



KANSAS DISTRICT COURT

Chambers of
STEVEN R. EBBERTS
DISTRICT JUDGE

Shawnee County Courthouse
Division No. Twelve
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COMMITTEE ON FINANCIAL INSTITUTIONS AND INSURANCE

Hon. Sen. Jeff Longbine, Chair

Hon. Sen. Rick Billinger, Vice Chair

Hon. Sen. Lynn Rogers, R. M. Member

February 15, 2018 9:30 a.m.

ROOM NUMBER 546-S

Re: Senate Bill 395

Dear Mr. Chairman and members of the committee:

Thank you for the opportunity to provide written testimony in opposition to Senate Bill 395.

My name is Steven R. Ebberts and I am a District Court Judge in the 3rd Judicial District which comprises all of Shawnee County, Kansas. I was appointed to my current position in 2011 after serving many years in government, corporate and private practice. I considered many factors before I decided to seek a judgeship. The two major financial factors influencing my decision to apply were: 1. Salary; and 2. Retirement benefits.

As you may know, the salaries for judicial branch employees, including judges, fall far below their counterparts nationwide. When I applied for my position nearly eight years ago, the anticipated KPERS retirement income for judges helped mitigate my concern regarding diminished salary. More recently, however, the below market compensation is having a chilling effect on those attorneys in private practice who might consider serving as a judge. It is my understanding that this bill would, in relevant part to the judicial branch, set—for any judge becoming a member of the KPERS Retirement System for Judges on or after July 1, 2018—the maximum final average salary amount at \$99,636 for the purposes of determining such judge's retirement benefits. Thus, I am concerned that passage of this bill would further erode the desire of qualified attorneys to consider a professional career as a judge because they would face the prospect of a below market salary *plus* a reduced retirement benefit incentive.

Based upon my experience working as an attorney in the settings described above as well as my experience serving as a judge, it is my opinion that passage of this bill would

negatively impact the judicial branch's ability to recruit well qualified attorneys to the bench. Essentially, many highly qualified and experienced attorneys who are critical for the courts to function fairly and effectively for all Kansans would not consider a career as a judge.

I sincerely thank you for considering my testimony.

Respectfully,



Steven R. Ebberts
Shawnee County District Court Judge, Division 12