

January 19, 1948

Mr. T. J. Neal,  
Justice of the Peace  
St. Johns, Arizona

1/17/59  
Not recorded  
Revised By  
753 Amended  
Case 4-2-17  
Dwin

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**ARIZONA ATTORNEY GENERAL**

Dear Mr. Neal:

We have your recent letter wherein you request the opinion of this office as to whether or not the Board of Supervisors may raise your salary as Justice of the Peace.

We understand that you were elected for a four-year term pursuant to Section 17-504 Arizona Code Annotated, 1939, as amended. We note further that the salary for Justice of the Peace is fixed for a two-year term at the regular June meeting of the Board of Supervisors pursuant to the provisions of Section 12-711, Arizona Code Annotated 1939.

Article 4, Part 2, Section 17, of the Arizona Constitution provides as follows:

"Extra compensation. The legislature shall never grant any extra compensation to any public officer, agent, servant, or contractor, after the services shall have been rendered or the contract entered into, nor shall the compensation of any public officer be increased or diminished during his term of office, provided, however, that when any legislative increase or decrease in the compensation of the members of any court, board, or commission, composed of two or more officers or persons, whose respective terms of office are not coterminous, has heretofore or shall hereafter become effective as to any member of such court, board or commission, it shall be effective from such date as to each of the members thereof."

It is our opinion that this provision of the State Constitution prohibits the Board of Supervisors from increasing the pay of a Justice of the Peace during his term. They may increase the salary, but the increase cannot become effective prior to the expiration of the four-year term.

Very truly yours,

EVO De CONCINI,  
Attorney General

CHAS. D. McCARTY,  
Assistant Attorney General