

**A COMPARATIVE ANALYSIS OF JUDICIAL COMPENSATION IN THE US AND
CANADA: FACTS, FIGURES AND COMPARISONS**

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A COMPARATIVE ANALYSIS OF JUDICIAL COMPENSATION IN THE US AND CANADA: FACTS, FIGURES AND COMPARISONS

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Abstract

Compensation is a factor in any profession. In taking on the role as a judge, jurists are faced with tremendous responsibilities as impartial decision-makers in the pursuit of justice. This document takes a broad look at compensation as it pertains to judges in both the US and Canada.

A literature review on the topic of judicial compensation revealed an array of opinions, research and data that gives readers the full scope of the subject. Further, the survey of literature on the topic has the potential to point to new ways of looking at the subject in the future. The literature demonstrated the difficulty that judicial compensation commissions have making a case for “adequate” compensation, and the shared themes among commission reports.

This research has the potential to change the way legislators, judges, and members of the public view the issue of judicial compensation. The primary questions addressed by the research include the following:

- Generally, why do US judges struggle for raises and adequate compensation in salary and benefits?
- Does the comparison with the compensation Canadian judges receive bolster the argument that US judges are underpaid?
- What role do other factors have in terms of compensation and overall willingness for qualified persons to become judges?

The data gathered for this project focused on several sources. The data types for US judges primarily came from two separate surveys: (1) a request made to state AOC human resource departments for judicial salary data, and (2) a request made to state AOC benefits specialists on judicial retirement benefit information. Information on Canadian judges was gathered from public data available online, provided by the provincial and federal governments of Canada.

The findings showed significant differences in compensation for US judges from state to state. Information gathered in the literature review also revealed increases in the pay of US judges were often infrequent, and in some cases, subject to long periods of stagnation followed by large increases. US judicial benefits were also curtailed in many states, in essence, lowering overall compensation for judges. The findings for Canadian judges showed near parity from province to province for most judicial positions; and benefits were also similar nationwide.

Conclusions based on these findings suggest that recommendations for greater unity in judicial processes from state to state, ranging from judicial selection to data gathering, are appropriate. A stronger case for judicial compensation and benefits is made by looking to the states and in some cases, other countries, for best practices and successful strategies.

Introduction

The issue at hand is the changing landscape of judicial compensation in the U.S.A. The issue has always existed but became a constitutional issue in states like New Jersey (as recently as June 9, 2015) when the Governor’s authority to cut judicial pensions (by increasing their contribution rate without a pay raise) was challenged by the judges themselves. While judicial salaries are generally protected by state constitutional clauses that provide that “judges’ salaries shall not be diminished” (Raftery, 2012), the question over whether and how judicial benefits are impacted by state constitutions is relatively undecided. During the most recent recession, numerous states increased the contribution rates of new judges (see Table 1).

Table 1. States Increasing Contribution Rates by Year (2008-2012)

Year	2008-2009	2009-2010	2010-2011	2011-2012
States Changing Rates	Iowa; Kentucky; Nebraska Washington	Colorado; Iowa; Mississippi; Missouri; New Mexico; Virginia;	Alabama; Delaware; Florida; Louisiana; Maryland; New Jersey; Vermont; Washington; Wisconsin	Arizona; Hawaii; Idaho; New Jersey; New Mexico; North Dakota; Rhode Island; Washington; Wisconsin

Further, there is much discussion in legislatures and a perceived shift away from more costly “defined benefit”¹ judicial compensation programs. This is an important point because in order to maintain trust and confidence in the judiciary, the bench needs to attract capable and well-trained jurists; the question arises whether a career as a judge

¹ A defined benefit plan promises a specified monthly benefit at retirement and is funded at the employer’s expense. The plan may state this promised benefit as an exact dollar amount, such as \$100 per month at retirement. Or, more commonly, it may calculate a benefit through a plan formula that considers such factors as salary and service — for example, 1 percent of average salary for the last 5 years of employment for every year of service with an employer. See: <http://www.dol.gov/dol/topic/retirement/typesofplans.htm>

is as attractive as it may have been in the past given the changing landscape of compensation.

The goal of the project is to lay out a complete picture of how judges are compensated in the 50 states. The look at “compensation” includes salary, retirement and other judicial perks/benefits received by judges (general jurisdiction, appellate, and courts of last resort judges), and how compensation is determined (via commissions or legislative action).

The project also examines judicial salaries in our neighbor to the north, Canada. Canada has courts of similar jurisdiction to the US, so the author believes the comparison is a worthy one. Each province has the equivalent of a general jurisdiction court (known mostly as “Provincial Courts”) as well as a court of last resort (identified by different names- Court of Queen’s Bench, Supreme Court, and Court of Appeals- depending on the province). The author believes it important for American judges not to operate in a vacuum, and that the most relevant point of comparison is Canadian judges.

The project sought to draw any conclusions that may be made through cross-referencing of the data between the United States and Canada. Where possible, the project examines potential issues related to changes in judicial compensation including, but not limited to: judicial retention, attractiveness of taking the bench, and quality of jurists taking the bench. Relative to international comparisons, the project seeks to find answers regarding why differences in judicial compensation exist between courts in countries where judges have similar roles and jurisdiction.

Literature Review

Job Satisfaction and Compensation

Salary and compensation are not necessarily *the* key determinants of overall job satisfaction; however, it is safe to say they are significant factors. There are different ways of measuring job satisfaction; the *Brief Index of Affective Job Satisfaction* (BIAJS), espoused by Thompson and Phua (2012) suggests that it is determined by internal consistency, reliability, temporal stability, convergent and criterion-related validities. Other indices like Smith, Kendall and Hulin's (1969), *Job Descriptive Index* (JDI) are a bit more comprehensible and examine satisfaction with five definable aspects of the job: the work itself, pay, opportunity for promotion, supervision, and coworkers.

The importance of job satisfaction in organizations is that it can lead to cost reduction by reducing absences, task errors, and turnover (Smith, 1992). However, given that income is just a part of the overall job satisfaction picture, a broader view is needed. Further, research seems to suggest that there is a tipping point at which a higher salary ceases to make the average worker much happier (Kahneman & Deaton, 2010). Kahneman states that: "Wanting money is not a recipe for disaster, but wanting money and not getting it – that's a good recipe for disaster" (as cited in Korkki, 2010).

In a 2012 study published in the *University of Pennsylvania Law Review*, the authors looked at reasons for judicial resignations over a four-decade period (Burbank, Plager & Ablavsky, 2012). They found that return to private practice, appointment to other office, inadequate salary, and dissatisfaction with office were the most commonly stated motivations for leaving the bench. They also noted that there was likely overlap between resignations motivated by "inadequate salary," "return to private practice" and

“dissatisfaction with office.” All told, the three reasons represented 59% of responses.²

In another study looking at judges leaving office over a 200-year period, 56% of respondents indicated that they left office for reasons such as “returned to private practice,” “other employment” or “inadequate salary” (Van Tassel, Wirtz & Wonders, 1993).

Historical Trends in Judicial Compensation

Dating back to the earliest years of the republic, compensation for judges, and its impact on judicial retention, has been an issue. A historical study by the Federal Judicial Center revealed that District Judge Nathaniel Pendleton of Georgia wrote to President George Washington in 1791, stating:

When I solicited the appointment of Judge of this District, I imagined Congress would have made a more ample provision for their Judges; but having, at my own solicitation had the honor to be nominated by you, I could not with propriety refuse serving: although it will readily be admitted by those who knew the extant [sic] of my practice at the bar, that the salary allowed me, is but a small compensation, nor is it indeed an adequate provision for a family in this Country (Van Tassel, Wirtz & Wonders, 1993, p. 12).

The National Center for State Courts (NCSC) last issued a publication on state judges’ benefits in 1994 and opened with a statement that mirrors the sentiments of today, some two decades later:

Judicial compensation should reflect the importance and the value of judges to the judicial system.... If qualified attorneys do not find judgeships to be attractive career options, the quality of the judiciary will decline. Experienced judges will be reluctant to remain on the bench if compensation does not provide adequate monetary recognition of the importance of their role in the judicial system (NCSC 1994).

² See Figure 1: Reasons for Resignation, 1970-2009. (Burbank, Plager, & Ablavsky, 2012, p. 13).

Other valuable resources in the discussion come from the National Center for State Courts' ongoing publications. The Judicial Salary Tracker website (ncsc.org/salarytracker) offers present and archival data on judicial salaries dating back to the 1970s. In addition, the Gavel2Gavel blog actively tracks legislation relative to judicial compensation, retirement ages, and benefits.

Assessing the Opinions

But when we come to the higher offices I am not one of those who think that mere increases of salary will prove an adequate solution of the problem. I also share the feeling that we should be cautious about increasing the chance of drawing men to the public service who seek it for the sake of compensation. It is idle to suppose that emoluments can be given which can rival those obtainable by men of first rate ability in their lines of chosen effort.... (J)udges must be content to serve for annual pay less in amount than may be received in a single case by the lawyers arguing before them (Hughes, 1910).

Several authors have attempted to analyze whether judges are compensated adequately (Liptak, 2009). It proves to be a difficult task, often illustrating the wide salary gulf between sitting judges and lawyers in private law firms. Predictably, such comparisons create great debate fodder. Advocates for comparable pay cite warnings about the developing "constitutional crisis" (U.S. Supreme Court, 2007) surrounding inadequate judicial salaries, while advocates of the status quo cite judicial benefits, job security (for federal and select state judges), prestige, and power as the sort of compensation that keep the scales of justice in balance.

Difficulty Making a Winning Case for Judges

Part of the difficulty determining whether judicial benefits (salary, retirement and leave) are adequate involves assessing the overall quality of a given judge. Judicial

caseloads vary greatly from court to court in both volume and variety. How can you rate a judge for an adequate criminal sentencing, or for a trial's duration taking the optimal amount of time? In 2009, a paper published in the *Journal of Legal Analysis* went to great lengths quantifying different variables to assess whether judges were adequately compensated. The authors expressed the difficulty of accurately measuring a judge's quality, given the vast number of intangible variables. However, they also said that:

Comparisons of the salaries of judges and law firm associates are for this reason likely to be misleading. Finally, when high-quality people become judges, they must leave the private sector, vacating jobs where they may have a relatively high value compared with their value as judges. Judges should be paid their social value, and not more, but no one knows whether their social value is higher or lower than their current salary (Choi, Gulati, and Posner, 2007).

Every judge faces a unique set of circumstances, from the resources (law clerks, technology and staff) they have at their disposal, to the types of cases before them. Without simple and easily digestible facts (as private-practice attorneys have with hours billed), states where legislatures control judicial salaries are able to make cuts, often with public support (Friedman, 2012), that can reduce a judge's aggregate compensation.

Does It Change the Face of the Judiciary?

While the defense of inadequate judicial pay and benefits may be difficult to measure on a purely academic basis, there is some evidence from judges who left the bench citing compensation as the primary reason. Former Texas Chief Justice Wallace Jefferson, while clearly stating he was *not* "complaining about the level of pay for judges," said that having one child in college and two more in high school, while living in

the costly urban environment of Austin, put significant financial pressures on his family, and that as a result he was returning to private practice (Hart, 2013). Likewise, former federal judge Stephen Larson stepped down to return to private practice, saying:

The costs associated with raising our family are increasing significantly, while our salary remains stagnant and, in terms of its purchasing power, is actually declining. I must place my family's interest, particularly the future of my children, ahead of my own fervent desire to remain a federal judge (Stempel & Lewis, 2009).

Another issue is judicial retirement age. In his 1999 book, *Judicial Retirement Laws of the Fifty States and DC*, retired judge of the Court of Appeals of New York, Bernard Meyer looks at existing state retirement laws and has a section titled, "How Judicial Retirement Laws Should be Changed" that outlines principles which in his judgment should guide state judicial retirement law. He argues retirement ages have a significant impact on the overall attractiveness of taking a seat on the judicial bench.

That said, regardless of the debate on compensation, qualified attorneys do take the bench, and serve for relatively significant periods of time. According to a 2012 Texas Judicial Compensation Commission, active district judges served an average of 9.4 years on the bench and an average of 29 years as attorneys (including the years of judicial service). Justices of the intermediate appellate courts served an average of more than 11 years on the bench and an average of 30 years as attorneys. Justices and judges of the highest appellate courts served an average of nearly 16 years on the bench and an average of 31 years as attorneys (State of Texas, 2012).

The Texas Judicial Compensation Commission argued that while this information revealed that the judiciary was able to attract individuals to the bench it may also indicate that compensation is a barrier to younger but still experienced attorneys. The

Commission interpreted the figures to mean that younger attorneys required to pursue private practice for longer periods of time, where compensation levels are often significantly higher, before entering public service. Demographic profile data on the ages and service on the bench for Texas judges shows that while the years of service on the bench has stayed consistent over the past decade at most court levels, the age of those serving as judges has increased. At the district court level, 46% of the judges serving on the bench in 2003 were between the ages of 45-54 and just under 33% of the judges serving were between the ages of 55-64. That demographic has switched in 2012 where the majority of judges now are between the ages of 55-64. The three younger age ranges are decreasing while the three older age ranges are increasing (Texas, 2012).

Existing Survey Results

According to the NCSC Salary Tracker website, twenty-three states use judicial compensation commissions³ to make recommendations on judicial compensation. These commissions regularly produce reports on the state of their judiciaries and present their findings to legislators, most often as support for salary increases. The reports often rely on surveys of judges, as a means for supporting a commission's claim that an increase in salary is warranted.

The results of these surveys often focus around prospective judges and seek to gauge their willingness and interest in becoming a judge. Most surveys (Texas, 2012; Florida, 2011; Idaho, 2010) seem to indicate that many of those with an interest may never apply, for a variety of reasons. Most of these reasons are the same from state to

³ See <http://www.ncsc.org/microsites/judicial-salaries-data-tool/home/Special-Reports/How-States-Set-Salaries/Map.aspx>

state—inadequate compensation or potential contested elections, but it is also evident that perceptions about existing biases and inequities in judicial selection and appointment procedures contribute to reservations about applying.

Interestingly, and perhaps telling, the Idaho survey found that 57% of the Bar did not believe that the judiciary was attracting the best lawyers for judgeships. Those surveyed also indicated that to attract the highest-caliber attorneys to the bench: (1) it was most important to increase compensation, (2) change selection procedures, and (3) eliminate contested elections.

The Florida survey also pointed out some common themes noted in survey responses; namely, that attorneys can make more money in private practice, so when they leave their practice to become judges, lawyers often take a significant pay cut. The ongoing concern that judges' salaries and benefits may be cut by the legislature was a common response to the survey. Interestingly, many judges surveyed feel as if the court system is treated like a state agency, and not a co-equal and separate branch of government. Similar to the Idaho survey, judges surveyed as well as prospective judges consider elections and having to run for re-election or stand for retention every six years as a potential deterrent to becoming a judge.

In Texas, 25 of the 47 judges who voluntarily left the state judiciary from 2009 through 2011 responded to a judicial turnover survey. Respondents were asked to indicate which factor(s) influenced their decision to leave the state judiciary. The most common factors that strongly influenced respondents' decisions to leave were retirement (56%), salary (48%) and the judicial election process (48%) (Texas, 2012). Although the majority of respondents named retirement as the most significant factor,

their comments often referred to *financial issues* as well as the *ability to earn more by retiring* than by continuing to serve as an active judge. As with many of the commission reports, the Texas report also uses the disparity between private practice attorney salaries as a major part of its push for increases in judicial compensation.

While every public servant knows that they are unlikely to earn as much as they would in the private sector, the current level of and process for establishing judicial compensation are among the disincentives for high quality, experienced attorneys to enter the judiciary. They are also high on the menu of incentives for current judges to leave the judiciary, as evidenced by the testimony from numerous judges who have had to leave or are planning to leave for financial reasons (Texas, 2012, p. 12).

Comparing US Judges and Canadian Judges

While most reports focus on the disparity between private practice attorneys and judges, perhaps there are compelling comparisons to add to the narrative. If we are to compare judge's salaries on both sides of the 49th parallel, it is important to identify where, if any, there are differences in the core functions of the job. As stated in the introduction, the court structure of states, and the jurisdiction of their courts, largely parallel one another. There are some minor differences between state and provincial courts in, for example, jurisdiction over civil matters where a lower court will hear cases up to a certain dollar amount. Similar differences can also be seen when comparing states with other states in the US. For the purposes of this study, the author has considered such small differences in jurisdiction to be moot.

However, we must examine how judges become judges in both countries. Both countries share common academic requirements for becoming an attorney. In almost every case, an attorney completes a four-year undergraduate degree,⁴ during or after which they complete Law School Admissions Test (LSAT) examinations and submit to a three (3) year law degree program (Juris Doctor or Bachelor of Laws) at an accredited law school.⁵ Afterwards, they must complete a regional (state or provincial) bar exam to receive a license to practice in the region.

To become a judge in both the US and Canada, qualifications differ slightly in similar fashion from state to state, and from province to province. Judges in the US sitting at the general jurisdiction level or above tend to require between 4-10 years of practice as a licensed attorney in all but a few states. Similarly, judges in Canada sitting at the provincial court level or above tend to require 5-10 or more years of practice as a licensed attorney in all but a few provinces.⁶

Table 2. Qualifications of General Jurisdiction (US) and Provincial Court Judges (Canada)

Qualifications

<i>New York Judges</i>	Ontario Judges
<i>Bar Member for 10yrs, has a law degree</i>	Member of a provincial bar for 10yrs

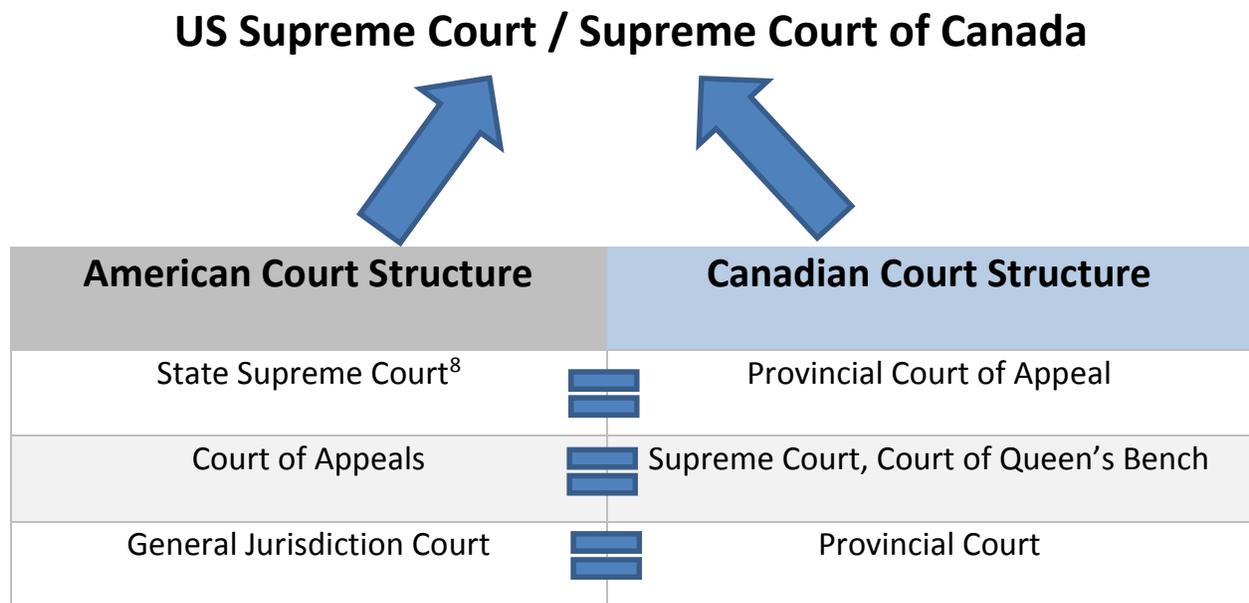
⁴ In extraordinary circumstances an undergraduate student may write a Bar exam (LSAT) and be admitted after completing two years of an undergraduate program. This group of students represents less than one (1) percent of law students in Canada.

⁵ An “accredited” law school is a term used by US law schools. The majority of US states permit Canadian law degree holders to write state bar exams, accepting their education as equivalent to those US students graduating from accredited US law schools.

⁶ See nsc.org/sco tables, and look at provincial court acts in each province.

Both the US and some Canadian provinces have lower courts that handle municipal, traffic, and other matters. In many instances, the judges of those courts⁷ share similar credentials as their colleagues on the benches of higher courts. However, in some states they need not have any experience as lawyers or court officials. Given the number of differences in lower courts, this paper does not attempt to draw comparisons but will focus instead on higher courts (see Table 3).

Table 3. Equivalent Courts



Judicial Elections vs. Judicial Appointments

The starkest difference between judges from either side of the border is the process by which they come to the bench. Judges in Canada are appointed by either the provincial or federal government on the basis of qualification and merit. Each jurisdiction has a judicial council that is responsible for promoting and administering

⁷ In the US they are generally referred to as limited jurisdiction courts, and encompass municipal courts, traffic courts, water courts, etc. In Canada, they are generally known as magistrate courts.

⁸ In some instances, the state court of last resort is the court of appeals (see ncsc.org/sco).

professional standards and conduct. Its members include judges, lawyers, and members of the general public. Provincial Court judges are appointed by the governments of their respective provinces, while the higher courts (Provincial Supreme Courts, Provincial Courts of Appeal) are appointed by the federal government. In the US, judges attain seats on the bench through a mixture of judicial elections and merit selections.⁹ Thirty-eight states have judicial elections and increasingly judges have to raise significant amounts of money to seek office, or maintain it.

Comparing US Judicial Salaries to Canadian Judges

In 2012's "Report and Recommendations," the Canadian Judicial Compensation and Benefits Commission outlined its parameters for setting judicial salaries. Criteria for salaries and benefits were considered in light of:

- (a) Prevailing economic conditions; cost of living and overall financial position of the federal government;
- (b) The role of financial security in maintaining judicial independence;
- (c) The need to attract outstanding candidates to the judiciary; and
- (d) Other considerations.

At the time of the report, the Government of Canada proposed what amounted to a reduction in individual salaries in real terms. However, the report suggested that if the Government were to take this step:

There is a real risk that it would be perceived as a negative statement by the Government on the performance or value of the judiciary. This could have long-lasting detrimental effects not only on the attraction of the best candidates but also on the morale of the current judiciary, and its performance could suffer as a result (Judicial Compensation and Benefits Commission, 2012).

⁹ See: <http://www.judicialselection.us/>

Methodology

U.S. and Canadian Salary Data

Judicial salary data from all fifty states and the District of Columbia was gathered from the most recent National Center for State Courts (NCSC) database. This data is current as of July 1, 2015 (see Appendix B). The survey used was the NCSC Survey of Judicial Salaries. The Survey of Judicial Salaries, published for more than 40 years by the NCSC with the support of state court administrative offices across the United States, serves as the primary record of compensation for state judicial officers and state court administrators. Data is collected twice a year reflecting salaries as of January 1 and July 1 for judges at the general jurisdiction level or above. Data is collected by contacting individuals in human resource departments in each state. The author has been in charge of collecting data for, and organizing said Survey since 2013.

Information on Canadian salaries and benefits are governed solely by federal and provincial legislation and thus did not require a survey for data collection. The legislation is easily available online through federal/provincial websites and also at public resource websites like canlii.org (see Appendix C).

Survey of States on Judicial Retirement

To gather the data that forms the basis of this report, the results of a second survey distributed by the NCSC in 2014 were used. The 15 question survey was developed with the help of the former Director of the New Hampshire Administrative Office of the Courts, Don Goodnow. The survey was primarily made up of open-ended questions, a format necessary to allow for explanation of state-specific characteristics for both salary and benefit programs. The focus of each question was to identify the

key elements of a state's retirement benefit program, thus allowing comparison between programs and identification of program components that are more attractive to some judges than others.

The survey was distributed using a collection of human resource personnel contacts organized by the NCSC in the form of a listserv.¹⁰ Each state has a contact person on the listserv. A significant effort was made to collect answers to the 15 questions from each state. Thirty-nine states responded to the survey (see Appendix A).

Similar information was compiled for Canadian judges. A single list was generated due to the common national answer to these questions. The information was accessed online using federal/provincial websites and public resource websites such as canlii.org.

¹⁰ This is an application that distributes messages to subscribers on an electronic mailing list.

Findings

Finding 1. Canadian judges are paid more than US judges at every level of the court.

The data summarized in Table 4 below breaks down the key distinctions between courts of comparable jurisdiction. Details are provided in Appendices C and D.

Table 4. Salaries in the US and Canada¹¹

Supreme Court of United States / Supreme Court of Canada		Difference
Chief Justice U.S. ¹² \$258,100	Chief Justice Canada \$396,700	(\$138,600)
Associate Justice U.S. \$244,400	Associate Justice \$367,300	(\$122,900)
United States Federal Courts / Canadian Federal Courts		
Associate Justice ¹³ \$213,300	Associate Justice \$308,600	(\$95,300)
State Court of Last Resort / Provincial Court of Last Resort		
Chief Justice Low \$133,174 ¹⁴ High \$241,978 ¹⁵	Chief Justice Low \$338,400 High \$350,400	(\$205,226) (\$108,422)

¹¹ Exchange rates in 2014-15 were roughly on par.

¹² See: U.S. Courts Judicial Compensation. <http://www.uscourts.gov/judges-judgeships/judicial-compensation>

¹³ See: U.S. Courts Judicial Compensation: <http://www.uscourts.gov/judges-judgeships/judicial-compensation>

¹⁴ New Mexico

¹⁵ California

Associate Justice	Associate Justice	
Low \$129,625 ¹⁶	Low \$308,600	(\$178,975)
High \$230,750 ¹⁷	High \$320,600	(\$89,850)
Intermediate Court / Intermediate Court		
Low \$124,616 ¹⁸	Low \$308,600	(\$183,984)
High \$216,330 ¹⁹	High \$320,600	(\$104,270)
General Jurisdiction Court / Provincial Court		
Low \$118,384	Low \$199,722	(\$81,338)
High \$189,041	High \$255,000	(\$65,959)

Finding 2. Nearly all state courts responding to the 2015 Judicial Retirement Survey offer at least a defined benefit option to judges; some also offer a defined contribution program.

With the exception of Michigan (which offers only a defined contribution program akin to that of other state employees), the remaining 38 states that responded to the survey had some form of defined benefit program for judges. Although defined benefit programs are made available to all judicial officers, the range of contributions differ widely and can differ for judges depending on the date at which they took the bench.²⁰ Individual judges contribute nothing in states like Nevada and Utah and as much as

¹⁶ Maine
¹⁷ California
¹⁸ New Mexico
¹⁹ California
²⁰ See Finding 3.

11% and 12% respectively in Illinois and Rhode Island. Likewise, the state contributions vary as well. Since Nevada requires no contribution by the individual judge, the state pays 100% of the contribution. On the other hand, Nebraska has no provision for an employer contribution.

Finding 3. There is evidence of recent increases in the ratio of employee vs. employer contributions.

In the four years from 2008 to 2012, some 28 states have increased contributions for certain individual judicial officers (see Table 1), with corresponding decreases in state contributions. Some states, such as California, have created systems that grandfather those with longer tenure at lower rates, while mandating a higher contribution from newer judges. In that state, judges hired prior to 01/01/13 contribute 8% of their monthly salary. Judges hired on or after 01/01/13, contribute 15.25% of their monthly salary.

Arizona is currently in litigation over changes to its system, leaving three concurrent systems in place. As the Arizona survey respondent noted,

Until a few years ago, judges paid 8%. Legislation changed it to 12%, but that is now in litigation. Two years ago they closed the judicial retirement DB plan and created a DC, 401 K plan for new judges. In it, Judges are required to contribute 8%. So currently we have three systems...the original, the interim system and the new DC plan.

Finding 4. Although several states have moved to a hybrid system, no more than a few are seriously discussing replacement of the defined benefit program with a defined contribution program.

Notably, Tennessee has done this for all new hires. However, New Mexico's response is particularly instructive in answering the question, "Is your state considering changing from a defined benefit plan to a defined contribution plan?"

No. The increased contributions and reduced benefits in the 2014 legislation reflected a series of compromises by all parties (judges, Executive, Legislature, and independent public retirement pension board) reached after about 5 years of work that ensures full pension funding and keeps the defined benefit plan. I grieve for any AOC State Court Administrator burdened with the responsibility for working toward such a compromise.

Finding 5. Canada uses a defined benefit program and has no known plans to move to either a hybrid or defined contribution system.

Though there seems to be some debate on this in some political circles, there is no indication that there is any serious move to changing the current system in Canada.

Finding 6. The individual contribution to the Canadian defined benefit program is 6%.

The 6% contribution in Canada is near the midpoint of requirements in the US, where individual contributions tend to range between 3% and 12%. There is no indication in available news or other literature that there is any sort of push for increasing the judicial contributions of Canadian Judges.

Finding 7. But for a few studies commissioned by individual jurisdictions, information available regarding the relationship between salary and judicial retention is largely anecdotal.

As can be seen in Appendix B, many states have not increased the salaries of their judges for a number of years.²¹ Additionally, the states of Idaho, Florida and Texas have issued studies examining the factors attending attraction and retention of judicial officers. While these list salary and benefits as issues, they do so combined with other factors, such as cost of elections and heavy workload. Salary itself has never been singularly isolated in terms of its correlation to judicial retention.

Finding 8. Canada and 23 US states²² US use commissions to make recommendations regarding judicial salaries and benefits to funding bodies.

As stated, the use of commissions is quite common. Their decisions are not binding, however they seem to be given significant consideration by funding decision makers.

²¹ Michigan judges last received a salary increase in 2002. Judges in New Jersey, Nevada, Arizona, Alabama, Kansas and Kentucky have not seen increases since 2008. See Appendix B and source Survey of Judicial Salaries, National Center for State Courts, Vol. 40 No. 2, January, 2016.

²² See www.ncsc.org/salarytracker/how-states-set-salaries

Conclusions and Recommendations

The goal for this project was to draw any conclusions that may be made about judicial pay and benefits through cross-referencing of US and Canadian data. Where possible, the project examined potential issues related to changes in judicial compensation including, but not limited to: judicial retention, attractiveness of taking the bench, and the quality of jurists taking the bench. Relative to international comparisons, the project sought to find answers regarding why differences in judicial compensation exist between courts in two countries where judges have similar roles and jurisdiction.

Data from existing surveys was analyzed with this purpose in mind and compared to data publicly available in Canada for the purpose of facilitating a comparison of compensation regimes in two neighboring countries that share similar court structures and laws. In review of the overall project objective and outcomes, the following conclusions and recommendations are offered.

Conclusion 1. The primary data available on judicial compensation and benefits is anecdotal.

Based on analysis of the literature, available data, and data gathered, the objective of the project can only be partially met. While evidence exists regarding the relationship between compensation and retention, it is not definitive enough and tends toward the anecdotal.

Recommendation 1. Stakeholders should undertake efforts to objectively collect accurate data on judicial compensation and benefits.

All parties, whether compensation commissions, legislatures, judges or the taxpaying public, stand to benefit from a more thorough analysis of judicial

compensation. Public trust and confidence should be the paramount objective for all of the aforementioned stakeholders. Thus, resources must be made available to examine the subject matter in a way that pushes beyond anecdotal evidence. State commissions should work in coordination with other states to find common strategies that work for all stakeholders.

Conclusion 2. Additional research is necessary.

More detailed evidence-based research is necessary to be able to make effective policy decisions. There is a need to identify contributing variables and to conduct more focused research to determine if the anecdotal information available regarding judicial compensation is supported by data.

Recommendation 2. Stakeholders should collaborate to answer shared questions about judicial compensation and its impacts.

It is important to unify stakeholders behind a common interest to uncover the relationship between compensation and judicial tenure. What, for instance, is and has been, the trend of judges leaving the bench? Are courts attracting less qualified jurists than in the past? Are there other, more powerful variables that attract lawyers to public service?

Conclusion 3. There is a lack of objective data on the matter of judicial compensation.

What makes all discussions on whether judges are paid enough difficult is a lack of evidence. How do you measure whether a judge is effective in their role? Such determination is more or less impossible, save for instances of judicial misconduct. Given that in the current state, “judicial quality” is limited to mostly subjective opinion, a

more concerted effort must be made to gather broader evidence that can be objectively viewed to support judges' claims to reasonable and adequate compensation.

Recommendation 3. A compelling case should be made for the need to collect data.

A compelling case should be presented to state judges and AOCs on the need to implement a mandatory survey for every judge to complete before leaving the bench and receiving any sort of state benefit. With a comprehensive set of standardized questions administered by every state court, commissions and academics would be better suited to discuss issues surrounding judicial retention.

Conclusion 4. US judicial salaries are lower than Canadian judicial salaries.

As demonstrated by Table 4 (see Appendices C & D), speaking solely on the subject of salaries, US judges are paid substantially less than their Canadian counterparts. This is clearly evident at both the state and federal levels of government.

Recommendation 4. Judicial salary data could be tempered by cost-of-living and caseload factors for comparison purposes.

While much is made about the adequacy of US judges' salaries relative to their peers in private practice, law school teaching and administration, and senior public sector positions, a persuasive argument might involve comparing judges with other judges. Of course, apples must be compared with apples, particularly when trying to make a compelling case to those deciding whether to grant increases. So, information on factors regarding cost-of-living and caseload must be taken into consideration.

Conclusion 5. Canada’s judicial compensation experience differs from that of the US.

The information gathered on Canadian judicial compensation seems to show that adequate compensation and regular increases in pay are not nearly as difficult a process as they are for their US counterparts.

Recommendation 5: Moving beyond anecdotal evidence.

In the quest to move beyond stories of why judges left the bench, or never considered taking a judicial position as evidence of inadequate pay, compelling presentations need to be made. As such, including data from other countries with comparable judicial systems is relevant and should be considered as part of the argument.

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Appendix A. Survey Questions and Results: Retirement Benefits for US and Canadian Judges

1. Do judges in your state have a defined benefit plan or a defined contribution plan or a combined defined benefit and defined contribution plan for retirement?
2. What percentage of his/her salary does a judge contribute to the judicial retirement plan?
3. What percentage of a judge's salary does the state or other employer contribute to the judicial retirement plan?
4. What is the judicial retirement plan benefit calculation formula in your state?
5. What are the age, length of service, and other requirements for different pension payment levels?
6. What is the maximum amount or percentage of salary that a judge can receive in annual pension payments from the judicial retirement plan?
7. Does your judicial retirement plan include benefit payments to a disabled judge? If so, what is the benefit calculation formula? If not, how is disability addressed?
8. Does your judicial retirement plan include benefit payments to the surviving spouse of a judge who dies while in service? If so, what is the benefit calculation formula?
9. Does your judicial retirement plan include benefit payments to the surviving spouse of a judge who dies after retirement? If so, what is the benefit calculation formula?
10. Does your judicial retirement plan include life insurance?
11. Is your judicial retirement plan funded through a pension trust fund with employee and/or employer contributions, through direct annual legislative appropriations to retired judges, or through some other means?
12. If your judicial retirement plan is funded through a pension trust fund, what percentage of the plan is funded?
13. If a judge leaves the bench before s/he is eligible to retire and receive a pension, what benefit is paid out to that judge on departure?
14. Does your state have a mandatory retirement age for judges? If so, what is the mandatory retirement age?
15. Is your state considering changing from a defined benefit plan to a defined contribution plan?

<u>State</u>	<u>Response</u>	
Alabama	<p>1. Defined Benefit</p> <p>2. 8.5%</p> <p>3. 35.24%</p> <p>4. 75% X Judicial Salary at Retirement X Years of Judicial Service Divided by Years Required at Retirement Age PLUS 2.0125% X Average Final Salary of Transfer Service X Years of Service</p> <p>5. N/A</p> <p>6. 75% of final salary</p> <p>7. Yes. Judges whom have served for five or more years may be eligible to retire on disability. The disability benefit cannot exceed 75% of the salary payable by the state for the judicial position the Justice or Judge is retiring from. Certain requirements have to be met before this benefit is approved.</p> <p>8. A surviving spouse of any Judge with five or more years of creditable service (judicial service only) is entitled to receive a benefit equal to three percent of the salary payable by the state to a Judge at the time of death multiplied by the number of years of service, not to exceed 10 years. This benefit cannot exceed 30 percent of the salary payable by the state for the deceased Judge's former judicial position.</p> <p>9. Yes, see above</p> <p>10. No</p> <p>11. Through a pension trust fund with employee and/or employer contributions</p>	<p>12. No answer</p> <p>13. If service is terminated before the Judge becomes entitled to receive retirement benefits, he or she has the right to elect either: 1. Withdraw from the JRF with the contributions plus accrued interest refunded less mandatory federal withholding (withdrawal cancels service credit, or: 2. Leave the contributions in your account and receive a certificate of service showing the time of service accumulated toward retirement, which may be presented when the Judge becomes eligible for benefits.</p> <p>14. 70 YOA</p> <p>15. N/A</p>
Alaska	<p>1. Defined Benefit</p> <p>2. 7% annually for a maximum of 15 years</p> <p>3. The current contribution rate is approximately 40% of a judge's salary.</p> <p>4. 5% per year of service, capped at 75% of a sitting judge's salary after 15 years of service. A retired judge's benefits are calculated based on the salaries of sitting judges. If sitting judges receive a pay increase, so do the retired judges.</p>	<p>11. Through a pension trust fund with employee and/or employer contributions</p> <p>12. Currently it averages between 65 and 70%</p> <p>13. Generally, a judge who leaves the bench before he or she has vested (5 years) is</p>

	<p>5. A retired judge is eligible to receive retirement benefits upon reaching the age of 60. A judge with 20 or more years of service may retire at 55, but with an actuarial reduction in benefits.</p> <p>6. 75% of a sitting judge's salary. The comparison is with the pay for judges on the court from which the judge retired i.e. supreme court, superior court, etc.</p> <p>7. A judge may be retired for incapacity after a minimum of 2 years of service and the effective date of the retirement is the first day of the month following the finding of incapacity. Retirement pay is based on the same 5% of a sitting judge's pay for each year of service. Additionally, a judge may request a medical retirement after a minimum of 5 years of service. The judge must apply to the governor for the retirement and a board of three appointed by the governor must recommend retirement. The same benefit calculation applies.</p> <p>8. Yes. Upon the death of a justice or judge who has served for at least 2 years, the surviving spouse is entitled to receive survivors' benefits equal to one-half of the monthly retirement pay the justice or judge would have thereafter received if retired at the time of death. If the justice or judge was not yet of retirement age, or would have been entitled to less than 60% of his or her salary, the surviving spouse is entitled to survivor's benefits equal to 30% of the salary authorized for justices or judges at the time each payment is made.</p> <p>9. Yes, the same benefits and calculation as for the spouse of a judge who dies in office.</p> <p>10. No, but a judge who has optional life insurance may elect to continue the plan after retirement.</p>	<p>entitled to a refund of the judge's contributions including principle and interest payments on indebtedness, together with interest credited on the amount.</p> <p>14. Yes, it is 70</p> <p>15. As our state faces continuing budget pressures, there is a possibility that the legislature will move to replace the current defined benefit to a defined contribution plan, but so far this has not happened.</p>
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<p>Arizona</p>	<p>1. Defined Benefit and Defined Contribution</p> <p>2. Until a few years ago, judges paid 8%. Legislation changed it to 12%, but that is now in litigation. Two years ago they closed the judicial retirement DB plan and created a DC, 401 K plan for new judges. In it Judges are required to contribute 8%. So currently we have three systems...the original, the interim system and the new DC plan.</p> <p>3. Currently 23% for the original and interim systems. Increased percentage match for the new 401K plan.</p> <p>4. For the original...4% per year, max 80% in 20yrs no age requirements. The interim plan changed it to a 25 year retirement at 75% and you have to be 62. The 401 K plan has no formula.</p> <p>5. Employees who became a member of the Plan on or before December 31, 2011: An average of your highest thirty-six (36) consecutive months within the last ten (10) years of completed years of credited service as an elected official that yield the highest average. If an employee does not have three (3) consecutive years of credited service as an elected official, the considered period is the employee's last consecutive period of employment with a Plan employer immediately before retirement. A.R.S. § 38-801(5). Employees who became a member of the Plan on or after January 1, 2012: An average of your highest sixty (60) consecutive months within the last ten (10) years of completed years of credited...</p>	<p>5(con't) ...service as an elected official that yield the highest average. If an employee does not have five (5) consecutive years of credited service as an elected official, the considered period is the employee's last consecutive period of employment with a Plan employer immediately before retirement. A.R.S. § 38-801(5).</p> <p>6-15: No answer provided</p>						
<p>California</p>	<p>1. Defined benefit and voluntary defined contribution</p> <p>2. -For judges hired prior to 01/01/13, they contribute 8% of their monthly salary.</p> <ul style="list-style-type: none"> - For judges hired on or after 01/01/13, they also contribute 15.25% of their monthly salary. - For judges hired on or after 01/01/13 and coming from reciprocal counties or public agencies, they also contribute 8% of their monthly salary <p>3. 8% for JRS I members. JRS I members are judges that were hired prior to 11/09/1994. For FY 2014-2015, the employer contributes 24.615% for JRS II members. JRS II members are judges that were hired on or after 11/09/1994.</p> <p>4. For JRS I members: Age 60 with 20 years of service = 75% of their final compensation</p> <ul style="list-style-type: none"> - For JRS II members: <table border="1" data-bbox="386 1759 1143 1829"> <tr> <td>Age</td> <td>Years of Service</td> <td>Benefits</td> </tr> <tr> <td>65 or Older</td> <td>20 years or more</td> <td>75% of final compensation</td> </tr> </table>	Age	Years of Service	Benefits	65 or Older	20 years or more	75% of final compensation	<p>9. Please see Government Code 75590 for JRSII and Government Code 75077 for JRS I.</p> <p>10. No</p> <p>11. Pension Trust Fund (employee and/or employer contributions)</p> <p>12. JRS is a Pension Trust Fund. It is comprised of employee contributions as well as annual appropriations from the State of California. It is a pay as you go plan.</p> <p>JRSII is a Pension Trust Fund, funded by</p>
Age	Years of Service	Benefits						
65 or Older	20 years or more	75% of final compensation						

	70 or Older	5-19 years	3.75 percent of final compensation multiplied by years of service	employee and employer contributions. This plan is 93.0% funded.
	Less than Age 70	At least 5 years of service	Lump sum payment of monetary credits (18% of monthly salary plus interest)	13. For JRS II and JRS II PERPA Members:
	Any Age	Less than 5 years	Refund of contribution plus interest	- less than age 70 and at least five years of service, Lump sum payment of monetary credits (18% of monthly salary plus interest)
	- For JRS II PEPPA members :			
	Age	Years of Service	Benefits	
	65 or Older	20 years or more	75% of the average three years of compensation	
	70 or Older	5-19 years	3.75 percent of average three years of compensation multiplied by years of service	Any age and less than five years, refund of contribution plus interest
	Less than Age 70	At least 5 years of service	Lump sum payment of monetary credits (18% of monthly salary plus interest)	interest
	Any Age	Less than 5 years	Refund of contribution plus interest	14. No
	5. Please see information above			
6. 75%				
7. Please see Government Codes 75560, 75560.1 and 75560.4 for JRSII. Please see Government Codes 75060 and 75060.1 for JRS I.				
8. Please see Government Codes 75590 and 75591 for JRSII. Please see Government Codes 75093, 75090 and 75091 for JRS I.				
Colorado	1. Defined Benefit			9 (con't)...balance in the member's account at their time of death plus a 100% match and then reduced to pay for continuing monthly benefits.
	2. 8%			
	3. The employer contribution for judges is 17.36%, where 13.66% goes toward the employee account, and additional amounts are contributed to required			
	4. The retirement benefit calculation for judges is based on the highest average salary (HAS), which is 1/12 the highest annual salary over the past twelve months.			
	5. Payment levels are based on age at retirement, length of service and HAS. A judge's payment level table is determined by their hire date. Please see the attached information.			
	6. The maximum is 100% but is dependent on years of service and age at retirement.			
				10. No but employee's may convert or port coverage existing employee life insurance at termination.
				11. Pension trust fund with employee and/ or employer contributions

	<p>7. Yes. If a judge is disabled from employment or ordered by the Colorado Supreme Court to retire pursuant to the Colorado Constitution, they will earn service credit for the remainder of their term. Additionally, a judge receives a projected service credit to age 65 or 20 years, whichever is first.</p> <p>8. If the judge is not eligible for retirement, the order of eligibility for qualified survivors is: children under age 18 or under age 23 if in school, spouse, disabled adult children, dependent parents or named beneficiaries. The provisions for the spouse are: If the death is job related their spouse may receive a lifetime monthly benefit based on the member's age, service credit and the age and life expectancy of the survivor at the member's time of death. 1-10 years of service credit: At age 60, surviving spouse is eligible to receive a monthly benefit equal to 25% of HAS. If spouse is disabled, they may receive immediately. 10 or more years of service credit: The surviving spouse may receive a lifetime monthly benefit based on the member's age, service credit and age and life expectancy of survivor at the member's time of death. If the judge is eligible for retirement, the order of eligibility for qualified survivors is: co-beneficiary, spouse, children under 18 or under 23 if in school, disabled adult children, dependent parents or named beneficiaries. The provisions for the spouse are: The surviving spouse may receive a lifetime monthly benefit based on the member's age, service credit and age and life expectancy of survivor at the member's time of death.</p> <p>9. At the time of application for retirement, a member must choose one of three options in the event of their death after retirement. The first provides a lifetime monthly benefit to the member. A single payment of any remaining balance in the account at the time of the member's death plus a 100% match on the balance is given to the named beneficiary. The second option is a lifetime monthly benefit for the member. The designated co-beneficiary will receive a lifetime benefit equal to half of the member's benefit at the time of death. The third option is a lifetime benefit. The designated co-beneficiary receives a lifetime monthly benefit equal to what the member was receiving at the time of death. For the second and third options, the monthly benefit is determined by the remaining...</p>	<p>12. Unknown</p> <p>13. A judge may receive up to a 50% match of their contribution if refunding their account at termination and before retirement and also have five or more years of service. If the judge has less than five years of service credit, they may receive a 50% match on their contributions and interest received by PERA on or before 12/31/2010. There is no match on contributions and interest received by PERA after 1/1/2011.</p> <p>14. Age 72</p> <p>15. I am not aware of any changes</p>
<p>Connecticut</p>	<p>1. Defined Benefit</p> <p>2. 5% annually</p> <p>3. Currently 57%. The percentage is calculated by the state's actuaries every year to cover the normal costs for the year and a portion of the unfunded liability.</p> <p>4. Currently, 2/3 times exit salary, plus 2/3 of additional percentages for years of service: 10 years-1.5%, 15years-3%, 20</p>	<p>8 (con't)...1/3 times the average annual salary for the 5 years next preceding the date of death plus 1/3 of additional percentages for length of service for life. On January 1 each year, surviving spouses also receive cost of</p>

	<p>years-4.5%, 25 years-6%. For judges starting on or after 7/1/2011, 2/3 of the average of the 5 years of salary before retirement, plus 2/3 of the same additional percentages above. On January 1 each year, retired judges receive cost of living adjustments.</p> <p>5. Full pension benefits currently: (1) 20years service as a judge, (2) age 65 with 10 years, (3) age 70 regardless of years of service, (4) 30 years of state service, at least ten of which is service as a judge. For judges retiring at age 65 with less than 10 years, pension is reduced. See Section 8.04 of the attached Judges Retirement System Plan Summary (JRSPS). For judges appointed after 7/1/2014, retiring at age 70 with less than 10 years of service, pension is reduced by 10% for each year less than 10. For judges who resign with a vested right to a pension prior to reaching eligibility to collect, a reduced pension is payable when the judge reaches the date that he/she would have been eligible. See Sections 8.11 and 8.12 of the JRSPS for formulas. For judges who retire on or after 7/1/2022, eligibility requirements will change. See Section 8.02(c) for details on requirements on and after 7/1/2022. Current judges were given the opportunity to pay the actuarial cost of retaining the current eligibility requirements, if they retire on or after 7/1/2022.</p> <p>6. Currently 2/3 times exit salary plus 2/3 of additional percentages and cost of living adjustments. See response to benefit calculation formula above.</p> <p>7. Yes, same benefit calculation formula as above with no reductions for years less than 10. See Section 8.09 of JRSPS.</p> <p>8. Yes, currently for surviving spouses of judges who commenced service prior to 7/1/2011, 1/3 times salary of the deceased judge at the time of death plus 1/3 of additional percentages for length of service for the rest of his/her life. For surviving spouses of judges who commenced service as a judge on or after 7/1/2011...</p>	<p>living adjustments. See Section 8.15 of the JRSPS for more information.</p> <p>9. If a judge is retired at the time of death, 1/2 of the pension received by the judge plus cost of living adjustments will be payable to the spouse for life. See Section 8.15 of the JRSPS.</p> <p>10. Yes, if the judge had state offered life insurance when active. See pp. 4 and 5 of the Judges' Retirement System Q & A's.</p> <p>11-15: No answer provided</p>
<p>Delaware</p>	<p>1. Defined Benefit</p> <p>2. 3% of earnings that exceed \$6,000 per year, plus 2% of earnings that exceed the Social Security Wage Base for the first 24 years of service.</p> <p>3. 26.44% in Fiscal year 2015</p> <p>4. 1/24th of final average monthly compensation multiplied by years of service up to 12 years, plus 1/48th of final average monthly compensation multiplied by years of service from 13 to 24 years, subject to maximum limitations.</p>	<p>9 (con't)...election was made at retirement with a 2% reduction of the pensioner's benefit).</p> <p>10. No</p> <p>11. Through a pension trust fund with employee and/or employer contributions</p> <p>12. 95.4% as of June 30, 2013</p>

	<p>5. Vesting at 12 years of credited service. Retirement benefit at age 62 with 12 years of credited service or any age with 24 years of credited service.</p> <p>6. Maximum amount is limited by current IRS tables.</p> <p>7. Disability benefits are the same as service benefits.</p> <p>8. If employee is active with at least 5 years of credited service, the eligible survivor receives 2/3 of the benefit the employee would have received at age 62.</p> <p>9. The eligible survivor receives 50% of pension (or 2/3 if an</p>	<p>13. If not vested, the judge would receive a refund of all employee contributions plus interest.</p> <p>14. No</p> <p>15. No</p>
Florida	<p>1. Defined Benefit and Defined Contribution</p> <p>2. 3%</p> <p>3. 33.17%</p> <p>4. Years of service X 3.33% X average final compensation = annual option 1 benefit at normal retirement.</p> <p>5. Before July 1, 2011: 62 with at least 6 year of service or 30 years at any age July 1, 2011 or after: 63 with at least 8 years of service or 33 years at any age</p> <p>6. 100%</p> <p>7. Yes. Can be any age but must have at least 8 years of judicial service (6 years if it is mandatory disability retirement).</p> <p>8. Yes. An Options 3 benefit provides a continuing benefit for the life of the spouse.</p> <p>9. Yes, an Option 3 or 4 benefit (if selected by the retiree) provides a continuing benefit to the spouse.</p> <p>10. The plan does not include a life insurance benefit. However, a judge may continue the state life insurance with coverage...</p>	<p>10 (con't)...of either \$2,500 or \$10,000 by paying \$7.41 or \$29.65 respectively.</p> <p>11. Through a pension trust fund with employee and/or employer contributions</p> <p>12. 85.9%</p> <p>13. None</p> <p>14. Yes, age 70</p> <p>15. It was proposed during the 2014 legislative session but did not come to fruition.</p>
Georgia	<p>1. No answer</p> <p>2. 7.5% of their salary</p> <p>3. From funds appropriated or otherwise available for the operation of the Superior Courts, the Department of Administrative Services shall pay into the Fund monthly employer contributions in amounts determined by the Board, which, together with employee contributions and earnings of the fund, shall be sufficient to fund the service and disability retirement benefits under the GJRS.</p>	<p>10-12: No answer</p> <p>13. A member may elect early retirement at age 60 with ten years of creditable service. The monthly retirement benefit for early retirement shall be a percentage of the benefit calculated under O.C.G.A. § 47-23-100,</p>

	<p>4. Vested in 10 years but credible service of 16 years or more receives 66.66% plus 1% for each year over 16 years.</p> <p>5. A member retiring with 16 years or more of creditable service shall receive a benefit equal to 66.66 percent of the member’s salary, plus 1 percent for each year of creditable service over 16 years. No member may receive more than 24 years of creditable service. A member retiring with less than 16 years of creditable service may retire at a reduced benefit pursuant to O.C.G.A. § 47-23-100.</p> <p>6. No answer</p> <p>7. After obtaining a minimum of four years of creditable service, any member who becomes totally and permanently disabled to the extent that he or she is unable to perform the duties of the office shall be entitled to receive a disability retirement benefit. The benefit shall be one half of the maximum retirement benefits provided by O.C.G.A. § 47-23-102 for 16 years of service, unless the member would otherwise qualify for a greater benefit under O.C.G.A. § 47-23-102 or 103, in which case the section providing the highest benefit would apply. O.C.G.A. § 47-23-104(a). After obtaining a minimum of ten years of actual service, any member who becomes totally and permanently disabled to the extent that he or she is unable to perform the duties of his or her office shall be entitled to receive a disability retirement benefit which shall be two-thirds of the maximum retirement benefits provided by O.C.G.A. § 47-23-102. O.C.G.A. § 47-23-104(b). The disability of any member applying for disability retirement benefits shall be determined by the board in the same manner and under the same procedure as disability of state employees is determined in accordance with applicable provisions of the Employees’ Retirement System of Georgia. O.C.G.A. § 47-23-104(c). Disability retirement benefits shall become effective on the first day of the month.</p> <p>8 and 9. Upon the death of a member with a minimum of ten years of creditable service, the surviving spouse shall be entitled to receive lifetime payments as follows:</p> <ul style="list-style-type: none"> • When the member was at least 60 years of age at the time of death, the spouse shall be entitled to receive a monthly sum equal to 50 percent of the retirement benefit the member was receiving at the time of the member’s death, if retired at such time, or which would have been payable to the member had the member retired as of the date of the members’ death. O.C.G.A. § 47-23-105(2). • When a member who was transferred from a predecessor system dies before age 60, the spouse shall be entitled to receive a monthly sum equal to 50 percent of the retirement benefit the 	<p>and such percentage shall be the proportion which the number of years of creditable service the member has in the retirement system bears to 16.</p> <p>14. None. Retirement benefits forfeited if they serve more than 24 years.</p> <p>15. No answer</p> <p>**Note: More information can be found here: Georgia Judicial Retirement System</p> <p>***Note: Georgia’s appellate judges, e.g. Supreme Court justices and Court of Appeal judges fall under a separate retirement plan – Employees Retirement System of Georgia (ERSGA). The applicable code section and plan benefits are provided in the following links (see pgs. 3-6 for specific contribution rates):</p> <ul style="list-style-type: none"> - Code section for appellate court judges retirement and pension plan - O.C.G.A. § 47-2-244 - ERS Handbook
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	<p>member would have received had the member continued in service and retired at age 60.</p> <p>O.C.G.A. § 47-23-105(3).</p> <ul style="list-style-type: none"> • When a member who was not transferred from a predecessor system dies before age 60, the spouse shall be entitled to receive a monthly sum equal to 50 percent of the retirement benefit the member would have received if the member were age 60 on the date of death, calculated based on the number of years of creditable service the member had on the date of death. O.C.G.A. § 	
<p>Hawaii</p>	<ol style="list-style-type: none"> 1. Defined Benefit 2. Appointed as a Judge on or after July 1, 2012: 9.8% Appointed as a Judge prior to July 1, 2012: 7.8% 3. Effective July 1, 2014: 16.50% Effective July 1, 2015: 17.00% 4. Appointed as a Judge on or after July 1, 2013: Average Final Compensation (AFC) x 3.-% x Years of Service (YOS). (AFC = 5 highest years of base pay excluding lump sum vacation pay.) Also receive an annuity equal to the actuarial equivalent of judge's accumulated contributions made to the retirement system while serving as a judge. Appointed as a Judge prior to July 1, 2012: AFC x 3.5% x YOS (AFC = 3 highest years of gross pay excluding any lump sum vacation pay.) Also receive an annuity equal to the actuarial equivalent of a judge's accumulated contributions made to the retirement system while serving as a judge. 5. Judges appointed on or after July 1, 2012: Full Retirement: Age 60 with 10 YOS Early Retirement: Age 55 with 25 YOS (5% age reduction penalty for each year below age 60); Judges appointed prior to July 1, 2012: Full Retirement: Age 55 with 5 YOS (mixed service). Early Retirement: Appointed as Judge prior to July 1, 1999: Any age with 10 years of mixed service (no pension reduction for service as judge; 5% age reduction penalty applied to "other" service if below age 55. Appointed as a Judge after June 30, 1999: Any age with 25 years of mixed service (5% age reduction penalty applied to all service if below age 55) Mixed service = includes a combination of Judge service and other service. 6. Including the annuity, pension benefit cannot exceed 75% of AFC. 7. Appointed as a Judge on or after July 1, 2012: Ordinary Disability: Must have 10 or more years of service. There is no minimum age requirement. Must be employed or on approved leave at time of application. If determined by the Medical Board to be permanently disabled, entitled to ordinary disability pension for life. Benefit formula is the same as for regular retirement: 3.0% of AFC multiplied by years of service plus an annuity for service as a 	<p>9 (con't)...Option Four (5 & 3): Reduced lifetime monthly pension for retiree with partial refund of contributions and 50% continuing benefit for beneficiary in the event of retiree's death.</p> <p>10. Life Insurance benefits at no premium cost provided by the Hawai'i Employer-Union Health Benefits Trust Fund.</p> <p>11. Through a pension trust fund with employee and/or employer contributions</p> <p>12. Employee contributions: Appointed as a Judge on or after July 1, 2012: 9.8% Appointed as a Judge prior to July 1, 2012: 7.8% Employer contributions: Effective July 1, 2014: 16.50% Effective July 1, 2015: 17.00%</p> <p>13. The judge may choose to leave his/her retirement contributions with the ERS which will continue to earn interest. If the judge</p>

	<p>judge. Minimum benefit of 30% of employee's AFC. Service-Connected Disability: No minimum service requirement and no minimum age requirement. Regardless of credited service, if permanently disabled as a result of a job-related (service-connected) accident, entitled to a 100% refund of contributions (including interest) and a pension of 50% of employee's AFC for life. Appointed as a Judge prior to July 1, 2012: Ordinary Disability: Must have 10 or more years of service; Must be employed or on approved leave at time of application; If determined by the Medical Board to be permanently disabled, entitled to ordinary disability pension for life. Benefit formula is the same as for regular retirement: 3.5% of AFC multiplied by years of service plus an annuity for service as a judge. Minimum benefit of 30% of employee's AFC. Service-Connected Disability: No minimum service requirement and no minimum age requirement. Regardless of credited service, if permanently disabled as a result of a job-related (service-connected) accident, entitled to a 100% refund of contributions (including interest) and a pension of 50% of employee's AFC for life.</p> <p>8. All Judges: Not Job-Related: Beneficiary may receive lump-sum payment of contributions and interest plus, if have at least one year of credited service, a percentage of salary for the year immediately preceding death. Percentage depends on length of service. OR, in lieu of above, beneficiary may elect a lifetime pension if employee has at least 10 years of credited service and designated only ONE beneficiary. Job-Related Beneficiary will receive payment of contributions (including interest), and employee's spouse or reciprocal beneficiary will receive a monthly benefit equal to one-half of employee's AFC until remarriage or re-entry into a new reciprocal beneficiary relationship. Payment of any death benefit to a beneficiary is governed by the Designation of Beneficiary form. A change in marital status or the death of beneficiary may cancel the beneficiary designation.</p> <p>9. A beneficiary will continue to receive a lifetime pension in the event of a retiree's death only under the following survivor benefit Retirement Plan Options: Option Two: Reduced lifetime monthly pension for retiree with no refund of contributions and 100% continuing benefit for beneficiary in the event of retiree's death. Option Three: Reduced lifetime monthly pension for retiree with no refund of contributions and 50% continuing benefit for beneficiary in the event of retiree's death. Option Four (5 & 2): Reduced lifetime monthly pension for retiree with partial refund of contributions and 100% continuing benefit for beneficiary in the event of retiree's death...</p>	<p>leaves his/her retirement contributions with ERS and returns to a State or County job covered by ERS within 4 calendar years after he/she leaves employment, the judge will retain all service credits. OR, the judge may request a refund of all retirement contributions. By doing so, the judge forfeits all credited service and will not be eligible for a retirement benefit.</p> <p>14. Yes, retirement is compulsory at age 70</p> <p>15. Not at this time</p>
<p>Idaho</p>	<p>1. Combination of both</p> <p>2. 10.23% for twenty years, then no further contributions.</p>	<p>11. Through direct annual legislative appropriations to retired judges</p>

	<p>3. 55.28%, which is comprised of a true employer contribution of 23.87% and civil filing fees of 31.41%.</p> <p>4. For each year in the first ten years of service, the judge receives 5% per year of service, up to 50%. For each year in the second ten years of service, the judge receives 2.5% per year of service. The total maximum retirement benefit is 75% of the highest salary. If approved for Plan B senior judge service, 12.5% will be added to your retirement up to the 75% maximum.</p> <p>5. Age 65; 4 years of service. Age 60, 10 years of service. Age 55, 15 years of service. Any age, 20 years of service</p> <p>6. 75% of the statutory salary of the highest office held</p> <p>7. Yes. Under Idaho Code section 1-2001(4), a judge or justice who has at least four years of service and retires by reason of disability preventing from further performance of the duties of the office, shall be entitled retirement compensation in the amount of 5% per year of service, up to 50%, and for each year in the second ten years of service, the judge receives 2.5% per year of service, up to a maximum of 75%.</p> <p>8. Yes. Idaho Code section 1-2009(b) provides that in the event of the death of a judge or justice with at least four years of service and not receiving retirement contributions at the time of death, the surviving spouse shall be paid an allowance from the JRF in the amount of the benefit as if the judge or justice had retired immediately prior to death. For judges who took office before July 1, 2012, the spouse receives 50% of the judge's benefit. For judges who took office on or after July 1, 2012, the spouse receives 30% of the judge's benefit. Alternatively, the surviving spouse may elect to take an optional retirement allowance under Idaho Code section 1-2001b (1) (a) to be calculated as if the judge or justice was eligible to retire and had retired immediately prior to death. Additionally, under Idaho Code section 1-2010, there is a death benefit to the extent that the judges' contributions, including accrued interest, exceed the aggregate of all retirement compensation payments and allowances made to the judge or justice and any spousal beneficiary or contingent annuitant.</p> <p>9. For judges who took office before July 1, 2012, the spouse receives 50% of the judge's benefit. For judges who took office on or after July 1, 2012, the spouse receives 30% of the judge's benefit. Regardless of when the judge or justice took office, the judge or justice can also elect to take an optional retirement allowance. Additionally, under Idaho Code section 1-2010, there is a death benefit to the extent that the judges' contributions, including accrued interest, exceed the aggregate of all retirement</p>	<p>12. N/A</p> <p>13. Under Idaho Code section 1-2001(5), if a judge leaves the bench with less than 4 years of service, that judge's contributions, with interest compounded annually, are returned to the judge. If the judge has meet the minimum four years of service, the benefit is pended until the age/years of service requirements are met (i.e., age 65 for a judge with 4 years of service, or age 60 for a judge with 10 years of service), and then benefits are paid upon the judge reaching the requisite age.</p> <p>14. No</p> <p>15. There has been very limited discussion among a few legislators, but no action has been taken, either with regard to the Judges' Retirement Fund or the larger statewide defined benefit system.</p>
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	<p>compensation payments and allowances made to the judge or justice and any spousal beneficiary or contingent annuitant.</p> <p>10. Yes, although not payable by the Judges' Retirement Fund, and it continues into retirement with decreasing levels: the amount of the benefit is the full amount of the salary from the office from which the judge retired age 65. From ages 65 to 70, the benefit decreases to 75% of the salary, and after age 70, the benefit decreases to 50% of the salary.</p>	
<p>Illinois</p>	<p>1. Defined Benefit</p> <p>2. 11% if survivor benefit included; 8.5% if survivor benefit is waived</p> <p>3. 42.33%</p> <p>4. Tier 1 members (hired before 1/01/2011) Tier 2 members (hired 1/01/2011 and later) 1st 10 yrs. of service, 3.5% = 35%; 3% per year up to 20 yrs., max benefit of 60%; 2nd 10 yrs. of service, 5% = 50% maximum benefit of 85%</p> <p>5. Tier 1 members (hired before 1/01/2011) Tier 2 members (hired 1/1/2011 and later) 60 years old with 10 years of service; 67 years old with 8 years of service; 62 years old with 6 years of service; 62 yrs. old w/8 yrs. service at reduced benefit; 55 yrs. old w/10 yrs. service at reduced benefit</p> <p>6. Tier 1 members (hired before 1/01/2011) Tier 2 members (hired 1/1/2011 and later) 85% 60%</p> <p>7. Yes. Permanent disability available after 10 years service; benefit equals the earned retirement benefit. Temporary disability available after 2 years service; benefit is 50% of salary, payable the day after removal from payroll and ends at the expiration of their current term in office. Judge will be transitioned to retirement or permanent disability benefits upon expiration of temporary disability, if qualified for either.</p> <p>8. Yes. The survivor benefit is 7.5% of annual salary or 66 2/3% of the earned retirement benefit, whichever is greater.</p>	<p>9. Yes. The survivor benefit is 66 2/3% of the earned retirement benefit.</p> <p>10. Yes</p> <p>11. Through pension trust fund with employee and/or employer contributions</p> <p>12. Latest information available is for the fiscal year ending June 30, 2013; funding was 28.3%.</p> <p>13. The judge would be eligible to a refund of their pension contributions.</p> <p>14. No</p> <p>15. Not at this time</p>

<p>Iowa</p>	<p>1. Defined Benefit</p> <p>2. 9.35%</p> <p>3. 30.6%</p> <p>4. Average salary for highest 3 years times 3.25% times years of service- not to exceed 65% of highest annual salary.</p> <p>5. Vested after 4 years of service. Retirement at age 65 or with 20 years of service age 50.</p> <p>6. 65% of highest salary is the maximum.</p> <p>7. If deemed disabled is considered retired and regular formula applies.</p> <p>8. 50% of what the judge is receiving or entitled to receive goes to the surviving spouse.</p> <p>9. 50% of what the judge is receiving.</p> <p>10. No</p>	<p>11. Through a pension trust fund with employee and/or employer contributions</p> <p>12. 78%</p> <p>13. If a judge leaves with fewer than 4 years of service the judge is entitled to receive the amount of contributions paid into the system by the judge.</p> <p>14. 72</p> <p>15. No</p>
<p>Kansas</p>	<p>1. Defined Benefit</p> <p>2. 6 percent, which is reduced to 2% after 20 years of service</p> <p>3. This percentage varies based upon actuarial determination. The current percentage is 22.59%.</p> <p>4. Final Average Salary X Multiplier X Years of Service – Maximum benefit is 70% of the Final Average Salary .Final Average Salary Judges with Three or More Years of Service as a Judge: final average salary is the average of the three highest of the last ten years of service as a judge. Judges with Less Than Three Years of Service as a Judge: final average salary is the average annual salary during employment as a judge. Judges with less Than One Year of Service as a Judge: final average salary is the monthly salary at retirement multiplied by 12. Multiplier: a percentage set by law according to membership date. A statutory multiplier of 3.5 percent is used for judges with a Membership Date on or after July 1, 1987 (judges receive maximum benefit of 70% of final average salary at 20 years) A statutory multiplier of 5 percent is used for up to 10 years of service for judges with a Membership Date before July 1, 1987. Additional service credit over ten years is calculated at 3.5 percent. (judges receive maximum benefit of 70% of final average salary at 16 years) Years of Service: Years worked in covered employment. Other government employment may add to Years of Service</p>	<p>9 (con't)...Of that guaranteed period. Retiree's monthly payments are reduced based on the five-, ten-, or 15-year life-certain option.</p> <p>10. Retirees receive a \$4,000 death benefit. They are given the option to continue life insurance at the retiree's expense at the time of retirement.</p> <p>11. Through a pension trust fund with employee and/or employer contributions</p> <p>12. The plan is actuarially solvent</p> <p>13. Judges may withdraw the account balance (contributions</p>

	<p>5. Members can retire with full benefits at: Age 65 with at least one year of service Age 62 with at least ten years of service Any age when age and years of service added together equal 85 Members can retire with reduced benefits beginning at age 55 with ten years of service. All judges must retire at the end of the term in which they reach age 75</p> <p>6. 70% or the final average salary</p> <p>7. Yes. Disability benefits are calculated using the following formula: Final average salary x 3.5 percent x years of service = annual disability benefit. The minimum benefit is 50 percent of the final average salary and the maximum is 70 percent.</p> <p>8. A surviving spouse may receive the account balance (judge retirement contributions and interest). In certain situations, spouses may be able to choose a monthly benefit instead of receiving the account balance.</p> <p>9. A spouse or joint annuitant may receive a retirement benefit after the retiree's death depending on the benefit option selected at retirement. Benefit elections include: Maximum Monthly Benefit Option: This option is the maximum monthly allowed. There is no continued monthly benefit for joint annuitant (usually spouse) after death. Joint-Survivor Option Survivor benefits are equal to 50 percent, 75 percent or 100 percent of the retiree's benefit and are paid for the rest of the joint annuitant's life. To provide this continuing benefit, the retiree's monthly benefit is reduced. The retiree benefit decreases as the percentage benefit increases for the surviving annuitant. Life-Certain Option if the retiree dies within a guaranteed period of time from retirement, the beneficiary receives the same monthly benefit for the rest...</p>	<p>and interest), they can roll over the amount into an eligible retirement plan, or they can leave their account in the retirement system and can apply for retirement benefits when they become eligible.</p> <p>14. The mandatory retirement age is 75 or, if the judge desires, the judge may finish serving the term during which the judge attains the age of 75.</p> <p>15. Not for the judge's retirement system</p>
<p>Kentucky</p>	<p>1. Combination of both</p> <p>2. 6%</p> <p>3. The state's contribution for judges electing to participate in the Kentucky Judicial Retirement Plan prior to January 1, 2014, is pursuant to a statutory formula. These judges participate in a Defined Benefit Plan. For judges electing to participate in the Kentucky Judicial Retirement Plan after January 1, 2014, the employer contribution is 4.00%. These judges participate in a Hybrid Cash Balance Plan (more closely resembles a Defined Contribution Plan).</p> <p>4. For the Defined Benefit Plan, the formula is found in KRS 21.525, as follows: (1) The state, by appropriation to the Judicial Retirement Board, shall contribute annually to the Judicial Retirement System an amount equal to the percent as computed under subsection (2) of this section of the creditable compensation</p>	<p>8 (con't)...For the Hybrid Cash Balance Plan, the judge can select an optional survivorship payment to his/her spouse to be based on his/her accumulated cash balance at the time the judge left office.</p> <p>9. Benefits are payable to the spouse after retirement; however, for the Defined Benefit Plan, the threshold of being married at the time of separation of service is required.</p>

	<p>of active members of the Judicial Retirement System, to be known as the "normal contributions," and an additional amount equal to one percent (1%) of the unfunded past service liabilities, plus annual interest accruing thereon at the actuarially assumed rate of interest adopted by the board to be known as the "past service contribution." (2) The normal contribution rate shall be determined either by the entry age normal cost funding method or the unit credit actuarial method, as selected by the board. The past service liability shall be determined by actuarial methods consistent with the methods prescribed for determining the normal contribution rate. The board shall adopt the actuarial assumptions that are to be used in making the determinations.</p> <p>5. Benefits are payable to a VESTED member. For the Defined Benefit Plan, vesting is achieved after eight years of state service. For the Hybrid Cash Benefit Plan, vesting is at (a) At age sixty-five (65) with accumulation of five years of active service credit in the Plan and any other state-supported retirement system of the Commonwealth; or (b) At least age fifty-seven (57) and the member's accumulated active service credit in the Plan and any other state-supported retirement system of the Commonwealth plus his/her age is at least eighty-seven (87).</p> <p>6. For the Defined Benefit Plan, a pension cannot exceed 100% of final compensation. Final Compensation is the average of the 60 months of salary preceding the date of separation of service.</p> <p>7. For the Defined Benefit Plan, a disability benefit can be awarded to an active judge under the age of 65. The benefit is one-half of the benefit to which the member would have been entitled had he/she served until age 65. For the Hybrid Cash Balance Plan, a disability award can be made if the judge has completed five years of judicial service. The judge is entitled to a disability retirement allowance equal to the highest of twenty percent (20%) of the member's monthly final rate of pay or the monthly retirement allowance payable for life by having his or her accumulated account balance annuitized in accordance with the actuarial assumptions and methods adopted by the Board of Trustees.</p> <p>8. For the Defined Benefit Plan, the surviving spouse, if married to the judge at the time the judge left office, is entitled to one-half of the judge's normal retirement benefit. The judge can select, in lieu of the statutorily-prescribed 50% annuity, a 66-2/3rd% or a 100% annuity...</p>	<p>10. No</p> <p>11. Through a pension trust fund with employee and/or employer contributions</p> <p>12. Defined Benefit Plan: 66.58% Hybrid Cash Balance Plan: insufficient data</p> <p>13. Defined Benefit Plan: the member's contributions Hybrid Cash Balance Plan: A member with less than five years of service is entitled to a refund of the member's contributions of 5.00% and forfeits the employer credit of 4.00%. A member with more than five years of service is entitled to a refund of the member's prior month-end cash balance account which includes the member's contributions of 5.00%, the employer credit of 4.00%, and applicable interest.</p> <p>14. No</p> <p>15. No answer</p>
<p>Maine</p>	<p>1. Defined Benefit</p> <p>2. 7.65%</p> <p>3. In accordance with Maine Law, the State contributes the funds necessary to meet the pension plan's long and short term financial</p>	<p>8 (con't)... http://www.mainelegislature.org/legis/statutes/5/title5sec17953.html), Retiree monthly benefit – amount is calculated</p>

	<p>obligations based on the actuarial assumptions established by the board of trustees. The actual State contribution amount will vary as it will pay the unfunded liabilities based upon available assets in the fund. For FY 13, 14 and the current year, the State contribution amount is approximately 3.5%/year. Please see Maine Law - Title 4, Chapter 27: http://www.mainelegislature.org/legis/statutes/4/title4ch27sec0.html</p> <p>4. Average Final Compensation (AFC) x Years of Service (YOS) = X / 12 = monthly benefit; (AFC x YOS = X/12). Subject to 70% maximum (pre-retirement salary) allowed.</p> <p>5. Normal Retirement Age = 65; Minimum 5 years of service. Provision for, if age 70+ with at least 1 year of service. 25+ years of 'credible service', pension may be elected upon reaching age 60/62/65. Credible service includes previous State non-judicial employment/service</p> <p>6. 70%</p> <p>7. Yes – if permanent disability occurs during active service as determined by Maine Supreme Judicial Court. Disability benefit is 66 2/3% of AFC if hired prior to 1992. Disability benefit is 59% of AFC if hired subsequent to 1992.</p> <p>8. Yes – if spouse named as sole beneficiary Amount of Benefit = option of: Lump sum of the deceased Judge's actual contributions and interest, Survivor benefit (amount determined by law – please see http://www.mainelegislature.org/legis/statutes/4/title4ch0sec0.html and...</p>	<p>as though the deceased retired effective on the date death</p> <p>9. Contingent upon type of selection of benefit payment options at time of retirement</p> <p>10. Life insurance may be continued at Retiree's cost</p> <p>11. Through a pension trust fund with employee and/or employer contributions</p> <p>12. Varies – typically +95%</p> <p>13. None</p> <p>14. No</p> <p>15. Unknown at this time</p>
<p>Maryland</p>	<p>1. Combination of both</p> <p>2. 8% of annual compensation</p> <p>3. 42.74%</p> <p>4. The maximum service credit you may accrue in the Judges' Retirement System is 16 years. With 16 years of service, you receive 2/3 of the salary of an active judge at the time of your retirement. With less than 16 years, your benefit is calculated as follows: (.666667 x Salary of active judge) x (creditable service/ 16) = Annual Basic Allowance.</p> <p>5. Age: mandatory retirement at age 70; minimum retirement age is 60 Service: eligible to retire at age 60 with 16 years of creditable service</p>	<p>9. Yes, Surviving spouse receives 50% of the monthly retirement allowance to which the judge would have been entitled at death. (Annual salary of an active judge x .666667) x (Years of creditable service/ 16) x .50 = Annual Allowance</p> <p>10. It does not</p> <p>11. Through a pension trust fund with employee and/or employer contributions</p>

	<p>6. 2/3 of annual salary of active judge</p> <p>7. A member who qualifies for a disability benefit receives a service retirement allowance based on the years and months of creditable service at the time of disability. There is no reduction for receiving payments prior to attaining age 60. If, at the time of disability, you have at least three years of service, your monthly benefit would be no less than 1/3 your annual salary.</p> <p>8. Yes, Surviving spouse receives 50% of the monthly retirement allowance to which the judge would have been entitled at death. (Annual salary of an active judge x .666667) x (Years of creditable service/ 16) x .50 = Annual Allowance</p>	<p>12. 84.7% funded</p> <p>13. None, Judges do not receive any monetary payout for unused leave</p> <p>14. 70 years of age</p> <p>15. N/A</p>
<p>Michigan</p>	<p>1. Defined Contribution</p> <p>2. If 5 or more years of service: surviving spouse receives a life annuity in amount that would have been payable to the judge if s/he had retired on the date of death.</p> <p>3. 4%</p> <p>4. The State does not pay for judicial retirement benefits.</p> <p>5. Four years to be 100% vested in the Defined Contribution Plan.</p> <p>6. N/A</p> <p>7. Whatever is available in the judge's 401k account.</p> <p>8. Whatever is available in the judge's 401k account if the surviving spouse is listed as a beneficiary.</p> <p>9. Whatever is available in the judge's 401k account if the surviving spouse is listed as a beneficiary.</p> <p>10. The State does not pay for judicial life insurance. Active judges may purchase life insurance. If judges have active...</p>	<p>10 (con't)... life insurance at time of retirement, they get the benefit.</p> <p>11. Through some other means</p> <p>12. No answer</p> <p>13. Whatever they have available in their 401k.</p> <p>14. Judges cannot run for election after age 70 but can complete their term.</p> <p>15. No, we already have a defined contribution plan</p>
<p>Minnesota</p>	<p>1. Combination of both defined benefit and defined contribution</p> <p>2. 9% if first appointed or elected as a judge before 07/01/13; 7% if first appointed or elected as a judge after 06/30/13</p> <p>3. 22.5%</p> <p>4. For judges who contribute 9%, it is 3.2% multiplied by the number of years and fractions of years of allowable service, and then multiplied by final average compensation. The maximum percentage of 76.8% coincides with the allowable service credit limit of approximately 24 years. For judges who contribute 7%, it is 2.5% multiplied by the number of years and fractions of years of</p>	<p>10. Not the pension, but through state employee group insurance program they can continue their basic life coverage of \$95,000 indefinitely as long as they pay the small premium (less than \$10) each month.</p> <p>11. Through a pension trust fund with</p>

	<p>allowable service and then multiplied by final average compensation. There is no service credit limit for judges covered under this.</p> <p>5. Age 65 with at least 5 years prior to 7-01-13 or age 66 and at least 5 years</p> <p>6. It is 76.8 % pre 7-01-13; post 7-1-13 – there is no limit.</p> <p>7. Yes, the Governor determines if disabled; they collect one year of a salary then the benefit is based on length of service assuming normal retirement age.</p> <p>8. Yes, it is 60% of the benefit the judge would have received (assuming normal retirement age); if at least 60, will pay 100% joint survivor option if higher; benefit is a minimum of 25% of Hi-5 at date of death.</p> <p>9. It would depend on if a survivor option was chosen at retirement. If one was chosen then yes, they would receive a benefit based on the option chosen. If no survivor option was chosen at retirement, there would no survivor coverage after death unless there was a remaining balance. In that case they would receive a refund of that amount.</p>	<p>employee and/or employer contributions</p> <p>12. As of 6/30/14, the actuarial funding value was 50.94%.</p> <p>13. It depends on the age and years of service; if they are vested, they can collect a deferred benefit at age 60 or later.</p> <p>14. Yes, age 70</p> <p>15. No</p>
<p>Missouri</p>	<p>1. Defined benefit plan.</p> <p>2. For judges who began service prior to January 1, 2011, 0%; for who began service on or after January 1, 2011, 4%.</p> <p>3. For judges who began service prior to January 1, 2011, 100%; for who began service on or after January 1, 2011, 96%.</p> <p>4. 50% of highest salary as a judge (typically at the end of their career).</p> <p>5. For full pension for Judges who began service prior to January 1, 2011: Age 62 with 12 years of service; or Age 60 with 15 years of service; or Age 55 with 20 years of service</p> <p style="text-align: center;">Early retirement* is available as follows: Age 62 with < 12 years of service; or Age 60 with < 15 years of service</p> <p>For Judges who began service on or after January 1, 2011: Age 67 with 12 years of service; or Age 62 with 20 years of service</p> <p style="text-align: center;">Early retirement* is available as follows:</p>	<p>9 (con't)...</p> <ul style="list-style-type: none"> • Life Income Annuity • Joint and 50% Survivor Option <ul style="list-style-type: none"> • Joint and 100% Survivor Option • Life Income with 120 Guaranteed Payments • Life Income with 180 Guaranteed Payments <p>10. Yes</p> <p>11. Pension trust fund with employee and/or employer contributions.</p> <p>12. 26.9% - Judicial</p> <p>13. The pension amount for early retirement is reduced by the percentage of actual months of service divided by the required months of service For example, if the age of</p>

	<p>Age 67 with < 12 years of service; or Age 62 with < 20 years of service</p> <p>* Judges who elect early retirement may continue to accrue service credit as a senior judge.</p> <p>6. 50% of highest salary as a judge (typically at the end of their career)</p> <p>7. We have a Long Term Disability plan in which all members including judicial members are eligible to apply and be approved provided they meet the definition of disability via the contract.</p> <p>8. Yes. 50% of pension amount.</p> <p>9. For judges who began service prior to January 1, 2011, yes. 50% of pension amount; for judges who began service on or after January 1, 2011, they are required to elect a survivor payment option. Their options are the following...:</p>	<p>the judge requires 12 years (144 months) of service and the judge only obtained 8 years (96 months), the judge would receive 67% of the full pension amount.</p> <p>14. Yes, 70</p> <p>15. No</p>
<p>Nebraska</p>	<p>1. Defined Benefit</p> <p>2. Judges on bench after 7/1/04 or on the bench as of that date that elected to follow the following provisions which included enhanced benefits: 9% if less than 20 years service, 5% with 20 or more years service. Judges on bench before 7/1/04 who elected not to follow the provisions above: 7% if less than 20 years service, 1% if 20 or more years service.</p> <p>3. There is no employer contribution; however, a court fee dedicated for judge's retirement is collected. In addition, legislative appropriations may be required to meet unfunded liabilities.</p> <p>4. Lifetime monthly retirement benefits are based on this formula: Average 3 highest 12-month periods of compensation X Creditable Service Years X Formula Factor (3.5%)</p> <p>5. Age 65 required for full benefit 62-65 benefit is reduced by 3-9% 55-62 benefit is actuarially reduced.</p> <p>6. 70% of final average compensation</p> <p>7. If you become unable to perform your duties as a judge because of a physical or mental disability which is determined to be permanent or likely to become permanent, you are entitled to receive a disability retirement benefit. A disability retirement benefit is calculated in the same manner as a regular retirement benefit.</p>	<p>8 (con't)... that would have been payable to the judge if s/he had retired on the date of death.</p> <p>9. Yes. Benefit calculation is dependent on the benefit payment option chosen by the judge at retirement.</p> <p>10. No</p> <p>11. Through pension trust fund with employee and/ or employer contributions</p> <p>12. Funded ratio as of 7/1/13 is 87.7%</p> <p>13. Judge can defer and apply for benefits as early as 55 or withdraw contributions and interest in lump sum.</p> <p>14. No</p>

	<p>8. If you die with less than five years of service, a refund of your retirement account (your contributions plus accumulated interest) will be paid as the death benefit. If you die with five or more years of creditable service, your surviving spouse is entitled to receive a lifetime monthly benefit paid as a 100% Joint and Survivor benefit. If 5 or more years of service: surviving spouse receives a life annuity in amount...</p>	<p>15. Legislation introduced in 2013 was not considered.</p>
<p>Nevada</p>	<p>1. Defined Benefit</p> <p>2. None. Judges in Nevada are paid a salary set by Nevada statute and the state pays 100% of the judge's contribution to the Public Employees Retirement System of Nevada (NVPERS).</p> <p>3. The contribution rate for state judges is currently 23.00%</p> <p>4. There are two formulas used to calculate Judicial benefits based on when the judge was elected: Elected prior to November 5, 2002: 4.1666% for the first 5 years of service credit and an additional 4.1666% for each year thereafter for a maximum benefit of 75% of the average of the judge's 12 months of salary prior to retirement. Elected after November 2003: 3.4091% multiplied by years of total service credit, multiplied by the monthly average of the 36 highest consecutive months of salary, for a maximum benefit of 75%.</p> <p>5. 5 years of service credit at age 65, 10 years of service credit at age 60, 30 years of service credit at any age.</p> <p>6. 75% of the average salary earned during employment is the maximum benefit allowed in the Judicial Retirement System.</p> <p>7. Members of the Judicial Retirement System may apply disability retirement. The benefit is calculated using the same formula as a service retirement benefit, however, there is no early retirement reduction applied to the benefit if the judge is under the full retirement age.</p> <p>8. Yes. Benefits payable to the spouse are based on years of service at the time of the judge's death: 2 or more years to 9.99 years: Flat rate benefit of \$450.00 per month for life 10 or more years: 50% beneficiary benefit calculated based on years of service credit and average salary 15 or more years: 100% beneficiary benefit calculated based on years of service credit and average salary.</p> <p>9. At the time of retirement, the judge will indicate if a beneficiary benefit will be payable in the event of death as a retired member. Our plan provides the choice of 7 benefit options, 6 of which provide continuing beneficiary benefits. If a beneficiary benefit is elected, the judge's benefit is actuarially reduced to pay for the</p>	<p>10. No life insurance benefits are payable through the pension fund, however, there is a life insurance component to the medical benefit, if the judge elects to continue coverage into retirement.</p> <p>11. Through a pension trust fund with employee and/or employer contributions</p> <p>12. The Judicial Retirement System is 72.3% funded.</p> <p>13. If the judge leaves the bench before earning 5 or more years of service credit, no monthly benefit is payable from the pension fund.</p> <p>14. There is not mandatory retirement age in the Judicial Retirement System.</p> <p>15. The pension fund has no plans to change from the current plan structure. Legislature action would be required for any changes to the structure of the define benefit plan.</p>

	<p>coverage based on the age of the judge and the beneficiary). Option 1 pays the full benefit to the judge with no continuing benefits, Option 2 pays a reduced benefit to the judge with the same benefit payable to a beneficiary upon the judge's death, Option 3 pays a reduced benefit to the judge with a 50% benefit payable to the beneficiary upon the judge's death, Options 4 (100%) and 5 (50%) are the same as Options 2 and 3, however, the beneficiary must be age 60 or greater before the payment begins after the judge's death, Options 6 and 7 allow the judge to designate a flat rate payment to the beneficiary payable after the judge's death...</p>	
<p>New Hampshire</p>	<ol style="list-style-type: none"> 1. Defined Benefit 2. 10% 3. 64.5% through 6/30/15; 70.9% effective 7/1/15 4. Based on age and length of service; please see below 5. Age 60 with 15 years as f.t. judge = 70% of salary (1% for each year of service over 15 years with maximum of 75% of salary); Age 65 with 10 years as f.t. judge = 75% of salary; Age 70 with 7 years as f.t. judge = 45% of salary (10% for each year over 7 years, with maximum of 75% of salary). 6. 75% 7. Yes: 70% of final year's salary regardless of age and service 8. 50% of judge's annual salary payable to surviving spouse who remains unmarried; if no surviving spouse, then payable to child or children under age 18. 9. 50% of judge's pension 	<ol style="list-style-type: none"> 10. No 11. Through pension trust fund with employee and/ or employer contributions 12. 51% as of 1/1/2014 13. None 14. Age 70 15. No pending legislation at this time (legislative action required for this change).
<p>New Jersey</p>	<ol style="list-style-type: none"> 1. Defined Benefit 2. Currently 8.12% of base salary but increasing every July 1 until 2017 when the rate will reach 12%. 3. The NJ Judicial Retirement System (JRS) is administered by the Executive Branch; the Judiciary does not have this information. 4. 75% x final salary if the judge has: reached age 70 with 10 or more years of judicial service reached age 65-69 with 15 or more years of judicial service reached age 60-64 with 20 or more years of judicial service 5. 50% x final salary: Age 65 or older w/15 or more years in the aggregate of public service, of which 5 or more consecutive years were judicial service. Age 60 or older w/20 or more years in the 	<ol style="list-style-type: none"> 11. Pension trust fund with employee and/or employer contributions 12. The JRS is administered by the Executive Branch; Judiciary does not have this information. 13. If a judge leaves service before being eligible for a service or early retirement benefit and is under age 60, the judge may be eligible for

	<p>aggregate of public service, of which 5 or more consecutive years were judicial service. If a judge retires at age 60 -64 w/15 or more years in the aggregate of public service, of which 5 or more consecutive years were judicial service, the annual benefit is calculated 2% x final salary x the number of years of service up to 25 years, plus 1% x final salary x the number of years of service over 25 years. If a judge retires at age 60 or older but does not meet the minimum amounts of service credit listed above, the benefit is calculated 2% x final salary x number of years of judicial service, plus 1% x final salary x the number of years of service over 25 years. Early Retirement Retire before age 60 and receive a reduced benefit if judge has 5 or more consecutive years of judicial service and 25 or more years in the aggregate of public service, calculated 2% x final salary x number of years of service up to 25 years, plus 1% x final salary x number of years of service over 25 and actuarially reduced for the number of months remaining until age 60.</p> <p>6. 75% x final salary</p> <p>7. If a judge is physically or otherwise incapacitated for full and efficient service to the State in a judicial capacity as determined by 3 physicians appointed by the Governor, and the judge's disability is certified by the NJ Supreme Court and approved by the Governor, disability retirement is 75% x final salary.</p> <p>8. 25% of the judge's current salary is paid out as a monthly benefit until the surviving spouse (who has been married to the judge for 4 or more years) dies or remarries. Also applies to those who have legally binding civil union or domestic partnership agreements (also duration of 4 or more years). Benefits cease when the partner dies or at such time when the domestic partnership or civil union ends.</p> <p>9. 25% of the salary of a current judge of the court from which the judge retired (Superior, Appellate, and Supreme Court) is paid as a monthly benefit until the surviving spouse dies or remarries. Same requirement for length of marriage as noted above, plus same applicability to civil union or domestic partners.</p> <p>10. Yes; if a judge dies while actively serving on the bench, beneficiary receives life insurance in the amount of 1.5 x judge's salary, plus any optional contributory life insurance if elected. If the judge dies after retirement, beneficiary receives 25% of the salary the judge had at retirement as the life insurance benefit</p>	<p>a deferred retirement if s/he leaves after completing 5 or more consecutive years of judicial service AND 10 or more years in the aggregate of public service. Calculated the same way as early retirement (refer to the earlier section regarding other requirements for different pension payment levels), taking into account final salary and amount of service. The benefit is not actuarially reduced because it is not payable until age 60. At any time before a deferred retirement becomes effective, the judge may apply for a lump sum withdrawal of all his/her pension contributions. Once a deferred retirement is cancelled and contributions are withdrawn, all rights and privileges of membership in the retirement system end.</p> <p>14. 70</p> <p>15. No; not so far as we are aware.</p>
<p>New Mexico</p>	<p>1. Defined Benefit</p> <p>2. 10.5%</p> <p>3. 15%</p>	<p>12 (con't)... and benefits after enactment of the 2014 legislation that went into effect July 1, 2014.</p>

	<p>4. Magistrate Plan (non-lawyer, limited jurisdiction state courts) annual service credit 3.0% per year of service up to maximum 85% of final 5-year salary average. Judge Plan (general jurisdiction and appellate courts) annual service credit 3.25% up to maximum of 85% of final 5-year salary average.</p> <p>5. Magistrate Plan vesting at 8 years, retirement any age and 24 years or age 65 and at least 8 years. Judge Plan vesting 8 years, retirement at age 60 with at least 15 years or age 65 with at least 8 years.</p> <p>6. 85%</p> <p>7. Yes. Disability eligibility at vesting (8 years) or shorter if disability results as proximate result of judicial service. Amount is same as under retirement formula (% credit earned to date of disability multiplied by 5-year salary average).</p> <p>8. Yes. Survivor benefit as if judge retired with survivor option 2 in next question.</p> <p>9. Yes. At retirement select 1 of 3 options. 1) Full payment to retired judge and no survivor benefit. 2) Equal payment to judge and surviving spouse, with both reduced based on actuarial expected life of surviving spouse. 3) One-half to surviving spouse with reduction of payment to judge based on actuarial adjustment for expected life of surviving spouse.</p> <p>10. No. Life insurance is a separate option in the benefits package</p> <p>11. Through a pension trust fund with employee and/or employer contributions</p> <p>12. Magistrate Plan 55.7% as of June 30, 2013; legislation passed and signed in 2014 session increased judge and employer contributions and reduced benefits to project fund 100% funded within 30 years. Judge Plan 58.4% as of June 30, 2013; legislation passed and signed in 2014 session increased judge and employer contributions and reduced benefits to project fund 100% funded within 30 years. Answers to survey reflect contribution rates...</p>	<p>13. Return of accumulated judge contributions with defined return on investment consistent with return earned by the pension trust fund during term of judicial service.</p> <p>14. No</p> <p>15. No. The increased contributions and reduced benefits in the 2014 legislation reflected a series of compromises by all parties (judges, Executive, Legislature, and independent public retirement pension board) reached after about 5 years of work that ensures full pension funding and keeps the defined benefit plan. I grieve for any AOC State Court Administrator burdened with the responsibility for working toward such a compromise.</p>
<p>North Carolina</p>	<p>1. Defined Benefit</p> <p>2. 6 Percent</p> <p>3. 32.7% as of 7/1/14</p> <p>4. The benefit calculation varies by type of judge: For a district court judge: 3.02% of final compensation times years of creditable service for a superior court</p>	<p>10 (con't)... salary) your beneficiary will receive a single lump sum payment. The payment is equal to your final annual rate of compensation at the date of death."</p>

	<p>5. Service Retirement (unreduced benefits) - two ways to be eligible: 1) age 65 with a minimum of 5 years of creditable service 2) age 50 with a minimum of 24 years of creditable service Early Retirement (reduced benefits) 1) age 50 with a minimum of 5 years of creditable service</p> <p>6. 75% of final compensation (salary at time of retirement)</p> <p>7. Yes; From the retirement handbook: After 5 years of creditable service, if you become permanently disabled while serving in a judicial capacity and are unable to work, as approved by the Medical Review Board, you are eligible for disability retirement benefits. Your disability benefit under the Maximum Allowance is calculated using the same benefit formula as a service retirement benefit. Your final compensation is calculated as of your disability retirement date, but creditable service is counted as though you continue working to age 65, not to exceed 24 years.</p> <p>8. Yes; From the retirement handbook: The surviving spouse benefit may be payable if your principal beneficiary designation is your spouse who survives you, and you die in active service (while being paid salary) after reaching age 50 with five years of service. Your surviving spouse may choose to receive a monthly benefit instead of a refund of your contributions with interest. The benefit equals one-half of the retirement allowance to which you would have been entitled on the first day of the calendar month following date of death, reduced by 2 percent for each full year your age exceeds that of your spouse. This benefit is payable for life unless the surviving spouse remarries.</p> <p>9. Yes; From the retirement handbook: The law provides a monthly benefit to the surviving spouse of a retired member. The benefit is equal to one-half the benefit under the maximum allowance reduced by 2 percent for each full year your age exceeds the age of your spouse. This payment ceases at death or upon remarriage of the spouse.</p> <p>10. The judicial retirement plan includes a death benefit as follows, "if you die while still employed (while being paid..."</p>	<p>11. Through a pension trust fund with employee and/or employer contributions</p> <p>12. As of 2012, the plan is funded at 91%.</p> <p>13. From the retirement handbook: "If you leave the System for any reason other than retirement or death, you can either receive a refund of your contributions with interest, or leave your contributions in the System and keep all the creditable service you earned to that date."</p> <p>14. 72 years of age</p> <p>15. No, not that I'm aware of.</p>
North Dakota	<p>1. Defined Benefit</p> <p>2. 4 percent</p> <p>3. 22.66 percent</p> <p>4. Three and one-half percent of final average salary multiplied by the first ten years of service, two and eight-tenths percent of final average salary multiplied by the second ten years of service, and one and one-fourth percent of final average salary multiplied by the number of years of judicial service exceeding twenty years.</p>	<p>9 (con't)... (3) One-half to judge until death and a like amount to spouse at age 62 and so long as the spouse continues to be judge's spouse or un-remarried surviving spouse.</p> <p>10. No</p>

	<p>5. Retirement ages with years of service: 65 years and 20 years of service, 66 and 18 years of service, 67 and 16 years of service, 68 and 14 years of service, 69 and 12 years of service, 70 and 10 years of service.</p> <p>6. 50 percent of annual salary of judges at the time the individual retired.</p> <p>7. Disability retirement benefits for judges are seventy percent of final average salary reduced by the member's primary social security benefits and by any workforce safety and insurance benefits paid. The minimum monthly disability retirement benefit is \$100.</p> <p>8. Yes. The judicial retirement salary payable to the surviving spouse is in accordance with judge's election made for retirement salary payout. If the judge dies without having made an election, the payments are made in accordance with the first option. See below.</p> <p>9. The judge may elect to receive judicial retirement salary according to the following options. 1) Three-fourths of the judge's retirement salary payable to the judge alone until death and thereafter one-half of a such amount to the surviving spouse upon the spouse attaining age 62 and until spouse remarries or dies. (2) Two-thirds of retirement salary to judge until death and thereafter a like amount to spouse upon spouse attaining age 62 and until spouse remarries or dies...</p>	<p>11. Pension trust fund with employee and/or employer contributions</p> <p>12. 91 percent</p> <p>13. The judge is entitled to receive judicial retirement salary only in proportion that the judge's years of service bear to the years of service otherwise required for retirement at such age.</p> <p>14. No</p> <p>15. The state is considering changing to a defined contribution plan for new hires.</p>
<p>Oklahoma</p>	<p>1. Defined Benefit</p> <p>2. 8.0%</p> <p>3. Sixteen percent (16.0%). This percentage will continue to increase as follows: 2016 - 17.5%; 2017 - 19.0%; 2018 - 20.0%; and 2019 and thereafter - 22%. See Title 20 O.S. Section 1103.1</p> <p>4. An amount equal to four percent (4.0%) per annum of the average monthly salary of him or her as a justice or judge based on the highest three (3) years of active service multiplied by the total number of years of service and reduced according to the elected survivor option, if any.</p> <p>5. For members of The Uniform Retirement System for Justices and Judges ("System") whose initial service began prior to January 1, 2012, such member who serves for a period of eight (8) years or longer and upon reaching or passing the age of sixty-five (65) years, or who serves for a period of ten (10) years or longer and upon reaching or passing the age of sixty (60), or whose sum of years of service and age equal or exceeds eighty (80), after</p>	<p>8 (con't)...See Title 20 O. S. Section 1102C.</p> <p>9. The Tables used to calculate the reduced amounts for both Option A and B above are based upon an analysis of actuarial assumptions and the experience of the Oklahoma Public Employee Retirement System as prepared by Milliman, Inc.</p> <p>10. No</p> <p>11. Through a pension trust fund with employer and/or employee contributions</p>

	<p>completing eight (8) years of judicial service, shall be eligible to receive retirement benefits. For members whose initial service as a member of the System began on or after January 1, 2012, such member who serves for a period of eight (8) years or longer and upon reaching or passing the age of sixty-seven (67) years or who serves for a period of ten (10) years or longer and upon reaching or passing the age of sixty-two (62) years shall be eligible to receive retirement benefits. In determining the periods of time mentioned a major fraction of a year shall count as a full year. See Title 20 O.S. Section 1102</p> <p>6. 100%</p> <p>7. Yes. Any justice or judge who has reached the age of fifty-five (55) years and has served as a justice or judge for a period of fifteen (15) continuous years or longer, next preceding application for disability retirement, may receive as retirement disability compensation a maximum monthly benefit in an amount equal to four percent (4%) of the average monthly salary received by the member when the member serves as a justice or judge based on the last three (3) years of active service multiplied by the total number of years of service. See Title 20 O. S. Section1102A.</p> <p>8. Yes (at the election of the justice or judge). Option A: Joint and one-half to joint annuitant survivor. A reduced retirement benefit is payable to the retiree during his or her lifetime with one-half of that amount continued to the joint annuitant during such joint annuitant's remaining lifetime, if any, after the death of the retiree. If the named joint annuitant dies at any time after the member's retirement date, but before the death of the retiree, the retiree shall return to the unreduced retirement benefit, including any postretirement benefit increases, the member would have received had the member not selected Option A. Option B: Joint and survivor. A reduced retirement benefit is payable to the retiree during his or her lifetime with that amount continued to the joint annuitant during the joint annuitant's remaining lifetime, if any, after the death of the retiree. If the named joint annuitant dies at any time after the member's retirement date, but before the death of the retiree, the retiree shall return to the unreduced retirement benefit, including any postretirement benefit increases, the member would have received had the member not selected Option B. The table for calculating the reduced amount is based upon an analysis of actuarial assumptions and experience...</p>	<p>12. 105.9% as of July 1, 2014</p> <p>13. If the service of a justice or judge terminates without retirement, the member may withdraw the money that he/she has paid into the System. If the money is withdrawn, the member loses all service credit, including prior service credit earned before the date of withdrawal, and he/she is no longer a member of the System. No accumulated interest or increased value is paid to the money withdrawn. The employer's share of contributions always remains in the System.</p> <p>14. No</p> <p>15. There has been some discussion to do so over the last 3-4 years but it has not happened.</p>
<p>Oregon</p>	<p>1. Defined Benefit</p> <p>2. The judge share is 7% of salary, but it is paid into the PERS fund by the Judicial Department. The 7% does not come out of the judge's pay.</p>	<p>9 (con't)...you elected to provide additional benefits to your surviving spouse or have a prenuptial or ante-nuptial agreement on</p>

	<p>3. The OJD contribution amount varies each biennium based on the actuarial cost to fund the defined benefit plan. The current contribution is 18.44%, but has ranged from 10.79% to 23.38% over the past 20 years. PERS determines the employer contribution amount every two years.</p> <p>4. The Plan A calculation uses final average salary, creditable service, and a statutory percentage to determine a monthly benefit, as follows: (2.8125% of final average annual salary) X (years and months of creditable service to a maximum of 16 years) plus (1.67% of final average annual salary) X (years and months of creditable service in excess of 16 years). The Plan B calculation uses final average salary, creditable service, and a different statutory percentage than Plan A because of the requirement to serve as a <i>pro tem</i> judge: (3.75% of final average annual salary) X (years and months of creditable service to a maximum of 16 years) plus (2% of final average annual salary) X (years and months of creditable service in excess of 16 years)</p> <p>5. Plan A - Age 65 Plan B - Age 60 Vesting (to be eligible for a pension) requires service in each of five calendar years before reaching age 75. The pension formula is Final Average Salary (highest 3 years averaged) times the number of years of service, time a multiplier as detailed in the previous question.</p> <p>6. The Plan A maximum is 65% of final average salary. The Plan B maximum is 75% of final average salary. It is possible to exceed those amounts if a judge participated in the Variable Annuity Account program AND the earnings in that account were greater than they would have been if the judge had not participated in the Variable Account (participation was optional - this account was closed to new enrollment in 2004).</p> <p>7. There are two types of disability retirement: duty (job-caused) and non-duty (ORS 238.555). If you meet disability criteria, you will receive a monthly pension based on service until age 65 and retired under Plan A, or, a monthly pension equal to 45 percent of your final average salary, whichever is greater.</p> <p>8. Yes. The amount depends on years of service. From the Judge Member Handbook: Death Benefits Before Retirement: If you have six or more years of service as a judge, die before retiring, and are not an inactive member performing pro tem service, your surviving spouse will receive a monthly life pension. The amount will be equal to two-thirds of the service retirement allowance you would have received under Plan A had you retired on the date of death</p>	<p>file with PERS (see page 15 for more information). Providing a spousal benefit greater than 2/3 reduces the judge member pension amount.</p> <p>10. No</p> <p>11. Pension trust fund with employee and/or employer contributions</p> <p>12. The plan is currently funded at 98% counting side accounts (pension obligation bonds).</p> <p>13. A judge cannot receive a pension until they reach age 60 under Plan B (and performs the required additional pro-tem service) or the judge reaches age 65 under Plan A. A judge can refund their judge member account if they terminate prior to age 60, but no pension is payable if that option is chosen, only judge contributions are refunded, and all membership rights in the PERS system are terminated.</p> <p>14. Yes. The Oregon Constitution requires judge members to retire from judicial office at the end of the calendar year in which they attain age 75 [Oregon Constitution, Art. VII (AM) Sec. 1a and ORS 238.525]. A Plan B judge</p>
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	<p>[ORS 238.565(2)(a)]. If you are performing pro tem service under Plan B and die before retiring, your surviving spouse will receive a monthly life pension equal to two-thirds of the retirement allowance you would have received under Plan B had you retired on the date of death [ORS 238.565(2)(b)]. Surviving Spouse ineligible for a pension: If you die before retiring and served less than six years as a judge, your surviving spouse is not entitled to a pension. Instead, your surviving spouse will receive a lump sum equal to the amount credited to your account on the date of your death [ORS 238.565(2)(e)]. If there is no surviving spouse, your beneficiary (ies) will receive a lump sum equal to the amount credited to your account on the date of your death [ORS 238.565(2)(d)].</p> <p>9. Yes. From the Judge Member Handbook: Death Benefits After Retirement: Your surviving spouse will receive a life pension payable monthly. The pension will equal two-thirds of the retirement allowance you were receiving or were entitled to receive on the date of death unless...</p>	<p>can still provide pro-tem service after the age of 75.</p> <p>15. No</p>
<p>Pennsylvania</p>	<p>1. Defined benefit plan</p> <p>2. 10% for first 10 years & 7.5% for all subsequent years</p> <p>3. Varies annually based on retirement system actuarial calculations</p> <p>4. 4% X first 10 years X Final Average Salary, 3% X all subsequent years X Final Average Salary. Final Average Salary is average of three highest periods of four consecutive calendar quarter salaries. An early retirement factor is applied to the formula if below superannuation age (see #5).</p> <p>5. Superannuation pension – age 60 w/3 years of service or any age w/35 years. Early pension – under age 60, judges vest after 5 years of service and can receive a reduced pension. Disability pension – minimum service of 5 years & must meet medical requirements</p> <p>6. Maximum pension after options is 100% of last salary</p> <p>7. Yes – if judge has at least 5 years of service, calculation is same as #4 but early factor is waived. Pension is calculated as though judge was at superannuation.</p> <p>8. Payment for in-service death is based on judge’s designated beneficiary(ies) which may or may not include spouse. If a judge dies before 5 years of service, beneficiary receives judge’s contributions + 4% interest. If judge dies with 5+ years of service, payment is based on actuarial present value at time of death.</p>	<p>10. No. Separate from the pension plan, judges are covered by a \$50,000 term policy while active and can purchase additional coverage voluntarily, but coverage under these plans ends at retirement unless the judge converts to a private plan.</p> <p>11. Pension trust fund</p> <p>12. Unknown at this time</p> <p>13. Refund of judge’s contributions + 4% interest</p> <p>14. Yes – currently age 70 (there is legislative effort to raise this to 75 but it has not happened yet)</p> <p>15. There has been an ongoing effort in the legislature to change the plan design to a defined</p>

	<p>9. Death benefit is based on retirement option selected by judge. If spouse is designated as beneficiary or survivor annuitant, they could receive either 1) remaining present value in lump sum at time of death, 2) 100% of judge's monthly pension, or 3) 50% of judge's monthly pension depending on which option was elected.</p>	<p>contribution plan, but it has not happened to date.</p>
<p>Rhode Island</p>	<p>1. Defined Benefit</p> <p>2. 12% is the percentage of salary that a judge contributes; Supreme Court Justices are capped at 8.75% based on constitutional language regarding compensation.</p> <p>3. The contribution rate of the employer will vary based upon the funding level of the plan. The FY 2015 employer contribution rate is 28.32% and the planning value for the FY 2016 employer contribution rate is 26.80%.</p> <p>4. The judicial retirement plan benefit calculation formula has been revised several times since 1997. The current formula has been in effect since July 1, 2009 and is as follows: Maximum pension benefit of 80% of average highest five consecutive years' salary. Minimum pension benefit of 65% of average highest five consecutive years' salary.</p> <p>5. Under the Age of 65, the judge must have at least 20 years of service to achieve 65%. At Age 65, the judge must have at least 10 years of service to achieve 65%. Age 65 AND 20 years of service will achieve 80%. Age 70 AND 10 years of service is 65%. Age 70 and a minimum of 15 years of service is 80%.</p> <p>6. For all judges hired July 1, 2009 and later, 80% is the maximum percentage of salary that a judge can receive in annual pension payments. From January 1, 2009 to June 30, 2009 the maximum was 90%. Prior to January 1, 2009, the maximum amount of percentage of salary was 100%.</p> <p>7. Disability of an active judge would have to be addressed through legislation specific to that judge.</p> <p>8. If a judge of the Supreme, Superior, Family, District and Workers' Compensation Court is active and eligible to retire, a surviving spouse is entitled to 1/2 of the judge's salary at time of death; If a judge is not eligible for retirement AND has 7 years of active service, the surviving spouse is entitled to 1/3 of the judge's salary at time of death; If a judge is not eligible for retirement AND has served less than 7 years, the surviving spouse is entitled to 1/4 of the judge's salary at time of death.</p> <p>9. Yes. With an elective 10% reduction in retirement benefits, the surviving spouse is entitled to 1/2 of the judicial pension.</p> <p>10. Judges have the option to continue with group life...</p>	<p>10 (con't)... insurance in retirement but it is 100% paid by the judge.</p> <p>11. Pension Trust Fund with employee and/or employer contributions</p> <p>12. That information may be obtained by contacting the State of Rhode Island Employees Retirement System at www.ersri.org at www.ersri.org or by contacting them by telephone at 401-462-7600.</p> <p>13. The judge is only entitled to receive his/her employee contributions.</p> <p>14. No.</p> <p>15. No, not for judges. The State did adopt a hybrid defined benefit and defined contribution plan for state employees in 2012, however that reform is currently in litigation.</p>

<p>South Dakota</p>	<p>1. Defined Contribution</p> <p>2. 9%</p> <p>3. 9%</p> <p>4. For first 15 years of credited service: Enhanced Benefit - 3.733% X Final Average Compensation X Credited Service before July 1, 2008 (up to 15 years) PLUS Base Benefit - 3.333% X Final Average Compensation X Credited Service after July 1, 2008 (up to 15 years) OR Credit service in excess of 15 years: Enhanced Benefit - 2.4% X Final Average Compensation X Credited Service before July 1, 2008 (up to 15 years) PLUS Base Benefit - 2.0% X Final Average Compensation X Credited Service after July 1, 2008 (up to 15 years)</p> <p>5. Normal retirement - age 65 if you have at least three years of contributory service. Special Early Retirement - with certain combinations of age (at least 55) and credited services (at least three consecutive years) totaling 80 you can retire as early as age 55 and begin receiving an unreduced monthly lifetime retirement benefit immediately. Regular Early Retirement, you can retire as early as age 55 and receive a monthly lifetime retirement benefit, as long as you have at least three years of contributory service.</p> <p>6. No Answer</p> <p>7. If You Become Disabled Eligibility: If you cannot work because of a disability and it is expected to last one year or longer, you may apply for a monthly benefit from SDRS. This benefit is payable until you reach age 65 when retirement benefits begin or over five years if your disability benefit starts after age 60. While you are drawing disability benefits, you continue to earn credited service toward your retirement benefit to your normal retirement age as if you were continuously employed. You are eligible for disability benefits after three years of consecutive contributory service. However, if you are accidentally disabled while performing the usual duties of your job, you are immediately eligible to apply for benefits. You must be a contributing member at the time you become disabled. A disability is a medically determinable physical or mental impairment which prevents you from performing the usual duties of your job. Your employer must also certify that it is unable to provide you with comparable level employment. You will not qualify for benefits under this plan if your disability is the result of a willful or self-inflicted injury. Amount of Benefit (For Disabilities After July 1, 2004) If you become disabled, you will receive 50 percent of your final average compensation. All disability benefits are paid monthly and are increased each year due to the COLA. If you do not apply for disability benefits within three years of termination of your employment, you will forfeit</p>	<p>13 (con't)... Interest earnings will continue to be credited for 10 years. If you have not returned to SDRS covered employment after 10 years, your accumulated contributions must be withdrawn during the 11th year. If you do not withdraw your accumulated contributions during the 11th year and SDRS is not able to locate you, you will forfeit your accumulated contributions. If You Leave After Three Years of Contributory Service: If you terminate employment with an SDRS employer after three years of contributory service but before you are eligible for early retirement, you have a choice: you can receive a vested monthly lifetime retirement benefit as early as age 55 or you can withdraw your accumulated contributions under the portable retirement option (refund). If you choose the refund option, you will receive a lump-sum distribution of your accumulated contributions (100 percent of your employee contributions plus credited interest and 85 percent of your employer contributions and credited interest). The right to withdraw accumulated</p>
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	<p>your disability benefit. SDRS disability benefits and your earned income during the first 36 months of disability cannot exceed 100 percent of your final average compensation. Starting with the 37th month of disability, SDRS disability benefits, your earned income, and your Primary Social Security cannot exceed 100 percent of your final average compensation. Any amount exceeding this cap will reduce the SDRS disability benefits in the following year, but not below the minimum benefits. *Note that while you are receiving SDRS disability benefits, you are required to report any changes in your employment status to SDRS and will be required to report all earned income to SDRS.</p> <p>8. Family Benefit: If you have one or more years of contributory service and die while actively participating in SDRS, a family benefit is payable to your spouse if there are dependent children under the age of 19 being cared for in the family. This benefit equals 40 percent of your final average compensation, plus an additional 10 percent per dependent child under the age of 19 – up to a maximum of 6 children – or up to 100 percent of your final average compensation, offset by 75 percent of your Social Security Primary Insurance Amount (PIA). If you do not have a spouse, the family benefit is payable to the conservator or custodian of each child in an amount equal to 20 percent of your final average compensation—up to a maximum of 5 children—or up to 100 percent of your final average compensation, offset by 75 percent of your Social Security Primary Insurance Amount (PIA). As each child reaches age 19, the SDRS benefit payment is reduced accordingly. The Social Security Primary Insurance Amount (PIA) is established by federal law. Once the PIA is determined and established in the SDRS benefit payment calculation, it is not subject to recalculation during the benefit payment period. Spouse Benefit: A spouse benefit equal to 60 percent of your projected retirement benefit will be payable when your surviving spouse reaches the age of 65. 8 (con’t)... The spouse benefit will be calculated using the normal retirement formulas, described above. The compensation used in the formula will be your final average compensation plus an annual improvement factor. The credited service in the formula will be the years of credited service you would have earned if you had been a member of the system until age 65.</p> <p>9. Survivor Benefit A After Retirement: This benefit is equal to 60 percent of the benefit being paid to you at the time of your death and will continue for your spouse’s lifetime with cost-of-living adjustments. If both you and your spouse die before your accumulated contributions have been paid out, your named beneficiary or estate will receive any remaining balance. NOTE: To qualify for death benefits your spouse must have been married to you prior to your retirement date and for at least 12 months before your death.</p>	<p>contributions ceases within ninety days of a return to employment with a participating unit. Vested Lifetime Retirement Benefit: If you have at least three years of contributory service, you are a “vested” member. As a terminated member who has a vested right in the system, you may leave your accumulated contributions on deposit with the system and receive an unreduced retirement benefit at age 65 or a reduced amount as early as age 55, based on your final average compensation and credited service when you leave employment. Portable Retirement Option (Refund): The SDRS portable retirement option (refund) gives a vested member the choice of taking their accumulated contributions (100 percent of the employee contributions plus credited interest and a percentage of the employer contributions and credited interest) instead of a monthly SDRS vested lifetime retirement benefit. You must have at least three years of contributory service to be a vested member.</p> <p>14. Yes, age 70</p> <p>15. Unknown</p>
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	<p>10. Yes, we provide a basic policy in the amount of \$25,000. If the judge wishes they may purchase additional coverage for themselves at 2, 3, 4, or 5 times their annual salary up to \$400,000. They may also purchase a \$10,000 policy for a spouse and for dependent children up to 26 years, or 29 years for full time students.</p> <p>11. No answer</p> <p>12. Unknown</p> <p>13. If You Leave Before Three Years of Contributory Service You are entitled to receive your accumulated contributions (100 percent of your employee contributions plus credited interest and 50 percent of your employer contributions and credited interest) under the portable retirement option (refund) in the form of a lump-sum distribution if you leave before attaining three years of contributory service. You may also leave your accumulated contributions in the system for up to 10 years from your date of termination.</p>	
<p>Tennessee</p>	<p>1. Combined Defined Benefit and Defined Contribution</p> <p>2. For all judges elected/appointed prior to July 1, 2014 the percentage contribution is .5% of compensation below the social security wage base and 2% of compensation above the wage base. For all judges elected/appointed after July 1, 2014 the percentage contribution is 5% toward the defined benefit part of the plan and 2% auto enrollment voluntary toward the defined contribution portion of the plan.</p> <p>3. For all judges elected/appointed prior to July 1, 2014 the state contributes 5% of the judge's salary to retirement. For all judges elected/appointed after July 1, 2014 the state contributes 4% of the judge's salary toward the defined benefit portion and 5% of the judge's salary toward the defined contribution portion.</p> <p>4. For all judges elected/appointed prior to July 1, 2014 the formula for computing a full service monthly retirement allowance is 2.5% x average final</p> <p>5. All judges elected/appointed prior to July 1, 2014 are eligible to apply for an unreduced service retirement allowance upon attaining age 55 with 24 years of service or age 60 with 8 years of service. All judges elected/appointed after July 1, 2014 are eligible for service retirement benefits upon attainment of age 60 and completion of 8 years' service or upon attainment of age 55 and completion of 24 years of creditable service.</p>	<p>9 (con't)...If the beneficiary dies before the member, the monthly allowance will remain the same. 3. Option 2 - 50% Joint and Survivor - A reduced retirement is payable during the retired member's life with the provision that it will continue after his death at 1/2 the rate paid to him and be paid for the life of, and to, his designated beneficiary. If the beneficiary dies before the member, the monthly allowance will remain the same. 4. Option 3 - Modification of Option 1 - A reduced retirement is payable during a retired member's life with the provision that it will continue after his death for the life of, and to, his designated beneficiary.</p>

	<p>6. For all judges elected/appointed after July 1, 2014, no allowance may exceed 75% of the member's AFC. For all judges elected/appointed after July 1, 2014, the maximum annual base benefit payable at retirement is limited to the lower of 90% of the member's AFC or the base benefit in effect at the time of the member's retirement.</p> <p>7. Elected/appointed after July 1, 2014-A member with 8 years of service who becomes totally and permanently disabled from engaging in any type of gainful employment may apply for an ordinary disability retirement. Upon approval for disability retirement a member is credited with the number of years of service he would have if he remained in service to age 60; however, total actual and projected years of service are limited to 20 years unless the member's actual service exceeds 20 years. Monthly disability benefits are 90% of a regular service retirement allowance. Elected/appointed after July 1, 2014- Disability benefits are equal to 90% of the service retirement benefit that would have been payable. To be eligible for ordinary disability retirements, you must have a minimum of 5 years of creditable service. There is no minimum service requirement for accidental disability benefits; however, the accident must have occurred in the performance of duty.</p> <p>8. Yes both plans have surviving spouse (beneficiary) payment options. 1. Lump Sum Refund - Beneficiary entitled to the amount of total contributions, plus interest. The beneficiary will also receive a matching employer provided amount. 2. 100% Joint and Survivor Annuity for Spouse after 10 years of service - The spouse is entitled to receive a 100% joint and survivor annuity. 3. 100% Joint and Survivor Annuity for any Beneficiary after reaching early retirement eligibility – A person named beneficiary is entitled to receive a 100% joint and survivor annuity. If more than one beneficiary is named each beneficiary is eligible for an equal share of the annuity. If the spouse is named along with other beneficiary (ies) the spouse is entitled to the annuity, but no benefits are paid to the remaining beneficiaries. If you are under age 65 when you die, the benefit will be calculated as if you had retired at age 65. Your surviving spouse must exercise this option within 12 months of your death. If your surviving spouse does not choose this monthly benefit option within 12 months, your beneficiary will receive a lump sum payment of your retirement account (your contributions plus accumulated interest).</p> <p>9. For both plans - upon retirement the member selects from one of 4 options for benefit payments. 1. Regular or Maximum plan - Maximum monthly benefits are payable to a member for life, with all benefits ceasing at death. The beneficiary/estate is entitled to a lump-sum payment of any remaining contributions which had been made by the member and which were not returned to the</p>	<p>If the designated beneficiary dies before the member, the retirement allowance reverts to the maximum amount. 5. Option 4- Modification of Option 2 - A reduced retirement allowance is payable during the retired member's life with the provision that it will continue after his death at 1/2 the rate paid to him and be paid for the life of, and to, his designated beneficiary. If the designated beneficiary dies before the member, the retirement allowance reverts to the maximum amount.</p> <p>10. No</p> <p>11. Through a pension trust fund with employee and/or employer contributions</p> <p>12. No answer</p> <p>13. The member is entitled to his accumulated contributions in a lump sum form.</p> <p>14. No</p> <p>15. Yes, the plan changed effective July 1, 2014. Information regarding both plans are included in our answers.</p>
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	member in the form of retirement benefits. 2. Option 1 - 100% Joint and Survivor - A reduced retirement allowance is payable during the retired members life with the provision that it will continue at the same level after death for the life of, and to, his designated beneficiary...	
Texas	Texas Retirement Benefits before 9/1/1985: Texas Retirement Guide Pre-1985.pdf Texas Retirement Benefits after 9/1/1985: Texas Retirement Guide Post-1985.pdf	
Utah	<p>1. Defined Benefit</p> <p>2. 0%</p> <p>3. 40.1%</p> <p>4. Up to 10 years multiply by 5%; 10- 20 years multiply by 2.25%; over 20 years by 1% As example: a judge on the bench for 15 years could retire at age 65 and receive a benefit of 61% of final salary</p> <p>5. The requirements are strictly age and years of service based. Age 70 w/ 6 years of service; age 62 w/ 10 years of service; age 55 w/ 20 years of service (with an actuarial deduction); any age w/ 25 year of service (with no actuarial deduction).</p> <p>6. There is no maximum</p> <p>7. Any disabled active judge would be covered under Long Term Disability benefits which would pay a percentage of a judge's salary until the judge meets the retirement qualifications at which point they would be removed from LTD, retired, and begin receiving a retirement benefit.</p> <p>8. Yes. There are two options for the surviving spouse of an active judge: 1) Receive a monthly benefit equal to 65% of the monthly benefit of the judge would have received based on the judges years of service calculation at time of death. 2) Take a lump sum amount equal to 65% of the judges most recent 12 months of compensation.</p> <p>9. Yes. The surviving spouse will receive 65% of the monthly...</p>	<p>9 (con't)...benefit the judge was receiving in retirement.</p> <p>10. If a judge is under 65 at retirement a \$25,000 benefit is included. After 65 there is no benefit.</p> <p>11. Through other means</p> <p>12. The system is comprised of two pieces: a \$15 fee on every civil filing, and as part of the general fund appropriation (funding the 40% mentioned of salary mentioned above). These two sources together work out to approximately 51%.</p> <p>13. There are no benefits paid out the judge in this scenario.</p> <p>14. Yes, 75</p> <p>15. No</p>

<p>Virginia</p>	<p>1. Defined Benefit and Defined Contribution</p> <p>2. 5%</p> <p>3. None</p> <p>4. Age, Service Credit and the Highest 36 for Plan 1 Judges or 60 consecutive months of service for Judges under Plan 2 or Hybrid</p> <p>5. 50/10, 55/5, 60/30 or 65/5 for Plan 1 Judges; 60/5, normal Social Security Age with at least 5 years of service or Rule of 90 (Judges Age and Service Credit equal 90) for Plan 2 and Hybrid</p> <p>6. 78%</p> <p>7. Yes. Judges who qualify for Non-Work Related Disability: If you were appointed or elected to an original term prior to January 1, 2013 and are under age 60, the benefit will be equal to 1.7 percent of your average final compensation multiplied by (a) twice the amount of your total weighted service credit or (b) your actual weighted service credit plus the number of years remaining between your age at disability retirement and age 60, whichever is less. If you were appointed or elected to an original term prior to January 1, 2013 and are age 60 or older, the benefit will be equal to 1.7 percent of your average final compensation multiplied by your total weighted service credit. If you are appointed or elected to an original term on or after January 1, 2013 and are under age 60, the benefit will be equal to 1.65 percent of your average final compensation multiplied by (a) twice the amount of your total weighted service credit or (b) your actual weighted service credit plus the number of years remaining between your age at disability retirement and age 60, whichever is less. If a Work-Related Disability: you will receive a refund of your member contribution account balance in addition to a monthly benefit. The monthly benefit is calculated based first on your eligibility for primary Social Security benefits. If you qualify for primary Social Security benefits, the work-related guaranteed benefit will be equal to 50 percent of your average final compensation. You will receive the guaranteed benefit or the full VRS formula amount described in "Non-Work Related Disability Retirement Benefit," whichever is higher. If you do not qualify for primary Social Security benefits, the guaranteed benefit will be equal to 66⅔ percent of your average final compensation. You will receive the work-related guaranteed benefit or the full VRS formula amount, whichever is higher.</p> <p>8. Yes. If a Non-Work Related Death If you die before age 55 (age 60 if you are in Plan 2), you are presumed to be age 55 (or age 60) for purposes of calculating the benefit. If your beneficiary is younger than you, the age difference is subtracted from age 55 (or age 60) to arrive at his or her adjusted age if your beneficiary is</p>	<p>8 (con't)... If he or she is not eligible for Social Security survivor benefits, the VRS work related benefit will be equal to 50 percent of your average final compensation at the time of your death. If your spouse, natural or legally adopted minor child or parent is eligible for a workers' compensation survivor benefit, the VRS work-related benefit will supplement the workers' compensation benefit. The VRS benefit also may be exempt from income taxes.</p> <p>9. Payout is made per the percentage chosen by the retiree at retirement.</p> <p>10. Yes</p> <p>11. Pension trust fund with employee and/or employer contributions</p> <p>12. 5% of all member's contributions</p> <p>13. They would be entitled to a refund/rollover based on vesting (5 or more years of service).</p> <p>14. 70</p> <p>15. Effective January 1, 2014, any Judge appointed to the bench with no prior VRS service will be under the Hybrid Retirement Plan.</p>
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	<p>older than you, the age difference is added to age 55 (or age 60) to arrive at his or her adjusted age. If you die at age 55 or older (age 60 or older if you are in Plan 2), your age and the actual age of your beneficiary are used to calculate the benefit. If a Work-Related Death If your spouse, natural or legally adopted minor child or parent is eligible for Social Security survivor benefits, the VRS work-related benefit will be equal to 33⅓ percent of your average final compensation at the time of your death...</p>	<p>The Hybrid Retirement Plan is a combination of a Defined Benefit Plan and a Defined Contribution Plan.</p>
<p>Washington</p>	<p>1. Defined Benefit</p> <p>2. New judges that enter WA State retirement contribute at a current rate of 9.80%</p> <p>3. The State contributes at a current rate of 11.71%</p> <p>4. For Service Credit earned prior to entering the JBM Program: 2.0% x years of service x AFC (Average Final Compensation). For Judicial Service Credit earned after entering the JBM Program: 3.5% x years of service x AFC For Past Judicial Service Credit increased to the higher multiplier: 1.5% x years of service x AFC</p> <p>5. For the most common open plan, the age of retirement is 65 with at least five years of service. There are early retirement options available for members over age 55 with at least 30 years of service, and access to the accrued benefit for members over age 55 with at least 20 years of service, but this benefit is actuarially adjusted to reflect retirement before age 65.</p> <p>6. 75 % of the Average Final Compensation (AFC)</p> <p>7. Yes, the plan allows a Judge access to their earned benefit. The formula is the same formula as for a service or non-disability retirement, but it is actuarially reduced for retiring prior to the normal retirement age of the plan. 3.5% X years of service X average final compensation X early retirement factor.</p> <p>8. If the Judge had at least 10 years of service, the surviving spouse would have the option to receive a monthly benefit that is earned benefit of the Judge at the time of death (the same formula as above for a disability), but also actuarially reduced to account for the additional life of the spouse.</p>	<p>11. Through pension trust fund with employee and/or employer contributions</p> <p>12. Their benefits are funded as all state employee benefits are funded; through employee and employer contributions to a pension trust fund. Most current Judges are in the open plan for state employees, which is funded at approximately 106%.</p> <p>13. The monthly pension is provided at an eligible retirement age, so if they leave early, they must defer receiving that benefit until their age meets the requirements.</p> <p>14. Generally it is age 75.</p> <p>15. There have been some legislative proposals in previous</p>

	<p>9. No answer</p> <p>10. Not within the retirement plan, but state employees have access to life insurance through our other benefits packages.</p>	<p>legislative sessions for future employees to belong to a DC plan, but that legislation has not passed.</p>
West Virginia	<p>1. Defined Benefit</p> <p>2. Currently 7% - determined annually and can be no less than 7% nor more than 10.5%</p> <p>3. No answer</p> <p>4. There are 2 formulas, depending on date of election. Elected prior to 2005 - 75% of salary of current sitting judge or justice, and can be increased or decreased on an annual basis depending on this salary amount Elected after 2005 - 75% of average of a set number of previously earned salaries at date of retirement, no increases or decreases.</p> <p>5. Elected prior to 2005 - 12 years of actual service as a judge, 4 may come from military service or service as a prosecutor if the latter was served prior to 1988. Judge / Justice who has reached the age of 65 with 16 years credited service may retire with full benefits. Judge / Justice who has reached the age of 62 with 16 years credited service may retire with lesser benefits. A Judge / Justice with 24 years credited service may retire at any age.</p> <p>6. 75% (subject to qualifications of time of election, whether he or she receives relevant increases, etc., described above)</p> <p>7. If a judge or justice becomes disabled during his or her term of service, he or she receives a disability payment equal to salary at time of the disability retirement until the end of the elected term. At the end of the term, he or she receives retirement benefits calculated the same way as able retirees.</p> <p>8. 45% of the salary (determined by the same formula as the decedent's benefit). Where there is no surviving spouse but surviving eligible dependents, they can receive the 45%.</p>	<p>9. 45% - determined by the same formula as though the decedent died during service.</p> <p>10. No, but it is available for optional purchase</p> <p>11. Through pension trust fund with employee and/or employer contributions</p> <p>12. Approximately 120 - 130% at last calculation</p> <p>13. The departing judge can receive back his or her actual contributions</p> <p>14. No</p> <p>15. No</p>
Wisconsin	<p>1. Defined Benefit</p> <p>2. 7.75% in 2014 and 7.7% in 2015</p> <p>3. 7.75% in 2014 and 7.7% in 2015</p> <p>4. Wisconsin Retirement System (WRS) benefits are calculated under 2 separate methods: (1) Formula method: Final average earnings x years of creditable service x any age reduction factor based on age at retirement x formula multiplier (.16 for judges). The final average monthly earnings are calculated by adding the</p>	<p>8 (con't)... is then eligible to receive both the employee and employer contributions to WRS by selecting either a lump sum survivor benefit or a life annuity option.</p> <p>9. It depends upon the annuity option selected</p>

	<p>earnings for the judge's 3 highest calendar years divided by total creditable service divided by 12. (2) Money purchase method: Multiplying the judge's total employee and matching employer balance (money purchase balance) plus interest by an actuarial factor based on the judge's age when his/her annuity begins. A judge's benefit is calculated using both methods and WRS automatically pays the higher amount.</p> <p>5. A judge's normal retirement age is 62 (age when no age reduction factor is applied). An annuity that begins before reaching normal retirement age is reduced by .4% for each month of age below normal retirement age as follows: A judge's annuity is reduced .4% per month between the ages of 55 and 57. Between age 57 and normal retirement age, the .4% is reduced by .001111% for each month of creditable service including creditable active military service. These are permanent reductions to annuities and continue to apply after a judge's normal retirement age.</p> <p>6. If a judge is actively employed after 1999, the maximum monthly formula benefit is 70% of final average earnings.</p> <p>7. To be eligible for a disability retirement benefit, the judge must be disabled because of a physical or mental impairment which is likely to be permanent. The judge must meet a service requirement to qualify.</p> <p>8. Yes. If a judge dies while in service, the judge's beneficiary is eligible for a survivor benefit. If a judge is under age 55 at the time of death, the survivor benefit is a lump sum payment to the beneficiary equal to twice the judge's share. If the judge is 55 or older at the time of death, the survivor benefit is calculated as the higher of twice the judge's share of contributions or as though the judge retired at the date of death and selected a joint and survivor annuity option, continued in full. The spouse, as beneficiary...</p>	<p>by the judge at the time of retirement.</p> <p>10. No</p> <p>11. Pension trust fund with employee and/or employer contributions</p> <p>12. 100%</p> <p>13. The judge may elect to take a separation benefit which would be the contributions he/she paid into the fund. If no separation benefit is elected, the judge's contributions remain in WRS until the judge retires.</p> <p>14. No</p> <p>15. No</p>
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Canada	<p>1. Defined Benefit</p> <p>2. 6%, see s. 50(2)(a) of <i>Judges Act</i>²³</p> <p>3. No answer</p> <p>4. 2/3rds of the salary annexed to the office held by the judge at the time of resignation, removal or attaining the age of retirement. S.42(1) of <i>Judges Act</i>.</p> <p>5. a judge may retire with a pension equivalent to two thirds of the salary annexed to his or her office</p> <ul style="list-style-type: none"> • upon completion of at least 10 years in office and attainment of the age for retirement (75); • upon completion of at least 15 years in office and a combined age and number of years in office not less than 80; • upon resignation on grounds of ill health; • upon completion of at least 15 years in office and where resignation is in the national interest or for the better administration of justice; • upon completion of 10 years in office in the Supreme Court of Canada. <p>6. 2/3rds of the salary annexed to the office held by the judge at the time of resignation, removal or attaining the age of retirement</p> <p>7. If a judge or justice becomes disabled during his or her term of service, he or she receives a normal 2/3rds of salary.</p> <p>8. 1/3rd of the salary of the judge at their death. s. 44(1)(a)</p>	<p>9. 50% of the pension. S. 44 (2)(a).</p> <p>10. yes, s.41.2(1)</p> <p>11. Through pension legislation</p> <p>12.</p> <p>13. Pro-rated based on years of service s. 42(2)</p> <p>14. 70 for provincial, 75 for federal</p> <p>15. No</p>
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²³ Judges Act, R.S.C., 1985, c J-1. <http://laws-lois.justice.gc.ca/eng/acts/J-1/FullText.html>

Appendix B. US Salaries by State (data as of July 1, 2015)

Source: Survey of Judicial Salaries, National Center for State Courts, Vol. 40 No. 2, January, 2016

State	Chief Judge COLR	Assoc. Justice COLR	Intermediate Court Assoc. Justice	General Jurisdiction Judge
Alabama	\$181,127.00	\$180,005.00	\$178,878.00	\$134,943.00
Alaska	\$200,760.00	\$200,172.00	\$189,108.00	\$185,088.00
Arizona	\$160,000.00	\$155,000.00	\$150,000.00	\$145,000.00
Arkansas	\$166,500.00	\$166,500.00	\$161,500.00	\$160,000.00
California	\$241,978.00	\$230,750.00	\$216,330.00	\$189,041.00
Colorado	\$176,799.00	\$173,024.00	\$166,170.00	\$159,320.00
Connecticut	\$200,599.00	\$185,610.00	\$174,323.00	\$167,634.00
Delaware	\$201,131.00	\$192,360.00		\$180,733.00
District of Columbia	\$213,800.00	\$213,300.00		\$201,100.00
Florida	\$162,200.00	\$162,200.00	\$154,140.00	\$146,080.00
Georgia	\$167,210.00	\$167,210.00	\$166,186.00	\$156,252.00
Hawaii	\$222,480.00	\$214,524.00	\$198,624.00	\$193,248.00
Idaho	\$137,000.00	\$135,000.00	\$130,000.00	\$124,000.00
Illinois	\$220,873.00	\$220,873.00	\$207,882.00	\$190,758.00
Indiana	\$165,078.00	\$165,078.00	\$160,468.00	\$137,062.00
Iowa	\$178,538.00	\$170,544.00	\$154,556.00	\$143,897.00
Kansas	\$139,310.00	\$135,905.00	\$131,518.00	\$120,037.00
Kentucky	\$140,504.00	\$135,504.00	\$130,044.00	\$124,620.00
Louisiana	\$172,819.07	\$164,589.59	\$154,059.31	\$148,107.93
Maine	\$149,864.00	\$129,625.60		\$121,472.00
Maryland	\$195,433.00	\$176,433.00	\$163,633.00	\$154,433.00
Massachusetts	\$181,239.00	\$175,984.00	\$165,087.00	\$159,694.00
Michigan	\$164,610.00	\$164,610.00	\$151,441.00	\$139,919.00

Minnesota	\$178,892.00	\$162,630.00	\$153,240.00	\$143,851.00
Mississippi	\$148,097.50	\$142,320.00	\$134,882.75	\$128,042.05
Missouri	\$178,089.00	\$170,292.00	\$155,709.00	\$146,803.00
Montana	\$137,571.00	\$136,177.00		\$126,131.00
Nebraska	\$166,159.00	\$166,159.00	\$157,851.00	\$153,697.00
Nevada	\$170,000.00	\$170,000.00	\$165,000.00	\$160,000.00
New Hampshire	\$160,746.00	\$155,907.00		\$146,236.00
New Jersey	\$192,795.00	\$185,482.00	\$175,534.00	\$165,000.00
New Mexico	\$133,174.31	\$131,174.00	\$124,616.00	\$118,384.00
New York	\$198,600.00	\$192,500.00	\$177,900.00	\$174,000.00
North Carolina	\$143,623.00	\$139,896.00	\$134,109.00	\$126,875.00
North Dakota	\$156,813.00	\$152,436.00		\$139,679.00
Ohio	\$150,850.00	\$141,600.00	\$132,000.00	\$121,350.00
Oklahoma	\$147,000.00	\$137,655.00	\$130,410.00	\$131,835.00
Oregon	\$138,556.00	\$135,688.00	\$132,820.00	\$124,468.00
Pennsylvania	\$209,329.00	\$203,409.00	\$191,926.00	\$176,572.00
Rhode Island	\$189,665.00	\$172,422.00		\$155,235.00
South Carolina	\$151,317.00	\$144,111.00	\$140,508.00	\$136,905.00
South Dakota	\$133,713.00	\$131,713.00		\$123,024.00
Tennessee	\$187,500.00	\$182,508.00	\$173,436.00	\$170,352.00
Texas	\$170,500.00	\$168,000.00	\$158,500.00	\$149,000.00
Utah	\$170,150.00	\$168,150.00	\$160,500.00	\$152,850.00
Vermont	\$154,124.00	\$147,095.00		\$139,837.00
Virginia	\$200,552.00	\$188,949.00	\$173,177.00	\$162,878.00
Washington	\$172,531.00	\$172,531.00	\$164,238.00	\$156,363.00
West Virginia	\$136,000.00	\$136,000.00		\$126,000.00

Wisconsin	\$155,403.00	\$147,403.00	\$139,059.00	\$131,187.00
Wyoming	\$165,000.00	\$165,000.00		\$150,000.00
National Average	\$171,306	\$165,921	\$159,484	\$149,392

Appendix C. Canadian Salaries by Province and Court

Province	Chief Judge COLR	Assoc. Justice COLR	Intermediate Court Assoc. Justice	Provincial Court ²⁴
Newfoundland and Labrador	\$315,900	\$288,100	\$288,100	\$208,448
Nova Scotia	\$315,900	\$288,100	\$288,100	\$
New Brunswick	\$315,900	\$288,100	\$288,100	\$204,700
Prince Edward Island	\$315,900	\$288,100	\$288,100	\$216,268
Quebec	\$315,900	\$288,100	\$288,100	\$227,488
Ontario	\$315,900	\$288,100	\$288,100	\$252,274
Manitoba	\$315,900	\$288,100	\$288,100	\$199,722
Saskatchewan	\$315,900	\$288,100	\$288,100	\$238,943
Alberta	\$315,900	\$288,100	\$288,100	\$255,000
British Columbia	\$315,900	\$288,100	\$288,100	\$231,138
Yukon	\$315,900	\$288,100	\$288,100	\$228,880
Northwest Territories	\$315,900	\$288,100	\$288,100	\$227,011
Nunavut	\$315,900	\$288,100	\$288,100	
National Average	\$315,900	\$288,100	\$288,100	\$228,142

²⁴ See: Nova Scotia Provincial Judges' Salaries and Benefits Tribunal. Retrieved from https://novascotia.ca/just/Court_Services/_docs/Tribunal_Salary_Report_2011-2014.pdf