

Superior Court Judicial Compensation Reform Act- HB 85

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Introduction and Background

- **Effective July 1, 2025**
- **Provides reforms to compensation received by Superior Court Judges, aligning the salary to United States District Court for the Northern Division**
- **Current Superior Court Judges may make an irrevocable election to receive this new salary plus any county provided “locality pay” or maintain current compensation structure as of June 30, 2025; requires Counties to fund any gap in salary if opt in election results in overall lower compensation to the current Superior Court Judge (i.e. cannot result in a reduction of pay)**
- **Introduces optional locality pay (not to exceed the lesser of 10% of state salary or \$20,106) in lieu of County Supplements; locality pay must be approved by the BOC.**

Introduction and Background

- **Eliminates County Supplements to new Superior Court Judges on or after July 1, 2025; allows Chief Judge supplement (currently \$6k) to remain if already in place on June 30, 2025**
- **Suspends impact to any other state, county, local office , official or employee including State Court Judges who salaries are based upon Superior Court Judges compensation until July 1, 2026**
- **Fringe benefits may continue to be provided in the same manner they are provided as on June 30, 2025**
- **Authorizes but does not require provision of retirement benefits based upon the locality pay**

Summary of Provisions

- **Fulton County currently provides an annual supplement of \$72,112 to 20 Superior Court judges.**
- **Locality pay, if enacted, would not exceed \$20,106 per Judge at the maximum % allowed. The percentage/amount needed to maintain the Superior Court Judges current total compensation is \$15,843 or 7.88%**
- **Fulton County provides health, vision and dental insurance to 11 judges at an estimated cost of \$159,431 for 2025. The Judges are eligible to receive benefits from the state instead**
- **No Superior court judges are participating in the DB plan but 16 are participating in the DC Plan based upon their county supplement**

Current vs New Structure Financial Outlays

<u>Current vs New Structure Equal to Current Salary</u>				HB 85		Difference	County Savings Superior and State Court
	<u>Current State paid</u>	<u>Current County paid</u>	<u>Current Total</u>	<u>HB 85 State</u>	<u>Locality Pay (County paid)</u>	<u>HB 85 Total</u>	
Superior Court (20 judges) \$	144,790.30	72,112.00	216,902.30	201,060.00	15,842.30	216,902.30	- \$ 1,125,394.00
State Court (10 Judges)	-	200,625.00	200,625.00	-	191,007.00	191,007.00	(9,618.00) 96,180.00
Totals							\$ <u>1,221,574.00</u>

<u>Current vs New Structure Equal to Maximum Locality Pay</u>				HB 85		Difference	County Savings Superior and State Court
	<u>Current State paid</u>	<u>Current County paid</u>	<u>Current Total</u>	<u>HB 85 State</u>	<u>Locality Pay (County paid)</u>	<u>HB 85 Total</u>	
Superior Court (20 judges) \$	144,790.30	72,112.00	216,902.30	201,060.00	20,106.00	221,166.00	4,263.70 \$ 1,040,120.00
State Court (10 Judges)	-	200,625.00	200,625.00	-	191,007.00	191,007.00	(9,618.00) 96,180.00
Totals							\$ <u>1,136,300.00</u>

Other Considerations

- **Unintended financial impact on State Judge's compensation**
 - **95% of Superior Court Judges state plus County supplement, but not locality pay per 2017 Ga. L 3948.**
 - **HB 85's "suspension period" which the County Attorney's office interprets as a mechanism to prevent any erosion of State Court Judge compensation regardless of Superior Court Judges compensation structure until July 1, 2026.**
 - **If only one seated Superior Court Judge continues to receive a county supplement, that amount would remain the 95% benchmark for all State Court Judges.**
 - **As of July 1, 2026, if all Superior Court Judges opt in to locality pay and there are no county supplements paid, each State Court Judge could see compensation reductions of up to \$9,618 annually, as locality pay is not included in the 95% calculation.**

Other Considerations

- **Further Considerations for County Pension Plan**
 - **If permitted by law, refine County provisions of Defined Contribution Plan regarding eligibility for new Superior Court, State Court, Juvenile Court Judges and District Attorney, Public Defender and Superior Court officials who are either County employees or officials for the State of Georgia**
- **Ancillary Benefit Considerations (Retiree Health Care)**
 - **If permitted by law, refine policy for eligibility for new Superior Court, State Court and Juvenile Court Judges, and District Attorney, Public Defender and Superior Court officials who are either County employees or officials for the State of Georgia**

Decisions and Next Steps

- **Does the Board desire to offer locality pay to Superior Court judges? If so, in what amount or percentage.**
- **Does the Board desire to continue Superior Court judges' participation in the County's fringe benefit plans, (pension, health) and based on what type of compensation (locality pay)?**
- **Does the Board want to reduce future County supplements to other State funded positions if State compensation increases, including other Judges, Clerk of Superior Court, Solicitor, Sheriff, and District Attorney personnel who receive a county supplement?**
- **Memorialize these decisions by Board Resolution?**

Questions and Discussion