

The Federal Circuit Bar Association

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November 27, 2007

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Washington College of Law,
American University

Terence P. Stewart
Law Offices of Stewart and Stewart

Re: S. 1638: Federal Judicial Salary Restoration Act of 2007
H.R. 3753: Federal Judicial Salary Restoration Act of 2007

Kristine Tardiff
U.S. Department of Justice

Dear Senators and Representatives:

Carlos R. Villamar
Roberts Mlotkowski & Hobbes, PC

Ex Officio

Jan Horbaly, Circuit Executive
U.S. Court of Appeals for the
Federal Circuit

On behalf of the Federal Circuit Bar Association (FCBA), I write to urge Congress to pass promptly legislation to address the severe erosion of pay for our federal judges over the last four decades. The FCBA is the bar association of the United States Court Of Appeals for the Federal Circuit. It has more than 2000 attorney members nationally and is deeply interested in preserving an independent federal judiciary of the highest quality.

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The failure to ensure that judicial pay keeps pace with the never-ending increases in the cost of living effectively inflicts regular salary cuts on our judges. Not only is this an unusual and unfair compensation system compared to common practice in both the public and private sectors, it encourages experienced federal judges to leave to become private judges and, at the same time, deprives the federal judiciary of potential new candidates. Yet the need to update judicial salaries is increasingly important as judicial pay continually falls behind salaries in the legal field generally. This unfortunate state of affairs is clearly illustrated by the recent announcements from major law firms that their standard pay for first year associates right out of law school will be as much as \$190,000, which is substantially more than the current salary for our federal district judges.

As a practical matter, the pending bills in Congress provide a unique opportunity to fix the problem with the erosion in judicial pay and simply to do the right thing for the commonweal. Congress should act while the iron is hot. The FCBA strongly supports this effort.



Respectfully Submitted,



Edward R. Reines

cc: James C. Duff, Director
Office of Public Affairs
Administrative Office of the U.S. Courts
Washington, D.C. 20544