Indiana Judges' Benefits Brochure

Presented by
The Indiana Judges Association
Benefits Committee:

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ACKNOWLEDGMENT

The Indiana Judges' Association Benefits Committee wishes to thank and gratefully acknowledge the Division of State Court Administration for its continuous commitment to keeping the Judges' Benefits Brochure updated as changes occur with respect to judges' salary and benefits.

Thanks to all of you.

PREFACE

I. GENERAL PURPOSE

The Indiana Judges' Association (I.J.A.) in conjunction with the Division of State Court Administration established the I.J.A. Benefits Committee to focus on matters affecting judges and their families in the areas of pension, insurance and related areas. One of the Committee's areas of focus is this Benefits Brochure. The purpose of this brochure is to provide all judges in Indiana an easy reference manual for the various benefits offered by the state of Indiana as part of judges' and other judicial officials' state compensation package. This document is not part of the Benchbooks, but is provided as an introduction.

The information contained herein is current as of the date of publication on the cover sheet. However, legislative changes will make periodic updating a necessity because of the statutory basis of Judges' salaries, retirement plans, and death/disability benefits. Furthermore, changes could occur through administrative changes regarding savings plans and insurance. This brochure represents the committee's interpretation of applicable Indiana statutes. Where possible, judges are directed to the appropriate statutory language. Nothing in this Brochure is intended to create an employment contract. All information contained is subject to change. The Committee will make every effort to ensure that updates are made in a timely manner. For more detail, contact the Division of State Court Administration. Furthermore, for benefits available on a county level, contact your County Auditor.

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317/232-2542

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II. FORMAT

This Benefits Brochure is divided into 5 main components. Those components are:

1) Judicial Salary and Other Compensation
2) Health Plans
3) Deferred Compensation Savings Plan
4) Judges' Retirement Plan and
5) Group Term Life Insurance Coverage

The Salary Chapter is merely a reference to the appropriate statutory citation. The main area of focus is the fringe benefits available to Judges other than salaries. Tables and statutory references have been provided for your information and direction.

JUDICIAL SALARIES AND OTHER COMPENSATION

I. JUDICIAL SALARIES

A. Judicial Salaries are set by the Indiana General Assembly and are subject to periodic change. The salary legislation is found in I.C. 33-38-5-1 et seq.

B. The Supreme Court of Indiana, Court of Appeals of Indiana and the Indiana Tax Court salary legislation is found in I.C. 33-38-5-8.

C. The Trial Judges salary legislation is found in I.C. 33-38-5-6.

1. County Supplement legislation is found in I.C. 36-3-6-3 and I.C. 36-2-5-14.

D. The Magistrates salary legislation is found in I.C. 33-23-5-10.

1. County Supplement legislation is found in I.C. 36-3-6-3 and I.C. 36-2-5-14.

E. The Juvenile Magistrates salary legislation is found in I.C. 33-38-5-7 and I.C. 33-23-5-10 and 12.

1. County Supplement legislation is found in I.C. 36-3-6-3 and I.C. 36-2-5-14.

F. Pay raise legislation for judicial officers is found at I.C. 33-38-5-8.1.

G. PL 95-2004, SEC. 16, codified at I.C. 33-38-5-8.2, provides for a "health care adjustment" to the salaries of "employees of the judicial branch." The health care adjustment is currently included in the judge's base salary.

H. The Senior Judge per diem compensation legislation is found in I.C. 33-23-3-5, and specifies that senior judges are entitled to a per diem of $100 per day served for the first 30 days of service in a calendar year, and a per diem of up to $250 per day (subject to adjustment by the Supreme Court if the payroll fund is insufficient to pay the full $250 per diem) for each day of service in the calendar year above 30. Senior judges are entitled to reimbursement for mileage and reasonable expenses. See also Ind. Administrative Rule 5. Senior judges are entitled to state benefits, provided they are appointed for service for a period of at least 30 days, and provided they serve at least 30 days during each calendar year. See I.C. 5-10-8-1; Admin.R. 5. Senior judges may not be compensated for senior judge service for more than 100 days in the aggregate during any one calendar year. IC 33-23-3-5. According to the Division of State Court Administration's schedule, senior judges may not be compensated for both senior and special judge service performed on the same day. See Ind.Trial Rule 79(P).

I. The Judge Pro-Tempore compensation is set by Ind.Trial Rule 63. Supreme Court pro tems are paid at the rate of the regular presiding judge of the court in which the pro tem serves. T.R. 63(D). This amount includes any county supplement. Local pro tems are paid $25 per day for their service. I.C. 34-35-1-4 and T.R. 63(D).

J. Special Judges are paid at a rate of $25 per day for each jurisdiction served if the special judge is a senior judge (who has not served that same day as a senior judge) or an attorney not currently being paid as a judge or other "employee of the judiciary." T.R. 79(P). Sitting judges and other employees of the judiciary are entitled to mileage and expense reimbursement.

DIRECT DEPOSIT

Direct Deposit is a safe and convenient check handling system where your payroll check is deposited into a financial institution of your choice on the morning of your scheduled payday. No special accounts are required for Direct Deposit. You may, also, elect to have money deposited into a secondary account.

In the event that a judge does not elect direct deposit, the State will automatically issue an **Indiana Visa Debit Card** and will make payroll payments to the judge using this card. Debit cards are issued through National City Bank and judges may call 888/393-5866, and press option "3", for questions relating to the debit card. Judges will continue to have access to their online bi-weekly statements, which will include tax and benefit deductions.

For more information, please contact:

Division of State Court Administration
30 S. Meridian Street, Ste 500
Indianapolis, IN 46204
Phone: 317/232-2542

II. HEALTH PLANS –

HEALTH INSURANCE

A ***Preferred Provider Option (PPO)*** plan for basic medical and major medical health insurance is available through a group policy with Anthem Blue Cross/Blue Shield:

The Anthem Traditional PPO Plan has an in-network deductible of $750 for single and $1,500 for family coverage that must be satisfied before benefits are payable from the plan. This includes prescription drugs. There is a separate deductible of $1,500 for single and $3,000 for family coverage when going to a non-network provider. Once the deductible is met, for most services, the judge will be required to pay a 30% coinsurance for most eligible expenses when using a network provider and a 50% coinsurance when using a non-network provider. Preventative services are covered in full when going to a network provider and are not subject to the deductible. Preventative services provided by a non-network provider are not subject to the deductible; however, the judge will be required to pay a 50% coinsurance. Network and non-network deductibles and out-of-pocket maximums are not combined.

The Anthem Consumer Driven Health Plans I and II work the same way and cover the same eligible expenses but have different deductible amounts. The CDHP I has a $2,500 deductible for single coverage and a $5,000 deductible for family coverage. The CDHP II has a $1,500 deductible for single and a $3,000 deductible for family coverage. Most services, as well as prescription drugs, require that the deductible be met before the plan will pay anything towards expenses. Once the deductible is met, for most services, the judge will be required to pay a 20% coinsurance for eligible expenses when using a network provider and a 40% coinsurance when using a non-network provider. Preventative care services are covered in full as long as the judge goes to a network provider; otherwise, a coinsurance of 40% is required. Network and non-network deductibles and out-of-pocket maximums are combined under both plans.

For more information on the Anthem Medical Plans, please contact:

Anthem Insurance Companies, Inc.
Phone: 877/814-9709
Website: www.anthem.com

A **Health Savings Account (HSA)** is a companion to the Consumer Driven Health Plans (CDHP) and may be available to those who participate in one of the CDHPs. An HSA is a special, tax-qualified consumer bank account that allows you to set money aside to help offset expenses that may occur prior to reaching the deductible. The State contributes approximately 45% of the deductible amount and the employee may contribute an additional amount up to the maximum contribution limits set by the IRS. One-half of the state's contribution is deposited during the first part of the year and the remainder is deposited over 26 paydays in the calendar year. Judges must allocate the dollar amount they wish to contribute each year since contributions do not carry over. Contribution amounts can be changed throughout the year by contacting State Personnel-Benefits at 877/248-0007 or 317/232-1167.

For more information and to see if you are eligible to participate in the HSA, please contact:

Tower Bank -
Phone: 888/472-8697
Website: www.towerbank.net

PRESCRIPTION DRUG PLAN

Medco Health Solutions, Inc. (Medco) administers the state's prescription drug plan and works in conjunction with Anthem. Medco has programs that are designed to make it easy for you to order your prescriptions and manage your health history. Judges and their dependents may use either retail or the Medco Mail Service Pharmacy and the benefit covers most prescription drugs. However, certain medications are subject to limitations and may require prior authorization for continued use.

Anthem still produces the medical ID cards which will contain the Medco logo on the back. Judges should present this card to the pharmacy and must inform the pharmacist of the need to run the prescription through Medco and not Anthem.

For more information on the Prescription Drug Plan, please contact:

Medco
Phone: 877/841-5241
Website: www.medco.com

DENTAL INSURANCE

All judges may be covered with dental insurance through **Delta Dental PPO (Point of Service)** whether or not they elect medical coverage.

The Delta Dental Plan has a $50.00 deductible per person per calendar year limited to $150.00 per family for most services. Once the deductible has been met, the plan will pay anywhere from 50% - 80% of eligible expenses depending on the type of service rendered and the provider selected. Preventative and diagnostic services are covered in full when using a participating dentist. Judges must elect to participate in this plan to be eligible and the State of Indiana and the judge share the cost of dental premiums.

For more information on the Delta Dental Plan, please contact:

Delta Dental
Phone: 800/524-0149
Website: www.deltadentalin.com

VISION INSURANCE

All judges may be covered with vision insurance through **Anthem Blue View Vision Select** whether or not they elect medical coverage.

Anthem Blue View Vision Select is offered to judges for vision services and materials such as eyeglass frames and lenses in addition to the limited optical coverage that may be offered through a medical plan. Judges must elect to participate in this plan to be eligible and the State of Indiana and the judge share the cost of vision premiums.

For more information on the Anthem Blue View Vision Select Plan, please contact:

Anthem Blue View Vision Select
Phone: 877/254-9443
Website: www.anthem.com

MEDICAL AND DEPENDENT FLEXIBLE SPENDING ACCOUNTS

Flexible Spending Accounts are available through **Key Benefit Administrators** for qualified medical and dependent care expenses and allows you to set aside money on a pre-tax basis to pay for expenses you would normally pay for out of pocket with after tax dollars. There is an administrative fee of $2.00 bi-weekly whether you participate in one or both accounts.

The Medical Flexible Spending Account has a maximum contribution limit per plan year in the amount of $5,000. In addition, if you are a participant in the Health Savings Account (HSA), certain limitations will apply and only participation in the **Limited Medical Flexible Spending** Account is allowed. Therefore, it is imperative that careful consideration is given to anticipated expenses when electing to participate in both the HSA and a medical spending account.

The Dependent Flexible Spending Account has a maximum contribution limit per plan year in the amount of $5,000. However, if you are married but filing separate tax returns, the maximum amount is $2,500 each. The annual contributions are deducted in equal amounts from paychecks received during the plan year. Please remember, when determining your annual contribution amount, to factor in only known expenses since dollars not used by the end of the timeframe to submit claims, will be forfeited. Judges must elect to participate in this plan each year.

For more information on the Flexible Spending Accounts, please contact:

Key Benefit Administrators, Inc.
Phone: 800/558-5553
Website: www.keyqualifiedplans.com

TAXSAVER

TAXSAVER provides a tax reduction for judges who have a payroll deduction for health insurance coverage. The premiums for health insurance are treated as a pre-tax benefit, thus reducing your tax liability. Contributions are not reportable income. Participation in the TAXSAVER Program will not affect salary-related benefits, such as life insurance and retirement benefits. TAXSAVER follows the guidelines provided in Section 125 of the Federal Internal Revenue Service Codes. **Judges must remember that changes in benefit elections can only be made during open enrollment or in the event of a qualified family status change.**

NON-TOBACCO USE INCENTIVE

The Non-Tobacco Use Incentive is available to all judges who pledge to not use any tobacco products during 2012. Employees, who accept the Non-Tobacco Use Agreement at the time of enrolling into any of the medical plans, will receive a $25 bi-weekly discount towards their premium. By accepting the Non-Tobacco Use Agreement, the judge also agrees to be tested for nicotine while covered under any of the plans. Judges must accept the Non-Tobacco Use Agreement each year during Open Enrollment since it does not carry over from year to year.

DEPENDENT COVERAGE

Dependents of eligible employees may be covered under the state's benefit plans. Dependents are defined as a spouse: one's wife or husband; or children: natural-, step-, foster, or legally adopted children, for whom the employee or spouse has been appointed legal guardian or awarded legal custody by a court, under the age of 26. An ex-spouse is not eligible for coverage, even if court ordered.

Age limitation: Dependent children are eligible for coverage until their 26th birthday.

If the dependent child is, by reason of mental or physical disability, both incapable of self-sustaining employment and is chiefly dependent upon the employee for support and maintenance prior to age 19, the dependent child’s coverage shall continue, provided satisfactory evidence of such disability and if dependency is received within 120 days after child’s 26th birthday. Coverage for the dependent will continue until the employee’s coverage discontinues or the disability no longer exists.

A dependent child of the employee who has attained age 26 while covered under another health care policy and has met the disability criteria specified above, is considered an eligible dependent for enrollment as long as there was no break in coverage longer than 63 days immediately prior to enrollment. Proof of disability prior to age 19 and proof of prior coverage must be provided. Upon the child’s attainment of the limiting age, annual documentation from a physician will be required.

OPEN ENROLLMENT

The annual Open Enrollment period is an opportunity for judges to make changes to their existing benefit selections for the upcoming year. They may also add or delete coverage for dependents according to the guidelines. Enrollment information is generally sent out in October of each year which outlines changes to existing plans and rates as well as introduces any new plans that will be available for the upcoming plan year.

FAMILY STATUS CHANGES

Judges who need to make a change to their benefit selections, outside of Open Enrollment, because of a change in family status or other qualifying event may do so by contacting their Payroll/Benefits Representative **within 30 calendar days of the event**. Qualifying events include: marriage, divorce, legal separation, annulment, and death of a spouse, birth, adoption, placement for adoption or death of a child dependent. Changes in employment status for the judge or their spouse, such as termination of or change in employment, a strike or lockout, start or end of an unpaid leave of absence, or a change in worksite are also considered a qualifying event. In addition, a change in dependent status such as attainment of limiting age, marriage or similar circumstances are considered qualifying events. Special documentation may be required to maintain dependent coverage on your dependents who are disabled, and this may be required annually. Forms are available from the Division of State Court Administration.

FURTHER INFORMATION

This summary of benefits is intended as an outline and does not amend, extend, or alter any coverage under any contract for insurance.

More extensive descriptions of the insurance policies can be obtained from the State Personnel Department website: **http://www.in.gov/spd/2337.htm**

EMPLOYEE ASSISTANCE SERVICES for YOU (EASY) PROGRAM

As a State of Indiana employee, judges and their family members are covered by this benefit. The EASY Program is designed to assist with every day concerns, such as: difficult workplace situations, family problems, child and elder care issues, legal concerns, financial issues, and housing concerns. The EASY Program can also help you or a family member receive treatment for mental health and substance abuse problems. Anthem is the Administrator of the EASY program and an EASY Counselor can be reach at 1/800-223-7723 twenty-four (24) hours a day, 7 days a week. For more information, go to: **AnthemEAP.com.** The EASY Program is an employer provided benefit.

INDIANA JUDGES AND LAWYERS ASSISTANCE PROGRAM –

The Indiana Judges and Lawyers Assistance Program was created by Rule 31 of the Indiana Rules for Admission to the Bar and the Discipline of Attorneys, Indiana Rules of Court. The Program will provide assistance to judges who suffer from physical or mental disabilities that result from disease, chemical dependency, mental health problems or age that impair their ability to practice.

For more information regarding the Indiana Judges and Lawyers Assistance Program, please contact:

Indiana Judges and Lawyers Assistance Program
320 North Meridian Street, Suite 606
Indianapolis, IN 46204
317/833-0370 or 866/428-JLAP (5527)
Terry Harrell, Executive Director
Terry.harrell@courts.in.gov

EARLY RETIREE INSURANCE PROGRAM

As a judge resigning or retiring from state services, there are certain benefit options available. Qualified retiring judges may choose to participate in the **Early Retiree Insurance Program** provided they meet certain criteria. Under the **Consolidated Omnibus Budget Reconciliation Act (COBRA)**, federal law allows resigning/retiring employees and their qualified dependents to continue coverage for a specific period of time paying 100% of the required premium plus a 2% administration fee. However, retired judges who meet the eligibility requirements for the Early Retiree Insurance Program may continue the same coverage enrolled in at the time of retirement, until Medicare eligibility, by paying 100% of the premiums for this coverage, which saves them the 2% administration fee. It is important to note that if you choose not to continue one or more of the plans in place at the time of retirement, the coverage will not be available to you again, not even during open enrollment periods. As a note, life insurance is not a part of the Early Retiree Insurance Program.

After receiving the final paycheck from the state, the Benefits Division of State Personnel will send, via certified mail, an application to all eligible retirees. Retirees must apply for the health coverage within 90 days after the date of his/her retirement.

For more information on the Early Retiree Insurance Program, you may contact:

State Personnel Department-Benefits Division
Erin Ellis
317/232-1167
877/248-0007

MEDICARE COMPLEMENTARY PROGRAM

The State of Indiana Medicare Complementary program is made available to retired Judges of the state who meet certain criteria. Retired judges who are at least 65 years of age, receive pension funds from the Public Retirement Fund, are enrolled in both Medicare Parts A and B and are not covered by another similar insurance program may be eligible to participate. Disabled judges may, also, be eligible for this program if they are receiving pension benefits and are enrolled in Medicare Parts A and B as a result of the disability. Spouses of retired judges who are enrolled in Medicare Parts A and B may also be eligible for coverage. The Medicare Complementary Program offers two choices: Option 1, which includes coverage for prescription drugs, and Option 2, which does not include prescription drug coverage. Retired judges may apply for health coverage within 30 days of the date they retire, or within 30 days from the date they become eligible for Medicare. Written application must be made to Anthem within 30 days of the event that makes the judge eligible.

Questions on the Medicare Complementary Program should be directed to Anthem at:

Anthem Blue Cross/Blue Shield
220 Virginia Avenue
Indianapolis, IN 46204-3632
1-877-814-9709

RETIREMENT MEDICAL BENEFITS PLAN – Healthcare Reimbursement Arrangement (HRA)

The State's SB501 established the **Healthcare Reimbursement Arrangement (HRA)** as a benefit to full-time employees who retire after July 1, 2007, and are eligible for and have received a normal, unreduced or disability retirement benefit (as determined by statutes and codes governing a State Public Employee Retirement Fund "PERF"). As a Qualified Retiree of the State, Judges are eligible to receive benefits from this Plan and will be reimbursed for expenses they, and/or their covered dependent, incur subject to the conditions and limitations described in the Plan. Repayments from your **Healthcare Reimbursement Arrangement (HRA)** are made for approved medical insurance premiums incurred by you and/or your Covered Dependents.

For more information on the Healthcare Reimbursement Arrangement, you may contact:

State Budget Agency
Greg Strack
317/232-5623
www.in.gov/sba/2357.htm

RETIRED INDIANA PUBLIC EMPLOYEES ASSOCIATION, INC.

The Retired Indiana Public Employees Association (RIPEA), which consists of 38,500 members, is a not-for-profit corporation that was created by the 1972 Indiana Legislature to represent the interest of retirees. Membership is available to all retirees and active members of PERF. RIPEA publishes quarterly newsletters that are distributed to members; sponsors a number of group insurance programs including a Medicare Supplement, Life, Long Term Care, Dental/Vision, Auto/Home and Hearing Plans.

For more information on RIPEA, you may contact their office at:

Retired Indiana Public Employees Association, Inc.
3530 South Keystone Ave., Ste. 305
Indianapolis, IN 46227
317/789-0244
800/345-9214

II. 457 Savings Plan

DEFERRED COMPENSATION

One of the important benefits made available by the State of Indiana is a 457(b) Deferred Compensation Plan. As an employee, you are immediately eligible to participate in this retirement program that offers you the following advantages:

- Your contributions are made by **convenient** payroll deduction.
- Your contributions to the plan are made with **pre**-tax dollars which means that your current taxable income is **reduced.**
- You may choose to make Roth 457(b) contributions with **after**-tax dollars.
- Earnings on your contributions accumulate **tax-deferred.**
- Hoosier S.T.A.R.T. provides a meaningful supplement to your benefits under the State's pension plan.

When you request a distribution, the money will be taxed as ordinary income in the year the money is received. Account values fluctuate with market conditions and when surrendered, the principal may be worth more or less than the original amount invested.

The Hoosier S.T.A.R.T. Plan is administered by Great West Retirement Services. Great West Retirement Services offers comprehensive participant services, a local office with dedicated representatives and easy access through a toll-free telephone line (877) 728-6738) and a customized Internet site (www.hoosierstart.in.gov). The local office is located in downtown Indianapolis at 101 W. Ohio Street, Ste. 760, Indianapolis, IN 46204.

Enrolling is easy. Simply contact the local Hoosier S.T.A.R.T. office toll-free at (877) 728-6738. A local representative can assist you by providing an enrollment kit, explaining how the programs work, the investment options and services, and facilitating your enrollment in the program. Group enrollment and informational meetings are conducted throughout the State. Watch for meeting announcements in your area.

Prospectuses are available upon request or can be found at www.hoosierstart.in.gov. Please read the fund prospectus carefully before you invest.

We encourage you to learn more about the benefits of participating in the State of Indiana 457 Deferred Compensation Plan!

Third party administrator Services offered by Great West Retirement Services

Enroll in the Program

The 457 Plan is available to employees who work for the State of Indiana and employees of local governments (cities, towns) that adopt the plan.

- While new employees are now automatically enrolled in the plan, if you are a current employee who is not enrolled in the 457 Deferred Compensation Plan, you may enroll at any time. You may obtain an Enrollment Form from the website at www.hoosierstart.in.gov or by calling a Great West Retirement Services Representative at toll-free 877-728-6738. The completed form should be sent to the address listed on the form.

Personal Identification Number (PIN)

- A PIN is required to access your account information via the Automated Voice Response unit or your online account (you can view general website information without a PIN). New enrollees receive a default PIN with their account confirmation statement. Upon receiving your default PIN, you are encouraged to change your PIN immediately. New and existing participants may change or replace their PIN by calling 877-728-6738 or you may access the website at www.hoosierstart.in.gov and click on "Order PIN".

Getting Personal Account Information (account balances, share price, etc)

- Call a Customer Service Associate at 877-728-6738
- Click on the Account Access icon on www.hoosierstart.in.gov. To access this service you must register your account as described above.
- Automated Voice Response unit – call 877-728-6738. You need a PIN to use this service.

Contributions

Contributions under the 457 plan are made by participants through a reduction in salary, in accordance with the Internal Revenue Service maximum annual contribution limits. To find out more about these contribution limits and/or catch-up provisions, please call 877-728-6738.

Changing Your Contribution Amount

Call 877-728-6738 to change contributions through a Specialist.
Confirmation of changes will be mailed to you.

To Obtain Fund Interest Rates, Daily Unit/Share Values and Investment Option Codes

- Call 877-728-6738 or visit the website at www.hoosierstart.in.gov
- Visit the website at www.hoosierstart.in.gov and click on the Great West Retirement Services Icon

There are two types of changes that you can make with respect to the manner in which your account is invested: 1) a change in the way future contributions are invested, and, 2) a change in the way your current account balance is invested. An allocation change is the way you direct the investment allocation of your future contributions. An inter-fund exchange (transfer) is the way you change the manner in which the current assets in your account are invested. If you participate in both 457 and 401(a) Plans, a separate election must be made for each Plan.

There are three ways you can make an allocation change or transfer assets among fund options.

- Call the toll-free telephone number, (877) 728-6738 and speak to a customer service representative.
- Utilize the Voice Response Unit by calling 877-728-6738. You will need your PIN to use the automated system.
- Access the State of Indiana custom website at www.hoosierstart.in.gov

Administrative Changes

- Name - access the website at www.hoosierstart.in.gov to obtain a form. The completed form needs to be sent to the address on the form.
- Address – contact your Benefits Administrator at 317-232-2542
- Beneficiary Designation - call 877-728-6738. A beneficiary designation/change form will be mailed to you to complete and sign. You can also print a beneficiary designation/change form from the website at www.hoosierstart.in.gov.
- Separate beneficiaries may be designated for the 457 and 401(a) plans, if applicable.

Payout Options

- For payout options or a general description of the payout options - call 877-728-6738.

Note: The IRS requires that distributions begin no later than the April 1 of the calendar following the calendar year in which you attain age 70 ½ or separate from service, whichever occurs later. If you fail to receive the minimum required distribution for any tax year, a 50% excise tax is imposed on the required amount that was not timely distributed. These rules are referred to as IRS minimum required distribution requirements (MRD).

Applying for an Unforeseeable Emergency Withdrawal

- Call 866-360-1192 to request an application

Questions about using the Telephone or Online Services

- Call 877-728-6738

IV. JUDGES' RETIREMENT SYSTEM

INTRODUCTION

Indiana Judges are participants in the Judges' Retirement System. The Board of Trustees (hereinafter board") of the Indiana Public Retirement System ("INPRS") administers the system. Judges entitled to participate are those who have served, or are serving, as the regular judge of the Indiana Supreme Court, Court of Appeals, Tax Court, Circuit Courts, Superior Courts of a county, Probate Courts, Municipal court of a county, or County court of a county. Full-time Magistrates serving on July 1, 2010 may have elected to become participants in the 1985 Benefit System if they filed their election with PERF prior to October 1, 2010. In addition, **full-time Magistrates serving after 7/1/10 are participants in the Judges' Retirement System.** Participants may purchase service as a PERF covered full-time referee, full-time magistrate, or full-time commissioner, or service in another Indiana Public Employees' Retirement Fund position may be included in judicial retirement computations where such an employee later becomes a judge and purchases that service. See IC 33-38-7-18 and 19; IC 33-38-8-22, IC 33-38-8-22.5 and 23.

The benefits are funded through the Indiana Judges' Retirement Fund, comprised of participants' contributions; gifts, devises, grants, or bequests made to the fund; interest on investments or deposits of the fund; and any other contribution or payment made to the fund as provided by the Indiana General Assembly including any appropriations from the State's general fund.

Within the Judges Retirement System are two existing benefit systems: the 1977 benefit system (I.C. 33-38-7 et seq.) and the 1985 benefit system (I.C. 33-38-8 et seq.) Each benefit system is described in greater detail below. Provisions applicable only to the 1977 benefit system are described in Section I. Provisions applicable only to the 1985 system are described in Section II. Section III covers provisions, which are applicable to both systems.

I. THE 1977 BENEFIT SYSTEM

A. APPLICATION OF THE 1977 BENEFIT SYSTEM

The statutes defining the 1977 benefit system are found at IC 33-38-7-0.2 through IC 33-38-7-19. This benefit system applies only to individuals who began service as a judge prior to September 1, 1985.

B. RETIREMENT BENEFITS UNDER THE 1977 SYSTEM

A participant who retires after June 30, 1977, with eight years of service and who has attained age of 62 years or who after June 30, 1999 elects retirement, is at least 55 years old, and the person's age in years plus the years of service is at least 85 (the "rule of 85") is entitled to an annual retirement annuity. To be eligible for retirement benefits the retired Judge must not be receiving any salary from the state for services currently performed as a judge (as defined in IC 33-38-6-7); or as a magistrate under IC 33-23-5.The annuity is equal to the product of the salary, as defined by statute, being paid for the office held by the participant on the date of separation from service, including amendments to increase the salary for that office, multiplied by the percentage set forth in the following table:

TABLE 1

YEARS OF SERVICE	PERCENTAGE
8	24%
9	27%
10	30%
11	33%
12	50%
13	51%
14	52%
15	53%
16	54%
17	55%
18	56%
19	57%
20	58%
21	59%
22 or more	60%

Partial years of service are prorated by month. If the participant is not age 65 at the date of retirement and does not meet the "Rule of 85," the annuity is reduced by 0.1% for each month the participant's retirement date precedes the participant's 65^{th} birthday. The minimum age for early retirement under the rule of 85 is age 55.This reduction does not apply to a participant who separated from service due to a permanent disability.

C. SURVIVOR'S BENEFIT UNDER THE 1977 BENEFIT SYSTEM

Under the Judges 1977 Benefit System, the participant may designate a surviving child or children to receive a survivor's benefit. Pursuant to IC 33-38-7-11 et seq., the specific benefit provisions are as follow:

1. The surviving spouse or surviving child or children, as designated by the participant, of any participant who has qualified before July 1, 1977, to receive the retirement annuity under the 1977 system, either by length of service or by being permanently disabled, shall, upon the death of such participant, be entitled to an annuity in an amount equal to the <u>greater</u> of:

(a) the sum of $2,000 plus 50% of the amount of retirement annuity the participant was drawing at the time of the participant's death, or to which the participant would have been entitled had the participant retired and begun receiving retirement annuity benefits prior to the participant's death; or

(b) the amount determined under the following table:

TABLE 2

Year	Amount
July 1, 1995, to June 30, 1996	$10,000
July 1, 1996, to June 30, 1997	$11,000
July 1, 1997, and thereafter	$12,000

2. If a participant who qualifies after June 30, 1977, and before July 1, 1983, to receive a retirement annuity the 1977 system, either by length of service or by being permanently disabled, dies, the participant's surviving spouse or surviving child or children, as designated by the participant, is entitled to an annuity in an amount equal to the greater of:

(a) 50% of the amount of retirement annuity the participant was drawing at the time of death, or to which the participant would have been entitled had the participant retired and begun receiving retirement annuity benefits before death; or

(b) the amount determined from TABLE 2 above.

3. If a participant:

(a) dies after June 30, 1983; and

(b) on the date of the participant's death:

(i) was receiving benefits under this chapter;
(ii) had completed at least 8 years of service and was in service as a judge;
(iii) was permanently disabled; or
(iv) had completed at least 8 years of service, was not still in service as a judge, and was entitled to a future benefit.

the participant's surviving spouse or surviving child or children, as designated by the participant, is entitled, regardless of the participant's age, to an annuity in an amount equal to the greater of the amount:

(c) the amount determined from TABLE 2 above.

or

(d) 50% of the amount of retirement annuity the participant was drawing at the time of death, or to which the participant would have been entitled had the participant retired and begun receiving retirement annuity benefits on the participant's date of death, reduced as follows. If the participant retired after June 30, 1977 and had not attained age 65, then the benefit which would have been payable at age 65 is reduced by 0.1% for each month by which the participant’s retirement age precedes age 65. This reduction does not apply if:

(1) the participant separated from service because of permanent disability;
(2) the participant who died while in service after August 1, 1992;
(3) the participant died while not in service but while entitled to a future benefit; or
(4) the participant qualified under the Rule of 85.

4. Notwithstanding the other provisions, if a participant:

(a) died after June 30, 1983, and before July 1, 1985; and
(b) was serving as a judge at the time of death;

the surviving spouse is entitled to the same retirement annuity as the surviving spouse of a permanently disabled participant entitled to benefits.

5. The annuity payable to a surviving child or children is subject to the following:

(a) The total monthly benefit payable to a surviving child or children is equal to the same monthly annuity that was to have been payable to the surviving spouse.
(b) If there is more than one child designated by the participant, then the children are entitled to share the annuity in equal monthly amounts.
(c) Each child entitled to an annuity shall receive that child's share until the child becomes 18 years of age or during the entire period of the child's physical or mental disability, whichever period is longer.
(d) Upon the cessation of payments to one designated child, if there is at least one other child then surviving and still entitled to payments, the remaining child or children shall share equally the annuity. If the surviving spouse of the participant is surviving upon the cessation of payments to all designated children, the surviving spouse will then receive the annuity for the remainder of the spouse's life.
(e) The annuity shall be payable to the participant's surviving spouse if any of the following occur:
(i) No child named as a beneficiary by a participant survives the participant.
(ii) No children designated by the participant are entitled to an annuity due to their age at the time of death of the participant.
(iii) A designation is not made.
(f) An annuity payable to a surviving child or children may be paid to a trust or a custodian account under IC 30-2-8.5, established for the surviving child or children as designated by the participant.

D. WITHDRAWAL FROM THE 1977 BENEFIT SYSTEM

A participant in the 1977 benefit system who terminates services as a judge, regardless of cause, with fewer than 12 years of service may withdraw from the fund. The date of withdrawal is the date specified in a written application to the board; however, this date may not be prior to either the date of final termination or the date 30 days prior to receipt of the application for withdrawal by the board. Upon withdrawal, the participant receives the participant's total contributions to the fund either in a lump sum within 60 days after the date of the withdrawal application or in such monthly installments as elected by the participant.

II. THE 1985 BENEFIT SYSTEM

A. APPLICATION OF THE 1985 BENEFIT SYSTEM

This benefit system applies to judges who began service after August 31, 1985 and, effective January 1, 2011, full-time magistrates who:

i. were serving as a full-time magistrate on July 1, 2010 and made an election prior to October 1, 2010 under IC 33-38-8-10.5 to participate in the 1985 Benefit System ; or
ii. begin serving as a full-time magistrate after July 1, 2010. IC 33-38-8-1.

B. PARTICIPATION

Any **judge** who begins service as a judge after August 31, 1985, and is not then a participant in the Judge's Retirement Fund, must become a participant in the 1985 Benefit System. **Participation is mandatory for all eligible judges.** IC 33-38-8-10(a).

A person who begins serving as a **full-time magistrate after July 1, 2010**, is a participant in the 1985 Benefit System beginning on the later of January 1, 2011 or the date the person begins service as a full-time magistrate. **Participation is mandatory for all eligible full-time magistrates who begin service after July 1, 2010.** IC 33-38-8-10(c).

A person who is serving as a **full-time magistrate on July 1, 2010**, may elect to become a member of the 1985 Benefit System. The election must be made in writing and filed with the board of trustees of INPRS before October 1, 2010. The election is irrevocable. IC 33-38-8-10.5.

C. CREDIT FOR MAGISTRATE'S PRIOR SERVICE

A full-time magistrate who becomes a participant in the 1985 Benefit System under IC 33-38-8-1 may, after December 31, 2010, receive credit from the board of trustees of INPRS for service by the full-time magistrate as a full-time referee, full-time commissioner, or, before January 1, 2011, a full-time magistrate. The service must have been credited under the public employees' retirement fund and the full-time magistrate must pay in a lump sum or in a series of payments determined by the board, not exceeding five (5) annual payments, the amount determined by the actuary for the 1985 Benefit System. If the above requirements are not satisfied, the full-time magistrate is only entitled to credit for years of service earned as a participant of the 1985 Benefit System. IC 33-38-8-22.5.

D. RETIREMENT BENEFITS UNDER THE 1985 BENEFIT SYSTEM

A participant must have completed at least eight (8) years of service and be at least sixty-five (65) years of age, or at least fifty-five (55) years of age, with the participant's age plus years of service equal to at least 85, to be eligible for a benefit. IC 33-38-8-14.

The benefit is calculated by multiplying the applicable salary (IC 33-38-8-14(e)) times the percentage applicable to the number of years of service. Under the 1985 Benefit System there are two (2) possible applicable salaries, which are dependent upon when the participant first receives a benefit. The applicable salary is one of the following:

1. The salary being **paid to the participant** at the time of separation from service for those participants who:
   a. apply to receive a retirement benefit from the fund before January 1, 2010; or
   b. separate from service before January 1, 2010, are entitled to receive a benefit from the fund, but do not apply for a benefit before January 1, 2010, and who do not earn any service credit in the fund after December 31, 2009. IC 33-38-8-14(e)(1).
2. The salary being **paid for the office that the participant held** at the time of separation from service for those participants who apply to receive a benefit after December 31, 2009 and who is not a participant described in subdivision 1(b) above. IC 33-38-8-14(e)(2).

Only in state fiscal years after June 30, 2010, those participants who:

a. apply to receive a retirement benefit from the fund before January 1, 2010; or
b. separate from service before January 1, 2010, are entitled to receive a benefit from the fund, but do not apply for a benefit before January 1, 2010, and who do not earn any service credit in the fund after December 31, 2009,

may receive a monthly benefit increase if a salary increase is provided in a particular state fiscal year under IC 33-38-5-8.1. The increase shall be the same percentage by which salaries are increased under IC 33-38-5-8.1(b). IC 33-38-8-25(a), (b).

In a particular state fiscal year, if no salary increase occurs under IC 33-38-5-8.1, but the salary of a judge is increased under IC 33-38-5-6, IC 33-38-5-8, or any other provision enacted by the general assembly, then the monthly benefit shall be increased by the same percentage by which salary paid for the office that the participant held at the time of the participant's separation from service is increase under IC 33-38-5-6, IC 33-38-5-8, or any other provision enacted by the general assembly. IC 33-38-8-25(c). An increase payable under this section may not include any amount based on the percentage by which any salary provided by a county or counties under IC 36-2-5-14 or IC 36-3-6-3(c) is increased.

If a retired Judge is receiving a retirement benefit calculated with applicable salary under

IC 33-38-8-4(e)(1) or (e)(2) the benefit will be adjusted when there is an Judges' salary increase.

The percentages applicable to the years of service are as follows:

YEARS OF SERVICE	PERCENTAGE
8	24%
9	27%
10	30%
11	33%
12	50%
13	51%
14	52%
15	53%
16	54%
17	55%
18	56%
19	57%
20	58%
21	59%
22 or more	60%

If the participant is not 65 years of age and does not satisfy the "Rule of 85" on the date of retirement, the annual annuity is reduced by 0.1% for each month the participant's retirement date precedes the participant's 65th birthday. The minimum age for use of the "Rule of 85" is age 55. This reduction does not apply to a participant who separated from service due to a permanent disability. IC 33-38-8-14(d).

E. SURVIVOR'S BENEFIT UNDER THE 1985 BENEFIT SYSTEM

Under the Judges 1985 Benefit System, the participant may designate a surviving child or children to receive a survivor's benefit. Pursuant to IC 33-38-8-17, the specific benefit provisions are as follow:

1. The surviving spouse or child or children of a participant, as designated by the participant, of a participant who:
    - (A) dies; and
    - (B) on the date of death:
        - (i) was receiving benefits under this chapter;
        - (ii) had completed at least 8 years of service and was in service as a judge;
        - (iii) was permanently disabled; or

        - (iv) had completed at least 8 years of service, was not still in service as a judge, and was entitled to a future benefit; is entitled, regardless of the participant's age, to a benefit equal to the greater of:

(a) 50% of the amount of retirement benefit the participant was drawing at the time of death, or to which the participant would have been entitled had the participant retired and begun receiving retirement benefits on the date of death, with reductions as necessary. Reductions are necessary if a participant who applies for a retirement benefit has not attained age 65, the participant is entitled to receive a reduced annual retirement benefit that equals the benefit that would be payable if the participant were 65 reduced by 0.1% for each month that the participant's age at retirement precedes the participant's 65th birthday. This reduction does not apply to:

(1) participants who are separated from service because of permanent disability;
(2) survivors of participants who die while in service after August 1, 1992; or
(3) survivors of participants who die while not in service but while entitled to a future benefit.

(b) or, the amount determined under the following table:

Year	Amount
July 1, 1995, to June 30, 1996	$10,000
July 1, 1996, to June 30, 1997	$11,000
July 1, 1997, and thereafter	$12,000

2. The benefit payable to a surviving spouse or surviving child or children under the previous paragraph is subject to the following:

(A) A surviving spouse is entitled to receive the benefit for life.
(B) The total monthly benefit payable to a surviving child or children is equal to the same monthly benefit that was to have been payable to the surviving spouse.
(C) If there is more than one child designated by the participant, then the children are entitled to share the benefit in equal monthly amounts.
(D) Each child entitled to a benefit shall receive that child's share until the child becomes 18 years of age or during the entire period of the child's physical or mental disability, whichever period is longer. Acceptable proof of disability must be submitted to INPRS.
(E) Upon the cessation of benefits to one designated child, if there are one or more other children then surviving and still entitled to benefits, the remaining children shall share equally the benefit. If the surviving spouse of the participant is surviving upon the cessation of benefits to all designated children, the surviving spouse shall then receive the benefit for the remainder of the spouse's life.
(F) The benefit shall be payable to the participant's surviving spouse if any of

the following occur:

(i) No child named as a beneficiary by a participant survives the participant.

(ii) No children designated by the participant are entitled to a benefit due to their age at the time of death of the participant.

(iii) A designation is not made.

(G) A benefit payable to a surviving child or children may be paid to a trust or a custodian account under IC 30-2-8.5, established for the surviving child or children as designated by the participant.

(H) If a participant's spouse does not survive the participant, and there is no child designated and entitled to receive a benefit, any surviving dependent child of a participant is, upon the death of the participant, entitled to a benefit equal to the benefit the participant's spouse would have received.

(I) If a surviving spouse of a decedent participant dies and a dependent child of the surviving spouse and the decedent participant survives them, that dependent child is entitled to receive a benefit equal to the benefit the spouse was receiving or would have received.

(J) If under either of the two previous paragraphs there is more than one dependent child, then the dependent children are entitled to share the benefit equally.

(K) If a dependent child receives benefits, each dependent child is entitled to receive that child's share until the child reaches the age of 18 years or during the entire period of the child's physical or mental disability, whichever period is longer. Acceptable proof of disability must be submitted to INPRS.

(L) If no benefits are payable to the survivors of a participant who dies and if a withdrawal application is filed with the board, the total of the participant's contributions plus interest (as determined by the board) minus any payments made to the participant shall be paid to:

(i) the surviving spouse of the participant or a child or children of the participant, as designated by the participant;

(ii) any other dependent or dependents of the participant, if a spouse or designated child does not survive; or

(iii) the participant's estate, if a spouse, designated child, or other dependent does not survive.

(M) The amount owed a spouse, designated child, or other dependent or dependents, or estate under the previous paragraph is payable within 60 days from the date of receipt of the withdrawal application or in such monthly installments as the recipient elects.

(N) Notwithstanding any other provision of the 1985 System, benefits paid pursuant to it may not exceed the maximum annual benefit specified by Section 415 of the Internal Revenue Code

F. WITHDRAWAL FROM THE 1985 BENEFIT SYSTEM

If a participant ceases services as a judge, other than through death or disability, and:

1. is not eligible for a retirement benefit under the 1985 system; or,
2. has not completed 8 years of service;

the participant may withdraw from the fund. The effective date of withdrawal is the date designated by the participant in a written withdrawal application submitted to the board.

The date withdrawal begins may not predate the date of final termination or 30 days after the board receives written application for withdrawal. Upon withdrawal, the participant is entitled to receive the participant's total contributions either in a lump sum within 60 days after the receipt of the withdrawal application by the board or in such monthly installments as the participant may elect.

If the participant dies and no survivor's benefit is payable under the 1985 benefit system, and if a withdrawal application is filed with the board, then the total contributions made by the participant plus interest at a rate specified by rule by the board, less any payments made to the participant, are paid to the:

1. the surviving spouse or child as designated by the participant;
2. any other dependent or dependents of the participant if there is no spouse or designated child surviving; or
3. the participant's estate if a spouse, designated child or other dependent does not survive.

III. PROVISIONS APPLICABLE TO THE 1977 AND 1985 SYSTEMS

A. REQUIRED CONTRIBUTIONS

Contributions are 6% of the judge or full-time magistrate's salary (as defined by applicable statute). The contributions are deducted pre tax from the judge's salary by the state and paid directly to the retirement fund. The required contributions cease after 22 years of service are completed and during any period the participant is not serving as a judge.

B. COMMENCEMENT OF RETIREMENT BENEFITS

A participant in either the 1977 or the 1985 benefit systems is eligible for a retirement annuity beginning on the date specified in a written application to the board. The commencement date may not predate either the date of termination of service as a Judge or the date 30 days prior to the receipt of application by the board. To qualify for a benefit, the participant must either be: (1) at least 62 years of age and have completed at least 8 years of service, (2) satisfy the "rule of 85," (3) be at least 62, not satisfy the "rule of 85" and qualify for a reduced benefit, or (4) must be permanently disabled. In addition, the participant may not be receiving any salary for services currently performed as a judge (as defined in IC 33-38-6-7); or as a magistrate under IC 33-23-5. Application forms may be obtained from INPRS' website at www.inprs.in.gov or from the plan administrator, the Indiana Public Retirement System.

C. SURVIVOR BENEFITS – DURATION AND ELIGIBILITY

A surviving spouse receives the survivor benefit for life. Designated children, if more than one was designated, share equally in the benefit until age 18 or for the duration of any physical or mental disability, whichever is longer. As benefits cease to one surviving child, the remaining children share the survivor benefit equally. Upon cessation of benefits to all designated surviving children, the survivor benefit is payable to the surviving spouse for the remainder of the surviving spouse's life.

If the surviving spouse dies with dependent children of the surviving spouse and the participant surviving, then the surviving children receive the survivor benefit until age 18 or for the entire duration of any physical or mental disability, whichever is longer.

The survivor's annuity is payable to the surviving spouse if the participant does not make a designation of beneficiary, or if the children designated either do not survive the participant or are not entitled to receive an annuity due to their age at the death of the participant.

If the participant's spouse does not survive the participant and there are no children designated to receive the annuity, then any surviving dependent child is entitled to receive the survivor's annuity upon the participant's death.

D. CREDIT FOR SERVICE AS FULL-TIME COMMISSIONER, REFEREE, OR MAGISTRATE

Credit for service by the judge as a full-time referee, full-time commissioner, or full-time magistrate shall be granted if:

1. the service was credited under the public employees' retirement fund;
2. the state contributes to the judges' 1977 or 1985 benefit system the amount the board determines necessary to amortize the service liability over a period determined by the board, but not more than 10 years; and
3. For a participant in the 1977 benefit system, the judge pays in a lump sum or in a series of payments determined by INPRS, not exceeding 5 annual payments, the amount the judge would have contributed if the judge had been a member of the judges' 1977 benefit system during that service period. For a participant in the 1985 benefit system, the judge pays the amount determined by the actuary as the total cost of the service. (As a note: The amount of your contribution for a prior service purchase must comply with the Internal Revenue Code Section 415 limits. If your payment amount would violate such limits, you are ineligible to complete the service purchase transaction. Please consult your tax advisor before making any payment for a prior service purchase.)

If the above requirements are not satisfied, a participant is not entitled to credit for service by the judge as a full-time referee, full-time commissioner, or full-time magistrate. The following provisions apply to eligible participants:

1. A minimum benefit applies to participants receiving credit in either the judges' 1977 or 1985 benefit system from service covered by the public employees' retirement fund. For those participants receiving credit under the 1977 benefit system, the minimum benefit is payable at 65 years of age. For those participants receiving credit under the 1985 benefit system, the minimum benefit is payable at 65 years of

age or when the participant is at least 55 and the participant's age in years plus the participant's years of service is at least 85 (the "rule of 85"). The minimum benefit equals the actuarial equivalent of the vested retirement benefits that is:

(a) payable to the member at normal retirement as of the day before the transfer; and

(b) based solely on:

(i) creditable service;

(ii) the average of the annual compensation; and

(iii) the amount credited to the annuity savings account of the transferring member as of the day before the transfer.

2. If the requirements are otherwise satisfied, INPRS shall transfer from the public employees' retirement fund to the judges' 1977 benefit system the amount credited to the annuity savings account and the present value of the retirement benefit payable at 65 years of age that is attributable to the transferring participant. For those participants whose requirements are otherwise satisfied and who participate in the 1985 benefit system, INPRS shall transfer from the employees' retirement fund to the judges' 1985 benefit system the amount credited to the annuity savings account and the present value of the retirement benefit payable at 65 years of age or at least 55 and the participant's age in years plus the participant's years of service is at least 85 that is attributable to the transferring participant.

3. The amount the state and the participant must contribute to either the judges' 1977 or 1985 benefit system shall be reduced by the amount transferred to either the judges' 1977 or 1985 benefit system by INPRS.

4. Credit for prior service in the public employees' retirement fund for service other than as a full-time referee, full-time commissioner, or full-time magistrate remains under the public employees' retirement fund and may not be credited under the judges' 1977 benefit system.

5. If all other requirements are satisfied, credit for the service purchased in the public employees' retirement fund as a full-time referee, full-time commissioner, or full-time magistrate is waived. Any credit for service under either the judges' 1977 or 1985 benefit system may be granted as outlined herein.

See IC 33-38-7-18 and IC 33-38-8-22.

E. CREDIT FOR PRIOR SERVICE AS A MEMBER OF AN INDIANA PUBLIC EMPLOYEES' RETIREMENT FUND

Under the 1985 or 1977 systems, a person may be credited for prior service in a position covered under an Indiana Public Employees' Retirement Fund if the person:

1. is a judge participating in the 1977 or 1985 systems;
2. before becoming a judge was a member of an Indiana public employees' retirement fund;
3. received credited service under an Indiana public employees' retirement fund for the employment, and the credited service is not eligible for prior service credit as a full-time magistrate, referee, or commissioner;
4. has not attained vested status under an Indiana public employees' retirement fund for the employment described in (2); and

5. has at least eight (8) years of service credit in the judges' retirement system.

If a person becomes a participant in the judges' 1985 or 1977 benefit systems, credit for service described above shall be granted under this chapter by the board if:

1. the service was credited under an Indiana public employees' retirement fund; and
2. the judge pays in a lump sum or in a series of payments determined by the board, not exceeding five (5) annual payments, the amount determined by the actuary for the 1985 or 1977 benefit systems as the total cost of the service. (Please note: The amount of your contribution for a prior service purchase must comply with the Internal Revenue Code Section 415 limits. If your payment amount would violate such limits, you are ineligible to complete the service purchase transaction. Please consult your tax advisor before making any payment for a prior service purchase.)

(c) If the requirements for credit for prior service are not satisfied, a participant is entitled to credit only for years of service after the date of participation in the 1985 benefit system.

(d) The Judge may elect to pay for the service in a series of payments under a finance agreement. An amortization schedule for contributions paid under this section will include interest at a rate determined by the board.

(e) If the requirements for credit for prior service are satisfied, the appropriate board shall transfer from the Indiana Public Employees' Retirement Fund to the judges' 1985 or 1977 benefit system the amount credited to the member contribution account and the present value of the retirement benefit payable at sixty-five (65) years of age that is attributable to the transferring participant.

(f) The amount a participant must contribute to the judges' 1985 or 1977 benefit systems shall be reduced by the amount transferred to the judges' 1985 or 1977 benefit system by the board.

(g) Should the person be credited for prior Indiana Public Employees' Retirement Fund service in the 1985 or 1977 systems, credit for prior service in the other Indiana Public Employees' Retirement Fund is waived. See IC 33-38-7-19 and IC. 33-38-8-23.

F. DISABILITY

Disability is defined by statute as follows: the participant is totally incapacitated, by reason of physical or mental infirmities, from earning a livelihood: and the condition is likely permanent. Disability is certified by at least two licensed and practicing physicians. One certification is submitted by a licensed and practicing physician. The other certification is submitted by the INPRS Medical Authority. The disability is verified annually until the participant attains age 65 or fifty-five (55) years of age and meets the requirements under section IC 33-38-8 13 (2)(B). The disability benefit is the product of the following:

(a) For the 1977 benefit system, the salary being paid for the office that the participant held at the time of the participant's separation from service; for the 1985 benefit system, the salary being paid at the time of separation from service: multiplied by;

(b) the percentage prescribed in the following table:

YEARS OF SERVICE	PERCENTAGE
0-12	50%
13	51%
14	52%
15	53%
16	54%
17	55%
18	56%
19	57%
20	58%
21	59%
22 or more	60%

This information is provided as a summary for the fund members and does not constitute a representation of the Indiana statutes governing the Judges' Retirement Plans. Please refer to the statutes for specific details or contact the plan administrator below.

For more information regarding Judges' Retirement or Disability, please contact:

Judges' Retirement System
Indiana Public Retirement System
One North Capitol, Suite 001
Indianapolis, IN 46204
1-888-526-1687 (toll-free)
Website: www.inprs.in.gov

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Basic Life and Accidental Death & Dismemberment (AD&D) Insurance Coverage Features

Basic Life and AD&D Insurance coverages are being offered to eligible full-time State of Indiana employees.

The amount of basic life and AD&D insurance coverage is equal to an employee's annual salary rounded up to the next $1,000 multiplied by 150%. The amount of coverage will change automatically according to changes in an employee's salary.

Basic Life and AD&D Insurance Premium:

Both the State of Indiana and employee share the premium cost for basic life and AD&D insurance. The bi-weekly premium rate for basic life and AD&D insurance is $0.103 per one thousand of rounded annual salary. The monthly premium rate is $0.149 per one thousand of coverage. The appropriate amount of premium will be deducted from the applicant's paycheck and will be shown on the applicant's payroll statements.

Supplemental Life Insurance Coverage Features

Supplemental life insurance is available to eligible full-time State of Indiana employees. Individuals must first be eligible and apply for basic life insurance coverage in order to apply and be approved for supplemental life insurance.

Employees may apply for supplemental life insurance coverage in increments of $10,000 up to a maximum of $150,000. Upon reaching age 65, any amount of coverage in excess of $100,000 will automatically reduce to $100,000.

Supplemental Life Insurance Premium:

Employees are responsible for paying 100% of the premium for supplemental life insurance. The premium for supplemental life insurance will increase as the employee enters the next age bracket. The supplemental life insurance premium rates per $10,000 of coverage are being offered as follows:

Supplemental Life Insurance Premium rates

Per $10,000 of coverage:

Age	Bi-weekly Premium Rate	Monthly Premium Rate[2]	Age	Bi-weekly Premium Rate	Monthly Premium Rate[2]
18 to 29	$0.49	$1.05	50 to 54	$1.94	$4.20
30 to 39	$0.49	$1.05	55 to 59	$3.10	$6.73
40 to 44	$0.78	$1.68	60 to 64	$4.46	$9.67
45 to 49	$1.26	$2.73	65 & over[3]	$7.18	$15.55

Charts reflecting the premium costs for coverage amounts being offered in $10,000 increments are attached. The appropriate amount of premium will be deducted from the applicant's paycheck and will be shown on the applicant's payroll statements.

2 *For agencies billed directly by AUL.*
3 *Maximum of $100,000 in coverage offered to employees age 65 and over.*

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Dependent Life Insurance

Life insurance coverage for eligible dependents is available to eligible full-time State of Indiana employees. Individuals must first select basic and supplemental life insurance in order to apply and be approved for dependent life insurance.

Definition of Dependent:

In order for an employee to apply and be approved for dependent life insurance, the dependent must satisfy the following definition beginning 1/1/2011:

"DEPENDENT" means:

- A Person's legal spouse.
- A Person's child, step-child, foster child, or adopted child of the Person or the Person's spouse, or any other child for whom the Person or spouse has been appointed legal guardian or awarded legal custody by a court. A Person's Dependent shall remain eligible until the earliest of the following dates: a) the date of marriage b) termination of the step-child, foster-child, guardianship, or custody arrangement or c) the day the child attains age 26. Notwithstanding the preceding sentence, former step-children, former foster children, children previously subject to a Person's or spouse's guardianship or legal custody and married children continue to be eligible to age 26, if the child is legitimately covered by the Person's State employee group medical insurance.
- A Person's unmarried child who is incapable of self-sustaining employment as a result of mental or physical disability and is chiefly dependent upon the Person for support and maintenance. The child must have been incapacitated prior to age 19. Extension of coverage is subject to AUL's receiving written proof of the incapacity not later than 120 days after the maximum age is attained. A Person's unmarried child, who attained age 19 and who met the disability criteria specified above, while covered under an eligible Health Care Policy, is also eligible to enroll for Dependent Life Insurance if proof of disability and coverage under an eligible Health Care Policy is submitted to AUL. A break in coverage under the eligible Health Care Policy cannot be for more than 63 days immediately prior to enrollment for the Dependent Life Insurance under this policy. Coverage for such child will continue until the Person discontinues his coverage or the disability no longer exists. Proof of continued incapacity shall be required not more than once each year thereafter.

Dependent Life Insurance Options

Employees may only apply for one of the following coverages for eligible dependent(s):

Option	Spouse Only	Child(ren) Only	Spouse and Child(ren)
A	$5,000	$5,000	$5,000 each
B	$10,000	$10,000	$10,000 each
C	$15,000	$15,000	$15,000 each

Requests for dependent life insurance for dependents previously declined for coverage or not enrolled within their initial enrollment period will require evidence of insurability and medical underwriting prior to coverage beginning.

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Dependent Life Insurance Premium

Employees are responsible for 100% of the premium for dependent life insurance coverage.
The premium rates for dependent life insurance coverage are being offered as follows:

Option	Spouse Only	Biweekly Premium Rate	Monthly Premium Rate[2]
A	$5,000	$0.72	$1.56
B	$10,000	$1.44	$3.12
C	$15,000	$2.16	$4.68
Option	**Child(ren) Only**	**Biweekly Premium Rate**	**Monthly Premium Rate[2]**
A	$5,000	$0.45	$0.98
B	$10,000	$0.90	$1.95
C	$15,000	$1.35	$2.93
Option	**Spouse and Child(ren) Benefit**	**Biweekly Premium Rate**	**Monthly Premium Rate[2]**
A	$5,000	$1.00	$2.17
B	$10,000	$2.00	$4.33
C	$15,000	$3.00	$6.50

Requests for dependent life insurance for dependents previously declined for coverage or not enrolled within their initial enrollment period will require evidence of insurability and medical underwriting prior to coverage beginning.

2 *For agencies billed directly by AUL.*

Coverage Features

Suicide Exclusion Clause:

If a person commits suicide, while sane or insane, (1) within two (2) years from the effective date of Personal Insurance with AUL, the amount of benefits payable will be limited to the premiums paid under AUL's policy for the Person; or (2) two (2) or more years after the effective date of Personal Insurance with AUL, but within two (2) years of the effective date of an increase in the amount of coverage, the amount of benefits payable will be limited to the coverage in effect under AUL's policy prior to the effective date of the increase, if any, plus the premiums paid for the increased coverage.

Accelerated Life Benefit:

Employee – If eligible for this benefit, insureds may apply for payment of 25%, 50% or 75% of the amount of any basic life coverage and supplemental life coverage.

This benefit is available on a Life Amount of $10,000 or more. The maximum payment is limited to 25%, 50% or 75% of the amount of life coverage or $250,000, whichever is less.

Spouse – If the amount of dependent spouse coverage is $15,000.00 and the insured's spouse is eligible for this benefit, the insured employee may apply for payment of 25%, 50% or 75% of the amount of dependent life coverage. This benefit is available only on the dependent spouse coverage of $15,000.

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Conversion and Transfer of Coverage Options:

If group basic, supplemental and dependent life insurance coverage or a portion of it ceases, insureds may be entitled to apply for an individual life insurance contract currently offered by AUL.

If an insured's supplemental life insurance coverage terminates due to termination of employment and the insured is under age 70, the insured may transfer any personal insurance existing under the supplemental life insurance policy to another group life insurance policy offered by AUL. **NOTE: The transfer of coverage privilege does not apply to and is not an option under basic or dependent life insurance coverage.**

For further information and complete terms and conditions, insureds can contact AUL or review their group life insurance contract for details as to eligibility and how to apply for these options. A copy of the contract can be reviewed at *http://www.in.gov/spd/2704.htm*

Beneficiary Designations:

It is imperative and helps avoid payment delays if clear, understandable beneficiary designations are supplied to AUL. Sample beneficiary designations can be reviewed at www.employeebenefits.aul.com. After reaching that site:

- Click on "Forms & Tools".
- Go to the "Find Forms by Category" and click on the drop down box.
- Select "State of Indiana Policyholders Only" and click on the "Search" button.
- Click on "Beneficiary Designation Sample".

Please note: Insureds are not able to designate a beneficiary for the dependent life insurance coverage since the employee is the beneficiary for dependent life insurance coverage.

Customer Service:

If you should have any questions or require additional information, feel free to contact an AUL representative at 1-800-673-3216.

Some forms are available on our website at *www.employeebenefits.aul.com*. In order to accessthe forms:

- Click on "Forms and Tools".
- Go to the "Find Forms by Category" and click on the drop down box.
- Select "State of Indiana Policyholders Only" and click on the "Search" button.
- Click on the required form.

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State of Indiana Supplemental Life Insurance Premium Rates

Monthly rates based upon $10,000 increments[2]

Amount of Coverage	Age							
	18 to 29	30 to 39	40 to 44	45 to 49	50 to 54	55 to 59	60 to 64	65+
$10,000	$1.05	$1.05	$1.68	$2.73	$4.20	$6.73	$9.67	$15.55
$20,000	$2.10	$2.10	$3.36	$5.46	$8.40	$13.46	$19.34	$31.10
$30,000	$3.15	$3.15	$5.04	$8.19	$12.60	$20.19	$29.01	$46.65
$40,000	$4.20	$4.20	$6.72	$10.92	$16.80	$26.92	$38.68	$62.20
$50,000	$5.25	$5.25	$8.40	$13.65	$21.00	$33.65	$48.35	$77.75
$60,000	$6.30	$6.30	$10.08	$16.38	$25.20	$40.38	$58.02	$93.30
$70,000	$7.35	$7.35	$11.76	$19.11	$29.40	$47.11	$67.69	$108.85
$80,000	$8.40	$8.40	$13.44	$21.84	$33.60	$53.84	$77.36	$124.40
$90,000	$9.45	$9.45	$15.12	$24.57	$37.80	$60.57	$87.03	$139.95
$100,000	$10.50	$10.50	$16.80	$27.30	$42.00	$67.30	$96.70	$155.50
$110,000	$11.55	$11.55	$18.48	$30.03	$46.20	$74.03	$106.37	N/A
$120,000	$12.60	$12.60	$20.16	$32.76	$50.40	$80.76	$116.04	N/A
$130,000	$13.65	$13.65	$21.84	$35.49	$54.60	$87.49	$125.71	N/A
$140,000	$14.70	$14.70	$23.52	$38.22	$58.80	$94.22	$135.38	N/A
$150,000	$15.75	$15.75	$25.20	$40.95	$63.00	$100.95	$145.05	N/A

If employees wish to apply for dependent life insurance, the employee must select one of these options and correctly identify each dependent that will be insured.

State of Indiana Dependent Life Insurance Premium Rates

Option	Spouse Only	Monthly Premium Rate[2]
A	$5,000	$1.56
B	$10,000	$3.12
C	$15,000	$4.68
Option	**Child(ren) Only**	**Monthly Premium Rate[2]**
A	$5,000	$0.98
B	$10,000	$1.95
C	$15,000	$2.93
Option	**Spouse and Child(ren) Coverage**	**Monthly Premium Rate[2]**
A	$5,000 each	$2.17
B	$10,000 each	$4.33
C	$15,000 each	$6.50

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State of Indiana Supplemental Life Insurance Premium Rates

Bi-weekly rates based upon $10,000 increments

Amount of Coverage	Age							
	18 to 29	30 to 39	40 to 44	45 to 49	50 to 54	55 to 59	60 to 64	65+
$10,000	$0.49	$0.49	$0.78	$1.26	$1.94	$3.10	$4.46	$7.18
$20,000	$0.98	$0.98	$1.56	$2.52	$3.88	$6.20	$8.92	$14.36
$30,000	$1.47	$1.47	$2.34	$3.78	$5.82	$9.30	$13.38	$21.54
$40,000	$1.96	$1.96	$3.12	$5.04	$7.76	$12.40	$17.84	$28.72
$50,000	$2.45	$2.45	$3.90	$6.30	$9.70	$15.50	$22.30	$35.90
$60,000	$2.94	$2.94	$4.68	$7.56	$11.64	$18.60	$26.76	$43.08
$70,000	$3.43	$3.43	$5.46	$8.82	$13.58	$21.70	$31.22	$50.26
$80,000	$3.92	$3.92	$6.24	$10.08	$15.52	$24.80	$35.68	$57.44
$90,000	$4.41	$4.41	$7.02	$11.34	$17.49	$27.90	$40.14	$64.62
$100,000	$4.90	$4.90	$7.80	$12.60	$19.40	$31.00	$44.60	$71.80
$110,000	$5.39	$5.39	$8.58	$13.86	$21.34	$34.10	$49.06	N/A
$120,000	$5.88	$5.88	$9.36	$15.12	$23.28	$37.20	$53.52	N/A
$130,000	$6.37	$6.37	$10.14	$16.38	$25.22	$40.30	$57.98	N/A
$140,000	$6.86	$6.86	$10.92	$17.64	$27.16	$43.40	$62.44	N/A
$150,000	$7.35	$7.35	$11.70	$18.90	$29.10	$46.50	$66.90	N/A

State of Indiana Dependent Life Insurance Premium Rates

Option	Spouse Only	Bi-weekly Premium Rate
A	$5,000	$0.72
B	$10,000	$1.44
C	$15,000	$2.16
Option	**Child(ren) Only**	**Bi-weekly Premium Rate**
A	$5,000	$0.45
B	$10,000	$0.90
C	$15,000	$1.35
Option	**Spouse and Child(ren) Coverage**	**Bi-weekly Premium Rate**
A	$5,000 each	$1.00
B	$10,000 each	$2.00
C	$15,000 each	$3.00

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Notes: This invitation to inquire allows interested, eligible State of Indiana employees an opportunity to inquire further about group life insurance coverage and is limited in its description of the losses for which benefits may be payable. The contract has exclusions, limitations, reduction of benefits, and terms under which the contract may be continued in force or discontinued. The contract may contain a waiting or elimination period between the effective date of the contract and the effective date of coverage, and a time period between the date a loss occurs and the date benefits begin to be payable for the loss.

If a choice of the amount of benefits is offered, the amount of benefits provided depends upon the coverage selected and premiums can vary with the amount of benefits selected. If a range of benefit levels is present, the applicant is only entitled to the benefit level shown in the contract.

Actual premiums will be calculated by AUL. Premium rates do increase upon reaching certain age brackets, according to contract terms, and are subject to change.

Premium payments greater than the amount of premium owed to AUL will not result in additional coverage under AUL's contract. If premium deductions were taken for any coverage not previously approved by AUL, a refund of any earned premiums should be requested from your agency. Future payments will also not result in coverage not previously approved by AUL.

Any payable benefit is based on a percentage of an employee's covered earnings subject to AUL's approval, contract maximums, contract reductions, and according to contract terms and conditions.

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