

The Coalition of New York State Judicial Associations

30 Clinton Avenue
Albany, New York 12207

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

July 21, 2011

To: The Judicial Salary Commission

Please accept the thanks of the Coalition of Judicial Associations for your time and attention spent hearing 34 witnesses at yesterday's public hearing in Albany.

The Coalition would like to briefly respond to some comments made by Richard Megna, the Director of the Division of the Budget.

1. While Director Megna mentioned that he was paid \$127,000 as the Commissioner of Taxation and Finance, he did not mention that since at least 1999 he has been paid \$178,000 as the Budget director—\$22,000 more than the Chief Judge of the State.
2. He also did not mention that he has three deputies that have made more than the Chief Judge since 1999 and 20 of his staff have made more than \$140,000 since 1999.
3. The Director offered a suggestion that there was a conscious budgetary decision over the years to intentionally keep Commissioners' and Judges' salaries low, partly out of some recognition that public service involves a financial sacrifice and partly as a cost savings matter. This is clearly not the case. The truth is that the Governors could not get raises for their commissioners because the Governors would not approve raises for Legislators. Coupled to this was that neither would approve raises for Judges until they each got something else for themselves. There was never any fact based reason to deny Commissioners or Judges raises. It was all politics all the time.
4. For evidence that it was not a need for public service sacrifice or budget

considerations that led to a Judicial salary freeze, one need only remember that in 2006, the Legislature and Governor enacted a budget with \$69 million for a Judicial pay increase----retroactive to April 1, 2005. The legislature never authorized the release of the money and it was spent on something else. If that money had been placed in an interest bearing account it would now easily pay for a full COLA salary adjustment to \$198,000.

5. The Director, in mentioning that Commissioners had not received raises since 1999, did not point out that there are only a few dozen commissioners, who generally serve during the term of the governor who appointed them, while there are over 1,200 Judges who have chosen to make a career in the Courts.

6. In suggesting that a full COLA raise for Judges “would skew the entire system,” the Director offered no explanation how giving to 1,200 Judges what the Legislature and Governor gave to 224,000 other state employees over the past 12 years would do this.

Thank you for taking these comments under consideration.

Very truly yours,

W. Dennis Duggan, F.C.J.
wduggan@courts.state.ny.us