

would follow the precedents set with respect to legislative and executive officials and employees, all of whom are authorized under present law to aggregate their congressional, civil, and military service to arrive at the total amount of their annuities.

The amendment would remove what in effect is a penalty on those judges who have prior federal service. Had those judges remained in the non-judicial federal service, they could have retired with full benefits with 30 years of service at age 55, or with 20 years of service at age 60. But absent the amendment contained in H.R. 15679, a judge with more than 20 or 30 years of total federal service would still not receive any earned and paid-for civil service retirement benefits until he reaches the age of 62. By removing this penalty on those former members of Congress and congressional and executive employees who are appointed to the bench, the bill would increase the attractiveness of service on the local courts and thereby improve the administration of justice in all its aspects, including the fight on crime.

It should be noted that under H.R. 15679, any service other than judicial service would be counted for purposes of the computation of the annuity only at the rates allowed by the Civil Service Retirement Act rather than at the higher judicial rates. It should further be noted, by way of comparison with the pending bill, that judges on the federal courts are eligible for retirement at full pay after serving fifteen years. Moreover, their retirement plan is noncontributory, while judges on the Court of General Sessions make the same contribution as civil service employees and employees of the legislative branch.

2. The Judges Retirement Act permits a judge to become eligible for disability retirement when he has served at least 5 years on the bench. The Civil Service Retirement Law likewise permits disability retirement after 5 years of service. But again, without the amendment proposed in H.R. 15679, congressional, civil, and military service could not be aggregated with judicial service to arrive at the 5-year minimum. Thus, under present law, a person who serves more than 5 years in congressional, civil, or military service and then becomes disabled, is entitled at that time to disability benefits. But should such a person be appointed to the court and become disabled within his first five years on the bench, he would receive no benefits whatever until he reached the age of 62, not even for his prior civil or military service and even if that service should amount to 20 years or more. Likewise, under present law, those judges who become disabled after serving more than five years on the bench will thereafter receive an annuity based only on their judicial service, and, notwithstanding their permanent disability, they will have to wait until they reach the age of 62 before receiving any annuity benefits for earned civil, congressional, or military service. H.R. 15679 would permit their disability annuity at the time of retirement to be calculated on the basis of their entire service.

3. H.R. 15679 would allow credit for service in the armed forces to the same extent and with the same limitations as is permitted under the Civil Service Retirement Act with respect to executive and legislative employees and members of Congress.

4. Under present law, the penalty for retirement at less than 62 years of age (for those judges who have not served a full 20 years) is 6 per cent for each year the retiree is under 62. It is believed that there is no federal retirement statute which imposes so high a penalty. H.R. 15679 would reduce this penalty to 1 per cent per year and it would reduce the applicable age to 60.

5. At the time of the enactment of the Judges' Retirement Act, the judges then on the court withdrew deposits they had made in the Civil Service Retirement Fund and deposited them in the judicial fund. These monies drew no interest in the civil service fund but the judges were required to pay interest for the same period to the judicial fund. H.R. 15679 would return that interest.

6. The civil service and congressional retirement systems provide for survivorship annuities to be paid to dependent children who are between 18 and 21 years of age and are pursuing a fulltime course of study in an educational institution. H.R. 15679 would incorporate this provision in the District of Columbia Judges' Retirement Act.

H.R. 12738—ADDITIONAL JUDGES

The 21 judges presently authorized to the Court of General Sessions are not enough in my opinion, to permit the court to cope successfully with its growing criminal and civil work. I believe that, without additional judges, the pressure of volume will bring about one or more of the following: (1) another substantial rise in the criminal backlog; (2) a decrease in the quality of justice, and an