



The Kansas District Judges' Association



COMMITTEE ON FINANCIAL INSTITUTIONS AND INSURANCE

Hon. Sen. Jeff Longbine, Chair
Hon. Sen. Rick Billinger, Vice Chair
Hon. Sen. Lynn Rogers, R. M. Member
February 15, 2018 9:30 a.m.
ROOM NUMBER 546-S

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TESTIMONY IN OPPOSITION TO SENATE BILL 395

Chairman Longbine and members of the Committee on Financial Institutions and Insurance:

Thank you very much for the opportunity to address with you the propriety of passage of SB 395. As co-chair of the Legislative Committee of the Kansas District Judges' Association, I have been asked to review this matter and present the position of the Association in opposition to further consideration and passage of this bill.

This bill, among its various provisions, proposes revisions to K.S.A. 20-2610 (b) to create a more restrictive retirement benefits calculation for judges becoming members of the KPERS Judicial Retirement plan after July 1, 2018. This provision caps the final average salary for purposes of calculating the retirement benefit at \$99,636, which is less than the starting salary for a district or appellate judge. The result of this change would be to significantly lessen the retirement benefit for newly appointed judges. We consider there are several problems with this proposal.

Of great concern is the expected impact upon the ability to attract and retain qualified and experienced attorneys to this profession. The consistent and pervasive failure of the Legislature to provide judicial salaries at even near-market levels will certainly have the detrimental effect of diminishing the pool of applicants for district judge positions. Further erosion of retirement benefits, in our opinion, has the potential of being an even greater limiting factor in continuing to attract the quality of judge expected in Kansas.

As a result, we respectfully request that this bill not be considered for passage.

Thank you for your time and consideration.

Hon. Merlin G. Wheeler
Chief Judge 5th Judicial District
Legislative Committee Co-Chair, Kansas District Judges' Association