

TITLE 28 - JUDICIARY AND JUDICIAL PROCEDURE

PART I - ORGANIZATION OF COURTS

CHAPTER 1 - SUPREME COURT

§ 5. Salaries of justices

The Chief Justice and each associate justice shall each receive a salary at annual rates determined under section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351–361), as adjusted by section 461 of this title.

(June 25, 1948, ch. 646, 62 Stat. 870; Mar. 2, 1955, ch. 9, § 1(a), 69 Stat. 9; Pub. L. 88–426, title IV, § 403(a), Aug. 14, 1964, 78 Stat. 434; Pub. L. 94–82, title II, § 205(b)(1), Aug. 9, 1975, 89 Stat. 422.)

Historical and Revision Notes

Based on title 28, U.S.C., 1940 ed., § 324 (Mar. 3, 1911, ch. 231, § 218, 36 Stat. 1152; Dec. 13, 1926, ch. 6, § 1, 44 Stat. 919; July 31, 1946, ch. 704, § 1, 60 Stat. 716).

The provision “to be paid monthly” was omitted since the time of payment of salaries is a matter of administrative convenience. (See 20 Comp. Gen. 834.)

Minor changes in phraseology were made.

References in Text

Section 225 of the Federal Salary Act of 1967, referred to in text, is section 225 of Pub. L. 90–206, Dec. 16, 1967, 81 Stat. 642, as amended, which is classified to chapter 11 (§ 351 et seq.) of Title 2, The Congress.

Amendments

1975—Pub. L. 94–82 substituted provisions setting the annual salary of the Chief Justice and each associate justice at rates determined under section 225 of the Federal Salary Act of 1967, as adjusted by section 461 of this title, for provisions granting the Chief Justice and each associate justice a salary of \$40,000 and \$39,500 a year, respectively.

1964—Pub. L. 88–426 increased salary of Chief Justice from \$35,500 to \$40,000 and that of Associate Justices from \$35,000 to \$39,500.

1955—Act Mar. 2, 1955, increased salary of Chief Justice from \$25,500 to \$35,500 and salaries of Associate Justices from \$25,000 to \$35,000 a year.

Effective Date of 1964 Amendment

Amendment by Pub. L. 88–426 effective on first day of first pay period which begins on or after July 1, 1964, except to extent provided in section 501(c) of Pub. L. 88–426, see section 501 of Pub. L. 88–426.

Effective Date of 1955 Amendment

Amendment by act Mar. 2, 1955, effective Mar. 1, 1955, see section 5 of act Mar. 2, 1955, set out as a note under section 31 of Title 2, The Congress.

Salary Increases

For adjustment of salaries of Chief Justice and Associate Justices under this section, see the executive order detailing the adjustment of certain rates of pay set out as a note under section 5332 of Title 5, Government Organization and Employees.

For prior year salary increases per the recommendation of the President, see Prior Salary Recommendations notes under section 358 of Title 2, The Congress.

For miscellaneous provisions dealing with adjustments of pay and limitations on use of funds to pay salaries in prior years, see notes under section 5318 of Title 5, Government Organization and Employees.

Salary of Chief Justice increased from \$20,500 to \$25,500 a year, and salaries of associate justices increased from \$20,000 to \$25,000 a year, by act July 31, 1946, ch. 704, § 1, 60 Stat. 716.

NB: This unofficial compilation of the U.S. Code is current as of Jan. 5, 2009 (see <http://www.law.cornell.edu/uscode/uscp rint.html>).

Salary of Chief Justice increased from \$15,000 to \$20,500 a year, and salaries of associate justices increased from \$14,500 to \$20,000 a year, by act Dec. 13, 1926, ch. 6, § 1, 44 Stat. 919.

Salary of Chief Justice set at \$15,000 a year and salaries of associate justices set at \$14,500 a year by Judicial Code of 1911, act Mar. 3, 1911, ch. 231, § 1, 36 Stat. 1152.