they will not have time to work the four years it will take to receive a full measure of any raise reflected in a retirement computation. This is because of the three year final average salary rule and the statutory caps on how much income in year two is counted if it exceeds the income in year one by a certain amount. For Judges starting in the retirement system after July, 1976, any raise above 10% is excluded from the computation of final average salary.

The effect of getting such meager and sporadic raises is illustrated in the chart below. During the twenty years from 1990 to 2010, the Unions received raises that cumulated to 76.8% while raises for judges fell 33% short of that. However, the disparity is more acute than those two numbers reveal. In truth, the Unions received percentage raises that exceeded Judicial raises by 74% ($[76.8-44]/44 = 74\%$). Also, by receiving those raises in regular yearly boosts, those employees had the enjoyment of all that income over much longer periods of time. For example, say over 10 years, two groups of employees had their salary increased by 100%. But

one group got 10% raises every year while the other got a 100% raise on the last day of the decade. Let's say that everyone in each group earned \$100,000 per year. For that 10 years, the second group would have had no additional income but the first group, because of the magic of compounding, would have earned \$750,000 more than the second group—even though at the end of the 10 years both employees would be paid the same.. This is what has happened to New York's judges when they have had only two raises in the last 24 years. **While not quite as dramatic as the example above, New York Judges, by April 1, 2012, will have lost earnings that total \$400,000.**

11.3 RAISES RECEIVED BY STATE COLLECTIVE BARGAINING UNITS, 1990 - 2010. ⁵²

YEAR	UNION RAISE (%)	CUMULATIVE INCREASE	JUDICIAL RAISE (%)	CUM. INCREASE
1990	5.5		0.0	
1991	0.0	5.5	0.0	
1992	0.0	5.5	0.0	
1993	4.0	9.7	19.0	19
1994	5.25	15	0.0	
1995	0.0	15	0.0	
1996	0.0	15	0.0	
1997	3.5	19	0.0	
1998	3.5	22.5	0.0	

1999	3.0	26.2	21.0	44
2000	3.0	30	0.0	
2001	3.5	34.5	0.0	
2001	3.5	39.2	0.0	
2003	0.0	39.2	0.0	
2004	2.5	42.7	0.0	
2005	2.75	46.6	0.0	
2006	3	51	0.0	
2007	3	55.6	0.0	
2008	3	60.2	0.0	
2009	3	65	0.0	
2010	4	71.6	0.0	
2010	Cash Raises	76.8%	0.0	44%

This chart adds an additional 3% for cash salary increases or lump sum payments that the Unions received as follows: 1997, \$550; 1998, \$700; 2000, \$500; 2005, \$800 (LS); 2008, \$800.

12. ASSOCIATE LAWYERS, NEW YORK CITY: 2007 BASE SALARIES. ⁵³

This chart shows the base salaries of associate attorneys (not partners) in New York City reported by FindLaw as of **May, 2007**. One must go to the firm that is 6th from the bottom to find an 8th year associate who was paid less in 2007 than what we are asking for a Supreme Court Justice to be paid in April 2012. Stated another way, there are 59 New York City law firms who, in 2007, paid their 8th year associates more than what this Coalition is asking that a Supreme Court Justice be paid in 2012. The first 45 firms on the list paid their 1st year associates \$10,000 more per year in 2007 than what a Supreme Court Justice earns now. All of this is even more astonishing when one considers that a Judge must have 10 years of legal experience before qualifying to be a Judge and most Judges have 20 or more years of legal experience before they take the bench (Salaries are listed in 000's).

12.1 ASSOCIATE SALARIES, YEARS 1 TO 8: 2007

FIRM	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	YEAR 6	YEAR 7	YEAR 8
Allen & Overy	160	170	185	210	230	250	265	280
Baker Botts, LLP	160	170	185	210	230	250	265	280
Cadwalader, Wickersham & Taft, LLP	160	170	185	210	230	250	265	280
Cahill Gordon &Reindel	160	170	185	210	230	250	265	280
Cleary, Gottlieb, Steeen & Hamilton	160	170	185	210	230	250	265	280

Debevoise & Plimpton	160	170	185	210	230	250	265	280
Freeshfields Bruckhaus Deringer	160	170	185	210	230	250	265	280
Fried, Frank, Harris,Shriver & Jacobson	160	170	185	210	230	250	265	280
Gibson, Dunn & Crutcher	160	170	185	210	230	250	265	280
Goodwin Proctor LLP	160	170	185	210	230	250	265	280
Kramer Levin Naftalis & Frankel LLP	160	170	185	210	230	250	265	280
LeBoeuf, Lamb, Greene & McCrae, LLP	160	170	185	210	230	250	265	280
Linklaters	160	170	185	210	230	250	265	280
Milbank, Tweed, Hadley & McCloy LLP	160	170	185	210	230	250	265	280
Morrison & Forester LLP	160	170	185	210	230	250	265	280
Paul, Hastings, Janofsky & Walker LLP	160	170	185	210	230	250	265	280
Paul, Weiss, Rifkind, Wharton Garrison	160	170	185	210	230	250	265	280
Pillsbury winthrop shaw pittman LLP	160	170	185	210	230	250	265	280
Proskauer Rose LLP	160	170	185	210	230	250	265	280
Schulte Roth & Zabel LLP	160	170	185	210	230	250	265	280
Simpson Thacher & Bartlett	160	170	185	210	230	250	265	280
Stroock & Stroock & Lavin LLP	160	170	185	210	230	250	265	280
Thacher Profitt & Wood	160	170	185	210	230	250	265	280
White & Case LLP	160	170	185	210	230	250	265	280
Winston & Strawn	160	170	185	210	230	250	265	280
Morgan, Lewis & Brockius LLP	165	180	190	200	220	240	260	280
Andrews & Kurth LLP	160	170	185	210	230	250	265	275
Axinn, Veltrop & Harkrider LLP	160	170	185	210	230	250	265	275
Fulbright and jaworski LLP	160	170	185	210	230	250	265	275
Mintz Levin Cohn Ferris Glovsky Popeo	160	170	185	210	230	250	265	265
Hughes Hubbard & Reed LLP	160	170	185	210	230	240	250	265
Arent, Fox, Kinter, Plotkin, & Kahn	160	170	185	200	215	230	245	260
Arnold & Porter	145	155	170	185	200	215	230	255
Clifford Chance	145	155	170	190	210	225	240	255
Mayer, Brown, Rowe & Maw LLP	145	155	170	190	210	225	240	255
Vinson & Elkins L.L.P.	145	155	170	190	210	225	245	255
Wilkie Farr & Gallagher	145	155	170	190	210	225	240	255
Skadden, Arps, Slate, Meagher & Flom	145	155	175	190	210	230	240	250

Dechert LLP	145	155	170	190	210	225	240	250
Dickstein Shairo Morin & Oshinsky LLP	145	155	165	180	195	210	220	230
Brown Raysman Millstein Felder Steiner	135	145	160	175	195	210	220	225
Swindler Berlin Sheriff FriedmanHartson	130	145	155	170	190	200	215	225
Hogan & Hartson LLP	125	135	150	165	180	195	210	225
Seward & Kissel LLP	145	155	170	185	200	207	215	220
Brown & Wood LLP	125	135	150	165	186	200	210	220
Penne & Edmonds LLP	125	135	150	165	185	200	210	220
Chadbourne & Parke LLP	125	145	150	170	190	205	210	215
Torlys	125	135	150	170	185	200	210	215
Orrick, Herrington & Sutcliff LLP	125	135	150	165	185	195	205	215
Choudert Brothers	125	135	150	170	190	200	205	210
Kronish Lieb Weiner & Hellman LLP	125	135	150	165	175	185	195	205
Squadron, Ellenhoff, Plesent Scheinfeld	125	132	140	157	178	192	197	200
Shaw Pittman	125	135	145	155	165	175	185	200
Curtis, Mallet-Prevost, Colt & Mosle LLP	125	135	145	160	170	180	190	200
O'Sullivan Graev & Karabell, LLP	130	140	155	160	170	180	190	200
Walter, Cranston, Alexander & Green LL	125	130	140	150	160	180	190	200
Pryor Cashman Sherman & Flynn LLP	125	135	145	155	165	175	185	197
Fish & Richardson P.C.	135	145	150	175	180	190	195	
Salans Hertzfield Heilbronn Christy Viener	125	125	140	150	160	170	180	185
Rosenman & Colin LLP	113	125	125	134	145	157	167	179
Beveridge & Diamond, P.C.	130	135	140	145	155	160	165	170
Satterlee Stephens Burke & Burke	115	117	122	127	132	137	142	147
Cozen O'Connor	110	113	116	122	126	130	130	
Wilson, Elser, Moskowitz, Edelmet Dicker	70	75	82	89	96	102	115	

Of the firms that responded to the FindLaw, survey, 23 also reported their bonuses. As can be seen from the chart below, the bonuses raise the compensation of 8th year associates significantly above that of what the Coalition is asking to be paid to Supreme Court Justices. In fact, in 2007, the first 15 firms on the list paid

more to their 8th year associates than this Coalition is asking to be the salary of the Chief Judge in 2012. With these facts in mind, it is no surprise that virtually no lawyers from the private sector, and certainly no partners, are seeking to become judges.

12.2 8TH YEAR ASSOCIATE PAY WITH BONUS, AS OF 2007

	FIRM	BASE SALARY	BONUS	TOTAL COMPENSATION
1	Schulte Roth & Zabel	280,000	\$85,000	\$365,000
2	Thacher Profitt & Wood	280,000	70,000	350,000
3	Allen & Overy	280,000	65,000	345,000
4	Cadwalter Wickersham	280,000	65,000	345,000
5	Kramer Levin	280,000	65,000	345,000
6	Linklaters	280,000	65,000	345,000
7	Pillsbury Winthrop	280,000	65,000	345,000
8	Winston & Strawn	280,000	65,000	345,000
9	Axinn Veltrop	275,000	65,000	340,000
10	Clifford Chance	255,000	65,000	320,000
11	Mayer Brown	255,000	65,000	320,000
12	Skadden Arps	250,000	70,000	320,000
13	Wilkie Farr	255,000	60,000	315,000
14	Dickstein Shapiro	230,000	65,000	295,000
15	Orrick Herrington	215,000	75,000	290,000

16	Fish & Richardson	195,000	91,000	286,000
17	Hogan & Hartson	225,000	52,500	277,500
18	Swidler Berlin	225,000	40,000	265,000
19	Torys	215,000	45,000	260,000
20	Shaw Pittman	200,000	60,000	260,000
21	Choudert Brothers	210,000	40,000	260,000
22	Salans Hertzfeld	185,000	55,000	240,000
23	Rosenman Colin	\$179,000	\$25,000	\$204,000

12.3 PHYSICIAN SALARIES

The chart below shows the 11 year change (1999-2009) in average physician salaries for the New York-New Jersey-Connecticut region as reported by the Bureau of Labor Statistics (http://www.bls.gov/oes/current/oes_35620.htm). This is an average salary of all physicians, within all ranges of age, experience and type of practice. It also includes economic areas that have a cost of living less than the metro New York area. On the other hand, we have noted at several points that to be a judge one must first have 10 years experience as a lawyer. Also, the average age of judges when first taking the bench is about 45 and the average age of all judges is 55, each having about 30 years of legal experience. For this reason, a fairer comparison would be to compare judges salaries with 55 year old doctors with 30 years of experience. That data is not readily available but it would be a fair inference that those doctors would have much higher salaries than the ones listed below.

CATAGORY	1999 SALARY	2009 SALARY	INC.	JSC SALARY
PROSTODONTISTS		\$238,980		\$136,700
ANESTHESIOLOGISTS		\$227,940		\$136,700
ORTHODONTISTS		\$215,980		\$136,700
SURGEONS	\$116,220	\$202,340	74%	\$136,700
OBGYN'S		\$172,750		\$136,700
PSYCHIATRISTS	\$104,690	\$162,420	55%	\$136,700
INTERNISTS	\$79,430	\$161,030	103%	\$136,700
PEDIATRICIANS	\$116,490	\$155,430	33%	\$136,700
GP'S	\$87,020	\$148,840	71%	\$136,700

The most important information contained in this chart is that in 1999, a Supreme Court Justice was paid more than the average of every physician category. Now, they are paid less than everyone. Also, every category saw salary increases **greater** than the cost of living increase, except for one. Salaries for some physician specialties that are reported now were not reported in 1999.

13. THE COMMISSION REPORTS

Over the last forty years, the salaries paid to New York Judges and even the structure of the judiciary itself has been the subject of at least eight major reports.

They include the following:

13. 1. **CLUTE REPORT:** In 1972, the Temporary State Commission To Review The Compensation Received By Members of the Legislature And The Judiciary issued a report titled, *The Compensation of Public Officials: Judges*, chaired by Warren Wakeman Clute, Jr., President of Watkins Salt Company. ⁵⁴

13.2. **THE EVANS REPORT:** In 1979, Chief Administrative Judge, Herbert E. Evans issued the “Evans” report. ⁵⁵

13.3. **THE DENTZER REPORT:** In 1982, The Temporary Commission on Judicial Compensation, chaired by William T. Dentzer, Jr., the Chairman of the Depository Trust Company issued the “Dentzer” report. ⁵⁶

13.4. **THE JONES I REPORT:** In 1988, the New York State Temporary Commission On Executive, Legislative and Judicial Compensation, chaired by former Assoc. Judge of the Court of Appeals, Hugh R. Jones, issued the “Jones” report. (Jones I). ⁵⁷

13.5. **THE JONES II REPORT:** In 1993, the Temporary State Commission On Judicial Compensation, chaired by James R. Jones the Chairman of the American Stock Exchange, issued the second “Jones” report. (Jones II) ⁵⁸

13.6. **THE DUNNE-MOLLEN REPORT:** In 1998, the Commission to Review the Compensation of New York Judges, chaired by former chair of the New York State Senate Judiciary Committee, John R. Dunne and Milton Mollen, former Presiding Justice of the Second Department, issued the

“Dunne-Mollen” report.⁵⁹

13.7. **THE NCSC REPORT:** In 2007, the National Center For State Courts issued “Judicial Compensation in New York: A National Perspective,” authored by Dr. David B. Rottman, principal court research consultant for the NCSC.⁶⁰

13.8. **THE ATLANTIC REPORT:** In 2008, the Atlantic Legal Foundation issued a report, *Adequate Compensation For Judges Is Essential For New York’s Business And Economy*.⁶¹

Reading these reports is a déjà vu all over again experience. Their four major conclusions can be summarized as follows:

1. Judges salaries have seriously lagged behind the increases in the cost of living and raises given to other public sector employees.
2. Judges are poorly paid compared with professionals such as law firm partners and law professors.
3. There should be a permanent commission charged with implementing a mechanism to periodically adjust judicial salaries.
4. The Court system should be reorganized with a process implemented to achieve pay parity.

Perhaps the best way to summarize the commissions’ findings is to say that over the last 40 years, nothing has changed. But better to quote them directly.

Faith in government cannot exist without respect for the judicial system, which in turn is dependent upon judges who have legal skill, experience, judicial temperament, character and dedication to public service. These requirements call for attracting outstanding members of the legal profession to the bench, and salaries should be set so that qualified persons are not penalized substantially because of their service as judges.” (**Clute report at p. 15.**)

The commanding position once held by New York State as to judicial salaries has declined steadily in comparison with other states and judicial compensation compared to compensation for other government officials and for professions in the private sector has also deteriorated sharply in the last two decades. **(Clute Report, 1972, at p.15)**

In keeping with the importance that New York State has traditionally assigned to the judiciary, it has had the highest paid judges of any of the fifty states. This is still substantially the case, but compared with the others among the ten most populous states the New York State Judiciary has received the lowest percentage of increase of any over the past two decades. **(Clute Report, 1972, at p. 19.)**

The courts are overloaded and overworked, their tasks are much more complex than they were even a few years ago, and the distinctions between “higher” and “lower” level have become blurred. The goals of a unified state court system and unified fiscal control and management have yet to be fully realized. **(Clute Report, 1972, at p. 26.)**

No state in the Union has as yet proven adequate to meet the challenges of contemporary existence. New York has the opportunity to set a model and to provide the kind of leadership in government for which it has been justly famous. Dedicated and talented people are available and willing to do the job. They deserve the best institutional structure that human ingenuity can devise. And they deserve a system of compensation that will attract men and women of the Highest quality to the courts and that will then reward them justly. **(Clute Report, 1972, at p. 27.)**

I find that disparity in judicial compensation exists only in the trial courts which were previously funded by county and city governments. I further find that this disparity results from the former system of court funding by local government, and that the continuation of disparity in courts which are now funded by the State is neither necessary, desirable nor equitable [and that there should be] amendments to the Constitution which would merge all county-level courts into the Supreme Court. **(Evans Report, 1979, p.7.)**

I further recommend that the Legislature should provide by law for automatic adjustments in judicial salaries related to changes in the cost of living. The traditional process in New York of ad hoc reviews should be replaced by a permanent mechanism of periodic review and automatic adjustment based upon changes in the consumer

price index. (Evans Report, 1979, p. 8.)

A serious problem confronts our State concerning its system of civil and criminal justice. The essence of the problem is that because of inflation and other developments during the 1970's, present levels of judicial pay discourage both able judges from remaining in their posts and able candidates from seeking careers in judicial service. Unless this problem is addressed meaningfully, it will inevitably erode the quality of our judicial system, a result which would have only unfortunate consequences for the people of this State. (**Denitzer Report**, p. 4.)

A decision to reject our proposal is a decision to accept the permanent diminution of the importance of the judicial branch of government of this State. Who would rally the people to such a standard? Yet who could blame good judges elected in 1968, and good candidates rejecting judicial service in recent years, for concluding that others had accepted unconsciously a diminished role for the courts. (Dentzer Report, 1982, p. 14.)

During the last two decades, while governmental responsibilities have become evermore demanding, the compensation of state officials has been eroded by inflation....Those who serve the people of the state...are now required to accept a standard of living far below the less-than-munificent compensation of twenty years ago. We believe it is unconscionable to demand such sacrifice of our public servants and their families. (**Jones I Report**, 1988, p. 1.)

The most significant salary disparities within the state government are found in the judicial branch where differences in pay exist among judges who sit on the various courts of original jurisdiction... Executive and Judicial salaries should be adjusted so that the purchasing power of those state officials studied is reinstated to the level that it was in 1967 when inflation began to seriously erode the real value of dollars earned....The proposals articulated in this report are bold in the sense that they ask the State of New York to set a standard for the rest of the nation. (**Jones I Report**, 1988 p.4-5,6)

Trial Court judges in the County Courts, the Family Courts, the Surrogate Courts and Civil Courts of New York City, and the District Courts of Nassau and

Suffolk Counties should be paid the same as Supreme Court justices...All City Court justices who serve on the bench full time should be paid the same salary. (**Jones I Report, 1988, p. 5.**)

It is clear to the Commission that the Judiciary must accelerate the pace of Court restructuring and move aggressively to implement administrative and technological improvements in order to satisfy the requirements of justice and enhance public accountability. (Jones II Report, 1993, p. 14.)

It is clear to the Commission that during the last two decades while the obligations of government and the demands on the judiciary have increased, the compensation of nearly all State officials has been eroded by inflation...New York State judges have not received a salary increase since 1987. Five years after the Jones Commission recommendations, it is clear that the continued inadequacy of judicial salaries in New York State has negatively impacted judicial morale, and the ability to recruit judicial candidates from a wide variety of backgrounds. (Jones II Report, 1993, p. 1-2.)

The Commission Recognizes that, considered in isolation, the recommended increase is substantial. Understood in context, however, the increase is fully warranted and, the Commission believes necessary. The size of the recommended increase is inconsistent with the history of judicial salaries in this State, a history of long periods of no increases, interspersed with a few double-digit “catch-up” increases. Those increases, however, never made up for the economic loss suffered during the long periods between increases. (Dunne-Mollen Report, 1998, p. 5.)

Had the salary of a justice of the Supreme Court been pegged to increases in the Consumer Price Index since enactment of the Unified Court Budget Act, that salary would today be comparable to that recommended by the Commission. The proposed increase will merely restore, prospectively, some of the lost value of judicial salaries, without any compensation of past losses...The recommended increase is needed not only in the interest of fairness, but also to ensure the continued quality of this State’s judiciary. The Commission believes that if the issue of adequate judicial salaries is not addressed, there is a real risk that the quality of this state’s Judiciary, a matter of great and justified pride, will be diluted. (Dunne-Mollen Report, 1998, p 6.)

The Commission believes that, in view of their workloads and the circumstances of their office, justices of the State Supreme Court should enjoy salaries that at the very least approximate those received by judges of the Federal District Courts. Historically that was the case for many years, with the Federal and State salaries in close parity, sometimes with State judges paid more and sometimes the reverse. With the stagnation of State judicial salaries in the face of the continued adjustment of Federal salaries, parity has been lost, and there is now a dramatic difference between State and Federal salaries. (Dunne-Mollen Report, 1999)

NCSC has determined that any sound process for setting judicial salaries should meet four key criteria: equity, regularity, objectivity and separation from politics. New York's judicial compensation process fails on all four scores. Consequently, judicial pay levels are inadequate and unlikely to continue to attract and retain highly qualified members of the legal profession to serve on the State's bench. (NCSC Report, 2007, P. 1)

New York represents one of the most extreme examples of judicial pay erosion that NCSC has observed over the past 33 years of studying judicial compensation trends. The State's legislative process for setting judicial compensation has failed to produce any salary adjustments since 1999 due to unrelated policy differences between the political branches of government. (**NCSC Report, 2007, p. 14**)

This woeful record plainly illustrates that New York has reached a crisis point. Only complete reform, motivated by transparency, objectivity, predictability and fairness, can help to change things and usher in an era where salaries at the highest levels of public service are openly, fairly, regularly and responsibly adjusted—and issues of pay can no longer discourage public service or impede effective management of State government. (NCSC Report, 2007, p. 40.)

The Atlantic Legal Foundation is concerned that the current level of judicial compensation may adversely affect the business community and the health of the State's economy. An examination into this subject is important in light of New York's position as the financial and commercial capital of the United States and arguably the

world. (Atlantic Legal Foundation Report, 2008, p. 1).

Inadequate compensation has affected the Judiciary in two important ways: (1) judges are leaving the bench well before retirement age and (2) there is less diversity or professional experience on the bench....Judicial compensation in New York is in no sense competitive and is not adequate to continue to attract and retain jurists of the highest skill and experience; most notably, seasoned commercial lawyers in private practice are no longer attracted to the New York Judiciary in adequate numbers. (Atlantic Legal Foundation Report, 2008, p. 8, 18)

15. CONCLUSION:

“Looking for Cardozo or Why Don’t You Quit?”

The Coalition of New York State Judicial Associations requests that the Commission make a finding that the salary of a Supreme Court Justice be set at a minimum of \$192,500 per year effective April 1, 2012. There are four main reasons, based on fairness, justice and logic, that compel such a finding.

First, a \$192,500 salary will restore a Judge’s salary to a cost-of-living adjusted level after 13 years of a Judicial pay freeze.

Second, a \$192,500 salary will approach, but still significantly lag behind, the weighted salaries, adjusted for geographical cost-of living differences, of Judges in the five other largest metropolitan areas in the United States.

Third, a \$192,500 salary will approach, but still lag behind, the regular COLA raises given to the other 225,000 State employees over the last 13 years.

Fourth, a \$192,500 salary is needed because the prior salary benchmark—that of a Federal District Judge, now at \$174,000—is no longer adequate. This is evidenced by the fact that on December 12, 2007, the House Judiciary Committee, on a bi-partisan 28-5 vote, approved the Federal Judicial Salary Restoration Act which would have raised District Judges’ salaries to \$218,000. On March 28, 2008, the Senate Judiciary Committee, on a bi-partisan basis, approved the bill by a 11-7 vote. The bill got wedged between other political issues and failed to advance.

After the Commission fairly and thoroughly weighs all of the relevant factors, it is this Coalition’s belief that the Commission will be convinced of the following:

First: That a fair and equitable compensation adjustment will provide New York State Supreme Court Justices with an annual salary, as of April 1, 2012, of at least \$192,500 per year. (A measure of just how modest this request is; this is about equal to what New York City's District Attorneys have been paid for the past several years.

Second: That for each of the following three years, judicial salaries should be increased by the greater of either:

(A) The increase in the CPI over the previous twelve months, or

(B) The increase in salary to be paid to non-judicial employees,
or

(C) The increase in salary paid to Federal District Court Judges; whichever is g

Third: That Judges should receive a lump sum payment equal to cost of living adjusted salary levels for each year since April 1, 2005.

THE FOLLOWING FIFTY FACTS ARE STATED TO SUPPORT THIS POSITION:

1. Since 1967, Judges have received raises equal to less than 50% of the increase in the consumer price index.
2. State employees have received 45 individual raises over the last 45 years while Judges have received only 13 raises.
3. Over the last 24 years, Judges have received only 2 raises, totaling 44%, while non-judicial employees received 19 raises that cumulated to 77%.
4. Over the last 45 years, almost all raises given to State employees have been retroactive to the end point of the last raise. No Judicial raises have been retroactive.

5. At this point in time, there are 7,000 employees of New York State and local government who earn more than the Chief Judge of New York and more than 20,000 who earn more than a Supreme Court Justice.
6. In 1875, a Supreme Court Justice in New York City was paid \$17,500 per year, the equivalent of \$344,000 in today's dollars. At that point in time, he or she would have been the second highest paid public servant in the United States, behind only the President.
7. Judges' salaries have steadily declined over the last 100 years. From 1913 to 2011, Judicial salaries have increased less than 30% of the increase in the cost of living.
8. A Judge's current salary of \$136,700, last raised in 1999, is now worth just \$97,000 in purchasing power.
9. Judges make up 7% of the court system's employees. If Judges' salaries are increased to \$192,500 per year, they will still account for only 9.8% of Court spending.
10. 1,378,787 people work for State and local government in New York. Each one has received regular cost of living raises over the last 13 years. One-hundredth of one per cent of those employees, 1,200 New York Judges, received no raises.
11. Over the last 13 years, cumulative State spending has increased \$366.5 billion. Court spending has increased by a cumulative total of \$9 billion. Of that increased spending, \$0 went to raises for Judges.
12. Over the last 13 years, "all funds" State spending went up 99%, Court spending went up 85.3%, the cost-of-living went up 41%—Judges' salaries went up 0%.
13. In 2006, the Legislature and Governor enacted a budget with \$69.5 million for retroactive Judicial raises. The money was never disbursed to the Judges but spent on something else.
14. If a Judge received the same raises as a court clerk, his or her salary would now be \$195,481.
15. A raise for 1,200 Judges to \$192,500 per year will cost \$78.1 million.
16. A Supreme Court Justice, serving in metro-New York, receiving a salary with the same purchasing power as the average salary of a trial judge in America's five other largest

metro areas, would now be paid \$212,000 per year.

17. The average home price in Brooklyn in April, 2011, was \$569,800.
18. The City of New York now pays 3,208 employees more than a Supreme Court Justice.
19. Municipal Authorities have over 300 positions paying more than \$200,000 per year.
20. Yonkers has 40 persons salaried at \$190,000 and above. Of those, 18 make more than \$200,000.
21. Social Security recipients have received 35.9% in cumulative raises over the last 13 years. If those raises were applied to Judges, a Supreme Court Justice would now be paid \$186,000 per year.
22. Over the last 13 years, the minimum wage has been raised by 41%. A similar raise would result in a Judge's salary of \$192,536. The President has proposed a 31% increase in the minimum wage.
23. New York Judges receive the same retirement and health benefits as the other 1.4 million State and local government employees. However, Judges are not able to accumulate vacation, personal or sick leave to be used toward retirement service or the cost of health insurance after retirement.
24. Since 1990, Judges received two raises resulting in a 44% cumulative increase in salary; State employees covered by Union contracts have received a 77% salary since 1990.
25. The top 30 paying law firms in New York City pay their 8th year associates \$275,000 or above, not counting bonuses—as of 2007. The top 56 pay their 8th year associates \$200,000 or above.
26. With bonuses, the top 13 New York City law firms pay their 8th year associates more than \$300,000 per year—as of 2007. A New York Judge must have 10 years of legal experience to qualify to be a Judge and is paid \$136,700.
27. Per-capita Judicial caseloads have increased 34% over the last 13 years.

28. Since 1967, a New York State Supreme Court Justice has lost earnings of over \$2.25 million, compared with the earnings of a cost-of-living adjusted salary.
29. By the time of our next raise, each New York Judge will have given back to the State over \$400,000 in forgone cost-of-living raises. The entire Judicial cohort will have forgone over \$500 million between 1999 and 2012.
30. Over the 13 year period when a Judge received 0% in salary increases, his or her grade 18 court clerk received 43% in cumulative salary increases.
31. From 1999 to 2012, over 600 New York Judges, 50% of the Judicial cohort, will have retired without having received any salary increase during that time that would have been applied to their retirement pay for the rest of their life.
32. On average, every Judge in New York has 20 years of education and 20 years of legal experience at the time he or she takes the bench.
33. In the New York City Law Department, 27 positions paid between \$152,136 and \$205,116 In 2009.
34. The New York City Police Department has 45 positions that are paid between \$189,786 and \$200,000. This is \$33,000 to \$44,000 more than the salary of the Chief Judge of the State.
35. The New York City Sanitation Department has 50 persons earning more than \$150,000 in 2009. The Department of Transportation has 37 positions higher than a Supreme Court Justice.
36. The New York City District Attorneys Offices have 31 attorneys who earn more than a Federal Judge.
37. At the state-run Roswell Park Cancer Institute, 116 positions are salaried at \$200,000 or more.
38. At the New York City Public Library, 28 positions are paid more than \$192,500. The Director is paid \$688,777.

39. There are 167 persons employed by Westchester, Nassau and Suffolk Counties who are paid more than \$192,500.
40. There are 415 persons employed by school districts outside New York City that are paid more than \$192,500.
41. At SUNY Stony Brook, 98 employees are paid more than \$192,500.
42. As SUNY Buffalo, 80 persons are paid more than \$192,500.
43. The City of New York employs 194 persons who earn more than \$192,500.
44. There are 644 persons employed by the CUNY and SUNY systems who are paid more than \$192,500.
45. There are 406 persons employed by public authorities who are paid more than \$192,500.
46. The average of salaries paid to general jurisdiction judges in the United Kingdom, Ireland, Canada, Australia and New Zealand is \$270,000 U.S.
47. The average pay of the trial judges in Los Angeles, Chicago, Dallas, Miami and Philadelphia, when adjusted to metro New York City's cost of living, is \$236,193.
49. From 1999 to 2012, the cumulative loss in COLA raises withheld from New York's Judges is the equivalent of each Judge working 3 years for free.
50. For many years, New York's Judges were the highest paid Judges in America. According to state-by-state weighted cost-of-living comparisons computed by use of the ACCRA Index (American Chamber of Conference Research Association), **New York Judges are now the lowest paid in the United States.**

When someone finds out that you are a judge and you have not had a raise in over 12 years, most people say, "That's crazy. The more cynical among them ask, "Why don't you quit?" Of course, they would not feel that was a fair option for their spouse, their brother

or sister or themselves if they were in the same position. However, it is a question deserving a serious answer. “Why don’t we quit?”

We have not quit for several reasons. First, most of us have dedicated the best part of our working lives to a profession and to a job that we truly love. We have placed our hands on holy books and sworn to the People of this State that for the next 14 years, during our term of office, we will uphold and defend the Constitution of the United States and the State of New York to the best of our abilities and that we will administer justice fairly and impartially, without fear or favor. In doing so, we have forsaken our previous careers and turned our economic well being over to people we do not know—expecting the same fairness that we are duty-bound to dispense. All of that is not easily set aside—nor should it be.

There are other reasons why we do not quit. To be a judge, you must have 20 years of education. Then you must practice as a lawyer for 10 years. Then you must be elected by the People. By this point in time, you are probably 45 years old and entering the most productive earning years of your life.

“We need to continue to do everything we can to attract the highly skilled professionals that have served our state so well...and provide judges and justices with the support they have earned and deserve.”
(Governor George Pataki, June 6, 2005)

Instead of heading down a career path that has the fair potential for being relatively lucrative, you commit for 14 years—to about age 59 at least—to be a judge where your salary will be determined, as it turns out, by politics. At what point should one quit? After the fourth year with no raise? After the eighth year? Or now, after the twelfth year when

we believe a raise is imminent? The stark reality is that we were led to believe that a raise was imminent every year.

The reason that fewer of us have quit, though several have, is a combination of practicality and reality. For the last dozen years, we have been told that the Legislature will address judicial salaries “next year.” Then we were told that, “they will do it in June, after the budget is passed.” Then we were told that, “the Legislature would be coming back in August for a special session and take up raises for judges.” Then we were told that, “they will be coming back after the elections in November and pass a judicial pay bill.” When these things did not happen, we were told by legislators that “we can make your raises retroactive.” Bills to that effect were offered by the Governor and even passed twice by the Senate. When the can is kicked down the road, but still stays in view, at what point does one quit? At what point does Lucy actually let Charlie Brown kick the ball? When should Charlie Brown just quit and go home?

For most of us, a commitment to a judicial career has diminished our earning potential in the legal market place rather than having enhanced it. Contrary to popular belief, there are few lucrative positions waiting for a lawyer re-entering his or her profession at age 60 or later.

Judges are also faced with the pressing reality of how to support oneself and a

spouse—and maybe still a family—in retirement. While New York State’s retirement system is a decent one, decent benefits are dependant on a person serving for at least 25 years to receive a 50% salary in retirement. One term as a Supreme Court Justice will leave that Judge, at age 60, with a 401-k plan last valued at age 45 and partial retirement benefits because he or she is 11 years short of the full service requirement. By law, most of us will have to serve 4 years beyond the implementation date of any raise to have that raise fully reflected in our retirement. And, unless the retirement law is changed, any raise above 10% of our current salary will not be counted in our retirement benefit.

“...A pay raise is warranted as a matter of fairness to judges and their families and as a matter of public policy...I have said for quite some time that the judges in the State of New York deserve a pay raise, they deserve to be paid a sufficient sum not only so we can persuade lawyers in the private sector to join the ranks of our judiciary, but also to compensate those on the bench for the hard work they do.”
Commentary of Governor Spitzer on his 2007 budget.

By the time we get our next raise, about 600 judges will have retired since our last raise in January, 1999. This represents 50% of the New York State Judiciary. Each of them have left or will leave for personal and family reasons but all waited as long as they could to receive a raise before giving up.⁶²

We do not know why people quit being a judge but the more important question is who declined to become a judge because of the meagerness of the salary? The anecdotal evidence is sobering. First, no partners or even senior associates, from private law firms, are becoming judges. Second, the recruitment pool for judges comes, almost entirely, from government attorneys. Among that group, neither department heads nor even bureau

chiefs are seeking to become judges because it would mean a decrease in salary. Third, who would want to work for an employer who withheld raises for 13 years? The question is not whether we are getting good judges—we are. But are we getting the best judges? Are we getting Judges who reflect the diversity of our communities and of our State? Are we treating our Judges fairly? Shouldn't fair compensation which advances those interests be our goal?

Around the world, freedom and the rule of law endure only where an independent judiciary exists. New York is a state populated by 20 million people but served by just 1,200 judges. This makes it imperative to retain and recruit the very best. Without adequate compensation, where will we find the next Cardozo?

It has been the near universal history of public sector collective bargaining in this State that raises keep employees abreast of the cost of living and that raises are made retroactive to the date of the expiration of the last contract. For example, employees of the court system had their salaries frozen at the \$115,000 level until the end of the contract. Court administrators knew that if high level non-judicial court employees received raises, there would soon be almost 2,000 non-judges making more than many judges—some even making more than the judges they work for. This has come to pass. There are now hundreds of law clerks and support magistrates that make more than Supreme Court Justices. The contract that froze their salaries expired March 31, 2011. There is \$41,000,000 in this year's budget to fund the increase in those frozen salaries, retroactive for four years. Judges are the only State employees who have served as an exception to the rule of regular cost of living raises that are retroactive. What is fair for non-judicial court employees is fair for Judges, too.

This Commission is empowered to make a salary determination that has the force and effect of law if not abrogated by statute. However, this does not apply to other terms and conditions of employment—nor can the Commission make a determination concerning retroactive salary increases. For these issues, it can only make non-binding recommendations and findings. The Salary Commission should recommend in the strongest terms that Judges should receive a retroactive salary increase.

The first reason is the most obvious. The Legislature and the Executive are already on record supporting retroactivity. As noted earlier, the Governor and Legislature, in the 2006-2007 enacted budget, approved \$69.5 million for Judicial raises that would be retroactive to April 1, 2005.

The second reason is equally obvious. Every employee of State and local government in New York, has, over the last 12 years, received either retroactive or prospective raises equal to or greater than the rate of inflation. This includes not just the quarter of a million employees who work directly for State government, but also the 1.4 million employees who work for all levels of government. Twelve-hundred New York Judges should not be treated differently.

“There is a need to find a way to raise judicial salaries because we are trying to get the best and the brightest to stay on the bench, knowing that their salaries are not even up to first year associates at major law firms.” (Governor David A. Paterson, March 14, 2008.)

The third reason is that Judges have already contributed more than their fair share to remedy the fiscal plight of this State. Imagine if, in 1999, the Governor got together with the leaders in the Legislature and said something like this: “You know, there are probably some

tough times ahead so I think we should freeze some salaries to save money.” And it was agreed all around that of the 100% of State employees, they would freeze the salaries of only ½% of those employees and the freeze would last for 13 years. Such a plan would have been ridiculed as preposterous----even if, at the end of 13 years, it was intended that those salaries would be brought back up to the cost-of-living level (which is what we are asking for). Well, the preposterous took place and it is what Judges and this Commission face today. The only way to ameliorate this deprivation is for Judges’ salaries to be raised to the COLA level and to receive a retroactive raise.

Consider the Judicial sacrifice that has been made. Without retroactivity, Judges who receive a raise on April 1, 2012, will have each forgone about \$400,000 in cost of living salary since 1999. When the amount of Medicare and retirement contributions are factored in, this net loss will exceed \$450,000 per Judge. This amounts to a total “give-back” by the Judiciary to the State in the amount of \$565 million dollars—a truly shocking amount. However, the sacrifice is even greater. Since their last raise, over 500 judges have retired. Had they each retired at 2/3rds pay, based on a final average salary that included regular COLA raises, each of those judges will have forgone about \$22,500 per year in retirement benefits for their life expectancy of 20 years. The 200 judges who will retire over the next four years will be in a similar situation. This is an individual loss to each retiring Judge of another \$450,000. This amount, multiplied by over 500 Judges affected by this circumstance, results in another “give-back”, this to the retirement system in the amount of \$225 million.⁶³

The math is clear: a 13 year wage freeze by 1,200 Judges will result in a give-back

to the State, over COLA adjusted salary levels, of almost \$800 million. No employee group in the history of American labor relations has endured a financial sacrifice of this magnitude. To right this wrong, this Commission should hold the Legislature and the Executive to their word—and the law they passed in 2006—and recommend that Judges should, at least, receive COLA raises retroactive to April 1, 2005.

We are asking this Commission to make a brave decision. This is a decision that for the last 13 years was not within the wherewithal of the other two branches of government to make. This is a decision that has traditionally been the responsibility of the Legislature and the Executive but that responsibility has now been passed to the seven citizens who comprise the Judicial Compensation Commission.

The brave decision that we are asking this Commission to make is to immediately catch us back up with the true cost of living and to stanch the economic bleeding that the 1,200 judges in this State have undergone for the last 13 years. This Commission has not been given the power to make amends for 13 years of lost salary and the diminishment of related benefits that the judges who have served during this period, and the 564 judges who retired during this time, have endured. A full salary restoration to a full CPI adjusted amount is the only fair outcome of this process and the uncontroverted facts command this outcome.

There are other intangible factors that are worth emphasizing in the process of determining a fair salary for a Judge. As we know, every New York Judge must have at least 20 years of education as a pre-requisite to hold the office of Judge. At the end of these 20 years of schooling, every Judge must obtain a law degree. For most Judicial offices in New York, a lawyer must have 10 years of legal experience. To become a Judge,

a lawyer must go through a rigorous application process. For all Judges, except for the Court of Claims and the Family Court in the City of New York (together, comprising about 10% of State-paid judges), every Judge must negotiate a complicated and tangled electoral and political system to place his name before the voters and convince a majority that he or she deserves to be a Judge. For our appointed colleagues, there is a rigorous screening process that is made up of Mayoral, Gubernatorial, Senatorial and Bar Association screening committees and Senate approval is required for Judges of the Court of Claims and the Court of Appeals.

Upon assuming the office of Judge, a person makes some important career choices. By taking the oath of office, the Judge commits him or herself to a judicial career for the term of office which ranges from 6 to 14 years. While it is true that the restrictions on outside employment have recently been eased, as a practical matter, few judges have any chance to make anything more than nominal amounts from outside employment. But as a metaphor, consider what it says about our judicial compensation: "A Judge in New York, in order to adequately support his or her family, must have the opportunity to hold down a second job."

Some people believe that the power and prestige of being a judge should make up for lower levels of compensation. It should be noted that we are not asking for parity with partners in law firms or corporate counsel. Indeed, the requested salary of \$192,500 approximates what New York City District Attorneys have been paid for the last four years. We only ask that, as judges, we not be made poorer and that our

salaries be returned to a cost-of-living adjusted level and keep pace with that amount.

As for the prestige of the office, a survey of any sample of judges will reveal that these are illusory benefits. The prestige of the Judiciary in America in general and in New York specifically, has been in decline for the last 100 years—primarily because of the depreciation in Judicial compensation. A 13 year pay freeze is stark evidence of that phenomenon.

The power of the robe also hangs heavily on the shoulders of every judge in this State and is a justification for enhanced not diminished compensation. Trial judges, for example, make discretionary decisions every day that can dramatically affect the lives of hundreds of people or huge business operations. This is a heavy responsibility. Some of these decisions are extremely unpopular and a Judge can easily find his or her picture on the front page of a New York City tabloid or be the subject of a critical editorial. Many judges, especially those that sit in Criminal and Family Courts, return home everyday worrying that a difficult decision may have placed their children or spouse in danger. There are few judges who have not been threatened and many of us have required special police protection at some point in time. In the world of the Internet, with its multiple electronic bulletin boards and social web sites accessible from any place in the world, anyone can anonymously post derogatory comments about a judge with the judge having no way to respond. Appellate Judges face the same risks.

This submission can be summarized by two facts and one question.

Fact 1. The salary freeze experienced by Judges over the last 13 years, will result in each Judge in this State forgoing \$400,000 in COLA compensation. This is the equivalent of working 3 years for free. For 1,200 Judges, this forgone compensation amounts to almost \$500 million.

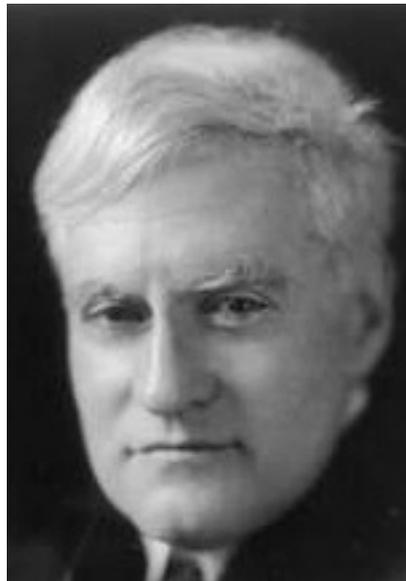
Fact 2. Over the past 12 years, the Judges of New York State have toiled in a court system that gave raises that totaled 43% to every non-judicial employee. Judges received raises that totaled 0%.

Question: “Without adequate compensation for Judges, where will we find our next Cardozo?”

On May 24, 1870, at 12 West 47th Street, Rebecca and Albert Cardozo had twins born to them, Benjamin and Rebecca. That would be the best part of 1870, for

Albert, a Justice of the New York Supreme Court. That summer, his brother Benjamin was savagely beaten to death in his home on West 23rd Street. To escape suspicion, the victim's son had to publicly admit that he spent the night in a bordello. In the meantime, Albert, a corrupt Tammany judge, prompted a group of lawyers to establish a reform group that would become the Association of the Bar of the City of New York. Albert would resign one step ahead of an Assembly impeachment. His son would spend his life making amends for his father's sins by becoming one of the giants of the American legal and judicial profession.

In 1906, at age 35, Cardozo was offered a Federal Judgeship which, at the time, paid \$6,000 per year. He declined. In 1913, a coalition of reform political groups formed to challenge the Tweed machine. There were two seats for Supreme Court that were to be filled at the general election that year and the coalition wanted "a very high class Jew" to balance the ticket. When the name of Julius J. Frank surfaced, one of the fusion party's leaders said: "You haven't got the right kind of Jew...The man you want to get is a real Jew. I'll tell you the man, Cardozo. He is [in] the Portugese Synagogue," referring to Temple Sheriath Israel, the oldest Synagogue in America.



That election season was complete chaos in New York. Tammany Hall

engineered the impeachment and removal of Governor Henry Sulzer, who was then replaced by the Lieutenant Governor, and New York's first Irish Governor, Martin Glynn. As a candidate backed by a reform coalition, Cardozo was able to take advantage of discord in Tammany's ranks. Cardozo won election by 2,300 votes out of 300,000 cast. Cardozo liked to say that he was propelled to victory by the Italians who supported him, thinking he was Italian. The truth was more likely that he won because of support by Irish-Americans in the Bronx, who had abandoned Tammany Hall.

Within five weeks of being elected, Cardozo was designated by the Governor to sit on the Court of Appeals, a court to which he was elected in 1917 as an associate justice and, in 1925, as Chief Justice. It is Cardozo's assent to the Court of Appeals that provides an interesting look into the long standing and persistent problem of paying New York's Judges fairly.

As was the custom at the time, the members of the Court of Appeals made a recommendation to Governor Glynn that Cardozo be assigned to the Court. Glynn declined and offered the job to Justice Samuel Greenbaum. Greenbaum turned down the Governor because of money. In 1914, a Supreme Court Justice was paid \$17,500 per year and a Justice of the Court of Appeals was paid \$10,000 plus an expense stipend of \$3,700. Glynn was also eying Samuel Seabury for the job but Seabury was unpopular with members of the Court of Appeals because of his criticism of the Court when they declared New York's workers' compensation law

unconstitutional. Glynn finally authorized Justice Greenbaum to make the job offer to Cardozo. According to Greenbaum's son, Cardozo came over to their house to see his father and with some reluctance Cardozo accepted the job saying: "All right Judge, because you want me to, I'll do it. I'll try to be a good judge and a good Jew and I'll live at the North Pole [Albany] and cut my pay in two."*

*(This story is told with great detail and verve by Professor Andrew L. Kaufman in his biography, *Cardozo*.)

16. APPENDIX

This appendix lists the salaries of New York State and local government employees who are paid \$190,000 or more as reported by *SeeThroughNY* or <http://swz.salary.com/SalaryWizard/Associate-General-Counsel-Salary-Details.aspx>. Some salaries reported for teaching positions reflect 10 month rates. When the report listed two numbers, one for job “rate” and one for the year to date amount the higher figure is listed. Most salaries listed reflect 2009 rates. Some are for 2010. For some listings, the position was not listed or listed as “general employee.” In those cases, just the first name of the employee was stated for privacy considerations. Stony Brook and Buffalo Universities were broken out separately to show how two of the larger SUNY components paid their higher level employees. All of these charts show how many positions that various levels of government in this State have determined should be paid more than this Coalition is asking to be paid to a Supreme Court Justice.

1. PUBLIC AUTHORITIES: 2009 SALARIES

Roswell Park Cancer Institute Corporation	President & Ceo	\$744,341
Roswell Park Cancer Institute Corporation	Clin Chair	\$576,137
Roswell Park Cancer Institute Corporation	Sr Vice Pres	\$557,209
Roswell Park Cancer Institute Corporation	Staff Phys (Diag Imaging)	\$556,221
Roswell Park Cancer Institute Corporation	Clin Chair (Rpci)	\$550,000

Roswell Park Cancer Institute Corporation	Clin Chair	\$548,376
Roswell Park Cancer Institute Corporation	Clin Chair	\$528,536
Roswell Park Cancer Institute Corporation	Staff Phys (H/N Plas Surg)	\$525,284
Roswell Park Cancer Institute Corporation	Staff Phys (Diag Imaging)	\$500,922
Roswell Park Cancer Institute Corporation	Clin Chair	\$493,404
Roswell Park Cancer Institute Corporation	Staff Phys (Anesth)	\$479,998
Roswell Park Cancer Institute Corporation	Clin Chair	\$478,365
Roswell Park Cancer Institute Corporation	Sr Vice Pres	\$476,366
Roswell Park Cancer Institute Corporation	Staff Phys (H/N Plas Surg)	\$474,203
Roswell Park Cancer Institute Corporation	Staff Phys (Anesth)	\$469,998
Roswell Park Cancer Institute Corporation	Clin Chair	\$458,477
Roswell Park Cancer Institute Corporation	Med Dir	\$457,365
New York City Health And Hospitals Corp.	City Laborer	\$457,113
New York City Health And Hospitals Corp.	Physician Specialist	\$451,303
Roswell Park Cancer Institute Corporation	Staff Phys (Diag Imaging)	\$439,999
Roswell Park Cancer Institute Corporation	Staff Phys (H/N Plas Surg)	\$431,053
Roswell Park Cancer Institute Corporation	Staff Phys (H/N Plas Surg)	\$420,448
Roswell Park Cancer Institute Corporation	Clin Chair	\$420,347
Roswell Park Cancer Institute Corporation	Staff Phys (Anesth)	\$419,998
Roswell Park Cancer Institute Corporation	Clin Chair (Rpci)	\$415,876
Roswell Park Cancer Institute Corporation	Staff Phys (Anesth)	\$413,769
Roswell Park Cancer Institute Corporation	Staff Phys (Anesth)	\$409,998
Roswell Park Cancer Institute Corporation	Staff Phys (Anesth)	\$409,998
Roswell Park Cancer Institute Corporation	Staff Phys (Anesth)	\$409,998
Roswell Park Cancer Institute Corporation	Staff Phys (Diag Imaging)	\$404,707
Roswell Park Cancer Institute Corporation	Staff Phys (Diag Imaging)	\$400,600
Roswell Park Cancer Institute Corporation	Clin Chief	\$398,161
Roswell Park Cancer Institute Corporation	Staff Phys (Diag Imaging)	\$392,532

Roswell Park Cancer Institute Corporation	Staff Phys (Diag Imaging)	\$390,397
Roswell Park Cancer Institute Corporation	Staff Phys (Gynecol Oncol)	\$384,278
Roswell Park Cancer Institute Corporation	Chair (Immunology)	\$381,838
Roswell Park Cancer Institute Corporation	Sr Vice Pres	\$379,731
New York City Health And Hospitals Corp.	Phys III	\$377,427
Roswell Park Cancer Institute Corporation	Staff Phys (Diag Imaging)	\$376,930
Roswell Park Cancer Institute Corporation	Staff Phys (Urol Oncol)	\$376,565
Roswell Park Cancer Institute Corporation	Staff Phys (Diag Imaging)	\$371,225
New York City Health And Hospitals Corp.	Chief Of Service-Apr Spec	\$366,017
Roswell Park Cancer Institute Corporation	Staff Phys (Diag Imaging)	\$365,056
Roswell Park Cancer Institute Corporation	Vice Pres	\$364,617
Roswell Park Cancer Institute Corporation	Vice Pres	\$362,469
Roswell Park Cancer Institute Corporation	Staff Phys (Diag Imaging)	\$359,999
Roswell Park Cancer Institute Corporation	Staff Phys (Rad Med)	\$357,413
Roswell Park Cancer Institute Corporation	Staff Phys (Rad Med)	\$357,154
Roswell Park Cancer Institute Corp.	Staff Phys (Breast Surg)	\$353,375
New York City Health And Hospitals Corp.	Dir Of Service	\$351,377
MTA Headquarters	Chairman & Ceo	\$350,000
Roswell Park Cancer Institute Corporation	Staff Phys	\$350,322
Roswell Park Cancer Institute Corp.	Staff Phys (Diag Imaging)	\$349,998
New York City Health And Hospitals Corp.	Chief Of Service	\$349,557
Roswell Park Cancer Institute Corporation	Staff Phys (Rad Med)	\$344,294
Roswell Park Cancer Institute Corporation	Chief Inst Op Off Gen Coun	\$342,372
New York City Health And Hospitals Corp.	Chief Of Service	\$339,238
New York City Health And Hospitals Corp.	Physician Specialist	\$334,458
Roswell Park Cancer Institute Corporation	Staff Phys (Urol Oncol)	\$332,346
New York City Health And Hospitals Corp.	Executive Vice President	\$330,976
Roswell Park Cancer Institute Corporation	Clin Chief [R] Annua	\$329,834

Roswell Park Cancer Institute Corporation	Sr Vice Pres	\$329,546
Roswell Park Cancer Institute Corporation	Staff Phys (Surg Oncol)	\$328,075
New York City Health And Hospitals Corp.	Att Phys III	\$326,740
Roswell Park Cancer Institute Corporation	Staff Phys (Med Oncol)	\$326,358
Roswell Park Cancer Institute Corp.	Staff Phys (Rad Med)	\$324,999
Roswell Park Cancer Institute Corp.	Staff Phys (Rad Med)	\$324,999
Roswell Park Cancer Institute Corporation	Staff Phys (Rad Med)	\$323,880
New York City Health And Hospitals Corp.	Physician Specialist Annual	\$323,877
Roswell Park Cancer Institute Corporation	Staff Phys (Thoracic Surg)	\$323,999
Roswell Park Cancer Institute Corporation	Staff Phys (Rad Med)	\$321,972
New York City Health And Hospitals Corp.	Dir Of Service	\$320,433
New York City Health And Hospitals Corp.	Att Phys III	\$320,240
Roswell Park Cancer Institute Corporation	Staff Phys (Anesth)	\$319,299
Roswell Park Cancer Institute Corp.	Staff Phys (Anesth)	\$318,269
New York City Health And Hospitals Corp.	Exec Dir - Hosp	\$318,143
Roswell Park Cancer Institute Corporation	Staff Phys (H/N Plas Surg)	\$315,203
Roswell Park Cancer Institute Corporation	Staff Phys (Diag Imaging)	\$314,054
Roswell Park Cancer Institute Corporation	Staff Phys (Diag Imaging)	\$312,927
Roswell Park Cancer Institute Corporation	Staff Phys (Diag Imaging)	\$311,954
Roswell Park Cancer Institute Corporation	Staff Phys (Anesth)	\$310,679
Roswell Park Cancer Institute Corporation	Staff Phys (Rad Med)	\$310,299
Roswell Park Cancer Institute Corporation	Clin Chief [R] Annual	\$308,256
New York City Health And Hospitals Corp.	Physician Specialist	\$307,822
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$305,434
Roswell Park Cancer Institute Corp.	Staff Phys (Anesth)	\$304,979
Port Authority of NY&NJ Executive Dir.	Executive Director	\$304,494
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$304,269
Roswell Park Cancer Institute Corporation	Clin Chief	\$302,997

Roswell Park Cancer Institute Corporation	Staff Phys (Thoracic Surg)	\$301,114
New York City Health And Hospitals Corp.	Physician Specialist	\$301,109
Roswell Park Cancer Institute Corporation	Staff Phys (Gi Surgery)	\$300,230
MTA Headquarters	Chief Financial Officer	\$300,000
Roswell Park Cancer Institute Corp.	Project Coord	\$299,999
Roswell Park Cancer Institute Corporation	Staff Phys (Rad Med)	\$298,175
New York City Health And Hospitals Corp.	Dir. Medical Affairs	\$298,138
New York City Health And Hospitals Corp.	Att Phys III	\$297,132
Roswell Park Cancer Institute Corporation	Staff Phys (Surg Oncol)	\$296,070
New York City Health And Hospitals Corp.	President	\$295,966
New York City Health And Hospitals Corp.	Att Phys III	\$295,761
New York City Health And Hospitals Corp.	Sr. V.P. (Network)	\$295,101
New York City Health And Hospitals Corp.	Prime Care Phys	\$293,497
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$292,820
Roswell Park Cancer Institute Corporation	Staff Phys (Rad Med)	\$292,663
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$292,298
Roswell Park Cancer Institute Corporation	Staff Phys (Dermatology)	\$291,179
Port Authority of NY&NJ	Deputy Executive Director	\$290,862
MTA Headquarters	Executive Director & Ceo	\$290,000
New York City Health And Hospitals Corp.	Attending Phys.	\$289,185
Roswell Park Cancer Institute Corp.	Chair (Genetics)	\$288,400
New York City Health And Hospitals Corp.	Att Phys III	\$287,414
MTA Long Island RR	President Annual	\$286,872
New York City Health And Hospitals Corp.	Sr. V.P. (Network)	\$285,622
MTA Headquarters	Chief Operating Officer	\$285,000
New York City Health And Hospitals Corp.	Dir. Medical Affairs	\$284,926
New York City Health And Hospitals Corp.	Sr. V. Pres.	\$283,533
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$283,231

Roswell Park Cancer Institute Corp.	Staff Phys (Urol Oncol)	\$282,999
New York City Health And Hospitals Corp.	Att Phys III	\$280,612
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$280,037
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$280,000
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$277,268
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$277,268
MTA Metro-North Railroad	President	\$275,974
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$275,000
SUNY Downstate Medical Center(Hosp)	Assnt Professor	\$274,812
SUNY Downstate Medical Center(Hosp)	Assnt Professor	274,764
New York City Health And Hospitals Corp.	Att Phys III Annua	\$274,550
New York City Health And Hospitals Corp.	Physician Specialist	\$273,251
Roswell Park Cancer Institute Corp.	Clin Chair (Rpci)	\$273,156
Roswell Park Cancer Institute Corporation	Staff Phys (Diag Imaging)	\$272,976
New York City Health And Hospitals Corporation	Physician Specialist	\$272,664
New York City Health And Hospitals Corporation	Sr. V. Pres.	\$272,271
New York City Health And Hospitals Corporation	Physician Specialist	\$270,410
MTA NYC Transit Authority	Superintendent (Maint/Nce)	\$269,365
New York City Health And Hospitals Corporation	Phys III	\$269,248
New York City Health And Hospitals Corporation	Att Phys III	\$267,541
Roswell Park Cancer Institute Corporation	Staff Phys (Diag Imaging)	\$267,276
New York City Health And Hospitals Corporation	Att Phys III	\$267,075
New York City Health And Hospitals Corporation	Dir. Medical Affairs	\$266,195
New York City Health And Hospitals Corporation	Chief Of Service-Apr Spec	\$266,195
Roswell Park Cancer Institute Corporation	Staff Phys (Neurosurgery)	\$264,999
New York City Health And Hospitals Corporation	Att Phys III	\$264,956
New York City Health And Hospitals Corporation	Dir Of Service - Appr Spe	\$264,918
Port Authority of NY&NJ Public Safety	Police Sergeant Annual	\$264,114

New York City Health And Hospitals Corporation	Physician Specialist	\$263,862
Roswell Park Cancer Institute Corporation	Chief Clin Oper Off	\$263,596
New York City Health And Hospitals Corporation	Sr. V.P. (Network)	\$262,633
Roswell Park Cancer Institute Corporation	Chair (Epid/Prev)	\$262,356
New York City Health And Hospitals Corp.	Sr. V.P. (Network)	\$262,022
MTA Headquarters	President Mta Ccc	\$261,282
Roswell Park Cancer Institute Corporation	Staff Phys (Diag Imaging)	\$261,168
MTA Long Island RR	Chief Engineer	\$261,068
New York City Health And Hospitals Corp.	Sr. V.P. (Network)	\$260,862
MTA NYC Transit Authority	Superintendent (Surf. Transp.)	\$260,277
MTA Headquarters	President Mta B&T	\$260,000
Roswell Park Cancer Institute Corp.	Staff Phys (Gynecol Oncol)	\$259,999
Roswell Park Cancer Institute Corporation	Clin Chief	\$258,614
Roswell Park Cancer Institute Corp.	Staff Phys (Anesth)	\$258,299
Roswell Park Cancer Institute Corp.	Staff Phys (Rad Med)	\$255,999
Roswell Park Cancer Institute Corp.	Staff Phys (Rad Med)	\$255,999
Roswell Park Cancer Institute Corporation	Vice Pres	\$255,473
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$255,086
MTA Headquarters	Sr Vp Program Exec Esa-Ccc	\$255,000
New York City Health And Hospitals Corp.	Exec Dir - Hosp	\$253,957
New York City Health And Hospitals Corp.	Physician Specialist	\$253,891
Roswell Park Cancer Institute Corp.	Staff Phys (Gi Surgery)	\$253,339
New York City Health And Hospitals Corp.	Physician Specialist	\$253,334
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$253,000
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$252,966
New York City Health And Hospitals Corp.	Dir - Hosp	\$252,821
Roswell Park Cancer Institute Corp.	Vice Pres	\$252,317
Roswell Park Cancer Institute Corp.	Staff Phys	\$251,518

Port Authority of NY&NJ	Chief Administrative Officer	\$251,421
Port Authority of NY&NJ	Chief Engineer	\$251,421
Port Authority of NY&NJ Law	General Counsel	\$251,421
Port Authority of NY&NJ	Chief, Capital Planning	\$251,421
Port Authority of NY&NJ	Chief Financial Officer	\$251,421
Port Authority of NY&NJ	Chief Operating Officer	\$251,421
New York City Health And Hospitals Corp.	Sr. V. Pres.	\$251,414
New York City Health And Hospitals Corp.	Physician Specialist	\$250,912
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$250,000
New York City Health And Hospitals Corp.	Dir Of Service	\$250,000
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$250,000
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$249,766
New York City Health And Hospitals Corp.	Physician Specialist	\$249,727
Roswell Park Cancer Institute Corp.	Staff Phys (Anesth)	\$249,999
Roswell Park Cancer Institute Corp.	Staff Phys (Anesth)	\$249,999
Roswell Park Cancer Institute Corp.	Staff Phys (Med Oncol)	\$247,507
Roswell Park Cancer Institute Corp.	Staff Phys (Gynecol Oncol)	\$246,999
New York City Health And Hospitals Corp.	Physician Specialist	\$246,893
New York City Health And Hospitals Corp.	Physician Specialist	\$245,925
Roswell Park Cancer Institute Corp.	Vice Pres	\$245,431
New York City Health And Hospitals Corp.	Physician Specialist	\$245,321
New York City Health And Hospitals Corp.	Att Phys III	\$245,098
New York City Health And Hospitals Corp.	Att Phys III	\$244,841
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$245,000
New York City Health And Hospitals Corp.	Att Phys III	\$244,415
New York City Health And Hospitals Corp.	Sr. V. Pres.	\$244,265
Roswell Park Cancer Institute Corp.	Staff Phys (Pathology)	\$243,175
Roswell Park Cancer Institute Corp.	Staff Phys (Med Oncol)	\$242,993

New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$242,610
New York City Health And Hospitals Corp.	Chief Of Service-Apr Spec	\$241,101
Roswell Park Cancer Institute Corp.	Vice Pres	\$241,059
New York City Health And Hospitals Corp.	Physician Specialist	\$240,979
Roswell Park Cancer Institute Corp.	Staff Phys (Med Oncol)	\$240,742
New York City Health And Hospitals Corp.	Exec Dir - Hosp	\$240,675
New York City Health And Hospitals Corp.	Sr.Corp Hlth Proj Advisor	\$240,574
New York City Health And Hospitals Corp.	Physician Specialist	\$239,690
New York City Health And Hospitals Corp.	Att Phys II	\$238,802
New York City Health And Hospitals Corp.	Exec Dir - Hosp	\$238,109
Roswell Park Cancer Institute Corp.	Clin Chief	\$237,104
New York City Health And Hospitals Corp.	Physician Specialist	\$235,971
Port Authority of NY&NJ	Chief, Real Estate & Dev.	\$235,773
New York City Health And Hospitals Corp.	Physician Specialist	\$235,212
New York City Health And Hospitals Corp.	Sr. V. Pres.	\$235,057
New York City Health And Hospitals Corp.	Sr. V.P. (Network)	\$234,525
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$234,038
New York City Health And Hospitals Corp.	Att Phys III	\$233,242
Roswell Park Cancer Institute Corp.	Dean	\$233,190
Roswell Park Cancer Institute Corp.	Staff Phys (Med Oncol)	\$231,921
New York City Health And Hospitals Corp.	Chief Of Service-Apr Spec	\$231,713
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$231,038
Roswell Park Cancer Institute Corp.	Staff Phys (Med Oncol)	\$230,832
Roswell Park Cancer Institute Corp.	Staff Phys (Breast Surg)	\$230,752
New York City Health And Hospitals Corp.	Chief Of Service-Apr Spec	\$230,707
New York City Health And Hospitals Corp.	Physician Specialist	\$220,628
Port Authority of NY&NJ	Chief Technology Officer	\$229,983
New York City Health And Hospitals Corp.	Att Phys III	\$229,625

New York City Health And Hospitals Corp.	Sr. V. Pres.	\$229,240
Roswell Park Cancer Institute Corp.	Staff Phys (Med (Oncol)	\$228,888
New York City Health And Hospitals Corp.	Physician Specialist	\$228,811
New York City Health And Hospitals Corp.	Dep Exec Dir-Hosp	\$227,040
New York City Health And Hospitals Corp.	Chief Information Officer	\$226,982
New York City Health And Hospitals Corp.	Exec Dir - Hosp	\$226,935
New York City Health And Hospitals Corp.	Exec Dir - Hosp	\$226,384
Roswell Park Cancer Institute Corp.	Staff Phys (Med Oncol)	\$225,290
New York City Health And Hospitals Corp.	Specialist	\$224,991
New York City Health And Hospitals Corp.	Exec Dir - Hosp	\$224,759
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$223,716
New York City Health And Hospitals Corp.	Att Phys III	\$223,705
MTA Long Island RR	Sr Vice President-Op	\$223,638
New York City Health And Hospitals Corp.	Physician Specialist	\$222,683
Roswell Park Cancer Institute Corp.	Vice Pres	\$220,604
New York City Health And Hospitals Corp.	Physician Specialist	\$222,358
New York City Health And Hospitals Corp.	Physician Specialist	\$222,147
Port Authority of NY&NJ	World Trade Center Con.	\$220,627
New York City Health And Hospitals Corp.	Exec Dir - Hosp	\$220,341
New York City Health And Hospitals Corp.	Dep Exec Dir-Hosp	\$220,000
Roswell Park Cancer Institute Corp.	Staff Phys (Med Oncol)	\$219,999
New York City Health And Hospitals Corp.	Physician Specialist	\$219,709
Roswell Park Cancer Institute Corp.	Brecher, Martin Clin Chair	\$219,661
Roswell Park Cancer Institute Corp.	Chair (M/C Biol)	\$218,995
New York City Health And Hospitals Corp.	Dep Exec Dir-Hosp	\$218,279
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$218,279
New York City Health And Hospitals Corp.	Sr. V. Pres.	\$218,186
New York City Health And Hospitals Corp.	Executive Dir-Hosp	\$217,995

New York City Health And Hospitals Corp.	Dir. Medical Affairs	\$217,813
New York City Health And Hospitals Corp.	Dep Exec Dir-Hosp	\$217,516
Port Authority of NY&NJ	Director, Aviation	\$217,328
New York City Health And Hospitals Corp.	Chief Of Service-Apr Spec	\$216,845
New York City Health And Hospitals Corp.	Physician Specialist	\$216,553
New York City Health And Hospitals Corp.	Physician Specialist	\$216,553
New York City Health And Hospitals Corp.	Physician Specialist	\$216,207
New York City Health And Hospitals Corp.	Physician Specialist	\$216,100
Port Authority of NY&NJ	Director, Port Commerce	\$216,030
New York City Health And Hospitals Corp.	Physician Specialist	\$215,836
Roswell Park Cancer Institute Corp.	Staff Phys (Diag Imaging)	\$215,830
New York City Health And Hospitals Corp.	Physician Specialist	\$215,595
MTA Long Island RR	Exec Vice President	\$215,261
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$215,166
New York City Health And Hospitals Corp.	Dep Exec Dir-Hosp	\$215,000
NYS Urban Development Corp.	Chief Executive Officer	\$215,000
Roswell Park Cancer Institute Corp.	Staff Phys (Diag Imaging)	\$214,999
New York City Health And Hospitals Corp.	Prime Care Phys(Com/Manag)	\$214,925
New York City Health And Hospitals Corp.	Attending Dentist L. III	\$214,542
Port Authority of NY&NJ	Dir. And Gen. Mang.,	\$214,292
New York City Health And Hospitals Corp.	Physician Specialist	\$214,192
New York City Health And Hospitals Corp.	Physician Specialist	\$213,974
Roswell Park Cancer Institute Corp.	Staff Phys (Med Oncol)	\$213,897
New York City Health And Hospitals Corp.	Physician Specialist	\$213,467
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$213,418
Port Authority of NY&NJ	Dir. Tun. Brdgs. & Term.	\$213,211
NYS Urban Development Corp.	President & COO	\$213,200
Roswell Park Cancer Institute Corp.	Vice Pres	\$213,133

Roswell Park Cancer Institute Corp.	Vice Pres	\$213,133
New York City Health And Hospitals Corp.	Dep Exec Dir-Hosp	\$213,019
New York City Health And Hospitals Corp.	Assoc Executive Dir-Hosp	\$213,009
Roswell Park Cancer Institute Corp.	Staff Phys (Pathology)	\$212,856
Port Authority of NY&NJ	Deputy CFO / Comptroller	\$212,752
New York City Health And Hospitals Corp.	Dep Exec Dir-Hosp	\$212,697
New York City Health And Hospitals Corp.	Physician Specialist	\$212,603
New York City Health And Hospitals Corp.	Physician Specialist	\$212,561
New York City Health And Hospitals Corp.	Physician Specialist	\$212,348
New York City Health And Hospitals Corp.	Assoc Executive Dir-Hosp	\$212,322
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$212,956
New York City Health And Hospitals Corp.	Assoc Executive Dir-Hosp	\$211,412
New York City Health And Hospitals Corp.	Sr. Ast V/Pres	\$211,206
New York City Health And Hospitals Corp.	Physician Specialist	\$210,885
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$210,735
New York City Health And Hospitals Corp.	Physician Specialist	\$210,593
New York City Health And Hospitals Corp.	Dep Exec Dir-Hosp	\$210,047
New York City Health And Hospitals Corp.	Physician Specialist	\$210,041
Port Authority of NY&NJ ARC	Director, ARC	\$210,002
New York City Health And Hospitals Corp.	Dep Exec Dir-Hosp	\$210,000
Port Authority of NY&NJ	Deputy Director, WTC Const.	\$209,874
New York City Health And Hospitals Corp.	Physician Specialist	\$209,846
New York City Health And Hospitals Corp.	Chief Of Service-Apr Spec	\$209,751
New York City Health And Hospitals Corp.	Physician Specialist	\$209,503
Port Authority of NY&NJ Public Safety	Dep. Dir., Public Safety	\$209,487
Port Authority of NY&NJ	Anne M Treasurer	\$208,705
Port Authority of NY&NJ	Director, Manag. And Budget	\$208,705
MTA NYC Transit Authority	Superintendent (Ta Op)	\$208,325

Port Authority of NY&NJ	Inspector General	\$208,189
Port Authority of NY&NJ	Senior Counsel	\$207,614
New York City Health And Hospitals Corp.	Physician Specialist	\$206,939
New York City Health And Hospitals Corp.	Physician Specialist	\$206,809
Port Authority of NY&NJ	Director, Security Projects	\$206,657
New York City Health And Hospitals Corp.	Dep Exec Dir-Hosp	\$206,465
New York City Health And Hospitals Corp.	Dep Exec Dir-Hosp	\$206,180
New York City Health And Hospitals Corp.	Physician Specialist	\$206,151
New York City Health And Hospitals Corp.	Physician Specialist	\$205,920
New York City Health And Hospitals Corp.	Physician Specialist	\$205,805
New York City Health And Hospitals Corp.	Physician Specialist	\$205,659
New York City Health And Hospitals Corp.	Physician Specialist	\$205,659
New York City Health And Hospitals Corp.	Physician Specialist	\$205,594
New York City Health And Hospitals Corp.	Physician Specialist	\$205,594
New York City Health And Hospitals Corp.	Physician Specialist	\$205,445
MTA Headquarters	Dir Labor Relations	\$205,435
New York City Health And Hospitals Corp.	Ast V P	\$205,275
New York City Health And Hospitals Corp.	Physician Specialist	\$204,664
New York City Health And Hospitals Corp.	Physician Specialist	\$204,608
New York City Health And Hospitals Corp.	Exec Dir - Hosp	\$204,374
New York City Health And Hospitals Corp.	Physician Specialist	\$204,340
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$203,836
Port Authority of NY&NJ	First Dep. Gen. Counsel	\$203,681
New York City Health And Hospitals Corp.	Physician Specialist	\$203,588
New York City Health And Hospitals Corp.	Physician Specialist	\$203,275
New York City Health And Hospitals Corp.	Physician Specialist	\$203,028
MTA Long Island RR	Vice Pres-Esa Reading	\$203,006
New York City Health And Hospitals Corp.	Sr. Ast V/Pres	\$202,759

New York City Health And Hospitals Corp.	Physician Specialist	\$202,670
New York City Health And Hospitals Corp.	Physician Specialist	\$202,668
New York City Health And Hospitals Corp.	Dep Exec Dir-Hosp	\$202,461
New York City Health And Hospitals Corp.	Physician Specialist	\$202,307
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$202,163
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$202,163
New York City Health And Hospitals Corp.	Physician Specialist	\$202,145
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$202,000
New York City Health And Hospitals Corp.	Physician Specialist	\$201,972
New York City Health And Hospitals Corp.	Physician Specialist	\$201,884
New York City Health And Hospitals Corp.	Physician Specialist	\$201,620
New York City Health And Hospitals Corp.	Physician Specialist	\$201,605
New York City Health And Hospitals Corp.	Physician Specialist	\$201,605
New York City Health And Hospitals Corp.	Physician Specialist	\$201,587
New York City Health And Hospitals Corp.	Physician Specialist	\$201,384
New York City Health And Hospitals Corp.	Dep Exec Dir-Hosp	\$201,361
Port Authority of NY&NJ	Deputy Chief Engineer	\$201,153
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$201,000
New York City Health And Hospitals Corp.	Physician Specialist	\$200,858
Port Authority of NY&NJ Planning	Director, Planning	\$200,737
New York City Health And Hospitals Corp.	Physician Specialist	\$200,466
New York City Health And Hospitals Corp.	Att Phys III	\$200,376
MTA Long Island Bus	Dir Agency Support	\$200,250
MTA NYC Transit Authority	Admin.Staff Analyst	\$200,000
NYS Urban Development Corp.	President, Upst. ESD Corp.	\$200,000
New York City Health And Hospitals Corp.	Att Phys II	\$199,801
New York City Health And Hospitals Corp.Assoc	Executive Dir-Hosp	\$199,408
Niagara Frontier Transportation Authority	Executive Director	\$199,224

Niagara Frontier Transportation Authority	Executive Director	\$199,224
MTA NYC Transit Authority	Admin.Manager	\$199,132
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$199,113
New York City Health And Hospitals Corp.	Assoc Executive Dir-Hosp	\$198,888
MTA NYC Transit Authority	Supt Labor Relations Perb	\$198,451
MTA Long Island RR	Sr Vice President-Ad	\$198,449
New York City Health And Hospitals Corp.	Att Phys III	\$198,379
MTA Headquarters	Dir Corp Aff & Comm.	\$198,871
MTA NYC Transit Authority	Spt Labor Relations Perb	\$198,451
Port Authority of NY&NJ	Secretary	\$198,063
New York City Health And Hospitals Corp.	Physician Specialist	\$197,930
Roswell Park Cancer Institute Corp.	Staff Phys (Breast Surg)	\$197,677
New York City Health And Hospitals Corp.	Physician Specialist	\$197,387
Roswell Park Cancer Institute Corp.	Staff Phys (Pathology)	\$197,113
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$196,988
NYS Urban Development Corp.	Dir, Constr Coor & Mitigation	\$195,000
New York City Health And Hospitals Corp.	Assoc Executive Dir-Hosp	\$194,312
MTA Headquarters	Sr Vp Program Exec	\$194,000
New York City Health And Hospitals Corp.	Assoc Executive Dir-Hosp	\$193,397
New York City Health And Hospitals Corp.	Chief Information Officer	\$193,249
New York City Health And Hospitals Corp.	Assoc Executive Dir-Hosp	\$193,255
Roswell Park Cancer Institute Corp.	Staff Phys (Med Oncol)	\$192,772
Roswell Park Cancer Institute Corp.	Staff Phys (Med Oncol)	\$192,772
Roswell Park Cancer Institute Corp.	Chair (Clin Res)	\$192,630
MTA Headquarters	Dir Of Administration	\$192,486
MTA Headquarters	Dir Special Project Dev & Plng	\$192,486
New York City Health And Hospitals Corp.	Dep Exec Dir-Hosp	\$192,188
New York City Health And Hospitals Corp.	Dep Exec Dir-Hosp	\$192,188

Roswell Park Cancer Institute Corp.	Staff Phys (Med Oncol)	\$192,073
Roswell Park Cancer Institute Corp.	Staff Phys (Med Oncol)	\$192,073
New York City Health And Hospitals Corp.	Home Health Nurse P.V. II	\$191,421
New York City Health And Hospitals Corp.	Home Health Nurse P.V. II	\$191,421
Roswell Park Cancer Institute Corp.	Vice Pres	\$191,264
MTA Headquarters	Dir Policy & Media Relations	\$190,550
Port Authority of NY&NJ	Dir. Human Resources	\$190,496
New York City Health And Hospitals Corp.	Assoc Executive Dir-Hosp	\$190,324
New York City Health And Hospitals Corp.	Dir Of Service - Appr Spe	\$190,000

2. COUNTIES: 2010 SALARIES

COUNTY	POSITION	NAME	2010 SALARY
Suffolk	(General Employee)	Glen	\$281,429
Lewis	(General Employee)	James V	\$245,000
Lewis	(General Employee)	Daniel C	\$245,000
Rockland	(General Employee)	Pashaki, M.	\$245,000
Lewis	(General Employee)	Robert C	\$245,000
Rockland	(General Employee)	Vahan	\$245,000
Lewis	(General Employee)	Dwight D	\$243,443
Suffolk	(General Employee)	Charles E	\$240,754
Suffolk	(General Employee)	Edward M	\$240,647
Lewis	(General Employee)	Gerard A	\$240,177
Lewis	(General Employee)	Josefina	\$240,000
Suffolk	(General Employee)	Joseph A	\$235,770
Suffolk	(General Employee)	Joseph	\$235,478
Suffolk	(General Employee)	John J	\$231,923

Suffolk	(General Employee)	Marie	\$231,171
Suffolk	(General Employee)	Steven M	\$230,922
Suffolk	(General Employee)	Joseph E	\$230,835
Suffolk	(General Employee)	Thomas J	\$223,178
Suffolk	(General Employee)	John R	\$220,600
Suffolk	(General Employee)	Michael	\$219,273
Suffolk	(General Employee)	Thomas J	\$219,172
Suffolk	(General Employee)	Robert P	\$219,073
Suffolk	(General Employee)	Carol A	\$218,994
Nassau	(Police & Fire)	Brendan W	\$218,936
Suffolk	(General Employee)	Steven P	\$218,688
Suffolk	(General Employee)	Steven W	\$218,526
Rockland	(General Employee)	Carmen R	\$218,429
Suffolk	(General Employee)	William A	\$217,431
Suffolk	(General Employee)	Gregory M	\$216,794
Suffolk	(General Employee)	Vincenzo	\$216,764
Nassau	(Police & Fire)	Gary H	\$216,321
Suffolk	(General Employee)	George	\$216,182
Westchester	(Police & Fire)	R W	\$215,693
Lewis	(General Employee)	Eric R	\$215,183
Westchester	(Police & Fire)	David	\$213,212
Westchester	(Police & Fire)	James M	\$212,860
Westchester	(Police & Fire)	Maria A	\$212,775
Suffolk	(General Employee)	Gregory T	\$211,908
Cortland	(General Employee)	Jason T	\$211,700
Westchester	(Police & Fire)	Henry C	\$210,981
Suffolk	(General Employee)	Robin A	\$210,783
Ulster	(General Employee)	Howard P	\$210,683

Nassau	(Police & Fire)	Gary N	\$209,996
Nassau	(Police & Fire)	Richard F	\$209,813
Nassau	(Police & Fire)	Karen E	\$209,413
Nassau	(Police & Fire)	Terence J	\$209,256
Nassau	(Police & Fire)	Robert J	\$209,189
Nssau	(General Employee)	Joseph	\$209,013
Nassau	(Police & Fire)	Michael R	\$208,191
Westchester	(Police & Fire)	Jeffrey V	\$208,183
Nassau	(Police & Fire)	Robert M	\$206,981
Nassau	(Nassau (Police & Fire))	Richard T	\$206,613
Suffolk	(General Employee)	Dennis B	\$206,591
Suffolk	(General Employee)	Joseph A	\$206,409
Suffolk	(General Employee)	Mark S	\$206,035
Nassau	(Police & Fire)	Steven E	\$206,030
Suffolk	(General Employee)	Charles H	\$205,976
Suffolk	(General Employee)	Michael J	\$205,867
Suffolk	(General Employee)	Brian	\$205,761
Nassau	(Police & Fire)	Daniel H	\$205,679
Suffolk	(General Employee)	Christopher M	\$205,577
Suffolk	(General Employee)	John P	\$205,481
Suffolk	(General Employee)	Alex W	\$205,364
Ulster	(General Employee)	James C	\$204,945
Suffolk	(General Employee)	Joseph F	\$204,925
Suffolk	(General Employee)	Mark J	\$203,820
Rockland	(General Employee)	Osiris H	\$203,374
Suffolk	(General Employee)	Dwayne W	\$203,032
Nassau	(General Employee)	Michael	\$202,979
Suffolk	(General Employee)	Bruce R	\$202,820

Nassau	(Police & Fire)	Adam	\$202,781
Nassau	(Police & Fire)	Robert W	\$202,477
Nassau	(Police & Fire)	Gregory T	\$202,424
Suffolk	(General Employee)	Michael	\$202,376
Nassau	(Police & Fire)	John J	\$202,078
Suffolk	(General Employee)	Joseph P	\$201,972
Nassau	(Police & Fire)	Michael J	\$201,916
Ulster	(General Employee)	Julita R	\$201,850
Suffolk	(General Employee)	Gregory	\$201,658
Suffolk	(General Employee)	Michael P	\$201,650
Nassau	(Police & Fire)	John F	\$201,558
Suffolk	(General Employee)	James M	\$201,346
Nassau	(Police & Fire)	Kevin	\$201,287
Nassau	(Police & Fire)	James M	\$201,215
Suffolk	(General Employee)	William M	\$201,039
Nassau	(Police & Fire)	William G	\$200,822
Saratoga	(General Employee)	Ivan J	\$200,821
Saratoga	(General Employee)	Gary D	\$200,821
Nassau	(Police & Fire)	Christopher	\$200,816
Suffolk	(General Employee)	Michael J	\$199,596
Suffolk	(General Employee)	John C	\$199,544
Suffolk	(General Employee)	Curtis	\$199,487
Suffolk	(General Employee)	Daniel S	\$199,413
Suffolk	(General Employee)	John G	\$199,266
Suffolk	(General Employee)	Austin M	\$198,964
Suffolk	(General Employee)	Gerard	\$198,775
Suffolk	(General Employee)	Steven J	\$198,757
Suffolk	(General Employee)	James P	\$198,156

Suffolk	(General Employee)	Thomas A	\$197,947
Nassau	(General Employee)	Alan M	\$197,917
Suffolk	(Police & Fire)	Henry	\$197,902
Suffolk	(General Employee)	John J	\$197,874
Suffolk	(General Employee)	Philip S	\$197,825
Suffolk	(General Employee)	Robert W	\$197,684
Nassau	(Police & Fire)	Michael G	\$197,637
Suffolk	(General Employee)	Leonard J	\$197,469
Suffolk	(Police & Fire)	Thomas M	\$197,304
Nassau	(Police & Fire)	Nicholas C	\$197,159
Suffolk	(General Employee)	Fred M	\$197,000
Nassau	(Police & Fire)	John A	\$196,956
Suffolk	(General Employee)	Richard G	\$196,815
Suffolk	(General Employee)	Charles E	\$196,584
Suffolk	(General Employee)	Paul	\$196,291
Suffolk	(General Employee)	Joseph R	\$195,793
Nassau	(Police & Fire) Ryder,	Patrick J	\$195,703
Suffolk	(General Employee)	Walter L	\$195,417
Wyoming	(General Employee)	Ronald J	\$195,283
Suffolk	(Police & Fire)	Robert A	\$195,127
Nassau	(Police & Fire)	Brian J	\$195,001
Suffolk	(General Employee)	Mark J	\$194,893
Suffolk	(General Employee)	William A	\$194,632
Suffolk	(General Employee)	Helen L	\$194,550
Suffolk	(General Employee)	Mark E	\$194,366
Suffolk	(General Employee)	Howard E	\$194,294
Suffolk	(General Employee)	Brian P	\$194,156
Suffolk	(General Employee)	Kerry C	\$194,064

Suffolk	(General Employee)	Robert A	\$194,063
Suffolk	(General Employee)	John A	\$194,050
Suffolk	(General Employee)	Kenneth C	\$194,045
Suffolk	(General Employee)	Joseph M	\$193,743
Suffolk	(Police & Fire)	Albert J	\$193,503
Suffolk	(General Employee)	Edward A	\$193,351
Suffolk	(General Employee)	Christopher J	\$193,280
Nassau	(Police & Fire)	Edward J	\$193,233
Nassau	(Police & Fire)	John G	\$192,919
Suffolk	(General Employee)	Roxine D	\$192,895
Putnam	(General Employee)	Frederick C	\$192,797
Westchester	(Police & Fire)	Matthew E	\$192,640
Nassau	(Police & Fire)	Francis J	\$192,366
Suffolk	(General Employee)	George T	\$192,317
Suffolk	(General Employee)	Anthony R	\$192,238
Suffolk	(General Employee)	Brian A	\$192,192
Nassau	(Police & Fire)	Gregory J	\$192,124
Rockland	(General Employee)	Moon J	\$192,121
Suffolk	(Police & Fire)	Dominick	\$191,966
Suffolk	(General Employee)	Nicholas A	\$191,796
Suffolk	(Police & Fire)	Edward	\$191,600
Rockland	(General Employee)	Padma V	\$191,522
Rockland	(General Employee)	Michel	\$191,466
Westchester	(Police & Fire)	John J	\$191,464
Nassau	(Police & Fire)	Michael	\$191,464
Suffolk	(General Employee)	Victoria A	\$191,165
Westchester	(Police & Fire)	Christopher M	\$191,157
Nassau	(Police & Fire)	William F	\$190,998

Suffolk	(General Employee)	Roy H	\$190,958
Westchester	(Police & Fire)	Mark	\$190,907
Suffolk	(General Employee)	Angelo	\$190,791
Nassau	(Police & Fire)	Daniel J	\$190,667
Suffolk	(General Employee)	Paul A	\$190,622
Nassau	(Police & Fire)	James P	\$190,617
Westchester	(Police & Fire)	George W	\$190,454
Nassau	(Police & Fire)	Michael J	\$190,297
Nassau	(Police & Fire)	Mark J	\$190,288
Nassau	(Police & Fire)	Anthony	\$190,066
Westchester	(Police & Fire)	Mark L	\$190,065
Suffolk	(General Employee)	Joseph M	\$190,041
Suffolk	(General Employee)	Joseph P	\$190,037
Suffolk	(General Employee)	Thomas R	\$189,887
Suffolk	(General Employee)	William O	\$189,812
Nassau	(Police & Fire)	Thomas B	\$189,611
Nassau	(Police & Fire)	Frank T	\$189,542
Nassau	(Police & Fire)	Pamela M	\$189,511
Westchester	(Police & Fire)	Thomas P	\$189,214
Suffolk	(General Employee)	David	\$189,154
Nassau	(Police & Fire)	David B	\$189,016
Suffolk	(General Employee)	Levy G	\$189,013

3. SCHOOL DISTRICTS: 2009 SALARIES

Commack Union Free Schools	(Professional)	James A	\$657,970
Syosset Central Schools	(Professional)	Carole	\$485,246
Brookhaven-Comsewogue UFS	(Professional)	Shelley	\$462,084
Mount Sinai Union Free Schools	(Professional)	Anthony J	\$402,944
Suny Health Sci Center Brooklyn	(Professional)	Ovadia	\$401,623
Tuckahoe Union Free Schools	(Professional)	Michael V	\$387,804
Levittown Union Free Schools	(Professional)	Herman A	\$369,254
Westbury Union Free Schools	(Professional)	Constance R	\$365,404
Jericho Union Free Schools	(Professional)	Henry L	\$354,880
Syosset Central Schools	(Professional)	Jeffrey B	\$353,368
Half Hollow Hills Central Schools	(Professional)	Sheldon	\$351,946
Suny Health Sci Center at Brooklyn	(Professional)	Michael P	\$349,003
Valley Stream Central High	(Professional)	Marc F	\$333,863
Bay Shore Union Free Schools	(Professional)	Evelyn B	\$328,561
Suny at Albany	(Professional)	Edward L	\$324,839
Ramapo Central Schools	(Professional)	Robert B	\$322,359
Rockville Centre Union Free Schools	(Professional)	William H	\$321,701
South Huntington Union Free Schools	(Professional)	Thomas C	\$318,137
Oceanside Union Free Schools	(Professional)	Herb R	\$316,196
Center Moriches Union Free Schools	(Professional)	Donald A	\$310,245
Commack Union Free Schools	(Professional)	Carol A	\$310,117
Scarsdale Union Free Schools	(Professional)	Michael	\$310,060
Harrison Central Schools	(Professional)	Louis N	\$307,801
Half Hollow Hills Central Schools	(Professional)	Jeffrey C	\$306,222

Edgemont at Greenburgh Central	(Professional)	Nancy L	\$300,953
Half Hollow Hills Central Schools	(Professional)	Ellen M	\$299,087
Port Washington Union Free Schools	(Professional)	Geoffrey N	\$297,644
BOCES	(Professional)	Gary D	\$293,300
William Floyd Union Free Schools	(Professional)	Paul	\$290,917
Pearl River Union Free Schools	(Professional)	Frank V	\$289,728
UFSD of the Tarrytowns	(Professional)	Howard W	\$287,526
Long Beach City School District	(Professional)	Robert	\$286,918
Locust Valley Central Schools	(Professional)	Anna F	\$285,208
Hewlett-Woodmere Union Free Schools	(Professional)	Les M	\$285,000
Freeport Public Schools	(Professional)	Kishore	\$283,628
Sewanhaka Central Schools	(Professional)	Warren A	\$282,093
Somers Central Schools	(Professional)	Joanne A	\$281,033
Rye City School District	(Professional)	Edward J	\$280,280
Rye Neck Union Free Schools	(Professional)	Peter J	\$280,101
Hicksville Public Schools	(Professional)	Maureen K	\$277,866
Briarcliff Manor Union Free Schools	(Professional)	Frances G	\$276,607
Bronxville Union Free Schools	(Professional)	David F	\$276,333
Sayville Public Schools	(Professional)	Rosemary F	\$275,588
Mamaroneck Union Free Schools	(Professional)	Paul R	\$274,553
Lakeland Central Schools	(Professional)	Kenneth J	\$270,000
Pleasantville Union Free Schools	(Professional)	Donald A	\$269,270
Lawrence Union Free Schools	(Professional)	John T	\$268,909
Garden City Union Free Schools	(Professional)	Robert D	\$268,832
Manhasset Union Free Schools	(Professional)	Charles S	\$268,501
Jericho Union Free Schools	(Professional)	Benjamin	\$268,268
East Ramapo Central Schools	(Professional)	Ira E	\$267,702
Hauppauge Union Free Schools	(Professional)	Patricia A	\$267,215

New Rochelle City School District	(Professional)	Richard	\$267,004
West Islip Union Free Schools	(Professional)	Beth V	\$265,751
Massapequa Public Schools	(Professional)	Charles V	\$264,605
Suny at Albany	(Professional)	Judith	\$264,521
East Hampton Union Free Schools	(Professional)	Raymond D	\$264,335
Irvington Union Free Schools	(Professional)	Kathleen L	\$263,455
Port Chester-Rye Union Free Schools	(Professional)	Donald K	\$263,009
Yonkers Public Schools	(Professional)	Bernard P	\$262,443
North Shore Central Schools	(Professional)	Edward K	\$262,162
Merrick Union Free Schools	(Professional)	Ranier W	\$262,024
Bellmore-Merrick Central Schools	(Professional)	Henry G	\$260,775
Huntington Union Free Schools	(Professional)	John J	\$260,430
Greenburgh-Graham Union Free	(Professional)	Amy J	\$259,971
Hendrick Hudson Central Schools	(Professional)	Daniel T	\$259,097
Ossining Union Free Schools	(Professional)	Phyllis	\$255,645
Chappaqua Central Schools	(Professional)	David A	\$255,270
Roslyn Public Schools	(Professional)	Daniel S	\$255,000
Mount Vernon Public Schools	(Professional)	Welton L	\$254,945
Herricks Union Free Schools	(Professional)	John E	\$254,228
North Merrick Union Free Schools	(Professional)	David S	\$254,150
Bedford Central Schools	(Professional)	Jere I	\$253,941
Hewlett-Woodmere Union Free Schools	(Professional)	Joyce M	\$253,719
Valley Stream 13 Union Free Schools	(Professional)	Elizabeth J	\$252,668
Byram Hills at Armonk Central	(Professional)	Jacquelyn M	\$252,135
Fashion Institute of Technology	(Professional)	Joyce F	\$251,554
Commack Union Free Schools	(Professional)	John F	\$251,323
Lynbrook Union Free Schools	(Professional)	Santo J	\$250,250
Ardsley Union Free Schools	(Professional)	Charles V	\$249,955

Hempstead Public Schools	(Professional)	Robert L	\$249,784
Suny at Buffalo	(Professional)	Esther S	\$249,409
Rochester City School District	(Professional)	Jean-Claude	\$248,520
Northport-East Northport Union	(Professional)	Marylou	\$248,401
Oyster Bay-East Norwich Central	(Professional)	Phyllis S	\$247,952
Valley Stream 24 Union Free Schools	(Professional)	Edward M	\$247,741
Farmingdale Union Free Schools	(Professional)	John	\$247,431
Blind Brook-Rye Union Free Schools	(Professional)	William J	\$247,160
Jericho Union Free Schools	(Professional)	William E	\$247,007
East Meadow Union Free Schools	(Professional)	Louis R	\$246,992
Dover Union Free Schools	(Professional)	Craig T	\$246,954
Pittsford Central Schools	(Professional)	Maryalice	\$246,242
Carle Place Union Free Schools	(Professional)	W M	\$246,202
Bayport-Blue Point Union Free	(Professional)	Anthony J	\$246,161
Hewlett-Woodmere Union Free Schools	(Professional)	Peter J	\$245,090
Riverhead Central Schools	(Professional)	Diane B	\$244,892
Hawthorne-Cedar Knolls Union Free	(Professional)	Mark K	\$244,583
Pelham Union Free Schools	(Professional)	Dennis R	\$243,406
Middle Country Central Schools	(Professional)	Roberta A	\$242,819
Yorktown Central Schools	(Professional)	Ralph A	\$241,788
Suny at Stony Brook Hospital	(Professional)	Laurie E	\$241,658
Copiague Union Free Schools	(Professional)	Charles A	\$240,746
Cold Spring Harbor Central Schools	(Professional)	Judith A	\$240,672
North Babylon Union Free Schools	(Professional)	Robert W	\$239,657
Eastchester Union Free Schools	(Professional)	Marilyn C	\$238,855
Brewster Central Schools	(Professional)	Janice	\$238,619
Jericho Union Free Schools	(Professional)	Nancy C	\$238,302
Plainedge Union Free Schools	(Professional)	Christine M	\$237,515

Nanuet Union Free Schools	(Professional)	Mark S	\$237,317
Sayville Public Schools	(Professional)	John J	\$237,045
Nyack Union Free Schools	(Professional)	Valencia	\$237,038
Irvington Union Free Schools	(Professional)	James P	\$236,831
Hampton Bays Union Free Schools	(Professional)	Joanne S	\$236,757
Westbury Union Free Schools	(Professional)	Mary A	\$236,670
Tuckahoe Common Schools	(Professional)	Linda J	\$236,294
Great Neck Public Schools	(Professional)	Thomas P	\$236,000
Commack Union Free Schools	(Professional)	William	\$235,123
Baldwin Union Free Schools	(Professional)	James D	\$234,725
Greenburgh Central Schools	(Professional)	Ronald L	\$234,375
Connetquot Central Schools	(Professional)	Alan B	\$233,888
Bethpage Union Free Schools	(Professional)	Terrence	\$233,288
Shoreham-Wading River Central	(Professional)	Harriet R	\$232,876
Half Hollow Hills Central Schools	(Professional)	Kelly A	\$232,799
Pembroke Central Schools	(Professional)	Gary T	\$232,307
Carmel Central Schools	(Professional)	James M	\$232,182
Westchester 2 BOCES	(Professional)	Sandra A	\$231,290
Katonah-Lewisboro Union Free	(Professional)	Michael	\$231,269
Sachem Central Schools	(Professional)	Charles J	\$230,745
Hastings-on-Hudson Union Free	(Professional)	Robert I	\$230,500
Roslyn Public Schools	(Professional)	Joseph C	\$230,000
Southampton Union Free Schools	(Professional)	Joseph R	\$229,205
Half Hollow Hills Central Schools	(Professional)	Linda E	\$229,193
Suny Health Sci Center at Brooklyn	(Professional)	Ovadia	\$229,070
Mount Pleasant Cottage School	(Professional)	Norman I	\$228,925
Uniondale Public Schools	(Professional)	William K	\$228,781
Seaford Public Schools	(Professional)	Thomas J	\$228,595

South Orangetown Central Schools	(Professional)	Kenneth J.	\$228,579
Dobbs Ferry Union Free Schools	(Professional)	Debra T	\$228,246
Pearl River Union Free Schools	(Professional)	John C	\$228,099
Hempstead Public Schools	(Professional)	William D	\$228,057
Sachem Central Schools	(Professional)	Bruce	\$227,955
Williamsville Central Schools	(Professional)	Howard S	\$227,850
Brentwood Union Free Schools	(Professional)	Thomas P	\$227,304
North Bellmore Union Free Schools	(Professional)	Arnold M	\$226,815
Bronxville Union Free Schools	(Professional)	John F	\$226,401
Miller Place Union Free Schools	(Professional)	Marianne F	\$225,647
White Plains City School District	(Professional)	Christopher P	\$225,333
Eastport-South Manor City School District	(Professional)	Mark A	\$225,245
Brentwood Union Free Schools	(Professional)	Donna M	\$225,045
Hempstead Public Schools	(Professional)	Rodney E	\$225,033
East Islip Union Free Schools	(Professional)	Wendell W	\$225,000
Clarkstown Central Schools	(Professional)	Margaret M	\$225,000
Commack Union Free Schools	(Professional)	Elizabeth A	\$224,888
Valhalla Union Free Schools	(Professional)	Diane T	\$224,395
Scarsdale Union Free Schools	(Professional)	Joan E	\$224,371
Half Hollow Hills Central Schools	(Professional)	Michael P	\$224,216
Eastchester Union Free Schools	(Professional)	Christie Z	\$224,196
Brewster Central Schools	(Professional)	Timothy J	\$223,924
Middletown City School District	(Professional)	Kenneth W	\$223,884
Westbury Union Free Schools	(Professional)	Marjorie E	\$223,875
Westhampton Beach Union Free	(Professional)	Lynn	\$223,510
East Williston Union Free Schools	(Professional)	Lorna R	\$223,510
Niagara Falls City School District	(Professional)	Lawrence J	\$223,437
Elmont Union Free Schools	(Professional)	Albert L	\$223,399

Buffalo Public Schools	(Professional)	James A	\$223,372
Peekskill City School District	(Professional)	Judith	\$223,049
Jericho Union Free Schools	(Professional)	Barbara A	\$222,677
Miller Place Union Free Schools	(Professional)	Linda M	\$222,676
Oceanside Union Free Schools	(Professional)	Louis S	\$222,630
Island Park Union Free Schools	(Professional)	Rosmarie T	\$221,826
Fire Island Union Free Schools	(Professional)	Douglass J	\$221,749
Suffolk 2 BOCES	(Professional)	Michael J	\$221,562
Bellmore Union Free Schools	(Professional)	Joseph S	\$221,310
Great Neck Public Schools	(Professional)	John T	\$220,691
East Rockaway Union Free Schools	(Professional)	Roseanne T	\$220,300
UFSD of the Tarrytowns	(Professional)	Barbarann	\$220,219
Rush-Henrietta Central Schools	(Professional)	J K	\$220,102
Half Hollow Hills Central Schools	(Professional)	Alan R	\$220,085
Bedford Central Schools	(Professional)	Mark L	\$219,811
West Hempstead Union Free Schools	(Professional)	John J	\$219,617
Croton-Harmon Union Free Schools	(Professional)	Edward R	\$219,608
Canandaigua City School District	(Professional)	Donald W	\$219,570
Amityville Union Free Schools	(Professional)	John R	\$219,479
Elmsford Union Free Schools	(Professional)	Barbara A	\$219,175
Niskayuna Central Schools	(Professional)	Kevin S	\$218,992
Edgemont at Greenburgh Central	(Professional)	Barry C	\$218,618
Massapequa Public Schools	(Professional)	Alan C	\$218,439
Rochester City School District	(Professional)	Kim J	\$218,323
Longwood at Middle Island Central	(Professional)	Allan G	\$217,651
Eastchester Union Free Schools	(Professional)	Maryellen	\$217,548
Syracuse City SD	(Professional)	Daniel G	\$217,110
Wantagh Union Free Schools	(Professional)	Lydia M	\$217,048

Syosset Central Schools	(Professional)	Jorge E	\$216,426
Byram Hills at Armonk Central	(Professional)	William M	\$216,039
Harrison Central Schools	(Professional)	Robert S	\$215,774
Lakeland Central Schools	(Professional)	Raymond E	\$215,524
Lindenhurst Public Schools	(Professional)	Richard B	\$214,888
Sag Harbor Union Free Schools	(Professional)	John R	\$214,038
Smithtown Central Schools	(Professional)	Edward L	\$214,023
William Floyd Union Free Schools	(Professional)	Anne M	\$213,956
Port Jefferson Union Free Schools	(Professional)	Max R	\$213,532
Harrison Central Schools	(Professional)	Michael R	\$212,977
Greenburgh-North Castle Union Free	(Professional)	Edward W	\$212,807
Mineola Union Free Schools	(Professional)	Michael P	\$212,727
Jericho Union Free Schools	(Professional)	Edward	\$212,718
Greenburgh Eleven Union Free	(Professional)	Sandra G	\$212,636
Little Flower at Wading River	(Professional)	George H	\$212,420
Great Neck Public Schools	(Professional)	Dennis J	\$212,118
Great Neck Public Schools	(Professional)	Manuela	\$212,118
Blind Brook-Rye Union Free Schools	(Professional)	Jonathan H	\$211,996
Central Islip Union Free Schools	(Professional)	Pearl	\$211,327
Eastern Suffolk 1 BOCES	(Professional)	Barbara M	\$211,190
Arlington Central Schools	(Professional)	Frank V	\$211,132
Greece Central Schools	(Professional)	Steven A	\$210,947
Sewanhaka Central Schools	(Professional)	Douglas C	\$210,765
Island Trees Union Free Schools	(Professional)	Charles J	\$210,346
Oceanside Union Free Schools	(Professional)	Ilene	\$210,314
Three Village Central Schools	(Professional)	Donald F	\$210,281
Roosevelt Union Free Schools	(Professional)	Robert W	\$210,244
Bay Shore Union Free Schools	(Professional)	Edmund R	\$209,713

Bethpage Union Free Schools	(Professional)	Joseph A	\$209,486
Hewlett-Woodmere Union Free	(Professional)	Dennis T	\$209,348
Newburgh City School District	(Professional)	Annette M	\$209,297
New Rochelle City School District	(Professional)	Margaret M	\$209,208
New Rochelle City School District	(Professional)	Jeffrey R	\$209,208
New Rochelle City School District	(Professional)	Diane C	\$209,208
Kings Park Central Schools	(Professional)	Susan A	\$209,100
Hempstead Public Schools	(Professional)	Patricia	\$208,913
Middle Country Central Schools	(Professional)	Francine R	\$208,907
East Moriches Union Free Schools	(Professional)	Charles T	\$208,612
Greenburgh Eleven Union Free	(Professional)	Marsha B	\$208,428
Sweet Home Central Schools	(Professional)	Geoffrey M	\$208,288
Scarsdale Union Free Schools	(Professional)	John E	\$208,274
Bayport-Blue Point Union Free	(Professional)	Maryann	\$208,123
Hewlett-Woodmere Union Free Schools	(Professional)	Kathleen D	\$208,023
Central Islip Union Free Schools	(Professional)	Craig G	\$208,000
Southampton Union Free Schools	(Professional)	Nicholas J	\$207,996
Garden City Union Free Schools	(Professional)	Albert T	\$207,925
Suny at Stony Brook (28050)	(Professional)	Nancy K	\$207,851
Valley Stream 30 Union Free Schools	(Professional)	Elaine B	\$207,500
Quogue Union Free Schools	(Professional)	Richard J	\$207,160
South Huntington Union Free Schools	(Professional)	James J	\$206,839
Rochester City School District	(Professional)	Larry A	\$206,759
Three Village Central Schools	(Professional)	Jeffrey C	\$206,347
Floral Park-Bellerose Union Free	(Professional)	Lynn	\$206,264
Harrison Central Schools	(Professional)	Brian G	\$206,217
Webster Central Schools	(Professional)	Adele A	\$205,929
Hornell City School District	(Professional)	George A	\$205,891

Central Islip Union Free Schools	(Professional)	Michelle L	\$205,869
West Babylon Union Free Schools	(Professional)	Anthony	\$205,849
Half Hollow Hills Central Schools	(Professional)	Victor P	\$205,703
Half Hollow Hills Central Schools	(Professional)	Patrick G	\$205,669
Mahopac Central Schools	(Professional)	Thomas J	\$205,287
Clarence Central Schools	(Professional)	Thomas G	\$205,000
Bronxville Union Free Schools	(Professional)	Terence J	\$204,730
Fairport Central Schools	(Professional)	Jon G	\$204,716
West Irondequoit Central Schools	(Professional)	Jeffrey B	\$204,475
White Plains City School District	(Professional)	IVan L	\$204,014
Commack Union Free Schools	(Professional)	Judy	\$203,903
Brentwood Union Free Schools	(Professional)	Lorraine M	\$203,418
Freeport Public Schools	(Professional)	Mary R	\$203,143
Haverstraw-Stony Point Central	(Professional)	Ileana	\$202,898
Nassau BOCES	(Professional)	Robert J	\$202,850
Sachem Central Schools	(Professional)	James J	\$202,787
New Hyde Park-Garden City Park	(Professional)	Robert W	\$202,685
Shenendehowa Central Schools	(Professional)	Llewellyn O	\$202,637
Scarsdale Union Free Schools	(Professional)	Lynne	\$202,500
Mount Pleasant Central Schools	(Professional)	Susan	\$202,443
New Rochelle City School District	(Professional)	John B	\$202,411
Glen Cove City School District	(Professional)	Shari L	\$202,059
Brentwood Union Free Schools	(Professional)	Geraldine A	\$202,055
Scarsdale Union Free Schools	(Professional)	Linda S	\$201,950
Babylon Union Free Schools	(Professional)	Ellen	\$201,881
Garden City Union Free Schools	(Professional)	Serafino M	\$201,826
Mineola Union Free Schools	(Professional)	Sheryl S	\$201,818
Islip Union Free Schools	(Professional)	Susan A	\$201,717

South Orangetown Central Schools	(Professional)	Ann P	\$201,174
Port Jefferson Union Free Schools	(Professional)	Maria L	\$201,147
Mount Pleasant-Blythedale	(Professional)	Ellen I	\$201,114
Kingston City School District	(Professional)	Gerard M	\$201,073
Bay Shore Union Free Schools	(Professional)	Steven J	\$200,964
Northport-East Northport Union	(Professional)	John J	\$200,963
Pearl River Union Free Schools	(Professional)	Thomas F	\$200,932
Chappaqua Central Schools	(Professional)	Thomas L	\$200,902
Chappaqua Central Schools	(Professional)	Marilyn J	\$200,800
Mamaroneck Union Free Schools	(Professional)	Anne T	\$200,729
Commack Union Free Schools	(Professional)	Marcia F	\$200,692
Honeoye Falls-Lima Central Schools	(Professional)	Michelle M	\$200,673
Brewster Central Schools	(Professional)	Matthew J	\$200,628
Eastern Suffolk 1 BOCES	(Professional)	Julie D	\$200,593
Long Beach City School District	(Professional)	Joyce	\$200,503
Putnam-Westchester BOCES	(Professional)	Thomas P	\$200,466
William Floyd Union Free Schools	(Professional)	Gordon C	\$200,431
Plainview-Old Bethpage Central	(Professional)	Arthur E	\$200,226
Bronxville Union Free Schools	(Professional)	Rachel L	\$200,212
Rye Neck Union Free Schools	(Professional)	Kimberly	\$200,120
Monroe-Woodbury Central Schools	(Professional)	Joseph A	\$199,704
Jericho Union Free Schools	(Professional)	Mark G	\$199,643
Great Neck Public Schools	(Professional)	Bernard I	\$199,608
Brewster Central Schools	(Professional)	Joanne	\$199,329
Rye Neck Union Free Schools	(Professional)	Barbara A	\$199,299
Half Hollow Hills Central Schools	(Professional)	Lawrence E	\$199,281
Garden City Union Free Schools	(Professional)	Teresa B	\$199,206
Briarcliff Manor Union Free Schools	(Professional)	James M	\$199,170

East Irondequoit Central Schools	(Professional)	Susan K	\$199,089
UFSD of the Tarrytowns	(Professional)	John J	\$199,080
Jericho Union Free Schools	(Professional)	Joseph	\$198,839
Port Chester-Rye Union Free Schools	(Professional)	Maura J	\$198,812
Mount Vernon Public Schools	(Professional)	Peter M	\$198,798
Katonah-Lewisboro Union Free	(Professional)	Elsie M	\$198,791
Katonah-Lewisboro Union Free	(Professional)	Alice M	\$198,654
Port Washington Union Free Schools	(Professional)	Mary M	\$198,362
Jericho Union Free Schools	(Professional)	Berardino A	\$198,343
Northport-East Northport Union	(Professional)	Terry A	\$198,282
Rockville Centre Union Free Schools	(Professional)	Robert A	\$198,260
Roslyn Public Schools	(Professional)	Edward A	\$198,000
William Floyd Union Free Schools	(Professional)	Janet L	\$197,973
Pelham Union Free Schools	(Professional)	Joseph L	\$197,930
Great Neck Public Schools	(Professional)	Kelly	\$197,827
Central Islip Union Free Schools	(Professional)	Richard L	\$197,742
Miller Place Union Free Schools	(Professional)	Susan G	\$197,727
Half Hollow Hills Central Schools	(Professional)	Mary A	\$197,526
Putnam Valley Central Schools	(Professional)	Paul N	\$197,500
Central Islip Union Free Schools	(Professional)	Victoria A	\$197,349
Livingston Union Free Schools	(Professional)	Scott W	\$197,226
Ardsley Union Free Schools	(Professional)	Lauren	\$197,075
Hempstead Public Schools	(Professional)	Johnny W	\$196,944
Miller Place Union Free Schools	(Professional)	Gaye L	\$196,877
Haldane Central Schools	(Professional)	Mark A	\$196,805
East Meadow Union Free Schools	(Professional)	Lynne B	\$196,781
Central Islip Union Free Schools	(Professional)	Lawrence	\$196,720
Kiryas Joel Village Union Free	(Professional)	Joel M	\$196,641

Hempstead Public Schools	(Professional)	Frances A	\$196,572
Lynbrook Union Free Schools	(Professional)	Melissa A	\$196,418
Long Beach City School District	(Professional)	Randie	\$196,305
Half Hollow Hills Central Schools	(Professional)	Nancy P	\$196,107
Central Islip Union Free Schools	(Professional)	Joseph R	\$196,079
Port Jefferson Union Free Schools	(Professional)	Roseann A	\$195,846
Half Hollow Hills Central Schools	(Professional)	Lisa J	\$195,818
Scarsdale Union Free Schools	(Professional)	Michael T	\$195,782
Miller Place Union Free Schools	(Professional)	Susan J	\$195,545
Central Islip Union Free Schools	(Professional)	Roy A	\$195,482
Haverstraw-Stony Point Central	(Professional)	James B	\$195,275
Yorktown Central Schools	(Professional)	Florence T	\$195,238
Edgemont at Greenburgh Central	(Professional)	Susan F	\$195,147
Pawling Central Schools	(Professional)	Joseph	\$195,079
Rocky Point Union Free Schools	(Professional)	Carla L	\$195,074
Great Neck Public Schools	(Professional)	Robert M	\$195,009
Bay Shore Union Free Schools	(Professional)	Carlton D	\$194,856
Kings Park Central Schools	(Professional)	Arlene M	\$194,749
Brighton Central Schools	(Professional)	Gary C	\$194,616
William Floyd Union Free Schools	(Professional)	Robert	\$194,607
Albion Central Schools	(Professional)	Ada D	\$194,605
Bronxville Union Free Schools	(Professional)	Barry	\$194,579
South Huntington Union Free Schools	(Professional)	Merryl A	\$194,338
Cold Spring Harbor Central Schools	(Professional)	Richard A	\$194,200
Miller Place Union Free Schools	(Professional)	Marie A	\$194,196
Valley Central Schools	(Professional)	Richard M	\$194,191
East Syracuse-Minoa Central Schools	(Professional)	Donna J	\$194,124
New Rochelle City School District	(Professional)	Donald T	\$194,122

Bronxville Union Free Schools	(Professional)	Lawrence D	\$194,113
Brighton Central Schools	(Professional)	Kevin C	\$194,016
Schenectady City School District	(Professional)	Eric	\$193,899
East Hampton Union Free Schools	(Professional)	Charles R	\$193,781
Mount Vernon Public Schools	(Professional)	George C	\$193,764
Bethpage Union Free Schools	(Professional)	Caroline E	\$193,730
Copiapue Union Free Schools	(Professional)	Kathleen C	\$193,674
Middle Country Central Schools	(Professional)	Herbert B	\$193,666
Miller Place Union Free Schools	(Professional)	Barbara L	\$193,632
Oceanside Union Free Schools	(Professional)	Robert C	\$193,625
Westchester 2 BOCES	(Professional)	Nancy A	\$193,624
Mamaroneck Union Free Schools	(Professional)	Anthony T	\$193,510
Spackenkill Union Free Schools	(Professional)	Lois C	\$193,489
Troy City School District	(Professional)	Fadhilika	\$193,400
Fayetteville-Manlius Central	(Professional)	Corliss	\$193,400
Somers Central Schools	(Professional)	Kenneth J	\$193,342
Deer Park Union Free Schools	(Professional)	Eva J	\$193,287
Southold Union Free Schools	(Professional)	Penelope A	\$193,134
Pocantico Hills Central Schools	(Professional)	Jay R	\$193,101
Rockville Centre Union Free Schools	(Professional)	Christopher J	\$193,068
Hicksville Public Schools	(Professional)	Sharon A	\$193,003
New Paltz Central Schools	(Professional)	Maria C	\$192,870
Great Neck Public Schools	(Professional)	Susan	\$192,828
Frontier Central Schools	(Professional)	Ronald G	\$192,819
Miller Place Union Free Schools	(Professional)	Antoinette H	\$192,757
North Salem Central Schools	(Professional)	Kenneth R	\$192,744
Jericho Union Free Schools	(Professional)	Donald F	\$192,721
Elwood Union Free Schools	(Professional)	Robert A	\$192,665

Levittown Union Free Schools	(Professional)	Darlene	\$192,634
Brentwood Union Free Schools	(Professional)	Vicky D	\$192,625
Yorktown Central Schools	(Professional)	Thomas S	\$192,606
Hendrick Hudson Central Schools	(Professional)	Alice S	\$192,567
East Rochester Union Free Schools	(Professional)	Howard S	\$192,455
Westchester 2 BOCES	(Professional)	James M	\$192,452
Orange County Community College	(Professional)	William R	\$192,389
Fashion Institute of Technology	(Professional)	Jeffrey I	\$192,251
Sewanhaka Central Schools	(Professional)	Maureen F	\$192,186
Niagara Falls City School District	(Professional)	Marie A	\$192,159
Manhasset Union Free Schools	(Professional)	Dean J	\$192,107
Commack Union Free Schools	(Professional)	David H	\$192,021
Pine Bush Central Schools	(Professional)	Philip G	\$191,880
Port Jervis City School District	(Professional)	John P	\$191,849
Chappaqua Central Schools	(Professional)	John L	\$191,843
Oyster Bay-East Norwich Central	(Professional)	Dennis P	\$191,681
Brentwood Union Free Schools	(Professional)	Patrick F	\$191,661
Brewster Central Schools	(Professional)	Robin Y	\$191,556
Clarkstown Central Schools	(Professional)	Arthur	\$191,421
Washingtonville Central Schools	(Professional)	Roberta L	\$191,280
Mount Sinai Union Free Schools	(Professional)	Deena L	\$191,119
Half Hollow Hills Central Schools	(Professional)	Debra	\$191,110
Putnam Valley Central Schools	(Professional)	Marc R	\$190,906
Pelham Union Free Schools	(Professional)	Angelo M	\$190,874
North Shore Central Schools	(Professional)	Olivia T	\$190,755
North Shore Central Schools	(Professional)	Robert H	\$190,755
Beacon City School District	(Professional)	Fern S	\$190,360
Greenburgh-North Castle Union Free	(Professional)	William A	\$189,969

Rhinebeck Central Schools	(Professional)	Joseph L	\$189,909
Southold Union Free Schools	(Professional)	Corinne	\$189,892
Lake Shore Central Schools	(Professional)	Frank	\$189,705
Norrth Colonie Central Schools	(Professional)	Randy A	\$189,639
Cold Spring Harbor Central Schools	(Professional)	Helen T	\$189,619
White Plains City School District	(Professional)	Fred W	\$189,602
William Floyd Union Free Schools	(Professional)	Kevin M	\$189,590
Bellmore-Merrick Central Schools	(Professional)	Cynthia S	\$189,546
Hilton Central Schools	(Professional)	David T	\$189,455
Utica City School District	(Professional)	Donald R	\$189,166
William Floyd Union Free Schools	(Professional)	Phyllis	\$189,162
Rockville Centre Union Free Schools	(Professional)	Carol A	\$189,155
Hendrick Hudson Central Schools	(Professional)	Enrique	\$189,035

4. VILLAGES: 2010 SALARIES

Freeport	(Police & Fire)	\$279,153
Sleepy Hollow	(Police & Fire)	\$250,156
Hempstead	(Police & Fire)	\$238,124
Spring Valley	(Police & Fire)	\$231,334
Pelham Manor	(General Employee)	\$227,318
Hempstead	(Police & Fire)	\$224,495
Kensington	(Police & Fire)	\$222,157
Pelham Manor	(Police & Fire)	\$217,765
Old Westbury	(Police & Fire)	\$217,663
Freeport	(Police & Fire)	\$215,875
Old Brookville	(Police & Fire)	\$215,809

Hempstead	(Police & Fire)	\$214,305
Lynbrook	(Police & Fire)	\$209,706
Old Westbury	(Police & Fire)	\$206,746
Lynbrook	(Police & Fire)	\$206,547
Lynbrook	(Police & Fire)	\$204,375
Old Westbury	(Police & Fire)	\$203,566
Old Brookville	(Police & Fire)	\$203,359
Hempstead	(Police & Fire)	\$201,604
Lynbrook	(Police & Fire)	\$201,091
Garden City	(Police & Fire)	\$199,653
Spring Valley	(Police & Fire)	\$198,372
Lloyd Harbor	(Police & Fire)	\$196,816
Malverne	(Police & Fire)	\$196,530
Old Brookville	(Police & Fire)	\$196,462
Amityville	(Police & Fire)	\$196,013
Kings Point	(Police & Fire)	\$195,880
Quogue	(Police & Fire)	\$195,712
Port Chester	(General Employee)	\$195,000
Kings Point	(Police & Fire)	\$194,734
Lynbrook	(Police & Fire)	\$193,518
Garden City	(Police & Fire)	\$193,045
Old Westbury	(Police & Fire)	\$192,954
Sands Point	(Police & Fire)	\$192,633
Garden City	(Police & Fire)	\$192,181
Westhampton Beach	(Police & Fire)	\$190,967
Lynbrook	(Police & Fire)	\$190,178
Garden City	(Police & Fire)	\$189,981
Garden City	(Police & Fire)	\$189,904

Hempstead	(Police & Fire)	\$189,656
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5. TOWNS: 2010 SALARIES

Clarkstown	(Police & Fire)	\$301,534
Ramapo	(Police & Fire)	\$293,218
Clarkstown	(Police & Fire)	\$268,007
Clarkstown	(Police & Fire)	\$232,169
Massena	(General Employee)	\$231,276
Massena	(General Employee)	\$231,099
Clarkstown	(Police & Fire)	\$211,751
Clarkstown	(Police & Fire)	\$211,348
Clarkstown	(Police & Fire)	\$210,481
Ramapo	(Police & Fire)	\$205,347
Clarkstown	(Police & Fire)	\$203,494
Clarkstown	(Police & Fire)	\$201,540
Clarkstown	(Police & Fire)	\$200,226
Clarkstown	(General Employee)	\$198,153
Orangetown	(Police & Fire)	\$197,688
Clarkstown	(Police & Fire)	\$197,165
Mount Kisco	(Police & Fire)	\$196,827
Ramapo	(Police & Fire)	\$195,977
Clarkstown	(Police & Fire)	\$195,835
Clarkstown	(Police & Fire)	\$195,706
Clarkstown	(Police & Fire)	\$194,192
Clarkstown	(Police & Fire)	\$192,983
Riverhead	(Police & Fire)	\$191,349

Orangetown	(Police & Fire)	\$189,547
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6. Special Districts 2009

New York Public Library	(General Employee)	\$688,777
Queens Borough Public Library	(General Employee)	\$359,443
New York Public Library	(General Employee)	\$337,989
New York Public Library	(General Employee)	\$272,338
New York Public Library	(General Employee)	\$230,000
New York Public Library	(General Employee)	\$230,000
New York Public Library	(General Employee)	\$230,000
Brooklyn Public Library	(General Employee)	\$230,000
New York Public Library	(General Employee)	\$230,000
New York Public Library	(General Employee)	\$215,206
Fairview	(Fire District)	\$214,663
Northport Pub Lib	(General Employee)	\$212,338
New York Public Library	(General Employee)	\$210,704
Fairview	(Fire District)	\$209,842
New York Public Library	(General Employee)	\$204,248
New York Public Library	(General Employee)	\$203,285
Queens Borough Public Library	(General Employee)	\$203,150
Greenville	(Fire District)	\$203,108
Brooklyn Public Library	(General Employee)	\$201,953
Queens Borough Public Library	(General Employee)	\$201,075
Hartsdale	(Fire Dist Commission)	\$200,823
New York Public Library	(General Employee)	\$197,342
Bellmore Memorial Library	(General Employee)	\$194,773

Port Washington	(Police District)	\$193,757
New York Public Library	(General Employee)	\$193,684
Hartsdale	(Fire Dist Commission)	\$193,489
Fairview	(Fire District)	\$192,573
Brooklyn Public Library	(General Employee)	\$190,951

7. Stony Brook: 2009 Salaries

Stony Brook	Vice Pres Academic Affr	\$347,395
Stony Brook	Dean Medicine	\$347,050
Stony Brook	Assnt V P Hosp Affrs	\$337,317
Stony Brook	Professor	\$330,666
Stony Brook	Professor	\$316,356
Stony Brook	Professor	\$316,122
Stony Brook	Disting Prof	\$315,798
Stony Brook	Sci Professor& Chrmn	\$293,345
Stony Brook	Vice Pres	\$292,511
Stony Brook	Assoc Dean Medicine	\$287,947
Stony Brook	Professor	\$283,907
Stony Brook	President	\$273,463
Stony Brook	Vice Pres Univ Affair	\$269,342
Stony Brook	Disting Prof	\$262,407
Stony Brook	Disting Prof	\$258,978
Stony Brook	Allied Hlt Prof	\$256,369
Stony Brook	Vice Pres	\$253,037

Stony Brook	Vice Pres	\$253,037
Stony Brook	Professor	\$249,200
Stony Brook	Sci Professor& Chrmn H Sci	\$248,687
Stony Brook	Dean Arts&Science	\$247,351
Stony Brook	Clinical Assoc Prof	\$243,747
Stony Brook	Dstg Svc Prof	\$243,485
Stony Brook	Professor	\$242,619
Stony Brook	Professor	\$239,712
Stony Brook	Dean (Nursing)	\$238,354
Stony Brook	Professor	\$237,824
Stony Brook	Professor	\$235,484
Stony Brook	Disting Prof	\$233,890
Stony Brook	V.P. Fin Mg	\$233,393
Stony Brook	Associate Dean	\$231,379
Stony Brook	Prof Ldng	\$228,638
Stony Brook	Dean	\$226,906
Stony Brook	Disting Prof	\$225,957
Stony Brook	Professor Ldng	\$224,723
Stony Brook	Professor& Chrmn	\$224,518
Stony Brook	Clinical Assoc Prof	\$221,948
Stony Brook	Professor& Chrmn	\$220,990
Stony Brook	Professor	\$220,842
Stony Brook	Professor	\$219,792
Stony Brook	Div I Dir Athletics/Athletic	\$219,526
Stony Brook	Professor	\$219,079
Stony Brook	Disting Prof Ldng	\$218,973
Stony Brook	Professor& Chrmn	\$217,486
Stony Brook	Professor&Chrmn	\$217,486

Stony Brook	Professor& Chrnm	\$216,795
Stony Brook	Professor& Chrnm	\$216,699
Stony Brook	Professor	\$216,588
Stony Brook	University Professor	\$216,234
Stony Brook	Professor	\$215,867
Stony Brook	Assoc Professor Assoc	\$214,540
Stony Brook	Professor	\$213,491
Stony Brook	Disting Prof	\$212,966
Stony Brook	Vice Pres Research	\$212,138
Stony Brook	Professor	\$211,832
Stony Brook	Professor& Chrnm	\$211,706
Stony Brook	Professor	\$210,361
Stony Brook	Disting Srv Prof	\$210,038
Stony Brook	Resch Prof	\$209,663
Stony Brook	Disting Prof	\$209,111
Stony Brook	Assoc Admr	\$208,190
Stony Brook	Dean Of Social Welfare	\$208,168
Stony Brook	Professor	\$208,149
Stony Brook	Professor	\$207,866
Stony Brook	Vice Pres Studnt Afrs	\$207,610
Stony Brook	Clinical Assoc Prof	\$206,299
Stony Brook	Dir Mangt Info System	\$205,813
Stony Brook	Dean	\$204,914
Stony Brook	Clinical Profeser	\$204,805
Stony Brook	Disting Prof	\$204,126
Stony Brook	Head Basketball Coach	\$203,783
Stony Brook	Professor Ldng	\$203,190
Stony Brook	Clinical Assnt Prof	\$202,216

Stony Brook	Disting Prof	\$202,179
Stony Brook	Disting Prof	\$202,106
Stony Brook	Professor	\$201,642
Stony Brook	Professor	\$201,245
Stony Brook	Assoc Professor	\$200,920
Stony Brook	Professor	\$200,261
Stony Brook	Professor	\$200,045
Stony Brook	Disting Prof Ldng	\$199,836
Stony Brook	Assnt V P Univty Affr	\$198,657
Stony Brook	Disting Prof	\$198,617
Stony Brook	Disting Prof	\$198,385
Stony Brook	Professor	\$198,206
Stony Brook	Professor& Chrmn H Sci	\$197,227
Stony Brook	Clinical Professor	\$197,106
Stony Brook	Dstg Tch Prof	\$196,561
Stony Brook	Clinical Assoc Prof	\$194,667
Stony Brook	Professor	\$193,874
Stony Brook	Assoc Professor	\$193,526
Stony Brook	Dstg Tch Prof	\$191,825
Stony Brook	Professor	\$191,801
Stony Brook	Professor	\$190,864
Stony Brook	Professor	\$190,832
Stony Brook	Clinical Professor	\$190,614
Stony Brook	Associate Vice President	\$190,418
Stony Brook	Assoc Professor	\$190,004

8. SUNY BUFFALO: 2009 SALARIES

(SOURCE: <http://swz.salary.com/SalaryWizard/Associate-General-Counsel-Salary-Details.aspx>)

SUNY BUFFALO	Vice President For Health Sciences	\$380,004
SUNY BUFFALO	Dean, School of Medicine	\$335,100
SUNY BUFFALO	Dean, School of management Science	\$300,000
SUNY BUFFALO	Vice President For External Affairs	\$298,937
SUNY BUFFALO	Professor Microbiology And Immunology	\$292,231
SUNY BUFFALO	Vp Uni Rltn Development	\$287,500
SUNY BUFFALO	Dean School Of Dental Medicine	\$285,000
SUNY BUFFALO	Dean, School Of Public Health	\$285,000
SUNY BUFFALO	Dir Athletics Division Of Athletics	\$283,250
SUNY BUFFALO	Provost	\$272,875
SUNY BUFFALO	Dean, School Of Engineering	\$271,000
SUNY BUFFALO	Dean Law School	\$270,000
SUNY BUFFALO	President	\$265,000
SUNY BUFFALO	Professor Oral Diagnostic Sciences	\$262,395
SUNY BUFFALO	Dstg Prof Chemical & Biological Engineering	\$261,689
SUNY BUFFALO	Exec Asst To Pres	\$259,737
SUNY BUFFALO	Prof Chmn Med Pharmacology And Toxicology	\$259,500
SUNY BUFFALO	Professor Pediatrics	\$257,279
SUNY BUFFALO	Dean, College Of Arts And Sciences	\$250,637
SUNY BUFFALO	Coach, Division Of Athletics	\$250,000
SUNY BUFFALO	Professor hs Electrical Engineering	\$249,409
SUNY BUFFALO	Professor, Psychiatry	\$247,730
SUNY BUFFALO	Dstg Prof Chemistry	\$246,593
SUNY BUFFALO	Vice President For Research	\$245,958

SUNY BUFFALO	Prof, School Of Pharmacy	\$241,753
SUNY BUFFALO	Professor, Medicine	\$240,400
SUNY BUFFALO	Dstg Prof, Finance And Managerial Economics	\$235,981
SUNY BUFFALO	Prof Chmn Med Physiology And Biophysics	\$235,109
SUNY BUFFALO	Director Research Institute On Addictions	\$233,942
SUNY BUFFALO	Dstg Prof, Biochemistry	\$233,456
SUNY BUFFALO	Professor, Finance And Managerial Economics	\$232,779
SUNY BUFFALO	Vice President For Student Affairs	\$230,388
SUNY BUFFALO	Professor, Oral Diagnostic Sciences	\$225,804
SUNY BUFFALO	Dstg Prof Computer Science And Engineering	\$225,018
SUNY BUFFALO	Dean, School Of Nursing	\$225,000
SUNY BUFFALO	Dstg Prof Civil, Structural & Environmental Eng.	\$224,273
SUNY BUFFALO	Dstg Prof Pediatrics	\$223,534
SUNY BUFFALO	Prof Chmn Med Biochemistry	\$217,835
SUNY BUFFALO	Dstg Prof Pharmaceutical Sciences	\$217,344
SUNY BUFFALO	Professor Rehabilitation Medicine	\$217,025
SUNY BUFFALO	Dean Vice Provost For Faculty Affairs	\$215,274
SUNY BUFFALO	Professor Pediatrics	\$215,000
SUNY BUFFALO	Dean School Of Pharmacy	\$213,377
SUNY BUFFALO	Professor 10 mos Accounting And Law	\$212,710
SUNY BUFFALO	Dstg Prof 12 Science, Technology Transfer	\$212,191
SUNY BUFFALO	Asst Vp Chief Information Officer	\$210,000
SUNY BUFFALO	Prof Chmn Med Emergency Medicine	\$208,914
SUNY BUFFALO	Prof Chmn Med Psychiatry	\$208,387
SUNY BUFFALO	Professor Physiology And Biophysics	\$207,927
SUNY BUFFALO	Vice President Graduate School Of Education	\$206,882
SUNY BUFFALO	Professor (law) Law School	\$206,600
SUNY BUFFALO	Professor Industrial & Systems Eng.	\$204,890

SUNY BUFFALO	Asso Prof Medicine	\$204,396
SUNY BUFFALO	Professor Oper., Mgt. & Strategy	\$203,430
SUNY BUFFALO	Clin Prof Psychiatry	\$202,393
SUNY BUFFALO	Professor Psychology	\$202,189
SUNY BUFFALO	Prof Chmn Med Ophthalmology	\$201,986
SUNY BUFFALO	Professor Neurosurgery	\$201,905
SUNY BUFFALO	Prof Chmn Med Family Medicine	\$201,387
SUNY BUFFALO	Professor Restorative Dentistry	\$201,381
SUNY BUFFALO	Dstg Prof Psychology	\$200,338
SUNY BUFFALO	Professor Pharmacology And Toxicology	\$200,332
SUNY BUFFALO	Professor Computer Science	\$198,394
SUNY BUFFALO	Prof Chmn Med Surgery	\$198,081
SUNY BUFFALO	Professor Oral Biology	\$197,965
SUNY BUFFALO	Prof Chmn Med Urology	\$195,629
SUNY BUFFALO	Professor Pathology & Anatomical Sciences	\$195,581
SUNY BUFFALO	Dean Arch School Of Architecture And Planning	\$195,436
SUNY BUFFALO	Dstg Prof Physiology And Biophysics	\$195,266
SUNY BUFFALO	Professor Pharmacy	\$194,830
SUNY BUFFALO	Professor Anesthesiology	\$194,291
SUNY BUFFALO	Dstg Svc Prof Periodontics & Endodontics	\$193,640
SUNY BUFFALO	Prof Chmn Med Radiology	\$192,735
SUNY BUFFALO	Professor Biostatistics	\$192,325
SUNY BUFFALO	Clin Prof School Of Medicine & Bio. Sciences	\$190,947
SUNY BUFFALO	Professor Biochemitry	\$189,176
SUNY BUFFALO	Prof Chmn Social And Preventive Medicine	\$189,094

9. NEW YORK CITY: 2009 SALARIES.

Department of Education	Administrator Csa	\$311,907
Hostos Community College	President	\$271,724
Homeless Services	Caseworker	\$263,806
Actuary	Chief Actuary	\$250,609
Department of Education	Superintendent	\$250,028
Department of Sanitation	General Superintendent	\$249,412
Department of Education Admin	Commissioner	\$250,000
Department of Corrections	Commissioner	\$248,178
Department of Corrections	Warden	\$240,325
Hostos Community College	Administrator	\$234,269
Department of Education	Teacher	\$233,916
Department of Homeless Services	Supervisor I	\$226,610
Office of the Mayor	Deputy Mayor	\$216,811
Office of the Mayor	Deputy Mayor	\$216,811
Office of the Mayor	Deputy Mayor	\$216,811
Office of the Mayor	Deputy Mayor	\$216,811
Office of the Mayor	Deputy Mayor	\$216,811
LaGuardia Community College	President	\$219,834
Queensboro Community College	President	\$224,271
Manhattan Community College	President	\$222,251
Kingsboro Community College	President	\$223,724
City Council	Chief Of Staff	\$214,118
Office of the Mayor	Deputy Mayor	\$212,614
City Council	Executive Leg. Coordinator	\$211,397
Housing Preservation & Dvlpmnt	Deputy Commissioner	\$211,187

Bronx Community College	President	\$215,259
Manhattan Community College	Senior Vice President	\$210,783
Fire Department	Commissioner	\$209,815
Admin for Children's SVCS	Commissioner	\$209,270
Department of City Planning	Chairman	\$209,230
Department of Citywide Admin Svcs	Commissioner	\$209,230
Police Department	Commissioner	\$209,230
Department Design & Construction	Commissioner	\$209,230
Office of Emergency Management	Commissioner	\$209,230
Financial Info Svcs Agency	Executive Director	\$209,230
HRA/Dept of Social Services	Administrator	\$209,230
Office of Labor Relation	Commissioner	\$209,230
Department of Information Technology	Commissioner	\$209,230
Department of Investigation	Commissioner	\$209,230
Department of Homeless Services	Commissioner	\$209,230
Office of the Mayor	Coordinator Of Criminal Justice	\$209,230
Office of Management & Budget	Director Of Manag. & Budget	\$209,230
Law Department	Corporation Counsel	\$209,230
Department of Parks & Recreation	Commissioner	\$209,230
Office of Payroll Administration	Executive Director	\$209,230
Department of Transportation	Commissioner Of Trans.	\$209,230
Department of Sanitation	Commissioner	\$209,230
Employees Retirement System	Executive Director	\$209,228
Teachers Retirement System	Executive Director	\$209,221
Law Department	First Assist. Corp. Counsel	\$209,165
Office of Management & Budget	Executive Assistant	\$209,165
Department of Buildings	Commissioner	\$208,938
Office of Labor Relation	Deputy Commissioner	\$208,709

Business Integrity Commission	Chair	\$208,696
Law Department	Assistant Corp. Counsel	\$207,324
Office of the Comptroller	Special Deputy Comptroller	\$224,579
Office of Collective Bargaining	Director	\$206,869
Department of Sanitation	Deputy Commissioner	\$206,136
Campaign Finance Board	Executive Director	\$205,711
Department of Environment Protection	Deputy Administrator	\$205,525
Fire Department	Deputy Commissioner	\$204,988
Department of Education	Principal	\$204,931
Office of the Mayor	Director Of Intergov. Relations	\$204,894
Police Department	First Deputy Commissioner	\$204,090
Police Department	Chief Of Department	\$204,046
Fire Department	Chief Of Department	\$204,046
Office of the Mayor	Press Officer	\$204,046
Office of the Mayor	Assistant Executive Secretary	\$204,046
Police Department	Chief Of Transportation Bureau	\$203,347
Police Department	Deputy Commissioner	\$203,181
Police Department	Deputy Commissioner	\$203,141
City Council	Director Of Land Use Division	\$203,075
City Council	Legislative Counsel	\$202,906
Department of Health/Mental Hygiene	Chief Medical Examiner	\$203,501
Department of Health/Mental Hygiene	Deputy Chief Medical Examiner	\$202,484
City Clerk	City Clerk & Clerk Of Council	\$200,853
Department of Health/Mental Hygiene	Deputy Commissioner	\$200,737
Law Department	Assistant Corp. Counsel	\$200,168
Bronx Community College	Senior Vice President	\$200,000
Department of Information Technology	Administrative Staff Analyst	\$199,882
Department of Information Technology	Computer Systems Manager	\$198,896

Department of Corrections	Deputy Commissioner	\$198,826
Department of Finance	Deputy Commissioner	\$198,531
Department of Transportation	Deputy Commissioner	\$198,242
Department of Transportation	Counsel	\$198,172
Department of Environment Protection	Dep Adminstr/Comis	\$197,921
Department of Education	Principal	\$197,637
Fire Department	Assistant Chief Of Department	\$197,637
Fire Department	Chief Of Staff To Fire Com	\$197,408
Office of the Mayor	Director, Office Of Operations	\$197,302
Department of Buildings	Administrative Engineer	\$197,115
District Attorney Bronx County	Assistant District Attorney	\$196,648
Department of Education	Community Superintendent	\$196,575
Office of the Mayor	Admin. Comm. Rel. Specialist	\$196,337
Department of Health/Mental Hygiene	Deputy Commissioner	\$196,325
Fire Department	Assistant Chief Of Department	\$196,234
Fire Department	Assistant Chief Of Department	\$196,234
Fire Department	Assistant Chief Of Department	\$196,234
Fire Department	Assistant Chief Of Department	\$196,234
Fire Department	Assistant Chief Of Department	\$196,234
Fire Department	Assistant Chief Of Department	\$196,234
Fire Department	Assistant Chief Of Department	\$196,234
Fire Department	Assistant Chief Of Department	\$196,141
Department of Education Admin	Deputy Chancellor Fin. Affairs	\$199,403
Department of Business Serv	Comm. Of Business Services	\$196,000
Department of Business Serv.	Administrative Staff Analyst	\$195,992
Department of Citywide Admin Svcs	Chairman	\$195,992
Department of Citywide Admin Svcs	Chief Admin. Law Judge	\$195,992
Cultural Affairs	Comm. Of Cultural Affairs	\$195,992
Human Rights Commission	Chairman	\$195,992

Department of Juvenile Justice	Comm. Juvenile Justice	\$195,992
Office of the Mayor	Director	\$195,992
Office of the Mayor	Director, NYC Art Commission	\$195,992
Office of the Mayor	Admin. Com. Rel. Specialist	\$195,992
Office of the Mayor	Dir. Of Com. Assist. Unit	\$195,992
Office of the Mayor	Administrative Staff Analyst	\$195,992
Landmarks Preservation Comm	Chair-Landmarks Pres. Com.	\$195,992
Tax Commission	President	\$195,992
Taxi & Limousine Commission	Chairman	\$195,992
Police Pension Fund	Executive Director	\$195,992
Department of Youth & Comm.Dev.Srv	Commissioner	\$195,992
Department of Education	Principal	\$195,712
Police Department	Deputy Comm. Intelligence	\$195,480
Police Department	Deputy Commissioner	\$195,480
Police Department	Chief Of Internal Affairs	\$195,480
Police Department	Director Of Training	\$195,480
Police Department	Chief Of Staff	\$195,480
Police Department	Chief Of Community Affairs	\$195,480
Police Department	Supervising Chief Surgeon	\$195,480
Police Department	Computer Systems Manager	\$195,480
Police Department	Chief Of Personnel	\$195,480
Police Department	Chief Of Detectives	\$195,480
Police Department	Dep. Comm. Counter Terrorism	\$195,480
Police Department	Administrative Staff Analyst	\$195,480
Police Department	Chief Of Patrol	\$195,480
Police Department	Chief Of The Transit Bureau	\$195,480
Police Department	Chief Of Organized Crime	\$195,480
Police Department	Chief Of The Housing Bureau	\$195,480

District Attorney Kings County	Assistant District Attorney	\$195,260
Department of Buildings	Computer Systems Manager	\$195,191
Fire Department	Medical Officer	\$194,954
Department of Health/Mental Hygiene	Executive Deputy Comm.	\$194,760
Police Department	Executive Agency Counsel	\$194,525
Department Police Department	Labor Relations Analyst	\$194,525
Conflicts of Interest Board	Counsel	\$194,317
Law Department	Assistant Corp. Counsel	\$194,056
Department of Education	Regional Inst. Supe.	\$193,986
Fire Department	Assistant Chief Of Department	\$193,933
Fire Department	Fire Medical Officer	\$193,780
Fire Department	Administrative Staff Analyst	\$193,528
Police Pension Fund	Deputy Director	\$193,483
District Attorney Kings County	Assistant District Attorney	\$193,190
Department of Health/Mental Hygiene	City Medical Examiner	\$193,106
District Attorney Queens County	Assistant District Attorney	\$193,016
Fire Department	Assistant Chief Of Department	\$192,958
HRA/Dept of Social Services	First Deputy Commissioner	\$192,779
Department of Transportation	Deputy Commissioner	\$192,779
District Attorney Kings County	Assistant District Attorney	\$192,715
District Attorney Kings County	Assistant District Attorney	\$192,691
District Attorney Kings County	Assistant District Attorney	\$192,691
District Attorney Bronx County	Assistant District Attorney	\$192,618
Consumer Affairs	Commissioner	\$192,602
Department of Education Admin	Director, Data Processing	\$195,953
Fire Department	Deputy Assistant Chief	\$192,531
Fire Department	Chief Fire Marshal	\$192,380
Department of Education	Instructional Superintendent	\$192,263

Department of Education	Instructional Superintendent	\$192,263
Department of Education	Community Supertindent	\$192,263
Department of Education	Instructional Superintendent	\$192,263
Department of Education	Principal	\$192,241
Department of Investigation	Supervising Inspector Gen.	\$192,126
Fire Department	Deputy Assistant Chief	\$191,996
Fire Department	Deputy Assistant Chief	\$191,996
Department of Education Admin	Instructional Superintendent	\$195,091
Office of Management & Budget	Director Of Financing Policy	\$191,670
Office of Management & Budget	Dep. Dir. Of Manage. & Budg.	\$191,670
Office of Management & Budget	Executive Agency Counsel	\$191,669
Office of Management & Budget	Dep. Dir. Of Manage. & Budg.	\$191,669
Office of Management & Budget	Dep. Dir. Of Manage. & Budg.	\$191,669
Office of Management & Budget	Dep. Dir. Of Manage. & Budg.	\$191,669
Office of Management & Budget	Administrative Staff Analyst	\$191,630
District Attorney Kings County	Assistant District Attorney	\$191,324
District Attorney Bronx County	Assistant District Attorney	\$191,168
District Attorney Bronx County	Assistant District Attorney	\$191,168
Department of Health/Mental Hygiene	City Medical Examiner	\$191,046
Department of Health/Mental Hygiene	City Medical Examiner	\$191,046
Department of Health/Mental Hygiene	City Medical Examiner	\$191,046
Department of Health/Mental Hygiene	City Medical Examiner	\$191,046
Department of Health/Mental Hygiene	City Medical Examiner	\$191,045
Department of Education	Principal	\$191,000
Department of Education Admin	Deputy Chancellor	\$199,403
Department of Health/Mental Hygiene	City Medical Examiner	\$190,881
Department of Parks & Recreation	Deputy Commissioner	\$190,843
Office of the Mayor	Assistant To The Deputy Mayor	\$190,702

Department of Transportation	Deputy Commissioner	\$190,343
Police Pension Fund	Computer Systems Manager	\$190,240

10. NEW YORK STATE RETIREES: AS OF 2009.

Commack Union Free Schools	James H	\$316,245
Brookhaven-Comsewogue UFSD	Richard T	\$290,669
Great Neck Public Schools	Ronald L	\$267,132
NYS Teachers Retirement System	George M	\$261,037
East Meadow Union Free Schools	Leon J	\$232,993
Northport-East Northport UFSD	William J	\$228,706
Westchester Health Care Corp	Edward A	\$222,143
Westchester Health Care Corp	Cheryl H	\$215,410
Floral Park-Bellerose UFSD	William J	\$215,226
Locust Valley Central Schools	Richard I	\$215,076
Sewanhaka Central Schools	George A	\$213,313
North Tonawanda City School District	John H	\$205,809
Haverstraw-Stony Point Central Schools	Dodge R	\$205,286
Plainview-Old Bethpage Central Schools	Martin G	\$205,278
New York City Department of Education	Ethel S	\$205,038
Katonah-Lewisboro Union Free Schools	Robert V	\$204,573
Copiague Union Free Schools	William R	\$204,289
Roswell Park Cancer Institute	Youcef M	\$203,102
New York City Department of Education	Joan F	\$202,472
NYS Teachers Retirement System	Joseph L	\$200,579

New York City Department of Education	Carmen	\$199,579
New York City Department of Education	Carol A	\$199,510
The City University of New York	Alvin L	\$198,130
NYS Teachers Retirement System	Edward J	\$197,919
Baldwin Union Free Schools	Kathy G	\$197,490
Port Authority Of NY & NJ	Louis A	\$196,768
Bellmore-Merrick Central Schools	Thomas J	\$193,987
Central Islip Union Free Schools	George T	\$193,849
Bedford Central School	Bruce L	\$192,423
Nassau Health Care Corp	Dvorah	\$191,380
NYS Power Authority	Robert A	\$190,605
Brentwood Union Free Schools	Leslie A	\$190,124
Dobbs Ferry Union Free Schools	Sidney A	\$189,909

11. STATE UNIVERSITY SYSTEMS 2009-10 SALARIES

SUNY Binghamton	Div I Head Bsktball Coach	\$1,026,793
SUNY Downstate Medical Center	Professor& Chrmn	974,605
SUNY Albany	Professor	793,200
SUNY Stony Brook Hospital Payroll	Vice Pres Hosp Affair	723,010
SUNY Downstate Medical Center	Professor	624,300
SUNY Downstate Medical Center	Professor& Chrmn	614,314
SUNY Downstate Medical Center	Professor& Chrmn	568,650
CUNY Cuny Management Lag	Chancellor	560,038
SUNY Downstate Medical Center	Dean	548,024
SUNY Downstate Medical Center	Professor	512,451

SUNY Downstate Medical Center	Assoc Professor	501,598
SUNY Stony Brook Hospital Payroll	Assnt V P Hosp Affrs	500,000
SUNY Downstate Medical Center	Vice Pres Hosp Affair	500,000
SUNY Downstate Medical Center	Professor	497,342
SUNY Downstate Medical Center	Clinical Assnt Prof	490,679
SUNY Downstate Medical Center	Professor&Chrmn	482,914
SUNY Downstate Medical Center	Clinical Assoc Prof	483,688
SUNY Downstate Medical Center	Professor	460,663
SUNY Downstate Medical Center	Clinical Assnt Prof	446,820
SUNY Downstate Medical Center	Clinical Assnt Prof	444,516
SUNY Downstate Medical Center	Clinical Assnt Prof	443,634
SUNY Downstate Medical Center	Assnt Professor	428,005
SUNY Stony Brook	Professor	426,228
SUNY Downstate Medical Center	Dstg Svc Prof Chm Med	424,447
SUNY Downstate Medical Center	Assnt Professor	417,642
SUNY Downstate Medical Center	Professor	415,082
SUNY Downstate Medical Center	Professor	412,893
SUNY Downstate Medical Center	Dstg Svc Prof Chm Med	411,753
SUNY Downstate Medical Center	Assnt Professor	411,618
SUNY Downstate Medical Center	Clinical Assnt Prof	410,159
SUNY Downstate Medical Center	Professor	409,952
SUNY Stony Brook	President	400,000
SUNY Downstate Medical Center	Professor&Chrmn	398,522
SUNY HealtscienceCtSyracuse	Professor	391,978
SUNY HealtscienceCtSyracuse	Professor	391,978
SUNY Downstate Medical Center	Clinical Assnt Prof	388,467
SUNY Downstate Medical Center	President	384,941
SUNY Downstate Medical Center	Clinical Assoc Prof	380,613

SUNY Downstate Medical Center	Clinical Assnt Prof	380,813
SUNY Downstate Medical Center	Clinical Assoc Prof	380,613
SUNY Downstate Medical Center	Clinical Assnt Prof	380,323
SUNY Buffalo	Vice Pres Health Sci	379,858
SUNY Health Science Syracuse	President	373,016
SUNY Downstate Medical Center	Clinical Assnt Prof	364,309
SUNY Downstate Medical Center	Professor	361,845
SUNY Stony Brook	Assnt V P Hosp Affrs	360,382
SUNY Downstate Medical Center(Hosp)	Vice Pres Health Sci	359,613
SUNY Downstate Medical Center	Professor&Chrmn	357,316
SUNY Stony Brook	Professor&Chrmn H Sci	356,156
SUNY Stony Brook	Professor	356,079
SUNY Downstate Medical Center(Hosp)	Clinical Assnt Prof	355,722
SUNY Downstate Medical Center(Hosp)	Clinical Assnt Prof	355,722
SUNY Buffalo	Div I Dir Athletics/Athletic	355,040
SUNY Stony Brook	Vice Pres Academic Affr	353,702
SUNY Downstate Medical Center	Cinical Assnt Prof	352,074
SUNY Stony Brook	Dean (Dentistry)	350,000
SUNY Downstate Medical Center	Professor& Chrmn	349,094
SUNY Health Science Syracuse	Dstg Svc Prof Chm Med	348,215
SUNY Stony Brook	Disting Prof	340,267
SUNY Stony Brook Hospital Payroll	Assnt V P Hosp Affrs	340,000
SUNY Health Science Syracuse	Professor& Chrmn	338,937
SUNY Buffalo Cain,	Dean Medicine	338,800
SUNY Downstate Medical Center(Hosp)	Assoc Professor	337,573
SUNY Downstate Medical Center	Assoc Professor	337,573
SUNY Downstate Medical Center	Vice Pres Admn	337,046
SUNY Downstate Medical Center	Dstg Tch Prof	336,994

SUNY Downstate Medical Center	Clinical Assnt Prof	334,963
SUNY Downstate Medical Center	Assoc Professor	334,688
SUNY Downstate Medical Center	Dstg Tch Prof	331,788
SUNY Stony Brook	Disting Srv Prof	329,532
SUNY Health Science Syracuse	Professor&Chrmn	325,883
SUNY Buffalo	Disting Prof-10 Mo	325,329
SUNY Stony Brook	Professor	325,222
SUNY Downstate Medical Center	Dean	325,000
CUNY Hunter College Lag	President	321,260
SUNY Buffalo	Prof	319,089
SUNY Downstate Medical Center	Professor	318,640
SUNY Buffalo	Div I Head Football Coach	317,349
SUNY Downstate Medical Center	Assnt V P	314,136
SUNY Stony Brook	Professor	312,000
CUNY Graduate College Lag	President	310,910
SUNY Stony Brook	Professor	310,772
SUNY Albany	Professor	309,899
SUNY Stony Brook	Clinical Assoc Prof	308,884
SUNY Downstate Medical Center	Professor	308,164
SUNY Stony Brook	Assnt V P Hosp Affrs	305,000
SUNY Downstate Medical Center	Clinical Assnt Prof.	304,148
SUNY Buffalo	Professor&Chrmn	304,100
SUNY Buffalo	Professor	303,920
SUNY Buffalo	Dean Management Sci	303,000
SUNY Downstate Medical Center(Hosp)	Clinical Assnt Prof	302,863
CUNY John Jay College Lag	President	302,051
SUNY Buffalo	Vice Pres	301,926
SUNY Health Science Syracuse	Professor& Chrmn	301,453

SUNY Downstate Medical Center	Dstg Svc Prof Chm Med	300,280
CUNY School of Journalism Lag	Dean Of School Of Journalism	299,980
SUNY Downstate Medical Center(Hosp)	Assnt Professor	299,830
SUNY Stony Brook	Professor Ldng	297,995
SUNY Downstate Medical Center	Clinical Professor	296,984
SUNY Health Science Syracuse	Vp For Clinical Affrs	296,115
SUNY Stony Brook Hospital Payroll	Assnt V P Hosp Affrs	295,866
SUNY Downstate Medical Center(Hosp)	Clinical Assnt Pr	295,840
CUNY Management Lag	Executive Vice Chancellor	295,058
CUNY NYC College of Technology	President	294,537
CUNY York College	President	292,956
SUNY Stony Brook	Disting Prof	292,068
SUNY Stony Brook	Vice Pres	290,896
SUNY Stony Brook	Professor	289,276
SUNY Stony Brook	Clinical Assoc Prof.	289,072
SUNY Downstate Medical Center	Vice Pres	288,752
SUNY Downstate Medical Center	Assnt V P	288,176
SUNY Buffalo	Dean (Dentistry)	288,100
SUNY Buffalo	Dean, Public Hlth&Hlth Prof	287,600
SUNY Albany	Disting Prof	287,533
SUNY Downstate Medical Center	Vice Pres	287,319
CUNY City College	Dist Prof	286,759
SUNY Buffalo	Vice Pres Univ Relations	286,711
SUNY Stony Brook	Disting Prof	286,135
SUNY Stony Brook	Professor	286,000
OSC State Comptroller	Deputy Comptroller	285,063
SUNY Binghamton	President	285,000
SUNY Downstate Medical Center	Assnt Professor	283,553

SUNY Downstate Medical Center(Hosp)	Asnt Professor	283,553
SUNY Syracuse Hospital Payroll	Hosp Admr	283,129
SUNY Health Science Syracuse	Professor& Chrmn	282,941
SUNY Albany	President	282,875
SUNY Downstate Medical Center(Hosp)	Clinical Professor	282,612
SUNY Downstate Medical Center	Clinical Assnt Prof	281,037
SUNY Health Science Syracuse	Professor&Chrmn H Sci	279,896
SUNY Health Science Syracuse	Vice Pres Rsch	279,232
SUNY Health Science Syracuse	Vice Pres Fin&Mgt	279,824
SUNY Downstate Medical Center	Professor	278,653
CUNY City College	Dist Prof	278,547
CUNY City College Lag	Dean Med School	278,061
SUNY Albany	Director of Athletics	276,120
SUNY Buffalo	Provost	275,604
SUNY Stony Brook	Visiting Profssor	275,000
SUNY Downstate Medical Center(Hosp)	Asnt Professor	274,812
SUNY Stony Brook	Professor	274,819
SUNY Downstate Medical Center	Asnt Professor	274,812
SUNY Downstate Medical Center(Hosp)	Asnt Professor	274,764
SUNY Downstate Medical Center	Asnt Professor	274,764
SUNY Buffalo	Dean (Engineering)	273,710
SUNY Stony Brook	Vice Pres	273,000
SUNY Downstate Medical Center	Clinical Profes-	274,404
SUNY Buffalo	Professor& Chrmn	273,416
SUNY Health Science Syracuse	Professor& Chrmn	273,114
CUNY Management Lag	Senior Vice Chancellor	272,722
SUNY Buffalo	Dean	272,700
SUNY Buffalo	Disting Prof Ldng	272,157

SUNY Downstate Medical Center	Clinical Assnt Prof	271,823
SUNY Health Science Syracuse	Professor& Chrmn	271,494
SUNY Albany Brown, William	Head Basketball Coach	271,156
CUNY Management Lag	Executive Vice Chancellor	270,900
SUNY Stony Brook	Professor&Chrmn H Sci	269,604
SUNY Stony Brook Hospital Payroll	Med Physicist	269,123
CUNY John Jay College	Dist Prof	267,444
SUNY Stony Brook	Professor	266,470
SUNY Downstate Medical Center	Assnt VP	266,481
SUNY Stony Brook	Dstg Svc Prof	265,784
SUNY Downstate Medical Center	Assnt Professor	265,094
SUNY Buffalo	President	265,000
SUNY Buffalo	Professor	264,510
SUNY Binghamton	Disting Prof	264,771
SUNY Albany	Dean Public Affairs	264,733
SUNY Albany	Dir	263,377
SUNY Health Science Syracuse	Vice Pres	263,129
SUNY Binghamton	Professor	262,185
SUNY Buffalo	Disting Prof	262,185
SUNY Downstate Medical Center	Dstg Svc Prof Chm Med	261,730
SUNY Stony Brook	Assoc Dean Medicine	261,463
SUNY Binghamton	Disting Prof	260,762
SUNY Syracuse Hospital Payroll	Vice Pres Hosp Affair	260,642
SUNY Stony Brook	Professor	259,806
SUNY Stony Brook	Assoc Professor	258,834
SUNY Stony Brook	Professor	258,252
SUNY Stony Brook	Disting Prof	258,155
SUNY Downstate Medical Center	Assnt Professor	257,992

SUNY Downstate Medical Center	Clinical Assoc Prof	257,925
SUNY Buffalo	Professor	257,639
SUNY Stony Brook	Professor	256,877
SUNY Stony Brook	Professor	256,722
SUNY Stony Brook	Professor& Chrmn	256,575
CUNY Hunter College	Professor	256,239
CUNY Hunter College	Professor	256,239
SUNY Health Science Syracuse	Dean Medicine	256,861
SUNY Health Science Syracuse	Clinical Professor	255,680
SUNY Binghamton	Provost	255,530
CUNY City College	Mitchell Professor	255,191
SUNY Albany	Vice Pres Acadc Affr	255,348
CUNY City College	Professor	255,191
SUNY Buffalo Murphy,	Professor	255,016
CUNY Brooklyn College Lag	President	255,000
SUNY Downstate Medical Center	Assoc Professor-	254,516
SUNY Downstate Medical Center	Assoc Professor	254,516
CUNY Management Lag	Senior Vice Chancellor	254,678
SUNY Stony Brook	Dean Allied Hlt Profs	254,520
SUNY Albany	Disting Prof	253,957
SUNY Albany	Disting Prof	253,957
SUNY Buffalo McCombe,	Dean Arts&Science	253,143
SUNY Buffalo	Professor& Chrmn	252,502
SUNY Stony Brook	Vice Pres	252,500
SUNY Buffalo	University Professor	251,423
NYS Education Department	President Univ& Commr	250,526
SUNY Downstate Medical Center	Clinical Assoc Prof	250,419
CUNY School of Law	Dean Of Law School	250,064

CUNY Management	Senior Vice Chancellor	250,000
CUNY College of Staten Island	President	249,953
SUNY Stony Brook Hospital	Assnt V P Hosp Affrs	249,823
SUNY Health Science Syracuse	Professor	249,522
SUNY Buffalo	Professor& Chrmn	249,191
SUNY Downstate Medical Center	Dir Facilties Plng	248,931
CUNY Queens College	President	248,848
SUNY Stony Brook	Professor	248,745
SUNY Stony Brook	Disting Prof	248,730
SUNY Stony Brook	Professor	248,292
SUNY Stony Brook Hospital	Dir Univ Systems Anls	248,218
SUNY Stony Brook	Director of Athletics	247,985
SUNY Binghamton	Vice Pres Rsch	247,592
SUNY Health Science Syracuse	Disting Prof	247,558
SUNY Buffalo	Disting Prof	247,423
SUNY Stony Brook	Professor& Chrmn H Sci	247,349
SUNY Stony Brook	Head Basketball Coach	247,321
SUNY Health Science Syracuse	Clinical Assoc Prof	247,084
SUNY Health Science Syracuse	Assoc Professor	246,854
SUNY Buffalo	Professor	246,590
SUNY Health Science Syracuse	Professor& Chrmn	246,094
SUNY Buffalo	Professor& Chrmn	245,513
SUNY Downstate Medical Center	Dstg Tch Prof	245,120
SUNY Stony Brook	Professor	244,510
SUNY Stony Brook	Professor	243,586
SUNY Downstate Medical Center	Assoc Professor	243,561
SUNY Stony Brook	Disting Prof	243,451
SUNY Buffalo	Disting Prof	242,794

SUNY Stony Brook	Clinical Profesor	242,738
CUNY Graduate College	Dist Prof	242,673
SUNY Stony Brook	Professor& Chrmn	242,536
SUNY Stony Brook	Professor& Chrmn	242,176
SUNY Downstate Medical Center	Dstg Svc Prof Chmn Med	241,789
SUNY Downstate Medical Center	Assoc Admr	241,238
SUNY Downstate Medical Center	Nursing Director	241,238
SUNY Downstate Medical Center	Dist Teach Prof	239,977
SUNY Stony Brook	Professor	239,854
CUNY Management	Vice Chancellor	239,882
SUNY Buffalo	Professor	239,831
SUNY Albany	Assnt VP	238,950
SUNY Binghamton	Vice Pres Admn	239,461
SUNY Stony Brook	Professor& Chrmn	238,732
SUNY Downstate Medical Center	Assnt VP	238,201
CUNY Baruch College	Professor	236,581
SUNY Binghamton	Dean (Engineering)	238,360
SUNY Stony Brook	Professor& Chrmn	238,052
SUNY Stony Brook	Disting Prof	237,944
SUNY Buffalo	Dean Undergrad Studies	237,350
SUNY Stony Brook	Professor	236,875
CUNY Baruch College	Professor	236,581
SUNY Stony Brook	Professor	236,376
SUNY Buffalo	Dir	236,281
CUNY Lehman College	President	236,227
CUNY City College	Dist Prof	236,132
SUNY Buffalo	Disting Prof	236,128
SUNY Health Science Syracuse	Professor& Chrmn	235,655

SUNY Albany	Professor	235,128
SUNY Syracuse Hospital	Hosp Admr	235,000
SUNY Buffalo	Professor	234,836
SUNY Binghamton	Dean School Mgmt Sci	234,773
SUNY Downstate Medical Center	Professor& Chrmn H Sci	234,085
SUNY Buffalo	Disting Prof	234,019
SUNY Albany	Dean	234,000
SUNY Albany	Vice Pres	234,000
SUNY Downstate Medical Center(Hosp)	Clinical Assnt Prof	233,595
SUNY Downstate Medical Center	Clinical Assnt Prof	233,595
SUNY Buffalo	Disting Prof	233,744
CUNY City College Lag .	Vice President	223,833
CUNY Graduate College	Senior Vice President	233,200
SUNY Buffalo	Vice Pres Studnt Afrs	232,692
SUNY Health Science Syracuse	Professor& Chrmn	232,373
SUNY Health Science Syracuse	Professor	232,332
Mental Health Central New York Psy Ctr	Psychiatrist 3	233,092
Mental Health Central New York Psy Ctr	Psychiatrist 3	233,092
SUNY Stony Brook	Professor& Chrmn	231,779
SUNY Albany	Disting Prof	231,667
SUNY Health Science Syracuse	Professor	231,166
CUNY City College Lag	Senior Vice President	231,000
SUNY Albany	Professor	230,996
SUNY Albany	Professor	230,996
SUNY Stony Brook	Professor	230,921
SUNY Stony Brook	Vice Pres Rsch	230,748
SUNY Stony Brook	Asst Vp Fin Mg Mt	230,766
SUNY Health Science Syracuse	Professor	230,712

CUNY City College	Prof	230,246
SUNY Health Science Syracuse	Professor& Chrmn	230,127
SUNY Stony Brook Hospital Payroll	Associate Counsel	230,000
SUNY Downstate Medical Center	Assoc Hospital Dir	229,999
CUNY Medgar Evers College	President	229,820
SUNY Downstate Medical Center	Clinical Assnt Prof	229,392
SUNY Downstate Medical Center	Clinical Assnt Prof	229,392
SUNY Stony Brook	Disting Prof	229,286
SUNY Buffalo	Professor	228,861
SUNY Stony Brook	Associate Dean	228,314
SUNY Albany	Professor	228,170
SUNY Stony Brook	Professor& Chrmn	227,705
SUNY Downstate Medical Center	Professor	227,565
SUNY Downstate Medical Center	Dstg Tch Prof	227,427
SUNY Buffalo	Dean (Nursing)	227,300
SUNY Stony Brook	Professor	226,812
SUNY Downstate Medical Center	Professor	226,680
SUNY Stony Brook	Professor	226,664
SUNY Downstate Medical Center	Clinical Professor	226,578
SUNY Downstate Medical Center	Professor	226,353
CUNY City College	Senior Vice President	226,202
SUNY Downstate Medical Center	Professor	225,728
SUNY Buffalo	Professor	225,706
CUNY Management	Vice Chancellor	225,629
SUNY Buffalo	Disting Prof	225,600
SUNY Health Science Syracuse	Assoc Professor	225,586
SUNY Downstate Medical Center	Dstg Tch Prof	225,586
SUNY Downstate Medical Center	Dstg Tch Prof	225,586

SUNY Binghamton	Disting Prof	225,511
SUNY Stony Brook	Dean	225,433
SUNY Health Science Syracuse	Professor& Chrmn	225,144
SUNY Stony Brook	Professor	225,079
SUNY Albany	Vice Pres Rsch	225,000
SUNY Downstate Medical Center(Hosp)	Assoc Professor	224,814
SUNY Health Science Syracuse	Professor	224,250
SUNY Stony Brook	Clinical Assoc Prof	223,893
CUNY City College Lag	Vice President	223,833
SUNY Binghamton	Professor	223,078
SUNY Stony Brook	Professor	223,881
SUNY Downstate Medical Center	Professor	221,910
SUNY Downstate Medical Center	Dstg Svc Prof Chm Med	221,509
SUNY Downstate Medical Center	Assnt V P	221,500
SUNY Health Science Syracuse	Professor	221,425
SUNY Downstate Medical Center	Professor	221,436
SUNY Health Science Syracuse	Professor& Chrmn	221,079
SUNY Health Science Syracuse	Professor	220,951
SUNY Stony Brook	Disting Prof	220,733
SUNY Albany	Professor	220,667
CUNY Management Lag	Vice Chancellor	220,617
SUNY Health Science Syracuse	Professor	220,553
SUNY Stony Brook	Clinical Profesor	220,266
CUNY Baruch College	Professor	220,159
CUNY Baruch College	Professor	220,159
SUNY Albany	Dean Criminal Justice	220,045
SUNY Albany	Dean (Business)	220,000
CUNY Graduate College	Dist Prof	219,995

SUNY Stony Brook	Professor Ldng	219,947
SUNY Stony Brook	Disting Prof	219,735
SUNY Buffalo	Professor& Chrnm	219,271
CUNY Management Lag	University Admintr	219,231
SUNY Syracuse Hospital Payroll	Clinical Professor	219,210
SUNY Stony Brook	Disting Prof	219,056
SUNY Stony Brook	Disting Srv Prof	218,730
SUNY Buffalo	Professor	218,644
SUNY Stony Brook	Professor	218,400
SUNY Stony Brook	Disting Prof	218,300
SUNY Downstate Medical Center	Professor	217,451
SUNY Buffalo	Dean	217,427
SUNY Stony Brook	Professor	217,188
SUNY Binghamton	Dean (Harpur College)	217,150
SUNY Stony Brook	Assoc Professor	217,098
SUNY Downstate Medical Center	Assoc Professor	217,027
SUNY Health Science Syracuse	Professor	216,970
SUNY Buffalo	Disting Prof	216,881
CUNY York College Lag	Senior Vice President	216,741
CUNY York College Lag	Senior Vice President	216,741
SUNY Stony Brook	Disting Prof	216,585
CUNY Medgar Evers College Lag	Senior Vice President	216,741
SUNY Health Science Syracuse	Professor	216,544
SUNY Downstate Medical Center	Professor	216,464
SUNY Downstate Medical Center	Professor	216,110
SUNY Downstate Medical Center	Professor	216,110
SUNY Albany	Senior Staff Assoc	216,027
SUNY Downstate Medical Center	Professor	215,992

SUNY Buffalo	Professor (Law)	215,864
SUNY Downstate Medical Center	Dstg Svc Prof Chm Med	215,691
SUNY Buffalo	Dean Pharmacy	215,677
SUNY Buffalo	Assoc Professor	215,572
SUNY Downstate Medical Center(Hosp)	Clinical Assnt Prof	215,440
SUNY Downstate Medical Center	Research Prof	215,212
SUNY Brockport	President	215,000
SUNY Buffalo	Provost	214,949
SUNY Health Science Syracuse	University Professor	214,561
CUNY Graduate College Lag	Vice President	214,276
SUNY Stony Brook	Professor	214,192
SUNY Stony Brook	Dstg Tch Prof	214,146
CUNY Graduate College Lag	Senior Vice President	214,120
SUNY Stony Brook	Disting Prof	214,027
SUNY Stony Brook	Disting Prof Ldng	214,027
SUNY Downstate Medical Center(Hosp)	Clinical Assnt Pr	213,905
SUNY Downstate Medical Center	Professor	213,506
SUNY Downstate Medical Center	Professor	213,105
SUNY Buffalo	Professor& Chrmn H Sci	213,273
CUNY Management Lag	University Admintr	213,260
SUNY Downstate Medical Center	Professor	213,089
SUNY Downstate	Medical Center Professor	213,089
SUNY Buffalo	Disting Tch Prf	213,086
SUNY Stony Brook	Clinical Professor	212,988
SUNY Stony Brook	Professor	212,874
SUNY Stony Brook	Professor	212,874
SUNY Abany	Dean Library Science	212,619
SUNY Stony Brook	Dstg Tch Prof	212,619

SUNY Stony Brook	Dstg Tch Prof	212,619
SUNY Buffalo	Professor& Chrmn	212,065
SUNY Buffalo	Professor& Chrmn	211,942
Stony Brook	Professor	211,872
SUNY Stony Brook	Clinical Assoc Pr	211,810
SUNY Downstate Medical Center	Professor	211,658
SUNY Downstate Medical Center	Professor	211,658
SUNY Buffalo	Professor	211,567
SUNY Downstate Medical Center	Professor	211,225
SUNY Stony Brook	Disting Prof	211,197
SUNY Health Science Syracuse	Professor& Chrmn	210,956
SUNY Health Science Syracuse	Professor& Chrmn	210,956
SUNY Buffalo	Professor	210,845
Mental Health Mid Hudson Psychiatric Center	Clinical Dir Psy Cntr	210,611
Mental Health Mid Hudson Psychiatric Center	Clinical Dir Psy Cntr	210,611
SUNY Stony Brook	Professor	210,430
CUNY Baruch College	Professor	210,416
CUNY Baruch College	Professor	210,416
SUNY Buffalo	Professor	210,277
CUNY Baruch College Lag	Senior Vice President	210,261
CUNY City College Lag	Dean	210,000
CUNY Lehman College Lag	Senior Vice President	210,000
SUNY Stony Brook	Associate Vice President	210,000
SUNY Albany	Dean Arts&Science	210,000
SUNY Buffalo	Professor	209,981
SUNY Buffalo	Professor	209,936
SUNY Downstate Medical Center	Professor	209,884
CUNY Graduate College	Dist Prof	209,707

CUNY Brooklyn College Lag	Vice President	209,447
SUNY Health Science Syracuse	Hosp Admr	209,297
SUNY Buffalo	Professor& Chrnm	209,004
SUNY Health Science Syracuse	Professor	209,100
SUNY Stony Brook Hospital Payroll	Dir Instrl Resourc	208,283
SUNY Buffalo	Vice Pres	208,951
SUNY Downstate Medical Center	Vice Pres Studnt Afrs	208,832
SUNY Stony Brook	Professor	208,483
SUNY Downstate Medical Center(Hosp)	Clinical Assnt Prof	208,052
CUNY Hunter College Lag	Vice President	208,000
SUNY Buffalo	Professor	207,884
SUNY Stony Brook	Dean Of Social Welf	207,510
SUNY Downstate Medical Center(Hosp)	Professor	207,508
SUNY Binghamton	Vice Pres Univ Reltns	207,499
SUNY Stony Brook	Assoc Admr	207,383
SUNY Health Science Syracuse	Budgt Control Offcr	207,329
SUNY Stony Brook	Professor	206,860
SUNY Stony Brook	Vice Pres Studnt Afrs	206,778
Comptroller OSC	Dir Bur Speclzd Invst	206,000
SUNY Buffalo	Professor	205,456
SUNY Stony Brook	Professor	205,374
SUNY Buffalo	Disting Prof	205,477
SUNY Albany	Vice Pres Student Afrs	205,500
SUNY Stony Brook	Dstg Tch Prof	205,099
SUNY SUCCortland	President	205,000
SUNY Stony Brook Hospital Payroll	Assoc Admr	205,000
SUNY Downstate Medical Center	Professor	204,952
SUNY Buffalo	Professor	204,904

SUNY Downstate Medical Center	Clinical Assnt Prof	204,587
SUNY Downstate Medical Center	Clinical Assnt Prof	204,587
SUN Y Buffalo	Vice Pres Fin&Mgt	204,476
CUNY Graduate College	Dist Prof	204,455
SUNY Downstate Medical Center	Assnt Professor-	204,425
SUNY Downstate Medical Center	Assnt Professor	204,425
CUNY Management Lag	Vice Chancellor	204,000
SUNY Buffalo	Professor& Chrmn	203,954
SUNY Downstate Medical Center(Hosp)	Assnt Professor	203,903
SUNY Downstate Medical Center(Hosp)	Assnt Professor	203,903
SUNY Health Science Syracuse	Professor	203,650
SUNY Buffalo	Professor	203,618
SUNY Stony Brook Hospital Payroll	Dir Pharmacy	203,587
SUNY Downstate Medical Center	Assnt To Pres	203,581
SUNY Graduate College Lag	University Dean	203,512
SUNY Binghamton	Dean General Studies	203,512
CUNY College of Staten Island	Senior Vice President	203,300
CUNY Hunter College	Dist Prof	203,288
SUNY Stony Brook	Dir Mangt Info System	203,010
SUNY SUCBuffalo	Vice Pres Dev	202,589
SUNY Buffalo	Vice Pres Dev	202,589
Comptroller OSC	Assnt Dpty Comptrlr	202,501
SUNY Stony Brook	Professor	202,205
SUNY Stony Brook	Clinical Profes-	202,182
SUNY Buffalo	Dstg Svc Prof	201,386
SUNY Stony Brook	Disting Prof	201,285
SUNY Buffalo	Professor& Chrmn	200,944
SUNY Stony Brook	Professor	200,899

SUNY Stony Brook	Professor	200,899
SUNY Downstate Medical Center	Professor	200,899
SUNY Stony Brook	Professor	200,704
SUNY Binghamton	Professor Ldng-10 Mo	200,622
CUNY Hunter College Lag	Dean	200,451
SUNY Buffalo	Vice Pres Studnt Afrs	200,420
SUNY Buffalo	Vice Pres Studnt Afrs	200,420
SUNY Stony Brook	Assnt V P& Controller	200,000
SUNY Albany	Assnt V P Humn Resrcs	200,000
CUNY John Jay College Lag	Vice President	199,842
Mental Health Rockland Childrens Psy Ctr	Clinical Dir Psy Cntr	199,511
SUNY Downstate Medical Center	Assnt Professor-	199,783
SUNY Downstate Medical Center	Assnt Professor	199,783
Mental Health Queens Childrens	Clinical Dir Psy Cntr	199,511
Mental Health Bronx Childrens Psy Ctr	Clinical Dir Psy Cntr	199,511
Mental Health Pilgrim Psychiatric Center	Clinical Dir Psy Cntr	199,511
Mental Health Bronx Psychiatric Center	Clinical Dir Psy Cntr	199,511
Mental Health Nathan Kline Institute	Dir Psy Rsch Inst	199,511
Mental Health Kirby Forensic Psy Ctr	Clinical Dir Psy Cntr	199,511
Mental Health Manhattan Psychiatric Center	Clinical Dir Psy Cntr	199,511
Mental Health Creedmoor Psychiatric Center	Clinical Dir Psy Cntr	199,511
Mental Health NYS Psychiatric Institute	Dir Psy Rsch Inst	199,511
Mental Health Kirby Forensic Psy	Clinical Dir Psy Cntr	199,511
Mental Health Rockland Childrens Psy Ctr	Clinical Dir Psy Cntr	199,511
Mental Health Queens Childrens	Clinical Dir Psy Cntr	199,511
Mental Health Bronx Childrens Psy Ctr	Clinical Dir Psy Cntr	199,511
Mental Health Manhattan Psychiatric Center	Clinical Dir Psy Cntr	199,511
Mental Health Creedmoor Psychiatric Center	Clinical Dir Psy Cntr	199,511

Office of MH NYS Psychiatric Institute	Dir Psy Rsch Inst	199,511
Mental Health Pilgrim Psychiatric Center	Clinical Dir Psy Cntr	199,511
Mental Health Bronx Psychiatric Center	Clinical Dir Psy Cntr	199,511
Mental Health Nathan Kline Institute	Dir Psy Rsch Inst	199,511
CUNY Graduate College	Dist Prof	199,097
SUNY Graduate College	Dist Prof	199,097
CUNY Management Lag	University Admintr	199,000
CUNY Lehman College Lag	Vice President	199,000
CUNY Queens College (ECP)	Vice President	199,000
CUNY Queens College (ECP)	Vice President	199,000
CUNY Management Lag	University Admintr	199,000
CUNY Management Lag	University Admintr	198,900
SUNY Stony Brook	Clinical Assoc Prof	198,647
SUNY Stony Brook	Clinical Assoc Prof	198,647
SUNY Buffalo	Clinical Professor	198,585
SUNY Health Science Syracuse	Professor	198,557
SUNY Stony Brook	Clinical Assoc Pr-	198,257
SUNY Stony Brook	Clinical Assoc Prof	198,257
SUNY Stony Brook	Clinical Assoc Pr	198,150
SUNY Health Science Syracuse	Clinical Professor	198,148
Mental Health Hudson River Psy Center	Clinical Dir Psy Cntr	198,002
Mental Health Hudson River Psy Center	Clinical Dir Psy Cntr	198,002
CUNY Hunter College Lag	Vice President	198,000
CUNY Hunter College Lag	Vice President	198,000
CUNY Lehman College Lag	Vice President	198,000
CUNY Management Lag	University Admintr	198,900
SUNY Downstate Medical Center	Clinical Assnt Pr-	197,999
CUNY Management Lag	University Dean	197,725

CUNY Brooklyn College Lag	Vice President	197,900
SUNY Downstate Medical Center	Clinical Assnt Prof	197,999
CUNY Brooklyn College Lag	Vice President	197,900
SUNY Downstate Medical Center .	Assoc Professor	197,808
SUNY Stony Brook	Research Prof	197,802
CUNY Management Lag	University Dean	197,725
Mental Health Sagamore Childrens Psy Serv	Clinical Dir Psy Cntr	197,431
Mental Health Sagamore Childrens Psy Serv	Clinical Dir Psy Cntr	197,431
SUNY Buffalo	Dean Architecture	197,390
SUNY Stony Brook	Assnt V P Univty Affr	197,315
SUNY Stony Brook	Assnt V P Univty Affr	197,315
SUNY Syracuse Hospital Payroll	Nursing Director	197,223
SUNY Syracuse Hospital Payroll	Nursing Director	197,223
SUNY Stony Brook	Professor	197,069
SUNY Stony Brook	Professor	197,069
Mental Health Rockland Childrens Psy Ctr	Exec Dir Psychtrc Ctr	197,034
Mental Health Kingsboro Psychiatric Center	Clinical Dir Psy Cntr	197,034
Mental Health Buffalo Psychiatric Center	Clinical Dir Psy Cntr	197,034
Mental Health Hutchings Psychiatric Center	Clinical Dir Psy Cntr	197,000
Mental Health Buffalo Psychiatric Center	Clinical Dir Psy Cntr	197,034
Mental Health Hutchings Psychiatric Center	Clinical Dir Psy Cntr	197,000
SUNY Stony Brook	Clinical Professor	196,974
SUNY Stony Brook	Clinical Assoc Pr	196,751
CUNY City College Lag	Vice President	196,642
CUNY City College Lag	Vice President	196,642
SUNY Stony Brook	Professor	196,606
SUNY Downstate Medical Center	Professor	196,338
SUNY Buffalo	Disting Prof	196,325

SUNY Downstate Medical Center	Professor	196,306
SUNY Downstate Medical Center	Assoc Professor	196,122
CUNY Management Lag	University Admintr	196,148
CUNY Management Lag	University Admintr	196,148
SUNY Albany	Assnt V P Acad Aff	196,141
SUNY Albany	Assnt V P Acad Aff	196,141
SUNY Stony Brook Assoc	Professor	195,910
SUNY Health Science Syracuse	Professor	195,536
SUNY Stony Brook Zucker, Stanley	Professor	195,514
SUNY Health Science Syracuse	Professor	195,449
SUNY Stony Brook	Assoc Professor	195,910
SUNY Buffalo	Dean Architecture	195,755
SUNY Stony Brook	Assnt Professor	195,536
SUNY Stony Brook	Assnt Professor-	195,536
SUNY Buffalo	Disting Prof	195,173
SUNY Health Science Syracuse	Assoc Professor	195,121
SUN Y Stony Brook	Assoc Professor-	194,984
CUNY City College Lag	Vice President	194,948
CUNY City College Lag	Vice President	194,948
SUNY Buffalo	Professor	194,736
Mental Health Central New York Psy Ctr	Psychiatrist 2	194,717
SUNY Albany	Professor	194,640
Mental Health Nathan Kline Institute	Deputy Dir Psy R Inst	194,599
Mental Health Nathan Kline Institute	Deputy Dir Psy R Inst	194,599
CUNY John Jay College Lag	Senior Vice President	194,272
SUNY Health Science Syracuse	Clinical Professor	194,323
SUNY Binghamton	Vice Pres Std&Com Srv	194,219
CUNY John Jay College Lag	Senior Vice President	194,272

SUNY Health Science Syracuse	Professor	194,038
SUNY Albany	Professor	193,855
SUNY Downstate Medical Center .	Assnt Professor	193,550
NYS Office of Mental Health	Exec Dir Psychtrc Ctr	193,525
CUNY York College Lag	Vice President	193,384
SUNY Downstate Medical Center	Disting Srv Prof	193,339
SUNY Albany	Professor	193,195
SUNY Downstate Medical Center	Professor	193,191
SUNY Downstate Medical Center	Professor	193,169
SUNY Buffalo	Professor& Chrnm	193,112
SUNY Albany	Dir	192,816
SUNY Albany	Professor	192,816
SUNY Health Science Syracuse	Professor	192,677
SUNY Buffalo Clinical	Professor	192,544
SUNY Health Science Syracuse	Clinical Assnt Prof	192,438
SUNY Stony Brook	Clinical Assoc Prof	192,370
SUNY Buffalo	Professor	192,261
SUNY Downstate Medical Center	Professor	192,202
CUNY Baruch College	Professor	192,001
CUNY Baruch College	Professor	192,001
CUNY Baruch College	Professor	192,001
CUNY Baruch College	Professor	192,000
SUNY Buffalo	Professor	191,973
CUNY Baruch College	Professor	191,884
CUNY Baruch College	Professor	191,756
SUNY Buffalo	Senior Staff Assoc	191,745
CUNY Graduate College	Dist Prof	191,681
CUNY Management Lag	University Dean	191,606

CUNY Baruch College	Professor	191,409
SUNY Downstate Medical Center	Professor	191,215
SUNY Health Science Syracuse	Clinical Professor	191,197
SUNY Health Science Syracuse	Clinical Assnt Prof	191,166
SUNY Stony Brook	Dir	191,000
SUNY Albany	Dean Of Social Welf	190,967
SUNY Downstate Medical Center	Hosp Clinical Assnt Prof	190,888
SUNY Stony Brook Clinical	Assoc Prof	190,686
SUNY Syracuse Hospital Payroll	Assoc Admr	190,656
SUNY Stony Brook Disting	Prof Ldng	190,447
SUNY Downstate Medical Center	Assnt V P	190,020
CUNY Baruch College Lag	Vice President	190,018
CUNY Management Lag	University Admintr	190,000
SUNY Stony Brook	Assoc Dir Comp Svcs	190,000
SUNY Stony Brook	Assnt V P Facilities& Opr	190,000
SUNY Stony Brook	Clinical Assnt Prof	190,000
SUNY Buffalo	Professor	189,881
SUNY Downstate Medical Center(Hosp)	Assnt Professor	189,812
SUNY Binghamton	Professor Ldng	189,733
SUNY Stony Brook	Clinical Assnt Prof	189,522
SUNY Health Science Syracuse	Professor	189,456
SUNY Downstate Medical Center(Hosp)	Assnt Professor	189,389
SUNY Stony Brook	Professor Ldng	189,376
SUNY Downstate Medical Center(Hosp)	Clinical Assnt Pr	189,224
SUNY Buffalo	Professor (Law)	189,159
SUNY Downstate Medical Center	Assnt Professor	189,092
SUNY Stony Brook	Professor	\$189,070

The two issues are as follows:

1. **Judicial Pay Equity** - all trial judges at the County and Supreme Court level should receive the same salary.
2. **Pension Reform** - the elimination of the death in office rule.

In your roles as the administrators of the Unified Court System and legislative chairman of the Judiciary Committee of the Senate and Assembly, you know, all very well, the work performed by the trial bench in New York State. We need your help and support to address these very important issues that affect the Judiciary of New York to get legislation to correct inequities and provide fundamental fairness and financial protection for the judges and their families.

Issue Number One - Judicial Pay Equity - All trial judges at the County and Supreme Court level should receive the same salary.

Currently there are significant inequities in the salary grade among and between the judges of the Unified (emphasis provided) Court System. Initially, let us first acknowledge: The Office of Court Administration has long taken the position that all judges should be paid the same salary. We agree and we appreciate the support of OCA. However, the inequities and unfairness exists and continues and the Legislature has never addressed these pay differences in any meaningful way. The time for action to correct the problem is now - together, if we all speak as one and listen to each other and work together, then a fair and equitable result with appropriate legislation can become a reality.

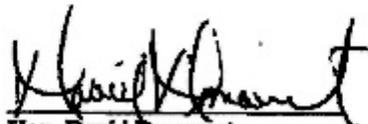
The details of the pay equity issue are spelled out very well in a document prepared by Hon. W. Dennis Duggan, Albany County Family Court, and President of the New York State Family Court Judges Association, entitled "Judicial Pay in New York : A Comparative Survey" dated January 30, 2004, copy enclosed.

Highlights of the survey include:

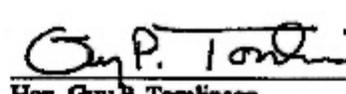
1. Supreme Court and Court of Claims judges are paid the same salary regardless of where they sit, the size of their caseload or the type of caseload. County Court, Family Court and Surrogate Court judges are paid several different rates - without rhyme or reason.

Thank you.

Respectfully submitted:


Hon. David Demarest
Supreme Court Justice
4th Judicial District
President, NYS Supreme Court
Judges Association


Hon. W. Dennis Duggan
Albany County Family Court
President, NYS Family Court
Judges Association


Hon. Guy P. Tomlinson
Montgomery County Surrogate
President, NYS Surrogate Court
Judges Association


Hon. Peter C. Buckley
Chemung County Court Judge
Secretary/Treasurer and Third
Vice-President, NYS County
Judges Association

Enclosure

END NOTES

If not specifically footnoted below, any factual assertions made in this report are verifiable by accessing easily available sources; most of them found by a simple Google search. For example, as noted, all cost-of-living data is fully available on the Web at the site of the Bureau of Labor Statistics. Salary information for non-judicial employees is published in the collective bargaining agreements that are posted online at the web site of the Governor's Office of Employee Relations and on the respective Union web sites. Judicial salaries are contained in McKinney's and in the session laws. For salaries set before the 1970's, it is sometimes easier to do an archival search of the New York Times because judicial salaries contained not only a State-paid amount but a local supplement and the proceedings of Boards of Supervisors from olden days are not easily accessible. Legislation is easily found on the web sites of the State Assembly and Senate. The web sites of the Office of the State Comptroller and the Director of the Budget also possess a wealth of information. The web site *SeeThroughNY* has posted complete payroll and pension information for virtually every State and local employee of government, current through 2008 or 2009 and the site is updated frequently.

1.

It is not at all clear how salaries of State legislators are relevant to the issue at hand. The New York State Legislature is comprised of 62 Senators and 150 Assembly Members. They are part-time and sit for about 65 legislative

days each year. Their base salary, last raised in 1999, is \$79,500, set by § 5 of the Legislative Law. In addition, they receive a per diem allowance when they are in Albany that is pegged to the Federal GSA rate and is about \$160 per day. In addition, they receive an “allowance” for serving in “special capacities.” This allowance currently ranges from \$9,500 to \$41,500. Legislative Law § 5-a lists 87 special allowances for Senators and 115 special allowances for Assembly Members. Even without the “special allowances” and even considering that the New York Legislature has not received a raise in 12 years, they are still the second highest paid State legislature in the United States. California is the highest at \$95,291. Coincidentally, California Judges are the highest paid in America. This year, the New York Senate is scheduled to be in session or holding committee hearings for 66 days. See, <http://www.nysenate.gov/calendar/2011-01> For a chart of 50 State legislative salaries see:

<http://www.empirecenter.org/DataBank/FileData.cfm?FileD=354>

2.

When taking over from the Dutch, the English wisely kept the position of the *Schout-Fiscal* which was a public prosecutor, sheriff and magistrate, all rolled into one. Under the English way, prosecutions were then carried out by the victim. The position of *Schout* eventually evolved into office of the District Attorney. (See, generally, Russell Shorto, *The Island at the Center of the World*, pp.313-316, Vintage Books, 2005; See also, *Talking to the High Court*, William Kennedy, appearing in *Riding The Yellow Trolley Car*, Viking-Penguin Books, 1986).

3.

The intermingling of salary disputes and the judiciary are not of recent origin. In 1732, William Cosby took over as colonial governor. In the period between the death of the former governor, John Montgomerie, and when Cosby assumed office, the head of the Council, Rip Van Dam, collected the salary of the governor and acted as Chancellor. Cosby tried to recover those funds from Van Dam. Cosby could not sit as Chancellor himself and rule in his own case, so he conferred authority on the Supreme Court as a Court of Exchequer. Cosby was expecting a favorable ruling from Chief Justice, Lewis Morris, who sat at the pleasure of the governor. Instead, Morris ruled that the governor had no authority to confer exchequer jurisdiction on the Supreme Court. Morris’s critics suggested that he was afraid that if Supreme Court’s new authority was upheld, he might be required to disgorge his salary as acting-governor of New Jersey. Cosby, obviously upset by Morris’s ruling, promptly discharged him. All of this was widely publicized in the *New York Weekly Journal*. The governor ordered the paper burned and the editor arrested—which led to the trial of John Peter Zenger in 1735 and the establishment of the freedom of the press in America.

4. *A History of New York State*, Ellis, Frost, Syrett and Carman, Cornell University Press, 1967, p. 353.
5. For a complete treatment of this subject up to 1911, please see: *Legal And Judicial History Of New York* in Three Volumes, Alden Chester, Editor, National Americana Society, New York, 1911.
6. For more specific information on this topic, please see: “*There Shall be a Court of Appeals*,” 150th Anniversary Report of the Court of Appeals on the State of New York; “*Duly & Constantly Kept*,” A History of the New York Supreme Court, 1691-1847, A Joint Publication of the New York State Court of Appeals and the New York State Archives and Records Administration.
7. *New York State Government, 2nd Edition*, Robert B. Ward, the Rockefeller Institute Press, 2006, p. 134.
8. For general and specific information about salaries paid to persons working for State and local government in New York, refer to the web site “SeeThroughNY.” <http://www.seethroughny.net/>
9. *New York Law Journal*, June 6, 2005, p.1, col 4.
10. The standard formula for determining the percentage increase in the consumer price index and then determining what any salary would be if adjusted by the increase or decrease in the CPI is, for example, the following: [(CPI # in 2011 - CPI # in 1999)/ CPI # in 1999] x 100 x Salary in 1999 + Salary in 1999 = CPI adjusted salary for 2011. With actual numbers, as of April 2005, inserted, it would look like this:

$$246.49 - 175 = 71.49/175 = .4085 \times 100 = 40.85\% \times \$136,700 = \$55,843 + 136,700 = \mathbf{\$192,544} = \text{CPI adjusted salary for April, 2011.}$$

To determine the diminution in purchasing power of a current salary caused by inflation, the formula would be, for example, as follows:

$$\mathbf{(CPI\ Index\ in\ 1999/CPI\ Index\ in\ 2011) \times Salary\ in\ 2011.}$$

With actual numbers inserted, it would look like the equation below and would

establish that in 2011, a salary of \$136,700 is the equivalent of having a salary of \$97,000 in 1999, showing that a judge's salary had decreased in real terms by 29%.

$175/246.49 = .7099 \times \$136,700 = \mathbf{\$97,052}$ = Purchasing power of current salary. See: "What's A Dollar Worth?" The Federal Reserve Bank of Minneapolis web site:

http://www.minneapolisfed.org/community_education/teacher/calc/

11.

The salaries listed are those for Justices of the Supreme Court serving in metropolitan New York City, which, historically would have comprised about 70% of the New York State Judiciary. For at least 100 years, until 1974, those judges received a supplement paid by the City of New York for judges sitting in the City. For judges sitting in adjoining districts, the supplement was paid by the State. Later, a smaller supplement was paid to upstate judges by the county in which the judge sat. In 1974, the salary of Supreme Court Justices was equalized across the state and, in 1977, the local supplements ended when the State took over the financial responsibility for full funding of the court system, except for providing court facilities and funding town and village justices, which remained a local cost. Unless otherwise stated, projected salaries are rounded off to the nearest \$1,000.

12.

BLS Inflation Calculator, http://www.bls.gov/data/inflation_calculator.htm

13.

In 1932, during the height of the Great Depression, the Judges took a voluntary \$2,500 cut in pay.

14.

For population information, please refer to the Census Bureau's web site at: <http://www.census.gov/>.

15.

For general survey information about state courts, please refer to the web site of the National Center for State Courts. For a survey of state court structures, please see, http://www.ncsconline.org/D_Research/Ct_Struct/Index.html.

16.

The Budgetary Impact of Trial Court Restructuring, New York State Unified Court System, February 2002. The Unified Court System was created by a combination of judicial rule and regulation, statutory enactment and constitutional amendment. In 1955, the Legislature created the Judicial

Conference and the Office of State Administrator. In 1962, a new Judiciary Article for the State Constitution was approved by the voters which created a “Unified Court System.” Those amendments created the court system that we are describing in this submission. By Chapter 966 of the Laws of 1976, the State assumed responsibility for funding the operations of all State courts, except for Town and Village Justice Courts. By Constitutional amendment, effective April 1, 1978, the court system became under fully centralized administrative control in the form of a Chief Administrative Judge. The amendments also provided for the merit selection of judges of the Court of Appeals by committee recommendation and gubernatorial appointment. Finally, in 1987, Court Facilities legislation provided that local governments must provide adequate court facilities for the administration of justice (See, generally, *History Of The New York State Court System*, Marc Bloustein, Esq., OCA publication, 1996). See also, *New York State Courts: Their Structure, Administration and Reform Possibilities*, Professor Quintin Johnstone, 43 New York Law School Law Review, 915.

17.

All Consumer Price Index figures can be found at the Bureau of Labor Statistics web site, <http://www.bls.gov/cpi/>. Unless otherwise stated, this report will be using the **Consumer Price Index - All Urban Consumers**, New York-Northern New Jersey-Long Island, NY-NJ-CT-PA, All items, Base Period: 1982-84=100 or the “**History of CPI-U, U.S., All Items, Indexes and Annual Percent Changes From 1913 to Present**.” The standard formula for determining the “inflation rate” is as follows:

$$\text{Inflation rate} = \frac{\text{Price index in year 2} - \text{Price index in year 1}}{\text{Price index in year 1}} \times 100$$

There are, of course, other measures of increases in the “cost of living.” For example, the U.S. Department of Commerce, Bureau of Economic Analysis publishes the **GDP deflator** which measures the real GDP compared with the nominal GDP. The **Produce Price Index** measures a market basket of commodities such as steel, oil, coal and electricity. See: <http://www.bea.gov/national/nipaweb/TableView>. Another view holds that the true cost of living is better reflected in the “core” CPI, which excludes the cost increases in food and energy. The theory behind this point of view is that energy and food prices are cyclical and do not become built into the overall cost of living and do not reflect future inflation rates. Economists holding this point of view believe that the Federal Reserve can, by manipulating interest rates, restore price stability and control inflation. (See, for example, “Inflated Worries,” Lawrence H. Meyer, Federal Reserve Governor, 1996-2002, *New York Times*, March 25, 2011, A27)

18.

As noted elsewhere, determining the number of “State-paid” judges in New

York at any given point in time can be a challenge. As would be expected, there are always a small number of vacancies due to retirements, resignations and deaths. The other biggest variable is “certificated” judges—those who are able to sit as Supreme Court Justices after age 70 for three terms of two years each. There are often 50 to 70 Supreme Court Judges in that classification. Once a Supreme Court Justice reaches age 70, his or her seat becomes vacant at the end of that year and the seat is filled in that year’s November general election, even if the Judge becomes certificated. There have been no additional Judges created by the Legislature since 2005, when 21 were created and in 2006 when a City Court Judge seat was created in Niagara Falls.

19.

For anyone interested in a more detailed description of each court, please see, *The Budgetary Impact of Trial Court Restructuring*, above at FN 11, pp. 4-6.

20.

See, <http://www.seethroughny.net/Payrolls>

21.

From 1824 to 1912, the cost of living in America was relatively flat, except for a large spike after the Civil War. In fact, in 1912, the CPI was 18% lower compared with 1824. In the thirty years from 1913 to 1943, the CPI increased about 72%. From 1943 to 1973, the CPI increased 152%. From 1973 to January 2011, the CPI increased 417%. This inexorable increase in the cost of living, without regular adjustments to judicial salaries, vividly shows why pay for judges has been on a general downward slide for over 100 years. (See Bureau of Labor Statistics, CPI tables, (<http://www.bls.gov/cpi/tables.htm>); Historic Consumer Price Index, 1800-1998, (www.lib.umich.edu/govdocs/historiccpi.html)).

22.

In 1857, Supreme Court Justices received a salary increase that was not extended to Judges of the Court of Appeals. According to the March 17, 1864 edition of the *New York Times*, “The Assembly last evening, after protracted debate, killed the bill providing to equalize th pay of the Judges of the Court of Appeals and Justices of the Supreme Court...The House took the view that these Justices accepted their offices knowing what the salary was to be and the Constitutional restriction which would prevent its increase.” The judges of the Court of Appeals did not fare much better over the next 60 years. For example, in 1875, the Chief Justice of the United States earned \$10,500; a Judge of the Court of Appeals earned \$7,000; A Federal District Court Judge earned \$6,000 and a Justice of the New York Supreme Court earned \$17,500. (Reported in *New York Times*, November 26, 1875.) By 1890, not much had

changed. Federal District Court Judges were then paid \$4,000 per year while local District Court Judges earned \$6,000; Police Court Judges earned \$8,000; Judges of the Court of Common Pleas were paid \$8,000; the Chief Judge of the State earned \$10,500 and Associate Judges, \$10,000. Justices of the Supreme Court still earned \$17,500 (Reported in *The New York Times*, January 14, 1890).

Prior to 1875, the Judges of the Court of General Sessions were paid \$15,000. In that year, the "Public Burden Bill" reduced the salaries of most government officials, including judges. Over the following years, the salaries of Supreme Court Justices were increased and in 1896, Supreme Court absorbed the Court of Common Pleas and the Superior Court and the judges of those courts saw their salaries increased to \$17,500. In 1892, the salary of Surrogates was increased to \$15,000. In 1897, the salaries of the New York City Recorder and Judges of the Court of General Sessions were increased to \$15,000 per annum. (Reported in *The New York Times*, March 14, 1897.) As of at least 1902, New York Supreme Court Justices were the highest paid judicial officers in the United States. In 1918, Federal District Court Judges' salary was increased to \$7,500. By 1922, the County Court Judges in Brooklyn, Richmond, the Bronx and Queens were seeking to raise their salaries from \$12,500 to the \$17,500 paid to the Judges of General Session in Manhattan. (Reported in *The New York Times*, September 12, 1922.

To the great shock of the Judiciary, the voters turned back a provision to amend the Constitution to raise the salaries of Judges of the Court of Appeals from \$10,000 to \$17,500 to equalize them with Supreme Court Justices. In 1923, renowned Supreme Court Justice, Daniel F. Cohalan resigned because he felt he could not adequately raise his family on a salary (\$17,500) that had not been raised in 50 years. Over those 50 years, the cost of living increased about 44%. This compares with the cost of living rising 41% over the last 12 years. In 1923, the base salary (excluding the local supplement) of Supreme Court Justices was set in the Constitution and between 1913 and 1923, the voters four times rejected proposed amendments to increase Judicial salaries. By the end of 1923, the salary of the Chief Judge of the United States had risen to \$15,000 and that of the Chief Judge of the Court of Appeals to \$14,200. In 1924, Governor Al Smith vetoed a bill to increase the salary of Court of Appeals Judges from \$10,000 to \$17,500 and for Appellate Division Judges from \$10,000 to \$13,000. Smith was of the opinion that those salaries could only be adjusted by constitutional amendment.

By 1924, the salaries of Federal District Court Judges in the Second Circuit were still stuck at \$8,500 per year. That would change January 1, 1927, when their salaries were increased to \$10,000 and that of the Chief Justice to \$20,500. In 1926, Governor Smith signed legislation increasing the salary of Court of Appeals Judges to \$25,000, after the voters, the year

before, approved a measure transferring the judicial pay setting authority from the Constitution back to the Legislature. The salary of Supreme Court Justices, along with Surrogates and Judges of the Court of General Sessions, was also increased to \$22,500, which included the \$7,500 local supplement. In a separate bill, salaries for upstate judges were also increased. For example, the County and Surrogate Judges in Albany County had their salaries raised to \$14,000. Between 1874 and 1928, the Governor's salary was fixed in the Constitution at \$10,000, which was less than the Mayor of New York City.

By 1932, the salary of a Supreme Court Justice was \$25,000, including a \$10,000 local supplement but there were calls for a reduction in that amount because of the onset of the Great Depression. In 1933, the Judges agreed to give up \$2,500 of that yearly supplement. By 1946, the supplement was fully restored and a Supreme Court Justice was earning \$26,000 per year. In 1956, salaries were increased from \$30,000 to \$32,000 per year while upstate judges were paid \$26,000. By 1968, that salary had increased to \$39,100 with 2/3rds of that supplied by the City of New York. By 1972, Supreme Court Justices were paid \$40,833 in the New York area and \$35,333 upstate. On April 18, 1972, a temporary state commission recommended that the salary of a Supreme Court Justice be set at the uniform statewide level of \$44,000.

23.

As noted at several points, we assert that 70% of New York's Judges live and work in the metropolitan area. The Office of Management and Budget defines this area as including New York City and Nassau, Suffolk, Westchester, Orange, Rockland and Putnam counties. While the actual upstate/downstate number, set out in chart form below, is closer to 66%, the number, if based on salary weight and adjusting for part-time City Court Judges, is higher. This is because every downstate judge, except downstate City and District Judges is paid at the JSC rate. Also, the District and City Court Judges are paid at a rate higher than upstate county judges. (e.g. Albany County Family Court Judges are paid \$119,800. District Court Judges are paid \$122,700.) Of the 137 Upstate City Court Judges, 79 are full-time, 27 are half-time and 31 are quarter-time. Of the 27 Downstate City Court Judges, 18 are full-time, 7 are half-time and 2 are quarter-time. The most accurate measure of how many judges there are in New York would, no doubt, be a review of the Comptrollers most recent payroll. However, that would not necessarily reveal other important information such as the individual's court and assignment. Short of that, we used the most recent Miscellaneous Court Reporter which lists every judge in the State by name and county, city or district assignment and whether the judge is serving as a certificated retired judge. "Two" and "Three hatters," are permitted to sit in multiple courts pursuant to Constitution, Article VI, § 3.

Court	Upstate Judges	Downstate Judges
Court of Claims	30	54
Supreme	110	264
Family	33	85
Surrogate	21	12
County	33	37
County "2 Hatters"	11	0
County "3 Hatters"	39	2
NYC Civil	0	117
NYC Criminal	0	106
NYC Housing	0	51
District	0	48
City (FTE's)	100	23
Total	377	799
Ratios Based on FTE's	32%	68%

24.

See Window on State Government, Judicial Pay, Susan Combs, December, 2004, www.window.state.tx.us/judicialpay See also, *annual Report for The Texas Judiciary, Fiscal Year 2010*, www.TXCOURTS.GOV. For another supporting view on the position that judicial pay is a national problem see: *Judges' Pay: A Chasm Far Worse than Realized, and Worsening*, Roy A. Schotland Professor of Law, Georgetown University law Center, 82 Indiana law Journal 1273-1283 (2007).

25.

"The United States Office of Management and Budget (OMB) defines metropolitan and micropolitan statistical areas according to published standards that are applied to Census Bureau data. The general concept of a metropolitan or micropolitan statistical area is that of a core area containing a substantial population nucleus, together with adjacent communities having a high degree of economic and social integration with that core. Currently defined metropolitan and micropolitan statistical areas are based on application of 2000 standards (which appeared in the *Federal Register* on December 27, 2000) to 2000 decennial census data. Current metropolitan and micropolitan statistical area definitions were announced by OMB effective June 6, 2003. Standard definitions of metropolitan areas were first issued in 1949 by the then Bureau of the Budget (predecessor of OMB), under the designation "standard metropolitan area" (SMA). The term was changed to "standard metropolitan statistical area" (SMSA) in 1959, and to "metropolitan statistical area" (MSA) in 1983. The term "metropolitan area" (MA) was adopted in 1990 and referred collectively to metropolitan statistical areas (MSAs), consolidated metropolitan statistical areas (CMSAs), and primary metropolitan statistical areas (PMSAs). The term "core based statistical area" (CBSA) became effective in 2000 and refers collectively to metropolitan and micropolitan statistical areas.

OMB has been responsible for the official metropolitan areas since they were first defined, except for the period 1977 to 1981, when they were the responsibility of the Office of Federal Statistical Policy and Standards, Department of Commerce. The standards for defining metropolitan areas were modified in 1958, 1971, 1975, 1980, 1990, and 2000.

The 2000 standards provide that each CBSA must contain at least one urban area of 10,000 or more population. Each metropolitan statistical area must have at least one urbanized area of 50,000 or more inhabitants. Each micropolitan statistical area must have at least one urban cluster of at least 10,000 but less than 50,000 population.

Under the standards, the county (or counties) in which at least 50 percent of the population resides within urban areas of 10,000 or more population, or that contain at least 5,000 people residing within a single urban area of 10,000 or more population, is identified as a "central county" (counties). Additional "outlying counties" are included in the CBSA if they meet specified requirements of commuting to or from the central counties. Counties or equivalent entities form the geographic "building blocks" for metropolitan and micropolitan statistical areas throughout the United States and Puerto Rico.

If specified criteria are met, a metropolitan statistical area containing a single core with a population of 2.5 million or more may be subdivided to form smaller groupings of counties referred to as "metropolitan divisions."

As of June 6, 2003, there are 362 metropolitan statistical areas and 560 micropolitan statistical areas in the United States. In addition, there are 8 metropolitan statistical areas and 5 micropolitan statistical areas in Puerto Rico.

The largest city in each metropolitan or micropolitan statistical area is designated a "principal city." Additional cities qualify if specified requirements are met concerning population size and employment. The title of each metropolitan or micropolitan statistical area consists of the names of up to three of its principal cities and the name of each state into which the metropolitan or micropolitan statistical area extends. Titles of metropolitan divisions also typically are based on principal city names but in certain cases consist of county names." See : <http://www.census.gov/population/www/metroareas/aboutmetro.html>

The New York metropolitan area, also known as Metropolitan New York, Greater New York, or the Tri-State area is the most populous metropolitan area in the United States and is also one of the most populous in the world. The metropolitan area is defined by the U.S. Office of Management and Budget as the New York-Northern New Jersey-Long Island, New York-New Jersey-Pennsylvania Metropolitan Statistical Area (MSA), with an estimated population of 19,069,796 (roughly 1 in 16 Americans) as of 2009. The MSA is further subdivided into four metropolitan divisions. The 23-county metropolitan area includes ten counties in New York State (those coinciding with the five boroughs of New York City, the two counties of Long Island, and three counties in the lower Hudson Valley); 12 counties in Northern and Central New Jersey; and one county in northeastern Pennsylvania. The largest urbanized area in the United States is at the heart of the metropolitan area, the New York–Newark, NY–NJ–CT Urbanized Area (estimated to have a population of 18,319,939 as of 2008). The region also serves as the heart of the Northeast megalopolis.

Based on commuting patterns, the Office of Management and Budget also defines a wider region consisting of the New York metropolitan area plus five adjacent metropolitan areas. The area is known as the New York-Newark-Bridgeport, New York-New Jersey-Connecticut-Pennsylvania Combined Statistical Area (CSA), with an estimated population of 22,232,494[1] as of 2009. About one out of every fifteen Americans resides in this region, which includes seven additional counties in New York, New Jersey, and Connecticut, and is often referred to as the Tri-state Area and less commonly the Tri-State Region (leaving out Pennsylvania). However, the New York City television designated market area (DMA) includes Pike County, Pennsylvania,[http://www.fcc.gov/dtv/markets/maps_current/New_York_NY.pdf], which is also included in the CSA.

This wider region includes the largest city in the United States (New York City), the five largest cities in New Jersey (Newark, Jersey City,

Elizabeth, Paterson and Trenton) and six of the seven largest cities in Connecticut (Bridgeport, New Haven, Stamford, Waterbury, Norwalk & Danbury). The total land area of the extended metropolitan area is 11,842 sq mi (30,671 km²) (Wikipedia).”

For the purposes of this presentation, we are using just the New York counties that make up the New York City regional metropolitan area. These would include: 1. New York City, 2. Nassau, 3. Suffolk, 4. Westchester, 5. Putnam, 6. Orange and 7. Rockland.

26.

See, for example: *Historical Statistics of the United States*, Carter, Gartner Haines, Olmstead, Sutch and Wright, Editors, Cambridge University Press, 2008, available online at:

<http://hsus.cambridge.org/HSUSWeb/HSUSEntryServlet>. Or,

see *Historic Consumer Price Index* at:

<http://www.lib.umich.edu/govdocs/historicccpi.html>.

27.

Between 1999 and 2010, the per capita GDP in America, controlled for purchasing power parity, increased 41%. See:

<https://www.cia.gov/library/publications/the-world-factbook/>

28.

U.S. Bureau of Economic Analysis,

http://www.bea.gov/scb/pdf/2011/01January/D%20Pages/0111dpg_d.pdf.

Dow Jones Industrial Averages,

<http://stockcharts.com/charts/historical/djia2000.html>

29.

See Report of the State Comptroller, January, 2010 and *See Through NY*.

30.

Reported by the Empire Center in “Payroll Watch,” March, 2010,

See: <http://www.empirecenter.org/files/ppw5.pdf>

31.

Reported on the Empire Center Web Site:

[http://www.empirecenter.org/Special-](http://www.empirecenter.org/Special-Reports/2010/12/pensionexplosion120710.cfm)

[Reports/2010/12/pensionexplosion120710.cfm](http://www.empirecenter.org/Special-Reports/2010/12/pensionexplosion120710.cfm).

32.

There is an *Alice In Wonderland* aspect to the New York State budgeting process. What is budgeted for and for how much can be much different from how much is actually spent and what it is spent on. The Governor, for example, has broad authority to withhold the spending of funds on projects that are approved in the budget. A significant amount of the budget each year

is made up of “re-appropriated funds” from the prior year that were not spent. These could involve an appropriation for a capital project that did not yet break ground—or funds for a judicial raise for which disbursement was never authorized. (For more on this see: *The Other Budget Book: The “real” state budget nobody knows about*,” Jon Lentz, **The Capitol**, April 11, 2011, p. 8.)

33.

The “millionaires tax” assesses a tax of 7.85% on taxable income of \$200,000 to \$1,000,000 and 8.97% on incomes above \$1 million. Only 4.1% of all tax returns, or 287,000 taxpayers qualified for the “millionaires tax.” Of these, about 75,000 returns were filed by partnerships, LLC’s and corporations. (See *The Business Review*, April 1-7, 2011, p. 29. That edition also reported that the State had shifted \$100 million slated for a new upstate data center to 10 regional economic development centers who will funnel \$130 million in State funds to the private sector for private projects (p. 5).

For another example of the State seemingly able to find money for everything except funding its core services (i.e. court operations), the New York Times reports that the Legislature found \$8.6 million to bail out the Nassau County Bus System, saving service for 16,000 riders (April 7, 2011, p. 26, col. 1). The Nassau County Bus System, though it provides a very important service, is not a core State government function. This subsidy works out to \$538 per rider.

New York State wastes money in other large ways. For example, the New York State Health Department has a program that pays \$113.6 million to HMO’s to enroll people into Medicaid. In February, the Department released a report that found that HMO’s were using that money to poach other HMO’s enrollees. The report noted that Medicaid had already enrolled 84% of eligible persons and that the subsidies were not needed at all (Reported in the NY Post, February 22, 2011).

Another example would be a proposal for the Legislature to go paperless and have the Legislators have access to bills on a Kindle or iPad. The New York Public Interest Research Group estimates that this could save the State about \$8 million per year—enough to fund about 12% of a judicial catch-up raise. It is estimated that \$8 million is spent on the printing and distributing the nearly 12,000 bills that are introduced each year, of which about 1,500 pass. (See *Paper Trail*, Laura Nahmias, **The Capitol**, April 11, 2011, p. 7) For more information see: *STATE OF NEW YORK FINANCIAL CONDITION REPORT*, For Fiscal Year Ended March 31, 2010. Thomas P. DiNapoli, State Comptroller.

Government spending money on non-core services is, of course, not limited to State government. For example, the parking garage at Yankee Stadium, which offers valet service for \$48, is on the verge of defaulting on its bonds. The \$340 million facility was financed with \$237 million in tax exempt

Industrial Development Agency bonds. The garage also received \$100 million in other State and local subsidies. *Yankees Swing and Miss On Parking As Stadium Garages Go Bust*, **Daily News**, May 18, 2011.

http://www.nydailynews.com/ny_local/bronx/2011/05/18/2011-05-18

34.

The Growing Budget Burden of New York's Business Tax Expenditures," Fiscal Policy Report, December 7, 2010, www.fiscalpolicy.org. The FPI describes the increase in the concentration of income at the top in New York. In New York City, for example, in 1980, the top 1% of income earners held 12% of the State's wealth, above the national average. By 1990, the top 1% held 20% of the wealth. In 2007, that figure had risen to 44%, significantly above the national average of 23.5%. The Department of Budgets estimates on the loss of revenue due to the expiration of the "millionaires" tax can be found in "*New York State's Economic and Fiscal Outlook for 2011-2012*," February, 2011, Fiscal Policy Institute, p. 42.

This paper describes in some detail aspects of New York's economy that are not as bleak as many believe. For example, New York workers have the highest GDP in the nation, \$93,320 per worker, 26% above the national average. The FPI points out that it is unfair to just compare tax burdens across States without evaluating the benefits that government brings to peoples lives.

In short, taxes are the price New Yorkers pay for a high level of quality government service. In response to recent claims that government employees are over paid and receive lavish benefits, the FPI notes recent studies that have concluded that when controlled for job responsibilities, length of service and educational requirements, it is, ironically, the higher paid government employees who are paid up to 11% less than their private sector counterparts. And, contrary to commonly held beliefs that public payrolls are bloated, employment in the State sector has been steadily decreasing for the last 25 years.

Not counting the SUNY and CUNY systems, in 1988, state government employed about 215,000 people. By 2010, that had declined to about 162,000, a decrease of 25%. Over the last two years, the State Labor Department estimates that New York has lost 44,000 State and local government jobs (But see: "How Many State Workers? Albany Does Not Know," New York Times, July 28, 2010, A1).

Despite claims that pension costs are breaking the bank, the fact is that from 1989 to 2004, a period of 15 years, the employers' contribution to the pension system was less than 5% of payroll. For nine of those years, the contribution was negligible.

In the meantime, the Legislature has been forgoing other sources of revenue and spending other moneys that they claim they do not have. For

example, the STAR property tax rebate program cost the State \$3.3 billion per year in lost tax revenue. The failure to enact the sugary drink tax resulted in a \$1 billion loss in revenue. The Legislature included \$193 million in “member items” in the 2010-11 budget. The Governor line item vetoed all of them. This was a reversal of fortune, given the fact that the Governor approved \$170 million in member items the previous year (Reported in *Times Union*, “Lawmakers Split \$170M In Pork” by Michael Gormley, April 8, 2009). However, the Governor did find \$16.7 million for his own 20 member items, including \$5 million for the NY/NJ Super Bowl XLVII Host Committee Inc. That will support one football game to be played in New Jersey (Reported in the *Times-Union*. December 6, 2010, p. A-1,3).

The Budget Office estimates that tax reductions enacted from 1994 to 2006 cost the State \$20 billion in reduced revenues. In total, FPI estimates that from 1999 to 2011, tax cuts reduced State revenues by almost \$173 billion. Finally, when adjusted for inflation, over the last 25 years, the State bi-weekly payroll disbursements have remained flat. While many believe that salaries paid to State employees are breaking the bank, the truth is that out of a total State budget of \$136.5 billion, salaries for 215,000 State employees totaled about \$11 billion, or about 8% of the total budget.

35.

See Unified Court Systems Budget Memos, 1999 - 2011 available at <http://www.courts.state.ny.us/admin/financialops>

36.

Comptroller’s Annual Report To The State Legislature on State Funds, Cash Basis of Accounting, Fiscal Year Ended March 31, 2010, Schedule 5, p. 69. <http://www.osc.state.ny.us/finance/cashrpt/annual2010.pdf>

37.

Retirement cost estimates appear to the lay person to be based on the SWAG method (Scientific Wild Ass Guess) fueled by Government’s proclivity to live high off the hog when times are good. (See, for example, *Future Babble: Why Expert Predictions Are Next To Worthless And You Can Do Better*, Dan Gardner, Dutton Books, 2011) For example, during the double digit inflationary period of the late 1970’s and early 1980’s, retirement billings were over 30% of payroll. Employer contributions to the retirement system were negligible from 1989 to 2004, due to the investment income earned in a booming stock market. However, Government seems unable to save for a rainy day and, concerning future retirement costs, they did not. As a result, the Retirement System started used “smoothing” techniques to shave off part of the peaks and fill in some of the valleys of the portfolio’s value caused by market fluctuations for the purpose of averaging out employer billings over time. To reduce future costs, the Legislature also created a “Tier 5.” Tier 5 employees will have a permanent 3% of salary contribution, a 10 year vesting

period, a further limit on qualifying overtime, and a full benefit retirement age increased from 55 to 62. It is expected that when fully implemented, Tier 5 will reduce employer pension contributions by 20%. As of the most recent reporting period, the Retirement System estimates that for the local employer billing date of February 1, 2012, the contribution rate will be 16.3%. This amount will be applied to salaries earned during the 2010-2011 fiscal year and estimates for the 2011-2012 and 2012-2013 fiscal years. For the purposes of this submission and estimating on the conservative side, we will be applying the 16.3% rate to the full amount of our request of a new salary of \$190,000 for a Supreme Court Justice. For an in-depth explanation of this process please see: “*Annual Report To The Comptroller On The Actuarial Assumptions*,” by Michael R. Dutcher, Retirement Systems Actuary, August, 2010. It is also worth noting that while New York’s defined benefit program is guaranteed by Constitution, the COLA adjustments for retirees are based on 50% of the increase in the CPI with a maximum increase in any one year of 3%. Also, the increase only applies to the first \$18,000 in retirement benefits. See page 34 for the cost estimate.

38.

Memo from OCA Chief of Operations to Judge W. Dennis Duggan, author of this report, March 24, 2011. See also: Report to the Director of the Budget as Required by Section 16 of the Retirement and Social Security Law, October 10, 2010; Annual Report To The Comptroller on Actuarial Assumptions, Michael R. Dutcher, Retirement Systems Actuary. August, 2010. <http://www.socialsecurity.gov/OACT/COLA/cbb.html>

39.

The Tax Foundation reports that from at least 1977 until 2007, New York had the highest per capita State and local taxes. In 2007, New York dropped to # 2 and in 2008 it dropped to # 3. In 2009, it rose to # 2 again. However, in terms of State tax revenue per capita, New York ranked # 7. This report can be found at: <http://www.taxfoundation.org/taxdata/show/471.html>
The other county property tax comparisons can be found at: http://www.taxfoundation.org/files/proptax_county_percentofincome-2007-2009av-20110225.swf

40.

Computation of weighted composite average of Judges’ salaries.

OFFICE	NUMBER OF JUDGES X	% SALARY DIFFERENTIAL	WEIGHTED = AMOUNT
1. Chief Judge	1	150	150
2. Assoc. Judges of the Ct. of Appeals	6	120	720
3. Presiding JSC: Appellate Divisions	4	115	460

4. Associate Appellate Division JSC's	58	110	6,380
5. Presiding JSC, Court of Claims	1	110	110
6. Presiding JSC, Appellate Term	3	110	330
7. Assoc. JSC's of the Appellate Term	12	105	1,260
8. Supreme Court Justices, Trial Term	302	100	30,200
9. Court of Claims Judges	84	100	8,400
10. Surrogate Court Judges	33	100	3,300
11. County Judges	70	100	7,000
12. Family Court Judges	130	100	13,000
13. "Two-Hatters"	11	100	1,100
14. "Three-Hatters"	41	100	4,100
13. NYC Civil Court Judges	116	95	11,020
14. NYC Criminal Court Judges	106	95	10,070
15. NYC Housing Court Judges	51	95	4,845
14. District Court Judges	48	95	4,560
20. City Court Judges	123	95	11,685
Total	1,199		118,690
WEIGHTED AVERAGE =	$\frac{118,690}{1,199}$	= 98.99	

41.

See: http://www.osc.state.ny.us/reports/economic/nys_econ_rpt2-2012.pdf,
www.fiscalploicy.org, March 25, 2011, "Numbers that Count, Issue 2."
(http://www.tax.ny.gov/pdf/stats/collections/sfy10_11/april_2010_tax_collections.pdf)

42.

<http://www.census.gov/compendia/statab/2011/tables/11s0012.pdf>

43.

<http://cgi.money.cnn.com/tools/costofliving/costofliving.html>

44.

This can be found reported at
<http://www.empirecenter.org/DataBank/FileData>

45. See, <http://www.courtinfo.ca.gov/jc/documents/reports/121509item12.pdf>, “Report to the Legislature: Historical Analysis of Disparities in Judicial Benefits,” Judicial Council of California, November 20, 2009.) (See, “Report on Judicial Salaries and Turnover for Fiscal Year 2008-2009, Texas Office of Court Administration,” http://www.courts.state.tx.us/oca/pdf/judicial_turnover_rpt-fy08-fy09.pdf, See also. “Financing the Judiciary in Texas, January 2011, http://www.lbb.state.tx.us/Other_Pubs/Judiciary_Leg_Primer.pdf)
46. http://www.taxfoundation.org/files/proptax_county_percentofincome-2007-2009av-20110225.swf
47. <http://www.taxfoundation.org/research/show/22320.html>
48. http://www.tax.ny.gov/pdf/2010/inc/nyc_tax_rate_150_201.pdf.
<http://taxes.about.com/od/statetaxes/a/City-Income-Taxes.htm>.
49. Response to FOIL request from Town of Colonie Human Resources Department, March 7, 2011.
50. Response to FOIL request from the Bethlehem Town Clerk dated April 11, 2011.
51. See, for example, *The \$8 Billion Question: An Analysis of NYC Pension Costs Over the Past Decade*, John C. Liu, New York City Comptroller, April 2011. This report details how cost increases in the New York City pension system are attributable to increased fees and administrative costs, the decline in the stock market and pension “sweeteners” for New York City employees. The “blame” for those “sweeteners” appears to cross political boundaries and levels of government. The only “sweetener” that applies to Judges, as it does to all other qualifying State employees, is Article 19 of the Retirement and Social Security Law. This law credits a member who joined the system in Tier 1 or Tier 2, i.e. before July 27, 1976, with one month of service for each year of service up to two additional years credit.
52. In June 1999, the **Task Force On Mandatory Retirement Of Judges**,

chaired by the Hon. Walter M. Schackman, reported that when New York's mandatory retirement at age 70 law was passed in 1869, the average life expectancy in America was in the 40's. The Task Force reported that the number of Judges reaching age 70 each year averaged 70 and that there were 370 Judges age 62 or older. There is no reason to believe that those number are not approximately accurate now. From those numbers, we can compute the average age of a New York Judge. If we estimate the entry level age of a Judge to be 40 and we know there are 850 Judges younger than 62, for this group it would have an average age of 51. If we estimated that the 370 judges over age 62 were evenly distributed between 62 and 72, that group's average would be 67. When these two groups are averaged together, we see that the average age of a New York Judge is 56. $(51 \times 850 = 43,350)$. $370 \times 67 = 24,790$. $24,790 + 43,350 = 68,140$. $68,140/1220 = 56$. See also, *Annual Report To The Comptroller on Actuarial Assumptions*, Michael R. Dutcher, Retirement System Actuary, August, 2010, p. 19.

53.

See, Findlaw:

http://www.infirmation.com/shared/search/payscale-compare.tcl?city=New+York&usps_abbrev=NY

54.

LC Classification KFN5980 .A873. Dewey Class No. 344/.747/01281353

55.

This can be found as an exhibit to the Appellants' brief in *Cass v. Evans*, 58 NY2d 460, pp. 67-89. This was a judicial pay parity law suit.

56.

This report can be found in the New York State Library. (Jud 180-1, 1982, 83-71530 c.3)

57.

This report can be found in the Albany Law School Library on micro-fiche at COM 670-1, 6-29-88, 88-5168

58.

<http://www.getcited.org/pub/103259469>

59.

This report can be found on the UCS web site at:

http://nycourts.gov/press/old_keep/salary.shtml

60.

This report can be found on the UCS web site at:
<http://www.nycourts.gov/publications/pdfs/NCSCJudicialCompReport.pdf>

61.

<http://www.atlanticlegal.org/>

62.

RETIRING JUDGES: 1999 TO 2010

The source of these numbers is the Office of the New York Comptroller's response to FOIL request #2011-090.

YEAR	NUMBER RETIRING
1999	38
2000	40
2001	53
2002	42
2003	46
2004	56
2005	43
2006	60
2007	43
2008	38
2009	48
2010	30
TOTAL	537

63.

This figure is reached as follows. It takes 4-5 years for a judge to realize the full benefit of any raise in his or her FAS, final average salary. If a judge received a raise to \$192,500, this would be a \$55,500 raise. If that amount was fully realized in his or her FAS that would result in an increase in retirement pay of \$55,500 x 2/3rds pay = \$36,630. If we inserted a deflating factor to recognize that not all judges would or will receive that full raise for three years and assumed that each would realize, on average, only 60% of that amount we see this: \$55,500 x 60% = 33,300 FAS x 2/3rds = \$22,200 per year per judge in lost retirement. The life

expectancy of a person retiring at age 65 is about 20 years.