

RESOLUTION 13-07

Improve Judicial Recruitment by Addressing: Inadequate Judicial Compensation

Presented by: The Board of Commissioners of the Idaho State Bar

PURPOSE

Legislation will be introduced in the 2014 session by the Idaho Supreme Court to address the primary impediment to judicial recruitment, which is inadequate judicial compensation.

WHEREAS, As a result of the two economic recessions since 2000, judicial salaries have dropped to low levels, materially affecting the recruitment and retention of highly qualified judges, in particular, District Judges; and

WHEREAS, the District Judge recruitment challenge is both significant and recurring, which is evidenced by the last 43 District Judge appointments in which the Governor received a full slate of four candidates only 30% of the time; and

WHEREAS, 60% of the District Judges and 88% of the Appellate Judges will be eligible to retire over the next five years; and

WHEREAS, recruitment requires the Judiciary to compete for highly-qualified lawyers, who are otherwise already in their mid-to-late working careers and well-established in their positions; and

WHEREAS, surveys of both the practicing attorneys in the Idaho State Bar as well as members of the Idaho Judiciary have repeatedly identified inadequate compensation to be the primary impediment to effective judicial recruitment; and

WHEREAS, salaries of the Idaho Judiciary rank among the lowest in the United States of America and District Judge salaries are the lowest of the states which geographically surround Idaho; and

WHEREAS, numerous other publicly salaried lawyers in Idaho receive compensation significantly greater than the Chief Justice, who is the Constitutional leader of the Third Branch of Government; and

WHEREAS, adequate salaries are necessary to attract highly competent and qualified attorneys to the judiciary and retain them.

NOW THEREFORE, BE IT RESOLVED THAT the members of the Idaho State Bar endorse a Legislative solution to address judicial recruitment by increasing compensation for all members of the Idaho Judiciary and establishing a salary scheme which looks towards parity and equity with the salaries paid to judges, whether national, regional or the average salary of judges of the surrounding western states.