

COURT/POSITION	STATE APPROPRIATION	STATUTORY LIMITS	STATUTE	BOTTOM LINE
COUNTY COURTS (CONTINUED)				
Harris County Civil Courts at Law	Cannot be less than probate judges are paid ²⁸	“the judge of a county civil court . . . shall be paid an annual salary that is <i>not less than the total annual salary received by a judge of a probate court</i> in the county”	Tex. Gov’t §25.1032, & TEX. GOV’T § 659.012(a) & (b)	Although there is a floor (“not less than . . . probate court”), because HB 2384 does not specifically address Section 25.1032, it is unclear if there is a ceiling Current pay is \$165,963
Harris County Criminal Courts at Law	Not less than \$157,000* *Note: HB2384 did not specifically address Tex. Gov’t §25.1033(g), which is the provision that specifically addresses pay for Harris County Criminal Courts at Law	“The judge of a county criminal court at law shall be paid an annual salary that is <i>not less than \$1,000 less than the total annual salary, including supplements, of a district judge in the county</i> ” ²⁹	Tex. Gov’t §25.1033, & TEX. GOV’T § 659.012(a)	Unclear if County Criminal Court at Law Judges are to be included in the stair-step increases, as HB 2384 did not address the provision that specifically addresses Harris County. The floor is at least \$157,000. Additionally unclear if there is a ceiling on county criminal court judges’ pay in Harris County Current pay is \$165,963
Statutory County Court Judge	See above for County Civil, County Criminal and Probate Courts	An amount not less than \$1,000 less than annual salary, plus longevity pay and county supplements paid to a district judge with comparable years of service	TEX. GOV’T § 25.0005, TEX. GOV’T § 25.0015, TEX. GOV’T § 74.051, TEX. GOV’T § 659.012(a) & TEX. GOV’T § 659.0445(d)	N/A – See above

²⁸ Determination of pay for Harris County Civil Courts at Law is set out in Section 25.0132 as “not less than the total annual salary received by a [probate] judge.” HB 2384 did not specifically address Section 25.0132, such that it is unclear if county civil courts have a “ceiling” on pay, the same as the probate judges.

²⁹ Baseline is unclear, as HB 2384 did not speak to Section 25.1033(g), which simply references “annual salary ... of a district judge in the county.” Appears there is a floor, but no specific ceiling.

COURT/POSITION	STATE APPROPRIATION	STATUTORY LIMITS	STATUTE	BOTTOM LINE
Texas Supreme Court / Court of Criminal Appeals				Increases at years 4 & 8, and longevity at year 12
Chief Justice	STATE BASE¹: \$170,500² \$187,300 ³ \$204,100 ⁴ \$214,305 ⁵	<u>Chief Justice</u> : 120% of annual base salary of District Judge base salary, plus \$2,500.00, and as applicable, longevity ⁹	TEX. GOV'T § 659.012(a)(3) & (4); EX. GOV'T § 659.0445(b) (for longevity pay)	Raise effective 09/01/2019
Justices	STATE BASE: \$168,000 \$184,800 ⁶ \$201,600 ⁷ \$211,680 ⁸	<u>Justice</u> : 120% of annual base salary of District Judge base salary, and as applicable, longevity		

¹ For ALL district and appellate judges, annual state salary increases to “110% of state base salary” with the “pay period that begins after the justice accrues four years of contributing service credit in the Judicial Retirement System...service as a judge of a statutory county court, multicounty statutory county court or statutory probate court or combined contributing service credit...”; then to 120% with the first pay period that begins after 8 years of service. Longevity pay begins at 12 years and one day. Salary amounts at 4, 8 and 12 plus years of service are based upon **current** state base salary pay of a district court judge – or \$140,000.00.

² Additional \$2,500 a year for serving as chief justice or presiding justice is considered to be part of the “annual base salary from the state”

³ At 4 years of creditable service. See footnote 1.

⁴ At 8 years of creditable service. See footnote 1

⁵ Anticipated sum, based upon current annual pay at 12 years of service, plus longevity pay calculation. Longevity begins the month following the month in which the judge completes 12 years of creditable service. The calculation rate is 0.05 multiplied by the amount of the judge’s current monthly salary. Calculation for presiding is: \$204,100 (base at 8 plus years with \$2,500 stipend, divided by 12, multiplied by 0.05, that sum (\$850.416667) multiplied by 12 (\$10,205) and added to the base of \$204,100 = \$214,305

⁶ At 4 years of creditable service. See footnote 1

⁷ At 8 years of creditable service. See footnote 1

⁸ Anticipated sum, based upon current annual pay at 12 years of service, plus longevity pay calculation. Calculation is: \$201,600 (base at 8 plus years, divided by 12, multiplied by 0.05, that sum (\$840) multiplied by 12 (\$10,080) and added to the base of \$201,600 = \$211,680

⁹ Longevity begins the month following the month in which the judge completes 12 years of creditable service. The calculation rate is 0.05 multiplied by the amount of the judge’s current monthly state salary. The chief justice or presiding judge of an appellate court receive an *additional* annual base of \$2,500, and the local administrative district judge receives an *additional* annual base of \$5,000. Longevity is calculated upon the judge’s current monthly state salary, which would include additional base pay for chief justices, presiding justices and local administrative judges.

COURT/POSITION	STATE APPROPRIATION	STATUTORY LIMITS	STATUTE	BOTTOM LINE
Courts of Appeals				Increases at years 4 & 8, and longevity at year 12
Chief Justice	STATE BASE: \$156,500¹⁰	<u>Chief Justice:</u> 110% of annual base salary of District Judge base salary, plus longevity, as applicable, and county supplement <i>and</i> \$2,500.00	TEX. GOV'T § 659.012(a)(2) & (4), TEX. GOV'T § 659.0445(b), & TEX. GOV'T §31.001 et seq.	As longevity pay is NOT included in calculations, <i>county supplement will remain unaffected.</i>
Justices	\$171,900 ¹¹ \$187,300 ¹² \$196,665 ¹³ STATE BASE: \$154,000¹⁴ \$169,400 ¹⁵ \$184,800 ¹⁶ \$194,040 ¹⁷	<u>Justice:</u> 110% of annual base salary of District Judge base salary, plus longevity, as applicable, and county supplement		County supplement cannot exceed \$9,000 (currently paid amount). \$163,000* \$178,400* at 4 years \$193,800* at 8 years \$203,040* with longevity * assuming full county supplement paid Raise Effective 09/01/2019

¹⁰ Additional \$2,500 a year for serving as chief justice or presiding justice is considered to be part of the “annual base salary from the state”

¹¹ At 4 years of creditable service. See footnote 1

¹² At 8 years of creditable service. See footnote 1

¹³ Anticipated sum, based upon current annual pay at 12 years of service, plus longevity pay calculation. Calculation for presiding is: \$187,300 (base at 8 plus years with \$2,500 stipend, divided by 12, multiplied by 0.05, that sum (\$780.416667) multiplied by 12 (\$9,365) and added to the base of \$187,300 = \$196,665

¹⁴ Combined base salary from all state and county sources including compensation for any extrajudicial services performed on behalf of the county for a justice of the court of appeals, other than the chief justice, may not exceed the amount that is \$5,000.00 less than the base salary (currently \$168,000) for a justice of the supreme court. **NOTE:** County supplement under Tex. Gov't Code Chapter 31 is included in this calculation, but a justice's longevity pay from the State is NOT.

¹⁵ At 4 years of creditable service. See footnote 1

¹⁶ At 8 years of creditable service. See footnote 1

¹⁷ Anticipated sum, based upon current annual pay at 12 years of service, plus longevity pay calculation. Calculation is: \$184,800 (base at 8 plus years plus, divided by 12, multiplied by 0.05, that sum (\$770) multiplied by 12 (\$9,240) and added to the base of \$184,800 = \$194,040

COURT/POSITION	STATE APPROPRIATION	STATUTORY LIMITS	STATUTE	BOTTOM LINE
District Courts				Increases at years 4 & 8, and longevity at year 12
Administrative Judge	STATE BASE: \$145,000¹⁸		TEX. GOV'T § 659.012(a)(1) & (d), TEX. GOV'T § 659.0445(b), TEX. GOV'T § 32.001 et seq & TEX. GOV'T § 74.091	As longevity pay is NOT included in calculations, <i>county supplement will remain unaffected.</i>
District Judges	\$159,000 ¹⁹ \$173,000 ²⁰ \$181,650 ²¹ STATE BASE \$140,000²² \$154,000 ²³ \$168,000 ²⁴ \$176,400 ²⁵			County supplement cannot exceed \$18,000 (amount currently paid) \$158,000* / \$163,000** \$172,000* / \$177,000 ** at 4 years \$186,000* / \$191,000** at 8 years \$194,400* / \$199,650** w/ longevity *Assuming full county supplement paid; ** As Local Admin under 74.091
				Raise Effective 09/01/2019



¹⁸ Additional \$5,000 a year for serving as local administrative judge is considered to be part of the “annual base salary from the state”

¹⁹ At 4 years creditable service. See footnote 1

²⁰ At 8 years creditable service. See footnote 1

²¹ Anticipated sum, based upon current annual pay at 12 years of service, plus longevity pay calculation. Calculation for local admin. judge is: \$173,000 (base at 8 plus years with \$5,000 stipend, divided by 12, multiplied by 0.05, that sum (\$720.83333) multiplied by 12 (\$8,650) and added to the base of \$173,000 = \$181,650.

²² Combined base salary from all state and county sources including compensation for any extrajudicial services performed on behalf of the county for a district judge, may not exceed the amount that is \$5,000.00 less than the maximum combined base salary from all state and county sources (currently \$168,000) for a justice of a court of appeals. **NOTE:** This provision INCLUDES a justice’s county supplement in the calculation for determination of “base” and excludes longevity pay. The net effect is to make NO CHANGE in the county supplement currently paid to district judges, unless the county chooses to do so, or changes the supplement of justices of the courts of appeals.

²³ At 4 years creditable service. See footnote 1

²⁴ At 8 years creditable service. See footnote 1

²⁵ Anticipated sum, based upon current annual pay at 12 years of service, plus longevity pay calculation. Calculation is: \$168,000 (base at 8 plus years, divided by 12, multiplied by 0.05, that sum (\$700) multiplied by 12 (\$8,400) and added to the base of \$168,000 = \$176,400

COURT/POSITION	STATE APPROPRIATION	STATUTORY LIMITS	STATUTE	BOTTOM LINE
Presiding Judge of 11th Region	\$63,000	45% of the state base salary paid to a district judge	TEX. GOV'T § 659.012(a) & TEX. GOV'T §74.051(b) & (c)	
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Associate Judges				
Subchpts A & D	N/A	N/A	TEX. FAM. CODE §201.003 ("An associate judge shall be paid a salary determined by the commissioner's court")	No change in current pay of \$136,800, unless commissioner's court chooses to change. Fully within their authority to increase or decrease.
Subchpt B (IV-D judges)	\$126,000	90% of the state base salary paid to a district judge	TEX. FAM. CODE §201.105(a) TEX. GOV'T § 659.012(a)(1) & (d)	Raise Effective 09/01/2019
Subchpt C (CPS Impact judges)	\$126,000	90% of the state base salary paid to a district judge	TEX. FAM. CODE §201.205(a) TEX. GOV'T § 659.012(a)(1) & (d)	Raise effective 09/01/2019
Magistrates (Subchapters A-D of Chapter 54A)	N/A	N/A	TEX. GOV'T § 54A et seq	No change in current pay. HB 2384 only makes changes for magistrates in Tarrant and Travis county
County Judge	\$25,200 State Supplement* *Supplement paid if at least 40% of the functions that the judge performs are judicial in nature	Annual salary supplement of 18% of the state base salary of a district judge (\$140,000) County cannot reduce county-paid salary because of supplement	TEX. GOV'T § 26.006 & TEX. GOV'T §659.012(a)	County salary plus \$25,200

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County Courts	State reimburses County \$84,000 - “60% of state base pay for district judge” under 659.012(a) (which is \$140,000)			<i>Salary remains up to Commissioner’s Court, with HB 2384 setting a floor and ceiling for statutory probate courts, and leaving unchanged and unaddressed the provisions that address Harris County Civil Courts at Law and Harris County Criminal Courts at Law. As such, though I would not expect Commissioners Court to give differing pay to the county courts, it is conceivably possible.</i>
Probate	Cannot exceed \$185,000, ²⁶ PLUS longevity pay Cannot be less than district court judges are paid years 1-7; at year 8 and one day, it is \$1,000 less than similarly situated district judge	An amount “ <i>at least equal to</i> ” the [combined] sum of the annual [state] salary...paid to a district judge with comparable years of service [plus the sum of any] contributions and supplements paid to a district judge in the county” ²⁷ other than the sums paid to a local administrative judge Except that the maximum salary, not including longevity, must be \$1,000 less than a District Judge with 8 plus years	Tex. Gov’t §25.0023, Tex. Gov’t §25.1034, Tex. Gov’t§74.051, & TEX. GOV’T § 659.012(a) &(b)(2)	Effective date on raise: “first day of the county’s fiscal year following the date the judge accrues the years of service required for an increase in salary.” Current pay is \$165,963

²⁶ HB 2384 sets a floor (“at least equal to . . . district judge with comparable years of service” including county “contributions and supplements”) and a ceiling (“\$1,000 less than the . . . maximum combined . . . state and county sources paid to a district judge . . . [with over 8 years of service] and any longevity pay”).

²⁷ “The maximum annual salary of a statutory probate court judge is \$1,000.00 less than the sum of the maximum combined annual salary from all state and county sources paid to a district judge entitled to a salary under Section 659.012(b)(2) and any longevity pay.” Section 659.012(b)(2) is 120% of the state base salary. That sum for a Harris County District Judge (plus supplement) is \$186,000. The maximum annual salary is \$185,000, plus longevity.

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Visiting Judges and MDL				Any changes effective 09/01/2019
Visiting Judges – Court of Appeals	<i>Pro rata</i> for time served of \$168,000 (Tx Sct / CCA) or \$163,000 (COA) (state plus county supplement) Plus “necessary expenses” and \$25 per diem if out of county of residence	<i>Pro rata</i> for time served “amount equal to the [lowest base] compensation received from State and County sources by a justice of the court of appeals to which assigned” PLUS, if serving a COA that sits out of the county of the justice’s residence, “necessary expenses” and a per diem of \$25 a day	TEX. GOV’T § 74.003(b), (c), and (e) and TEX. GOV’T § 74.061 (b) & (f)	State pays expenses and per diem State pays pro rata portion of State salary COUNTY pays portion attributable to county supplement “and from county sources, an amount equal to the compensation received from county sources by a justice of the court of appeals to which assigned” TEX. GOV’T § 74.003(e), <i>as amended</i>
Visiting Judges – District Courts / County Courts	<i>Pro rata</i> for the base salary plus supplement of the position for which judge is sitting	PLUS, if serving a court that sits out of the county of the justice’s residence, “necessary expenses” and a per diem of \$25 a day	TEX. GOV’T § 74.061	NO CHANGE TEX. GOV’T § 74.061 (b) & (f) in how VJs for district or county benches are paid
MDL (1) Current DJ (2) Former or Retired (3) Former or Retired appointed under Chapters 74 or 75	(1) \$63,000 (2) \$140,000 (3) \$158,000, plus expenses and per diem, if per diem is applicable	the maximum amount of compensation set by the Texas Judicial Council for a regional presiding judge Base <i>State</i> salary only for former or retired judge ³⁰ If assigned under Chapters 74 or 75, also entitled to “the same compensation and benefits to which a former or retired judge or justice assigned under Chapter 74 is entitled under 74.061”	TEX. GOV’T §659.0125; TEX. GOV’T § 74.061 & TEX. GOV’T § 74.051(b)	Clarifies that retired or former judges appointed to MDL courts are allowed expenses and per diem in the same manner as visiting judges. Clarifies pay is State base pay ADDS subsection (d) that if appointed under Chapters 74 or 75, then entitled to the same benefits of any other former or retired judge under 74.061, which means county supplement plus expenses plus per diem, if per diem is applicable. If Davidson and Matthews are appointed under Chapters 74 or 75, it appears they will now be entitled to all benefits of any other former or retired judge appointed under those chapters

³⁰ “A retired judge appointed to an MDL court . . . is entitled to receive the same compensation and benefits to which a district judge is entitled from the state.” Section 659.0125(c), as amended. That compensation is further defined as the sum noted in Section 659.012(a) – which is the base amount of \$140,000.00.

