

Title: **Courts seek funding hike**  
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# Courts seek funding hike

By JASON TIDD  
 The Iola Register

After a study found Kansas Judicial Branch personnel are among the lowest-paid in the country, a \$20 million request by the courts for raises is in the hands of the Legislature.

The budget sent to the Legislature Wednesday by Governor Sam Brownback and budget director Shawn Sullivan includes the additional \$20 million for salaries and wages for the Judiciary. State

law requires the governor to submit the Judicial Branch's portion of the larger state budget without changes or recommendations.

If the additional funding is approved by the Legislature, the Judicial Branch's budget would be \$156 million for fiscal year 2018, which runs from July 1, 2017 to June 30, 2018. The \$20 million increase would be 15 percent more

than the current year's \$136 million budget.

The funding request for raises comes after a 2016 compensation study by the National Center for State Courts found that every job classification is paid below the market average.

"We are the first state that they have studied that has every job in the judicial branch

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## Courts: Judicial branch seeks increase in state funding

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paid below fair market value," said Daniel Creitz, chief judge of the 31st Judicial District. "Every job in the Judicial Branch is below market."

The percent below the market average varies from 4.6 to 22.2 percent.

Trial court clerk II and court services officer I classifications are paid 17.8 percent below the market rate, yet these entry-level positions comprise about 700 of the Judicial Branch's employees statewide.

There are 1,862.30 full-time equivalent positions, making Kansas courts the sixth-largest employer in all of state government, according to the governor's budget proposal.

A FACT SHEET pro-County: Allen

vided by Creitz, whose 31st Judicial District includes Allen, Neosho, Wilson and Woodson counties, detailed the effects stagnant wages have on a trial court clerk II employee. Creitz is involved with talking to legislators about the \$20 million funding request.

In 2010, a trial court clerk II earned \$22,000 in take-home pay. In 2017, that number has shrunk to \$19,000. The \$3,000 drop does not include inflation.

Trial court clerk II is one of nine job classes with starting wages below the 2016 federal poverty guideline of \$24,300 for a four-person household.

Creitz said the 2008 Legislature approved a raise for state government employees implemented over three years,

but the Judicial Branch only received the first of the three years. The executive branch received all their steps.

Then in 2014, a 2 percent raise was negated by an increase in health insurance and a 2 percent increase in the employee contribution to KPERS tier 1, the retirement fund for state employees.

"Did (salaries) raise 2 percent? Yes," Creitz said. "Did they get anything? No, because it was offset by KPERS and health insurance."

Automatic cost of living raises were also eliminated by the Brownback administration.

JUDGES at all levels in Kansas are also underpaid, according to the National Center for State Courts study.

Kansas district court

judges rank 50th in the country, including the District of Columbia. A Kansas district court judge earns \$120,037 while the national average is \$151,624.

Pay for the Kansas Supreme Court ranks 46th at \$135,905. Of the 40 states with appellate courts, Kansas ranks 36th at \$131,518.

Statewide there are seven Supreme Court justices, 14 appellate court judges, 167 district court judges and 79 district magistrate judges.

STAFF TURNOVER plagues the Judicial Branch, according to the compensation study. The Kansas Judicial Branch experiences 15 percent turnover compared to the national 3.2 percent reported by the Bureau of Labor Statistics.

Creitz, who is ulti-



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mately responsible for all 40-some personnel in the 31st Judicial District, said turnover is not an issue for him yet, but it will be if the funding increase for salary raises is not approved.

“We’re right at the brink locally,” Creitz said. “(Staff turnover) has happened statewide in many parts of the state. I am worried about it.”

The 267 judges statewide, who account for 14 percent of the 1,862.30 full-time equivalent positions, saw almost 5 percent turnover in the past year.

Eight district court judges and five magistrate judges, including Allen County’s Thomas Saxton, announced retirements in 2016. One of those retirees, Gary House, Montgomery County district judge,

said in a Judicial Branch press release that he will reopen his private law practice.

The compensation study calculated the cost of turnover, which includes the costs of hiring and training a new employee, to be more than \$2 million annually. Turnover is compounded by the number of employees who need additional work outside the Judicial Branch. Of the 1,603 survey respondents for the compensation study, 42 percent said they have sought outside employment to make ends meet and 32 percent have a second job.

The compensation study, citing USA Today, said the 32 percent of employees in the Kansas court system who work multiple jobs to make ends meet compares to

8.2 percent statewide and 5 percent nationwide.

For magistrate judges, 26 percent said they are seeking work outside the Judicial Branch and cited compensation as their primary reason.

**EVEN AS** compensation for Judicial Branch employees lags behind the rest of the country, Kansas boasts one of the better-quality court systems in the country, Creitz said.

“Our state is one of the better 50 at getting cases processed,” Creitz said. “We have one of the finer overall court systems in the land, one that every Kansan should be proud of.”

**THE REQUEST** comes at a time when Kansas lawmakers have struggled to balance the

budget since income tax cuts championed by Brownback were passed in 2012. Plagued by consistently inaccurate monthly tax revenue estimates that were revised downward in November 2016, this fiscal year’s budget faces a \$342 million shortfall.

The Judicial Branch, however, collects more money for the state than it receives from the Legislature.

“The Judicial Branch collects an average of \$181 million per year for the state of Kansas and its citizens,” Creitz said.

While some of that money is earmarked for other areas of state government, such as the Highway Patrol, the money collected by the courts is \$25 million more than the Judicial Branch’s budget for fiscal year 2018.

We are the first state that they have studied that has every job in the judicial branch paid below fair market value. Every job in the Judicial Branch is below market.

— Daniel Creitz, chief judge, 31st Judicial District

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