
Judges' Retirement Handbook

Judicial Plan | Judges first employed prior to January 1, 2011
Judicial Plan 2011 | Judges first employed on or after January 1, 2011

This Judicial Plan retirement 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 and acquaint you with the Judicial Plan.

Judges who began working for the state of Missouri in a benefit-eligible position for the first time on or after January 1, 2011 are members of the Judicial Plan but are subject to changes made in accordance with HB 1, as truly agreed and finally passed during the 2010 Special Session of the Missouri General Assembly. For purposes of clarity, the plan provisions that will apply to those who become a member of the Judicial Plan on or after January 1, 2011, are referred to throughout this handbook as "Judicial Plan 2011" provisions.

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

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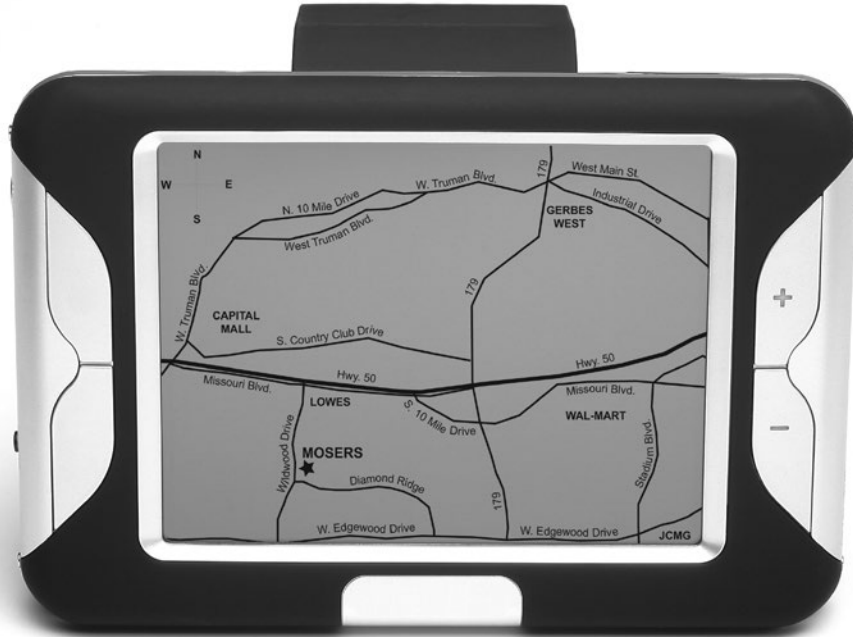
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MOSERS' Mission

MOSERS exists to advance the financial security of its members.

How To Contact MOSERS



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MOSERS benefit counselors are a valuable source for information and assistance regarding your benefits. They can explain the different plan provisions, provide you with a benefit estimate, and counsel you regarding your benefit options.

Our business hours are 7:30 a.m. to 4:30 p.m. Monday - Friday.

Website

www.mosers.org

Telephone

(573) 632-6100

(800) 827-1063

Fax

(573) 632-6103

Email

mosers@mosers.org

Mailing Address

PO Box 209

Jefferson City, MO 65102-0209

Office Location

907 Wildwood Drive

Jefferson City, MO

Social Media





When You Begin State Employment

WHAT IS MOSERS?

MOSERS is a single-employer, public employee retirement plan administered in accordance with Chapter 104 of the Revised Statutes of Missouri (RSMo).

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^① to be vested and it provides a set benefit (based on salary and credited service) 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, MOSERS oversees four separate and distinct plans, which provide retirement, life insurance, and long-term disability benefits to different classifications of employees. The plans administered by MOSERS are:

- **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)**

MOSERS administers the following benefits for most state employees:

- Retirement
- Life Insurance
- Long-term Disability Insurance

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Each September, the MOSERS 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^① 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.

State law requires all public employee retirement systems in Missouri to publish comprehensive annual financial reports. MOSERS’ annual report is designed to comply with both Missouri State law and the Government Finance Officers Association’s disclosure guidelines applicable to public employee retirement plans. A *Summary Annual Financial Report* is provided to you each December, and a *Comprehensive Annual Financial Report (CAFR)* is available to you upon request. Both publications are available on our website.

THE BOARD OF TRUSTEES

Responsibility for the operation and administration of MOSERS is vested in an 11-member board of trustees. Board members include:

- Two active members of MOSERS elected by the active and terminated-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

The board is responsible for establishing and maintaining board policies, procedures, and objectives for all aspects of the retirement system's operations. The day-to-day management of MOSERS is delegated to the executive director who is hired by the board. The executive director acts as advisor to the board on all matters pertaining to the system and, with the approval of the board, contracts for professional services and employs the remaining staff needed to operate the system.

Responsibilities of the Board of Trustees

- To select and employ a qualified advisor (an actuary) regarding funding of the system
- To arrange annual audits of MOSERS' records and accounts
- To approve and certify the employer retirement contribution rate
- To administer MOSERS retirement plans according to the Revised Statutes of Missouri
- 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 benefits for eligible state employees

Legal notices must be in writing and served upon the executive director, or deputy executive director - operations of the Missouri State Employees' Retirement System at:

907 Wildwood Drive
Jefferson City, MO 65109

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SYSTEM ADMINISTRATION

Confidentiality of Your Records

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.

All other member records shall be kept 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 Sections 104.312 or 104.1051, RSMo
- 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 entirely 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.

MOSERS Member ID

Member IDs are our way of helping protect you against identity theft. The ID will help us quickly identify you in our computer system in order to efficiently maintain our records and internal processes. Your member ID and social security number have been cross-referenced in our computer system so we can identify you using either number.

- MOSERS will use your member ID on correspondence (except tax documents) instead of your social security number. We are required to include your social security number on any tax related forms used to complete your income tax return (such as a 1099-R).
- You may use your member ID when you call or write MOSERS; however, you are not required to do so. We can identify you in our system by either member ID or social security number.
- Your member ID will be given out over the phone only after your identity has been authenticated.
- Unlike passwords or PIN numbers, your member ID cannot be changed.
- You should use your member ID only with MOSERS related correspondence. Other benefit administrators (MCHCP, The State of Missouri Deferred Compensation Plan, etc.) do not have a record of this number.

Appeals to the Board of Trustees

Members, beneficiaries, survivors, retirees, judges, administrative law judges and employers may request review by the board of trustees of the Missouri State Employees' Retirement System (MOSERS) of decisions by the executive director of MOSERS, or his/her designee, concerning eligibility for and/or the amount of benefits, service, contributions, refunds, and membership.

The request for review must be stated in writing and addressed to the executive director or the board of trustees. The request must state what decision the board of trustees is being asked to review and what action the board of trustees is being asked to take. The request must be made within sixty (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 thirty (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 of trustees will conduct the review.

Disqualification/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.
- Found guilty on or after August 28, 2014 of a felony under state law (or a substantially similar offense provided under federal law) involving stealing or receiving stolen money, property, or service valued at \$5000 or more, forgery, counterfeiting, bribery of a public servant, or acceding to corruption, in connection with your duties as a judge. (This forfeiture applies only to retirement benefits accrued on or after August 28, 2014.) However, if you are such a member of the Judicial Plan 2011, you may still request from MOSERS a refund of your contributions including interest credited to your account.

SUMMARY OF BENEFITS - JUDGES

November 2016

Judicial Plan	Judicial Plan 2011
Vesting - <i>Eligible for a future retirement benefit</i>	
• Automatic on the day you become a member	• Automatic on the day you become a member
Base Benefit Formula - <i>Payable for your lifetime</i>	
• Monthly Pay x .50 = Monthly Base Benefit	• Monthly Pay x .50 = Monthly Base Benefit
Temporary Benefit Formula - <i>Stops at age 62</i>	
• Not available	• Not available
Benefit Payment Options - <i>Determines whether or not a benefit will be paid to anyone after your death</i>	
<ul style="list-style-type: none"> • Life Income Annuity (if unmarried) • Automatic <i>Unreduced</i> Joint and 50% Survivor Option 	<ul style="list-style-type: none"> • Life Income Annuity • Joint & 50% Survivor • Joint & 100% Survivor • Life Income With 120 Guaranteed Payments • Life Income With 180 Guaranteed Payments
Cost-of-Living Adjustment (COLA) - <i>Helps maintain your purchasing power as inflation increases the cost of various items you buy</i>	
<ul style="list-style-type: none"> • If hired before August 28, 1997, you will receive 4-5% each year until you reach 65% cap. After COLA cap, the rate is based on 80% of the percentage increase in the average CPI; • If hired on or after August 28, 1997, based on 80% of the percentage increase in the average CPI (0-5%) 	• Based on 80% of the percentage increase in the average CPI (0-5%)
Normal Retirement Eligibility - <i>Age and service required to receive an unreduced retirement benefit</i>	
<ul style="list-style-type: none"> • Age 62 with 12 years service • Age 60 with 15 years service • Age 55 with 20 years service 	<ul style="list-style-type: none"> • Age 67 with 12 years service • Age 62 with 20 years service
Early Retirement Eligibility - <i>Age and service required to receive a REDUCED retirement benefit</i>	
<ul style="list-style-type: none"> • Age 60 if less than 15 years service • Age 62 if less than 12 years service 	<ul style="list-style-type: none"> • Age 67 if less than 12 years service • Age 62 if less than 20 years service
In-Service COLA - <i>Service beyond age 60</i>	
• Members who work beyond normal retirement have increased benefits upon retirement	• Not available
Optional Life Insurance - <i>Coverage at retirement (if applicable); cannot exceed coverage amount while actively employed</i>	
• Maximum of \$60,000	• Maximum of \$60,000
Reemployment After Retirement	
• Reemployment has no effect unless you return as a judge	• If reemployed in a MOSERS or MPERS benefit-eligible position, your Judicial Plan 2011 benefits will stop
BackDROP - <i>Partial lump sum payment option in exchange for a reduced ongoing monthly benefit</i>	
• Not available	• Not available
Service Purchases	
• 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	• May purchase qualifying public sector service at full actuarial cost
Service Transfers	
• May transfer state service to other positions covered by MOSERS under 104.800	• May transfer state service to other positions covered by MOSERS under 104.800
Member Contributions	
• None	• 4% of pay

The provisions of your retirement benefit are based on your date of membership in the Judicial Plan. Where different, eligibility criteria will be noted in section headings.

Membership Requirements

To be eligible to participate in the Judicial Plan, 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 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 Section 211.023 of the Missouri Revised Statutes
- Commissioner of the drug court pursuant to Section 478.466
- Commissioner of the family court

RESOURCES FOR BENEFIT INFORMATION

Benefit information is available to you in the following ways:

- **Website** (*www.mosers.org*)
 - Explore all the information and tools that are available to you including your retirement handbook, videos, financial calculators and more.
 - Get organized and reduce paper. Sign up for email delivery of MOSERS publications. This includes your *Annual Benefit Statement*, which is a summary of your service, beneficiaries and benefits.
 - **Rumor Central: Straight Talk About Your Benefits Blog** – Sign up for online updates to keep you in the loop regarding straight talk about MOSERS benefits.
 - Log into your **Member Homepage**. From *www.mosers.org*, click on **Member Login** and follow the instructions to access your personal information including beneficiary designations, future benefit estimates, annual benefit statements and much more.
- **PensionsPlus Newsletter** - As an active state employee, you will receive an electronic *PensionsPlus* newsletter. Every time a new issue is published, a notification will be sent directly to your inbox. View previous issues in our online archive to read more about issues related to your retirement.
- **Annual Benefit Statement** - Once a year, you will receive a summary of your benefits, service, and contributions (if applicable). This can be viewed online in Document Express from your **Member Homepage**.
- **Benefit counselors** - Our benefit counselors are available by email, in person and by phone during business hours.
- **State Statutes** - The laws that govern MOSERS are found primarily in chapters 104, 105 and 476 of the *Revised Statutes of the State of Missouri*.



Throughout Your Career

PLANNING AHEAD FOR YOUR RETIREMENT

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 that will support your financial needs during retirement.

When you retire from state employment, the legs are made up of your Judicial Plan benefit, social security, and your personal savings and investments. By familiarizing yourself with your future estimated Judicial Plan 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 the MO Deferred Comp Plan) to accumulate personal savings. Visit the MO Deferred Comp website at www.modeferrredcomp.org for more information about the plan.

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 the Judicial Plan is an important part of ensuring a successful financial future, but not the only part you will need to consider.

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While You Are Working

- Review your MOSERS *Annual Benefit Statement*. Report any discrepancies to MOSERS as soon as possible.
- Purchase, if cost effective for you, any eligible prior service credit 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 a MOSERS benefit counselor with any questions you have regarding your retirement benefits.
- Visit our website to stay updated on the latest news and to update any 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 Judicial Plan retirement 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.
- Check out the financial calculators on MOSERS' website for mortgage loans, car loans, and paying off credit card debt.

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 retirement 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 retirement benefit? This example provides an estimate of a retirement benefit paid over a 15-year period. The following assumptions are used for illustrative purposes only:

Final Average Pay:.....\$9,000.00
 Annual COLA:.....2% (80% of the percentage increase in the average CPI)*
 Length of Retirement: 15 years

9,000 x .50 = 4,500 Base Benefit

Year			COLA		Monthly Benefit	Annual Benefit
1	\$4500.00				\$4,500.00	\$54,000.00
2	4500.00	x	1.02	=	4,590.00	55,080.00
3	4590.00	x	1.02	=	4,681.80	56,181.60
4	4681.80	x	1.02	=	4,775.44	57,305.28
5	4775.44	x	1.02	=	4,870.95	58,451.40
6	4870.95	x	1.02	=	4,968.37	59,620.44
7	4968.37	x	1.02	=	5,067.74	60,812.88
8	5067.74	x	1.02	=	5,169.09	62,029.08
9	5169.09	x	1.02	=	5,272.47	63,269.64
10	5272.47	x	1.02	=	5,377.92	64,535.04
11	5377.92	x	1.02	=	5,485.48	65,825.76
12	5485.48	x	1.02	=	5,595.19	67,142.28
13	5595.19	x	1.02	=	5,707.09	68,485.08
14	5707.09	x	1.02	=	5,821.23	69,854.76
15	5821.23	x	1.02	=	5,937.65	71,251.80
Estimated Total Retirement Benefit						\$933,845.04

* 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 29 for more information on COLAs.

LIFE EVENTS

Divorce and Your Retirement Benefit

If you have been married while you were employed in a position covered by the Judicial Plan and are considering a divorce, your spouse may be legally entitled to a portion of your retirement benefit. According to the law, your ex-spouse may receive up to 50% of your benefit accrued during all or part of the marriage. For more information go online or contact MOSERS to request a *Divorce and Your Retirement Benefit* brochure.

Members of the Judicial Plan 2011

If you are married and request a refund of contributions, the request will not be processed without your spouse's consent. You are not eligible to request a refund if your retirement benefit is subject to a division of benefit order.

Survivor Benefits When You Die

No Longer Serving on the Bench

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.**

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 life annuity with reduced survivor options. Although survivor benefit payments 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.

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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 children under the age of 21. 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.

Example of Survivor Benefit Calculation

Monthly Compensation	x	Multiplier	x	50% of Monthly Benefit	=	Survivor Benefit
\$9,000	x	.50	x	.50	=	\$2,250

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).

Example of Prorated Survivor Benefit Calculation

For this example, the following assumptions have been made.

Monthly Compensation	\$9,000
Minimum Service Requirement for Normal Retirement	12 Years (144 Months)
Potential Service	10 Years (120 Months)
Multiplier	50% (.50)

Reduction Factor Calculation

Potential Service	÷	Minimum Service Requirement	=	Reduction Factor
120	÷	144	=	83% (.83)

Prorated Survivor Benefit Calculation

Monthly Compensation	x	Reduction Factor	x	Multiplier	x	50% of Monthly Benefit	=	Survivor Benefit
\$9,000	x	.83	x	.50	x	.50	=	\$1,867.50

If You Become Disabled or Incapacitated

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 judicial retirement benefits (whichever occurs first). For more information regarding your LTD benefits, please refer to MOSERS' *Long-Term Disability* handbook (available online).

Designation of Agent

If you become disabled or incapacitated (no longer able to handle your own affairs), the Judicial Plan must pay benefits to the individual who has legal responsibility for your financial matters. 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 Judicial Plan benefits by designating an agent.

Any employee, beneficiary, or retiree may designate an agent with regard to the application for receipt of an annuity or any other benefits from MOSERS. Complete the *Designation of Agent* form to name an agent and a successor agent. MOSERS will recognize your agent first regarding the distribution of your benefits upon receipt of a physician's statement notifying MOSERS in writing that you are disabled or incapacitated. If your agent cannot or will not perform these duties, MOSERS will look to your successor agent for instructions (if one has been named).

The *Designation of Agent* form allows you to choose an agent who can make decisions for you about your MOSERS benefits 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.

If you become disabled or incapacitated and have not designated an agent to make decisions regarding your Judicial Plan benefits, one of the following persons may act as an agent upon submission of a written statement from your physician regarding your disability or incapacity and the completion of a family member affidavit (available by contacting MOSERS). MOSERS is not liable with regard to any payment made in good faith to your agent. The powers of an agent will be granted, in the following order, to your:

- Spouse
- Child
- Parent
- Brother or sister
- Niece, nephew, or grandchild

If You Leave the Bench

If you leave judicial employment, your benefits are governed by the laws in effect on the day you terminate. When you leave judicial employment, your human resources representative will send MOSERS a termination form indicating your last day of service. The amount of service you have earned determines when you are eligible for retirement benefits. You will receive a notice from MOSERS approximately 45 days after we receive your termination form. This notice will indicate your option(s) for receiving a retirement benefit, an estimate of your benefit amount, and the date you are eligible to begin receiving benefits.

It is important that you keep your email and mailing addresses current. Please call, write, or go online to notify MOSERS if your email or mailing address changes.



Approaching Retirement

Approaching Retirement Checklist

Three to Five Years From Retirement

- As a Judicial Plan 2011 member, you can view your estimate on our website. Log in to your **Member Homepage** and choose **Estimates** then **Estimate Your Retirement Benefit**. As a Judicial Plan/Judicial Plan 2011 member, you may contact a MOSERS benefit counselor for an estimate of your retirement benefit.
- Complete the necessary procedures to acquire credit for any service you intend to purchase/transfer (public employment, etc.). Please note that in most instances, the purchase of any service should be completed early in your career to minimize the cost of the purchase.
- Review your MOSERS *Annual Benefit Statement*. Report any discrepancies to MOSERS as soon as possible.
- Review your retirement handbook. Contact a MOSERS benefit counselor with any questions you have regarding your retirement benefits.
- Contact your social security office for an estimate of your social security benefit.
 - **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 the service you are considering for purchase is not covered by social security, you should contact a social security office to discuss what implications this purchase would have on your future social security benefit.
- Contact MO Deferred Comp regarding your distribution options at retirement (if applicable)
 - Give your supplemental retirement savings a boost. See page 19 for provisions that allow you to contribute extra money to your account.

Six Months From Retirement

- Discuss your benefit estimate and 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 Judicial Plan 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.
- Obtain a copy of an acceptable proof-of-age and lawful presence document (see list on page 23) for yourself and your spouse (if applicable). If married, you must also provide MOSERS with a copy of your marriage certificate.
- It is important to keep MOSERS informed about your current mailing and email address. Please call, write, or go online to notify MOSERS when your address changes.

SERVICE CREDIT

In addition to your active service, you may have earned service prior to becoming a member of the Judicial Plan that may also be counted as service.

Prior Service (All Members of the Judicial Plan)

You can accrue service in the Judicial Plan by:

- Serving in an eligible position.
- Purchasing full-time, nonfederal public employment performed in Missouri.

Automatic Military Service Credit (All Members of the Judicial Plan)

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 in the Judicial Plan for your active-duty military service. This service will be used in determining the amount of and your eligibility for a retirement 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 8 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 2 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.

Members of the Judicial Plan first employed prior to January 1, 2011

- May acquire additional service through subsidized purchase of military and other full-time, nonfederal, public employment.

Members of the Judicial Plan first employed on or after January 1, 2011

- No subsidized service purchases - prior service must be purchased at full actuarial cost.

Purchasing Prior Military Service Credit (Members of the Judicial Plan Prior to January 1, 2011)

Active Military Service and Active Military Training (476.524 RSMo)

You may purchase up to four years of active-duty military service credit performed prior to becoming a judge. 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 *DD214* 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

Transferring/Purchasing Prior Public Employment Service (All Members of the Judicial Plan)

Under the provisions of Section 105.691, RSMo, 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 purchase/transfer.

To be eligible to **transfer** your service from another retirement plan to the Judicial Plan:

- Your prior employment must be covered by another retirement system and you must be vested in that system.
- There must be an agreement between the Judicial Plan 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 to the Judicial Plan, you must forfeit all rights to benefits for that same period of service under the other retirement system.

You must complete any purchase/transfer of service prior to applying for retirement. If you are interested in purchasing or transferring service, please go online to MOSERS' website (www.mosers.org) or contact a MOSERS benefit counselor for an application and, depending on your plan, either the *MSEP/MSEP 2000 Acquiring Service Credit* or *MSEP 2011 Acquiring Service Credit* brochure.

Obtain a copy of your DD 214 or NGB 23 by contacting:

National Personnel Record Center

1 Archives Dr.

St. Louis, MO 63138

Phone: (314) 801-0800

Fax: (314) 801-9195

Email: mpr.center@nara.gov

Website: www.archives.gov/veterans

MO National Guard (if MO listed as home of record at discharge)

2405 Logistics Rd.

Jefferson City, MO 65101

(573) 638-9890 or 9890

Phone: 573-638-9683 OR 9890

Fax: 573-638-9546

Website: www.moguard.com

Transferring Prior State Service (All Members of the Judicial Plan)

You may be able to increase your retirement benefit by transferring service to the Judicial Plan. Section 104.800, RSMo, allows you to make a one-time transfer of **up to eight years** of creditable service to or from the following retirement systems:

- Missouri State Employees' Plan (MSEP)
- Missouri State Employees' Plan 2000 (MSEP 2000)/Missouri State Employees' Plan 2011 (MSEP 2011)
- 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 between retirement plans must be completed prior to your date of 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 MOSERS benefit counselor.

MEMBER CONTRIBUTIONS AND REFUNDS

Contributions (Members of the Judicial Plan First Employed on or After January 1, 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. 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.

Prior MOSERS Service

If you first become a judge on or after January 1, 2011, 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.

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In accordance with Section 476.521.6(5) RSMo, 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.

Refunds (Members of the Judicial Plan First Employed on or After January 1, 2011)

- If you terminate employment covered by the Judicial Plan 2011, you may request a refund of your 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 retirement benefit is subject to a division of benefit order pursuant to section 104.312, RSMo.
- 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 the Judicial Plan 2011, plus credited interest, less applicable mandatory federal taxes.
- You may not receive a refund after you become eligible for normal retirement.

No part of your contributions to the retirement system is available for loans or partial emergency withdrawals.

- By receiving a refund, you forfeit all your credited service and future rights to receive benefits from the system. You will not be eligible to receive any long-term disability benefits; if receiving long-term disability benefits, you are not eligible for a refund.
- 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 the *Request for Refund of Contributions* form is completed and returned to MOSERS.
- 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 mails or electronically transfers payment.
- Please allow 60 days for MOSERS to process your refund request after the 90-day waiting period is complete.

Please see the *Member Contributions* brochure on our website for more information.

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 \$6,000, if you contribute the maximum \$18,000, for a total of \$24,000 to your deferred comp account.
- **Pre-Retirement Catch-up Provision** - If you are within three years prior to the year of your retirement, you may be able to double the normal contribution limit and contribute \$36,000 to your account. You cannot contribute to the Three-Year Special Catch-Up and the Age 50 and Over Catch-Up Contribution during the same tax year.

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 on the MO Deferred Comp website, www.modeferrredcomp.org or by calling (800) 392-0925 and asking to speak to a plan representative.



Ready to Retire

READY TO RETIRE CHECKLIST

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

The purchase of prior service credit must be completed before applying for retirement.

Three Months From Retirement

- Log in to your Member Homepage and complete your *Retirement Application for Administrative Law Judges and Legal Advisors* or the *Retirement Application for Judges* (for judges who first became a member of the Judicial Plan on or after January 1, 2011) and related forms. **Submit your application to MOSERS at least 30 days, but not more than 90 days, prior to the month your retirement benefit is to begin.**
- Go online or obtain the required form(s) to retain your medical coverage from your human resources representative or MCHCP (if applicable).
- Make sure you have completed and submitted the required applications to continue your life insurance (if applicable).
- Notify your department personnel 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).

One Month From Retirement

- Follow up with your medical insurance provider if you plan to continue your medical coverage during retirement.
- Follow up with social security if you applied for benefits and have not received an acknowledgment.
- Review your estate/will information and life insurance beneficiary designations (if applicable).
- Follow up with MO Deferred Comp (if necessary).

Members of the Judicial Plan 2011 must elect a benefit payment option.

Retirement Date - The day a judge begins to receive retirement benefits. The payment date for each month's benefit is the last working day of the month.

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

RETIREMENT

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

Your normal annuity starting 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:

Members of the Judicial Plan First Employed Prior to January 1, 2011

- Age 62 with 12 years of service
- Age 60 with 15 years of service
- Age 55 with 20 years of service

Members of the Judicial Plan First Employed on or After January 1, 2011

- Age 67 with 12 years of service
- Age 62 with 20 years of service

Base Benefit Formula

At the time you apply for retirement, your base benefit[Ⓛ] is calculated by using a formula that takes into account the following factors:

- The monthly salary[Ⓛ] for the highest court held on a full-time basis, at the time you terminate employment.
- A multiplier established by the legislature (currently 50% or .50).

“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)

$$\text{Monthly Compensation} \quad \times \quad \text{Multiplier (.50)} \quad = \quad \text{Monthly Base Benefit}$$

Example of Base Benefit Formula

For this example, the following assumptions have been made. *(The same assumptions will be used in later examples, unless otherwise noted.)*

Monthly Compensation	\$9,000
Multiplier	50% (.50)

$$\begin{array}{rcccl} \text{Monthly Compensation} & \times & \text{Multiplier (.50)} & = & \text{Monthly Base Benefit} \\ \$9,000 & \times & .50 & = & \$4,500 \end{array}$$

In general, the retirement laws in effect on the date you leave the bench determine both your eligibility for a benefit and the provisions used to calculate your benefit.

Early Retirement Eligibility

When 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:

Members of the Judicial Plan First Employed prior to January 1, 2011

- Age 60 if less than 15 years of service
- Age 62 if less than 12 years of service

Members of the Judicial Plan First Employed on or after January 1, 2011

- Age 67 if less than 12 years of service
- Age 62 if less than 20 years of service

Under Internal Revenue Code, pension plans such as the Judicial Plan must limit retirement benefits and compensation used to determine retirement benefits. The limits are indexed to increase in increments of \$5,000 depending on the rate of inflation (and amendments to the law).

Early Retirement Benefit Formula

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.

Actual Service	÷	Normal Retirement Service Requirement	=	Reduction Factor
Monthly Compensation	x	Multiplier	x	Reduction Factor
			=	Early Retirement Monthly Benefit

Example of Early Retirement Benefit Formula

For this example, the following assumptions have been made.

Retirement Plan.....	Judicial Plan 2011
Age at Early Retirement.....	62 Years
Credited Service.....	12 Years (144 Months)
Normal Retirement Service Requirement.....	20 Years (240 Months)
Monthly Compensation	\$9,000
Multiplier	50% (.50)

Early Retirement Reduction Factor Calculation

Actual Service	÷	Normal Retirement Service Requirement	=	Reduction Factor
144 Months	÷	240 Months	=	60% (.60)

Base Benefit Calculation for Early Retirement

Monthly Compensation	x	Multiplier	x	Reduction Factor	=	Early Retirement Monthly Benefit
\$9,000	x	.50	x	.60	=	\$2,700

APPLYING FOR RETIREMENT

To apply for benefits, you must submit a completed retirement application for at least 30 days, but not more than 120 days, prior to the month your retirement benefit is to begin. Estimates provided to you through the MOSERS 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. From www.mosers.org, log in to your **Member Homepage** or contact a benefit counselor for an application.

- **Judicial Plan (Members First Employed Prior to January 1, 2011)**
Please submit the *Retirement Application for Judges and Administrative Law Judges and Legal Advisors*.
- **Judicial Plan (Members First Employed on or After January 1, 2011)**
Please submit the Judicial Plan 2011 *Retirement Application for Judges*. If you are married and do not elect a joint and survivor option, you must submit the application in the paper form and it must be signed by your spouse.

Acceptable Proof-of-Age and Lawful Presence Documents

To establish your eligibility for retirement, you must submit an acceptable proof-of-age and lawful presence document with your retirement application. Please submit **one** of the following documents:

- U.S. Birth Certificate (certified with embossed or 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 Naturalization
- U.S. Certificate of Citizenship
- U.S. Certificate of Birth Abroad

If you are married and plan to elect a joint and survivor benefit payment option, please submit your spouse's proof-of-age and lawful presence document and a photocopy of your marriage certificate with your retirement application. MOSERS cannot complete the verification of your retirement benefit without these documents.

In addition to the retirement application, complete the following forms (if applicable) during the retirement process:

- *Direct Deposit/Pay Card Authorization*
- *Substitute W-4P (Tax Withholding)*
- *Designation of Agent*
- *Retain/Change Optional Life Insurance*
- *Retain/Terminate Dependent Child Life Insurance*
- *Designate/Change of Beneficiaries-Basic & Optional Life Insurance*
- *Authorization to Release Information*

For information about benefit payment options if you marry after retirement see page 32.

SURVIVOR BENEFITS

As a retired member of the Judicial Plan you will receive a benefit payment each month for your lifetime. Potential survivor benefits are also available based on your marital status and date of membership in the Judicial Plan. A benefit payment option determines whether or not a benefit will potentially be paid to anyone after your death.

Automatic Survivor Benefit (Members of the Judicial Plan First Employed Prior to January 1, 2011)

If you were first employed prior to January 1, 2011 and are married, you will receive the Automatic Joint & 50% Survivor Benefit. Under this provision, you will receive an unreduced retirement 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 retirement 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.

Benefit Payment Options (Members of the Judicial Plan First Employed on or After January 1, 2011)

If you were first employed as a judge on or after January 1, 2011, you may elect one of the following benefit payment options (if otherwise eligible).

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Life Income Annuity	<ul style="list-style-type: none"> Your retirement 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	<ul style="list-style-type: none"> Your retirement 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	<ul style="list-style-type: none"> Your retirement 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	<ul style="list-style-type: none"> Your retirement benefit will be reduced. You must name a beneficiary (can be anyone) to receive your final benefit payment from MOSERS and any remaining guaranteed payments.
Life Income With 180 Guaranteed Payments	<ul style="list-style-type: none"> Your retirement benefit will be reduced. You must name a beneficiary (can be anyone) to receive your final benefit payment from MOSERS and any remaining guaranteed payments.

Benefit Payment Option Adjustment Factors

Benefit payment options require your retirement 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 retirement benefit. If you would like an estimate of your monthly retirement benefit, please contact a MOSERS benefit counselor or select **Estimate Your Retirement Benefit** on your Member Homepage.

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

Joint & 50% Survivor Option	Starting Factor Used to Determine Adjustment Factor	
<u>If your spouse is younger than you</u> Factor at retirement age - (Age Difference x .003)	Member's Age at Retirement	Starting Factor
	55	92.1%
	56	91.8
<u>If your spouse is older than you</u> Factor at retirement age + (Age Difference x .003) <i>(The adjustment factor cannot exceed 94.25%.)</i>	57	91.5
	58	91.2
	59	90.9
	60	90.6
	61	90.3
	62	90.0
	63	89.7
	64	89.4
	65	89.1
	66	88.8
	67	88.5

Joint & 100% Survivor Option	Starting Factor Used to Determine Adjustment Factor	
<u>If your spouse is younger than you</u> Factor at retirement age - (Age Difference x .005)	Member's Age at Retirement	Starting Factor
	55	85.8%
	56	85.4
<u>If your spouse is older than you</u> Factor at retirement age + (Age Difference x .005) <i>(The adjustment factor cannot exceed 87.75%.)</i>	57	85.0
	58	84.6
	59	84.2
	60	83.8
	61	83.4
	62	83.0
	63	82.6
	64	82.2
	65	81.8
	66	81.4
	67	81.0

Life Income With 120 Guaranteed Payments	Adjustment factor = .93 (93%)
Life Income With 180 Guaranteed Payments	Adjustment factor = .86 (86%)

See an example of benefit payment adjustment factors on the next page.

Beneficiaries, when you elect a life income with guaranteed payment option, may be a person, charity or trust.

Example of Benefit Payment Option Adjustment Factor

For this example, the following assumptions have been made:

Retiree's Age	55 Years
Spouse's Age	58 Years (3 years/8 months older)
Benefit Payment Option	Joint & 100% Survivor Option
Starting Factor (See table on page 25)	85.8% (.858)

Adjustment Factor Calculation

Factor at retirement age	+	(3 Years Age Difference x .005)	=	Adjustment Factor
.858	+	.015	=	.873

Adjusted Base Benefit Calculation

Base Benefit	x	Adjustment Factor	=	Adjusted Base Benefit
\$867.00	x	.873	=	\$756.89

BENEFIT PAYMENT DETAILS

Direct Deposit of Your Benefit Payment

The standard form of payment for receiving your monthly retirement benefit will be direct deposit. By using direct deposit your benefit payment will automatically be deposited in your checking or savings account on the **last working day** of each month. Direct deposit is the safest, fastest, and most convenient way to receive your monthly benefit payment. When you apply for retirement, please complete and submit a *Direct Deposit/Pay Card Authorization* form.

Benefit payments are made the last working day of each month. Before the payments can begin, you must complete the retirement process, meet all legal requirements and leave state employment.

PaychekPLUS

The PaychekPLUS is a prepaid debit card option for receiving your monthly benefit payment from MOSERS if you do not have a checking or savings account. It works just like a debit card. You must activate it before it can be used and you will choose your own secure PIN. If you have an existing pay card, (other than a social security pay card) MOSERS can transmit your monthly benefit payment to that card. Complete the *Direct Deposit or Pay Card Authorization* form with your card information. If you don't have a pay card, Central Bank will send you one after you submit the form to MOSERS.

Deductions From Your Benefit Payment

If applicable, the following deductions may be withheld from your monthly benefit payment:

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

Final Benefit Payment From MOSERS

Your final monthly benefit payment may be prorated based on your date of death. It will be paid at the end of the month in which you die.

You have the option of designating a beneficiary^① to receive the final payment from MOSERS. If a beneficiary has not been designated, the final payment will be paid in the following order to your:

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

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

Example of Prorated Final Benefit Payment

For this example, the following assumptions have been made:

Monthly Benefit \$4,500
 Date of Death..... June 10

Daily Benefit Amount Calculation

Monthly Benefit	÷	Days in the Month	=	Daily Benefit Amount
\$4,500	÷	30	=	150

Prorated Final Benefit Payment Calculation

Daily Benefit Amount	x	Days Lived	=	Prorated Benefit Payment
\$150	x	10	=	\$1500

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 retirement benefit, annual compensation, or salary.

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 retirement 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 retirement 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.

In addition to your retirement benefits MOSERS also provides the following:

- **Long-term disability (LTD) insurance** - partial income replacement in the event you become disabled, helping to bridge the gap from your date of disability to your recovery or retirement (see the *LTD Handbook*).
- **Basic life insurance** - equal to one times your annual salary (\$15,000 minimum) at no cost to you. Your employer pays the monthly premiums for basic coverage (see the *Life Insurance Handbook*).
- **Optional life insurance** - you may purchase additional coverage for yourself, spouse and dependent child(ren) at group rates (see the *Life Insurance Handbook*).



After Retirement

COST-OF-LIVING ADJUSTMENT (COLA)

After retirement, you will receive an annual COLA for your lifetime on the anniversary date of your retirement. For example, if you begin receiving retirement benefits on May 1, 2021, your first COLA will be payable with your May 31, 2022 benefit payment and each May thereafter.

The Judicial Plan provides an annual COLA to eligible retired members, surviving spouses, beneficiaries, and surviving children younger than age 21 based on increases in the Consumer Price Index (CPI)[®].

If you choose, you may waive your COLA. However, federal law forbids you from waiving your COLA once you are older than age 70½. In addition, if you decide to waive the COLA, the waiver is final for that year's increase.

COLA Rates

Members of the Judicial Plan First Employed Prior to August 28, 1997

The annual 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 annual COLA will be equal to 80% of the percentage increase in the average CPI from one year to the next for the previous calendar year with an annual maximum of 5% (minimum 0%).

Judges Employed for the First Time On or After August 28, 1997

You will be eligible to receive a COLA between 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 (Members of the Judicial Plan First Employed Prior to January 1, 2011 Who Work Beyond Normal Retirement)

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 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. If you are a judge first employed before August 28, 1997, the following example illustrates the effect of the minimum 4% COLA on you benefit, expressed as a percent of pay.

- The “Consumer Price Index (CPI)” is the CPI 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.
- According to Missouri state law, each January MOSERS must compare the average CPI for the calendar year just completed to the average CPI from the prior year to determine the percentage change between the two years. The MOSERS COLA rate for any year is based on 80% of the percentage increase in the average CPI from one year to the next.

Example of In-Service COLA For this example, the following assumptions have been made:

Normal Retirement Eligibility Age 62 with 12 years of service
 Age at Retirement Age 70 with 20 years of service
 Monthly Compensation (see example on page 21) \$9,000
 Annual COLA 4% until COLA cap (65% of initial benefit)

Retirement Age	Service at Retirement	Monthly Benefit	In-Service COLA	Adjusted Benefit	Benefit as % of Pay
62	12	4,500.00	n/a	4,500.00	50.00%
63	13	4,500.00	180.00	4,680.00	52.00
64	14	4,680.00	187.20	4,867.20	54.08
65	15	4,867.20	194.69	5,061.89	56.24
66	16	5,061.89	202.48	5,264.37	58.49
67	17	5,264.37	210.57	5,474.94	60.83
68	18	5,474.94	219.00	5,693.94	63.27
69	19	5,693.94	227.76	5,921.70	65.80
70	20	5,921.70	236.87	6,158.57	68.43

Benefit as Percent of Pay Calculation

$$\begin{array}{rclcl} \text{Adjusted Benefit} & \div & \text{Monthly Compensation} & = & \text{Benefit as a \% of Pay} \\ \$6,158.57 & \div & \$9,000 & = & 68.43\% (.6843) \end{array}$$

Accumulated COLA Calculation

$$\begin{array}{rclcl} \text{Adjusted Benefit} & \div & \text{Monthly Benefit} & = & \text{Accumulated COLA} \\ \$6,158.57 & \div & \$4,500.00 & = & 36.86\% \end{array}$$

You will continue to receive a 4% COLA each year until the total increases equal 65% of your initial benefit (about 5 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%).

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The tables below show the cumulative effect of COLAs under two normal retirement eligibility conditions.

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

Eligible at age 62 with at Least 12 Years of Service	
Retirement Age	Benefit as % of Pay
62	50.00%
63	52.00
64	54.08
65	56.24
66	58.49
67	60.83
68	63.27
69	65.80
70	68.43

HOW REEMPLOYMENT AFFECTS YOUR BENEFIT PAYMENT

Judicial Plan (Members First Employed Prior to January 1, 2011)

Based on current law, if you were a member of the Judicial Plan prior to January 1, 2011, you receive a Judicial Plan retirement benefit and later become reemployed in a position covered by another MOSERS plan (such as a general state employee, legislator, or elected official) or MPERS, your monthly benefit will **not** be affected.

Judicial Plan 2011 (Members First Employed on or After January 1, 2011)

If you became a member of the Judicial Plan on or after January 1, 2011 and become reemployed after retirement in a position covered by any MOSERS plan (such as a general state employee, legislator, or elected official or judge) or by MPERS, your monthly Judicial Plan benefit will **stop** while reemployed. It will begin again upon your subsequent retirement.

Senior Judges

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.

Non-Benefit-Eligible Position

Working for the state in a position that is not deemed benefit-eligible has no impact on your eligibility to continue receiving a retirement benefit. You may work in that position and receive a retirement benefit from MOSERS.

DEATH AND YOUR RETIREMENT BENEFIT

Death After Retirement

When MOSERS is notified of your death, a benefit counselor 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, which will start the first of the month following your date of death. At that time, they will receive a prorated benefit for the month in which you die.

Your Final Benefit Payment From MOSERS (Members First Employed Prior to January 1, 2011)

You are entitled to a prorated benefit payment for the month in which you die. You have the option of designating a beneficiary to receive your final payment from MOSERS. Your final benefit payment from MOSERS should **not** be confused with potential survivor benefits (see page 24).

Death of Your Spouse (Members First Employed on or After January 1, 2011)

If you are married and a member of the Judicial Plan 2011, you have the option at retirement to elect the Joint & 50% Survivor option or the Joint & 100% Survivor option. 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.

Marriage After Retirement (Members First Employed on or After January 1, 2011)

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

- If you are single at retirement (not eligible to elect a joint and 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 and survivor options and name your spouse as the beneficiary.
- If you elect one of the joint and 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 and survivor options and name your new spouse as the beneficiary.

POST RETIREMENT RESOURCES

- *RetireeNews* - To keep you up to speed, you will receive a newsletter either in the mail or online.
- **Benefit Statements** - On the anniversary of your retirement, your *Annual Benefit Statement* will be available online to view, save or print.
- **Retiree Connection** - This group of representatives from each area of the state meets at MOSERS to discuss issues and concerns affecting MOSERS retirees. Find out who your area representative is on the **Retiree Connection** page on our website.
- **Coffee Break Seminars** - Attend a post-retirement Coffee Break seminar in your area. These seminars allow MOSERS to discuss issues with retirees and keep them informed on different topics.
- **Social Media** - Follow MOSERS on Facebook and Twitter.

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WHEN SHOULD I CONTACT MOSERS?

Contact us if you want to do the following:

- Provide a change of address or email
- Inform us of a family status change (marriage, divorce, death of spouse)
- Change/stop direct deposit
- Enroll in a seminar
- Change life insurance beneficiary
- Change tax deductions
- Apply for retirement
- Release my information to a family member
- Designate an agent/provide a power of attorney

Are you a survivor of a Judicial Plan benefit recipient? Get more information and see what steps you should take in the **Survivors Page** on MOSERS' website.

Many of these tasks can also be done online by logging into your **Member Homepage**.



Glossary

Definition of Terms

When these words or terms are used, they have the following meanings unless the context clearly indicates a different meaning is intended.

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 survivor option.

Beneficiary

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

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)

For purposes of the Judicial Plan, 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.

J

Judge

Any person who has served or is serving as a judge or commissioner of the supreme court or of the court of appeals; or as a judge of any circuit court, probate court, magistrate court, court of common pleas or court of criminal corrections of Missouri; as a justice of the peace; or as commissioner of the probate division of the circuit court appointed after February 29, 1972, in a county of the first classification having a charter form of government or in a city not within a county; or as commissioner of the juvenile division of the circuit court appointed pursuant to Section 211.023, RSMo; or as a drug court commissioner pursuant to Section 478.466, RSMo; or as a drug court commissioner pursuant to Section 478.466, RSMo; or as a family court commissioner.

M

Monthly Compensation

The compensation authorized by law for the highest judicial position held. 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 retirement benefit.

R

Retirement Date - The day 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.

*Visit MOSERS' website for the most
current version of this publication.*

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