



Lisa A. Rickard
President

May 29, 2007

The Honorable Patrick J. Leahy
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

The Honorable Arlen Specter
Ranking Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Chairman Leahy and Ranking Member Specter:

On behalf of the U.S. Chamber Institute for Legal Reform, an affiliate of the United States Chamber of Commerce—the world’s largest business federation representing more than three million businesses and organizations of every size, sector, and region, I write to urge you to support an increase in the pay-scale for the federal judiciary so as to help remedy a failure to adequately compensate our federal judges over the last few decades.

The federal judiciary is facing a crisis. After adjusting for inflation, the real pay for federal judges has declined approximately 25 percent since 1969 while the real pay for average Americans has actually increased by approximately 19 percent. The disparity is even greater when one compares the pay received by federal judges with other members in the legal profession – including the non-profit legal sector. Senior law professors at the top 25 law schools receive, on average, \$240,000 to \$290,000 for teaching and research activities. That translates into a 150 to 200% difference in salary when you examine what federal district court judges are paid. Furthermore, top tier law firms pay recent law school graduates more or equal to the salary of many federal judges.

The result in this gross pay disparity is that highly desirable and qualified potential judicial nominees who are current legal practitioners do not want to become federal judges because they cannot afford the significant drop in pay. Furthermore, current federal judges are resigning their judgeships at an increasing rate. This problem is having an increasing effect on the business community as the federal judiciary hears more and more complex commercial cases. As stated in a recent report by the American College of Trial Lawyers, what once was viewed as a capstone of a distinguished legal career has now rendered itself a stepping stone.

The highest judges in the land and numerous organizations across the spectrum agree. In an unusual initiative, U.S. Supreme Court Associate Justices Samuel Alito, Anthony Kennedy, and David Souter testified before Congress expressing their concern about the current pay-scale and the urgent need for an increase in federal judicial salaries. Chief Justice John Roberts made

this issue the focus of his 2006 year-end report on the federal judiciary. The deans of 125 law schools, over 50 general counsels, and numerous news publications and their editorial boards also have urged federal judicial salaries be increased.

Accordingly, the U.S. Chamber Institute for Legal Reform urges you to support an increase in the pay-scale for the federal judiciary.

Sincerely,

A handwritten signature in black ink that reads "Lisa A. Rickard". The signature is written in a cursive, flowing style.

Lisa A. Rickard

Cc: Members of the Committee on the Judiciary