



# JUDGES' RETIREMENT HANDBOOK

*Judicial Plan & Judicial Plan 2011*

**MOSERS**  
MISSOURI STATE EMPLOYEES' RETIREMENT SYSTEM

# JUDGES' RETIREMENT HANDBOOK

## *Judicial Plan & Judicial Plan 2011*

This handbook contains a general summary of the benefit provisions administered for judges by the Missouri State Employees' Retirement System (MOSERS). It is intended to give you a general idea of your benefits. The benefits described apply to actively employed members of the Judicial Plan on the date this handbook was issued.

For purposes of clarity, the plan provisions that apply to members first employed as a judge on or after January 1, 2011 are referred to as "Judicial Plan 2011" provisions. Members employed as a judge prior to January 1, 2011 are covered under the "Judicial Plan" provisions.

If there is any difference between the information provided in this handbook and the law or policies that govern the plan, the law and policies will prevail. The statutes referenced in this handbook are from the Revised Statutes of Missouri (RSMo).



### We Are Here to Help

Benefit counselors are a valuable source of information regarding your benefits and are available to assist you.



### Schedule an Appointment

Speak with a benefit counselor by phone or make an appointment to visit our office. *Our phones tend to be least busy between 8:00 am and 9:00 am.*



### Call Center Hours

Monday–Friday  
8:00 am–12:00 pm  
1:00 pm–4:30 pm



### Contact Us

Toll Free: (800) 827-1063  
In Jefferson City: (573) 632-6100  
Fax: (573) 632-6103



### Visit Us

907 Wildwood Dr  
Jefferson City, MO



### Mailing Address

PO Box 209  
Jefferson City, MO 65102-0209



### Website

[www.mosers.org](http://www.mosers.org)

Log in to **myMOSERS** to access your personal information, submit forms, and more.

### Connect with Us on Social Media

Be sure to follow us on social media. It's a great way to stay informed and learn about your MOSERS benefits. Invite your coworkers to join us, too!



# Overview

The provisions that apply to you are dependent upon your date of employment as a judge in a MOSERS benefit-eligible position relative to January 1, 2011.

The provisions outlined in this handbook apply to all judicial members unless followed by an orange (★) or blue (★) symbol, which indicates the provision is specific to only one group. For your reference we have provided the key below:

Judicial Plan Key	
★	<b>Judicial Plan</b> – First employed in a MOSERS benefit-eligible position as a judge prior to January 1, 2011
★	<b>Judicial Plan 2011</b> – First employed in a MOSERS benefit-eligible position as a judge on or after January 1, 2011

A **Judicial Plan Comparison** is also available for reference on page 4.

To be eligible for pension benefits under MOSERS as a judge, you must be serving in one of the following positions:

- Judge or commissioner of the supreme court
- Judge or commissioner of the court of appeals
- Judge or associate circuit judge of any circuit court (does not include municipal judge)
- Judge of any probate court
- Judge of any magistrate court
- Judge of any court of common pleas
- Judge of any court of criminal corrections
- Justice of the peace
- Commissioner or deputy commissioner of the probate division of the circuit court appointed after February 29, 1972, in a first class county having a charter form of government or in a city not within a county
- Commissioner of the juvenile division of the circuit court appointed pursuant to **RSMo 211.023**
- Commissioner of the drug treatment court pursuant to **RSMo 478.466**
- Commissioner of any family court

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Review definitions of the terminology used and easily locate information by topic by referring to the [glossary](#) and [index](#) in the back of this handbook.

If you are viewing a PDF of this handbook, use the links provided in blue to quickly locate relevant or additional information about a topic. Click on any topic in the table of contents to go directly to that page.



# Summary of Plan Benefits

## Judicial Plan Comparison

Benefit Provisions	Judicial Plan	Judicial Plan 2011
Member Contributions	<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• 4% of pay</li> </ul>
<b>Vesting</b> <i>Eligible for a future pension</i>	<ul style="list-style-type: none"> <li>• Automatic on the day you become a member</li> </ul>	<ul style="list-style-type: none"> <li>• Automatic on the day you become a member</li> </ul>
Service Purchases	<ul style="list-style-type: none"> <li>• May purchase up to 4 years of active-duty military service or qualifying public sector service at subsidized rate; may also purchase public sector service at full actuarial cost</li> </ul>	<ul style="list-style-type: none"> <li>• May purchase qualifying public sector service at full actuarial cost</li> </ul>
Service Transfers	<ul style="list-style-type: none"> <li>• May transfer state service to other positions covered by MOSERS under 104.800</li> </ul>	<ul style="list-style-type: none"> <li>• May transfer state service to other positions covered by MOSERS under 104.800</li> </ul>
<b>Early Retirement Eligibility</b> <i>Age and service required to receive a <b>reduced</b> pension benefit</i>	<ul style="list-style-type: none"> <li>• Less than 12 years service, or Age 62</li> <li>• Less than 15 years service Age 60</li> </ul>	<ul style="list-style-type: none"> <li>• Less than 12 years service, or Age 67</li> <li>• Less than 20 years service Age 62</li> </ul>
<b>Normal Retirement Eligibility</b> <i>Age and service required to receive an <b>unreduced</b> pension benefit</i>	<ul style="list-style-type: none"> <li>• Age 62 + 12 years service, or</li> <li>• Age 60 + 15 years service, or</li> <li>• Age 55 + 20 years service</li> </ul>	<ul style="list-style-type: none"> <li>• Age 67 + 12 years service, or</li> <li>• Age 62 + 20 years service, or</li> </ul>
<b>Base Benefit Formula</b> <i>Payable for life</i>	<ul style="list-style-type: none"> <li>• Monthly Pay x .50 = Monthly Base Benefit</li> </ul>	<ul style="list-style-type: none"> <li>• Monthly Pay x .50 = Monthly Base Benefit</li> </ul>
<b>Temporary Benefit Formula</b> <i>Stops at age 62</i>	<ul style="list-style-type: none"> <li>• Not available</li> </ul>	<ul style="list-style-type: none"> <li>• Not available</li> </ul>
<b>BackDROP Option</b> <i>Lump-sum payment at retirement in addition to <b>reduced</b> monthly pension</i>	<ul style="list-style-type: none"> <li>• Not available</li> </ul>	<ul style="list-style-type: none"> <li>• Not available</li> </ul>
<b>Benefit Payment Options</b> <i>Determines whether or not a benefit will be paid to anyone after member's death</i>	<ul style="list-style-type: none"> <li>• Life Income Annuity (if unmarried)</li> <li>• Automatic <i>Unreduced</i> Joint and 50% Survivor</li> </ul>	<ul style="list-style-type: none"> <li>• Life Income Annuity</li> <li>• Joint &amp; 50% Survivor</li> <li>• Joint &amp; 100% Survivor</li> <li>• Life Income With 120 Guaranteed Payments</li> <li>• Life Income With 180 Guaranteed Payments</li> </ul>
<b>Optional Life Insurance</b> <i>Coverage at retirement (if eligible); cannot exceed coverage amount while actively employed</i>	<ul style="list-style-type: none"> <li>• Maximum of \$60,000</li> </ul>	<ul style="list-style-type: none"> <li>• Maximum of \$60,000</li> </ul>
<b>Cost-of-Living Adjustment (COLA)</b> <i>Helps offset effects of inflation increasing the cost of goods and services</i>	<ul style="list-style-type: none"> <li>• <b>Sworn in before August 28, 1997</b> Receive 4-5% each year until reaching 65% COLA cap. After reaching cap, the rate is based on 80% of the percentage increase in the average CPI</li> <li>• <b>Sworn in on/after August 28, 1997</b> Based on 80% of the percentage increase in the average CPI (0-5%)</li> </ul>	<ul style="list-style-type: none"> <li>• Based on 80% of the percentage increase in the average CPI (0-5%)</li> </ul>
<b>In-Service COLA</b> <i>Service beyond age 60</i>	<ul style="list-style-type: none"> <li>• Members who work beyond normal retirement have increased benefits upon retirement</li> </ul>	<ul style="list-style-type: none"> <li>• Not available</li> </ul>

★ **Judicial Plan** – First employed in a MOSERS benefit-eligible position as a judge prior to January 1, 2011

★ **Judicial Plan 2011** – First employed in a MOSERS benefit-eligible position as a judge on or after January 1, 2011

# About MOSERS

MOSERS is a single-employer, public employee retirement plan administered in accordance with Chapter 104 of the *Revised Statutes of Missouri (RSMo)*. As a retiree, the benefits you receive are considered a "public pension" for tax reporting purposes.

## Defined Benefit Plan

MOSERS operates as a tax-qualified "defined benefit" plan under Section 401(a) of the Internal Revenue Code. A defined benefit (DB) plan is one that requires a member to be vested (work a set number of years in a benefit-eligible position) and provides a set benefit (based on salary) for life once a member meets the age and service requirements for retirement. In other words, the "benefit" is "defined" by the law.

A DB plan can be either contributory or noncontributory. The Judicial Plan is a noncontributory DB plan. The Judicial Plan 2011 is a contributory DB plan.

Acting as an administrative agent, we oversee the following pension plans, as well as life insurance, and long-term disability insurance benefits for most state employees.

- Missouri State Employees' Plan (MSEP)
  - General State Employees
  - Legislators
  - Elected State Officials
- Missouri State Employees' Plan 2000 (MSEP 2000)
  - General State Employees (including MSEP 2011 members)
  - Legislators (including MSEP 2011 members)
  - Elected State Officials (including MSEP 2011 members)
- Judicial Plan/Judicial Plan 2011
- Administrative Law Judges and Legal Advisors' Plan (ALJLAP)

## The Board of Trustees

### Members

The MOSERS **Board of Trustees** consists of 11 members who are responsible for establishing and maintaining Board policies, procedures, and objectives for all aspects of the System's operations.

Board members include:

- Two active members of MOSERS elected by the active and inactive-vested members
- One retiree elected by the retired members of MOSERS
- Two members of the Senate appointed by the President Pro Tem of the Senate
- Two members of the House of Representatives appointed by the Speaker of the House
- Two members appointed by the Governor
- The State Treasurer
- The Commissioner of Administration

### Responsibilities

- To select and employ a qualified advisor (an actuary) regarding funding of the System
- To arrange annual audits of MOSERS' records and accounts
- To administer MOSERS' retirement plans according to state and federal law
- To approve the MOSERS budget
- To make an ongoing educational commitment to learn more about investments, benefits, and insurance while serving on the Board
- To act as investment fiduciaries when administering MOSERS' assets
- To provide (or contract) life insurance and long-term disability insurance benefits for eligible state employees
- To approve and certify the employer contribution rate

Each September, our **Board of Trustees** establishes an employer contribution rate for the next fiscal year. The contribution rate, which is set as a percentage of payroll, is actuarially calculated to cover the System's benefit obligations and administrative costs for the coming fiscal year and into the future. When the System's actuary calculates the contribution rate, it is based on a number of factors including the current level of benefits, how many members are in the plan, current and expected future pay levels, the age and average life expectancy of members, expected earnings on investments, and the Plan's unfunded liability.

## System Administration

### Record Confidentiality

MOSERS is required to provide, upon written request, the following information with regard to any present or future benefit recipient who is receiving or may be eligible to receive a benefit in the future under any benefit program administered by MOSERS: the benefit recipient's name, eligibility to receive a benefit, dates when a benefit was or will be payable, and current or estimated future benefit amount.

MOSERS will keep all other member records confidential unless:

- The benefit recipient consents in writing to the release of the information
- The information is requested by the benefit recipient's legal representative
- The information is requested pursuant to a subpoena or other legal process as provided by law including, but not limited to, *RSMo 104.312* or *RSMo 104.1051*
- Disclosure is made by MOSERS for a purpose that is compatible with the purpose for which it was collected

You should be aware that when you apply for retirement, it is possible that your employer will become aware that you have applied. This is simply a function of the ongoing flow of information between MOSERS and employers in connection with personnel management and the processing of retirement applications.

### Member Identification Numbers

To help protect you against identity theft, we assign each member a member identification number (Member ID) when you begin working in a MOSERS benefit-eligible position. Your Member ID and Social Security number have been cross-referenced in our computer system so we can identify you using either number and it helps us quickly identify you in our computer system as well as efficiently maintain our records and internal processes.

- Your Member ID will be used on correspondence (except tax documents) instead of your Social Security number. Your Social Security number is required on any tax-related forms used to complete your income tax return (such as a 1099-R).
- While not required, you may use your Member ID when you call or write MOSERS. We can identify you in our system by either Member ID or Social Security number.
- Only after your identity has been authenticated, will we provide your Member ID over the phone.
- Your Member ID cannot be changed.
- Use your Member ID only with MOSERS-related correspondence. Other benefit administrators such as **MCHCP** do not have a record of this number.

Your Member ID is different than your MOSERS Online ID. Log in to **myMOSERS** to create your own Online ID so you can access your personal benefit information.

### Board Appeals

Members, beneficiaries, survivors, retirees, judges, administrative law judges and employers may request review by the MOSERS **Board of Trustees** of an administrative decision made by the executive director, or his/her designee, concerning eligibility for and/or the amount of benefits, service, contributions, refunds, and membership.

The request for review must be in writing and addressed to the executive director or the **Board of Trustees**. The request must state what decision the Board is being asked to review and what action the Board is being asked to take. The request must be made within 60 days after the administrative decision has been mailed or otherwise communicated to the party making the request for review.

The review will be held at the next regularly scheduled Board meeting that is at least 30 days after the date on which the request for review is received, unless another date is mutually agreed to by the parties. The party requesting review (the appellant) will be notified in writing of the date on which the Board will conduct the review.

### ***Forfeiture of Retirement Benefits***

You (and your beneficiary) will forfeit all rights to retirement benefits as described below if you have been:

- Removed from office by impeachment or for misconduct.
- Disbarred from the practice of law.
- Convicted of any felony.

The System shall not pay an annuity to any survivor or beneficiary who is charged with the intentional killing of a member, retiree or survivor without legal excuse or justification. A survivor or beneficiary who is convicted of such charge shall no longer be entitled to receive an annuity. If the survivor or beneficiary is not convicted of such charge, the Board shall resume annuity payments and shall pay the survivor or beneficiary any annuity payments that were suspended pending resolution of such charge.

### ***Annual Financial Report***

***MOSERS' Comprehensive Annual Financial Report*** is designed and published to comply with both Missouri State law and the Government Finance Officers Association's disclosure guidelines applicable to public employee retirement plans.

We will send you a ***MOSERS Summary Annual Financial Report*** each December and the *Comprehensive Annual Financial Report* is available upon request. Both publications are also available on our website.



In addition to your retirement benefits, MOSERS also provides basic and optional life insurance and long-term disability (LTD) insurance. Information about these benefits can be found in the **Basic and Optional Life Insurance** and **Long-Term Disability** handbooks.



# Retirement Planning

There is one point on which most people agree — retirement should be a time of financial security — a reward for a lifetime of hard work. Your continued participation in MOSERS is an important part of ensuring a successful financial future, but not the only part you will need to consider.

## Three-Legged Stool

Financial professionals often refer to sources of retirement income as the “three-legged stool.” The goal of the three-legged stool is to achieve a reasonable level of replacement income to support your financial needs during retirement.

When you retire from state employment, the legs are made up of your MOSERS pension benefit, Social Security, and your personal savings and investments. By familiarizing yourself with your future estimated MOSERS and Social Security benefits, you will be better able to determine how much you will need in personal savings and investments to achieve your desired standard of living during retirement.

Financial planners stress the importance of personal savings and investments and recommend the use of tax-favored savings vehicles (such as MO Deferred Comp) to accumulate personal savings. Visit MO Deferred Comp for more information at [www.modeferredcomp.org](http://www.modeferredcomp.org).

## While You Are Working

- Review your *MOSERS Annual Benefit Statement*. Report any discrepancies to us as soon as possible.
- Purchase, if cost effective for you, any eligible prior service as soon as possible (i.e. time worked in a full-time position for a city, county, public school or other political subdivision in Missouri).
- Evaluate your personal finances periodically as they relate to meeting your financial needs at retirement.
- Read the handbooks and correspondence regarding your benefits. Contact one of our benefit counselors with any questions you have regarding your pension benefits.

- Visit our website to stay updated on the latest news and log in to [myMOSERS](#) to update your personal information, such as address, email, or beneficiaries.
- Start investing for retirement and contribute to **MO Deferred Comp**. This long-term, tax-sheltered savings plan is a good way to supplement your MOSERS pension and Social Security income. There are different options to choose from once you start your monthly contributions through payroll deduction. Choose to invest in a Missouri Target Date Fund, which automatically adjusts your asset allocation during employment and through retirement, or enroll in the self-directed brokerage account for a more hands-on approach.

## MO Deferred Comp Catch-up Provisions

The following provisions allow you to contribute extra money to your MO Deferred Comp account (but they can't be used at the same time):

- **Age 50 and Over Catch-up Provision** - If you are age 50 or over, you may make additional catch-up contributions of \$6,500, if you contribute the maximum \$19,500, for a total of \$26,000 to your deferred comp account.
- **Pre-Retirement Catch-up Provision** - If you are within three years prior to the year of your retirement and have never maxed out before, you may be able to double the normal contribution limit and contribute \$39,000 to your account. To find out if you are eligible for this catch-up, please call MO Deferred Comp's Plan Information Line at (800) 392-0925.

Contributions will be automatically deducted from your paycheck before taxes are taken out. You must also decide how your contribution will be allocated among your choices of investment options. You can obtain information on the available investment options at [www.modeferredcomp.org](http://www.modeferredcomp.org) or by calling (800) 392-0925 and speaking to a participant service representative.

## Employee Contributions

### Judicial Plan 2011 ★

As a member of the Judicial Plan 2011, you are required to contribute 4% of pay to the retirement system, which will earn interest while you are working. You will be required to make contributions to the Judicial Plan 2011, even if you have prior MOSERS-covered service. The retirement plans that cover general state employees and judges are different and separate.

The state of Missouri will pick up and pay the contributions through payroll deduction so it will not be considered taxable income. You do not have the option of choosing to receive the contributed amounts directly instead of having them paid by the employer to the retirement system. Your employee contributions to MOSERS are not available for loans or partial emergency withdrawals.

The interest rate to be credited on your contributions will be 4%. For each year that you still held office on June 30th, interest will be credited on June 30th and applied in mid-July to your balance of any accumulated contributions and any previously credited interest. You must have been employed on June 30th of the previous year in order to be credited any interest on your contributions. Interest credits will stop upon your retirement.

### RSMo 476.521.6 (5)

Please see the [Employee Contributions](#) brochure for more information.

## Automatic Vesting

As a judge, you are automatically “vested” on the day you become a member of the Judicial Plan. The amount of service you earn determines when you will be eligible for a benefit and the amount of your pension benefit. One day of service is earned for each day you serve as a judge. When MOSERS calculates your active service, we use your beginning and ending dates of employment to determine your exact service (years, months, and days).

## How Your Benefit Adds Up

Let’s take a look at the big picture. What is the value of your defined benefit pension? This example provides an estimate of a pension benefit paid over a 15-year period. The following assumptions are used for illustrative purposes only:

Monthly Pay: .....\$13,298.17  
 Annual COLA:.....2%  
*(80% of the percentage increase in the average CPI)\**  
 Length of Retirement: .....15 years

Monthly Pay	\$13,298.17
x Multiplier	(.50)
= <b>Monthly Benefit</b> <span style="float: right;"><b>\$6,649.09</b></span>	

Year	Benefit Amount	COLA	Monthly Benefit	Annual Benefit
1	\$6,649.09		\$6,649.09	\$79,789.08
2	6,649.09	x 1.02 =	6,782.07	81,384.84
3	6,782.07	x 1.02 =	6,917.71	83,012.52
4	6,917.71	x 1.02 =	7,056.06	84,672.72
5	7,056.06	x 1.02 =	7,197.18	86,366.16
6	7,197.18	x 1.02 =	7,341.12	88,093.44
7	7,341.12	x 1.02 =	7,487.94	89,855.28
8	7,487.94	x 1.02 =	7,637.70	91,652.40
9	7,637.70	x 1.02 =	7,790.45	93,485.40
10	7,790.45	x 1.02 =	7,946.26	95,355.12
11	7,946.26	x 1.02 =	8,105.19	97,262.28
12	8,105.19	x 1.02 =	8,267.29	99,207.48
13	8,267.29	x 1.02 =	8,432.64	101,191.68
14	8,432.64	x 1.02 =	8,601.29	103,215.48
15	8,601.29	x 1.02 =	8,773.32	105,279.84
<b>Estimated Total Pension Benefit</b>			<b>\$1,379,823.72</b>	

\* Future COLAs are based on 80% of the percentage increase in the average CPI from one year to the next with an annual maximum of 5% (minimum 0%). Judges first employed prior to August 28, 1997 will receive a COLA of at least 4% (5% maximum) until they reach the 65% COLA cap. After the COLA cap, the rate is based on 80% of the percentage increase in the average CPI. See page 21 for more information on COLAs.

# Career & Life Events That May Affect Pension Benefits

## Divorce

If you have been married at any time while you were employed in a position covered by the Judicial Plan or Judicial Plan 2011 and are considering a divorce, your spouse may be legally entitled to a portion of your pension benefit. By law, your ex-spouse may receive up to 50% of your benefit accrued during all or part of the marriage. See our brochure, *Divorce and Your Pension*, for more details.

## Leaving the Bench

If you leave judicial employment, your benefits are governed by the laws in effect on the day you terminate employment. When you leave judicial employment, your human resources representative will notify us of your termination indicating your last day of service. The amount of service you have earned determines when you are eligible for pension benefits.

We will send you a notice approximately 45 days after we receive notice of your termination. This notice will indicate your options for receiving a pension benefit, an estimate of your benefit amount, and the date you are eligible to begin receiving benefits.

It is important that you keep your address current. Please call, write, or go online to notify us if your phone number(s), mailing address or email address changes. We will send you a retirement packet approximately 4 months prior to your normal retirement date.

## Contribution Refunds

### Judicial Plan 2011 ★

- If you leave employment covered by the Judicial Plan 2011, you may request a refund of your employee contributions including credited interest.
- If you are married at the time you request a refund, the request will not be processed without consent from your spouse. You are not eligible to receive a refund if your pension benefit is subject to a division of benefits order.

[RSMo 476.521 \(6\) 6](#)

- Refunds will be paid after 90 days from your date of termination as a judge or the request, whichever is later, and will include all contributions you paid to any retirement plan administered by MOSERS, plus credited interest, less applicable mandatory federal taxes.
- You may not receive a refund after you become eligible for normal retirement.
- **By receiving a refund, you forfeit all your credited service and future rights to receive benefits from the System. You are not eligible for a refund while receiving long-term disability benefits.**
- If you later become employed as a judge and work continuously for at least one year, the credited service previously forfeited will be restored if you return to the System the amount previously refunded plus interest at a rate established by the MOSERS Board.
- A refund distribution will not be processed until you complete and return to MOSERS the *Request for Refund of Contributions* form.
- Any refund not directly rolled over to an IRA or qualified retirement plan will be reported as taxable income in the year of payment. MOSERS is not liable for any taxes incurred by you as a result of this distribution.
- If you die after submitting a *Request for Refund of Contributions* form but before receiving the distribution, no distribution will be made if you have a surviving spouse and that spouse is eligible for a survivor benefit based on your death. Otherwise, payment will be made to the beneficiary designated on your *Contribution Beneficiary* form. If no beneficiary is living, payment will be made as otherwise permitted by law.
- The refund of contributions becomes irrevocable on the day that MOSERS issues payment.

## Judicial Buyout

If applicable, an active judge may elect a one-time lump-sum payment of their vested MSEP benefit while retaining their Judicial Plan/Judicial Plan 2011 benefit. Taking the lump-sum MSEP payment will forfeit all credible service and future rights to receive retirement annuity and long-term disability benefits relative to that MSEP service.

MSEP benefits are for vested prior service as a general state employee, legislator, or elected state official in Missouri.

For additional information on the buyout option, contact MOSERS or visit our website and view [Frequently Asked Questions Regarding the Judicial Buyout](#) and the [Guide to Rollovers for Your Judicial Buyout Distribution](#).

## Disability

The possibility of becoming incapacitated is an important issue because you never know if or when it will happen. You can decide in advance who will be responsible for managing your MOSERS benefits by designating an agent.

Any employee, beneficiary, or retiree may designate an agent to manage their MOSERS benefits. Complete the *Designation of Agent* form by logging in to [myMOSERS](#), to name an agent and a successor agent. Upon receipt of a physician's statement notifying MOSERS in writing that you are disabled or incapacitated, we will recognize your agent first regarding the distribution of your benefits. The *Designation of Agent* form allows you to choose an agent who can make benefit decisions for you if you become disabled or incapacitated. This form does not give your agent broad powers (control over your other financial affairs) like those usually found in a durable power of attorney. If you are interested in giving your agent broad powers, please consult with an attorney who can advise and help you prepare a durable power of attorney.

MOSERS is not liable with regard to any payment made in good faith.

## Constitutional Disability

Under the Missouri Constitution, you are eligible to apply for disability benefits if you are unable to perform your judicial duties as a result of permanent physical or mental illness. The Commission on Retirement, Removal and Discipline of Judges will investigate all requests for disability benefits. You will be eligible for disability benefits if at least four out of six members of the commission recommend you for disability benefits.

If you are approved for constitutional disability benefits, you will receive 50% of the salary you were earning on the date of your disability. You will continue receiving a monthly disability benefit until the term which you were serving expires. Once your term expires, you may apply for early or normal retirement when you meet the age requirement.

## Long-Term Disability (LTD) Plan

In addition to constitutional disability benefits, you may apply for benefits under MOSERS' LTD plan. If approved for LTD, your monthly disability benefit will equal up to 60% of your monthly salary, less Social Security benefits, workers' compensation, and constitutional disability. If you are still disabled at the end of your term, your LTD benefit will be adjusted to reflect the elimination of your constitutional disability benefit. LTD benefits and the accrual of your service credit will continue until you recover or become eligible for normal retirement (whichever occurs first). For more information regarding your LTD benefits, please refer to MOSERS' [Long-Term Disability Insurance](#) handbook.

## Prior Service Credit

### *Transfer or Purchase of Prior Public Employment Service*

You may receive credit for your full-time, nonfederal public employment within the state of Missouri. Depending on certain criteria, this service may be purchased, transferred, or a combination of the two.

To be eligible to **transfer** your service from another retirement system to MOSERS:

- Your prior employment must be covered by another retirement system and you must be vested in that system
- There must be an agreement between MOSERS and the other retirement system

You may be eligible to **purchase** service if:

- You are not vested or elect to withdraw from the other retirement system
- There is no agreement between the two systems
- Your prior employment was not covered by a retirement system
- You have service remaining after you transfer eligible service

You cannot receive credit for the same period of service under two retirement systems. If you purchase or transfer service credit, you must forfeit all rights to benefits for that same period of service under the other retirement system.

**You must complete any purchase or transfer of service prior to applying for retirement.** If you are interested in purchasing or transferring service, please [contact a benefit counselor](#).

*RSMo: 105.691, 104.344*

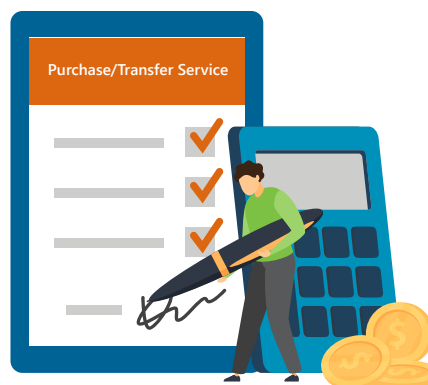
### *Transfer of Service*

In addition to the other transfer provisions referenced here, you may make a one-time transfer of up to eight years of creditable service to or from the following:

- Missouri State Employees' Plan (MSEP)
- Administrative Law Judges and Legal Advisors' Plan (ALJLAP)
- MoDOT and Patrol Employees' Retirement System (MPERS)
- Prosecuting Attorneys and Circuit Attorneys' Retirement System (PACARS)

This one-time transfer must be completed prior to applying for retirement. If you elect to transfer service, you will forfeit any remaining service of that type and all rights to benefits under the retirement plan based on that service. For more information on transferring service, please [contact a benefit counselor](#).

*RSMo: 104.800*



Certain provisions allow you to purchase or transfer several types of service. The purchase or transfer of service may increase the amount of your pension benefit and, in some cases, you may become eligible to retire at an earlier date.

## Military Service Credit

### Automatic Service Credit

If you are called to, or volunteer for, active military duty, the Uniformed Services Employment and Reemployment Rights Act (**USERRA**) protects your employment and benefit rights, provided you meet the eligibility requirements. When you return from military leave, you may be eligible to receive credit for your active-duty military service. This service will be used in determining the amount of, and your eligibility for, a pension benefit. To be eligible for automatic military service credit, you must:

- Have been employed by the state immediately prior to entering the armed forces
- Return to state employment within the time frame specified by **USERRA**
  - **1-30 Days:** Report for work by the beginning of the first regularly scheduled work day that falls eight hours after you return home.
  - **31-180 Days:** Submit an application for reemployment no later than 14 days after completion of military service.
  - **180+ Days:** Submit an application for reemployment no later than 90 days after completion of military service.
  - **Service Connected Injury or Illness:** The reporting and application deadlines listed above will be extended up to two years if you are hospitalized or convalescing because of a service connected injury or illness.
- Provide a copy of your honorable discharge and your military *DD 214* form or other pertinent documentation
- Meet any other requirements under **USERRA**

### Purchase of Prior Military Service Credit - Judicial Plan ✦

As a member of the Judicial Plan, you may purchase up to four years of active-duty military service credit performed prior to becoming a member of MOSERS. This includes active-duty military training.

If you elect to purchase your active-duty military service, you must purchase all that you served (total months and days) up to a maximum of four years, prior to applying for retirement. In connection with such a purchase, MOSERS requires that you submit a copy (not the original) of your military *DD 214* or *NGB 23 Discharge* form, which verifies the following:

- Your service was active duty
- Your service was in an eligible branch of the U.S. Armed Forces or reserve components (Army, Air Force, Navy, Marine Corps, Coast Guard, Army National Guard, or Air National Guard)
- Your dates of service
- You were honorably discharged

**RSMo: 476.524**

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To obtain copies of your *DD 214* or *NGB 23* form, contact:

#### National Personnel Record Center

1 Archives Dr. • St. Louis, MO 63138  
Phone: (314) 801-0800 • Fax: (314) 801-9195

[www.archives.gov/veterans](http://www.archives.gov/veterans)

#### MO National Guard

(if MO listed as home of record at discharge)

2405 Logistics Rd. • Jefferson City, MO 65101  
Phone: (573) 638-9890 or (573) 638-9683  
Fax: (573) 638-9546

[www.moguard.ngb.mil](http://www.moguard.ngb.mil)

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# Ready to Retire

Your eligibility for retirement depends on the amount of credited service you have acquired and your age. In general, the retirement laws in effect on the date you leave state employment determine your eligibility for a benefit and the provisions used to calculate your benefit.

## Normal Retirement

### *Eligibility Requirements*

Your normal retirement date is the date at which you may retire with an unreduced benefit. You will be eligible for normal retirement when you are no longer serving on the bench and meet at least one of the following age and service requirements:

- **Judicial Plan** ✦
  - Age 62 with 12 years of service, or
  - Age 60 with 15 years of service, or
  - Age 55 with 20 years of service
- **Judicial Plan 2011** ★
  - Age 67 with 12 years of service, or
  - Age 62 with 20 years of service

## Early Retirement

If you elect early retirement, you will receive a percentage of the benefit you would have received at normal retirement. You will be eligible for early retirement when you are no longer serving on the bench and meet at least one of the following age and service requirements:

- **Judicial Plan** ✦
  - Age 62 if less than 12 years of service, or
  - Age 60 if less than 15 years of service
- **Judicial Plan 2011** ★
  - Age 67 if less than 12 years of service, or
  - Age 62 if less than 20 years of service

## Calculating Your Pension Benefit

### Monthly Base Benefit

Your "base benefit" is the amount you are entitled to receive at retirement before any reductions for:

- Early retirement
- Joint & survivor options
- Guaranteed payment options
- Ex-spouse payments  
(according to a division of benefits order)

At the time you apply for retirement, we will calculate your base benefit by using a formula that takes into account the following factors:

- **Monthly Pay** – The monthly pay for the highest court held on a full-time basis, at the time you terminate employment
- **Multiplier** – The multiplier, established by the legislature, is currently 50% (.50)

### Monthly Benefit Calculation

As with any formula, it is sometimes helpful to provide an example to see how the calculation works. This example uses the following assumptions:

Monthly Pay: .....\$13,298.17  
Multiplier .....50% or .50

	Monthly Pay	\$13,298.17
x	Multiplier	(.50)
=	<b>Monthly Benefit</b>	<b>\$6,649.09</b>

### Benefit Reduction for Early Retirement

If you elect early retirement, your base benefit will be prorated (reduced) according to the service requirement for normal retirement. The percentage is based on your actual service divided by the amount of service required for normal retirement.

### Benefit Reduction Calculation

For this example, the following assumptions have been made.

Retirement Plan .....	Judicial Plan 2011
Age at Early Retirement.....	62 Years
Actual Credited Service.....	12 Years (144 Months)
Normal Retirement Requirement .....	20 Years (240 Months)
Monthly Pay .....	\$13,298.17
Multiplier.....	50% (.50)

The reduction factor is based on your actual service divided by 144 months (12 years).

	Credited Service	144 Months
÷	Normal Retirement	240 Months
=	<b>Reduction Factor</b>	<b>.60</b>
	Monthly Pay	\$13,298.17
x	Multiplier	.50
x	Reduction Factor	.60
=	<b>Monthly Benefit</b>	<b>\$3,989.45</b>



## Applying for Retirement

Before benefit payments can begin, you must leave employment, meet the age and service requirement for retirement, and complete the application process by completing a retirement application at least 1 month, but not more than 4 calendar months, prior to the month your retirement benefit is to begin.

Estimates from our website or from staff must be verified, meet all legal requirements, and if necessary, be corrected before any payments can be made. Corrections could change the amount of the service and benefits you receive or even your eligibility to receive a benefit.

For your convenience, you may apply for retirement online at [www.mosers.org](http://www.mosers.org). Simply log in to **myMOSERS** using your Online ID and password, then select Retire Online from the menu. Complete the forms below. Check marks will appear in the progress bar as you complete each form.

- *Retirement Application*
- *Direct Deposit Authorization*
- *Substitute W-4P (tax form)*
- *Designation/Change of Beneficiaries (if applicable)*
- *Retain/Change Optional Life Insurance (if applicable)*
- *Designation of Agent (optional)*
- *Authorization to Release information (optional)*

Stay up to date by checking your **Document Express** online mailbox every few days for confirmations and additional correspondence.

### *Acceptable Proof-of-Age and Lawful Presence Documents*

To establish your eligibility for retirement, you must submit one proof-of-age and lawful presence document\* for yourself and one for your spouse (if applicable) with your application (unless you apply online and indicate that you have a valid Missouri Driver's License or Missouri Identification Card). You can upload it by logging in to **myMOSERS**. Click **Online Documents** and then **Document Upload**.

Submit **one** of the following documents:

- Original U.S. Birth Certificate (with embossed, raised seal issued by state or local government)

**OR** a photocopy of one of the following:

- Valid Missouri Driver's License or Missouri Nondriver ID
- U.S. Passport (valid or expired)
- U.S. Certificate of Citizenship
- U.S. Certificate of Naturalization
- U.S. Certificate of Birth Abroad

**If MARRIED**, submit a legible copy of:

- Spouse's proof-of-age and lawful presence document (see above)
- Marriage Certificate

\* We can accept a scanned image of a document except a birth certificate

### **Mandatory Retirement**

You are required by law to retire on or before your 70th birthday. If you fail to retire by age 70, you will forfeit all rights to a pension benefit, annual compensation, or salary.

The easiest and most convenient way to apply for retirement is online at **myMOSERS**. If you choose not to retire online, **contact a benefit counselor** to request a *Retirement Application* and for further instructions.

**Retire Online**

## Benefit Payment Options

As a retired member of MOSERS, you will receive a pension benefit payment each month for your lifetime. Potential survivor benefits are based on your marital status and your plan membership (Judicial Plan or Judicial Plan 2011). A benefit payment option determines whether or not a benefit will potentially be paid to anyone after your death.

### **Judicial Plan** ✦

Members of the Judicial Plan who are married will receive an Automatic Joint & 50% Survivor Benefit. Under this provision, you will receive an unreduced pension benefit for your lifetime. Upon your death, your eligible surviving spouse or child(ren) will receive a monthly survivor benefit equal to 50% of your monthly pension benefit. To be eligible, your surviving spouse must have been married to you for a minimum of two consecutive years immediately prior to the date of your death.

If there is no eligible surviving spouse or your spouse dies while receiving a survivor benefit, a total of 50% of your monthly benefit will be paid to your child(ren) under the age of 21. The benefits will be divided equally among your eligible children and will terminate at the end of the month in which the youngest eligible child reaches age 21. If the child is totally disabled, the benefit will be paid for his or her lifetime.

### **Judicial Plan 2011** ★

Members of the Judicial Plan 2011 may elect one of the following benefit payment options (if otherwise eligible).

- **Life Income Annuity**
  - Your pension benefit will not be reduced for the purpose of providing a survivor benefit.
  - No monthly survivor benefits will be paid to anyone after your death (your spouse's consent is required if married); however, you must name a beneficiary on your retirement application to receive your final benefit payment from MOSERS.
- **Joint & 50% Survivor**
  - Your pension benefit will be reduced to provide a lifetime survivor benefit for your spouse.
  - Your eligible spouse will receive 50% of the benefit amount you were receiving at the time of your death.
  - Survivor benefits will be paid to the spouse named on your retirement application.\*
- **Joint & 100% Survivor**
  - Your pension benefit will be reduced to provide a lifetime survivor benefit for your spouse.
  - Your eligible spouse will receive 100% of the benefit amount you were receiving at the time of your death.
  - Survivor benefits will be paid to the spouse named on your retirement application.\*
- **Life Income With 120 Guaranteed Payments**
  - Your pension benefit will be reduced.
  - You must name a beneficiary (can be a person, charity, or trust) to receive your final benefit payment from MOSERS and any remaining guaranteed payments.
- **Life Income With 180 Guaranteed Payments**
  - Your pension benefit will be reduced.
  - You must name a beneficiary (can be a person, charity, or trust) to receive your final benefit payment from MOSERS and any remaining guaranteed payments.

\* Unless you utilize the joint & survivor divorce pop-up option

**Benefit Payment Option Adjustment Factors** ★

Judicial Plan 2011 benefit payment options require your pension benefit to be reduced in order to provide a survivor benefit after you die. The following summary will help you determine the adjustment factor used in calculating your pension benefit. If you would like an estimate of your monthly pension benefit, [contact a benefit counselor](#) or select **Estimate Your Retirement Benefit** after logging in to [myMOSERS](#).

• **Joint & 50% Survivor**

- If your spouse is **younger** than you  
Factor at retirement age - (Age Difference x .003)
- If your spouse is **older** than you  
Factor at retirement age + (Age Difference x .003)  
*(The adjustment factor cannot exceed 94.25%.)*

• **Joint & 100% Survivor**

- If your spouse is **younger** than you  
Factor at retirement age - (Age Difference x .005)
- If your spouse is **older** than you  
Factor at retirement age + (Age Difference x .005)  
*(The adjustment factor cannot exceed 87.75%.)*

• **Life Income Annuity with 120 Guaranteed Payments**

- Adjustment factor = .93 (93%)

• **Life Income Annuity with 180 Guaranteed Payments**

- Adjustment factor = .86 (86%)

**Adjustment Factor Calculation**

The example below shows how the adjustment factor is calculated. The following assumptions have been made:

Plan.....Judicial Plan 2011  
 Retiree's Age ..... 62 Years  
 Spouse's Age ..... 58 Years (3 years/8 months older)\*  
 Benefit Payment Option.....Joint & 100% Survivor Option  
 Starting Factor (see table below) ..... 85.8% (.858)

\* Age difference is the number of full years your spouse is older or younger than you.

Member's Age at Retirement	Joint & 50% Survivor Starting Factor	Joint & 100% Survivor Starting Factor
55	92.1%	85.8%
56	91.8	85.4
57	91.5	85.0
58	91.2	84.6
59	90.9	84.2
60	90.6	83.8
61	90.3	83.4
62	90.0	83.0
63	89.7	82.6
64	89.4	82.2
65	89.1	81.8
66	88.8	81.4
67	88.5	81.0

Starting Factor	.830
+ (3 Years Age Difference x .005)	.015
<b>= Adjustment Factor</b>	<b>.845</b>

Monthly Benefit	\$6,649.09
x Adjustment Factor	.845
<b>= Adjusted Benefit</b>	<b>\$5,618.48</b>

## Benefit Payment Details

### *Termination and Reemployment Rules*

Except while serving as a senior judge or senior commissioner, you must have a "bona fide termination" from employment before receiving a retirement benefit. For purposes of **MOSERS Board Rules**, a "bona fide termination" occurs when:

- You have completely severed employment;
- You have not entered into a prearranged agreement (written or oral), prior to retirement, with the State of Missouri or any **MOSERS-covered employer** for subsequent employment on any basis (full-time, part-time, or other); and
- **You are not subsequently employed with the State of Missouri or any MOSERS-covered employer on any basis (full-time, part-time, or other) within 30 days after your employment with your prior employer has ended.**

Note: If you serve as a senior judge or senior commissioner without a bona fide termination, all benefit payments received while you are under the age of 59½ may be subject to a 10% early distribution penalty.

For more information see MOSERS Board Rule 4-10.

### *Direct Deposit of Your Benefit Payment*

MOSERS will issue your monthly benefit payment as a direct deposit into your checking or savings account on the **last working day** of each month. When you apply for retirement (or survivor) benefits, you must complete and submit a *Direct Deposit Authorization* form. We cannot issue your payments until you have submitted this completed form.

### *Benefit Payment Deductions*

If applicable, we can withhold the following deductions from your monthly benefit payment:

- Missouri and federal income tax as specified on your **Substitute W-4P** form. (Without this form, we are required to withhold federal taxes as if you are married claiming three allowances.)
- MOSERS optional life insurance premium
- Aflac insurance premium
- Missouri Consolidated Health Care Plan premium
- Miscellaneous deductions such as vision and dental insurance and Missouri State Employees Charitable Campaign (**MSECC**) contributions

### *Protection of Benefits*

Your benefits from MOSERS are not subject to execution, garnishment, attachment, writ of sequestration, or any other process or claim, except with regard to the collection of child support or maintenance, payment made to a former spouse pursuant to a division of benefits order, or an IRS levy. Also, your benefit may not be transferred or assigned. However, you may authorize a deduction from your pension benefit for premiums due for any state-sponsored life or medical insurance, Missouri income taxes, federal income taxes, and Missouri State Employees Charitable Campaign (**MSECC**) contributions.

### *Correcting a Benefit Error*

The executive director of MOSERS is in charge of all records of the System. If, due to an error, you receive more or less than the benefit to which you are entitled, the error, when discovered, will be corrected and your benefit will be adjusted accordingly.

If errors in your records are due to fraud, the perpetrator(s) of the fraud will be subject to a fine or imprisonment.

# Ready to Retire Checklist

It's never too early to start planning for retirement. Our benefit counselors are available to assist you along the way. The checklist below provides a general timetable for retirement preparation.

## 12 Months Prior to Retirement

- Contact a benefit counselor** for an estimate of your pension benefit. Provide us with your spouse's date of birth and the amount of any prior service credit you plan to purchase or transfer (if applicable). You can also generate your own benefit estimate on our website. Log in to **myMOSERS** and choose **Estimate** then **Estimate Your Retirement Benefit**.
- Review your MOSERS *Annual Benefit Statement* and report any discrepancies as soon as possible.
- Review your retirement handbook. Contact one of our benefit counselors with questions you have regarding your pension benefits.
- Contact your Social Security office for a benefit estimate.
  - **Social Security Windfall Elimination Provision (for non-Social Security covered service)** - Generally speaking, the non-Social Security service that would be eligible for credit in MOSERS is not affected by the windfall elimination provision. However, if any service you are considering for purchase is not covered by Social Security, you should contact Social Security to discuss what implications such a purchase would have on your future Social Security benefit.
- Check with **MO Deferred Comp** regarding your distribution options at retirement (if applicable).

## Six Months Prior to Retirement

- Discuss your benefit estimate and, if applicable, the different benefit payment options available in the Judicial Plan 2011 with your family and financial advisor.
- Prepare a retirement budget. Compare your retirement expenses against your MOSERS benefit, Social Security, and any other retirement income such as savings that will be available to you.

- Contact the Missouri Consolidated Health Care Plan (**MCHCP**) or your medical benefit administrator regarding your medical coverage at retirement, and get estimates of premium costs.
- Obtain a copy of an acceptable proof-of-age and lawful presence document (see list on page 16) for yourself and your spouse (if applicable). If married, you must also provide MOSERS with a copy of your marriage certificate.
- Keep us informed. If your phone number(s), email, or address changes, please call, write, or go online to notify us.

## Three Months Prior to Retirement

- Log in to **myMOSERS** and complete your retirement application and related forms. Please submit your retirement application at least 30 days, but not more than 120 days prior to the month your retirement benefit is to begin.
- Make sure you have completed and submitted the required applications to continue your life insurance (if applicable).
- Go online ([www.mchcp.org](http://www.mchcp.org)) or obtain the required form(s) to retain your medical coverage from your human resources representative or **MCHCP** (if applicable).
- Notify your department human resources office regarding your intentions to retire. Find out when you should submit a letter of resignation.
- Contact your local Social Security office to file for benefits if you are eligible and wish to do so.
- Check with **MO Deferred Comp** regarding your distribution options at retirement (if applicable).
- Review your estate/will information and life insurance beneficiary designations (if applicable).

# After Retirement

## Cost-of-Living Adjustments (COLA)

After retirement, you will receive an annual COLA (0-5%) for your lifetime on the anniversary date of your retirement. For example, if you begin receiving retirement benefits on May 1 of this year, your first COLA will be paid with your May 31 benefit next year and each May thereafter.

Your plan provides an annual COLA to eligible retired members, surviving spouses, beneficiaries, or surviving children younger than age 21.

### COLA Rate

- Sworn in Before August 28, 1997 - Judicial Plan ✦**  
 The COLA rate will be equal to 80% of the percentage increase in the average CPI from one year to the next, but will not be less than 4% or more than 5% of the monthly benefit payable prior to the increase, until the total increases equal 65% of your initial benefit (COLA cap).

After you reach 65% in accumulated COLAs, you will continue to receive a COLA each year for your lifetime. The COLA rate will be equal to 80% of the percentage increase in the average CPI from one year to the next with an annual maximum of 5% (minimum 0%).

- Sworn in On or After August 28, 1997**  
 You will be eligible to receive a COLA (0-5%) each year for your lifetime. The annual COLA will be equal to 80% of the percentage increase in the average CPI from one year to the next with an annual maximum of 5% (minimum 0%).

## In-Service COLAs

### Judicial Plan ✦

You will be eligible to receive COLAs for the amount of time you continue working beyond your normal retirement date. Upon retirement, your monthly benefit will be increased by the percentage equal to the COLAs applied between your date of normal retirement eligibility and your date of actual retirement. However, in-service COLAs applicable to post-normal-retirement-age service do not apply to service rendered between the ages of 55 and 60.

### In-Service COLA Calculation

The following example illustrates the effect of the minimum 4% COLA on your benefit, expressed as a percent of pay.

The following assumptions have been made:

Normal Retirement Eligibility .....Age 62, 12 years service  
 Age at Retirement.....Age 70, 20 years service  
 Monthly Pay ..... \$13,298.17  
 Annual COLA.....4% until COLA cap (65% of initial benefit)

Age	Service	Monthly Base Benefit	In-Service COLA	Adjusted Benefit	Benefit as % of Pay
62	12	\$6,649.09	\$0.00	\$6,649.09	50.00%
63	13	6,649.09	265.96	6,915.05	52.00
64	14	6,915.05	276.60	7,191.66	54.08
65	15	7,191.66	287.67	7,479.32	56.24
66	16	7,479.32	299.17	7,778.49	58.49
67	17	7,778.49	311.14	8,089.63	60.83
68	18	8,089.63	323.59	8,413.22	63.27
69	19	8,413.22	336.53	8,749.75	65.80
70	20	8,749.75	349.99	9,099.74	68.43

Adjusted Benefit at Age 70	\$9,099.74
÷ Monthly Pay	\$13,298.17
= <b>Benefit as % of Pay</b>	<b>68.43% (.6843)</b>

You will continue to receive a 4% COLA each year until the total increases equal 65% of your initial benefit (about five more years). After that, your annual COLA will be based on 80% of the percentage increase in the average CPI from one year to the next with an annual maximum of 5% (minimum 0%).

The table below shows the cumulative effect of COLAs under two normal retirement eligibility conditions.

Retirement Age	Age 60 with at least 15 Years Service	Age 62 with at least 12 Years Service
	Benefit as % of Pay	
60	50.00%	
61	52.00	
62	54.08	50.00%
63	56.24	52.00
64	58.49	54.08
65	60.83	56.24
66	63.27	58.49
67	65.80	60.83
68	68.43	63.27
69	71.17	65.80
70	74.01	68.43

## Working After Retirement

Once you retire with MOSERS, you might think about returning to work. It is important for you to know if your monthly pension benefit will be affected. If you do not properly terminate pre-retirement employment, you will not be eligible to retire and receive benefits.

### Reemployment and Your Benefit Payment

Upon meeting the termination and reemployment rules (see page 19), if you go to work for the state in a position that is not deemed benefit-eligible, it will have no impact on your eligibility to continue receiving your MOSERS pension benefit. You may work in that position and receive a retirement benefit from MOSERS.

- **If you are receiving a Judicial Plan or Judicial Plan 2011 benefit and later become reemployed in a position covered by another MOSERS plan** (such as a general state employee, legislator, elected official, or judge), **your monthly benefit will stop while reemployed.** It will begin again upon your subsequent retirement.

If you are a retired judge (with less than 12 years of service) serving as a senior judge, you will receive one additional year of creditable service for each 235-day period of senior judge service. Upon receipt of certification from the state court administrator for serving a 235-day period, your benefit will be recalculated to reflect the additional year of service. If a pro rata portion of the 235-day period will cause your total judicial service to equal twelve years, the service will be credited immediately upon certification and your benefit recalculated. No additional judicial service may be accrued after your total judicial service equals 12 years. You cannot receive senior judge benefits if you are engaged in the private practice of law.

## Marriage and Divorce After Retirement

### *Judicial Plan 2011* ★

When you retire and elect a benefit payment option, there are three conditions under which you may reelect your benefit payment option:

- If you are single at retirement (not eligible to elect a joint & survivor option) and elect the Life Income Annuity option, you may change your benefit option if you later marry. You will have one year from your date of marriage to reelect one of the joint & survivor options and name your spouse as the beneficiary.
- If you elect one of the joint & survivor options on your retirement application and your spouse dies, this provision will allow you to provide a survivor benefit for your new spouse if you remarry. You will have one year from your date of marriage to reelect one of the joint & survivor options and name your new spouse as the beneficiary.

## Death of Your Spouse

### *Judicial Plan 2011* ★

If you are married, you have the option at retirement to elect the Joint & 50% Survivor option or the Joint & 100% Survivor option (see page 17). If your spouse precedes you in death, your benefit will revert (pop-up) to the Life Income Annuity amount. The effective date of the pop-up will be the first of the month following your spouse's date of death. The pop-up is not automatic. You must provide MOSERS with a copy of your spouse's death certificate before your benefit will be adjusted.



# Death & Your Pension Benefit

## Survivor Benefits

When MOSERS is notified of your death, we will send your spouse, child(ren), or the person who contacts us a letter and the *Application for Survivor Benefits* (if applicable). Your spouse/beneficiary must apply for survivor benefits.

### Death Before Retirement (Active)

- **With at Least 12 Years of Service (or Could Have Completed 12 Years by Age 70)** - If you die while serving on the bench and could have completed 12 years of service by age 70, your eligible spouse will receive a reduced lifetime survivor benefit.

Although survivor benefit payments can begin the first of the month following your date of death, they are not automatic. Each eligible benefit recipient must submit an *Application for Survivor Benefits* with the required proof-of-age and lawful presence documentation.

To be eligible, your surviving spouse must have been married to you for a minimum of two consecutive years immediately prior to the date of your death. If there is no eligible surviving spouse, a total of 50% of your monthly benefit will be paid to your children younger than the age of 21 on a pro rata basis. If your spouse dies while receiving a survivor benefit and you have one or more disabled children, a total of 50% of your monthly benefit will be paid to your disabled child (or disabled children on a pro rata basis) for the remainder of that child's life. The benefit will be divided equally among your eligible children and will terminate at the end of the month in which the youngest eligible child reaches age 21, unless a child is totally disabled.

**RSMo: 476.535**

### Survivor Benefit Calculation

The example below shows how this survivor benefit is calculated.

Monthly Pay	\$13,298.17
x Multiplier	.50
x 50% of Monthly Benefit	.50
= <b>Survivor Benefit</b>	<b>\$3,324.54</b>

- **With Less Than 12 Years of Service** - If you die while serving on the bench and could not have completed 12 years of service by age 70, your eligible spouse (or children) may receive a reduced monthly survivor benefit. To be eligible, your surviving spouse must have been married to you for a minimum of two consecutive years immediately prior to the date of your death. The benefit calculation will be prorated (reduced). The reduction factor will consist of the number of years and months of service you could have completed by age 70 (the mandatory retirement age).

### Prorated Survivor Benefit Calculation

This example used the following assumptions:

Monthly Pay.....	\$13,298.17
Minimum Service Requirement	
for Normal Retirement.....	12 Years (144 Months)
Potential Service.....	10 Years (120 Months)
Multiplier .....	50% (.50)

Potential Service	120
÷ Minimum Service Requirement	144
= <b>Reduction Factor</b>	<b>83% (.83)</b>

Monthly Pay	\$13,298.17
x Reduction Factor	.83
x Multiplier	.50
x 50% of Monthly Benefit	.50
= <b>Survivor Benefit</b>	<b>\$2,759.37</b>

### Death Before Retirement (Inactive)

If you die after leaving state employment but prior to retirement, your eligible spouse (or children) may receive a monthly survivor benefit if you have completed at least 12 years of service. **If you have not completed 12 years of service, there is no survivor benefit payable to anyone.**

## Final Benefit Payment

We may prorate your final monthly benefit payment based on your date of death. We will pay it at the end of the month in which you die.

You have the option of designating a beneficiary to receive your final payment. If a beneficiary has not been designated, we will pay the final payment in the following eligibility order to you:

- Surviving spouse (to whom you were married at the time of death)
- Surviving children or their descendants (divided equally)
- Surviving parents (divided equally)
- Surviving brothers and sisters, or their descendants (divided equally)

If there are no eligible family members, we will pay your final benefit payment as otherwise permitted by law.

### Final Benefit Payment Calculation

The following assumptions have been made:

Monthly Benefit .....\$6,649.09

Date of Death .....June 10

Monthly Benefit	\$6,649.09
÷ Days in the Month	30
<b>= Daily Benefit Amount</b>	<b>\$221.64</b>
Daily Benefit Amount	\$221.64
x Days Lived	10
<b>= Prorated Final Benefit Payment</b>	<b>\$2,216.40</b>

## Notification of Death

Notify MOSERS of a member's death as soon as reasonably possible. Timely notification helps us to more quickly pay any benefits that may be due. **Contact us** at:

### Missouri State Employees' Retirement System

907 Wildwood Drive, PO Box 209  
 Jefferson City, MO 65102  
 (573) 632-6100 · (800) 827-1063

[www.mosers.org](http://www.mosers.org)

# Noteworthy Communications

## Retiree Coffee Break Sessions

MOSERS has been delivering Coffee Break sessions across the state since 2008. These sessions are co-hosted by our [Retiree Connection group](#) and are designed to provide educational programs of interest for state retirees. Watch our website, social media pages, and *RetireeNews* for updated information including the yearly schedule and instructions on how to enroll.

## Your Annual Benefit Statement

As a retiree, you will continue to receive information each year, on the anniversary month of your retirement, about your benefits.

## RetireeNews

MOSERS publishes a newsletter, *RetireeNews*, for members who are retired. You may elect to be notified by email when *RetireeNews* is posted to the MOSERS website or have paper copies mailed to you. To check your selection, log in to [myMOSERS](#), under **Personal Information**, click on **Email Options** to review or change your preferences.

## Summary Annual Financial Report

The [Summary Annual Financial Report](#) is on our website and available each year in the fall/winter issue of our newsletters.

## Website and Online Resources

To better serve you, MOSERS is available on the web ([www.mosers.org](http://www.mosers.org)) 24 hours a day, seven days a week, 365 days a year. In addition to accessing your personal information at [myMOSERS](#), you can search our website for valuable benefit information and find a variety of online resources including:

- [Break Even Estimate](#)
  - Prior to retirement, compare the dollar value of different benefit payment options over time.
- [Ready to Retire](#) web page
- [News](#)
- [Online Library](#)
  - Informational materials including handbooks, brochures, forms, etc.
- Other benefit provider links on MOSERS' homepage
- [Death Information](#)

# Glossary

## Terms

### A

#### Actuary

An expert who analyzes risks and computes rates according to probabilities, which are based on known experiences. An actuary is experienced in retirement plan financing and is either a member of the American Academy of Actuaries or is enrolled under the Employee Retirement Income Security Act of 1974.

#### Annuity

Income payable for the lifetime of the retired member in equal monthly payments.

### B

#### Base Benefit

The amount a member is entitled to receive at retirement before any reductions for early retirement or a benefit payment option.

#### Beneficiary

Any person or entity entitled to or designated by a member or retiree who may be legally entitled to receive benefits.

#### Bona fide Termination

For purposes of MOSERS Board Rules, a bona fide termination occurs when: i) a judge has completely severed employment; (ii) the judge has not entered into a prearranged agreement, prior to retirement, with any employer for subsequent employment on any basis (full-time, part-time, or other); and (iii) the judge is not subsequently employed by any employer on any basis (full-time, part-time, or other) within 30 days after the judge's employment with the judge's prior employer has ended.

### C

#### Consumer Price Index (CPI)

The CPI-U is the Consumer Price Index for all urban consumers for the United States, or its successor index, as approved by the Board, as such index is defined and officially reported by the United States Department of Labor, or its successor agency. The CPI is used by MOSERS to determine the annual cost-of-living adjustment (COLA) for benefit recipients.

### E

#### Employee (Benefit-Eligible Position)

Any person who is employed by a department and is paid a salary or wage by a department in a position normally requiring the performance of duties during at least one thousand forty (1,040) hours per year. The term "employee" shall not include any patient or inmate in any state, charitable, penal, or correctional institution, or any person who is employed by a department in a position that is covered by a state-sponsored defined benefit retirement plan not created by Chapter 104 RSMo.

### M

#### Monthly Pay

The compensation authorized by law for the highest judicial position held on a full-time basis. Pay for this purpose is the earnings in effect at the time a judge separates from service. This amount will be used to calculate the judge's pension benefit.

### R

#### Retirement Date

The first day of the month in which a judge begins to receive retirement benefits. Before this date, a judge must leave state employment, meet retirement eligibility criteria, and apply for benefits by completing an application for retirement. The payment date for each month's benefit is the last working day of the month.

### S

#### Salary

The total compensation paid for personal services as a judge by the state or any of its political subdivisions.

### T

#### Termination Date

The last day a judge serves on the bench, as reported by the employing department.

### V

#### Vested

To be "vested" means you are eligible for a future retirement benefit once you meet the age requirement for retirement eligibility.

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