

**TESTIMONY ON SENATE BILL 96  
BEFORE THE SENATE COMMITTEE ON JUDICIARY  
FEBRUARY 24, 2025**

**PRESENTED BY: MEAGAN FLYNN, OREGON SUPREME COURT CHIEF JUSTICE  
OREGON JUDICIAL DEPARTMENT**

Chair Prozanski, Vice-Chair Thatcher, and Members of the Committee:

I am here today with colleagues to ask for your support for prioritizing competitive judicial salaries. Thank you for scheduling SB 96 for a hearing and for listening to why it is critical to make up the salary deficits that have grown wider each year since the legislature last made changes to judicial salaries.

As some brief background, states use various mechanisms to set judicial salaries. Some link state judge salaries to the salary of federal trial court judges, and others have compensation commissions with the authority to make or recommend changes. While each of those methods has been proposed in past years, none has taken root, and, because Oregon's judicial salaries are set in statute, I am left in the unenviable position of returning once again to request that judicial salaries be increased to a level that recognizes the challenges and responsibilities of the position and allows us to recruit and retain the highly qualified lawyers needed to serve the public as judges.

Those statutory salaries have not been changed since 2019 – five years ago – when there was a \$5,000 increase. Fortunately, judges have received some cost-of-living adjustments, which for some judges has been enough to persuade them to hang in there, but it's not a long-term answer. In 2016 we had 23 judges with 20 or more years of experience on the bench. Last October we had only five. Almost two-thirds have less than 10 years of experience on the bench, and I don't expect those numbers to improve. Additionally, more than half of Oregon's judges are within 10 years of retirement age.

While some of these changes are due to the general aging of Oregon's population, many judges are moving on to pursue other, more profitable careers in mediation or arbitration, where they can work fewer hours in less stressful circumstances. This is the dynamic we need to address, and that is why obtaining adequate compensation for the currently 202 elected judges in Oregon has been a priority for every Chief Justice for more than a generation.

While we have a market-based system to recruit and retain our staff positions, we have not adopted that approach to judicial salaries – until now. The Oregon Judicial Department has conducted a market survey of attorney salaries in Oregon. Those salaries are documented in the testimony submitted to the committee.

To be clear, judges are, above all else, deeply dedicated public servants and committed stewards of our justice system. None of us took the bench thinking we would make the kind of money that our colleagues in private practice can charge. But, as you can see in the market survey documents, judicial salaries are now far below the salaries of senior lawyers serving in other publicly paid positions – the lawyers who often are the ideal candidates to become judges.

The fundamental question for this committee and this assembly is “what kind of skills and attributes do we want the person on the bench to have, and what is an appropriate salary to attract and retain that person in every county in the state?”

Judges must know the details of the law (both in statute and in case law) for every type of case that comes before them. They must have the temperament to deal with people who are experiencing their most emotionally challenging moments. They must have the skill to navigate heavy and rising caseloads while keeping in mind that the case they are hearing that moment is the most important case on the docket to the people before them. They must have the ability to listen carefully, apply the law impartially, and issue decisions in a timely manner, and they must have the fortitude to endure regular threats to their safety and all-night warrant duty.

Please adopt the -1 amendments to SB 96 to ensure we can recruit and retain the highly qualified lawyers needed to serve the public as judges.