

**Judicial Council of Georgia
Ad Hoc Committee on
Judicial Salaries and Supplements**

Final Report

August 18, 2023



Section 1: Introduction/Committee Background

The Judicial Council of Georgia Ad Hoc Committee on Judicial Salaries and Supplements was created by Supreme Court Order, on May 26, 2022, for the following purposes:

1. To update and expand upon the December 16, 2016 report of the General Assembly’s Judicial, District Attorney, and Circuit Public Defender Compensation Committee to reflect current amounts of state-paid salaries, state-paid salary supplements (e.g., for accountability courts), and county-paid salary supplements, as well as any state-paid or county-paid retirement benefits or other significant monetary benefits related to supplements, for justices of the Supreme Court, judges of the Court of Appeals, the Judge of the State-wide Business Court, superior court judges, district attorneys, and circuit public defenders, and to update comparisons to salaries for similar positions in other states;
2. To identify which county-paid officials’ salaries or retirement supplements are determined by reference to the salaries or supplements of superior court judges, district attorneys, or circuit public defenders, so as to better understand the consequences of changes to the compensation of state-paid officials;
3. To develop, evaluate, and recommend options for revising or eliminating the system of county-paid supplements, including the costs to the State and the counties of any options that are deemed practically and politically feasible, including by garnering supermajority support from the superior court judges.

The committee’s initial term was set June 1, 2022 through May 31, 2023, unless extended by further order. At the request of the committee, an order was issued on May 11, 2023,¹ extending the committee’s term to August 31, 2023, to allow more time to continue its work. An initial report² was provided to the Judicial Council on December 9, 2022. Led by Co-Chairs Justice Charles J. Bethel and Chief Judge Russell Smith, the committee includes representatives from every class of court, district attorneys, public defenders, local government, constitutional officers, court administrators, and the State Bar of Georgia, as voting members, and advisory members.

The committee held six meetings – July 12, 2022, September 22, 2022, November 17, 2022, April 28, 2023, July 25, 2023, and August 10, 2023. Following discussion at the July 12, 2022, meeting, the co-chairs created three subcommittees to organize and advance the committee’s work: Outreach and Feedback, Metrics and Measures, and Trial Courts of Limited Jurisdiction. The Trial Courts of Limited Jurisdiction Subcommittee met on October 12, 2022, and sought to bring together disparate trial court compensation data.³ The Outreach and Feedback Subcommittee met on February 6, 2023, to plan for a

¹ The Extension Order appears as Appendix A of this report.

² The Initial Report appears as Appendix I of this report.

³ See Trial Courts of Limited Jurisdiction overview appears as Appendix B of this report.

survey of superior court judges. The survey was open for responses from March 15, 2023, to March 31, 2023; the results of which were presented at an April 13, 2023, meeting of the subcommittee. The findings were presented to the full committee on April 28, 2023.⁴

The December 15, 2016, Report of the Commission on Judicial, District Attorney and Circuit Public Defender Compensation and the Initial Report of this Committee issued in December 2022 are part of the appendix to this report. While there is, therefore, no need to reiterate them in full, a brief summary may be helpful in providing context to the information contained in this Final Report.

The 2016 Report was issued by a committee created by the General Assembly. Among other things, it extensively outlined the history of judicial, district attorney, and public defender compensation in the state and concluded that this state's system of compensating these officials was "riddled with anomalies and inconsistencies." The Commission noted that not only was there a vast disparity (at that time \$75,200) between the pay of the highest and lowest paid superior court judges, but also that many superior court judges earned substantially more than judges of the Court of Appeals and justices of the Supreme Court. The Commission identified as negative consequences of these problems the "reasonable perception" that the compensation structure was unfair, which the report notes can lead to decreased morale and increased turnover.

It further declared that Georgia's system was "an outlier among outliers" as no other state system results in such a disparity in pay; and recommended that the system of compensating all such officials be reformed.

The 2016 Commission and the current Judicial Council committee have both focused on the system whereby judges and attorneys who are state employees may receive a salary "supplement" from their counties in addition to their state salary as a central element producing the negative consequences identified in the 2016 Report.

This Committee's initial report noted that the inconsistencies and disparity noted in the 2016 Report still persist: currently 59 percent of superior court judges earn more than Supreme Court justices and judges of the Court of Appeals. In Georgia, the 8th largest state by population, the compensation of justices of the Supreme Court ranked 31st (which has now fallen to 35th) in the Nation and that of Court of Appeals judges ranked 21st (now 23rd).

The disparity of pay between the highest and lowest paid superior court judges stands at \$68,200. As a consequence, Georgia superior court judges could be ranked fourth or 43rd among our sister states depending solely on the local supplement provided by their local governments. Meanwhile, *the state paid portion* of the salary of Georgia superior court judges was the second lowest in the nation, with only West Virginia being lower. The report further noted that an additional disparity among the superior court judges exists

⁴ See Superior Court Judge Salary Survey appears as Appendix H of this report.

related to their retirement compensation as approximately half of the judges do not receive any retirement on the county supplements which they receive.

The Committee presents this final report to the Judicial Council of Georgia as the culmination of efforts to provide an update on the current state of judicial compensation in Georgia. As mentioned in the initial report, persistent obstacles include the absence of a uniform compensation structure or standard requiring that compensation be regularly reported or published. While the initial report focused largely on the first two purposes of the Committee, this final report is largely dedicated to the third purpose: developing, evaluating, and recommending options to revise or eliminate the system of county-paid supplements.

In completing each of the tasks required by the Supreme Court Order creating it, the Committee and the assigned Judicial Council/AOC staff have endeavored to provide a transparent process, to be open to suggestions and criticism from all stakeholders and to craft a solution to these long-standing problems which is fair and beneficial to all concerned and serves to improve the administration of justice. The Committee, therefore, submits its proposal for compensation reform set forth in section 5 of this report.

Section 2: Updates Since the December 2022 Report

This Section will provide a brief overview of the changes in judicial compensation that have occurred since the Committee's initial report in December 2022. This includes changes during the 2023 Legislative Session as well as review of the most recent National Center for State Courts (NCSC) Salary Tracker tool.

2023 Legislative Session

HB 19, or the FY 2024 General Budget, included a \$2,000 cost-of-living adjustment, which included all judges of the appellate, superior courts, and State-wide Business Court. This year's increase was a simple \$2,000 salary increase for all employees, effective July 1, 2023. The table below shows the updated state-paid salaries for judges following the passage of HB 19:

Table 1: HB 19 Impact on Judicial Salaries

	FY23	FY24
Supreme Court	\$184,112	\$186,112
Court of Appeals	\$182,990	\$184,990
State-wide Business Court	\$182,990	\$184,990
Superior Court	\$139,970	\$141,970

In addition to HB 19, two pieces of local legislation passed during the 2023 legislative session which updated local supplements to superior court judges. HB 265 updated the

supplement for superior court judges in the Rockdale Judicial Circuit from \$25,253 to \$30,000.

HB 694 updated the supplement in the Stone Mountain Judicial Circuit as well as the salaries for the many positions tied to superior court judges in that circuit. The legislation increased the Stone Mountain Judicial Circuit's supplement to \$80,200, bringing them up to the highest current supplement amount on par with the Augusta and Columbia Circuits.

In addition to local legislation, at least three other circuits have increased their supplements since the 2022 Report (Flint, Piedmont, and Western).⁵

January 2023 NCSC Salary Comparison

The 2022 Initial Report referenced the July 2022 NCSC salary tracker for all comparisons. In the time since, NCSC has released its January 2023 report (at the time of the drafting of this report the NCSC is currently drafting its July 2023 report, but it is unlikely to be published before the expiration of this Committee)⁶.

The January 2023 Report ranked Georgia 35th for Courts of Last Resort (31st in July 2022), 23rd for Intermediate Appellate Courts (21st in the July 2022 Report), and 24th for Court of General Jurisdiction (23rd in the July 2022 Report). These amounts do not reflect the COLA amounts mentioned in the previous section due to the timing of the Report, however it is notable that, as a result of recent increases in judicial salaries in other states, all classes of court saw a decrease in their rankings since the writing of the initial report. As the initial report emphasized, because of Georgia's unique system of compensation it is difficult to compare the salary of superior court judges to that of general jurisdiction trial court judges in other states. The National Center uses a median salary for superior court judges in its rankings.

Section 3: National Landscape

Staff to the Committee conducted research to assess the various models and mechanisms by which individual states determine judicial salaries. The overarching finding is that no two states are exactly alike in the manner salaries are set, with each state utilizing its own, tailor-made methodology to best reflect its respective values and legislative nuances. Even with the variance in models, other than Georgia, each state still has a well-defined system in place with certain structures gaining popularity over others.

This research assesses the most common models within the perspective of comparative states to Georgia in terms of population, and geographic location. These states include North Carolina, Michigan, Virginia, Illinois, Ohio, Pennsylvania, and Tennessee. Ultimately, this research demonstrates the various options employed by other states,

⁵ For the full updated compensation for superior court judges see Appendix G.

⁶ <https://www.ncsc.org/salarytracker>

providing a range of methodologies for the possible adoption of a new judicial salary and supplement system within the state of Georgia.

Base Model Format: Statute, Appropriations, or Commission

States use three different base formats to structure judicial salary determinations, with some states adopting a hybrid format. These methods include statute, annual appropriations or salary legislation, and judicial salary commission oversight.

Salary Setting Via Statute

Several states set judicial salaries via statute. To amend the salaries beyond the amount provided in statutory language, the state legislature must pass a new statute. Importantly, when salaries are fixed purely in this manner, there are no set review periods; rather, it is entirely at the state legislature's discretion. This model sets judicial compensation under the control of state legislatures. Some version of a statutory model is by far the most common approach among the various states, with thirty-one out of the fifty states adopting this format.

Various methods of statutory salary setting are used across the different states (e.g., computational or correlation with federal district court judicial salaries) with some states adopting hybrid measures to account for changes in economic conditions or other fluctuations. While these various methods address the lack of routine review inherent within a statutory judicial salary scheme, the statutory format still allows the legislature to maintain strict control over the timing of any reviews and subsequent updates. Many of the states that opt for a statutory format will include an expiration date within the statute itself. For example, Ohio's judicial salaries are set via O.R.S. § 141.04 which stipulates salaries through 2028. By this same token, desired changes to the statutory code require the political capital and procedural process for realization. As such, this method is typically less adaptable or flexible to meet the more immediate needs of the state as a whole and state judiciary.

Statute Format in Comparative States

Of the comparative states, Tennessee, Pennsylvania, Ohio, and Michigan employ a purely statutory format for judicial salary and supplement setting. Virginia utilizes a quasi-statutory approach combined with an appropriations bill determining annual judicial salaries. In this method, the statute codified in Virginia Code § 17.1-415 sets the Virginia Court of Appeals salary as equal to ninety-five percent of the Virginia Supreme Court salary. All other judicial salaries are established via the general appropriations act each year.

Notably, Illinois previously used the statutory method but transitioned to an annual appropriations bill in 2015. These changes occurred against a backdrop of legal disputes between Illinois lawmakers and the judicial and executive branches citing a lack of consistency in judicial salaries that reflected state budgetary allotments. Currently,

judicial salaries in Illinois are subject to continuing appropriation, with automatically renewing percentage-based salary increases built into the budget.⁷

Salary Setting Via Appropriations Bill

Alternatively, eleven state legislatures determine judicial salaries within the greater state budget via routine appropriations legislation. Undoubtedly, this format provides the most opportunity for review and amendment in accordance with state budgetary allowances based on present economic conditions. On the other hand, states that adopt this method rarely have judicial input, relegating judicial compensation determinations to the state assembly as part of broader budgetary strategy. Some exceptions to this apply; such as in Delaware, where a commission recommends the appropriate range for the legislature to determine the specific figures within its general appropriations bill.

Appropriations Bill Format in Comparative States

Only two comparative states adopt a pure appropriations bill format: North Carolina and Illinois. Neither state has a commission providing judicial input or review. In fact, Illinois abolished its commission in 2009 prior to the sweeping format changes mentioned previously in 2015. As also previously mentioned, Virginia adopted a quasi-statutory and appropriations approach in which salaries beyond the percentage formula of the Virginia Court of Appeals are specified in the general appropriations act each year.

While not an official comparative state, South Carolina utilizes a hybrid statute and appropriations bill format. Essentially, the legislature sets the chief justice base and then S.C. Code 14-1-200 requires all other judicial salaries to be set as a percentage of the chief justice as detailed within the statute.

Salary Setting via Appointed Commission

Finally, ten states use a format in which a specially delegated commission is assigned to review and determine judicial salaries. The composition, authority, and timing requirements of these commissions vary state-by-state. Some states elect to have multibranch representation on the commission, while select others only appoint representatives from the judiciary (i.e., New York, Oklahoma, Maryland, and Louisiana). Importantly, states with a salary commission format empower them with binding authority (except for Louisiana). Within each commission format state in which binding authority is granted to the oversight body, the legislature still retains the power to override the commission's final decision by majority vote.

The required timing of review varies across each commission format state. For example, Arizona and Oklahoma have specific review requirements determined by the legislature in its grant of authority to the commission, whereas the commissions of Arkansas, Delaware, Hawaii, and Missouri have no set timing requirement. Oklahoma requires its Board on Judicial Compensation, a commission comprised of members of the judiciary

⁷ <https://www.civicfed.org/iifs/blog/why-illinois-lawmakers-stand-receive-pay-increases>

only, to review judicial salaries every third Tuesday of September in every odd-numbered year.

Some states have a commission to provide oversight, though it is not their primary format for setting state judicial salaries. For example, Connecticut has a Commission on Judicial Compensation with advisory (non-binding) authority and comprised exclusively of members of the state judiciary. However, the state's primary format for setting judicial salaries is codified within its statutory scheme. New Hampshire has a statutory scheme but is currently reviewing a possible transition to the commission format entirely as of 2023.

Commission Format in Comparative States

As previously stated, no comparative state leverages the commission format; and only Michigan still maintains a commission with advisory, non-binding authority. The stated purpose of this commission, the State Officers Compensation Commission, is to provide routine oversight and recommendations for judicial compensation to the state legislature for review. The multibranch commission is required to meet no more than fifteen days after January 31st of every odd-numbered year. While the commission's recommendations were originally automatic and binding, they were changed in favor of a statutory format in 2002. Since that time, judges, and other state officers subject to the commission, have found it more difficult to receive pay increases.⁸

Base Model Methods: Computational; Standalone Bill; Federal/Other State Correlation

Within the three previously detailed model formats, states further utilize several different methods to determine judicial salaries. While these methods vary significantly, a few key approaches have been most widely adopted including: computational (specific figures or percentage structure), standalone bill, or tie to federal or other states' judges.

Salary Setting via Computation

In this context, a computational structure stipulates the salaries for each judicial role, often also outlining any salary increase structure within the statutory framework. For example, Tennessee Code § 8-23-103 fixes the chancellors, circuit court judges, criminal court judges, and law and equity salary at \$78,000 per annum.⁹ Within the same statute, any change in increase is determined by a formula provided in Tennessee Code § 8-23-101. This method is the most common among states implementing any of the formats previously discussed. Twenty-five states have implemented at least a partial computational component to their judicial salary structure. Legislatures will often include an expiration date at which point the legislature must review and then renew or update the statute accordingly.

⁸ <https://www.lansingstatejournal.com/story/news/2021/05/07/commission-recommends-2-percent-raise-michigan-governor-sos-ag-legislature-justices/4988214001/>

⁹ Per NCSC the pay for such judges is \$194,808 as of 1/1/2023

Section 4: Superior Court Salary Survey

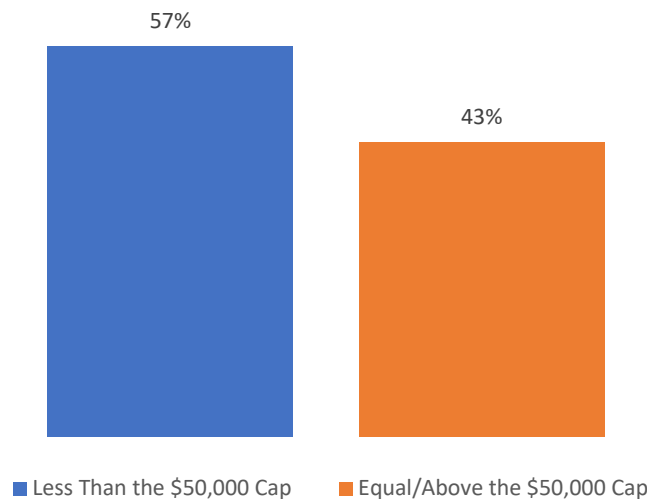
The Outreach and Feedback Subcommittee of the Ad Hoc Committee on Judicial Salaries and Supplements administered a survey from March 16, 2023, through March 30, 2023. The results of this survey were distributed to all Judicial Council members and formally presented to the Ad Hoc Committee on Judicial Salaries and Supplements on April 28, 2023. The survey asked questions regarding tenure profile, local supplements, number of counties per circuit, retirement on local supplements, and general questions about the overall compensation system. The response rate was strong with 187 (84 percent) superior court judges responding.

Demographics

The first four questions of the survey asked respondents demographic questions. The first question, regarding years of service as a superior court judge, did not indicate any association with other answers in the survey. On the other hand, the question regarding local supplements did show some grouping on certain questions. As such, the results of question #2 are displayed below in Figure 1.

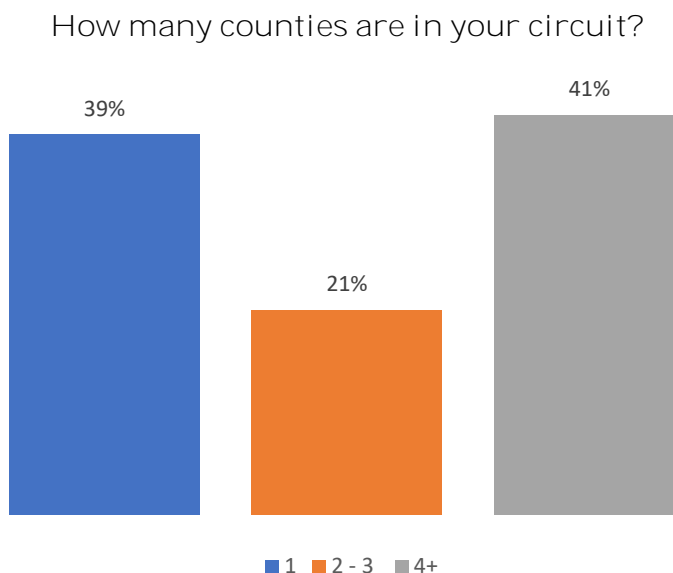
Figure 1: Question #2 Superior Court Salary Survey

Are the local supplements paid by your circuit/counties?



This response rate shows that while response rates for both groups were strong, judges who make less than the \$50,000 cap were more likely to respond. A few trends exhibit an association with how judges responded to this question. Similarly, the number of counties in the judge's circuit showed an association with other survey responses. The results to this question can be found below in Figure 2.

Figure 2: Question #3 Superior Court Salary Survey



Of the responding judges, most judges come from a circuit comprised of two or more counties. One-county circuit judges had a 76 percent response rate, two/three-county circuits had an 85 percent response rate, and the four or more category had a 94 percent response rate. This indicates judges from circuits with multiple counties were more likely to respond to the survey overall.

Compensation

Judges were asked to rate their compensation satisfaction with one of the following: extremely satisfied, very satisfied, somewhat satisfied, dissatisfied, or very dissatisfied. The most common response at 44 percent was “somewhat satisfied.” All in all, 63 percent were at least somewhat satisfied with their compensation.

The survey also asked if the current compensation system is fair to all superior court judges. With a strong majority, 81 percent stated they did not believe the system is fair to all superior court judges. Similarly, another question asked respondents if they think Georgia appellate judges should receive a higher compensation than trial court judges. Another strong majority of 70 percent stated appellate court judge salaries should be higher than trial court judge salaries. These two responses indicate a widespread desire for reform to fairness in judge compensation in Georgia.

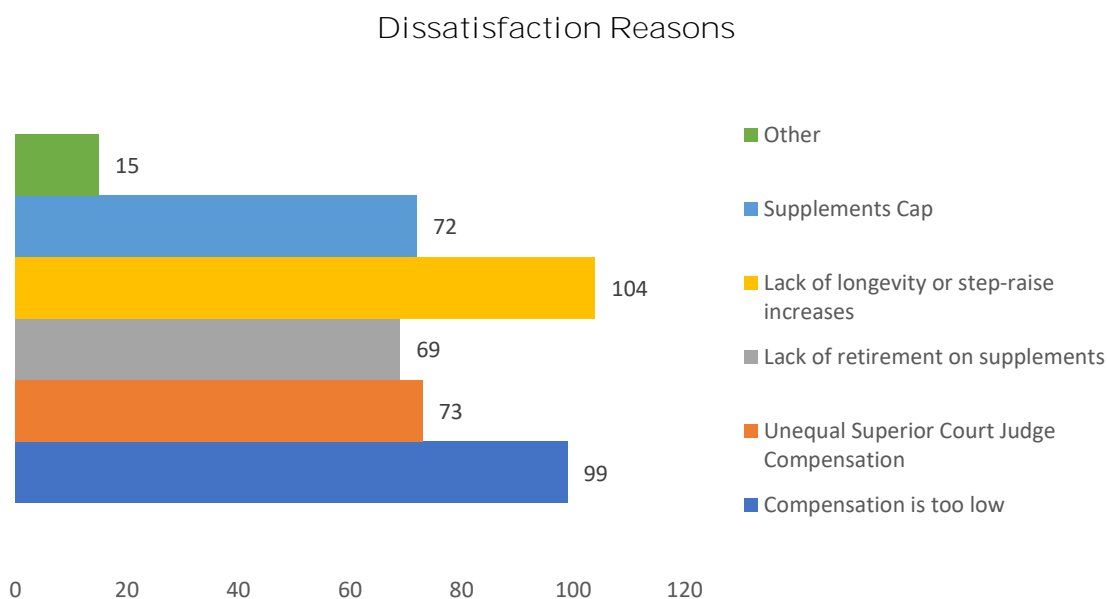
Another question asked if the respondents believed the current compensation system adversely affects the ability to attract and retain qualified lawyers to the bench. Overwhelmingly, 151 (81 percent) reported that they believe current compensation rates discourage qualified lawyers from joining their circuit bench. A later section of this report outlines some of the key differences between judges receiving a supplement below the cap versus those receiving a supplement equal to or above the cap. Importantly, there appears to be strong agreement between both groups on this issue. 85 percent of those below the

cap and 75 percent of those equal/above the cap believe current compensation discourages qualified lawyers.

Overall Dissatisfaction

Taking a closer look at the issues with compensation, respondents were asked to select from a slate of concerns. The results of which can be found below in Figure 3. It's important to note that while only 70 respondents reported being dissatisfied or very dissatisfied with their compensation, 164 of the 187 respondents gave a dissatisfaction reason.

Figure 3: Question #7 Superior Court Salary Survey



The two dominant selections were a lack of longevity or step-raise increases (104) followed by compensation (99). This question shows that while issues like retirement benefits and supplements play a role in the issues, most superior court judges take issue with their direct compensation.

The judges were also asked if they have ever considered leaving their position due to their compensation. While 38 percent stated they have never considered leaving their position for this reason, a combined 62 percent of respondents indicated they at least occasionally make the consideration.

Supplements

Since all judges now receive a local supplement in addition to state compensation, this survey also included important information related to supplements. As outlined above, the second question of the survey asked if respondents received at least \$50,000 in local supplements. Another question asked if respondents felt the current system of supplements should be modified, eliminated, or phased out in favor of a uniform system

of compensation. 57 percent stated a new uniform system should replace the current supplement system.

There is some association between the number of counties per circuit and support for reforming to a uniform compensation system. 82 percent of respondents in circuits with four or more counties supported the uniform system approach. There was a slight decrease among the two to three county circuit respondents, with 51 percent favoring the reform. Only 35 percent of respondents from single-county circuits supported modifying, eliminating, or phasing out the current supplement system in favor of a uniform system of compensation.

Respondents were also asked about their support for a cost-of-living supplement tied to an objective measure such as the Consumer Price Index. 71 percent of judges supported this measure. Interestingly, there was very little disparity between the two cohorts surrounding the supplement cap issue. 73 percent of respondents receiving equal to or above the supplement cap supported a cost-of-living supplement. Similarly, 67 percent of those receiving less than the supplement cap supported the cost-of-living supplement. This is not surprising considering current rates of inflation.

Supplement Cap

As mentioned above, 57 percent of respondents reported receiving less than the supplement cap while 43 percent receive a supplement equal to or above the cap. As a result, the former had a response rate of 92 percent, and the latter had a response rate of 75 percent – compared to the overall response rate of 84 percent. This means judges who receive a supplement less than the \$50,000 cap were more likely to respond to the survey. Similarly, 94 percent of that same group felt the current system of compensation is unfair – as opposed to the overall response of 81 percent.

78 percent of those receiving a supplement of at least \$50,000 also agreed that appellate court judges should receive higher compensation than trial court judges compared to the overall 70 percent support from all respondents. Only 27 percent of this group supported reforming the current supplements with a uniform supplement system. Interestingly, 79 percent of those receiving less than the \$50,000 cap supported reforming.

Retirement

The survey showed retirement benefits are a critical component in superior court judge compensation. Overall, about half (52 percent) of respondents reported receiving retirement benefits on both their salary and supplement compensation. Judges receiving at least \$50,000 in supplements, but no retirement benefits on those supplements, were more likely (68 percent) to support reforming the current supplement system for a uniform one. Juxtaposing the overall 27 percent of those at the supplement cap who support reforming the supplement system, this shows supplement retirement is important to both those receiving supplements. Moreover, the fact that almost half of the judges receive no retirement on their supplements (including some who receive high supplements), is an additional source of disparity, dissatisfaction, and frustration.

2016 Report Recommendations

One of the final survey questions asked judges for their views on the recommendations made in the 2016 Report of the Judicial, District Attorney, and Circuit Public Defender Compensation Commission. Regarding these recommendations, 40 percent agreed, 26 disagreed, and 34 percent did not know their opinion. As with other questions, this question indicated grouping based on whether the judge receives a supplement of at least \$50,000. 53 percent of respondents receiving less than the supplement cap agreed with the 2016 recommendations – 10 percent disagreed while 37 percent did not know. In contrast, 26 percent of those receiving at least the \$50,000 supplement cap agreed with the recommendations while 46 percent disagreed, and 31 percent did not know.

Other Concerns

The final question of the survey allowed judges to include additional comments or concerns. Some of the prominent suggestions in these responses included:

- Tie pay to federal judge compensation;
- Update the base salary while still allowing some local supplements;
- Remove/modify the cap on local supplements;
- Introduce mechanisms to have all judges receive retirement on their full compensation;
- Create ways to automate salary increases through tenure or through CPI adjustments;
- Follow the recommendations of the CSCJ Compensation Committee

The proposal included in this final report takes into account much of the input received from the survey of superior court judges and attempts to build a plan that would address many of the concerns highlighted in this Section.

Conclusions

This survey showed divergent viewpoints on two major distinctions. The most consistent division was dependent on whether a judge reported receiving at least \$50,000 in local supplement compensation. If they received less than the cap, then they probably had a stronger appetite for reform to overall compensation and uniform standards for supplements. Opposite that, those receiving at least \$50,000 in local supplements were mostly concerned with reforming retirement benefits – if they had major concerns at all. The other point of divergence was along number of counties per circuit. The more counties in a circuit, the more likely a judge was to prefer reforms to supplements or overall salaries.

All in all, the most agreement came on two questions in the survey. More than four out of five judges agreed that the current compensation system is unfair. The exact same percent (81 percent) also agreed the current compensation system is an obstacle to attracting and retaining qualified lawyers to the benches across Georgia. The ultimate recommendations of this report seek to address all the concerns found in this survey, bring more fairness to the system, and seek out the next generation of jurists.

Section 5: Compensation Plan Proposal/Proposed Salary Structure

As the committee has continued to gather research and seek out the opinion of superior court judges, it has undertaken the effort to develop and evaluate proposals to revise or eliminate the system of county-paid supplements. The committee sought the input of all superior court judges through its survey conducted in March 2023 and welcomed proposals at and following its April 28, 2023, meeting. At the April meeting various concepts and proposals were presented and discussed by the Committee. Following discussion, the Committee voted to further explore and expand upon a concept presented by Committee Co-Chair Justice Bethel. In the wake of that decision, the co-chairs created a working group to further develop the proposal. This Section highlights the proposal and the efforts of the working group to add necessary detail.

Through the committee's work on the initial report and the responses to the survey of superior court judges, it has been clear that any proposal would need to: (1) Correct the substantial, long-standing disparity in the compensation of superior court judges (2) bring stability to the compensation structure of state-paid judges, (3) address the stagnation in judicial pay, and (4) account for differences in cost-of-living. In addition to these considerations, any plan is also limited by constitutional provisions protecting the compensation of superior court judges as well as preventing the General Assembly from binding future sessions of the legislature.

These considerations, in addition to the **committee's interest in protecting vested and** expectation interests of sitting public servants, drive the form of the proposed compensation model. One of the key elements of this proposal is to begin with a base salary with the prospect for steady increases over time. This model couples that base salary with the opportunity for a maximum authorized salary subject to the General **Assembly's** appropriations process. The model accounts for how to grandfather sitting judges into their current compensation and retirement benefits. The proposal uses a benchmark to create certainty for budget submissions at the beginning of each fiscal year. It does not attempt to provide the legislative framework that would be needed should this model be supported by the Judicial Council and superior court judges.

Creating a Base Rate Salary Structure

The idea of creating a base rate to which judicial salaries can be tied is a very important piece **to the proposed model. Currently, Georgia's judicial salaries are set by statute. To** update the underlying salary for state-paid judges, a bill making statutory changes must **pass the General Assembly and receive the Governor's signature.** Moreover, an approved adjustment often cannot be funded in the budget process without reducing another expenditure in the draft budget. Judges are eligible for and at times receive pay raises or adjustments that apply generally to state employees through the appropriations process, but there is no procedure in place for the salaries of Supreme Court justices, judges of the Court of Appeals and superior court judges to be adjusted regularly as there is for other state employees. This is particularly important for these judges who receive no longevity

increases in pay-the rate of pay is the same for judges with 1 year of service as it is for judges who have served for 30 years. Also, for example, other state employees may receive increases in compensation as a result of longevity increases built into their pay structure, because of increases mandated by law (as is the case with constitutional officers) or as a result of an increase in compensation that results from an increase or change in the amount budgeted. None of these are currently applicable to Georgia appellate or superior court judges. **This structure is one reason that the statutory salary for Georgia’s judges has remained unchanged since HB 279 (2015).** Setting salary via statute appears to be a major contributor to the stagnation of judicial salaries over time. It is also believed to be the primary reason that there was no increase in statutory salary of superior court judges from 1999 until 2015 – a period of 16 years.

This model addresses this problem by providing for a system of regular potential salary adjustments and by limiting the locality pay to a defined maximum percentage of total compensation.

The proposed compensation model would set the maximum authorized salaries of the appellate and superior court judges as a percentage of the compensation of federal district court judges. Additionally, it provides for adjustments to the amount authorized as the pay of district court judges increases, based on the given percentages, but always subject to the discretion of the legislature.

This creates more consistent compensation across the Judiciary and provides certainty for both the judges themselves and appropriators. Additionally, it helps eliminate some of the uncertainty around a statutory salary that may become decreasingly suitable over time. The proposed percentages can be seen below. While specific application differs by state, New York, South Carolina, Utah, and Missouri use federal judicial salaries to set base rates for judicial compensation.

Table 2: Proposed Base Rate Salary Model

	% of Federal District Court	Potential Salary	Current Salary (FY24)
Supreme Court	100%	\$223,400	\$186,112
Court of Appeals	95%	\$212,230	\$184,990
State-wide Business Court	92%	\$205,528	\$184,990
Superior Court	90%	\$201,060	\$141,970

The true benefit of tying salary to federal judicial pay is that it creates a system that builds in potential increases in the base salary rate. The Federal Ethics Reform Act of 1989 ensures that federal judges receive annual adjustments in their pay so that their compensation is not eroded by inflation. By using district court pay as the base rate, the plan will remove the need for standalone salary increase bills in the General Assembly and address salary stagnation concerns. As previously mentioned, the statutory salary of

state-paid judges **hasn't changed since 2015**; the table below shows how federal judicial pay has changed over that time.

Table 3: Federal Judge Salaries 2016-2023

Year	District Judges	Circuit Judges	Associate Justices	Chief Justice
2023	\$232,600	\$246,600	\$285,400	\$298,500
2022	\$223,400	\$236,900	\$274,200	\$286,700
2021	\$218,600	\$231,800	\$268,300	\$280,500
2020	\$216,400	\$229,500	\$265,600	\$277,700
2019	\$210,900	\$223,700	\$258,900	\$270,700
2018	\$208,000	\$220,600	\$255,300	\$267,000
2017	\$205,100	\$217,600	\$251,800	\$263,300
2016	\$203,100	\$215,400	\$249,300	\$260,700

Source: uscourts.gov

To account for the timing and appropriations process differences between the state and federal governments, the proposal contemplates setting the base rate as the first date of the fiscal year preceding the fiscal year in which the budget is presented. State agencies must submit their budget each fall (September 1) for the fiscal year that begins the following July. The model could work with linking the base rate to the first day of the prior fiscal year or any other point as defined by the policy making branches. The key element is the predictability of a date preceding the initiation of the budget process.

It should also be noted that the new base rate salary structure would replace the current combination of statutory pay and accountability court supplements, creating a single uniform state salary. As noted in the initial report, all judges currently receive the additional \$6,000 accountability court supplement. Obviously, if the policy making branches discern the continuing need to specifically incentivize accountability court creation, a targeted supplement for that purpose could be incorporated into the model.

Maximum Authorized State Salary Concept

The base rate salary structure answers many of the needs outlined in the initial report and the survey. However, a successful compensation plan must ensure it is legislatively and constitutionally compliant. In Georgia, the General Assembly cannot pass laws that bind future sessions of the General Assembly. Any means to create salary escalation must adhere to these principles.

To do this, the proposed plan adopts the concept of a maximum authorized state salary. This ensures that any salary increase is subject to appropriation while also creating a floor **of the previous year's salary. This would require that, each year, the maximum authorized salary for each position is equal to the aforementioned percentage of the federal district courts.** This brings certainty to the budget submission process by giving the courts a

framework for salaries they will request each year; however, it does not bind the legislature to approve the funding for any requested increases.

For example, due to abnormally high inflation, the salaries of federal district court judges increased at an above average rate from 2022 to 2023. The courts could request the full increase for each judge; however, the legislature retains full discretion to fund any amount **between the maximum authorized salary (\$232,600) and the previous year's salary (\$223,400).**

Locality Pay

Throughout this process it has been very clear that, while the supplement system has created issues throughout the State, the cost of living may vary from circuit to circuit or even within a circuit.

The 2016 Report called for the eventual elimination of county supplements. The Chief **Justice's Order which established this Committee requires it to "...develop, evaluate, and recommend options for revising or eliminating the system of county-paid supplements..." [emphasis supplied]. The Chief Justice's Order goes on to provide that options identified by the Committee must be "practically and politically feasible." Whether or not it is preferable to completely eliminate county supplements, the enormous disparity in compensation between the highest and lowest paid Superior Court judges has rendered it practically and politically infeasible to completely eliminate any form of county-paid compensation.**

This proposal introduces the idea of an authorized locality pay which would permit but not require counties to offer a set percentage of the state pay to offset an increased cost-of-living in their circuit.

The proposal would include an optional locality pay of up to ten percent of the state salary paid to superior court judges. The ten percent limit prevents the system from devolving into a more muted version of the current compensation system. While the committee discussed tying locality pay to an objective economic indicator, it ultimately decided to include locality pay as an option for counties. That way, each county in each circuit can choose to bolster the salary of judges in areas where cost of living may be higher.

By setting the locality pay as a relatively small percentage of the state salary, the county-paid compensation does not become a salary replacement. Most importantly, however, notwithstanding the inclusion of such a provision, the proposal dramatically reduces the disparity in compensation. It also ensures that the compensation of superior court judges does not exceed that of the justices of the Supreme Court and will not substantially exceed that of Court of Appeals judges.

In addition, the committee proposes that it should be left to the counties to decide if they would like to pay additional retirement benefits based on the locality pay. For multi-county circuits, the locality pay would be divided by the counties in the manner they so

choose, similarly to the way supplements are paid today. Judges in multi-county circuits would not be entitled to receive total locality pay exceeding the ten percent limit. The table below shows the impact of ten percent locality pay for the maximum authorized salary in FY24 and FY25.

Table 4: Potential Locality Pay in FY 2024 and FY 2025

FY	Maximum Authorized Salary	10% Locality Pay	Total Salary
2024	\$201,060	\$20,106	\$221,166
2025	\$209,340	\$20,934	\$230,274

Ultimately, this would create a system not unlike Texas where counties are able to offer a supplement, but the amounts are strictly capped on a yearly basis to prevent a wide disparity amongst its judges. Locality pay ensures counties that feel the state salary is not enough to be competitive in their area may continue to offer additional incentives, while still eliminating many of the negative aspects of the current supplement system.

In addition, to protect annual compensation of sitting judges the proposal acknowledges that certain circuits currently offer additional supplements to chief judges above the total circuit supplement. This proposal suggests that any existing supplements for chief judges be allowed to continue at the maximum supplement at the time of implementation of the plan (see Compensation Commission section for further recommendations related to Chief Judge compensation).

Grandfathering

One of the most important and challenging aspects of proposing a compensation model is grandfathering sitting judges to ensure their compensation is protected. For example, in the 2016 Report, the final plan proposed a state salary of \$175,000¹⁰ and allowed judges to either accept the new state pay while giving up their local supplement or to continue their current compensation plan. All new judges would have received the first option, eventually replacing judges who chose to remain in their current compensation plan until all judges were included in the new state pay option.

This committee’s proposal will also require some level of grandfathering to ensure it meets constitutional approval. Since no plan can reduce the compensation of a sitting judge, the plan seeks to fully ensure no judge experiences a reduction in compensation. The proposal also recognizes that because many different circuits offer different levels of retirement benefits on local supplements, protections should also be made to ensure that no judge loses any retirement benefits they earned prior to the enactment of the legislation.

¹⁰ Per the U.S. Bureau of Labor Statistics CPI Inflation Calculator, that amount (\$175,000), adjusted for inflation would be equivalent to \$216,851 as of January 2023.

To meet constitutional standards and to address concerns from judges about their current retirement plans, the grandfathering portion of the proposal has three tenets: (1) allowing sitting judges to remain under their current compensation with an opt-in clause, (2) ensuring the same annual compensation for all sitting judges, and (3) ensuring that no judge loses any retirement benefits earned prior to the enactment of the legislation.

Opt-In

As noted, the Georgia Constitution protects an incumbent judge's salary, allowance, or supplement from being decreased during their term of office. To comply with this provision, the committee is proposing that all sitting judges will have the option to opt-in to the plan at the time of its effective date. Any judges who do not opt-in will remain under their current compensation plan for the duration of their service. Judges who decide to remain in their current plan would continue to receive their current state salary and county supplement, with the ability to increase the supplement to the maximum supplement amount at the time of implementation of the plan. However, it is important that each judge have the ability to evaluate their unique circumstances and make the best financial decision for themselves. By allowing judges to make the decision to opt-in to the new system or continue to receive their current State salary and county supplements, the proposal ensures that all judges can make the choice that best suits them.

All judges taking office after the effective date of the legislation would be subject to the new compensation plan.

Annual Compensation

Depending on the timing of implementation and the level of funding, a small number of judges may need to be partially grandfathered into their local supplement. For example, if this plan was implemented in FY 2024 with the salary of \$201,060, 69 judges would currently receive a higher salary without the proposed model due to local supplements. If a ten percent locality pay were adopted in each circuit, that figure could drop to as low as 18 judges in the first year of the plan.

Due to the nature of the model, these circuits would be caught up quickly depending on **the legislature's willingness to fund the maximum authorized salary in FY 2025.** If the new maximum authorized salary were adopted in FY 2025, the number of judges currently receiving a higher salary drops to 49. Depending on the locality pay, it could drop to as low as zero.

By creating the potential for more regular increases, this plan would, foreseeably result in the amount of **compensation under the "new system" being equal to or exceeding that of the maximum total compensation under the "old" system within a few years, if not immediately.** Under the 2016 plan, the state would have remained under two different compensation systems for a much longer period. This committee feels that a shorter period with two compensation systems will lead to greater simplicity and equity.

Retirement

One of the major concerns that has arisen over the course of the committee's work on a new compensation model is how any change in the supplement structure could impact the retirement benefits of sitting judges. As outlined in the initial report and confirmed through the survey of superior court judges, the current retirement landscape for superior court judges has very little uniformity on a circuit-to-circuit basis, let alone throughout the state. Fifty-two percent of survey respondents reported receiving retirement on their supplements; however, that figure was fifty-nine percent for judges receiving at least \$50,000 (the cap) in supplements. The report also noted that there was a subset of judges who received at least \$50,000 in supplements but felt the system needed to be revised. Many of these judges pointed to frustrations with retirement benefits not capturing their full earnings.

By shifting compensation largely into the state's purview, judicial retirement benefits would be greatly improved by capturing their full compensation through the state and the Judicial Retirement System. However, any plan must also consider those judges who currently receive varying degrees of retirement benefits on their supplement. While this plan aims to eliminate or reform supplements, it is not the intention of the committee to negatively impact benefits that have been offered to sitting judges.

To accomplish this, the model proposes grandfathering existing retirement benefits that have been offered to sitting judges. This could lead to judges in counties with generous retirement benefits receiving a substantial increase in their state retirement benefits while also being paid retirement on a supplement that they may no longer receive. However, because commitments have been made and resources have already been dedicated, those plans should be protected.

Judges who are vested in their county retirement benefits should receive the full amount of those benefits. In addition, sitting judges would be permitted to continue to participate in their existing county retirement systems even if they opt-in to the new compensation plan as authorized by their county plans.

The proposal also does not seek to limit any current non-retirement, or fringe benefits, that are currently offered to judges by their counties. Counties that currently offer health, dental, life insurance or other benefits should be allowed to continue to offer such benefits after implementation.

Potential Expansion of the Model

The committee's Initial Report, in building out from the 2016 Report, highlighted that the disparate compensation landscape is not limited to superior court judges. District attorneys, assistant district attorneys, circuit public defenders and assistant public defenders are also involved in the complexities of the current compensation model. While this final report is largely focused on superior court judges, this model could certainly be adapted to include both groups in time. Studying the national and in-state county-to-

county differences for these positions was beyond the scope and resources of this committee. However, the maximum authorized salary structure for district attorneys and circuit public defenders could be set up in a similar manner with percentages tied to federal district court pay. Current pay scales for assistant district attorneys and circuit public defenders could be altered to fit within the new district attorney and circuit public defender salary amounts.

The committee recognizes this would include additional resources as well as the will of both these groups and policy makers to pursue this change to their existing compensation model. This plan is created to be adaptable to cover these positions in addition to superior court judges.

Compensation Commission

As this report's review of the national judicial compensation landscape has shown, many States have commissions specifically designed to either review or propose recommendations on judicial compensation. While this plan creates a structure for state paid judges that may not require yearly alterations, the complexities of judicial compensation require attention more often than what is currently offered. This committee has found it beyond its scope and resources to identify compensation for every judge of a court of limited jurisdiction. The initial report compiled enough data to reveal that district attorneys and public defenders also experience great difficulties and disparities in compensation under the current system. A commission with the ability to further study the issues surrounding these groups would benefit the state.

The Committee also believes that potential legislation should add reporting requirements to shed further light on the parts of the judicial system this report was unable to fully explore. A permanent commission could provide additional transparency to the public around compensation and the recruitment and retention challenges facing the judiciary, district attorneys, and public defenders.

It is further proposed that as one of the first matters of business the Compensation Commission should study the current landscape of additional supplements offered to chief superior court judges throughout the State. In addition to collecting information the Commission should weigh the idea of creating state-paid supplements for chief superior court judges, as well as both the Chief Judge of the Court of Appeals and the Chief Justice of the Supreme Court to compensate them for their substantial administrative duties.

Any potential commission should include membership from all three branches of government and the general public. The creation of a commission would also ensure that issues around judicial compensation are addressed on a more consistent and effective basis. The status quo seems to be different commissions, or in this case a committee, being established by different groups over irregular periods of time to find similar issues with the judicial compensation system. Continuing to evaluate and review the compensation system at regular intervals would prevent any plan from falling into a state of disrepair.

Impact of Implementation

Implementing a plan that will fundamentally change the way judges are paid in the State is no small endeavor. Decisions such as these are not made in a vacuum and must fit within the larger fiscal and budgetary picture of the State. The Committee has urged attention not to focus on the final estimated cost projections, but the model itself. However, the price tag is an important piece of actual implementation of the plan. If the plan were implemented in FY 2024 the estimated cost to the State would be \$21,183,726. See below, for estimates by court.

Table 5: Cost Estimates

Court Type	Estimated FY24 Cost
Supreme Court	\$ 666,164
Court of Appeals	\$ 811,087
State-wide Business Court	\$ 30,506
Superior Courts	\$ 19,675,969

While some may argue that this is a small percentage of State spending, the committee recognizes that this amount would be a significant request of the legislature. The hope is that the merits of the plan and bringing order to the judicial compensation system will outweigh the costs of the plan.

Arguments may also be made that this is a large salary increase for Georgia's judges. It is indisputable that a large number of judges will receive an increase in their annual compensation. The reality is that the plan is a shifting of the burden of compensation from the counties to the State. The new state compensation will be lower than the current annual compensation for 31 percent of Georgia's superior court judges (locality pay will help offset this difference as mentioned in the Grandfathering Section). Due to the current \$68,200 range in salary, there is no way to implement a plan eliminating supplements that would not result in a substantial salary increase for many judges. However, focusing on those judges who may be receiving large salary increases risks losing sight of what the goal of the proposal is. The proposal largely transfers the responsibility of paying for superior court judges to the State, eliminating the current disparate system which creates so many issues throughout the State. By doing so counties will experience a significant reduction in costs upon the implementation of the plan.

The estimated cost of county supplements for FY 2024 is \$11,007,862 which doesn't even account for any benefits counties may pay on those supplements. That figure means that 26 percent of the annual compensation paid to superior court judges in FY 2024 would be from county governments. \$11,007,862 also represents 56 percent of the estimated cost of implementation for superior court judges. While under this plan counties will still have the option to provide locality pay, it will become what the Committee believes it was

originally intended to be, a supplement to offset cost of living, not more than a quarter of the total salary paid to judges in this State.

Courts of Limited Jurisdiction

An Appendix to this Report will provide further updates on the research into salaries for courts of limited jurisdiction. For the purposes of the proposal, the Committee does not intend to decide for the counties whether they should continue to tie local official salaries to those of superior court judges. For some local officials who are currently tied to the state salary and the county supplement amount of superior court judges, changes made by the plan may be minimal, and in others that may tie salary simply to the state salary, changes could be dramatic. The Committee does not feel that it should dictate to those counties how they should handle any changes resulting from proposals made by this Committee.

As previously noted, the Committee does feel that further study is needed for the compensation of judges in limited jurisdiction courts. The committee believes a new Compensation Commission should further study this issue to address data collection challenges experienced by this committee, as well as the potential for reporting requirements to provide transparency on judicial compensation.

To prevent any disruption the implementation of this plan could have on positions that are currently linked to superior court judge compensation, the proposal would include a delayed implementation date of one year for its impact on local legislation as it pertains to coupled salaries. This delay in implementation would allow local governments time to assess any changes they may need/want to make to their local compensation plans.

Section 6: Survey of Superior Court Judges to Determine the Extent of Support for the Committee Proposal

The final task assigned to the Ad Hoc Committee directed that any plan proposed be “deemed practically and politically feasible, including by garnering supermajority support from the superior court judges.” In accordance with that charge, the committee presented the judicial compensation proposal outlined above both in the form of a written summary and a more detailed narrative, both of which were available at the Council of Superior Court Judges (CSCJ) Summer Conference which took place from July 31 to August 3, 2023. Justice Bethel, Co-Chair, outlined the plan in person at the conference and answered questions, both at the CSCJ Compensation Committee meeting and again in a specially scheduled 2-hour session on August 1. Both sessions were recorded and made available to all superior court judges.

Following the conclusion of the conference, on August 4, all active superior court judges were emailed a poll in which they were asked to respond yes or no to the following question:

“Do you support the proposal of the Judicial Council Ad Hoc Committee on Judicial Salaries and Supplements to revise the system of compensation for Superior Court Judges and other State paid judges in Georgia?”

While individual responses remained anonymous, to ensure the integrity and security of the survey, each judge responding was also required to certify that they were an active, sitting judge. Judges also provided their name, email, and judicial district so that staff could confirm that submitted responses conformed to the identity of the actual sitting judges. At the time of the conduct of the poll, there were 220 active superior court judges.¹¹

The survey closed at 11:59 p.m. on August 10, 2023. 212, or 96 percent of active superior court judges responded to the survey. 191 (90 percent) of those judges responded “Yes”, indicating their support of the Committee Proposal and 21 (10 percent) voted “No”, indicating that they do not support the proposal. The votes in support, therefore, represent 191/220 (87 percent) of the active superior court judges.

The Order which created the Committee does not define the term “supermajority.” The Merriam-Webster online dictionary describes a supermajority as “more than a majority, such as two-thirds or three-fifths, that is more than a simple majority.” The Committee respectfully submits that, according to any commonly used measure, a supermajority of the Judges of the Superior Court has expressed support for this plan. Of course, it is for the Judicial Council to determine whether the plan will be recommended by the Council to the General Assembly.

Conclusion

Georgia is currently the eighth largest state by population.

Georgia’s superior court judges have particularly broad jurisdiction. They preside over all felony criminal cases, including those in which the death penalty is sought as well domestic relations cases, such as divorce, custody, adoption, family violence and stalking. Under certain circumstances superior court judges also hear appeals from the magistrate, probate, and municipal courts.

Superior courts also hear civil cases of every kind and description, including contract and business disputes, and including exclusive jurisdiction as to matters of equity, actions involving title to land, etc.

The compensation of our state judicial officers is a matter of serious concern for the long-term health of our shared State. High-quality court services are essential to the success of Georgia – governmentally, socially, and economically. The work of this committee and

¹¹ The polling period opened with 219 judges. One judge was sworn in during the pendency of the poll. Two seats were vacant during the duration of the poll.

prior review demonstrates significant vulnerabilities linked to our compensation model for state judicial officers. Examination of the opportunity costs for judicial candidates and officers as well as a review of appropriate comparators reveal the need for reform. In the interest of attracting and retaining high quality judges and promoting a stable, predictable, and organized system of justice, action before critical design flaws become dangerous impediments to these goals is the wisest course of action.

The Committee's proposal would address the issues that have long been present in our system. Documented efforts to study and revise the supplement system date back to at least 1971.

The 2016 report discussed extensively the adverse consequences resulting from the flaws in the current compensation system. It is not necessary to reiterate them here. Judges are public servants and, as such, are aware that there is a degree of sacrifice to be expected, as such is the nature of "service." No judge should, therefore, seek out the role of a public servant on account of the compensation it provides. Nor, however, should qualified candidates who would serve the State with honor and distinction be dissuaded from serving as the result of a system long in need of reform.

The Committee recommends the proposal to the Judicial Council as:

- Remedying the broad disparities in judicial compensation;
- Protecting the vested interests of judges and ensuring that no judge suffers a reduction in compensation or benefits (as is constitutionally required);
- Reforming the current system primarily by reallocating primary responsibility for the payment of compensation to Judges who are State officers, to the State, as their employer and not simply by increasing the salary of all of the judges as, in fact, many judges will not realize an increase in compensation;
- Fulfilling the charge of the Committee to develop and recommend a feasible plan for reforming the system of judicial compensation that has the support of a supermajority of Superior Court judges; and providing a uniform, predictable, and equitable compensation plan that will benefit the administration of justice in this state.

The Committee recommends to the Judicial Council for consideration its Proposal for Judicial Compensation Reform. This proposal has been prepared by the committee in accordance with its charge and is supported by what the committee submits is more than the required supermajority of superior court judges.

Next Steps

Having fulfilled the requirements set forth in the Committee's Order, the full report, including the proposal, will be presented to the full Judicial Council at its August 18, 2023, General Session. Should the Judicial Council decide to advance this proposal to the General Assembly, while the work of this Ad Hoc Committee will have been completed,

the next steps would likely include the Judicial Council working to transform the proposal into an actionable item for the consideration of the General Assembly.

With this final report, the committee has now completed to the best of its ability the three tasks set out in its order. As recounted in the report, the committee acknowledges that there is still more information to be uncovered in this field through the creation of a permanent compensation commission, and that continued study will be a benefit to the state.

Throughout this process, the Committee's Co-Chairs have acknowledged the challenges of collecting data from so many different sources and **hopes that the Committee's work** sheds additional light on the topic but also on those challenges themselves.

Co-Chairs Justice Charlie Bethel and Judge Rusty Smith and the committee as a whole would like to express sincere appreciation to AOC staff Andrew Zoll, Tracy Mason, Shimike Dodson, and Robby Lee, and AOC contractor Grace Gluck, for their hard work and dedication to this effort. We also extend thanks to the many partners in state and county government, including particularly the staff of the Association of County Commissioners of Georgia, who helped the committee sort through the remarkably challenging process of identifying, categorizing, and documenting the varied compensation structures attached to court related offices in Georgia. Special thanks are also in order to Judge John Morse, President of the Council of Superior Court Judges, Judge Arthur Smith, Immediate Past President of the Council of Superior Court Judges, Shannon Weathers, Executive Director of the Council of Superior Court Judges, the Members of the Compensation Proposal Working Group, including Judge Melanie Cross and Judge Greg Adams, as well as all of the judges who participated in the compensation surveys or provided feedback and input to the Committee. Thank you!

APPENDICES

Appendix A: Ad Hoc Committee on Judicial Salaries and Supplements Extension Order



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice Michael P. Boggs
Chair


Cynthia H. Clanton
Director

Judicial Council of Georgia Ad Hoc Committee on Judicial Salaries and Supplements Extension Order

Upon request of the Ad Hoc Committee on Judicial Salaries and Supplements for an extension of the initial term of the committee for the purpose of allowing the committee to continue its work on a proposal for modeling compensation for judicial pay, the request is granted and the term is hereby extended from May 30, 2023, until August 31, 2023.

This the 11th day of May, 2023


Chief Justice Michael P. Boggs
Chair, Judicial Council of Georgia


Presiding Justice Nels S.D. Peterson
Vice-Chair, Judicial Council of Georgia

Appendix B: Trial Courts of Limited Jurisdiction

The Trial Courts of Limited Jurisdiction Subcommittee is charged with exploring, summarizing, and reporting on judicial branch compensation outside the scope of the Judicial Salaries and Supplements committee's charge and making recommendations for further study. On December 9, 2022, the subcommittee's Initial Report outlined available information related to this charge. Moving forward, the subcommittee determined the need for the following three data points:

1. How many/which courts have salaries tied to superior court; what is the tie – percentage, salary only, or does it include supplements?
2. What is the specific amount of compensation for each individual court; at a minimum, what is the range of compensation within each class of court?
3. Should there be further study/reform for each class of court in the future?

A summary of these requested data points and other helpful context is provided below. This data comes from three main sources: the 2022 Council of Juvenile Court Judges (CJCJ) Juvenile Court Judges Salary Survey, the 2022 ACCG Salary Survey, and the 2022 Council of State Court Judges (CStCJ) Salary Survey.

State Court

The following information is from the 2022 CStCJ Salary Survey¹², including responses from 72 full-time and seven part-time state judges. Excluding one part-time judge, all reporting state courts tied salaries to a percentage of superior court judge salaries. Among full-time courts, the percentage ties ranged from 60 to 100 percent. The resulting estimated (only percentages were reported) salaries ranged from \$83,874 to \$204,413 (at the time of the survey), depending on the tie percentage and local supplements. The average reported estimated full-time salary was \$156,167. The six part-time courts reported a percentage range of 40 percent to 85 percent. Judges fall into a range of supplement circumstances across the responding courts.

This data represents the survey responses of 79 of the 133 state court judges. The Committee does not currently have data on the other 41% of state court judges and how their salaries are determined, leading to a helpful but less than complete picture of compensation for state court judges. Further study is required to determine confident descriptive statistics about this class of court.

Juvenile Court

The 2022 CJCJ Juvenile Court Judges Salary Survey¹³ included responses from 67 judges representing 40 circuits. 28 circuits indicated their salaries were not tied to superior court judge salaries. The 12 circuits that tied juvenile court salaries to the superior courts reported a range of 75 percent to 90 percent tie to the superior court judge salary. SB 315,

¹² The 2022 CStCJ Salary Survey appears as Appendix C of this report.

¹³ The 2022 CJCJ Juvenile Court Judges Salary Survey data appears as Appendix D of this report.

passed in the 2023 Legislative Session, raised one circuit to 92 percent. Like other courts of limited jurisdiction, the survey responses indicated a variety of compensation circumstances. Responses indicated that salaries ranged from a percentage of the superior court salary supplement, the accountability court supplement, a longevity supplement, a local supplement, or no supplement at all. Across all reported full-time salaries, the average juvenile judge salary was \$143,431, ranging from \$100,000 to \$182,270. The most typical (median) full-time salary was \$139,547. The part-time average salary was \$66,650, ranging from \$50,000 to \$99,000.

The CJ CJ survey represents 40 of the 50 judicial circuits in Georgia as of July 2021. Supplement data for the 28 circuits who do not tie their salaries to the superior court is incomplete. Even among the 12 circuits tied to superior courts, this subcommittee would benefit from greater context on the compensation details for each juvenile court judge. For example, it is unclear which salaries may be tied to the state salary of superior court judges or the state plus local supplement amount of superior court judges. With an average full-time salary that is 43 percent higher than the lowest salary, more complete data on all 50 judicial circuits would depict statewide juvenile court salaries with greater clarity.

Probate Court

The 2022 ACCG Salary Survey¹⁴ provides the best estimate of probate court salaries in Georgia. Their survey received responses from 121 of the 159 probate courts in the state¹⁵. No responses indicated any probate judge salaries are linked to superior court salaries. Instead, probate judge salaries are determined by county population per state statute. The average reported probate judge salary was \$91,283, with salaries ranging from \$58,524 to \$179,907. Since some probate judges also perform magistrate duties, the ACCG survey median average statistics were split into two groups: judges with magistrate duties (24 judges) and those without (97 judges). Probate judges with magistrate duties had a median average salary of \$81,760, while those without magistrate duties had a median of \$84,478. While most probate court judge salaries are based on population, existing local supplements or local legislation make this a poor indicator of salary overall.

As with the other classes of court, this assessment would benefit from a survey with a higher response rate. Notably missing from the data are Fulton, Gwinnett, DeKalb, and other populous metro counties. Considering the effect of population on the probate judge salary, these counties would give better context for the overall landscape.

Magistrate Court

The 2022 ACCG Salary Survey¹⁶ provides the best available insight into Chief Magistrate court judge salaries as well. While Chief Magistrate base pay is set in statute by population (OCGA § 15-10-23), the total negotiated magistrate salaries across the state are very diverse. Based on the survey responses, very few salaries are linked to superior court judge

¹⁴ The 2022 ACCG Salary Survey data for probate court data appears as Appendix E of this report.

¹⁵ This data is for the elected probate court judges in each county.

¹⁶ The 2022 ACCG Salary Survey data for magistrate court data appears as Appendix F of this report.

salaries. Each magistrate that also serves as the clerk for the magistrate court receives an additional \$4,724 supplement. Local supplements range from \$1,200 to \$52,416. Some counties have no supplement but also receive a salary over \$150,000. All in all, salaries ranged from \$54,558 to \$191,368, averaging \$88,750. The median was \$79,375.

Due to logistical and comparison issues, this report only pertains to full-time chief magistrate judges, 21 of which are also probate judges. More information on the remaining magistrate judge salaries might shed light on the broader magistrate judge salary landscape. Similar to the available probate court data, Fulton, Gwinnett, DeKalb, and other large metro counties are absent from the survey responses. Since individual counties set such a wide range of salaries for magistrate judges, some of these counties are important to conduct a full analysis.

Municipal Court

There was interest in collecting municipal court compensation data but as of the publication of this report, no survey has been conducted.

Recommendations

This committee has made attempts to expand upon the available body of data concerning salaries of the trial courts of limited jurisdiction. No reliable data is currently available concerning municipal court judge salaries. Along with that, adding additional details to the existing state, juvenile, probate, and magistrate salary data would be beneficial. The Proposal assigns the task of further study as well as possible reporting requirements to the proposed Compensation Commission. ACCG conducts an annual survey on magistrate and probate judge salaries. The proposed Compensation Commission should work with ACCG to provide better data on these and all classes of courts where possible. The ultimate recommendation concerning trial courts of limited jurisdiction is that more information is required to better understand the salary landscape, and that the method for which these county and municipal level positions are funded is an issue that the Committee doesn't wish to dictate to those counties and municipalities. Furthermore, the Committee proposes a delayed implementation date for local salaries that are currently tied to superior court judge salary to provide ample time for local governments to study the impact of any changes to compensation.

Appendix C: Council of State Court Judges Salary Survey - 2022

COUNTY	FULLTIME/PART TIME	SALARY TIED TO STATE BASE	SALARY TIED TO BASE & CTY SUPP	IF SO, PERCENTAGE	# OF JUDGES	COUNTY PENSION PARTICIPATION FOR AMOUNT IN EXCESS OF \$120,252*
BIBB	Full time		Yes	Plus Bibb Supplement 90%	2	NO
CARROLL	Full time	Yes		90%	1	NO
CATOOSA	Full-Time		Yes	90%	1	
CHATHAM	Full time		Yes	95%	3	YES
CHEROKEE	Full time		Yes	95%	3	NO
CLARKE	Full time		Yes	90%	2	
CLAYTON	Full time		Yes	88-95% based on YOS	5	NO
COLOQUITT	Full time	Yes		70%	1	
COWETA	Full time		Yes	90%	2	
DEKALB	Full time		Yes	90%	11	YES
DOUGHERTY	Full time		Yes	Plus Dougherty County Sup 90%	1	YES
EFFINGHAM	Full time		Yes	85%	1	
FAYETTE	Full time		Yes	90%	1	YES
FORSYTH	Full time		Yes	95%	2	
FULTON	Full time		Yes	90%	10	NO
GLYNN	Full time		Yes	Glynn County supp 100%	1	NO
GWINNETT	Full time		Yes	95%	7	YES
HALL	Full time		Yes	90%	3	NO
HENRY	Full time		Yes	90%	4	YES
LIBERTY	Full time	Yes		100%	1	
LOWNDES	Full time	Yes		100%	2	NO
MITCHELL	Full time	Yes		60%	1	
MUSCOGEE	Full time		Yes	90%	2	Not Sure
PAULDING	Full-Time	Yes		90%	1	
ROCKDALE	Full time	Yes		92.5%	2	NO

SPALDING	Full time		Yes	90%	1	YES - Employee 401K
TIFT	Full time	Yes	NO	90%	1	NO
TROUP	Full time		Yes	90%	1	
BARROW	Part Time	Yes		45%	1	
CHATTOOGA	Part Time	Yes		40%	1	
HABERSHAM	Part Time		Yes	80%	1	YES
TURNER	Part Time	Yes		40%	1	
WAYNE	Part Time		Yes	40%	1	
WORTH	Part Time	Yes		40%	1	
BRYAN	Part-Time	No			1	
EVANS	Part-Time	No				
PIERCE	Part-Time	No				
HOUSTON	Full-Time	No				
COBB	Full-Time	No				

Appendix D: Juvenile Court Judges Salary Data - 2022

I. Overview

Surveys Participants	Circuits Represented	Judges Status	Salary Tied to Superior Court Judges	2021 Total Salary (Range)	Percentage (Range) of Salary Tied to Superior Court Judges
67	40	Full-Time (52) Part-Time (14) Judge (1)	Yes (23) No (42) In Part (1) Unsure (1)	\$41,250 - \$182,270	75% - 92%

II. Judicial Circuits with Salary Tie to Superior Court Judges (23 Judges, 12 Circuits)

Circuit	Status	2021 Total Salary	Is Salary Tied to Superior Court Judges?	Salary Formula
Atlanta Judicial Circuit	Full-Time	\$171,000	Yes	86% of Superior Court judge's salary
Atlanta Judicial Circuit	Full-Time	\$173,000	Yes	90% of Superior Court Judge total salary
Atlanta Judicial Circuit	Full-Time	\$153,897	Yes	90% Superior Court Judges salary
Atlanta Judicial Circuit	Full-Time	\$170,000	Yes	75% of Superior Court judge's salary
Blue Ridge Judicial Circuit	Full-Time	\$162,200	Yes	90% of Superior Court judge's salary
Blue Ridge Judicial Circuit	Full-Time	\$162,200	Yes	90% of Superior Court judge's salary
Brunswick Judicial Circuit	Full-Time	\$124,500	Yes	\$18,000 from Superior Court Judges supplement
Chattahoochee Judicial Circuit	Part-Time	\$69,915	Yes	Statutory funding based on the number of Superior Court judges, not specifically tied to the grant
Clayton Judicial Circuit	Full-Time	\$159,000	Yes	89% of Superior Court judge's salary (1st year); increases by 1% each year until it reaches 95%
Coweta Judicial Circuit	Full-Time	\$148,110	Yes	80% of Superior Court judge's salary (\$138,326.58 [Coweta Co.] and \$9,783.63 [Heard Co.]

Eastern Judicial Circuit	Full-Time	\$180,247	Yes	90% of Superior Court judge's salary; excluding \$6,000 accountability court and longevity supplements
Eastern Judicial Circuit	Full-Time	\$179,887	Yes	90% of lowest Superior Court judge's salary
Eastern Judicial Circuit	Full-Time	\$175,387	Yes	90% of Superior Court judge's salary; excluding \$6,000 accountability court and longevity supplements
Flint Judicial Circuit	Full-Time	\$153,325	Yes	80% of Superior court Salary; plus a local supplement
Gwinnett Judicial Circuit	Full-Time		Yes	90% of Superior Court judge's salary
Northeastern Judicial Circuit	Full-Time	\$165,393	Yes	85% of Superior Court judge's salary
Northeastern Judicial Circuit	Full-Time	\$160,000	Yes	85% of Superior Court judge's salary
Northeastern Judicial Circuit	Full-Time	\$169,643	Yes	85% of Superior Court judge's salary
Northeastern Judicial Circuit	Full-Time	\$165,000	Yes	85% of Superior Court judge's salary
Rockdale Judicial Circuit	Full-Time	\$139,094	Yes	92% of Superior Court judge's salary ¹
Stone Mountain Judicial Circuit	Full-Time	\$169,281	Yes	90% of Superior Court Judge's Salary
Stone Mountain Judicial Circuit	Full-Time	\$170,000	Yes	90% of Superior Court Judge's Salary
Stone Mountain Judicial Circuit	Full-Time	\$173,251	Yes	90% of Superior Court judge's salary

III. Judicial Circuits with No Salary Tie to Superior Court Judges (42 Judges, 29 Circuits)

Circuit	Status	2021 Total Salary	Is Salary Tied to Superior Court Judges?	Salary Formula
Alapaha Judicial Circuit	Part-Time	\$80,000	No	
Alcovy Judicial Circuit	Full-Time	\$120,000	No	
Alcovy Judicial Circuit	Full-Time	\$140,000	No	
Atlantic Judicial Circuit	Part-Time	\$82,250	No	

Augusta Judicial Circuit	Part-Time	\$50,000	No	(also receives \$6,000 supplement contingent on MOU)
Augusta Judicial Circuit	Full-Time	\$132,000	No	
Augusta Judicial Circuit	Full-Time	\$140,000	No	
Augusta Judicial Circuit	Full-Time	\$132,000	No	
Bell-Forsyth Judicial Circuit	Full-Time	\$141,539	No	
Bell-Forsyth Judicial Circuit	Full-Time	\$141,348	No	
Brunswick Judicial Circuit	Full-Time	\$100,000	No	
Brunswick Judicial Circuit	Part-Time	\$99,000	No	
Brunswick Judicial Circuit	Full-Time	\$129,459	No	
Cherokee Judicial Circuit	Full-Time	\$126,000	No	
Cobb Judicial Circuit	Full-Time	\$175,000	No	
Cobb Judicial Circuit	Full-Time	\$182,270	No	
Cordele Judicial Circuit	Full-Time	\$106,000	No	
Coweta Judicial Circuit	Full-Time	\$116,000	No	
Coweta Judicial Circuit	Part-Time	\$60,781	No	
Griffin Judicial Circuit	Full-Time	\$138,000	No	
Houston Judicial Circuit	Full-Time	\$133,000	No	
Lookout Mountain Judicial Circuit	Full-Time	\$150,000	No	
Lookout Mountain Judicial Circuit	Part-Time	\$60,000	No	
Macon Judicial Circuit	Full-Time	\$115,000	No	
Middle Judicial Circuit	Full-Time	\$112,000	No	
Mountain Judicial Circuit	Full-Time	\$110,000	No	
Ocmulgee Judicial Circuit	Full-Time	\$125,000	No	
Oconee Judicial Circuit	Full-Time	\$105,000	No	
Ogeechee Judicial Circuit	Part-Time	\$50,000	No	
Ogeechee Judicial Circuit	Part-Time	\$50,000	No	
Paulding Judicial Circuit	Full-Time	\$118,000	No	
Piedmont Judicial Circuit	Full-Time	\$119,000	No	

Piedmont Judicial Circuit	Judge	\$103,500	No	
Rome Judicial Circuit	Full-Time	\$130,000	No	
South Georgia Judicial Circuit	Part-Time	\$62,450	No	
South Georgia Judicial Circuit	Part-Time	\$62,450	No	
Southern Judicial Circuit	Part-Time	\$41,250	No	
Southwestern Judicial Circuit	Full-Time	\$105,991	No	
Tifton Judicial Circuit	Full-Time	\$126,000	No	
Toombs Judicial Circuit	Part-Time	\$80,000	No	
Towaliga Judicial Circuit	Full-Time	\$125,000	No	
Western Judicial Circuit	Full-Time	\$122,000	No	

**Blank spaces indicate no data reported.*

IV. Judicial Circuit with In-Part Salary Tie to Superior Court Judges

Circuit	Status	2021 Total Salary	Is Salary Tied to Superior Court Judges?	Salary Formula
Atlantic Judicial Circuit	Part-Time	\$85,000	In-Part	Stipend from the state; with contribution from each county

V. Judicial Circuit Unsure of Salary Tie to Superior Court Judges

Circuit	Status	2021 Total Salary	Is Salary Tied to Superior Court Judges?	Salary Formula
Douglas Judicial Circuit	Full-Time	\$145,000	Unsure	

Appendix E: Probate Court Judges Salary Data - 2022



Calculating Probate Judge Salaries

- Establish statutory minimum base salary,
- Add statutory supplements:
 - \$4,631 for conducting elections,
 - \$5,787 for serving as judge for traffic cases,
- Add longevity increase of 5 percent for every 4-year term served,
- Add 2020 COLA of 2 percent,
- Add 2023 COLA of \$5,000,
- Add local supplement, if any,
- Additional compensation for serving as magistrate or clerk to magistrate court:
 - Add supplement of \$14,162 if they serve as magistrate or chief magistrate,
 - Add longevity increase of 5 percent for every 4-year term served as such,
 - Add magistrate court clerk supplement of \$4,724 (if probate judge serves as both magistrate and clerk to magistrate court), and
- Compare to local legislation.

Schedule of Base Salaries

Population	Base Salary
0 – 5,999	\$35,576.65
6,000 – 11,889	\$48,856.63
11,890 – 19,999	\$55,344.71
20,000 – 38,999	\$59,296.04
29,000 – 38,999	\$63,247.38
39,000 – 49,999	\$67,203.60
50,000 – 74,999	\$75,327.48
75,000 – 99,999	\$92,237.91
100,000 – 149,999	\$86,381.94
150,000 – 199,999	\$92,237.91
200,000 – 249,999	\$100,722.08
250,000 – 299,999	\$109,336.93
300,000 – 399,999	\$120,695.99
400,000 – 499,999	\$125,596.32
500,000 or more	\$130,496.72

County	Base Salary	Longevity	2020 COLA	2023 COLA	Supplements	Total FY23 Salaries
Appling County	\$55,345	0%	2%	\$5,000	\$0	\$61,452
Baker County	\$35,577	25%	2%	\$5,000	\$28,214	\$80,166
Baldwin County	\$67,204	25%	2%	\$5,000	\$4,631	\$111,958
Banks County	\$55,345	5%	2%	\$5,000	\$5,787	\$70,472
Berrien County	\$48,857	25%	2%	\$5,000	\$23,490	\$92,374
Bleckley County	\$55,345	0%	2%	\$5,000	\$22,818	\$84,478
Brantley County	\$55,345	0%	2%	\$5,000	\$8,187	\$69,755
Bryan County	\$67,204	5%	2%	\$5,000	\$0	\$76,975
Butts County	\$59,296	10%	2%	\$5,000	\$5,787	\$78,024
Calhoun County	\$48,857	25%	2%	\$5,000	\$33,475	\$103,632
Candler County	\$48,857	10%	2%	\$5,000	\$12,748	\$70,630
Carroll County	\$86,382	0%	2%	\$5,000	\$23,663	\$116,773
Catoosa County	\$75,327	5%	2%	\$5,000	\$5,400	\$91,076
Charlton County	\$55,345	5%	2%	\$5,000	\$22,370	\$87,177
Cherokee County*	\$165,411					\$165,411
Clinch County	\$48,857	0%	2%	\$5,000	\$14,162	\$68,996
Coffee County	\$67,204	5%	2%	\$5,000	\$0	\$76,975
Colquitt County	\$67,204	20%	2%	\$5,000	\$4,631	\$92,925
Cook County	\$55,345	15%	2%	\$5,000	\$10,787	\$91,587
Coweta County**	\$140,599				\$7,500	\$148,099
Crawford County	\$55,345	20%	2%	\$5,000	\$5,787	\$79,826
Cusseta- Chattahoochee County	\$48,857	0%	2%	\$5,000	\$10,418	\$65,460
Dade County	\$55,345	10%	2%	\$5,000	\$5,787	\$73,590
Dawson County	\$59,296	30%	2%	\$5,000	\$5,787	\$93,027
Dooly County	\$55,345	15%	2%	\$5,000	\$46,577	\$117,498
Early County	\$48,857	5%	2%	\$5,000	\$14,162	\$76,920
Echols County	\$35,577	20%	2%	\$5,000	\$44,167	\$91,338
Emanuel County	\$59,296	20%	2%	\$5,000	\$0	\$77,578
Evans County	\$48,857	5%	2%	\$5,000	\$6,331	\$80,352
Fannin County	\$59,296	10%	2%	\$5,000	\$5,787	\$78,024
Fayette County	\$86,382	15%	2%	\$5,000	\$21,043	\$127,369
Forsyth County	\$109,337	0%	2%	\$5,000	\$31,778	\$155,802
Franklin County	\$59,296	10%	2%	\$5,000	\$13,287	\$85,524
Gilmer County	\$63,247	5%	2%	\$5,000	\$12,818	\$86,296
Glascocock County	\$35,577	0%	2%	\$5,000	\$30,148	\$71,645
Glynn County	\$80,856	25%	2%	\$5,000	\$4,000	\$112,091
Gordon County	\$75,327	15%	2%	\$5,000	\$5,787	\$100,148
Grady County	\$59,296	10%	2%	\$5,000	\$4,631	\$76,726
Greene County	\$55,345	45%	2%	\$5,000	\$31,670	\$121,297
Habersham County	\$67,204	15%	2%	\$5,000	\$625	\$84,455
Hancock County	\$48,857	10%	2%	\$5,000	\$5,757	\$66,311
Hart County	\$59,296	0%	2%	\$5,000	\$5,787	\$71,385

* Cherokee County uses local legislation to calculate the Probate Judge salary.

** Coweta County uses local legislation to calculate the Probate Judge salary.

County	Base Salary	Longevity	2020 COLA	2023 COLA	Supplements	Total FY23 Salaries
Houston County	\$92,238	0%	2%	\$5,000	\$0	\$133,400
Irwin County	\$48,857	10%	2%	\$5,000	\$5,787	\$66,311
Jasper County	\$55,345	0%	2%	\$5,000	\$10,418	\$72,078
Jefferson County	\$55,345	0%	2%	\$5,000	\$0	\$61,452
Jones County	\$59,296	25%	2%	\$5,000	\$61,607	\$127,205
Lamar County	\$55,345	35%	2%	\$5,000	\$8,187	\$93,262
Lanier County	\$48,000	25%	2%	\$5,000	\$22,703	\$90,278
Laurens County	\$67,204	0%	2%	\$5,000	\$20,418	\$94,174
Lincoln County	\$48,857	25%	2%	\$5,000	\$19,949	\$92,374
Macon-Bibb County	\$92,238	10%	2%	\$5,000	\$5,787	\$114,984
McDuffie County	\$59,296	15%	2%	\$5,000	\$5,787	\$81,343
McIntosh County	\$59,296	5%	2%	\$5,000	\$24,816	\$94,030
Mitchell County	\$59,296	10%	2%	\$5,000	\$8,700	\$80,230
Monroe County	\$59,296	10%	2%	\$5,000	\$5,787	\$78,024
Montgomery County	\$48,857	25%	2%	\$5,000	\$10,418	\$80,575
Morgan County	\$59,296	10%	2%	\$5,000	\$5,787	\$78,024
Murray County	\$67,204	5%	2%	\$5,000	\$5,787	\$83,173
Oconee County	\$83,751	0%	2%	\$5,000	\$9,503	\$100,119
Oglethorpe County	\$55,345	5%	2%	\$5,000	\$5,787	\$70,472
Paulding County	\$92,238	0%	2%	\$5,000	\$9,387	\$108,586
Peach County	\$59,296	5%	2%	\$5,000	\$7,522	\$75,189
Pickens County	\$63,247	10%	2%	\$5,000	\$23,804	\$100,473
Putnam County	\$59,296	0%	2%	\$5,000	\$0	\$65,482
Schley County	\$35,577	20%	2%	\$5,000	\$24,580	\$76,168
Screven County	\$55,345	35%	2%	\$5,000	\$4,631	\$87,586
Seminole County	\$48,857	5%	2%	\$5,000	\$25,288	\$83,354
Stephens County	\$59,296	25%	2%	\$5,000	\$0	\$80,602
Sumter County	\$63,247	5%	2%	\$5,000	\$0	\$70,238
Talbot County	\$35,577	0%	2%	\$5,000	\$19,949	\$61,353
Tattnall County	\$59,296	20%	2%	\$5,000	\$0	\$77,578
Telfair County	\$55,345	0%	2%	\$5,000	\$10,418	\$72,078
Terrell County	\$48,857	15%	2%	\$5,000	\$5,787	\$69,097
Tift County	\$67,204	20%	2%	\$5,000	\$0	\$87,257
Toombs County	\$59,296	0%	2%	\$5,000	\$0	\$65,482
Treutlen County	\$48,857	0%	2%	\$5,000	\$23,517	\$77,657
Turner County	\$48,857	25%	2%	\$5,000	\$6,987	\$75,871
Union County	\$59,296	30%	2%	\$5,000	\$5,787	\$91,301
Upson County	\$59,296	10%	2%	\$5,000	\$8,187	\$80,424
Walker County	\$75,327	10%	2%	\$5,000	\$0	\$89,517
Warren County	\$35,577	0%	2%	\$5,000	\$24,580	\$66,077
Wayne County	\$63,247	15%	2%	\$5,000	\$13,458	\$93,678
White County	\$63,247	0%	2%	\$5,000	\$8,187	\$77,815
Whitfield County	\$86,382	15%	2%	\$5,000	\$5,787	\$113,115
Wilcox County	\$48,857	5%	2%	\$5,000	\$19,949	\$78,394
Worth County	\$59,296	10%	2%	\$5,000	\$0	\$71,681

Appendix F: Chief Magistrate Court Judges Salary Data - 2022



Advancing Georgia's Counties.

Calculating Chief Magistrate Salaries

- Establish statutory minimum base salary,
- For full-time chief magistrates (40 hrs. per week), use statutory base salary,
- For part-time chief magistrates (less than 40 hrs.), use hourly equivalent of base salary,
- Add statutory supplement of \$4,724 if magistrate serves as clerk to the magistrate court,
- Add longevity increase of 5 percent for every 4-year term served,
- Add 2023 COLA:
 - For full-time magistrates, add \$5,000 to the total,
 - For part-time magistrates who are paid an hourly rate, add \$2.41 per hour for each hour worked (based on ACCG and the Magistrate Council of Georgia’s interpretation)
- Add local supplement, if any, and
- Compare to local legislation.

Schedule of Base Salaries

Population	Base Salary
0 – 5,999	\$36,288.19
6,000 – 11,889	\$49,833.79
11,890 – 19,999	\$56,451.65
20,000 – 38,999	\$59,934.60
29,000 – 38,999	\$64,512.39
39,000 – 49,999	\$68,547.73
50,000 – 74,999	\$76,834.09
75,000 – 99,999	\$82,472.75
100,000 – 149,999	\$88,109.64
150,000 – 199,999	\$94,082.74
200,000 – 249,999	\$102,736.58
250,000 – 299,999	\$111,523.74
300,000 – 399,999	\$123,109.97
400,000 – 499,999	\$128,108.37
500,000 or more	\$133,106.73

County	Base Salary	Longevity	2020 COLA	2023 COLA	Supplements	Total FY23 Salaries
Appling County	\$56,458	10%	2%	\$5,000	\$0	\$67,097
Banks County	\$56,452	20%	2%	\$5,000	\$0	\$72,742
Bleckley County	\$56,452	15%		\$5,000	\$2,400	\$72,319
Brantley County	\$56,452	20%	2%	\$5,000	\$2,400	\$75,142
Bryan County	\$68,548	0%		\$5,000	\$4,250	\$77,798
Butts County	\$59,935	20%	2%	\$5,000	\$0	\$76,922
Carroll County	\$88,110	0%	2%	\$5,000	\$22,891	\$116,001
Catoosa County	\$76,834	10%		\$5,000	\$9,241	\$99,231
Cherokee County*	\$165,411				\$0	\$165,411
Coffee County	\$68,548	5%		\$5,000	\$0	\$76,975
Colquitt County	\$68,548	20%		\$5,000	\$0	\$87,257
Cook County	\$56,452	5%		\$5,000	\$3,000	\$64,009
Coweta County**	\$148,870				\$0	\$148,870
Crawford County	\$56,452	5%	2%	\$5,000	\$4,724	\$69,234
Dade County	\$56,452	15%		\$5,000	\$4,724	\$75,352
Dawson County	\$59,935	15%	2%	\$5,000	\$9,815	\$85,932
Emanuel County	\$59,935	0%		\$5,000	\$4,500	\$69,435
Evans County	\$49,834	5%	2%	\$5,000	\$0	\$57,325
Fannin County	\$59,935	5%		\$5,000	\$4,800	\$72,731
Fayette County	\$88,110	25%	2%	\$5,000	\$21,043	\$127,369
Forsyth County	\$111,524	0%		\$5,000	\$40,119	\$156,642
Franklin County	\$59,935	10%		\$5,000	\$0	\$70,928
Gilmer County	\$64,512	0%		\$5,000	\$4,800	\$74,312
Gordon County	\$76,834	5%	2%	\$5,000	\$4,724	\$104,208
Grady County	\$59,935	5%	2%	\$5,000	\$0	\$67,931
Habersham County	\$68,548	20%	2%	\$5,000	\$0	\$87,257
Hancock County	\$49,834	0%		\$5,000	\$4,724	\$59,558
Hart County	\$59,935	10%		\$5,000	\$0	\$70,928
Henry County***	\$92,337				\$0	\$92,337
Houston County	\$94,083	15%	2%	\$5,000	\$4,724	\$128,409
Irwin County	\$49,834	10%		\$5,000	\$4,724	\$65,013
Jefferson County	\$56,452	25%		\$5,000	\$0	\$75,565
Lamar County	\$56,452	0%		\$5,000	\$0	\$61,452
Laurens County	\$68,548	0%		\$5,000	\$14,000	\$87,548
Lumpkin County	\$64,512	0%		\$5,000	\$0	\$69,512
Mitchell County	\$59,935	0%		\$5,000	\$0	\$64,935
Monroe County	\$59,935	15%		\$5,000	\$3,446	\$77,371
Montgomery County	\$49,834	10%		\$5,000	\$4,724	\$65,013
Morgan County	\$59,935	35%		\$5,000	\$6,724	\$94,289
Murray County	\$68,548	5%		\$5,000	\$2,400	\$79,375
Oglethorpe County	\$56,452	0%		\$5,000	\$4,724	\$66,176
Paulding County	\$70,562	20%		\$5,000	\$0	\$89,674

* Cherokee County uses local legislation to calculate Chief Magistrate salary.

** Coweta County uses local legislation to calculate Chief Magistrate salary.

*** Henry County uses local legislation to calculate Chief Magistrate salary.

County	Base Salary	Longevity	2020 COLA	2023 COLA	Supplements	Total FY23 Salaries
Peach County	\$49,722	30%	2%	\$5,000	\$5,516	\$89,063
Pickens County	\$64,512	5%		\$5,000	\$20,202	\$93,085
Putnam County	\$59,935	5%		\$5,000	\$4,724	\$70,675
Screven County	\$56,452	20%		\$5,000	\$0	\$73,742
Sumter County	\$64,512	0%		\$5,000	\$0	\$77,012
Tattnall County	\$59,935	0%		\$5,000	\$0	\$64,935
Telfair County	\$56,452	10%		\$5,000	\$0	\$67,097
Terrell County	\$49,834	30%		\$5,000	\$4,724	\$75,925
Tift County	\$68,548	10%		\$5,000	\$0	\$80,403
Turner County	\$49,834	0%		\$5,000	\$5,924	\$60,758
Union County	\$59,935	5%		\$5,000	\$4,724	\$72,891
Upson County	\$59,935	5%		\$5,000	\$4,724	\$72,891
Walker County	\$76,834	35%		\$5,000	\$6,724	\$117,103
Wayne County	\$64,512	15%		\$5,000	\$4,724	\$84,622
White County	\$64,512	20%	2%	\$5,000	\$2,400	\$84,815
Whitfield County	\$88,110	15%	2%	\$5,000	\$0	\$106,326
Worth County	\$59,935	0%		\$5,000	\$0	\$64,935

Appendix G: Superior Court Compensation as of July 1, 2023

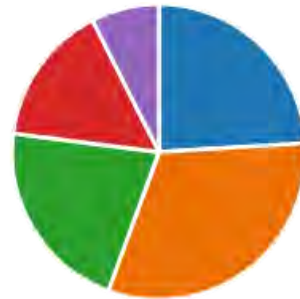
Circuit	Judges	Statutory Base (OCGA 45-7- 4(20))	Merit Increase	FY22/23 COLA	FY24 COLA	State Accountability Court Supplement (OCGA 15-6- 29.1(a))	Circuit Supplement (OCGA 15-6- 29.1(c))	Total Compensation
Augusta	5	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 80,200	\$ 221,990
Columbia	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 80,200	\$ 221,990
Stone Mountain	10	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 80,200	\$ 221,990
Cobb	11	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 73,614	\$ 215,404
Atlanta	20	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 72,112	\$ 213,902
Eastern	6	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 66,084	\$ 207,874
Northeastern	5	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 65,790	\$ 207,580
Brunswick	5	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 64,624	\$ 206,414
Flint	4	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 59,500	\$ 201,290
Ogeechee	4	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 55,000	\$ 196,790
Gwinnett	11	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 52,670	\$ 194,460
Macon	5	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 50,012	\$ 191,802
Clayton	5	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 50,000	\$ 191,790
Blue Ridge	4	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 50,000	\$ 191,790
Griffin	5	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 50,000	\$ 191,790
Coweta	7	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 50,000	\$ 191,790
Waycross	4	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 49,920	\$ 191,710
Western	4	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 49,786	\$ 191,577
Chattahoochee	7	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 49,535	\$ 191,325
Bell-Forsyth	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 49,500	\$ 191,290
Atlantic	4	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 48,600	\$ 190,390
Douglas	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 47,784	\$ 189,574
Cherokee	4	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 45,000	\$ 186,790
Alcovy	5	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 43,808	\$ 185,598
Houston	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 43,369	\$ 185,159
Piedmont	4	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 40,834	\$ 182,624
Appalachian	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 40,800	\$ 182,590
Southern	5	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 40,000	\$ 181,790
South Georgia	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 40,000	\$ 181,790
Rome	4	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 37,051	\$ 178,841
Alapaha	2	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 36,000	\$ 177,790
Tifton	2	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 32,800	\$ 174,590
Paulding	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 30,500	\$ 172,290
Dougherty	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 30,500	\$ 172,290
Rockdale	2	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 30,000	\$ 171,790
Mountain	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 28,947	\$ 170,737
Conasauga	4	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 25,000	\$ 166,790
Northern	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 24,600	\$ 166,390
Dublin	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 24,000	\$ 165,790
Middle	2	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 24,000	\$ 165,790
Ocmulgee	5	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 24,000	\$ 165,790
Oconee	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 24,000	\$ 165,790
Tallapoosa	2	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 24,000	\$ 165,790
Southwestern	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 23,855	\$ 165,645
Towaliga	2	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 21,000	\$ 162,790
Cordele	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 20,000	\$ 161,790
Enotah	3	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 20,000	\$ 161,790
Lookout Mountain	4	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 16,000	\$ 157,790
Pataula	2	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 12,000	\$ 153,790
Toombs	2	\$ 126,265	\$ 2,525	\$ 5,000	\$ 2,000	\$ 6,000	\$ 12,000	\$ 153,790

AD HOC COMMITTEE ON JUDICIAL SALARIES AND SUPPLEMENTS

Superior Court Salary Survey Results March 2023

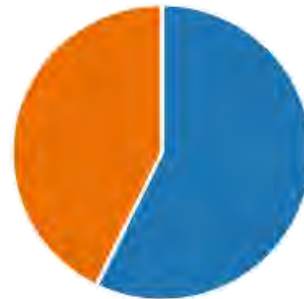
1. How long have you served as a Superior Court Judge?

● Less than four years.	45 (24%)
● Four years or more.	59 (32%)
● 10 years or more.	40 (21%)
● 16 years or more.	29 (16%)
● 24 years or more.	14 (7%)



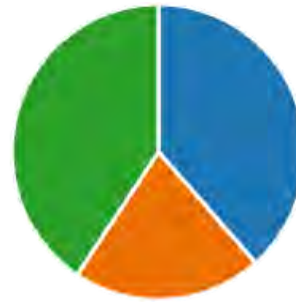
2. Are the local supplements paid by your Circuit/Counties:

● Less than the \$50,000 "cap"	107 (57%)
● Equal to or above the \$50,000	80 (43%)



3. How many counties are in your circuit?

● 1	72 (39%)
● 2-3	39 (21%)
● 4 or more	76 (41%)



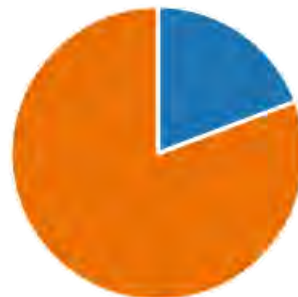
4. Will you receive any retirement on your local supplements?

● Yes	98 (53%)
● No	89 (48%)



5. Is the current compensation system fair to all Superior Court Judges?

● Yes	36 (19%)
● No	151 (81%)



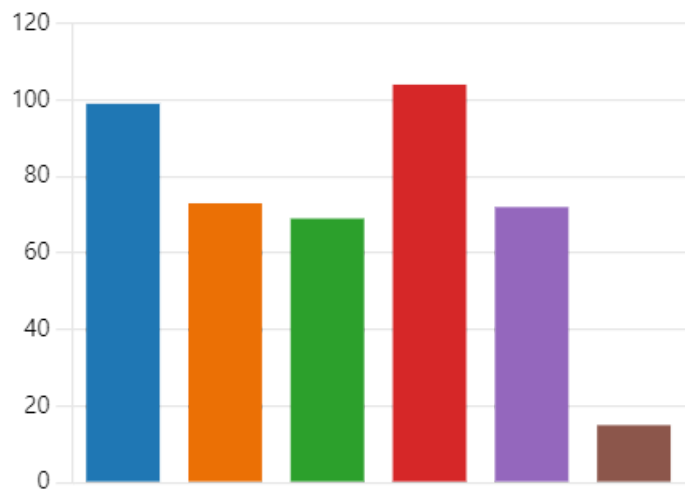
6. How satisfied are you with your compensation:

● Extremely satisfied	4 (2%)
● Very satisfied	31 (17%)
● Somewhat satisfied	82 (44%)
● Dissatisfied	52 (28%)
● Very Dissatisfied	18 (10%)



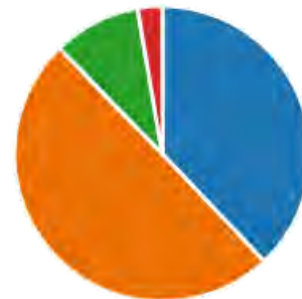
7. If you marked that you are Dissatisfied, Very Dissatisfied, or if you selected one of the first three options, but have other concerns about your compensation, please mark all reasons that apply: (See Appendix A for full response descriptions)

● My compensation is too low.	99
● I believe all Superior Court judg...	73
● I will not receive retirement on ...	69
● State Compensation does not in...	104
● The cap on supplements should...	72
● Other	15



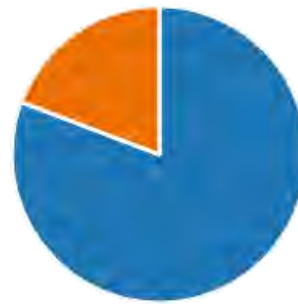
8. Have you considered leaving your position due to your compensation?

● Never	71 (38%)
● Occasionally	93 (50%)
● Regularly	18 (10%)
● Constantly	5 (3%)



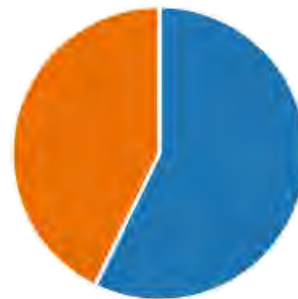
9. Do you believe the current compensation system adversely affects the ability to attract and retain qualified lawyers to the bench in your circuit?

- Yes 151 (81%)
- No 36 (19%)



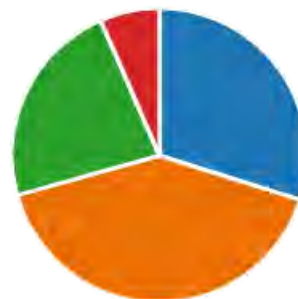
10. Should the current system of supplements be modified, eliminated or phased out in favor of a uniform system of compensation?

- Yes 107 (57%)
- No 80 (43%)

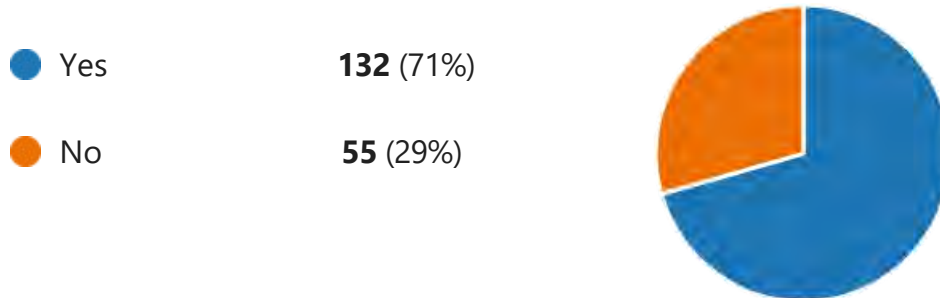


11. If you answered "No" to question 10, above, please mark all reasons that apply: (See Appendix A for full description of responses)

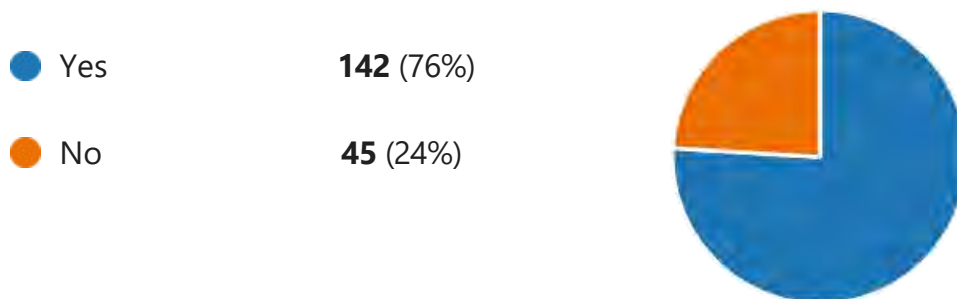
- Not all Superior Court judges d... 55
- Counties should be able to deci... 75
- Every Superior Court judge was ... 42
- Other 12



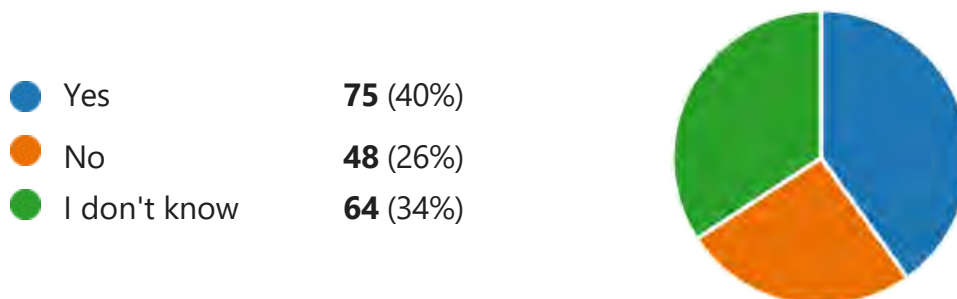
12. **Should judges in areas with a demonstrated higher cost-of-living be eligible for a cost-of-living local supplement or adjusted State pay to account for such regional differences as long as such supplement or pay adjustment were tied to an objective measure such as the Consumer Price Index, or another widely approved cost-of-living index?**



13. **Should judges be entitled to increases in either their State pay or local supplements based on the amount of time they have served on the Bench?**

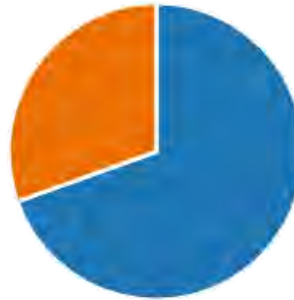


14. **Do you agree with the recommendations (assuming the recommended compensation amounts were updated to account for the time since the issuance of the report) set forth in the Judicial, District Attorney, and Circuit Public Defender Compensation Committee dated December 15, 2016? The recommendations can be found on pages 21 – 22 in the document below: <https://jcaoc.georgiacourts.gov/wp-content/uploads/sites/6/2023/03/Judicial-District-Attorney-Circuit-Public-Defender-Compensation-Commission-2016-Report.pdf>**



15. **Do you agree that the Georgia appellate court judges should receive a higher compensation than Georgia trial court judges?**

- Yes **130 (70%)**
- No **57 (30%)**



16. **Do you have any additional comments or suggestions on the survey itself? (Please indicate below)**

See Appendix B

17. **Please provide suggestions/proposed solutions that you think might assist the Committee in offering recommendations that would revise or eliminate the local supplement system? (Please indicate below)**

See Appendix C

Appendix A:

Question 7. If you marked that you are Dissatisfied, Very Dissatisfied, or if you selected one of the first three options, but have other concerns about your compensation, please mark all reasons that apply:

- My compensation is too low **99**
- I believe all Superior Court judges should receive the same compensation **73**
- I will not receive retirement on my supplements **69**
- State Compensation does not include longevity or step-raise increases **104**
- The cap on supplements should be removed **72**
- Other **15**

Question 11. If you answered “No” to question 10, above, please mark all reasons that apply:

- Not all Superior Court judges do the same job. **55**
- Counties should be able to decide for themselves whether and how much to supplement their Superior Court Judges’ compensation. **75**
- Every Superior Court judge was aware of the current compensation scheme when they decided to run for office or seek appointment. **42**
- Other **12**

Appendix B:

16. Do you have any additional comments or suggestions on the survey itself? (Please indicate below)

- The case count/weighting system assures that Judges statewide carry similar caseloads regarding the number of cases. Judges from metro areas erroneously claim a heavier workload. Simply false.
- I do not believe all Superior Court Judges do the same work. Depending on the circuit, the case volume may be higher and the structure for managing cases is different. For example, in one circuit, only a few Judges handle domestic cases and they handle no other case types. In another circuit, certain Judges hear criminal cases and some hear all other case types excluding criminal. I am not certain about what value that should hold in the determination of uniform compensation but I do not think it cannot be factored into the conversation.

Overall, a uniform base salary with our other considerations such as cost of living in a particular area of the state, case volume ranges, and length or time in service should be factored into any change to the compensation structure. In the meantime, no compensation increase at all may result in a mass exodus from the bench as individuals vest their pension in favor of more lucrative opportunities. .

- It is difficult to address the local supplement issue because several circuits are receiving very high supplements which puts the less fortunate circuits at a disadvantage even though the judges of the less fortunate circuits do as much or more than the judges who benefit from huge local supplements.
- The survey is a joke, why not contract with an outside professional to run the numbers on what the compensation should be for a lawyer with the training and experience of the average judge, and set the compensation by the state at that level. In addition allow the counties and / or circuits to pay additional compensation to assist the judges in their jurisdiction.

Furthermore, there are experts, who can determine compensation for various levels of expertise.

- It is very difficult to answer number 14 without updated salary proposals. I had to think long and hard about leaving the public sector for a judicial position. The only thing that makes me question my decision is the low pay when I know I could go back to private practice and double my salary. I have many friends in the bar who would make excellent judges but just cannot afford it.
- Retired judges should get raises when active judges do.
- All Superior Court Judges should be compensated comparably.
- The committee was charged with not only reviewing the county supplements but county funded retirements as well. The thought of counties paying retirement to non-employees is a stretch in logic. The large amounts of county supplements (in addition to state retirement) is potentially embarrassing. Rather than gather the data which this committee was charged to evaluate; no detailed figures are presented. It is difficult to believe that a FOIA request to each Chief Superior court judge, requesting the amount of retirement and from which sources would not have obtained the information. It is not too late to obtain this data and add a table. Full transparency now is preferable to it later being revealed and the committee trying to explain why it did not perform that part of its task. Just get the data and add a table. Supplement the report afterwards if need be.
- This is a large and diverse state. A "one-size fits all" approach for compensation for state trial judges is neither wise nor equitable. The daily business in one corner of the State differs dramatically from the business in another corner. We have the same title, but we do not work identical jobs.
- Regrettably, I am skeptical of any benefit that will come of this salary study for the vast majority of judges that live north of I-20.
- The work of the superior courts is critical and of extremely serious consequence. I would propose doing all one can to create an environment (financial or otherwise) to attract and retain the most qualified and best suited lawyers for these positions.
- Local supplements are logical and appropriate. The mayor of Atlanta makes more money than the mayor of Douglasville because the scope of the job is different, the cost of living is different, and the tax revenue for the jurisdiction is different. The same applies to judges in large metro jurisdictions versus smaller jurisdictions. If the taxpayers in a county are willing to pay their judges supplements to keep good judges

in office, why should the State tell local governments that they cannot do this, or even limit the amount that the county can pay in the supplement?

- If all Superior Court Judges carry the same general workload, then all should be compensated the same. Our circuit operates with any State Courts and, in addition, our Superior Court handles 2 counties worth of traffic cases.
- Again, we have 50 different compensation formulas for judges who have the same duties and workloads. The formulas are based largely on politics and geography, i.e., who lives in prosperous counties with good relations with their commissioners, and who doesn't.
- The previous studies have been well done and thought out and should be followed.
- We live in what is still somewhat rural but live near a big city in Tennessee. The cost of living is still high such as Atlanta experiences. I will concede that I knew how much I was going to earn when I took this job and will admit that I did not know how much other judges in the State are making in supplements. The judges receiving the higher supplements are still doing the same job I am doing but getting paid a lot more than I am. The salary should be uniform throughout the State.
- Local counties, which judges are often called to rule against, should not have a part in the pay of judges at all. The judges should be independent of the county and county commissioners. If judiciary salaries were higher, the rural areas and legal deserts would be in a better position to attract and retain lawyers. Judiciary pay absolutely should not be tied the presence of a treatment court in the circuit in any capacity because it is blackmail or pay to play for the judges, when a certified court may not be in the best interest of the area (this circuit's non-certified state court treatment program is much more efficient and useful than the state certified program). Additionally, rural counties struggle to have matching funds for treatment courts; many cannot even afford basic courtroom supplies and equipment. As funds for treatment programs are reduced by the state and/or federal system, rural counties will not be able to afford these certified programs, and the judge is punished with reduced pay because of this pay to play mentality (giving metro judges an advantage in a system that already can and does pay them more). Again, a judge is having to "fight" with counties (who may pay them) about money. Also, rural judges are true general practitioners that handle everything that walks through the door; they work very hard with

very limited resources and staff, so the idea that one type of judge works more than another is ludicrous in such a stressful and demanding job. Also, when would the court of appeals, who has a much larger mandate and case load, get paid less than the supreme court, just because of title? Such suggestion is insulting to the court of appeals; supposed prestige of title should not be a basis for pay.

- Not really, except to say that while Superior Court Judges across the State don't always do the same job due to regional differences, we all have the same duties and jurisdiction. While our rural and urban judges have different day to day case types, they also have drastically different resources to assist them and each face unique challenges. The differences between how we each function in our job and what our circuits require of us is not a valid basis for justifying salary inequality. Cost of living differences should be considered.

As far as salary amounts, while I am not unhappy with my compensation, I also see the irony in presiding over motions hearings where 7-8 lawyers are involved in the case, and while I am tasked with making the final decision, I am also the lowest compensated person in the room.

- I don't buy the basic premise that we all need to make the same. Anybody that wants to come run the calendars that I run in my circuit is welcome to. I don't want to go work in the apple orchards or below the gnat line. This is what I signed up for and I knew the case load, the special local conditions that exist here, and the pay structure when I took the job.
- I think the survey is very helpful. With regard to question 12, I almost answered "no" because I do not think local supplements should be used to accomplish any adjustment for local cost of living adjustments. This would just continue the current system that encourages circuits with favorable local government to get their raises through the county commission. Any cost of living adjustment should be part of the Superior Court pay package that is approved by the State Legislature. If we ever get beyond local supplements, this is the kind of adjustment we can all support as a body, just like longevity raises. Until we get beyond supplements, we will never be able to work together on important issues as a body.
- Question 12 is going to lead to completely unreliable results because of the caveat language.

- The issue of working with multiple Board of Commissions within a circuit regarding budgets and supplements is extremely difficult and results in salaries and supplements stagnating for years and years
- The 2016 plan is a bit outdated. I'd be more in favor of the plan were Superior Court Judges paid \$185,000 versus \$175,000 under option 2.
- If survey participants indicate that judges should NOT be compensated equally because "not all superior Court judges do the same job," then should the workload assessment committee's approach be overhauled to no longer consider recommending new judgeships based solely upon caseload?
- good luck!
- The silly perception that greater effort is needed in some Circuits should be eliminated.
- There are great disparities between circuits
- I took a large pay cut when elected judge in 2008. My judicial salary has not even kept up with the cost of living although the workload has increased dramatically. In my view, Counties should be able to offer incentives in the form of supplements to attract better, more qualified candidates as judges. It was astonishing to me that after 28 years as a lawyer and nearly 14 years on the bench, my son was paid more than I make his first year out of law school.
- If qualified candidates are going to be attracted to public service (Judges, District Attorneys or Public Defenders), then the State needs to have a pay scales which would be attractive to those candidates and especially if they are carrying student debt. Need ongoing commission to look at salary issue on continuing, periodic basis.
- When assessing who should make what, the workload assessment is helpful but not if credit is given for work done by other judges. Some circuits do it all and are swamped whereas others seem to have slush funds, senior judges at the ready, and lower courts to do their dirty work. If this results in more pay for people to kick back, I would rather spend our efforts at getting more judges/help for the needy among us.
- The local supplements should be paid to the state then paid at judicial salary so that our retirement amount includes the part of our salary that are local supplements.

- Compensation is the most divisive issue facing the CSCJ. It very much adversely impacts morale and collegiality and so also adversely affects the administration of justice in this state. Looking at the NCSC data, no Superior Court judges are overcompensated, but many Superior (and all appellate) judges are dramatically undercompensated. There is no easy solution, but one must be found.
- Other classes of Georgia courts receive a longevity increase. Superior Court judges should be similarly treated. Next, there is a huge difference in the cost of living in metro areas vs. rural areas.
- I am not of the opinion that any Superior Court Judge is overpaid, and I do not believe that any current Superior Court Judge should take a pay cut. However, the current model in Georgia for Superior Court judges is simply not fair or sustainable.
- The problem is that judicial pay has not kept pace with the cost of living over the time I have been on the bench. I did not take this job because I wanted to get rich, but I don't think that judges should be worried about paying their bills or educating their children.
- Well done. Thank you for your efforts. And please don't let this effort go to waste by ending up on shelf.
- I believe that not having all superior court judges earning the same amount is unfair and creates division within our ranks.

ALL appellate judges, regardless of where they live, earn the same amount.

We all do the same work: however, most judges in circuits that are paid high supplements have additional resources, ie staff and extra senior judge days, that could actually decrease the workload. None of this should matter, we are all superior court judges and we should all make the same amount.

- The current haphazard system is simply not fair to the judges serving or the to communities and State in which we operate. It unfairly perpetuates the notion of "two Georgia's." The proposed new system of compensation seems very well thought out, is tied to objective measures (Georgia's population and GDP), demystifies what is currently in place, will be comparatively easy to equitably maintain, will have a stabilizing influence on the judiciary (as well as prosecutors and public defenders offices), and will correct longstanding issues and disparities.

- I answered yes on the supplement retirement question but any retirement on supplements is strictly voluntary on part of the county commissions.
- This is a very complicated situation but the solution cannot be to reduce compensation for other judges.
- I think all Superior Court Judges should receive \$180,000 as opposed to \$175,000.
- I did not become a detective for the pay nor did I become Mayor for the pay or Superior Court Judge. Low pay is the price we pay for being given an office of trust. Unfortunate but a reality. If your goal is wealth, stay in the private sector.
- It costs significantly more to live in some areas of the state than others and judges who live in areas where their local counties value them should not be penalized because other circuits are not generous.
- The survey questions are slanted to try to reach some kind of conclusion. The survey should be more open-ended to get the range of opinions of judges. It should not be slanted like this one in order for someone to take this to legislators or decision makers for evidence for some sort of policy change.
- We all do the same job as the judges in the metro areas but in this rural circuit, and probably in most rural circuits, we do not have any state courts in our multi-county circuit. We are literally trying everything from speeding cases sent from the probate courts when defendants demand a jury trial to murders.

We do not have calendar clerks or other staff that metro circuits have and it is demoralizing to realize that we spend an inordinate amount of time on administrative matters that metro circuits have staff to handle. We are constantly having to deal with mundane matters from the offices of our clerks of court that would normally be handled by other staff.

Our counties do not supplement our staff attorneys and we are unable to keep them longer than one year, and with the job market the way it is, we often do not keep a law clerk for the entire year since they can make more money in private practice or in a DAs office, where I understand that some counties, even in some rural circuits have been willing to do.

- Other classes of courts have been able to advocate for much more lucrative salaries with growth built in (see Magistrate judges legislation). We are drowning in Superior court and without looking at the entire judicial picture we will not attract the folks necessary to do this critical work.
- The biggest issue with me is that the local supplements do not have retirement benefits.
- I know many sharp and skilled attorneys in private practice who would greatly benefit the community as a superior court judge, but who are unwilling to become a judge due to the salary cut that would be involved. I do not believe that a step system for years of service is warranted. Older and younger judges handle the same types and numbers of cases and quality of performance does not necessarily coincide with years of service.
- The supplement cap is unfair, given there are circuits where the judges already received more than the cap. If the supplement system is not going to be eliminated, at least the cap should be, to allow all of us to be on the same footing in the requests for supplement increases. County commissions also should not be allowed to peg other offices to our salaries. It is often just an easy way for them to deal with salaries in one fell swoop, and has little to do with job requirements and responsibilities.
- There needs to be better uniformity in salaries throughout the state of Georgia. Also, appellate judges should lead the way with regard to salaries...they should receive salaries above the highest superior court salaries.
- All Georgia Superior Court judges should be paid the same base salary. An adjustment upward for high cost of living circuits would also be appropriate. We all do the same job and the current system creates classes of “haves” and “have nots” that breeds discontent.
- Our jobs are established by the Ga constitution and are political even though we may not want to admit it. If you think at some point after you have taken the job that you deserve more compensation it is up to you to politically secure more money whether it is from the State, locally or your constituents.
- 1) While I can certainly understand why an appellate court judge might think they should make more than a trial court judge, if you look at the job, the skills involved, the resources available, quite frankly, a trial court is simply MORE WORK than an appellate judge. Ask the appellate judges who used to be trial court judges which is more challenging. The trial court is a more difficult job. That said, if it will make all this

divisive compensation talk go away, pay the appellate judges more. I don't care how much they make quite frankly (other than as a tax payer), and I don't want that job ... even if it pays \$500k a year, I don't want it. I ran for the job that I wanted, and I really enjoy my work.

2) Starting salaries for FIRST YEAR associates at a big firm in Atlanta (which is where I started my career) is \$215k, with some even matching NY/Cravath comp scale at well over that. There are no rural law firms that pay those types of salaries. Folks in rural circuits want a different lifestyle - no traffic, small communities, less violent random crime, more relaxed -- than those in metro. That's the benefit of living in a rural area. But quite frankly, I don't see how you justify having a metro salary if you don't have the deal with the headaches of living and working in a metro circuit. Everything is a give and take.

3) We do not have a unified trial court system in Georgia. It's not how we are set up and I do not think it is a bad thing. Each county has a lot of autonomy, and this exercise in judicial compensation is attempting to remove that autonomy.

4) It is VERY important that the Superior Court judges retain their independence. This strong arming by the Supreme Court/JC/AOC trying to force the judges to agree on a topic that anyone with even the slightest bit of sense knows will NEVER happen is unfortunate. And it seems to me that this is an attempt to destroy our independence and somehow bring us under the governance of the JC/AOC.

5) As just an example of how we are different, I wonder how many judges in rural circuits have to PAY FOR PARKING EVERY MONTH at their courthouse? It is deducted from my supplement.

6) I took a significant pay cut for this job. I knew I was doing it and it was a decision my family made. If I never get another raise, well that's the job I signed up for. But do not cut my pay please.

7) Honestly, I'd like for our compensation to be merit based. Judge who are mean to litigants and attorneys, discourteous to those around them, full of themselves, disinterested in being diligent in how they apply the law should make LESS money than those who work hard and long to do the right thing with the right temperament. Let the lawyers rate us and decide our pay. Now that would be "fair"

- I believe that counties should be able to supplement the state paid salaries of Superior Court judges. This is the best way for a community to provide judges with the level of salaries that are somewhat commensurate with the income of the local Bar. This also helps offset the high cost of living in large,

mostly urban counties. In my circuit, the State Court judges regularly receive salary increases (mostly through local legislation) and Juvenile Court judges regularly receive salary increases through the county. If the salary cap is not removed soon, in short order the State Court judges and, eventually, the Juvenile Court judges in my circuit will receive a higher salary than the Superior Court judges, the Probate Court judge, and District Attorney. It is the system of uncapped local supplements that historically kept the salaries of these offices proportionally aligned.

Finally, the present structure of local supplements is decades old and presumably every judge took office aware of the system of remuneration. To eliminate local supplements would drastically and negatively affect the salaries of many Superior Court judges as, indeed, the salary cap already does.

- The Federal Courts have received a significant increase since the study. There should be a prohibition on setting others salary based on ours. The other constitutional officers in my county now receive 95% of my salary including supplement. This includes the tax commissioner, sheriff probate and magistrate judges. The clerk probably receives an additional \$40,000 above me based on passport fees. My country pays court appointed lawyers \$100 per hour. I will fully vest in 4 years and still have 4 years before I can retire. I could easily go into private practice and make 2x my current salary. In civil cases we are the lowest paid lawyer in the room. The fact that justices Blackwell and Melton left the Bench shows a problem with pay disparity. The Supreme Court Justices should receive significantly higher compensation. The Judges of Superior Court should receive a significant pay raise. We have to deal with issues that most citizens don't fully comprehend. I am currently in the middle of the worst contested domestic case in the history of the world. I'm on day 11 the lawyers have received over 100,000 the guardian as litem has received \$35,000 and I've lost 5 days that I didn't have court already scheduled. In the Fall of 2021 I had a 5 week murder trial that had at least 15 days of other activity prior to trial. I believe in access to the courts but the civil litigants need to pay more into the system. Because of the pay the majority of the Judges come from government or prosecution instead of private practice.

- Judges in differing counties have different work loads depending on the population. The types of cases handled also vary greatly in larger counties. Additionally, the cost of living is much higher in the metro area and require an adjustment to be comparable to judges in smaller circuits.
- Service as a trial court judge should be a requirement to serve as an appellate judge
- I don't really understand the problem this is trying to solve. If local governments want to compensate their officials more, why not? What harms comes from that?
- This is a very difficult issue. I do believe that there are some inherent differences between the level of work and pressure endured by some trial judges as opposed others. There are also differences in costs of living between different areas of Georgia. However, there has to be some way to provide more lucrative salaries for Superior Court Judges in order to recruit and retain qualified judicial candidates. I appreciate the efforts of this committee to address this complicated problem.
- The cap on county supplements to superior court judges should be repealed. It is difficult to imagine why the General Assembly would want to limit how the counties choose to spend their tax dollars in favor of forcing every tax payer in the state to shoulder the burden of paying more to all judges.

Appendix: C

17. Please provide suggestions/proposed solutions that you think might assist the Committee in offering recommendations that would revise or eliminate the local supplement system? (Please indicate below)

- There is no great answer but the solution proposed is reasonably fair
- Overall, a uniform base salary with our other considerations such as cost of living in a particular area of the state, case volume ranges, and length or time in service should be factored into any change to the compensation structure. In the meantime, no compensation increase at all may result in a mass exodus from the bench as individuals vest their pension in favor of more lucrative opportunities.
- I like the idea of a reasonable base salary with a cost of living factor for those judges in areas where the cost of living is higher.
- The local supplements should not be done away with because it is the only way judges will be paid a decent salary in the urban areas.

In addition, any recommendation should include annual cost of living increases for the judiciary.

- At a minimum there should be a significant raise across the board from the State and an elimination of the supplement cap.
- It's necessary to get county governments to buy in to this proposal or we will be back where we started.
- Seems the proposal from 2016 finding is very well thought out assuming an adjustment for the age of the findings.
- Uniform pay for state employees is the rule, not the exception in Georgia - except for trial judges. The current judicial compensation system for superior court judges is nonsense. Everyone knows it is unfair. It is divisive. It creates classes within our ranks. Additionally, there is no logical reason for counties to pay judges who are not employees. This is unbelievable. Now that the Pandora's box of uniformity and elimination of county supplements has been opened, it will remain a festering issue until someone grabs the bull by the horns and permanently addresses it. NO county supplements. NO county retirement

payments (some of which I understand are astronomical). The real focus should be on how to transition out the upper compensated tiers. Because the higher tier raises the average, the lower tier are more solidly embedded as some of the lowest compensated trial judges in America. Follow the 2016 recommendations with updated figures. It is a compromise but permanent solution.

- Remove the cap and stay out of the way of local choice. End of discussion.
- I believe that the appellate judges of our state should receive a significantly higher salary than they presently receive, especially in light of the division of work they do compared to other states of comparable size. However, the desire for lower paid Superior Court judges, in circuits with lower costs of living, to effectively increase their pay significantly while then decreasing the pay of those in circuits with higher living expenses is, unfortunately, disingenuous as it is clearly self serving. The complaints by some of my colleagues about supplemental pay has thus far failed to positively benefit them in any way, through their local commissions inaction, but has alternatively had a direct adverse impact upon me and others by limiting our counties abilities to provide COLAs to us that they are otherwise providing to every other employee. Thus the criticism has benefited absolutely no one. Unfortunately, my cynical view is that the current compensation study will equate to more of the same, ultimately producing the justification for state legislators and the ACCG to reduce overall judicial funding rather than the overly optimistic view that they General Assembly would, out of pure magnanimity, bring the salaries of all to the highest levels currently held by some. That is a belief that is not grounded in reality.
- I do not have proposed solutions.
- I believe Superior Court Judges' salaries should be independent of other courts salaries. I also believe Superior Court salaries should receive COLA raises as all state and County employees.
- Not going to pass in Georgia
- This is a difficult issue. Situations vary from county to county. Perhaps the committee should look at other county positions and pay, for instance, county manager, finance director, county attorney, school superintendent, etc. those positions and pay scales should provide some perspective on how various areas in the state differ in acceptable compensation rates.

- A reasonable state salary for supreme, appellate and trial judges. I suggest \$250,000, \$225,000 and \$200,000 respectively with annual colas as determined for all state employees. The cola reduces the frequency for salary review and adjustment. County supplements are critical to cost of living adjustments for those who live in or are required to live in higher cost/more expensive jurisdictions. There should be no arbitrary cap on such supplements. The pay differential among appellate and Supreme Court jurist with supplemented trial judges is addressed by the fact that these jurists can live in any county in the state and a state housing allowance for apartment rental (if that doesn't already exist) could be considered to offset that considerable cost for those jurists who do not live in or near Fulton county.
- If the local supplement system is eliminated, the cost-of-living supplement or adjusted State pay based on locality would have to be significant. The cost of living for judges who are required to live in Fulton County is vastly different for judges living in rural jurisdictions, and one uniform salary will not be equitable in any way.
- Our salary should be tied to the cost of living and average lawyer pay in the locale
- Flat salary with adjustments for high cost of living areas.
- Appreciate your hard work knowing the Committee can't please everyone. Yearly COLAs would be ok.
- There should be a higher minimum pay and let local counties supplement as they see fit. This whole proposal looks like a way to penalize judges who have worked for higher pay with their local commissioners and welfare for judges who did not, or could not
- I think the 12/15/16 report provides for the appropriate method.
- I would think the Counties would support the end of local supplements. Thanks.
- Standard salary with increases for the amount of years on the bench.
- Supplements should be phased out. Pay scale for all judges needs to greatly adjusted and raised. I make what a recent law-graduate associate attorney makes an hour after more than 20 years experience, and that is ridiculous.

- I understand that Georgia is the ONLY state that has this county supplement system. It is so unfair that certain judges make \$70,000+ more than other judges with the same seniority or more. The state of Georgia has underpaid its judges for decades, relying on counties to try to make up the difference. It is past time for the legislature to correct this unfair system. I come from a rural South Georgia circuit, and I work hard every day just like any other judge in the state, but I am paid far less. I am close to retirement age, and I hope the legislature will correct this before I retire, so that my successors will not be treated the same way. Do other state employees make more in metro areas than rural? What about troopers? Game and fish? Teachers? Extension service employees? Inspectors? Legislators?
- The best idea would be to allow current judges opt out of the change so that the Cobb/Atlanta/Augusta crop wouldn't take a cut. Also, I have no issue with metro judges getting a cost of living supplement to adjust for demonstrable differences in the cost of living in those areas.

- Supplements are authorized by our constitution and state law. I don't think that anyone should be telling my Board of Commissioners how much they can pay me. Presently the Superior Court are the only employees in my county not regularly receiving raises. There are regional difficulties all across Georgia that people don't think much about, like contested campaigns that cost \$250,000, a more litigious bar, and more time spent in court.

I also think that appellate courts need a large raise because we are losing good jurists. The State has demonstrated that they just don't prioritize judicial compensation the way they should. We would all be fools to leave it entirely to them.

- 1- All of the facts about local supplements, especially retirement benefits and recent post-cap adjustments to several local supplements/retirements, need to be shared with our group. The constant rumor and speculation creates more distrust. If you factor in the value of local retirement payments, many judges who think they are getting a very nice supplement will realize that there is more disparity than we initially thought.

2- A revised version of the 2016 recommendation is the only practical solution. No judge should receive a pay cut. A phase in is the only fair way to proceed. This might prove awkward for some circuits as the

supplements are phased out, but there is no other way to do it that will be fair to all of us.

3- We need to focus on elimination of supplements. Until that is accomplished we cannot work as a group to obtain other reforms like automatic cost of living increases, local cost of living enhancements, and longevity increases. We have to face the fact that our current system is outdated, inhibits most of us from getting raises, and really puts us all in the uncomfortable position of lobbying for pay from counties who often find themselves as parties in cases before us. There is a reason we are basically the only state left that does this. Its time to move on.

- Everyone should be paid what the highest circuit gets paid, a little more for COA and a little more for Supremes. Then there needs to be a scheme for periodic increases that the legislature cannot mess with.
- Abandon the premise that the local supplement system is the flaw. Focus instead on what you are trying to accomplish - increased pay for smaller circuits. Uniformity isn't equity. It's the illusion of fairness. The Fulton Circuit has 1 million more residents than the Alapaha Circuit. One Million. Any suggestion that the 2 Judges in Alapaha are doing the exact same job as the 20 in Fulton is a straw man argument that only alienates the other judges who could help your advocacy.
- Establish a state salary that is commensurate with the work trial judges do and the complexity of the cases and directly affecting citizens. Build in a COLA plan the keeps pace with inflation.
- Consider if there is a way to have counties reimburse the state for supplements, or require counties to provide retirement benefits.
- Phasing in the change makes the most sense. The MOST important thing is that judges should receive STATE retirement benefits based upon their entire compensation, regardless the cost to the state, even if that has to only be for new judges. The system becomes more inequitable with each passing year.
- base salaries on the total population in the circuit to account for cost of living
- Local supplements are inevitable, and to be encouraged. There needs to be a flatter, simpler compensation structure that permits local addition without creating disproportionate or unwarranted differences between judges and circuits.

- Judicial salaries for Superior Court judges should be increased significantly and the county supplements eliminated such that all Superior Court Judges receive the same compensation
- Ask Legislature to pass proposed statute which would require all counties of a judicial circuit to contribute to a fund so as to pay supplements at the highest level paid by Augusta Circuit (and circuits similarly situated should not be upset and which would probably upset governing authorities in lesser financed circuits and create an outcry from the lesser financed to adopt straight pay by state and eliminate supplements. Same proposed bill then should decree that there be no further supplements.
- You're never going to convince someone to take a pay cut, even if it's for the "greater good." So I would like to see what the 2023 numbers are instead of trying to make assumptions moving 2016 numbers forward. Otherwise people are going to kneejerk vote against working with you guys. And what would the locality pay bump look like in reality - it's hard to assess without any kind of metric on what that would look like. But I would like some kind of standardization. There are a number of reasons it makes sense to get our compensation out of the county level.
- The local supplements should be paid to the state then paid at judicial salary so that our retirement amount includes the part of our salary that are local supplements.
- I would support the proposal contained in the 2016 report, updated for the current salaries. Also, Superior Court and Appellate judges should receive step-raises or longevity increases based on the length of their service.
- No cap on local supplements. It is the engine that drives reasonable salary increases. Please note that once the supplement cap was enacted, pay raises ground to a halt. Superior Court judges should get the same cost of living increases as other state employees.
- I believe that the 2016 report and recommendations is a good basic model for how to change the current system - that the supplement model should be phased out over time; that the counties perhaps continue to pay the amount of the supplements to the State or better yet the retirement fund to ensure that it is and remains actuarially sound with a State pay increase; that Superior Court Judges receive regular COLA's and longevity increases so that the Legislature does not have to amend a statute for a pay increase; that Judges receive retirement benefits on the entirety of their salary; that the amount of the

salary be an actual living wage consistent with the education and experience of our bench. Also, I am not opposed to the changes perhaps being an "opt in or opt out" system on a circuit by circuit basis - at least during the phase out or even long term. The current model for county supplements simply creates an environment of "racing to the Legislature or County Commission" for an increase in supplements which actually, in my view, suppresses the pay for rural circuits whose counties cannot keep absorbing any supplement increases for judges who perform the same functions and comparable case loads per the Workload Assessment Committee.

- The local supplements are the reason that most judges have been able to remain on the bench. I am concerned about the long term results of eliminating the supplements. I have been on the bench long enough to remember long periods of time when the judges got nothing or in a good year only 1%.
- It's not just our pay but also that of prosecutors and public defenders. The regular political chat out of Atlanta is we're tough on crime. Not with the low salaries of the lawyers though. We can't get and retain enough of either in our circuit. Victims deserve better! Rising water floats all boats.

Stop the AOC from reporting false information on judicial salaries based on averages. It's very manipulative to use the highest paid salaries to provide Georgia with the cover for paying extremely low state salaries. This is especially true when Georgia doesn't mandate retirement on county supplements and even more so when it caps those supplements.

If this effort fails please hire a lobbyist who can carry them out for a steak dinner or whatever and speak their language. I'm approaching 22 years on the bench neither the democrats or republicans respect judges much less listen to us. Everything in the book has been tried. Promises made and broken for decades.

If all else fails try to get the supplements uncapped and authorize JRS to collect and maintain retirement on our county supplements. The state should pay in enough to keep JRS actuarially sound.

Thanks for the hard and good work of this committee!

- I suggest tying the trial court state paid salaries to objective criteria e.g. 90% of federal district court salaries. And end county paid supplements. Make a percentage of the state paid salary (80%) payable in retirement.

- I think the proposal that the Compensation and Retirement Committee came up with a year ago would be the solution.
- I cannot think of anything to improve upon that which has been presented. Thank you all (Committee) for your hard work.
- The 2021 recommendations of the Compensation and Retirement Committee to the Executive Committee of the Council of Superior Court Judges is a much more workable, and updated, plan than the recommendations of the 2016 committee.
- The legislature should make our salaries only tied to appropriations and not statutes. They should untie us from all other county officials. Then they should require all Counties to send at least \$40,000 in supplements to the State similar to the SPACER program utilized by the Prosecutors and the Public Defenders. Supplements in excess shall be continued but eventually phased out upon the retirement of the judge. This would get the Counties out of the supplement retirement business and provide a more secure retirement for the judges and their spouses.
- We need a lobbyist. It is unbelievable that our group thinks we can accomplish a task as large as complete judicial pay overhaul without a lobbyist!!!!!! We are always told to not discuss any issues with our local elected officials, we are told, let leadership handle it, well most in leadership have their name on a list for an appointment to a higher bench, they damn sure are not going to bat for us!!!!!! I for one am done waiting on leadership, i intend to talk to my local senator and legislators and intend to encourage all other superior court judges to do the same. we are getting nowhere as is.
- Superior Court - \$225,000.
CoA - \$235,000.
Supreme Court - \$245,000.
Incumbent Judges keep current supplements but
Supplements should phase-out and new judges would not receive.
- If all salaries can be equalized to Cobb or Augusta then we should be fine for a state wide solution
- I don't think the local supplement should be eliminated. Honestly, all the salaries for judges should be increased to attract better qualified judges especially for our superior and appellate judges. We are still

trying to address a backlog from COVID and it is frustrating to not receive any increases at all with how hard we are working. I am working even harder than I did in private practice and making way less money, I do love the job and the difference I am making. I would just like to be compensated more fairly.

- I can't think of a better solution than that proposed by the Compensation Committee.
- I believe the highest supplement is paid to the Augusta circuit. Perhaps the salaries of all Superior Court Judges could be adjusted to that level. I realize that is a big adjustment, but it is the only one I see that hurts no sitting judge.

It would thereafter be paid at the State level, subject going forward to whatever COLA or other adjustments the legislature saw fit to add.

All local supplements would be abolished.

All "Christmas tree" calculations for lower courts around the State would be abolished, as they tend to get out of sync periodically, especially given the statutory authority for Magistrate Court 5% annual raises, etc. In its place perhaps a requirement that all lower courts can be compensated at no more than X% of the Superior Court salary.

- The current pay paid by the State is generous. However, there should be some additional consideration given for an increase.
- Simply have to graduate a new uniform salary in with newly elected or appointed Judges starting with a future election date. Those on the current system retire on the system but once the new salary is codified, any judge making less than the new salary including their supplements will be brought up to the new salary. So everyone will make the same, some with supplements until they retire. The new judge from that retiring position will no longer get supplements but instead will be on the new fully funded state salary. Will be a chain reaction with state court judges, DAs, and any others tied to that system. Same process will have to occur. So supplements work out through attrition. Over time all judges will

make the same and supplements will be stopped. My 2 cents worth of supplemental information. Lol. Thank you for the effort being made.

- I thought the plan submitted 2 years ago to phase out County Supplements over time was a reasonable solution
- My suggestion would be that the salaries of superior court judges be tied to the salaries of federal district court judges (say 90%) and that salaries of the Georgia appellate courts be tied to the salaries of the federal circuit court of appeals. By tying our salaries to the feds we would not have to periodically go beg the legislature for cost of living increases. Also it would be good to unhook other official's salaries from ours.
- Most judges do not want to admit that there is an inherent conflict of interest in receiving pay from the county. There is! those who are getting large supplements should be prepared to receive no pay increases for a very long time until the rest of us "catch up" and all of the salaries are fully funded by the state as should be.
- I believe the committee should support those circuits without supplements in their efforts to get their counties to obtain local supplements to account for the cost of living and market factors in those counties.
- The legislature should establish an appropriate salary for all superior court judges and prevent counties from supplementing salaries. There should be some step up in salary depending on the time in office. A judge that has been on the bench for several years should make more than a judge who is just starting. Step increases would eliminate having to seek increases every session of the General Assembly.

Judges should be included in all cost of living increases when other state employees receive them, even if the increase is not the same percentage.

- The current supplement system is so grossly out of balance that us rural judges have no realistic chance of any substantial pay adjustments because if metro judges get the same increases, the legislature won't fund it. Metro counties have no difficulty with increasing their judge's supplements to fund annual increases. Rural counties simply can not do so.
- We should be able to make supplements part of the retirement.

- The current system is patently unfair. Giving local boards of commissioners the ability to control a large part of our salaries is a way for them to "play favorites" between judges and other elected officials and exercise control over the judiciary. The State should shoulder the responsibility of paying us, and we should either get longevity increases, COLAs, or both. I would support a difference in supplements paid around the state based on an objective standard such as Consumer Price Index, but not based on the whims of various county commissions around the state. For example, our BOC voted in 2022 to pay our sheriff the same as a Superior Court judge, although he had been in office 6 years at the time, and 2 or 3 Superior Court judges had been in office at least 10 years.
- I think it would be appropriate to "grandfather(mother)" in sitting judges and allow them to keep their current supplements (if they choose to), and have all future judges on the same base salary with adjustments for high cost of living areas.
- I have found that sometimes you can go to your local legislative delegation and sometimes to your country governing authority to get more compensation. Depends which group is more favorable to you for the job you have done.
- Every Supreme Court Justice should receive \$205,000.00 per annum, every Court of Appeals Judge \$202,500.00, every Superior Court Judge \$200,000.00 per annum, all from State funds (eliminate all County Supplements).
- If it will make this all go away, pay the appellate judges more. Just like I tell my children, there is no "fairness" in this world. People who complain about "fairness" are typically mad because they don't have what they want. There is no way to make compensation among a non-unified court system "fair." Trying to make 200+ elected judges agree on something so personal, a decision that no matter how you look at it will DECREASE or ELIMINATE A PAY INCREASE for many judges, is going to accomplish nothing other than hurt feelings and a divided group. Recommend that the appellate judges make more so that they will stop using this issue to try to take away our independence. In the "old days", it seemed like judges were all independently wealthy. I don't think we want to eliminate from the pool of judges those who are NOT independently wealthy. Our collective bench is

better with diversity of all types, including economic background. To that end, judges should make more than other attorneys in government in your circuit/area.

- Leave the system alone and eliminate the salary cap. If the committee wants to recommend raising the salaries of appellate court judges that's fine.
- I don't want to make this a rural vs suburban vs urban issue but ultimately that is what this is. I don't know how a metro county judge can live on what they get paid, but they also have other judicial resources to assist them in their jobs and get large supplements. The rural circuit judges are on the bench much less and travel more but then get mileage and meals tax free. As a suburban single county circuit judge we get neither and have a county government that historically has treated us as a "Department"
- Counties should be allowed to decide what they want to pay their judges in supplements without interference from the State.
- I believe each county should be able to decide on the supplement amount it give to judges in their circuit/county with no cap.
- I have never understood why the local supplement system should be eliminated. I do not recall having heard any compelling argument against it, but maybe I've missed something somewhere along the line. My view has always been that local authority and power are much preferred over distant authority and power because local power is checked more easily. Eliminating county supplements seems to violate this principle. But if the State wants to raise our salaries to \$175,000.00, increasing our retirement income in the process (hopefully JRS will not be impacted negatively), and eliminate county supplements, I won't stand in the way.
- If this is favorably considered, qualifying date should pushed out to April.
- Let the Counties exercise their rights under the Home Rule provision in the Constitution and remove the cap.
- This is an existential moment for the CSCJ and the JC. The Superior Court is a State of Georgia responsibility not the counties. There is a vast obvious disparity in resources in different circuits for the same courts, not just in judges salaries but law clerks, personnel and support services. Georgia now has a separate but equal court system. All citizens of Georgia deserve the same level of justice regardless of

the wealth of their county. Several years ago we had an opportunity to set a base salary of 150. Leadership rejected it because it wasn't fair to those who made more than 150. Unity has been going downhill since that time and the gap continues to widen. Leadership (not all but to many) has been looking after leadership and not the rank and file. If leadership doesn't act others will and are already filling the vacuum. We are no longer all in this together, it is becoming increasingly an us vs them mentality. Some judges think they deserve more solely because of their residential zip codes and nothing else. That has a bad look and smell for a "justice" system. As George Orwell wrote quoting the pigs "All animals are equal but some are more equal than others." That is not good look for Georgia justice.

Appendix I

**Judicial Council of Georgia
Ad Hoc Committee on Judicial Salaries and Supplements**

Initial Report

December 9, 2022



Committee Mission

The Judicial Council of Georgia Ad Hoc Committee on Judicial Salaries and Supplements was created by Supreme Court Order on May 26, 2022, for the following purposes:

1. To update and expand upon the December 16, 2016 report of the General Assembly’s Judicial, District Attorney, and Circuit Public Defender Compensation Committee to reflect current amounts of state-paid salaries, state-paid salary supplements (e.g., for accountability courts), and county-paid salary supplements, as well as any state-paid or county-paid retirement benefits or other significant monetary benefits related to supplements, for Justices of the Supreme Court, Judges of the Court of Appeals, the Judge of the State-wide Business Court, superior court judges, district attorneys, and circuit public defenders, and to update comparisons to salaries for similar positions in other states;
2. To identify which county-paid officials’ salaries or salary or retirement supplements are determined by reference to the salaries or supplements of superior court judges, district attorneys, or circuit public defenders, so as to better understand the consequences of changes to the compensation of state-paid officials;
3. To develop, evaluate, and recommend options for revising or eliminating the system of county-paid supplements, including the costs to the State and the counties of any options that are deemed practically and politically feasible, including by garnering supermajority support from the superior court judges.

The Committee’s term is set June 1, 2022, through May 31, 2023, unless extended by further order, and an initial report on these matters shall be provided to the Judicial Council by December 15, 2022. Led by Co-Chairs Justice Charles J. Bethel and Chief Judge Russell Smith, the Committee includes representatives from every class of court, district attorneys, public defenders, local government, constitutional officers, court administrators, and the State Bar of Georgia, as voting members, and advisory members¹.

The Committee has held three meetings to date – July 12, September 22, and November 17, 2022. Following discussion at the July 12 meeting, the Co-Chairs created three subcommittees to organize the Committee’s work: Outreach and Feedback; Metrics and Measures; and, Trial Courts of Limited Jurisdiction². The Trial Courts of Limited Jurisdiction Subcommittee met on October 12, 2022³, and the Outreach and Feedback Subcommittee met on November 2, 2022.

The Committee presents the following initial report to the Judicial Council of Georgia. While this report endeavors to provide an update on the current state of affairs regarding judicial compensation in Georgia, much work remains to be done due to the absence of a uniform compensation structure, as well as the lack of any uniform requirement that compensation be regularly reported or published. The collection of data has proven to be more complex and complicated than expected; the Committee acknowledges there is still much that is unknown, and will continue to identify, refine, and analyze as much data as possible to provide a comprehensive picture of

¹ See Committee Orders and Committee Roster in Appendix A.

² See Subcommittee Charges and Rosters in Appendix B.

³ See Initial Report of the Trial Courts of Limited Jurisdiction Subcommittee in Appendix C.

judicial compensation in Georgia, and recommended options for this system moving forward. We seek, and appreciate, the assistance of all classes of court, stakeholders, and partners, as we continue work on our mission.

Data Collection Process and Methods

Throughout this process the Committee has sought data from many different sources and with the assistance of many different groups. The Association County Commissioners of Georgia (ACCG) initiated a survey that was sent out to all 159 counties on July 22, 2022. The ACCG survey has served as the backbone of the data collection efforts to the Committee and will be referenced many times throughout the Report.

Through the survey process it became clear that the Committee also needed to reach out directly to judicial branch partners to both ensure the accuracy of the survey information as well as filling in gaps for counties/circuits that didn't respond to the survey. To that end the Committee sent out surveys tailored to each superior court judicial circuit in the State through the ten District Court Administrators.

To assist the Committee in its work the Georgia Public Defender Council (GPDC) surveyed Circuit Public Defenders for information on their county supplements, whether Assistant Public Defenders received local supplements, and whether additional attorneys are employed above the State's allocation.

The Committee worked with the Prosecuting Attorneys' Council (PAC) to send out surveys to all 50 District Attorneys to collect information on supplements, retirement benefits, as well as personnel provided above the State's allocation.

The data used to compile this report leans on all these sources. It should be noted that due to the structure of the State's judiciary that all county level data was self-reported either by county personnel, a District Court Administrator, a Chief Superior Court Judge, a District Attorney, or a Circuit Public Defender.

In addition to data collected within the State this Report will make use of the National Center for State Courts' (NCSC) Judicial Salary Tracker project. NCSC conducts surveys twice a year to compile judicial salary information from across the country. ⁴ This data was used to compare Georgia salaries to judges from across the country. Unless otherwise noted, data is from the July 2022 version of the Report.

Section 1: Updating the 2016 Report

2016 Report Overview

The first task of this Committee is to expand upon the December 16, 2016, report of the General Assembly's Judicial, District Attorney, and Circuit Public Defender Compensation Commission. The 2016 Commission was created by HB 279 (2015 Session) and was tasked with reviewing the conditions related to the efficient use of resources and caseload balance as well as the compensation paid to justices, judges, district attorneys, and circuit public defenders. The 2016 Report, which this Committee is focused on updating, focused solely on the compensation piece of that mission.

As stated by the Commission, the Report had one overarching mission in mind: "that the compensation of judges, district attorneys, and public defenders should advance the public interest." What the Commission found was that

⁴ <https://www.ncsc.org/salarytracker>

compensation in the justice system “is riddled with anomalies and inconsistencies.” The Commission’s Report examined not only the current salaries of the time, but also provided research into the history of the supplement system dating back to its origins in 1904.

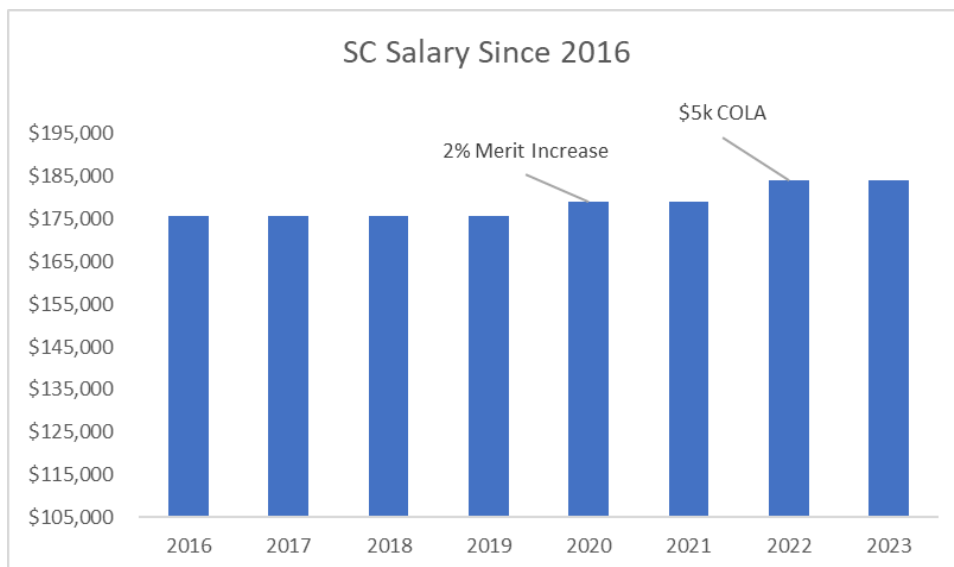
This report will not try to re-create the narrative and historical aspects of the 2016 Report, but rather provide an update on what changes (if any) have been made to the compensation structure that the Commission described in 2016. The goal of this initial Report of the Committee is to simply provide an update on the salary and supplement landscape from the 2016 Report so that the Committee will have the information needed to develop, evaluate, and recommend options for revising or eliminating the system of county-paid supplements.

The recommendations of the 2016 Report can be found in Appendix D.

Supreme Court of Georgia

At the time of the Commission’s Report in December of 2016 the salary of a Justice of the Supreme Court was \$175,600. This was based on a recent 5% increase provided as a part of HB 279 (2015 Session). The bill provided 5% increases for not only Supreme Court justices but also to judges of the Court of Appeals, Superior Court Judges, District Attorneys, and Circuit Public Defenders. None of the statutory judicial salaries have been updated since the bill passed during the 2015 Session of the Georgia General Assembly. The first NCSC Salary Survey to rank the new salary (in January 2017) placed the \$175,600 salary as the 17th highest salary among Courts of Last Resort.

Chart 1: Supreme Court Salaries since FY2016



While the statutory salary has not changed since FY2016, there have been two instances in which the State pay has increased. A 2% merit-based pay increase was approved in the FY2020 General Budget, and then a \$5,000 cost-of-living-adjustment (COLA) was provided for all State employees in the FY2022 Amended and FY2023 General Budgets. These two increases have brought the current salary for Supreme Court justices to \$184,112. In

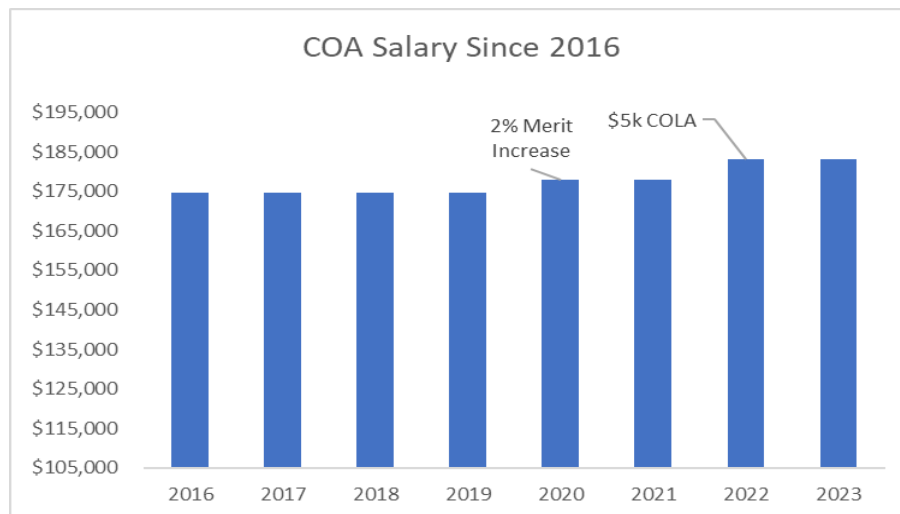
the latest NCSC data, compiled in July 2022, Georgia’s Supreme Court ranked 31st in salary nationwide. The average salary for Courts of Last Resort in the July 2022 Survey was \$191,806, which would represent a more than 4% increase from the Court’s current salary. The data from the July 2022 Survey can be found in Appendix E.

In addition to their salary, Justices of the Supreme Court are reimbursed for actual travel costs and the actual cost of lodging and meals while away from office on state business per OCGA § 45-7-20. Justices who reside 50 miles or more from the Judicial Building in Atlanta also receive a mileage allowance for the use of a personal motor vehicle when devoted to official business for not more than one round trip per calendar week to and from their residence to the Judicial Building during each regular and extraordinary session of court per OCGA § 15-2-3. In addition to travel expenses, Justices living 50 miles or further also receive the same daily expense allowance as members of the General Assembly receive for not more than 35 days during each term of court. According to a 2022 Survey by the National Conference of State Legislatures, the 2022 per diem for members of the General Assembly was \$247⁵.

Court of Appeals of Georgia

The FY2016 salary for a judge of the Court of Appeals was \$174,500. In the January 2016 NCSC Salary Tracker data, this ranked Georgia’s Court of Appeals 11th among all Intermediate Appellate Courts.

Chart 2: Court of Appeals Salaries since FY2016



With the merit increase and the recent COLA, Court of Appeals salaries now stand at \$182,990. Georgia’s Intermediate Appellate Court salary now ranks 21st across the Country. The average salary nationwide was \$183,010. The salaries for Georgia’ Appellate Courts have slipped by 14 and 10 spots respectively in the NCSC Salary Tracker rankings since the 2016 Report.

⁵ <https://www.ncsl.org/research/about-state-legislatures/2022-legislator-compensation.aspx>

In addition to their salary, Judges of the Court of Appeals are eligible for the same travel, meal, and lodging reimbursements as Justices of the Supreme Court. Judges of the Court of Appeals who live 50 or more miles away from the Judicial Building are eligible for the same per diems and travel expenses as Justices of the Supreme Court per OCGA § 15-3-5.

State-wide Business Court

Since the Commission's Report in 2016, Georgia has created a new Court with state-wide Jurisdiction, the Georgia State-wide Business Court. The genesis of the State-wide Business Court began with Governor Nathan Deal's Court Reform Council in 2017. A Constitutional Amendment creating the Court was approved by voters in 2018, with authorizing legislation (HB 239) following in the 2019 Legislative Session.

Per OCGA § 15-5A-7 the Judge of the State-wide Business Court is appointed by the Governor subject to approval by a majority vote of the Senate Judiciary Committee and a majority vote of the House Committee on Judiciary. HB 239 (2019 Session) set the salary for the Judge of the State-wide Business Court at \$174,500, the same as a judge of the Court of Appeals. The salary remains at \$174,500 in statute, but as with the other classes of Court mentioned in this report, the Judge's salary has been increased by the merit-based pay raise and the \$5,000 COLA. The salary is now \$182,990. The NCSC salary tracker rankings do not have national salary rankings for Business Court Judges.

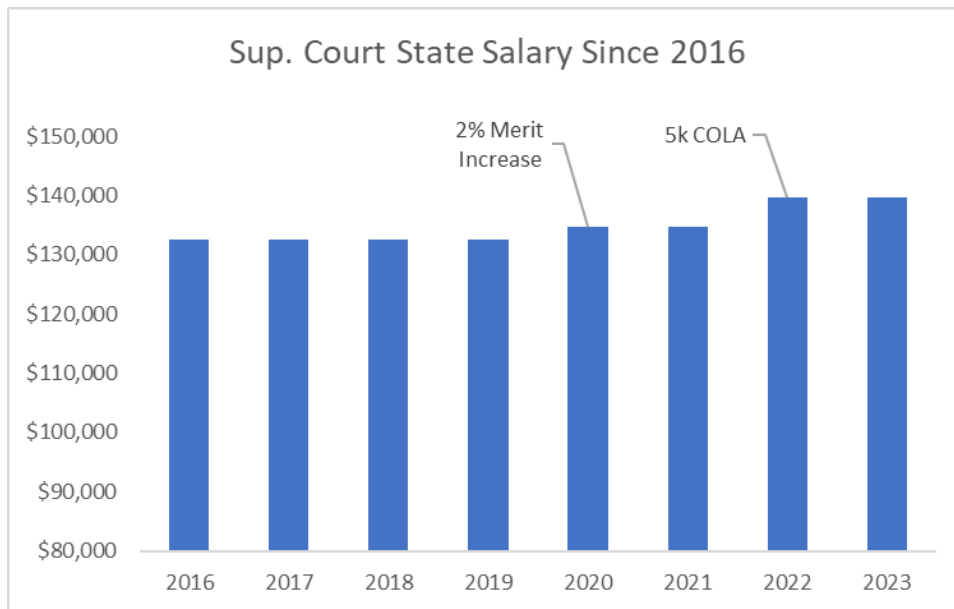
The Judge of the State-wide Business Court is eligible for the same travel and expense reimbursements as the Supreme Court and the Court of Appeals, including the 50-mile provisions, per OCGA § 15-5A-9.

Superior Courts

State-Paid Salaries

HB 279 not only increased the state-paid salaries for Superior Court Judges, but it also created an additional \$6,000 supplement to be paid to all Superior Court Judges in circuits which operated Accountability Courts. The supplement is also paid to both District Attorneys and Circuit Public Defenders. HB 279 increased the salary for Superior Court Judges to \$126,265, plus the \$6,000 supplement. At the time of the report there were three circuits which did not yet operate Accountability Courts. At the current date, all circuits operate at least one Accountability Court, and thus all receive the \$6,000 supplement. For salary calculation purposes, the supplement is considered separate to the statutory state-paid salary.

Chart 3: Superior Court State Salaries since FY2016



*Includes \$6k Acc Court Supplement

The current total state compensation for Superior Court Judges is \$139,970. As will be discussed in the next section, there are now no Superior Court Judges in the State which receive *only* the state compensation. If the county supplement system did not exist Georgia’s current state compensation would fall between 52nd ranked Kentucky and 53rd ranked West Virginia in Courts of General Jurisdiction salary. Only West Virginia and Puerto Rico would rank ahead of Georgia’s Superior Court Judge pay based on its State contribution.

In addition to their salary, Superior Court Judges are reimbursed for their travel expenses incurred when sitting in a county in their circuit other than the county of their residence, when attending certain State functions, as well as if a Judge must sit in a county other than their residence outside of their circuit. Reimbursements include actual travel costs as well as meals and lodging. OCGA § 15-6-30 governs travel expenses for Superior Court Judges.

Supplements

The 2016 Report’s description of a compensation structure “riddled with anomalies and inconsistencies” is due to the county supplements paid to not only Superior Court Judges, but also District Attorneys, Assistant District Attorneys, Circuit Public Defenders, and Assistant Public Defenders. The supplement system also impacts county officials and Senior Judges who in some instances have their salaries tied to the full compensation of a Superior Court Judge including their state pay and county supplement (see Section 2).

HB 279 placed a cap of sorts on local supplements by enshrining in statute that a county or counties comprising a judicial circuit could not increase the aggregate local supplement paid to a superior court judge if the supplement was at least \$50,000 as of January 1, 2016. At the time, this meant that seven of the 49 judicial circuits had their local supplement capped. The cap has not limited circuits who fell under the \$50,000 amount from increasing their local supplements. The number of circuits at the \$50,000 cap has more than doubled since the 2016 Report, from seven to 15. 67 percent of circuits (not including Columbia, which was established effective 7/1/2021) increased their county supplement since 2016, with an average increase of 23.2 percent. That increase compares to a 5.5 percent growth in the state-paid salary over the same period. See Appendix F for the current total

compensation for Superior Court Judges and Appendix G for a comparison of local supplements from 2016 to 2022.

Table 1: Supplement Statistics from 2016 to 2022

Circuits with Supplement Increases since 2016	33
Number of Circuits at or above cap in 2016	7
Number of Circuits at or above cap in 2022	15
Average Rate of Supplement Increase per Circuit	23.2%
Range of Superior Court Judge Salary 2016	\$132,265 - \$207,465*
Range of Superior Court Judge Salary 2022	\$151,790 - \$219,990*

* Includes State-pay and local supplement pay

The data collected by this Committee also reveals that increases to supplements have been widespread since 2021. Twenty of the 50 Circuits have increased their supplements (including Alapaha, the last circuit to pay a supplement) since July 2021.⁶ Of the eight circuits to meet or exceed the cap since 2016, five reached that level between 2021 and the time of this Report. See Appendix H for a full comparison of supplement data from July 2021 to October 2022.

Despite the cap on local supplements and the continued growth of supplements under that cap, the range of total compensation to Superior Court Judges is still vast. At the time of the 2016 Report the range of total compensation for Superior Court Judges was \$132,265 - \$207,465; today the range is \$151,790 - \$219,990. Georgia’s highest paid Superior Court Judges would rank fourth in salary, while its lowest paid Judges would rank 43rd in the country.

Another factor created by the supplements that was highlighted in the 2016 Report was that 88 superior court judges had salaries greater than that of justices of the Supreme Court. Based on data gathered by the Committee that number is now 130 Judges, or 59 percent of all Superior Court Judges. This fact was highlighted in the 2016 Report as an example of the inconsistencies that exist in the compensation systems, and those conditions have not changed since 2016. It should also be noted that Superior Court Judges are not the only positions in the system that currently make more than Justices of the Supreme Court, just the most prevalent example. In the Appendices of this report there are examples of District Attorneys and Circuit Public Defenders whose compensation is more than that of Appellate Court Judges. At the time of this report there are also an undetermined number of Judges in Courts of Limited Jurisdiction who may also meet this criteria.

While beyond the scope of this Report, it is worth mentioning that many circuits or counties also pay supplements to state-paid law clerks or secretaries in addition to Judges.

Comparison to Other States

Throughout this Report comparisons of Georgia salaries to other States are noted in their individual Sections. The 2016 Report relied upon NCSC data in its recommendations and noted limited research on other States which

⁶ 2021 Supplement information comes from data gathered by AOC, the Council of Superior Court Judges, and the District Court Administrators to report to NCSC.

provide county supplements to Judges. The Committee Order includes updating comparisons to other States and this Section will briefly elaborate on that charge.

The 2016 Report mentions that Texas is the only other State that continues to have county supplements to state-paid judges. Texas continues to allow county supplements to this day, although they are still capped to ensure that the level of supplement does not exceed the salary of the next level of Court in the state’s Judicial Branch structure. It should also be noted that Alabama has been working to end the use of county supplements since 2000, but legislation and appropriations in the 2021 Session appear to have finally moved the State away from the practice for good. Just as in 2016, Georgia is largely alone in its reliance on local supplements.

As the Committee’s focus moves from collecting data on the landscape of judicial compensation in Georgia to a recommendation phase, research into not only salaries but how states set those salaries will be of use to the Committee. This Section represents an initial foray into that research, which the Committee hopes to build on over time. To this point the research has largely been focused on judge compensation, mostly due to time constraints, and is open to further exploring comparisons to other States for the additional positions included under the Committee’s scope moving forward.

Research into other states sought to compare Georgia in salaries and how compensation is set, as well as to explore mechanisms for the escalation of judicial salaries. The two initial comparison groups were contiguous states and states with similar populations.

Table 2: Comparison of July 2022 NCSC Salary Data for Contiguous States

State	Court of Last Resort	Rank	Int. Appellate Court	Rank	General Jurisdiction Court	Rank
Alabama	\$ 178,500	35	\$177,990	24	\$142,800	50
Florida	\$239,442	3	\$202,440	9	\$182,060	22
Georgia	\$184,112	31	\$182,990	21	\$181,239*	23*
North Carolina	\$167,807	43	\$160,866	35	\$152,188	42
South Carolina	\$213,321	12	\$207,987	7	\$202,654	8
Tennessee	\$208,704	15	\$201,768	10	\$194,808	11
Average	\$198,648	23	\$189,007	18	\$174,902	27

*** Due to Georgia’s unique compensation the NCSC rankings are based on a median salary including local supplements. Georgia’s Judges will range from the lowest-paid to the highest paid in this comparison group**

Table 3: Comparison of July 2022 NCSC Salary Data for Contiguous States w/ Salary Range

State	Court of Last Resort	Rank	Int. Appellate Court	Rank	General Jurisdiction Court	Rank
Alabama	\$178,500	35	\$177,990	24	\$142,800	50
Florida	\$239,442	3	\$202,440	9	\$182,060	22
Georgia	\$184,112	31	\$182,990	21	\$151,790 - \$219,990*	4 - 43*
North Carolina	\$167,807	43	\$160,866	35	\$152,188	42
South Carolina	\$213,321	12	\$207,987	7	\$202,654	8
Tennessee	\$208,704	15	\$201,768	10	\$194,808	11
Average	\$198,648	23	\$189,007	18		

***Table 3 shows the current salary range for Georgia General Jurisdiction Courts, and how those salaries would rank in the NCSC rankings for General Jurisdiction Courts**

Of the two comparison groups, Georgia’s Appellate Court pay falls below average. Georgia fares slightly better in General Jurisdiction Courts. In order to account for Georgia’s unique compensation system Georgia’s General Jurisdiction rankings are based on a median salary that includes local supplements. The rankings as they are compiled by the NCSC can be seen in Tables 2 and 4. However, the median salary does not tell the full story for Georgia due to the large salary discrepancies across the State. Tables 3 and 5 compare the salary ranges for Georgia’s Superior Court Judges to their respective comparison groups to show the impact the full range has on these rankings. It should also be noted that the NCSC compiles rankings for General Jurisdiction Courts adjusted for cost of living. Georgia ranks fifth in these rankings, which are again based on a median salary due. The Committee feels that applying a state-wide cost-of-living to a median salary, which is based off the salary of four Judges, isn’t necessarily an accurate depiction due to the hyper local salary structure as it exists today. As Tables 3 and 5 depict, Georgia would likely have Judges ranging from near the top of the scale to near the bottom of the scale.

Of the five contiguous states Georgia is one of only two that set their salaries by statute. Two states set their salaries by annual appropriations, with an additional State setting salaries yearly by appropriation as a percentage of the Supreme Court Salary. Three of the five contiguous states had a method to automatically increase Judge salaries. These varied from longevity raises to adjustments based on the Consumer Price Index.

Table 4: Comparison of July 2022 NCSC Salary Data for States with Similar Populations

State	Court of Last Resort	Rank	Int. Appellate Court	Rank	General Jurisdiction Court	Rank
Illinois	\$258,456	2	\$243,256	2	\$223,219	3
Ohio	\$181,400	32	\$169,075	29	\$155,485	39
Georgia	\$184,112	31	\$182,990	21	\$181,239*	23*
North Carolina	\$167,807	43	\$160,866	35	\$152,188	42
New Jersey	\$217,505	11	\$207,176	8	\$196,238	10
Virginia	\$212,365	13	\$195,422	12	\$184,617	18
Average	\$203,608	22	\$193,131	18	\$182,349	22

*** Due to Georgia’s unique compensation the NCSC rankings are based on a median salary including local supplements. Georgia’s Judges will range from the lowest-paid to the second highest paid in this comparison group**

Table 5: Comparison of July 2022 NCSC Salary Data for States with Similar Populations w/ Salary Range

State	Court of Last Resort	Rank	Int. Appellate Court	Rank	General Jurisdiction Court	Rank
Illinois	\$258,456	2	\$243,256	2	\$223,219	3
Ohio	\$181,400	32	\$169,075	29	\$155,485	39
Georgia	\$184,112	31	\$182,990	21	\$151,790 - \$219,990*	4 - 43*
North Carolina	\$167,807	43	\$160,866	35	\$152,188	42
New Jersey	\$217,505	11	\$207,176	8	\$196,238	10
Virginia	\$212,365	13	\$195,422	12	\$184,617	18
Average	\$203,608	22	\$193,131	18		

***Table 5 shows the current salary range for Georgia General Jurisdiction Courts, and how those salaries would rank in the NCSC rankings for General Jurisdiction Courts**

Of the states with similar populations (which includes one repeat: North Carolina) Georgia is one of the three states that set their salaries by statute, but the only one who doesn’t then include an automatic means of escalation. Georgia and Virginia are the only states in the population comparison that don’t have an automatic means of salary escalation. The methods for escalation vary from language in an Appropriations Act to annual adjustments based on the Consumer Price Index. For the full comparisons of how salaries are set, please see Appendix I.

District Attorneys and Assistant District Attorneys

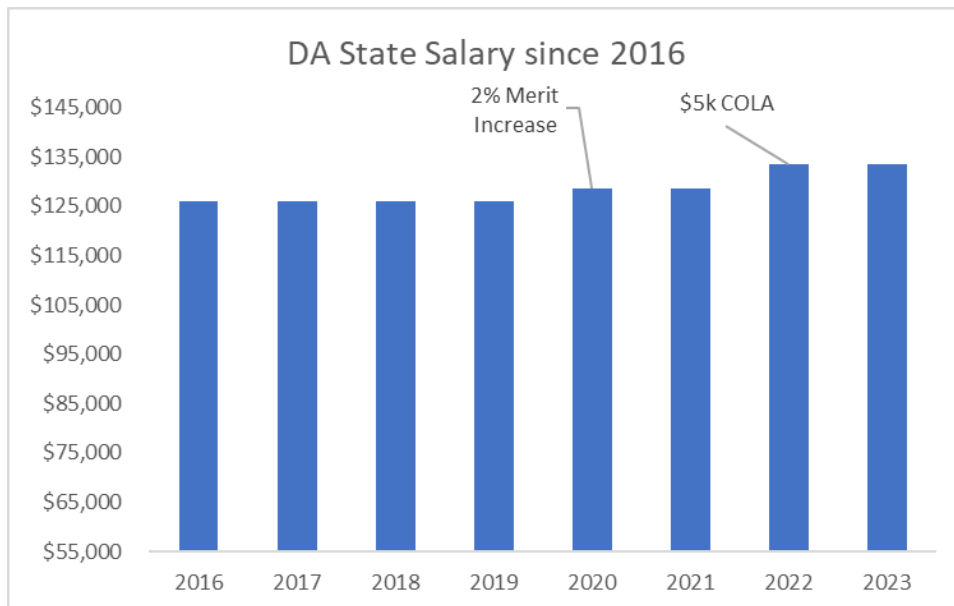
State-Paid Salaries

District Attorney salaries have increased from \$126,072 to \$133,473 (including the Accountability Court Supplement) since the Commission’s Report, by the same means as the aforementioned groups.

In addition to the State’s 50 District Attorneys, the State also pays for a set amount of state-paid Assistant District Attorneys per Circuit. At the time of the 2016 Report there were approximately 385 state-paid ADAs. According to PAC that figure is now 426. In the years since the Report, PAC requested and the Legislature has funded additional ADAs to assist with the increased duties related to juvenile court caseloads in the wake of Juvenile Justice Reform.

Improvements have been made to the pay scale for ADAs since the time of the 2016 Report. At that time the first step on PAC’s pay scale for ADAs was at \$44,828 with the pay scale maxing out at \$106,361. The most recent pay scale adopted for FY2023 starts at \$56,250 and tops out at \$117,786. However, many of the challenges reported with maintaining attorneys on the state pay scale remain and the use of supplements, County-Paid ADAs, and State-Paid County Reimbursed (SPCR) ADAs remains widespread throughout the state to both bolster salaries and the number of Attorneys. See the current ADA pay scale in Appendix J.

Chart 4: District Attorney State-paid Salary since FY2016



*Includes \$6k Acc Court Supplement

District Attorneys and ADAs are also entitled to receive reimbursement for actual expenses incurred in the performance of their official duties from the Prosecuting Attorneys’ Council in accordance with the rules adopted by the Council. The full statute outlining travel expenses for Prosecuting Attorneys is OCGA § 15-18-12.

Supplements

Much like with Superior Court Judges the range of supplements paid to District Attorneys remains substantial in the wake of the 2016 Report. Forty six of the 50 District Attorneys responded to either the direct survey via PAC

or the initial ACCG Survey. Of those that did respond, 41 reported receiving a supplement, while four of those that didn't respond had paid supplements in the 2016 survey. At the time of the 2016 survey, eight circuits reported not having a supplement. Three of the circuits that did not previously pay supplements to District Attorneys reported that they now provide supplements. Of the 46 responses, 24 circuits reported an increase in their supplement amount. The current range in District Attorney compensation is \$133,473 to \$214,385. See the full breakout of District Attorney compensation in Appendix K.

Forty-four circuits responded directly to the PAC Survey, while five of the six that did not respond, responded to the ACCG Survey at least in part. Forty-one circuits reported paying supplements to state-paid Assistant District Attorneys. The range of how these supplements are paid varies greatly across the State. Of the respondents who provided the range, supplements varied from \$500 to over \$50,000. The way these supplements are paid also differs from circuit to circuit. In some instances, all counties within a circuit pay supplements, in others only one county within a circuit may pay an additional supplement to state-paid ADAs.

Thirty-seven of the responding circuits also responded that they pay for additional Assistant District Attorneys above the State's allocation. As with the supplements, these amounts varied significantly with many more rural circuits reporting having one additional ADA to 43 additional ADAs in Gwinnett and over 100 in Atlanta. It should also be noted that while many circuits noted ARPA-funded positions, it is possible that others didn't make this distinction when responding to the survey. The primary funding mechanism for these additional attorneys is directly through the county, and 12 circuits reported funding additional attorneys through the State Paid County Reimbursed model.

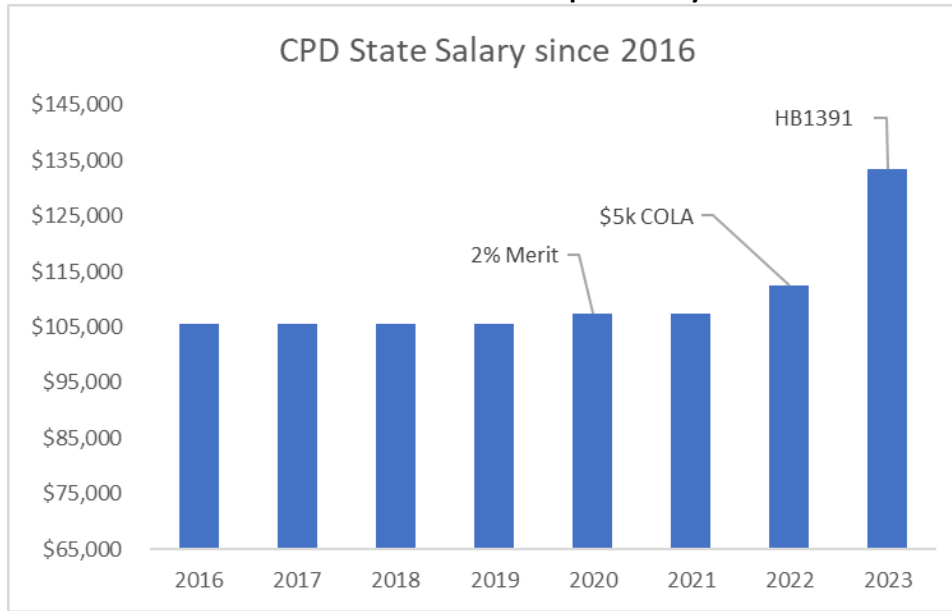
The salary ranges for these additional attorneys includes counties who tie their county pay scale to the State pay scale, to metro counties which pay well in excess of the State pay scale. Many of the circuits with lower numbers of additional attorneys have pay scales that exist within the State scale while the metro circuits with larger amounts of additional attorneys are more likely to have scales that exceed and sometimes greatly exceed the State scale.

It should also be noted that, while beyond the scope of this Report, some circuits reported paying supplements to positions such as state-paid Investigators in addition to District Attorneys and Assistant District Attorneys.

Circuit Public Defenders and Assistant Public Defenders

The salaries for both Circuit Public Defenders and Assistant Public Defenders are the areas where we see the most change since the 2016 Report. At the time of the Report, the statutory salary for Circuit Public Defenders was \$99,256 plus the \$6,000 Accountability Court Supplement, as compared to the District Attorney's salary of \$120,072 plus the supplement. HB 1391 (2022) tied the Circuit Public Defender salary to that of the District Attorney, creating parity in the State pay for the two positions.

Chart 5: Circuit Public Defender State-paid Salary since FY2016



*Includes \$6k Acc Court Supplement

Assistant Public Defenders (APDs) have also seen improvements in their state-paid compensation. In the 2016 Report, APDs were on their own pay scale which was below that of Assistant District Attorneys. Over the years efforts have been made to create parity between the two pay scales and currently Assistant Public Defenders are on the same pay scale as ADAs. GPDC reports there are currently 194 State positions and 154 positions funded through county contracts. The 2016 Report cited a figure of “approximately 160 state-paid positions” and an unknown number of county-funded attorneys. Additional APDs have been funded to assist with juvenile court caseloads, as was reported for ADAs. Like ADAs, despite these improvements to the pay scale there still exists a structure of county-paid APDs and county-reimbursed APDs, as well as supplements to state-paid positions, to try to improve both the number of attorneys and the compensation of attorneys.

Supplements

Survey information provided by the GPDC indicates that 29 Circuit Public Defenders currently receive county supplements. The South Georgia Circuit which has not yet responded to the Survey did provide a Supplement in 2016. Twenty circuits reported paying supplements in the 2016 Report. For the full list of Circuit Public Defender Compensation with county supplements see Appendix L.

Survey data indicates that 15 of the responding circuits paid supplements to Assistant Public Defenders. These supplements ranged from \$1,000 - \$16,740. The 2016 Report noted that “a handful of state-paid assistant public defenders receive small local supplements” This data would indicate that the practice has become slightly more common although still lags well behind local supplements paid to ADAs in both frequency and amount.

As with ADAs there exists a large population of positions funded outside of the state-paid pay scale. There are currently 156 additional APDs which are funded through contract agreements between the Public Defender Council and the individual circuits. In addition, GPDC surveyed circuits for information on attorneys funded solely by the counties, outside of the contract structure. Survey responses indicated circuits with their own county paid attorneys ranged in size from one county attorney to 63 attorneys with salary ranges in larger counties that exceeded the state scale.

Section 2: County Paid Officials Linked to State-Paid Officials

An aspect of the judicial compensation structure that was largely neglected by the 2016 Report is the fact that in many counties across the State, local officials’ salaries are often tied to Superior Court Judge compensation by either local act or local legislation. This Committee has been tasked with examining the prevalence of this salary hooking or tying at the county and local level. While this work is not yet complete, the work of the Trial Courts of Limited Jurisdiction Subcommittee will continue to shine a light on this practice so that the ripple effect of any changes to the supplement system can be better understood.

While the Committee continues to collect data to this effect, the ACCG Survey, as well as data provided by the Council of State Court Judges provides a snapshot of how this practice can differ across the counties. Of the 114 plus counties who responded to the ACCG Survey, 23 reported positions whose salary was set by reference to the Superior Court Judge’s salary. The most common positions tied to the Superior Court Judges were State Court Judges, with 20 counties. The second most common were Solicitors General with seven counties.

The number of positions that the responding counties reported as linked to Superior Court Judges ranged from one to nine. In Gwinnett County, the Tax Commissioner, Sheriff, Probate Court Judge, Magistrate Court Judge, State Court Judge, Juvenile Court Judges, Recorder's Court Judges, and Clerk of Court all have salaries linked to the Superior Court Judge. Other counties link County Commissioner salaries to Superior Court Judge salaries. These salaries are in most cases linked to the judge’s salary plus local supplement.

Table 6: Select Examples of Counties with Positions Tied to Superior Court Judges

County	Positions Tied to Superior Court Judge	How are these positions tied to the Superior Court Judge?	How is the salary used to calculate others?
Forsyth	Solicitor General, State Court Judge	Local Act	State Court Judge - Salary is 95% of Superior Court Judge salary (State Salary plus County Supplement); Solicitor General - Salary is 75% of Superior Court Judge salary (State Salary plus County Supplement)
Haralson	Juvenile Court Judge	County supplement tied to Superior Court Judge Supplement	Juvenile Court Judge salary supplement is 90% of Superior Court Judge supplement
Fayette	County commission chair, county commissioners, Solicitor General, State Court Judge	Local Act	State Court Judge- 90% of base pay and local supplement; Solicitor- 75% of base pay and local supplement; Commission Chairman- 21% of base pay Commissioner- 16.5% of base pay
Clayton	Probate Judge, State Court Judge, Juvenile Court Judge	Probate and State Court Judge: Local Act; Juvenile Court Judge: Local Policy Position	State Court Judges: 89% to 95% of salary and supplement. They start off at 89% and increase the next July 1 by 1% until they reach the maximum or 95%. Juvenile Court Judges: Same as State Court Judges. Probate Court Judge: Receives 90% of salary and supplement of Superior Court Judge.
Effingham	Solicitor General, State Court Judge	Local Act	85% of State Court Judge's Base salary plus 5% of State Court Judge's Base salary for Board of Commissioners authorized supplement

A Survey performed by the Council of State Court Judges provides further insight into the practice of linking State Court Judge salaries to Superior Court Judge salaries. The survey covers 78 State Court Judges across 34 counties whose salaries were linked. Of those, only eight of the full-time Judges had their salaries tied to the State salary amount. The remaining judges’ salaries were all tied to the State salary plus local supplement (whether they include the \$6,000 accountability court supplement varies). The reported percentages of judges

tied to the salary and local supplement ranged from 85-100%, with the average percentage being 91%. Of the eight full-time judges tied to the State salary the percentages ranged from 60%-100%, with the average percentage being 87%.

As with much of the pay structure which has been described to this point, there seems to be little pattern or overarching explanation to offer on the reason behind why some counties have tied many local official salaries to Judges while others have no links at all. What is clear is that any changes to the supplement system will more disparately impact some counties than others across the State.

Section 3: County Retirement and Senior Judges

One final aspect of the local supplement system that needs to be considered when developing recommendations is the fact that along with salary supplements some counties also provide additional retirement benefits above what the State offers. In addition to retirement benefits many circuits then pay an increased rate for Senior Judges above the pro-rated State amount. The 2016 Report neglected to mention these downstream effects of the current supplement system that will impact both current and former Judges if changes are made to the current system.

Respondents in 22 counties across 12 judicial circuits reported paying additional retirement benefits above the membership in the State's Judicial Retirement System (JRS). These plans varied in their coverages, but the most common type of plan was a Defined Benefit Plan or Pension Plan. Some counties offered additional benefits including Life Insurance and additional Health Insurance coverage. It is likely that these responses underrepresent the prevalence of additional benefits throughout the State but provide a useful snapshot. A consequence of the patchwork of retirement benefits is that many Judges will receive benefits based solely on their state-paid salary, while some of their peers will receive benefits more in line with their actual salary at the time they leave the bench. Based on the data collected it does seem fair to say that many Judges across the State receive retirement benefits that are based on less than their actual total compensation. NCSC now collects information on judicial retirement plans and this Committee will look to provide further information moving forward comparing JRS to plans across the Country.

District Attorneys are also eligible for JRS membership based on their State paid salaries, but there are also examples of counties or circuits providing additional retirement benefits based on their county supplements. A total of eight circuits reported paying county retirement benefits for District Attorneys. Plans included Defined Benefit Plans and 401(a) plans, and how those plans were calculated varied by the county or circuit offering the plan.

The local supplement system also has a significant impact in how Senior Judges are compensated across the State. Senior Judges are paid for each day of service from State funds a daily pro-rated amount of the annual state salary of a Superior Court Judge divided by 235 (OCGA § 15-1-9.2), in addition to a per diem or expense reimbursement. Additionally, some Senior Judges also receive a benefit from the applicable county(s) in the form of an annual amount equal to 2/3rd of the supplement they received from the counties as a sitting Judge. The different forms of compensation again lead to a situation of the same position being compensated differently across the State.

Both the original survey sent to counties and follow-up surveys sent to the 50 judicial circuits asked whether supplements were paid to Senior Judges, as well as if the 2/3 pre-retirement benefits were paid to Senior Judges. Forty-nine counties reported paying an additional supplement amount to Senior Judges above the State amount.

The ranges of this additional compensation varied widely from additional county paid per diems from \$100 to \$700+, to large annual amounts up to almost \$50,000. Thirty-five counties reported paying the 2/3rd pre-retirement benefit amount to Senior Judges. As with the retirement benefit piece, these responses likely do not present an exhaustive list of Senior Judge compensation but indicates the wide range of circumstances that currently exist throughout the State.

Next Steps

This initial Report is aimed at completing the Committee's first task of updating the 2016 report of the Judicial, District Attorney, and Circuit Public Defender Compensation Commission. This Report does not conclude the Committee's efforts at continuing to collect all data relevant to Judicial compensation throughout the State of Georgia. The goal of this first phase of the Committee's work is to lay the foundation to be able to begin to develop possible policy recommendations related to salaries and supplements, with a full understanding of the structure, or lack thereof, as it exists today.

Many of the conditions that were reported on in the 2016 Report continue unabated in 2022. In fact, supplements have continued to increase across the State in the years since. In addition, two factors that were either not considered or outside of the scope of the 2016 Report are initially addressed in this Report. Supplements paid to Superior Court Judges impact the compensation of many County Officials both within and outside of the Judicial Branch. The Supplements also impact the retirement benefits of many Judges throughout the State, as well as the compensation of Senior Judges throughout the State. The goal of this report is not to comment on the merits of this decentralized system, but to try to compile a comprehensive statewide update on compensation as it stands in 2022. The Committee will then take this information and begin working towards developing, evaluating, and recommending options for revising or eliminating the system of county-paid supplements.

The Committee is still working on gathering all available information related to judicial compensation in Georgia. All subsequent data gathering and analysis will be included in the Committee's final Report. The Committee is still looking to gather the following:

- Further information detailing the prevalence of county positions whose salary is linked to Superior Court Judges
- More detailed information on the compensation of Judges of Courts of Limited Jurisdiction. The goal is to provide information on the links to Superior Courts as well as a salary range for each Class of Court. These efforts are underway, but not complete at the time of this Report
- Continuing to refine and collect any information regarding retirement and other benefit factors tied to local supplements and the state-paid salary that were not covered in the 2016 Report.

Appendix A: Committee Roster & Committee Orders

Judicial Council of Georgia Ad Hoc Committee on Judicial Salaries and Supplements

Members

Justice Charles J. Bethel
Co-Chair
Supreme Court of Georgia

Chief Judge Russell Smith
Co-Chair
Superior Court, Mountain Judicial Circuit

Judge Trenton Brown
Court of Appeals of Georgia

Judge William G. Hamrick
Judge Walter W. Davis (*until 9/30/22*)
Georgia State-wide Business Court

Judge Jeffrey H. Kight
Superior Court, Waycross Judicial Circuit

Judge A. Gregory Poole
Superior Court, Cobb Judicial Circuit

Mr. Darius Pattillo
District Attorneys' Association of Georgia

Ms. Omotayo Alli
Georgia Public Defender Council

Mr. Michael O'Quinn
Association County Commissioners of Georgia

Advisory Members

Judge Alvin T. Wong
Council of State Court Judges

Judge Vincent Crawford
Council of Juvenile Court Judges

Judge Daisy Weeks-Marisko
Council of Probate Court Judges

Mr. DeMetris Causer
Georgia Municipal Association

Mr. J. Antonio DelCampo
State Bar of Georgia

Mr. Peter J. Skandalakis
Prosecuting Attorneys' Council of Georgia

Ms. Stacy Haralson
Constitutional Officers Association of Georgia

Judge Connie Holt
Council of Magistrate Court Judges

Judge Ryan Hope
Council of Municipal Court Judges

Mr. Joshua Weeks
Georgia Council of Court Administrators



Judicial Council of Georgia

Administrative Office of the Courts

Chief Justice David E. Nahmias
Chair

Cynthia H. Clanton
Director

Judicial Council of Georgia

Ad Hoc Committee on Judicial Salaries and Supplements

In accordance with the Bylaws of the Judicial Council, ad hoc committees exist to address issues of limited scope and duration, and the Judicial Council Chair shall create and charge ad hoc committees as are necessary to conduct the business of the Judicial Council.

Under that authority, I hereby establish the Ad Hoc Committee on Judicial Salaries and Supplements. The charge of the committee shall be as follows:

1. To update and expand upon the December 16, 2016 report of the General Assembly's Judicial, District Attorney, and Circuit Public Defender Compensation Committee to reflect current amounts of state-paid salaries, state-paid salary supplements (e.g., for accountability courts), and county-paid salary supplements, as well as any state-paid or county-paid retirement benefits or other significant monetary benefits related to supplements, for Justices of the Supreme Court, Judges of the Court of Appeals, the Judge of the State-wide Business Court, superior court judges, district attorneys, and circuit public defenders, and to update comparisons to salaries for similar positions in other states;
2. To identify which county-paid officials' salaries or salary or retirement supplements are determined by reference to the salaries or supplements of superior court judges, district attorneys, or circuit public defenders, so as to better understand the consequences of changes to the compensation of state-paid officials;
3. To develop, evaluate, and recommend options for revising or eliminating the system of county-paid supplements, including the costs to the State and the counties of any options that are deemed practically and politically feasible, including by garnering supermajority support from the superior court judges.

The Ad Hoc Committee shall provide an initial report to the Judicial Council on these matters no later than December 15, 2022, unless the Committee determines that information on the matters related to charges 1 and 2 above that is needed to address charge 3 above is not reasonably available, in which case the Committee shall instead report on what Judicial Council, executive, and/or legislative action would be required to obtain such information.

Any and all proposals for legislation affecting the salary or supplements of a class of court that would affect the salaries or supplements of another class of court shall be first provided to the Ad Hoc Committee on Judicial Salaries and Supplements for consideration. Any recommendations

for legislation from the Ad Hoc Committee shall be presented to the Standing Committee on Legislation, which may then make recommendations to the full Judicial Council.

The following members are hereby appointed to the Ad Hoc Committee on Judicial Salaries and Supplements:

- Justice Charles J. Bethel, Supreme Court of Georgia, Co-Chair.
- Judge Russell (Rusty) Smith, Superior Court, Mountain Judicial Circuit, Co-Chair.
- One Judge of the Georgia Court of Appeals, chosen by the Chief Judge of the Court of Appeals.
- Georgia State-wide Business Court Judge, or a designee.
- Two Superior Court Judges -- one from a circuit with a salary supplement of more than \$50,000 and one from a circuit with a salary supplement below \$50,000 -- chosen by the President of the Council of Superior Court Judges.
- President of the District Attorneys' Association of Georgia, or a designee.
- Executive Director of the Georgia Public Defender Council, or a designee.
- Executive Director of the Association County Commissioners of Georgia (ACCG), or a designee.

In addition, designees from the following organizations are invited to participate as advisory members to the Committee:

- Council of State Court Judges.
- Council of Juvenile Court Judges.
- Council of Probate Court Judges.
- Council of Magistrate Court Judges.
- Council of Municipal Court Judges.
- Georgia Council of Court Administrators.
- Georgia Municipal Association.
- State Bar of Georgia.

Ad Hoc Committee membership may include additional advisory members appointed, as needed, by the Committee Co-Chairs. Advisory members may be heard but shall not be entitled to vote. The Administrative Office of the Courts shall provide staff support to the Committee.

The Ad Hoc Committee shall exist from June 1, 2022, until May 30, 2023, unless extended by further order.

So decided this 26th day of May, 2022.



Chief Justice David E. Nahmias
Chair, Judicial Council of Georgia

Michael P. Boggs
Presiding Justice Michael P. Boggs
Vice-Chair, Judicial Council of Georgia



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice David E. Nahmias
Chair

Cynthia H. Clanton
Director


Judicial Council Ad Hoc Committee on Judicial Salaries and Supplements Advisory Member Appointment

In accordance with the bylaws of the Judicial Council, ad hoc committee membership may include advisory members appointed, as needed, by each ad hoc committee Chair. Advisory members may be heard but shall not be entitled to vote.

Therefore, a designee from the following organization is invited to participate as an advisory member to the Committee:

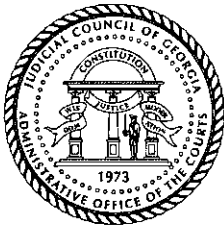
- Prosecuting Attorneys' Council of Georgia

So decided this 6 day of JUNE, 2022.



Justice Charles J. Bethel
Co-Chair, Ad Hoc Committee on Judicial Salaries and Supplements

Chief Judge Russell (Rusty) Smith
Co-Chair, Ad Hoc Committee on Judicial Salaries and Supplements



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice David E. Nahmias
Chair

Cynthia H. Clanton
Director

Judicial Council Ad Hoc Committee on Judicial Salaries and Supplements Advisory Member Appointment

In accordance with the bylaws of the Judicial Council, ad hoc committee membership may include advisory members appointed, as needed, by each ad hoc committee Chair. Advisory members may be heard but shall not be entitled to vote.

Therefore, a designee from the following organization is invited to participate as an advisory member to the Committee:

- Prosecuting Attorneys' Council of Georgia

So decided this 10th day of June, 2022.

Justice Charles J. Bethel
Co-Chair, Ad Hoc Committee on Judicial Salaries and Supplements

A handwritten signature in black ink, appearing to read "R. Smith", is written over a horizontal line.

Chief Judge Russell (Rusty) Smith
Co-Chair, Ad Hoc Committee on Judicial Salaries and Supplements



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice David E. Nahmias
Chair

Cynthia H. Clanton
Director

Judicial Council Ad Hoc Committee on Judicial Salaries and Supplements Advisory Member Appointment

In accordance with the bylaws of the Judicial Council, ad hoc committee membership may include advisory members appointed, as needed, by each ad hoc committee Chair. Advisory members may be heard but shall not be entitled to vote.

Therefore, a designee from the following organization is invited to participate as an advisory member to the Committee:

- Constitutional Officers Association of Georgia

So decided this 13th day of July, 2022.

Justice Charles J. Bethel
Co-Chair, Ad Hoc Committee on Judicial Salaries and Supplements

Chief Judge Russell (Rusty) Smith
Co-Chair, Ad Hoc Committee on Judicial Salaries and Supplements



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice David E. Nahmias
Chair

Cynthia H. Clanton
Director

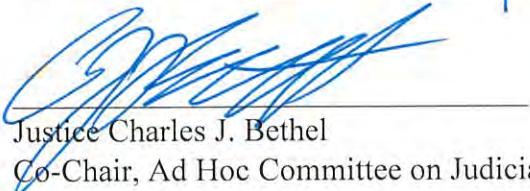
Judicial Council Ad Hoc Committee on Judicial Salaries and Supplements Advisory Member Appointment

In accordance with the bylaws of the Judicial Council, ad hoc committee membership may include advisory members appointed, as needed, by each ad hoc committee Chair. Advisory members may be heard but shall not be entitled to vote.

Therefore, a designee from the following organization is invited to participate as an advisory member to the Committee:

- Constitutional Officers Association of Georgia

So decided this 21st day of July, 2022.


Justice Charles J. Bethel
Co-Chair, Ad Hoc Committee on Judicial Salaries and Supplements

Chief Judge Russell (Rusty) Smith
Co-Chair, Ad Hoc Committee on Judicial Salaries and Supplements

Appendix B: Subcommittee Charges & Rosters

Outreach and Feedback

This subcommittee is charged with coordinating efforts to acquire needed data and information, reviewing information received, and serving as the liaison for ideas and feedback from stakeholders.

Members:

- Judge Jeffrey Kight (Co-Chair)
- Judge A. Gregory Poole (Co-Chair)
- Judge Trenton Brown
- J. Antonio DelCampo
- Peter J. Skandalakis
- Joshua Weeks

Metrics and Measures

This subcommittee is charged with synthesizing all data and information received and presenting a report/recommendation to the Committee.

Members:

- Omotayo Alli
- Judge William Hamrick
- Darius Pattillo

Trial Courts of Limited Jurisdiction

This subcommittee is charged with exploring, summarizing, and reporting on judicial branch compensation outside the scope of the Committee's charge and making recommendations as to the need for further study. This may include surveys and outreach to individual classes of court.

Members:

- Judge Alvin T. Wong (Co-Chair)
- Michael O'Quinn (Co-Chair)
- DeMetris Causer
- Judge Vincent Crawford
- Judge Connie Holt
- Judge Ryan Hope
- Judge Daisy Weeks-Marisko
- Stacy Haralson

Appendix C: Compensation Structure – Courts of Limited Jurisdiction

The Trial Courts of Limited Jurisdiction Subcommittee is charged with exploring, summarizing, and reporting on judicial branch compensation outside the scope of the Committee’s charge and making recommendations as to the need for further study. This may include surveys and outreach to individual classes of court. The subcommittee met by Zoom on October 12; a summary of the information provided at that meeting, supplemented by some additional research, is provided below. The subcommittee will continue its work to refine this information, research statutory requirements, and identify compensation data for each class of court.

State Court

State Court judges are paid by their respective counties (OCGA § 15-7-22). There are generally two categories by which state court judges’ salary is structured: some judges salaries are tied to the superior court judges’ salary (whether to the state base salary or the state base salary plus state/county supplements), while others’ salaries are independent of the superior court. There are counties where the Chief Judge gets a local supplement, and some counties where the judges receive some, or a percentage, of the superior court judges’ state accountability court supplement. Some judges who run State Court accountability courts have received additional compensation from their county through local legislation. Overall, the compensation for state court judges is unique to each county. There are 133 state court judges across 73 counties; 94 of those judges are full-time. According to 2021 data collected by the Council of State Court Judges (39 responses), 28 full-time and six part-time state courts were tied to superior court salaries.

Juvenile Court

Juvenile court judges may be paid by a combination of state and county funds. State statute (OCGA § 15-11-52) provides for \$100,000 in state grants to circuits toward the salaries of full and part-time juvenile court judges. Each circuit with more than four superior court judges is eligible for an additional state grant of \$25,000, per superior court judgeship exceeding four in the circuit, for juvenile court judges’ salaries. These funds are applied to the juvenile court judges’ salaries as determined by the superior court, with the approval of the governing authority. In some counties, the juvenile court judge salary is tied to the superior court judge, and some may receive a salary plus local supplements. Full- and part-time associate juvenile court judges are compensated solely with county funds (OCGA § 15-11-60). There are currently 120 juvenile court judges (73 full-time, 26 part-time, 11 full-time Associate, 10 part-time Associate).

Probate Court

Probate Court judges are county-paid and may serve as full-time or part-time. There are 159 elected probate court judges, and [insert number] associate judges. Unless otherwise provided by local legislation, the base pay for probate court judges is set in statute (OCGA § 15-9-63), based on population. Probate Judges serving as Chief Magistrate, Magistrate, and/or Clerk to Magistrate Court, and performing vital records or passport duties, receive add-on supplements or compensation for these duties. Counties can add on a local supplement to the base salary. Probate court judges also receive a five percent longevity increase upon completion of every term served. The compensation for associate probate court judges is determined by the elected probate court judge and may be a percentage of the elected judge’s salary. Overall, the compensation for probate court judges is unique to each county. According to 2022 survey data collected by ACCG, the average median salary for a Probate Court Judge without magistrate duties

(97 responses) is \$84,478, and the average median salary for a Probate Court Judge with magistrate duties (24 responses) is \$81,760.

Magistrate Court

Magistrate Court judges are county-paid. There are approximately 525 magistrate court judges (including 159 Chief Magistrates), who serve as both full-time and part-time. Unless otherwise provided by local legislation, the base pay for Chief Magistrates is set in statute (OCGA § 15-10-23), based on population. The pay for some full-time magistrate judges is linked to the salary of the Chief Magistrate and some may be paid by the hour. Some Part-time Chief Magistrates are paid a salary, and some part-time magistrates are paid by the hour or by the lowest amount set in statute. Some Chief Magistrates (for example, in the larger counties) have their salary linked to that of the superior court judge, and some do receive local supplements. Magistrates also receive a five percent longevity increase upon completion of every term served. Magistrates are required to work 40 hours per week. Overall, the compensation for magistrate court judges is unique to each county. According to 2022 survey data collected by ACCG, the average median salary for full-time Chief Magistrates (who do not also serve as the Probate Court Judge; [85 responses⁷]) is \$77,798.

Municipal Court

There are more than 380 municipal court judges, the vast majority of which are practicing attorneys serving as part-time judges. There are full-time municipal courts, namely in the larger jurisdictions and consolidated governments, which are unique compared to the rest of the municipal courts and likely tied to the superior court judges' salaries. Overall, the compensation for municipal court judges is unique to each municipality, based on negotiations between the judge and the governing authority (OCGA § 36-32-2). Statute provides for a one-year minimum term/contract for municipal court judges but no salary guidelines.

Additional Considerations

A small number of unique local jurisdiction specialty courts also exist (e.g., recorders courts and civil courts). These courts may identify as municipal courts, and additional research will be conducted to ascertain jurisdiction and compensation information.

At the time of this report, limited data for each class of court is available. To the extent a complete data set is collected, the Committee's final report will include this information.

Next Steps

The Subcommittee defined the following three data points for each class of court to gather moving forward:

1. How many/which courts have salaries tied to superior court; what is the tie – percentage, salary only, or does it include supplements?
2. What is the specific amount of compensation for each individual court; at a minimum, what is the range of compensation within each class of court?
3. Should there be further study/reform for each class of court in the future?

⁷ 41 of the 85 respondents were from counties with a population of less than 28,999, so in addition to the incomplete survey responses, this set of responses may skew the findings for average median salary for Chief Magistrates.; 96 of Georgia's 159 counties (or 60%) have a population of less than 28,999 (U.S. Census 2020 - https://www.legis.ga.gov/api/document/docs/default-source/reapportionment-document-library/2020-count-by-county-population--with-2010.pdf?sfvrsn=cbc99191_2).

Appendix D: Summary of Recommendations from the 2016 Report

Supreme Court

- **2016 Recommendation:** For the Supreme Court, the Commission recommended increasing the salary for the Chief Justice to \$205,000, and the salary for the remaining Justices to \$200,000. This would have made GA's Supreme Court Justices the eighth highest paid in the Country, comparable to Georgia's population rank, and to the salaries of Federal District Judges.
- As of January 2022, the NCSC Salary tracker ranked Georgia's Court of Last Resort 31st. For context the eighth highest salary in January 2022 was the Virgin Islands at \$226,564.

Court of Appeals

- **2016 Recommendation:** For the Court of Appeals the Commission recommended paying the Chief Judge of the Court of Appeals \$195,000, and the other Judges of the Court of Appeals \$190,000. This would have made the Court of Appeals the seventh highest paid Intermediate Appellate Court in the Country.
- As of January 2022, Georgia's Court of Appeals ranked 23rd in compensation. The seventh highest salary was New Jersey at \$207,176.

Superior Court Judges

- **2016 Recommendation:** For Superior Court Judges, the Report recommended a two-part compensation system aimed at phasing out local supplements. Judges would have had the choice between receiving their current state salary, accountability court supplement, and capped local supplement amount, or receiving a new state salary of \$175,000 in circuits with accountability courts, or \$165,000 in circuits without accountability courts and giving up their local supplements. All new Judges would immediately be compensated under the second option, thus phasing out option 1 over time.

The \$175,000 salary approximated an average salary including supplements and would have made Georgia the eighth highest paid General Jurisdiction Court.

District Attorneys and Public Defenders

- For District Attorneys and Circuit Public Defenders the Commission made similar recommendations to those for Superior Court Judges. A two-part compensation scale with the choice to continue to receive their current compensation or to choose a new state salary of \$160,000 for those in circuits with an accountability court and \$150,000 for those in circuits without an accountability court. All new DAs and CPDs would automatically be placed under option 2. The recommended \$160,000 salary was based on being comparable to the starting base salary for first year associates at large Atlanta law firms, and the maximum salary paid to assistant U.S. attorneys.

Assistant District Attorneys and Assistant Public Defenders

- The Commission recommended that the State fully fund the pay scale for Assistant District Attorneys and that there should be parity between the pay scale for ADAs and APDs. It recommended that this be done by statute, not just appropriation. The Commission recommended that counties continue to be able to pay supplements to ADAs and APDs, as well as hire additional attorneys due to the cost of the State taking on all of the county paid positions.

Appendix E: NCSC Salary Tracker Rankings, July 2022

	Court of Last Resort		Int. Appellate		Gen. Jurisdiction		Gen. Jurisdiction adj. for Cost-of-Living		
State/Territory	Court of Last Resort	Ranking	Int. Appellate Court	Ranking	Gen. Jurisdiction	Ranking	Factor*	Adj. Salary	Ranking
Alabama	\$178,500	35	\$177,990	24	\$142,800	50	93.0	\$153,506	31
Alaska	\$205,176	17	\$193,836	14	\$189,720	14	131.9	\$143,876	42
American Samoa	No Response		No Response		No Response		Not Available		
Arizona	\$159,685	49	\$154,534	38	\$149,383	43	102.3	\$145,958	37
Arkansas	\$190,126	25	\$184,497	20	\$180,129	24	90.6	\$198,794	4
California	\$274,732	1	\$257,562	1	\$225,074	1	135.2	\$166,481	21
Colorado	\$199,632	21	\$191,724	17	\$183,816	20	111.1	\$165,481	22
Connecticut	\$209,770	14	\$197,046	11	\$189,483	15	127.0	\$149,216	35
Delaware	\$205,135	18	Not Applicable		\$192,862	12	110.1	\$175,215	15
District of Columbia	\$236,900	4	Not Applicable		\$223,400	2	160.0	\$139,602	44
Florida	\$239,442	3	\$202,440	9	\$182,060	22	101.3	\$179,771	11
Georgia	\$184,112	31	\$182,990	21	\$181,239	23	93.4	\$194,120	5
Guam	\$160,454	47	Not Applicable		\$144,110	49	Not Available		
Hawaii	\$229,668	6	\$212,784	6	\$207,084	6	150.2	\$137,838	48
Idaho	\$160,400	48	\$150,400	39	\$144,400	48	99.6	\$145,045	39
Illinois	\$258,456	2	\$243,256	2	\$223,219	3	100.0	\$223,212	1
Indiana	\$199,059	22	\$193,501	16	\$165,276	29	95.6	\$172,922	16
Iowa	\$187,326	27	\$169,765	28	\$158,056	36	97.7	\$161,711	26
Kansas	\$168,598	42	\$163,156	34	\$148,912	45	98.1	\$151,799	34
Kentucky	\$153,751	52	\$147,562	40	\$141,401	52	92.2	\$153,322	32
Louisiana	\$186,714	28	\$174,597	25	\$167,749	28	97.2	\$172,561	17
Maine	\$155,397	51	Not Applicable		\$145,642	47	116.9	\$124,554	51
Maryland	\$206,433	16	\$193,633	15	\$184,433	19	126.7	\$145,563	38
Massachusetts	\$200,984	20	\$190,087	18	\$184,694	17	133.0	\$138,890	46
Michigan	\$164,610	46	\$173,528	26	\$160,325	32	91.4	\$175,472	14
Minnesota	\$191,359	24	\$180,313	22	\$169,264	26	102.6	\$164,957	23
Mississippi	\$166,500	44	\$158,500	36	\$149,000	44	88.4	\$168,542	18
Missouri	\$189,198	26	\$172,937	27	\$163,082	30	90.5	\$180,285	10
Montana	\$155,920	50	Not Applicable		\$142,683	51	103.9	\$137,376	49
Nebraska	\$198,427	23	\$188,505	19	\$183,545	21	100.8	\$182,128	8
Nevada	\$170,000	40	\$165,000	31	\$160,000	33	112.4	\$142,369	43
New Hampshire	\$179,942	34	Not Applicable		\$168,761	27	120.9	\$139,576	45
New Jersey	\$217,505	11	\$207,176	8	\$196,238	10	121.7	\$161,227	27
New Mexico	\$180,748	33	\$164,930	32	\$156,683	38	100.1	\$156,509	30
New York	\$233,400	5	\$222,200	3	\$210,900	4	112.4	\$187,708	7
North Carolina	\$167,807	43	\$160,866	35	\$152,188	42	95.2	\$159,788	28
North Dakota	\$169,162	41	Not Applicable		\$155,219	40	107.8	\$143,958	41
Northern Mariana Islands	No Response		No Response		No Response		Not Available		
Ohio	\$181,400	32	\$169,075	29	\$155,485	39	92.6	\$167,932	20
Oklahoma	\$173,469	38	\$164,339	33	\$156,732	37	93.3	\$168,026	19
Oregon	\$171,408	39	\$168,108	30	\$158,556	35	119.1	\$133,143	50
Pennsylvania	\$227,080	7	\$214,261	4	\$197,119	9	102.3	\$192,661	6
Puerto Rico	\$120,000	54	\$105,000	42	\$89,600	54	Not Available		
Rhode Island	\$225,804	9	Not Applicable		\$210,860	5	128.6	\$164,024	24
South Carolina	\$213,321	12	\$207,987	7	\$202,654	8	98.8	\$205,125	3
South Dakota	\$174,551	37	Not Applicable		\$163,036	31	99.5	\$163,865	25
Tennessee	\$208,704	15	\$201,768	10	\$194,808	11	92.3	\$211,019	2
Texas	\$184,800	29	\$178,400	23	\$154,000	41	96.4	\$159,670	29
Utah	\$203,700	19	\$194,450	13	\$185,200	16	103.2	\$179,471	12
Vermont	\$184,771	30	Not Applicable		\$175,654	25	121.2	\$144,939	40
Virgin Islands	\$226,564	8	Not Applicable		\$191,360	13	Not Available		
Virginia	\$212,365	13	\$195,422	12	\$184,617	18	102.4	\$180,290	9
Washington	\$224,176	10	\$213,400	5	\$203,169	7	114.9	\$176,846	13
West Virginia	\$149,600	53	\$142,500	41	\$132,300	53	95.5	\$138,489	47
Wisconsin	\$165,772	45	\$156,388	37	\$147,535	46	100.4	\$147,016	36
Wyoming	\$175,000	36	Not Applicable		\$160,000	33	105.3	\$151,876	33
Mean	\$191,806		\$183,010		\$171,954				
Median	\$187,020		\$181,652		\$168,255				
Range	\$274,732		\$257,562		\$225,074				

*The figures presented use the C2ER Cost-of-Living Index. The Council for Community and Economic Research-C2ER is the most widely accepted U.S. source for cost-of-living indices, with nearly 400 reporting jurisdictions across America. C2ER does not provide cost of living index for U.S. Territories. Due to the rounding of C2ER factors to the nearest hundredth for publication purposes, user calculations of our adjusted salary figures may not equate to the published totals. More detailed information can be found at www.c2er.org.

Appendix F: Total Superior Court Judge Compensation

Circuit	Judges	Statutory Base (OCGA 45-7-4(20))	Merit Increase	FY22/23 COLA	State Accountability Court Supplement (OCGA 15-6-	Circuit Supplement (OCGA 15-6-29.1(c))	Total Compensation
Augusta	5	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 80,200	\$ 219,990
Columbia	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 80,200	\$ 219,990
Cobb	11	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 73,614	\$ 213,404
Atlanta	20	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 72,112	\$ 211,902
Eastern	6	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 66,084	\$ 205,874
Northeastern	5	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 65,790	\$ 205,580
Brunswick	5	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 64,624	\$ 204,414
Stone Mountain	10	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 58,711	\$ 198,501
Gwinnett	11	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 52,670	\$ 192,460
Macon	5	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 50,012	\$ 189,802
Clayton	5	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 50,000	\$ 189,790
Blue Ridge	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 50,000	\$ 189,790
Griffin	5	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 50,000	\$ 189,790
Coweta	7	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 50,000	\$ 189,790
Waycross	4	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 49,920	\$ 189,710
Chattahoochee	7	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 49,535	\$ 189,325
Bell-Forsyth	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 49,500	\$ 189,290
Flint	4	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 49,500	\$ 189,290
Atlantic	4	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 48,600	\$ 188,390
Douglas	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 47,784	\$ 187,574
Cherokee	4	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 45,000	\$ 184,790
Alcovy	5	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 43,808	\$ 183,598
Houston	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 43,369	\$ 183,159
Ogeechee	4	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 55,000	\$ 194,790
Western	4	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 41,449	\$ 181,239
Appalachian	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 40,800	\$ 180,590
Southern	5	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 40,000	\$ 179,790
South Georgia	2	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 40,000	\$ 179,790
Rome	4	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 37,051	\$ 176,841
Alapaha	2	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 36,000	\$ 175,790
Piedmont	4	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 34,064	\$ 173,854
Tifton	2	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 32,800	\$ 172,590
Paulding	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 30,500	\$ 170,290
Dougherty	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 30,500	\$ 170,290
Mountain	2	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 28,947	\$ 168,737
Rockdale	2	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 25,253	\$ 165,043
Conasauga	4	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 25,000	\$ 164,790
Northern	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 24,600	\$ 164,390
Dublin	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 24,000	\$ 163,790
Middle	2	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 24,000	\$ 163,790
Ocmulgee	5	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 24,000	\$ 163,790
Oconee	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 24,000	\$ 163,790
Tallapoosa	2	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 24,000	\$ 163,790
Southwestern	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 23,855	\$ 163,645
Towaliga	2	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 21,000	\$ 160,790
Cordele	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 20,000	\$ 159,790
Enotah	3	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 20,000	\$ 159,790
Lookout Mountain	4	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 16,000	\$ 155,790
Pataula	2	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 12,000	\$ 151,790
Toombs	2	\$ 126,265	\$ 2,525.30	\$ 5,000.00	\$ 6,000	\$ 12,000	\$ 151,790

Appendix G: 2016 to 2022 Supplement Comparison (Superior Court)

Circuit	2016 Supplement	2022 Supplement	% Increase	Increase?
Augusta	\$ 75,200	\$ 80,200	6.6%	yes
Columbia		\$ 80,200		
Cobb	\$ 73,614	\$ 73,614	0.0%	no
Eastern	\$ 66,084	\$ 66,084	0.0%	no
Northeastern	\$ 65,790	\$ 65,790	0.0%	no
Brunswick	\$ 64,624	\$ 64,624	0.0%	no
Stone Mountain	\$ 58,711	\$ 58,711	0.0%	no
Gwinnett	\$ 52,670	\$ 52,670	0.0%	no
Macon	\$ 49,996	\$ 50,012	0.0%	yes
Clayton	\$ 37,000	\$ 50,000	35.1%	yes
Atlanta	\$ 49,748	\$ 72,112	45.0%	yes
Bell-Forsyth	\$ 25,000	\$ 49,500	98.0%	yes
Chattahoochee	\$ 45,386	\$ 49,535	9.1%	yes
Douglas	\$ 45,700	\$ 47,784	4.6%	yes
Blue Ridge	\$ 25,750	\$ 50,000	94.2%	yes
Cherokee	\$ 32,300	\$ 45,000	39.3%	yes
Alcovy	\$ 38,992	\$ 43,808	12.4%	yes
Griffin	\$ 36,000	\$ 50,000	38.9%	yes
Ogeechee	\$ 41,490	\$ 55,000	32.6%	yes
Western	\$ 40,840	\$ 41,449	1.5%	yes
Houston	\$ 36,177	\$ 43,369	19.9%	yes
Southern	\$ 25,000	\$ 40,000	60.0%	yes
Appalachian	\$ 30,446	\$ 40,800	34.0%	yes
Flint	\$ 36,130	\$ 49,500	37.0%	yes
Rome	\$ 24,030	\$ 37,051	54.2%	yes
Piedmont	\$ 27,812	\$ 34,064	22.5%	yes
Paulding	\$ 30,500	\$ 30,500	0.0%	no
Atlantic	\$ 25,800	\$ 48,600	88.4%	yes
Coweta	\$ 30,000	\$ 50,000	66.7%	yes
Waycross	\$ 29,255	\$ 49,920	70.6%	yes
South Georgia	\$ 28,020	\$ 40,000	42.8%	yes
Dougherty	\$ 27,861	\$ 30,500	9.5%	yes
Mountain	\$ 25,517	\$ 28,947	13.4%	yes
Rockdale	\$ 23,953	\$ 25,253	5.4%	yes
Northern	\$ 24,600	\$ 24,600	0.0%	no
Dublin	\$ 24,000	\$ 24,000	0.0%	no
Middle	\$ 24,000	\$ 24,000	0.0%	no
Ocmulgee	\$ 18,000	\$ 24,000	33.3%	yes
Oconee	\$ 20,000	\$ 24,000	20.0%	yes
Tallapoosa	\$ 24,000	\$ 24,000	0.0%	no
Conasauga	\$ 23,400	\$ 25,000	6.8%	yes
Southwestern	\$ 20,854	\$ 23,855	14.4%	yes
Towaliga	\$ 21,000	\$ 21,000	0.0%	no
Enotah	\$ 20,000	\$ 20,000	0.0%	no
Cordele	\$ 20,000	\$ 20,000	0.0%	no
Pataula	\$ 12,000	\$ 12,000	0.0%	no
Toombs	\$ 12,000	\$ 12,000	0.0%	no
Tifton	\$ 17,400	\$ 32,800	88.5%	yes
Lookout Mountain	\$ 15,000	\$ 16,000	6.7%	yes
Alapaha	-	\$ 36,000		yes

Appendix H: 2021 to 2022 Supplement Comparison (Superior Court)

Circuit	2021 County Supplement	2022 County Supplement	% Increase	Increase?
Augusta	\$ 80,200	\$ 80,200	0%	no
Columbia	\$ 80,200	\$ 80,200	0%	no
Cobb	\$ 73,614	\$ 73,614	0%	no
Eastern	\$ 66,084	\$ 66,084	0%	no
Northeastern	\$ 65,790	\$ 65,790	0%	no
Brunswick	\$ 64,623	\$ 64,624	0%	yes
Waycross	\$ 49,920	\$ 49,920	0%	no
Stone Mountain	\$ 58,711	\$ 58,711	0%	no
Gwinnett	\$ 52,670	\$ 52,670	0%	no
Macon	\$ 50,012	\$ 50,012	0%	no
Clayton	\$ 50,000	\$ 50,000	0%	no
Atlanta	\$ 49,748	\$ 72,112	45%	yes
Bell-Forsyth	\$ 49,500	\$ 49,500	0%	no
Chattahoochee	\$ 49,238	\$ 49,535	1%	yes
Douglas	\$ 47,784	\$ 47,784	0%	no
Blue Ridge	\$ 46,525	\$ 50,000	7%	yes
Cherokee	\$ 45,000	\$ 45,000	0%	no
Alcovy	\$ 43,808	\$ 43,808	0%	no
Griffin	\$ 43,000	\$ 50,000	16%	yes
Ogeechee	\$ 41,490	\$ 55,000	33%	yes
Western	\$ 41,449	\$ 41,449	0%	no
Houston	\$ 40,532	\$ 43,369	7%	yes
Southern	\$ 40,000	\$ 40,000	0%	no
Appalachian	\$ 38,858	\$ 40,800	5%	yes
Flint	\$ 36,000	\$ 49,500	38%	yes
Rome	\$ 35,000	\$ 37,051	6%	yes
Piedmont	\$ 33,630	\$ 34,064	1%	yes
Paulding	\$ 30,500	\$ 30,500	0%	no
Atlantic	\$ 30,000	\$ 48,600	62%	yes
Coweta	\$ 30,000	\$ 50,000	67%	yes
South Georgia	\$ 28,000	\$ 40,000	43%	yes
Dougherty	\$ 27,000	\$ 30,500	13%	yes
Mountain	\$ 25,517	\$ 28,947	13%	yes
Rockdale	\$ 25,253	\$ 25,253	0%	no
Northern	\$ 24,600	\$ 24,600	0%	no
Dublin	\$ 24,000	\$ 24,000	0%	no
Middle	\$ 24,000	\$ 24,000	0%	no
Ocmulgee	\$ 24,000	\$ 24,000	0%	no
Oconee	\$ 24,000	\$ 24,000	0%	no
Tallapoosa	\$ 24,000	\$ 24,000	0%	no
Conasauga	\$ 23,400	\$ 25,000	7%	yes
Towaliga	\$ 21,000	\$ 21,000	0%	no
Southwestern	\$ 20,855	\$ 23,855	14%	yes
Cordele	\$ 20,000	\$ 20,000	0%	no
Enotah	\$ 20,000	\$ 20,000	0%	no
Tifton	\$ 17,400	\$ 32,800	89%	yes
Lookout Mountain	\$ 16,000	\$ 16,000	0%	no
Pataula	\$ 12,000	\$ 12,000	0%	no
Toombs	\$ 12,000	\$ 12,000	0%	no
Alapaha	\$ -	\$ 36,000		yes

Appendix I: Legal Basis for Judicial Salaries in Other States

Contiguous States			
State	How Salaries are Set	Salary Escalation?	Means of Escalation
Alabama	Set by statute	Yes	Longevity increases of 7.5% upon each re-election up to 18 years (six-year terms)
Florida	Set annually by appropriations	No	
Georgia	Set by statute	No	Eligible to receive pay raises received by other State employees at the will of the General Assembly
North Carolina	Set by Appropriations Act	Yes	Longevity raises which start at 4.8% after 5 years and max out at 24% after 25 years
South Carolina	Set annually by appropriations (salaries set by % of Justices of the Supreme Court)	No	
Tennessee	Computational, base salary set in statute adjusted annually based on CPI	Yes	Annual adjustment based on CPI, capped at 5% unless CPI increase exceeds 10%

Similar Population States			
State	How Salaries are Set	Salary Escalation?	Means of Escalation
Illinois	Computational, formerly set by Compensation Board	Yes	COLA based on Employment Cost Index, up to 5%
Ohio	Set by statute	Yes	1.75% yearly increase from 2020-2028 set via Appropriations Bill
Georgia	Set by statute	No	Eligible to receive pay raises received by other State employees at the will of the General Assembly
North Carolina	Set by Appropriations Act	Yes	Longevity raises which start at 4.8% after 5 years and max out at 24% after 25 years
New Jersey	Set by statute	Yes	Beginning in 2021 automatic adjustments based on CPI, capped at 2%
Virginia	Set by Appropriations Act	No	

Appendix J: Assistant District Attorney State Pay Scale effective
6/01/2022

Step	Class 1	Class 2	Class 3	Class 4
1	\$ 56,250	\$ 67,233	\$ 81,301	\$ 97,660
2	\$ 57,788	\$ 69,729	\$ 83,592	\$ 100,438
3	\$ 59,889	\$ 72,312	\$ 86,734	\$ 104,256
4	\$ 62,093	\$ 75,008	\$ 90,008	\$ 108,218
5	\$ 63,528	\$ 76,760	\$ 92,135	\$ 112,353
6	\$ 64,983	\$ 78,544	\$ 94,303	\$ 115,572
7	\$ 66,480	\$ 80,379	\$ 96,543	\$ 117,786
8	\$ 68,017	\$ 82,265	\$ 98,370	Locked
9	\$ 69,596	\$ 84,197	\$ 100,248	Locked
10	\$ 71,215	\$ 86,180	\$ 102,144	Locked
11	\$ 72,865	\$ 88,210	\$ 103,400	Locked
Locked Steps are reserved pending future funding availability				

*Information provided by PAC

Appendix K: District Attorney Total Compensation

Circuit	Statutory Base (OCGA 45-7-4(21))	Merit Increase	FY22/23 COLA	State Accountability Court Supplement	Circuit Supplement	Total Compensation
Cobb	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 80,912.00	\$ 214,385
Atlanta	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 72,112.00	\$ 205,585
Macon	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 55,643.00	\$ 189,116
Gwinnett	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 52,670.00	\$ 186,143
Northeastern	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 51,139.00	\$ 184,612
Flint	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 49,500.00	\$ 182,973
Stone Mountain	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 49,241.72	\$ 182,715
Blue Ridge	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 46,525.00	\$ 179,998
Douglas	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 46,421.00	\$ 179,894
Clayton	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 45,880.00	\$ 179,353
Brunswick	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 39,224.00	\$ 172,697
Augusta	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 38,000.00	\$ 171,473
Columbia	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 38,000.00	\$ 171,473
Cherokee	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 36,000.00	\$ 169,473
Chattahoochee	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 31,000.00	\$ 164,473
Paulding	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 30,500.00	\$ 163,973
Appalachian	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 30,000.00	\$ 163,473
Rome	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 26,980.20	\$ 160,454
Western	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 24,000.00	\$ 157,473
Southern	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 22,500.00	\$ 155,973
Atlantic	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 21,600.00	\$ 155,073
Towaliga	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 21,000.00	\$ 154,473
Dublin	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 20,000.00	\$ 153,473
Rockdale	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 18,094.00	\$ 151,567
Coweta	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 18,000.00	\$ 151,473
Dougherty	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 18,000.00	\$ 151,473
Oconee	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 18,000.00	\$ 151,473
Tallapoosa	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 17,953.00	\$ 151,426
Houston	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 15,585.00	\$ 149,058
Griffin	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 15,000.00	\$ 148,473
Alcovy	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 14,472.00	\$ 147,945
Waycross	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 12,000.00	\$ 145,473
Bell-Forsyth	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 10,041.00	\$ 143,514
Toombs	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 9,600.00	\$ 143,073
Cordele	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 8,004.00	\$ 141,477
South Georgia	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 8,000.00	\$ 141,473
Tifton	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 6,667.00	\$ 140,140
Piedmont	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 6,424.00	\$ 139,897
Lookout Mountain	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 6,000.00	\$ 139,473
Conasauga	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 5,400.00	\$ 138,873
Mountain	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 2,404.00	\$ 135,877
Alapaha	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	-	\$ 133,473
Enotah	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	-	\$ 133,473
Northern	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	-	\$ 133,473
Pataula	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	-	\$ 133,473
Southwestern	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	-	\$ 133,473
Eastern	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	Answered yes on ACCG Survey no figure provided	\$ 133,473
Middle	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	No response, \$26,000 in 2016	\$ 133,473
Ocmulgee	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	No response, \$9,050 in 2016	\$ 133,473
Ogeechee	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	No Reponse, \$6,000 in 2016	\$ 133,473

Appendix L: Circuit Public Defender Total Compensation

Circuit	Statutory Base (OCGA 17-12-25 (HB1391))	Merit Increase	FY22/23 COLA	State Accountability Court Supplement	Circuit Supplement	Total Compensation
Atlanta	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 72,112	\$ 205,585
Northeastern	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 52,139	\$ 185,612
Flint	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 49,500	\$ 182,973
Macon	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 43,000	\$ 176,473
Eastern	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 40,000	\$ 173,473
Brunswick	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 36,000	\$ 169,473
Augusta	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 32,900	\$ 166,373
Columbia	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 30,000	\$ 163,473
Cherokee	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 26,467	\$ 159,940
Coweta	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 26,000	\$ 159,473
Atlantic	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 25,000	\$ 158,473
Chattahoochee	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 22,000	\$ 155,473
Towaliga	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 21,000	\$ 154,473
Rome	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 20,570	\$ 154,043
Paulding	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 18,000	\$ 151,473
Mountain	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 15,000	\$ 148,473
Southern	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 14,300	\$ 147,773
Pataula	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 12,000	\$ 145,473
Dougherty	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 10,000	\$ 143,473
Griffin	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 10,000	\$ 143,473
Middle	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 10,000	\$ 143,473
Oconee	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 10,000	\$ 143,473
Piedmont	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 9,000	\$ 142,473
Alcovy	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 6,000	\$ 139,473
Northern	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 6,000	\$ 139,473
Toombs	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 6,000	\$ 139,473
Rockdale	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 5,000	\$ 138,473
Western	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 5,000	\$ 138,473
Tallapoosa	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ 3,500	\$ 136,973
Alapaha	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ -	\$ 133,473
Appalachian	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ -	\$ 133,473
Clayton	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ -	\$ 133,473
Conasauga	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ -	\$ 133,473
Cordele	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ -	\$ 133,473
Dublin	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ -	\$ 133,473
Enotah	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ -	\$ 133,473
Lookout Mountain	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ -	\$ 133,473
Ocmulgee	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ -	\$ 133,473
Ogeechee	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ -	\$ 133,473
Southwestern	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ -	\$ 133,473
Stone Mountain	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ -	\$ 133,473
Tifton	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ -	\$ 133,473
Waycross	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	\$ -	\$ 133,473
Bell-Forsyth	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	OPT OUT	OPT OUT
Blue Ridge	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	OPT OUT	OPT OUT
Cobb	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	OPT OUT	OPT OUT
Douglas	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	OPT OUT	OPT OUT
Gwinnett	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	OPT OUT	OPT OUT
Houston	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	OPT OUT	OPT OUT
South Georgia	\$ 120,072	\$ 2,401	\$ 5,000	\$ 6,000	no response	no response

Appendix J: 2016 report

**JUDICIAL, DISTRICT ATTORNEY,
AND CIRCUIT PUBLIC DEFENDER
COMPENSATION COMMISSION**

REPORT

DECEMBER 15, 2016

**COMMISSION
MEMBERS**

GUS MAKRIS
CHAIR

JOHNNY GRESHAM
MEMBER

P. HARRIS HINES
MEMBER

CHARLOTTE NASH
MEMBER

RICHARD SMITH
MEMBER

TERRY ENGLAND
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December 15, 2016

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Dear All,

The Judicial, District Attorney, and Circuit Public Defender Compensation Commission submits this report pursuant to O.C.G.A. § 15-22-4(a)(1).

Sincerely,

A handwritten signature in cursive script that reads "Gus Makris".

Gus Makris

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EXHIBITS

The chief justice of the Supreme Court of Georgia is the eighty-ninth highest paid judge in the state. Certain superior court judges are the highest paid trial court judges in the country, and other superior court judges are among the lowest paid trial court judges in the country. The pay of two assistant district attorneys, or two assistant public defenders, who have the same experience and do the same job, may differ by thousands of dollars.

This report addresses how this came to be and recommends how it can be improved.

I. INTRODUCTION

Every day judges and district attorneys and public defenders address someone's life or liberty or property. They address life or liberty or property that has been affected by violence, government power, child abuse, elections, contract disputes, discrimination, family dissolution, fraud, taxes, negligence, and more. They are relied on to address these matters not arbitrarily, but evenly, independent of the parties involved, independent of public or political opinion, and constrained by the Constitution, the Georgia Code, and the decisions of other courts. In other words, they are relied on to uphold the rule of law.¹

That reliance must be well placed. The judge who must set free a hated felon because his right to a fair trial was violated, the district attorney who must take on a murderous gang, the public defender who alone stands between the power of the state and the indigent accused – they must have character and intelligence. They must be well-qualified lawyers.

Recognizing this need, in 2015 the General Assembly passed and Governor Nathan Deal signed House Bill 279, which created the Judicial, District Attorney, and Circuit Public Defender Compensation Commission (the "Commission"). In broad terms, the law instructs the Commission to review compensation paid to justices, judges, district attorneys, and public defenders, to review the resources and caseload balance of the justice system, and to issue reports and recommendations to the executive counsel of the Governor, the Office of Planning and Budget, and the chairpersons of the House and Senate Appropriations and Judiciary Committees.

The Commission has been assigned a multi-year project. It submitted its first report on December 15, 2015, shortly after it was constituted. With this report it meets its obligation to submit a second report by December 15, 2016. Thereafter it must submit a report at least every two years.² The Commission dissolves on June 30, 2020, unless it is continued by the General Assembly prior to that date.³

In 2016 the Commission studied compensation. It held public meetings on January 11, May 4, and October 27, and it received reports from judges, district attorneys, and public defenders. It also conducted significant research on its own. This report contains its findings and recommendations. In subsequent years the Commission will study other matters, including the resources and caseload balance of the justice system.

¹ We take this for granted. We shouldn't. See, e.g., Bearak, Max. "An entire generation of a city's lawyers was killed in Pakistan," *The Washington Post*, August 9, 2016, ("A generation of lawyers has been wiped out in Quetta, and it will leave Baluchistan, in more ways than one, lawless.")

² O.C.G.A. § 15-22-4.

³ O.C.G.A. § 15-22-5.

II. ANALYTICAL FRAMEWORK

In many ways the task of the Commission has been to compare. Compare this to that. Compare current compensation to past compensation. Compare compensation in this state to compensation in that state. Compare compensation in this circuit to compensation in that circuit. Compare public sector compensation to private sector compensation. And so on. Is the compensation equal? Should it be equal? Is it different? Should it be different? How different? These are difficult and complex questions, and they are part of an analysis that is perhaps more art than science.⁴

The Commission began its analysis with the basic economic principle that the level of compensation defines the pool of applicants.⁵ If the pay is too low, fewer well-qualified candidates will apply, and so positions are more likely to be filled by others who are less-qualified. With this in mind the Commission collected relevant data to form an idea of the compensation necessary to attract well-qualified lawyers.

Not long ago federal judges undertook a similar analysis in an effort to raise their pay. It generated significant interest. In 2007 Chief Justice John Roberts said that the failure to raise judicial pay had created a “constitutional crisis” in the federal courts.⁶ Justice Scalia remarked that as a result of insufficient pay “we cannot attract the really bright lawyers” because “it’s too much of a sacrifice.”⁷ Justice Alito feared that “eroding judicial salaries will lead, sooner or later, to less capable judges and ultimately to inferior adjudication.”⁸ Other judges, lawyers, and commentators largely agreed.⁹ Some disagreed, however, and published studies purporting to show that pay had little effect on the quality of federal judges.¹⁰

These debates, now about ten years old, are not directly relevant to the Commission’s task, but they display how traditional economic analysis can fall short in evaluating compensation for well-qualified lawyers who choose to serve the public interest. The available tools to measure the quality of these lawyers and the effects of pay are, according to a prominent scholar, “so extremely crude that they cannot tell us much,” and so “it makes far more sense . . . to rely on basic economic intuition and more direct anecdotal evidence.”¹¹ The Commission basically agrees with this view.

⁴ These are difficult and complex questions for employers in the private sector, too. See Weber, Lauren. “Why there is No Science in Your Salary,” *The Wall Street Journal*, August 2, 2016.

⁵ See, e.g., Corcoran, Kevin. “Judicial Salaries Loom as Big Issue; The Resignation of a Supreme Court Justice Spurs a Call for Better Pay for Indiana’s Judges,” *Indianapolis Star*, October 11, 1999.

⁶ Chief Justice John G. Roberts, Jr., *2006 Year-End Report on the Federal Judiciary*, January 1, 2007. Available at: <https://www.supremecourt.gov/publicinfo/year-end/2006year-endreport.pdf>.

⁷ Posting of Peter Lattman to *Wall Street Journal Law Blog* (December 14, 2006) (quoting a December 13, 2006 speech by Justice Scalia). Available at: <http://blogs.wsj.com/law/2006/12/14/justice-scalia-bemoans-judicial-pay>.

⁸ Committee on the Judiciary, Subcommittee On Courts. *Federal Judicial Compensation: Hearing Before the House*. 110th Congress. 1st session, April 19, 2007.

⁹ Parker, Laura. “Pay Gap Dismays Federal Judges,” *USA Today*, September 23, 2007.

¹⁰ Scott Baker, *Should We Pay Federal Circuit Judges More?*, 88 B.U. L. Rev. 63 (2008); Stephen J. Choi, G. Mitu Gulati & Eric A. Posner, *Are Judges Overpaid? A Skeptical Response to the Judicial Salary Debate*, 1 J. of Legal Analysis 47 (2009).

¹¹ Frank B. Cross, *Perhaps We Should Pay Federal Circuit Judges More*, 88 B.U. L. Rev. 815 (2008) (comments were specific to judicial compensation).

The Commission undertook its analysis with one overall purpose in mind: compensation of judges, district attorneys, and public defenders should advance the public interest. That is the task.

Questions about whether this or that salary is “fair” or “unfair” have been evaluated in light of the overall purpose of advancing the public interest. Questions of fairness ask us to consider how people should be treated in relation to one another, and they are not new. In fact they are as old as the Greeks. They can be traced to Aristotle, who in his *Nicomachean Ethics* was the first to set forth the principle of equality, which is that “things that are alike should be treated alike, while things that are unlike should be treated unlike in proportion to their unalikehood.”¹² That principle has endured. It has a logical appeal, but that appeal is exceeded many times over by its emotive force. And so its violation, or perceived violation, stirs a response – indignation and the impression, whether true or not, that things have been arranged or manipulated unfairly. That tends to lower morale, lower effort, increase turnover and thereby lower the effectiveness and quality of, in this case, lawyers, which in turn negatively affects the public interest.¹³ To this extent questions of fairness are important.

Another comment. As will be discussed, the compensation structure of the justice system is riddled with anomalies and inconsistencies; a few are set forth in the opening paragraph of this report. They present complicated problems that, nevertheless, share a core simplicity. Judges, district attorneys, and public defenders exercise and apply state authority, and so the state pays them, but the state also allows many of them to be paid by the counties in which they serve. Those payments – called local or county supplements – are numerous, varied, and miscellaneous. They are the result of thousands of people making thousands of disconnected decisions that may be influenced by any number of related factors, including local politics, the state budget, the county budget, the recent financial crisis, state compensation that is below-market, and a lack of cost-of-living adjustments. They present questions of “internal” consistency – how should judges and lawyers within the justice system be paid relative to one another? The answer to that question depends largely on one’s answer to another question that heretofore may not have been squarely addressed – to what extent is the justice system a state system, and to what extent is it a local system? The Commission also analyzed questions of “external” consistency – how should judges and lawyers within the justice system be paid relative to lawyers outside the justice system?

With these ideas in mind the Commission has sought to form a view of the way things should be, to understand the way things are, and to make recommendations that help draw the latter toward the former. Of course the Commission makes its recommendations without an opinion about all the things that must be funded by a necessarily limited state budget and, therefore, without the burden of choosing between two good things, weighing all the trade-offs, and reckoning the related long-term and second-order effects.

¹² *Nicomachean Ethics*, v.3 1131a-31b (W. Ross trans. 1925). This principle is indeterminate until the categories of “alike” and “unalike” are defined. See Peter Westen, *The Empty Idea of Equality*, 95 Harv. L. Rev. 537 (1982); Erwin Chemerinsky, *In Defense of Equality: A Reply to Professor Westen*, 81 Mich. L. Rev. 575 (1983).

¹³ See research in the area of behavioral economics (not to mention common sense). Frank B. Cross, *Perhaps We Should Pay Federal Circuit Judges More*, 88 B.U.L. Rev. at 824-25 (2008), citing Ernst Fehr & Simon Gächter, *Fairness and Retaliation: The Economics of Reciprocity*, 14 J. Econ. Persp. 159 (2000); George A. Akerlof & Janet L. Yellen, *The Fair Wage-Effort Hypothesis and Unemployment*, 105 Q.J. Econ. 255 (1990).

III. STRUCTURE OF THE JUSTICE SYSTEM

A. Courts

Georgia is divided into forty-nine judicial circuits. Each circuit consists of one or more counties. The Atlanta Circuit, for example, consists of only Fulton County, while the Ocmulgee Circuit consists of Baldwin, Greene, Hancock, Jasper, Jones, Morgan, Putnam, and Wilkinson counties.¹⁴

Each circuit is home to one superior court. The superior court exercises general jurisdiction over civil and criminal cases and exclusive jurisdiction over other cases, including those relating to divorce and title to land. It may also review decisions of juvenile, magistrate, municipal, probate, and state courts, all of which are courts of limited jurisdiction.¹⁵ These courts hear certain traffic cases, misdemeanors, civil disputes, and minor infractions. They preside over cases that arise within their geographic boundaries, and they are funded solely by the counties or cities in which they reside.¹⁶

Superior courts are permitted to establish “accountability courts” – drug, mental health, and veterans courts permitted to use alternative sentencing in an effort to rehabilitate nonviolent offenders. Accountability courts are established and run by the superior court judges themselves.¹⁷

Each superior court has a number of judges, including one chief judge. The Atlanta Circuit has twenty judges – more than any other circuit – and each of the Cobb, Gwinnett, and Stone Mountain circuits has ten judges. There are thirty-six circuits with four or fewer judges, but every circuit has at least two judges. In total there are two hundred twelve superior court judges.¹⁸ Though they generally preside over cases in their circuit, superior court judges may preside in any court upon the request and with the consent of the judges of that court.¹⁹

Generally, decisions of the superior court may be appealed to the Court of Appeals, which exercises appellate jurisdiction in all cases not reserved to the Supreme Court or conferred on other courts by law.²⁰ Decisions of the Court of Appeals are binding as precedent on all courts other than the Supreme Court. The Court of Appeals consists of fifteen judges, including one chief judge. It sits in divisions consisting of three judges, and the chief judge

¹⁴ O.C.G.A. § 15-6-1. Georgia is the only state in which circuits are given a geographical name, rather than a numerical name.

¹⁵ Ga. Const. 1983, Art. VI, Sec. IV, Para. I; O.C.G.A. § 15-6-8. Why the “superior” court? The court was given its title by the Constitution of 1777. The word “superior” was used by writers on English law to express the greater status accorded to the common law courts located in Westminster over all the other courts in the English galaxy of judicial bodies. The superior court was to be the ultimate court in Georgia and was superior to existing courts held by the justices of the peace at that date. Surrency, Edwin. *The Creation of a Judicial System: The History of Georgia Courts, 1733 to Present*. Gaunt, 2001, p. 62.

¹⁶ In general, Ga. Const. 1983, Art. VI, Sec. I, Para. I and Title 15, chapters 7, 8, 9, 10, and 11.

¹⁷ O.C.G.A. §§ 15-1-15 through 15-1-18.

¹⁸ O.C.G.A. § 15-6-2.

¹⁹ O.C.G.A. § 15-1-9.1.

²⁰ Ga. Const. 1983, Art. VI, Sec. V, Para. III.

assigns cases among the divisions in such a manner as to equalize their work.²¹ The Court of Appeals is located in Atlanta.

The Supreme Court exercises appellate jurisdiction. It is the court of last resort on questions of Georgia law, and its decisions are binding as precedent on all other courts.²² It consists of nine justices and is located in Atlanta.²³

B. District Attorneys and Public Defenders

1. District Attorneys

Each circuit has one district attorney who is elected by the residents of the circuit. The district attorney represents the state in all criminal cases in the superior court of that circuit and in all cases appealed from that superior court to the Court of Appeals and the Supreme Court.

The district attorney in any given circuit may appoint one assistant district attorney for each superior court judge in that circuit, plus one additional assistant district attorney.²⁴ For example, the district attorney in the Macon Circuit may appoint six assistant district attorneys because that circuit has five superior court judges. The district attorney also appoints one special drug prosecutor. The district attorneys may appoint additional assistant district attorneys, subject to available funds.²⁵

2. Public Defenders

Public defenders represent indigent individuals accused of a crime. In Georgia that translates to public defenders representing between 80% and 90% of all criminal defendants in the superior, juvenile, and appellate courts.

The public defender program is administered by the Georgia Public Defender Council (“GPDC”). The GPDC is led by its director, who is appointed by the Governor. The director, in turn, appoints a circuit public defender in forty-three of the forty-nine judicial circuits in the state. There are six circuits – Bell-Forsyth, Blue Ridge, Cobb, Douglas, Gwinnett, and Houston – that opted out of the GPDC at its inception in 2003. Each of those circuits consists of a single county that continues to administer its own public defender program.

In each of the other forty-three circuits the circuit public defender is the lead public defender and is permitted to appoint one assistant public defender for each superior court judge in the circuit, other than the chief judge. For example, the Ocmulgee circuit has five superior court judges (including the chief judge), so the public defender may appoint four assistant public defenders. The GPDC may appoint additional assistant public defenders, subject to available funds.²⁶

²¹ O.C.G.A. § 15-3-1.

²² Ga. Const. 1983, Art. VI, Sec. VI, Para. VI.

²³ O.C.G.A. § 15-2-1.1.

²⁴ O.C.G.A. § 15-18-14(a)(1)(A).

²⁵ O.C.G.A. § 15-18-14(a)(1)(C).

²⁶ O.C.G.A. § 17-12-27(a)(2).

IV. JUDICIAL COMPENSATION

A. State Compensation

The state pays each Supreme Court justice an annual salary of \$175,600.²⁷ It pays each Court of Appeals judge an annual salary of \$174,500.²⁸ It pays each superior court judge an annual salary of \$126,265 as well as an additional \$6,000 to each superior court judge who presides in a circuit that has established an accountability court.²⁹ Accountability courts have been established in forty-six circuits.

Almost all superior court judges are paid additional compensation by the counties that comprise the circuits in which they preside. This additional compensation – referred to as a local or county supplement – is authorized by the Constitution and state law.³⁰

B. Local Supplements

1. Introduction

House Bill 279, the same bill that created the Commission, capped local supplements by providing that a county or counties comprising a judicial circuit could not increase the aggregate local supplement paid to a superior court judge if the supplement was at least \$50,000 as of January 1, 2016.

Local supplements vary widely. For example, Burke, Columbia, and Richmond counties, which comprise the Augusta Circuit, together pay the judges of that circuit an annual supplement of \$75,200, which brings their total compensation to \$207,465. That makes them the highest paid trial court judges in the entire country, even after taking into account the pay of U.S. district judges. On July 1, 2017, the supplement will rise to \$80,200, and the total compensation will rise to \$212,465.³¹ On the other hand, the counties comprising the Alapaha Circuit do not pay their superior court judges any supplement. The compensation detail for all two hundred twelve superior court judges is set forth in *Exhibit A*. Total local supplements come to \$8,514,496, which averages \$40,163 per superior court judge.³²

Supreme Court justices and Court of Appeals judges are not paid local supplements. This leads to at least one result that is contrary to all reason and common sense: eighty-eight superior court judges are paid more than the Supreme Court justices and Court of Appeals judges who review their decisions.

²⁷ O.C.G.A. §§ 15-2-3(b)(1); 45-7-4(a)(18).

²⁸ O.C.G.A. §§ 15-3-5(b)(1); 45-7-4(a)(19).

²⁹ O.C.G.A. §§ 15-6-29, 15-6-29.1, 45-7-4.

³⁰ Ga. Const. 1983, Art. VI, Sec. VII, Para. V; O.C.G.A. § 15-6-29.

³¹ In December of 2015, before the cap took effect on January 1, 2016, Burke and Columbia counties increased their local supplements by \$5,100 and \$10,000, respectively. See Hodson, Sandy, et al. “Augusta Judicial Circuit Superior Court judges getting pay raises,” *The Augusta Chronicle*, December 15, 2015.

³² This calculation can be derived from *Exhibit A* by multiplying the supplement for each circuit by the number of judges in that circuit to find the total supplement for each of the forty-nine circuits, and then adding together the total supplements for each of the forty-nine circuits. That total is \$8,483,988, using \$80,200 for the supplement paid to the superior court judges of the Augusta circuit. Additional chief judge supplements total \$30,508. \$8,514,496 = \$8,483,988 + \$30,508.

Georgia is nearly alone in this regard, according to the National Center for State Courts (the “NCSC”). The NCSC is an independent not-for-profit organization dedicated to improving the administration of justice through leadership and service to state courts. It provides research, information, and consulting services to state courts on key policy issues. It was founded in 1971, and since 1974 it has monitored and analyzed state judicial salary trends. For several years it has published a semi-annual judicial compensation survey.

The NCSC informed the Commission that, to the best of its knowledge, judges of the general-jurisdiction trial courts receive local supplements in only three states – Georgia, California, and Texas.³³ Georgia stands as an outlier among these outliers.

In California compensation for judges is consistent throughout the state with respect to salaries. It is inconsistent only with respect to a hodge-podge of locally-provided fringe benefits, including health insurance, retirement benefits, transportation allowances, stipends, and “flex plans” that help judges defray health care costs.³⁴ In Texas counties may pay supplements to trial court judges, but the supplements are capped so that the maximum total salary of a trial court judge is no more than \$5,000 less than the salary of an appellate court justice. Counties may also pay supplements to appellate court justices, but the supplements are similarly capped so that the maximum total salary of an appellate court justice is no more than \$5,000 less than the salary of a Supreme Court justice. The result is that in 2016 the supplements for the trial court judges and appellate court justices were capped at \$18,000 and \$9,000, respectively.³⁵ Again, the NCSC is not aware of any other states that permit local supplements.

The Commission could not undertake a complete and exhaustive project to research judicial compensation in the other forty-nine states, but in its own research it did find that at least one other state allows supplements. In 1995 Indiana capped local supplements at \$5,000 per judge; that cap still applies.³⁶ The Commission also found that in 2000 Alabama phased out local supplements in “recognition of the disparity in compensation of [trial court] judges caused by varying amounts of local supplements . . . and the need for a uniform plan of compensation.”³⁷ As a result, Alabama trial court judges elected or appointed after October

³³ Jarret Hann, Analyst, National Center for State Courts, email communication to Gus Makris, Chair of the Commission, August 11, 2016.

³⁴ Most judges receive relatively modest benefits, but the judges of the Superior Court of Los Angeles County receive significant benefits, approximately \$50,000 per year. In 2009 the California legislature, concerned about the disparity, asked the Judicial Council of California to study the issue and submit a report. It did so, but the legislature apparently did not heed the advice in the report, because in 2015 the Court of Appeals reiterated the advice in a decision about the legality of supplemental benefits. See Judicial Council of California, Historical Analysis of Disparities in Judicial Benefits: Report to the Senate Committee on Budget and Fiscal Review, the Assembly Committee on Budget, and both the Senate and Assembly Committees on Judiciary, (December 15, 2009); Sturgeon v. County of Los Angeles, (2015) 242 Cal. App. 4th 1437, 1450.

³⁵ State law sets minimum salaries. The actual salaries are set by the Texas Legislature in its General Appropriations Act. See Texas Government Code 659.102; Texas Report of the Judicial Compensation Commission, November 21, 2014, p. 5-6. The state pays an additional \$2,500 to a chief justice of an appellate court and the chief justice of the Supreme Court.

³⁶ Ind. Code Ann. §§ 36-3-6-3(c); 36-2-5-14(b) (“Beginning July 1, 1995, [a local supplement] made under this subsection may not exceed five thousand dollars (\$5,000) for each judge or full-time prosecuting attorney in any calendar year.”) See Ind. P.L. 279-1995 §§ 21, 22; Ind. P.L. 280-1995 §§ 23, 24; Ind. P.L. 2-1996 §§ 289, 291.

³⁷ Code of Ala. § 12-10A-1.

1, 2001 are paid by the state alone.³⁸ In a similar way, Wisconsin eliminated local supplements in 1980.³⁹

2. Some History

Georgia introduced local supplements in 1904. An act approved in that year set the annual salaries of Supreme Court justices and superior court judges at \$4,000 and \$3,000, respectively.⁴⁰ (The Court of Appeals was not established until 1906.) The same act, as amended in 1905 and 1906, went on to say that superior court judges of judicial circuits containing a city with at least 34,000 people “shall receive a salary of five thousand dollars per annum, the difference [*i.e.*, \$2,000] . . . to be paid out of the treasury of the counties in which said cities are located.”⁴¹ At that time only three cities – Atlanta, Augusta, and Savannah – had at least 34,000 people.⁴²

In December of 1909, Walter A. Clark, the treasurer of Richmond County, which contains Augusta, stopped paying the \$2,000 supplement, apparently on the ground that it was unconstitutional. Henry C. Hammond, judge of the superior court of the Augusta Circuit, disagreed. He sued.⁴³

He lost. At that time Article 6, Section 13 of the Constitution provided that the General Assembly could delegate to a county the power to tax only if the tax proceeds were used for certain purposes, including providing for schools, building roads, maintaining prisons, helping the poor, and paying for “expenses of the courts.” That phrase, according to the Supreme Court, did not include the salaries of superior court judges. It was therefore unconstitutional to require some counties to tax their residents to fund the salary of a superior court judge. In arriving at that conclusion the Court examined the history of judicial compensation in Georgia, and it found, with one brief exception, an “uninterrupted” and “uniform practice” of paying the salaries of judges from the state treasury only.⁴⁴

The Supreme Court issued that decision on July 14, 1910. About three weeks later, on August 3, 1910, the General Assembly proposed that Article 6, Section 13 be amended. That amendment was ratified in an election held on October 5, 1910. It read as follows:

³⁸ Op. Attorney General Alabama No. 2000-249 (2000).

³⁹ 74 Op. Attorney General Wisconsin 100 (1985) (“county supplements to judicial pay were abolished as of July 1, 1980” and “[t]he state thus became the sole provider of judicial compensation.”). In Michigan state law says that trial court judges receive a salary payable by the state “and may receive from any county in which he or she regularly holds court an additional salary as determined from time to time by the county board of commissioners,” but this is a county supplement in name only. State law sets state salary of trial court judges, and then it provides that if counties provide a supplement of exactly \$45,724, then the state will reimburse the county for that supplement. If, however, the counties provide a supplement that is more or less than \$45,724, the state will not reimburse the supplement. M.C.L.S. § 600.555. As a result, the Commission understands that all counties provide supplements and receive reimbursements of exactly \$45,724.

⁴⁰ Acts 1904, p. 72.

⁴¹ Acts 1904, p. 73; Acts 1905, p. 100; Acts 1906, p. 56.

⁴² The law referred to the population according to the 1900 census. The populations of Atlanta, Augusta, and Savannah were 89,872, 39,441, and 54,244, respectively.

⁴³ Clark v. Hammond, 134 Ga. 792 (1910).

⁴⁴ In 1865, after the Civil War ended, Georgia introduced district courts. It abolished them in 1872, but while they existed salaries of district judges were paid by the counties that comprised the district. See Clark v. Hammond, 134 Ga. at 795-96.

Provided, however, That the counties of Chatham, Fulton, and Richmond shall pay from their respective county treasuries to the Superior Court Judges of the Circuit of which they are a part . . . such sums as will, with the salaries paid each Judge from the State Treasury, make a salary of \$5,000.00 per annum to each Judge; and said payments are declared to be a part of the Court expenses of such counties, such payments to be made to the Judges now in office as well as their successors.⁴⁵

In the subsequent eighteen years Article 6, Section 13 was amended ten more times.⁴⁶ By 1928 it required Chatham County to pay a \$5,000 supplement; it required Richmond County to pay a \$2,000 supplement; it required Muscogee County to pay a \$3,000 supplement; it permitted Fulton County to pay any supplement it wanted; and it permitted Clark, Floyd, Sumter, and Bibb counties to pay a supplement of up to \$1,000.

By 1945, when Georgia adopted a new Constitution, there were three provisions relating to local supplements. One granted to the General Assembly the right by legislative act to authorize counties to offer supplements without having to secure a constitutional amendment.⁴⁷ Another provided that any supplement in effect at the time the Constitution was adopted would remain in force until otherwise altered. The third provided that Richmond County had to pay a \$2,000 supplement to its superior court judges.⁴⁸

Supplements continued to expand with apparently little study until 1971. In that year the General Assembly created the State Commission on Compensation (the “Old Commission”) “for the purpose of assisting the General Assembly in setting the compensation of constitutional State officers,” including judges and district attorneys.⁴⁹ The assistance included making “recommendations to the General Assembly concerning the elimination, increase or decrease of county supplements.”⁵⁰ After the Old Commission submitted its report, by law the legislature had to introduce a bill containing the recommendations in that report.⁵¹

The Old Commission submitted its first report on December 8, 1971 (attached as *Exhibit D*).⁵² At that time Supreme Court justices and Court of Appeals judges were paid \$32,500, and superior court judges were paid \$24,800, plus local supplements. The Old Commission recommended that each Supreme Court justice be paid \$40,000 and that each Court of Appeals judge be paid \$39,500.⁵³ It also recommended that each superior court judge be paid \$26,500 “plus such county supplements as may now be or are hereafter fixed by law;

⁴⁵ Acts 1910, p. 43; section 1099, *A Treatise on the Constitution of Georgia*, Walter McElreath, published 1912 by the Harrison Company.

⁴⁶ Constitution of the State of Georgia, 1877, Including All Amendments Through 1928, Compiled by Ella May Thornton, State Librarian, p. 101.

⁴⁷ *Houlihan v. Atkinson*, 205 Ga. 720, 729-30 (1949).

⁴⁸ Ga. Const. 1945, Art. VI, Sec. XII, Para. I.

⁴⁹ Acts 1971, p. 103. The Old Commission, though dormant, remains on the books. See O.C.G.A. §§ 45-7-90 through 45-7-96.

⁵⁰ 1971 Op. Attorney General Georgia No. 71-173.1; “Salary Cleanup,” *The Atlanta Constitution*, May 30, 1971.

⁵¹ O.C.G.A. § 45-7-95(b).

⁵² The Commission would like to thank Steven Engerrand, Deputy State Archivist of the Georgia Archives, for his excellent research assistance.

⁵³ Also see Shipp, Bill. “17.6 Pct. Pay Boost Is Asked for Carter,” *The Atlanta Constitution*, December 16, 1971.

provided, however, that no Act shall be passed or continued in force authorizing county supplements which, together with the salary received from the State, shall exceed the sum of \$39,000 per year, and to the extent of such excess said Act shall be ineffective.”

That recommendation was not taken up. Instead the House passed a different bill that ultimately was not signed into law.⁵⁴

The Old Commission submitted its second report on December 4, 1972 (attached as *Exhibit J*). It again recommended that each Supreme Court justice be paid \$40,000 and that each Court of Appeals judge be paid \$39,500. But this time it recommended that each superior court judge be paid \$32,500 without any cap on supplements; specifically, “plus such county supplements . . . as may now be provided by Law.” It did, however, attach an “unofficial opinion of this Commission” (emphasis in original). It read as follows:

The salary recommendations for Justices of the Supreme Court and Judges of the Court of Appeals and Judges of the Superior Court were made with the intent of establishing a proper salary level relationship among these various courts and with the knowledge that approximately 45% of the Superior Court Judges receive local salary supplements. If these recommendations of the Commission are adopted, the Commission recommends that the local salary supplements be adjusted so as not to create again an imbalance between the salaries of the justices and judges of the various courts herein dealt with. The Commission also recommends a similar reevaluation of supplements received by District Attorneys in the light of the increased salaries recommended for District Attorneys.

Presumably, the effect of including this statement as an “unofficial” opinion was that it was not required to be a part of the bill that by law had to be introduced in the legislature.

A few months later, in the 1973 legislative session, the General Assembly was flooded with twenty-four compensation bills, including at least one that contained recommendations in the 1972 Report. The bill that passed included the Old Commission’s recommendations on judicial and district attorney pay, but provisions that would have regulated local supplements were dropped during the legislative process.⁵⁵ The bill was later signed into law by Governor Jimmy Carter.⁵⁶

⁵⁴ Jordan, Bill. “House Ignores State Pay Plan,” *The Atlanta Constitution*, March 4, 1972 (“Ignoring recommendations from a special salary commission established to end fights over pay raises, the Georgia House has voted to give huge salary increases to state officials.”); Stewart, Jim. “\$600,000 State Officials’ Raises Studied,” *The Atlanta Constitution*, November 30, 1972 (“The figures [proposed in the 1972 Report] are virtual carbon copies of the same pay raises passed by the House last year but later knocked down by the Senate”).

⁵⁵ Dakin, Milo. “Pay Hike Bills Flood Legislature,” *The Atlanta Constitution*, January 18, 1973; Taylor, Ron. “Full Cost of Salary Boosts Kept Secret,” *The Atlanta Constitution*, February 25, 1973; Cutts, Ben. “Pay of 10 Judges Here Would Be Near Top in U.S.,” *The Atlanta Constitution*, February 27, 1973 (“A provision that would have limited the salaries of superior court judges was quietly deleted from a rough draft of Senate Bill 108 . . . the pay bill does not restrict local supplements paid to superior court judges.”).

⁵⁶ Acts 1973 Vol. 1, p. 701. The bill generated a colorful exchange between Court of Appeals Judge Randall Evans and Governor Jimmy Carter. In a letter dated February 26, 1973 Judge Evans requested that Governor Carter veto the “salary increase bill,” mostly because it established, for the first time, that Supreme Court justices would

The Old Commission recommended additional salary increases in 1976, but this time it made no recommendations to regulate local supplements. The next report that this Commission found was the one submitted in 1986. It shows that in that year 82% of superior court judges received supplements. The highest supplement was \$19,052, paid to the judges of the Atlanta circuit. The median supplement was \$9,000. (Note also that 39% of district attorneys received a supplement; the median was \$6,838.) The report submitted in 1990 also included a schedule of local supplements. It shows that 78% of superior court judges received supplements. The highest was \$30,000, again paid to the judges of the Atlanta circuit.⁵⁷

The current Constitution, which was adopted in 1983, provides that judges shall receive compensation “as provided by law;” that “county supplements are hereby continued and may be granted or changed by the General Assembly;” that “County governing authorities which had the authority on June 30, 1983, to make county supplements continue to have such authority;” and that an “incumbent’s salary, allowance, or supplement shall not be decreased during the incumbent’s term in office.”⁵⁸

3. Current Practice

This brief history provides some context for our current consideration. As far as the Commission can tell, the proliferation of local supplements has proceeded without any particular aim or pattern or necessity. Instead they seem to have expanded for reasons particular to the political histories of the various courts and counties.

Whatever the history, at present local supplements seem to be loosely based on several related ideas. The first is that supplements are necessary to mitigate the lack of cost-of-living-adjustments and raises that judges have endured in recent years. (See *Exhibit D*.) As discussed later in this report, that is a true concern, but it is a true concern for Supreme Court justices and Court of Appeals judges, too, and state law does not permit those judges to receive supplements. Accordingly, it does not seem that the General Assembly has permitted supplements to allay its concerns about its failure to increase judicial salaries.

The second idea is that different superior courts may have different caseload balances and that local supplements correspond to those differences. Whatever bearing this idea may have at first blush is overcome by the sheer impossibility of it. Counties that pay the supplements would have to monitor the caseload balance in their circuits, understand the total caseload balance in the entire state, and then come to a statewide agreement to pay supplements in proportion to the relative caseload balance in each circuit. Or perhaps the General Assembly would have to monitor the relative caseload and then allocate additional

be paid more than Court of Appeals judges. Judge Evans added that “this legislation is more unpopular than any law that has been enacted in the past twenty years,” and that if a poll were taken, “excluding those of us who are directly affected and our near relatives,” it would reveal that “the people violently oppose this legislation in a ratio of something like fifty one.” In a letter dated the same day, Governor Carter replied that he did not intend to veto the bill and suggested that Judge Evans “dramatize [his] displeasure by refusing to accept the new salary recommended by the Commission.” Governor Carter added, “I thought it was generally accepted that the Supreme Court was the senior court, followed by the Court of Appeals, the Superior Court, etc.”

⁵⁷ The reports from 1976, 1986, and 1990 are available at the Georgia State Archives.

⁵⁸ Ga. Const. 1983, Art. VI, Sec. VII, Para. V.

compensation accordingly. Needless to say, that does not happen, and no one has suggested that it should.

That's because it shouldn't. The circuits should be organized in such a manner as to equalize their work. The Commission believes that is what the General Assembly referred to in House Bill 279 when it charged the Commission with studying the "caseload demands of judicial officers, prosecuting attorneys, and public defenders and the allocation of such officials, including staffing resources and jurisdictional structure."⁵⁹ This has long been the design. An ordinance adopted by the 1877 constitutional convention declared that "[t]here shall be sixteen judicial circuits in this State, and it shall be the duty of the General Assembly to organize and proportion the same in such manner as to equalize the business and labor of the judges in said several circuits, as far as may be practicable."⁶⁰

As stated at the beginning of this report, this year the Commission studied compensation, not caseload balances and related topics, and so it does not at present have an opinion on these matters. Nevertheless, the Commission believes that compensation should be structured based on the premise that judges work equally. If upon further study that premise turns out to be incorrect, the solution would be to equalize the work, not unequalize the pay.

There may be a third idea that can go unexpressed. Aside from differences in the quantity of cases, across the state there are also differences in the nature and complexity of cases, and local supplements, the idea goes, correspond to those differences. The Commission rejects this idea. Legal disputes often do not lend themselves to easy comparison. Compare, for example, a complex business litigation case affecting thousands of jobs and sophisticated shareholders and millions of dollars, with a divorce case involving little money and several children with an abusive father or a drug-addicted mother. Which case requires more intelligence? Which case requires more wisdom? Which case is more important?

The fourth idea is that the salary of a superior court judge is a local concern and that local counties are better suited to address local concerns. Along the same lines, the fifth idea is that the cost of living varies dramatically across the state and that local supplements help mitigate those variations. These two ideas are addressed in turn.

It is true that superior court judges are elected locally and that the local community has an interest in retaining good judges, but in all relevant respects superior court judges are officers of the state. The superior court is one court among all the courts that comprise a single, statewide judicial system.⁶¹ Its jurisdiction is set forth in the state Constitution.⁶² Vacancies are filled by appointment of the Governor of the state.⁶³ The power to discipline and remove superior court judges is vested in the state Judicial Qualifications Commission.⁶⁴ Superior court judges may exercise judicial power in any court in the state upon the request and consent of the judges of that court.⁶⁵ Indeed, in certain circumstances a superior court

⁵⁹ O.C.G.A. § 15-22-4(a)(2)(C).

⁶⁰ Clark, R.H., et al., *The Code of the State of Georgia*. Jas P. Harrison & Co., 1882, p. 1328.

⁶¹ Ga. Const. 1983, Art. VI, Sec. I, Para. II.

⁶² Ga. Const. 1983, Art. VI, Sec. IV, Para. I.

⁶³ Ga. Const. 1983, Art. VI, Sec. VII, Para. III.

⁶⁴ Ga. Const. 1983, Art. VI, Sec. VII, Para. VI.

⁶⁵ Ga. Const. 1983, Art. VI, Sec. I, Para. III.

judge can preside in place of a Supreme Court justice.⁶⁶ And superior court judges apply and interpret state law, often hearing cases in which a local county is a party. For these reasons superior court judges are officers of the state, and their compensation is a state concern.⁶⁷

Regarding the cost of living, it is true that it differs from circuit to circuit, sometimes dramatically, and that local supplements may mitigate these differences. Nevertheless, for several reasons the Commission is not persuaded that these differences justify supplements.

First, and perhaps most importantly, if the purpose of local supplements is to mitigate differences in the cost of living, then they should be tied to the cost of living in each circuit as measured by a recognized index. But they are not tied to any index, they never have been, and no one has suggested that they should be. Indeed, it is difficult to see how local supplements could be even theoretically tied to differences in the cost of living, given that the supplements are issued at different times by different people in different counties with different budgets. Moreover, Supreme Court justices and Court of Appeals judges receive no supplements, even though most of them live in and around the area of the state with the highest cost of living. In short, the differences in local supplements bear no relationship to the actual differences in the cost of living because in fact there is no systematic plan or formula to mitigate differences in the cost of living.

Second, even if supplements were based on differences in the cost of living, it is not clear why that should be so, why judges should be compensated based on their cost of living. And it is *their* cost of living. They chose to live there before they became judges, presumably because they came to the conclusion that, whatever the cost, on balance the benefits were higher.⁶⁸ Their decision to live in a more expensive area should not influence their compensation any more than their decision to purchase anything else that is more or less expensive.

This principle is taken for granted in other contexts. Other officers or employees of the state are not compensated based on their local cost of living. Each member of the General Assembly is paid the same \$17,342, even though the cost of living varies widely among the legislative districts spread across the state.⁶⁹ Moreover, disparities in the cost of living are hardly unique to Georgia, and yet, to the best of the NCSC and Commission's knowledge, counties in this state are the only ones in the country that pay material supplements.⁷⁰ Indeed, when the entire country is considered, the disparities are far greater, and yet the salaries of federal judges are uniform. The judges of the U.S. District Court for the Southern District of New York are paid the same as the judges of the U.S. District Court for the District of Idaho.

⁶⁶ O.C.G.A. § 15-2-2.

⁶⁷ See also Freeman v. Barnes, 282 Ga. App. 895 (2006) (Trial court did not err in determining that a deceased superior court judge was a state employee but not a county employee for purposes of the exclusive remedy provision under O.C.G.A. § 34-9-11(a) of the Georgia Workers' Compensation Act; the fact that the county paid the judge a local supplement did not make the judge a county employee.)

⁶⁸ It is true that areas with a higher cost of living generally offer employment with higher compensation, but, as countless commuting Georgians can attest, there is no requirement to live next-door to one's job.

⁶⁹ Legislators in certain leadership positions are paid more.

⁷⁰ With the exception of Los Angeles County and some counties in Texas. See notes 34 and 35 above.

This principle is taken for granted in other contexts because, even if local supplements provide some value by mitigating some problems, there are a number of competing values, and perhaps the most important one is the appearance of equal treatment.⁷¹ Permitting one superior court judge to be paid tens of thousands of dollars more than another superior court judge who is vested with the same power and charged with the same duties is reasonably perceived, especially by the uninitiated, as unfair. It suggests that the state of Georgia attaches a different level of importance to its different superior courts, and that the level of importance varies depending on the budget of the local county. It also suggests that superior court judges are above the appellate judges who review their decisions. There is a reason no one questions whether federal district judges should be paid the same amount, or asks why federal appellate judges are paid more than federal district judges, or wonders why other states pay their trial court judges the same amount. It simply seems more fair.

More fair, not fair. A uniform rule providing for equal compensation of superior court judges would leave room for improvement. Leave that room. No general rule fits every corner; that is the nature of a *general* rule. To carve out this and then that exception in pursuit of perfect fairness inevitably carves the rule to pieces. The choice is not between the current compensation structure and an idealized alternative, whatever that may be. It is between the current compensation structure beset with anomalies and inconsistencies and an alternative compensation structure that is internally consistent and aligned with the rest of the country.

For these reasons the Commission believes that local supplements are fundamentally misconceived, and it recommends that they be phased out and eventually eliminated. However, as described in more detail later in this report, in recognition that many lawyers accepted judicial appointments or were elected to the bench with the understanding and expectation of a salary that included a local supplement, the Commission recommends that the current local supplements paid to current superior court judges be “grandfathered.”

One other comment. As noted later in this report, the Commission understands that assistant U.S. attorneys receive locality payments that are based on differences in the cost of living, but for a few reasons the Commission believes those payments are distinguishable from supplements paid to superior court judges. First, locality payments to assistant U.S. attorneys are actually based on cost-of-living indexes. Second, they are relatively minor in comparison. The locality pay of two federal prosecutors in Georgia who receive \$100,000 in base pay would differ by, at most, approximately \$5,000. Third, locality payments are controlled by the federal government – the employer of the federal prosecutors – not a government local to the area in which they happen to serve. A federal prosecutor in San Francisco receives locality payments from the federal government, not the San Francisco city council. And yet superior court judges receive local supplements not from the state, but from local counties. These features suggest that locality payments for federal prosecutors are necessary to attract and retain well-qualified lawyers to serve as federal prosecutors in all areas of the country.

⁷¹ See, e.g., Antonin Scalia, *The Rule of Law as a Law of Rules*, 56 U. Chi. L. Rev. 1175, 1178 (1989).

V. DISTRICT ATTORNEY AND PUBLIC DEFENDER COMPENSATION

A. District Attorneys and Circuit Public Defenders

The state pays each district attorney an annual salary of \$120,072.⁷² It pays an additional \$6,000 to district attorneys who serve circuits that have established accountability courts.⁷³

Counties are permitted to pay local supplements to district attorneys, too, and, like the supplements paid to superior court judges, they vary widely.⁷⁴ They are set forth in *Exhibit B*.

District attorneys have been permitted to receive local supplements since the establishment of the office of district attorney in 1968. In that year the Constitution was amended to change the name of the office of solicitor to the office of district attorney.⁷⁵ Also in that year the General Assembly passed a law that abolished the old fee-based compensation system for district attorneys (which also permitted local supplements),⁷⁶ prohibited district attorneys from engaging in the private practice of law, and made district attorneys full-time state officers with an annual salary of \$18,000.⁷⁷ The law also provided that “nothing contained within this Act shall be construed so as to prohibit any county or combination of counties from supplementing the salary” of a district attorney.⁷⁸

The state pays each circuit public defender an annual salary of \$99,526.⁷⁹ It pays an additional \$6,000 to circuit public defenders who work in circuits that have established accountability courts.⁸⁰ Counties are also authorized to pay supplements to circuit public defenders.⁸¹ They are set forth in *Exhibit C*.

For reasons previously discussed, the Commission believes that local supplements are fundamentally misconceived, and it recommends that they be phased out and eventually eliminated, as described in more detail later in this report.

B. Assistant District Attorneys and Assistant Public Defenders

Since 1984 assistant district attorneys have been paid according to a pay schedule.⁸² The schedule is developed annually by the Prosecuting Attorneys’ Council (“PAC”) as part of the yearly budget process. It designates a salary according to an assistant district attorney’s

⁷² O.C.G.A. §§ 15-18-10(a); 45-7-4(a)(21).

⁷³ O.C.G.A. § 15-18-10.1.

⁷⁴ O.C.G.A. § 15-18-10(b).

⁷⁵ The amendment was proposed by the General Assembly on April 8, 1968 and approved in an election held on November 5, 1968. Acts 1968, Vol. 1, pg. 1567; “23 Amendments Will Be On All Georgia Ballots,” *The Atlanta Constitution*, November 3, 1968. Cox, Calvin. “There’s Nothing to Do,” *The Atlanta Constitution*, November 9, 1968.

⁷⁶ Ga. Const. 1945, Art. VI, Sec. XII, Para. I.

⁷⁷ Acts 1968, p. 992.

⁷⁸ *Id.* at 994.

⁷⁹ O.C.G.A. § 17-12-25(a).

⁸⁰ O.C.G.A. § 17-12-25.1.

⁸¹ O.C.G.A. § 17-12-25(b).

⁸² O.C.G.A. §§ 15-18-14, 15-18-19(e).

“class,” of which there are four, and “step,” of which there are thirteen. Assistant district attorneys are assigned to classes and steps according to their knowledge and experience. Generally, an assistant district attorney advances one step for each year of experience and may advance to another class once he satisfies the requirements, but those decisions are largely within the discretion of the district attorney. The current pay schedule is attached as *Exhibit F*. Here is a summary.

	Class 1	Class 2	Class 3	Class 4
Step 1	\$44,828	\$48,062	\$53,032	\$61,344
Step 13	\$77,425	\$83,386	\$94,198	\$106,361

Currently, across the state’s forty-nine judicial circuits there are approximately 385 assistant district attorneys who are paid according to the pay schedule. They are referred to as “state-paid” assistant district attorneys.

There are approximately 160 similarly “state-paid” assistant public defenders that are paid according to their own pay schedule, which differs from the assistant district attorney pay schedule; assistant public defenders are paid slightly less. (Compare *Exhibits F* and *G*.) Also, the state salary of an assistant public defender is capped at 90% of the circuit public defender’s compensation, while an assistant district attorney’s compensation is not similarly capped.⁸³ Note also that prior to July 1, 2016, there was no pay schedule for public defenders. The law called for a schedule, but until recently the GPDC could not implement one because it did not receive sufficient funding from the state. Instead, each public defender office received a budget and made due as best it could.

It is not an exaggeration to say that a properly funded pay schedule is indispensable to the district attorney and public defender offices. It offers a future to lawyers who choose to serve the public interest. These lawyers did not choose their jobs to get rich, but with a properly funded pay schedule they can at least look to their future and plan. They can know that if they put in so many years here, or enough work there, they can expect to be paid that, by then. And that encourages these lawyers to make a career of serving the public interest, which indeed serves the public interest. Every lawyer can recount the uncertainty that accompanies the first couple years of practicing law, how much they learned in those initial years, and how much they relied on a more senior lawyer or mentor. It is the more senior lawyers who take on the most challenging work and have the knowledge and ability to develop and train the new and the inexperienced. If there is substantial uncertainty about whether the pay schedule will be properly funded, those senior lawyers do not make plans to stay, and they have less incentive to invest their time and energy in the future of the district attorney and public defender offices.

The question, then, is whether the pay schedule is sufficiently funded. There is evidence that it is not, that these lawyers are paid below market compensation, and that this negatively affects the public interest.

To begin with, in addition to the state-paid assistant district attorneys and assistant public defenders compensated under the pay schedule, across the state there are

⁸³ Compare O.C.G.A. § 15-18-14(c)(4) with O.C.G.A. § 17-12-27(e)(4).

approximately 360 assistant district attorneys and an unknown number of (but at least one hundred) assistant public defenders who are hired and paid directly by the counties. The counties hire these “county-paid” lawyers for the simple reason that the state does not provide enough money for the district attorneys and public defenders to hire the number of lawyers that are needed to handle the caseload in their respective offices; they turn to the counties to fill the gap.

County-paid assistant district attorneys are concentrated in areas with higher populations. For example, while the Atlanta circuit has approximately twenty-five state-paid assistant district attorneys, it has approximately seventy-five county-paid assistant district attorneys. The Cobb, Columbus, Eastern, Gwinnett, and Stone Mountain judicial circuits each has between roughly twenty and forty county-paid assistant district attorneys.

In more populated areas, the salaries of county-paid lawyers generally exceed the salaries of state-paid lawyers, since the counties have difficulty hiring well-qualified lawyers at the salaries set forth in the state pay schedule. So, for example, a county may pay \$100,000 to an assistant district attorney, while the state may pay \$70,000 to another assistant district attorney with the same experience in the same county. In an effort to keep the salaries relatively even, and to avoid losing the state-paid lawyer, the district attorney often solicits funds from the county and uses the funds to pay, in this example, a \$30,000 supplement to the state-paid assistant district attorney.

Very few, perhaps a handful, of state-paid assistant public defenders receive small local supplements, although there is no official data available. On the other hand, local supplements paid to state-paid assistant district attorneys are widespread and vary significantly. An informal survey of district attorneys indicates that about half of the state-paid assistant district attorneys receive local supplements. In some circuits they may average between \$2,000 and \$5,000 per lawyer. In other circuits they are between \$7,000 and \$14,000. In a few cases senior prosecutors receive supplements as high as \$20,000 to \$40,000. Here are some of the comments from the district attorneys who responded to the survey.

- “County salaries are much higher than state pay . . . I have to provide supplements to keep them relatively even.”
- “Because we found we could not attract (and keep) new ADAs paying the state’s starting salary . . . our office adopted a new prosecutor pay scale . . . regardless of [the] employing entity.”
- “Our ADAs . . . receive no county supplements. I currently have a state position open that was vacated by a veteran prosecutor . . . All the résumés I am receiving are from recent graduates or non-prosecutors.”
- “[State-paid ADAs] have to be supplemented to keep up with what similarly county-paid . . . ADAs get paid.”

The problem has been exacerbated since FY2010, when the pay schedule was largely frozen. Between then and FY2017 assistant district attorneys were eligible to advance eight steps on the pay schedule, which would have resulted in a 44% increase in salary on average. Instead salaries have increased only 14% on average. (Assistant district attorneys also took twenty-four furlough days.) So, for example, according to the PAC there is a mid-level

assistant district attorney in Lowndes County who is paid \$46,662 and, based on the pay schedule, should be paid \$59,557. And there is an experienced assistant district attorney in Thomas County who is paid \$67,272 and, based on the pay schedule, should be paid \$87,543.

In addition to state-paid and county-paid prosecutors and public defenders, there is a third category. In some cases counties, typically rural counties, need to hire additional prosecutors or public defenders, but they may not want to undertake the obligation to process payments, withhold and pay taxes, and otherwise manage the payroll. In those cases the counties pay amounts to the PAC or the GPDC, as the case may be, which in turn hires these “state-paid county reimbursed” (“SPCR”) lawyers and pays them with the funds received from the counties. There are approximately 50 SPCR assistant district attorneys and 225 SPCR assistant public defenders. These lawyers are not paid according to the pay schedule. Instead they are paid according to the agreement the counties make with the PAC or the GPDC.

This tripartite pay structure can have dizzying effects and create administrative burdens. It is not uncommon for lawyers to move between the six different job categories – state-paid, county-paid, and SPCR assistant district attorneys and assistant public defenders – in search of increased compensation and better employment prospects. In this way the compensation structure encourages circuits to compete with one another. Put differently, the compensation structure encourages the justice system to compete with itself, where different divisions of the same organization attempt to hire away employees of other divisions. In general, lawyers are drawn toward circuits near Atlanta and other high-population areas that offer higher compensation and proximity to higher-paying private sector jobs.

In addition to these “internal” movements, there is evidence that many talented young lawyers leave for the private sector after three to five years. The Commission understands that there is a recent example of a young, promising assistant public defender with a few years of experience in a rural circuit who left to join a personal injury law firm in Atlanta to double his salary. He did not want to leave, and he enjoyed being a public defender, but he could not pass up the opportunity.

Stories like these are unavoidable, as public service rightly requires financial sacrifice. But as the stories pile up, and the anecdotal becomes the ordinary, the public interest begins to suffer. The turnover rates for assistant district attorneys for each year from FY2010 through FY2015 were 7%, 19%, 11%, 26%, 17%, and 18%, respectively. The turnover rates for assistant public defenders over the same period were 23%, 16%, 14%, 20%, 12%, and 14%, respectively. It is probably fair to say that these numbers understate the impact on the public interest, since it is the more experienced lawyers who leave the agencies, taking with them their knowledge and expertise. That is, if 15% of the public defenders leave, more than 15% of the total knowledge and expertise leaves with them.

There is something else to consider. In 2007 Congress passed and President Bush signed the College Cost Reduction and Access Act, which established, among other things, the Public Service Loan Forgiveness Program.⁸⁴ It provides that if, beginning on October 1, 2007, an individual is employed full-time by certain public service employers and makes one hundred twenty qualifying payments on his eligible federal student loans after that date (including payments under certain income contingent repayment plans), then the federal

⁸⁴ Pub. L. 110-84, 121 Stat. 784, 800-01 (2007).

government will forgive that individual's federal student loans. Thus, the first loan balances will be forgiven in October 2017. At that time, district attorney and public defender offices may face a disproportionately high number of resignations (although it is not clear how many), since assistant district attorneys and assistant public defenders carry an average school debt burden of approximately \$110,000.

VI. COMPENSATION SURVEY

In making its recommendations the Commission considered various data, including the following. Compensation figures are for the year 2016, unless otherwise noted.

Judicial and District Attorney Salaries Over Time. Salaries of justices, judges, and district attorneys have fluctuated significantly in real terms over the last thirty years. *Exhibits D and E*, which do not account for local supplements, set forth salaries from 1986 through 2016 in nominal and real (2016-adjusted) dollars. The schedules reveal that state compensation has steadily and significantly declined over the last fifteen or sixteen years. In real terms the compensation of Supreme Court justices and Court of Appeals judges has decreased by approximately \$32,000 since 2001. In real terms the compensation of superior court judges and district attorneys has decreased by approximately \$15,000 and \$5,000, respectively, since 2002, not taking into account local supplements. The decrease is due to the fact that cost-of-living-adjustments and raises over that period have not kept pace with the increased cost of living. In the Commission's view, the lack of cost-of-living-adjustments has in turn contributed to the growth of local supplements, as superior court judges and district attorneys have turned to counties to increase their compensation when the state has failed to do so.

Federal Judges. The chief justice of the United States is paid \$260,700. The associate justices of the U.S. Supreme Court are paid \$249,300. U.S. Circuit judges are paid \$215,400. U.S. district judges are paid \$203,100.⁸⁵

Federal Prosecutors. Assistant U.S. attorneys are paid according to a salary scale that is administratively determined and based primarily on the number of years of professional experience. A prosecutor with no more than two years of experience is paid at least \$51,811, at most \$88,079, and on average \$69,945. A prosecutor with at least nine years of experience is paid at least \$79,717, at most \$135,519, and on average \$107,618. Prosecutors also receive "locality pay," an amount equal to a percentage of their base pay that differs depending on the area in which they live. The percentage for San Francisco is 35.75%, which is the highest in the country. The percentage for Atlanta is 19.58%. The minimum percentage for any area is 14.35%. So, for example, prosecutors in Georgia with a base pay of \$100,000 would receive additional locality pay between \$14,350 and \$19,580, depending on where they live. Total pay, including locality pay, is limited to \$160,200, regardless of where the prosecutor lives.⁸⁶

State Judges. The National Center for State Courts publishes a semi-annual survey that sets forth judicial salaries in each of the fifty states. The most recent survey sets forth the compensation as of January 1, 2016. Information from that survey is set forth in *Exhibit*

⁸⁵ Retrieved from: <http://www.uscourts.gov/judges-judgeships/judicial-compensation>.

⁸⁶ Retrieved from: <https://www.justice.gov/usao/career-center/salary-information/administratively-determined-pay-plan-charts>.

H. Note that some information may be slightly outdated. For example, the survey says that the 2016 salaries of the Georgia Supreme Court justices and Court of Appeals judges are \$167,210 and \$166,186, respectively, but those were the 2015 salaries. Also, the survey says that the 2016 salary of New York trial court judges is \$174,000, but in 2016 that salary was raised to \$193,000, and the salaries of the intermediate appellate court and highest court were raised proportionally.⁸⁷ Also note that, due to the effect of local supplements, some Georgia superior court judges are the highest paid trial court judges in the country, while others are among the lowest paid.⁸⁸

State Prosecutors and Public Defenders. In 2014 the National Association for Law Placement (NALP) conducted a national public sector and public interest attorney salary survey. The median salaries of prosecutors with no experience, five years of experience, and eleven to fifteen years of experience were \$51,100, \$63,600, and \$80,000, respectively. The median salaries for public defenders with no experience, five years of experience, and eleven to fifteen years of experience were \$50,400, \$63,000, and \$84,500, respectively.⁸⁹ Presumably these averages have increased since 2014.

Large Atlanta Law Firms. In 2016 the starting base salary for first-year associates of large Atlanta law firms was raised to \$155,000.⁹⁰ According to a 2016 survey conducted by Major, Lindsey, & Africa, a national legal recruiting firm, the average and median salaries of partners in Atlanta law firms are \$850,000 and \$701,000, respectively.⁹¹

Law Professors. The median salaries during the 2012-13 academic school year for University of Georgia Law School assistant professors, associate professors, and tenured professors were \$121,400, \$144,000, and \$180,765, respectively.⁹²

Population and Economy. Georgia is the eighth most populous state in the country. Between 2014 and 2015 its population increased by approximately 118,000 people. Only Texas, Florida, and California had larger increases during that time.⁹³ The Atlanta metropolitan area is the ninth most populous metropolitan area in the country.⁹⁴ Georgia has the tenth largest gross domestic product among the states.⁹⁵

⁸⁷ Report of the New York Commission on Legislative, Judicial and Executive Compensation dated December 24, 2015. On April 1, 2016 the state of New York adopted the commission's recommendations. Retrieved from: http://www.nysac.org/blog_home.asp?Display=58.

⁸⁸ The survey says that Georgia superior court judges are paid \$156,252. Presumably that is an average figure, although it is not clear how it was calculated.

⁸⁹ NALP 2014 Public Sector and Public Interest Salary Report, Table 1. Retrieved from: <http://www.nalp.org/july14research#table1>.

⁹⁰ Hobbs, Meredith. "King & Spalding, Alston Raise Associate Pay," *Daily Report*, June 21, 2016. Hobbs, Meredith. "Troutman, Kilpatrick and Sutherland Raise Associate Pay," *Daily Report*, July 1, 2016.

⁹¹ Lowe, Jeffrey. "2016 Partner Compensation Survey, Exhibit 1.4 – Total Compensation by City." *Major Lindsey & Africa*.

⁹² Society of American Law Teachers, *SALT Equalizer*, Volume 2015, Issue 1. Retrieved from: <https://www.saltlaw.org/wp-content/uploads/2014/05/SALT-salary-survey-2015-final.pdf>.

⁹³ United States Census. (2015.) *North Carolina Becomes Ninth State With 10 Million or More People, Census Bureau Reports*. [Press Release]. Retrieved from: <http://www.census.gov/newsroom/press-releases/2015/cb15-215.html>.

⁹⁴ Annual Estimates of the Population of Metropolitan and Micropolitan Statistical Areas: April 1, 2010 to July 1, 2015. Retrieved from: <http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk>.

⁹⁵ U.S. Department of Commerce, Bureau of Economic Analysis, Gross domestic product by state. Retrieved from: <http://www.bea.gov/iTable/drilldown.cfm?reqid=70&stepnum=11&AreaTypeKeyGdp=5&GeoFipsGdp=XX&Class>

VII. RECOMMENDATIONS

In light of the foregoing findings and analysis, the Commission makes the following recommendations with one purpose in mind – compensation of justices, judges, district attorneys, and public defenders should advance the public interest. These recommendations would advance the public interest by establishing a satisfactory compromise between the financial sacrifices that rightly attend public service and the need to attract well-qualified lawyers to serve in all forty-nine circuits. These recommendations would also establish a proper salary relationship among the various courts and are based on the understanding that Georgia attaches the same level of importance to the administration of justice in each of its forty-nine circuits.

A. Supreme Court

The Commission recommends that the chief justice receive a salary of \$205,000 and that the other Supreme Court justices receive a salary of \$200,000. Compared to judges who serve on the highest courts of other states, this salary would make Georgia Supreme Court justices the eighth-highest paid in the country, in line with Georgia's population and GDP rankings. This salary would also be comparable to a U.S. district judge's salary, which is \$203,100. In real terms this salary would still be below the salary paid to Supreme Court justices from 1999 through 2003.

In total these salaries would cost the state an additional \$224,600.⁹⁶

B. Court of Appeals

The Commission recommends that the chief judge receive a salary of \$195,000 and that the other Court of Appeals judges receive a salary of \$190,000. Compared to judges who serve on the intermediate appellate courts of other states, this salary would make Georgia Court of Appeals judges the seventh-highest paid in the country. In real terms this salary would still be below the salary paid to Court of Appeals judges from 1999 through 2003.

In total these salaries would cost the state an additional \$237,500.⁹⁷

C. Superior Court

The Commission recommends that the General Assembly give superior court judges the choice to be compensated in one of two ways.

- (1) Continue to receive the current state salary of \$126,265, the current \$6,000 accountability court supplement, and any current local supplement, which shall be fixed at its current amount; or

KeyGdp=NAICS&ComponentKey=200&IndustryKey=1&YearGdp=2015Q2&YearGdpBegin=-1&YearGdpEnd=-1&UnitOfMeasureKeyGdp=Levels&RankKeyGdp=1&Drill=1&nRange=5.

⁹⁶ $(\$200,000 - \$175,600) \times 9 + \$5,000 = \$224,600$.

⁹⁷ $(\$190,000 - \$174,500) \times 15 + \$5,000 = \$237,500$.

- (2) Receive a state salary of \$175,000, if an accountability court is established, or \$165,000, if an accountability court is not established, and no local supplements.

The Commission recommends that only current superior court judges be given the choice to be compensated under systems (1) or (2). Superior court judges elected or appointed after an effective date would be compensated under system (2) only. In addition, the Commission recommends that the state provide cost-of-living adjustments only to judges who are compensated under system (2).

Compared to judges who serve on the trial courts of other states, a state salary of \$175,000 (with no local supplements) would make Georgia superior court judges the eighth-highest paid in the country. Also, since the average local supplement paid to superior court judges is \$40,163, and therefore the average salary is \$172,428,⁹⁸ this salary recommendation approximates the current average salary of a superior court judge.

If all superior court judges were compensated under system (2), it would cost the state an additional \$9,304,820,⁹⁹ and it would save the counties \$8,514,496.¹⁰⁰ Thus, on net it would cost \$790,324.

Another recommendation. In many instances local law provides that the salaries of local officials or other employees bear a mathematical relationship to the state salary of a superior court judge. Thus, the General Assembly cannot adjust the salary of a superior court judge without also adjusting the salaries of an unknown number of local officials by an unknown amount. This is without reason, as far as the Commission can tell, and so it recommends that the relationship be severed and that state law instead tie these local salaries to an independent baseline – say, the “Local Salary Baseline” – that the General Assembly sets at \$126,265 (the current state salary of a superior court judge) and periodically adjusts as appropriate.

D. District Attorneys and Circuit Public Defenders

The Commission recommends that the General Assembly give district attorneys and circuit public defenders the choice to be compensated in one of two ways.

- (1) Continue to receive the current state salaries of \$120,072 and \$99,526, respectively, the current \$6,000 accountability court supplement, and any current local supplement, which shall be fixed at its current amount; or
- (2) Receive a state salary of \$160,000, if an accountability court is established, or \$150,000, if an accountability court is not established.

⁹⁸ \$172,428 = \$132,265 + \$40,163. This calculation is based on the premise that all superior courts establish accountability courts.

⁹⁹ Calculation is based on all the assumption that accountability courts are established in every circuit. Total state compensation currently paid to superior court judges is \$28,040,180 = 212 x \$132,265. If this recommendation were adopted, total state compensation paid to superior court judges would be \$37,345,000 = (212 x \$175,000) + (49 x \$5,000). \$37,345,000 – \$28,040,180 = \$9,304,820.

¹⁰⁰ This calculation can be derived from *Exhibit A* by multiplying the supplement for each circuit by the number of judges in that circuit to find the total supplement for each of the forty-nine circuits, and then adding together the total supplements for each of the forty-nine circuits. The total is \$8,483,988. The total chief judge supplements are \$30,508. \$8,514,496 = \$8,483,988 + \$30,508.

Only current district attorneys and circuit public defenders would be given the choice to be compensated under systems (1) or (2). District attorneys and circuit public defenders elected or appointed after an effective date would be compensated under system (2) only. In addition, the Commission recommends that the state provide cost-of-living adjustments only to district attorneys and circuit public defenders who are compensated under system (2).

A state salary of \$160,000 would be comparable to the starting base salary for first-year associates at large Atlanta law firms and the maximum salary paid to assistant U.S. attorneys.

If all district attorneys were compensated under system (2), it would cost the state an additional \$1,662,472,¹⁰¹ and it would save the counties \$990,870.¹⁰² Thus, on net it would cost \$745,870.

If all circuit public defenders were compensated under system (2), it would cost the state an additional \$2,342,382,¹⁰³ and it would save the counties \$389,109. Thus, on net it would cost \$1,953,273.

E. Assistant District Attorneys and Assistant Public Defenders

The Commission recommends that the General Assembly fully fund the pay schedule for assistant district attorneys and that assistant public defenders be placed on the same pay schedule. This recommendation to equalize the pay of assistant district attorneys and assistant public defenders was jointly proposed by the PAC and the GPDC.

Based on information provided by the PAC, the Commission understands that it would cost the state approximately \$3.2 million to provide full “catch up” funding, which would increase the salaries of assistant district attorneys such that their salaries would match their designation on the pay scale. This figure takes into account salaries only; it does not take into account benefits.

Further, the Commission recommends that assistant district attorneys and assistant public defenders be placed on a single pay schedule not merely by appropriation but also by law. To implement this recommendation the General Assembly would need to amend and combine the two statutes that currently address the two pay schedules.¹⁰⁴

¹⁰¹ Calculation is based on the premise that accountability courts are established in every circuit. Total state compensation currently paid to district attorneys is \$6,177,528 = 49 x \$126,072. If this recommendation were adopted, total state compensation paid to district attorneys would be \$7,840,000 = 49 x \$160,000. \$7,840,000 – \$6,177,528 = \$1,662,472.

¹⁰² This calculation can be derived from *Exhibit B* by adding together all the local supplements paid to district attorneys.

¹⁰³ Calculation is based on the premise that accountability courts are established in every circuit. Total state compensation currently paid to circuit public defenders is \$4,537,618 = 43 x \$105,526. If this recommendation were adopted, total state compensation paid to circuit public defenders would be \$6,880,000 = 43 x \$160,000. \$6,880,000 – \$4,537,618 = \$2,342,382.

¹⁰⁴ See O.C.G.A. §§ 15-18-14 and 17-12-27.

The Commission also recommends that counties continue to be permitted to (i) pay local supplements to state-paid assistant district attorneys and assistant public defenders, (ii) hire county-paid assistant district attorneys and assistant public defenders, and (iii) fund SPCR assistant district attorneys and assistant public defenders. As described above, while this pay structure can impose costs and foster pay imbalances, many of these costs and imbalances would subside if the General Assembly would fully fund the pay schedule. And in any case, it would cost the state hundreds of millions of dollars to eliminate local supplements and undertake the obligation to pay assistant district attorneys and assistant public defenders from the state treasury only.

F. Cost-of-Living Adjustments

Exhibits D and E reveal years of salary stagnation interrupted by periodic, seemingly *ad hoc* “catch-up” increases. The Commission’s foregoing recommendations are based on the premise that, barring an extraordinary event like the financial crisis, the General Assembly intends to end this practice by providing, either by appropriation or new law, that justices, judges, district attorneys, circuit public defenders, assistant district attorneys, and assistant public defenders receive cost-of-living adjustments that reflect the actual increase in the cost-of-living. The failure to do so would over time lead to distortions, calls for local supplements, and fewer well-qualified lawyers interested in serving the public interest.

Perhaps a compensation commission would be established to study these matters.

EXHIBIT A

**Superior Court Judges
State and County Compensation**

Circuit	State Base Salary	Accountability Ct. Supplement	Total State Compensation	County Supplement	Total Compensation	Number of Judges in Circuit	Additional Chief Judge Supplement ¹	Longevity Supplement ²
1 Augusta ³	\$ 126,265	\$ 6,000	\$ 132,265	\$ 75,200	\$ 207,465	8	\$ 2,000	No
2 Cobb	\$ 126,265	\$ 6,000	\$ 132,265	\$ 73,614	\$ 205,879	10	\$ 10,396	No
3 Eastern	\$ 126,265	\$ 6,000	\$ 132,265	\$ 66,084	\$ 198,349	6	\$ 5,000	\$1000 each 4 yrs
4 Northeastern	\$ 126,265	\$ 6,000	\$ 132,265	\$ 65,790	\$ 198,055	4	No	No
5 Brunswick	\$ 126,265	\$ 6,000	\$ 132,265	\$ 64,624	\$ 196,889	5	No	No
6 Stone Mountain	\$ 126,265	\$ 6,000	\$ 132,265	\$ 58,711	\$ 190,976	10	No	No
7 Gwinnett	\$ 126,265	\$ 6,000	\$ 132,265	\$ 52,670	\$ 184,935	10	No	No
8 Macon	\$ 126,265	\$ 6,000	\$ 132,265	\$ 49,996	\$ 182,261	5	No	No
9 Atlanta	\$ 126,265	\$ 6,000	\$ 132,265	\$ 49,748	\$ 182,013	20	\$ 1,000	No
10 Douglas	\$ 126,265	\$ 6,000	\$ 132,265	\$ 45,700	\$ 177,965	3	No	No
11 Chattahoochee	\$ 126,265	\$ 6,000	\$ 132,265	\$ 45,386	\$ 177,651	7	No	No
12 Ogeechee	\$ 126,265	\$ 6,000	\$ 132,265	\$ 41,490	\$ 173,755	3	No	No
13 Western	\$ 126,265	\$ 6,000	\$ 132,265	\$ 40,840	\$ 173,105	4	No	No
14 Alcovy	\$ 126,265	\$ 6,000	\$ 132,265	\$ 38,992	\$ 171,257	5	No	No
15 Clayton	\$ 126,265	\$ 6,000	\$ 132,265	\$ 37,000	\$ 169,265	4	No	No
16 Houston	\$ 126,265	\$ 6,000	\$ 132,265	\$ 36,177	\$ 168,442	3	No	No
17 Flint	\$ 126,265	\$ 6,000	\$ 132,265	\$ 36,130	\$ 168,395	3	No	No
18 Griffin	\$ 126,265	\$ 6,000	\$ 132,265	\$ 36,000	\$ 168,265	4	No	No
19 Cherokee	\$ 126,265	\$ 6,000	\$ 132,265	\$ 32,300	\$ 164,565	4	No	No
20 Paulding	\$ 126,265	\$ 6,000	\$ 132,265	\$ 30,500	\$ 162,765	3	No	No
21 Appalachian	\$ 126,265	\$ 6,000	\$ 132,265	\$ 30,446	\$ 162,711	3	\$ 5,312	No
22 Coweta	\$ 126,265	\$ 6,000	\$ 132,265	\$ 30,000	\$ 162,265	7	No	No
23 Waycross	\$ 126,265	\$ 6,000	\$ 132,265	\$ 29,255	\$ 161,520	4	No	No
24 South Georgia	\$ 126,265	\$ 6,000	\$ 132,265	\$ 28,020	\$ 160,285	2	No	No
25 Dougherty	\$ 126,265	\$ 6,000	\$ 132,265	\$ 27,861	\$ 160,126	3	\$ 2,000	No
26 Piedmont	\$ 126,265	\$ 6,000	\$ 132,265	\$ 27,812	\$ 160,077	4	No	No
27 Atlantic	\$ 126,265	\$ 6,000	\$ 132,265	\$ 25,800	\$ 158,065	4	No	No
28 Blue Ridge	\$ 126,265	\$ 6,000	\$ 132,265	\$ 25,750	\$ 158,015	3	No	No
29 Mountain	\$ 126,265	\$ 6,000	\$ 132,265	\$ 25,517	\$ 157,782	2	No	No
30 Bell-Forsyth	\$ 126,265	\$ 6,000	\$ 132,265	\$ 25,000	\$ 157,265	3	No	No
31 Southern	\$ 126,265	\$ 6,000	\$ 132,265	\$ 25,000	\$ 157,265	5	No	No
32 Northern	\$ 126,265	\$ 6,000	\$ 132,265	\$ 24,600	\$ 156,865	3	No	No
33 Rome	\$ 126,265	\$ 6,000	\$ 132,265	\$ 24,030	\$ 156,295	4	No	No
34 Dublin	\$ 126,265	\$ 6,000	\$ 132,265	\$ 24,000	\$ 156,265	3	No	No
35 Middle	\$ 126,265	\$ 6,000	\$ 132,265	\$ 24,000	\$ 156,265	2	No	No
36 Tallapoosa	\$ 126,265	\$ 6,000	\$ 132,265	\$ 24,000	\$ 156,265	2	No	No
37 Rockdale	\$ 126,265	\$ 6,000	\$ 132,265	\$ 23,953	\$ 156,218	2	No	No
38 Conasauga	\$ 126,265	\$ 6,000	\$ 132,265	\$ 23,400	\$ 155,665	4	No	No
39 Towaliga	\$ 126,265	\$ 6,000	\$ 132,265	\$ 21,000	\$ 153,265	2	No	No
40 Southwestern	\$ 126,265	\$ 6,000	\$ 132,265	\$ 20,854	\$ 153,119	3	No	No
41 Cordele	\$ 126,265	\$ 6,000	\$ 132,265	\$ 20,000	\$ 152,265	3	No	No
42 Enotah	\$ 126,265	\$ 6,000	\$ 132,265	\$ 20,000	\$ 152,265	3	No	No
43 Ocmulgee	\$ 126,265	\$ 6,000	\$ 132,265	\$ 18,000	\$ 150,265	5	No	No
44 Oconee	\$ 126,265	\$ -	\$ 126,265	\$ 20,000	\$ 146,265	3	No	No
45 Pataula	\$ 126,265	\$ 6,000	\$ 132,265	\$ 12,000	\$ 144,265	2	No	No
46 Toombs	\$ 126,265	\$ 6,000	\$ 132,265	\$ 12,000	\$ 144,265	2	No	No
47 Tifton	\$ 126,265	\$ -	\$ 126,265	\$ 17,400	\$ 143,665	2	\$ 4,800	No
48 Lookout Mtn.	\$ 126,265	\$ -	\$ 126,265	\$ 15,000	\$ 141,265	4	No	No
49 Alapaha	\$ 126,265	\$ 6,000	\$ 132,265	\$ -	\$ 132,265	2	No	No
						<u>212</u>		

Notes:

1. Additional Chief Judge Supplements are Not Included in Circuit County Supplement Amounts Listed.
2. Eastern Circuit County Supplement Amount Listed Does Not Include Longevity Increases.
3. On July 1, 2017, Augusta Circuit Supplement will rise to \$80,200.

EXHIBIT B

**District Attorneys
State and County Compensation**

Circuit	State Base Salary	Accountability Ct. Supplement	Total State Compensation	County Supplement	Total Compensation
1 Cobb	\$ 120,072	\$ 6,000	\$ 126,072	\$ 78,382	\$ 204,454
2 Stone Mountain	\$ 120,072	\$ 6,000	\$ 126,072	\$ 52,976	\$ 179,048
3 Gwinnett	\$ 120,072	\$ 6,000	\$ 126,072	\$ 52,670	\$ 178,742
4 Northeastern	\$ 120,072	\$ 6,000	\$ 126,072	\$ 52,139	\$ 178,211
5 Atlanta	\$ 120,072	\$ 6,000	\$ 126,072	\$ 49,382	\$ 175,454
6 Douglas	\$ 120,072	\$ 6,000	\$ 126,072	\$ 43,525	\$ 169,597
7 Augusta	\$ 120,072	\$ 6,000	\$ 126,072	\$ 38,000	\$ 164,072
8 Macon	\$ 120,072	\$ 6,000	\$ 126,072	\$ 36,966	\$ 163,038
9 Eastern	\$ 120,072	\$ 6,000	\$ 126,072	\$ 36,557	\$ 162,629
10 Brunswick	\$ 120,072	\$ 6,000	\$ 126,072	\$ 36,000	\$ 162,072
11 Flint	\$ 120,072	\$ 6,000	\$ 126,072	\$ 36,000	\$ 162,072
12 Clayton	\$ 120,072	\$ 6,000	\$ 126,072	\$ 35,020	\$ 161,092
13 Paulding	\$ 120,072	\$ 6,000	\$ 126,072	\$ 30,000	\$ 156,072
14 Chattahoochee	\$ 120,072	\$ 6,000	\$ 126,072	\$ 27,503	\$ 153,575
15 Middle	\$ 120,072	\$ 6,000	\$ 126,072	\$ 26,000	\$ 152,072
16 Blue Ridge	\$ 120,072	\$ 6,000	\$ 126,072	\$ 25,239	\$ 151,311
17 Southern	\$ 120,072	\$ 6,000	\$ 126,072	\$ 22,500	\$ 148,572
18 Dublin	\$ 120,072	\$ 6,000	\$ 126,072	\$ 21,600	\$ 147,672
19 Towaliga	\$ 120,072	\$ 6,000	\$ 126,072	\$ 21,000	\$ 147,072
20 Western	\$ 120,072	\$ 6,000	\$ 126,072	\$ 20,000	\$ 146,072
21 Cherokee	\$ 120,072	\$ 6,000	\$ 126,072	\$ 18,000	\$ 144,072
22 Coweta	\$ 120,072	\$ 6,000	\$ 126,072	\$ 18,000	\$ 144,072
23 Dougherty	\$ 120,072	\$ 6,000	\$ 126,072	\$ 18,000	\$ 144,072
24 Tallapoosa	\$ 120,072	\$ 6,000	\$ 126,072	\$ 17,950	\$ 144,022
25 Rockdale	\$ 120,072	\$ 6,000	\$ 126,072	\$ 16,654	\$ 142,726
26 Alcovy	\$ 120,072	\$ 6,000	\$ 126,072	\$ 14,472	\$ 140,544
27 Griffin	\$ 120,072	\$ 6,000	\$ 126,072	\$ 14,000	\$ 140,072
28 Rome	\$ 120,072	\$ 6,000	\$ 126,072	\$ 13,135	\$ 139,207
29 Appalachian	\$ 120,072	\$ 6,000	\$ 126,072	\$ 12,000	\$ 138,072
30 Waycross	\$ 120,072	\$ 6,000	\$ 126,072	\$ 12,000	\$ 138,072
31 Oconee	\$ 120,072	\$ -	\$ 120,072	\$ 18,000	\$ 138,072
32 Houston	\$ 120,072	\$ 6,000	\$ 126,072	\$ 10,000	\$ 136,072
33 Bell-Forsyth	\$ 120,072	\$ 6,000	\$ 126,072	\$ 9,800	\$ 135,872
34 Atlantic	\$ 120,072	\$ 6,000	\$ 126,072	\$ 9,600	\$ 135,672
35 Ocmulgee	\$ 120,072	\$ 6,000	\$ 126,072	\$ 9,050	\$ 135,122
36 South Georgia	\$ 120,072	\$ 6,000	\$ 126,072	\$ 8,000	\$ 134,072
37 Toombs	\$ 120,072	\$ 6,000	\$ 126,072	\$ 8,000	\$ 134,072
38 Ogeechee	\$ 120,072	\$ 6,000	\$ 126,072	\$ 6,000	\$ 132,072
39 Cordele	\$ 120,072	\$ 6,000	\$ 126,072	\$ 6,000	\$ 132,072
40 Conasauga	\$ 120,072	\$ 6,000	\$ 126,072	\$ 2,750	\$ 128,822
41 Tifton	\$ 120,072	\$ -	\$ 120,072	\$ 8,000	\$ 128,072
42 Piedmont	\$ 120,072	\$ 6,000	\$ 126,072	\$ -	\$ 126,072
43 Mountain	\$ 120,072	\$ 6,000	\$ 126,072	\$ -	\$ 126,072
44 Northern	\$ 120,072	\$ 6,000	\$ 126,072	\$ -	\$ 126,072
45 Southwestern	\$ 120,072	\$ 6,000	\$ 126,072	\$ -	\$ 126,072
46 Enotah	\$ 120,072	\$ 6,000	\$ 126,072	\$ -	\$ 126,072
47 Pataula	\$ 120,072	\$ 6,000	\$ 126,072	\$ -	\$ 126,072
48 Alapaha	\$ 120,072	\$ 6,000	\$ 126,072	\$ -	\$ 126,072
49 Lookout Mtn.	\$ 120,072	\$ -	\$ 120,072	\$ -	\$ 120,072

EXHIBIT C

**Circuit Public Defenders
State and County Compensation**

Circuit	State Base Salary	Accountability Ct. Supplement	Total State Compensation	County Supplement	Total Compensation
1 Northeastern	\$ 99,526	\$ 6,000	\$ 105,526	\$ 52,139	\$ 157,665
2 Middle	\$ 99,526	\$ 6,000	\$ 105,526	\$ 50,000	\$ 155,526
3 Eastern	\$ 99,526	\$ 6,000	\$ 105,526	\$ 40,000	\$ 145,526
4 Augusta	\$ 99,526	\$ 6,000	\$ 105,526	\$ 32,000	\$ 137,526
5 Brunswick	\$ 99,526	\$ 6,000	\$ 105,526	\$ 31,719	\$ 137,245
6 Flint	\$ 99,526	\$ 6,000	\$ 105,526	\$ 31,555	\$ 137,081
7 South Georgia	\$ 99,526	\$ 6,000	\$ 105,526	\$ 24,396	\$ 129,922
8 Cherokee	\$ 99,526	\$ 6,000	\$ 105,526	\$ 18,000	\$ 123,526
9 Paulding	\$ 99,526	\$ 6,000	\$ 105,526	\$ 18,000	\$ 123,526
10 Mountain	\$ 99,526	\$ 6,000	\$ 105,526	\$ 15,000	\$ 120,526
11 Dougherty	\$ 99,526	\$ 6,000	\$ 105,526	\$ 14,000	\$ 119,526
12 Southern	\$ 99,526	\$ 6,000	\$ 105,526	\$ 13,800	\$ 119,326
13 Griffin	\$ 99,526	\$ 6,000	\$ 105,526	\$ 12,000	\$ 117,526
14 Alcovy	\$ 99,526	\$ 6,000	\$ 105,526	\$ 6,500	\$ 112,026
15 Toombs	\$ 99,526	\$ 6,000	\$ 105,526	\$ 6,000	\$ 111,526
16 Towaliga	\$ 99,526	\$ 6,000	\$ 105,526	\$ 5,000	\$ 110,526
17 Western	\$ 99,526	\$ 6,000	\$ 105,526	\$ 5,000	\$ 110,526
18 Oconee	\$ 99,526	\$ -	\$ 99,526	\$ 10,000	\$ 109,526
19 Tallapoosa	\$ 99,526	\$ 6,000	\$ 105,526	\$ 3,000	\$ 108,526
20 Coweta	\$ 99,526	\$ 6,000	\$ 105,526	\$ 1,000	\$ 106,526
21 Alapaha	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
22 Appalachian	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
23 Atlanta	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
24 Atlantic	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
25 Chattahoochee	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
26 Clayton	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
27 Conasauga	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
28 Cordele	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
29 Dublin	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
30 Enotah	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
31 Macon	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
32 Northern	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
33 Ocmulgee	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
34 Ogeechee	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
35 Pataula	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
36 Piedmont	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
37 Rockdale	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
38 Rome	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
39 Southwestern	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
40 Stone Mountain	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
41 Waycross	\$ 99,526	\$ 6,000	\$ 105,526	\$ -	\$ 105,526
42 Lookout Mtn.	\$ 99,526	\$ -	\$ 99,526	\$ -	\$ 99,526
43 Tifton	\$ 99,526	\$ -	\$ 99,526	\$ -	\$ 99,526
44 Bell-Forsyth	OPT OUT				
45 Blue Ridge	OPT OUT				
46 Cobb	OPT OUT				
47 Douglas	OPT OUT				
48 Gwinnett	OPT OUT				
49 Houston	OPT OUT				

EXHIBIT D

State Compensation 1986 - 2016 Nominal Dollars (Not Adjusted for Inflation)

Year	Supreme Court Justices	Court of Appeals Judges	Superior Court Judges	District Attorneys	Circuit Public Defenders
1986	\$ 73,722	\$ 73,154	\$ 60,654	\$ 51,360	\$ -
1987	\$ 75,565	\$ 74,982	\$ 62,170	\$ 53,412	\$ -
1988	\$ 78,550	\$ 77,982	\$ 67,156	\$ 58,248	\$ -
1989	\$ 90,514	\$ 89,931	\$ 68,838	\$ 59,712	\$ -
1990	\$ 92,778	\$ 92,179	\$ 70,560	\$ 61,200	\$ -
1991	\$ 92,778	\$ 92,179	\$ 70,560	\$ 62,736	\$ -
1992	\$ 93,774	\$ 93,180	\$ 71,560	\$ 62,736	\$ -
1993	\$ 96,118	\$ 95,509	\$ 73,344	\$ 62,736	\$ -
1994	\$ 109,459	\$ 108,765	\$ 78,564	\$ 65,322	\$ -
1995	\$ 114,932	\$ 114,203	\$ 82,488	\$ 69,972	\$ -
1996	\$ 119,530	\$ 118,771	\$ 85,782	\$ 73,471	\$ -
1997	\$ 124,311	\$ 123,522	\$ 89,208	\$ 76,404	\$ -
1998	\$ 129,283	\$ 128,463	\$ 92,772	\$ 79,452	\$ -
1999	\$ 143,601	\$ 142,713	\$ 102,852	\$ 82,635	\$ -
2000	\$ 147,909	\$ 146,995	\$ 105,938	\$ 91,296	\$ -
2001	\$ 153,086	\$ 152,139	\$ 109,645	\$ 94,032	\$ -
2002	\$ 153,086	\$ 152,139	\$ 109,645	\$ 97,326	\$ -
2003	\$ 153,086	\$ 152,139	\$ 109,645	\$ 97,326	\$ -
2004	\$ 153,086	\$ 152,139	\$ 109,645	\$ 97,326	\$ -
2005	\$ 154,686	\$ 153,739	\$ 111,245	\$ 98,926	\$ -
2006	\$ 157,780	\$ 156,814	\$ 113,470	\$ 100,904	\$ 88,470
2007	\$ 162,340	\$ 161,346	\$ 116,750	\$ 100,904	\$ 90,686
2008	\$ 167,210	\$ 166,186	\$ 120,252	\$ 114,356	\$ 90,686
2009	\$ 167,210	\$ 166,186	\$ 120,252	\$ 114,356	\$ 94,787
2010	\$ 167,210	\$ 166,186	\$ 120,252	\$ 114,356	\$ 90,838
2011	\$ 167,210	\$ 166,186	\$ 120,252	\$ 114,356	\$ 90,838
2012	\$ 167,210	\$ 166,186	\$ 120,252	\$ 114,356	\$ 90,838
2013	\$ 167,210	\$ 166,186	\$ 120,252	\$ 114,356	\$ 93,693
2014	\$ 167,210	\$ 166,186	\$ 120,252	\$ 114,356	\$ 94,787
2015	\$ 167,210	\$ 166,186	\$ 120,252	\$ 114,356	\$ 94,787
2016	\$ 175,600	\$ 174,500	\$ 132,625	\$ 126,072	\$ 105,526

Notes:

1. This schedule does not include local supplements.
2. This schedule includes accountability court supplements.
3. If compensation was raised mid-year, this schedule reports the higher compensation for that year.
4. The GPDC was formed in 2003 but was not fully operational until 2006.

EXHIBIT E

**State Compensation
1986 - 2016
2016 Dollars (Adjusted for Inflation)**

Year	Supreme Court Justices	Court of Appeals Judges	Superior Court Judges	District Attorneys	Circuit Public Defenders
1986	\$ 162,396	\$ 161,144	\$ 133,609	\$ 113,136	\$ -
1987	\$ 160,594	\$ 159,355	\$ 132,127	\$ 113,514	\$ -
1988	\$ 160,306	\$ 159,147	\$ 137,053	\$ 118,873	\$ -
1989	\$ 176,231	\$ 175,096	\$ 134,028	\$ 116,259	\$ -
1990	\$ 171,379	\$ 170,272	\$ 130,338	\$ 113,048	\$ -
1991	\$ 164,458	\$ 163,396	\$ 125,075	\$ 111,206	\$ -
1992	\$ 161,366	\$ 160,344	\$ 123,140	\$ 107,956	\$ -
1993	\$ 160,592	\$ 159,575	\$ 122,542	\$ 104,818	\$ -
1994	\$ 178,316	\$ 177,186	\$ 127,986	\$ 106,414	\$ -
1995	\$ 182,072	\$ 180,917	\$ 130,675	\$ 110,848	\$ -
1996	\$ 183,925	\$ 182,757	\$ 131,996	\$ 113,053	\$ -
1997	\$ 186,992	\$ 185,805	\$ 134,189	\$ 114,929	\$ -
1998	\$ 191,488	\$ 190,273	\$ 137,410	\$ 117,681	\$ -
1999	\$ 208,099	\$ 206,812	\$ 149,048	\$ 119,750	\$ -
2000	\$ 207,372	\$ 206,090	\$ 148,528	\$ 127,999	\$ -
2001	\$ 208,691	\$ 207,400	\$ 149,471	\$ 128,187	\$ -
2002	\$ 205,443	\$ 204,172	\$ 147,145	\$ 130,613	\$ -
2003	\$ 200,865	\$ 199,623	\$ 143,866	\$ 127,702	\$ -
2004	\$ 195,655	\$ 194,445	\$ 140,134	\$ 124,390	\$ -
2005	\$ 191,221	\$ 190,051	\$ 137,520	\$ 122,291	\$ -
2006	\$ 188,951	\$ 187,794	\$ 135,887	\$ 120,839	\$ 105,948
2007	\$ 189,028	\$ 187,870	\$ 135,943	\$ 117,492	\$ 105,594
2008	\$ 187,499	\$ 186,351	\$ 134,843	\$ 128,232	\$ 101,690
2009	\$ 188,169	\$ 187,016	\$ 135,325	\$ 128,690	\$ 106,668
2010	\$ 185,132	\$ 183,998	\$ 133,141	\$ 126,613	\$ 100,574
2011	\$ 179,467	\$ 178,368	\$ 129,067	\$ 122,739	\$ 97,497
2012	\$ 175,829	\$ 174,752	\$ 126,450	\$ 120,250	\$ 95,520
2013	\$ 173,290	\$ 172,229	\$ 124,625	\$ 118,514	\$ 97,100
2014	\$ 170,524	\$ 169,480	\$ 122,635	\$ 116,622	\$ 96,666
2015	\$ 170,322	\$ 169,279	\$ 122,490	\$ 116,484	\$ 96,551
2016	\$ 175,600	\$ 174,500	\$ 132,625	\$ 126,072	\$ 105,526

Notes:

1. This schedule does not include local supplements.
2. This schedule includes accountability court supplements.
3. If compensation was raised mid-year, this schedule reports the higher compensation for that year.
4. The GPDC was formed in 2003 but was not fully operational until 2006.
5. Inflation adjustments were calculated using the Bureau of Labor Statistics CPI Inflation calculator.

EXHIBIT F

Pay Schedule State-Paid Assistant District Attorneys (Effective July 1, 2016)

Step	Class 1		Class 2		Class 3		Class 4	
1	\$	44,828	\$	48,062	\$	53,032	\$	61,344
2	\$	45,779	\$	50,471	\$	55,658	\$	64,456
3	\$	48,062	\$	53,015	\$	58,451	\$	67,678
4	\$	50,471	\$	55,658	\$	61,344	\$	70,902
5	\$	53,015	\$	58,451	\$	64,456	\$	74,484
6	\$	55,658	\$	61,344	\$	67,678	\$	78,035
7	\$	58,451	\$	64,456	\$	70,870	\$	81,854
8	\$	61,344	\$	67,678	\$	74,484	\$	85,894
9	\$	64,456	\$	70,902	\$	78,035	\$	90,169
10	\$	67,678	\$	74,484	\$	81,854	\$	94,663
11	\$	70,902	\$	76,351	\$	85,894	\$	99,227
12	\$	74,114	\$	79,818	\$	90,169	\$	102,623
13	\$	77,425	\$	83,386	\$	94,198	\$	106,361

EXHIBIT G

Pay Schedule State-Paid Assistant Public Defenders

(Effective July 1, 2016)

Step	Class 1	Class 2	Class 3	Class 4
1	\$ 43,522	\$ 46,662	\$ 51,487	\$ 59,557
2	\$ 44,446	\$ 49,001	\$ 54,037	\$ 62,579
3	\$ 46,662	\$ 51,471	\$ 56,749	\$ 65,707
4	\$ 49,001	\$ 54,037	\$ 59,557	\$ 68,837
5	\$ 51,471	\$ 56,749	\$ 62,579	\$ 72,315
6	\$ 54,037	\$ 59,557	\$ 65,707	\$ 75,762
7	\$ 56,749	\$ 62,579	\$ 68,806	\$ 79,470
8	\$ 59,557	\$ 65,707	\$ 72,315	\$ 83,392
9	\$ 62,579	\$ 68,837	\$ 75,762	\$ 87,543
10	\$ 65,707	\$ 72,315	\$ 79,470	\$ 89,573
11	\$ 68,837	\$ 74,127	\$ 83,392	\$ 89,573
12	\$ 71,955	\$ 77,493	\$ 87,543	\$ 89,573
13	\$ 75,170	\$ 80,957	\$ 89,573	\$ 89,573

Note that pay of an assistant public defender is capped at 90% of the circuit public defender, so in circuits that have established an accountability court, assistant public defenders in class 4, steps 10 through 13, are paid \$89,573, \$94,052, \$94,973, and \$94,973, respectively, as \$94,973 is 90% of \$105,526.

EXHIBIT H

**National Center for State Courts
Judicial Salary Survey
(As of January 1, 2016)**

Highest Court		Intermediate Appellate Court		General-Jurisdiction Trial Court		
1	California	\$230,750	California	\$216,330	Dist. of Columbia	\$201,100
2	Illinois	\$220,873	Illinois	\$207,882	Hawaii	\$193,248
3	Hawaii	\$214,524	Hawaii	\$198,624	Illinois	\$190,758
4	Dist. of Columbia	\$213,300	Alaska	\$193,386	Alaska	\$189,720
5	Alaska	\$205,176	Pennsylvania	\$191,926	California	\$189,041
6	Pennsylvania	\$203,409	Alabama	\$178,878	Delaware	\$180,733
7	New York	\$192,500	New York	\$177,900	Pennsylvania	\$176,572
8	Virginia	\$192,458	Virginia	\$176,510	New York	\$174,000
9	Delaware	\$192,360	Tennessee	\$176,436	Tennessee	\$170,352
10	Connecticut	\$185,610	New Jersey	\$175,534	Connecticut	\$167,634
11	New Jersey	\$185,482	Connecticut	\$174,323	Virginia	\$166,136
12	Tennessee	\$182,508	Washington	\$170,808	New Jersey	\$165,000
13	Washington	\$179,432	Georgia	\$166,186	Washington	\$162,618
14	Maryland	\$176,433	Colorado	\$166,170	Arkansas	\$160,000
15	Massachusetts	\$175,984	Massachusetts	\$165,087	Nevada	\$160,000
16	Rhode Island	\$175,870	Nevada	\$165,000	Massachusetts	\$159,694
17	Colorado	\$173,024	Maryland	\$163,633	Colorado	\$159,320
18	Iowa	\$170,544	Arkansas	\$161,500	Rhode Island	\$158,340
19	Missouri	\$170,292	Utah	\$160,500	Georgia	\$156,252
20	Nevada	\$170,000	Indiana	\$160,468	Maryland	\$154,433
21	Utah	\$168,150	Texas	\$158,500	Nebraska	\$153,697
22	Texas	\$168,000	Nebraska	\$157,851	Utah	\$152,850
23	Alabama	\$167,685	Missouri	\$155,709	Wyoming	\$150,000
24	Georgia	\$167,210	Iowa	\$154,556	Texas	\$149,000
25	Arkansas	\$166,500	Florida	\$154,140	Louisiana	\$148,108
26	Nebraska	\$166,159	Louisiana	\$154,059	Missouri	\$146,803
27	Indiana	\$165,078	Minnesota	\$153,240	New Hampshire	\$146,236
28	Wyoming	\$165,000	Michigan	\$151,441	Florida	\$146,080
29	Michigan	\$164,610	Arizona	\$150,000	Arizona	\$145,000
30	Louisiana	\$164,590	South Carolina	\$140,508	Iowa	\$143,897
31	Minnesota	\$162,630	Wisconsin	\$139,059	Minnesota	\$143,851
32	Florida	\$162,200	Ohio	\$138,600	Michigan	\$139,919
33	New Hampshire	\$155,907	Oklahoma	\$138,235	Vermont	\$139,837
34	Arizona	\$155,000	Mississippi	\$134,883	North Dakota	\$139,679
35	North Dakota	\$152,436	North Carolina	\$134,109	Indiana	\$137,062
36	Ohio	\$148,700	Oregon	\$132,820	South Carolina	\$136,905
37	Wisconsin	\$147,403	Kansas	\$131,518	Alabama	\$134,943
38	Vermont	\$147,095	Kentucky	\$130,044	Oklahoma	\$131,835
39	Oklahoma	\$145,914	Idaho	\$130,000	Wisconsin	\$131,187
40	South Carolina	\$144,111	New Mexico	\$124,616	Mississippi	\$128,042
41	Mississippi	\$142,320	Delaware		Ohio	\$127,450
42	North Carolina	\$139,896	Dist. of Columbia		North Dakota	\$126,875
43	Montana	\$136,177	Maine		Montana	\$126,131
44	West Virginia	\$136,000	Montana		West Virginia	\$126,000
45	Kansas	\$135,905	New Hampshire		Kentucky	\$124,620
46	Oregon	\$135,688	North Dakota		Oregon	\$124,468
47	Kentucky	\$135,504	Rhode Island		Idaho	\$124,000
48	Idaho	\$135,000	South Dakota		South Dakota	\$123,024
49	South Dakota	\$131,713	Vermont		Maine	\$121,472
50	New Mexico	\$131,174	West Virginia		Kansas	\$120,037
51	Maine	\$129,626	Wyoming		New Mexico	\$118,384

Notes:

This survey can be obtained from the website of the National Center for State Courts. Some information is out of date. For example, the survey says that the 2016 salaries of the Georgia Supreme Court justices and Court of Appeals judges are \$167,210 and \$166,186, respectively, but those were the 2015 salaries. Also, the survey seems to understate the salaries of New York judges. See footnote 87.

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*John
Cory*



*For Gowen
219*

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W ASBURY STEMBRIDGE
CORDELE, GEORGIA 31015

STATE COMMISSION ON COMPENSATION

December 8, 1971

*NA
FILE*

TO: Governor Jimmy Carter
Lieutenant Governor Lester Maddox
Speaker of the House of Representatives, George L. Smith
Clerk of the House of Representatives, Glenn W. Ellard
Secretary of the Senate, Hamilton McWhorter
Legislative Counsel, Frank Edwards
Chief Justice of the Supreme Court, Bond Almand
Chief Judge of the Court of Appeals, John Sammon Bell

Gentlemen:

Supplementing our formal report to you of this date, which includes our formal recommendations, the State Commission on Compensation wishes to make the following observation and informal suggestion to each of you.

It is hoped that this suggestion will be implemented by the introduction of legislation in the General Assembly and, of course, enactment into law.

With reference to the Judges of the Superior Courts of the State, it is the consensus of the Commission that the State itself should reimburse each Superior Court Judge for secretarial expenses actually incurred by him, up to a maximum of \$6,000 per year.

We would have included this in our formal recommendation, but we were advised by an opinion from the Attorney General that such a recommendation should not be included in our report, but might be made by a separate recommendation.

Very truly yours,

STATE COMMISSION ON COMPENSATION

By: *Char. L. Gowen*
Charles L. Gowen, Chairman

By: *Alex McLennan*
Alex McLennan, Vice Chairman

By: *Robert J. Lipshutz*
Robert J. Lipshutz, Secretary

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Legislative Counsel, Frank Edwards
Chief Justice of the Supreme Court, Bond Almand
Chief Judge of the Court of Appeals, John Sammon Bell

Gentlemen:

The State Commission on Compensation has now completed its study pursuant to Section 5 of the Georgia Laws 1971, pp. 103-105.

The Commission does herewith file its report with each of you as required by Section 6 of said Law.

The Commission does hereby recommend, with reference to each of the following State Officers:

- (a) That all changes recommended herein become effective on July 1, 1972.
- (b) That all contingent expense allowances and subsistence allowance now authorized be terminated with the exception of the Secretary of State and the Adjutant General. As to the Secretary of State, we recommend that the contingent expense allowance for that office be terminated when the present incumbent is no longer in office.
- (c) That all allowances for longevity in office be terminated.
- (d) That the annual compensation be:
 - (1) Governor - \$ 50,000
plus present mansion allowance
 - (2) Lieutenant Governor - \$ 25,000
plus the same per diem expense allowance as authorized for each member of the General Assembly.

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STATE COMMISSION ON COMPENSATION

Page 2

December 8, 1971

(3) Adjutant General	-	Same
method of determining compensation as under the present law, including that portion paid by the Federal Government, and including all allowances now authorized		
(4) Commissioner of Agriculture	-	\$ 30,000
(5) Attorney General	-	\$ 37,500
(6) State Auditor	-	\$ 32,500
(7) Comptroller General	-	\$ 30,000
(8) Director of Corrections	-	\$ 30,000
(9) Director of Game and Fish Commission	-	\$ 25,000
(10) Director of State Highway Department	-	\$ 30,000
(11) Commissioner of Labor plus all additional compensation paid by the Federal Government	-	\$ 22,000
(12) Each member of the Board of Pardons and Paroles	-	\$ 12,500
Each member of the Board of Probation	-	\$ 12,500
Total for each member	-	\$ 25,000
(13) Director of Probation	-	\$ 22,500
(14) Director of State Parks	-	\$ 22,500

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STATE COMMISSION ON COMPENSATION

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December 8, 1971

(15) Director of Public Safety	-	\$ 30,000
(16) Each member of the Public Service Commission	-	\$ 32,500
(17) State Revenue Commissioner	-	\$ 30,000
(18) State Superintendent of Schools	-	\$ 32,500
(19) Secretary of State (plus the presently authorized contingent expense allowance of \$3600 per annum; provided, however, that this allowance be terminated when the present incumbent is no longer in office)	-	\$ 30,000
(20) Supervisor of Purchases	-	\$ 25,000
(21) State Treasurer	-	\$ 22,500
(22) Director of Veterans Services plus all additional compensation paid by the Federal Government	-	\$ 22,600
(23) Each Justice of the Supreme Court	-	\$ 40,000
(24) Each Judge of the Court of Appeals	-	\$ 39,500
(25) Each Judge of the Superior Court (plus such county supplements as may now be or are hereafter fixed by law; provided, however, that no Act shall be passed or continued in force authorizing county supplement which, together	-	\$ 26,800

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STATE COMMISSION ON COMPENSATION

with the salary received from the State, shall exceed the sum of \$39,000 per year, and to the extent of such excess said Act shall be ineffective)

- (26) District Attorneys - \$ 24,800
(plus such county supplements as may now be or are hereafter fixed by law; provided, however, that no Act shall be passed or continued in force authorizing county supplement which, together with the salary received from the State, shall exceed the sum of \$39,000 per year, and to the extent of such excess said Act shall be ineffective).
- (27) Each member of the General Assembly - \$ 6,600
plus a per diem allowance of \$35.00 in lieu of the present per diem allowance of \$25.00, for each day on which the General Assembly is in session.
- (28) Speaker of the House - \$ 18,400
plus the compensation and per diem allowance paid to him as a member of the General Assembly.
- (29) President Pro Tem of the Senate - \$ 3,400
plus compensation and per diem allowance paid to him as a member of the General Assembly.
- (30) Speaker Pro Tem of the House - \$ 3,400
plus compensation and per diem allowance paid to him as a member of the General Assembly.
- (31) Secretary of the Senate - \$ 17,500

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STATE COMMISSION ON COMPENSATION

Page 5

December 8, 1971

(32) Clerk of the House - \$ 17,500

With reference to the following named Boards, it is recommended that each member of such Board be paid a per diem expense allowance, in lieu of all compensation, of \$35.00 for each day on which he attends a meeting of such Board, within such maximum limitation on the number of meetings held as now prescribed by law, plus additional travel expense as now provided: State Board of Education; State Medical Education Board; Board of Regents; State Board of Corrections; State Personnel Board; Board of Commissioners of the Department of Industry and Trade; State Game and Fish Commission; Veterans Service Board; and State Highway Board.

With reference to any other changes which might be authorized for consideration by this Commission, we do not recommend any changes at this time.

These recommendations are made subject to the effect of the Federal Wage-Price Control Program, and we recommend that these salaries be implemented July 1, 1972, or as soon thereafter as this can be done under State and Federal law.

Very truly yours,

STATE COMMISSION ON COMPENSATION

By: Charles L. Gowen
Charles L. Gowen, Chairman

By: Alex McLennan
Alex McLennan, Vice Chairman

By: R. J. Lipshutz
R. J. Lipshutz, Secretary

Enc.

COMMISSIONERS

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STATE COMMISSION ON COMPENSATION

ROBERT J. LIPSHUTZ, SECRETARY

December 10, 1971

TO ALL MEMBERS OF STATE COMMISSION ON COMPENSATION:

For your information I am attaching a typewritten summary of the recommendation which we have now submitted, reflecting the present compensation paid and our proposed compensation.

Briefly, the effect of our recommendation is as follows:

	<u>NOW</u>	<u>PROPOSED</u>	<u>INCREASE</u>
STATE OFFICERS -----	\$ 700,222	\$ 820,432	\$ 120,210
LEGISLATURE -----	\$1,285,200	\$1,848,000	\$ 562,800
LEGISLATIVE LEADERS -----	\$ 42,200	\$ 60,200	\$ 18,000
JUDICIARY AND DISTRICT ATTORNEYS -----	\$3,093,600	\$3,423,100	\$ 329,500
TOTAL -----	<u>\$5,121,222</u>	<u>\$6,151,732</u>	<u>\$1,030,510</u>

ROBERT J. LIPSHUTZ
Secretary

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STATE COMMISSION ON COMPENSATION

STATE OFFICERS

	<u>NOW</u>	<u>PROPOSED</u>
Governor -----	\$ 42,500	\$ 50,000
Lieutenant Governor -----	\$ 20,000	\$ 25,000
plus per diem -----	None (+)	\$ 1,400
Adjutant General -----	\$ 28,332	\$ 28,332
Commissioner of Agriculture -----	\$ 24,900	\$ 30,000
Attorney General -----	\$ 34,000	\$ 37,500
State Auditor -----	\$ 32,500	\$ 32,500
Comptroller General -----	\$ 22,500	\$ 30,000
Director of Corrections -----	\$ 22,600	\$ 30,000
Director of Game & Fish Commission -----	\$ 21,900	\$ 25,000
Director of State Highway Department -----	\$ 25,800	\$ 30,000
Commissioner of Labor -----	\$ 17,600	\$ 22,000
(plus Federal Compensation)		
(3) Members of Boards of -----)	\$ 22,600	\$ 25,000
Pardons & Paroles and -----)	\$ 22,600	\$ 25,000
of Probation -----)	\$ 22,600	\$ 25,000
Director of Probation -----	\$ 15,600	\$ 22,500
Director of State Parks -----	\$ 20,000	\$ 22,500
Director of Public Safety -----	\$ 24,690	\$ 30,000
(5) Members of Public -----)	\$ 26,500	\$ 32,500
Service Commission -----)	\$ 26,500	\$ 32,500
(-----)	\$ 26,500	\$ 32,500
(-----)	\$ 24,900	\$ 32,500
(-----)	\$ 24,900	\$ 32,500
State Superintendent of Schools -----	\$ 28,000	\$ 32,500
State Revenue Commissioner -----	\$ 25,000	\$ 30,000
Secretary of State -----	\$ 30,100	\$ 33,600
Supervisor of Purchases -----	\$ 22,000	\$ 25,000
State Treasurer -----	\$ 22,500	\$ 22,500
Director of Veterans Services -----	\$ 22,600	\$ 22,600
(plus Federal Compensation)		
TOTAL -----	<u>\$700,222</u>	<u>\$820,432</u>
<u>TOTAL INCREASE:</u>	<u>\$120,210</u>	

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STATE COMMISSION ON COMPENSATION

LEGISLATURE

	<u>Per Annum</u> <u>each</u>		<u>Per Annum</u> <u>total</u>	
	<u>Now</u>	- <u>Proposed</u>	<u>Now</u>	- <u>Proposed</u>
Members of the General Assembly (251 total now, 231 total after 1972)				
Salary -----	\$ 4,200	-	\$ 6,600	\$1,054,200 - \$1,524,600
Per Diem Allowance during session (40 days per year) -----	\$ 25	-	\$ 35	\$ 231,000 - \$ 323,400
Total Persons (251 now - 231 after 1972)	<u>TOTAL</u>		<u>\$1,285,200</u>	<u>\$1,848,000</u>

(TOTAL INCREASE OF \$562,800)

(*) PLUS

	<u>NOW</u>	<u>PROPOSED</u>
Speaker of the House -----	\$ 11,800	\$ 18,400
President Pro-Tem, Senate -----	\$ 2,400	\$ 3,400
Speaker Pro -Tem, House -----	\$ 2,400	\$ 3,400
Secretary of Senate -----	\$ 11,600	\$ 17,500
Clerk of House -----	\$ 14,000	\$ 17,500
<u>TOTAL</u> -----	<u>\$ 42,200</u>	<u>\$ 60,200</u>

(*) In Addition to compensation as a Member

TOTAL INCREASE OF \$18,000

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STATE COMMISSION ON COMPENSATION

JUDICIARY AND DISTRICT ATTORNEYS

	<u>Per Annum</u> <u>Each</u>	<u>(State's)</u> <u>(portion)</u>	<u>Per Annum</u> <u>Total</u>
	<u>Now</u> - <u>Proposed</u>	<u>(only)</u>	<u>Now</u> - <u>Proposed</u>
Justices of Supreme Court (7)	\$ 32,500 - \$40,000		\$227,500 - \$280,000
Judges of Court of Appeals (9)	\$ 32,500 - \$39,500		\$292,500 - \$355,500
Judges of Superior Courts (67)	\$ 24,800 - \$26,800		\$1,661,600 - \$1,795,600
District Attorneys (40)	\$ 22,800 - \$24,800		\$ 912,000 - \$ 992,000
<u>TOTAL PERSONS - (123)</u>	<u>TOTAL</u> -----		<u>\$3,093,600 - \$3,423,100</u>

TOTAL INCREASE OF: \$329,500.

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STATE COMMISSION ON COMPENSATION

December 4, 1972

TO: Governor Jimmy Carter
Lieutenant Governor Lester Maddox
Speaker of the House of Representatives, George L. Smith
Clerk of the House of Representatives, Glenn W. Ellard
Secretary of the Senate, Hamilton McWhorter
Legislative Counsel, Frank Edwards
Chief Justice of the Supreme Court, Carlton Mobley
Chief Judge of the Court of Appeals, John Sammon Bell

Gentlemen:

Please be advised that the State Commission on Compensation has now completed its study pursuant to Section 5 of the Georgia Laws 1971, pp. 103-105.

The Commission does herewith file its report with each of you as required by Section 6 of said Law.

The Commission does hereby make the following recommendations:

- (a) These recommendations are made subject to the effect of the Federal Wage-Price Control Program, and we recommend that these salaries be implemented July 1, 1973, or as soon thereafter as this can be done under State and Federal law, in accordance with the opinion of the Attorney General of Georgia (Exhibit A).
- (b) That all contingent expense allowances and subsistence allowances now authorized be terminated, except where specifically set forth hereinafter.
- (c) That all allowances for longevity in office be terminated.
- (d) That the annual compensation be:

(1) Governor	-	\$ 50,000
plus present mansion allowance		

(2) Lieutenant Governor	-	\$ 25,000
plus the same per diem expense allowance as authorized for each member of the General Assembly.		

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STATE COMMISSION ON COMPENSATION

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December 4, 1972

(3) Adjutant General method of determining com- pensation as under the present law, including that portion paid by the Federal Government, and including all allowances now authorized	-	same
(4) Commissioner of Agriculture	-	\$ 35,000
(5) Attorney General	-	\$ 40,000
(6) State Auditor	-	\$ 32,500
(7) Comptroller General	-	\$ 35,000
(8) Director of Corrections	-	\$ 32,500
(9) Commissioner of Labor method of determining com- pensation as under the present law, including that portion paid by the Federal Government, and including all allowances now authorized	-	\$ 35,000
(10) Each member of the Board of Pardons and Paroles (in- cluding compensation as a member of the Board of <u>Probation, if applicable</u>)	-	\$ 30,000
(11) Each member of the Public Service Commission	-	\$ 35,000
(12) State Revenue Commissioner	-	\$ 32,500
(13) State Superintendent of Schools	-	\$ 35,000

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STATE COMMISSION ON COMPENSATION

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December 4, 1972

(14) Secretary of State	-	\$ 35,000
(15) State Treasurer (if applicable)	-	\$ 22,500
(16) Director of Veterans Services method of determining com- pensation as under the present law, including that portion paid by the Federal Government, and including all allowances now authorized	-	\$ 32,000
(17) Commissioner of Department of Banking and Finance	-	\$ 32,500
(18) Commissioner of Department of Administrative Services	-	\$ 32,500
(19) Each Justice of the Supreme Court	-	\$ 40,000
(20) Each Judge of the Court of Appeals	-	\$ 39,500
(21) Each Judge of the Superior Court (plus such county supplements and travel allowance as may now be provided by Law)	-	\$ 32,500
(22) District Attorneys (plus such county supplements and travel allowance as may now be provided by Law)	-	\$ 28,000
(23) Each member of the General Assembly - (plus a per diem allowance of \$36.00 in lieu of the present per diem allowance of \$25.00, for each day on which the General Assembly is in session).	-	\$ 7,200

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STATE COMMISSION ON COMPENSATION

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December 4, 1972

(24) Speaker of the House	-	\$ 17,800
(plus the compensation and per diem allowance paid to him as a member of the General Assembly)		
(25) President Pro Tem of the Senate	-	\$ 2,800
(plus compensation and per diem allowance paid to him as a member of the General Assembly).		
(26) Speaker Pro Tem of the House	-	\$ 2,800
(plus compensation and per diem allowance paid to him as a member of the General Assembly).		
(27) Secretary of the Senate	-	\$ 17,500
(28) Clerk of the House	-	\$ 17,500

With reference to the following named Boards, it is recommended that each member of such Board be paid a per diem expense allowance, in lieu of all compensation, of \$36.00 for each day on which he attends a meeting of such Board, within such maximum limitation on the number of meetings held as now prescribed by law, plus additional travel expense as now provided: State Board of Education; State Medical Education Board; Board of Regents; State Board of Corrections; State Personnel Board; Board of Commissioners of the Department of Community Development; Board of Natural Resources; Board of Human Resources; Judicial Qualifications Commission; Veterans Service Board; and State Transportation Board.

With reference to any other changes which might be authorized for consideration by this Commission, we do not recommend any changes at this time.

With respect to paragraphs 19, 20, 21, and 22, above, we attach

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STATE COMMISSION ON COMPENSATION

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December 4, 1972

hereto an unofficial opinion of this Commission, marked Exhibit (B).

Very truly yours,

STATE COMMISSION ON COMPENSATION

By: Charles L. Gowen
Charles L. Gowen, Chairman

By: Alex McLennan
Alex McLennan, Vice Chairman

By: R. J. Lipshutz
R. J. Lipshutz, Secretary

EXHIBIT "A"

"This entire Act shall become effective July 1, 1973 unless the provisions of any federal law or the provision of any rules, regulations or orders promulgated or issued pursuant to federal law prevent it from becoming effective on said date. In that event, this entire Act shall become effective as soon after said date as will be permitted by such federal law or such rules, regulations or orders. In the event the entire amount of any increase for one or more of the officials designated herein shall be prevented from becoming effective on said date, any portion thereof which is allowed shall become effective on the above date or as soon as permitted."

Arthur K. Bolton
Attorney General

August 25, 1972

EXHIBIT "A"

EXHIBIT "B"

The salary recommendations for Justices of the Supreme Court and the Judges of the Court of Appeals and Judges of the Superior Courts were made with the intent of establishing a proper salary level relationship among these various courts and with the knowledge that approximately 45% of the Superior Court Judges receive no local salary supplements. If these recommendations of the Commission are adopted, the Commission recommends that the local salary supplements be adjusted so as not to create again an imbalance between the salaries of the justices and judges of the various courts herein dealt with.

The Commission also recommends a similar reevaluation of supplements received by District Attorneys in the light of the increased salaries recommended for District Attorneys.

EXHIBIT "B"

- END -