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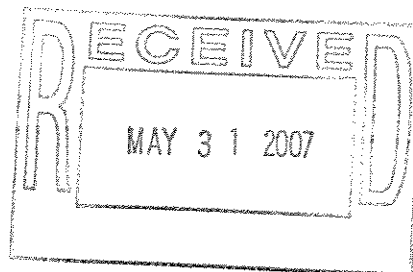
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June 1, 2007

Senator Jay Rockefeller
405 Capitol Street, Suite 508
Charleston, WV. 25301



Dear Senator Rockefeller,

I am writing to express my concern regarding the well needed pay increase for the federal judiciary.

The last comprehensive review of government salaries, including the judiciary, took place in 1989. Twenty years after the previous full-scale realignment of federal salaries in 1969, the concept and goal set out were clear: the substantial past shortfall – relative to the cost of living and private-sector pay over the previous 20 years – would be at least partly corrected. Thereafter, pay was to be annually adjusted based on increases in private-sector wages in order to keep pace with those changes and inflation.

The approach has failed. Congress has simply refused to make good on its expressed goal, and has not even provided cost of living adjustments. It has been 18 years since the last judicial pay raise took full effect.

Three years ago, the National Commission on the Public Service pointed to judicial pays “The most egregious example of the failure of federal compensation policies.” That failure has not been repaired. Now, at long last, my sense is that Congress and the president may finally be prepared to take a new look at judicial salaries, to deal with the political resistance and recognize what is ultimately at stake.

While judges cannot expect to equal the salaries of partners in large law firms, the National Commission determined that their compensation should be comparable to that of law school deans, senior professors and other nonprofit leaders. Today, at \$165,200, district judge salaries fall more than 50% below what many law school deans or their top professors make. From 1969 through 2006, real pay for federal judges declined approximately 25 percent. During the same time, the real pay of the average American worker increased by about 19 percent.



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The annual cost of living adjustment mechanism for judges established under the Ethics Reform Act has not operated as intended. Since 1993, the pay of most federal workers has increased by 61 percent, while inflation has increased by 36 percent. However, judicial pay has fallen way behind, increasing by only 24 percent over this time. Many of the judges who have resigned or retired in recent years have noted that financial considerations were a big factor in their decision to leave the bench.

The truth is there should be no shortage of men and women interested in federal judgeships. Those positions satisfy an urge for public service. They convey a sense of honor and prestige in the community. They can provide along with intellectual stimulus a sense of independence conveyed by lifetime appointment and financial stability.

Plainly, the time has come to take heed of the deep concerns and honor the constitutional intent.

Sincerely,



Kenneth M. Perdue
President

cc: Senator Robert Byrd
Senator Jay Rockefeller

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