# The Effect of Wage Increases on Judicial Corruption

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**Abstract**: This paper explores the relationship between judicial corruption and judicial wages in state-level U.S. courts. Specifically, this paper studies whether increases in wages lead to a decrease in the frequency with which prosecutors charge judges with ethics violations. Many previous scholars focus on public service job performance and wage increases; however, little research exists surrounding judicial corruption and wage increases. To test this relationship, the study utilizes empirical data from 1974 to 2020, collected from the judicial conduct boards of each state, the U.S. Census Bureau, and the National Center for State Courts website. In addition, the researcher conducted a difference-in-differences analysis of state prosecutions using salary as a predictor with number of jurists, state GDP per capita, and conduct board budget as possible confounding variables. The findings suggest that, in general, there is a statistically insignificant relationship between judicial corruption and salary increases. In fact, the variable that impacted corruption the greatest was a conduct board's budget. Furthermore, conduct board budgets had a positive correlation with the number of corruption complaints, meaning that as a conduct board's budget increases, the number of corruption complaints also increases. These results provide the important insight that a conduct board's budget has a significant impact on the number of judicial complaints. Future research could explore how variables such as cost of living, wages of judicial peers, and number of statewide corruption prosecutions influence judicial corruption.

## Introduction

Corruption, defined by the United States Department of Justice as the misuse of public office for private gain, is present in all three branches of the American government (Rose-Ackerman, 2008; PIN, 2021). While citizens rank corruption in the Legislative and Executive Branches as more prevalent than in the Judicial Branch, corruption within the Judiciary is particularly concerning. This is because the Judicial Branch is responsible for checking the corruption of the other

branches (Dincer & Johnson, 2014; Alt & Lassen, 2005) So, what happens when the branch is responsible for checking the corruption levels of the other branches is corrupt?

For judges to effectively check the corruption levels of the other branches, they require independence. James Alt and David Lassen's 2008 piece "Political and Judicial Checks on Corruption: Evidence from American State Governments" posits the importance of independence in the Judicial branch to effectively combat corruption. With independence, they can simultaneously insulate themselves from the corruption of the other two branches and combat the spread of corruption in those branches.

Susan Rose-Ackerman, a Henry R. Luce Professor Emeritus of Jurisprudence and professional lecturer at Yale Law school, argues that independence alone is insufficient. Rather, the Judicial Branch needs both independence and internal mechanisms that maintain judicial accountability and allow for judges to effectively check corruption throughout the government. Without a degree of independence, the judiciary loses its capacity to successfully perform its role within the system of checks and balances that form the American government. Corruption undermines the judiciary's independence and, in doing so, impedes its ability to exercise institutional power to check the conduct of the other two branches. The separation of the three branches allows for an independent judiciary, and for the judiciary to effectively inhibit corruption, it must maintain its independence (Rose-Ackerman, 2007; Alt

&Lassen, 2008; Voigt & Gutmann, 2015). Therefore, the only way to increase judicial accountability is by studying judicial corruption. Given the arguments that judicial corruption is alarming, it is important to explore strategies that combat this corruption.

One strategy to combat judicial corruption focuses on the wage rate. The Fair Wage Effort Hypothesis by George Akerlof and Janet Yellen holds that as the distance between an employee's actual wages and their fair wages increases, their work effort plummets. When employees feel that they are not being paid fairly, they do not put in the effort to do their work efficiently. Similarly, the Efficiency Wage Theory holds that finding the wage rate that optimizes job performance leads to a decrease in unproductive or negative work practices. This means that as judicial salaries approach the rate that optimizes job performance, they are disincentivized to engage in corrupt activities. Corruption research that utilizes efficiency wages often shows that salary increases have a direct role in decreasing the incidence of corruption in any given state.

Taken together, these theories apply to civil servants. Scholars argue that when public servants are neglected their fair wages, they become lazy, complacent, and prone to corrupt behaviors. In addition, the Efficiency Wage Theory and the Fair Wage Effort Hypothesis are determined by the wages of colleagues and peers, not just intrinsic worth. As a result, a major part of this argument is that when peers in the private sector earn significantly more than public office holders, it highlights the

perceived inadequacy of public office holders' wages. Thus, as public office holders increasingly view their wages as unfair, it incentivizes them to engage in petty corruption (Akerlof & Yellen, 1990; Becker & Stigler 19740). This means that wages directly influence job performance.

A closely related alternative theory focuses on the salaries of peers as the motivating factor behind judicial greed. The argument, simply, is that as the wages of peers in the private sector increase, the motivation for judges to engage in corruption also increases because they want more money. The difference between the "judicial greed" argument and the Fair Wage Effort Hypothesis is that the "judicial greed" argument's sole focus is on how a peer's wage incentivizes a public servant to engage in corruption, not because higher peer wages affect what public office holders view as a fair wage for themselves, but simply because they covet more money.

Another argument in the field is that corruption is contagious. According to Dong and Torgler, both "the perceived [fraudulence] of others and past levels of corruption" impact current corruption levels (2012). This argument posits that rather than an independent factor increasing the incidence of unlawful work activities, what leads to higher levels of fraud in one area of the government is surrounding corruption. Furthermore, past corruption levels led to an increased willingness of public servants to engage in corrupt activities (Lopez-Valcarcel et al., 2017). Simply put, corruption leads to more corruption. As a result, if unlawful work practices increase in the judicial branch, it

must be caused by both the surrounding corruption in other areas of the government and past corruption levels.

A final argument of contrast is the argument that suggests the body responsible for pursuing corruption cases determines the level of corruption due to resource-based constraints. James Alt and David Lassen's 2012 piece on enforcement serves to further suggest that prosecutors are constrained by their resources. This article suggests that "when prosecutors have more resources, they pursue more cases" (Alt & Lassen, 2012). Therefore, levels of corruption are dependent on the capacity of governing bodies to pursue corruption cases. This argument then holds that levels of judicial corruption are dependent on each judicial conduct board's capacity to pursue corruption cases. Thereby, money, time, and staff all impact the incidence of corruption in each public office.

**Methodology**

The focus of this research was to determine the extent to which judicial wages impact reports of corruption. Specifically, the goal of this paper was to determine whether judicial salary increases have an inverse effect on judicial corruption. This would mean that judges are less corrupt and more effective when their wages are high enough to disincentivize unproductive or adverse work behaviors. The research used a difference-in-differences regression of state corruption prosecutions on wages, using two definitions of prosecution. Both of which are collected from the annual reports of judicial conduct boards across the United States. For the first dataset, the measurement of

corruption consisted of the number of judicial complaints that explicitly cited corruption. The second dataset used the total number of complaints filed per a given year as a measure of judicial performance overall.

This study used prosecutions as a proxy measure for corruption. While corruption convictions or perceived corruption could have been utilized as measures for corruption, using prosecutions as a measure of corruption was a more accurate and variable measure. Prosecutions are a direct reflection of prosecutorial capacity to address corruption. Furthermore, convictions are a direct function of successful prosecutions (Alt & Lassen, 2014). This means that not every prosecution will result in a conviction. In addition, the time and resources it takes to convict a corruption crime vary, whereas filing charges to prosecute is un-ambiguous.

Utilizing the number of prosecutions as a proxy for corruption did have some shortcomings: The prosecuting body may be corrupt and/or biased in the corruption cases they prosecute. Prosecutors accepting bribes in exchange for prosecutorial favor affects the results. The number of prosecutions reflects a prosecutor's willingness to pursue cases honestly, and when they choose not to pursue a case due to corruption, it skews the data. This would also mean that as the corruption of one civil servant increases, the corruption of the surrounding public office holders will also increase.

In addition, prosecution numbers often reflect a prosecutor's career goals. Specifically, if prosecutors only pursue "important" cases to benefit their career, then the number of corruption cases reported is

drastically reduced. Thereby, the number of prosecutions is contingent upon the accuracy of prosecutors and their willingness to pursue cases. As a result, prosecutions are not always the most accurate proxy measure for corruption (Gordon, 2009). To minimize this, two prosecution measurements were used that proxy for corruption levels.

This analysis relied on two measurements of corruption. The research leverages both overall ethics complaints and ethics complaints specifically pertaining to corruption to ensure consistency. The benefit of utilizing ethics complaints that specifically allege corruption is that it is an exact measurement of the variable that is central to this research. However, the drawback to using ethics complaints that pertain to corruption is that not every state defines corruption the same way.

Furthermore, some conduct boards measure behaviors that are consistent with the definition of corruption but are nonetheless not labeled as corruption. Examples include bribery, ticket-fixing, and abuse of office for private gain; all of these acts fit the definition of corruption used in this paper, despite not being labeled corruption. For the conduct boards that do not utilize corruption as an allegation type, the allegation type that was most consistent with the definition of corruption was counted. In certain states, complaint numbers for multiple allegation types were added together to determine the measure of corruption for that year. A full list of which allegation types were used to measure each state's judicial corruption data each year can be found in Appendix A. In certain annual reports that previously identified corruption as an allegation type, there were no

complaints alleging misconduct. In these instances, zero was used as the measurement of corruption for that year.

Due to differences in how states defined judicial corruption, overall ethics complaints were incorporated to minimize inconsistency. The reason overall ethics complaints enhance the consistency of the research is that there is no ambiguity with regard to the number of complaints filed with each conduct board. Using overall ethics complaints does have some disadvantages. First and foremost, using the total number of complaints filed means that this measure is more reflective of judicial performance and behavior in general rather than a measure of corruption. Furthermore, by using the total number of complaints filed, the datasets are also including complaints that have no merit or that fall outside of the commission board's jurisdiction.

Conduct boards often receive complaints against federal judges who operate outside of the conduct board's jurisdiction and are subject to disciplinary action by a different governing body. This means that in using the total number of complaints filed, the data also incorporated complaints that pertain to jurists outside the board's jurisdiction. In addition, the total number of filed complaints may not include all the offenses committed by jurists on the bench. This means the accuracy of this measure is wholly contingent upon the willingness of complainants to file a complaint. A full list of each state's conduct board and how each board classified total ethics violations can be found in Appendix B.

As with measuring corruption, measuring wage rates also proved to be difficult. To measure judicial salaries, annual salary data was collected from the National Center for State Courts website. The data utilized the salary of General Trial Court judges from each annual report for each state and tracked judicial salaries starting in 1974. The benefit of using the General Trial Court salary is that every state reported one consistently for each year. Not every state reported salaries for positions like Chief Justices or Superior Court judges every year. In addition, the General Trial Court salary was the salary paid to the largest number of jurists in each state per a given year. By that same logic, however, it is not the salary paid to specialty trial courts, high-ranking Superior Court judges, and members of the Supreme Court who all fall within each state's judicial conduct board's jurisdiction.

In addition, this measurement does not consider benefits such as retirement investments and healthcare. Benefits are a form of "pay" that impact a civil servant's fair wage, and more benefits equate to a higher wage. Thereby, benefits impact what civil servants view as their fair wage by providing them with non-financial resources. An additional drawback to this method of measuring judicial salary is that it is the result of survey data. Each state voluntarily reports its judicial salaries for each year. In addition, this data doesn't account for the fact that judges can make earnings from their extrajudicial curricular activities. Such activities include authoring books, lecturing, and practicing as attorneys. It is also important to note that this research was unable to account for cost-of-living adjustments.

Next, the research progressed by collecting data pertaining to the judicial

conduct boards' budgets. The research needed to include and control the budgets of each judicial conduct board because a conduct board's budget is an exact measure of that board's capacity to perform its job. This is important because the job of each judicial conduct board is to pursue and address corruption allegations and ethics violations more generally. However, prosecutors can only pursue as many corruption cases as their resources permit. When prosecutors have more resources, they pursue more corruption cases, and when they have fewer resources, they pursue fewer corruption cases (Alt & Lassen, 2014). When prosecutors are sufficiently resourced, they can effectively deter corruption. When not sufficiently resourced, prosecutors are bound by their capacity to pursue cases and, as a result, have little to no effect on corruption. In this research, the prosecutorial entities are the conduct boards. Therefore, resource-based constraints, such as budgets, must be measured and accounted for to enhance the integrity of the research and the accuracy of the results.

In addition, the researcher went through the conduct board's annual reports to record the number of state-level jurists working in each state for a given fiscal year. This study needed to incorporate and control for the number of jurists employed in each state because empirical findings have shown that judicial employment is correlated with corruption. Specifically, that increased judicial employment per capita increases corruption (Goel & Nelson, 2011). The reason that controlling for the number of judges employed by each state is important is that judicial employment has a statistical impact on both main variables: judicial wages and

corruption (Meier & Holbrook, 1992). So, in not controlling for judicial employment, the results of this study would be skewed. The reason that these numbers were used was that the conduct boards provided most of the information for the research and that all the information that had been collected pertained to the jurists under each conduct board's supervision. The advantage here is that it eliminates the judges that work in the state but operate outside of the conduct board's jurisdiction. An example of these judges would be any federal justice working in the state.

The next variable collected was Gross Domestic Product (GDP) per capita in thousands of U.S. dollars. The research needed to control for GDP per capita because GDP per capita is a fiscal measure of state capacity. When states have a higher fiscal capacity, they are less constrained by resources and better able to maintain "law and order" (Rijckeghem & Weder, 2001). States that can better maintain law and order are better at enforcing the rule of law and combating illegal activity. As a result, states that have a higher capacity to enforce the rule of law have a greater ability to combat corruption. Essentially, this means that states with higher GDPs per capita are better equipped to pursue and prosecute cases of corruption. This also means that states with smaller GDPs per capita are likely constrained by financial resources and are, therefore, unable to effectively pursue corruption cases.

Furthermore, some research suggests that corruption and GDP per capita are negatively associated. According to Lambsdorff (2003), corruption impedes a state's capacity to allocate funds to its people.

As a result, GDP per capita and corruption are associated variables. Therefore, it was important to measure and control for GDP per capita. First, I recorded annual GDP data for each state from the Bureau of Economic Analysis. After recording the annual GDP measurement for each state, annual population data was collected for each state from the U.S. Census Bureau. To use the measurement GDP per capita, annual state GDPs were divided by annual population estimates. From there, I began running regressions.

There were several other potential confounding variables that were considered throughout the course of this research. The first confounding variable considered was the wages of judicial peers. The Fair Wage Hypothesis states that the wages of peers impact the perceived fairness of civil servant wages. This required identifying an occupation that would have a comparable salary to that of judges and an occupation in the legal field with enough prestige to serve as a proxy for judicial peers.

In terms of salary, state-level judges are comparable to first-year law associates in the private sector. However, utilizing the salary of first-year law associates poses a challenge: While first-year law associates may have a salary that is comparable to that of state-level judges, they lack the prestige of office and the years of legal experience that judges have. This mismatch is the result of the fact that private-sector workers are paid significantly higher than public-sector workers. Another possibility would be to use the salaries of law firm partners because they have the prestige and experience that is more comparable to that of judges. Given that law firm partners earn an income that is

significantly higher than judges, using them as a proxy for judicial peers would be challenging. In fact, the disparity between law firm partners and judges has grown significantly in the past 30 years (Yoon, 2017). As a result, using the salaries of law firm partners would be detrimental to the results of this research. Therefore, to measure the variable for judicial peer salary, the research used the salaries of non-equity law firm partners. Non-equity law firm partners have more prestige than first-year law associates, but they lack the markedly higher salary of equity law firm partners. Thereby, salaries of non-equity law firm partners served as a confounding variable based on the Fair Wage Hypothesis, which is contingent upon the wages of public servant colleagues in the private sector.

Another confounding variable was included because of the "corruption is contagious" literature. The contagious corruption argument indicates that an increase in judicial corruption may be the result of an increase in corruption surrounding judges (Lopez-Valcarcel et al., 2017). Given that the perceived corruption of others impacts a civil servant's willingness to engage in fraudulence, the research needed to account for the corruption that surrounded the judges in each state (Dong & Togler, 2012). The Legislative and Executive branches of each state are the immediate surroundings of the judicial branch, so using the levels of corruption within them would serve as an accurate measure for the corruption surrounding the judiciaries of each state.

However, utilizing the corruption of the Legislative and Executive branches does not account for the impact of the corrupt activities of judges on other judges. As a result, the overall corruption levels in each state were used as the measure for the confounding variable surrounding corruption. Thus, corruption throughout each state constituted a confounding variable.

I then ran a difference-in-differences analysis to control for unobserved biases with the two different datasets. This was to examine whether yearly changes in judicial wages are associated with yearly changes in judicial corruption. With the difference-in-differences regression, the study controlled for predictors of corruption prosecutions in each state that remain constant over time. An example of this would be wages. While some states raise judicial salaries, others allow them to be stagnant and fall behind the rate of growing inflation. The difference-in-differences regression estimates the causal effects of policy variation within a parallel-trend assumption. This means that the regression allows for the estimation of the casual effect of wage change on corruption prosecutions in each state, provided they follow the same trends in corruption data absent a change in wages. After receiving the results from the difference in differences, the study corrected for serial correlation of the error process
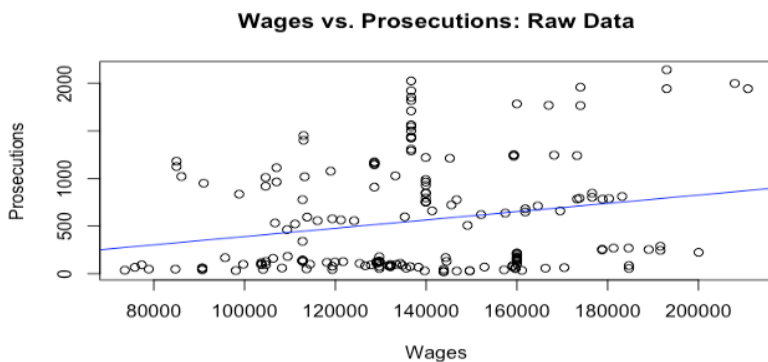


Figure 1. Scatter plot using all ethics complaints for raw data
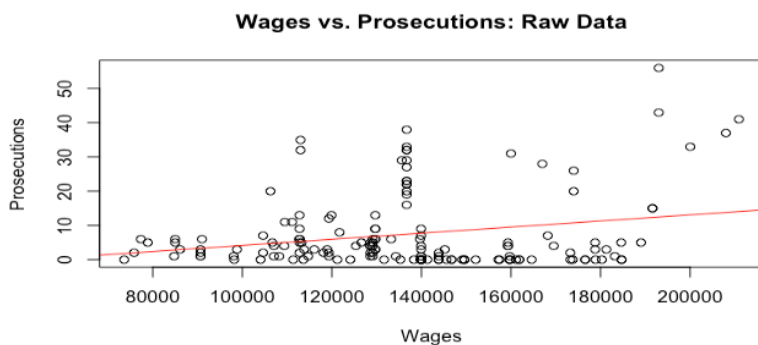


Figure 2. Scatter plot using corruption allegations for raw data

by clustering standard errors by state. To do this, I ran the results through a corrected output code that both corrected for standard errors and extracted the coefficients.

### Results

While the main goal of this paper was to establish a relationship between salary increases and judicial corruption, the results indicated that there was a statistically insignificant relationship between these variables (p=.3). In Figure 1, the raw data was plotted on a scatter plot without accounting for any controls. This figure utilizes the total number of ethics violations for its measurement of corruption. As shown below, there is a general trend in the data, suggesting a positive association between these two variables. Figure 2 depicts the same relationship but utilizes the allegations specifically referencing corruption. Based on the plots in these two figures, there is an upward trend in the data. Both figures show a positive relationship between wages and prosecutions. So, as wages increase, prosecutions increase as well.

However, these scatter plots are misleading because they do not include control variables. The reason for this was to visually depict the general trend between the two main variables. Figures 1 and 2 suggest that rich states with large judiciaries are effective in and determined to address corruption. For instance, New York and California are wealthier states that have a greater capacity to pursue corruption, but this is not highlighted by the above scatter plots. Essentially, there are multiple confounding variables that need to be
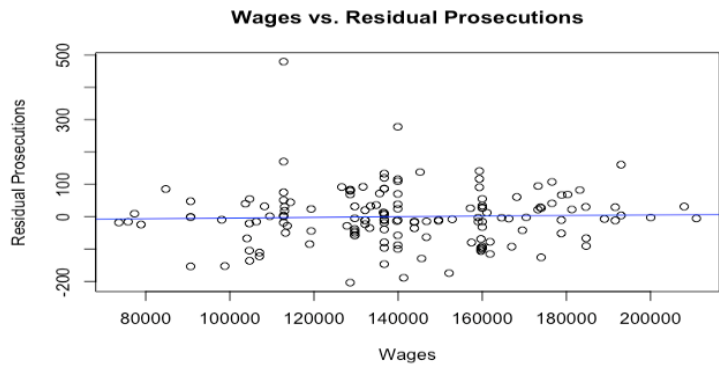


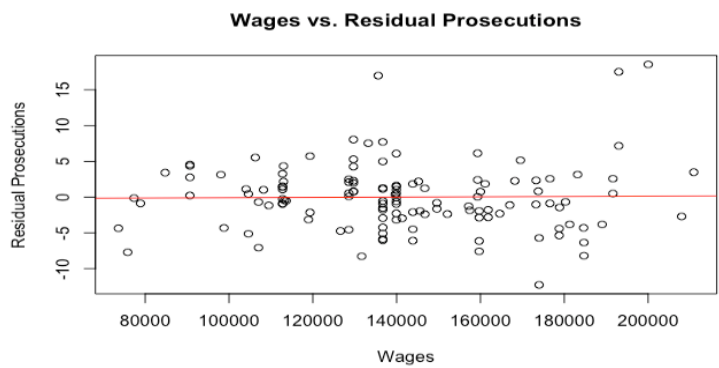**Figure 3.** Scatter plot Using controls and all ethics complaints for residual data



**Figure 4.** Scatter plot using controls and corruption allegations for residual data

addressed to enhance the accuracy of the scatter plots in Figures 1 and 2. After the raw data was collected and displayed in the scatter plots, two more graphs were created that accounted for controls in the data.

First, Figure 3 was created utilizing data on overall ethics complaints as a proxy for corruption. Again, Figure 4 depicts the same relationship but utilizes only corruption-specific complaints as the measurement for prosecutions. Figures 3 and 4 removed all prosecution variations that were the result of state and year-fixed effects and accounted for the control variables. As a

|  | Estimate | Std. Error | t value | Pr(>\|t\|) |
|---|---|---|---|---|
| Wage | 1.82 | 1.70 | 1.07 | 0.29 |
| Judges | -0.28 | 0.19 | -1.45 | 0.15 |
| Budget | 0.15 | 0.03 | 5.43 | 0.00 |
| GDPpc | -4.17 | 4.48 | -0.93 | 0.35 |

**Table 1.** Regression Output of Difference in Differences Utilizing Over-All Ethics Complaints as the Dependent Variable

result, the residual variation in prosecutions does not seem to have a statistically significant relationship with wages. The lines that run through the scatter plots depicted in Figures 3 and 4 are slope-less. This suggests that the upward trends seen in Figure 1 and Figure 2 were driven by confounding variables, which is supported by the evidence presented in the regression tables. These results indicate that there is a statistically insignificant relationship between judicial corruption and judicial salaries.

The findings, summarized in Table 1, show that increases in judicial salary have little impact on the incidence of judicial corruption. In addition, the Gross Domestic Product per Capita of each state also had little, if any, impact on the dependent variable judicial corruption (p=.4). Initially, the results showed that there was an inverse relationship between the number of employed jurists in a state and corruption complaints, meaning that as the number of jurists employed by the state increases, corruption complaints decrease. After the confounding variables were introduced, it became clear that this relationship did not meet a level that could be considered statistically significant (p=.15). However, the research results did show that the variable "judicial conduct board budget" had a statistically significant impact on judicial

corruption levels (p=0). For every increase in a conduct board's budget by 1,000 dollars, the number of ethics cases increases by 0.15. This means that there is a significant positive relationship between the budgets of each state's judicial conduct board and the level of judicial corruption experienced in the state per any given year.

Furthermore, these findings support the alternative theory that the governing bodies responsible for addressing corruption influence levels of corruption. As a result, one way to effectively check or monitor judicial corruption would be to enhance the capacity of judicial conduct boards to pursue corruption cases. Again, to account for the fact that conduct boards utilized different definitions of corruption, two difference-in-differences of state prosecutions were run. The first, whose results were discussed in this paragraph, utilized overall ethics complaints as the dependent variable. The second utilized corruption-specific complaints as the dependent variable.

With regards to the second difference-in-differences of state prosecutions, early results that wages have little to no effect on the levels of judicial corruption were reaffirmed (p=.71). Furthermore, the number of employed judges had no significant relationship with the level of judicial corruption (p=.84). However, the results of the second regression also supported the finding of the first regression, specifically the finding that a conduct board's budget has a noteworthy impact on the levels of judicial corruption (p=0).

|  | Estimate | Std. Error | t value | Pr(>|t|) |
|---|---|---|---|---|
| Wage | 0.0329 | 0.0871 | 0.3782 | 0.7062 |
| Judges | 0.0033 | 0.0167 | 0.1965 | 0.8446 |
| Budget | 0.0027 | 0.0007 | 3.6855 | 0.0004 |
| GDPpc | 0.5696 | 0.1838 | 3.0996 | 0.0026 |

*Table 2.* Regression Output of Difference in Differences Utilizing Ethics Complaints that Specifically Allege Corruption as the Dependent Variable

Table 2, which summarizes the results of the second linear regression, shows that a $1,000 increase in a conduct board's budget results in a 0.03 increase in judicial corruption prosecutions. As a result, this study supports the assertion that resources have a significant impact on the number of corruption prosecutions. This suggests that more research should be done surrounding judicial corruption and the resource-based constraints associated with judicial conduct boards. Whereas GDP per capita had no significant impact on the dependent variable in the first regression results, that is not the case with the second regression. A $1,000 increase in GDP per capita is associated with a 0.57 increase in corruption cases. This means that the variable GDP per capita has a statically significant positive relationship with the dependent variable corruption complaints (p=0). This suggests that wealthier states may have a higher capacity to prosecute and pursue allegations of corruption. Thereby, further research is warranted surrounding the relationship between the financial capacity of a state and that state's ability to pursue and prosecute corruption cases.

Taken together, these results are unsupportive of the original hypothesis. This means that, within the context of this research and with this data specifically, judicial wages have very little impact on the incidence of corruption. Ultimately, the significance of these results is that judicial corruption, and its causes, require further and more in-depth study. Specifically, the relationships between judicial corruption and the resources that constrain a conduct board and the relationship between judicial corruption and the financial capacity of states in pursuing that corruption.

These results suggest several implications regarding judicial corruption, judicial conduct boards, and the resources of each state. The findings show that the number of corruption prosecutions increases as judicial conduct board budgets increase. In addition, the results showed a positive relationship between corruption prosecutions and state GDPs per capita, meaning that as a state's GDP per capita rises, the number of prosecutions rises as well. Such associations suggest that prosecutions do not necessarily serve as an accurate proxy for corruption. Theoretically, income is purported to have a negative impact on corruption and increasing the resources of anti-corruption enforcers is thought to severely reduce and contain corruption. As a result, it is most likely not the case that a burgeoning economy or an increasing conduct board budget leads to an increase in judicial corruption cases.

In fact, these results highlight the fact that conduct boards are most likely performing their jobs with an insufficient number of resources. The results of this study imply that there is a serious inability of conduct boards to effectively address and deter corruption in the court system overall. With a higher

capacity, conduct boards can attempt to prosecute more corruption cases, but a greater capacity to pursue cases is not sufficient to minimize corruption levels (Alt & Lassen, 2014). Statistically speaking, the deterrent effect of a sufficiently funded anti-corruption body is consistently above the limitations set by the capacity constraint. Ultimately, this means that small budget increases are not a reasonable solution to combating judicial corruption. Instead, large budget increases may be one way to significantly reduce the gap between a prosecuting body's deterrent effect when sufficiently resourced and its current capacity constraints.

## Discussion

While this study was as robust and circumspect as possible, with respect to the resource constraints that it experienced, there were several factors that could have impacted the results that went unaddressed. First and foremost, judicial salaries were not adjusted for the cost of living in each state. The main goal of this research was to establish a relationship between judicial corruption and wages, so a cost-of-living adjustment would have likely changed the outcome of the results. The Efficiency Wage and Fair Wage hypotheses both suggest that peer wages in the private sector impact the perceived fairness of civil servant salaries in the public sector. In this research, peer wages in the private sector were to consist of the salaries of non-equity law firm partners. However, that measurement was not readily available, and, as a result, it was not included. Since peer wages in the private sector, in theory, impact how judges see their salaries,

it stands to reason that the inclusion of this variable would also lead to a different set of results.

The decision was made to include multiple allegations that were not labeled as corruption but fit the definition of corruption. Had the researcher only recorded allegations that specifically alleged corruption, the results may be different, but this would have led to a limited dataset.

In addition, due to resource constraints and data accessibility, the researcher was unable to incorporate annual corruption statistics in the study. Corruption is contagious, so not having data on the surrounding corruption in each state likely impacted the data.

A large part of a conduct board's capacity to pursue corruption cases depends on its budget; however, another part is the board's staff. Throughout the course of the study, data was collected on the staff of each conduct board. As this data collection progressed, however, it became apparent that some commissions listed staff and members interchangeably. Also, the collected data was invariable. As a result, I decided not to incorporate the number of staff in each conduct board as a variable. The information collected was not reliable nor varied enough to impact the study's results.

There were also factors that the research was unable to account for. One factor that there was no feasible way to address was the screening of complaints within each conduct board. Over the course of the annual reports, some of the conduct boards began to more efficiently screen for

complaints that were outside of their jurisdiction. Unfortunately, accounting for a sudden shift in the data due to the conduct boards being more active was not possible. Similarly, between the 1980s and 1990s, many of the conduct boards began providing an electronic submission form in addition to the written submission form. As a result, the ease of submission may contribute to the variation in the number of ethics complaints filed. In addition, while many of the conduct board annual reports tracked complaints filed, some transitioned between tracking complaints filed and complaints docketed, the former being greater in number than the latter.

Furthermore, there are two factors that are difficult to measure but nonetheless have a great impact on judicial employment. The first factor is how content judges are with their jobs. This factor is difficult to measure because, as with most public-sector employees, judges rarely, if ever, indicate job displeasure. The significance of job displeasure is that public servants who dislike their job may be more willing to engage in corrupt acts. The second factor is the judicial backlog. The backlog of cases in the judiciary is an indicator of judicial workloads. As the backlog increases, the workload of the judiciary also increases. When judges have a higher workload, they are more inclined to cut corners via corruption (Meier & Holbrook, 1992). These factors may eventually be included in future annual reports of the state judicial conduct boards, but as of now, they are not. Thereby, with more annual reports, or more annual reports that contained the information that

was relevant to this study, the results may be different.

It is impossible to account for data that neither exists nor is accessible to the public. An example of this would be annual reports that have been archived by the judicial branches of each state. These would, therefore, constitute factors that were beyond the control of an individual researcher. As a result, one of the future goals of this research is to include the variables and factors that went unaddressed during this study. Most notably, future research should focus on obtaining data for the peer wages variable, a measurement for overall corruption levels in each state, a measurement for judicial workloads, and data on cost-of-living in each state. While there are other factors that should be addressed in the future, such as job satisfaction and judicial salary benefits, variables such as cost of living per state would have the greatest impact on the results and are, therefore, a more immediate goal for future research.

### Conclusion

The original goal of this research was to determine to what extent judicial salaries impact annual levels of judicial corruption. However, the results showed that there was nothing more than a statistically insignificant corollary relationship between these two variables. Nevertheless, the study did affirm the important effects that resources have on a conduct board's capacity to pursue and address corruption allegations. The results showed that states with more capital have a greater capacity to pursue corruption than poorer states. Going forward, this study will

focus on resource variables that went unaddressed in this study. In the future, there should be more annual reports and, as a result, a greater amount of data to draw conclusions from. In addition, several annual reports have been archived by each state, so submitting a request for archived annual reports from certain states will help to further the goals for this project. As a result, future research should be able to incorporate more data and solidify the findings of this study.

## Acknowledgments

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## Appendix A: Corruption Allegation that Constituted Corruption

| | |
|---|---|
| Idaho | Conspiracy |
| Illinois | Illegal Activity or Action (e.g.,retaliation, obstruction, conspiracy, fraud) |
| Kansas | Improper Campaign Conduct/Political Activity |
| Massachusetts | Corruption, Bribe, Extortion |
| Minnesota | Corruption |
| Michigan | Political Activity |
| New York | Corruption |
| North Carolina | Fraud/Corruption |
| North Dakota | Fraud/Corruption |
| Pennsylvania | Unsubstantiated Claims of Corruption (gifts+ Political other) |
| Tennessee | Abusive of Office |
| Texas | Using Prestige of Judicial Office/Influential Relationship |
| D.C. | Improper use of Judicial Office/Fraud and Corruption/ Cronyism, Gender and Racial Discrimination, Falsifying Records (Off the Bench), Abuse of the Prestige of Office Conflicts of Interest, Nepotism |

# Appendix B: Each States Classification of Total Ethics Violations

| | |
|---|---|
| Alaska | Total accusations |
| Arizona | Cases filed |
| Arkansas | Complaints received |
| California | New Complaints Considered |
| Colorado | Complaints received during the year |
| Connecticut | Conduct complaints received |
| D.C. | Complaints Received |
| Georgia | Total Complaints Filed |
| Hawai'i | Number of complaints |
| Idaho | Complaints received |
| Illinois | Complaints received/Initiated |
| Kansas | Complaints |
| Kentucky | Complaints |
| Maine | New Complaints |
| Maryland | Number of complaints filed |
| Massachusetts | New Complaints filed |
| Michigan | Requests for Investigations |
| Minnesota | Written complaints |
| Mississippi | Complaints Received |
| Montana | Complaints filed |
| Nebraska | New Complaints Filed |
| Nevada | Total Complaints |
| New Hampshire | Grievances Received |
| New Mexico | Complaints Received |
| New York | Complaints Received |
| North Carolina | New Complaints |
| North Dakota | New Complaints |
| Ohio | Total Grievances |
| Pennsylvania | Total Complaints |
| South Carolina | Complaints Received |
| South Dakota | Written Complaints Received |
| Tennessee | Total Complaints |
| Texas | Cases Filed |
| Utah | Complaints Received |
| Vermont | New Complaints |
| Washington | Complaints Received |
| West Virginia | New Complaints Received |
| Wisconsin | Initial Inquiries Received |
| Wyoming | Total Inquiries Received |