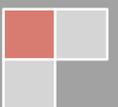


2016

State of Kansas

Judicial Branch

**MAGISTRATE CLASSIFICATION AND
COMPENSATION
STUDY
FINAL**





Trusted Leadership.
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Better Courts.

Prepared for

State of Kansas Judicial Branch

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OVERVIEW

The National Center for State Courts (NCSC) was contracted by the State of Kansas Judicial Branch to prepare recommendations for a comprehensive review of their classification and base compensation plan, including District Magistrate Judge ("DMJ") compensation. This report specifically is designed to address the base compensation for DMJs. Employee job classification base compensation is addressed in a separate report.

The State Justice Institute provided grant funding to assist with costs associated with the completion of this project. The goals of the project were to:

- Review and analyze the job duties of the DMJ position.
- Conduct a market analysis of the compensation for DMJs.
- Propose appropriate compensation that reflects comparisons to the market and the local business environment.

I. PROCESS

The process used to complete the project included meeting in person with DMJs, collecting and analyzing survey data, and meeting in person with the management team to discuss the project. DMJs completed a survey to assist the consultants with understanding the education and experience background of current DMJs.

To accomplish the objectives of this project, the NCSC reviewed the statute for DMJ job responsibilities in order to compare similar DMJ positions in other jurisdictions.

II. REVIEW PROCESS

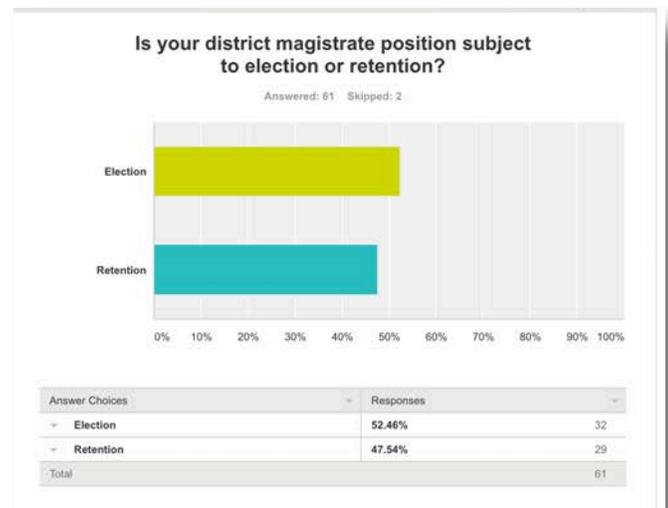
Based upon the information collected in person and gleaned from state statute, recommendations for base compensation were identified. Given that the job description is written in statute, no modifications to job responsibilities are suggested.

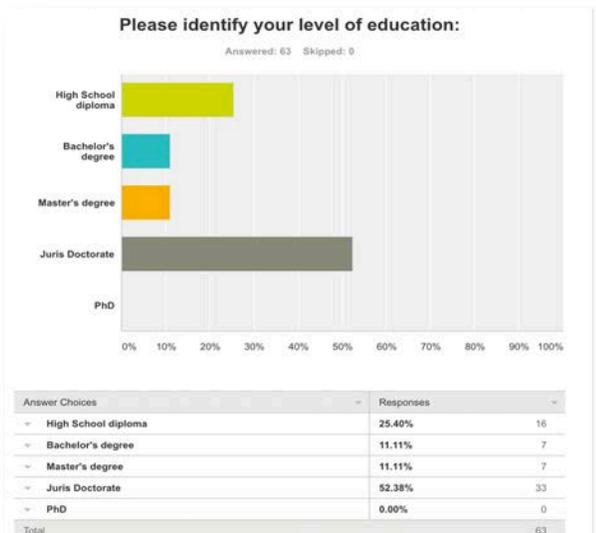
DMJ base compensation was reviewed on a variety of factors including docket types, form of appeals, retention/election status, and experience/education background of incumbents.

Docket Types – The DMJ position is considered a general jurisdiction position and supports the district judge or provides coverage to entire docket types for a district, depending on the split of responsibility between the district judge and DMJ(s). The variety of work allowed for a broader comparison to a variety of DMJ positions for the purpose of setting compensation.

Form of Appeals – Depending on a variety of factors, the DMJ's decisions may be appealed to a district judge, and in some instances, law-trained DMJ's decisions may be appealed to the appellate court. Therefore, the appeal of a DMJ's decision varies throughout the state. The form of appeal is a factor used as comparison for compensation setting purposes.

Retention/Election – Approximately 50% of DMJs are elected and 50% are retained by voters. Therefore, this data point allowed for the use of both retained and elected DMJ comparisons for compensation setting purposes.





Experience/Education – Approximately 50% of incumbents have a juris doctorate and approximately 75% have a bachelor's degree or higher.

The survey solicited information about work experience prior to accepting a DMJ position. 45% came from government, 20% from law enforcement and 19% from agriculture.

Finally, almost 50% of incumbents assumed the DMJ position with 20+ years of paid professional work experience.

Answer Choices	Responses
Government	45.16% 28
Financial	0.00% 0
Real Estate	0.00% 0
Private legal practice	50.00% 31
Education	9.68% 6
Agricultural/Farm	19.35% 12
Healthcare	4.84% 3
Manufacturing	3.23% 2
Construction	4.84% 3
Law Enforcement	20.97% 13
Technology	1.61% 1
Non-Profit	4.84% 3
Transportation	4.84% 3
Hospitality	3.23% 2

III. SPECIAL CONSIDERATIONS

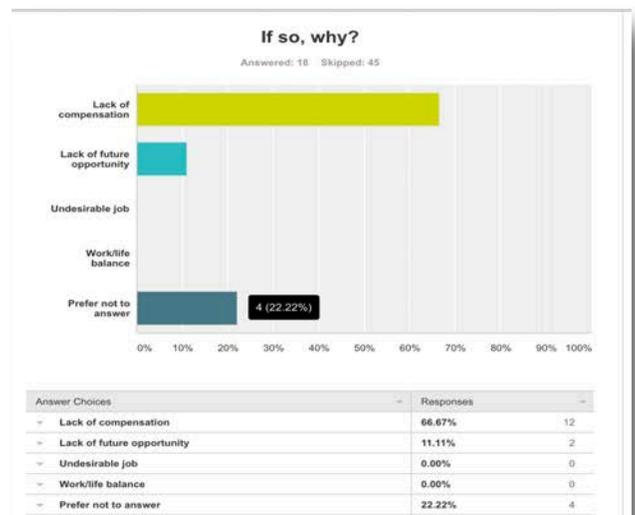
SPECIAL CONSIDERATION REGARDING BUDGET CONSTRAINTS

The Judicial Branch has not received budget increases for judge salary increases for approximately eight years. If recommendations cannot be implemented in full due to lack of resources, it is recommended that incremental effort toward implementing the study results be made when funding becomes available that attempts to treat all DMJs equitably.

Delaying the implementation of these recommendations in full or in part will result in outdated data and some positions risk becoming further out of alignment with market comparisons.

SEEKING EMPLOYMENT

Approximately 26% of DMJs who responded to the survey indicated they are seeking employment elsewhere. When asked why the DMJs were seeking employment elsewhere, the lack of compensation was the number one reason for approximately 67% of respondents.



V. PAY DATA

Pay recommendations were derived from several sources of data. The State of Kansas DMJ job function is similar in its complexity and span of control to magistrate judges (or Commissioners in some states) found in the market comparable as identified below. Pay data was obtained from:

- Bureau of Labor Statistics
- City of Lawrence
- City of Olathe
- State of Colorado Judiciary
- State of Iowa Judiciary
- State of Maryland Judiciary
- State of Missouri Judiciary
- State of Pennsylvania Judiciary
- State of West Virginia
- Federal Magistrate

Bank Rate, a third party economic equalizer, was used to adjust compensation where the State of Kansas economy is higher or lower in comparison to other states' economies. Therefore, data from other sources was adjusted to account for the differences in economy in comparison to the State of Kansas.

The National Center for State Courts consultants obtained salary information for DMJs in the market comparable entities shown above. Given the magistrate judge (Commissioner) compensation in the market comparable entities, the compensation for DMJs is recommended to be \$75,417.

District Judge and Magistrate Comparison	
State of Kansas Current Magistrate Salary	\$61,746
Economic Adjusted Market Magistrate Salary	\$75,417
Percent to Raise Current Kansas State Magistrate to Market	22%

To remain competitive with the market, funding of the recommendations contained in this report should be funded in full or an incremental effort should be made to bring the salary into alignment with the market.