

2014

**REPORT OF THE UTAH
ELECTED OFFICIAL AND
JUDICIAL COMPENSATION
COMMISSION**

December 2014

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Report of the Utah Elected Official and Judicial Compensation Commission

To the Honorable Governor Gary R. Herbert, House Speaker Rebecca D. Lockhart, Senate President Wayne Niederhauser, and members of the Executive Appropriations Committee:

As required by Utah law (Utah Code Ann. §67-8-5), the Executive and Judicial Compensation Commission (EJCC) is pleased to submit its 2014 Report on Executive and Judicial salaries.

This year's report is divided into two parts: Part One examines judicial salaries and Part Two addresses the salaries of Utah's five (5) state-wide elected officials (Governor, Lt. Governor, Attorney General, State Auditor and State Treasurer). After considerable study the EJCC recommends substantial increases for both groups. This report outlines the reasons for our conclusions.

The Commission is aware that in the eyes of the public, a certain amount of prestige and honor is associated with the holding of an elected office or an appointment to judiciary. Accordingly, this characteristic of holding these important positions is usually considered to be part of the "compensation" for such office. Nonetheless, it is imperative that the salaries for these important positions reflect the duties and responsibilities associated with them.

Of particular concern is that length of time that has elapsed since the salaries of Utah's state-wide elected officials were significantly adjusted. Likewise, nearly a decade ago the Utah Legislature authorized a major judicial salary increase with expectation that periodic adjustments be made to keep judicial salaries current. The economic condition of the state during the "Great Recession" obviously made this action impossible. Corrective salary action is needed for both groups and the problems will not be made easier by further delay.

The members of the EJCC are motivated solely by public service. By law none of the EJCC members may be employed by the executive or judicial branches of government. Our conclusions and recommendations were made unanimously and are, in our view, in the best interests of the State of Utah.

We appreciate the opportunity to serve the citizens of the State of Utah.

Sincerely,

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Elected Official and Judicial Compensation Commission Members

Name	Term Expires
Roger O. Tew, Commission Chair <i>Appointed by Elected Official and Judicial Compensation Commission</i>	3/31/2017
David R. Bird <i>Appointed by Utah State Bar</i>	3/31/2017
Karen Hale <i>Appointed by Utah Senate President Michael Waddoups</i>	3/31/2015
David Broadbent <i>Appointed by Utah House Speaker Rebecca D. Lockhart</i>	3/31/2015
Beth Holbrook <i>Appointed by Elected Official and Judicial Compensation Commission</i>	3/31/2018
Jill Carter <i>Appointed by Governor Gary Herbert</i>	Resigned 6/6/2014

Role of Executive and Judicial Compensation Commission

The Elected Official and Judicial Compensation Commission (EJCC), statutorily established as an independent commission since 1969 (called EJCC since 1981), is responsible to study and make recommendations regarding the compensation of Utah’s elected officials. In addition, the EJCC also studies and makes compensation recommendations for Utah’s Judiciary (Utah Code Ann. §§ UCA 67-8-4 et seq.).

The EJCC is composed of 6 members. Three appointments come from the Governor, the Speaker of the House and the President of the Senate. One member is also appointed by the Utah State Bar. These members then appoint an additional 2 members. The law mandates that no more than 3 members may come from one political party. The EJCC leadership must also come from different political parties. No employee of the executive or judicial branches of government may serve on the EJCC. The EJCC is staffed by the Office of Legislative Fiscal Analyst.

During 2013 and 2014 the EJCC viewed the salaries of both the judiciary and the state-wide elected officials. This report from the EJCC report is divided into two parts dealing with the salary recommendations for each category.

PART ONE

EJCC RECOMMENDATIONS FOR UTAH JUDICIAL SALARIES

Recent History

Nearly a decade ago (2006), the EJCC recommended a significant increase in the salaries of Utah judges. The actual recommendation was a 25% increase in salaries over a period of three years. Eventually the legislature in 2007 adopted a more modest, but still significant increase of 16% over that same time period. However, a key objective of the EJCC recommendations was the acknowledgement that action would need to be taken with some regularity to maintain judicial salaries at the recommended levels in real terms. Unfortunately the “Great Recession” intervened and any needed salary updates were practically and politically impossible. The result is, in the view of the EJCC, that judicial salaries today are either at, or headed to the same uncompetitive position as before the 2007 adjustment.

The Need for Adequate Judicial Salaries

The EJCC has met several times over the past two years to discuss judicial salaries. These meetings included discussions with representatives of the Utah Judicial Council, the Utah State Bar, representatives of the National Center for State Courts and the Utah Department of Human Resource Management (DHRM). The EJCC has also reviewed judicial salary reports from other states that have supported increases in judicial salaries. The EJCC found common rationales expressed in these reports. These conclusions were also reflective of EJCC's positions regarding the need for adequate judicial salaries.

Recruiting and Retaining the Best Judges

The EJCC fully understands that existing judicial salaries may well be more than what the average Utah family earns. However, by constitutional requirement, Utah judges are to be highly trained and experienced professionals. The Utah State Constitution requires judges be admitted to practice law in Utah (Art. VIII, Sec. 7). In addition, judges are required to complete 30 hours of in-service training annually. Recruiting and retaining such individuals requires a fair compensation package.

Those who enter judicial service are motivated by the opportunity to give valuable public service. They are aware that in many cases taking a judicial position may involve a measure of financial sacrifice. However, the balance point between acceptable financial sacrifice and the inability to attract and retain quality professionals is a delicate one that requires regular examination and adjustment.

A Strong Judiciary is Essential to a Health State Economy

The need for a strong, independent, and professionally qualified judiciary is an essential component in a vibrant economy. The performance of key government institutions, of which the judiciary is part, is an essential part of the core governmental infrastructure. Courts provide a forum for the resolution of disputes and protection of legal interests – keys to attracting and maintaining economic development. The economic importance of quality judges far outweighs the costs of adequate salaries.

The Importance of Judicial Independence

For society to function, citizens must believe judges render independent judgment – consistent with their interpretation of the law – but devoid of the influence of any outside pressure (political or financial). Utah Judges perform extremely well in the discharge of their duties – even though

there are inevitably situations where a court is required to rule on a case that may ruffle political interests.

Judicial Salary Concerns

Note: The EJCC emphasizes one key point before discussing concerns regarding judicial salaries. Nothing in this report is any way a criticism of any judicial appointments. The Governor's appointments, subsequently confirmed by the Utah State Senate, have reflected a broad cross-section of qualified lawyers from varied backgrounds – including partners in major law firms. Our concern is that this same quality continues and not be negatively impacted by inadequate salaries.

One judicial commentator noted that “judges are worth much more, by any measure of social utility, than most law partners, but they are paid far less.” Simply put the work of judges’ directly impacts the lives of individuals and in many cases society at large. We expect hardworking and professionally competent judges and understand that they will be paid well – however, in many cases far less than their skills would command in a purely market environment. The question is finding that equilibrium point. The EJCC has identified several areas of concern.

The Judicial Nominating Pools

Over the past few years the EJCC began to hear significant anecdotal information about subtle changes in the selection pools for judicial vacancies. These “pools” are those lawyers submitting their names to the judicial nominating commissions. It is from these pools that the commissions select lawyers to present to the Governor for his final selection and subsequent Senate confirmation. The EJCC devoted several meetings to concerns about these nominating pools. Of particular concern were strong anecdotal statements from various groups associated with the nominating process that the composition of these “pools” was trending smaller and that there were an increasing number of applicants from state and local government.

From 1994 to 2004 the EJCC had access to information regarding the applicant pool (information regarding years of practice/type of practice/ number of applicants). This information was a very useful tool in support of the EJCC’s 2006 judicial salary increase recommendation. A few years ago responsibility for managing the judicial nominating process was statutorily transferred from the Administrative Office of the Courts (AOC) to the Governor’s Office (CCJJ). Unfortunately the maintenance of the nominating pool data in the same form was lost. (CCJJ has undertaken a project to restore this information. However it was not available in the same format at the time of this report). Nonetheless, an examination of available data shows some of the same concerns as ten years ago – fewer attorneys willing to apply and a drift to a slightly increased number of public sector nominees.

Changing Caseload Structure

The EJCC was presented with information regarding the changing caseload composition for Utah courts (see Figure 1). A comparison of the caseload composition in 2003 and that of 2013 shows a noticeable increase in the civil caseload (nearly 35%) but an actual decrease in criminal cases. All Utah judges are generalists – they are all required to hear all types of cases. Over time judicial experience should provide a judge the opportunity to hear a wide variety of matters. However, as noted by representatives of the Utah State Bar, the applicant pool should continue to reflect potential judges with experience in complex commercial litigation as well as applicants whose background is in criminal matters. However, the former group is most likely to be impacted by salary considerations.

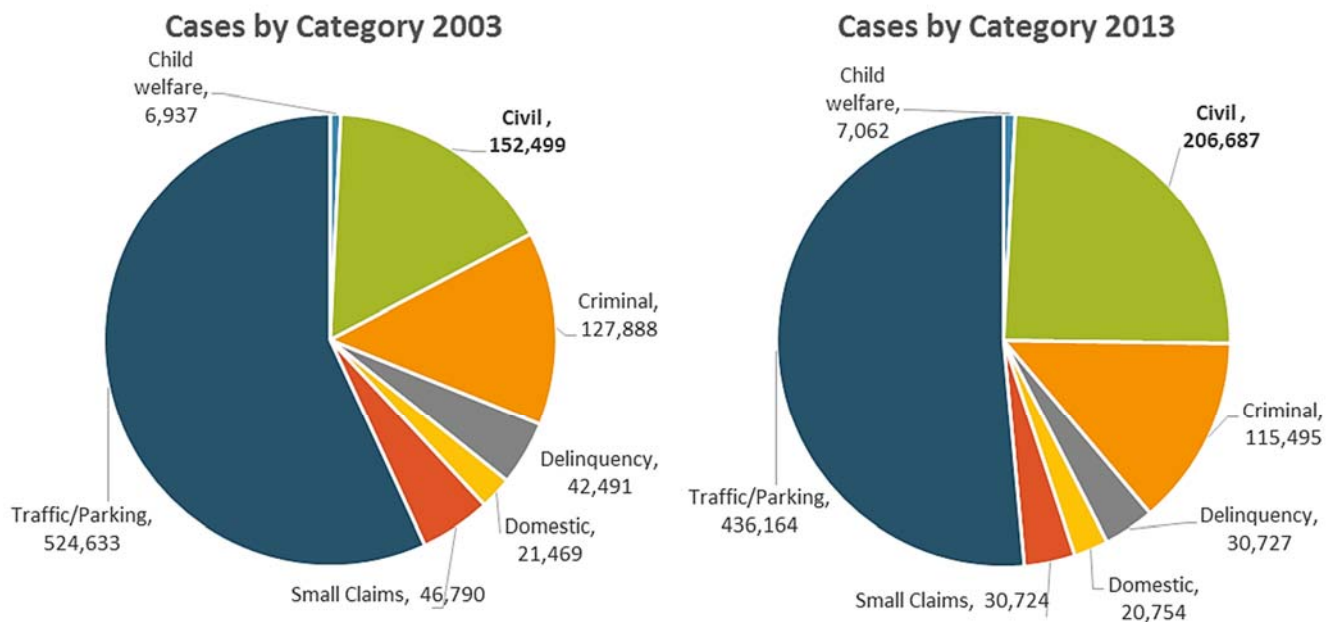


Figure 1

Judicial Retention

There have not been noticeable public resignations from the bench due to inadequate salaries. However, there is concern that contemporary employment options available to judges may be hastening judges' departure from the bench sooner than in the past after retirement eligibility. Employment in mediation and arbitration, for example, are very attraction options for former judges. The AOC indicates that they now expect to see approximately 8% of the existing bench retire each year.

Salary Rankings

The EJCC reached out to the National Center for State Courts (NCSC) for information about judicial salaries in other states (see Figure 2). There is always a certain skepticism about state rankings generally. However, these specific salary comparisons, undertaken by a single respected entity, do provide useful information about direction in judicial salaries. There is also the question about where a state’s ranking “sweet spot” is located. It is also important to remember that these rankings are not static. When a state adjusts salaries it can significantly change a state’s relative position.

Of most concern to the EJCC was the historical aspect of Utah’s ranking. Specifically where Utah was prior to the last significant salary adjustment and what was the impact of that increase. Finally, where are we now?

The information indicates the 2007 increase did move Utah from the lower tier of salaries toward the upper middle. During the “Great Recession” salaries were essentially static in all states. However, as the various states’ budget picture has improved there have been increases in judicial salaries across the country. As such Utah’s relative position has been to drift toward its pre-2007 position. It should be noted that information from the NCSC indicates that a number of states are contemplating salary adjustment this upcoming legislative session which without action in Utah would likely move Utah back to its 2007 position.

Utah Judicial Salary Rankings History				
Year	Supreme Court	Appelate Courts	Trial Court (District Court)	Trial Court with COLA
1/1/2014	31	26	30	27
1/1/2013	29	21	29	21
1/1/2012	29	22	27	15
1/1/2011	29	22	27	19
1/1/2010	28	20	26	18
1/1/2009	28	21	24	16
1/1/2008	30	26	27	16
1/1/2007	36	32	38	30
1/1/2006	35	30	35	20
4/1/2005	39	33	40	27

Figure 2

Note: Rankings are on a scale of 1-51 (all 50 states and the District of Columbia) with “1” reflecting the highest salary and “51” reflecting the lowest salary.

Other Salary Information

EJCC looked at additional salary information for positions in the public legal community. We acknowledge some structural differences. However, the following information does provide some interesting reference points.

The salaries for the four Wasatch Front county attorneys (elected positions) are:

- Weber County - \$136,631
- Davis County - \$167,878
- Salt Lake County - \$160,072
- Utah County - \$122,631

Average: \$146,803

Public Information from the University of Utah law school professor salaries' indicates the following:

Average Salary:	\$175,413
Median:	\$181,190
Highest:	\$222,504
Lowest:	\$140,989

2014 EJCC Judicial Salary Recommendations

The goal of the major salary adjustments in 2007 was to establish a judicial salary baseline that could be maintained via incremental cost of living adjustments for an extended period of time. The "Great Recession" effectively destroyed that operating premise. Salaries were frozen and any adjustments were understandably minimal. The EJCC concluded Utah is really back at the same position it was nearly a decade ago – needing a major catch up adjustment to establish a new operating baseline.

The EJCC also felt it is somewhat misleading to think in terms of simple percentage adjustments. If there is a need to increase and improve the applicant pool and if salary is a contributing factor to some applicants not applying, then any salary increase needs to be sufficient to actually impact behavior. As such, the EJCC focused on an actual salary number that we felt accomplished these goals.

After looking at all of these factors, the EJCC unanimously recommends the following changes in judicial salaries. It is also our recommendation that these adjustments should be made over a two-year period. (It should be noted that under current statutory salary framework, general trial court judges (District and Juvenile Court Judges) are specifically stated in the statute. Appellate

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Court Judges and Supreme Court Justices salaries are 105% and 110% of the trial court judges' salary respectively.)

1. The annual salary of Utah's District Court Judges/Juvenile Court Judges should be increased to \$160,000 from the current figure of \$136,500.
2. The annual salary of Court of Appeals Judges should be increased to \$168,012 from the current figure of \$143,325.
3. The annual salary of Supreme Court Justices should be increased from \$150,150 to \$176,024.

The EJCC recognizes these increases are significant. However, there is a need for perspective. Nearly ten (10) years ago the EJCC recommended a 21% increase over a three year period. The Utah State Legislature ultimately adopted a 16% increase over that same time period. This judicial salary increase is actually an 18.7% increase over a two-year time frame.

This increase with salary and benefits for 114 judicial positions (all types) calculates to approximately \$4,013,000 in ongoing costs.

PART TWO

EJCC RECOMMENDATIONS FOR UTAH'S STATE-WIDE ELECTED OFFICIALS

Recent History

In 2012 and 2103 the EJCC submitted its report calling for significant salary increases for Utah's five (5) state-wide elected officials – Governor, Lt. Governor, Attorney General, Auditor and Treasurer. The EJCC has carefully reviewed these prior reports and has concluded that its previous recommendations are still valid – if anything the situation has become more acute and merits action by the Utah Legislature. As such, the EJCC resubmits its conclusions and recommendations from its 2012/2013 reports.

STATEWIDE ELECTED OFFICIALS SALARIES

EJCC Recommendations for Utah's Constitutionally Established Officials

The EJCC focused its primary study efforts during 2011, 2012 and 2013 on the salaries of Utah's five constitutionally established elected offices (Governor, Lt. Governor, Attorney General, State Auditor, and State Treasurer). Given the fiscal circumstances faced by the State of Utah during the recent recession, the EJCC has recommended no substantive salary adjustments for several years. During this past year, however, the EJCC discussed in more depth the salary structure for these offices.

Current Elected Officials Salaries

Office	Salary
Governor	\$ 109,900
Lt. Governor	\$ 104,400
Attorney General	\$ 104,400
State Treasurer	\$ 104,400
State Auditor	\$ 104,400

As we reviewed comparative information from other states, market data for private sector executive positions and current salary levels for appointed officials in state and local government, the EJCC felt that there was a compelling case for a more substantive restructuring of these salaries rather than a simple cost-of-living (COLA) adjustment. (It should be noted that current

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Utah law specifically sets only the salary of the Utah Governor. The remaining executive elected positions are based at 95% of the Governor's salary (Utah Code Ann. § 67-22-1)). After reviewing this information, our conclusions were influenced by the following considerations:

1. Contemporary market analysis regarding private sector executive compensation has little applicability to Utah's state-wide elected offices. In fact, market data for a private sector CEO of virtually any public or private entity with a budget of \$12B and spanning the scope of responsibilities of a governor would require compensation vastly higher than any level we might contemplate.
2. The commission also feels that salary comparisons with other states are also of limited value. However, the most current information comparing other states is provided in Appendix B. The nature of the various elected positions varies from state to state. For example, while the title "governor" may be common among states, the actual powers and duties may vary greatly. In our view it appears these comparisons are more an exercise in political acceptability than any meaningful analysis. The hyper-charged political dynamics surrounding elected officials' salaries means it is difficult for a state to make significant salary adjustments. As such state comparisons act largely as a form of salary compression.

Simply put, these offices are political offices and individuals seek them for a wide variety of political and personal reasons, none of which are related to salary.

Consequences of Unrealistically Low Salaries

The EJCC does feel there are important public policy considerations in setting a more realistic salary level for these offices. In general, these elected positions are the top leadership positions in Utah State Government. These positions are also the direct superiors of a number of important professional subordinates. Yet at current salary levels, these elected positions are among the lower-paid key professional positions in state government. For example, virtually all of the Governor's cabinet members are paid more than both the Governor and the Lt. Governor (See Appendix A). Similar situations exist within the offices of the other elected officials. In addition, a comparison with full-time executive positions in municipal and county government indicates that many local government senior leadership positions are also paid significantly more than the state government elected positions (See Appendix B).

It is assumed these positions are full-time and the compensation should reflect a realistic full-time amount. Implicitly that means there should not be an assumption that individuals holding these offices are either independently wealthy or will be required to augment the position's salary with other financial resources. Unrealistically low compensation can add to the

perception that officeholders may be required to augment their salary from political funds or other sources.

Appropriate Time for Change

The EJCC believes now is the appropriate time to adjust the salaries of Utah's state-wide elected officials. In 2013, the Utah State Legislature adjusted legislative compensation. Finally, beyond the occasional COLA adjustment, there has not been any significant modification in the Governor's salary in nearly a decade. Major changes in the other officials' salary resulted from the tie to the Governor's salary enacted in 2006.

EJCC Study Efforts

The development of the current EJCC's position on executive salaries began last year. Although the state's fiscal situation over the past few years precluded any serious discussion of a major adjustment, the EJCC members were unanimously of the opinion that these elected officials salaries needed significant adjustment.

The EJCC held multiple meetings in 2011, 2012, and 2013 how to deal with the issue of elected officials salaries. We arrived at two important conclusions: (1) Market factors and other comparative analysis have limited application; and (2) Political factors are inevitably an overriding consideration in making such adjustments. The EJCC responsibility is to remove, to the maximum extent possible, political considerations from our recommendations. Our study efforts and conclusions reflect a commitment to that goal. We have not consulted with any of the current officeholders or candidates for these offices. Our recommendations represent our collective professional opinion as individuals from across the political spectrum as to the need and rationale for a salary adjustment.

Conclusion

The EJCC recommends a substantial increase in the salary of Utah's Governor. (Increases in the Governor's salary automatically translate into increases in the other elected officials since they are tied to the salary of the governor.) Ultimately we find the current salary for the Chief Justice of the Utah Supreme Court, who is the head of the judicial branch, provides some underlying rationale for a salary figure. The heads of the legislative branch do not hold full-time positions. In total, these adjustments would increase state expenditures by \$262,700 ongoing from the General Fund (salary plus benefits – provided by the Office of the Legislative Fiscal Analyst).

Proposed Salary Recommendations

Office	Current Salary	Percent of Governor's Salary	Proposed Salary	Percent Increase
Governor	\$ 109,900	100%	\$ 150,000	36.5%
Lt. Governor	\$ 104,400	95%	\$ 142,500	36.5%
Attorney General	\$ 104,400	95%	\$ 142,500	36.5%
State Treasurer	\$ 104,400	95%	\$ 142,500	36.5%
State Auditor	\$ 104,400	95%	\$ 142,500	36.5%

Implementation Date

In its prior reports the EJCC did not discuss directly issues of implementation – whether salary adjustments should be phased in over multiple years or whether any salary adjustments should have a delayed implementation date. We are now at the mid-point in the terms of office for these positions. As such, we recommend that any adjustment not take effect until the date officeholders take office following the 2016 elections in January 2017.

Additional Recommendations

In addition to the actual salary proposals, the EJCC also recommends that the legislative mechanics for setting these salaries be modified. Currently any salary changes for these five positions, including COLA adjustments, are made via an independent piece of legislation (Utah Code Ann. § 67-22-1). This process is entirely unique to these positions. Salary adjustments for all other officials, including judges, are part of the appropriations process and set out in the appropriations act. It is important to note that judges' salaries are clearly delineated and are a separate line item in the appropriations act. The EJCC feels these five elected positions should be handled in the same manner.

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Appendix A: General Jurisdiction

	2012	Jan-13	Jan-14	2 year increase
	Salary	Salary	Salary	
Alabama	\$134,943.00	\$134,943.00	\$134,943.00	\$ -
Alaska	\$181,440.00	\$181,440.00	\$183,252.00	\$ 1,812.00
Arizona	\$145,000.00	\$145,000.00	\$145,000.00	\$ -
Arkansas	\$136,257.00	\$136,257.00	\$138,982.00	\$ 2,725.00
California	\$178,789.00	\$178,789.00	\$181,292.00	\$ 2,503.00
Colorado	\$128,598.00	\$128,598.00	\$133,228.00	\$ 4,630.00
Connecticut	\$146,780.00	\$146,780.00	\$154,559.00	\$ 7,779.00
Delaware	\$180,233.00	\$180,233.00	\$180,233.00	\$ -
District of Columbia	\$174,000.00	\$174,000.00	\$199,100.00	\$ 25,100.00
Florida	\$142,178.00	\$142,178.00	\$146,080.00	\$ 3,902.00
Georgia	\$148,891.00	\$148,891.00	\$155,252.00	\$ 6,361.00
Hawaii	\$136,127.00	\$136,127.00	\$185,736.00	\$ 49,609.00
Idaho	\$114,300.00	\$114,300.00	\$114,300.00	\$ -
Illinois	\$182,429.00	\$182,429.00	\$184,436.00	\$ 2,007.00
Indiana	\$130,080.00	\$130,080.00	\$134,112.00	\$ 4,032.00
Iowa	\$137,700.00	\$137,700.00	\$143,897.00	\$ 6,197.00
Kansas	\$120,037.00	\$120,037.00	\$120,037.00	\$ -
Kentucky	\$124,620.00	\$124,620.00	\$124,620.00	\$ -
Louisiana	\$137,744.00	\$137,744.00	\$143,253.00	\$ 5,509.00
Maine	\$111,969.00	\$111,969.00	\$115,356.00	\$ 3,387.00
Maryland	\$140,352.00	\$143,160.00	\$144,908.00	\$ 4,556.00
Massachusetts	\$129,694.00	\$129,694.00	\$144,694.00	\$ 15,000.00
Michigan	\$139,919.00	\$139,919.00	\$139,919.00	\$ -
Minnesota	\$129,124.00	\$129,124.00	\$134,289.00	\$ 5,165.00
Mississippi	\$104,170.00	\$112,128.00	\$112,128.00	\$ 7,958.00
Missouri	\$127,020.00	\$127,020.00	\$127,020.00	\$ -
Montana	\$113,928.00	\$113,928.00	\$117,600.00	\$ 3,672.00
Nebraska	\$134,694.00	\$134,694.00	\$141,428.00	\$ 6,734.00
Nevada	\$160,000.00	\$160,000.00	\$160,000.00	\$ -
New Hampshire	\$137,804.00	\$137,804.00	\$139,871.00	\$ 2,067.00
New Jersey	\$165,000.00	\$165,000.00	\$165,000.00	\$ -
New Mexico	\$111,631.00	\$111,631.00	\$112,747.44	\$ 1,116.44
New York	\$160,000.00	\$160,000.00	\$167,000.00	\$ 7,000.00
North Carolina	\$125,875.00	\$125,875.00	\$125,875.00	\$ -
North Dakota	\$126,597.00	\$126,597.00	\$131,661.00	\$ 5,064.00
Ohio	\$121,350.00	\$121,350.00	\$121,350.00	\$ -
Oklahoma	\$124,373.00	\$124,373.00	\$124,373.00	\$ -
Oregon	\$114,468.00	\$114,468.00	\$119,468.00	\$ 5,000.00
Pennsylvania	\$169,541.00	\$173,271.00	\$173,791.00	\$ 4,250.00
Rhode Island	\$149,207.00	\$149,207.00	\$149,207.00	\$ -
South Carolina	\$134,221.00	\$134,221.00	\$134,221.00	\$ -
South Dakota	\$113,688.00	\$113,688.00	\$117,099.00	\$ 3,411.00
Tennessee	\$156,792.00	\$161,808.00	\$165,204.00	\$ 8,412.00
Texas	\$125,000.00	\$125,000.00		
Utah	\$133,450.00	\$133,450.00	\$134,800.00	\$ 1,350.00
Vermont	\$126,369.00	\$126,369.00	\$131,040.00	\$ 4,671.00
Virginia	\$158,134.00	\$158,134.00	\$162,878.00	\$ 4,744.00
Washington	\$148,832.00	\$148,832.00	\$151,809.00	\$ 2,977.00
West Virginia	\$126,000.00	\$126,000.00	\$126,000.00	\$ -
Wisconsin	\$128,600.00	\$128,600.00	\$129,887.00	\$ 1,287.00
Wyoming	\$150,000.00	\$150,000.00	\$150,000.00	\$ -

Appendix B: Intermediate Appellate Court Judicial Salaries

	2012	Jan-13	Jan-14	2 year increase
	Salary	Salary	Salary	
Alabama	\$178,878.00	\$178,878.00	\$178,878.00	\$ -
Alaska	\$185,388.00	\$185,388.00	\$187,236.00	\$ 1,848.00
Arizona	\$150,000.00	\$150,000.00	\$150,000.00	\$ -
Arkansas	\$140,732.00	\$140,732.00	\$143,547.00	\$ 2,815.00
California	\$204,599.00	\$204,599.00	\$207,463.00	\$ 2,864.00
Colorado	\$134,128.00	\$134,128.00	\$138,957.00	\$ 4,829.00
Connecticut	\$152,637.00	\$152,637.00	\$160,727.00	\$ 8,090.00
Delaware				\$ -
District of Columbia				\$ -
Florida	\$150,077.00	\$150,077.00	\$154,140.00	\$ 4,063.00
Georgia	\$166,186.00	\$166,186.00	\$166,186.00	\$ -
Hawaii	\$139,924.00	\$139,924.00	\$190,908.00	\$ 50,984.00
Idaho	\$120,900.00	\$120,900.00	\$120,900.00	\$ -
Illinois	\$198,805.00	\$198,805.00	\$200,992.00	\$ 2,187.00
Indiana	\$152,293.00	\$152,293.00	\$157,014.00	\$ 4,721.00
Iowa	\$147,900.00	\$147,900.00	\$154,556.00	\$ 6,656.00
Kansas	\$131,518.00	\$131,518.00	\$131,518.00	\$ -
Kentucky	\$130,044.00	\$130,044.00	\$130,044.00	\$ -
Louisiana	\$143,647.00	\$143,647.00	\$148,962.00	\$ 5,315.00
Maine				\$ -
Maryland	\$149,552.00	\$152,543.00	\$154,108.00	\$ 4,556.00
Massachusetts	\$135,087.00	\$135,087.00	\$150,087.00	\$ 15,000.00
Michigan	\$151,441.00	\$151,441.00	\$151,441.00	\$ -
Minnesota	\$137,552.00	\$137,552.00	\$143,054.00	\$ 5,502.00
Mississippi	\$105,050.00	\$114,994.00	\$114,994.00	\$ 9,944.00
Missouri	\$134,685.00	\$134,685.00	\$134,685.00	\$ -
Montana				\$ -
Nebraska	\$138,334.00	\$138,334.00	\$145,251.00	\$ 6,917.00
Nevada				\$ -
New Hampshire				\$ -
New Jersey	\$175,534.00	\$175,534.00	\$175,534.00	\$ -
New Mexico	\$117,506.00	\$117,506.00	\$118,681.51	\$ 1,175.51
New York	\$168,600.00	\$168,600.00	\$170,700.00	\$ 2,100.00
North Carolina	\$133,109.00	\$133,109.00	\$133,109.00	\$ -
North Dakota				\$ -
Ohio	\$132,000.00	\$132,000.00	\$132,000.00	\$ -
Oklahoma	\$130,410.00	\$130,410.00	\$130,410.00	\$ -
Oregon	\$122,820.00	\$122,820.00	\$127,820.00	\$ 5,000.00
Pennsylvania	\$184,282.00	\$188,337.00	\$188,903.00	\$ 4,621.00
Rhode Island				\$ -
South Carolina	\$137,753.00	\$137,753.00	\$137,753.00	\$ -
South Dakota				\$ -
Tennessee	\$162,396.00	\$167,592.00	\$171,108.00	\$ 8,712.00
Texas	\$137,500.00	\$137,500.00		
Utah	\$140,100.00	\$140,100.00	\$141,550.00	\$ 1,450.00
Vermont				\$ -
Virginia	\$168,322.00	\$168,322.00	\$173,177.00	\$ 4,855.00
Washington	\$156,328.00	\$156,328.00	\$159,455.00	\$ 3,127.00
West Virginia				\$ -
Wisconsin	\$136,316.00	\$136,316.00	\$137,681.00	\$ 1,365.00
Wyoming				\$ -

Appendix C: Supreme Court Associate Judges

	2012	Jan-13	Jan-14	2 year increase
	Salary	Salary	Salary	
Alabama	\$180,005.00	\$180,005.00	\$180,005.00	\$ -
Alaska	\$196,224.00	\$196,224.00	\$198,192.00	\$ 1,968.00
Arizona	\$155,000.00	\$155,000.00	\$155,000.00	\$ -
Arkansas	\$145,204.00	\$145,204.00	\$148,108.00	\$ 2,904.00
California	\$218,237.00	\$218,237.00	\$221,292.00	\$ 3,055.00
Colorado	\$139,660.00	\$139,660.00	\$144,688.00	\$ 5,028.00
Connecticut	\$162,520.00	\$162,520.00	\$171,134.00	\$ 8,614.00
Delaware	\$190,639.00	\$190,639.00	\$191,860.00	\$ 1,221.00
District of Columbia	\$184,500.00	\$184,500.00	\$211,200.00	\$ 26,700.00
Florida	\$157,976.00	\$157,976.00	\$162,200.00	\$ 4,224.00
Georgia	\$167,210.00	\$167,210.00	\$167,210.00	\$ -
Hawaii	\$151,118.00	\$151,118.00	\$206,184.00	\$ 55,066.00
Idaho	\$121,900.00	\$121,900.00	\$121,900.00	\$ -
Illinois	\$211,228.00	\$211,228.00	\$213,552.00	\$ 2,324.00
Indiana	\$156,667.00	\$156,667.00	\$161,524.00	\$ 4,857.00
Iowa	\$163,200.00	\$163,200.00	\$170,544.00	\$ 7,344.00
Kansas	\$135,905.00	\$135,905.00	\$135,905.00	\$ -
Kentucky	\$135,504.00	\$135,504.00	\$135,504.00	\$ -
Louisiana	\$150,772.00	\$150,772.00	\$159,064.00	\$ 8,292.00
Maine	\$119,476.00	\$119,476.00	\$123,073.00	\$ 3,597.00
Maryland	\$162,352.00	\$165,600.00	\$166,908.00	\$ 4,556.00
Massachusetts	\$145,984.00	\$145,984.00	\$160,984.00	\$ 15,000.00
Michigan	\$164,610.00	\$164,610.00	\$164,610.00	\$ -
Minnesota	\$145,981.00	\$145,981.00	\$151,820.00	\$ 5,839.00
Mississippi	\$112,530.00	\$122,460.00	\$122,460.00	\$ 9,930.00
Missouri	\$147,591.00	\$147,591.00	\$147,591.00	\$ -
Montana	\$121,434.00	\$121,434.00	\$124,949.00	\$ 3,515.00
Nebraska	\$145,615.00	\$145,615.00	\$152,895.00	\$ 7,280.00
Nevada	\$170,000.00	\$170,000.00	\$170,000.00	\$ -
New Hampshire	\$146,917.00	\$146,917.00	\$149,121.00	\$ 2,204.00
New Jersey	\$185,482.00	\$185,482.00	\$185,482.00	\$ -
New Mexico	\$123,691.00	\$123,691.00	\$124,927.91	\$ 1,236.91
New York	\$177,000.00	\$177,000.00	\$184,800.00	\$ 7,800.00
North Carolina	\$138,896.00	\$138,896.00	\$138,896.00	\$ -
North Dakota	\$138,159.00	\$138,159.00	\$143,685.00	\$ 5,526.00
Ohio	\$141,600.00	\$141,600.00	\$141,600.00	\$ -
Oklahoma	\$137,655.00	\$137,655.00	\$137,655.00	\$ -
Oregon	\$125,688.00	\$125,688.00	\$130,688.00	\$ 5,000.00
Pennsylvania	\$195,309.00	\$199,606.00	\$200,205.00	\$ 4,896.00
Rhode Island	\$165,726.00	\$165,726.00	\$165,726.00	\$ -
South Carolina	\$141,286.00	\$141,286.00	\$141,286.00	\$ -
South Dakota	\$121,718.00	\$121,718.00	\$125,370.00	\$ 3,652.00
Tennessee	\$167,976.00	\$173,352.00	\$176,988.00	\$ 9,012.00
Texas	\$150,000.00	\$150,000.00	\$168,000.00	\$ 18,000.00
Utah	\$146,800.00	\$146,800.00	\$148,300.00	\$ 1,500.00
Vermont	\$132,928.00	\$132,928.00	\$137,842.00	\$ 4,914.00
Virginia	\$183,839.00	\$183,839.00	\$188,949.00	\$ 5,110.00
Washington	\$164,221.00	\$164,221.00	\$167,505.00	\$ 3,284.00
West Virginia	\$136,000.00	\$136,000.00	\$136,000.00	\$ -
Wisconsin	\$144,495.00	\$144,495.00	\$145,942.00	\$ 1,447.00
Wyoming	\$165,000.00	\$165,000.00	\$165,000.00	\$ -

Appendix D: Summary of Judicial Applicants by District

Number of Vacancies	Number of Applicants	Number of Unique Applicants within the District	Average Number of Applicants	Gender		Average Years of Experience	Practice History					
				Female	Male		Government	Primarily Government	Total Government	Private	Primarily Private	Total Private
1st District Total	67	45	22.3	6.0%	94.0%	18.8	10.4%	20.9%	31.3%	46.3%	22.4%	68.7%
1st District	67	45	22.3	6.0%	94.0%	18.8	10.4%	20.9%	31.3%	46.3%	22.4%	68.7%
1st Juvenile	0	0	0.0	0.0%	0.0%	0.0	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
2nd District Total	107	75	26.8	23.4%	76.6%	18.7	16.8%	29.0%	45.8%	36.4%	17.8%	54.2%
2nd District	62	46	31.0	12.9%	87.1%	19.8	14.5%	19.4%	33.9%	45.2%	21.0%	66.1%
2nd Juvenile	45	37	22.5	37.8%	62.2%	17.1	20.0%	42.2%	62.2%	24.4%	13.3%	37.8%
3rd District Total	361	149	32.8	24.7%	75.3%	18.7	21.3%	21.9%	43.2%	29.4%	19.7%	49.0%
3rd District	280	108	35	21.8%	78.2%	18.9	17.9%	20.0%	37.9%	32.1%	20.0%	52.1%
3rd Juvenile	81	41	27.0	34.6%	65.4%	18.3	33.3%	28.4%	61.7%	18.5%	19.8%	38.3%
4th District Total	84	65	28.0	13.1%	86.9%	15.1	10.7%	25.0%	35.7%	44.0%	20.2%	64.3%
4th District	24	19	24.0	8.3%	91.7%	16.1	8.3%	20.8%	29.2%	58.3%	12.5%	70.8%
4th Juvenile	60	46	30.0	15.0%	85.0%	14.6	11.7%	26.7%	38.3%	38.3%	23.3%	61.7%
5th District Total	94	60	31.3	10.6%	87.2%	18.0	11.7%	29.8%	41.5%	37.2%	21.3%	58.5%
5th District	52	37	26.0	5.8%	94.2%	18.0	9.6%	26.9%	36.5%	36.5%	26.9%	63.5%
5th Juvenile	42	23	42.0	16.7%	83.3%	18.0	14.3%	33.3%	47.6%	38.1%	14.3%	52.4%
8th District Total	81	34	27.0	9.9%	90.1%	19.0	11.1%	28.4%	39.5%	24.7%	35.8%	60.5%
8th District	24	24	24.0	4.2%	95.8%	19.4	8.3%	33.3%	41.7%	25.0%	33.3%	58.3%
8th Juvenile	57	31	28.5	12.3%	87.7%	18.8	12.3%	26.3%	38.6%	24.6%	36.8%	61.4%
Court of Appeals	51	46	25.5	35.3%	64.7%	21.2	7.8%	33.3%	41.2%	27.5%	31.4%	58.8%
Overall	845	348	29.1	19.5%	80.5%	18.5	16.6%	25.8%	42.4%	33.1%	24.5%	57.6%
District	509	219	29.9	15.5%	84.5%	18.8	15.7%	22.4%	38.1%	37.7%	24.2%	61.9%
Juvenile	285	161	28.5	23.9%	76.1%	17.4	19.6%	30.5%	50.2%	26.0%	23.9%	49.8%

Note: This table summarizes the applications for 25 judicial vacancies by district and, if applicable, by vacancy type within each District—juvenile or district court. Tables displaying the breakdown of individual Districts and the average years experience by practice type can be found on the next two worksheets. In this table, the number of unique applicants within each District does not take into consideration any duplicate applicants who may have applied to other District vacancies. Similarly, the number of unique applicants in the district and juvenile subcategories does not consider as duplicates those applicants who have applied to both juvenile and district court vacancies, only the applicants within each vacancy type. Therefore, the district and juvenile subcategory will not add up to the District total, which considers both together. The total number of unique applicants across all Districts can be found in the overall totals.

APPENDIX E: State Appointed Officials

Job Title	Salary
COMMISSIONER, PUBLIC SERVICE COMMISSION	\$111,321.60
COMMISSIONER OF AGRICULTURE	\$102,627.20
COMMISSIONER, PUBLIC SERVICE COMMISSION	\$111,321.60
COMMISSIONER, PUBLIC SERVICE COMMISSION	\$111,321.60
EXECUTIVE DIRECTOR, TAX COMMISSION	\$117,520.00
DIRECTOR, OFFICE OF PLANNING AND BUDGET	\$130,977.60
COMMISSIONER, TAX COMMISSION	\$117,395.20
COMMISSIONER, PUBLIC SAFETY	\$117,520.00
EXECUTIVE DIRECTOR, DHS	\$130,977.60
COMMISSIONER, TAX COMMISSION	\$117,395.20
DIRECTOR, GOVERNORS OFFICE ECONOMIC DEVT	\$127,483.20
EXECUTIVE DIRECTOR, HERITAGE AND ARTS	\$111,113.60
EXECUTIVE DIRECTOR, COMMERCE	\$127,254.40
COMMISSIONER, INSURANCE	\$108,347.20
EXECUTIVE DIRECTOR, CCJJ	\$102,627.20
COMMISSIONER, LABOR COMMISSION	\$102,627.20
EXECUTIVE DIRECTOR, DEPT. OF HUMAN RESOURCE MGMT	\$127,483.20
EXECUTIVE DIRECTOR, DEPARTMENT OF ADMIN SERVICES	\$117,520.00
CHAIR, TAX COMMISSION	\$117,395.20
COMMISSIONER, TAX COMMISSION	\$117,395.20
COMMISSIONER, FINANCIAL INSTITUTIONS	\$114,358.40
EXECUTIVE DIR UTAH SCIENCE TECHNOLOGY AND	\$117,520.00
EXECUTIVE DIRECTOR, UDOT	\$160,222.40
EXECUTIVE DIRECTOR, DEPT OF CORRECTIONS	\$117,520.00
EXECUTIVE DIRECTOR, DEPT OF HEALTH	\$134,576.00
DIRECTOR, ALCOHOLIC BEVERAGE CONTROL COMMISSION	\$115,003.20
CHAIRMAN, BOARD OF PARDONS	\$111,321.60
EXECUTIVE DIRECTOR, DEPT OF VETERANS AFFAIRS	\$97,198.40
EXECUTIVE DIRECTOR, DEQ	\$118,102.40
EXECUTIVE DIRECTOR, DNR	\$127,483.20
ADJUTANT GENERAL	\$102,627.20
CHIEF INFORMATION OFFICER	\$130,977.60
average	\$117,954
median	\$117,395
low	\$97,198
high	\$160,222
range	\$63,024

APPENDIX F: Local Government

The EJCC considered compensation/salary for relevant positions at the local government level. Local government positions are just a sample of some larger-sized municipalities and counties. The EJCC made an estimate of what the state equivalent salary would be so we were making base salary comparisons (state equivalent salary = total compensation ÷ 1.45. The .45 reflects benefit levels.) Positions are compared to the state elected executive position of the (1) Governor/Lt. Governor, (2) Attorney General, (3) State Auditor and (4) State Treasurer.

1. *Governor/Lt. Governor* – This includes a sample of 25 local government full-time relevant chief executive positions (including city mayor, county mayor, county commissioner city manager where there is no strong mayor position).

	Equiv. State Salary
Average	\$124,755
Median	\$126,829
Min	\$105,186
Max	\$160,410
Range	\$55,224

2. *Attorney General* – The sample includes 19 local government head attorneys for both cities and counties.

	Equiv. State Salary
Average	\$120,044
Median	\$116,680
Min	\$101,801
Max	\$163,370
Range	\$61,569

3. *State Auditor* – This sample includes 9 local government lead auditor positions

	Equiv. State Salary
Average	\$87,946
Median	\$76,426
Min	\$50,769
Max	\$172,106
Range	\$121,337

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4. State Treasurer – This sample includes 18 local government treasurer position:

	Equiv. State Salary
Average	\$84,403
Median	\$74,673
Min	\$61,472
Max	\$161,010
Range	\$99,538

APPENDIX G: University President Salaries

2012-2013 President and Commissioner Salaries	
Institution	FY 2012-2013 Salary
University of Utah	\$ 351,887
Utah State University	\$ 286,621
Weber State University	\$ 193,639
Southern Utah University	\$ 194,930
Snow College	\$ 152,308
Dixie State University	\$ 161,588
Utah Valley University	\$ 194,930
Salt Lake Community College	\$ 194,059
Commissioner of Higher Education	\$ 235,000
average	\$ 218,329
median	\$ 194,930
min	\$ 152,308
max	\$ 351,887
range	\$ 199,579

APPENDIX H: Utah School District Superintendents

1. *Utah School District Superintendents* - includes 32 Utah school district superintendents:

	Base Salary
average	\$ 124,732
median	\$ 116,736
min	\$ 81,000
max	\$ 211,335
range	\$ 130,335

Appendix I: State Elected Executive Salary Comparison



THE COUNCIL OF STATE GOVERNMENTS
THE BOOK OF THE STATES 2014

EXECUTIVE BRANCH

Table 4.11

SELECTED STATE ADMINISTRATIVE OFFICIALS: ANNUAL SALARIES BY REGION

<i>State or other jurisdiction</i>	<i>Governor</i>	<i>Lieutenant governor</i>	<i>Attorney general</i>	<i>Treasurer</i>	<i>Auditor</i>
Alabama	0 (d)	68,556	166,002	85,248	85,248
Alaska	145,000	115,000	136,350	122,928	133,908
Arizona	95,000	(a-2)	90,000	70,000	128,785
Arkansas	86,890	41,896	72,408	N.A.	54,305
California	173,987	130,490	151,127	139,189	175,000
Colorado	90,000	68,500	80,000	68,500	140,000
Connecticut	150,000	110,000	110,000	110,000	(c)
Delaware	171,000	78,553	145,207	113,374	108,532
Florida	130,273 (d)	124,851	128,972	128,972	135,000
Georgia	139,339	91,609	137,791	163,125	159,215
Hawaii	143,748	140,220	140,220	140,220	133,536
Idaho	119,000	35,700	107,100	101,150	...
Illinois	177,412	135,669	156,541	135,669	151,035
Indiana	111,688	88,543	92,503	76,892	76,892
Iowa	130,000	103,212	123,669	103,212	103,212
Kansas	99,636	54,000	98,901	86,003	N.A.
Kentucky	138,012	117,329	117,329	117,329	117,329
Louisiana	130,000	115,000	115,000	115,000	132,620
Maine	70,000	(h) (e)	92,248	69,264	81,556
Maryland	150,000	125,000	125,000	125,000	...
Massachusetts	151,800	N.A.	130,582	127,917	137,425
Michigan	159,300	111,510	112,410	174,204	163,537
Minnesota	119,850	77,896	113,859	(a-24)	101,858
Mississippi	122,160	60,000	108,960	90,000	90,000
Missouri	133,821	86,484	116,437	107,746	107,746
Montana	108,167	86,362	115,817	(a-6)	88,099

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Nebraska	105,000	75,000	95,000	85,000	85,000
Nevada	149,573	63,648	141,086	102,898	...
New Hampshire	121,896	(e)	117,913	105,930	...
New Jersey	175,000	141,000	141,000	141,000	141,793
New Mexico	110,000	85,000	95,000	85,000	85,000
New York	179,000 (d)	151,500	151,500	127,000	151,500
North Carolina	141,265	124,676	124,676	124,676	124,676
North Dakota	121,679	94,461	143,685	91,406	96,794
Ohio	148,886	78,041	109,986	109,986	109,985
Oklahoma	147,000	114,713	132,825	114,713	114,713
Oregon	98,600	(a-2)	82,220	72,000	147,324
Pennsylvania (f)	187,818*	157,765*	156,264	156,264	156,264
Rhode Island (g)	129,210	108,808	115,610	108,808	140,050
South Carolina	106,078	46,545	92,007	92,007	104,433
South Dakota	104,002	(h)	103,892	83,135	105,348
Tennessee	181,980 (d)	60,609 (e)	176,988	190,260	190,260
Texas	150,000	7,200 (i)	150,000	(a-14)	198,000
Utah	109,470	104,000	98,509	104,000	104,000
Vermont	145,538	61,776	113,901	92,269	95,139
Virginia	175,000	36,321	150,000	162,214	168,279
Washington	166,891	93,948	151,718	116,950	116,950
West Virginia	150,000	(e)	95,000	95,000	95,000
Wisconsin	144,423	76,261	140,147	68,566	114,351
Wyoming	105,000	(a-2)	147,000	92,000	92,000
Guam	90,000	85,000	105,286	52,492	100,000
No. Mariana Islands	70,000	65,000	80,000	40,800 (b)	80,000
Puerto Rico	70,000	...	N.A.	N.A.	N.A.
U.S. Virgin Islands	80,000	75,000	76,500	76,500	76,500

Sources: The Council of State Governments' survey of state personnel agencies and state Web sites February 2014.