

# PROSECUTING ATTORNEYS' RETIREMENT FUND

## MEMBER HANDBOOK

# Table of Contents



<b>1</b>	<b>Overview.....</b>	<b>5</b>
1.1	Administration of System and Funds.....	5
1.2	Vision.....	6
1.3	Mission.....	6
1.4	Principles.....	6
1.5	Board of Trustees.....	6
1.6	Indiana Code Governing PARF.....	6
<b>2</b>	<b>Membership.....</b>	<b>7</b>
2.1	Eligibility.....	7
2.2	Ineligibility.....	7
2.3	Personal Information.....	7
<b>3</b>	<b>Contributions.....</b>	<b>9</b>
3.1	Employer Contributions.....	9
3.1.1	Contribution Rate.....	9
	<i>Changes in Employer Contribution Rate.....</i>	<i>9</i>
3.1.2	Employer Coverage of Additional Positions.....	9
3.2	Member Contributions.....	9
3.3	Vested Status.....	10
<b>4</b>	<b>Service Credit.....</b>	<b>11</b>
4.1	Member Service Credit.....	11
4.1.1	Service Credit – Partial Months.....	11
4.2	Types of Service Credit.....	11
4.2.1	Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Eligibility .	11
4.2.2	Family and Medical Leave Act (FMLA).....	12
4.3	Reinstatement of Service.....	12
4.4	Return to Service.....	12
<b>5</b>	<b>Investment Options.....</b>	<b>13</b>
<b>6</b>	<b>Withdrawals, Distribution, and Loans.....</b>	<b>14</b>
6.1	Withdrawals.....	14
6.1.1	Separation from Service.....	14
6.2	Distributions.....	15
6.3	Payment Options.....	15
6.3.1	Choice A.....	15
6.3.2	Choice B.....	15
6.3.3	Choice C.....	15
6.3.4	Direct Rollover.....	16

6.4	Loans .....	16
<b>7</b>	<b>Beneficiaries (Survivors) .....</b>	<b>17</b>
7.1	Designating Beneficiaries (Survivors).....	17
<b>8</b>	<b>Retirement Benefits .....</b>	<b>18</b>
8.1	Offset.....	18
8.2	Retirement Eligibility.....	18
8.3	Retirement Ineligibility .....	18
8.4	Retirement Effective Date .....	18
8.5	Retirement Options.....	19
8.5.1	Regular Retirement with a Full (Unreduced) Benefit .....	20
8.5.2	Early Retirement with a Reduced Benefit.....	20
8.5.3	PERF Retirement for Participants in PARF .....	20
8.5.4	Deferred Retirement Option Plan (DROP).....	20
8.5.5	Disability Retirement .....	20
	<i>Disability Exclusions .....</i>	<i>21</i>
	<i>Disability Benefit Details .....</i>	<i>21</i>
8.6	Retirement Benefit Payments .....	21
8.7	Benefit Overpayment or Underpayment.....	22
8.8	Retirement Application Requirements .....	23
8.9	Direct Deposit .....	23
8.9.1	Survivor or Disability Direct Deposit.....	23
8.10	Re-Employment of Retired Members .....	23
<b>9</b>	<b>Death Benefits.....</b>	<b>24</b>
9.1	Survivor Benefit.....	24
9.1.1	Surviving Spouse Benefit.....	24
9.1.2	Surviving Dependent Child Benefits.....	25
9.1.3	Survivors Who Are Not Entitled to Retirement Benefits .....	25
9.2	Survivor Benefit Application Requirements .....	25
<b>10</b>	<b>Income Tax Considerations .....</b>	<b>27</b>
10.1	Tax Forms and Withholding.....	27
10.2	Taxation of Retirement Benefits .....	27
10.2.1	Tax Withholding .....	27
<b>11</b>	<b>Additional Fund Information .....</b>	<b>28</b>
11.1	Cost of Living Adjustments.....	28
11.2	13th Check Annual Supplemental Payment .....	28
11.3	Required Minimum Distribution (RMD) Information.....	28
11.4	Administrative Review.....	29
11.4.1	Initial Determination.....	29
11.4.2	Administrative Law Judge.....	29
11.4.3	Judicial Review.....	30
11.5	Power of Attorney .....	30
11.6	Guardian.....	31
11.7	Access to Records.....	31

11.7.1 Member Records..... 31  
11.7.2 Public Records..... 32  
11.8 Confidentiality of Fund Records ..... 32



## 1.1 Administration of System and Funds

Indiana Public Retirement System (INPRS) administers 11 pension trust funds consisting of eight defined benefit and three defined contribution retirement funds, one other postemployment benefit fund, and one custodial fund. In accordance with Indiana Code (IC) 5-10.5, INPRS is governed by a nine-member Board of Trustees, appointed by the Governor.

Legislation approving the merging of the administration of funds for the Public Employees' Retirement Fund (PERF), which managed the following:

- Public Employees' Retirement Fund (PERF)
- Prosecuting Attorneys' Retirement Fund (PARF)
- 1977 Police Officers' and Firefighters' Retirement Fund ('77 Fund)
- Legislators' Retirement System (LRS)
- Judges' Retirement System (JRS)
- Excise, Gaming and Conservation Officers' Retirement Plan (EG&C)

and the Teachers' Retirement Fund (TRF) was adopted by the General Assembly and signed by the Governor in April 2011. The creation of the Indiana Public Retirement System (INPRS) became effective July 1, 2011. Combined membership totals equal nearly 500,000 members.

Each retirement fund will continue as a separate fund under the oversight of a combined INPRS nine-member Board of Trustees. Individual funded status for each plan will continue to be calculated separately.

INPRS also oversees three non-retirement funds:

- Special Death Benefit Fund (SDBF) - Effective July 1, 2017, the State Employees' Death Benefit Fund, Public Safety Officers' Benefit Fund, and the lump sum distributions for the line of duty deaths from the Local Public Safety Pension Relief Fund were merged together to form the Special Death Benefit Fund. The lump sum distributions from the SDBF is \$150,000 for public safety officers or other eligible officers (as defined by IC 5-10-10-4.5) who die in the line of duty before July 1, 2020. For public safety officers who die in the line of duty on July 1, 2020 or later, the amount of the special death benefit is \$225,000.
- Local Public Safety Pension Relief Fund (LPSPR) - LPSPR is a fiduciary fund and is generally administered in accordance with [IC 5-10.3](#) and [IC 36-8](#). The purpose is to provide financial relief to pension funds maintained by units of local government for their police officers' and firefighters' retirement plan benefits.
- Retirement Medical Benefits Account (RMBA) – RMBA is a health reimbursement account available to certain qualifying state retirees.

For additional information about each fund visit the [Annual Reports](#) page of the INPRS website.

## 1.2 Vision

Engaged members able to realize their retirement dreams

## 1.3 Mission

As fiduciaries, educate stakeholders, collect necessary contributions, and prudently manage member assets to deliver promised DB and DC benefits and services.

## 1.4 Principles

- **Integrity:** We hold ourselves accountable to the highest standards of ethical and professional behavior.
- **Stewardship:** We manage assets held in trust for current and future retirees. We are value oriented. We rigorously identify, measure, and manage risks.
- **Service:** We exist to serve our stakeholders with attentiveness to high quality, respectful customer service.
- **Trust:** We are our stakeholders' trusted source of reliable information.
- **Collaboration:** We seek out stakeholder input when establishing goals and setting priorities.

## 1.5 Board of Trustees

The Governor appoints the following Board members for INPRS pursuant to the following criteria:

- One trustee with experience in economics, finance, or investments.
- One trustee with experience in executive management or benefits administration.
- One trustee who is an active or retired member of the '77 Fund.
- Two trustees who are TRF members with at least 10 years of creditable service:
- One trustee who is a PERF member with at least 10 years of creditable service.
- Director of the State Budget Agency, or designee.
- Auditor of State, or nominee.
- Treasurer of State, or nominee

The executive director carries out the policies set by the Board and administers the Fund on a daily basis ([Indiana Code \(IC\) 5-10.5](#)).

## 1.6 Indiana Code Governing PARF

The laws and regulations governing the Indiana PARF may be found in Title [IC 33-39-7](#) of the Indiana Code. The content of this member handbook does not constitute legal advice, and nothing herein should be considered a legal opinion. In the event of a discrepancy between information in this handbook and the laws of the state of Indiana, the applicable law shall apply.



State employees are eligible for membership in the Prosecuting Attorneys' Retirement Fund (PARF) based on specific criteria outlined in this handbook.

## 2.1 Eligibility

The members of PARF include the following positions:

- Prosecuting Attorney
- Chief Deputy Prosecuting Attorney
- Deputy Prosecuting Attorney appointed under [IC 33-39-6-2](#) who is paid by the state general fund
- Executive Director of the Indiana Prosecuting Attorneys' Council
- Assistant Executive Director of the Indiana Prosecuting Attorneys' Council
- Active members of PARF are also active, contributing members of the Public Employees' Retirement Fund (PERF).

The Indiana Public Retirement System (INPRS) is the administrator of your benefit system. Eligibility for benefits is determined by Indiana law.

Members of PARF are also members of PERF. PARF benefits are funded, in part, by PERF. If you are entitled to a PERF Defined Benefit (DB), your PERF defined benefit will make up part of your monthly PARF benefit payment, with the remaining amount being paid by PARF. The benefit payments from your PERF Defined Contribution (DC) account are not a part of your defined benefit and will not be used as a factor in the calculation of monthly benefits paid to you by PARF. If your monthly PERF defined benefit exceeds your monthly PARF retirement benefit, there will be no monthly payment from PARF, and you will be entitled to a one-time payment of your PARF contributions plus interest. See the [PERF Hybrid Plan Member Handbook](#) for details about PERF membership.

## 2.2 Ineligibility

A senior prosecuting attorney appointed under [IC 33-39-1](#) is not an eligible member of PARF.

## 2.3 Personal Information

As a member your name and address that is on file in INPRS's records is the primary contact information. You should report any name and/or address changes to INPRS.

You can report any change in demographic information by contacting the Member Service Center at (844) GO-INPRS (844-464-6777). For TDD call (800) 579-5708. Customer Service Representatives (CSRs) are available weekdays (excluding weekends and state-designated holidays) from 8 a.m. to 8 p.m. ET, or by logging into your account at [myINPRRetirement.org](http://myINPRRetirement.org).

Your employer can report your name changes when reporting wage and contribution information.

You can update your beneficiary information by accessing and completing the [Submit a Beneficiary Application](#) form to the address provided on the form. For forms applicable to PARF, visit the [Prosecuting Attorneys' Retirement Fund \(PARF\) Member Forms](#) page of the INPRS website.

**NOTE:** As long as you have assets or a current or future benefit with the Fund, it is critical you keep INPRS informed of any changes to your name or address. You can update your address by logging into your account at [myINPRSretirement.org](https://myINPRSretirement.org).





PARF was created January 1, 1990. Prior to that date, individuals who were in positions currently covered by PARF were in the Public Employees' Retirement Fund (PERF).

The State of Indiana is the employer of record for the members of PARF. Members of PARF are also active, contributing members of PERF and are subject to all the laws, rules, and regulations governing PERF.

### 3.1 Employer Contributions

Your employer's contributions fund the employer's retirement benefit obligations. These contributions do not fund individual member accounts. The employer contributions for PARF are paid annually by the State of Indiana.

#### 3.1.1 Contribution Rate

Employer contributions are not made on a payroll basis as with other retirement funds, but rather on an annual basis. The state credits PARF each July with an amount determined by the INPRS Board, upon recommendation by the Fund actuary.

#### *Changes in Employer Contribution Rate*

The amount to be credited to PARF each July is included as a line item of the state general fund in the state budget. This will change each year after the actuary completes the valuation to address the biennial budget.

#### 3.1.2 Employer Coverage of Additional Positions

The coverage of additional positions in PARF would require action by the Indiana General Assembly.

### 3.2 Member Contributions

State law requires that you must contribute 6 percent of the state paid portion of your salary. The 6 percent contribution is required for up to 22 years of service and is withheld by the Auditor of the State. PARF contributions made after July 1, 2013, are paid by you as a pre-tax salary reduction.

In addition to the state-paid portion of your salary, you may receive a salary from the county. Since the county-paid portion of your salary is not used in the benefit calculation, contributions to PARF are not required on this salary. However, PERF contributions may be required on salary paid by the county if the county covers the position under PERF.

**NOTE:** Because members of PARF are also members of PERF, your 3 percent PERF contributions for your Defined Contribution (DC) is paid on your behalf by the state. PARF contributions made after July 1, 2013, will be paid by you as a pre-tax deduction.

Regardless of whether you make the 6 percent contribution or your employer makes it on your behalf, those contributions are considered your contributions and are sent to INPRS for deposit in your account.

## Contributions

These contributions are refundable to you should you terminate employment prior to becoming eligible for the Defined Benefit (DB). While actively employed in a position covered by the Fund, you are not permitted to withdraw funds.

The amount credited to your account must equal the value of your contributions plus interest valued the day before you apply for a distribution or the date of your death plus contributions received after that date. This applies if you:

- Ended service with your employer before vesting,
- Died before vesting, or
- Are the survivor of a deceased member with no survivor retirement benefit payable.

**NOTE:** As a prosecuting attorney or a chief deputy prosecuting attorney you are also a member of PERF. The state pays your 3 percent Defined Contribution (DC) on your behalf.

### 3.3 Vested Status

If you were in a PARF-covered position on July 1, 2006 or began serving in a PARF-covered position after July 1, 2006, you are vested in your PARF benefit after completing 8 years of creditable service.

If you completed PARF-covered service prior to July 1, 2006 and did not return to a PARF-covered position after July 1, 2006, you must complete 10 years of service in order to be vested.



The most common form of service credit is service earned in a position covered by PARF. Still, there are other methods used to obtain service credit, some without cost and some with costs associated.

### 4.1 Member Service Credit

Service credit refers to the period of time you accumulate through employment in a PARF-covered position as outlined in this section. Service credit is important in determining your qualification for retirement benefits.

#### 4.1.1 Service Credit – Partial Months

At the time of retirement, any partial months at the beginning and end of service may be combined to total an additional full month of service. Days of service for partial months are added together and a full month of service is awarded for each 30 days.

### 4.2 Types of Service Credit

You receive service credit for each period of continuous employment in a PARF-covered position from the date of hire to the last day in pay. If you are a member of PARF and had service prior to January 1, 1990, in a position that is currently covered by PARF, you also receive credit for that service.

#### 4.2.1 Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Eligibility

You may also be eligible for service credit if the provisions of [Uniformed Services Employment and Reemployment Rights Act \(38 U.S.C. 4301, et seq.\)](#) cover your military service. Conditions for USERRA eligibility are that you must meet all of the following criteria:

- Applied for or currently hold a civilian job
- Given written or verbal notice to the civilian employer prior to leaving the job for military training or service except when precluded by military necessity
- Have not exceeded the five-year limit on periods of service, subject to certain exceptions
- Been released from service under honorable conditions
- Reported back to the civilian job in a timely manner or submitted a timely application for re-employment

To receive PARF service credit for leaves, all your contributions must be paid upon return to your PARF-covered service. Ultimately, INPRS relies on the assertions and verifications made by the plan's participating employer. Military service credit guidelines are governed by [IC 33-39-7-25](#) in conjunction with Federal USERRA laws.

#### 4.2.2 Family and Medical Leave Act (FMLA)

You may also receive credit for up to 12 weeks of leave taken during a 12-month period under [Family and Medical Leave Act \(FMLA\) \(29 USC 2601, et seq.\)](#). Unpaid FMLA service is considered service only for vesting and for the purpose of determining eligibility and not for calculating benefits.

There is currently no provision in the Indiana Code (IC) for you, as a member of PARF, to add or purchase any other type of service for use in the PARF-defined benefit.

#### 4.3 Reinstatement of Service

If you end service in PARF prior to becoming vested, receive a distribution of your member account balance, and return to a PARF-covered position, you may purchase all or part of your previous service. You must pay back the amount of the withdrawal plus interest, at a rate set by the board. ([IC 33-39-7-13](#))

#### 4.4 Return to Service

If you are retired from a PARF-covered position and return to service in a PARF-covered position, the benefits being paid to you are suspended. You resume making contributions to the PARF and earn additional service credit.



## Investment Options

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There are currently no investment options for members of PARF. The credited interest rate for PARF member accounts is set annually by the INPRS Board.



You are vested in PARF according to the following parameters:

- If you were in a PARF-covered position on July 1, 2006 or began serving in a PARF-covered position after July 1, 2006, you are vested in your PARF benefit after completing 8 years of creditable service.
- If you completed PARF-covered service prior to July 1, 2006 and did not return to a PARF-covered position after July 1, 2006, you must complete 10 years of service in order to be vested.

See the [Retirement Benefits](#) section for details about retirement.

For more information about withdrawals, distributions, and loans contact the Member Service Center at (844) GO-INPRS (844-464-6777). For TDD call (800) 579-5708. CSRs are available weekdays (excluding weekends and state-designated holidays) from 8 a.m. to 8 p.m. ET. Email questions to [questions@inprs.in.gov](mailto:questions@inprs.in.gov).

### 6.1 Withdrawals

If you end service in a covered position before you qualify for retirement benefits, you may take a distribution of your total contributions plus interest. You may not receive service credit prior to the date of your withdrawal. If you become a member again, you will have the chance to restore your service. You must pay back the amount of the withdrawal plus interest, at a rate set by the board. ([IC 33-39-7-13](#))

**NOTE:** In general, as a member of PARF you cannot take distributions from the fund before you end service.

As a rule, benefits cannot begin until you end service with the employer who sponsors the plan. This rule is found in both Indiana pension law and federal law. Exceptions to this rule can be found in Indiana pension law, and in some instances in federal regulations.

#### *Example*

1. You qualify for a permissible in-service retirement benefit from PARF Defined Benefit (DB) if you are a vested (age and service eligible to receive a PARF benefit) member of PARF, you transfer to a position covered by the Judges' Retirement System (JRS) and you have reached your normal retirement age for PARF.
2. If you are a vested PARF member who ends service in a PARF-covered position and you take a position with a county as a deputy prosecuting attorney in a PARF-covered position, you qualify to choose a retirement benefit from PARF because you have ended service with the state.

#### 6.1.1 Separation from Service

If you cease service in a PARF-covered position and do not have enough PARF service to qualify for retirement benefits, you are entitled to receive a distribution of your total contributions plus interest at a rate specified by rule by the Board. Upon withdrawal of contributions plus interest, you forfeit the right to this service in the PARF plan unless you return to service in a PARF-covered position and pay into the fund

the full amount received at the time of distribution plus interest at a rate specified by the Board. This service will not be reinstated if you become an active member again at a later date ([IC 33-39-7-13](#)).

**NOTE:** Federal law prohibits PARF members from making distributions from the Fund prior to "separation from employment."

## 6.2 Distributions

You may withdraw your 6 percent contributions and earned interest from the fund if you end service before you are vested for a DB.

To request a distribution of your contributions and earned interest, you can access your member account at [myINPRSretirement.org](http://myINPRSretirement.org) or contact the Member Service Center at (844) GO-INPRS (844-464-6777). For TDD call (800) 579-5708. CSRs are available weekdays (excluding weekends and state-designated holidays) from 8 a.m. to 8 p.m. ET.

See the [Payment Options](#) section for distribution choice information.

## 6.3 Payment Options

You must choose how to receive distributions.

If you terminate employment prior to being eligible for monthly retirement benefits, you can withdraw your 6 percent contributions and interest at a rate specified by rule by the Board from the Fund. The interest portion of your distribution and the 6% contributions paid by your employer on your behalf will be taxable in the year you received the distribution. If you are under the age of 59½ at the time of separation from service, an additional 10 percent penalty may be imposed on the taxable amount. The 6 percent contributions that were withheld from your pay are not subject to further taxation. An explanation of the three payment choices and the tax consequences of those choices are as follows:

### 6.3.1 Choice A

You can have the total amount of your PARF account (less the mandatory withholding for federal income tax) paid directly to you.

### 6.3.2 Choice B

You can have all of the taxable portion of your PARF account paid in the form of a direct rollover to an Individual Retirement Account (IRA) or a Qualified Retirement Plan which has provisions allowing it to accept the rollover on your behalf.

### 6.3.3 Choice C

You can have a part of the taxable portion of your PARF account paid in the form of a direct rollover to an IRA or a Qualified Retirement Plan which has provisions allowing it to accept the rollover on your behalf (may be selected only if you want a partial rollover amount of at least \$500).

**NOTE:** If you choose to have your contributions paid directly to you and not a direct rollover to an IRA or Qualified Retirement Plan, PARF is required to withhold 20 percent of any taxable portion of the account. The 20 percent withholding is for federal income taxes.

If you elect Choice B or C, PARF will disburse funds to the trustee of the IRA or Qualified Retirement Plan, and a separate disbursement to you representing the non-taxable portion and any taxable portion not directly rolled over (less mandatory withholding for federal income tax). You are responsible for delivering the funds to the trustee of the IRA or Qualified Retirement Plan.

**NOTE:** There will be no income tax withholding on any amount directly rolled over. You should consult the trustee of your qualified plan or IRA or your professional tax advisor if you need further information regarding the taxes on your distributions.

### 6.3.4 Direct Rollover

A direct rollover is a direct payment of some or all of your 6 percent contributions to:

- a Traditional IRA, or
- an eligible employer plan (such as a 403(b) tax sheltered annuity, a 457 deferred compensation plan), or
- a 401(a) qualified plan that will accept the rollover.

You can choose a direct rollover for all or a portion of your eligible distribution. You will not be taxed on your direct rollover until you withdraw the funds from the rollover account. There is no income tax withholding on the amount you roll over.

To request a distribution, you can log in to your online member account at [myINPRSretirement.org](http://myINPRSretirement.org) or contact the Member Service Center at (844) GO-INPRS (844-464-6777). For TDD call (800) 579-5708. CSRs are available weekdays (excluding weekends and state-designated holidays) from 8 a.m. to 8 p.m. ET. You may also e-mail your questions to [questions@inprs.in.gov](mailto:questions@inprs.in.gov).

## 6.4 Loans

Loans from PARF are not available at this time.





*Beneficiary* refers to the person or institution designated to receive all or part of your retirement benefits upon your death.

A *survivor* refers to the person who receives a survivor retirement benefit upon your death.

### 7.1 Designating Beneficiaries (Survivors)

Beneficiaries for members of PARF are set by statute [IC 33-39-7-21](#). As a member of PARF, if you die prior to being eligible for retirement or for a survivor to be eligible for a survivor benefit, your contributions and interest are paid as follows:

- To your surviving spouse or your children, as you have designated.
- To any of your dependents if there is no surviving spouse or designated child.
- To your estate if there is no surviving spouse, designated child, or other dependents.

To access the [Submit a Beneficiary Application](#) form associated with assigning or changing beneficiaries, visit the [Prosecuting Attorneys' Retirement Fund \(PARF\) Member Forms](#) page on the INPRS website.

Complete the appropriate form and submit it to the address provided on the form.

**NOTE:** As long as you have assets with the Fund, it is critical that you keep INPRS informed of any changes to your name, addresses, or beneficiaries. You can update your address by logging into your account at [myINPRSretirement.org](http://myINPRSretirement.org).



As a vested member of PARF, the benefit payable upon retirement is a Defined Benefit (DB). Both you and your employer's contributions are used to fund this monthly retirement benefit. See the [Vested Status](#) section for more details.

As a member of PARF you are also a contributing member of PERF. For the PERF benefit, the employer contributions fund the DB and your contributions fund the Defined Contribution (DC). All laws, policies, and procedures that govern PERF also apply to the PERF portion of your PARF benefit.

Upon retirement from PARF, the benefits payable from PARF are reduced by the retirement benefit (if any) that would be payable to you from PERF if you have retired from PERF on the date of your retirement from PARF. Any benefits payable from your PERF DC account do not impact your PARF retirement benefit.

**NOTE:** The benefit payments to your PERF DC account are not part of your retirement benefits and do not reduce your PARF benefits.

### 8.1 Offset

Your PERF benefit is used to reduce the amount of your benefit paid by the PARF trust fund. This is commonly known as the "offset".

- If you are receiving a PERF benefit when you begin your PARF benefit, the offset is based on the actual PERF benefit you are receiving.
- If you are **not** receiving a PERF benefit when you begin your PARF benefit, the offset is based on what the PERF benefit would be if you were receiving a PERF benefit. When you eventually retire from PERF you are entitled to have your benefit recalculated based on your actual PERF benefit.

### 8.2 Retirement Eligibility

You qualify for retirement benefits if you meet the criteria outlined in the [Retirement Options](#) section.

See the [PERF Retirement for Participants in PARF](#) section for criteria for PERF retirement for a PARF member.

### 8.3 Retirement Ineligibility

You are ineligible for retirement if you have not met the qualifications outlined in the [Retirement Eligibility](#) section.

### 8.4 Retirement Effective Date

As a member of PARF the effective date of your retirement is the first of the month following your last date of service or your age eligibility date. When completing the retirement application online, it will default to the first day of the month.

## 8.5 Retirement Options

Table 1 lists the retirement options available to you for retirement from PARF. It includes disability because it is handled like a retirement.

**Table 1: Retirement Options**

Option	Age and Service Requirements*	Benefit Calculation
Regular Retirement with a Full (Unreduced) Benefit	<ul style="list-style-type: none"> <li>You are at least 65 years of age and have at least eight years of creditable service if you were serving on or after July 1, 2006</li> <li>You are at least 65 years of age and have at least 10 years of creditable service if you terminated service before July 1, 2006, and did not serve on or after July 1, 2006</li> <li>You are at least 55 years of age and your age in years plus years of creditable service is at least 85 (the Rule of 85)</li> </ul>	<p>See <a href="#">Table 3</a> for benefit percent per years of service, not to exceed 60% of the highest annual salary.</p> <p>See the <a href="#">Regular Retirement with a Full (Unreduced) Benefit</a> section of this handbook for details.</p>
Early Retirement with a Reduced Benefit	At least 62 but not yet 65 years of age, you can receive a reduced annual retirement benefit that equals the benefit that would be payable if you were age 65, reduced by 0.25 percent for each month that your age at retirement precedes your 65th birthday.	<p>If you choose to take early retirement, your retirement benefits will remain at a reduced level even after you reach age 65. Based on regular retirement then reduced by 0.25% of a percent for each month that early retirement date precedes 65th birthday.</p> <p>See the <a href="#">Early Retirement with a Reduced Benefit</a> section of this handbook for details.</p>
PERF Retirement for Participants in PARF	<ul style="list-style-type: none"> <li>At least 55 years of age and have accrued at least 20 years of creditable service with PERF</li> <li>Meet the Rule of 85 and have at least 30 years of creditable PERF service; or</li> <li>Reached PERF regular retirement age as defined in <a href="#">35 IAC 1.2-1-4</a>.</li> </ul>	<p>Per <a href="#">35 IAC 1.2-6-17.2</a>, effective July 1, 2017, active PARF members meeting the stated criteria may take a PERF retirement effective on or after July 1, 2017, without separating from PARF-covered service. <b>This election is irrevocable.</b></p> <p>See the <a href="#">PERF Retirement for Participants in PARF</a> section of this handbook for details.</p>
Deferred Retirement Option Plan (DROP)	Not available to PARF members	N/A
Disability Retirement	<ul style="list-style-type: none"> <li>No age or service requirements</li> <li>At age 65 or when you meet the Rule of 85, your PARF disability benefit is converted to a regular PARF retirement benefit.</li> </ul>	<p>See <a href="#">Table 2</a> for benefit calculation information.</p> <p>See the <a href="#">Disability Retirement</a> section of this handbook for details.</p>

\* You will not receive credit for earned and unused sick leave even if you received pay for the leave.

### 8.5.1 Regular Retirement with a Full (Unreduced) Benefit

As a member of PARF you are entitled to receive monthly retirement benefits if you meet one of the following:

- You are at least 65 years of age and have at least 8 years of creditable service if you were serving on or after July 1, 2006
- You are at least 65 years of age and have at least 10 years of creditable service if you terminated service before July 1, 2006, and did not serve on or after July 1, 2006
- You are at least 55 years of age and your age in years plus years of creditable service is at least 85 (the Rule of 85)

### 8.5.2 Early Retirement with a Reduced Benefit

If you choose to take early retirement, your retirement benefits will remain at a reduced level even after you reach age 65.

If you are at least 62 but not yet 65 years of age, you are entitled to receive a reduced annual retirement benefit that equals the benefit that would be payable if you were age 65, reduced by 0.25 percent for each month that your age at retirement precedes your 65th birthday.

### 8.5.3 PERF Retirement for Participants in PARF

Per [35 IAC 1.2-6-17.2](#), effective July 1, 2017, active PARF members meeting the following criteria may take a PERF retirement effective on or after July 1, 2017, without separating from PARF-covered service.

- You are at least 55 years of age and have accrued at least 20 years of creditable service with PERF
- You meet the Rule of 85 and have at least 30 years of creditable PERF service; or
- You have reached PERF regular retirement age as defined in [35 IAC 1.2-1-4](#).
  - A participant making such election cannot accrue additional PERF service credit and the participant's PERF benefit remains unchanged despite further employment in any PERF-covered service.
  - **The election is irrevocable** and must be made on a form approved by INPRS.

### 8.5.4 Deferred Retirement Option Plan (DROP)

The Deferred Retirement Option Plan (DROP) is not available to PARF members.

### 8.5.5 Disability Retirement

As a member of PARF you are considered to be permanently disabled if while in active service the INPRS Board has received a written certification of your disability by at least two licensed and practicing physicians. One physician is appointed by the Board as the INPRS medical authority and the other may be your licensed treating physician. Upon receipt of the required documentation it is forwarded to the INPRS medical authority for review. Once the final determination is made by the medical authority, the INPRS Board will notify you, by certified mail, of your approval or denial.

As a disabled member of the PARF you must have your disability status verified at least annually until reaching the age of 65, or the age of 55 and qualify for the Rule of 85.

- The INPRS Medical Authority may serve as a second doctor when a re-examination is required.
- At age 65 or when you meet the Rule of 85, your PARF disability benefit is converted to a regular PARF retirement benefit.

**Disability Exclusions**

Benefits may not be provided for a disability:

- Resulting from an intentionally self-inflicted injury or attempted suicide while sane or insane.
- Resulting from your commission or attempted commission of a felony.
- That begins within two years after your entry or re-entry into active service as a prosecuting attorney or chief deputy prosecuting attorney and that was caused or contributed to by a mental or physical condition that manifested itself before you entered or re-entered active service.

**Disability Benefit Details**

If you are a disabled member of PARF, the retirement benefit is calculated by multiplying the annual salary paid to you at the time of separation from the PARF-covered position by the appropriate percentage from [Table 2](#). If you have a partial year of service in addition to at least 10 years of service, the benefit percentage is prorated accordingly. Benefits payable to you are reduced by the amounts, if any, that are payable to you from PERF ([IC 33-39-7-18\(b\)](#)).

**Table 2: Years of Service and Percentage for Calculating Disability Benefit**

Years of Service	Percentage	Years of Service	Percentage
0-12	50%	18	56%
13	51%	19	57%
14	52%	20	58%
15	53%	21	59%
16	54%	22 or more	60%
17	55%		

**8.6 Retirement Benefit Payments**

Regular retirement benefits payable from PARF are funded in part by retirement benefits, if any, that are payable to you from PERF.

**Example**

- PARF member age 65 with 13 years of service; highest annual salary: \$94,235.18
- PARF benefit: \$4,005.00/month PERF benefit: \$1,139.75/month
- PARF benefit payable: \$2,865.25/month

## Retirement Benefits

PERF benefit payments attributed to your defined contributions are not a part of the retirement benefits and do not reduce the PARF benefits ([IC 33-39-7-16\[d\]](#)).

If you are receiving a monthly retirement benefit from PERF, that benefit payment will be used to determine the amount payable to you from PARF.

If you are eligible for a monthly retirement benefit from PERF but are not yet receiving it, the amount payable to you from PERF will be calculated to determine the amount payable to you from PARF. You will need to submit a separate retirement application to begin receiving your PERF benefit.

If you are a participant in the PERF My Choice: Retirement Savings Plan (formerly PERF ASA-Only) Defined Contribution (DC) plan ([IC 5-10.3-12-18](#)) instead of the standard PERF Hybrid Fund, the amount to be deducted from the PARF benefit is the defined benefit portion of the retirement benefit that would be payable to you from PERF if you had not made the election for the My Choice Plan and had retired from PERF on the date of your retirement from PARF.

If benefits payable from PERF exceed the benefits payable from PARF, you are entitled at retirement to withdraw from PARF the total sum contributed plus interest at a rate specified by rule by the Board ([IC 33-39-7-16\[e\]](#)).

The retirement benefit for a retiring member of PARF is calculated by multiplying the highest annual salary paid to you prior to separation from the PARF-covered position by the appropriate percentage from [Table 3](#). The highest annual salary is the sum of the highest completed consecutive 12 months of salary that was paid to you before retirement ([35 IAC 1.2-4-7](#)).

If you have a partial year of service, the benefit percentage is prorated accordingly. Any partial years between 8 and 11 full years of service are worth 0.25 percent per month. Between years 11 and 12, each month is worth 1.42 percent, and over 12 years each additional month is entitled to 0.083 percent.

**Table 3: Annual Retirement Benefit Percentage**

Years of Service	Percentage	Years of Service	Percentage
Less than 8	0	15	53%
8	24%	16	54%
9	27%	17	55%
10	30%	18	56%
11	33%	19	57%
12	50%	20	58%
13	51%	21	59%
14	52%	22 or more	60%

### 8.7 Benefit Overpayment or Underpayment

INPRS is required by federal and state law to correct any errors in benefit calculations. If you receive an overpayment as a result of an error, INPRS must recover the overpayment. If you are underpaid, you will receive an additional payment from INPRS.

## 8.8 Retirement Application Requirements

You will need to submit your online application and the requested information to the Fund at least 90 days before you plan to retire. To process your retirement benefit, you will need the following:

- Application for retirement benefits completed and submitted from your [myINPRSretirement.org](https://myINPRSretirement.org) account,
- As an attachment to your online retirement application:
  - A copy of your birth certificate, registration from the public health department, court decree, or other evidence relating to your date of birth upon board approval, and
  - Tax withholding forms (state, local, county, and federal),
  - If married, copy of your spouse's birth certificate, and
- Completed direct deposit information as part of your online retirement application.

**NOTE:** You will only be taxed on your benefit payments when you receive your distribution.

## 8.9 Direct Deposit

Direct deposit is the required method to distribute benefit payments. On the same day each month, your payment will be deposited directly into your specified account. You will receive an annual notice of deposits.

Your money cannot be lost or stolen, and there are no delays due to mishandled mail or incorrect addresses. You can update your direct deposit information online at any time.

The Direct Deposit form is completed and submitted online from your account at [myINPRSretirement.org](https://myINPRSretirement.org).

### 8.9.1 Survivor or Disability Direct Deposit

For direct deposit applications for survivor or disability purposes, you must request the paper form, *Application for Direct Deposit (State Form 39175)*, from the Member Service Center at (844) GO-INPRS (844-464-6777). For TDD call (800) 579-5708. CSRs are available weekdays (excluding weekends and state-designated holidays) from 8 a.m. to 8 p.m. ET.

## 8.10 Re-Employment of Retired Members

If you are retired and you return to service in a PARF-covered position, the benefits being paid to you as a retired member are suspended. You resume making contributions to the Fund and earn additional service credit. Upon separation of service, you will need to initiate the retirement process. The new benefit will be calculated using the appropriate salary and all service credit you have earned in a PARF-covered position.



To access the forms associated with death and survivor benefits, visit the [Prosecuting Attorneys' Retirement Fund \(PARF\) Member Forms](#) page of the INPRS website or contact the Member Service Center at (844) GO-INPRS (844-464-6777). For TDD call (800) 579-5708. CSRs are available weekdays (excluding weekends and state-designated holidays) from 8 a.m. to 8 p.m. ET.

**NOTE:** As long as you have assets with the Fund, it is critical that you keep INPRS informed of any changes to your names, addresses, or beneficiaries. You can update your address by logging into your account at [myINPRSretirement.org](http://myINPRSretirement.org).

## 9.1 Survivor Benefit

**NOTE:** The benefits to your surviving spouse are reduced by the amounts, if any, that are payable to the surviving spouse from your PERF fund as a result of your death. When calculating this reduction, your Defined Contribution (DC) benefit payments are not included.

Your designated survivors are entitled to receive the following benefits.

The survivor benefit is payable to either the surviving spouse or surviving dependent child(ren) as designated by you. If multiple dependent children are named as beneficiaries, the benefit will be divided equally.

If benefits are not payable to your survivors upon your death, the total of your contributions plus interest at a rate specified by rule by the Board minus any payments made to you ([IC 33-39-7-21](#)) shall be paid to:

- To your the surviving spouse or your children, as designated by you
- If there is no surviving spouse or designated child, to any of your other dependents
- If there is no surviving spouse, designated child, or other dependents, to your estate

**NOTE:** Marriages are recognized regardless of gender.

### 9.1.1 Surviving Spouse Benefit

Your surviving spouse ([IC 33-39-7-19](#)) will receive a survivor benefit if you meet one of the following provisions:

- Died while receiving benefits (post-retirement)
- Had the required years of service and currently in a PARF-covered position (pre-retirement)
- Had the required years of service and not currently in a PARF-covered position, but was entitled to a future benefit (pre-retirement)
- Was permanently disabled at the time of death (pre-retirement)

Your surviving spouse is entitled to receive a benefit for life which is equal to the greater of:



- An annual benefit of \$12,000 payable in monthly installments, or
- 50 percent of the monthly retirement benefit you were drawing at the time of death, or
- 50 percent of the amount you would have been entitled to if you had retired and were receiving benefits on the date of death.

Benefits payable to a surviving spouse are reduced by the amounts, if any, that are payable to the surviving spouse from PERF as a result of your death ([IC 33-39-7-19](#)).

If you are a PERF My Choice: Retirement Savings Plan member, your PARF benefit payable to a surviving spouse will be reduced by the PERF benefits payable under the joint and survivor option ([IC 5-10.2-4-7](#)). The benefit will be calculated at 50 percent of your decreased retirement benefit, if you had not made an election to become a member of the PERF My Choice: Retirement Savings Plan. ([IC 5-10.3-12-20](#)).

### 9.1.2 Surviving Dependent Child Benefits

Dependent Child ([IC 33-39-7-20](#)): If your spouse predeceases you in death or if your spouse survives you but then dies, your dependent child is entitled to the benefit your spouse would have received (or was receiving). If you have more than one dependent child, the dependent children will share the benefit equally. Each dependent child is entitled to receive the benefit until the child turns 18 years of age, or during the entire period of the child's physical or mental disability, whichever period is longer. The benefits paid to a dependent child will be reduced by any benefits paid from your PERF fund.

### 9.1.3 Survivors Who Are Not Entitled to Retirement Benefits

A survivor or your estate may file a withdrawal application with the INPRS Board. If you do not have retirement benefits payable to your survivors, the total of your member contributions plus interest minus payments made to you, will be paid to:

- Your surviving spouse,
- Any dependent(s) if your spouse predeceases you in death, or
- Your estate, if a spouse or dependent predeceases you in death.

You can log in to your online member account ([myINPRSretirement.org](http://myINPRSretirement.org)) to manage your personal and retirement benefit information. You will need your PIN to get started. You will also need your PIN for ongoing access to the automated phone system.

## 9.2 Survivor Benefit Application Requirements

To process the survivor benefit, the survivor must submit the following:

- Complete and submit the [Apply for Survivor Benefits](#) application (available on the [Prosecuting Attorneys' Retirement Fund \(PARF\) Member Forms](#) page on the INPRS website) which includes direct deposit information,
- Copy of your marriage certificate and confirmation that the deceased was married to you at the time of death (for surviving spouse claims),
- Birth certificates of any survivors (for surviving child claims),

- Death certificate of deceased member, and
- Birth certificate of member, if not already on file at INPRS

The survivor benefit application is available from the [Prosecuting Attorneys' Retirement Fund \(PARF\) Member Forms](#) page of the INPRS website. Request a copy of the direct deposit form from the Member Service Center at (844) GO-INPRS (844-464-6777). For TDD call (800) 579-5708. CSRs are available weekdays (excluding weekends and state-designated holidays) from 8 a.m. to 8 p.m. ET.



## 10.1 Tax Forms and Withholding

INPRS must withhold income taxes on distributions. INPRS must also withhold federal taxes on monthly payments. You may choose not to have taxes withheld. Make sure to complete the tax withholding forms when you apply for benefits.

Each year, INPRS mails 1099-R forms to all benefit recipients by January 31. The 1099-R form is much like a W-2 form. It lists the total amount of benefits received during the year. It also shows the taxable and non-taxable amounts. INPRS can also withhold federal, state, county, and local taxes. If you did not complete tax withholding forms at the time of your retirement, you may do so at any time.

INPRS can withhold Federal taxes based upon the marital status and the number of exemptions claimed.

**NOTE:** As a member you must enter a withholding election (e.g., married with 3 exemptions, single, etc.) before electing an additional flat, whole dollar amount. State and federal tax forms are available from the INPRS office. You may go online to download the forms, call, or write to request them.

The tax rules are complex. If you would like more information, refer to IRS Publication 575. If you need more help, you should contact your local IRS office or a tax consultant.

## 10.2 Taxation of Retirement Benefits

The taxable portion of your benefit will be calculated under the *Simplified Method for Reporting Annuities* in the IRS regulations. Once your total 6 percent contribution to the fund has been left out from income, all of your future benefits will be taxable. These tax rules are complex. If you need more tax help, you should contact your local IRS office or tax consultant.

### 10.2.1 Tax Withholding

INPRS is required by law to withhold 20 percent for federal income taxes for any non-recurring, taxable lump sum distribution that is paid directly to you. You may elect not to have taxes withheld. Remember to complete the tax withholding forms when you apply for benefits.

**CAUTION:** You should talk to the trustee of your qualified plan or IRA or your professional tax advisor if you need more information about the taxes on your distribution.

**NOTE:** You will only be taxed on your benefit payments when you receive your distribution.



## 11.1 Cost of Living Adjustments

Cost of Living Adjustments (COLAs) are an adjustment to your monthly retirement benefit payment. COLAs are not automatic in Indiana; the General Assembly must pass legislation granting a COLA.

**NOTE:** If you are a PARF member and are receiving a PERF retirement, and if a 13th check or COLA are issued, neither the 13th check nor the COLA will reduce your overall PARF retirement benefit.

## 11.2 13th Check Annual Supplemental Payment

13th checks are supplemental payments that may be made to retired members. 13th checks are not automatic in Indiana; the General Assembly must pass legislation granting the 13th check.

## 11.3 Required Minimum Distribution (RMD) Information

The Internal Revenue Service (IRS) requires that if you have an interest in a retirement benefit you must take a Required Minimum Distribution (RMD) from that benefit. [Section 401\(a\)\(9\)](#) of the Internal Revenue Code (IRC) requires INPRS to begin making required minimum distributions of your benefit starting by April 1 of the calendar year following the calendar year in which you attain age 70½ or 72 (depending upon the date the individual reaches age 70½) or terminate employment, whichever date is later. Individuals who turn 70½ on or after January 1, 2020, do not have to take their RMD until age 72.

If the benefit does not begin in a timely fashion, the IRS may impose a 50 percent penalty on you due to a late distribution.

**NOTE:** Individuals who turn 70½ on or after January 1, 2020, do not have to take their RMD until age 72.

You must complete the online retirement application if you:

- Have the required years of service.
- Have separated from service.
- Have not begun the retirement benefit.
- Will be age 70½ by December 31, 2019. The requirements indicated in the first paragraph of this section apply.
- If you reach 70½ on or after January 1, 2020, you do not have to apply for or take your RMD until age 72. The requirements indicated in the first paragraph of this section apply.

The retirement application must be completed online and submitted to INPRS for processing. You may contact the Member Service Center at 1-844-GO-INPRS (844-464-6777). For TDD call (800) 579-5708. CSRs are available weekdays (excluding weekends and state-designated holidays) from 8 a.m. to 8 p.m. ET.

If INPRS does not receive the retirement application by December 31, and you meet the requirements described above, INPRS will undertake to contact you to set up the RMD for distribution of any retirement and/or contribution funds to which you are entitled.

If you have reached the age requirement of 70½ or 72 as described in the requirements above before submitting the retirement application, INPRS is required to adjust the benefit for any IRS imposed penalties. See [35 IAC 13-1-1](#) for more detailed information regarding INPRS's RMD process

### 11.4 Administrative Review

**NOTE:** This information is only a guide and neither a substitute for, nor intended as legal advice.

If INPRS staff have answered your questions regarding your account but you disagree with the action or determination, and no alternative resolution is available, you may request administrative review under the Administrative Orders and Procedures Act ([IC 4-21.5](#)). You must have standing as a party or a right to intervention to request administrative review.

#### 11.4.1 Initial Determination

Petition INPRS in the form of a letter to request a review of the action or determination with which you disagree. This letter should specifically state the basis of your disagreement and include sufficient facts so that INPRS administration can make an evaluation and determination. You may include copies of any supporting documents. For a sample format of this member petition, see the [Step 1: Member Petition for Administrative Review of Staff Action/Determination](#) form available on the INPRS website.

Once an evaluation has been completed, you will be notified with an initial determination letter, sent by certified mail. INPRS will detail in the letter our initial determination and provide supporting justification. In addition, INPRS will provide explicit instructions should you want to appeal the initial determination. Indiana law sets forth specific timelines to appeal a decision. Should your appeal be received after the deadline, under Indiana law, the initial determination will become final and you will forfeit any future claims specific to that particular outcome. As noted, many processes and procedures followed by INPRS are statutory, meaning INPRS does not have the discretion to act outside of the law in granting a benefit that federal and/or state law does not permit.

#### 11.4.2 Administrative Law Judge

If you disagree with the initial determination and want to further challenge, you may bring the matter before an Administrative Law Judge (ALJ). To initiate this process, you must file a petition for review with the INPRS Executive Director. The petition for review:

- Must meet the statutory requirements set forth in [IC 4-21.5-3-7\(a\)](#); AND
- Must be filed within 15 days after you have received the written notice of the INPRS initial determination letter. ([IC 4-21.5-3-7\(a\)](#)).

If your petition for review meets the statutory requirements, INPRS will arrange for an administrative hearing of your case, which is similar to a trial in a lawsuit, but is conducted in less formal manner ([IC 4-](#)

[21.5-3-25\(b\)](#)). You may be represented by counsel, but there is no requirement that you obtain representation. INPRS is not responsible for costs associated with your representation. The ALJ who conducts the review will consider the evidence concerning the administrative action/decision and decide whether INPRS has misinterpreted or misapplied the law and/or acted beyond the scope of its authority in your case.

After an ALJ is selected, you will be notified of the time and place of a pre-hearing conference, ordinarily conducted by conference call between you, INPRS, and the ALJ. The purpose of this conference is for the ALJ to identify and narrow the issues of the case and to set a timeframe for pleadings and discovery. A pleading is a formal document that sets forth allegations, complaints, denials, or defenses. Discovery is the process of learning information and obtaining documents from the other party.

If there are no material facts in dispute and the ALJ believes that the issues involved in the case deal with whether INPRS has applied or interpreted the law correctly, the ALJ may request a party file a motion for summary judgment. This means the ALJ may determine the case based on information submitted to the ALJ in writing. This is a process that speeds up the disposition of the case without the need for an evidentiary hearing where witnesses testify and are cross examined.

If there are material issues of fact, the ALJ will set a date for an evidentiary hearing where each party will call and cross examine witnesses and present other evidence. For a detailed outline of the ALJ review process, see the [General Outline for Administrative Law Judge \(ALJ\) Review](#) available on the INPRS website.

Within 90 days after the conclusion of the administrative hearing, the ALJ will issue a Finding of Facts and Conclusions of Law and written order concerning the action or decision that you are challenging ([IC 4-21.5-3-27](#)). The ALJ's order is then subject to review by the INPRS Executive Director. On behalf of the Board of Trustees, the Executive Director will issue a final order that affirms, modifies, or dissolves the ALJ's order ([IC 4-21.5-3-29\(b\)](#)).

### 11.4.3 Judicial Review

If you are still in disagreement at the conclusion of the administrative review, you may seek judicial review within thirty (30) days of receipt of the final order ([IC 4-21.5-5](#)). A reviewing court will examine only those disputed issues of fact that appear in the agency record of the appeal. The trial court may not retry the appeal or substitute its judgment for that of agency ([IC 4-21.5-5-11](#)).

See the [Administrative Review Regulations](#) available on the INPRS website for a list of all relevant IAC references.

## 11.5 Power of Attorney

The fund honors requests and directions from a lawful holder of a Power of Attorney document for you. This individual is known as the attorney-in-fact. The Power of Attorney must grant the attorney-in-fact the authority to transact business of the type requested. For instance, if the Power of Attorney document grants the attorney-in-fact broad discretion to handle all banking and financial transactions, the fund will accept directions regarding benefit check delivery. If, on the other hand, you grant what is known as a Health Care Power of Attorney, the attorney-in-fact does not have the authority to direct the fund on any matter, even something as simple as an address change.

## Additional Fund Information

If you want to name a Power of Attorney for fund business only, without incurring the expense of legal counsel, the fund can provide a [Limited Power of Attorney for Members and Recipients \(State Form 49614\)](#). However, this Power of Attorney applies only to fund business and is not valid for general public use. To receive a copy of this form to be completed and returned to the address on the form, contact the Member Service Center at (844) GO-INPRS (844-464-6777). For TDD call 1-800-579-5708. CSRs are available weekdays (excluding weekends and state designated holidays) from 8 a.m. to 8 p.m. ET.

If an attorney-in-fact attempts to act on your behalf, the fund will require a copy of the Power of Attorney. If a copy of the Power of Attorney is not in your file, the requested transaction will be denied. The denial will then be returned to the attorney-in-fact, requesting proof of legal authority to act on your behalf.

**NOTE:** Indiana law has very specific requirements for a Power of Attorney to be valid. Your signature must be witnessed and attested to by a Notary Public. Further, the Notary Public must sign the document along with the attorney's printed name and notarial seal.

## 11.6 Guardian

The fund honors requests and directions from a legally appointed guardian of your estate.

Before the fund can recognize acts of a guardian, the fund must receive copies of the Letters of Guardianship and/or other official court documents appointing the guardian. Only the guardian of your "estate", the person with the power to handle financial matters (as opposed to the guardian of the "person" who is responsible for your physical well-being), may direct the fund.

Guardians are appointed only when you are declared incompetent by a court of law. Thus, while you are under an active guardianship and unable to act on your own behalf. The fund will not recognize your acts until provided proof that your right to act on your own behalf has been restored.

## 11.7 Access to Records

### 11.7.1 Member Records

Your records are confidential by law. INPRS will only release your name, fund, and years of service.

INPRS can provide information from your records to you, or to one of the following:

- a guardian,
- a representative of your estate,
- an attorney-in-fact (aka Power of Attorney or POA),
- someone to whom you have given express permission, or
- someone named by a court order.

There are other exceptions to this rule. Contact INPRS if you have a situation other than those outlined herein.

### 11.7.2 Public Records

You do not need to fill out a request for access to public records to get your information. You can:

- Call (844) GO-INPRS (844-464-6777),
- Email us at [questions@inprs.in.gov](mailto:questions@inprs.in.gov), or
- Send a written request or stop by in person at:

Indiana Public Retirement System  
One North Capitol Avenue, Suite 001  
Indianapolis, IN 46204

There are other exceptions to this rule. Contact INPRS if you have a situation other than those outlined herein.

### 11.8 Confidentiality of Fund Records

Your records are protected by law under [35 IAC 1.2-1-5](#) and [IC 5-10.5-6-4](#). The law outlines INPRS confidentiality rules and allows INPRS, at its discretion, to provide member information to:

- members of the Indiana General Assembly,
- state agencies,
- quasi-governmental agencies,
- any person with the member's written permission, including a Power of Attorney,
- an active member's employer,
- a deceased member's personal representative with Letters Testamentary or a beneficiary, according to a small estate affidavit,
- to follow state or federal law, a subpoena, legal discovery under the Indiana trial rules or Orders and Procedures Act or other court order.

There are other exceptions to this rule. Contact INPRS if you have a situation other than those outlined herein.