



P. DAVID SOARES  
DISTRICT ATTORNEY

COUNTY OF ALBANY  
OFFICE OF THE DISTRICT ATTORNEY  
COUNTY COURT HOUSE  
ALBANY, NEW YORK 12207  
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CHERYL K. FOWLER  
CHIEF ASSISTANT DISTRICT ATTORNEY

CHRISTOPHER D. HORN  
DEPUTY CHIEF ASSISTANT DISTRICT  
ATTORNEY

October 10, 2024

Rebekah Kennedy, Majority Counsel  
Albany County Legislature  
112 State Street, Rm. 700  
Albany, N.Y. 12207

Arnis Zilgme, Minority Counsel  
Albany County Legislature  
112 State Street, Rm. 1360  
Albany, N.Y. 12207

Dear Colleagues:

I am requesting legislative action to further the mission of the Office of the Albany County District Attorney. The attached Request for Legislative Action seeks permission to:

- Amend the Albany County District Attorney's Salary in accordance with Judiciary Law §183-a.

Attached is the request for legislative action and supporting documents. If you have any questions, please feel free to contact me at 275-4706.

Thank you for your assistance.

Sincerely,

P. David Soares  
Albany County District Attorney

## REQUEST FOR LEGISLATIVE ACTION

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**Requesting a resolution to amend the Albany County District Attorney's Salary to \$223,700 in accordance with Judiciary Law §183-a.**

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Date: 10/10/2024  
Submitted By: P. David Soares  
Department: District Attorney  
Title: District Attorney  
Phone: 5184875460  
Department Rep.  
Attending Meeting: David Soares, DA; Christopher Horn, Deputy Chief Assistant

### **Purpose of Request:**

- Adopting of Local Law
- Amendment of Prior Legislation
- Approval/Adoption of Plan/Procedure
- Bond Approval
- Budget Amendment
- Contract Authorization
- Countywide Services
- Environmental Impact/SEQR
- Home Rule Request
- Property Conveyance
- Other: (state if not listed) Click or tap here to enter text.

### **CONCERNING BUDGET AMENDMENTS**

#### **Increase/decrease category (choose all that apply):**

- Contractual
- Equipment
- Fringe
- Personnel
- Personnel Non-Individual
- Revenue

Increase Account/Line No.: A91165.10113  
Source of Funds: A91165.14020 002  
Title Change:

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## **CONCERNING CONTRACT AUTHORIZATIONS**

### **Type of Contract:**

- Change Order/Contract Amendment
- Purchase (Equipment/Supplies)
- Lease (Equipment/Supplies)
- Requirements
- Professional Services
- Education/Training
- Grant

Submission Date Deadline Click or tap to enter a date.

- Settlement of a Claim
- Release of Liability
- Other: (state if not listed)

### **Contract Terms/Conditions:**

Party (Name/address):

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee:

Click or tap here to enter text.

Scope of Services:

Bond Res. No.:

Date of Adoption:

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## **CONCERNING ALL REQUESTS**

Mandated Program/Service:

Yes  No

If Mandated Cite Authority:

Judicial Law 183-a

Is there a Fiscal Impact:

Yes  No

Anticipated in Current Budget:

Yes  No

### **County Budget Accounts:**

Revenue Account and Line:

A91165.14020 002

Revenue Amount:

\$15,675

Appropriation Account and Line:

A91165.10113

Appropriation Amount:

\$15,675

### **Source of Funding – (Percentages)**

Federal:

State:  
County: 100%  
Local:

Term

Term: (Start and end date)

Length of Contract:

Impact on Pending Litigation

Yes  No

If yes, explain:

Previous requests for Identical or Similar Action:

Resolution/Law Number: 12-457, 16-211, 18-210

Date of Adoption: December 3, 2012, May 9, 2016, May 14, 2018

**Justification:** (state briefly why legislative action is requested)

The linkage of District Attorney (DA) salaries to judicial salaries in New York is governed by state law (Judicial Law 183-a), which ties the compensation of county DAs to that of state judges. This law means that any increase in judicial pay directly impacts DA salaries, as their compensation must be at least as much as the county court judges in their respective counties.

The New York State Commission on Legislative, Judicial, and Executive Compensation plays a key role in setting judicial salaries. Every four years, the Commission meets to evaluate and recommend adjustments to the salaries of New York State judges, including those in the Supreme, County, Family, and Surrogate Courts. These recommendations, once made, automatically take effect unless the state legislature or the governor intervenes to modify or block them.

For 2024, the Commission recommended a 10.2% raise for judges, which took effect on April 1, 2024. This increase reflects inflation and seeks to close the pay gap between state and federal judges, ensuring competitive compensation. Since DA salaries are tied to judicial salaries, this raise would also lead to a corresponding increase in DA compensation across the state.

According to New York State law, Albany County's district attorney (DA) salary is directly linked to the salary of county court judges under Judicial Law 183-a, meaning the DA must be paid at least as much as the county court judge in the same jurisdiction. In Albany County, this salary is \$223,700 (see attached).

This resolution is requested to amend the salary of the District Attorney in accordance with Judiciary Law §183-a. This adjustment is retroactive, beginning on April 1, 2024 so the budget amendment requests that 75% of the \$20,900 additional annual rate be added to A91165.10113, which amounts to \$15,675.

DA Salary

**APPROPRIATIONS**

<b>ACCOUNT I</b>	<b>RESOLUTION DESCRIPTION</b>	<b>INCREASE</b>	<b>DECREASE</b>	<b>UNIT COST</b>	<b>DEPARTMENT NAME</b>	<b>ANNUAL</b>
A9 1165 1 0113	District Attorney	15,675.00		202,800.00	District Attorney	218,475.00
	<b>TOTAL APPROPRIATIONS</b>	<b>15,675.00</b>	<b>0.00</b>			

**ESTIMATED REVENUES**

<b>ACCOUNT I</b>	<b>RESOLUTION DESCRIPTION</b>	<b>INCREASE</b>	<b>DECREASE</b>	<b>UNIT COST</b>	<b>DEPARTMENT NAME</b>
A9 1165 1 4020	Criminal Forensic Auditor		15,675.00		District Attorney
	<b>TOTAL ESTIMATED REVENUES</b>	<b>0.00</b>	<b>15,675.00</b>		
	<b>GRAND TOTALS</b>	<b>15,675.00</b>	<b>15,675.00</b>		

<b>Court</b>	<b>03/28/2024 - 03/26/2025</b>
<b>Albany</b>	<b>223,700</b>
Allegany	221,100
Broome	221,100
Cattaraugus	221,100
Cayuga	221,100
Chautauqua	221,100
Chemung	221,100
Chenango	221,100
Clinton	221,100
Columbia	221,100
Cortland	221,100
Delaware	221,100
Dutchess	221,100
Erie	221,100
Essex	221,100
Franklin	221,100
Fulton	221,100
Genesee	221,100
Greene	221,100
Hamilton	221,100
Herkimer	221,100
Jefferson	221,100
Lewis	221,100
Livingston	221,100
Madison	221,100
Monroe	221,100
Montgomery	221,100
<b>Nassau</b>	<b>232,600</b>
Niagara	221,100
Oneida	221,100
Onondaga	221,100
Ontario	221,100
Orange	221,100
Orleans	221,100
Oswego	221,100
Ostego	221,100
<b>Putnam</b>	<b>223,700</b>
Rensselaer	221,100
Rockland	221,100
St. Lawrence	221,100
Saratoga	221,100
Schenectady	221,100
Schoharie	221,100
Schuyler	221,100
Seneca	221,100
Steuben	221,100
<b>Suffolk</b>	<b>232,600</b>
Sullivan	221,100
Tioga	221,100
Tompkins	221,100
<b>Ulster</b>	<b>223,700</b>
Warren	221,100
Washington	221,100
Wayne	221,100
<b>Westchester</b>	<b>232,600</b>
Wyoming	221,100
Yates	221,100

**RESOLUTION NO. 210**

**AUTHORIZING AN AGREEMENT WITH THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES REGARDING A SALARY INCREASE FOR THE DISTRICT ATTORNEY AND AMENDING THE 2018 DISTRICT ATTORNEY'S BUDGET**

Introduced: 5/14/18

By Audit and Finance Committee:

WHEREAS, NYS Judiciary Law §183-a provides that the salary of the District Attorney shall be the same as a County Judge, and

WHEREAS, Chapter 60 of the Laws of 2015 of the State of New York provides phased-in salary increases over the next four fiscal years, starting on April 1, 2016, with an additional salary increase in fiscal year 2018, and

WHEREAS, The District Attorney has requested a budget amendment in order to appropriate \$5,031 of funding for an increase in salary retroactive to April 1, 2018, now, therefore be it

RESOLVED, That the 2018 District Attorney's Budget is amended as follows:

Decrease Appropriation Account A1165.8 by \$5,031 by decreasing Line Item A1165 8 9060 Hospital and Medical Insurance by \$5,031

Increase Appropriation Account A1165.1 by \$5,031 by increasing Line Item A1165 1 0113 001 District Attorney by \$5,031 with an annual salary of \$200,000

and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

*Adopted by unanimous vote - 5/14/18*

**RESOLUTION NO. 457**

**AUTHORIZING AN AGREEMENT WITH THE NYS DIVISION OF  
CRIMINAL JUSTICE SERVICES REGARDING A SALARY INCREASE FOR  
THE DISTRICT ATTORNEY AND AMENDING THE 2012 DISTRICT  
ATTORNEY'S BUDGET**

Introduced: 12/3/12  
By Law Committee:

WHEREAS, NYS Judiciary Law §183-a provides that the salary of the District Attorney shall be the same as the County Judge, and

WHEREAS, Chapter 567 of the Laws of 2010 of the State of New York provides phased-in salary increases over the next three fiscal years, starting on April 1, 2012, with no increase in fiscal year 2015-2016, and

WHEREAS, The District Attorney has requested a budget amendment in order to appropriate the \$16,800 of funding for an increase in salary, now, therefore be it

RESOLVED, That the 2012 District Attorney's Budget is amended as follows:

Increase Revenue Account A3030 District Attorney's Salary by \$16,800

Increase Appropriation Account A1165.1 by \$16,800 by increasing Line Item A1165 1 0113 001 District Attorney by \$16,800 with an annual salary of \$148,200 for the remainder of fiscal year 2012

and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

*Adopted by unanimous vote. 12/3/12*



**RESOLUTION NO. 211**

**AUTHORIZING AN AGREEMENT WITH THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES REGARDING A SALARY INCREASE FOR THE DISTRICT ATTORNEY AND AMENDING THE 2016 DISTRICT ATTORNEY'S BUDGET**

Introduced: 5/9/16

By Audit and Finance Committee:

WHEREAS, NYS Judiciary Law §183-a provides that the salary of the District Attorney shall be the same as a County Judge, and

WHEREAS, Chapter 60 of the Laws of 2015 of the State of New York provides phased-in salary increases over the next four fiscal years, starting on April 1, 2016, with a salary increase in fiscal year 2016-2017, and

WHEREAS, The District Attorney has requested a budget amendment in order to appropriate the \$12,075 of funding for an increase in salary, now, therefore be it

RESOLVED, That the 2016 District Attorney's Budget is amended as follows:

Decrease Appropriation Account A1165.1 by \$12,075 by decreasing Line Item A1165 1 4020 Criminal Forensic Auditor by \$12,075 with an annual salary of \$61,200

Increase Appropriation Account A1165.1 by \$12,075 by increasing Line Item A1165 1 0113 001 District Attorney by \$12,075 with an annual salary of \$183,400

and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

*Adopted by unanimous vote. 5/9/16*

**L. 2020, Ch. 55, Part WW**

(all caps indicates insertions)

Section 1. Section 2 and subdivision 7 of section 3 of part E of chapter 60 of the laws of 2015, establishing a commission on legislative, judicial, and executive compensation, and providing for the powers and duties of the commission and for the dissolution of the commission, subdivision 7 of section 3 as amended by section 1 of part VVV of chapter 59 of the laws of 2019, are amended to read as follows:

§ 2. 1. (A) On the first of June of every fourth year, commencing June 1, 2015, there shall be established a commission on legislative, judicial and executive compensation to examine, evaluate and make recommendations with respect to adequate levels of compensation and non-salary benefits for members of the legislature, judges and justices of the state-paid courts of the unified court system, statewide elected officials, and those state officers referred to in section 169 of the executive law.

(B) NOTWITHSTANDING ANY PROVISION OF THIS ACT TO THE CONTRARY, THE COMMISSION ESTABLISHED IN THE YEAR 2019 MAY EXAMINE, EVALUATE AND MAKE RECOMMENDATIONS WITH RESPECT TO ADEQUATE LEVELS OF COMPENSATION AND NON-SALARY BENEFITS FOR JUDGES AND JUSTICES OF THE STATE-PAID COURTS OF THE UNIFIED COURT SYSTEM DURING ITS EXAMINATION OF AND MAKING RECOMMENDATIONS FOR LEGISLATIVE AND EXECUTIVE COMPENSATION IN THE YEAR 2020.

2. (a) In accordance with the provisions of this section, the commission shall examine:

(1) the prevailing adequacy of pay levels and other non-salary benefits received by members of the legislature, statewide elected officials, and those state officers referred to in section 169 of the executive law; and

(2) the prevailing adequacy of pay levels and non-salary benefits received by the judges and justices of the state-paid courts of the unified court system and housing judges of the civil court of the city of New York and determine whether any of such pay levels warrant adjustment; and

(b) The commission shall determine whether:

(1) for any of the four years commencing on the first of April of such years, following the year in which the commission is established OR AUTHORIZED BY THIS ACT TO EVALUATE AND MAKE RECOMMENDATIONS ON SUCH SALARIES, the annual salaries for the judges and justices of the state-paid courts of the unified court system and housing judges of the civil court of the city of New York warrant an increase; and

(2) on the first of January after the November general election at which members of the state legislature are elected following the year in which the commission is established, and on the first of January following the next such election, the like annual salaries and allowances of

members of the legislature, and salaries of statewide elected officials and state officers referred to in section 169 of the executive law warrant an increase.

3. In discharging its responsibilities under subdivision two of this section, the commission shall take into account all appropriate factors including, but not limited to: the overall economic climate; rates of inflation; changes in public-sector spending; the levels of compensation and non-salary benefits received by executive branch officials and legislators of other states and of the federal government; the levels of compensation and non-salary benefits received by professionals in government, academia and private and nonprofit enterprise; and the state's ability to fund increases in compensation and non-salary benefits.

7. The commission shall make a report to the governor, the legislature and the chief judge of the state of its findings, conclusions, determinations and recommendations, if any, not later than the thirty-first of December of the year in which the commission is established for judicial compensation and the fifteenth of November the following year for legislative and executive compensation; PROVIDED, HOWEVER, THE REPORT MADE BY THE COMMISSION IN THE YEAR TWO THOUSAND TWENTY REGARDING JUDICIAL, LEGISLATIVE AND EXECUTIVE COMPENSATION SHALL BE ISSUED NOT LATER THAN NOVEMBER 15, 2020. Any findings, conclusions, determinations and recommendations in the report must be adopted by a majority vote of the commission and shall also be supported by at least one member appointed by each appointing authority. Each recommendation made to implement a determination pursuant to section two of this act shall have the force of law, and shall supersede, where appropriate, inconsistent provisions of article 7-B of the judiciary law, section 169 of the executive law, and sections 5 and 5-a of the legislative law, unless modified or abrogated by statute prior to April first of the year as to which such determination applies to judicial compensation and January first of the year as to which such determination applies to legislative and executive compensation.

§ 2. This act shall take effect immediately.

**L. 2019, Ch. 59, Part VVV**

(Brackets and strike through indicate deletions)

Section 1. Subdivision 7 of section 3 of part E of chapter 60 of the laws of 2015, establishing a commission on legislative, judicial and executive compensation, and providing for the powers and duties of the commission and for the dissolution of the commission, is amended to read as follows:

7. The commission shall make a report to the governor, the legislature and the chief judge of the state of its findings, conclusions, determinations and recommendations, if any, not later than the thirty-first of December of the year in which the commission is established for judicial compensation and the fifteenth of November the following year for legislative and executive compensation. Any findings, conclusions determinations and recommendations in the report must be adopted by a majority vote of the commission and [~~findings, conclusions, determinations and recommendations with respect to executive and legislative compensation~~] shall also be supported by at least one member appointed by each appointing authority. Each recommendation made to implement a determination pursuant to section two of this act shall have the force of law, and shall supersede, where appropriate, inconsistent provisions of article 7-B of the judiciary law, section 169 of the executive law, and sections 5 and 5-a of the legislative law, unless modified or abrogated by statute prior to April first of the year as to which such determination applies to judicial compensation and January first of the year as to which such determination applies to legislative and executive compensation.

§ 2. This act shall take effect immediately.

L. 2015, ch. 60, Part E  
(Establishing Commission on Legislative, Judicial and  
Executive Compensation)

1

## PART E

2 Section 1. Chapter 567 of the laws of 2010 relating to establishing a  
3 special commission on compensation, and providing for their powers and  
4 duties; and to provide periodic salary increases to state officers is  
5 REPEALED.

6 § 2. 1. On the first of June of every fourth year, commencing June 1,  
7 2015, there shall be established a commission on legislative, judicial  
8 and executive compensation to examine, evaluate and make recommendations  
9 with respect to adequate levels of compensation and non-salary benefits  
10 for members of the legislature, judges and justices of the state-paid  
11 courts of the unified court system, statewide elected officials, and  
12 those state officers referred to in section 169 of the executive law.

13 2. (a) In accordance with the provisions of this section, the commis-  
14 sion shall examine: (1) the prevailing adequacy of pay levels and other  
15 non-salary benefits received by members of the legislature, statewide  
16 elected officials, and those state officers referred to in section 169  
17 of the executive law; and

18 (2) the prevailing adequacy of pay levels and non-salary benefits  
19 received by the judges and justices of the state-paid courts of the  
20 unified court system and housing judges of the civil court of the city  
21 of New York and determine whether any of such pay levels warrant adjust-  
22 ment; and

23 (b) The commission shall determine whether: (1) for any of the four  
24 years commencing on the first of April of such years, following the year  
25 in which the commission is established, the annual salaries for the  
26 judges and justices of the state-paid courts of the unified court system  
27 and housing judges of the civil court of the city of New York warrant an  
28 increase; and

29 (2) on the first of January after the November general election at  
30 which members of the state legislature are elected following the year in  
31 which the commission is established, and on the first of January follow-  
32 ing the next such election, the like annual salaries and allowances of  
33 members of the legislature, and salaries of statewide elected officials  
34 and state officers referred to in section 169 of the executive law  
35 warrant an increase.

36 3. In discharging its responsibilities under subdivision two of this  
37 section, the commission shall take into account all appropriate factors  
38 including, but not limited to: the overall economic climate; rates of  
39 inflation; changes in public-sector spending; the levels of compensation  
40 and non-salary benefits received by executive branch officials and  
41 legislators of other states and of the federal government; the levels of  
42 compensation and non-salary benefits received by professionals in  
43 government, academia and private and nonprofit enterprise; and the  
44 state's ability to fund increases in compensation and non-salary bene-  
45 fits.

46 § 3. 1. The commission shall consist of seven members to be appointed  
47 as follows: three shall be appointed by the governor; one shall be  
48 appointed by the temporary president of the senate; one shall be  
49 appointed by the speaker of the assembly; and two shall be appointed by  
50 the chief judge of the state, one of whom shall serve as chair of the  
51 commission. With regard to any matters regarding legislative or execu-  
52 tive compensation, the chair shall preside but not vote. Vacancies in  
53 the commission shall be filled in the same manner as original appoint-  
54 ments. To the extent practicable, members of the commission shall have

1 experience in one or more of the following: determination of executive  
2 compensation, human resource administration or financial management.

3 2. The commission shall only meet within the state, may hold public  
4 hearings, at least one of which shall be open for the public to provide  
5 comments and shall have all the powers of a legislative committee pursu-  
6 ant to the legislative law. It shall be governed by articles 6, 6-A and  
7 7 of the public officers law.

8 3. The members of the commission shall receive no compensation for  
9 their services but shall be allowed their actual and necessary expenses  
10 incurred in the performance of their duties hereunder.

11 4. No member of the commission shall be disqualified from holding any  
12 other public office or employment, nor shall he or she forfeit any such  
13 office or employment by reason of his or her appointment pursuant to  
14 this section, notwithstanding the provisions of any general, special or  
15 local law, regulation, ordinance or city charter.

16 5. To the maximum extent feasible, the commission shall be entitled to  
17 request and receive and shall utilize and be provided with such facili-  
18 ties, resources and data of any court, department, division, board,  
19 bureau, commission, agency or public authority of the state or any poli-  
20 tical subdivision thereof as it may reasonably request to carry out  
21 properly its powers and duties pursuant to this section.

22 6. The commission may request, and shall receive, reasonable assist-  
23 ance from state agency personnel as necessary for the performance of its  
24 function.

25 7. The commission shall make a report to the governor, the legisla-  
26 ture and the chief judge of the state of its findings, conclusions,  
27 determinations and recommendations, if any, not later than the thirty-  
28 first of December of the year in which the commission is established for  
29 judicial compensation and the fifteenth of November the following year  
30 for legislative and executive compensation. Any findings, conclusions,  
31 determinations and recommendations in the report must be adopted by a  
32 majority vote of the commission and findings, conclusions, determi-  
33 nations and recommendations with respect to executive and legislative  
34 compensation shall also be supported by at least one member appointed by  
35 each appointing authority. Each recommendation made to implement a  
36 determination pursuant to section two of this act shall have the force  
37 of law, and shall supersede, where appropriate, inconsistent provisions  
38 of article 7-B of the judiciary law, section 169 of the executive law,  
39 and sections 5 and 5-a of the legislative law, unless modified or abro-  
40 gated by statute prior to April first of the year as to which such  
41 determination applies to judicial compensation and January first of the  
42 year as to which such determination applies to legislative and executive  
43 compensation.

44 8. Upon the making of its report as provided in subdivision seven of  
45 this section, each commission established pursuant to this section shall  
46 be deemed dissolved.

47 § 4. Date of entitlement to salary increase. Notwithstanding the  
48 provisions of this act or of any other law, each increase in salary or  
49 compensation of any officer or employee provided by this act shall be  
50 added to the salary or compensation of such officer or employee at the  
51 beginning of that payroll period the first day of which is nearest to  
52 the effective date of such increase as provided in this act, or at the  
53 beginning of the earlier of two payroll periods the first days of which  
54 are nearest but equally near to the effective date of such increase as  
55 provided in this act; provided, however, the payment of such salary  
56 increase pursuant to this section on a date prior thereto instead of on

1 such effective date, shall not operate to confer any additional salary  
2 rights or benefits on such officer or employee. The annual salaries as  
3 prescribed pursuant to this act whenever adjusted pursuant to the  
4 provisions of this act, shall be rounded up to the nearest multiple of  
5 one hundred dollars.

6 § 5. This act shall take effect immediately and shall be deemed to  
7 have been in full force and effect on and after April 1, 2015.

8

PART F

9 Section 1. This act shall be known and may be cited as the "Infras-  
10 tructure investment act".

11 § 2. For the purposes of this act:

12 (a) "authorized state entity" shall mean the New York state thruway  
13 authority, the department of transportation, the office of parks, recre-  
14 ation and historic preservation, the department of environmental conser-  
15 vation and the New York state bridge authority.

16 (b) "best value" shall mean the basis for awarding contracts for  
17 services to the offerer that optimize quality, cost and efficiency,  
18 price and performance criteria, which may include, but is not limited  
19 to:

- 20 1. The quality of the contractor's performance on previous projects;
- 21 2. The timeliness of the contractor's performance on previous  
22 projects;
- 23 3. The level of customer satisfaction with the contractor's perform-  
24 ance on previous projects;
- 25 4. The contractor's record of performing previous projects on budget  
26 and ability to minimize cost overruns;
- 27 5. The contractor's ability to limit change orders;
- 28 6. The contractor's ability to prepare appropriate project plans;
- 29 7. The contractor's technical capacities;
- 30 8. The individual qualifications of the contractor's key personnel;
- 31 9. The contractor's ability to assess and manage risk and minimize  
32 risk impact; and
- 33 10. The contractor's past record of compliance with article 15-A of  
34 the executive law.

35 Such basis shall reflect, wherever possible, objective and quantifi-  
36 able analysis.

37 (c) "capital project" shall have the same meaning as such term is  
38 defined by subdivision 2-a of section 2 of the state finance law.

39 (d) "cost plus" shall mean compensating a contractor for the cost to  
40 complete a contract by reimbursing actual costs for labor, equipment and  
41 materials plus an additional amount for overhead and profit.

42 (e) "design-build contract" shall mean a contract for the design and  
43 construction of a capital project with a single entity, which may be a  
44 team comprised of separate entities.

45 (f) "procurement record" means documentation of the decisions made and  
46 the approach taken in the procurement process.

47 § 3. Notwithstanding the provisions of section 38 of the highway law,  
48 section 136-a of the state finance law, section 359 of the public  
49 authorities law, section 7210 of the education law, and the provisions  
50 of any other law to the contrary, and in conformity with the require-  
51 ments of this act, an authorized state entity may utilize the alterna-  
52 tive delivery method referred to as design-build contracts, in consulta-  
53 tion with relevant local labor organizations and construction industry,  
54 for capital projects related to the state's physical infrastructure,



## COMMISSION ON LEGISLATIVE, JUDICIAL AND EXECUTIVE COMPENSATION

December 4, 2023

The Honorable Kathy Hochul  
Governor of the State of New York  
State Capitol  
Albany, New York 12224

The Honorable President Pro Tem  
Majority Leader Andrea Stewart-Cousins  
State Capitol Building  
Room 330  
Albany, New York 12247

The Honorable Carl E. Heastie  
Speaker of the New York State Assembly  
Legislative Office Building, Room 932  
Albany, New York 12248

The Honorable Rowan D. Wilson  
Chief Judge of the State of New York  
20 Eagle Street  
Albany, New York 12207

Dear Governor Hochul, President Pro Tem, Majority Leader Stewart-Cousins, Speaker Heastie and Chief Judge Wilson:

I am pleased to submit this report on behalf of the Commission on Legislative, Judicial and Executive Compensation. Pursuant to Chapter 60 of the Laws of 2015, amended in the Laws of 2019 Chapter 59, Part VVV, this report sets forth the Commission's recommendations with respect to the compensation levels of judges and justices of the State-paid courts of the Unified Court System, fiscal years 2024 to 2027.

The Commission considered a broad range of data, beginning with the factors delineated in Part E of Chapter 60. The Commission held two (2) days of public hearings. All public meetings and hearings were broadcast live over the Internet. The Commission carefully reviewed the public testimony and written submissions received.

The recommendations of the Commission are based on our understanding of what is fair compensation for the judges of New York State. We believe that our recommendations are supported by the factual record. Most importantly, the Commission relied upon the criteria set out in L. 2015, Ch. 60 Part E§3:

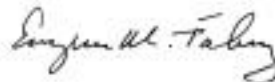
“[t]he Commission shall take into account all appropriate factors including, but not limited to: the overall economic climate; rates of inflation; changes in public-sector spending; the levels of compensation and non-salary benefits received by executive branch officials and legislators of other states and of the federal government; the levels of compensation and non-salary benefits received by professionals in government, academia and private and nonprofit enterprise; and the state’s ability to fund increases in compensation and non-salary benefits”

Further, the Commission reviewed the salary levels and systems of compensation for Federal Court Judges and other State Court Judges.

We believe our Judges are among the best in the nation. The recommended salary levels will help to attract and retain both the diversity and the excellence of the bench to ensure a strong and independent judiciary. This is what the people of New York deserve.

I would like to thank all the members of the Commission for their time, hard work, and dedication that they have given to our mission. As we move forward to the next phase of our responsibilities - determining appropriate levels of legislative and executive compensation - I look forward to working with them.

Respectfully,

A handwritten signature in cursive script, reading "Eugene M. Fahey".

Eugene M. Fahey  
Chair

**COMMISSION ON LEGISLATIVE, JUDICIAL AND EXECUTIVE COMPENSATION**

**FINAL REPORT ON JUDICIAL COMPENSATION**

**December 4, 2023**

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## **MEMBERS OF THE COMMISSION ON LEGISLATIVE, JUDICIAL AND EXECUTIVE COMPENSATION**

**Hon. Eugene M. Fahey (Ret.)**, Associate Judge of the Court of Appeals (Ret.), is from Buffalo, New York. He attended high school at St. Joseph's Collegiate Institute. Later, he graduated from the State University of New York with a B.A. in political science in 1974 (cum laude), a law degree in 1984 and an M.A. in European History in 1998. Judge Fahey was a member of the Buffalo Common Council from 1978 to 1983 and again from 1988 to 1994. He served as Law Clerk to Judge Edgar C. NeMoyer in the New York Court of Claims before entering private practice in 1985, serving as house counsel for Kemper Insurance Company until 1993. Judge Fahey was elected to Buffalo City Court in 1994.

He was elected to the Supreme Court in 1996, and was re-elected in 2010. As a Supreme Court Justice, Judge Fahey was assigned to handle a civil calendar as well as criminal Special Term and presided over a variety of cases in Erie County as well as the outlying counties in the Eighth Judicial District. He was assigned to the Commercial Division in Erie County in January 2005 until his appointment by Governor George E. Pataki to the Appellate Division, Fourth Department in December 2006. In January 2015, Judge Fahey was nominated to the Court of Appeals by Governor Andrew Cuomo. The New York State Senate unanimously confirmed that nomination on February 9, 2015. In 2021 Judge Fahey retired after reaching the mandatory age of 70. Presently he is an adjunct teacher at S.U.N.Y. at Buffalo School of Law. He and his wife, Colleen Maroney-Fahey live in Buffalo, New York. They are proud parents of Ann B.D. Fahey. Judge Fahey is an appointee of the Chief Judge as Chair of the Commission.

**Helene E. Blank**, graduated Magna Cum Laude from New York Law School in 1977. She was admitted to practice in New York in February 1978; admitted to practice in the Southern and Eastern Districts in 1980 and admitted to Practice before the Supreme Court of the United States in 1984.

She has been a litigator for most of her career. She has tried major personal injury lawsuits for both plaintiffs and defendants. Over the years, she has expanded her practice involving commercial and real estate matters as well as representing other attorneys in various matters affecting their practices. She has been appointed as a Receiver by Judges in both Kings County and New York.

She is presently a member of the OCA advisory panel on civil practice and has been on that panel for more than a decade. She has written and helped to write revisions of legislation and new legislation affecting civil practice in our Courts.

She was the President of the Brooklyn Women's Bar Association; member of the NYSBA civil practice committee; founding Member of the Brooklyn Women's Bar Foundation and helped establish a scholarship in the name of former associate justice of the appellate division and now corporation counsel Sylvia Hinds Radix; Board of Directors of New York State Trial Lawyers and a Dean of the New York State Trial Lawyers Institute, which oversees and directs its CLE programs. She was the President of the Kings County Inns of Court and one of its founding members; she has been the President of the Metropolitan Women's Bar Association; member of the New York State Bar Association, The New York State Women's Bar Association, The Jewish Lawyers Guild, the Brooklyn Bar Association, the Brooklyn Women's Bar Association, and The Brooklyn Chamber of

Commerce. As an attorney, she has been on numerous Office of Court Administration (OCA) committees. She has lectured for the New York State Supreme Court Judges Association, taught classes for Newly Elected Judges, lectured to Judges of the Civil Court of the City of New York and lectured for the following organizations; the State Bar, the Brooklyn Bar, New York County Lawyers, The Association of the Bar of the City of New York, the New York State Trial Lawyers Institute and the Columbian Lawyers. She has been appointed by various organizations to be their representative on Judicial Screening panels. She is the recipient of awards from the New York State Bar, the Brooklyn Women's Bar and the Civil Court Judges of Brooklyn. Ms. Blank is an appointee of the Chief Judge.

**Theresa L. Egan**, started her career as an attorney in 1987 with a small general practice law firm in Albany, and in November 1997 was elected the first woman Town Judge in town history. After 7 years on the bench, Terri was elected the first Democratic Town of Bethlehem Supervisor in over 130 years.

In April of 2007, she started her career with State government as a Deputy Commissioner for the Department of Motor Vehicles, and was promoted to Executive Deputy Commissioner and acting Commissioner of the DMV in 2015. While at DMV, she managed agency policy and oversaw all phases of operations of an agency which generated more than \$2 billion annually and had nearly 3,000 staff.

In October of 2020, she was asked to apply her operational abilities to assist the Department of Health during COVID managing all "people, places and money" and then retired from State service in October 2021.

Since her retirement, Terri has been serving as the President of Bethlehem Chamber of Commerce since July 2022, working with nearly 400 businesses to promote a robust business community within her home town and surrounding areas.

Terri has found that to be successful, throughout all of her endeavors, one must engage stakeholders to fully understand different perspectives, focusing on facts not rhetoric, and plainly communicate information, often and respectfully, through many channels. Ms. Egan is an appointee of the New York Assembly Speaker.

**R. Nadine Fontaine**, General Counsel to the Dormitory Authority of the State of New York, a statewide construction and financing public authority with a construction portfolio of over 1,000 projects valued at approximately \$9 billion, conduit debt bond issuer of approximately \$60 billion in bonds and notes, and other statutory program administration responsibilities. As DASNY's Chief Legal Officer, she is responsible for the management and oversight of all activities of the DASNY's Counsel's Office, which also includes oversight of the Office of Professional Integrity, Office of Diversity & Inclusion, and the FOIL, Ethics, and the Real Property Divisions.

Ms. Fontaine has over twenty-nine years of combined legal experience, including litigation of complex commercial disputes in both state and federal courts and extensive governmental experience. She most recently served as the First Assistant Counsel to the Governor overseeing a team of assistant counsels, agency/authority general counsels and other legal team members. Prior thereto, she served

as the Assistant Counsel to the Governor for Economic Development, Public Finance & Procurement and the Assistant Counsel for Human Services. She holds a Bachelor of Arts degree in Social Sciences/Health & Society from the State University of New York at Stony Brook University and a Juris Doctor degree from Pace University School of Law. Ms. Fontaine is an appointee of the Governor.

**Victor A. Kovner**, Senior Counsel to Davis Wright Tremaine, where he has practiced law since that firm merged with his prior firm Lankenau Kovner. In 1990-1, he was the Corporation Counsel of the City of New York under Mayor David N. Dinkins. He has served as Chair of the Committee on the Judiciary and as Secretary of the New York City Bar Association. Pursuant to appointments by Governors Hugh L. Carey and Mario M. Cuomo, he served on the New York State Commission on Judicial Conduct from 1976 to 1990, concluding as the Commission's Chair.

He has been a member of the Board of Trustees of the Fund for Modern Courts from 1970 to the present, and was the Fund's chair for four years roughly a decade ago. While Chair of the Fund, he helped draft and advocate for the legislation signed by Governor Paterson in 2010 creating the first Commission on Judicial Compensation.

He has specialized in First Amendment Law, and for two decades was on the faculty of the annual Communications Law Seminar of the Practising Law Institute. Pursuant to appointment of President William J. Clinton, he was for eight years on the President's Commission on White House Fellowships. In recent years, he has served as the Trustee of the Liz Claiborne and Art Ortenberg Foundation, which supports community based wildlife preservation in many parts of the world. Mr. Kovner is an appointee of the Governor.

**Robert Megna**, President of the Rockefeller Institute of Government. Mr. Megna previously served as senior vice chancellor and chief operating officer of SUNY System Administration. In that role, he oversaw the operations of the chief information officer, the State University of New York (SUNY) Plaza business functions, capital facilities, campus energy management, and the Charter School Institute.

He joined SUNY System Administration from Stony Brook University, serving as senior vice president for finance and administration. Prior to joining Stony Brook, he served as executive director of the New York State Thruway Authority and New York State Canal Corporation.

Mr. Megna served as budget director for New York State Division of the Budget (DOB), during which time the state achieved its highest financial rating in 40 years from three major credit rating agencies and passed four on-time budgets for the first time since the 1970s. Mr. Megna has also served as commissioner for New York State Department of Taxation and Finance, assistant commissioner of the office of tax policy at the Virginia Department of Taxation, and director of tax studies at the New York State Department of Taxation and Finance.

Mr. Megna earned an M.S. in economics from the London School of Economics and Political Science at the University of London and received his B.A. in Economics and M.P.A. from Fordham University. Mr. Megna is an appointee of the Governor.

**Hon. Jeremy S. Weinstein (Ret.)**, he was born in New York City and is a graduate of Jamaica High School, York College of the City University of New York (where he was elected the first president of the school's student body), and Brooklyn Law School. He was admitted to the New York State Bar in March 1975.

Judge Weinstein served in 1975 and 1976 as a Deputy Assistant Attorney General of the State of New York. From 1976 until his election to the State Senate, he was an Associate Counsel to the Speaker of the New York State Assembly. He has been a member of his local community planning board in Queens and a member of many civic, fraternal and religious organizations. He has also served as an Adjunct Professor of Political Science at York College of the City University of New York.

In November 1978, he was elected a member of the New York State Senate. He served in the Senate from 1979 to 1992. In 1985, Senator Weinstein was appointed the Assistant Minority Whip, and in 1986 he was elevated to the position of Minority Whip. In 1991, he was further promoted to Assistant Minority Leader - Floor Operations. During his 14 years in the New York State Senate, then Senator Weinstein served on the Judiciary Committee, the Codes Committee, the Banking Committee, and the Crime and Corrections Committee. Senator Weinstein served as ranking member of the Crime and Corrections Committee and Chair of the Senate Democratic Task Force on Crime and sponsored numerous bills dealing with parole, probation, civil practice and the judiciary.

Judge Weinstein maintained a private practice of law until his election in 1993 as a Judge of the Civil Court of the City of New York. In January 1997, Judge Weinstein was appointed an Acting Supreme Court Justice, and the Supervising Judge of the Queens Civil Court. In November 1999, Judge Weinstein was elected a Justice of Queens Supreme Court.

In March 2007, Judge Weinstein was appointed as the Administrative Judge of Queens Supreme Court, Civil Term. From January 2008 through March 2009, he was also appointed Acting Administrative Judge of Queens Supreme Court, Criminal Term, along with his duties in Civil Term. In March 2009, he was appointed Administrative Judge for Civil Matters in the Eleventh Judicial District.

Judge Weinstein is currently a Neutral with National Arbitration and Mediation. Judge Weinstein is an appointee of the President Pro Tem of the Senate.



## INTRODUCTION

The judiciary of New York State has a long and distinguished history. Our judges draw on the character and minds of jurists as varied as John Jay, Benjamin N. Cardozo, Irving Lehman, Stanley Fuld, and Charles Breitel. When Judge Cardozo passed, Judge Learned Hand stated “he was a great judge because he successfully reconciled the letter with the spirit of the law” (from the World of Benjamin Cardozo by Richard Pollenberg p. 240).

This spirit runs through to our current judges. We see it in our recent Chief Judges Judith Kaye and Jonathan Lippman through to our current Chief Judge Rowan D. Wilson. As New Yorkers, we expect the best from our legal system. It is one of the largest and the busiest in the world. In 2022, there were 2.1 million new cases filed in our courts (civil-criminal-family court). New York had more than twice the number of filings as the entire federal court system.<sup>1</sup>

To fairly and efficiently provide justice to the people of the state, we need to ensure that our judges have the support and the resources they need to do the job. Part of that requires that they be properly compensated for the job we are asking them to do.

They have not seen any increase in pay for four and a half years. During this time the Federal Judiciary has seen a continuous rise in compensation. When compared to the judiciary of other states, New York is ranked ninth, behind Illinois, District of Columbia, California, Rhode Island, Washington, Hawaii, South Carolina and Pennsylvania. The buying power of a judge’s salary is now 20% less than it was in 2019. During this same time period, the other branches of New York government have received well-deserved pay raises. The same is true of employees whose pay is set by collective bargaining.

The Commission recognizes these realities. Our goal is to responsibly address these issues.

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<sup>1</sup>see [uscourts.gov/federaljudicialcaseload](https://uscourts.gov/federaljudicialcaseload) 775,585 filings - statistics - 2022

## STATUTORY MANDATE

In March of 2015, Part E of chapter 60 of the Laws of 2015 was enacted, providing for a quadrennial commission to “examine, evaluate and make recommendations with respect to adequate levels of compensation and non-salary benefits” for judges, members of the Legislature and certain Statewide elected officials and Executive Branch officers named in Executive Law § 169. The Commission is charged, first, with issuing “findings, conclusions, determinations and recommendations” to the Governor, the Legislature and the Chief Judge with regard to judicial compensation, by December 31, 2023. A separate report, relating to legislative and executive compensation, is due by November 15, 2024.

Chapter 60 sets forth a number of factors to guide the Commission’s work of determining appropriate judicial salary levels, including, but not limited to, the overall economic climate in New York; rates of inflation; changes in public sector spending; levels of compensation and non-salary benefits received by professionals in government, academia and private and nonprofit enterprise; and the state’s ability to fund increases in compensation.

The Commission is authorized to recommend adjustments in judicial salary levels during the four state fiscal years commencing on April 1, 2024. Pursuant to chapter 60, each recommendation of the Commission for a salary adjustment carries the force of law as of April 1<sup>st</sup> of the year for which the adjustment has been recommended, unless sooner modified or abrogated by statute.

As prescribed in chapter 60, the Commission consists of seven members appointed by the leaders of all three branches of New York State government. Three members are appointed by the Governor; two (including the Chair) by the Chief Judge; and one each by the President Pro Tem of the Senate and the Speaker of the Assembly. The findings and recommendations require a majority vote but they must also be supported “by at least one member appointed by each appointing authority.” The Commission’s Chair shall preside but not vote on matters relating to legislative and executive compensation.

The Commission may recommend up to two adjustments in legislative and executive salary levels, each commencing on January first, following a November general election of members of the Legislature. The Commission is deemed dissolved following issuance of the report due no later than November 15, 2024.

In furtherance of its statutory mission, the Commission held public meetings in New York City. It also held two days of public hearings; one on October 13, 2023 in New York City and one on October 31, 2023 in Albany. A total of 31 witnesses testified at the hearings. The public hearings and meetings were televised live on the Internet.

In addition, the Commission invited written commentary and established post office and email addresses ([nyscompensation@gmail.com](mailto:nyscompensation@gmail.com)) through which it received 30 written submissions from judicial associations, bar associations, good government groups, and other interested individuals and organizations. The witness lists, written submissions and other information about the work of the Commission including transcripts and videos of the Commission's public hearings and meetings, are all available on the website at: [www.nyscommissiononcompensation.org](http://www.nyscommissiononcompensation.org).

## FINDINGS

- 1) Since 1977 the State has assumed the funding of all the courts of the Unified Court System. At that time the State took full responsibility for the costs of all courts, other than town and village courts. Judges were moved from local payrolls to the State payroll.

The adjustment of salaries over the past fifty-six years has a long, and sometimes tortured, history. Since consolidation under State government, pay raises have been addressed ten times. While the issue has come up regularly, there have been significant time periods during which no raises were granted. The longest period of no increase was from February 1999 to March 2012, covering thirteen years. Since 2012, there has been one approved pay increase, in 2015. This took effect in 2016 for a four year period.<sup>2</sup>

The arbitrary manner by which judicial pay raises were addressed led to the creation of a Commission system by the Legislature. While this process has not always resulted in pay adjustments, it has guaranteed that the issue will be consistently addressed.

- 2) The inflation rate since 2019 has significantly eroded the purchasing power of all salaries. One dollar (\$1.00) in 2019 is equivalent to about a \$1.20 today, an increase of .20 over four (4) years. During this period, the dollar had an average inflation rate of 4.74% per year between 2019 and today. This has produced a cumulative price increase of 20.34% since the last time the Commission met.<sup>3</sup>

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<sup>2</sup>see OCA Submission to 2023 Commission on Legislative Judicial & Executive Compensation - pp 8-9

<sup>3</sup>see Raw data comes from the Bureau of Labor Statistics, Consumer Price Index

- 3) The erosion of the value of the salaries of State employees not covered by negotiated contracts is one of the reasons that the Commission was created. Nonetheless, well-deserved raises have recently been approved. Collective bargaining agreements have resulted in pay increases for State employees that will amount to almost 14% through April 2025. New York’s Governor and Legislators have also received recent raises.
- 4) Further, the Commission specifically reviewed available data on current salaries for federal and other state judges.

New York ranks 12<sup>th</sup> among state courts of general jurisdiction, when adjusted for the cost of living index. It ranks 9<sup>th</sup> unadjusted. The first eight states are as follows:<sup>4</sup>

1.	Illinois	\$234,380
2.	District of Columbia	\$232,600
3.	California	\$231,174
4.	Rhode Island	\$223,031
5.	Washington	\$217,391
6.	Hawaii	\$215,100
7.	South Carolina	\$212,987
8.	Pennsylvania	\$212,495
9.	New York	\$210,900

Federal District Court judges currently earn \$232,600 per year. Since (*Beer v. U.S.*, 696 F.3d 1174 [Fed. Cir. 2012] *cert. denied* 133 S. Ct. [1997]) held that denial of cost-of-living adjustments violated the Compensation Clause and negated subsequent actions that barred judges from receiving additional compensation. In *Barker v. US* No.12-826 this claim (Fed. Cl filed 11-30-2012) was applied to all Article III Judges. They have

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<sup>4</sup>see National Center for State Courts (2023)

received cost-of-living adjustments provided to all federal government employees per Executive Order No. 13655.

- 5) Prior Commissions have drawn a connection between the ability to support a “strong well- qualified judiciary and a healthy state economy.”<sup>5</sup> We endorse that prior finding.

The recognition of the reliance of New York’s business community on the state court’s ability to adjudicate complex commercial litigation is an important factor in deciding to do business here.

In order to maintain a judicial system worthy of New York’s status as one of the economic and cultural leaders in the world, we must attract lawyers to the bench that have the skill and experience to support that system.

- 6) The Commission Statute in its current form (L. 2019, Ch. 59, Part VVV and L. 2015, Ch. 60, Part E) provides the guidance necessary to fulfill our responsibilities by enumerating six factors to consider:

- the overall economic climate
- rates of inflation
- changes in public sector spending
- levels of compensation and non-salary benefits received by Executive Branch officials and legislators of other states and the Federal government
- levels of compensation and non-salary benefits received by professionals in government, academia, and private and non-profit enterprise
- the State’s ability to fund increases in compensation and non-salary benefits

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<sup>5</sup>see Commission on Legislative, Judicial & Executive Report (December 2015 p. 7)

- 7) The Commission finds that:
- A) The overall economic climate is strong:
- Nationally - there has been 33 consecutive months of job growth; 13.9 million new jobs since January 2021; the unemployment rate is 3.8% , below 4% for 20 months; and the largest share of workers in the workforce in 20 years.<sup>6</sup>
  - New York - 93% of jobs lost in the early pandemic have been recovered; unemployment is at 4% - down from 6% two years ago; labor force participation increased to 61.6% in September 2023.<sup>7</sup>
- B) Inflation Rate - Previously Discussed (See No. 2)
- C) Public Sector spending has increased faster than inflation -All Funds spending increased 33.4% from 2019-2020 to 2023-2024, from \$172 billion to \$229.4 billion. While these facts are not dispositive, they do show consistent upward trend in State revenue.<sup>8</sup>
- D) Comparable Salaries of other state and federal judges - Previously Discussed (See No. 4)
- E) Salaries of Professionals in government, academia, private and non-profit sectors greatly exceed judicial salaries.

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<sup>6</sup>see OCA submission p. 10; Footnote 37

<sup>7</sup>see OCA submission p. 10; Footnote 38

<sup>8</sup>see OCA submission p. 11; Footnotes 43, 44 and 45

- Below is a sampling from the hearing submission of the Office of Court Administration.<sup>9</sup>

New York City

Administrative Law Judge (Chief), Office of Administrative Trials and Hearings.....	\$227,786
Corporation Counsel.....	\$243,272
Director, Mayor’s Office of Criminal Justice.....	\$227,786
Counsel to the Mayor.....	\$251,982
Commissioner, Mayor’s Office to End Domestic and Gender-Based Violence.....	\$227,786
District Attorneys within New York City.....	\$212,800
New York City Commissioners.....	\$243,171
Chancellor, NYC Department of Education.....	\$363,346

Academia and Public Education

In New York, the salary range for a law school dean falls between \$326,811 and \$438,771, with the average salary equaling \$375,520.

The CUNY Chancellor’s salary is \$670,000 and CUNY’s General Counsel earns \$389, 075.

SUNY’s Chancellor’s salary is \$750,000.

Many public-school administrators across the State earn significantly more than judges.

According to a 2022 survey, the average compensation for large law firm partners in New York City was over \$1.8 million.

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<sup>9</sup>see OCA submission pp. 12-13



## Non-Profit Sector

The average salary for a CEO of a not-for-profit in New York State is around \$200,000.

- 8) Ability to Fund - The main point is that the expense is minimal. This request is just 1% of the Judiciary's total budget and .028% of the State's general fund budget.

## CONCLUSIONS

The Commission on Legislative, Judicial and Executive Compensation on November 13, 2023 unanimously approved changes to judicial salaries as outlined below:

- 1) Effective April 1, 2024, New York State Supreme Court Justices shall receive an annual salary of \$232,600.
- 2) The salaries of all other state judges (including Appellate and Administrative judges) shall be adjusted to reflect their present proportion to the salary of State Supreme Court Justices effective April 1, 2024.
- 3) Except that no County Court Judge, Family Court Judge or Surrogate's Court Judge shall earn less than 95% of a Supreme Court Justice's salary. Any such judicial position now being paid a percentage of a Supreme Court Justice's salary that is greater than 95% shall continue to be paid at that same percentage.
- 4) Judges of the New York City Civil Court, the New York City Criminal Court, District Court, Housing Court of New York City Civil Court and full-time City Court Judges (outside of New York City), shall earn 93% of a Supreme Court Justice's salary. Part-time City Court Judges shall earn the same proportion of the salaries of the full-time City Court Judges that they now earn.
- 5) Effective April 1, 2026, all judges will receive a salary increase of 2% of their April 1, 2024 salary.