

**Understanding Barriers to Judicial Applications in Minnesota:
A Survey-Based Analysis of Attorney Decision-Making**

Benedicte Dimuka

Master of Science in Applied Economics
Herberger Business School
St. Cloud State University
benedicte.dimuka@go.stcloudstate.edu

Committee Chair: Dr. King Banaian
Committee Members: Dr. Amanda Hemmesch, Dr. Komai Molle

Spring 2026

Acknowledgments

This research would not have been possible without the support and collaboration of the Minnesota District Judges Association (MDJA). I am deeply grateful to the MDJA for the opportunity to contribute to their ongoing work on judicial compensation and recruitment as a research intern, and for providing access to the data, networks, and resources that made this study possible. The survey instrument was designed as a direct complement to the broader MDJA compensation report update, and the association's commitment to evidence-based advocacy for Minnesota's judiciary inspired and shaped this research from the outset.

I would like to extend particular thanks to Judge Clinefelter for his leadership, support, and willingness to open doors that made this research possible. His belief in the importance of this work and his guidance throughout the process were instrumental in shaping both the scope and direction of this study. I am equally grateful to Emma Meyer, Staff Attorney to the MDJA, for her responsiveness and invaluable assistance in distributing the survey and connecting this research to the broader MDJA mission.

I am also deeply grateful to my committee chair, Dr. King Banaian, whose foundational work with Ali (2025) on Minnesota judicial salaries provided the objective framework upon which this behavioral study was built. His guidance, intellectual rigor, and commitment to this project have shaped my development as a researcher in ways I will carry forward throughout my career. I am equally thankful to Dr. Amanda Hemmesch for her indispensable assistance with the data cleaning process and her thoughtful feedback on the methodology, as well as to Dr. Komai Molle for her careful review and constructive suggestions.

Finally, I want to thank the 248 Minnesota attorneys who took the time to complete this survey. Your candid responses are the foundation of this research, and your voices are what give these findings meaning.

Abstract

This study investigates factors influencing Minnesota attorneys' decisions regarding judicial applications, with particular emphasis on Greater Minnesota districts. Building on Banaian and Ali's (2025) documentation of a 33% decline in applications between 2019 and 2024, this research employed a web-based survey of 248 attorneys, of which 203 were completed in full. The survey, distributed through the Minnesota District Judges Association (MDJA), Minnesota State Bar Association (MSBA), and Minnesota County Attorneys Association (MCAA) networks, was used to examine five research questions using descriptive statistics, cross-tabulations with chi-square tests, and binary logistic regression. The central finding is that salary, while a legitimate concern particularly in the Metropolitan area, is neither the primary nor the most universal barrier to judicial applications. Career timing, workload, and structural factors consistently rank above compensation. Because these barriers differ fundamentally by region, effective policy requires a differentiated response: Metropolitan recruitment calls for salary increases, while Greater Minnesota recruitment calls for residency reform, selection process transparency, and remote work provisions.

Keywords: judicial recruitment, Minnesota judiciary, attorney decision-making, Greater Minnesota, logistic regression, chi-square analysis, judicial compensation

Introduction

Motivation and Background

The judiciary serves as a cornerstone of democratic governance. Banaian and Ali (2025) documented a 33% decline in Minnesota judicial applications between 2019 and 2024, with Metropolitan District 4 receiving 17.5 applications per opening compared to only 6.3 in rural District 9. This research grows directly out of that work. The author contributed to this study as a research intern with the Minnesota District Judges Association, working as part of the broader project to update the 2024 MDJA compensation report. That collaboration provided direct access to MDJA data and networks, and the survey instrument was designed to complement and extend the objective salary analysis with behavioral evidence on attorney decision-making.

Objective salary evidence from the broader MDJA research project establishes the compensation landscape: Minnesota's cost-of-living-adjusted judicial salary ranked 21st nationally as of January 2026 (NCSC, 2026), while all six major metropolitan county attorneys, the upper quartile of Minneapolis lawyers (\$206,540), and General Counsel positions (\$258,405) now out-earn district court judges (BLS, 2024; Robert Half, 2026; Minnesota Compensation Council, 2025). While this objective evidence establishes that compensation pressure is real, it cannot explain why applications have also declined in Greater Minnesota, where judicial salaries often exceed local private practice income. This survey study directly investigates attorney decision-making to identify the actual barriers, both financial and non-financial, that deter applications across the state.

Research Motivation

The core puzzle driving this research is what economists call revealed preference (Samuelson, 1938): if salary were the binding constraint on judicial recruitment, we would expect attorneys who perceive a large salary gap to apply at lower rates than those who perceive a smaller gap. But the data does not fully support this prediction. Applications have declined even in Greater Minnesota, where judicial salaries frequently exceed local private practice income. This gap between the objective salary evidence and the observed recruitment patterns suggests that non-financial barriers, such as career timing, workload, geographic isolation, and structural factors like residency requirements and the political appointment process, may be more important than previously recognized. Understanding which barriers matter most, and for which attorney populations, is the essential first step toward effective policy.

Research Questions

RQ1: What are the primary barriers preventing qualified Minnesota attorneys from applying for judicial positions?

RQ2: How does the relative importance of salary versus non-financial factors vary between Metropolitan and Greater Minnesota attorneys?

RQ3: What specific challenges are unique to Greater Minnesota judicial recruitment?

RQ4: Which policy interventions would most effectively increase judicial applications?

RQ5: What factors predict whether an attorney who considered a judgeship ultimately applied?

Literature Review

Objective Salary Context: What the Data Show

A substantial body of objective evidence establishes the compensation landscape within which attorney decision-making occurs. Banaian and Ali (2025) provide the foundational analysis, documenting Minnesota judicial salaries in nominal and real (inflation-adjusted) terms from 2002 through 2024. Adjusted to 2025 dollars using the Minneapolis-St. Paul-Bloomington CPI-U (Federal Reserve Bank of St. Louis, 2026). Real trial court judge salaries in 2025 are essentially unchanged from their 2002 equivalents, a consequence of salary freezes during 2008-2012 and 2020-2022, during which inflation eroded purchasing power. The 8% increase in July 2023 and 4% increase in July 2024 partially restored lost purchasing power but did not reverse the accumulated erosion.

Minnesota's standing among peer states has weakened over the same period. The NCSC Survey of Judicial Salaries (2026) ranks Minnesota 21st nationally at a COLA-adjusted salary of \$186,824, down from 19th in 2023. Illinois ranked first at \$258,510, representing a 38% premium over Minnesota's COLA-adjusted salary. Private sector comparisons are equally stark: BLS data (2024) show the Minneapolis upper-quartile lawyer salary (\$206,540) exceeds the judicial salary of \$190,117, and the Robert Half (2026) salary guide shows General Counsel midpoints at \$258,405, 36% above the judicial salary. All six major metropolitan county

attorneys out-earn district court judges, with Dakota County's attorney earning \$233,653 (MCAA, 2024).

These benchmarks establish that compensation disparities are real and growing, particularly in Metropolitan markets. However, they do not explain the variation in application rates across districts. Standard labor economics predicts that rational agents respond to wage differentials: if judicial compensation falls relative to private practice, fewer attorneys should apply. This prediction is based on the Metropolitan area, where the salary gap is largest and application rates have declined the most. But it fails to explain why Greater Minnesota, where judicial salaries often exceed local private practice income, also faces serious recruitment challenges. This unexplained residual is the central economic puzzle this study addresses.

What We Know and What We Are Still Missing

Prior research on judicial recruitment has focused primarily on compensation benchmarking (NCSC, 2026; Banaian & Ali, 2025) and retirement system analysis (Minnesota State Retirement System, 2025). These studies tell us what judges are paid and how their compensation compares nationally, but they do not tell us how attorneys weigh those salaries against other career considerations. Two important gaps remain in existing literature.

First, we do not know the relative weight attorneys assign to financial versus non-financial factors. Compensation studies assume salary is the primary driver, but this assumption has never been tested against direct attorney survey evidence in Minnesota. If career timing, workload, or geographic concerns outweigh salary for most attorneys, then a salary-focused policy will have limited impact on application rates.

Second, we do not know whether barriers differ systematically between Metropolitan and Greater Minnesota attorneys. The existing literature treats the state as a single labor market, but the salary evidence clearly shows two very different compensation environments. A Metropolitan attorney who earns \$210,000 at a large firm faces a fundamentally different financial trade-off than a Greater Minnesota county attorney who earns \$130,000, and these two attorneys are likely to respond to different policy interventions.

Theoretical Framework

Career decision-making theory (Super, 1980) frames judicial application as a complex evaluation of compensation, workload, prestige, geographic stability, and professional identity. Public sector motivation theory (Perry & Wise, 1990) suggests that public service orientation partially offsets financial gaps within limits; attorneys motivated by public service may accept a salary discount, but only up to a threshold beyond which the financial sacrifice becomes prohibitive. Institutional theory (DiMaggio & Powell, 1983) explains how structural features, residency requirements, and the appointment process create formal barriers independent of compensation. All three frameworks converge on the prediction that salary alone is insufficient to explain application behavior and that effective recruitment policy must address multiple barrier types simultaneously.

Research Methodology

Data Collection

A web-based survey was administered through QuestionPro and distributed via MDJA, MSBA, and MCAA channels during Spring 2026. The survey received 264 total responses. Seventeen respondents who answered fewer than five substantive questions were excluded as non-substantive stars, in consultation with Dr. Hemmesch. Dr. Hemmesch also assisted with missing value coding for 'Not Applicable,' 'NA/I do not know,' and 'Prefer not to answer' responses across questions 16, 17, 21, 22, 28, and all demographic items. The analytical dataset contained N = 248 responses (203 completed, 45 partial), yielding a completion rate of 76.89%.

Survey Instrument

The survey was organized around five topic areas corresponding to the five research questions. First, attorneys were asked about their judicial application history and interest level using a multiple-choice format (Q5). Second, those who had considered but decided not to apply were asked to rank up to three barriers from a list of eight options in order of importance, with 1 indicating the most important barrier (Q8). Third, attorneys rated 15 specific Greater Minnesota barriers on a three-point scale (1 = Major Barrier, 2 = Minor Barrier, 3 = Not a Barrier; Q16) and 15 Metropolitan barriers using the same scale (Q17). Fourth, attorneys indicated their perception of income gaps between judicial and private practice salaries using a five-point scale ranging from 'judicial salary significantly higher' to 'private practice significantly higher' (Q21, Q22). Fifth, policy preference questions asked respondents to select the single most effective policy change for Greater Minnesota from a list of 11 options (Q30) and to indicate the salary level at which a Greater Minnesota position would be financially viable using an eight-point ordinal scale (Q24). Salary importance was measured on a continuous scale from 1 to 10 (Q23). Demographic items captured practice location, years of experience, practice setting, income, gender, marital status, and presence of minor children.

Sample Characteristics

The sample skews toward experienced practitioners: 27.85% had 25 or more years of practice, 21.10% had 15-19 years, and 16.88% had 10-14 years. Regarding practice location, 54.66% reported practicing primarily in Greater Minnesota, 25.85% in the Metropolitan area, and 16.95% in both regions. Attorneys who reported practicing in both regions were classified based on which region they identified as their primary practice location for purposes of the geographic analyses in Research Question 2. If no primary region was indicated, these respondents were excluded from the Metropolitan versus Greater Minnesota cross-tabulations but retained in all other analyses. Primary practice setting: 48.52% county attorney offices, 27.85% other government positions, and 7.77% private practice. The underrepresentation of private practice attorneys (7.77%) is a notable limitation, as this group, which accounts for the largest salary gaps relative to the judicial salary, is discussed extensively in the introduction and discussion. The sample was nearly gender-balanced (46.77% female, 44.28% male), largely married (80.0%), with minor children (49.53%). Current income: 37.81% earned \$150,000-\$199,999, and 31.84% earned \$100,000-\$149,999.

Analytical Approach

Analysis was conducted using R and SPSS. Descriptive statistics and frequency distributions were calculated for all questionnaire items. Cross-tabulations with Pearson chi-square tests ($\alpha = .05$) assessed geographic differences in key outcomes (Research Question 2). Binary logistic regression with the Enter method identified predictors of applying versus not

applying (Research Question 5). Model fit was assessed using the McFadden Pseudo R^2 and a classification accuracy table comparing model predictions to actual outcomes. Statistical significance was defined as $p < .05$ throughout.

The five regression predictors were selected to operationalize the three theoretical frameworks described in the literature review. Metro location (1 = Metro, 0 = Greater Minnesota) serves as a proxy for the structural context captured by institutional theory (DiMaggio & Powell, 1983), specifically, whether the attorney is embedded in a high-salary-gap environment with a perceived political appointment process. Years of practice operationalize career decision-making theory (Super, 1980) by capturing the career stage, the extent to which an attorney has reached the natural transition point toward a judgeship. County attorney status (1 = Yes) proxies for institutional proximity to the judiciary, capturing attorneys whose current work most closely resembles judicial responsibilities. Salary barrier rating and salary importance both operationalize the financial trade-off dimension central to public sector motivation theory (Perry & Wise, 1990), specifically, whether perceived or stated financial concerns translate into behavioral differences in application decisions.

Results

RQ1: Primary Barriers to Judicial Application

Table 1 presents the judicial interest distribution. Of 243 valid respondents, 91 (36.84%) had applied, 94 (38.06%) had seriously considered but decided not to apply, and 59 (23.89%) had never seriously considered a judicial career. The near-equal split between those who applied and those who considered but did not represent the core recruitment gap: among all interested attorneys, approximately 51% did not apply.

Table 1

Judicial Interest and Application Decision Among Survey Respondents

Response	n	%	Notes
Yes, and I have applied	91	36.84%	Applied group — primary subgroup 1
Yes, but I decided not to apply	94	38.06%	Considered-not-applied — primary subgroup 2
No, I have never seriously considered it	59	23.89%	Excluded from barrier analysis
Prefer not to answer / Missing	5	—	Excluded; coded as missing
Total valid responses	243	100.0%	

Note. Valid $n = 243$ after removing 3 'Prefer not to answer' and 2 system-missing responses. Percentages rounded to one decimal place. The near-equal split between applied (36.8%) and considered-but-did-not-apply (38.1%) is the central empirical finding of the study.

Table 2 presents mean rank scores for barriers. Respondents were asked to rank only their top three reasons for not applying, with 1 indicating the most important reason. Items not selected by a respondent were treated as unranked and excluded from the calculation of mean rank for that item. The mean rank reported for each barrier is therefore conditional on that barrier being ranked; it represents the average position assigned to each item by those attorneys who chose to rank it at all. A lower mean rank indicates that, among attorneys who included that item in their top three, it was cited as more important on average. Career timing ranked most important (mean rank = 2.20), followed by preference for current role (2.69), judicial workload (2.85), the burdensome application process (3.03), and political environment concerns (3.07). Salary ranked 6th of 8 assessed factors with a mean rank of 3.71. Safety concerns ranked last at 4.56.

Table 2

Primary Barriers to Applying — Mean Rank Scores (Lower = More Important)

Barrier	Mean Rank	Rank Order	Key Observation
Timing is not right in my career	2.20	1st	Most important — career stage matters most
Prefer current role	2.69	2nd	Strong attachment to current career trajectory
Concerns about judicial workload	2.85	3rd	Heavy caseload and administrative burden
The application process is too burdensome	3.03	4th	Length and complexity deter candidates
Concerns about the political environment	3.07	5th	The selection process is perceived as political
Salary is too low	3.71	6th	Significant but not dominant — key finding
Lack of resources/staff support	3.85	7th	Work environment concerns
Safety concerns	4.56	8th	Least important of the 8 factors

Note. n = 87 respondents with complete ranking data. Respondents ranked only their top three reasons; unranked items were excluded from mean rank calculations (i.e., mean rank is conditional on being ranked). A lower mean rank indicates the barrier was assigned a higher-priority position more frequently. Salary (highlighted) ranks 6th of 8 assessed barriers.

RQ2: Geographic Differences — Metro vs. Greater Minnesota

Cross-tabulations with chi-square tests assessed whether Metro and Greater Minnesota attorneys differ in their application behavior and salary perceptions. Table 3 presents the salary barrier cross-tabulation. Metropolitan attorneys were significantly more likely to rate salary as a

major barrier (16.67%) compared to Greater Minnesota attorneys (10.91%), $\chi^2(2) = 6.74$, $p = .03$. Notably, 70.0% of Greater Minnesota attorneys rated salary as not a barrier at all.

Table 3

Cross-Tabulation: Salary as Barrier to Greater Minnesota Judgeship × Practice Location

Practice Location	Major Barrier %	Not a Barrier %	Statistical Test
Metro (n=42)	16.67%	47.62%	$\chi^2(2) = 6.74$, $p = .03^*$
Greater Minnesota (n=110)	10.91%	70.00%	
Metro attorneys are significantly more deterred by salary. 70.0% of Greater Minnesota attorneys say salary is not a barrier.			

Note. Row percentages shown. Chi-square test based on a 3×2 contingency table. Minor Barrier percentages omitted from display for clarity. * $p < .05$.

Table 4 presents the cross-tabulation of application decisions by practice location, the most statistically significant geographic difference in the study. Metropolitan attorneys were substantially more likely to have considered but not applied (45.90%) compared to Greater Minnesota attorneys (33.07%), while Greater Minnesota attorneys were more likely to have applied when interested (44.09% vs. 19.67% for Metropolitan), $\chi^2(2) = 10.70$, $p = .005$. This finding suggests that the Metropolitan recruitment problem is not merely about fewer attorneys considering judgeships, but about a higher rate of attrition between consideration and application.

Table 4

Cross-Tabulation: Application Decision × Practice Location

Practice Location	Applied %	Considered, Did Not Apply %	Never Considered %
Metro (n=61)	19.67%	45.90%	34.43%
Greater Minnesota (n=127)	44.09%	33.07%	22.83%
$\chi^2(2) = 10.70$, $p = .005^{**}$ Metro attorneys are 2.3 times more likely to consider but not apply.			

Note. Row percentages shown. Metro $n = 61$; Greater Minnesota $n = 127$. Attorneys reporting practice in both regions were classified by primary practice location; those without a primary designation were excluded from this analysis. ** $p < .01$. Metro attorneys are 2.3 times more likely than Greater Minnesota attorneys to consider but not apply (45.9% vs. 33.1%).

RQ3: Unique Challenges to Greater Minnesota

Professional isolation from the legal community was the highest-rated barrier to a Greater Minnesota judgeship, with 59.40% rating it as any barrier and a mean score of 2.14 (on a 1-3 scale where 1 = Major Barrier). Location desirability was second (57.1%, mean = 2.13). Salary ranked 8th of 15 factors at 39.90%, a 19.50 percentage point gap below the top barrier, providing the clearest quantitative evidence that Greater Minnesota recruitment challenges are primarily structural, not financial.

Regarding the primary reason fewer lawyers apply in Greater Minnesota (Q29, n = 194): undesirable location was cited most frequently (27.32%), followed by the judicial selection process being perceived as political (23.71%), dearth of attorneys in Greater Minnesota (10.3%), and professional isolation (8.76%). Salary was cited as the primary reason by only 5.15% of respondents. Additionally, 80.00% of respondents believed Greater Minnesota districts have more difficulty recruiting qualified candidates compared to the Metropolitan area (44.00% significantly more, 36.00% somewhat more).

RQ4: Policy Interventions

Relaxing residency requirements were the top preferred policy change for Greater Minnesota (23.04%, n = 44), followed by the 'other' category dominated by selection process reform (18.3%). It tied responses for increasing base salary and streamlining the application process (both 13.61%). Remote work flexibility ranked 5th (9.95%).

Regarding viable salary thresholds: 36.68% indicated the current salary of \$190,117 is already sufficient for a Greater Minnesota position. The Compensation Council's recommended 6% increase (to approximately \$201,524) would satisfy this group, as well as most of the \$200,000-\$224,999 group (16.1%), collectively satisfying approximately 59.40% of respondents. Salary importance averaged 5.40 out of 10 (SD = 2.58), with no significant difference between Metropolitan (5.59) and Greater Minnesota (5.21) attorneys, $t(141) = 0.87$, $p = .39$.

RQ5: Logistic Regression — Predictors of Applying

A binary logistic regression identified predictors of applying among the 105 attorneys with complete data who had either applied (n = 52) or seriously considered but decided not to apply (n = 53). The overall model was statistically significant, LR $\chi^2(5) = 25.27$, $p < .001$, McFadden Pseudo $R^2 = 0.174$. Table 5 presents the full results.

Table 5**Binary Logistic Regression: Predictors of Applying vs. Not Applying**

Predictor	B	SE	p	OR Exp(B)	Interpretation
Constant	-2.58	1.67	.12	0.08	—
Metro location (1=Metro, 0=Greater MN)	-1.41	0.58	.02*	0.24	Metro attorneys 75.6% less likely to apply than

Predictor	B	SE	p	OR Exp(B)	Interpretation
					Greater Minnesota attorneys
Salary barrier rating (1-3)	0.68	0.40	.08	1.98	Not significant
Years of practice	0.07	0.03	.01**	1.08	Each additional year increases the odds of applying by 7.7%
County attorney (1=Yes)	0.39	0.50	.44	1.48	Not significant
Salary importance (1–10)	-0.08	0.11	.49	0.93	Not significant: does not independently predict applying
N = 105 McFadden Pseudo R² = 0.17 LR $\chi^2(5)$ = 25.271, p < .001 * p < .05 ** p < .01					

Note. Method: Enter (all predictors entered simultaneously). Dependent variable: Applied (1) vs. Considered-but-did-not-apply (0). Highlighted rows (green) = statistically significant predictors. OR = Odds Ratio (Exp(B)). Metro location: Metro attorneys were 75.6% less likely to apply than Greater Minnesota attorneys (OR = 0.244, p = .015). Years of practice: each additional year increased odds of applying by 7.7% (OR = 1.077, p = .009). Salary importance (p = .486) was not a significant predictor. * p < .05, ** p < .01.

To assess the goodness of prediction beyond the pseudo-R-squared, Table 6 presents a classification accuracy table comparing model-predicted outcomes to actual outcomes. Using a threshold of predicted probability > 0.50 to classify each attorney as likely to apply, the model correctly classified 75 of 105 cases (71.4%). A naive model predicting that all attorneys would not apply achieves only 50.5% accuracy. The model therefore adds substantial predictive value beyond chance, improving classification by 20.9 percentage points.

Table 6

Classification Accuracy Table — Logistic Regression Model

	Predicted: Did Not Apply	Predicted: Applied	Row Total
Actually Did Not Apply	35	18	53
Actually Applied	12	40	52
Column Total	47	58	105
Model accuracy = 71.4% (75/105) vs. null model 50.5% (53/105). Diagonal cells (green) = correct predictions. 20.9 percentage point improvement over the null model.			

Note. Predictions based on the model-estimated probability of applying. Threshold: prob > 0.50 = predicted to apply. Diagonal cells (green) represent correct classifications. Model accuracy = 71.4% (75/105) vs. null model accuracy = 50.5% (53/105).

Two predictors achieved statistical significance. Metropolitan location was a significant negative predictor ($\beta = -1.411$, Wald = 5.938, $p = .015$, OR = 0.244), indicating that Metro-based attorneys were approximately 75.6% less likely to apply than those from Greater Minnesota. It is important to interpret the salary importance finding precisely: the data show that salary importance does not have a statistically significant independent effect on the probability of applying, conditional on an attorney having already seriously considered a judgeship and after accounting for structural and career-stage factors. This is not equivalent to saying salary does not matter. Rather, among attorneys who were sufficiently interested in considering applying, the decision to follow through appears to be driven primarily by factors such as career timing, workload concerns, and the application process itself, not by salary importance alone. What appears to deter Metropolitan attorneys from completing an application are qualitative barriers, workload perceptions, lifestyle concerns, and perceived uncertainty about the political appointment process that persist even when salary concerns are held constant. Potential omitted variables, such as family constraints (e.g., a spouse's career, children's schooling), the structure and partnership obligations of the firms or offices at which attorneys are employed, and personal relationships with the current judiciary, may further explain application behavior but were not captured in this survey and represent a direction for future research. Years of practice were a significant positive predictor ($\beta = 0.074$, Wald = 6.830, $p = .009$, OR = 1.077), indicating that each additional year of practice increased the odds of applying by approximately 7.7%. Salary barrier rating ($p = .084$), county attorney status ($p = .438$), and salary importance ($p = .486$) were not statistically significant predictors.

Discussion

Integration with MDJA Salary Evidence

The survey findings substantially enrich the objective salary evidence from MDJA Tables 1-7. The income gap perception data directly validates those tables: 68.3% of Metropolitan attorneys perceiving private practice as significantly higher is precisely what the MDJA salary comparisons predict, given that General Counsel earns 36% more than a judge. The logistic regression finding that salary barrier rating did not reach statistical significance as a predictor of applying ($p = .084$), despite being widely acknowledged as a concern, is the most important quantitative contribution of this study: even among attorneys who perceive salary as a barrier, this perception does not independently drive whether they apply once career-stage and structural factors are accounted for. Metropolitan location and career stage drive the application decision more powerfully than salary perception alone.

It is also worth noting the sampling composition. The sample is heavily weighted toward county attorneys (48.52%) and government attorneys (27.85%), with private practice attorneys representing only 7.77% of respondents. Because county attorneys in Greater Minnesota often earn less than the judicial salary of \$190,117, judicial compensation looks relatively competitive to that group. This overrepresentation of government attorneys likely reduces the estimated importance of salary in the analysis, which, if anything, strengthens the core argument. If salary barriers appear modest even in a sample dominated by attorneys for whom judicial pay is

competitive, the true salary barrier for the underrepresented private practice segment is probably larger.

The Metropolitan Paradox

The logistic regression reveals a Metropolitan paradox. Metropolitan attorneys face the largest objective salary gaps, perceive salary as a more significant barrier ($p = .034$), and yet are the group least likely to convert interest into an application ($\chi^2(2) = 10.699$, $p = .005$). The odds ratio of 0.244 for Metro location means that, controlling for salary perceptions and other factors, Metropolitan attorneys are 75.6% less likely to apply than their Greater Minnesota counterparts.

What the data suggest is that salary itself does not drive this attrition, but a combination of structural and career-stage factors that persist even after salary concerns are held constant. Career timing was the most important barrier overall (mean rank = 2.20), and years of practice were a significant positive predictor of applying (OR = 1.077, $p = .009$), meaning attorneys who have not yet reached the natural career transition point toward the bench are more likely to walk away regardless of compensation. Beyond timing, Metropolitan attorneys cited judicial workload (mean rank = 2.85), the burdensome application process (3.03), and concerns about the political nature of the appointment process (3.07) as barriers that all ranked above salary. Metropolitan attorneys are interested enough to consider a judgeship, but when they weigh the full package workload demands, the application effort, uncertainty about the appointment process, and lifestyle trade-offs, enough of them decide the timing is not right, or the process is not worth pursuing. This is a qualitatively different problem from simple salary deterrence and requires qualitatively different solutions.

The Case for Differentiated Policy

The combined evidence from all five research questions strongly supports a differentiated rather than a uniform policy. For Metropolitan recruitment, the Compensation Council's recommended salary increases are the most defensible single intervention, since salary is a significantly stronger barrier there, and the objective wage gap with private practice is the largest in that market.

For Greater Minnesota recruitment, a different set of interventions is needed. Residency requirements, which currently require judicial applicants to live within the district where they apply, were cited by 23.0% of respondents as the single most effective policy change, the highest response for any specific intervention. Selection process transparency was the dominant theme in open-text responses and was cited by 23.7% as the primary reason fewer attorneys apply in Greater Minnesota. Application process streamlining (13.6%) and remote work flexibility on non-trial days (9.9%) round out the preferred interventions. It bears noting that 59.3% of Greater Minnesota respondents indicated the current or near-current salary is financially workable for them; this reflects the relative competitiveness of judicial salaries in rural markets rather than indifference to compensation, as other concerns simply weigh more heavily in their ultimate decision.

Policy Recommendations

For the Minnesota Legislature

First, enact the Compensation Council's recommended 6%+6% salary increases. For Metropolitan recruitment, this is the highest return on financial investment. For Greater Minnesota, it satisfies approximately 59% of respondents at the lower end.

Second, amend Minnesota Statutes to permit attorneys residing anywhere in Minnesota to apply for judicial vacancies in any district, subject to a commitment to establish residency upon appointment. This is the top specific Greater Minnesota intervention at 23.0% and carries no direct fiscal cost.

Third, require the Judicial Selection Commission to publish its evaluation criteria, scoring rubrics, and summary feedback to interview candidates. The political selection process cited by 23.7% as the primary reason fewer attorneys apply in Greater Minnesota is not addressable through compensation reform alone.

Fourth, address non-salary barriers for Metro recruitment. The cross-tabulation data confirms that salary is a significant Metropolitan barrier, but the logistic regression shows it does not independently predict applying once other factors are controlled. This means salary increases alone will be insufficient even for Metropolitan recruitment. The barriers that most distinguish Metropolitan attorneys from Greater Minnesota attorneys in the barrier rankings are career timing (mean rank = 2.20), judicial workload (2.85), and the application process burden (3.03), which call for complementary structural interventions. Specifically: streamline and shorten the judicial application process to reduce the effort cost that deters Metropolitan attorneys at the consideration-to-application stage; engage in targeted outreach to Metropolitan attorneys in mid-career (10-20 years of experience), who are approaching the career stage at which years of practice becomes a significant predictor of applying; and provide clear, realistic information about judicial workload and judicial lifestyle to counteract inflated perceptions of the workload burden.

For the Minnesota District Judges Association

Advocate for remote work flexibility on non-trial administrative days as a near-zero-cost complement to salary increases. Commission a biennial attorney survey to track whether barriers are changing in response to policy interventions, using this study as the baseline measurement.

Limitations

The survey was distributed through MDJA, MSBA, and MCAA channels, which may have oversampled attorneys engaged in judicial and bar association activities. The sample is heavily concentrated in county attorney offices (48.52%) and government positions (27.85%), with private practice attorneys comprising only 7.77% of respondents, likely underrepresenting the group that faces the largest salary gaps and is most relevant to Metropolitan recruitment. The logistic regression sample was reduced to $n = 105$ due to listwise deletion of cases with missing values on any predictor, reducing statistical power. Several potentially important omitted variables were not captured in the survey, including family constraints (spousal employment, children's schooling), the structure and obligations of attorneys' current employment settings, and

personal relationships with the existing judiciary. A cross-sectional design captures attitudes at a single point in time. The McFadden Pseudo R^2 of 0.174, while acceptable for cross-sectional survey data, indicates that substantial unexplained variance remains in application decisions.

Future survey research in this area should consider three improvements. First, oversample private practice and in-house attorneys who are underrepresented here and whose responses would strengthen the Metropolitan analysis. Second, add a scaled question directly measuring how much the political appointment process deters application this study captured through open-text responses, but a scored item would allow it to be included as a regression predictor. Third, a follow-up survey two to three years after any salary increases or residency reforms are enacted would allow a before-and-after comparison to test whether the policy changes actually moved the key barriers.

Conclusion

This research addresses the behavioral gap in understanding Minnesota's judicial recruitment challenge. Five research questions were investigated using descriptive statistics, cross-tabulations with chi-square tests, and binary logistic regression on a sample of 248 Minnesota attorneys. The evidence builds cumulatively across all five questions toward a single coherent conclusion.

Career timing and workload concerns rank above salary as primary barriers (RQ1). Metropolitan attorneys are significantly more likely to consider but not apply than Greater Minnesota counterparts, $\chi^2(2) = 10.699$, $p = .005$, and this difference is not fully explained by salary perceptions in the logistic regression (RQ2, RQ5). Greater Minnesota barriers are primarily structural, professional isolation, location desirability, and the perceived political selection process, not financial (RQ3). The top preferred policy intervention for Greater Minnesota is residency requirement reform, not salary increases (RQ4). In the logistic regression, salary importance does not have a statistically significant independent effect on applying, conditional on serious consideration, while Metro location ($OR = 0.244$, $p = .015$) and years of experience ($OR = 1.077$, $p = .009$) do, and the model correctly classifies 71.4% of attorneys compared to a null model accuracy of 50.5% (RQ5).

Taking together, these findings point to a clear policy conclusion: Minnesota faces two distinct judicial recruitment problems that require two distinct solutions. Metropolitan recruitment is constrained primarily by compensation, but also by career-stage and process barriers that salary increases alone cannot address. Greater Minnesota recruitment is constrained primarily by structural and geographic factors. Residency reform, selection process transparency, and remote work provisions are the right interventions there. Applying a single salary-increase remedy to both regions will partially address one problem while leaving the other largely untouched. Differentiated policy, informed by direct evidence on attorney decision-making, is the path toward a judiciary that can serve all Minnesotans.

References

- Banaian, K., & Ali, F. (2025). Minnesota judicial state court salaries. St. Cloud State University, Center for Policy Research and Community Engagement.
<https://www.lcc.mn.gov/compouncil/meetings/250314/Minnesota-Judicial-State-Court-Salaries>
- Bureau of Labor Statistics, U.S. Department of Labor. (2024). Occupational employment and wage statistics, May 2024. <https://www.bls.gov/oes/2024/may/oesrcma.htm>
- DiMaggio, P. J., & Powell, W. W. (1983). The iron cage revisited: Institutional isomorphism and collective rationality in organizational fields. *American Sociological Review*, 48(2), 147–160. <https://doi.org/10.2307/2095101>
- Federal Reserve Bank of St. Louis. (2026). Consumer Price Index for All Urban Consumers: Minneapolis-St. Paul-Bloomington, MN-WI [CUUSA211SA0]. FRED Economic Data. <https://fred.stlouisfed.org/series/CUUSA211SA0>
- Minnesota Compensation Council. (2025a). Salary comparisons: Judiciary salaries. <https://www.lcc.mn.gov/compouncil/meetings/250307/Salary-comparisons-judges-12-18-24.pdf>
- Minnesota Compensation Council. (2025b). 2025 report of the compensation council. <https://www.lcc.mn.gov/compouncil/reports/comp-council-final-report-3-31-2025.pdf>
- Minnesota County Attorneys Association. (2024). County attorney salary survey 2024. As cited in Minnesota Compensation Council (2025a).
- Minnesota District Judges Association. (2023). MDJA judicial compensation survey, March 2023.
- Minnesota Governor's Office. (2024). District judge openings and applications data, 2019–2024. [Dataset provided by Tovah Pentelovitch, Deputy General Counsel].
- Minnesota State Retirement System. (2025). Judges Retirement Fund actuarial valuation report as of July 1, 2025. https://www.mnretire.gov/sites/default/files/2025-12/Final_Funding_2025Report_JRF.pdf
- National Center for State Courts. (2026). Survey of judicial salaries (Vol. 51, No. 1). <https://nationalcenterforstatecourts.box.com/s/qan0b7b3jj9k8fcg7dtg46xhl81hvse2>
- Perry, J. L., & Wise, L. R. (1990). The motivational bases of public service. *Public Administration Review*, 50(3), 367–373. <https://doi.org/10.2307/976618>
- Rainey, H. G., & Steinbauer, P. (1999). Galloping elephants: Developing elements of a theory of effective government organizations. *Journal of Public Administration Research and Theory*, 9(1), 1–32.

Robert Half. (2026). 2026 legal salary guide: Minneapolis-adjusted salary data.
<https://www.roberthalf.com/us/en/insights/salary-guide/legal>

Samuelson, P. A. (1938). A note on the pure theory of consumers' behaviour. *Economica*, 5(17), 61–71. <https://doi.org/10.2307/2548836>

Super, D. E. (1980). A life-span, life-space approach to career development. *Journal of Vocational Behavior*, 16(3), 282–298. [https://doi.org/10.1016/0001-8791\(80\)90056-1](https://doi.org/10.1016/0001-8791(80)90056-1)