Salaries of appellate and district judges
(HB 959 by Hinojosa/Glasgow)

DIGEST: HB 959 would have raised the state salary of associate justices on the 14 courts of appeal. On Sept. 1, 1989, state pay would have risen from 90 percent to 95 percent of the $78,795 received by Supreme Court associate justices. Chief justices of the courts of appeal would have received $500 more than associates, rather than 90 percent of the Supreme Court chief justice's pay. Limits on combined state and county salaries would not have been changed.

District judges, who now receive $56,135 from the state, would have received 90 percent of a Supreme Court justice's salary. Combined state and county pay would have been limited to at least $1,000 less than the combined pay for the highest paid associate justice in a court of appeals district containing the district court. (The appropriations act has included a similar provision for several sessions.)

GOVERNOR'S REASON FOR VETO: "This bill would give a pay raise to all Texas appellate and district judges effective in 1989," said the governor. "While all state employees arguably deserve a pay raise, I am not persuaded that appellate and district judges should be singled out for special treatment. This bill would be effective after the next regular session of the Legislature, and I believe it would be a better policy to consider appropriate compensation for all state employees, including judges, at the same time."

AUTHOR'S VIEW: "I think the governor just got bad advice," said Rep. Juan Hinojosa. Equating the third branch of government with regular state employees is inappropriate because of wide salary disparities in the current judicial salary system, he said. Some judges receive no county supplements, while others receive a combined state and county salary that approaches what a Supreme Court justice is paid. The governor may have been influenced by demands of Houston district judges who want to remove the ceiling on supplementation.

The purpose of the bill's 1989 effective date was to establish a consensus on a more uniform salary structure and to get judges to search for funding other

than general revenue, said Rep. Hinojosa, and now there is no incentive for judges to work on funding.

The governor's veto also stymies efforts to attract more qualified attorneys to the bench and to keep them for longer so that the public will benefit from an experienced judiciary, Rep. Hinojosa said.

NOTES: The salary increases proposed in HB 959 would have cost the state $7 million per biennium and would have reduced costs to counties now paying maximum supplements.

The House Research Organization analysis of HB 959 appeared in the May 13, 1987 Daily Floor Report.