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supply or control the flow of fuel oil to the appliance(s).

Gas Supply Connection. The terminal end or connection to which a gas supply connector is attached.

Gas Supply Connector. Tubing or piping connecting the mobile home to the gas supply source.

Heat Producing Appliance. All heating and cooking appliances and all fuel burning appliances.

Heating Appliance. An appliance for comfort heating of a mobile home or for water heating.

Illuminating Appliance—Gas Fired. An appliance designed for illumination and intended for either outdoor or indoor installation and attached to a fuel gas piping system.

Liquefied Petroleum Gases. The terms "Liquefied petroleum gases," "LPG" and "LP-Gas" as used in this standard shall mean and include any material which is composed predominantly of any of the following hydrocarbons, or mixtures of them: propane, propylene, butanes (normal butane or isobutane), and butylenes.

Listed. Equipment or materials included in a list published by a nationally recognized testing laboratory that maintains periodic inspection of production of listed equipment or materials and whose listing states either that the equipment or material meets nationally recognized standards or has been tested and found suitable for use in a specified manner.

Main Gas Piping Manifold. Gas piping which conveys gas from the gas supply connection to the appliance branch piping.

Mobile Home. A vehicular, portable structure built on a chassis and designed to be used without a permanent foundation* as a dwelling when connected to indicated utilities.

Readily Accessible. Having direct access without the necessity of removing any panel, door, or similar obstruction.

Roof Jack. That portion of a mobile home heater flue or vent assembly, including the cap, insulating means, flashing, and ceiling plate, located in and above the roof of a mobile home.

Water Heater. An appliance for supplying hot water for domestic or commercial purposes other than for space heating.

*The phrase "without a permanent foundation" indicates that the support system is constructed with the intent that the mobile home placed thereon will be moved from time to time at the convenience of the owner.

4. Fuel Supply Systems

4.1 LP-Gas Containers

4.1.1 Maximum Capacity. No more than two containers having an individual water capacity of not more than 105 pounds (approximately 45 pounds LP-Gas capacity), shall be installed on or in a compartment of any mobile home.

4.1.2 Construction of Containers. Containers shall be constructed and marked in accordance with the specifications for LP-Gas containers of the U.S. Department of Transportation (DOT) or the Rules for Construction of Unfired Pressure Vessels, Section VIII, ASME Boiler and Pressure Vessel Code. ASME Containers constructed after December 31, 1967 shall be Container Type 250.

4.1.2.1 Container supply systems shall be arranged for vapor withdrawal only.

4.1.3 Location of Containers and Systems

4.1.3.1 No LP-Gas container shall be installed nor provisions made for installing or storing, even temporarily, inside any mobile home except for listed, completely self-contained hand torches, lanterns, or similar equipment with containers having a maximum water capacity of not more than 2½ pounds (approximately one pound LP-Gas capacity).

4.1.3.2 Containers, control valves, and regulating equipment shall be mounted on the chassis of the mobile home as close to the hitch as possible, or shall be installed in a compartment that is vaportight to the inside of the mobile home and accessible only from the outside. The compartment shall be ventilated at top and bottom to facilitate diffusion of vapors. The compartment shall be ventilated with two vents having an aggregate area of not less than two percent of the floor area of the compartment and shall open unrestricted to the outside atmosphere. The required vents shall be equally distributed between the floor and ceiling of the compartment. If the lower vent is located in the access door or wall, the bottom edge of the vent shall be flush with the floor level of the compartment. The top vent shall be located in the access door or wall with the bottom of the vent not more than 12 inches below the ceiling level of the compartment. All vents shall have an unrestricted discharge to the outside atmosphere. Access doors or panels of compartments shall not be equipped with locks or require special tool or knowledge to open.

4.1.3.3. Contain or container carrier shall be secured in place

on the mobile home by fastenings designed and constructed with a minimum safety factor of four, to withstand loading in any direction equal to four times the filled weight of the container.

4.1.4 Container Valves and Accessories

4.1.4.1 Valves in the assembly of a two-cylinder system shall be arranged so that replacement of containers can be made without shutting off the flow of gas to the appliance(s).

NOTE: This provision is not to be construed as requiring an automatic change-over device.

4.1.4.2 Shutoff valves on the containers shall be protected as follows, in transit, in storage, and while being moved into final utilization:

(a) By setting into a recess of the container to prevent possibility of their being struck if container is dropped upon a flat surface.

(b) By ventilated cap or collar, fastened to the container, capable of withstanding a blow from any direction equivalent to that of a 30-pound weight dropped 4 feet. Construction must be such that the blow will not be transmitted to the valve.

4.1.4.3 Regulators shall be connected directly to the cylinder valve outlets or mounted securely by means of a support bracket and connected to the cylinder valve or valves with listed high pressure flexible connections.

4.1.5 Safety Devices

4.1.5.1. DOT containers shall be provided with safety relief devices as required by the regulations of the U.S. Department of Transportation. ASME containers shall be provided with relief valves in accordance with B.10 of USA Standard for the Storage and Handling of Liquefied Petroleum Gases (USAS Z106.1-1967, NFPA No. 58-1967). Safety relief valves shall have direct communication with the vapor space of the vessel.

4.1.5.2 The delivery side of the gas pressure regulator shall be equipped with a safety relief device set to discharge at a pressure not less than two times and not more than three times the delivery pressure of the regulator.

4.1.5.3 Systems mounted on the hitch shall be so located that the discharge from the safety relief devices shall be into the open

air and not less than three feet horizontally from any opening into the mobile home below the level of such discharge. Relief valves located within liquefied petroleum gas container compartments may be less than three feet from openings provided:

- (a) The bottom vent of the compartment is at the same level or lower than the bottom of any opening into the vehicle, or,
- (b) The compartment is not located on the same wall plane as the opening(s) and is at least two feet horizontally from such openings.

4.1.6 System Enclosure and Mounting

4.1.6.1 Housings and enclosures shall be designed to provide proper ventilation at least equivalent to that specified in 4.1.3.2 of this Part.

4.1.6.2 Doors, hoods, domes, or portions of housings and enclosures required to be removed or opened for replacement of containers shall incorporate means for clamping them firmly in place and preventing them from working loose during transit.

4.1.6.3 Provisions shall be incorporated in the assembly to hold the containers firmly in position and prevent their movement during transit.

4.1.6.4 Containers shall be mounted on a substantial support or a base secured firmly to the vehicle chassis. Neither the container nor its support shall extend below the frame.

4.1.7 System Design and Service Line Pressure

4.1.7.1 Systems shall be of the vapor-withdrawal type.

4.1.7.2 Vapor, at a pressure not over 18 inches water column, shall be delivered from the system into the gas supply connection.

4.1.7.3 Container openings for vapor withdrawal shall be located in the vapor space when the container is in service or shall be provided with a suitable internal withdrawal tube which communicates with the vapor space in or near the highest point in the container when it is mounted in service position, with the vehicle on a level surface. Containers shall be permanently and legibly marked in a conspicuous manner on the outside to show the correct mounting position and the position of the service outlet connection. The method of mounting in place shall be such as to minimize the possibility of an incorrect positioning of the container.

4.2 Oil Tanks

4.2.1 Installation. Oil tanks installed for gravity flow of oil to heating equipment shall be installed so that the top of the tank is no higher than 8 feet above the appliance oil control and the bottom of the tank is not less than 18 inches above the appliance oil control. Listed automatic pumps (oil lifter) shall be mounted no higher than 8 feet above the appliance oil control and not less than 18 inches above the appliance oil control.

4.2.2 Auxiliary Oil Storage Tank. Oil supply tanks affixed to a mobile home shall be so located as to require filling and draining on the outside and shall be securely fastened in position in a place readily available for inspection.

4.2.3 Tank Compartment. If the fuel supply tank is located in a compartment of a mobile home, the compartment shall be ventilated at the bottom to permit diffusion of vapors and shall be insulated from the structural members of the body. Tanks so installed shall be provided with an outside fill and vent pipe and an approved liquid level gage.

4.2.4 Shutoff Valve. A readily accessible, approved manual shutoff valve* shall be installed at the outlet of an oil supply tank. The valve shall be installed to close against the supply.

4.2.5 Fuel Oil Filters. All oil tanks, except for integrally mounted tanks, shall be equipped with an approved oil filter or strainer† located downstream from the tank shutoff valve. The fuel oil filter or strainer shall contain a sump with a drain for the entrapment of water.

5. Piping Systems

5.1 Gas Piping Systems

5.1.1 General. The requirements of this section shall govern the installation of all fuel gas piping attached to any mobile home. None of the requirements listed in this section shall apply to the piping in the appliance(s).

*Such valves are listed in Underwriters' Laboratories Gas and Oil Equipment List under the classification, Valves, Shut-Off Valves, Flammable Liquid Shut-Off Valves.

†Such filters are listed in Underwriters' Laboratories Gas and Oil Equipment List under the classification, Heating and Heating-Cooling Appliance Accessories, Strainers, Oil Burner.

5.1.2 Materials. All materials used for the installation, extension, alteration, or repair of any gas piping system shall be new and free from defects or internal obstructions. It shall not be permissible to repair defects in gas piping or fittings. Inferior or defective materials shall be removed and replaced with acceptable material. The system shall be made of materials having a melting point of not less than 1,450 F, except as provided in 5.1.5 of this Part. They may consist of one or more of the materials described in 5.1.2.1 through 5.1.2.4.

5.1.2.1 Gas pipe shall be steel or wrought-iron pipe complying with USA Standard Wrought-Steel and Wrought-Iron Pipe, B36.10-1959. Threaded copper or brass pipe in iron pipe sizes may be used.

5.1.2.2 Fittings for gas piping shall be wrought iron, malleable iron, steel, or brass (containing not more than 75 percent copper).

5.1.2.3 Copper tubing shall be annealed type, grade K or L, conforming to the Specifications for Seamless Copper Water Tube (ASTM-B88-66), or shall comply with the Specifications for Seamless Copper Tube for Refrigeration Field Service, ASTM B280-66. When used on systems designed for natural gas, such tubing shall be internally tinned.

5.1.2.4 Steel tubing shall be externally corrosion protected and shall have a minimum wall thickness of 0.049 inch.

5.1.3 Piping Design. Each mobile home requiring fuel gas for any purpose shall be equipped with a fuel gas piping system that is designed for LP-Gas only or with a natural gas piping system acceptable for LP-Gas.

5.1.3.1 Where fuel gas piping is to be installed in both portions of an expandable or dual mobile home, the design and construction of the crossover shall be as follows:

(a) There shall be only one point of crossover which shall be located not more than 18 inches from either the front or rear wall and shall be readily accessible from the exterior of the mobile home.

(b) The connector between units shall be an approved type for exterior use, sized in accordance with 5.1.4 of this Part.

(c) The connection shall be made by an approved "quick disconnect" device which shall be designed to provide a positive seal of the supply side of the gas system when such device is separate.

(d) The flexible connector and "quick disconnect" device shall be provided with protection from mechanical and impact damage and located to minimize the possibility of tampering.

(e) Suitable protective coverings for the "quick disconnect" device, when separated, shall be permanently attached to the device or flexible connector.

(f) A 3-inch by 1 $\frac{3}{4}$ -inch etched, stamped, or embossed metal tag not less than 0.020 inch in thickness, of brass, stainless steel, anodized or clad aluminum shall be permanently attached on the exterior wall adjacent to the access to the "quick disconnect" device. Each tag shall be legibly inscribed with the following information:

**Do Not Use Tools to Separate
the "Quick-Disconnect" Device.**

5.1.4 Gas Pipe Sizing. Gas piping systems shall be sized so that the pressure drop to any appliance inlet connection from the gas supply connection or connections, when all appliances are in operation at maximum capacity, is no more than 0.5 inch water column. Conformance may be determined on the basis of test, or the gas piping system may be sized in accordance with Table 4 (next page). The natural gas supply connection shall be not less than $\frac{3}{4}$ -inch nominal pipe size.

5.1.5 Joints for Gas Piping. All pipe joints in the piping system, unless welded or brazed, shall be screw joints that comply with USA Standard Pipe Threads (Except Dryseal) B2.1-1960. Right and left nipples and couplings shall not be used. Unions, if used, shall be of the ground joint type. The material used for welding or brazing pipe connections shall have a melting temperature in excess of 1,000°F.

5.1.6 Joints for Tubing. Joints on tubing shall be made with either a single or double flare of the proper degree, as recommended by the tubing manufacturer, by means of approved gas tubing fittings, or joints may be brazed with material having a melting point exceeding 1,000°F.

5.1.7 Pipe Joint Compound. Screw joints shall be made up tight with approved pipe joint compound, insoluble in liquefied petroleum gas, and shall be applied to the male threads only.

5.1.8 Concealed Tubing. Tubing shall not be run inside walls, floors, or partitions. Where tubing passes through walls, floors,

TABLE 4
Sizing Gas Piping Systems

Combination LP-Natural Gas System (Based on a Total Pressure Drop of $\frac{1}{2}$ in. H ₂ O)			LP-Gas-Only System (Based on a Pressure Drop of $\frac{1}{2}$ in. H ₂ O)		
Main Gas Manifold			Main Gas Manifold		
Total Appliance Input Name Plate Rating	Nominal Pipe Size	Tube od	Total Appliance Input Name Plate Rating	Nominal Pipe Size	Tube od
No More Than:			No More Than:		
7,000 Btu/hr	$\frac{1}{4}$		11,000 Btu/hr	$\frac{1}{4}$	$\frac{3}{8}$
27,000 Btu/hr	$\frac{3}{8}$		42,000 Btu/hr	$\frac{3}{8}$	$\frac{1}{2}$
56,000 Btu/hr	$\frac{1}{2}$		88,000 Btu/hr	$\frac{1}{2}$	$\frac{3}{4}$
115,000 Btu/hr	$\frac{3}{4}$		183,000 Btu/hr	$\frac{3}{4}$	$\frac{3}{4}$
220,000 Btu/hr	1		340,000 Btu/hr	1	
Branch Take-offs			Branch Take-offs		
Individual Appliance Input Name Plate Rating	Nominal Pipe Size	Tube od	Individual Appliance Input Name Plate Rating	Nominal Pipe Size	Tube od
No More Than:			No More Than:		
25,000 Btu/hr		$\frac{3}{8}$	2,500 Btu/hr		$\frac{1}{4}$
31,000 Btu/hr	$\frac{1}{4}$		39,000 Btu/hr		$\frac{3}{8}$
49,000 Btu/hr		$\frac{1}{2}$	49,000 Btu/hr	$\frac{1}{4}$	
64,000 Btu/hr	$\frac{3}{8}$		77,000 Btu/hr		$\frac{1}{2}$
95,000 Btu/hr		$\frac{3}{4}$	100,000 Btu/hr	$\frac{3}{8}$	
120,000 Btu/hr	$\frac{1}{2}$		150,000 Btu/hr		$\frac{3}{8}$
250,000 Btu/hr	$\frac{3}{4}$		190,000 Btu/hr	$\frac{1}{2}$	
			390,000 Btu/hr	$\frac{3}{4}$	

or partitions, or similar installations, such tubing shall be protected by the use of grommets that shall snugly fit both the tubing and the hole through which the tubing passes.

5.1.9 Concealed Joints. No piping or tubing joints shall be located in any floor, wall, partition, or similar concealed construction space.

5.1.10 Location of Gas Supply Connection

5.1.10.1 For LP-Gas-only systems the supply connection shall be located at the hitch, container recess, or in the rear third of the total length of the mobile home and within 18 inches from the left (road) side wall.

TABLE 4
Sizing Gas Piping Systems

Combination LP-Natural Gas System (Based on a Total Pressure Drop of 1/2 in. H ₂ O)			LP-Gas-Only System (Based on a Pressure Drop of 1/2 in. H ₂ O)		
Main Gas Manifold			Main Gas Manifold		
Total Appliance Input Name Plate Rating	Nominal Pipe Size	Tube ed	Total Appliance Input Name Plate Rating	Nominal Pipe Size	Tube ed
No More Than:			No More Than:		
7,000 Btu/hr	1/4		11,000 Btu/hr	1/4	3/8
27,000 Btu/hr	3/8		42,000 Btu/hr	3/8	1/2
56,000 Btu/hr	1/2		88,000 Btu/hr	1/2	3/4
115,000 Btu/hr	3/4		183,000 Btu/hr	3/4	3/4
220,000 Btu/hr	1		340,000 Btu/hr	1	
Branch Take-offs			Branch Take-offs		
Individual Appliance Input Name Plate Rating	Nominal Pipe Size	Tube ed	Individual Appliance Input Name Plate Rating	Nominal Pipe Size	Tube ed
No More Than:			No More Than:		
25,000 Btu/hr		3/8	2,500 Btu/hr		1/4
31,000 Btu/hr	1/4		39,000 Btu/hr		3/8
49,000 Btu/hr		1/2	49,000 Btu/hr	1/4	
64,000 Btu/hr	3/8		77,000 Btu/hr		1/2
95,000 Btu/hr		3/4	100,000 Btu/hr	3/8	
120,000 Btu/hr	1/2		150,000 Btu/hr		3/4
250,000 Btu/hr	3/4		190,000 Btu/hr	1/2	
			390,000 Btu/hr	3/4	

or partitions, or similar installations, such tubing shall be protected by the use of grommets that shall snugly fit both the tubing and the hole through which the tubing passes.

5.1.9 Concealed Joints. No piping or tubing joints shall be located in any floor, wall, partition, or similar concealed construction space.

5.1.10 Location of Gas Supply Connection

5.1.10.1 For LP-Gas-only systems the supply connection shall be located at the hitch, container recess, or in the rear third of the total length of the mobile home and within 18 inches from the left (road) side wall.

5.1.10.2 For combination LP-Gas and natural gas systems, the natural gas supply connection shall be located under the rear third of the total length of the mobile home and within 18 inches from the left (road) side wall. An additional connection may also be located at the hitch. The system shall be sized to provide adequate capacity from either supply connection for natural gas.

5.1.11 Identification of Gas Supply Connections. A 3 by 1 $\frac{1}{4}$ inch, etched, stamped, or embossed metal tag, not less than 0.020 inch in thickness, of brass, stainless steel, anodized aluminum, or clad aluminum shall be permanently attached on the outside of the exterior wall of the mobile home, as close as possible to each gas supply connection or to the end of the pipe. Each tag shall be legibly inscribed with the information shown in the box on this page or at the top of the next depending on the gas system used.

LP-Gas System

This gas piping system is designed for use of liquefied petroleum gas only.

**DO NOT CONNECT NATURAL GAS TO THIS SYSTEM.
CONTAINER SHUTOFF VALVES SHALL BE CLOSED
DURING TRANSIT.**

Before turning on gas, make certain all gas connections have been made tight, all appliance valves are turned off, and any unconnected outlets are capped.

After turning on gas, test gas piping and appliance for leakage with soapy water, and light all pilots.

5.1.12 Gas Supply Connectors

5.1.12.1 Natural Gas. A listed minimum $\frac{1}{2}$ inch nominal (ID) gas supply connector, with $\frac{3}{4}$ inch NPT terminal fittings, six feet in length, shall be supplied by the manufacturer when the fuel gas piping system is designed for the use of natural gas.

5.1.12.2 LP-Gas. A listed LP-Gas flexible connector shall be supplied when the fuel gas piping system is designed for the use of LP-Gas and cylinder(s) and regulator(s) are supplied.

5.1.13 Appliance Connections. All gas-burning appliances shall be connected to the fuel piping with materials as provided in 5.1.2

Combination LP-Gas and Natural Gas System

This gas piping system is designed for use of either liquefied petroleum gas or natural gas.

NOTICE: BEFORE TURNING ON GAS BE CERTAIN APPLIANCES ARE DESIGNED FOR THE GAS CONNECTED AND ARE EQUIPPED WITH CORRECT ORIFICES. SECURELY CAP THIS INLET WHEN NOT CONNECTED FOR USE.

Before turning on gas, make certain all gas connections have been made tight, all appliance valves are turned off, and any unconnected outlets are capped.

After turning on gas, test gas piping and appliances for leakage with soapy water, and light all pilots.

of this Part or with listed appliance connectors of semirigid tubing. Listed appliance connectors when used shall not run through walls, floors, or partitions. Listed appliance connectors of aluminum shall not be used externally.

5.1.14 Valves. Shutoff valves and appurtenances used in connection with gas piping shall be of a type designed and approved for use on LP-Gas.

5.1.15 Gas Inlet Cap. On gas supply systems provided with more than one connection, a suitable cap to effectively close the gas inlet not in use shall be securely attached to the mobile home.

5.1.16 Electric Ground. Gas piping shall not be used for an electrical ground.

5.1.17 Couplings. Where it is necessary to join sections of screw piping, right and left nipples and couplings shall not be used. Ground joint unions may be installed at appliance inlet connections.

5.1.18 Hangers and Supports. All gas piping shall be adequately supported by galvanized or equivalently protected metal straps or hangers at intervals of not more than 4 feet, except where adequate support and protection is provided by structural members. Solid-iron-pipe gas supply connection(s) shall be rigidly anchored to a structural member within 6 inches of the supply connection(s).

5.1.19 Testing for Leakage.

5.1.19.1 Before Appliances are Connected. Piping systems shall stand a pressure of at least six inches mercury or three pounds gage for a period of not less than ten minutes without showing any drop in pressure. Pressure shall be measured with a mercury manometer or slope gage, or an equivalent device calibrated so as to be read in increments of not greater than one-tenth pound. The source of pressure shall be isolated before the pressure tests are made.

NOTE: Before a test is begun, the temperature of the air and of the piping should be the same, and constant air temperature should be maintained throughout the test.

5.1.19.2 When appliances are connected to the piping system the entire system shall be pressurized to not less than 10 inches nor more than 14 inches water column and the appliance connections tested for leakage with soapy water.

5.2 Oil Piping Systems

5.2.1 General. The requirements of this Section shall govern the installation of all liquid fuel piping attached to any mobile home. None of the requirements listed in this Section shall apply to the piping in the appliance(s).

5.2.2 Materials. All materials used for the installation, extension, alteration, or repair of any oil piping system shall be new and free from defects or internal obstructions. The system shall be made of materials having a melting point of not less than 1,450°F, except as provided in 5.2.4. They may consist of one or more of the following materials:

5.2.2.1 Pipe shall be steel or wrought-iron pipe complying with USA Standard Wrought-Steel or Wrought-Iron Pipe, B36.10-1959. Threaded copper or brass pipe in iron pipe sizes may be used.

5.2.2.2 Fittings for oil piping shall be wrought iron, malleable iron, steel, or brass (containing not more than 75 percent copper).

5.2.2.3 Copper tubing shall be annealed type, grade K or L conforming to the Specifications for Seamless Copper Water Tube (ASTM B88-66), or shall comply with the specifications for Seamless Copper Tube for Refrigeration Field Service, ASTM B280-66.

5.2.2.4 Steel tubing shall be externally corrosion protected and shall have a minimum wall thickness of 0.049 inch.

5.2.3 Size of Oil Piping. The minimum size of all fuel oil tank piping connecting outside tanks to the appliance shall be no smaller than $\frac{3}{8}$ inch od copper tubing or $\frac{1}{4}$ inch IPS. In those cases where No. 1 fuel oil is used with a listed automatic pump (fuel lifter), $\frac{1}{4}$ inch od copper tubing may be used if specified by the pump manufacturer.

5.2.4 Joints for Oil Piping. All pipe joints in the piping system, unless welded or brazed, shall be screw joints which comply with USA Standard Pipe Threads (Except Dryseal), B2.1-1960. The material used for welding or brazing pipe connections shall have a melting temperature in excess of 1,000°F.

5.2.5 Joints for Tubing. Joints on tubing shall be made with either a single or double flare of the proper degree, as recommended by the tubing manufacturer, by means of approved tubing fittings. Joints may be brazed with materials having a melting point in excess of 1,000°F.

5.2.6 Pipe Joint Compound. Screw joints shall be made up tight with approved pipe joint compound which shall be applied to the male threads only.

5.2.7 Couplings. Where it is necessary to join sections of screw piping, right and left nipples and couplings shall not be used. Ground joint unions may be installed at appliance inlet connections.

5.2.8 Grade of Piping. Fuel oil piping installed in conjunction with gravity feed systems to oil heating equipment shall slope in a gradual rise upward from a central location to both the oil tank and the appliance in order to eliminate air locks.

5.2.9 Strap Hangers. All oil piping shall be adequately supported by galvanized or equivalently protected metal straps or hangers at intervals of not more than 4 feet, except where adequate support and protection is provided by structural members. Solid-iron-pipe oil supply connection(s) shall be rigidly anchored to a structural member within 6 inches of the supply connection(s).

5.2.10 Testing for Leakage. Before setting the system in operation, tank installations and piping shall be checked for oil leaks with fuel oil of the same grade that will be burned in the appliance. No other material shall be used for testing fuel oil tanks and piping. Tanks shall be filled to maximum capacity for the final check for oil leakage.

6. Heat-Producing Appliances

6.1 Every heat producing appliance used in mobile homes shall be listed or certified by an approved testing agency for this application.

6.2 Fuel Conversion. No fuel-burning appliance shall be converted from one fuel to another unless converted in accordance with the terms of its listing.

6.3 Venting

6.3.1 Fuel-burning heating appliances, except listed ranges, ovens, and illuminating appliances not required to be vented, shall be of the vented type and vented to the outside. In no case shall the vent of a gas-burning appliance terminate underneath the mobile home.

6.3.2 Fuel-burning heat producing appliances, except ranges and illuminating appliances, shall be designed or installed to provide for a complete separation of the combustion system from the atmosphere of the mobile home. Combustion air inlets and flue gas outlets shall be listed or certified as components of the appliance.

NOTE: For liquefied petroleum gas appliances, see Division VI, Section 6.11 of the Standard for the Storage and Handling of Liquefied Petroleum Gases, USAS Z106.1-1967, NFPA No. 58-1967.

6.3.3 Vents, roof jacks, and special fittings supplied as component parts of an appliance shall be installed in conformity with the terms of their listing. A single wall metal vent shall not be used unless it is a component part of a listed appliance.

6.3.4 Every joint of any vent or vent connector shall be secure, rigid, tight, and of approved design and workmanship.

6.3.5 The area in which cooking appliances are located shall be ventilated by a metal duct which may be single wall, not less than 12.5 square inches in cross sectional area (minimum dimension shall be two inches), located above the appliance(s), or by mechanical ventilating equipment that is installed in accordance with the requirements of the testing agency and the manufacturer's instructions. Gravity or mechanical ventilation shall be installed within a horizontal distance of not more than ten feet from the vertical front of the appliance(s). Metal hoods incorporating ducts shall be designed so that the duct outlet is located at such a point

as to preclude the trapping of products of combustion. All ducts shall extend through the wall or roof to the outer air.

6.4 Installation. The installation of each heat-producing appliance shall conform to the terms of its listing as specified on the appliance and in the manufacturer's instructions. The installer shall leave the manufacturer's instructions attached to the appliance. Every appliance shall be secured in place to avoid displacement and movement from vibration and road shock.

6.5 Instructions. Operating instructions shall be provided with the appliance.

6.6 Marking

6.6.1 Information on clearances, input ratings, lighting and shutdown shall be attached to the appliances with the same permanence as the nameplate, and so located that it is easily readable when the appliance is properly installed.

6.6.2 Each fuel burning appliance shall bear permanent marking designating the type(s) of fuel for which it is listed.

6.7 Accessibility. Every appliance shall be accessible for inspection, service, repair, and replacement without removing permanent construction. Sufficient room shall be available to enable the operator to observe the burner, control, and ignition means while starting the appliance.

6.8 Location. Heat-producing appliances shall be so located that no doors, drapes, or other such material can be placed or swung closer to the front of the appliance than the clearances specified on the labelled appliances.

6.9 Clearances. Clearances between heat-producing appliances and adjacent surfaces shall not be less than specified in the terms of their listing. Clearance spaces shall be framed in or guarded to prevent creation of storage space within the clearance specified.

6.10 Air Ducts

6.10.1 Material. Supply ducts shall be made from galvanized steel, tin-plated steel, or aluminum, or shall be listed Class I air ducts. A duct system integral with the structure may be acceptable if it is of durable construction that can be demonstrated to be equally resistant to fire and deterioration. Ducts constructed from sheet metal shall be in accordance with Table 5. Portions of return ducts directly above the heating surface of the appliance, or closer than 2 feet horizontally from the outer jacket or casing of

the appliance, shall be constructed in accordance with the requirements of Table 5 or shall be listed Class I air ducts.

TABLE 5
Minimum Metal Thickness for Ducts*

Duct Type	Diameter 14 inches or less	or	Width over 14 inches
Round	0.013 in.		0.016 in.
Enclosed Rectangular	0.013 in.		0.016 in.
Exposed Rectangular	0.016 in.		0.019 in.

*When 'nominal' thicknesses are specified, 0.003 inch shall be added to these 'minimum' metal thicknesses.

6.10.2 Sizing of Ducts. Ducts shall be designed so that when a labeled forced-air furnace is installed and operated continually at its normal input rating in the mobile home, with all registers in full open position, the static pressure measured in the duct plenum shall not exceed that shown in Table 6 or exceed that shown on the label of the appliance. When an air-cooler coil is installed in the system, the total static pressure of the coil and the system shall not exceed that shown on the label of the appliance. The minimum dimension of any branch duct shall be at least 1½ inches, and of any main duct, 2½ inches.

6.10.3 Joints and Seams. Joints and seams of ducts shall be securely fastened and made substantially airtight. Slip joints shall have a lap of at least 1 inch and shall be individually fastened.

TABLE 6
Maximum Allowable Static Pressures in Supply Duct Systems

Input to Forced Air Furnace, Btu/hr	External Static Pressure, Inches Water Column	
	Temperature of Outlet Air Determined by Function of Limit Control	
	Above 165°F	165°F or Less
55,000 and under	0.10	0.20
Over 55,000 to 80,000	0.12	0.24
Over 80,000 to 100,000	0.15	0.30

Tape or caulking compound may be used for sealing mechanically secure joints. Where used, tape or caulking compound shall not be subject to deterioration under long exposures to temperatures up to 200°F and to conditions of high humidity, excessive moisture, or mildew.

6.10.4 Airtightness of Supply Duct Systems. A supply duct system shall be considered substantially airtight when the static pressure in the duct system, with all registers sealed and with the furnace air circulator at high speed, is at least 80 percent of the static pressure measured in the furnace casing, with its outlets sealed and the furnace air circulator operating at high speed. For the purpose of this paragraph and 6.10.2, pressures shall be measured with a water manometer or equivalent device calibrated to read in increments not greater than 1/10 inch water column.

6.10.5 Supports. Ducts shall be securely supported.

6.11 Circulating Air

6.11.1 Return Air Openings. Provisions shall be made to permit the return of circulating air from all rooms and living spaces, except toilet room(s), to the circulating air supply inlet of the furnace.

6.11.2 Return Air Ducts. The cross-sectional areas of the return air duct shall not be less than 2 square inches for each 1,000 Btu per hour input rating of the appliance. No damper shall be placed in any return air duct, except that a diverting damper may be placed in a combination fresh air intake and return air duct so arranged that for all possible positions of the damper the required cross-sectional area will not be reduced.

6.11.3 Permanent Unclosable Openings. Living space not served by return air ducts and closed off from the return opening of the furnace by doors, sliding partitions, or other means shall be provided with permanent unclosable openings in the doors or separating partitions to allow circulated air to return to the furnace. Such openings may be grilled or louvered. The net free area of each opening shall be not less than 1 square inch for every 5 square feet of total living space closed off from the furnace by the door or partition serviced by that opening. Undercutting doors connecting the closed-off space may be used as a means of providing return air area. However, in the event that doors are undercut, they shall be undercut a minimum of 2 inches and no more than 2½ inches, and no more than one half of the free air area so provided shall be counted as return air area.

APPENDIX TO PART III

Applicable Standards

Standards for Air Conditioning and Heat-Producing
Appliances and Equipment*

Type	USASI (Formerly ASA)	UL	Other Standards
<i>Appliances</i>			
Liquid Fuel-Burning Heating Appliances for Mobile Homes and Travel Trailers		307 (a) 1965	
Gas-Heating Appliances for Mobile Homes and Travel Trailers		307 (b) 1965	
Clothes Dryers (Gas-Fired) Commercial Gas-Fired and Electrically-Heated Hot Water Generating Equipment	Z21.5.1-1966		NSF-5 1959
Gas-Fired Gravity and Forced Air Central Furnaces	Z21.47-1965		
Gas-Fired Gravity and Fan Type Floor Furnaces	Z21.48-1966		
Gas-Fired Gravity and Fan Type Sealed Combustion System Wall Furnaces	Z21.44-1966		
Commercial Cooking and Warming Equipment			NSF-4 1967
Gas-Fired Illuminating Appliances	Z21.42-1963		
Domestic Gas Ranges, Free Standing	Z21.1.1-1966		
Domestic Gas Ranges, Built-in Domestic Cooking Units	Z21.1.2-1966		
Refrigerators Using Gas-Fuel Automatic Storage Type Water Heaters with Input Less than 50,000 BTUH	Z21.19-1966 Z21.10.1-1966		
<i>Ferrous Pipe and Fittings</i>			
Black and Hot Dipped Zinc-Coated (Galvanized) Welded and Seamless Steel Pipe for Ordinary Uses			ASTM A-120-66 WW-P-406b(1)'64
Pipe Threads	B2.1-1960		
Wrought-Steel and Wrought-Iron Pipe	B36.10-1959		

Type	USASI (Formerly ASA)	UL	Other Standards
<i>Nonferrous Pipe, Tubing and Fittings</i>			
Seamless Copper Water Tube			ASTM B-88-66
Seamless Copper Tube for Air Conditioning and Re- frigeration Field Service			ASTM B-280-66
Metal Connectors for Gas Ap- pliances	Z21.24-1966		
Manually Operated Gas Valves	Z21.15-1966		
Mobile Home Gas Connectors (Flexible Metal-Plastic Coated)			TSC 9-63
Seamless Copper and Copper Alloy Pipe and Tube			ASTM B-251-67
Seamless Copper Pipe, Stan- dard Sizes			ASTM B-42-66 WW-P-377d'62
<i>Miscellaneous</i>			
Air Ducts		181-67	
Flame Tests of Flame-Resis- tant Fabrics		214-55	
Tube Fittings for Flammable and Combustible Fluids and Refrigeration Service		109-66	
Hoods			GAL
LPG Containers and Accessories			ASME, DOT
Pigtails, Expansion Coils, and Flexible Hose Connectors for LP-Gas		569-59	
Roof Jacks for Trailer Coaches		311-58	
Safety Devices — Appliances	Z21.22-1965 Z21.20-1966 Z21.23-1965 Z21.21-1963		
Gas Vents	A131.2-1964	441-64	
Factory-Built Chimneys	A131.1-1964	103-64	
Installation of Oil Burning Equipment	Z95.1-1965		NFPA No. 31-1968
Installation of Gas Appliances, Gas Piping in Buildings	Z21.30-1964		NFPA No. 54-1964
Storage and Handling of Liq- uefied Petroleum Gas	Z106.1-1967		NFPA No. 58-1967

*Dates shown are latest editions at time of printing including the dates of any Addenda issued.

Notes to Table III

Abbreviations used in Table III refer to standards as identified below and elsewhere in this standard.

AGA: Standards and Tentative Standards published by the *American Gas Association*, 1032 East 62nd Street, Cleveland, Ohio 44103.

ASA: *American Standards Association* — now *United States of America Standards Institute* (USASI), 10 East 40th St., New York, N. Y. 10016.

ASME: Standards and Tentative Standards published by the *American Society of Mechanical Engineers*, 345 East 47th Street, New York, N. Y. 10017.

ASTM: Standards and Tentative Standards published by the *American Society for Testing and Materials*, 1916 Race Street, Philadelphia, Pa. 19103.

DOT — Regulations published in the Federal Code of Regulations for the Department of Transportation. Title 49, Parts 171-190 of the FCR are applicable. Available from the U.S. Government Printing Office, Washington, D. C. 20234.

GAL: Gas Appliance Laboratories, 3134 East Olympic Boulevard, Los Angeles, California 90023.

IAPMO — Standards [designated above as TSC (Trailer Standard)] published by the *International Association of Plumbing and Mechanical Officials*, 5032 Alhambra Ave., Los Angeles, Calif. 90032 [formerly *Western Plumbing Officials Association* (WPOA.)].

UL: Standards and Tentative Standards published by the *Underwriters' Laboratories Inc.*, 207 East Ohio St., Chicago, Illinois 60611.

USASI: USA Standards approved by the *United States of America Standards Institute*, 10 East 40th Street, New York, N. Y. 10016.

Part IV

Electrical Systems

1. Introduction

1.1 Much of the material in Part IV has been taken from, or is based on, the National Electrical Code (USAS C1-1968, NFPA No. 70 — 1968).

2. Scope

2.1 Part IV of this standard covers the electric conductors and equipment installed within or on mobile homes and also the conductors that connect them to a supply of electricity.

2.2 This standard is not intended as a design specification or an instruction manual for untrained persons.

2.3 The National Electrical Code (USAS C1-1968) will prevail except as otherwise permitted or required in Part IV of the Standard.

2.4 The provisions of this Standard are not intended to prevent the use of any material, appliance, installation, device, arrangement, or method of construction not specifically prescribed herein, provided any such alternative has been approved or listed. An enforcement agency may approve any such alternative if it finds the proposed design is satisfactory for the purpose intended, and if the material, appliance, installation, device, arrangement, and method or work offered is, for the purpose intended, at least the equivalent performance of that prescribed in this standard considering quality, strength, effectiveness, durability, safety, and protection of life and health. An enforcement authority shall require that satisfactory evidence or proof be submitted to substantiate any claims that may be made regarding the use of any such alternative.

3. Definitions

Accessible (as Applied to Wiring Methods). Not permanently closed-in by the structure or finish of the mobile home; capable of being removed without disturbing the mobile home structure or finish. (See "Concealed" and "Exposed.")

Accessible (as Applied to Equipment). Admitting close approach because not guarded by locked doors, elevation, or other effective means. (See "Readily Accessible.")

Air Conditioning or Comfort Cooling Equipment. All of that equipment intended or installed for the purpose of processing the treatment of air so as to control simultaneously its temperature, humidity, cleanliness, and distribution to meet the requirements of the conditioned space.

Appliance. Utilization equipment, generally other than industrial, normally built in standardized sizes or types, which is installed or connected as a unit to perform one or more functions, such as clothes washing, air conditioning, food mixing, deep frying, etc.

Appliance, Fixed. An appliance fastened or otherwise secured at a specific location.

Appliance, Portable. An appliance that is actually moved or can easily be moved from one place to another in normal use.

NOTE: For the purpose of this standard, the following major appliances are considered portable: Refrigerators, clothes washers, dishwashers without booster heaters, or other similar appliances.

Appliance, Stationary. An appliance that cannot be easily moved from one place to another in normal use.

Approved. The word "approved" as used in this standard means acceptable to the authority having jurisdiction.

Attachment Plug (Plug Cap) (Cap). A device that, by insertion in a receptacle, establishes connection between the conductors of the attached flexible cord and the conductors connected permanently to the receptacle.

Branch Circuit. That portion of a wiring system extending beyond the final overcurrent device protecting the circuit.

NOTE: A device not approved for branch circuit protection, such as a thermal cutout or motor overload protective device, is not considered as the overcurrent device protecting the circuit.

Branch Circuit—Appliance. A circuit supplying energy to one or more outlets to which appliances are to be connected and which has no permanently connected lighting fixtures not a part of an appliance.

Branch Circuit—General Purpose. A branch circuit that supplies a number of outlets for lighting and appliances.

Branch Circuit—Individual. A branch circuit that supplies only one utilization equipment.

Cabinet. An enclosure designed either for surface or flush mounting, and provided with a frame, mat, or trim in which swinging doors are hung.

Circuit Breaker. A device designed to open and close a circuit by nonautomatic means, and to open the circuit automatically on a predetermined overload of current, without injury to itself when properly applied within its rating.

Concealed. Rendered inaccessible by the structure or finish of the mobile home. Wires in concealed raceways are considered concealed, even though they may become accessible by withdrawing them.

Connector, Pressure (Solderless). A pressure wire connector is a device that establishes the connection between two or more conductors or between one or more conductors and a terminal by means of mechanical pressure and without the use of solder.

Dead Front (As Applied to Switches, Circuit-Breakers, Switchboards, and Distribution Panel). So designed, constructed, and installed that no current-carrying parts are normally exposed on the front.

Demand Factor. The ratio of the maximum demand of the system, or part of a system, to the total connected load of the system or of the part of the system under consideration.

Device. A unit of an electrical system that is intended to carry but not utilize electrical energy.

Disconnecting Means. A device, or group of devices, or other means whereby the conductors of a circuit can be disconnected from their source of supply.

Distribution Panel. A single panel or a group of panel units designed for assembly in the form of a single panel, including buses, and with or without switches or automatic overcurrent protective devices or both, for the control of light, heat, or power circuits of small individual as well as aggregate capacity; designed to be placed in a cabinet placed in or against a wall or partition and accessible only from the front.

Enclosed. Surrounded by a case that will prevent a person from accidentally contacting live parts.

Equipment. A general term, including material, fittings, devices, appliances, fixtures, apparatus, and the like, used as a part of, or in connection with, an electrical installation.

Exposed (as Applied to Live Parts). A live part that can be inadvertently touched or approached nearer than a safe distance. It is applied to parts not suitably guarded, isolated, or insulated. (See "Accessible" and "Concealed.")

Exposed (as Applied to Wiring Method). Not concealed.

Externally Operable (As Applied to Equipment That Is Enclosed in a Case or Cabinet). Capable of being operated without exposing the operator to contact with live parts.

Fitting. An accessory, such as a locknut, bushing, or other part of a wiring system, that is intended primarily to perform a mechanical rather than an electrical function.

Ground. A conducting connection, whether intentional or accidental, between an electrical circuit or equipment and earth, or to some conducting body that serves in place of the earth.

Grounded. Connected to earth or to some conducting body that serves in place of the earth.

Grounded Conductor. A conductor that is intentionally grounded, either solidly or through a current-limiting device.

Grounding Conductor. A conductor used to connect an equipment, device, or wiring system with a grounding electrode.

Guarded. Covered, shielded, fenced, enclosed, or otherwise protected, by means of suitable covers or casings, barriers, rails or screens, mats or platforms, to eliminate the liability of contact or approach of persons or objects to a point of danger.

Identified Ground. The conductor or terminal to which it refers is to be recognized as grounded.

Isolated. Not readily accessible to persons unless special means for access are used.

Labeled. Equipment or materials to which has been attached a label of a nationally recognized testing laboratory that maintains periodic inspection of production of labeled equipment or materials and by whose labeling is indicated compliance with nationally recognized standards or the conduct of tests to determine suitable usage in a specified manner.

Lighting Outlet. An outlet intended for the direct connection of a lamp holder, a lighting fixture, or a pendant cord terminating in a lamp holder.

Listed. Equipment or materials included in a list published by a nationally recognized testing laboratory that maintains periodic inspection of production of listed equipment or materials and whose listing states either that the equipment or material meets nationally recognized standards or has been tested and found suitable for use in a specified manner.

Mobile Home. A vehicular, portable structure built on a chassis and designed to be used without a permanent foundation* as a dwelling when connected to indicated utilities.

Outlet. A point on the wiring system at which current is available to supply utilization equipment.

Power Supply Assembly. The conductors, including the grounding conductors, insulated from one another, the connectors, attachment plug caps, and all other fittings, grommets, or devices installed for the purpose of delivering energy from the service equipment to the distribution panel within the mobile home.

Raceway. Any channel for holding wires, cables, or bus bars that is designed expressly for, and used solely for, this purpose. Raceways may be of metal or insulating material and the term includes rigid metal conduit, flexible metal conduit, electrical metallic tubing, underfloor raceways, cellular metal floor raceways, surface metal raceways, wireways and busways, and rigid nonmetallic conduit.

Raintight. So constructed or protected that exposure to a beating rain will not result in the entrance of water.

Readily Accessible. Capable of being reached quickly for operation, renewal, or inspection, without requiring those to whom ready access is requisite to climb over or remove obstacles or to resort to portable ladders, chairs, etc. (See "Accessible.")

Receptacle (Convenience) Outlet. A receptacle is a contact device installed at an outlet for the connection of an attachment plug and flexible cord.

Service Equipment. The necessary equipment, usually consisting of circuit breaker or switch and fuses and their accessories located near the point of entrance of supply conductors in a mobile home and intended to constitute the main control and means of cutoff for the supply to that mobile home.

*The phrase "without a permanent foundation" indicates that the support system is constructed with the intent that the mobile home placed thereon will be moved from time to time at the convenience of the owner.

Utilization Equipment. Equipment that utilizes electric energy for mechanical, chemical, heating, lighting, or similar useful purposes.

Voltage (of a Circuit). The greatest effective difference of potential between any two conductors of the circuit concerned.

Weatherproof. So constructed or protected that exposure to the weather will not interfere with its successful operation.

4. General Requirements

4.1 The following requirements apply to mobile homes intended for connection to a wiring system nominally rated 115/230 volts, 3-wire, AC with grounded neutral.

4.2 Mobile homes shall be provided with a power supply in accordance with Section 10 of this Part.

4.3 Mobile homes shall be provided with disconnecting means and branch circuit protective equipment installed in accordance with Section 9 of this Part.

4.4 A mobile home not intended as a dwelling unit, as for example, equipped for sleeping purposes only, contractor's on-site offices, construction job dormitories, mobile studio dressing rooms, banks, clinics, mobile stores, or intended for the display or demonstration of merchandise or machinery, shall not be required to meet the provisions of this Article pertaining to the number or capacity of circuits required. It shall, however, meet all other applicable requirements of this Part if provided with an electrical installation intended to be energized from a 115 volt or 115/230 volt AC power supply system.

5. Materials and Equipment

5.1 Electrical materials, devices, appliances, fittings, and other equipment installed, intended for use in, or attached to, the mobile home shall be listed by a nationally recognized testing agency.

6. Receptacle Outlets Required

6.1 Except in the bath and hall areas, receptacle outlets shall be installed at wall spaces 2 feet wide or more, so that no point along the floor line is more than 6 feet, measured horizontally, from an outlet in that space. Except as explained in the following, receptacle outlets are not required for wall spaces occupied by

for other than motor loads or 80 percent of the branch-circuit rating for air conditioning or other motor loads;

(c) The rating of a single portable appliance on a circuit having no other outlets shall not exceed 80 percent of the circuit rating;

(d) The rating of range branch circuit shall be based on the range demand as specified for ranges in Section 8 of this Part.

(e) Where laundry facilities are provided, in a mobile home, a 20 ampere branch circuit shall be provided with a 20 ampere outlet within six feet of the intended location of the appliance.

8. Calculations for Lighting and Appliance Load

8.1 The following method is to be employed in computing the supply cord and distribution panel load for each power supply assembly for each mobile home;

A. Lighting Watts: Length times width of mobile home (outside dimensions, exclusive of hitch) times 3 watts per square foot; e.g.,
 $\text{Length} \times \text{width} \times 3 = \dots\dots\dots$ lighting watts.

B. Small Appliance Watts: Number of circuits times 1,500 watts for each 20-ampere appliance receptacle circuit (see definition of Appliance, Portable with note); e.g.,
 $\text{Number of circuits} \times 1,500 = \dots\dots\dots$ small appliance watts.

C. Total Watts: Lighting watts plus small appliance = $\dots\dots\dots$ total watts.

First 3,000 total watts at 100 percent plus remainder at 35 percent = $\dots\dots\dots$ watts to be divided by 230 volts to obtain current (amperes) per leg.

D. Total load for determining power supply is the summation of:

- (1) Lighting and small appliance load as calculated in A and B.
- (2) Name plate amperes for motors and heater loads (exhaust fans, air conditioners,* electric, gas, or oil heating).**
- (3) Add 25% of current of largest motor in (2).
- (4) Total of nameplate amperes for: Disposal, Dishwasher, Water heater, Clothes dryer, Wall-mounted oven, Cooking units.

*Omit smaller of these two, except include blower motor if used as air conditioner evaporator motor.

**When an air conditioner is not installed and a 40-ampere power supply cord is provided, allow 15 amperes per leg for air conditioning.

Where number of these appliances exceeds three use 75% of total.

(5) Derive amperes for free standing range (as distinguished from separate ovens and cooking units) by dividing values below by 230 volts.

Name Plate Rating	Use
10,000 w × or less	80 percent of rating
10,001-12,500 w	8,000 w
12,501-13,500 w	8,400 w
13,501-14,500 w	8,800 w
14,501-15,500 w	9,200 w
15,501-16,500 w	9,600 w
16,501-17,500 w	10,000 w

(6) If outlets or circuits are provided for other than factory installed appliances include the anticipated load.

NOTE: The following example is given to illustrate the application of this Method of Calculation:

Example

A mobile home is 70 × 10 feet and has two portable appliance circuits, a 1000 watt 230 volt heater, a 200 watt 115 volt exhaust fan, a 400 watt 115 volt dishwasher and a 7000 watt electric range.

Lighting and small appliance load

Lighting $70 \times 10 \times 3 =$

2100 watts

Small appliance $1500 \times 2 =$

3000 watts

5100 watts

1st 3000 watts at 100%

3000

Remainder ($5,100 - 3,000 = 2,100$) at 35%

735

3735

3735

$\frac{3735}{230} = 16$ amperes per leg

230

1000 watt (heater) $\div 230 =$

4.4 amp

200 watt (fan) $\div 115 =$

1.7 amp

400 watt (dishwasher) $\div 115 =$

3.5 amp

7000 watt (range) $\times .8 \div 230 =$

24. amp

Amperes per leg

Lighting and appliances

A B

Heater (230 volt)

16 16

Fan (115 volt)

4 4

Dishwasher (115 volt)

2 —

Range

— 4

24 24

Totals 46 48

Based on the higher current calculated for either leg, use one 50 ampere supply cord.

9. Disconnecting Means and Branch Circuit Protective Equipment

9.1 Mobile homes shall contain a distribution panel having a main overcurrent protective device rated not in excess of the current carrying capacity of the power supply assembly, installed with supply cord and branch circuits wired at the factory.

9.2 The distribution panel shall be installed in a readily accessible location near the point of entrance of the supply cord.

9.3 The distribution panel may be located with its front just inside a closet door, or it may be located in a closet above any shelf or floor if the location is such that a clear space of 6 inches is maintained in front of the distribution panel. However, working space shall be provided as required by the National Electrical Code (USAS C1-1968, NFPA No. 70-1968).

9.4 An appropriately rated service equipment panel or an enclosed panel board or an enclosed panel base assembly, approved and marked, "SUITABLE FOR USE AS SERVICE EQUIPMENT," shall be used. The distribution panel shall be of the insulated neutral type, with a grounding bar bonded to the metal frame of the panel or other approved grounding means.

9.5 A distribution panel main circuit-breaker shall be rated 50 amperes and employ a 2-pole circuit breaker rated 40 amperes for a 40-ampere supply cord, or 50 amperes for a 50-ampere supply cord. A distribution panel employing a disconnect switch and fuses shall be rated 60 amperes and shall employ a single 2-pole, 60-ampere fuseholder with 40- or 50-ampere main fuses for 40- or 50-ampere supply cords, respectively. The outside of the distribution panel shall be plainly marked with the fuse size. The main circuit breakers or fuses shall be plainly marked "Main."

9.6 Plug fuses and fuseholders shall be tamper-resistant, Type "S," enclosed in dead-front fuse panels.

9.7 The provisions of Article 210, of the National Electrical Code (USAS C1-1968) shall apply to branch circuits supplying lighting or appliance loads or combinations of such loads. Where motors or motor operated appliances are connected to any circuit supplying lighting or other appliance loads, the provisions of both Article 210 and Article 430 of the National Electrical Code shall apply. Article 430 of the National Electrical Code shall apply where branch circuit supplies only motor loads.

for use with a receptacle rated 50 amperes, 125/250 volts. It shall be molded of butyl rubber, neoprene, or other approved materials which have been found suitable for the purpose, and shall be molded to the flexible cord so that it adheres tightly to the cord at the point where the cord enters the attachment-plug cap. If a right-angle cap is used, the configuration shall be so oriented that the grounding member is farthest from the cord.

***10.7** The over-all length of the power-supply assembly, measured from the end of the cord, including bared leads, to the face of the attachment-plug cap shall be no less than 21 feet and shall not exceed 26½ feet. The length of the cord from the face of the attachment-plug cap to the point where the outer jacket of the cord is removed shall be at least 20½ feet.

10.8 The power-supply cord shall bear the following marking on the manufacturer's portion of the combination label: "For use with mobile homes — 40 amperes" or "For use with mobile homes — 50 amperes."

NOTE: The "For use with mobile homes — 40 ampere" power-supply assembly is for mobile homes that are factory-equipped with gas or oil-fired heating and cooking appliances.

10.9 The point of entrance of the power-supply assembly to the mobile home shall be in the exterior wall, floor, or roof, in the rear third section (away from the hitch) of the mobile home.

***10.10** Where a separately metered appliance is installed in the mobile home, or where the calculated load of the mobile home is between 50 amperes and 100 amperes, a second 50-ampere power-supply assembly may be installed, or a service as provided for in 10.1 and 10.11. The point of entrance of this second power-supply assembly shall be located not more than 12 inches away from the point of entrance of the main power-supply assembly. They shall not be interconnected on either the line side or the load side, except that the grounding circuits and grounding means shall be electrically interconnected.

***10.11** Where the calculated load exceeds 100 amperes or where a permanent feeder is used, the supply shall be by means of:

(a) one mast weatherhead installation installed in accordance with the National Electrical Code (USAS C1-1968), and containing four continuous insulated color-coded feeder conductors, one of which shall be a grounding conductor; or,

*See Tentative Interim Amendment No. 1-1968, page A119.1-106.

(b) an approved metal raceway from the disconnecting means to the underside of the mobile home with provisions for the attachment of a suitable junction box or fitting to the raceway on the underside of the mobile home [with or without conductors as in 10.11 (a)].

11. Wiring Methods

11.1 Electrical metallic tubing, flexible metallic conduit, armored cable, and nonmetallic sheathed cable, with grounding conductor shall terminate by means of fittings, clamps, or connectors approved for the purpose.

11.2 Rigid metal conduit shall be provided with a locknut inside and outside the box, and a conduit bushing shall be used on the inside. Inside ends of the conduit shall be reamed.

11.3 Nonmetallic outlet boxes are acceptable only with non-metallic sheathed cable.

11.4 Outlet boxes shall fit closely to openings in combustible walls and ceilings; and they shall be flush with such surfaces.

11.5 Boxes, fittings and cabinets shall be securely fastened in place.

Exception: Snap-in type boxes or boxes provided with special wall or ceiling brackets that securely fasten boxes in walls or ceilings may be used.

11.6 The sheath or armor shall be continuous between outlet boxes and other enclosures.

11.7 Metal-clad and nonmetallic cables may be passed through the centers of the wide side of 2 by 4 studs. However, they shall be protected where they pass through 2 by 2 studs or at other studs or frames where the cable or armor would be less than 1½ inches from the inside or outside surface. Steel plates on each side of the cable, or a tube, with not less than No. 16 manufacturer's standard gage wall thickness, are required to protect the cable. These plates or tubes shall be securely held in place.

Exception: Wires may be run without steel protectors through notched wall studs when the notch is on the inside (room side) of the stud, and the inside wall material is applied prior to the installation of the wiring. This exception is applicable only if there is sufficient wall stud depth

ducting faceplates (metal faceplates screws may be used with non-conducting faceplates without being grounded), or (b) grounded.

13.2 Metallic faceplates shall be of ferrous metal not less than 0.030 inch in thickness or of nonferrous metal not less than 0.040 inch in thickness.

13.3 Faceplates of insulating material shall be listed by a nationally recognized testing laboratory.

13.4 Where metallic faceplates are used they shall be effectively grounded.

14. Conductors in Outlet Boxes

14.1 Each wire in an outlet box should be spaced as indicated below. Grounding wires, fixtures splicing wires, and conductors that do not leave the box are not counted.

No. 14 AWG — 2 cu in. per wire

No. 12 AWG — 2.25 cu in. per wire

No. 10 AWG — 2.50 cu in. per wire

No. 8 AWG — 3.0 cu in. per wire

NOTE: Where there is not sufficient space for a deeper box, four No. 14 AWG conductors may enter a box with or without cable clamps and containing one or more devices on a single mounting strap.

14.2 Wiring leads in the outlet boxes shall extend at least 4 inches from the wall surface.

15. Painting of Wiring

15.1 During painting or staining of the mobile home, it is acceptable to paint metal raceways (except where grounding continuity would be reduced) or the sheath of the nonmetallic cable. Some arrangement, however, must be made so that no paint is applied to the individual wires, as the color coding may be obliterated by the paint.

16. Polarization

16.1 The identified (white) conductor shall be employed for grounded circuit conductors only and shall be connected to the identified (white) terminal or lead on receptacle outlets and fixtures. It shall be the unswitched wire in switched circuits, except that a cable containing an identified conductor (white) may be used for single-pole three-way or four-way switch loops where

the connections are made so that the *unidentified* conductor is the return conductor from the switch to the outlet. Painting of the terminal end of the wire is not required.

16.2 If the identified (white) conductor of a cable is used for other than grounded conductors or for other than switch loops as explained above (for a 230-volt circuit, for example), the conductor shall be finished in a color other than white at each outlet where the conductors are visible and accessible.

16.3 Green-colored wires or green with yellow stripe shall be used for grounding conductors only.

17. Connection to Terminals and Splices

17.1 Connection of conductors to terminal parts shall ensure a thoroughly good connection without damaging the conductors and shall be made by means of pressure connectors (including set screw type), solder lugs, or splices to flexible leads. No. 8 or smaller solid conductors and No. 10 or smaller stranded conductors may be connected by means of clamps or screws with terminal plates having upturned lugs, or by means of approved screwless terminals. Terminals for more than one conductor shall be of a type approved for the purpose.

17.2 Conductors shall be spliced or joined with splicing devices approved for the use or by brazing, welding or soldering with a fusible metal or alloy. Soldered splices shall first be so spliced or joined as to be mechanically and electrically secure without solder and then soldered. All splices and joints and the free ends of conductors shall be covered with an insulation equivalent to that of the conductors.

17.3 If splices of the grounding wire in nonmetallic sheathed cable are made in outlet boxes, the splice should be insulated to prevent contact with terminals.

18. Wall Switches

18.1 Switches shall be rated as follows:

(a) For lighting circuits, switches shall be rated not less than 10 amperes — 125 volts and in no case less than the connected load.

(b) For motors or other loads, switches shall have ampere or horsepower ratings or both adequate for loads controlled. (An

"ac general use" snap switch may control a motor 2 horsepower or less with full-load current not over 80 percent of the switch ampere rating.)

19. Receptacle Outlets

19.1 Receptacle Outlets. All receptacle outlets:

- (a) shall be of grounding type;
- (b) shall be installed in accordance with Section 210-7 of the National Electrical Code (USAS C1-1968), and,
- (c) except when supplying specific appliances, receptacles shall be parallel blade, 15-ampere, 125-volt, either single or multiple face type.

20. Lighting Fixtures

20.1 General

20.1.1 Any combustible wall or ceiling finish exposed between the edge of a fixture, canopy, or pan and an outlet box shall be covered with noncombustible material.

20.1.2 Listed pendant-type fixtures or pendant cords may be installed in mobile homes.

20.2 Recessed Lighting Fixtures

20.2.1 Conductors having insulation suitable for the temperature encountered shall be used.

20.2.2 Fixtures having branch-circuit terminal connections that operate at temperatures higher than 60 C (140 F) shall have circuit conductors as described in 20.2.3 and 20.2.4.

20.2.3 Branch-circuit conductors having an insulation suitable for the temperature encountered may be run directly to the fixture.

20.2.4 Tap connection conductors having an insulation suitable for the temperature encountered shall be run from the fixture terminal connection to an outlet box placed at least 1 foot from the fixture. Such a tap shall extend for at least 4 feet but not more than 6 feet and shall be in a suitable metal raceway.

20.3 Fluorescent Lighting Fixtures. When fluorescent lamp fixtures require high-temperature wire, the requirements of 20.2 shall apply.

20.4 Shower Fixtures

20.4.1 If a lighting fixture is provided over a bathtub or in a shower stall, it shall be of the approved enclosed and gasketed type.

20.4.2 The switch for shower lighting fixtures and exhaust fans, located over a tub or in a shower stall, shall be located outside the tub or shower space.

21. Wiring of Expandable Units and Dual Units

21.1 Expandable or dual unit mobile homes utilizing permanently installed feeder conductors may use permanent type wiring methods and materials for connecting such units to each other.

21.2 Expandable or dual unit mobile homes not having permanently installed feeder conductors which are to be moved from one location to another, may have disconnecting means with branch circuit protective equipment in each unit when so located that after assembly or joining together of units the requirements of Par. 10.10 will be met.

21.3 Expandable or dual unit mobile homes which are to be moved from one location to another, may be connected together with cord connections using approved raintight power supply connectors or approved power supply connectors installed in protected locations. All cords used shall be approved for extra hard usage in accordance with the National Electrical Code (USAS C1-1968). Cord length shall be kept at a minimum, with outlet boxes on each unit located where circuit conductors terminate; such outlet boxes to be adjacent to each other as near as practical after units are joined together.

22. Outdoor Outlets, Fixtures, Air-Cooling Equipment, Etc.

22.1 Outdoor fixtures and equipments shall be recognized for outdoor use. Outdoor receptacle or convenience outlets shall be of a gasketed-cover type.

22.2 A mobile home provided with a receptacle outlet designed to energize heating and/or air conditioning equipment located outside the mobile home, shall have permanently affixed adjacent to the outlet receptacle, a metal tag which reads:

**This Connection is for Air Conditioning
Equipment Rated at Not More Than
.....Volts A.C., at.....amperes.**

The correct voltage and ampere ratings shall be given. The tag shall be not less than 0.020 inch, etched brass, stainless steel, anodized or alclad aluminum. The tag shall not be less than 3 inches by 1¾ inches minimum size.

23. Grounding

23.1 Service Grounding. Service grounding shall be accomplished as follows:

23.1.1 The green-colored grounding wire in the supply cord or permanent feeder wiring shall be connected to the grounding bus in the distribution panel or disconnecting means.

23.1.2 A grounding wire shall be connected between distribution panel grounding terminal and a terminal on the chassis. Grounding terminals shall be of the solderless type and listed as pressure terminal connectors recognized for the wire size employed.

23.1.3 The chassis shall be grounded. The grounding conductor may be solid or stranded, insulated or bare, and shall be an armored grounding conductor or routed in conduit if No. 8 AWG. The conductor, if No. 6 AWG or larger, may be run without metal covering.

23.1.4 The grounding conductor shall be routed so as not to be exposed to damage. Protection can be afforded by the configuration of the chassis.

23.1.5 The distribution panel shall have a grounding bus, or approved grounding means for the various grounding connections.

23.1.6 The grounding bus shall have sufficient terminals for all grounding conductors.

23.2 Insulated Neutral

23.2.1 The grounded circuit conductor (neutral) shall be insulated from the grounding conductors and from equipment enclosures and other grounded parts. The grounded (neutral) circuit terminals in the distribution panel and in ranges, clothes dryers, counter-mounted cooking units, and wall-mounted ovens are to be insulated from the equipment enclosure. Bonding screws, straps, or buses in the distribution panel or in appliances are to be removed and discarded.

23.2.2 Connection of ranges and clothes dryers utilizing a grounded (neutral) conductor shall be made with 4 conductor

vice fed from the box will not interfere with or interrupt the grounding continuity.

23.3.4 Cord-connected appliances, such as washing machines, clothes dryers, refrigerators, and the electrical system of gas ranges, etc., shall be grounded by means of an approved cord with grounding conductor and grounding type plug.

23.4 Grounding of Noncurrent-Carrying Metal Parts

23.4.1 All major exposed metal parts that may become energized, including the water, gas, and waste plumbing, the roof and outer metallic covering, the chassis and metallic circulating air ducts, shall be effectively bonded to the grounding terminal or enclosure of the distribution panel or to the metal chassis. See Paragraph 23.1.2 for bonding of the chassis to the distribution panel grounding terminal.

23.4.2 The metallic roof and exterior covering are considered grounded if:

(a) The metal panels overlap one another and are securely attached to the wood or metal frame parts by metallic fastener, and

(b) The lower panel of the metallic exterior covering is secured by metallic fasteners at each cross member of the chassis, or the lower panel is bonded to the chassis by a metal strap.

23.4.3 The gas, water, and waste pipes are considered grounded if they are bonded to the chassis. If wire is used, grounding clamps, No. 8 AWG, minimum, armored grounding cable, and solderless connectors shall be used. Alternatively, suitable grounding straps may be used.

23.4.4 The furnace and metallic circulating air ducts shall be grounded.

24. Electrical Testing

24.1 Dielectric Strength Test. The wiring of each mobile home shall be subjected to a 1-minute, 900-volt dielectric strength test (with all switches closed) between live parts (including neutrals) and the mobile home ground. Alternatively, the test may be performed at 1,088 volts for 1 second. This test shall be performed after branch circuits are complete and after fixtures or appliances are installed. Listed fixtures and permanently installed appliances shall not be required to withstand the dielectric test.

24.2 Examination of Equipment for Safety. The examination or inspection of equipment for safety, according to the recommendations contained in this standard, should be conducted under uniform conditions and by organizations properly equipped and qualified for experimental testing, inspections of the run of goods at factories, and service-value determinations through field examinations.

25. Electrical Marking

25.1 The main circuit breakers or fuses shall be plainly marked "Main." Marking of branch-circuit breakers or fuses is optional.

25.2 If a fused distribution panel is used, the maximum fuse size for the mains shall be plainly marked as follows, with lettering at least $\frac{1}{4}$ inch high where visible when fuses are changed: "Maximum Main Fuses 40 (or 50) amp."

25.3 A metal nameplate on the outside adjacent to the supply cord entrance shall read, "This Mobile Home is Wired for 115/230 Volt, 3-Wire, 60 Cycle Supply, Supply Cord 40 (or 50) amp." The voltage marking may read 120/240 Volts instead of 115/230 Volts.

**This Mobile Home Is Wired for 115/230
3-Pole, 4-Wire, 60 Cycle Supply.
Supply Cord 40* Amperes**

*Or 50.

Tentative Interim Amendment No. 1-1968**Effective Sept. 30, 1968****Standard for Mobile Homes****NFPA No. 501B-1968****USA Standard A119.1-1969****Part IV -- Electrical Systems**

1. *Revise Paragraph 10.7 to insert the 36½-foot figure for the 26½-foot figure to agree with Tentative Interim Amendment No. 148 of the 1968 National Electrical Code, the revised text to read:*

10.7 The overall length of the power-supply assembly, measured from the end of the cord, including bared leads, to the face of the attachment-plug cap shall be no less than 21 feet and shall not exceed 36½ feet. The length of the cord from the face of the attachment-plug cap to the point where the outer jacket of the cord is removed shall be at least 20½ feet.

2. *Revise the first and second sentences of Paragraph 10.10 to read:*

10.10 Where a separately metered appliance is installed in the mobile home or where the calculated load of the mobile home is between 50 amperes and 150 amperes, up to three 50 ampere power-supply assemblies may be installed or a service as provided for in 10.1 and 10.11. Additional power-supply assemblies shall be located not more than 12 inches away from the point of entrance of the main power-supply assembly.

3. *Revise the figure in Paragraph 10.11 (first line) to read "150 amperes" instead of "100 amperes."*

HB-448

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To Promote the Efficient Administration of Justice

JUDICATURE

DECEMBER 1970 VOLUME 54 NUMBER 5



The Journal of The American Judicature Society



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Judicial Compensation



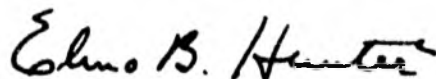
The problem of obtaining and retaining those who are best qualified for judicial service is inescapably directly affected by the compensation provided for judicial service. Successful lawyers provide the source that must be looked to in obtaining judges. To attract these men to seek judicial office it is necessary to provide an attractive salary and reasonable retirement benefits. Failure to compete in this respect with the marketplace will deprive the judiciary of many whose talents are needed in a time of rapidly increasing complexity of contemporary life and increasing rapidity of social change. Even those states operating under merit plan of judicial selection are hampered in the obtaining of highly qualified judges if the salaries and retirement provisions are inadequate. No matter how inviting the judicial position may otherwise be, failure to provide appropriate and competitive pay demonstrably narrows the class available for judicial office.

The American Judicature Society's biannual publication of *Judicial Salaries and Retirement Plans* of the fifty states provides an accurate and current source of information, and comparison data on the subject. A careful study of this data indicates that a substantial number of states are not providing adequate salaries and other benefits in the light of present day needs.

The salary and retirement study presented on the following pages does not include direct reference to the substantial increase in cost of living that has occurred and continues to occur. However, all of us are aware of this cost of living increase and what has happened to the value of the dollar. It is generally recognized that salaries that at one time have been considered

attractive may no longer be so thought of in view of the current economics of the marketplace.

The judiciary is one of the three branches of our government. The judges are the judiciary. The cost to the taxpayer of maintaining the judiciary in nearly all, if not in all, of our fifty states is less than three percent of the cost of all three branches of government. The cost of the federal judiciary as noted by Chief Justice Burger in his recent address on the state of the judiciary is less than the cost of one C-5A airplane. Yet the most difficult of our modern day problems as well as extremely heavy and increasing caseloads fall upon the judiciary. In a free society such as ours these social and economic upheavals tend to wind up on the doorstep of the courts. This is not the time to be penurious in an area that can lead to a deterioration of our third branch of government. It is in the public interest to provide judicial compensation and retirement benefits clearly adequate to obtain and retain an outstanding judiciary.

A handwritten signature in cursive script that reads "Elmo B. Hunter". The signature is written in dark ink and is centered on the page.

President

Minimum Standards of Judicial Compensation

The American Judicature Society's first comprehensive judicial compensation survey was published in the April, 1945, issue of this Journal, just 25 years ago. Some comparisons between salaries there tabulated and those here listed for 1970 and 1971 are interesting and instructive.

In 1945 salaries of state supreme court justices ranged from \$5,000 in Idaho, Kentucky, and Utah to \$25,000 in New York. Nine states paid the judges of their highest courts less than \$7,000 a year; 21 paid from \$7,000 to \$9,000; and six paid \$9,000 to \$10,000; making 36 states paying \$10,000 a year, or less.

Trial judges' salaries ranged from as low as \$2,000 in some parts of Colorado, and \$3,000 in some courts in Kentucky and Ohio, to \$25,000 in New York. There were 15 states paying general trial court judges less than \$5,000 a year, and a total of 34 paying \$7,000 a year or less.

In 1945 federal district judges received \$10,000, court of appeals judges \$12,000, and United States Supreme Court justices \$20,000. The highest judicial salary in the country was the \$28,500 paid to the presiding justice of the Appellate Division of the Supreme Court of New York.

These figures are now of only historical interest. In 1945 the Office of Price Administration was fighting wartime inflation and it was considered unpatriotic to raise any price or wage just because others were going up, since that would only add to the inflation spiral. Even then, however, judicial salaries were exempt from OPA controls and it was recognized that the need for quality judicial service justified the massive nationwide program of judicial salary increases detailed in that same issue.

The upward march of prices during the intervening quarter century has necessitated continued pressure to keep judicial salaries in step. There never has been, and never will be, a nation-wide judges' strike like those which from time to time have been staged by automobile, steel, railroad, and other workers. Campaigning for salary increases is embarrassing to judges and inconsistent with judicial dignity, and ought not to be necessary.

In 1961 the American Judicature Society pledged itself to a continuing crusade for adequate judicial compensation of which its regular biennial salary and retirement surveys are a part. The Society's then president, Cecil E. Burney, declared that on the basis of price levels prevailing at that time no judge of a general trial court anywhere in the United States should be paid less than \$15,000 a year. Five years later there had been a general increase of 10 per cent in the price index, leading to announcement of a minimum of \$16,600 on the same basis. This was upped again to \$17,000 in 1968, and now, in 1970, we assert, for the same reasons, that no judge of a general trial court in this country should be paid less than \$19,000 a year. We note also that the considerations are not greatly different for the more numerous and very important judges of courts of limited and special jurisdiction.

There have been similar trends with respect to retirement compensation, which was also covered in the 1945 survey and will always be an inseparable part of the judicial compensation picture. We commend these tables to legislatures and fiscal authorities in all states, recalling from the introduction to the 1945 survey the remark that:

“money has power, and the amount of money spent on judicial salaries does make a difference to the people in the judicial service they get.”

JUDICIAL SALARIES AND RETIREMENT PLANS IN THE UNITED STATES

Adequate judicial compensation means both justice for judges and justice for litigants.

Judicial salaries in the United States have traditionally been inadequate. It is only in the past few years that compensation has even approached a level which would attract the best men to the bench without great sacrifice. What follows is our 1970 report of the status of this important area.

APPELLATE COURT SALARIES

Since the American Judicature Society's last judicial salary survey in 1968, 33 states and Puerto Rico have raised the salaries of judges of courts of last resort. These increases have varied from \$1,500 in New Mexico to \$14,000 (\$15,500 for the Chief Justice) in New Jersey. Over 80% of the raises were between \$2,000 and \$5,000. Besides New Jersey, other significant raises were realized in Louisiana (\$10,000) and Delaware (\$9,500). This activity has increased the average supreme court salary by 12%, to \$27,660, which is more than double the 1952 average. The median supreme court salary has also risen since the last survey to \$26,000.

However, salaries of supreme court justices are lagging slightly behind gubernatorial salaries. The median salary for governors is \$27,500, and their average salary of \$29,596 is nearly \$2,000 more than justices receive. As of the last survey, nine states were paying justices less than \$20,000 per year. Today there are only two. The present maximums and minimums are as follows:

Highest Salaries	
New Jersey	\$45,000
California	42,747
New York	42,000
Lowest Salaries	
Mississippi, Wyoming	19,000
Maine, North Dakota, Utah	20,000

The national average has also been increas-

ing at the intermediate appellate court level. In 1967 it was \$27,118, and today the average is \$28,625. This however represents only a 5% increase over the 1968 survey whereas that showed a 12% increase over its immediate predecessor. Since the last survey, 12 states have increased intermediate appellate salaries. Eleven of these were in amounts between \$1,000 and \$5,000. Substantial increases were realized in Louisiana (\$11,000) and New Jersey (\$15,000). Colorado, Oklahoma, Oregon, and Washington established new intermediate appellate courts with salaries of \$22,500, \$19,500, \$25,000, and \$25,000 respectively.

Twenty three states now have intermediate appellate courts. The present maximum and minimum salaries are:

Highest Salaries	
New York	\$42,100
(1st and 2nd Departments)	
New Jersey	42,000
California	40,016
Lowest Salaries	
Oklahoma	19,500
Tennessee	20,000
New Mexico	21,000

TRIAL COURT SALARIES

The same positive trend is evidenced at the general trial court level. Thirty-seven states and Puerto Rico increased the salaries of their trial judges. This has boosted trial court salaries 11.8% to \$23,345 since the last survey. In 1952, 32 states paid less than \$10,000. Today, no state pays trial judges less than \$15,000 and in only 18 states and Puerto Rico can a judge earn less than \$20,000. In three jurisdictions, New Jersey and the First and Second Departments of New York, trial judges earn more than \$35,000. In eight jurisdictions, Cal-

ifornia, Delaware, Hawaii, Maryland, Massachusetts, South Carolina, and the Third and Fourth Departments of New York, a trial judge earns between \$30,000 and \$35,000 per year. The national median has also increased by \$1,250 to \$22,250 since the last survey. The maximums and minimums are as follows:

Highest Salaries	
New York	\$39,100 (First and Second Departments)
New Jersey	37,000
California	33,396
Lowest Salaries	
Mississippi	16,000
Oklahoma, Utah, Tennessee	17,500
North Dakota	18,000

SALARIES IN OTHER COURTS

While it is beyond the scope of this article to detail salary changes in minor, special, and limited courts, some highlights are worthy of mention. Thirty-one states report salary increases in their courts of limited and special jurisdiction, ranging up to \$9,000. Approximately 80% of the raises were between \$500 and \$4,000.

The most significant raises were realized in Delaware, where judges of the Family and Common Pleas Courts received raises of \$6,000 to \$27,000, and in Maryland where the People's Court judges of the City of Baltimore received an increase of \$6,500, bringing their salary to \$25,000. A salary increase of \$8,670 brought the District Magistrates of Hawaii to \$23,670. County, District, and Juvenile Court judges of New Jersey are now paid \$34,000, a raise of \$9,000. In Rhode Island, District Court judges are now paid \$20,000 (\$21,000 for the chief judge) whereas previously they were paid anywhere from \$4,797 to \$10,933.

The maximums and minimums of some representative minor courts are as follows:

Highest Salaries	
New Jersey	
County District Court	\$34,000
California	
Municipal Court	30,724
New York	
County Court	25,000-30,000
Civil and Criminal Courts of New York City	30,000
Lowest Salaries	
Tennessee	
General Sessions Court	1,800-11,800
Arkansas	
Common Pleas Court	3,100-5,900
Utah	
City Court	5,000-10,500
Alabama	
Inferior Courts	6,000-10,000

JUDICIAL RETIREMENT

Since the Society's last biennial survey, 17 states have reported changes in their retirement legislation. Two, Maryland and Nebraska, have provided alternative plans to those now in effect. Maryland has provided a contributory pension plan effective July 1, 1969. Judges appointed after July 1, 1969, must participate, and other judges previously on the bench may join. It provides benefits equal to 1/16 of 60% of the maximum salary for each year of service up to 16 years. It is applicable to all trial and appellate judges.

The new Nebraska plan, designated the future member plan, covers all judges taking office after December 25, 1969, and those judges covered under the original plan who elected to join prior to June 30, 1970. The monthly allowance under this plan is equal to 1/12 of

2½% of the total salary earned by the judge for his judicial duties between the time he started making contributions and his retirement. The judge's contribution under this plan is 6%.

An Arkansas judge may now retire at any age after 20 years service. Maine added a provision for retirement at 65 after 12 years service. Minnesota now permits District Court judges with 25 years service to retire at age 65, and Texas has reduced its eligibility requirement for retirement from 16 to 12 years. Oregon now covers its new Court of Appeals and its Tax Court and has made the plan optional for District Court judges. Washington, Oklahoma, and Colorado have brought their new appellate courts under their retirement plans, and Rhode Island has combined its District Court retirement program with that of its other courts.

Benefits have been increased in Alabama to \$9,600 per year for Circuit Court judges while Indiana has increased its ceiling on retirement benefits from \$4,800 to \$10,000. Ohio has changed its plan so that benefits may be as high as 85% of the judges' final average salary. Oregon, instead of setting a figure, now gives 45% of the average salary for the highest five of the last ten years. Maine now gives the retiring judge ¾ of the currently effective salary of his office.

Judges' contributions to retirement funds have been increased in four states. Illinois judges now contribute 10% of their salary; Mississippi, 4½%; Ohio, to 7.7%; and Wisconsin, 2% of their monthly salary and 4½% on any earnings in excess of the amount specified as subject to social security withholding. North Carolina has accorded the judges of its Superior Court the same disability benefits as its appellate judges.

Changes were made in death benefits in five states. Colorado has reduced from five to three

years the service required of a judge for his widow to be eligible for benefits. Maine has followed the modern and preferred practice by changing the widow's benefit from ¾ of the compensation at the time of her husband's death to ¾ of the current compensation for the judicial office that he held at the time of his death. Oregon now gives a judge's widow a percentage of a basic amount determined by his length of service. In South Dakota, a judge may now assign ½ of his retirement pay to his wife, the annuity commencing upon his retirement or death in office and continuing until her death or remarriage. Washington has reduced the required time that the judge and his widow were married from ten to three years.

MINIMUM STANDARDS

Three minimum standards recommended and commented upon in the American Judicature Society's last survey and included in the Model Judicial Article (June, 1963, *JUDICATURE* p. 11) provide a partial guide in evaluating current retirement plans.

These standards require that each plan provide a pension of at least 50% of salary for judges who retire after at least 10 years of service in addition to disability and death benefits.

Alabama, Colorado, Delaware, Mississippi, Missouri, Oregon, and Wyoming still have a minimum retirement figure below this recommended minimum. Arkansas, Indiana, Iowa, Michigan, Minnesota, New Hampshire, New Mexico, North Dakota, South Dakota, Texas, and Utah pay the bare minimum of 50%. Two-thirds of salary is allowed by six states: Arizona, Connecticut, Georgia, Nevada, North Carolina, and South Carolina. Fourteen jurisdictions pay as much as 75%; they are Alaska, California, Hawaii, Idaho, Illinois, Maine, Massachusetts, New Jersey, Oklahoma, Rhode

Island, Tennessee, Virginia, Washington, West Virginia, and Puerto Rico. Pennsylvania and Ohio give benefits of up to 85% of salary and the allowance in New York and Wisconsin is determined by actuarial rules. In Florida and Vermont, benefits may reach as high as full salary but only after 30 years service. The same applies in Kentucky and Louisiana with the service requirement being 20 years.

All states except Rhode Island and Wyoming provide disability benefits, but in Georgia and Nevada such benefits are available only through the public employees retirement system. Alabama, Missouri, North Carolina, Oklahoma, Rhode Island and Wyoming allow no widow's benefits, and Georgia has no benefits for widows of appellate judges. In addition, in 15 states the widow's benefits consist either of a refund of contributions or an optional annuity whereby the judge takes a lower pension to provide for his wife.

BENEFITS FOR JUDGES

Hospitalization. All reporting jurisdictions except Kentucky, Montana, Nebraska, North Carolina, and West Virginia have some type of hospital plan, but they vary considerably. In 14 states the judge pays the whole premium, and in 19 states the premium is shared by the state and the judge. In Connecticut the state pays ½ of the coverage for dependents, and Idaho is the only state which fully pays for family coverage.

Holidays. The number of official holidays varies from two in Arkansas and four in Virginia to fourteen in New Jersey and Tennessee and eighteen in Puerto Rico. Holidays in the federal courts generally correspond to those of the jurisdiction where the court is sitting.

Vacation. Seventeen states make the length of vacation subject to the discretion of the individual judge. The maximum vacations in the remaining jurisdictions average one month,

or 21 judicial days; this being the vacation time in 20 states. The shortest vacation was two weeks—the estimated vacation time of Oklahoma judges. The longest reported vacations were ten weeks in Massachusetts, nine weeks in Kentucky, and eight weeks in Mississippi. Only Iowa reported a vacation system based on length of service; one week after one year, two after two years, three weeks after ten and four after fifteen years. The federal system has a discretionary policy of vacations up to one month.

Expense Allowances and Travel Reimbursement. Appellate and general trial court judges are generally reimbursed for their actual travel expenses. This is true in 30 states, Puerto Rico, and the federal system, but 10 qualify this "actual expense" reimbursement policy. For example, in Alabama it applies to out of state travel, and in-state travel is limited to \$15 per diem. In Rhode Island, expenses are covered only for out-of-state conferences, and in the federal system the expense reimbursement may not exceed \$30. Sixteen states report per diems in effect for the judges of some or all of their courts. These figures varied from \$13 to \$30 with \$25 being the most common figure. The average mileage reimbursement was just under 10¢, the minimum being 7¢ and the maximum 12¢. Nine states reported expense allowances of specific amounts for one or more courts. By far the most generous were those provided by New York, where instead of expenses, allowances of from \$3,000 to \$7,000 are given to judges in some courts.

COMPENSATION OF COURT EMPLOYEES

Court Administrators. In 1955 the American Judicature Society reported that there were 16 such offices. The addition of four states—Florida, Maine, Oklahoma, and Pennsylvania—since the last survey brings the total of jur-

isdictions with full time court administrators to 34 states, the District of Columbia, the federal system, and Puerto Rico. Salaries range from \$11,550 in New Mexico to \$42,678 in New York with an average of \$22,091. Twelve states and the federal system have deputy court administrators.

Court Clerks. The salaries of supreme court clerks in the reporting jurisdictions range from \$3,000 in Maine to \$29,950 in New York. Seven states—Arkansas, Delaware, Iowa, Maine, Maryland, Oklahoma, and Wyoming—pay their clerks less than \$10,000 per year. California, Illinois, Massachusetts, Michigan, New Jersey, New York, Virginia, Washington, West Virginia, and the federal system pay over \$20,000.

Law Clerks. Ninety per cent of the supreme courts have law clerks. Those that do not are Maine, Missouri, Nebraska, Vermont, and Wyoming. There is a one-to-one ratio of judges to clerks on 25 state supreme courts. In four states—Indiana, Louisiana, New Jersey, and Oregon—the chief justices have two clerks and the other justices have one each. In California, four law clerks are assigned to each justice and the range in Alaska is three to one. Four states—Arizona, Illinois, New York, and Pennsylvania have a ratio of two to one. Eight states—Delaware, Kansas, Mississippi, Montana, New Hampshire, North Dakota, Ohio, and South Carolina—have less than a one-to-one ratio of law clerks to judges. The salaries range from \$5,000 in Mississippi to \$26,148 in California for the "principal attorney." Five states—Arkansas, Mississippi, Montana, Rhode Island, and Utah—pay less than \$7,000 while eleven states, Puerto Rico, and the federal system pay more than \$10,000.

Court Reporters. Salaries of supreme court reporters range from \$4,596 in South Carolina to \$28,814 in Michigan. Twelve jurisdictions—Alabama, California, Colorado, Georgia, Mich-

igan, Nebraska, New York, North Carolina, Oklahoma, South Dakota, Washington, and Puerto Rico—pay more than \$15,000 per year. The five states which pay less than \$10,000 are Arkansas, Missouri, Nevada, South Carolina, and Virginia.

Minimum Standards. Despite the major improvements in judicial compensation in recent years, there are still deficiencies. The following requirements should be met in every state:

1. A minimum salary of \$19,000 should be paid to all judges.
2. Retirement benefits should equal at least 50% of the current salary of the last office the judge held, and every retirement plan should include widow and disability benefits.
3. A state-wide court administrative staff should be established with a deputy administrator in every metropolitan court system in the nation.
4. Law clerks should be provided for all supreme court judges.
5. Private secretaries should be provided for all supreme court judges, and every judge should have a full or part-time secretary.
6. Every judge should have an allowance for office expenses, and should receive travel expenses for a wide range of state and national professional activities.
7. Hospitalization and medical-surgical insurance should be provided every judge and court employee, with all premiums paid by the state.
8. Every judge should have an annual vacation of at least one month.

(Editor's Note: This compilation could not have been completed without hours of demanding work by Joseph J. Connell, Jr., a research assistant and a senior student at the University of Chicago Law School. Mrs. Clarette Bein edited the draft and prepared the final printed text, and Mrs. Joyce Pope and Miss Tina Asperk assisted with the manuscript. The final product is the result of their efforts.)

CURRENT PROVISIONS

Following are the summaries of judicial compensation data for the 50 states, the federal system, and Puerto Rico, which have been verified by local authorities and from which the prefatory conclusions and the summary charts in this survey are drawn. Judicial salaries in the courts of each jurisdiction are then listed along with special notations of chief judge increments, local supplements, general bases for formula calculations, effective dates of changes which are not yet applicable, and explanatory notations where reliable figures could not be obtained.

The extent to which fringe benefits—hospitalization and medical-surgical insurance, vacation, holidays, expense allowances and travel reimbursements—are available to appellate and general trial court judges is then reported

for each state. Other reported benefits (e.g., life insurance coverage) are noted for a few jurisdictions. The fourth part of the summary data is a description of the retirement plans applicable to judges in each state. These are updated versions of the summaries of Alice Ann Winters in *Judicial Retirement Plans*, Chicago: The American Judicature Society, 1961.

The Society will be pleased to furnish or obtain additional information on any jurisdiction. Readers are invited to supplement the data presented and to report changes as they occur for inclusion in the addenda which will be published in the interim before the Society's next biennial survey. Inquiries or contributions of new information may be sent to the Society's offices at 1155 East 60th Street, Chicago, Illinois 60637.

ALABAMA

HIGHEST COURT

Supreme Court	
Chief Justice	\$22,500*
Associates	22,500*

INTERMEDIATE APPELLATE COURTS

Court of Criminal Appeals	22,000*
Court of Civil Appeals	22,000*

GENERAL TRIAL COURT

Circuit Court	
State Pay	18,000*
Local Supplements	up to 6,000

LIMITED AND SPECIAL COURTS

Recorder's Court	500 to 15,000
Inferior Courts	6,000 to 10,000
Probate Court	Fees
Justice of the Peace	Fees
County Courts (Probate Judge)	300 to 600
Juvenile Courts (Probate Judge)	—

BENEFITS

HOSPITALIZATION: Covered under State of Alabama Insurance Program.

VACATION: Court recessed from July to October; however, special sessions are held continuously.

HOLIDAYS: 12.

EXPENSE ALLOWANCE: Not more than \$15 per day in

state are reimbursed; outside state, actual and necessary expenses plus actual expenses for transportation.

RETIREMENT PROVISIONS

JUDGES COVERED: Supernumerary judgeship plan applies to: A. Supreme Court. B. Courts of Appeal. C. Circuit Courts.

AGE AND SERVICE REQUIREMENTS: A. 65 after 15 years of service, the last 12 of which are continuous. B. 65 after 15 years of continuous service. C. 65 after 15 years of continuous service in a Circuit Court, or 70 after 10 years of continuous service, or any age after 24 years of continuous service, or age 70 after 15 years of service as a judge in any court of record.

CONTRIBUTION: None.

RETIREMENT BENEFITS: A. \$7,200. B. \$7,200. C. \$9,600.

DEATH BENEFITS: No specific provision.

DISABILITY BENEFITS: A. and B. 50 with 15 years continuous service, same benefits as retirement. C. 60 with 15 years continuous service, same benefits as retirement.

SERVICE AFTER RETIREMENT: Can be called to hold court or perform other judicial duties.

RETIREMENT CITATIONS: Supreme Court, 1958 Re-compiled Code (Supp.1967) Tit. 13, §§ 31, 33, p. 159. Courts of Appeal: *id.*, Tit. 13, § 105 (2), (3) p. 167 (Supp. 1967).

Circuit Court: *id.* Tit. 13, § 195 (1), (2) p. 234 (Supp. 1967), § 195 (4) (Amend. 1969).

Alabama Constitution, Art. 4 § 98.

* effective January, 1971

ALASKA

HIGHEST COURT	
Supreme Court	
Chief Justice	\$30,000
Associates	28,000
GENERAL TRIAL COURT	
Superior Court	26,500
LIMITED AND SPECIAL COURTS	
District Court	
District Judges	19,000
Magistrates	(set by Supreme Court)
COURT ADMINISTRATOR	
Administrative Director of the Courts	26,500

BENEFITS

HOSPITALIZATION: Covers Supreme and Superior Court judges; premiums are shared by the state and the judge; authority for group plans given by statute.

VACATION: No set policy.

HOLIDAYS: 11 days.

EXPENSE ALLOWANCE: 12¢ a mile by private car and per diem travel allowance is \$21.

RETIREMENT PROVISIONS

JUDGES COVERED: Supreme, Superior, and District Judges.

AGE AND SERVICE REQUIREMENTS: 65 after 5 years of service; retirement may be at any age after 5 years with benefits deferred to age 65 except with 20 years of service actuarially reduced payments may begin at age 60; retirement mandatory at 70.

CONTRIBUTION: None.

RETIREMENT BENEFITS: 5% of salary of office per year of service to a maximum of 75% of the salary of the office.

DEATH BENEFITS: Widow receives ½ of benefits judge would have received until she remarries.

DISABILITY RETIREMENT: Regular retirement benefits paid after 2 years service to justices of the Supreme Court who are retired for incapacity by action of the governor and to other judges retired for incapacity by the Supreme Court. After 5 years of service a judge may request a disability retirement and be granted regular retirement benefits by the governor on recommendation of a three man commission.

JUDICIAL SERVICE AFTER RETIREMENT: Special assignments by court rule.

RETIREMENT CITATION: Alas. Stats., 1962, §§ 22-25.010 through 22.25.070.

ARIZONA

HIGHEST COURT	
Supreme Court	
Chief Justice	\$23,500
Associates	23,500
INTERMEDIATE APPELLATE COURT	
Court of Appeals	22,500
GENERAL TRIAL COURT	
Superior Court	21,500
Commissioners	up to 16,000
LIMITED AND SPECIAL COURTS	
Justice Courts	5,100 to 11,000
Police Courts	300 to 19,200
COURT ADMINISTRATORS	
Administrative Director of the Courts	14,500
Court Administrator, Maricopa County	16,307
Court Administrator, Pima County	10,700

BENEFITS

HOSPITALIZATION: Group policy is available to judges of Supreme Court, Court of Appeals, and Superior Court. Premium for individual and family coverage paid by the judge.

VACATION: By custom vacations of up to one month are taken by judges of the Supreme Court, Court of Appeals, and Superior Court.

HOLIDAYS: 12 days.

EXPENSE ALLOWANCE: 10¢ a mile for private car travel on official business and a subsistence allowance of \$20 per day in state and \$30 per day without the state.

RETIREMENT PLAN

JUDGES COVERED: Judges of Supreme Court, Court of Appeals, and Superior Court.

AGE AND SERVICE REQUIREMENTS: Minimum is 65 after 20 years service; a judge whose service is terminated before the minimum retirement age but after 12 years of service may receive deferred benefits at age 55.

CONTRIBUTION: 5% of salary.

RETIREMENT BENEFITS: ⅓ of salary at time of retirement; proportionate amount of current salary times years of service divided by 20 if years of service are between 12 and 20 to a maximum of ⅓ of current salary.

DEATH BENEFITS: ⅓ of retirement benefits to widow if 62 or married 10 years and if judge served a minimum of 12 years.

DISABILITY BENEFITS: Any age with 10 years service, ⅓ of salary; with 5 years service, ⅓ salary; between 5 and 10 years service a proportionate amount.

SERVICE AFTER RETIREMENT: Subject to call of the Supreme Court any retired judge may assist any of the three courts in all duties prior to final disposition.

CITATION: Ariz. Rev. Stats. 1956, Vol. 10, Tit. 38, Chapter 5, Art. 3 §§ 801 through 806, pp. 216-219, and 1969 Supp. pp. 60-62.

ARKANSAS

HIGHEST COURT	
Supreme Court	
Chief Justice	\$24,900
Associates	22,400
GENERAL TRIAL COURT	
Circuit Court	19,200
Chancery Court	19,200
LIMITED AND SPECIAL COURTS	
County Court	3,000 to 5,000
Common Pleas Court	100 to 900*
Municipal Court	2,400 to 15,000
Police Court	1,200 to 3,600
Mayor's Court	1,200 to 3,600
Justice of the Peace	**
COURT ADMINISTRATOR	
Executive Secretary of the Judicial Department	18,000

BENEFITS

HOSPITALIZATION: Judges covered by Workman's Compensation Insurance. In addition, many judges carry hospitalization at their own expense.

VACATION: Supreme Court recesses from first Monday in June until the first Monday in September; however, judges are on call during this time. Trial courts take approximately 4 weeks.

HOLIDAYS: Supreme Court has two (Christmas and New Year), trial court holidays set by local rule.

EXPENSE ALLOWANCE: Supreme Court has no specific allowance but the maintenance allowance is used for authorized travel and meetings. Trial judges have the option of actual expenses or an annual allowance of \$2,400. Mileage expense is 10¢ per mile.

* County Judge presides over Courts of Common Pleas; figures represent supplements.

** Recent Arkansas Supreme Court decision, *Doty v. Goodwin*, 246 Ark. 147 (1969), held conviction unconstitutional where fee of justice of the peace was dependent on conviction. Recent Arkansas Statute, 12-1731.1 (1969 Supp.), authorized quorum court to fix salaries of justices of the peace. Information on amount and numbers of justices on salary is presently unavailable.

RETIREMENT PLANS

JUDGES COVERED: A. Supreme, Circuit, and Chancery Court. B. Municipal and Police Court.

AGE AND SERVICE REQUIREMENTS: A. 65 after 15 years of service or any age after 20 years of service. B. Any age after 30 years of service or 70 after 10 years of service.

CONTRIBUTION: A. 4% of salary. B. None.

RETIREMENT BENEFITS: 50% of salary.

DEATH BENEFITS: 50% of retirement pay to widow (if she was married to judge at least five years prior to death) until she remarries, or to minor children if there is no widow. If both widow and minor children survive they each get half the death benefit.

DISABILITY RETIREMENT: A. Judge may retire for disability with a pension of ½ his last salary regardless of age or length of service if incapacitating illness occurs during term to which he was elected. B. 50% of last salary if incapacitating illness occurs during term to which he was elected.

SERVICE AFTER RETIREMENT: A. Chief Justice may recall any retired judge except those retired for disability for temporary service with the consent of the judge, who is paid the salary of the office without regard to recalled judges' retirement benefits. B. No specific provision.

CITATION: A. Ark. Stats. Ann. 1947, Tit. 22 §§ 22-901 through 22-909 (1969 Supp.) B. Tit. 22 §§ 22-739, 22-941 through 22-944.

CALIFORNIA

HIGHEST COURT

Supreme Court	
Chief Justice	\$45,418
Associates	42,747

INTERMEDIATE APPELLATE COURT

Court of Appeal	40,076
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GENERAL TRIAL COURT

Superior Court	33,396
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LIMITED AND SPECIAL COURTS

Municipal Court	30,724
Justice Courts	900 to 21,000

COURT ADMINISTRATOR

Administrative Director of the Courts	38,510
Executive Officer, Los Angeles Superior Court	23,676- 29,484

BENEFITS

HOSPITALIZATION: Optional coverage available, premium payments are shared by judge and state. Family coverage available at extra charge to judge.

VACATION: 21 judicial days.

HOLIDAYS: 12 days plus every day in which there is an election in the trial court.

EXPENSE ALLOWANCE: Supreme and Court of Appeal judges allowed travel and per diem expenses when on court business. Superior Court judges allowed travel and per diem when assigned to another court. Reimbursement for travel expenses also provided for Municipal and Justice Court judges.

RETIREMENT PLANS

JUDGES COVERED: Supreme Court, Court of Appeal, Superior Courts, Municipal Courts.

AGE AND SERVICE REQUIREMENTS: 70 after 10 years of service within the preceding 15; 69 with 12, 68 with 14, 67 with 16, 66 with 18, or 65 with 20, all with maximum service interruptions of 4 years; 70 with 20 years service, the last five of which immediately precede retirement, or 60 after 20 years of service. Credit is granted for service in courts not included under the plan provided back contributions are paid and for service in the armed forces during war or national emergency.

CONTRIBUTION: 8% monthly salary deduction.

RETIREMENT BENEFITS: 50% of current salary if over 70; if less than 70, 65% of current salary; or with 20 years service 75%.

DEATH BENEFITS: If judge dies in active service while eligible for retirement or dies retired his widow receives 50% of his retirement allowance. If he dies in office with 10 years service but before he is eligible to retire his widow may receive 1.625% of current salary times years of service to a maximum of 3½% of current salary. This is contingent upon the judge paying \$2.00 per month to the retirement fund. If the judge dies before he is retired and is not survived by a widow his heirs may receive an amount up to ½ his salary.

DISABILITY BENEFITS: A judge retired for disability is entitled to the same allowances provided in case of retirement for age and service.

SERVICE AFTER RETIREMENT: May be assigned with his consent to any court equal or higher than that of one from which he retired. He is paid the difference between his retirement allowance and compensation of an active judge.

CITATION: West's Annotated California Codes, Government Code, Vol. 37A, Tit. 8, Chap. 11, §§ 75000 through 75109, pp. 3-38 and 1968-69 Cumulative Pocket Supp., pp. 5-11. Cal. Const., Art. VI §§ 18 and 20.

COLORADO

HIGHEST COURT

Supreme Court	
Chief Justice	\$25,000
Associates	24,500

INTERMEDIATE APPELLATE COURT

Court of Appeal	
Chief Judge	22,750
Associates	22,250

GENERAL TRIAL COURT

District Court	20,000
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LIMITED AND SPECIAL COURTS

Superior Court (Denver)	20,000
Probate Court (Denver)	20,000
Juvenile Court (Denver)	20,000
County Court	
Denver	17,500
Others	16,500- 17,500
Municipal Court	500 to 18,000

COURT ADMINISTRATOR

State Court Administrator	20,000
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BENEFITS

HOSPITALIZATION: All judges except Municipal judges may join a state plan which provides both basic and major medical benefits. The state pays \$6.75 per month toward the premium, the judge the rest.

VACATION: 30 days with some variation.

HOLIDAYS: 11 days.

EXPENSE ALLOWANCE: All judges except Municipal are reimbursed by state at rate of 10¢ per mile. Supreme and Court of Appeals judges receive actual and necessary expenses. District, Superior, Probate, Juvenile, and County judges receive expenses to a maximum of \$20 per day.

RETIREMENT PLANS

JUDGES COVERED: A. Supreme Court justices. B. All courts of record.

AGE AND SERVICE REQUIREMENTS: A. and B. Minimum age is 65 after 10 years of service.

CONTRIBUTION: 6% salary deduction plus \$5 fee upon entering the system.

RETIREMENT BENEFITS: A. \$5,000 a year at 65 after 10 years of service, \$6,000 at 72 after 20 years, and \$7,000 at 80 after 30 years. B. 50% of average highest

monthly salary of any 5 years service within the past 10 at age 65 with 16 or more years service or 60 with 20; 40% as above at 65 with 10 to 16 years service.

DEATH BENEFITS: A. \$5,000 maximum if widow is 65 and married at least 20 years. B. Optional annuities available to spread benefits to widow or designated heirs; widow of judge who dies in office and who has completed 3 years of service receives an annuity of 25% of average monthly salary for the 3 years immediately preceding his death.

DISABILITY RETIREMENT: A. No specific provision. B. Judges retired for disability may receive an allowance equal to retirement benefits he would have received had he completed his term of office.

SERVICE AFTER RETIREMENT: Chief Justice may assign any retired judge with his consent to perform judicial duties in any court. For each day's service he receives 1/2 the salary applicable.

CITATION: Courts of Record: Colo. Rev. Stats. 1963, Chap. 111, §§ 111-6-1 through 111-6-13. Supreme Court (other provisions): *id.*, Chap. 37, § 37-2-14, Colo. Const. Art. 6 § 31.

CONNECTICUT

HIGHEST COURT

Supreme Court
Chief Justice \$33,000
*Associates 29,000

GENERAL TRIAL COURT

Superior Court 27,500

LIMITED AND SPECIAL COURTS

Circuit Court
Chief Judge 23,500
Judges 21,500
Common Pleas Court 22,500
Juvenile Court 20,000
Probate Court fees up to 33,000

BENEFITS

HOSPITALIZATION: Group hospitalization, medical and surgical insurance is available to judges. State pays judges' premium and 1/2 of premium of judges' dependents.

VACATION: 1 month.

HOLIDAYS: 11 days.

EXPENSE ALLOWANCE: Judges of Supreme, Superior, Circuit, Common Pleas, and Juvenile Courts receive expenses. Mileage reimbursed at 10¢ per mile.

RETIREMENT PLANS

JUDGES COVERED: Judges of Supreme, Superior, Common Pleas, Circuit, and Juvenile Courts.

AGE AND SERVICE REQUIREMENTS: Minimum is 65 after no minimum length of service or after 25 years of service with no age requirement. Retirement mandatory at 70.

CONTRIBUTION: 5% of salary for judges appointed after May 20, 1967; those appointed earlier make no contribution.

RETIREMENT BENEFITS: 2/3 of salary if judge served 10 years or retired at 70. If retirement occurs between ages 65 and 69 with less than 10 years of service the allowance is computed by dividing a fraction, the numerator of which is the number of years actually served and the denominator of which is the number 10 or the number of years the judge would have served had he not retired until age 70—whichever number is less, into 2/3 of his current salary.

* One of the justices is, upon nomination by the Governor, appointed Chief Court Administrator by the General Assembly at a salary of \$33,000.

DEATH BENEFITS: Widow receives 1/2 of the current salary of the office the judge held. If the judge is not survived by a widow the pension is payable to his children until they reach age 18.

DISABILITY RETIREMENT: Judges retired for disability receive full benefits.

SERVICE AFTER RETIREMENT: Retired judges of Supreme, Superior, and Common Pleas courts become state referees for life. Chief Justice appoints trial referees from state referees and they may enter judgment in cases referred to them by Superior and Common Pleas Courts. Compensation is \$50 per day.

CITATION: Gen. Stats. of Conn. Vol IX, Tit. 51 Chap. 872, §§ 51-49 through 51-51; Conn. Const. Art. 5 § 6.

DELAWARE

HIGHEST COURT

Supreme Court
Chief Justice \$34,500
Associates 34,000

GENERAL TRIAL COURTS

Superior Court and Orphan's Court
Presiding Judge 31,500
Associates 31,000
Court of Chancery
Chancellor 31,500
Vice Chancellors 31,000

LIMITED AND SPECIAL COURTS

Family Court 27,000
Municipal Court (Wilmington)
Full Time Judge 25,000
Part Time Judges 8,300
Common Pleas Court 27,000
Justices of the Peace 8,000

COURT ADMINISTRATOR

Deputy Administrator for Justices of the Peace. 17,000

BENEFITS

HOSPITALIZATION: Judges may participate in a voluntary Blue Cross Plan.

VACATION: Unspecified.

HOLIDAYS: 9 days.

EXPENSE ALLOWANCE: Mileage reimbursement at 10¢ per mile.

RETIREMENT PLANS

JUDGES COVERED: Judges of Supreme, Superior, Chancery, and Orphan's Courts and all other full time judges of courts of record paid by the state.

AGE AND SERVICE REQUIREMENTS: 72 with 12 years service, any age with 24, or 65 with 12 if not reappointed to office.

CONTRIBUTION: 5% of that portion of judge's salaries below \$7,500.

RETIREMENT BENEFITS: 2% of highest average salary for any five consecutive years times his total number of years service.

DEATH BENEFITS: Widow receives 2/3 of pension payable to him until death or remarriage.

DISABILITY BENEFITS: Any age with no minimum service requirement, same as retirement benefits.

SERVICE AFTER RETIREMENT: No specific provision.

CITATION: Del. Code Ann., Vol. 12, Tit. 29, Chap. 56, §§ 5601 through 5610.

FLORIDA

HIGHEST COURT

Supreme Court \$34,000

INTERMEDIATE APPELLATE COURT

District Court of Appeals 31,200

GENERAL TRIAL COURT

Circuit Court 28,500

LIMITED AND SPECIAL COURTS

Court of Record of Escambia County..... 28,500

Criminal Courts of Record.....15,000 to 25,000

Courts of Record.....13,500 to 27,500

Civil Courts of Record.....20,000 and 25,000

Felony Court of Volusia County..... 20,000

County Judges Court (Probate).....11,000 to 28,500

County Courtnot provided

Juvenile Courts

Authorized by special act.....3,000 to 28,500

County Judges also serving

Juvenile Court—

Small Claims Courts.....fees to 15,000

Justice of the Peace.....fees to 11,500

Magistrate's Courts 21,600

COURT ADMINISTRATOR

Executive Director of the Judicial

Administrative Commission 15,405

BENEFITS**HOSPITALIZATION:** Group policies available with family coverage, premium paid by judge.**VACATION:** Discretionary.**HOLIDAYS:** 7 days plus those the State Personnel Board may designate.**EXPENSE ALLOWANCE:** Supreme and District judges receive per diem of \$25, Circuit judges get \$20; mileage reimbursement is 10¢ per mile.**RETIREMENT PLANS****JUDGES COVERED:** A. Judges of Supreme Court, District Court of Appeals, Circuit Courts, and Escambia County Court of Record. B. Public Employee's Retirement System applies to all other judges.**AGE AND SERVICE REQUIREMENTS:** A. 60 after 10 years of service or 55 after 10 with reduced benefits. For judges assuming office after July 1, 1963 it is age 65. B. 60 after 10 or 55 after 10 with reduced benefits. Mandatory retirement at age 70 for all judges of the state except those in office on November 1, 1956.**CONTRIBUTION:** A. 8% of salary. B. 6% of salary without social security coverage, 4% with social security.**RETIREMENT BENEFITS:** 3½% (or 5% for justices in office prior to July 1, 1957) of average salary (best 10 out of last 15 years) times years of service not to exceed final average salary. B. 2% (1½% with social security benefits) of average final compensation for each year of service.**DEATH BENEFITS:** A. Judge may accept reduced retirement benefits under one of several plans to provide benefits for designated heirs, any eligible judge is automatically construed to have selected the option which provides the widow with greatest benefits. B. Optional reduced annuities provide pension for surviving spouse.**DISABILITY BENEFITS:** A. Any age with 10 years of service the last 5 of which are continuous for voluntary retirement, benefits are not less than 25% of final salary. Judges retired involuntarily receive ¾ salary at time of retirement if more than 10 years of service or ½ salary if less than 10 years service with additional benefit in latter case of 3½% for each year of service. B. Any age with 10 years of service last 5 of which are continuous; minimum benefits are 50% of average final compensation, but do not apply if judge is 60 or receives social security disability benefits.**SERVICE AFTER RETIREMENT:** Any retired justice or judge may be assigned, with consent, to any court by Chief Justice, compensation equates difference between retirement benefits and salary of the office.**CITATION:** Florida Stats. 1967, Chapters 122 and 123, 1970-71 Cum. Pocket Supp. Const. Art. 5 §§ 2, 17, 19.**GEORGIA****HIGHEST COURT**

Supreme Court\$26,500

INTERMEDIATE APPELLATE COURT

Court of Appeals..... 26,500

GENERAL TRIAL COURT

Superior Court 24,800

Plus local supplements.....up to 14,000

LIMITED AND SPECIAL COURTS

City Courts4,600 to 15,000

County Civil and Criminal Courts

Bibb County 8,000

Baldwin and Gwinnet Counties..... 6,000

Cobb County 18,500

Coveta County 8,000

Clayton County 12,500

DeKalb County 14,000

Civil Court (Fulton County)

Chief Judge 23,000

Associates 22,500

Troup County 10,000

Municipal Court**Augusta**

Chief Judge 11,200

Associates 9,700

Juvenile Court

Counties over 500,000..... 23,000

Justices of the PeaceFees

BENEFITS**HOSPITALIZATION:** Group policy available, premiums shared by judge and state.**VACATION:** Two weeks in general, maximum is four weeks.**HOLIDAYS:** 11 days.**EXPENSE ALLOWANCE:** No provisions for appellate courts, Superior Court allowances provided by local legislation.**RETIREMENT PLANS****JUDGES COVERED:** A. Supreme Court. B. Court of Appeals. C. Superior Court. D. Ordinaries (probate jurisdiction). E. Supreme Court and Court of Appeals judges elected after April 1, 1964 under State Employee's Retirement System.**AGE AND SERVICE REQUIREMENTS:** A. 70 with 10 years on appellate and trial courts of general jurisdiction, or 65 with 20 consecutive years service including service as solicitor or attorney general. B. 65 with 20 consecutive years service in state courts, or 70 with 10 consecutive years service on Court of Appeals or Supreme Court. C. 70 with 10 years service, or any age after 18 years service, at least 5 of which have been on Superior Court; service credits for military service and certain state offices. D. 65 with 4 years service, or any age with 20 years as an officer of the court with benefits deferred to age 65. E. 60 with 5 years creditable service, or any age with 30 years, or at 70 "forthwith."**CONTRIBUTION:** A. and B. None, C. 5% of salary, D. 5% of salary or net fees up to \$12,000, E. 5% of earnable salary.**RETIREMENT BENEFITS:** A. and B. ¾ current salary of office. C. ¾ current salary, if retiring at 70 after 10 years service benefits are ½ current salary. D. 10% of average monthly salary plus 2½% for each year of service over four years, not to exceed 20 years. E. Actuarial equivalent of contributions.**DEATH BENEFITS:** A. and B. No specific provisions. C. Contributions refunded to widow. D. Contributions refunded to estate. E. 15 years service, 75% of retirement allowance; 20 years service, same allowance as age 60; 25 years service, 75% of allowance payable at age 65; 30 years service same allowance as payable at age 65.

DISABILITY BENEFITS: A., B. and D. No specific provisions. C. 62 with 10 years service, ½ current salary of office. E. Same as death benefits.

SERVICE AFTER RETIREMENT: A. and B. Serves as member of advisory appellate council. C. Serve as *ex officio* members of judicial council and may be called to sit as emergency judge of Superior Court. D. No specific provision. E. None unless on bench before April 1, 1964.

CITATION: A. Code of Georgia Ann., Book 9 (1953 Revision), Tit. 24, §§ 4601 through 4613, pp. 487-489, 1969 Cumulative Pocket Supp. B. *id.*, §§ 3601A through 3609A, pp. 440-441. C. *id.*, §§ 2601A through 2620A, pp. 264-271. D. *id.*, §§ 1701A through 1716A, pp. 148-155. E. *id.*, Tit. 40, §§ 2501 through 2529, 1969 Cum. Pocket Supp.

HAWAII

HIGHEST COURT

Supreme Court	
Chief Justice	\$33,880
Associates	32,670

GENERAL TRIAL COURT

Circuit Court	30,250
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LIMITED COURT

*District Magistrates	23,670
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COURT ADMINISTRATOR

Administrative Director of the Courts	22,670
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BENEFITS

HOSPITALIZATION: Group policy with family coverage available; judge's premium shared with state, judge pays for family coverage. If judge retires and has had insurance for 2 years state pays entire cost of policy.

VACATION: 21 working days.

HOLIDAYS: 11 days.

EXPENSE ALLOWANCE: Chief Justice has a \$500 allowance. Per diem allowance is \$30 to \$40 for all judges. Mileage reimbursed at 12¢ per mile for the first 400 miles and 10¢ per mile thereafter.

RETIREMENT PLANS

JUDGES COVERED: Supreme and Circuit Court judges under Public Employee's Retirement System.

AGE AND SERVICE REQUIREMENTS: 55 with 5 years service or any age after 25 years creditable service. Retirement compulsory at 70. Credit given for state service.

CONTRIBUTION: 6.5% of salary.

RETIREMENT BENEFITS: Actuarial equivalent of 1/50 of average final salary times years of creditable service plus accumulated contributions plus 1/140 of average final compensation (highest 5 year average) times years of service if a member is 55. Maximum allowance is 75% of average final compensation, minimum is \$30 per month. If member is not yet 55, benefits are reduced.

DEATH BENEFITS: Non-occupational death, accumulated contributions plus, if completed one year of service, ½ salary for year preceding death, such amount increased by 5% for each full year of service in excess of 10 years. Occupational death, accumulated benefits plus pension of ½ average final compensation paid to widow.

DISABILITY BENEFITS: Non-occupational disability, retirement benefits are received if member has reached age of 55, otherwise benefits equal 25% of average final compensation plus 1% for each year of service over 15. Occupational disability, actuarial equivalent of accumulated contributions plus pension of ½ average final compensation.

SERVICE AFTER RETIREMENT: No specific provisions.

CITATION: Rev. Laws of Hawaii 1955, Vol. 1, Chap. 6 §§ 20 through 103, pp. 113-128; Laws 1957, Act 143, § 4, p. 128; 1965 Supplement to Laws Const. Art. 14 § 2.

* Part-time magistrates are paid \$5324 to 8652.

IDAHO

HIGHEST COURT

Supreme Court	\$25,000*
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GENERAL TRIAL COURT

District Court	22,500*
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LIMITED AND SPECIAL COURTS

Probate Courts	1,500 to 12,000**
Justices of the Peace	set by Commissioners

COURT ADMINISTRATOR

State Court Administrator	14,500
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BENEFITS

HOSPITALIZATION: Group policies with family coverage available: all premiums paid by the state.

VACATION: No set policy, 2 to 4 weeks typical.

HOLIDAYS: 8 days.

EXPENSE ALLOWANCE: Supreme and District judges get actual travel expenses, mileage is reimbursed at 10¢ per mile.

RETIREMENT PLANS

JUDGES COVERED: Supreme and District Court judges.

AGE AND SERVICE REQUIREMENTS: Minimum age is 65 after 8 years of service or any age after 20 years. Retirement mandatory at age 70 or at end of term in which age 70 is attained.

CONTRIBUTION: 4% of monthly salary.

RETIREMENT BENEFITS: 2½% times years of service up to 25 years of current compensation of the office.

DEATH BENEFITS: If judge dies before retirement, widow receives 20% of allowance judge would have received at 65; if judge dies after retirement widow receives 20% of his allowance.

DISABILITY BENEFITS: No minimum age and regular retirement benefits.

SERVICE AFTER RETIREMENT: Retired judge may act as Supreme Court commissioner at request of chief justice, any retired district judge on request by any district judge, with agreement of parties, may hear and determine civil actions.

CITATION: Idaho Code 1947, Vol. 2, Tit. 1, §§ 2001 through 2008.

* Judges receive an increment of 3% of their annual salary for each year of service up to a maximum of 10 years.

** Set by county commissioners.

ILLINOIS

HIGHEST COURT

Supreme Court	\$40,000
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INTERMEDIATE APPELLATE COURT

Appellate Court	37,500
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GENERAL TRIAL COURT

Circuit Court	15,000 to 35,000
Judges	27,500
Cook County Supplement	7,500
Associate Judges	
State salary	25,000
Cook County Supplement	7,500
Magistrates	
Lawyer-Magistrates	18,500
Cook County Supplement	4,500
Non-Lawyer Magistrates*	15,000

COURT ADMINISTRATOR

Administrative Director	37,500
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* All magistrates in Cook County are lawyers.

RANK ORDER OF SALARIES IN THE HIGHEST APPELLATE AND TRIAL COURTS, AND OF POPULATION AND PER CAPITA INCOME

GENERAL NOTE. Population and per capita income figures were taken from Department of Commerce publication, *Current Population Reports*, Series P-25, No. 436, and *Survey of Current Business*, August, 1970. Where a range of salaries is paid to trial court judges the average of the range was used to establish rank. In cases where more than one state paid the same salary, each of these states has been assigned the rank number of the last in the alphabetical listing of them.

State	JUDICIAL SALARIES		Per Capita Income Rank	Population Rank
	Highest Appellate Courts	General Trial Courts		
Alabama	42	34	49	21
Alaska	20	15	3	51
Arizona	39	30	29	34
Arkansas	43	43	50	32
California	2	4	6	1
Colorado	35	39	22	30
Connecticut	18	13	2	24
Delaware	11	6	10	47
Florida	11	11	25	9
Georgia	25	5	35	15
Hawaii	13	8	13	41
Idaho	33	26	41	42
Illinois	5	18	7	5
Indiana	35	32	17	12
Iowa	37	34	24	25
Kansas	39	35	26	29
Kentucky	28	42	44	23
Louisiana	7	14	46	19
Maine	49	42	36	38
Maryland	9	7	11	18
Massachusetts	12	10	9	10
Michigan	9	18	12	7
Minnesota	28	24	19	20
Mississippi	51	51	51	28
Missouri	25	30	28	14
Montana	45	44	34	44
Nebraska	33	24	21	35
Nevada	44	42	4	48
New Hampshire	23	16	27	43
New Jersey	1	2	8	8
New Mexico	42	39	42	37
New York	4	3	5	2
North Carolina	18	28	43	11
North Dakota	49	47	39	46
Ohio	15	36	16	6
Oklahoma	42	50	37	27
Oregon	28	21	23	31
Pennsylvania	7	12	18	3
Rhode Island	33	22	14	39
South Carolina	15	10	47	26
South Dakota	46	46	38	45
Tennessee	37	50	45	17
Texas	18	21	32	4
Utah	49	50	40	36
Vermont	33	28	33	49
Virginia	33	39	31	13
Washington	23	26	15	22
West Virginia	23	32	48	33
Wisconsin	20	19	20	16
Wyoming	51	46	30	50
District of Columbia	3	1	1	40

BENEFITS

HOSPITALIZATION: Blue Cross and Blue Shield policies with optional family coverage available. State pays first \$5.00 on judge's monthly premium, judge pays the rest and all family coverage.

VACATION: Discretionary except by practice Cook County Circuit judges have 5 weeks, associates 4 weeks and magistrates 3 weeks.

HOLIDAYS: 11 days.

EXPENSE ALLOWANCE: Actual expenses of court business and official travel are paid to Supreme and Appellate Court judges. Circuit judges, associates, and magistrates are reimbursed for in-circuit travel, hotel, and meals at a per diem of \$10 in Cook County and \$7.50 elsewhere. Car mileage is reimbursed at 12¢ per mile.

RETIREMENT PLANS

JUDGES COVERED: Open to all judges of courts of record and the court of claims.

AGE AND SERVICE REQUIREMENTS: Minimum age is 60 after 10 years of service.

CONTRIBUTION: 10% of salary annually; married judges contribute 2½% of income to cover widow's pension.

RETIREMENT BENEFITS: 2½% for each year of the first 10 years plus 5% for each year over 10 years to a maximum of 75% of average salary of the last 4 years before retirement. Judges who joined prior to July 1, 1967 can elect to remain under prior 50% or 60% maximum.

DEATH BENEFITS: If judge dies after retirement, widow receives ½ of pension. If he served 10 years, widow receives ¾ pension he would have received or 7½% of salary, whichever is greater. If widow has minor children the benefit is the greater of 75% of pension or 15% of his salary. With minor children benefits are paid no matter what the widow's age, otherwise when she reaches 55.

DISABILITY RETIREMENT: Judge may be retired after 10 years service with full retirement benefits for disability.

SERVICE AFTER RETIREMENT: Retired judges may be assigned with their consent and are paid applicable salary.

CITATION: Smith-Hurd, III. Ann. Stats., "Pensions" Chap. 108½, §§ 18-101 to 18-166. Ill. Const. Art. 6 § 18.

INDIANA

HIGHEST COURT	
Supreme Court	\$24,500
INTERMEDIATE APPELLATE COURT	
Appellate Court	24,500
GENERAL TRIAL COURT	
Circuit and Superior Court	19,000- 23,500
(Based on population and property valuation)	
Optional County Supplement	up to 4,000
LIMITED AND SPECIAL COURTS	
Probate Court	12,000- 22,000
Criminal Court	same
Juvenile Court	same
Municipal Court	19,500
Magistrates Court	600 to 1,200
Justice of the Peace	
Townships of:	
60,000 and over	4,600
Optional Supplement	up to 500
20,000 to 60,000	3,600
Optional Supplement	up to 500
Less than 20,000	fees up to 3,000
Optional Supplement	up to 500
City Courts	Varies

COURT ADMINISTRATOR

Court Commissioner 19,920

BENEFITS

HOSPITALIZATION: Low option Blue Cross, Blue Shield.

VACATION: Up to the judge.

HOLIDAYS: 12 days.

EXPENSE ALLOWANCE: Supreme Court judges receive \$2,400 expense allowance. Other court allowances vary. Per diem for travel is \$12 and 7¢ per mile within state and \$16 outside the state. Supreme Court judges have state cars.

RETIREMENT PLANS

JUDGES COVERED: Judges of all courts except municipal and city courts.

AGE AND SERVICE REQUIREMENTS: Minimum age is 65 after 12 years of service in a state court, or after 12 years of service provided contributions to the fund are continued until the equivalent of 16 years of contributions has been reached. (§ 3253)

CONTRIBUTION: 5% of monthly salary up to \$500.

RETIREMENT BENEFITS: 50% of salary at time of retirement up to \$10,000.

DEATH BENEFITS: The widow receives the amount or balance of her husband's contribution to the fund.

DISABILITY BENEFITS: Judges must comply with provisions of § 3253 if they have served less than 16 years, otherwise full retirement benefits for disability.

SERVICE AFTER RETIREMENT: No specific provisions.

CITATION: Burns' Ann. Ind. Stats. 1933, 1946 Replacement Vol. 2, Part 2, Tit. 4, Chap. 32, §§ 3244 through 3266.

IOWA

HIGHEST COURT

Supreme Court \$24,000

GENERAL TRIAL COURT

District Court 21,000

LIMITED AND SPECIAL COURTS

Superior Court 10,500

Municipal Court 16,800

Justices of the Peace

Townships under 10,000..... Fees (all civil fees, all criminal fees to \$1,200 and ½ of excess.)

Others..... Certain civil fees and salary (based on population) of 1,875 to 3,375.

Police Court Fees*

Mayor's Court Fees**

COURT ADMINISTRATOR

Judicial Department Statistician 15,500

BENEFITS

HOSPITALIZATION: Group policy available to Supreme and District Court judges; judge pays all premium except \$6.00 per month paid by state.

VACATION: Supreme and District judges have 1 week after 1 year, 2 weeks after 2, 3 weeks after 10, and 4 weeks after 15.

EXPENSE ALLOWANCE: Judges of Supreme and District Court receive actual expenses when away from residence up to \$15 per day. Mileage reimbursed at 10¢ per mile.

* Same fees as Justice of the Peace or salary by city ordinance in lieu thereof.

** Same fees as Justice of Peace in addition to salary as mayor.

RETIREMENT PLANS

JUDGES COVERED: Judges of Supreme, District, Superior, and Municipal Courts.

AGE AND SERVICE REQUIREMENTS: Minimum age is 65 after 6 years of service or any age after 25 years of service. Mandatory retirement for Supreme and District judges appointed after July 1, 1965 is 72 otherwise age 75.

CONTRIBUTION: 4% deduction from basic salary.

RETIREMENT BENEFITS: 3% of average annual salary for last 3 years times years of service not to exceed 50% of salary at retirement.

DEATH BENEFITS: Widow receives amount or balance of amount of credit in the retirement fund.

DISABILITY RETIREMENT: May receive full retirement benefits provided he has served 6 years prior to disability.

SERVICE AFTER RETIREMENT: With consent a retired judge is subject to temporary assignment in any court except in the Supreme Court.

CITATION: Code of Iowa, 1966, Chap. 605A and 1970 Cum. Pocket Supp.

KANSAS

HIGHEST COURT

Supreme Court	
Chief Justice	\$24,500*
Associates	23,500*
Commissioners	23,000*

GENERAL TRIAL COURT

District Court	19,500*
Local Supplement	1,200 to 2,400

LIMITED AND SPECIAL COURTS

Probate Courts	
Shawnee County	19,900
Johnson County	17,500
Sedgwick County	15,500
(add'l as Juvenile Judge)	3,500
Wyandotte County	16,500
(add'l as Juvenile Judge)	3,500
Other Counties	5,000 to 11,500**

County Courts	
Depending on number of cases filed	Percent of Probate Judge's Salary
Less than 250	25%
250 to 500	30%
500 to 1000	40%
More than 1000	50%

SPECIAL COURTS OF COUNTY-WIDE JURISDICTION

Court of Common Pleas (Sedgwick County)	16,000
Magistrate Court	
Shawnee County	13,200
Johnson County	14,000
Wyandotte County	15,000
Saline County	10,000

City Court	
Arkansas City	3,900
Atchison	3,600
Chanute	not reported
Coffeyville	Fees
Hutchinson	10,000
Independence	Fees
Leavenworth	5,400
Pittsburg	4,800
Winfield	not reported

COURT ADMINISTRATOR

Judicial Administrator	17,500
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* effective January, 1971

** May be increased in certain counties by 15% to 50% range.

BENEFITS

HOSPITALIZATION: State financed employee group plan; family coverage available at judge's expense.

VACATION: Not reported.

HOLIDAYS: Not reported.

EXPENSE ALLOWANCE: Supreme and District Court Judges receive actual and necessary expenses.

RETIREMENT PLANS

JUDGES COVERED: Justices, commissioners, and judges of Supreme and District Courts.

AGE AND SERVICE REQUIREMENTS: Minimum is 65 with no minimum length of service or upon termination of service after 10 years for cause other than death but prior to retirement. Retirement mandatory at 70 or at end of term in which age is attained.

CONTRIBUTION: 6% of monthly salary.

RETIREMENT BENEFITS: 3 1/2% of last monthly salary times number of years of service. Total benefits must not exceed 65% of last monthly salary.

DEATH BENEFITS: Judge may elect to receive reduced benefits to provide benefits to joint annuitant. Benefits available to widow of judge dying in office who was eligible for retirement.

DISABILITY RETIREMENT: Any judge found permanently disabled may retire and receive full benefits.

SERVICE AFTER RETIREMENT: May sit as judge *pro tem* of district court or commissioner of the Supreme Court in any pending original action by request of chief justice of Supreme Court; reimbursement for expenses.

CITATION: Kansas Stats. Ann., Chapter 20, §§ 2601 through 2617 as amended.

KENTUCKY

HIGHEST COURT

Court of Appeals	
Justices	\$26,000
Commissioners	22,500

GENERAL TRIAL COURT

Circuit Court	19,500
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LIMITED AND SPECIAL COURTS*

Quarterly Courts	up to 7,200
County (Probate) Court	up to 7,200
Justice Court	up to 7,200
Police Court	up to 7,200

COURT ADMINISTRATOR

Director of Administrative Office	20,000
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BENEFITS

HOSPITALIZATION: None.

VACATION: Approximately 9 weeks.

HOLIDAYS: 13 days.

EXPENSE ALLOWANCE: All allowable expenses, mileage is reimbursed at 8 cents per mile.

RETIREMENT PLANS

JUDGES COVERED: Judges, Commissioners of Court of Appeals and Circuit Court, and Court Administrator.

AGE AND SERVICE REQUIREMENTS: Normal age for retirement is 65, minimum service requirement is 8 years. Retirement may be earlier than 65 with benefits deferred at a reduced rate until 65.

CONTRIBUTION: 3% of monthly salary.

RETIREMENT BENEFITS: 5% of average salary for preceding 5 years times years of service up to 100% of final compensation.

DEATH BENEFITS: 50% of retirement or disability benefits to the widow.

* All limited court salaries set by county authorities.

DISABILITY RETIREMENT: No minimum age or service requirement, disabled judge receives 1/2 of his normal retirement allowance at age 65.

SERVICE AFTER RETIREMENT: No specific provision.

CITATION: Ky. Rev. Stats., Tit. 1, Chap 21, § 21.345 to 21,510.

LOUISIANA

HIGHEST COURT	
Supreme Court	
Chief Justice	\$37,500
Associates	37,500
INTERMEDIATE APPELLATE COURT	
Court of Appeals	35,000
GENERAL TRIAL COURT	
District Court	
State salary	20,500
Supplement outside New Orleans	13,500
New Orleans Supplement	13,500
LIMITED AND SPECIAL COURTS	
Municipal Court (New Orleans)	15,000 to 16,500*
Traffic Court (New Orleans)	15,000 to 16,500*
Juvenile Court	Same as District Court
City Court	
Under 100,000 population	3,600 to 7,200 plus fees
Over 100,000 population	20,500
Parish Court (Jefferson)	minimum of 17,500
Justices of the Peace	
Civil Cases	Fees
Criminal Cases	salary set locally
COURT ADMINISTRATOR	
Judicial Administrator	22,400

BENEFITS

HOSPITALIZATION: Group policies with family coverage; premium shared by judge and the state.

VACATION: Supreme Court, Court of Appeals, and District Court judges take 4 weeks.

HOLIDAYS: 7 days plus 5 additional if governor declares state business is not pressing.

EXPENSE ALLOWANCE: Court of Appeals judges receive reasonable expenses. District judges get up to \$2,500 office expenses and \$1,800 for travel.

RETIREMENT PLANS

JUDGES COVERED: Judges of Courts of record and Juvenile and Family Courts and the Judicial Administrator.

AGE AND SERVICE REQUIREMENTS: 70 with 20 years service, 65 with 25, or 65 with 20 or any age with 23 with reduced benefits. Mandatory at 75 with 20 years service, or at 80 or until completion of 20 years service which ever comes first. Credit for service on any court of record.

CONTRIBUTION: None.

RETIREMENT BENEFITS: Full salary if 65 with 20 years service or at any age with 23 years of service he receives 2/3 salary; proportionate reduction if 65 with less than 20 years service.

DEATH BENEFITS: 1/2 of salary or 1/2 of retirement benefits to widow.

DISABILITY BENEFITS: Any age with no minimum service, receives retirement benefits he would receive at age 70, minimum 2/3 of salary.

SERVICE AFTER RETIREMENT: May sit on any court of record by assignment of Supreme Court, additional compensation to equate benefits with judicial salary in that court plus expenses.

CITATION: West's Ann. La. Stats., Const. Vol. 2, Art. 7 § 8, Art. 7 § 11.

* Includes \$7,100 from state, \$7,900 from city and optional \$1,500 from city.

MAINE

HIGHEST COURT	
Supreme Court	
Chief Justice	\$21,500
Associates	20,000
GENERAL TRIAL COURT	
Superior Court	19,500
LIMITED AND SPECIAL COURTS	
District Court	
Chief Judge	16,000
Judges	15,000
Probate Court	3,500 to 9,900
COURT ADMINISTRATOR	
Administrative Assistant to Chief Justice	15,000

BENEFITS

HOSPITALIZATION: Blue Cross and Blue Shield policies available to judge, premium paid by the judge.

VACATION: No set policy.

HOLIDAYS: 9 days plus election days.

EXPENSE ALLOWANCE: Supreme and Superior Court judges reimbursed for reasonable traveling expenses. Mileage reimbursed at 10 cents per mile.

RETIREMENT PLANS

JUDGES COVERED: Judges of Supreme and Superior Courts.

AGE AND SERVICE REQUIREMENTS: Normal retirement at age 70 with at least 7 years service or 65 with 12 years service. Benefits forfeited if judge does not retire before age 71.

CONTRIBUTION: None.

RETIREMENT BENEFITS: 3/4 of salary currently in effect.

DEATH BENEFITS: Widow entitled to 3/8 currently effective salary until she dies or remarries, then to children until they are 18.

DISABILITY BENEFITS: Any age with no minimum service, same as retirement.

SERVICE AFTER RETIREMENT: May be appointed by governor for 7 year term as "active retired justice or judge" to serve on any court by assignment of Chief Justice; 7 year term, renewable.

CITATION: 4 Maine Rev. Stats. Ann. §§ 5, 103, P. L. 1969, Chap. 463 and Chap. 466.

MARYLAND

HIGHEST COURT	
Court of Appeals	
Chief Judge	\$36,000
Judges	35,000
INTERMEDIATE APPELLATE COURT	
Court of Special Appeals	
Chief Judge	33,500
Judges	32,500
GENERAL TRIAL COURT	
Circuit Court	30,500
LIMITED AND SPECIAL COURTS	
People's Court	
Montgomery County	
Chief Judge	25,500
Judges	25,000
Prince George's County	
Chief Judge	22,000
Judges	21,000
Baltimore City*	
Chief Judge	25,500
Judges	25,000
Anne Arundel County	
Chief Judge	19,000
Judges	18,000

Howard County	
Chief Judge	8,500
Judges	8,000
Dorchester	
Chief Judge	4,500
Judges	4,000
Trial Magistrates	300 to 6,500
Orphan's Court (Part time)	
Salaried	600 to 14,500
Others	Per day 8 to 19.50

COURT ADMINISTRATOR
 Director, Administrative Office of the Courts... 30,500

BENEFITS

HOSPITALIZATION: Group policies with family coverage available at state level; state pays a portion of the premiums.

VACATION: Appellate and trial judges entitled to annual vacation of not more than 6 weeks.

HOLIDAYS: 10 days plus election days.

EXPENSE ALLOWANCE: Judges reimbursed for actual expenses in attending judicial conference and when assigned to sit outside his circuit.

RETIREMENT PLANS

JUDGES COVERED: Judges of Circuit Court, Supreme Bench of Baltimore City, Court of Special Appeals, and Court of Appeals.

AGE AND SERVICE REQUIREMENTS: Minimum age is 60 after no minimum service, mandatory retirement at age 70.

CONTRIBUTION: None; contributory plan contribution information not provided.

RETIREMENT BENEFITS: \$750 for each year of service not to exceed \$12,000; Court of Appeals judges receive additional \$100 for each year of service not to exceed \$13,000, judges of Court of Special Appeals receive additional \$50 for each year of service not to exceed \$12,800. Effective July 1, 1969 an alternative contributory plan provided. Judges appointed after July 1, 1969 must join, others may elect to join. Pension is 1/16 of 60% of maximum salary for each year of service up to 16 years.

DEATH BENEFITS: 50% to widow married at least 3 years. Contributory Plan benefits not provided.

DISABILITY BENEFITS: No specific provision.

SERVICE AFTER RETIREMENT: No specific provision.

CITATION: Ann. Code of Md. 1957, Vol. 2, 1966 Replacement Vol., Art. 26 §§ 49 and 50, pp. 206 to 210; 1969 Cum. Pocket Supp.

* Baltimore City has a People's Court (5 judges) for civil cases and a Municipal Court (17 judges) for minor criminal and traffic cases. Each court has a chief judge.

MASSACHUSETTS

HIGHEST COURT	
Supreme Judicial Court	
Chief Justice	\$35,000
Associates	33,800
GENERAL TRIAL COURT	
Superior	
Chief Justice	31,300
Associates	39,000
LIMITED AND SPECIAL COURTS	
Probate Court	
Chief Judge	27,300
Associates	
Full Time	26,300
Part Time	9,400*
Land Court	30,000
Municipal Court (Boston)	
Chief Justice	26,300
Associates	25,000

Juvenile Courts (Boston, Springfield and Worcester)	22,000 to 26,300
District Court	
Chief Justice	26,300
Associates	25,000
Part Time	7,600 to 10,100
Special Judges	Per diem**

COURT ADMINISTRATOR
 Executive Secretary to Justice of the Supreme Judicial Court***..... 25,350

BENEFITS

HOSPITALIZATION: Group policies under either state or county plan depending upon source of judge's salary. Judge and governmental unit share the cost of the plan.

VACATION: Supreme Judicial and Superior Court judges takes about 10 weeks.

HOLIDAYS: 10 days (Suffolk County has 12).

EXPENSE ALLOWANCE: Judges reimbursed for travel expenses. Mileage allowance is 8¢ per mile.

RETIREMENT PLANS

JUDGES COVERED: All judges.

AGE AND SERVICE REQUIREMENTS: Judges appointed before July 31, 1956 may retire at or after 70 after 10 years of continuous service. Judges appointed after July 31, 1956 must retire at 70 or after 10 years of continuous service, whichever is later.

CONTRIBUTION: None.

RETIREMENT BENEFITS: 3/4 salary at time of retirement.

DEATH BENEFITS: Judge may choose alternative pension at a reduced rate which will give his widow an annuity of 2/3 the alternative pension after his death. If a judge age 55 or over who had not retired but was eligible to do so or would have had he lived to 70 dies, the widow receives 2/3 of the alternative pension.

DISABILITY BENEFITS: No age or service requirement; same as retirement benefits.

SERVICE AFTER RETIREMENT: No specific provision.

CITATION: Government Laws of Mass., Chap. 32 §§ 65A, 65B, and 65C; Constitution Pt. 2, Chap. 3, Art. I, Amendments, Art. LVIII.

* Per diem equivalent to per diem of salary of judge in whose county he is sitting is paid in addition to his salary.

** Serve on Boston's Municipal, Juvenile, and District Courts. Per diem is based on equivalent per diem for a full-time district judge.

*** Salary fixed by chief justice not to exceed 75% of salary of an associate judge.

MICHIGAN

HIGHEST COURT	
Supreme Court	\$35,000
Commissioners	21,694 to 26,705
INTERMEDIATE APPELLATE COURT	
Court of Appeals	32,500
GENERAL TRIAL COURT	
Circuit Court	
State Pay	20,000
Local Supplements	10,000
District Court	
State Pay	18,000
Local Supplement	up to 9,500
LIMITED AND SPECIAL COURTS	
Recorder's Court (Detroit)	30,000
Common Pleas Court (Detroit)	25,000
Probate Court	6,500 to 20,000*

* Depending on population probate judge may receive local supplement, but total salary is not to exceed \$29,000.

Municipal Courts	(part-time) 5,000
	to 20,000
Kalamazoo	20,000
Lansing	17,500
COURT ADMINISTRATOR	
Administrator of the Courts.....	30,463

BENEFITS

HOSPITALIZATION: Group plan with family coverage available, all premiums paid by judge.

VACATION: Up to one month.

HOLIDAYS: 10 plus election days.

EXPENSE ALLOWANCE: Supreme Court, Court of Appeals and Circuit Court reimbursed for actual expenses. Mileage reimbursed at 10¢ a mile.

RETIREMENT PLANS

JUDGES COVERED: A. Judges of Supreme Court, Court of Appeals, Circuit Court, Superior Court of Grand Rapids, Recorders' and Common Pleas Court of Detroit. B. Probate Court.

AGE AND SERVICE REQUIREMENTS: A. Minimum age is 60 after 20 years service, or 70 after 12, or any age after 30 years service. Retirement mandatory at 70. B. Minimum is age 60 after 20 years continuous service, 65 after 16, the last 6 years of which are continuous, or 70 after 6 years continuous service.

CONTRIBUTION: A. 7% of salary to \$720. B. 6% of salary to \$720.

RETIREMENT BENEFITS: A. Appellate judges receive ½ salary at time of retirement, other judges receive ½ current salary of circuit judges. Optional annuities available. B. 26% of salary at time of retirement times years of service (up to 24 years), total allowance not to exceed \$7,200. Optional annuities available.

DEATH BENEFITS: A. If judge has served 10 years and widow is 55 and has been married 10 years, she receives ½ his annuity; she may receive benefits before 55 if there are minor children. B. Widow receives ½ annuity if judge has served 20 years provided she is 55 and has been married 10 years.

DISABILITY BENEFITS: A. 65 with 10 years service, same as retirement; any age with 10, same as retirement computed according to the option for a cash refund annuity until 65 when he has a full choice of options. B. Any age with 10 years service, same as retirement with full choice of options.

SERVICE AFTER RETIREMENT: Temporary filling of a vacancy (Const. Art. VI § 23).

CITATION: A. Mich. Stats. Ann. 1935, Vol. 20 (1962 Revised Volume) and 1969 Cum. Pocket Supp., Title 27, Chap. 266, §§ 27.125 (1) through 27.125 (30). B. *Id.*, Title 27, Chap. 266, §§ 27.3178 (60.1) through 27.3178 (60.33).

MINNESOTA

HIGHEST COURT	
Supreme Court	
Chief Justice	\$27,000
Associates	26,000
GENERAL TRIAL COURT	
District Court	
Ramsey, Hennepin, St. Louis Counties	23,500
Others	22,000
LIMITED AND SPECIAL COURTS	
Municipal Court	420 to 23,000
Probate Court	6,500 to 23,500
	(depending on population)
Justices of the Peace	Fees
COURT ADMINISTRATOR	
Administrative Assistant to Supreme Court	24,000

BENEFITS

HOSPITALIZATION: Coverage available, state pays for judge, judge pays family coverage.

VACATION: 4 weeks.

HOLIDAYS: 11 days.

EXPENSE ALLOWANCE: Chief Justice receives travel expenses; district judges receive expenses while sitting away from their residence. Mileage reimbursement is 9¢ a mile.

RETIREMENT PLANS

JUDGES COVERED: Judges of A. Supreme Court, B. District Court, and C. Probate Courts.

AGE AND SERVICE REQUIREMENTS: A. 70 with 2 full terms of service, 65 with 15 years of service on Supreme and District courts. Mandatory forfeiture of portion of retirement benefits if not retired at 73. B. 65 with 25 years service or 70 with 15 as judge of a court of record. Mandatory forfeiture of benefits if not retired at 70 with 15 years of service or within 6 months of completion of 15 years. C. 70 with 25 years service as probate judge of any court of record, referee in probate or armed forces during war.

CONTRIBUTION: A., B. and C. None.

RETIREMENT BENEFITS: A. ½ current compensation of office plus 2.5% of salary times years of service up to 10 more than minimum years service. B. ½ current salary of office. C. ½ salary at time of retirement.

DEATH BENEFITS: A., B. and C. 50% of allowance judge received or would have received if widow is 40 and has been married 3 years.

DISABILITY BENEFITS: A. Any age plus two terms of service, full pay to end of term, same as retirement thereafter; any age plus one term receives full pay to end of term. B. Any age, no minimum service, pension equals regular pay to the end of judge's elected term and ½ current salary of office thereafter. C. Any age, same as retirement.

SERVICE AFTER RETIREMENT: Any retired justice may be appointed by the court as a commissioner to serve as the court directs.

CITATION: Minn. Stats. Ann., Vol. 27, Chap. 480, pp. 586-599, and 1969 Cum. Pocket Supp.

MISSISSIPPI

HIGHEST COURT	
Supreme Court	
Chief Justice	\$20,000
Presiding Justice	19,500
Associates	19,000
GENERAL TRIAL COURT	
Circuit Court	16,000
Chancery Courts	16,000
LIMITED AND SPECIAL COURTS	
County Courts	5,400 to 13,000
Justice of the Peace.....	Fees

BENEFITS

HOSPITALIZATION: Group policies with optional family coverage available. State pays 40% of specific premium for Supreme Court justices, trial judges pay all their own premiums.

VACATION: Supreme and Circuit Courts take 8 weeks, Chancery Court several weeks.

HOLIDAYS: 10 days.

EXPENSE ALLOWANCE: Circuit and Chancery Judges \$500 per year; justices receive expenses for national and regional conferences.

RETIREMENT PLANS

JUDGES COVERED: All judges.

JUDICIAL SALARIES IN APPELLATE AND TRIAL COURTS

Notes: Alabama—salaries shown become effective January 19, 1971. California—on September 1, 1970, and every year thereafter, judicial salaries will be increased by the percentage gain in California's consumer price index during the preceding calendar year. Kansas—salaries shown become effective January 1, 1971. South Carolina—salaries shown become effective January 1, 1971. Washington—salaries become effective as justices are re-elected (either 1969 or 1971).

¹General Note: Salaries are stated in annual amounts and do not reflect additional compensation for chief justices or presiding judges. Where a salary range rather than a single rate is shown on the chart, it reflects variations due to local supplements or other authorized variations. Also, in jurisdictions which have constitutional restrictions on increasing compensation during a judge's term, the figure shown is for newly appointed or elected judges.

²In computing the National Average and National Median figures, (i) federal salaries are excluded, (ii) all states have been weighed equally without adjustment for variations in the size of the judiciary, (iii) for courts where a salary range rather than a single rate is shown, the figures used have been the average of the upper and lower limits of this range, (iv) Puerto Rico is included.

³Selig, R.N., *1968 Survey of Judicial Salaries and Retirement Plans in the United States*, American Judicature Society, Chicago, 1968.

State	Highest Court	Intermediate Appellate Court	General Trial Court
Alabama	22,500(N)	22,000(N)	18,000 to 24,000(N)
Alaska	28,000	None	26,500
Arizona	23,500	22,500	21,500
Arkansas	22,400	None	19,200
California	42,747(N)	40,076(N)	33,396(N)
Colorado	24,500	22,500	20,000
Connecticut	29,000	None	27,500
Delaware	34,000	None	31,000
Florida	34,000	31,200	28,500
Georgia	26,500	26,500	24,800 to 38,800
Hawaii	32,670	None	30,250
Idaho	25,000	None	22,500
Illinois	40,000	37,500	15,000 to 35,000
Iowa	24,000	None	19,000 to 23,500
Kansas	23,500(N)	None	19,500 to 21,900(N)
Kentucky	26,000	None	19,500
Louisiana	37,500	35,000	20,500 to 34,000
Maine	20,000	None	19,500
Maryland	35,000	32,500	30,500
Massachusetts	33,800	None	30,000
Michigan	35,000	32,500	20,000 to 30,000
Minnesota	26,000	None	22,000 to 23,500
Mississippi	19,000	None	16,000
Missouri	26,500	25,000	20,000 to 23,000
Montana	21,000	None	19,000
Nebraska	25,000	None	22,000 to 23,500
Nevada	22,000	None	19,500
New Hampshire	27,500	None	26,000
New Jersey	45,000	42,000	37,000
New Mexico	22,500	21,000	20,000
New York	42,000	35,600 to 42,100	33,600 to 39,100
North Carolina	29,000	26,000	22,000
North Dakota	20,000	None	18,000
Ohio	30,000	28,000	14,500 to 26,000
Oklahoma	22,500	19,500	17,500
Oregon	26,000	25,000	24,000
Pennsylvania	37,500	35,500	26,500 to 30,000
Rhode Island	25,000	None	23,000
South Carolina	30,000(N)	None	30,000(N)
South Dakota	20,500	None	18,500
Tennessee	24,000	20,000	17,500
Texas	29,000	26,000	20,000 to 28,000
Utah	20,000	None	17,500
Vermont	25,000	None	22,000
Virginia	25,000	None	20,000
Washington	27,500(N)	25,000	22,500
West Virginia	27,500	None	17,000 to 25,000
Wisconsin	28,000	None	21,000 to 28,000
Wyoming	19,000	None	18,500
Puerto Rico	27,000	None	17,000 to 22,900
District of Columbia	42,500	None	40,000
Federal	60,000	42,500	40,000
1970 National Average ²	27,659	28,625	23,345
1968 National Average ³	25,115	27,331	21,030
1970 Median ²	26,000	26,500	22,500
1968 Median ³	24,500	25,000	21,000

AGE AND SERVICE REQUIREMENTS: 65 with 10 years service, 55 with 35, or any age with benefits deferred to 60 except benefits commence at 55 with 30 years service; service credit for state and military service. Retirement is voluntary for judges elected to constitutional office. For others it is mandatory at 65 unless continued service is authorized by retirement board for one year periods to 70.

CONTRIBUTION: 4½% of salary.

RETIREMENT BENEFITS: 1¼% of highest average salary for five years of service times years of membership, plus 1¼% of average salary for each year prior to membership. 3% reduction for each year less than age 65.

DEATH BENEFITS: Options to provide benefits to widows or designated heirs available with reduced retirement allowance, widow of judge who dies in office after 20 years presumed to have chosen option to provide benefits from age 45 until she becomes eligible for social security at 62.

DISABILITY BENEFITS: 60 with 10 years service, same as retirement; any age with 10, 75% of retirement benefits he would receive at 60.

SERVICE AFTER RETIREMENT: No specific provision.

CITATION: Miss. Code Ann. 1942, Vol. 5A Recompiled, Tit. 26, Chap. 6, Art. 2 §§ 7446-11 through 7446-29, pp. 353-371 and 1969 Cum. Pocket Supp.

MISSOURI

HIGHEST COURT

Supreme Court	
Judges	\$26,500
Commissioners	26,500

INTERMEDIATE APPELLATE COURT

Court of Appeals	
Judges	25,000
Commissioners	25,000

GENERAL TRIAL COURT

Circuit Court	
First and Second Class Counties	23,000
Third Class Counties	20,000
Optional Supplement	3,000

LIMITED AND SPECIAL COURTS

St. Louis Court of Criminal Corrections	21,000
Probate Court	10,600 to 24,000
Magistrates*	10,600 to 13,500

BENEFITS

HOSPITALIZATION: None.

VACATION: Discretionary.

HOLIDAYS: Discretionary.

EXPENSE ALLOWANCE: Supreme and Court of Appeals judges get actual expenses while temporarily sitting in another court. Circuit judges are allowed actual expenses while sitting in another county.

RETIREMENT PLANS

JUDGES COVERED: Judges of Supreme Court, Court of Appeals, Circuit Courts, Courts of Criminal Correction and Courts of Common Pleas.

CONTRIBUTION: None.

AGE AND SERVICE REQUIREMENTS: 65 with 12 years service or after six years of continuous service prior to passage of 1959 Law. Retirement mandatory, at 70.

RETIREMENT BENEFITS: ½ current salary of office.

DEATH BENEFITS: No specific provision.

DISABILITY BENEFITS: 50% salary until end of term of office.

* In counties of less than 30,000 probate judge is *ex officio* magistrate and magistrates salary compensates both offices.

SERVICE AFTER RETIREMENT: Appointed special commissioners or referees with life tenure, subject to temporary duty by assignment of Supreme Court, reimbursement for expenses.

CITATION: Vernon's Ann. Stats. of Missouri, Vol. 27, Title 32, Chap. 476 §§ 476.400 through 476.510, pp 86 to 90, 1969 Cum. Pocket Supp., Const. Art. 5 §§ 25 and 27.

MONTANA

HIGHEST COURT

Supreme Court	
Chief Justice	\$22,500
Associates	21,000

GENERAL TRIAL COURT

District Court	19,000
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LIMITED AND SPECIAL COURTS

Police Court	up to 5,400
Justice of the Peace	
where population under 10,000	Fees
10,000 to 15,000	Fees plus 3,400
15,000 to 18,000	Fees plus 3,600
Over 18,000	Fees plus 4,600

BENEFITS

HOSPITALIZATION: State pays ½ premium up to \$7.50 per month.

VACATION: Approximate'y 4 weeks.

HOLIDAYS: 10 days plus election days.

EXPENSE ALLOWANCE: Supreme Court receives actual expenses. District judges receive expenses for sitting outside their district. Mileage reimbursed at 10¢ a mile.

RETIREMENT PLANS

JUDGES COVERED: A. Supreme and District Court judges. B. Judges of courts of limited jurisdiction.

AGE AND SERVICE REQUIREMENTS: A. Minimum is age 65 with 5 years of service. B. Minimum is 65 with 10 years service or 60 after 10 years with reduced benefits. If member retires before 65 and has not completed 10 years service, he receives reduced benefits. Credit given for public service and service in the armed forces.

CONTRIBUTION: A. 6% of salary. B. Based on sex and nearest birthday at time of entrance into system.

RETIREMENT BENEFITS: A. 3.3% per year of salary for first 15 years of service and 1% for each year of service thereafter. B. Actuarially determined and based on years of service; minimum of 50% of salary if judge retires after age 70 provided state's contribution does not exceed \$480.

DEATH BENEFITS: A. If judge dies before retirement, beneficiary receives allowance judge would have received. If judge dies after retirement, beneficiary receives balance of contributions and state annuity. Judge has option of a lesser retirement allowance which provides his beneficiary with a benefit equal to ½ his lesser pension. B. If member dies in office or within 4 months of retirement, widow receives 1/12 of his final compensation times his years of service up to ½ his final compensation.

SERVICE AFTER RETIREMENT: A. Subject to call for service on Supreme and District Courts, reimbursement for expenses. B. No specific provision.

CITATION: Rev. Code of Montana, 1969 Cumulative Supplement, Chap. 11, §§ 93-1107 to 93-1132.

NEBRASKA

HIGHEST COURT

Supreme Court	\$25,000
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GENERAL TRIAL COURT

District Court	22,000
Supplement where population over 150,000	1,500

LIMITED AND SPECIAL COURTS

County Court (Probate).....	4,000 to 19,500*
	(based on population)
Municipal Court	19,000**
Juvenile Court	22,000
Supplement where population over 150,000	1,500
Justice of the Peace.....	Fees

BENEFITS

HOSPITALIZATION: None.

VACATION: Discretionary.

HOLIDAYS: 11 official days but court does not take that many.

EXPENSE ALLOWANCE: Supreme Court has annual allowance of \$3,880 to cover travel to professional meetings for the entire court. District Judges receive actual expenses in holding court.

RETIREMENT PLANS

JUDGES COVERED: Judges of Supreme, District, Workman's Compensation, County, separate Juvenile Courts—County judges and Municipal Court judges.

AGE AND SERVICE REQUIREMENTS: 65 with no minimum service. Mandatory retirement at 70 or at end of judicial term in which it is reached. Credit for service in any of the above courts or armed forces during war.

CONTRIBUTION: 4% for original members; 6% for future members.

RETIREMENT BENEFITS: Two plans, original member plan covering judges currently serving and future member plan covering judges taking office after December 25, 1969. Original member's plan benefits equal 3½% of final average salary over last 4 years of service times his years of service. Total benefits received by judge cannot exceed 65% of final average salary. Future member's monthly benefit is 1/12 of 2½% of total salary earned by judge for performance of his duties between the time he started making contributions to the fund and the date of his retirement.

DEATH BENEFITS: In event of death of judge before or after retirement, his beneficiary is repaid total or balance of his contributions to the fund.

DISABILITY BENEFITS: No minimum age or service requirement, same as retirement benefits.

SERVICE AFTER RETIREMENT: Permitted.

CITATION: Chap. 24, Art. 7, Reissue Revised Statutes of Nebraska, 1943.

* Maximum applies to Douglas County (Omaha).

** Except in first class cities where set by city council.

NEVADA

HIGHEST COURT

Supreme Court	\$22,000
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GENERAL TRIAL COURT

District Court	19,500
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LIMITED COURT

Justice Court	set locally
Municipal Court	set locally

BENEFITS

HOSPITALIZATION: Group policies with family coverage available; judge pays all premiums.

VACATION: Supreme and District judges take 2 to 4 weeks.

HOLIDAYS: 8 days.

EXPENSE ALLOWANCE: Judges reimbursed for in-state conferences at \$20 per day and 10¢ per mile. Per diem for out of state travel to conference of Chief Justices is \$25. Justices of the Peace receive \$20 per day and 10¢ a mile for travel outside municipality.

RETIREMENT PLANS

JUDGES COVERED: A. Supreme and District Court judges. B. All courts are under Public Employees' Retirement System.

AGE AND SERVICE REQUIREMENTS: A. Minimum age is 60 after 12, or 20 years service at different rates of benefits. B. 60 after 10 years service or 55 after 30 years of continuous service.

CONTRIBUTION: A. None. B. 6% of salary.

RETIREMENT BENEFITS: A. 20 years or more, ⅔ final salary; between 12 and 20, ⅓ final salary. B. 20 years service, allowance is 50% of average salary for 3 consecutive highest salaried years during the last 10 years of service. For more than 20 years of service an additional 1.5% of average salary for each additional year up to 10. Minimum guarantee is \$75 per month.

DEATH BENEFITS: A. Widow of any judge eligible for pension receives, at age 65, \$350 per month. B. Members may select one of five optional plans for protection of an heir. If member dies in office his contributions to fund are returned to his heirs. Widow of deceased member with one or more children under 18 may receive \$100 monthly unless she makes more than \$5,000 annually. If judge leaves the service before retirement he may withdraw his contribution. If however the judge has been a member for 25 years he may leave his contribution in the fund and receive benefits when minimum age is attained. Members for 20 years may do the same and receive proportionally smaller benefits to a minimum of 80% of normal benefits.

DISABILITY BENEFITS: A. No specific provision. B. Any age, 10 years service, same as retirement allowance.

SERVICE AFTER RETIREMENT: No specific provision.

CITATION: A. Nev. Rev. Stats., Vol. 1, Tit. 1, Chap. 2, §§ 2.060 and 2.070, Chap. 3, § 3.090 as amended Stats. 1960, Chap. 225. B. Nev. Rev. Stats., Vol. 2, Tit. 23, Chap. 286, §§ 286.010 through 286.800.

NEW HAMPSHIRE

HIGHEST COURT

Supreme Court	
Chief Justice	\$28,500
Associates	27,500

GENERAL TRIAL COURT

Superior Court	
Chief Justice	27,000
Associates	26,000

LIMITED AND SPECIAL COURTS

Probate Court	9,000
Municipal Court	150 to 1,000*
District Court	1,400 to 1,900**

BENEFITS

HOSPITALIZATION: Group plan with family coverage available, state pays \$3.00 of premium—judge pays remainder.

VACATION: Discretionary.

HOLIDAYS: 11 days plus election days.

EXPENSE ALLOWANCE: Supreme and Superior Court judges get actual expenses, mileage reimbursed at 8¢ a mile.

RETIREMENT PLANS

JUDGES COVERED: A. All courts under state Employees' Retirement System. B. Optional disability plan for Supreme and Superior Court judges.

AGE AND SERVICE REQUIREMENTS: A. Minimum is age 60 with no minimum length of service. Retirement is compulsory for judges at 70. B. None.

* Salary established locally.

** Based on case load formula.

CONTRIBUTION: A. Actuarially determined. B. None.

RETIREMENT BENEFITS: A. 1/60 of average final compensation times number of years of service under 30 plus 1/120 of additional years. Each member is guaranteed at least 50% of average final compensation or if he has completed less than 30 years a proportionate amount. B. None.

DEATH BENEFITS: A. In event of occupational death, widow receives annuity of 50% of average final compensation. Member may elect in lieu of regular allowance one of a series of actuarially reduced annuities with additional benefits for designated heirs. B. None.

DISABILITY BENEFITS: A. 10 years of service, 60 years old, regular retirement allowance. If under 60, 90% of regular retirement allowance. B. 50% of salary at time of retirement.

SERVICE AFTER RETIREMENT: A. Supreme and Superior Court judges become judicial referees at ¾ current effective salary. B. Must perform such duties as may be assigned to him by the Chief Justice.

CITATION: N. H. Const., Pt. II, Art. 78; R.S.A. 100-A, 490:2, 491:2, 493-A, 493:2.

NEW JERSEY

HIGHEST COURT	
Supreme Court	
Chief Justice	\$47,500
Associates	45,000
INTERMEDIATE APPELLATE COURT	
Appellate Division, Superior Court	42,000
GENERAL TRIAL COURT	
Superior Court	37,000 and 40,000*
County Court	37,000
LIMITED AND SPECIAL COURTS	
County District Courts	34,000
Juvenile and Domestic Relations Courts	34,000
Municipal Courts	up to 20,000
STANDING MASTER	32,000
COURT ADMINISTRATOR	
Administrative Director of the Courts	32,000**

BENEFITS

HOSPITALIZATION: Group policy available. State pays judges' premium, judge pays for family coverage.

VACATION: 7 weeks (5 in summer, 1 at Christmas, and 1 at Easter).

HOLIDAYS: 14 days.

EXPENSE ALLOWANCE: Supreme Court, Appellate Division, Superior and County Court judges are reimbursed for actual expenses in connection with judicial functions not exceeding state per diem of \$25 or \$16 per diem when engaged in official travel other than attendance at a convention or conference.

RETIREMENT PLAN

JUDGES COVERED: A. Supreme and Superior Courts. B. County Court, optionally county judges are covered under Public Employees' Retirement System. C. Juvenile and Domestic Relations Courts and County District Courts covered by Public Employees Retirement System.

AGE AND SERVICE REQUIREMENTS: A. May retire at 65 after 15 years service or at 60 after 25. Mandatory at 70 after aggregate of 10 years service. B. 70 after 10 years successive service on County Court, if covered under Public Employees' Plan minimum is 70 after 10 years aggregate service on county court or court of common pleas or 65 with 10 if judge is not reappointed; benefits begin at 70. C. Voluntary at age 60 and mandatory at 70 with no minimum service requirement but benefits depend on years of service.

* Superior Court assignment judges receive the higher figure.

** Includes \$5,000 as Standing Master.

CONTRIBUTION: A. 10% of difference between current salary and salary prior to July 1, 1965. B. None. C. Actuarially determined.

RETIREMENT BENEFITS: A. ¾ annual salary at time of retirement. B. ½ annual salary at retirement. C. Actuarially determined.

DEATH BENEFITS: A. and B. ¼ annual salary received by husband if widow was married before age 50. C. Not provided.

DISABILITY BENEFITS: A. Any age, no minimum service, ¾ salary. B. Not provided. C. Any age with 10 years service, benefits are: 9/10 times years of service, divided by 60, times final average salary.

SERVICE AFTER RETIREMENT: Judges under age 70 may serve at request of chief justice and receive \$50 per diem.

CITATION: A. N. J. Stats. Ann. 43: 6-6.4 *et seq.* B. N. J. S. 2A:3-21.1 *et seq.* and N.J.S.A. 43: 15A-121 *et seq.* C. N.J.S.A. 15A-1 through 15A-127. Const. Art. 6, Sec. 6, Paras. 3 and 5.

NEW MEXICO

HIGHEST COURT	
Supreme Court	\$22,500
INTERMEDIATE APPELLATE COURT	
Court of Appeals	21,000
GENERAL TRIAL COURT	
District Court	20,000
LIMITED AND SPECIAL COURTS	
Probate Court	1,000 to 3,960
Small Claims Court	8,000
Municipal Court (Albuquerque)	16,000
Magistrate Court	2,000 to 14,000
COURT ADMINISTRATOR	
Director of Administrative Office	11,550

BENEFITS

HOSPITALIZATION: Group policy available, state pays approximately 25% of premium.

VACATION: 30 days.

HOLIDAYS: 10 days.

EXPENSE ALLOWANCE: Supreme and District Court judges are paid in state per diem of \$20, \$25 without the state. Mileage is reimbursed at 10¢ per mile.

RETIREMENT PLANS

JUDGES COVERED: Supreme and District Court.

AGE AND SERVICE REQUIREMENTS: 64 with 10 years service, or 60 with 16.

CONTRIBUTION: 6% of salary.

RETIREMENT BENEFITS: 50% of average salary of last 3 years of service.

DEATH BENEFITS: 50% of retirement benefits to widow of judge who retired at or before 70. 99% of contribution refunded to widow or heirs of judge who dies in office.

DISABILITY BENEFITS: Any age with 10 years service, 50% of salary.

SERVICE AFTER RETIREMENT: No specific provision.

CITATION: N.M. Stats. 1953, Vol. 2, Chap. 5, Art. 5, 1969 Supp., §§ 5-5-1.2 to 5-5-28.1.

NEW YORK

HIGHEST COURT	
Court of Appeals	
Chief Judge	\$44,500
Associates	42,000
INTERMEDIATE APPELLATE COURT	
Appellate Division, Supreme Court	
First and Second Departments	
Presiding Justice	43,600
Associates	42,100

Third and Fourth Departments	
Presiding Justice	36,100
Associates	35,600
(Above figures include local supplements)	
GENERAL TRIAL COURT	
Supreme Court	
First and Second Departments	39,100
Third and Fourth Departments	33,600
(Above figures include local supplements)	
LIMITED AND SPECIAL COURTS	
Family Court	
New York City	30,000
Elsewhere	25,000 to 30,000
County Court	25,000 to 30,000
Nassau County District Court	
Presiding Judge	32,500
Associates	30,000
Suffolk County District Court	
Presiding Judge	25,000
Associates	22,500
Court of Claims	
Presiding Judge	34,000
Associates	34,000
Surrogate Court	
New York City	39,100
Richmond	35,500
Elsewhere	25,000 to 36,382
New York City Civil Court	30,000
New York City Criminal Court	30,000
Justice Courts	varies
COURT ADMINISTRATOR	
State Administrator, Judicial Conference	42,678
Department Directors of Administration	
First and Second Departments	36,325
Third Department	30,608
Fourth Department	30,608

BENEFITS

HOSPITALIZATION: Group policies with family coverage available, premiums shared by state and judge.

VACATION: About 7 weeks in major courts, less in some lower courts.

HOLIDAYS: Regular state holidays.

EXPENSE ALLOWANCE: In lieu of expenses judges given allowances of \$6,000 in Court of Appeals, \$6,500 in Appellate Division in Third and Fourth Departments, \$3,000 in Supreme Court, \$7,000 to presiding judge of Court of Claims, and \$4,500 to Court of Claims judges.

RETIREMENT PLAN

JUDGES COVERED: A. Judges paid by city of New York. B. Judges paid by state.

AGE AND SERVICE REQUIREMENTS: A. Minimum age is 60 or 55 with actuarially higher rate of salary deductions and pension, no minimum service requirement. Retirement mandatory at 70 but service may be extended for additional periods of two years each up to 80. Credit given for service in city agencies or courts. B. Minimum age is 60 or 55 with actuarially higher contributions, or any age after 20 years service in the event of separation without personal fault. Retirement compulsory at 70 unless exempted by law.

CONTRIBUTION: A. and B. Actuarially determined.

RETIREMENT BENEFITS: A. Actuarial equivalent of contributions plus pension of 1/40 of final compensation (average during selected 5 years) for members retiring at 60. 1/120 or 1/100 of final compensation for persons retiring at 55. B. Members retiring at 60 receive annuity paid from accumulated contributions plus pension equal to 1/140 of final average salary times years of membership service plus pension of 1/70 times final average salary times years of prior service. Members retiring at 55 receive annuity as above plus 1/20 final average salary times years of service.

DEATH BENEFITS: A. Non-occupational death, benefits equal accumulated contributions plus amount of salary

earned in 6 months prior to death, or if member had more than 10 years service, amount of salary earned in previous 12 months. Occupational death, widow receives pension of 1/2 member's salary at death. B. Occupational death, pension of 1/2 average final salary. Non-occupational death after one year of service accumulated contributions plus 1/12 salary at death for each year of service up to 12 years. In addition state provides extra non-occupational benefits on a year-to-year basis consisting of 1/24 of salary at death for each year of service beyond 12 years not to exceed 24 additional years.

DISABILITY BENEFITS: A. Occupational disability, any age no minimum service, allowance of actuarial equivalent of contributions plus pension equal to reserve-for-take-home-pay to which he is entitled plus additional pension of 3/4 of final compensation. Non-occupational disability, minimum service is 10 years, allowance is allowance member would have received at minimum retirement age computed on basis of actual length of service, not below 1/4 final compensation. B. Occupational disability, same as A. Non-occupational disability, any age, 15 years service, if 60 allowance computed in regular manner, if below 60, allowance is 90% of 1/70 of final average salary times years of service, not below 1/4 of that amount. Supplemental allowance provided for judicial officers retired by court on the judiciary payable to end of term or age 70. Such allowance, together with all other benefits, shall total 2/3 of salary at time of retirement.

SERVICE AFTER RETIREMENT: Retired judges may be appointed as retired justices of the Supreme Court for renewable terms of two years each. Compensation is same as Supreme Court judge.

CITATION: A. New York City Charter and Administrative Code Ann., Title B, §§ B-3-1.0 through B-3-55.0, pp. 31-76 and 1969 Cum. Pocket Supp. B. McKinney's Consol. Laws of N. Y., Book 50 1/2 "Retirement and Social Security Laws," §§ 2 through 119, pp. 2-160 and 1969 Cum. Pocket Supp. Service after retirement found in: *id.*, Book 29 "Judiciary Law," §§ 115-125, pp. 211-238 and 1969 Cum. Pocket Supp. Const. Art. 6, §§ 9, 9-a and 19.

NORTH CAROLINA

HIGHEST COURT

Supreme Court	
Chief Justice	\$30,000
Associates	29,000

INTERMEDIATE APPELLATE COURT

Court of Appeals	
Chief Judge	27,000
Associates	26,000

GENERAL TRIAL COURT

Superior Court	22,000
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LIMITED AND SPECIAL COURTS

District Court	
Chief Judges	18,000
Judges	17,000
County Court	7,500 to 10,000
Recorder's Court	6,500 to 10,000
Municipal Court	varies
Justice Court	varies

COURT ADMINISTRATOR

Director, Administrative Director of the Courts ..	24,500
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BENEFITS

HOSPITALIZATION: None.

VACATION: Appellate and Superior Court judges 6 weeks, District judges 3 weeks.

HOLIDAYS: Discretionary.

EXPENSE ALLOWANCE: Appellate and District judges receive travel reimbursement at 9¢ per mile and limited subsistence. In the case of District judges it is a maximum of \$15 per day. Superior judges have an expense allowance of \$5,000 per year.

RETIREMENT PLANS

JUDGES COVERED: A. Appellate judges. B. Superior Court judges (Court Administrator receives the same coverage).

AGE AND SERVICE REQUIREMENTS: A. Minimum is 15 years service, whether consecutive or not, 65 with 12 years consecutive service in appellate division, or 75 with 8 years consecutive service in appellate division, or 24 years of service regardless of age. B. 65 with 15 years service, 68 with 12 consecutive years of service, or after 24 years of service. Retirement mandatory at 70.

CONTRIBUTION: A. and B. None.

RETIREMENT BENEFITS: A. $\frac{2}{3}$ of current salary. B. Same.

DEATH BENEFITS: A. and B. No specific provision.

DISABILITY BENEFITS: A. and B. After 8 years service, benefits same as retirement allowance.

SERVICE AFTER RETIREMENT: A. and B. Judges who retire on longevity are "emergency" judges for life and are subject to temporary recall to active duty. They are paid \$100 weekly plus expenses.

CITATION: Gen. Stats. of N. C., Chap. 7A, Arts. 6 and 8, 7A-39.1 through 7A-39.11, 7A-50 through 7A-55.

NORTH DAKOTA

HIGHEST COURT

Supreme Court	
Chief Justice	\$20,500
Associates	20,000

GENERAL TRIAL COURT

District Court	18,000
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LIMITED AND SPECIAL COURTS

County Court of Increased Jurisdiction	11,000 to 15,000
Other County Courts (Probate)	5,600 to 8,500*
County Justice Court	up to 5,000

BENEFITS

HOSPITALIZATION: Group policies with family coverage available, all premiums paid by judge.

VACATION: No set policy.

HOLIDAYS: 8 days.

EXPENSE ALLOWANCE: Mileage reimbursement is 9¢ per mile.

RETIREMENT PLANS

JUDGES COVERED: Supreme and District Court judges.

AGE AND SERVICE REQUIREMENTS: Retirement at any age; benefits commence at 65 after 20 years of service, 66 after 18, 67 after 16, 68 after 14, 69 after 12, or 70 after 10. Mandatory forfeiture of benefits at 73 if continuing to hold office.

CONTRIBUTION: 5% of salary during the first 20 years of service.

RETIREMENT BENEFITS: $\frac{1}{2}$ current salary of office.

DEATH BENEFITS: Judge has 3 options; $\frac{3}{4}$ retirement benefits until he dies then $\frac{1}{2}$ to unmarried widow until age 62, $\frac{2}{3}$ allowance until he dies then $\frac{2}{3}$ to widow until 62, or $\frac{1}{2}$ retirement until he dies and $\frac{1}{2}$ to wife at 62 even if her husband is alive.

DISABILITY BENEFITS: Full salary of office for remainder of term.

SERVICE AFTER RETIREMENT: May be appointed commissioner by Supreme Court and is eligible to serve as referee in civil action in any court or as legal counsel in any state agency.

CITATION: N. D. Century Code Ann. 1960, Tit. 27, §§ 1701 through 1705 and 1969 Supplement; Disability, *id.*, Chap. 05 §§ 05031, 05032 p. 658.

* Plus supplement not to exceed 10% set by County Commissioners if they feel the duties merit the increase.

OHIO

HIGHEST COURT

Supreme Court	
Chief Justice	\$32,000
Associates	30,000

INTERMEDIATE APPELLATE COURT

Court of Appeals	28,000
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GENERAL TRIAL COURT

Court of Common Pleas	14,500 to 26,000*
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LIMITED AND SPECIAL COURTS

Probate Court	14,500 to 26,000*
Municipal Court	10,000 to 23,000
Part Time	6,000
Juvenile Court (Cuyahoga County)	26,000
County Courts	6,000

COURT ADMINISTRATOR

Administrative Director of the Courts	24,960
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BENEFITS

HOSPITALIZATION: Group policies available with family coverage, state or county pays $\frac{1}{2}$ the premium.

VACATION: 30 days.

HOLIDAYS: 9 days.

EXPENSE ALLOWANCE: Court of Appeals judges have per diem of \$20 when they sit in another appellate district and actual expenses when they sit on the Supreme Court. Common Pleas, Probate and Juvenile judges per diem is \$30 and Municipal judges per diem is \$15. Mileage allowance is 10¢ per mile.

RETIREMENT PLAN

JUDGES COVERED: All judges.

AGE AND SERVICE REQUIREMENTS: 60 with 5 years service, 55 after 25, or any age with 36 years service. Credit given for military service and elective office.

CONTRIBUTION: 7.7% of first \$25,000 in salary.

RETIREMENT BENEFITS: Allowance actuarially figured and may be as high as 85% of average salary for highest 5 years of service.

DEATH BENEFITS: Three options available for a lesser allowance with benefits accruing to designated heirs. Widow or heirs of a member who had completed 5 years service may also receive a monthly allowance of \$50 to \$100 a month.

DISABILITY BENEFITS: Any age with no minimum service, benefits include annuity equal to contribution plus pension based on difference between attained age and regular retirement age.

SERVICE AFTER RETIREMENT: No specific provision.

CITATION: Baldwin's Ohio Rev. Code and Service 1964, Vol. 1, Title 1, §§ 145.01 through 145.99.

* Figures include local supplements of \$2,000 to \$10,000.

OKLAHOMA

HIGHEST COURT

Supreme Court	\$22,500
Court of Criminal Appeals	22,500

INTERMEDIATE APPELLATE COURT

Court of Appeals	19,500*
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GENERAL TRIAL COURT

District Court	
District Judge	17,500
Associate District Judges	
Pop. over 300,000	16,500
10,000 to 300,000	14,500
Under 10,000	13,000
Special Judges	
Lawyers	13,000
Non-lawyers	9,000

LIMITED AND SPECIAL COURTS

Court on the Judiciary	
Appellate Division	**
Trial Division	**

State Industrial Court	17,500
Court of Tax Review	***
Court of Bank Review	***
Municipal Courts	***
COURT ADMINISTRATOR	
Administrative Director	17,500

BENEFITS

HOSPITALIZATION: Covered by group policy.
VACATION: Up to 15 days, with sick leave up to 45 days.
HOLIDAYS: 7 days.
EXPENSE ALLOWANCE: Actual and necessary expenses while outside county of residence, not to exceed 9¢ per mile and per diem of \$12 or subsistence allowance of \$10 per day in-state and \$20 per day out-state.

RETIREMENT PLANS

JUDGES COVERED: Judges of Supreme Court, Court of Criminal Appeals, Industrial, Intermediate Appellate and District Courts.

AGE AND SERVICE REQUIREMENTS: 60 after 20 years service, 65 after 10, or 70 after 8. Credit given for prior service in courts of record. Retirement mandatory at end of term in which requirements met.

CONTRIBUTION: 4% of 75% of his salary.
RETIREMENT BENEFITS: 4½% of final salary times years of service up to 75% of final salary.
DEATH BENEFITS: Contributions are paid to beneficiaries if judge dies before he retires, no survivor benefits.
DISABILITY BENEFITS: No specific provision.
SERVICE AFTER RETIREMENT: May serve by assignment of Supreme Court.
CITATION: 20 O. S. Supp. 1969 §§ 1101 through 1108.

* In operation January, 1971.
 ** Trial and Appellate judges serve on them "ex officio" without additional pay.
 *** Special courts manned by district judges, who receive only expenses.
 **** Compensation set by local ordinance.

OREGON

HIGHEST COURT	
Supreme Court	\$26,000
INTERMEDIATE APPELLATE COURT	
Court of Appeals	25,000
GENERAL TRIAL COURT	
Circuit Court	24,000
LIMITED AND SPECIAL COURTS	
Tax Court	24,000
District Court	18,000
Justice of the Peace	up to 8,800
County Court	3,000 to 10,500
COURT ADMINISTRATOR	
Administrative Assistant to Chief Justice	15,000

BENEFITS

HOSPITALIZATION: Group policy with family coverage available, premium paid by judge.
VACATION: 2 to 4 weeks.
HOLIDAYS: 7 days.
EXPENSE ALLOWANCE: Actual expenses and travel for duty outside district and to meetings of Judicial Conference. Mileage allowance is 8¢ per mile.

RETIREMENT PLANS

JUDGES COVERED: Judges of Supreme Court, Court of Appeals, Circuit and Tax Court and is optional for District Court judges.

AGE AND SERVICE REQUIREMENTS: 65 after 16 years service or 70 after 12. Retirement compulsory at 75. Any judge who holds office for 16 years and contributes to fund for 16 years will receive benefits at 65 even though he ceases to hold office before 65. No judge has to contribute for more than 16 years.

CONTRIBUTION: 7% of salary.

RETIREMENT BENEFITS: 45% of highest average salary for 5 out of last 10 years.

DEATH BENEFITS: Widow's pension is determined by % of basic amount (22.5% of final average pay of judge) scaled from 100% to 20% depending upon years of service of judge. If, prior to death, they have been married 10 years, no adjustment is made in widow's pension, but if married less than 10 and wife more than 3 years younger, she receives an actuarial amount.

DISABILITY BENEFITS: Involuntarily retired judge receives regular retirement allowance if otherwise fully qualified. Voluntarily retired judge with 6 years service receives regular retirement allowance.

SERVICE AFTER RETIREMENT: Retired justices may be appointed *pro tempore* to Supreme or Circuit Court by the Supreme Court. Retired Circuit judges may be appointed *pro tempore* to Circuit Court by Supreme Court.

CITATION: Oregon Rev. Stats., Vol. 1, Tit. 1, Chap. 1, §§ 1.130 through 1.380 pp. 6-8a (Amend. 1969), Const. Art. 7 (Amended) § 1a.

PENNSYLVANIA

HIGHEST COURT	
Supreme Court	
Chief Justice	\$38,000
Associates	37,500
INTERMEDIATE APPELLATE COURT	
Supreme Court	
Presiding Judge	36,000
Associates	35,500
GENERAL TRIAL COURT	
Court of Common Pleas*	26,500 to 30,000**
LIMITED AND SPECIAL COURTS	
Philadelphia County	
Municipal Court	
Attorney Judges	20,000***
Lay Judges	16,500
Traffic Court	16,500***
Justices of the Peace	3,000 to 14,000
COURT ADMINISTRATOR	
State Court Administrator	35,000

BENEFITS

HOSPITALIZATION: Group policies with family coverage available, premium shared.
VACATION: Supreme Court theoretically has one month, practically less.
HOLIDAYS: 5 days.
EXPENSE ALLOWANCE: Supreme Court judges have \$4,000 expense allowance, Superior Court judges have \$3,000. Mileage allowance is 8¢ per mile.

RETIREMENT PLANS

JUDGES COVERED: All judges paid by the state.
AGE AND SERVICE REQUIREMENTS: 60 with one full elective term or 10 years of service, any age after 20 years judicial service or 25 years of state service.
CONTRIBUTION: Salary deductions computed on basis

* Presiding judge receives \$500 more in each district.
 ** Common Pleas Court in Lehigh County (Harrisburg) also functions as Commonwealth Court. The 3 judges handle actions against the state and are paid \$37,500.
 *** Presiding Judge receives \$1,000 additional.

of varying proportions (from 1½% to 2½%) of an actuarially determined base rate of contribution.

RETIREMENT BENEFITS: 4% of average annual salary for five highest years for each year of service during first 10 years plus 3% of final average salary for each year thereafter. Supreme Court justice with no other service who contributes at a higher rate may receive 5% for first 16 years and 4% for each year thereafter. Allowance may be modified by 1 of 4 options but maximum allowance is 80% of final salary.

DEATH BENEFITS: If judge dies in office while eligible for retirement, pension he was eligible for is paid to his designated heir.

DISABILITY BENEFITS: With 5 years service, actuarial equivalent of accumulated contributions plus state annuity of 1/90 final salary times years of service at a minimum of 33% of final salary.

SERVICE AFTER RETIREMENT: No specific provision.

CITATION: *Paydon's Penn. Stats. Ann.*, Tit. 71, Chap. 8, §§ 1725-101 through 1725-811 pp. 250-290 and 1969 Cum. Pocket Supp.

RHODE ISLAND

HIGHEST COURT	
Supreme Court	
Chief Justice	\$26,000
Associates	25,000
GENERAL TRIAL COURT	
Superior Court	
Presiding Justice	24,000
Associates	23,000
LIMITED AND SPECIAL COURTS	
District Court*	20,000
Probate Court	up to 11,440
Family Court	
Chief Judge	24,000
Associates	23,000
COURT ADMINISTRATOR	
Court Administrator	14,404

BENEFITS

HOSPITALIZATION: Group policies available, state pays for judge, judge pays for family coverage.

VACATION: *Varies.*

HOLIDAYS: 10 days.

EXPENSE ALLOWANCE: Supreme Court justices get travel allowances for out-of-state conferences. Superior and Family judges receive 8¢ per mile while on circuit.

RETIREMENT PLANS

JUDGES COVERED: Supreme, Superior, Family, and District Court judges.

AGE AND SERVICE REQUIREMENTS: 65 after 20 years service on either court, or 70 after, or if a justice on January 16, 1956 any age after 25 years (with increased pension).

CONTRIBUTION: None.

RETIREMENT BENEFITS: ¼ of salary at time of retirement, full salary for judges in office on January 16, 1956 who retire with 25 years service.

DEATH BENEFITS: No provision.

DISABILITY BENEFITS: No specific provision.

SERVICE AFTER RETIREMENT: Superior judge may sit as associate on Superior Court at request of presiding judge.

CITATION: *Gen. Laws of R. I.* 1956, Vol. 2, Tit. 8, Chap. 3, §§ 7 and 8, p. 386 and 1967 Cum. Pocket Supp. Also § 8-10-42 G.L. and § 8-8-10 G.L. as amended by Chap. 239, 1969 Public Laws.

* Chief Judge receives \$21,000.

SOUTH CAROLINA

HIGHEST COURT	
Supreme Court	
Chief Justice	\$35,000*
Associates	30,000*
GENERAL TRIAL COURT	
Circuit Court	30,000*
LIMITED AND SPECIAL COURTS	
County Court	set locally
Probate Court	set locally
Juvenile & Domestic Relations Court	set locally
Municipal Court	set locally
Magistrates Court	set locally

BENEFITS

HOSPITALIZATION: Hospitalization policy available; premium paid by the judge.

VACATION: No set policy.

HOLIDAYS: 13 days.

EXPENSE ALLOWANCE: Supreme Court judge has \$600 expense allowance and \$25 per diem for travel. Circuit judge has travel per diem of \$25. Mileage allowance is 9¢ a mile.

RETIREMENT PLANS

JUDGES COVERED: Supreme and Circuit Court judges.

AGE AND SERVICE REQUIREMENTS: 70 with 15 years service, 65 with 20, or any age with 25. Mandatory at 72.

CONTRIBUTION: 4% of salary.

RETIREMENT BENEFITS: ¾ current salary of office.

DEATH BENEFITS: ½ of retirement benefits to widow, so long as she is unmarried.

DISABILITY BENEFITS: Any age with 7 years service, same as retirement.

SERVICE AFTER RETIREMENT: Any retired judge or justice may serve as associate justice or special circuit judge at the call of the chief justice, reimbursement for expenses.

CITATION: *Code of Laws of South Carolina*, Title 61, Chap. 5, §§ 251-258.

* Effective January 1, 1971.

SOUTH DAKOTA

HIGHEST COURT	
Supreme Court	\$20,500
GENERAL TRIAL COURT	
Circuit Court	18,500
LIMITED AND SPECIAL COURTS	
District County Courts	16,500*
Municipal Judges	—

BENEFITS

HOSPITALIZATION: Group policies with family coverage available, premium paid by the judge.

VACATION: Depends on workload.

HOLIDAYS: 9 days plus election days.

EXPENSE ALLOWANCE: \$2,000 travel allowance for Supreme Court. Circuit Judges reimbursed for traveling outside their circuit. Per diem maximum for in-state is \$13.52, out-state \$24.25. Mileage allowance is 8¢ a mile.

RETIREMENT PLANS

JUDGES COVERED: Supreme and Circuit Court judges.

* Pursuant to 1966 constitutional amendment the Supreme Court in 1969 divided the state into 19 county court districts with the approval of the Senate replacing 64 county and municipal courts except for 3 municipal courts retained.

JUDICIAL SALARIES IN SELECTED COURTS OF LIMITED JURISDICTION

Notes: Arkansas—common pleas courts are presided over by county judges. Supplements of from \$100 to \$900 for these duties are included in the salaries shown. Massachusetts—salary given is for full-time judges; part-time judges are paid from \$7,600 to \$10,000. New Jersey—county district courts have \$3,000 limit on negligence actions. North Carolina—county and recorder's court are gradually being replaced by a uniform system of district courts. The transition will be completed in 1971.

State	Court	Jurisdiction			Minor Court Salary	Major Court Salary
		Civil	Criminal	Probate		
Alabama	Superior	Varies	Limited	No	6,000-10,000	18,000-24,000
Alaska	District	\$ 3,000	General	No	19,000	26,500
Arkansas	Common Pleas	1,000	None	No	3,100-5,900 (N)	19,200
California	Municipal	5,000	Misdemeanors	No	30,724	33,396
Colorado	County	500	Misdemeanors	No	17,500	20,000
	Superior (Denver)	5,000	General	No	20,000	20,000
Connecticut	Common Pleas	15,000	None	No	22,500	27,500
	Circuit	7,500	None	No	21,500	27,500
Delaware	Common Pleas	2,500	Misdemeanors	No	9,500-27,000	31,000
Dist. of Columbia	Court of General Sessions	10,000	Limited	No	27,500	40,000
Florida	Civil Court of Record	1,000, 5,000	Varies	No	20,000-25,000	28,500
	Courts of Record	10,000			13,500-27,500	28,500
Georgia	City, Municipal	Varies	Misdemeanors	No	4,600-22,500	24,800-38,800
	Civil and Criminal					
Hawaii	District	2,000	Misdemeanors	No	23,670	30,250
Illinois	Magistrates	10,000	Misdemeanors	Yes	15,000-23,000	15,000-35,000
Indiana	Municipal (Marion Co.)	10,000	Misdemeanors	No	19,500	19,000-23,500
Iowa	Municipal	2,000	Misdemeanors	No	16,800	21,000
Kansas	Probate	1,000	Misdemeanors	Yes	5,000-19,900	19,500-21,900
	Municipal & Cmn Pleas	1,000, 3,000	Misdemeanors	No	3,600-16,000	19,500-21,900
Louisiana	City	100-1,000	None	No	3,600 + FEES to 34,000	20,500 to 34,000
Maine	District	10,000	Limited	Yes	15,000	19,500
Maryland	Magistrates	Varies	Limited	No	300-6,500	30,500
	Peoples (Baltimore)	3,000	None	No	25,000	30,500
Massachusetts	District & Municipal	Unlimited	Limited	No	25,000 (N)	30,000
Michigan	District	3,000	Limited	No	18,000-27,500	20,000-30,000
	Common Pleas (Detroit)	5,000	None	No	25,000	20,000-30,000
Minnesota	Municipal	Varies	None	No	420-23,000	22,000-23,500
Mississippi	County	10,000	Misdemeanors	No	5,400-13,000	16,000
Missouri	Magistrate	2,500	Misdemeanors	No	10,600-13,500	20,000-23,000
Nebraska	Municipal	2,000	Limited	No	19,000	22,000-23,500
	County	1,000	Limited	Yes	4,000-19,500	22,000-23,500
New Hampshire	District	1,500	Limited	No	1,400-19,000	26,000
New Jersey	County-District	1,000 (N)	Misdemeanors	No	34,000	37,000
New Mexico	Small Claims (Albuquerque)	2,000	Limited	No	8,000	20,000
New York	County Courts	6,000-10,000	General	No	25,000-33,000	33,600-39,100
	Civil court of NYC	10,000	None	No	30,000	33,600-39,100
	Criminal court of NYC	None	General	No	30,000	33,600-39,100
North Carolina	District	5,000	Limited	No	17,000	22,000
	County (N)	3,000	Misdemeanors	Yes	7,500-10,000	22,000
	Recorder (N)	1,000	Misdemeanors	No	6,500-10,000	22,000
North Dakota	County	1,000	Misdemeanors	Yes	5,600-15,000	18,000
Ohio	Municipal	5,000 (N)	Misdemeanors	No	10,000-23,000	14,500-26,000
Oklahoma	Associate District Judges	Unlimited	General	Yes	13,000-16,500	17,500
Oregon	District	2,500	Limited	Yes	18,000	24,000
Pennsylvania	Municipal (Philadelphia)	500	Limited	No	20,000	26,500-30,000
Rhode Island	District	5,000	Limited	No	20,000	23,000
South Carolina	County	7,500-25,000	Limited	No	VARIES	30,000
South Dakota	District County	1,000	Limited	Yes	16,500	18,500
Tennessee	General Sessions	3,000	Misdemeanors	No	1,800-11,800	17,500
Texas	County	1,000	Misdemeanors	Yes	18,500-22,500	20,000-28,000
Utah	City	1,000	Misdemeanors	No	5,000-10,500	17,500
Vermont	District	5,000	None	No	19,000	22,000
Virginia	Municipal	2,000	Misdemeanors	No	12,000-22,000	20,000
	County	2,000	Misdemeanors	Varies	3,000-15,000	20,000
Washington	Justice	1,000	None	No	20,000	22,500
Wisconsin	County	500,000	Limited	Yes	18,500-27,000	21,000-28,000
Puerto Rico	District	2,500	Misdemeanors	No	17,000	22,900

AGE AND SERVICE REQUIREMENTS: 65 with 15 years service on either or both courts or any age after 20.

CONTRIBUTION: 4% of salary.

RETIREMENT BENEFITS: 1/2 salary at time of retirement.

DEATH BENEFITS: If judge dies before retirement his heirs receive his contributions. After a judge has served 10 years he may elect to assign 1/2 of his retirement pay to his wife. At retirement he will receive 2/3 allowance and the wife shall receive 1/3 commencing on the judge's retirement or death in office until she dies or remarries.

DISABILITY BENEFITS: Any age with 10 years service, same as retirement, less than 10 years, governor may approve \$200 monthly for remainder of term.

SERVICE AFTER RETIREMENT: May be commissioner or referee of supreme court by assignment, receives expenses.

CITATION: S. D. Code of 1939, 1960 Supp. Vol. 2, Title 32, Chap. 32.15 and S. D.C.L. 1967 § 16-8-9.1 and .2.

TENNESSEE

HIGHEST COURT

Supreme Court	
Chief Justice	\$25,000
Associates	24,000

INTERMEDIATE APPELLATE COURT

Court of Appeals	
Presiding Judge	21,000
Associates	20,000

Court of Criminal Appeals	
Presiding Judge	21,000
Associates	20,000

GENERAL TRIAL COURT

Circuit Court	17,500
Chancery Court	17,500
Criminal Courts	17,500
Law Equity Courts	17,500

LIMITED AND SPECIAL COURTS

County Courts (Probate)	set locally
General Sessions Court	1,800 to 11,800
Juvenile Court	set locally
Municipal Court	set locally

COURT ADMINISTRATOR

Executive Secretary to Supreme Court	20,000
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BENEFITS

HOSPITALIZATION: Group policy; state and judge each pay 1/2.

VACATION: Discretionary.

HOLIDAYS: 14 days.

EXPENSE ALLOWANCE: Judges get actual expenses and 8¢ per mile.

RETIREMENT PLANS

JUDGES COVERED: All judges of courts of record.

AGE AND SERVICE REQUIREMENTS: Minimum age is 65. Credit is given for up to 4 years in armed forces or certain elected offices if contributions to fund are kept up.

CONTRIBUTION: Judges contribute 8% of monthly salary.

RETIREMENT BENEFITS: 75% of salary at time of retirement with 24 years service or if in office on August 31, 1966 and retiring at 70 after 20 years service. Otherwise the benefit is 3 1/2% times years of service, if less than 24, times salary at retirement. Minimum is equal to or greater than salary on September 1, 1958 times 3.3% times number of years of service.

DEATH BENEFITS: Options to provide for continuation of reduced retirement benefits to surviving beneficiary.

DISABILITY BENEFITS: After August 31, 1966 any age with 10 years service, regular retirement benefits.

SERVICE AFTER RETIREMENT: May be assigned by chief justice to sit to relieve congestion or to substitute for any judge unable to attend.

CITATION: Tenn. Code Ann., Tit. 17, Chap. 3, §§ 301 through 326.

TEXAS

HIGHEST COURT

Supreme Court	\$29,000
Court of Criminal Appeals	29,000

INTERMEDIATE APPELLATE COURT

Court of Civil Appeals	26,000
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GENERAL TRIAL COURT

District Court	
State Salary	20,000
Local Supplement	up to 8,000

LIMITED AND SPECIAL COURTS

County Courts (Probate)	18,500 to 22,500
Justices of the Peace	Fees

BENEFITS

HOSPITALIZATION: Group policies with optional family coverage, premiums are paid by judge.

VACATION: Supreme Court justices generally take 6 weeks.

HOLIDAYS: 12 days.

EXPENSE ALLOWANCE: District judges receive expenses while serving outside their counties. Mileage allowance is 10¢ a mile.

RETIREMENT PLANS

JUDGES COVERED: Judges of Supreme Court, Criminal and Civil Appeals, and District Courts.

AGE AND SERVICE REQUIREMENTS: Any age with 18 years service, with benefits deferred to age 65, or 65 with 10.

CONTRIBUTION: 5% of salary plus \$2.00 annually.

RETIREMENT BENEFITS: With 24 years service may retire and receive benefits before age 65 at 1/2 salary. Judges who retire at or before 70 receive an additional annuity of 10% of pay. Judges with 12 years service may retire at any time with benefits commencing at 65.

DEATH BENEFITS: If he dies in office his contributions are refunded, upon retirement he can take a reduced annuity and provide for benefits to his widow on an actuarial basis. If he does not do this the balance of his contributions are refunded at his death.

DISABILITY BENEFITS: Any age after 10 years service, same as regular retirement allowance.

SERVICE AFTER RETIREMENT: Any judge may elect to remain a judicial officer and be assigned by the Supreme Court with his consent to sit on any court of the same or lower jurisdiction than that of the one he retired from, receiving the difference between his pension and the compensation of active judges of the court.

CITATION: Vernon's Civil Stats. of the State of Texas Ann., Art. 6228b, §§ 1 through 10.

UTAH

HIGHEST COURT

Supreme Court	
Chief Justice	\$20,000
Associates	20,000

GENERAL TRIAL COURT

District Court	17,500
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LIMITED AND SPECIAL COURTS

Juvenile Court	17,500
City Courts	
First Class	10,500
Others	5,000 to 10,500
Justices of the Peace	Fees

BENEFITS

HOSPITALIZATION: Group policy open to the judges.

VACATION: No set policy.

HOLIDAYS: 12 days.

EXPENSE ALLOWANCE: District judges receive actual expenses for serving outside their home county. Mileage reimbursed at 10¢ per mile.

RETIREMENT PLANS

JUDGES COVERED: Supreme, District and City Courts.

AGE AND SERVICE REQUIREMENTS: 70 with 10 years service or any age with 20.

CONTRIBUTION: 7% of salary up to 7% of \$500 monthly.

RETIREMENT BENEFITS: ½ of salary to a maximum of \$500 monthly.

DEATH BENEFITS: Widow receives ½ judge's pension unless she is younger than he, then her annuity shall be an actuarial equivalent.

DISABILITY BENEFITS: Any age with 10 years service, same as retirement.

SERVICE AFTER RETIREMENT: Chief Justice or presiding judge may request service on a case by case basis, reimbursement is a per diem rate less pension plus travel.

CITATION: Utah Code Ann. 1953, Vol. 5, Tit. 49, Chap. 7 §§ 1-7.

VERMONT

HIGHEST COURT

Supreme Court	
Chief Justice	\$26,500
Associates	25,000

GENERAL TRIAL COURT

Superior County Court and Court of Chancery	
Presiding Superior Judge	22,500
Judges	22,000
Assistant Judges	per day 15

LIMITED AND SPECIAL COURTS

Probate Courts	3,050 to 10,500*
District Courts	16,000

COURT ADMINISTRATOR

State Court Administrator	19,000
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BENEFITS

HOSPITALIZATION: Policies with optional family coverage available, state pays ½ judge's premium, he pays the rest.

VACATION: 2 to 4 weeks in August.

HOLIDAYS: 11 days.

EXPENSE ALLOWANCE: Judges of Supreme, County, Chancery, and District Courts receive actual expenses. Mileage reimbursement is at 8¢ per mile.

RETIREMENT PLANS

JUDGES COVERED: All judges whose salaries are paid by the state.

AGE AND SERVICE REQUIREMENTS: Normal age is 65 and compulsory at 70. May retire at 60 (men) or 55 (women) after 10 years service, or at any age after 32 years of service. Credit given for military and state service.

CONTRIBUTION: Actuarially determined.

RETIREMENT BENEFITS: Annuity actuarially equivalent to contributions plus pension equal to 1/140 of average final compensation over 5 highest years, times years of service, plus 1/70 of average final compensation times his years of prior service increased by 3 years (up to 35 years total). In addition, Supreme, Superior and District

* Compensation of probate judges supplemented by statutory fees for providing copies of court records.

judges receive a further allowance according to their years of service for a total of from 2/5 their salary at retirement after 12 years of service to full salary after 30. For each year of service after 12, 3 1/3% of salary at retirement is added.

DEATH BENEFITS: A choice of 3 optional modifications is available with additional benefits accruing to designated heirs.

DISABILITY BENEFITS: Any age with 12 years service, pension consists of regular member's annuity, plus pension equal to 9/10 regular retirement allowance, plus the additional allowance in the case of Supreme, Superior, and District judges.

SERVICE AFTER RETIREMENT: No specific provisions.

CITATION: Vt. Stats. Ann., Vol. 1, Tit. 3, Chap. 15, §§ 371 through 385.

VIRGINIA

HIGHEST COURT

Supreme Court of Appeals	
Chief Justice	\$27,500
Justices	25,000

GENERAL TRIAL COURT

Trial Courts of Record (Circuit, Corporation, or Hustings Courts)	20,000
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LIMITED AND SPECIAL COURTS

County Courts	3,000 to 15,000
Municipal Courts	—
Regional Juvenile and Domestic Relations Court	12,000 to 22,000

COURT ADMINISTRATOR

Executive Secretary of the Supreme Court of Appeals	20,700
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BENEFITS

HOSPITALIZATION: State employees' group policy available to judges, at his cost.

VACATION: Discretionary.

HOLIDAYS: 4 days.

EXPENSE ALLOWANCE: Supreme Court of Appeals have option of reimbursement for mileage or a \$2,000 allowance. Judicial conference expenses are reimbursable for judges. Circuit Court judges receive actual expenses and County Court judges receive an allowance of \$1,650.

RETIREMENT PLANS

JUDGES COVERED: A. Judges of Supreme Court of Appeals. B. Circuit, Corporation, and City Courts. C. County Court.

AGE AND SERVICE REQUIREMENTS: A. 65 after 12 years service, retirement compulsory at 75 for judges achieving the bench after June 30, 1954. B. 65 with 10 years service or 62 with 25 consecutive years service. Any judge on bench after June 30, 1954 must retire at 75 and if appointed after March 1, 1962 must retire at 70. Minimum service in both cases 10 years. C. 70 after 15 years service.

CONTRIBUTION: A., B., and C. If 40 or less on taking office, 2% of salary, if 40 to 55, 2 1/2%, if above 55, 3%.

RETIREMENT BENEFITS: A. ¾ salary at retirement. B. The same. C. The same reduced by social security benefits.

DEATH BENEFITS: A. and B. Any member may choose a last survivor annuity instead of normal retirement benefits. C. No provision made.

DISABILITY BENEFITS: A. and B. Any age with no minimum, regular retirement benefits. C. Any age with 10 years service, regular retirement benefits.

SERVICE AFTER RETIREMENT: A. May be recalled to duty for a period of up to 90 days. B. May be recalled by Supreme Court to preside in Circuit, Corporation, or City Court of record for a period of not less than 90 days. C. No specific provision.

CITATION: Code of Virginia 1950, Vol. 7, 1967 Replacement Volume, Tit. 51, Chap. 2, Arts. 1, 3, 6, 7 and Chap. 2.2, Const. Art. 6 § 102-103.

WASHINGTON

HIGHEST COURT	
Supreme Court	\$27,500
INTERMEDIATE APPELLATE COURT	
Court of Appeals	25,000
GENERAL TRIAL COURT	
Superior Court	22,500
Pro tem judges	per day 90
LIMITED AND SPECIAL COURTS	
Municipal Court	
Seattle	18,000
Elsewhere if population over 50,000	minimum 9,000
Justice Courts (King, Pierce, Spokane)	2,400 to 13,333
Full Time Justice Courts	20,000
Justice of the Peace	
Where population is	
5,000 to 20,000	2,400 to 3,600
over 20,000	5,400 to 6,500
Others	Fees
Police Courts	Not reported
COURT ADMINISTRATOR	
Administrator for Courts	20,000

BENEFITS

HOSPITALIZATION: Group policies with family coverage available, premiums paid by judge.

VACATION: 1 month.

HOLIDAYS: 8 days.

EXPENSE ALLOWANCE: Superior judges receive expenses when sitting outside their district.

RETIREMENT PLANS

JUDGES COVERED: Supreme, Court of Appeals, and Superior Courts.

AGE AND SERVICE REQUIREMENTS: 70 after 10 years service, any age after 18; judge may retire after 12 years with reduced benefits commencing at 70. Retirement compulsory at age 75. Credit for service on either court and military service during term of office.

CONTRIBUTION: $6\frac{1}{2}\%$ of salary.

RETIREMENT BENEFITS: $\frac{1}{2}$ salary at time of retirement; judges who serve more than 18 years receive additional $\frac{1}{18}$ of salary for each year over 18 to a maximum of 75% of salary.

DEATH BENEFITS: Widow of judge who served 10 years receives $\frac{1}{2}$ of judge's pension provided she has been married 3 years.

DISABILITY BENEFITS: Any age with 10 years service, regular retirement benefits.

SERVICE AFTER RETIREMENT: No specific provision.

CITATION: Revised Code of Washington, Tit. 2, Chap. 2.12, §§ 2.12.010 through 2.12.070, Constitutional Provision: Amendment 25.

WEST VIRGINIA

HIGHEST COURT	
Supreme Court of Appeals	\$27,500
GENERAL TRIAL COURT	
Circuit Court	
Circuits less than 60,000	19,000
Circuits more than 60,000	17,500
Optional Supplement (total salary may not exceed)	25,000

LIMITED AND SPECIAL COURTS

County Court	540 to 9,600
Criminal Courts	} Varies 10,500 to 17,500
Domestic Relations Courts	
Intermediate Courts	
Common Pleas Courts	
Juvenile Court	
Justice of the Peace	

BENEFITS

HOSPITALIZATION: None.

VACATION: Discretionary.

HOLIDAYS: 5 days.

EXPENSE ALLOWANCE: Mileage reimbursed at 10 cents per mile.

RETIREMENT PLANS

JUDGES COVERED: Judges of courts of record.

AGE AND SERVICE REQUIREMENTS: 65 after 16 years of service or any age after 16 years with benefits commencing at age 65.

CONTRIBUTION: 6% of salary.

RETIREMENT BENEFITS: 75% of highest salary, judges retiring after 8 years service beyond age 65 receive 75% of salary at retirement.

DEATH BENEFITS: Widow of judge who served 16 years receives annuity of 40% of current salary of office.

DISABILITY BENEFITS: Any age with 12 years service, regular retirement benefits.

SERVICE AFTER RETIREMENT: May serve as special judge on any court of record except Supreme Court of Appeals.

CITATION: West Virginia Code of 1966, Vol. 2, Chap. 51, Art. 9, §§ (1) through (16) pp. 71-83 and 1969 Cum. Supp.

WISCONSIN

HIGHEST COURT

Supreme Court	
Chief Justice	\$29,000
Associates	28,000

GENERAL TRIAL COURT

Circuit Court	
State Pay	21,000
Local Supplements	up to 7,000

LIMITED AND SPECIAL COURTS

County Court	
State Pay	18,500
Local Supplement	up to 8,500
Municipal Justice Court	set locally

COURT ADMINISTRATOR

Administrative Director	23,500
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BENEFITS

HOSPITALIZATION: Supreme and Circuit Court judges covered by group policies, state pays $\frac{1}{2}$ premium.

VACATION: No set policy.

HOLIDAYS: No set policy.

EXPENSE ALLOWANCE: Judges receive reasonable expenses. Mileage reimbursement at 10 cents a mile for the first 400 miles and 7 cents thereafter.

RETIREMENT PLANS

JUDGES COVERED: Judges of Supreme, Circuit, and County Courts and full time judges of municipal and other courts of record.

AGE AND SERVICE REQUIREMENTS: Minimum age is 55 provided credits are enough to provide an annuity of \$10 per month. Compulsory retirement of Supreme and Circuit Court judges is 70.

CONTRIBUTION: $2\frac{1}{2}\%$ of salary and $4\frac{1}{2}\%$ in excess of an amount specified as subject to withholding.

RETIREMENT BENEFITS: Actuarially determined.

DEATH BENEFITS: May be paid in the form of beneficiary annuities to judge's widow or minor children if the amount of the benefit is sufficient to provide an annuity of \$10 per month, otherwise the heirs are paid lump sum of judge's contribution, not less than \$500.

DISABILITY RETIREMENT: Any age with 5 years participation in the retirement program or immediately if disability is occupationally incurred. Annuity will not be less than annuity from additional deposits to the fund he may have made plus the lesser of (a) 50% of his final earnings or (b) 1½% final earnings times years of service including assumed service between disability and age 65. Annuity may be reduced 20% after 7 months if judge is eligible to receive Social Security primary or disability benefits. In event the amount that can be provided by judge's total retirement credits is greater than the above formula the judge may elect the former.

SERVICE AFTER RETIREMENT: Retired Supreme and Circuit judges serve as circuit judges upon assignment by chief justice; compensation is \$50 a day and expenses. In addition retired county judges may now serve upon assignment by chief justice at same rate of compensation.

CITATION: West's Wisc. Stats. Ann., Vol. 10, Chap. 66, §§ 90 through 918, pp. 112-98 and 1969 Cum. Pocket Supp.; Vol. 29, Chap. 252. § 075, p. 170; Const. Art. 7 § 24.

WYOMING

HIGHEST COURT	
Supreme Court	\$19,000*
GENERAL TRIAL COURT	
District Court	18,500*
LIMITED COURT	
Justice of the Peace.....	1,600 to 4,800**
Rural Areas	Fees
Constables	set locally
Municipal Courts	set locally

BENEFITS

HOSPITALIZATION: Policies with family coverage available, state pays \$7 per month on premium.

VACATION: No set policy but generally 1 month

HOLIDAYS: 10 plus election days.

EXPENSE ALLOWANCE: Per diem of \$13 in-state travel, \$16 out-state. Mileage allowance of 10 cents per mile.

RETIREMENT PLANS

JUDGES COVERED: Supreme and District Court.

AGE AND SERVICE REQUIREMENTS: Minimum is 65 after 18 years service in either or both courts, except service requirement is reduced one year for each year the judge is over 70. If judge has served between 6 and 18 years he is eligible for proportionately lower benefits.

CONTRIBUTION: None.

RETIREMENT BENEFITS: 40% of current salary of office; if judge has fewer years than the minimum his pension is proportion of regular allowance his total years of service bears to 18, or if he is over 70, to 18 minus judge's age less 70.

DEATH BENEFITS: None.

DISABILITY BENEFITS: None.

SERVICE AFTER RETIREMENT: Any retired justice may assist Supreme Court; any retired judge may sit on District Court; retired justices and judges may be called up to advise in matters before the legislature.

* Under Constitution Art. 5, § 17 increases during term of office are prohibited, however, when any change in personnel of any court or an additional judge is eligible to receive an increased salary, all judges or justices in same category also get it.

** Depending on population.

CITATION: Wyoming Statutes 1957, Tit. 5, Chap. 1, §§ 5-4, 5-16, and 5-47.

FEDERAL SYSTEM UNITED STATES

HIGHEST COURT	
Supreme Court	
Chief Justice	\$62,500
Associates	60,000
INTERMEDIATE APPELLATE COURTS	
U. S. Court of Appeals	42,500
GENERAL TRIAL COURTS	
U. S. District Court	40,000
Territorial Courts (Canal Zone, Virgin Islands, Puerto Rico and Guam)...	40,000
LIMITED AND SPECIAL COURTS	
Court of Claims	42,500
Court of Military Appeals	42,500
Court of Customs and Patent Appeals	42,500
Tax Court	40,000
Customs Court	40,000
COURT ADMINISTRATOR	
Director of Administrative Office of the Courts	40,000

DISTRICT OF COLUMBIA

HIGHEST COURT	
U. S. Court of Appeals for D.C.....	42,500
GENERAL TRIAL COURT	
U. S. District Court for D.C.	
Chief Justice	40,000
Judges	40,000
LIMITED AND SPECIAL COURTS	
D. C. Court of Appeals	
Chief Judge	29,000
Judges	28,500
D. C. Court of General Sessions	
Chief Judge	28,000
Judges	27,500
Tax Court	23,500
Juvenile Court	
Chief Judge	28,000
Judges	27,500

BENEFITS

HOSPITALIZATION: Covered by government health programs, premiums are shared.

VACATION: Not to exceed one month.

HOLIDAYS: Generally correspond to those observed in the place where the court sits.

EXPENSE ALLOWANCE: Judge reimbursed for official travel for actual expenses of \$30 per day or a per diem of \$16. Mileage allowance is 10 cents per mile.

RETIREMENT PLANS

JUDGES COVERED: Any justice or judge of the United States appointed to hold office during good behavior.

AGE AND SERVICE REQUIREMENTS: 65 after 15 years service, or 70 after 10, judges who retire after age 70 with at least 10 years service are eligible for certain retirement benefits.

CONTRIBUTION: None.

RETIREMENT BENEFITS: Salary of the office from which he retired. Territorial judges receive that portion of their salary at retirement that total years of service bears to 16.

DEATH BENEFITS: Widow of a justice receives an annuity of \$5,000 per year. Widow of a judge may receive an annuity of up to 37½% of his average final salary. Such annuity depends on the judge having made a 3% of salary contribution to the "judicial survivor's annuity fund."

DISABILITY BENEFITS: Any age with 10 years service full current salary, if less than 10 years service ½ that amount. Judges of territorial courts with 16 years service receive full current salary, if he has served between 10 and 16 years he receives the proportion of his salary which the number of his total years service bears to 16. Such annuity commences at age 65.

SERVICE AFTER RETIREMENT: Judges appointed for life tenure retire only from active service and retain their office and may be assigned to judicial service by the administrative head of the court.

CITATION: U. S. C. A., Title 28, Chap. 17 §§ 371 through 376.



calendar

PUERTO RICO

HIGHEST COURT

Supreme Court	
Chief Justice	\$27,500
Associates	27,000

GENERAL TRIAL COURT

Court of First Instance	
Superior Court*	22,900

LIMITED COURTS

District Courts*	17,000
Justice of the Peace**	3,000 to 4,000

COURT ADMINISTRATOR

Administrative Director of the Courts	22,900
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BENEFITS

HOSPITALIZATION: Group policies with family coverage available. Premiums paid by Commonwealth.

VACATION: 30 with 60 days for sick leave.

HOLIDAYS: 18 holidays.

EXPENSE ALLOWANCE: Reimbursement for travel expenses for meetings concerning administration of justice. Mileage allowance is 11 cents per mile and 1 cent for each official passenger. Per diem, according to salary, paid to judges for official business outside residence.

RETIREMENT PLANS

JUDGES COVERED: Supreme, Superior, and District Courts.

AGE AND SERVICE REQUIREMENTS: 60 after 10 years service, deferred benefits available for retirement before 60 after 10 years service. Retirement allowed at 59, 58, 57 with 23, 24, 25 years of service respectively. Retirement mandatory at 70.

CONTRIBUTION: 7½% of salary.

RETIREMENT BENEFITS: 25% of average salary over last 5 years plus 25/72 of one percent of his average salary for each month of service over 10 years not to exceed ¾ of average salary.

DEATH BENEFITS: Any judge may choose a reduced benefit of not less than \$120 a year to provide his widow with a pension which is the actuarial equivalent of the pension the judge was entitled to before electing the option. If judge dies in active service, his heirs receive his contributions to pension fund and a lump sum equivalent to his annual salary. In event of death after retirement, his heirs receive his surplus contribution.

DISABILITY BENEFIT: Any age with 10 years service, pension equal to ¾ of regular annuity at age 60 reduced by any other compensation or insurance he receives.

SERVICE AFTER RETIREMENT: No specific provision.

CITATION: Laws of P.R. Ann., Vol. 1, 1959 Cum. Pocket Supp. Title 4, 233-46 pp. 165-176.

* These courts are divisions of the Court of First Instance: District Court has limited civil and misdemeanor jurisdiction and Superior Court has jurisdiction over all other civil and criminal matters.

** Raise in salary every two years of service, \$300 per annum up to \$4,800.

American Judicature Society Meetings

January 28-29, 1971 Missouri Nominating Commissioners Institute, Kansas City, Missouri

February 8, 1971 Midyear Meeting
Palmer House,
Chicago, Illinois

March 11-14, 1971 National Conference on the
Judiciary
Williamsburg, Virginia

April 28, 29, 30, 1971 New Jersey Citizen's
Conference
Cherry Hill, New Jersey

July 1971 Annual Meeting
New York City

February 1972 Midyear Meeting
New Orleans, Louisiana

August 1972 Annual Meeting
San Francisco, California

Trial Judges' Seminars of the National College of State Trial Judges

February 15-19, 1971 Chief Justices and Judges
Court Administration
Conference on the
Metropolitan Courts,
Williamsburg, Virginia

April 14-16, 1971 Virginia Judicial Conference
Hot Springs, Virginia

May or June 1971 Florida Judicial Conference

June 1971 Institute of Court Management
University of Denver Law
Center
Denver, Colorado

August 1971 South Carolina Judicial
Seminar
Columbia, South Carolina



Merit Selection for Indiana; Seven States Achieve Significant Reforms

Judicial reform had a banner year in 1970, as seven states adopted major improvements. The highlights of the November election were the adoption of merit selection in Indiana and a merit-based plan for some Maryland judges.

The details:

Indiana

Indiana voters have overwhelmingly approved a judicial amendment including merit selection for all appellate judges.

The proposition carried the November 3 election with more than 55% of the vote.

Justices of the supreme court and judges of the new court of appeals will be appointed by the governor from a list of three nominees submitted by a seven-member non-partisan commission. The appointee will then run for retention after two years of service and every ten years thereafter.

The nominating commission, which will also serve as the judicial qualifications commission, will consist of three attorneys elected by the bar, three non-attorneys appointed by the governor, and the chief justice of the supreme court. No appointed commissioner shall hold any salaried public office or any office in a political party or organization.

The commission has the duty to seek out individuals with extraordinary legal skills, judicial temperament, and personal integrity. Each person nominated by the

commission must either have been admitted to the practice of law for ten or more years or shall have served as a trial judge for five or more years.

Except for justices of the peace, who are no longer constitutional officers, the amendment does not affect the trial courts.

The appellate courts will be reorganized into a supreme court and a multi-district court of appeals, the exact arrangement of which shall be determined by the legislature.

The amendment also provides for the nominating commission to serve as a judicial qualifications commission to retire or remove appellate judges who are unable or unwilling to perform their responsibilities. Trial court judges remain subject to the old law, whereby removal can occur only upon impeachment by the legislature after conviction of corruption or other high crime.

This ratification of Constitutional Amendment No. 2 was a great victory for the Indiana Citizens for Modern Courts of Appeal, which with the American Judicature Society, the League of Women Voters of Indiana, and the Indiana State Bar Association, sponsored the Second Citizens' Conference on Indiana Courts, July 23-24, 1970. (November, 1970, *JUDICATURE*, p. 169).

Indiana thereby becomes, as of the effective date of the amend-

ments — January 1, 1972 — the 20th state to adopt merit selection.

Maryland

Judicial reform in Maryland, considered dead after its excellent proposed constitution was defeated in May 1968, came back in fine style on November 3, 1970.

The voters adopted new provisions reorganizing the lower courts, adding a merit-based system for selecting district court judges. The machinery for removing unfit judges was also improved.

Part of the impetus for reform came from the Citizens' Conference on Maryland Courts and Justice, which was co-sponsored by the American Judicature Society at Annapolis, September 5-6, 1969, (March, 1970, *JUDICATURE*, p. 347).

Under the new district court appointment system, the governor appoints judges, subject to confirmation by the state senate. At the end of the term, the governor is required to renominate the same judge, and the senate decides whether to reconfirm.

The merit selection feature was added in July when Governor Marvin Mandel announced at an American Judicature Society breakfast that he had issued executive orders establishing judicial nominating panels, subject to the approval of the amendment.

The appointment panels will consist in equal numbers of law-

yers elected by the bar and laymen appointed by the governor, with a chairman also appointed by the governor.

Maryland has retained the previous appointment system for other judges, whereby the governor appoints the judge, but the appointee must face a contested election for a full term at the next election.

Maryland has had a judicial removal commission since 1966, but judges could be removed only by the general assembly. The legislature will retain this impeachment power, but the Commission on Judicial Disabilities will now report on disabled or unfit judges to the court of appeals, which has the ultimate removal authority.

The third change sets up a uniform district court system to replace the present lower courts.

There were reform actions in these other states in 1970:

Alaska

Alaska adopted two major reforms in the administration of its courts in a referendum on August 25, 1970, by margins of more than 2 to 1.

The office of chief justice of the Supreme Court of Alaska will now be rotated every three years and filled by vote of the members of the court. While a chief justice may serve more than one term, such terms may not be consecutive. The appointment was previously made by the governor for an unlimited term.

The administrative director of the courts will now serve at the pleasure of the entire court, instead of only the chief justice.

Arizona

A modern judicial qualifications commission was established in Arizona as the result of a November 3, 1970, referendum.

The new commission eliminates the cumbersome requirement of recall election and impeachment, the only methods earlier available to remove a judge. It will have nine members—judges, lawyers, and laymen—who will serve without pay. Upon information or complaint, it will investigate charges against allegedly unfit judges and report to the supreme court.

The voters also approved creation of a commission to recommend changes in the rate of pay of elective state officials, including judges.

Arkansas

The proposed new constitution for Arkansas lost at the polls on November 3, 1970, carrying several judicial reforms to defeat.

The new judicial article would have unified the lower courts, created a court of appeals, abolished separate courts of law and equity, granted rule-making power to the supreme court, put judges on a non-partisan ballot, and established a judicial retirement and disability commission.

District of Columbia

A commission on judicial disabilities and tenure, approved by Congress in July, will take effect on February 1, 1971. It will consist of five members and has been given rule-making powers. A decision of the commission will be appealable to a special court of three federal judges.

Florida

A judicial article which would have simplified the Florida court structure, enlarged the powers of the judicial qualifications commission, and provided for adoption of merit selection of judges by legislative action was narrowly defeated on November 3, 1970.

The article was the end result of a 1964 citizens' conference, co-sponsored by the American Judicature Society, and a constitutional revision commission. The recommendations had, however, been so greatly altered in the legislature that the Florida Bar had refused to endorse the final proposal, and the circuit judges association had actively opposed it.

The various interested groups are already working together to prepare a new article for future submission.

Idaho

The voters of Idaho defeated a proposed new constitution, containing important judicial changes, on November 3, 1970.

The judicial article would have provided a federal-type system of judicial appointment for the supreme court and allowed the legislature to adopt a similar system for district courts. It would have created a unified court system supervised by the supreme court, with the chief justice as administrative head, given rule-making powers to the supreme court, and spelled out the limitations of the 1967 act establishing a judicial qualifications commission.

Missouri

In addition to the adoption of



merit selection in St. Louis County (November 1970, *JUDICATURE*, p. 109), the voters of Missouri adopted a statewide judicial qualifications commission on August 4, 1970.

The six-member commission will consist of two lawyers selected by the Missouri Bar, two non-lawyers appointed by the governor, one appeals judge elected by all appeals judges, and one circuit judge elected by all circuit judges.

The commission can recommend to the supreme court the removal of any judge or magistrate who is unable to perform his duties or who has demonstrated unfitness to hold judicial office. Four members must concur in any such recommendation.

North Dakota

The voters selected 98 delegates to the 1972 constitutional convention in balloting on November 3, 1970.

Committees will be organized on April 7, 1971, and hold hearings until the 30-day regular convention session opens on January 4, 1972.

Nebraska

Three amendments approved on November 3 will remove justices of the peace as constitutional officers and permit establishment of a unified state court system, require redistricting of supreme court districts every 10 years, and permit assignment of retired judges to temporary duty.

Texas

An extension of the judicial qualifications commission, adopted in

1965 and patterned after the California plan, to virtually all the courts of Texas was adopted by a vote of more than 2 to 1 on November 3, 1970.

The amendment makes it possible for the legislature to make further extensions as it sees fit.

Virginia

Virginia adopted a new judicial article as part of a general constitutional referendum by an overwhelming margin on November 3, 1970.

The changes give the general assembly the authority to create a judicial inquiry and review commission with jurisdiction over most state judges, the state corporation commission, and other personnel exercising judicial functions.

Judge Joseph A. Sullivan Elected President of Metropolitan Courts Group

The ninth annual meeting of the National Conference of Metropolitan Courts was held at Miami Beach, October 21-23, 1970.

The Conference was established in 1962 to assist judges in the largest courts in the nation. While there are no formal requirements, attendance is traditionally limited to judges from jurisdictions of over 800,000 persons. The 1970 session was attended by more than 80 persons from 32 courts.

At the close of the session, Judge Joseph A. Sullivan of Detroit was elected president of the Conference, and Justice William B. Groat of Jamaica, New York, was named chairman of the executive committee. Justice Tom C. Clark of Washington, D.C., will continue as hon-



JUDGE SULLIVAN



JUSTICE GROAT

orary chairman.

Other officers are Judge Raymond J. Arata of San Francisco, first vice president; Justice John V. Corrigan of Cleveland, second vice president; and Dean Laurance M. Hyde, Jr., of Reno, Nevada, secretary.

In addition to Mr. Justice Clark, Justice Groat and the immediate past president, Judge William A. Herin of Miami, the executive committee will consist of Judge John S. Boyle of Chicago, Judge William J. Wilkins of Seattle, Justice G. Joseph Fauro of Boston, Judge Lewis Dickson of Houston

and Judge Kenneth N. Chantry of Los Angeles.

Mr. Justice Clark, retired associate justice of the Supreme Court of the United States, opened the conference by reporting on his experiences on the federal trial bench in San Francisco. He blamed crowded dockets on archaic file systems, indifferent and poorly trained courthouse personnel, and on lawyers who file long, dilatory pleadings and who are unprepared to argue the law. He suggested more and better court administrators, greater use of computer technology, and training programs for courtroom clerks.

He also questioned the most common answer to court congestion, saying, "We do not need more judges. We have been 'putting on more men' for years, and we are as far behind as ever. What we need is better management."

The other featured speakers were Judge David W. Dyer of Miami, judge of the United States Court of Appeals for the Fifth Circuit, and United States District Judge Frank J. Murray of Boston.

Judge Dyer discussed the relationship between state and federal courts. He found two problem areas—the lack of independence of state court judges, and conflicting decisions caused by the overlapping jurisdiction of the two systems.

He called for the elimination of politically elected judges by adoption of plans for merit selection and urged judges of both systems to work together to expand the role of the state courts.

Judge Murray talked about the

challenges faced by the courts as a "new breed of apostles of unrest" attacks the dignity of the courts. He outlined recommendations for handling possible contempt of court and cautioned his audience to remember that the goal of any trial is "to reach a definitive conclusion of the matter at hand," and not to exact revenge for insults to the court.

The primary topics were court management, automobile insurance plans, and methods to increase the prestige and effectiveness of the trial bar.

Participating as speakers, in addition to Judge Boyle, Dean Hyde, Judge Dickson, and Judge Chantry, were Judge Horace W. Gilmore of Detroit, Edward C. Gallas of New York, Judge Walter J. McLaughlin of Boston, Delmar Karlen of New York, Walter H. Beckham, Jr., of Miami, Ernest C. Friesen, Jr., of Denver, and William B. Eldridge of Washington, D.C.

The next conference will be held during October, 1971, in Detroit.

Michigan Decision Advances Concept of Unified Court

A judicial decision destined to become a landmark in the field of court administration and judicial independence has been handed down by the Supreme Court of Michigan. The court held that a court has the inherent power to bind the state or the county contractually when an expenditure is necessary to exercise its judicial powers.

The case, *Judges for Third Judicial Circuit v. County of Wayne*,

et al, 172 N.W. 2d 436 (1969) is an important advance in the concept of the unified court in Michigan and in other states.

The court held that *irrespective of the statute on the subject*, a judicial assistant of the type contemplated by the statute is a practical necessity for the effective continuing operation of a metropolitan circuit court consisting of 27 judges and that the Circuit Court had *inherent* power to hire such staff as it needed.

STATEMENT OF OWNERSHIP, MANAGEMENT AND CIRCULATION (Act of October 23, 1962; Section 4369, Title 39, United States Code)

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 - E. Total distribution: 50,400; 51,300.
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- I certify that the statements made by me above are correct and complete.
CLARETTE P. BEIN, Editorial Assistant

The AMERICAN
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Fifty-Eighth Midyear Meeting



Chicago, Illinois

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Tickets at \$5.00 each may be purchased at the door.



THE AMERICAN JUDICATURE SOCIETY

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MOBILE AND MODULAR HOMES FOR COLD REGIONS

DAVID SCHAEFER

The Federal government has estimated that 27 million new homes will be needed in the next 10 years. Presently, the home construction industry is capable of building about 1.8 million homes per year, or 18 million in the next 10 years. If this were the only method of production America could expect a shortage of 9 million homes by 1980, but fortunately the mobile and modular home industries can offer some help. Washington recently forecasted that by 1980 one in every five Americans will be living in a factory-built home.

Alaska is in a more desperate situation than most other states. A significant portion of its population lives in substandard homes and the State's growth rate is higher. Anchorage quadrupled its population between 1950 and 1960, while the Fairbanks population tripled during these same years. Such growth rates are not uncommon for other Alaskan cities and show no signs of decreasing. In some cases they are increasing. During the month of October 1970 there were 1,334 homes under construction in Anchorage. The role of factory-built homes is becoming more important. Anchorage added 750 new mobile home spaces to existing and new mobile home courts in 1970; all these spaces are presently filled.

Instant Housing

What can factory-built housing offer? First and foremost it can fill the gap between housing needs and capabilities. Secondly, it can offer substantial savings in initial cost. And thirdly, it is in effect "instant housing" which is important to Alaskans since they face short construction seasons: A factory works year-round and can ship homes any place on demand.

Factory processes enable a company to assemble a home much faster than a normal contractor could put up a "stick built" one. On an assembly

line it is not uncommon for a 12 x 60 mobile home to be built in as few as 200 man-hours. Some large companies in California produce 20 million square feet of building per year, equivalent to 20,000 homes of 1,000 square feet, or enough to give every family in the Fairbanks area a new home in one year.

Mobile and Modular

The zenith of factory-built homes are the modular and mobile homes. This industry is one of the fastest growing in the United States, building homes that require minimal on-site preparation. The mobile home only requires hookup of outside electrical, water and waste systems. The modular home requires these three features plus a foundation. A mobile home can be set up in a matter of hours, while the modular home requires a couple of days.

The mobile is basically a rectangular box space frame. Most manufacturers build these up to 14 feet wide and 68 feet long, generally the maximum allowable size due to transportation restrictions. The double-wide is a third type of finished factory home which might be mentioned here. This is merely two mobile homes bolted together at the home site, affording more living space. It is built to the same specifications as the normal mobile home, usually those of the Mobile Home Manufacturers Association sponsored ASA 119.1.

The modular home is in effect a "stick built" factory home. It must conform to all local building codes, and in some ways is better constructed than a "stick built" since it must stand up during transportation to the home site. Modular units are also popular for apartments, town houses and motels. When used in these capacities they must meet local building and fire codes for multifamily dwellings.

Design Limitations

Housing is one of the few commodities that is not mass produced, but if Alaskans are to receive the adequate housing they need they must rely at least partially on factory-built homes. At the same time they must insist the homes meet the basic requirements for the State's special climatic conditions. The most economical structure is not necessarily the one with the lowest initial cost. The actual cost depends on the initial cost plus the cost of maintaining the structure throughout its useful life.

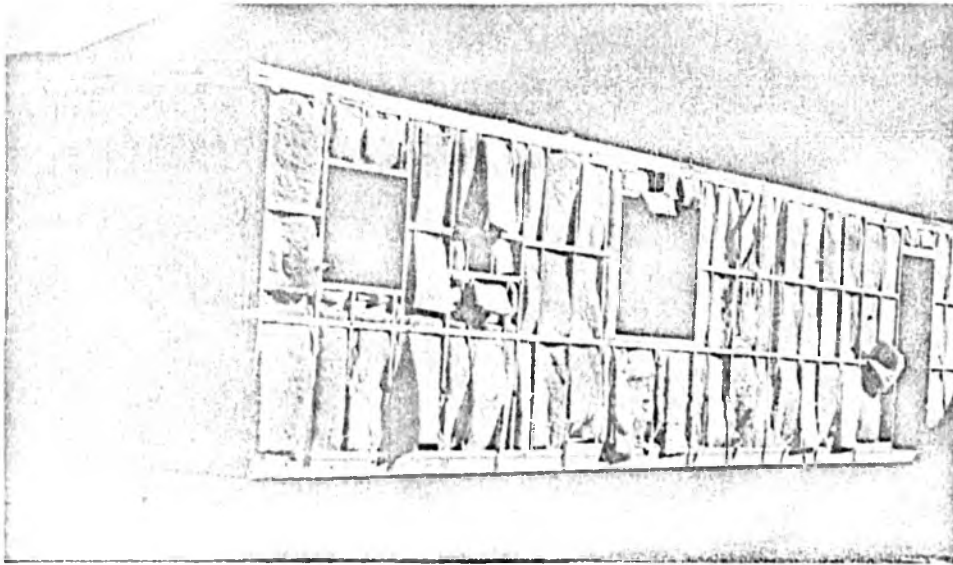
For a home to function properly in an Arctic or subarctic climate, certain aspects of design must be given greater importance by the builder. For instance, large furnaces capable of keeping the unit comfortable at 50 degrees below zero are necessary, as are roofs capable of withstanding 30 and 40 pounds per square foot snow loads.

One of the largest problems of factory-built homes rises from the reluctance of manufacturers to design special units for the relatively small market potential of cold regions. There is currently a mobile and modular home factory in Palmer, Alaska. Hopefully this factory will build exclusively for boreal environments.

Construction

Mobile homes generally have 2 x 3 wall construction with 1 to 2½ inches of fiber glass insulation. The interior wall is 3/16 to 1/4 inch prefinished paneling and the exterior is 0.019 inch aluminum sheeting. The maximum insulating quality of such a wall is R=10, with most mobile homes having an R=5 insulating factor. In Interior Alaska, however, it is almost mandatory that walls have at least an R=15. Four inches of fiber glass insulation give an R=16 insulating factor. Modular homes generally have a 2 x 4 wall construction with plaster-board and prefinished paneling on the interior, and plywood or siding on the exterior. These homes have 3½ inches of insulation, sufficient for cold regions.

A mobile home generally does not have a vapor barrier on the interior



Typical mobile home prior to installation of exterior finish. Insulation thickness 1-1/8", no vapor barrier, and insulation is not stapled to studs.

side. In fact many manufacturers put a vapor barrier on the exterior wall. A vapor barrier is to intercept moisture as it passes through the interior wall, for if it is allowed to condense within the insulation ice or frost will form, considerably reducing the insulating quality of the wall and causing other problems when the ice melts. In cold regions the difference in vapor pressure between the interior and exterior of a structure can be nearly 1/2 pound per square inch. Ventilation can help reduce the vapor problem, but ventilation is insufficient when outside temperatures are below -25°F. Modular home manufacturers generally put vapor barriers on the warm side of the structure. They seem to have more flexible assembly line processes that allow modifications for climatic conditions.

Another area of importance to cold region home owners is the heating system installed in the units. Here again, modular home builders can furnish almost any kind and size heater. Mobile home manufacturers on the other hand are restricted; only a few companies make heating units especially for mobile homes. It is not uncommon for homes to be shipped to Alaska with insufficient heating capacity. With an outside air temperature of -50°F and an inside temperature of +70°F, an R=10 wall will transmit about 12 BTU/HR/ft². If there are 4

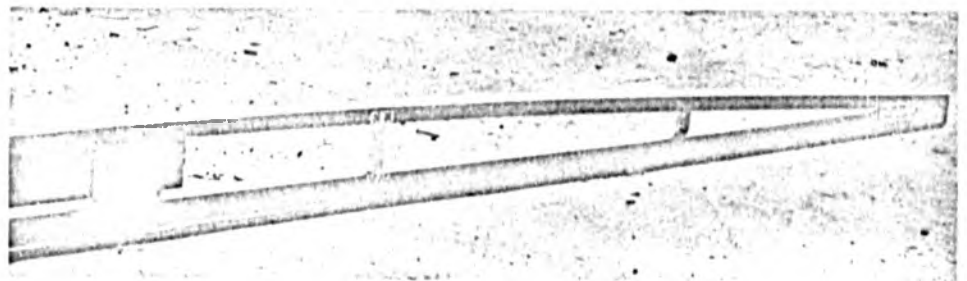
air changes per hour the heating requirement for a home with 3,000 square feet of wall space will be about 110,000 BTU/hr. The largest furnace provided for mobile homes is about 85,000 BTU/hr. Hence, on those days when the temperature is extremely cold the home owner can expect some discomfort. Also, there is increased fire hazard from overworking a furnace. Every effort should be made by dealers and customers to insure that the furnace of the home is of adequate size.

Design criteria for snow and wind loads generally call for 30 pounds per square foot for most of Alaska. There are some areas, notably around Valdez, where snow loads are considerably higher. But the Mobile Home Manufacturers Association sponsored code only recommends roof truss design for 20 pounds per square foot. This inadequate feature has caused

some problems in the Fairbanks area this winter. Several new mobile home roofs collapsed due to excessive snow. Others were near collapse, but the owners removed the snow before permanent damage occurred. Modular homes generally call for roof truss design of 40 to 55 pounds per square foot live load.

When constructing a normal "stick built" home the builder normally covers the studs with plasterboard, or some other fire retardant material. Mobile homes, however, do not use this method and hence have a tendency to burn very fast when they happen to catch fire. Exits from mobile homes are often limited also. The manufacturer is required to put in a second door for the fire exit but this is normally a metal clad mobile home door. During the winter months these doors often frost shut, or the home owner covers them to prevent frosting. In any event, during the time of greatest fire hazard there is often only one usable exit from the home. The furnaces are generally in the middle of the home and should a person be caught in a back bedroom when a fire starts he has very little time to get out. Although some manufacturers are using a fire retardant prefinished panel for interior finishing, they are unfortunately in the minority.

These are some examples of the special considerations manufacturers of factory-built homes must take if they are going to supply a product suitable to cold regions. Consumers, as well, must demand their new homes have as many arctic features as possible. They must also consider a mobile or modular home a perma-



Bow truss used in mobile homes. Design calls for only 20 psf snow load.

January 18, 1972

Allan A. Engstrom, Esquire
Davidson, Engstrom & Evans, Attorneys
201 National Bank of Alaska Building
Juneau, Alaska 99801

Re: H.B. 358 - Relating to Hospitals

Dear Allan:

I have your letter of January 12 concerning your wish to be heard, as the representative of Blue Cross Washington-Alaska, on the subject bill. This bill is still in the committee of first referral (Commerce) and will not be in this committee until reported back to the House.

You may wish to request Representative Kerttula that you be heard by Commerce. In any case, I will be happy to have your presentation when, and if, the bill reaches Judiciary.

Sincerely,

William J. Moran

cc: Representative Kerttula

DAVIDSON, ENGSTROM & EVANS

ATTORNEYS AT LAW

JUNEAU, ALASKA 99801

C. GIRARD DAVIDSON
ALLAN A. ENGSTROM
GORDON E. EVANS

201 NATIONAL BANK OF ALASKA BUILDING

TELEPHONE 586-1445

January 12, 1972

Hon. William Moran
Chairman, House Judiciary Committee
State Capitol Building
Juneau, Alaska 99801

Re: H. B. 358

Dear Bill:

On April 1, 1971, I advised you by letter that I represented Blue Cross Washington Alaska, Inc., and that we had a special interest in H. B. 358, which is in your committee. We would again appreciate the opportunity to appear before your committee prior to any action on the bill. We will be prepared to appear before your committee at your convenience.

Yours very truly,



ALLAN A. ENGSTROM

AAE: rhm

Commerce
3/26/71

HB-363

Staff Report: Nebraska and New York have laws identical in substance to the proposal. In Nebraska the level is 0.10% and in New York it is 0.15% (reduced to 0.12% in 1971).

11. COMBINED INFLUENCE OF ALCOHOL AND DRUGS

Subcommittee Recommendation: Add a new section to the Code making it unlawful for a person to drive while under the combined influence of alcohol and any drug.

Summary of Deliberations: At the 1968 meeting, the Subcommittee reaffirmed its earlier approval of the proposal in principle. However, certain evidentiary problems, such as the presumption of non-intoxication when the blood alcohol level is under 0.05%, were noted in conjunction with adopting a provision on the combined use of alcohol and drugs. Thus, the proposal was tabled for the purpose of a thorough review by the staff concerning any possible difficulties that must be overcome in enforcing such a law.

At the 1970 meeting, the staff reiterated its opinions on this proposal and amplified its report on state laws. The major difficulty with such a law was determined to be the absence of any accurate testing methods to show the presence of drugs or the effect on a person of the combined use of drugs and alcohol. From that standpoint there would be no more difficulty with the proposal than with the large number of existing laws on driving under the influence of drugs alone. It was noted that the NHTSA is currently studying drug use by drivers and is concerned about the difficulty in obtaining convictions under laws designed to combat the problem of drugs and driving.

A motion to amend the proposal by adding express definitions of what constitutes a drug was defeated. A motion to approve the proposal was passed unanimously.

Amendment that was offered was too indefinite - not so much that it didn't need a definition of drug.

There is ample evidence that the combination of alcohol and certain kinds of drugs such as barbiturates or other central nervous system depressants can seriously impair mental and physical functions even when neither substance, alone, is ingested in sufficient quantity to cause any adverse effects. Obviously, then, such combinations are particularly dangerous from the standpoint of operating a motor vehicle and have been so recognized by the legislatures of five states whose laws have been amended to prohibit driving under the combined influence of alcohol and a drug. These laws provide:

California -- "It is unlawful for any person who is under the influence of intoxicating liquor, or under the combined influence of intoxicating liquor and any drug, to drive a vehicle upon any highway."

Connecticut -- prohibits the operation of a motor vehicle while under the influence of intoxicating liquor or any drug, or both.

Iowa -- prohibits operation of a motor vehicle on the highway while in an intoxicated condition or under influence of narcotic and/or hypnotic drugs or a combination of such drugs and alcohol.

Massachusetts -- prohibits operation of a motor vehicle "while under the influence of intoxicating liquor or narcotic drugs, as defined in section 197, ch. 94, or under the influence of barbiturates, amphetamines, or other hypnotic or somnifacient drugs, or under the influence of the vapors of glue, carbon tetrachloride, acetone, ethylene dichloride, toluene chloroform, xylene or any combination thereof."

Minnesota -- "It shall be unlawful . . . for any of the following persons to drive, operate or be in actual physical control of any vehicle within this State:

- (a) A person who is under the influence of an alcoholic beverage or narcotic drug;
- (b) A person who is an habitual user of narcotic drugs;
- (c) A person who is under the influence of a combination of any two or more of the elements named in subsections (a) and (b)."

Even without the existence of such express statutes, however, several courts have held that a person operating a motor vehicle while under the combined influence of alcohol and a drug is guilty of driving while under the influence of intoxicating liquor if there is evidence showing that his ability to drive, although partially impaired by the use of a drug, is also adversely affected by the consumption of an alcoholic beverage. Several factors should be considered in determining whether to prosecute a person for driving while under the influence of a drug, or both: the nature of the drug involved, the extent of use of the drug and the alcoholic beverage, the wording of the applicable laws, state rules on criminal procedures, interpretative court decisions and applicable constitutional provisions. Some interesting legal questions raised in this connection are:

(1) Can a person charged with driving while under the influence of intoxicating liquor, and found not guilty by reason of being exclusively under the influence of a drug, be re-charged and re-tried for having driven while under the influence of a drug, presuming, of course, that it is unlawful to drive while under the influence of the particular drug used by that person? The answer would depend to a large extent on the interpretation of the law or laws involved and state constitutional provisions on "double jeopardy." The issue would have to be similarly resolved if a person were charged with driving while under the influence of a drug and it was shown during the trial that he was exclusively under the influence of intoxicating liquor.

(2) Can an indictment or complaint allege in one count that the person was driving while under the influence of intoxicating liquor and allege in a second count that the person was driving while under the influence of a drug?

(3) What is the legal effect of a low blood-alcohol ratio under a chemical test law when the person has consumed both liquor and drugs? If the law contains the same chemical test provisions as the Code, for example, a blood alcohol ratio of less than 0.05 percent would give rise to the presumption that the defendant was not under the influence of intoxicating liquor and, therefore, further evidence would have to be introduced to rebut that presumption.

Staff Survey

The staff has contacted enforcement and administrative personnel in each of the states with a comparable law to determine what major difficulties are encountered. The response ranged from enthusiastic (California) to unfavorable (Massachusetts).

In California it was determined that prosecutions for driving while under the combined influence of alcohol and drugs are instituted when preliminary investigation reveals the probability that simple drunk driving charges will not be successful, and, at the same time, evidence as to the use of drugs will not sustain a finding that the defendant was "incapable of driving safely." Officials in that state report a large number of convictions for driving under the combined influence without any special problem for prosecutors to overcome. It should be noted, however, that California does not establish presumptions for blood alcohol since it omits a law comparable to UVC § 11-902(b).

2. CONSOLIDATION OF ARTICLE 9 OFFENSES

If the National Committee approves the recommendations in the prior two items, two new sections would be added to Article 9 of Chapter 11 -- one dealing with an unlawful alcohol-blood level and a second dealing with alcohol-drug driving.

Because this article already has sections numbered 11-902, 11-902.1 and 11-902.3, merely adding these two sections would create two more sections having a decimal (11-902.4 and 11-902.5). To avoid renumbering problems and to consolidate the four offenses, the staff recommends the following draft:

§ 11-902 -- Drivers with ability impaired by alcohol or drugs

(a) A person shall not drive or be in actual physical control of any vehicle while:

1. There is 0.10% or more by weight of alcohol in his blood;
2. Under the influence of alcohol;
3. Under the influence of any drug to a degree which renders him incapable of safely driving; or

4. Under the combined influence of alcohol and any drug to a degree which renders him incapable of safely driving.

(b) The fact that any person charged with violating this section is or has been legally entitled to use a drug shall not constitute a defense against any charge of violating this section.

(c) Every person convicted of violating this section shall be punished by imprisonment for not less than 10 days nor more than one year, or by fine of not less than \$100 nor more than \$1,000, or by both such fine and imprisonment. On a second or subsequent conviction he shall be punished by imprisonment for not less than 90 days nor more than one year, and, in the discretion of the court, a fine of not more than \$1,000.

The above draft would replace existing §§ 11-902(a), 11-902.1 and 11-902.2 and would incorporate the two new provisions. Section 11-902.2(b) would be deleted because license revocation is and should be covered in UVC Chapter 6. Also deleted are the portions of existing § 11-902.1 dealing with habitual users of narcotic drugs and persons under the influence of narcotic drugs. The latter category of persons is adequately covered by draft § 11-902(a)3. As to driving by habitual users, the staff suggests that draft § 11-902(a)3 should also be adequate and there is no need to continue this prohibition.

The Subcommittee recommendation would additionally require changes in several other Code sections to reflect the changes made in § 11-902. Thus the Code's chemical test provision would be revised and repositioned, and Code §§ 6-205, 6-205.1 and 16-105 would require revision as follows:

§ 11-902.1 -- Chemical tests

(a) Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by any person while driving or in actual physical control of a vehicle while ability was impaired by alcohol or drugs, evidence of the amount of alcohol or drug in a person's blood at the alleged time, as determined by a chemical analysis of the person's blood, urine, breath or other bodily substance, shall be admissible. Where such a chemical test is made the following provisions shall apply:

1. [(c)] Chemical analyses of the person's blood, urine, breath, or other bodily substance to be considered valid under the provisions of this section shall have been performed according to methods approved by the State department of health and by an individual possessing a valid permit issued by the State department of health for this purpose. The State department of health is authorized to approve satisfactory techniques or methods, to ascertain the qualifications and competence of individuals to conduct such analyses, and to issue permits which shall be subject to termination or revocation at the discretion of the State department of health.

2. [(d)] When a person shall submit to a blood test at the request of a law enforcement officer under the provisions of § 6-205.1, only a physician or a registered nurse (or other qualified person) may withdraw blood for the purpose of determining the alcoholic content therein. This limitation shall not apply to the taking of breath or urine specimens.

3. [(e)] The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person of his own choosing administer a chemical test or tests in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test or tests taken at the direction of a law enforcement officer.

4. [(f)] Upon the request of the person who shall submit to a chemical test or tests at the request of a law enforcement officer, full information concerning the test or tests shall be made available to him or his attorney.

5. [(4)] Percent by weight of alcohol in the blood shall be based upon grams of alcohol per 100 cubic centimeters of blood. (REVISED, 1968.)

(b) Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by any person while driving or in actual physical control of a vehicle while under the influence of [intoxicating liquor] the amount of alcohol in the person's blood at the time alleged as shown by chemical analysis of the person's blood, urine, breath, or other bodily substance shall give rise to the following presumptions:

1. If there was at that time 0.05 percent or less by weight of alcohol in the person's blood, it shall be presumed that the person was not under the influence of [intoxicating liquor.] → alcohol.

2. If there was at that time in excess of 0.05 percent but less than 0.10 percent by weight of alcohol in the person's blood, such fact shall not give rise to any presumption that the person was or was not under the influence of [intoxicating liquor] but such fact may be considered with other competent evidence in determining whether the person was under the influence of [intoxicating liquor.] → alcohol.

3. If there was at that time 0.10 percent or more by weight of alcohol in the person's blood, it shall be presumed that the person was under the influence of [intoxicating liquor.] → alcohol.

(Former subsection (b)4 moved to (a)5 above.)

3. [5.] The foregoing provisions of paragraph (b) shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether the person was under the influence of [intoxicating liquor] → alcohol.

Comments: This draft moves the chemical test provisions out of § 11-902. The new section deals solely with chemical tests and is divided into two subsections. Subsection (a) deals with the procedures for performing chemical tests and it would be applicable to chemical tests performed where any of the four offenses under § 11-902 is suspected. The subsection specifically provides that the evidence of the amount of alcohol or drug in the blood as determined by the chemical test would be admissible. Subsection (b) retains the presumptive levels, except the presumption based upon a level of 0.10% which is deleted because it is superfluous in view of new § 11-902(a)1 making it unlawful for a driver to have a blood/alcohol ratio of 0.10% or more.

§ 6-205—Mandatory revocation of license by department

The department shall forthwith revoke the license of any driver upon receiving a record of such driver's conviction of any of the following offenses:

1. Manslaughter (or homicide by vehicle) resulting from the operation of a motor vehicle;
2. Driving or being in actual physical control of a motor vehicle while [under the influence of intoxicating liquor];
3. Driving a motor vehicle while an habitual user or under the influence of any narcotic drug or while under the influence of any other drug to a degree which renders him incapable of safely driving a motor vehicle;
3. [4.] Any felony in the commission of which a motor vehicle is used;
4. [5.] Failure to stop, render aid, or identify himself as required by § 10-102 in the event of a motor vehicle accident resulting in the death or personal injury of another;
5. [6.] Perjury or the making of a false affidavit or statement under oath to the department under this act or under any other law relating to the ownership or operation of motor vehicles;
6. [7.] Unauthorized use of a motor vehicle belonging to another which act does not amount to a felony.¹³ (SECTION REVISED, 1968.)

ability is impaired by alcohol or drug as prohibited by § 11-902

§ 6-205.1—Revocation of license in event of refusal to submit to chemical tests¹⁴

(a) Any person who operates a motor vehicle upon the [public] highways of this State shall be deemed to have given consent, subject to the provisions of § ~~11-902~~ to a chemical test or tests of his blood, breath, or urine for the purpose of determining the alcoholic content of his blood if arrested for any offense arising out of acts alleged to have been committed while the person was driving or in actual physical control of a motor vehicle while [under the influence of intoxicating liquor]. The test or tests shall be administered at the direction of a law enforcement officer having reasonable grounds to believe the person to have been driving or in actual physical control of a motor vehicle upon the [publ'] highways of this State while [under the influence of intoxicating liquor]. The law enforcement agency by which such officer is employed shall designate which of the aforesaid tests shall be administered.

11-902.1

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(b) Any person who is dead, unconscious or who is otherwise in a condition rendering him incapable of refusal, shall be deemed not to have withdrawn the consent provided by paragraph (a) of this section and the test or tests may be administered, subject to the provisions of § ~~11-902~~ →

11-902.1

(c) If a person under arrest refuses upon the request of a law enforcement officer to submit to a chemical test designated by the law enforcement agency as provided in paragraph (a) of this section, none shall be given, but the department, upon the receipt of a sworn report of the law enforcement officer that he had reasonable grounds to believe the arrested person had been driving or was in actual physical control of a motor vehicle upon the [public] highways of this State while [under the influence of intoxicating liquor] and that the person had refused to submit to the test upon the request of the law enforcement officer, shall revoke his license subject to review as hereinafter provided.

ability was
impaired by
alcohol or drugs

(d) Upon revoking the license, as hereinbefore in this section directed, the department shall immediately notify the person in writing and upon his request shall afford him an opportunity for a hearing in the same manner and under the same conditions as is provided in § 6-206(c) for notification and hearings in the cases of discretionary suspension of licenses, except that the scope of such a hearing for the purposes of this section shall cover the issues of whether a law enforcement officer had reasonable grounds to believe the person had been driving or was in actual physical control of a motor vehicle upon the [public] highways of this State while [under the influence of intoxicating liquor] whether the person was placed under arrest, and whether he refused to submit to the test upon request of the officer. Whether the person was informed that his privilege to drive would be revoked if he refused to submit to the test shall not be an issue. The department shall order that the revocation either be rescinded or sustained.

ability was
impaired by
alcohol or drugs

(e) If the revocation is sustained after such a hearing, the person whose license has been revoked, under the provisions of this section, shall have the right to file a petition in the appropriate court to review the final order of revocation by the department in the same manner and under the same conditions as is provided in § 6-212 in the cases of discretionary revocations and suspensions. (NEW SECTION, 1962; REVISED, 1968.)

§ 16-105—Arrests for serious offenses

(a) The authority of a police officer to make an arrest is the same as upon an arrest for a felony when such officer has reasonable and probable grounds to believe that the person arrested has committed any of the following offenses:

1. Homicide by vehicle;
2. Driving, or being in actual physical control of, a vehicle while ~~under the influence of intoxicating liquor~~ →
3. ~~Driving a vehicle while under the influence of any narcotic drug, or driving a vehicle while under the influence of any other drug to a degree which renders the person incapable of safely driving a vehicle;~~
3. ~~4.~~ Failure to stop, or failure to give information, or failure to render reasonable assistance, in the event of an accident resulting in death or personal injuries, as prescribed in §§ 10-102 and 10-104;
4. ~~5.~~ Failure to stop, or failure to give information, in the event of an accident resulting in damage to a vehicle or to other property, as prescribed in §§ 10-103 to 10-105 inclusive; (REVISED, 1968.)
5. ~~6.~~ Reckless driving;
6. ~~7.~~ Racing on the highway; or (NEW, 1968.)
7. ~~8.~~ Willfully fleeing from or attempting to elude a police officer. (NEW, 1968.)

ability is impaired by alcohol or drug as prohibited by § 11-902

Provided, however, that the manner of making arrests under this section shall be as in misdemeanor cases.

(b) Whenever any person is arrested as authorized in this section he shall be taken without unnecessary delay before the proper magistrate as specified in § 16-111, except that in the case of the offenses designated in paragraphs 5, 6, 7 and 8, a police officer shall have the same discretion as is provided in other cases in § 16-107. (REVISED, 1968.)

was approved Nov. 10, 1971

Comments: These revisions to Code §§ 6-205, 6-205.1 and 16-105 are necessary to provide for license revocation, implied consent to testing, and felony arrest powers in the case of the alcohol and drug offenses other than driving while under the influence.

13. TREATMENT FOR DRIVERS WITH ALCOHOL OR DRUG PROBLEM

Subcommittee Recommendation: Amend the penalty for a violation of § 11-902 to allow a commitment or an order to submit to supervised treatment as an alternate to fine or imprisonment.

ice for a total period of five consecutive years, and upon being relieved by the appropriate Secretary from active Federal service, National Guard, or Air National Guard units, shall, insofar as practicable, be returned to their National Guard or Air National Guard status in their respective States, Territories, the District of Columbia, and Puerto Rico, with pertinent records, colors, histories, trophies, and other historical impedimenta. (June 24, 1948, ch. 625, title I, § 21, as added June 30, 1950, ch. 445, § 2, 64 Stat. 318, and amended June 19, 1951, ch. 144, title I, § 1(x), 65 Stat. 87; July 7, 1952, ch. 584, § 1, 66 Stat. 440.)

REFERENCES IN TEXT

Selective Service Act of 1948, as amended, referred to in the first par., was redesignated Universal Military Training and Service Act by the amendment in act June 19, 1951, ch. 144, title I, § 1(a), 65 Stat. 75 to act June 24, 1948, ch. 625, title I, § 1(a), 62 Stat. 604, and was again redesignated Military Selective Service Act of 1967 by the amendment in Pub. L. 90-40, § 1(1), June 30, 1967, 81 Stat. 100. See section 451(a) of this Appendix.

AMENDMENTS

1952—Act July 7, 1952, authorized the President to retain unit organizations and their equipment, exclusive of individual members, for a period of five years.

1951—Act June 19, 1951, substituted "July 1, 1953" for "July 9, 1951", "twenty-four months" for "twenty-one months", and adding last sentence.

EX. ORD. NO. 10271. DELEGATION OF PRESIDENT'S AUTHORITY

Ex. Ord. No. 10271, July 7, 1951, 16 F.R. 6661, provided:

There is hereby delegated to the Secretary of Defense the authority vested in the President by section 21 of the Universal Military Training and Service Act (64 Stat. 318), as amended by the 1951 Amendments to the Universal Military Training and Service Act (65 Stat. 87; Public Law 51, 82d Congress) [this section], to order into the active military or naval service of the United States for a period not to exceed twenty-four months, with or without their consent, any or all members and units of any or all Reserve components of the Armed Forces of the United States and retired personnel of the Regular Armed Forces: *Provided*, that so much of the authority of the President under the said section 21, as amended [this section], as relates to any Reserve component of the United States Coast Guard or to retired personnel of the Regular Coast Guard is hereby delegated to the Secretary of the Treasury.

The Secretary of Defense is hereby authorized to redelegate, subject to such conditions as the Secretary may deem appropriate, to the Secretaries of the Army, Navy, and Air Force such functions under this order as affect their respective services.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 451, 453, 454, 455, 456, 459, 460, 461, 462, 463, 464, 465, 466, 467, 469, 470 of this Appendix.

§ 472. Period of increased service applicable to all personnel.

Wherever in this amendatory Act the period of active service for any category of persons is increased, such increased period of service shall be applicable to all persons in such category serving on active duty in the Armed Forces on the date of the enactment of this amendatory Act [June 19, 1951]. (June 19, 1951, ch. 144, title I, § 4, 65 Stat. 88.)

REFERENCES IN TEXT

Date of the enactment of this amendatory Act, referred to in the text, is act June 19, 1951, ch. 144, 65 Stat. 75, which generally amended this Appendix. See distribution tables for distribution of act.

CODIFICATION

Section was enacted as part of the 1951 Amendments to the Universal Military Training and Service Act, act June 19, 1951, ch. 144, 65 Stat. 75, and not as part of the Military Selective Service Act of 1967, act June 24, 1948, ch. 625, 62 Stat. 604. Title I of Act June 24, 1948, ch. 625, as amended, is classified to sections 451, 453, 454, 455, 456, and 458—471 of this Appendix. Title II of the Act was classified to various sections of former Title 10, Army and Air Force. See Tables volume. For location of such sections in revised Title 10, Armed Forces, see disposition table set out at the beginning of Title 10, Armed Forces.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 451, 453, 454, 455, 456, 459, 460, 461, 462, 463, 464, 465, 466, 467, 469, 470 of this Appendix.

§ 473. Regulations governing liquor sales; penalties.

The Secretary of Defense is authorized to make such regulations as he may deem to be appropriate governing the sale, consumption, possession of or traffic in beer, wine, or any other intoxicating liquors to or by members of the Armed Forces or the National Security Training Corps at or near any camp, station, post, or other place primarily occupied by members of the Armed Forces or the National Security Training Corps. Any person, corporation, partnership, or association who knowingly violates the regulations which may be made hereunder shall, unless otherwise punishable under the Uniform Code of Military Justice, be deemed guilty of a misdemeanor and be punished by a fine of not more than \$1,000 or imprisonment for not more than twelve months, or both. (June 19, 1951, ch. 144, title I, § 6, 65 Stat. 88.)

REFERENCES IN TEXT

Uniform Code of Military Justice, referred to in the text, is classified to chapter 47 of Title 10, Armed Forces.

CODIFICATION

Section was enacted as a part of the 1951 Amendments to the Universal Military Training and Service Act, act June 19, 1951, ch. 144, 65 Stat. 75, and not as a part of the Military Selective Service Act of 1967, act June 24, 1948, ch. 625, 62 Stat. 604. Title I of Act June 24, 1948, ch. 625, as amended, is classified to sections 451, 453, 454, 455, 456, and 458—471 of this Appendix. Title II of the Act was classified to various sections of former Title 10, Army and Air Force. See Tables volume. For location of such sections in revised Title 10, Armed Forces, see disposition table set out at the beginning of Title 10, Armed Forces.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 451, 453, 454, 455, 456, 459, 460, 461, 462, 463, 464, 465, 466, 467, 469, 470 of this Appendix.

SOLDIERS' AND SAILORS' CIVIL RELIEF ACT OF 1940

ACT OCT. 17, 1940, CH. 888, 54 STAT. 1178

Sec.

501. Short title.

ARTICLE I.—GENERAL PROVISIONS

510. Purpose; suspension of enforcement of civil liabilities.
 511. Definitions.
 512. Territorial application; jurisdiction of courts; form of procedure.
 513. Protection of persons secondarily liable.
 514. Extension of benefits to citizens serving with forces of war allies.
 515. Notice of benefits to persons in and persons entering military service.

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(Former subsection (b)4 moved to (a)5 above.)

3. [5.] The foregoing provisions of paragraph (b) shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether the person was under the influence of [intoxicating liquor]

alcohol.

Comments: This draft moves the chemical test provisions out of § 11-902. The new section deals solely with chemical tests and is divided into two subsections. Subsection (a) deals with the procedures for performing chemical tests and it would be applicable to chemical tests performed where any of the four offenses under § 11-902 is suspected. The subsection specifically provides that the evidence of the amount of alcohol or drug in the blood as determined by the chemical test would be admissible. Subsection (b) retains the presumptive levels, except the presumption based upon a level of 0.10% which is deleted because it is superfluous in view of new § 11-902(a)1 making it unlawful for a driver to have a blood/alcohol ratio of 0.10% or more.

§ 6-205—Mandatory revocation of license by department

The department shall forthwith revoke the license of any driver upon receiving a record of such driver's conviction of any of the following offenses:

1. Manslaughter (or homicide by vehicle) resulting from the operation of a motor vehicle;

2. Driving or being in actual physical control of a motor vehicle while [under the influence of intoxicating liquor];

3. Driving a motor vehicle while an habitual user or under the influence of any narcotic drug or while under the influence of any other drug to a degree which renders him incapable of safely driving a motor vehicle;

3. [4.] Any felony in the commission of which a motor vehicle is used;

4. [5.] Failure to stop, render aid, or identify himself as required by § 10-102 in the event of a motor vehicle accident resulting in the death or personal injury of another;

5. [6.] Perjury or the making of a false affidavit or statement under oath to the department under this act or under any other law relating to the ownership or operation of motor vehicles;

6. [7.] Unauthorized use of a motor vehicle belonging to another which act does not amount to a felony.¹³ (SECTION REVISED, 1968.)

*ability is impaired
by alcohol under
as prohibited by
§ 11-902*

§ 6-205.1—Revocation of license in event of refusal to submit to chemical tests ¹⁴

(a) Any person who operates a motor vehicle upon the [public] highways of this State shall be deemed to have given consent, subject to the provisions of § [11-902] to a chemical test or tests of his blood, breath, or urine for the purpose of determining the alcoholic content of his blood if arrested for any offense arising out of acts alleged to have been committed while the person was driving or in actual physical control of a motor vehicle while [under the influence of intoxicating liquor]. The test or tests shall be administered at the direction of a law enforcement officer having reasonable grounds to believe the person to have been driving or in actual physical control of a motor vehicle upon the [public] highways of this State while [under the influence of intoxicating liquor]. The law enforcement agency by which such officer is employed shall designate which of the aforesaid tests shall be administered.

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11-902.1,

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alcohol or drugs*

(b) Any person who is dead, unconscious or who is otherwise in a condition rendering him incapable of refusal, shall be deemed not to have withdrawn the consent provided by paragraph (a) of this section and the test or tests may be administered, subject to the provisions of § [11-902]

11-902.1,

(c) If a person under arrest refuses upon the request of a law enforcement officer to submit to a chemical test designated by the law enforcement agency as provided in paragraph (a) of this section, none shall be given, but the department, upon the receipt of a sworn report of the law enforcement officer that he had reasonable grounds to believe the arrested person had been driving or was in actual physical control of a motor vehicle upon the [public] highways of this State while [under the influence of intoxicating liquor] and that the person had refused to submit to the test upon the request of the law enforcement officer, shall revoke his license subject to review as hereinafter provided.

*ability was
impaired by
alcohol or drugs*

(d) Upon revoking the license, as hereinbefore in this section directed, the department shall immediately notify the person in writing and upon his request shall afford him an opportunity for a hearing in the same manner and under the same conditions as is provided in § 6-206(c) for notification and hearings in the cases of discretionary suspension of licenses, except that the scope of such a hearing for the purposes of this section shall cover the issues of whether a law enforcement officer had reasonable grounds to believe the person had been driving or was in actual physical control of a motor vehicle upon the [public] highways of this State while [under the influence of intoxicating liquor] whether the person was placed under arrest, and whether he refused to submit to the test upon request of the officer. Whether the person was informed that his privilege to drive would be revoked if he refused to submit to the test shall not be an issue. The department shall order that the revocation either be rescinded or sustained.

*ability was
impaired by
alcohol or drugs*

(e) If the revocation is sustained after such a hearing, the person whose license has been revoked, under the provisions of this section, shall have the right to file a petition in the appropriate court to review the final order of revocation by the department in the same manner and under the same conditions as is provided in § 6-212 in the cases of discretionary revocations and suspensions. (NEW SECTION, 1962; REVISED, 1968.)

§ 16-105—Arrests for serious offenses

(a) The authority of a police officer to make an arrest is the same as upon an arrest for a felony when such officer has reasonable and probable grounds to believe that the person arrested has committed any of the following offenses:

1. Homicide by vehicle;
2. Driving, or being in actual physical control of, a vehicle while ~~under the influence of intoxicating liquor;~~ → ability is impaired by alcohol or drug as prohibited by § 11-902
- ~~3.~~ ^{3.} ~~4.~~ ^{4.} Driving a vehicle while under the influence of any narcotic drug, or driving a vehicle while under the influence of any other drug to a degree which renders the person incapable of safely driving a vehicle;
- ~~3.~~ ^{3.} ~~4.~~ ^{4.} Failure to stop, or failure to give information, or failure to render reasonable assistance, in the event of an accident resulting in death or personal injuries, as prescribed in §§ 10-102 and 10-104;
- ~~4.~~ ^{4.} ~~5.~~ ^{5.} Failure to stop, or failure to give information, in the event of an accident resulting in damage to a vehicle or to other property, as prescribed in §§ 10-103 to 10-105 inclusive; (REVISED, 1968.)
- ~~5.~~ ^{5.} ~~6.~~ ^{6.} Reckless driving;
- ~~6.~~ ^{6.} ~~7.~~ ^{7.} Racing on the highway; or (NEW, 1968.)
- ~~7.~~ ^{7.} ~~8.~~ ^{8.} Willfully fleeing from or attempting to elude a police officer. (NEW, 1968.)

Provided, however, that the manner of making arrests under this section shall be as in misdemeanor cases.

(b) Whenever any person is arrested as authorized in this section he shall be taken without unnecessary delay before the proper magistrate as specified in § 16-111, except that in the case of the offenses designated in paragraphs 5, 6, 7 and 8, a police officer shall have the same discretion as is provided in other cases in § 16-107. (REVISED, 1968.)

Comments: These revisions to Code §§ 6-205, 6-205.1 and 16-105 are necessary to provide for license revocation, implied consent to testing, and felony arrest powers in the case of the alcohol and drug offenses other than driving while under the influence.

13. TREATMENT FOR DRIVERS WITH ALCOHOL OR DRUG PROBLEM

Subcommittee Recommendation: Amend the penalty for a violation of § 11-902 to allow a commitment or an order to submit to supervised treatment as an alternate to fine or imprisonment.

*2-year approved
November 1971*

ice for a total period of five consecutive years, and upon being relieved by the appropriate Secretary from active Federal service, National Guard, or Air National Guard units, shall, insofar as practicable, be returned to their National Guard or Air National Guard status in their respective States, Territories, the District of Columbia, and Puerto Rico, with pertinent records, colors, histories, trophies, and other historical impediments. (June 24, 1948, ch. 625, title I, § 21, as added June 30, 1950, ch. 445, § 2, 64 Stat. 318, and amended June 19, 1951, ch. 144, title I, § 1(x), 65 Stat. 87; July 7, 1952, ch. 584, § 1, 66 Stat. 440.)

REFERENCES IN TEXT

Selective Service Act of 1948, as amended, referred to in the first par., was redesignated Universal Military Training and Service Act by the amendment in act June 19, 1951, ch. 144, title I, § 1(a), 65 Stat. 75 to act June 24, 1948, ch. 625, title I, § 1(a), 62 Stat. 604, and was again redesignated Military Selective Service Act of 1967 by the amendment in Pub. L. 90-40, § 1(1), June 30, 1967, 81 Stat. 100. See section 451(a) of this Appendix.

AMENDMENTS

1952—Act July 7, 1952, authorized the President to retain unit organizations and their equipment, exclusive of individual members, for a period of five years.

1951—Act June 19, 1951, substituted "July 1, 1953" for "July 9, 1951", "twenty-four months" for "twenty-one months", and adding last sentence.

EX. ORD. NO. 10271. DELEGATION OF PRESIDENT'S AUTHORITY

Ex. Ord. No. 10271, July 7, 1951, 16 P.R. 6661, provided: There is hereby delegated to the Secretary of Defense the authority vested in the President by section 21 of the Universal Military Training and Service Act (64 Stat. 318), as amended by the 1951 Amendments to the Universal Military Training and Service Act (65 Stat. 87; Public Law 51, 82d Congress) [this section], to order into the active military or naval service of the United States for a period not to exceed twenty-four months, with or without their consent, any or all members and units of any or all Reserve components or the Armed Forces of the United States and retired personnel of the Regular Armed Forces: *Provided*, that so much of the authority of the President under the said section 21, as amended [this section], as relates to any Reserve component of the United States Coast Guard or to retired personnel of the Regular Coast Guard is hereby delegated to the Secretary of the Treasury.

The Secretary of Defense is hereby authorized to redelegate, subject to such conditions as the Secretary may deem appropriate, to the Secretaries of the Army, Navy, and Air Force such functions under this order as affect their respective services.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 451, 452, 454, 455, 456, 459, 460, 461, 462, 463, 464, 465, 466, 467, 469, 470 of this Appendix.

§ 472. Period of increased service applicable to all personnel.

Wherever in this amendatory Act the period of active service for any category of persons is increased, such increased period of service shall be applicable to all persons in such category serving on active duty in the Armed Forces on the date of the enactment of this amendatory Act [June 19, 1951]. (June 19, 1951, ch. 144, title I, § 4, 65 Stat. 88.)

REFERENCES IN TEXT

Date of the enactment of this amendatory Act, referred to in the text, is act June 19, 1951, ch. 144, 65 Stat. 75, which generally amended this Appendix. See distribution tables for distribution of act.

CODIFICATION

Section was enacted as part of the 1951 Amendments to the Universal Military Training and Service Act, act June 19, 1951, ch. 144, 65 Stat. 75, and not as part of the Military Selective Service act of 1967, Act June 24, 1948, ch. 625, 62 Stat. 604. Title I of Act June 24, 1948, ch. 625, as amended, is classified to sections 451, 453, 454, 455, 456, and 458—471 of this Appendix. Title II of the Act was classified to various sections of former Title 10, Army and Air Force. See Tables volume. For location of such sections in revised Title 10, Armed Forces, see disposition table set out at the beginning of Title 10, Armed Forces.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 451, 453, 454, 455, 456, 459, 460, 461, 462, 463, 464, 465, 466, 467, 469, 470 of this Appendix.

§ 473. Regulations governing liquor sales; penalties.

The Secretary of Defense is authorized to make such regulations as he may deem to be appropriate governing the sale, consumption, possession of or traffic in beer, wine, or any other intoxicating liquors to or by members of the Armed Forces or the National Security Training Corps at or near any camp, station, post, or other place primarily occupied by members of the Armed Forces or the National Security Training Corps. Any person, corporation, partnership, or association who knowingly violates the regulations which may be made hereunder shall, unless otherwise punishable under the Uniform Code of Military Justice, be deemed guilty of a misdemeanor and be punished by a fine of not more than \$1,000 or imprisonment for not more than twelve months, or both. (June 19, 1951, ch. 144, title I, § 6, 65 Stat. 88.)

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SOLDIERS' AND SAILORS' CIVIL RELIEF ACT
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