



2022



# Washington Citizens' Commission on Salaries for Elected Officials



## JUDICIAL PRESENTATION



AUGUST 2, 2022

## Members of the Washington Citizens' Commission on Salaries for Elected Officials:

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On behalf of the justices of the Washington Supreme Court, the judges of the Washington Court of Appeals, and the superior and district courts of Washington, thank you for the work you do to set appropriate salaries for elected officials in our state. We appreciate your thoughtful consideration of the information included in this report regarding judicial salaries and their impact on the people we serve.

Judicial salaries have lost ground over the past two years. Depending on the inflation rate between now and July 2023, **judges need a raise between 9% and 13% simply to offset inflation and maintain 2020 gains toward parity with federal court judge salaries.**

The pandemic has presented many challenges for our courts. We have worked to maintain and expand access to the courts, lowering the costs of coming to court for many. Continuing the conscientious administration of justice throughout this time has required innovation, flexibility, and additional resources. Although many of these changes have made court operations more complex and time-consuming, Washington's judicial officers remain committed to faithfully serving the public.

Judges are committed to equal justice. With the public divided on so many issues, and partisan politics sometimes limiting the effectiveness of the other branches of government, the judicial branch has an even greater responsibility to act in a way that brings our communities closer together. This vital role, coupled with the continued expansion of the range of issues coming before the bench, underscores the importance of recruiting and retaining a diverse judiciary with a broad range of perspectives, legal experience, and expertise.

Compensation is an important factor in ensuring that Washington's courtrooms are led by individuals who fully recognize the great privilege — and the great responsibility — that comes with service as a judge. The data in this report will demonstrate how Washington courts struggle to compete with the salaries and benefits offered in both federal courts and the private sector. As a state, we cannot allow these struggles to limit the attraction of new talent to the bench or the retention of more experienced jurists who serve as mentors for newer judges.

With inflation continuing to rise, judicial officials have experienced a substantial decline in the buying power of their salaries. The U.S. Department of Labor reports that consumer prices in the Western Region of the United States have climbed 8.8% over the past 12 months, the fastest rate of increase in four decades. Washingtonians are confronting more expensive food, energy, and housing. Previous salary adjustments from the Commission have been completely offset by inflation. Counting the 1.75% cost of living adjustment that went into effect July 1, 2022, salaries for judicial officers have risen 6.3% since 2020. During that same time period, inflation rose nearly 15%.

Your Commission has the opportunity to ensure that Washington state can continue to recruit and retain individuals with the required legal expertise and commitment to serve as effective judges; to reform and improve court operations to meet the changing needs of society; and to administer justice in a way that serves all segments of our communities.

We look forward to engaging with the Commission and answering any questions you may have as you deliberate on judicial salaries.

Sincerely,

**Debra L. Stephens**  
Associate Justice  
Washington Supreme Court

**Jennifer A. Forbes**  
Kitsap County Superior Court Judge  
President  
Superior Court Judges' Association

**Bill A. Bowman**  
Division I Judge  
Washington Court of Appeals

**Rick S. Leo**  
Snohomish County District Court Commissioner  
President  
District & Municipal Court Judges' Association

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## Executive Summary

This report provides a variety of data to aid the Commission in determining whether the salaries of Washington judges are commensurate with attracting and retaining the diversity and quality needed in our courtrooms.

The work of Washington’s judicial officers has expanded significantly in the wake of the pandemic. Yet, as this report will show, state judicial compensation lags in relation to their federal court counterparts, private sector legal positions, and state employee positions with similar levels of education, specialized expertise, and/or licensure requirements. This gap, exacerbated by inflation and increased housing costs, compromises the ability of courts to attract and retain the most qualified talent that our communities deserve.

It is imperative that compensation for state court judges be viewed in context with other judicial positions. While the caseload of Washington judges parallels or exceeds that of federal judges, Washington judges regularly take on numerous additional executive and administrative responsibilities for the operations of the judicial branch. Direct salary comparisons between state and federal judiciaries also fail to account for differences in state and federal retirement plans, which create an additional compensation imbalance.

Washington’s courts also compete with the private sector for legal talent. A majority of judges in Washington make wages similar to first-year or second-year associate attorneys at large law firms. If the state wishes to retain and recruit talented and experienced judicial officers, it must offer more competitive wages.

Finally, the Commission’s salary decisions must acknowledge the work of the court as it continues to change and grow. During the pandemic, judicial officers led the development of safety protocols and procurement of new court technology to conduct remote hearings and continue the administration of justice. Judicial officers also oversaw the creation of court programs to increase equity and access to the courts. To continue these innovations, we must recruit a diverse pool of legal talent from the public and private sector. State courts must offer wages that respect the expertise needed to handle a growing caseload and increased complexity of administratively managing a courtroom.

Improving the compensation of judges will help ensure that the courts are able to retain and recruit highly qualified judges, who represent the diverse landscape of Washington, and are best able to address the complex needs of our rapidly changing communities.

“I became a judge to help keep the promise that we are all entitled to justice.”

**CHIEF JUSTICE STEVEN GONZÁLEZ**  
WASHINGTON SUPREME COURT



# Overview of the Washington Judiciary and the Duties of Judges

Judges at each court level play critical and distinct roles in the administration of justice in our state. A judge's duties extend beyond the courtroom — judges routinely participate on statewide task forces and commissions, provide input to legislators and other government officials on court operations, and spearhead community initiatives to increase equity and access in the courts.



## Supreme Court

9 JUSTICES ELECTED TO SIX-YEAR TERMS

- Appeals from the Court of Appeals.
- Direct appeals when action of state officers is involved, the constitutionality of a statute is questioned, there are conflicting statutes or rules of law, or when the issue is of broad public interest.
- Final rule making body for other state courts.
- Administers state court system.
- Supervises attorney discipline statewide.



## Court of Appeals

22 JUDGES ELECTED TO SIX-YEAR TERMS  
(DIVISION I: SEATTLE (10 JUDGES);  
DIVISION II: TACOMA (7 JUDGES);  
DIVISION III: SPOKANE (5 JUDGES))

- Appeals from the lower courts except those in jurisdiction of the Supreme Court.
- Direct review of certain administrative agency decisions.
- Original jurisdiction over Personal Restraint Petitions



## Superior Courts

200 JUDGES ELECTED TO FOUR-YEAR TERMS  
IN 32 JUDICIAL DISTRICTS, EACH COMPOSED  
OF ONE OR MORE COUNTIES

### ORIGINAL JURISDICTION

- Civil actions involving more than \$100,000.
- Title or possession of real property; legality of a tax, assessment or toll; probate and domestic matters.
- Criminal cases amounting to felony.
- Criminal cases when jurisdiction is not otherwise provided for by law.
- All juvenile matters.
- Orders for protection from domestic violence.
- Appeals from the courts of limited jurisdiction heard *de novo* or appealed on the record for error of law.

### CONCURRENT JURISDICTION WITH COURTS OF LIMITED JURISDICTION

- Civil actions involving \$100,000 or less.



## Courts of Limited Jurisdiction

205 JUDGES; 204 ATTORNEYS AND 1 NON-ATTORNEY  
(118 DISTRICT COURT JUDGES INCLUDING 21  
PART-TIME DISTRICT COURT JUDGES, ELECTED TO  
FOUR-YEAR TERMS, AND 87 MUNICIPAL COURT JUDGES)

### ORIGINAL JURISDICTION

- Small claims up to \$10,000.
- All matters involving traffic, non-traffic, and parking infractions.
- Certain civil anti-harassment matters.
- Preliminary hearings of felonies.
- Temporary and full Ex Parte Orders for protection from domestic violence.
- Orders for change of names in non-domestic violence cases.

### CONCURRENT JURISDICTION WITH SUPERIOR COURTS

- Civil actions involving \$100,000 or less.
- Misdemeanor and gross misdemeanor actions with maximum fine of \$5,000 or less and/or jail sentence of 364 days or less in violation of state law, county, or municipal ordinance violations.

## Where Salaries Stand Today

The Commission’s stated objective, in regard to the judiciary, has been to provide adequate salaries to attract and retain competent judges.

Thanks to the Commission, salaries for Washington’s state court judges have increased over the last five years. At the same time, inflation has substantially reduced the buying power of those salaries, impacting Washington’s ability to recruit talented new judges in a highly competitive market.

While inflation impacts all Washingtonians, the effects of inflation have been more profound in the Puget Sound area, where the majority of judicial officers reside and serve. For example, the Seattle-area consumer price index for June 2022 showed overall prices rose 10.1% from the previous year: rent rose 6%, food 10.3%, and energy prices jumped 31.5% — largely the result of higher gasoline prices.

Housing costs have continued to rise statewide and have further intensified in the Puget Sound region. According to the University of Washington’s Runstad Department of Real Estate, statewide median home prices increased 95% during the past eight years, while the Puget Sound Regional Council reports a 112% increase in typical metro-area home values and a 61% increase in rent. Additional information about rising housing costs, and the continuing decline in housing affordability in Washington is provided in Appendix A.

When income does not increase with inflation, real income — the ability of consumers to purchase goods and services — decreases. As will be discussed in the next section, inflation contributes to the widening salary gap between federal and state judges, eroding recent gains toward salary parity.

Table 1 uses superior court judges’ salary data to demonstrate where state salaries stand when adjusted for inflation and pension deduction rate increases over time. Since the last general wage adjustment in 2019 and 2020, judges have lost over \$14,000 in real salary purchasing power, dropping from a high of \$134,081 in 2020 to \$120,021 in 2022. Continued inflation will further reduce the real purchasing power of salaries.



“What I enjoy most about being a judge is that I have the privilege of serving my fellow Washingtonians by resolving disputes for them in a peaceful and orderly manner so they can move on with their lives.”

**JUDGE BERNARD VELJACIC**  
COURT OF APPEALS, DIVISION II

**Table 1: Impact of Inflation on Judicial Salaries and Take-Home Pay**

YEAR	SUPERIOR COURT JUDGE SALARY AT YEAR END	SALARY COMMISSION INCREASE	INFLATION <sup>1</sup>	REAL DOLLAR VALUE OF SALARY <sup>2</sup>	PERS DEDUCTION RATE	SUPERIOR COURT SALARY TAKE-HOME PAY <sup>3</sup>	REAL DOLLAR VALUE OF TAKE-HOME PAY <sup>4</sup>
2002	\$121,972	2.30%	1.71%	\$121,972	0.65%	\$121,179	\$121,179
2003	\$121,972	0.00%	2.11%	\$119,450	1.18%	\$120,533	\$118,040
2004	\$124,411	2.00%	2.33%	\$119,061	1.18%	\$122,943	\$117,656
2005	\$128,143	3.00%	3.06%	\$118,995	2.25%	\$125,260	\$116,317
2006	\$131,988	3.00%	3.42%	\$118,513	3.50%	\$127,368	\$114,365
2007	\$140,979	6.81%	3.17%	\$122,692	6.25%	\$132,168	\$115,023
2008	\$148,832	5.57%	3.49%	\$125,153	7.88%	\$137,104	\$115,291
2009	\$148,832	0.00%	-0.38%	\$125,624	11.13%	\$132,267	\$111,642
2010	\$148,832	0.00%	1.09%	\$124,272	7.25%	\$138,042	\$115,262
2011	\$148,832	0.00%	2.84%	\$120,840	7.25%	\$138,042	\$112,079
2012	\$148,832	0.00%	2.15%	\$118,297	9.10%	\$135,288	\$107,532
2013	\$151,718	1.94%	1.48%	\$118,827	9.10%	\$137,912	\$108,014
2014	\$156,363	3.06%	1.86%	\$120,227	9.80%	\$141,039	\$108,444
2015	\$162,618	4.00%	1.17%	\$123,595	12.80%	\$141,803	\$107,775
2016	\$165,870	2.00%	1.93%	\$123,680	12.80%	\$144,639	\$107,849
2017	\$169,187	2.00%	2.84%	\$122,671	15.95%	\$142,202	\$103,105
2018	\$172,571	2.00%	3.35%	\$121,072	15.95%	\$145,046	\$101,761
2019	\$190,985	10.67%	2.69%	\$130,479	16.62%	\$159,243	\$108,793
2020	\$199,675	4.55%	1.74%	\$134,081	17.25%	\$165,231	\$110,952
2021	\$199,675	0.00%	4.52%	\$128,281	15.49%	\$168,754	\$108,416
2022	\$203,169	1.75%	8.75% <sup>5</sup>	\$120,021	13.40%	\$175,944	\$103,938

The highlighted section of Table 1 shows the decline in real purchasing power for judicial salaries due to inflation from 2019-present. To assist Commissioners in their deliberations, Appendix B offers hypothetical levels of year-end 2022 inflation rates alongside possible 2023 raises to show the salary levels needed to maintain the judiciary’s most recent general wage increases, adjusted for inflation.

1 Inflation is measured as the percentage change in the annual CPI-U West Region, Bureau of Labor Statistics.

2 Real or constant dollars are adjusted for inflation using the Consumer Price Index (CPI) benchmarked to 2002. The formula may be found in the BLS Fact Sheet Math Calculations to Better Utilize CPI Data at [www.bls.gov/cpi/factsheets/cpi-math-calculations.pdf](http://www.bls.gov/cpi/factsheets/cpi-math-calculations.pdf).

3 Take-home pay is measured as salary minus PERS deduction.

4 See Footnote 2.

5 The annual inflation rate for 2022 is estimated using the CPI-U, 12 months ending June 2022, West Region, Bureau of Labor Statistics.

# Comparing Washington Judicial Salaries

As judges' real salaries have declined, impacted by inflation, the gap between state and federal court judges' actual salaries has widened due to lower state cost of living adjustments. For example, in 2021 the salary gap between federal district court judges and state superior court judges was \$18,925 as shown in Table 2 below. In July 2022, the salary gap widened to \$20,231. Federal judges receive an automatic annual salary adjustment based on the Employment Cost Index. The next salary increase for federal judges, of 4.6%, will take effect in January 2023. This increase will further widen the salary gap to over \$30,000 between state superior court and federal district court judges, eroding prior gains toward parity, unless the Commission takes action.

**Table 2: State/Federal Judicial Salary Gap Widens**

	FEDERAL DISTRICT COURT	FED % CHG	STATE SUPERIOR COURT	STATE % CHG
2023	\$233,676 <sup>i</sup>	4.60%	?	?
2022	\$223,400	2.20%	\$203,169	1.75%
2021	\$218,600	1.02%	\$199,675	0.00%

<sup>i</sup> Projected salary effective January 2023 as shown in the President's preliminary FY 2023 budget.

The Commission's first mandate is to base salaries of elected officials on realistic standards. In 2004, a study prepared by Owen-Pottier Human Resource Consultants for the Commission addressed the issue:

*A reasonable course of action for the Commission to follow is to move toward a degree of parity with the federal bench over time. Such action can be justified in part by the fact that federal judges perform substantially similar work as our state judges but have significantly more job security since they are appointed for life, while state judges must run for reelection.*

The U.S. Supreme Court and appellate courts are similar in function to the Washington Supreme Court and Court of Appeals. The federal district courts are similar to Washington superior courts. These federal positions draw from the same pool of attorneys as state judicial offices. There are federal courts in several locations in Washington including Seattle, Tacoma, Bellingham, Vancouver, Spokane, Yakima, and Richland.

The American Bar Association (ABA) has adopted the following policy on the issue:

*Be it resolved that the American Bar Association recommends that salaries of justices of the highest courts of the states should be substantially equal to the salaries paid to judges of the United States court of appeals, and the salaries of the state trial judges of courts of general jurisdiction should substantially equal the salaries paid to judges of the United States district courts.*



The comparison to federal judicial salaries is not without its limitations. The ABA has also recognized that state court judges are called on to decide many more disputes than the judges of the federal courts. State court judges also have to work with fewer resources. A significant number of Washington judges have no administrative support, while all federal district court judges have a staff of three people, usually two law clerks and a secretary.

In Washington, judges participate in the Public Employees' Retirement System (PERS), which requires a significant contribution from our annual salaries. Judges also typically come onto the bench later in their careers, limiting the number of years these benefits actually accrue. Members of the Supreme Court, Court of Appeals, and superior courts currently have 13.4% of their income deducted from their paychecks for their pension, while district and municipal court judges currently have 15.9% deducted. Federal judges, on the other hand, do not contribute any portion of their salary toward their own retirement. Accordingly, a straight comparison of gross salaries does not convey an accurate story.

Another problem with the comparison is the lack of federal equivalent for Washington district court judges. In the past, the Commission has utilized federal magistrates to evaluate salaries for district court judges, but federal magistrates have a more limited scope. Federal magistrates primarily conduct preliminary proceedings, such as initial appearances and arraignments, whereas Washington district court judges preside over the entirety of civil and criminal cases under their jurisdiction.

Even with these limitations, we feel that federal judge salaries are still a good evaluation tool for the Commission. However, instead of comparing Washington district court judges to federal magistrates, **we recommend the Commission set Washington district court judges' salaries at 95% of Washington superior court judges' salaries.** Table 3 on page 10 provides an overview of how Washington judges' roles and responsibilities compare to their federal counterparts. Figure 1 on page 11 shows salary comparisons.



“Every day that I come to work I apply not only my intellect but also my compassion. I have the privilege of applying logical reasoning, and analytical decision-making skills to help people navigate the most difficult times in their lives.”

**JUDGE INDU THOMAS**  
THURSTON COUNTY SUPERIOR COURT

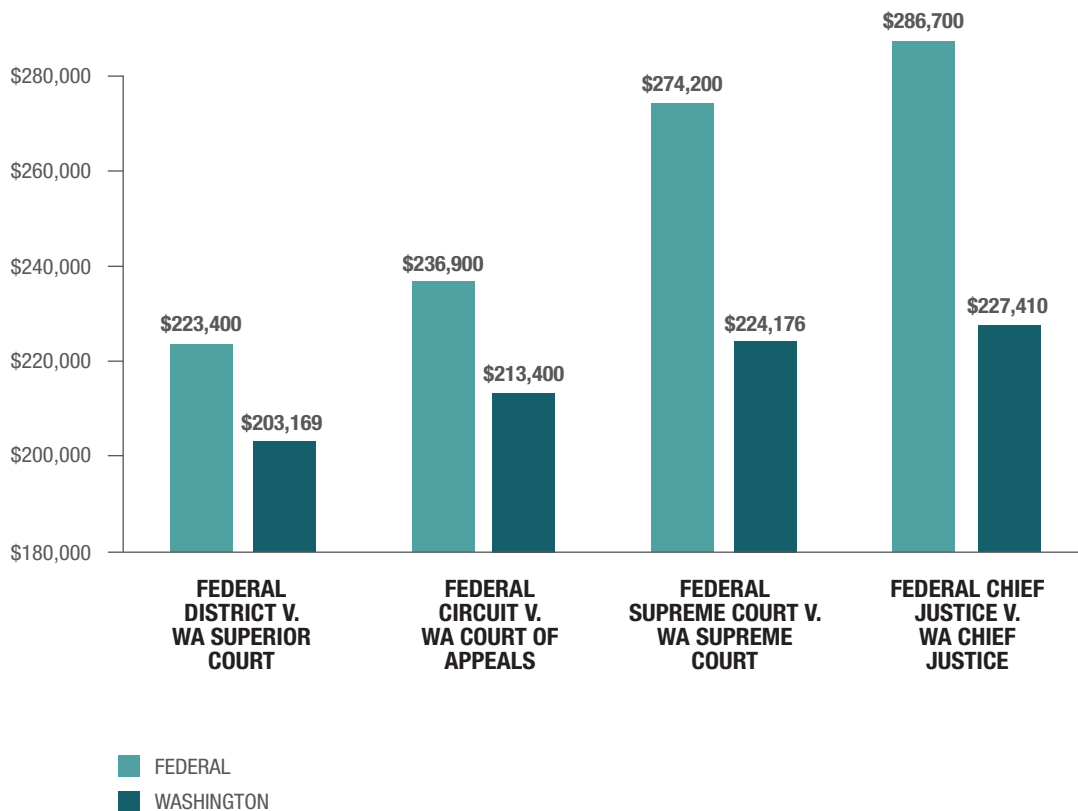
**Table 3: Federal and State Courts –  
Comparable Judicial Roles & Responsibilities**

Washington State Courts	Federal Court Equivalents
<p><b>SUPREME COURT</b></p> <ul style="list-style-type: none"> <li>• Highest court in the WA state judiciary</li> <li>• Jurisdiction over appeals from WA Court of Appeals, direct appeals from superior courts, and certified questions from federal courts; original jurisdiction over actions against state officers, personal restraint petitions, and certain other matters</li> <li>• Oversees administration of the WA court system and judicial branch commissions and offices</li> <li>• Oversees attorney admission and discipline</li> <li>• Elected statewide to 6-year terms</li> </ul>	<p><b>U.S. SUPREME COURT</b></p> <ul style="list-style-type: none"> <li>• Highest court in the U.S. federal judiciary</li> <li>• Appellate jurisdiction over all U.S. federal cases and state court cases that involve an issue of federal law</li> <li>• Original jurisdiction over a narrow range of cases affecting ambassadors, ministers, and consuls, and in which a state is a party</li> <li>• Lifetime tenure</li> </ul>
<p><b>COURT OF APPEALS</b></p> <ul style="list-style-type: none"> <li>• Jurisdiction over appeals from final judgments of the superior court, other orders that end litigation at the trial court level and administrative agency decisions; original jurisdiction over personal restraint petitions</li> <li>• Three divisions divided by geography to distribute appeals from WA superior courts</li> <li>• Elected to 6-year terms</li> </ul>	<p><b>FEDERAL COURT OF APPEALS</b></p> <ul style="list-style-type: none"> <li>• Jurisdiction over appeals taken from U.S. District Courts in each circuit's multi-state area</li> <li>• Ten Courts of Appeal hear cases from the multi-state area assigned to that circuit (i.e., the Ninth Circuit, geographically the largest circuit, includes AK, AZ, CA, HI, ID, MT, NV, OR, WA, and No. Mariana Is.)</li> <li>• Lifetime tenure</li> </ul>
<p><b>SUPERIOR COURT</b></p> <ul style="list-style-type: none"> <li>• Superior courts are trial courts of general jurisdiction. They have jurisdiction over civil matters exceeding \$100,000, criminal felony cases, estate and probate, guardianship, family law (including divorce and child custody), mental health commitment, child dependency and parental termination, and juvenile offender proceedings</li> <li>• Hears appeals of cases from district and municipal courts</li> <li>• Elected to 4-year terms</li> </ul>	<p><b>FEDERAL DISTRICT COURT</b></p> <ul style="list-style-type: none"> <li>• Federal district courts are courts of law, equity, and admiralty hearing specific civil and criminal cases</li> <li>• Unlike state courts, federal district courts are courts of limited jurisdiction, able only to hear cases that involve disputes between residents of different states where the amount in controversy exceeds \$75,000, issues of federal law, and federal crimes</li> <li>• Federal district courts have discretion to hear issues of civil state law if the claim is supplemental to a claim that confers federal jurisdiction</li> <li>• Lifetime tenure</li> </ul>
<p><b>DISTRICT COURT</b></p> <ul style="list-style-type: none"> <li>• District courts are trial courts of limited jurisdiction that hear traffic citations, misdemeanors and gross misdemeanors, civil cases with an amount in controversy less than \$100,000, small claim suits, and traffic infractions</li> <li>• Elected to 4-year terms</li> </ul>	<p><b>NO FEDERAL EQUIVALENT</b></p>

In addition to competing with the federal bench for legal talent, state courts must also compete with the private sector. Talented associates at the largest U.S. law firms with judicial clerkship experience (in other words, the attorneys most qualified to become the next generation of judges) already earn a wage comparable to a Washington state judge’s salary. See Appendix C.

Paying state employees competitive salaries ensures that Washingtonians receive high quality services from competent professionals. Hundreds of state employees in professional positions that require levels of education and experience similar to judges are paid competitive salaries. See state salary information in Appendix D. We realize the Salary Commission has not considered private sector salaries in their previous deliberations. However, in order for the state to recruit and retain legal talent needed to effectively serve an increasingly diverse and complex community, the state must offer a competitive wage commensurate with the skill and experience necessary to carry out the work of a judicial officer.

**Figure 1: Comparison Between Federal and Washington State Court Judge Annual Salaries (2022)**



## Court Innovation

Since the last salary increase in 2020, the workload of a Washington judge has expanded. Judges have directed efforts to improve equity and access. An example of this can be seen in the Racial Justice Consortium which was established in 2021 to identify actions and structural changes that could help end racism within the state judicial system. The Consortium is a place for judicial officers to explore and support new ideas for education, training, and identifying specific areas of change. Through the Consortium, the judicial branch has been able to transform judicial policies and practices.

Judicial officers have also broadened the types of programs available to court users. In 2021, the district and municipal courts established 21 new therapeutic court programs. These programs identify individuals before the courts with substance use disorders or other behavioral health needs and engage those individuals with community-based therapeutic interventions. Judicial officers have played an integral role in setting up these programs and establishing best practices and guidelines for service providers.

The court has also created programs aimed at assisting self-represented litigants with navigating the judicial system. In addition to conducting a survey of over 400 court staff statewide to learn what training is needed to better serve unrepresented litigants, judges



“Being a judge is a privilege. Every day I see people who are dealing with some of the worst events of their life. I try to help them through that process, and hopefully bring them through it feeling that they were heard. There are days where all I see are pain and suffering, but those days can be the most rewarding if I am able to bring just a bit of peace or closure to the lives of those who are seeking justice from the courts.”

**JUDGE JENNIFER FORBES**  
KITSAP COUNTY SUPERIOR COURT

have worked in coordination with the legislature and the Administrative Office of the Courts (AOC) to secure funding for two self-help center pilot programs — one on the east side of the state and the other on the west side.

In the beginning of the pandemic, courts grappled with how to adjust to a new virtual reality. Judges were forced to rethink how they administer justice. Modernizations were implemented to make remote court operations more efficient, but this added a new level of complexity to a judicial officer’s work. Remote court hearings take about one-third (34%) longer than in-person hearings<sup>6</sup>, and judges need to find a balance between efficiency and keeping individuals before the court safe.

In response, while judicial officers significantly expanded remote technology in courts throughout the state in order to keep urgent actions and cases moving forward, we also created new screening questions to identify vulnerable persons, instituted social distancing measures, and monitored the availability of N95 and KN95 masks and other personal protective equipment (PPE) to ensure that in-person proceedings could ensue safely.

Many of the changes adopted during the pandemic are not going away; in fact they are helping to create a roadmap to the courts of the future. Remote technology and other technological solutions have significantly increased access to the courts, especially for working persons, parents, youth, and low-income individuals. Washington judges are currently in the process of identifying best practices and institutionalizing the most promising of these processes, particularly those that lower costs for Washingtonians to come to court.<sup>7</sup>



“I became a judge and subsequently a Justice on the State Supreme Court because I believe my unique life experience as a woman of color from a working class background needed to be at the table where decisions about justice are made.”

**JUSTICE MARY YU**  
WASHINGTON SUPREME COURT

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6 National Center for State Courts (NCSC), “*The Use of Remote Hearings in Texas State Courts: The Impact on Judicial Workload*” 2021.

7 Board for Judicial Administration, Court Recovery Task Force “*Re-Imagining Our Courts: Pandemic Response and Recovery Lead Courts into the Future*” 2022.

## Increasing Vacancies and Turnover in the Judiciary

Since the last increase to judicial salaries, the judiciary has continued to experience significant turnover, especially in the superior courts. Over half of the superior court bench has turned over since 2016, and a quarter of superior court judges have been on the bench fewer than three years. The table below shows judicial vacancies since 2019.

**Table 4: Judicial Vacancies Since 2019**

	2019	2020	2021
Supreme Court	0	2	0
Court of Appeals	1	1	2
Superior Court	18	14	16
District Court	7	5	18



“The reason I wanted to be an appellate court judge, and what I like about it, is being able to give a party who lost in the trial court a meaningful opportunity to be heard about why they think the trial court decision is wrong. Sometimes that means reversing the trial court. When we do not reverse the trial court, though, my goal is to explain as clearly as possible, and without oversimplifying, why the trial court decision should stand. An appellant is entitled to that.”

**JUDGE LAUREL SIDDOWNAY**  
COURT OF APPEALS, DIVISION III

As the state population ages, so too do our judges. More than half of all judges in Washington are nearing retirement (55 years old or older). Significant turnover in the judiciary will continue in the years to come, making recruitment and retention all the more important. The tables below show key age and turnover data for each level of court.

## Tables 5–8: Key Age and Turnover Data by Court

### SUPREME COURT

Total Justices	9
Average Age	64
Median Age	65
Average Years on Court	14
% Greater than 10 Years on Court	44%
% Greater than 15 Years on Court	33%
New Justices Since 1/1/16	2

### COURT OF APPEALS

Total Judges	22
Average Age	57
Median Age	57
Average Years on Court	10
% Greater than 10 Years on Court	18%
% Greater than 15 Years on Court	4%
New Judges Since 1/1/16	14

### SUPERIOR COURTS

Total Judges	200
Average Age	56
Median Age	55
Average Years on Court	7
% Greater than 10 Years on Court	19%
% Greater than 15 Years on Court	9%
New Judges Since 1/1/16	117

### DISTRICT COURTS

Total Judges	118
Average Age	57
Median Age	58
Average Years on Court	9
% Greater than 10 Years on Court	37%
% Greater than 15 Years on Court	20%
New Judges Since 1/1/16	57

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## Concluding Remarks

We deeply appreciate the time and effort that is spent setting the salaries of elected officials. We hope that with the information in this report, you will continue to endorse parity with federal judge salaries as an important and appropriate goal of the Commission.

Given the state's current economic growth, ongoing inflation concerns, and the need to recruit and retain top legal talent, we respectfully request a 9% to 13% salary increase for all elected judges in 2023. This will maintain the gains toward parity with the federal bench, in addition to any cost of living adjustments made when you set the salaries for all of Washington's elected officials.

If you have questions or need additional information please contact:

**Brittany Gregory**

Associate Director of Judicial and Legislative Relations

Administrative Office of the Courts

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360-522-2911

Thank you for consideration of this request.



“Being a judge is the hardest job I’ve ever had, but it’s absolutely the most rewarding. I think most judges I know would say the same. We have the opportunity every day to put the rule of law into practice — not only in the way we explain the law and our decisions but, most importantly, in the way we treat people with respect and compassion.”

**JUSTICE DEBRA STEPHENS**  
WASHINGTON SUPREME COURT



# Appendices

## APPENDIX A

### Housing Affordability Index — 2022 Quarter 1 Results

The Housing Affordability Index (HAI) is calculated and maintained by the Washington Center for Real Estate Research (WCRER) at the University of Washington. It measures the ability of a middle-income family to make mortgage payments on a median price resale home. WCRER assumes the following terms: a median priced home of an area, a 20% down-payment, a 30-year fixed mortgage, and the purchaser with a median household income for the area. Critical to the notion of affordability, a household does not spend more than 25% of its income on principal and interest payments.

When the HAI is exactly 100, the household pays exactly 25% of its income to principal and interest. When the index lies above 100, a household will spend less than 25% of its income on mortgage principle and interest. **A HAI score of less than 100 indicates housing is not affordable at the assumed terms listed above.**

#### Housing Affordability Continues to Decline Making it Increasingly Difficult to Buy a Home

During the first quarter of 2022 (22Q1) in Washington state, the All-Buyer Housing Affordability Index (HAI) value has dropped to 86.3, a difference of:

- 4.8 points from 91.1 the previous quarter (21Q4).
- 16.9 points from 103.2 the same quarter of the previous year (21Q1)
- 19.8 points from 106.1 the same quarter three-years' previous (19Q1).



“When I walk into an elementary school classroom as part of the Judges in the Classroom Program and I can actually see our future dreaming about what they can be, I am grateful to be a judge.”

**COMMISSIONER RICK LEO**  
SNOHOMISH COUNTY DISTRICT COURT

## APPENDIX B

# How Does Inflation Impact Raises?

To assist in the Commission’s salary deliberations, we provide the following table with hypothetical inflation rates and raises. We again use the superior court to demonstrate possible 2023 raises for varying year-end 2022 inflation estimates. Raises needed to maintain the 2019 and 2020 general wage increases, as adjusted for inflation, range from 9% to 13%, and are highlighted.

ACTUAL SUPERIOR COURT JUDGE SALARY 2022	2022 ESTIMATED INFLATION RATE	REAL DOLLAR VALUE OF \$203,169 <sup>8</sup>	RAISE EFFECTIVE JULY 2023	ACTUAL SALARY AFTER RAISE	REAL DOLLAR SALARY AFTER RAISE <sup>9</sup>
\$203,169	6%	\$123,034	6.0%	\$215,359	\$130,416
\$203,169	6%	\$123,023	7.0%	\$217,391	\$131,646
\$203,169	6%	\$123,024	8.0%	\$219,423	\$132,877
\$203,169	6%	\$123,024	9.0%	\$221,454	\$134,107
\$203,169	6%	\$123,024	10.0%	\$223,486	\$135,337
\$203,169	7%	\$122,232	7.0%	\$217,391	\$130,789
\$203,169	7%	\$122,232	8.0%	\$219,423	\$132,011
\$203,169	7%	\$122,232	9.0%	\$221,454	\$133,233
\$203,169	7%	\$122,232	10.0%	\$223,486	\$134,456
\$203,169	7%	\$122,232	11.0%	\$225,518	\$135,678
\$203,169	8%	\$121,049	8.0%	\$219,423	\$130,733
\$203,169	8%	\$121,049	9.0%	\$221,454	\$131,944
\$203,169	8%	\$121,049	10.0%	\$223,486	\$133,154
\$203,169	8%	\$121,049	11.0%	\$225,518	\$134,365
\$203,169	8%	\$121,049	12.0%	\$227,549	\$135,575
\$203,169	9%	\$120,021	9.0%	\$221,454	\$130,823
\$203,169	9%	\$120,021	10.0%	\$223,486	\$132,023
\$203,169	9%	\$120,021	11.0%	\$225,518	\$133,223
\$203,169	9%	\$120,021	12.0%	\$227,549	\$134,423
\$203,169	9%	\$120,021	13.0%	\$229,581	\$135,623
\$203,169	10%	\$118,751	10.0%	\$223,486	\$130,626
\$203,169	10%	\$118,751	11.0%	\$225,518	\$131,814
\$203,169	10%	\$118,751	12.0%	\$227,549	\$133,001
\$203,169	10%	\$118,751	13.0%	\$229,581	\$134,189
\$203,169	10%	\$118,751	14.0%	\$231,613	\$135,376

8 Real dollars are benchmarked to 2002 and calculated using the Labor Department’s West Region Consumer Price Index for all years except 2022. The inflation rate for 2022 is estimated as shown.

9 See Footnote 8.

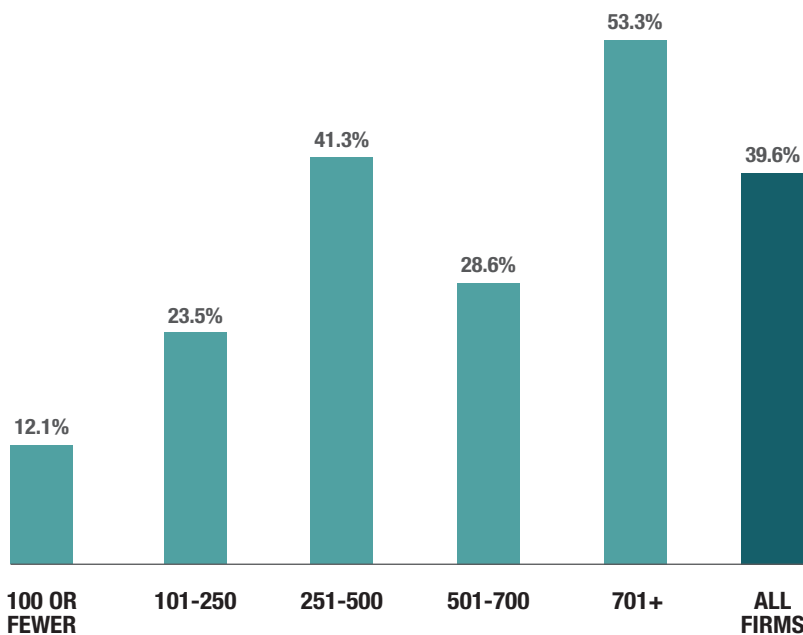
## APPENDIX C

# Private Sector Salary Data

Currently, salaries for judges who have decades of substantive legal experience are similar to salaries of first-year and second-year associates (attorneys) in large private law firms.

The 2021 National Association of Legal Professionals Associate Salary Survey shows that the overall median first-year associate base salary as of January 1, 2021 was \$165,000, up \$10,000 (6.5%) from 2019, with large firms reporting a median starting salary of \$190,000.

The chart below shows what percentage of law firms report a first-year associate salary of \$190,000 by firm size. 39.6% of law firms offer their first-year associates a starting salary of \$190,000, which is only \$13,000 less than a Washington superior court judge.



Note: Based on average salaries reported as of January 1, 2021.

Source: NALP 2021 Associate Salary Survey



“Being a judge has been a great professional experience but as rewarding is the opportunity to contribute to the community off the bench. Teaching civics, educating kids about what judges do and volunteering as a mentor has been some of the most gratifying work.”

**JUDGE BILL BOWMAN**  
COURT OF APPEALS, DIVISION I

## APPENDIX D

# Public Sector Salary Data

A review of 2021 salary data for Washington state employees shows hundreds of Washington state professional positions that require similar levels of education, specialized expertise, and/or licensure requirements to judges are paid competitive salaries; judges are not. This includes university professors, scientists, investment officers, and doctors. The table below provides some examples.

### Snapshot of Actual 2021 State Salaries Paid to Professionals<sup>10</sup>

#### ACADEMIC

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Professor, University of Washington	up to \$583,300
Associate Dean, University of Washington	up to \$486,400
Research Scientist/Engineer, University of Washington	up to \$293,500
AVP for Alumni Relations, Western Washington University	\$224,100

#### FINANCE/BUSINESS

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Senior Investment Officer, State Investment Board	up to \$445,300
Chief Operating Officer, Washington State University	\$313,300
Actuary, State Actuary	up to \$267,500
Public Relations & Marketing, Western Washington University	\$244,400

#### LEGAL/LEGISLATIVE

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Speaker's Attorney, House of Representatives	\$267,000
Chief Clerk, House of Representatives	\$239,500

#### MEDICAL

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Physician, Social and Health Services	up to \$496,700
Hospital Administrator, University of Washington	up to \$433,200
Associate Hospital Administrator, University of Washington	up to \$312,100
Diagnostic Medical Sonographer, University of Washington	\$228,000

#### TECHNOLOGY

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Chief Information Officer, Washington State University	up to \$330,600
Chief Technology Officer, State Board for Commerce	up to \$326,500

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<sup>10</sup> 2021 salaries greater than those paid to judges, as listed on the Washington State Employee Salaries Website, <http://fiscal.wa.gov/salaries.aspx>.

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