

ANALYSIS

Item 2: Commission on Judicial Fitness and Disability Compensation Plan Changes

Analyst: John Borden

Request: Acknowledge receipt of a report on compensation plan changes.

Analysis: The Commission on Judicial Fitness and Disability, as required under ORS 8.105(2), and prior to implementing any compensation plan change, is to report either to the Joint Committee on Ways and Means when the Legislature is in session or the Emergency Board or the Joint Interim Committee on Ways and Means during the interim. The Commission provided timely notice of the proposed compensation plan change on August 21, 2025.

The 2025-27 legislatively adopted budget for the Commission includes one position (1.00 FTE). The Commission is proposing two ongoing Cost-of-Living Allowance (COLA) adjustments, including a 2.5% COLA effective February 1, 2026, and a 4% COLA effective January 1, 2027. These are identical to those compensation changes negotiated in the Executive Branch by the Service Employees International Union and the American Federation of State, County, and Municipal Employees union.

The estimated cost would be \$12,726 General Fund for the 2025-27 biennium and \$30,048 General Fund for the 2027-29 biennium. The estimates include both salaries and wages and other payroll expenses.

Comp. Change	Effective Date	2025-27 Totals Funds	2027-29 Total Funds
COLA #1	02.01.2026	\$ 8,058	\$ 11,376
COLA #2	01.01.2027	\$ 4,668	\$ 18,672
Total		\$ 12,726	\$ 30,048

The Commission has not decided on approving an additional top step to the Executive Director's compensation range, in part because the impact of this change would not occur until the 2029-31 biennium when the current Executive Director becomes eligible for an additional step beyond the current ten step salary range.

The 2025 Legislature established a \$300 million special purpose appropriation to the Emergency Board for the General Fund costs of employee compensation changes across all three branches of government. An Emergency Board or legislative decision to allocate this funding will be decided at a future date.

Recommendation: The Legislative Fiscal Office recommends that the Joint Interim Committee on Ways and Means acknowledge receipt of the report.

Request: Report on classification and compensation changes.

Recommendation: Commission on Judicial Fitness and Disability is not under executive budgetary authority.

Discussion: The Commission on Judicial Fitness and Disability (CJFD) proposes changes to the agency's classification and compensation plan to be effective during the 2025-27 biennium. CJFD is reporting these changes in accordance with ORS 8.105(1), which states:

ORS 8.105(1): Before making any change to a compensation plan, an administrative division of the judicial department must submit the proposed change to the Joint Committee on Ways and Means during the period when the Legislative Assembly is in session, or to the Emergency Board or the Joint Interim Committee on Ways and Means during the interim period between sessions.

CJFD reviews and investigates complaints of alleged misconduct or interfering disabilities of Oregon state judges and justices of the peace. To support this work, the Commission has one full-time staff member who serves as the Executive Director and nine appointed members who serve on the Commission as volunteers.

ORS 240.245 requires the Judicial Branch to maintain a compensation plan in reasonable conformity with the general salary structures of the state. Following the 2025 Legislative Session, Governor Kotek announced a compensation plan adjustment for the Executive Branch employees. This adjustment includes a 2.5 percent cost-of-living adjustment (COLA) increase effective February 1, 2026, and a second COLA increase of 4.0 percent effective January 1, 2027. To meet the requirements of ORS 240.245, CJFD has elected to adopt the same compensation plan as the Executive Branch.

The budgetary impact is estimated to be \$12,726 General Fund in the 2025-27 biennium and \$30,048 General Fund in the 2027-29 biennium. CJFD does not have adequate funding to absorb this cost within the agency budget and anticipates funding from the statewide Salary Compensation Special Purpose Appropriation during the 2026 Legislative Session.



Commission on Judicial Fitness and Disability

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August 21, 2025

(SENT BY EMAIL)

The Honorable Senator Kate Lieber, Co-Chair
The Honorable Representative Tawna Sanchez, Co-Chair
Interim Joint Committee on Ways and Means
900 Court Street NE, H-178
Salem, OR 97301

RE: Compensation Plan Change Report

Dear Senator Lieber and Representative Sanchez:

Nature of the Report

The Commission on Judicial Fitness and Disability (CJFD) is providing this report on a prospective CJFD compensation plan change for the Executive Director during the 2025-27 biennium.

ORS 8.105(1) provides:

Before making any change to a compensation plan, an administrative division of the judicial department must submit the proposed change to the Joint Committee on Ways and Means during the period when the Legislative Assembly is in session, or to the Emergency Board or the Joint Interim Committee on Ways and Means during the interim period between sessions.

CJFD Compensation Plan Action

Background Authority: CJFD investigates and acts upon complaints of judicial misconduct or disability. The Commission has jurisdiction over judicial candidates and approximately 400 judges including the state's justices of the peace, circuit court judges, appellate court judges, the tax judge, pro-tem judges and Plan B senior judges, who sit occasionally as needed.

The Commission has nine volunteer members, and is supported by one full-time employee, the Executive Director, who is the only staff for the Commission. The Executive Director is required to be an attorney in good standing with the Oregon Bar.

In the months since the 2025 legislative session adjourned, the Governor announced her compensation plan changes for SEIU and AFSCME represented employees in the executive branch, which are yet subject to ratification.

The Commission has elected to adopt the same cost-of-living adjustments (COLAs) as proposed in the executive branch. The Commission's plan will provide a 2.5% COLA increase effective February 1, 2026, and a second COLA increase of 4.0% effective January 1, 2027.

The anticipated costs associated with the two staff COLAs, including the cost for taxes and benefits are summarized below.

The Commission expects that funding for these changes, as well as regular merit increases, will be addressed through the legislative Emergency Board reservation for state employee compensation plan changes.

	General Fund Impact
2025-27 Biennium	\$12,726
2027-29 Biennium	\$30,048

Action Requested

The Commission on Judicial Fitness and Disability requests acknowledgment of this report as provided in ORS 8.105(1).

Legislation Affected

None

Thank you for your time and attention to this matter.

Very Truly Yours,

**COMMISSION ON JUDICIAL FITNESS
AND DISABILITY**

Rachel Mortimer

**Rachel L Mortimer
Executive Director**