
Falling Behind: Wisconsin's Assistant DA Salary Problem

Encouraging the State to Close the Gap

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Role of the ADA and How We Got Here

Assistant District Attorneys are the backbone of DA offices across Wisconsin. They handle case adjudication, analyze evidence, prosecute cases in court, assist the District Attorney, and help the docket of cases run smoothly and efficiently. They are the frontline prosecutors that help the justice system work.

These roles are critical in our justice system. These attorneys make decisions that greatly impact peoples' lives and come with public scrutiny. Yet, they are underpaid. The starting salary of an ADA is \$26.70 an hour, which is around \$54,000 annualized.¹ There is flexibility for hiring seasoned attorneys with prosecutorial experience over that baseline number, but it's rare. For reference, the nationwide average pay for jobs in DA offices in 2021 (not counting the DA position itself and adjusted for inflation) is \$66,802.²

The Turnover Aspect

This rate of pay makes ADA positions high turnover positions, and it has not been any recent revelation. According to UW's La Follette School of Public Affairs


"Of Wisconsin's 330 assistant district attorneys (ADAs), 246 left their jobs between 2001 and 2007. A 75 percent turnover rate presents challenges for any organization, but the implications are especially alarming for public safety when the employees are the prosecutors, people whose work in county court make up a critical component of the state's overall criminal justice system....The annual turnover rate for Wisconsin ADAs since 1990 is 15.6 percent. Since 2000 it is 17.2 percent, and since 2005 it is 18.4 percent. These rates contrast with an annual turnover rate for public employees that is usually 5 percent to 7 percent."³

¹ DA Eric Sparr

² "District Attorney Salaries." Biglaw Investor, January 27, 2022.
<https://www.biglawinvestor.com/district-attorney-salary/>. Accessed July 24, 2022.

³ "Public Safety and Assistant District Attorney Staffing in Wisconsin." Robert M. La Follette School of Public Affairs. Accessed July 24, 2022.
<https://lafollette.wisc.edu/outreach-public-service/past-events-initiatives-and-collaborations/public-safety-and-assistant-district-attorney-staffing-in-wisconsin>.

Based on this analysis, one can only imagine what the turnover numbers look like now.



Comparison to Other Public Sector Attorney Positions

1. City of Oshkosh Assistant City Attorney:
 - \$33.72 - 46.24/hr (\$70,137.60 - \$96,179.20)
2. City of Oshkosh Deputy City Attorney:
 - \$44.93 - 61.62/hr (\$93,454.40 - \$128,169.60)
3. City of Oshkosh City Attorney:
 - \$54.39 - 74.59/hr (\$113,131.20 - \$155,147.20)
4. Winnebago County Corporation Counsel:
 - \$109,230 - \$150,738
5. Assistant Corporation Counsel & County Child Support Attorney:
 - \$74,030 - \$102,160
6. Assistant Child Support Attorney:
 - \$65,513 - \$90,408⁴

If an ADA applicant has a choice and can command a higher wage, these are the more competitive positions listed above (not to mention they're less stressful and carry far less public scrutiny). It is also important to note that Winnebago County has an open ADA position (open since early May - for reference that job description is attached in this packet). There has not been a single applicant yet for that job as of authoring this.⁵ Paralegal positions are also creeping up on baseline ADA salaries. In June of this year, Dodge County posted (and filled) a paralegal position, which started at \$26.87/hour, but was also "negotiable for the right person." Furthermore, in March of this year, the

⁴ DA Eric Sparr

⁵ DA Eric Sparr

Wisconsin Department of Justice posted a paralegal position with a starting hourly wage of \$27.00-\$31.44.⁶



The Fix

To conclude, Winnebago County cannot fix this problem by itself. Since 1989, the counties of Wisconsin are no longer the party responsible for paying District Attorney office prosecutors. The State of Wisconsin must be encouraged to review and revise the baseline pay for ADAs. Public safety depends on it. In an economic situation where it is imperative to separate needs from wants, this is a need.

⁶ DA Eric Sparr