

UNITED STATES CODE SERVICE
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28 USCS § 634 (2004)

§ 634. Compensation

(a) Officers appointed under this chapter [28 USCS § § 631 et seq.] shall receive, as full compensation for their services, salaries to be fixed by the conference pursuant to section 633 [28 USCS § 633], at rates for full-time United States magistrates [magistrate judges] up to an annual rate equal to 92 percent of the salary of a judge of the district court of the United States, as determined pursuant to section 135 [28 USCS § 135], and at rates for part-time magistrates [magistrate judges] of not less than an annual salary of \$ 100, nor more than one-half the maximum salary payable to a full-time magistrate [magistrate judge]. In fixing the amount of salary to be paid to any officer appointed under this chapter [28 USCS § § 631 et seq.], consideration shall be given to the average number and the nature of matters that have arisen during the immediately preceding period of five years, and that may be expected thereafter to arise, over which such officer would have jurisdiction and to such other factors as may be material. Disbursement of salaries shall be made by or pursuant to the order of the Director.

(b) Except as provided by section 8344, title 5, relating to reductions of the salaries of reemployed annuitants under subchapter III of chapter 83 of such title [5 USCS § § 8331 et seq.] and unless the office has been terminated as provided in this chapter [28 USCS § § 631 et seq.], the salary of a full-time United States magistrate [magistrate judge] shall not be reduced, during the term in which he is serving, below the salary fixed for him at the beginning of that term.

(c) All United States magistrates [magistrate judges], effective upon their taking the oath or affirmation of office, and all necessary legal, clerical, and secretarial assistants employed in the offices of full-time United States magistrates [magistrate judges] shall be deemed to be officers and employees in the judicial branch of the United States Government within the meaning of subchapter III (relating to civil service retirement) to chapter 83 [5 USCS § § 8331 et seq.], chapter 87 (relating to Federal employees' group life insurance) [5 USCS § § 8701 et seq.], and chapter 89 (relating to Federal employees' health benefits program) of title 5 [5 USCS § § 8901 et seq.]. Part-time magistrates [magistrate judges] shall not be excluded from coverage under these chapters solely for lack of a prearranged regular tour of duty. A legal assistant appointed under this section shall be exempt from the provisions of subchapter I of chapter 63 of title 5 [5 USCS § § 6301 et seq.], unless specifically included by the appointing judge or by local rule of court.

HISTORY:

(June 25, 1948, ch 646, § 1, 62 Stat. 917; Oct. 17, 1968, P.L. 90-578, Title I, § 101, 82 Stat. 1112; Sept. 21, 1972, P.L. 92-428, 86 Stat. 721; Oct. 17, 1976, P.L. 94-520, § 1, 90 Stat. 2458; Nov. 6, 1978, P.L. 95-598, Title II, § 232, 92 Stat. 2665; Oct. 10, 1979, P.L. 96-82, § 8(b), 93 Stat. 647; July 10, 1984, P.L. 98-353, Title I, § 108(a), Title II, § 210, 98 Stat. 342, 351; Dec. 22, 1987, P.L. 100-202, § 101(a) [Title IV, § 408(b)], 101 Stat. 1329-27; Nov. 19, 1988, P.L. 100-702, Title X, § 1003(a)(4), 102 Stat. 4665.)