

Analysis

Commission on Judicial Fitness and Disability

Compensation Plan Changes

Analyst: Paul Siebert

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

Analysis: ORS 8.105(1) requires the Judicial Department to report to the Joint Committee on Ways and Means when the Legislative Assembly is in session on any changes to Judicial Branch compensation plans.

The Judicial Department, reporting on behalf of the Commission on Judicial Fitness and Disability, that the Commission has approved a 6.95% salary increase for the Executive Director position to offset the employee 6% PERS pick-up, effective June 1st, 2019. This change is consistent with other compensation plan changes made during the 2017-19 biennium. The cost of this change is estimated at \$2,856 for the 2019-21 biennium.

Legislative Fiscal Office Recommendation: Approve the request.

Commission on Judicial Fitness and Disability McDonald

Request: Report on Compensation Plan change by the Commission on Judicial Fitness and Disability.

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

Discussion: In compliance with ORS 8.105(1), the Commission on Judicial Fitness and Disability (CJFD) is providing a report on a prospective compensation plan change for the Executive Director during the 2017-19 biennium. The statute directs an administrative division of the Judicial Department to submit any proposed compensation plan changes to the Joint Committee on Ways and Means during the period when the Legislative Assembly is in session or to the Emergency Board or Joint Interim Committee on Ways and Means during the interim periods.

The Commission has agreed to match the Executive Branch changes to the six percent Public Employee Retirement System contribution by an increase to salary and subsequent “pre-tax” payroll deduction. In order to offset FICA reductions, salaries in the Executive Branch have been increased by 6.95 percent. For the Executive Director position, this change becomes effective on June 1, 2019 and is anticipated to cost \$119 General Fund in 2017-19 and \$2,856 General Fund in the 2019-21 biennium.



Commission on Judicial Fitness and Disability

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March 25, 2019

PERSONAL AND CONFIDENTIAL

The Honorable Senator Betsey Johnson, Co-Chair
The Honorable Senator Elizabeth Steiner Hayward, Co-Chair
The Honorable Representative Dan Rayfield, Co-Chair
Joint Committee on Ways and Means
900 Court Street NE
H-178 State Capitol
Salem, OR 97301-4048

Re: Compensation Plan Change Report

Dear Co-Chairpersons:

Nature of the Request

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 2017-19 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

CJFD investigates and acts upon complaints of judicial misconduct or disability. The Commission has jurisdiction over the state's 32 justices of the peace, 175 circuit court judges, and 21 appellate court judges. Its jurisdiction also covers 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 a .5 FTE 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. The Commission has agreed to match the executive branch changes to the 6% PERS contribution via a payroll deduction. The Executive

Director position is maintained by DAS, but with the move of the executive branch to the new pick-up formula, DAS is having to maintain the one position in the system manually. To help alleviate this need, future employee contributions will be treated as "pre-tax" contributions pursuant to Internal Revenue Service Section 414(h)(2) and as an offset to this change, the Commission has agreed to increase the Executive Director salary by 6.95% beginning June 1st, 2019. This change is anticipated to cost:

	General Fund Impact
2017-19 Biennium	\$119
2019-21 Biennium	\$2,856

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



Susan D. Isaacs
Executive Director