

# NORTH DAKOTA'S JUDGES DESERVE A RAISE



## North Dakota's Judges are Paid Less than Peer States

Historically, North Dakota pays its judges less than most judiciaries nationally and less than some of its peer states<sup>1</sup>.

North Dakota judges and justices are paid the 40th and 41st lowest salaries, respectively, in the nation<sup>2</sup>.

North Dakota does not have specialized courts, leaving judges with heavier workloads and less support staff than peer states. Of other states that pay less, all reduce the workload by creating specialty courts.



## Judicial Salaries are Far Below Other North Dakota Officials

Members of the North Dakota judiciary are paid significantly below others in North Dakota government who have similar education, experience, and job requirements<sup>3</sup>.

**334<sup>th</sup> | 307<sup>th</sup> | 244<sup>th</sup>**

The compensation rankings of a district court judge, a district court presiding judge, and a supreme court justice, respectively, in comparison to compensation of other state employees.



## North Dakota's Judges Do More with Less

North Dakota judges are doing substantially more work with less support *and* for less pay.

District courts handle everything from a \$10 traffic ticket, to multi-million dollar lawsuits, including:

- infractions to murders,
- protection orders to contentious divorce cases,
- modest, small-claims matters to complex, multi-party commercial litigation and class action lawsuits.

## BUDGET ALLOCATED

**0.67%**

**Only two-thirds of one percent (.67%)** of North Dakota's 2021-2023 budget is **allocated** for the judicial branch of government.

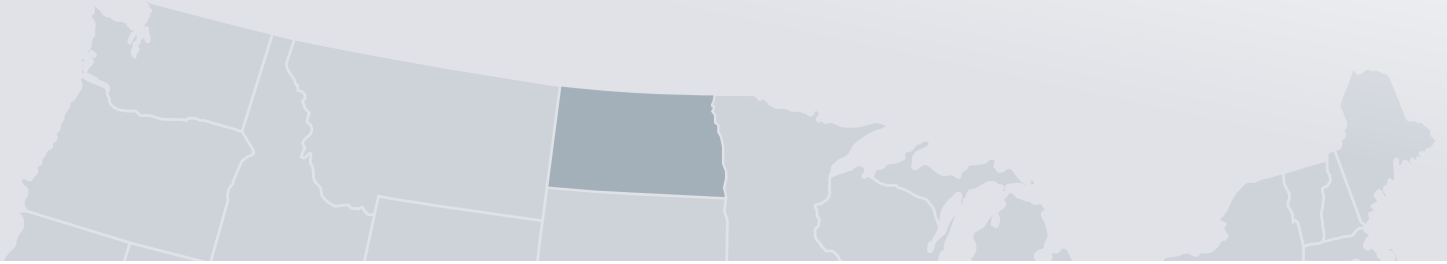
## BUDGET SPENT

**0.1%**

North Dakota **spends one tenth of one percent (.1%)** of its total budget on judicial salaries.

VS.

# SUPPORT FOR NORTH DAKOTA'S JUDICIAL BRANCH



## Judicial Salaries are Losing Against Inflation

North Dakota judicial salaries have only slightly exceeded the rate of inflation. Judicial salaries lagged behind real-dollar increases realized by practicing lawyers.

### JUDGES HAVE LOST \$14,000

In 2017 and 2018 North Dakota judges received zero dollars for raises. That biennium, judges lost nearly \$6,500 due to inflation. From 2017 to the middle of 2022, North Dakota judges have lost more than \$14,000 due to inflation.

Small raises and caps have put judges further behind the inflation curve. If caps continue, judges will simply fail to even keep up with inflation, and arguably not even receive an actual increase in pay.



## Judicial Recruitment and Retention are at Risk

North Dakota's judicial compensation is inadequate to attract highly qualified individuals from a diversity of life and professional experiences to serve in the judiciary.

Experienced attorneys who become judges must learn new skills and law with less support staff, creating more work for less money. This approach creates a less appealing position than peer states that have developed multiple levels of courts, and may account for the decline in judicial applications.

Among the peer states, North Dakota has the shortest terms for district court judges at 6 years, and no retention practice other than general elections. Judicial compensation fails to adequately compensate for these levels of uncertainty.

## NORTH DAKOTA MUST INCREASE JUDICIAL PAY TO ATTRACT AND RETAIN HIGHLY-QUALIFIED JUDGES.

2021-23 Budget	Amount	%
Total State Budget	\$16.94 Billion	
Judiciary Budget	\$113,729,853	0.67
Judicial Salaries	\$17,738,869	0.1

Annual Salary	District Court Judge	Presiding Judge	Supreme Court Justices	Chief Justice
July 1, 2022	\$155,219	\$159,629	\$169,162	\$173,946
20% Year 1 Increase	\$31,044	\$31,926	\$33,832	\$34,789
July 1, 2023	\$186,263	\$191,555	\$202,994	\$208,735
15% Year 2 Increase	\$27,939	\$28,733	\$30,450	\$31,310
July 1, 2024	\$214,202	\$220,288	\$233,444	\$240,045
Total Cost of Increase as Compared to 2022 Salary				\$6,447,778

<sup>1</sup>The term "peer states" as used here means the 10 smallest population states in the country.

<sup>2</sup>Survey of Judicial Salaries, National Center for State Courts, Vol. 47 No. 1 (July 1, 2022); [https://www.ncsc.org/\\_data/assets/pdf\\_file/0040/79798/JSS-July-2022.pdf](https://www.ncsc.org/_data/assets/pdf_file/0040/79798/JSS-July-2022.pdf) (Rates are adjusted to reflect inflation).

<sup>3</sup>According to salary information obtained from the Office of Management and Budget.