

### SALARY STATISTICS

Statistics collected by the Administrative Office of the U.S. Courts show:

- Salaries of deans at the top 25 law schools reach \$430,000. Senior law professors earn about \$330,000. The median salary of all law school deans in 2005 was \$229,600.
- New law school graduates start at \$160,000 in big-city firms.
- Other federal employees earn more than judges. A supervisory technology specialist at the Comptroller of the Currency makes \$225,000.
- When adjusted for inflation, federal judges' real pay declined 25% from 1969 to 2006, while real pay for the average U.S. worker rose 19%.

# Pay gap dismays federal judges

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By Laura Parker, USA TODAY

Salaries of federal judges lag far behind those of private attorneys and law school deans, contributing to their departure from the bench in unprecedented numbers.

Since 2005, 22 of 875 federal judges serving lifetime appointments have resigned or retired — more than at any time in history, according to the Administrative Office of the United States Courts. Most earned higher salaries after leaving the bench. Of the 19 who have taken jobs, 14 went into private practice and five into education or government.

### JUDGES UPSET: In New York and beyond

Past and present judges say the trend could shrink the talent pool and transform a federal judgeship from a lifetime appointment into a steppingstone on the career path, which could affect how judges consider

cases.

"This trajectory is of great concern to us, and we are fearful that we are approaching the tipping point," says U.S. District Court Judge Brock Hornby of Maine, who chairs a judges' panel on salaries.

Resignations once were rare because few judges gave up the lifetime posts. Only three left from 1958 to 1969. Since 2000, there have been 51, and 17 others are projected to leave through 2009. Hornby calls the rising number of departures "historic."

"People who are looking toward the next job are not going to make the kinds of unpopular decisions that are so often involved in protecting constitutional rights," says Roy Schotland, a Georgetown University law professor who studies judicial pay. Chief Justice John Roberts uses stark terms, saying the independence of the federal judiciary is at stake.

U.S. District Judge Paul Cassell of Utah became the latest to leave when he resigned Friday. With three children to put through college and graduate school, Cassell, 48, says salary factored into his decision.

Federal judges earn \$165,200 a year, placing them in the top 10% income bracket among Americans. Scott Gerber, a law professor at Ohio Northern University, dismisses suggestions that the federal bench will suffer. "Frankly, that's a nice

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salary," he says.

Schotland says the problem is the growing gap between what judges and their peers earn elsewhere. From 1995 to 2005, he says, salaries for first-year lawyers rose 79%, and salaries for partners in the top 100 firms climbed 121%. Pay for federal judges rose just 21%. The Senate is considering a bill to boost federal judges' salaries to \$247,000.

"No one expects to make as much as the dean at Harvard," says U.S. District Judge Sarah Evans Barker in Indiana, president of the Federal Judges Association. "We're only interested in getting the gap closed."

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By Kiichiro Sato, AP

Ohio Supreme Court Chief Justice Thomas Moyer says Ohio judges haven't had an increase in pay for seven years.

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