

**RESOLUTION CONCERNING JUDICIAL  
SALARIES UNANIMOUSLY ADOPTED BY  
THE MARITIME LAW ASSOCIATION OF THE  
UNITED STATES AT ITS NOVEMBER 7, 1980 MEETING  
IN SAN DIEGO, CALIFORNIA, AND SUBMITTED  
TO THE COMMITTEE ON EXECUTIVE, LEGISLATIVE  
AND JUDICIAL SALARIES BY TELEGRAM ON THAT DATE**

WHEREAS, The Maritime Law Association of the United States has a particular interest in maintenance of the highest possible standards of the Federal Judiciary since the trial of maritime cases is primarily in Federal Court; and

WHEREAS, from 1970 through 1979, when the consumer price index rose approximately 100 percent, Federal Judicial salaries were increased 20 percent for the Chief Justice and Justices of the Supreme Court, 35 percent for Court of Appeals Judges, and 36.25 percent for District Judges, so that a District Judge, currently being paid at the rate of \$54,500 would require a compensation level of \$117,000 to return that Judge to his 1969 level of real disposable income, with comparable requirements in respect of Court of Appeals Judges and Supreme Court Justices; and

WHEREAS, in recent years the President in his recommendation to Congress, and the Congress in its enactments, have followed a principle of fixed or automatic "linkage", thereby tying Judicial salaries to Congressional salaries, notwithstanding the facts that Federal Judges commit themselves to a lifetime of service, and have no opportunities comparable to those of Members of Congress for compensation from sources other than their salaries, such "linkage" being directly contrary to the recommendation of the Commission on Executive, Legislative and Judicial Salaries, established by the Federal Salary Act, 2 U.S.C. Sections 351 *et seq.*, in its 1976 report; and

WHEREAS, it is reported that the average appointee from private practice to a Federal Judgeship accepts a very substantial income reduction so that the compensation of a District Judge is now not significantly greater than the salaries of young associates in many law firms; and

WHEREAS, in recent years the Members of the Association have witnessed, as a consequence of these inequities resulting from action and inaction by the Legislative and Executive branches of the Federal Government, an unprecedented threat to the continuing quality of the

Federal Judiciary, which manifests itself in competent Judges resigning and competent attorneys declining appointments to the Federal Bench; and


WHEREAS, the Association believes that an independent Federal Judiciary of the highest possible quality as envisioned by the framers of our Constitution, the importance of which must not be underestimated, should not be imperiled by factors such as those which prompt this resolution,

NOW, THEREFORE, be it resolved by The Maritime Law Association of the United States that the Executive and Legislative branches of the Government be called upon to redress the present inequities in respect of compensation of the Federal Judiciary; and that fair, equitable, and independent standards of compensation be established and implemented for compensation of the Federal Judiciary, having regard to the particular significance and circumstances of the services rendered by the Federal Judiciary, and the paramount importance to the nation of an independent and highly qualified Federal Judiciary; and

Be it further resolved that this resolution be printed as a separate document and distributed to the President of the United States, Senators and Members of Congress, the Commission on Legislative and Judicial Salaries established pursuant to Section 225 of Public Law 90-206 and to all Members of the Association; and

Be it further resolved that, as this is a matter of continuing concern to the Association, this subject is referred to the Committee on Practice and Procedure for continued surveillance and further advice.

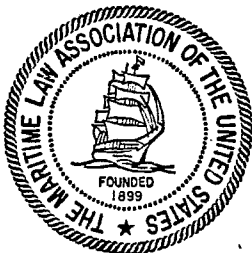
Attest:



MACDONALD DEMING,

Secretary

JOHN W. SIMS, *President*  
The Maritime Law Association  
of the United States  
Hibernia Bank Building  
New Orleans, La. 70112



DOCUMENT No. 626  
November 1980