

YOUR BENEFITS | YOUR FUTURE



Judges' Retirement System II

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INTRODUCTION

The Judges' Retirement System (JRS) II was established in 1994. The laws governing this system are found in the California Government Code (GC), Chapter 11.5, beginning with section 75500. This publication summarizes the retirement plan provided for members of JRS II and provides an explanation of the rights and benefits of JRS II membership.

The statements in this publication are general and are as simple as possible while still being accurate. The Retirement Law is complex and subject to change. If there is a conflict between the law and this publication, any decisions will be based on the law and not this publication.

The JRS II Plan

- The JRS II plan provides service or disability retirement benefits to judges, and survivor or death benefits to eligible survivors or beneficiaries.
- Medical, dental, and vision benefits are provided to eligible retirees and beneficiaries of JRS II under the Public Employees' Medical and Hospital Care Act (PEMHCA).
- The plan is administered by the CalPERS Board of Administration, and funded by member and employer contributions and earnings on investments.

MEMBERSHIP

All Supreme and Appellate court justices and Superior court judges appointed or elected on or after November 9, 1994, are members of JRS II.

PUBLIC EMPLOYEES' PENSION REFORM ACT OF 2013

New PEPRA Member

The California Public Employees' Pension Reform Act of 2013 (PEPRA) changed retirement benefits and contribution amounts for judges who become members of JRS II on or after January 1, 2013. For JRS II purposes, a "new PEPRA" member (GC section 7522.04(f)) is either:

- A judge who becomes a member of JRS II for the first time on or after January 1, 2013, and who had no prior membership in any California public retirement system; or
- A judge who becomes a member of JRS II for the first time on or after January 1, 2013, and who was a member of another California public retirement system prior to that date, but who was **not** subject to reciprocity under subdivision (c) of section 7522.04.

JRS II is considered to have reciprocity with CalPERS and any of the retirement systems subject to the County Employees Retirement Law of 1937. If you were a member of one of these systems prior to January 1, 2013, and you separated from that system within six months of taking office as a judge, and you did not elect a refund or retire from that system before you became a judge, you may qualify to be enrolled in JRS II as a classic member.

Classic Member

Classic members include all judges enrolled in JRS II before January 1, 2013, and all judges who became members of JRS II on or after January 1, 2013, but who do not meet the definition of a new member. Classic members are subject to the plan provisions in effect prior to January 1, 2013.

SERVICE CREDIT

You earn service credit during the time you receive a salary and make contributions to this system while holding office as a judge or justice, computed in full years and fractions of years.

MEMBER CONTRIBUTIONS

All JRS II members are required to contribute to this system. Member contributions are deducted from your salary on a pretax basis. This means your contributions reduce your taxable income. Because your contributions to JRS II are tax-deferred, you will owe taxes when you receive benefits, usually at retirement.

New PEPRA Member

All new PEPRA members contribute an amount equal to one-half of the normal cost. The contribution rate is reviewed annually when the actuarial valuation of JRS II is performed. If the total normal cost for new members fluctuates by more than one percent of payroll, the member contribution rate may change.

Classic Member

All classic members contribute 8 percent of salary as established by the Judges' Retirement Law II.

EMPLOYER CONTRIBUTIONS

The State of California also contributes to the JRS II Fund based on a percentage of judicial salary. Your contributions, along with the employer contributions, earnings from investments and other sources pay for the retirement, disability, death, and/or survivor benefits.

MONETARY CREDITS

On a monthly basis, you accrue monetary credits equal to 18 percent of your monthly salary. Interest is applied monthly and the rate is determined based on the net earning rate achieved by the JRS II Fund in the preceding fiscal year. The interest rate on your monetary credits will never be less than zero.

ANNUAL MEMBER STATEMENT

Annual Member Statements (AMS) are generated after the close of each fiscal year. The AMS can be accessed online through your myCalPERS account. The AMS contains information about your account, the amount of your contributions and interest, your service credit, and your monetary credits and interest.

PURCHASING SERVICE CREDIT

Redeposit of Withdrawn Contributions or Monetary Credits

If you are reappointed or elected to a judicial position after receiving a refund of your contributions or your monetary credits, you may redeposit the amount withdrawn, plus interest from the date of withdrawal to the date of redeposit, and restore corresponding service credit.

Prior Judicial Service

As an active judge, you are eligible to purchase prior subordinate judicial officer time if you are not receiving credit for this service under any other public retirement system.

Military Service

You may be able to purchase additional service credit for active duty military service if you are not receiving credit for this service under any other public retirement system. Service may be granted on the basis of one year of credit for each year of credited service in the system, but may not exceed a total of four years of service credit, regardless of the number of years served in active military duty.

LEAVING JUDICIAL OFFICE

Refund of Member Contributions

You will receive a refund of your member contributions, plus interest, under the following circumstances:

- If you leave judicial office before accruing at least five years of service; or
- You plead guilty or no contest to, or are found guilty of, a crime committed while holding office which is punishable as a felony under California or federal laws and which involves moral turpitude, or was committed in the course and scope of your duties.

A refund of your contributions terminates your JRS II membership, and you will not be eligible for any future benefits.

Early Retirement—Monetary Credit Payment

If you have five or more years of service credit but are not eligible for the monthly service retirement allowance under the defined benefit plan, you will receive the amount of your monetary credits, plus interest, in a lump-sum payment, and no other amount.

Judges who receive their monetary credits in one lump-sum payment are eligible for health benefits under GC section 22814, and are considered “retired judges” for the purposes of the Assigned Judges Program administered by the Judicial Council of California.

Concurrent Retirement

Judges who have a minimum of six years of judicial service are eligible for the benefits provided by retiring concurrently from JRS II and CalPERS or from JRS II and a retirement system subject to the County Employees Retirement Law of 1937.

SERVICE RETIREMENT

Once you meet eligibility, there are two types of service retirement plans available to you: the defined benefit plan or the monetary credit plan. The monetary credit plan provides for payment in either a lump sum or a monthly annuity.

Eligibility

To qualify for service retirement under either plan, you must be at least 65 years old with 20 or more years of service, or 70 years old with five or more years of service.

A judge is required to make an election to receive the defined monthly benefit, the lump-sum monetary credits, or the monetary credit annuity within 30 days after the effective date of retirement (GC section 75522(c)). If no election is made, the defined monthly benefit is payable.

Defined Benefit Plan

Your monthly defined benefit retirement allowance will equal 3.75 percent of your final compensation, multiplied by your number of years of service, up to a maximum of 75 percent of your final compensation.

Table 1 shows the percent of final compensation at various ages and years of service.

Table 1

Retirement Age	Years of Service	Percent of Final Compensation
65 or older	20 years or more	75 percent of final compensation
70 or older	5 to 19 years	3.75 percent of your final compensation multiplied by your years of service

Final Compensation

Classic Member

A monthly retirement benefit payable to a JRS II classic member will be based on his or her average pay rate for the 12 consecutive months prior to retirement as defined by GC section 75502(d).

New PEPRA Member

A monthly retirement benefit payable to a JRS II PEPRA member will be based on his or her highest average pay rate for any consecutive 36-month period prior to retirement as required by GC section 7522.32.

Surviving Spouse Allowance

Under the defined benefit plan, your surviving spouse or registered domestic partner will automatically receive the surviving spouse allowance, which is a monthly allowance equal to 50 percent of your Unmodified Allowance regardless of the optional settlement you choose at retirement. The surviving spouse allowance is included in the optional settlements that provide monthly allowances to a spouse or registered domestic partner.

Optional Settlements

If you retire for service retirement or elect to receive the monetary credit annuity, there are various payment options available to you. You can choose to receive the highest benefit payable, or you may choose one of the optional settlements provided in GC section 75571.5.

Unmodified Allowance – Provides the highest monthly retirement allowance payable to you for your lifetime. There is no return of unused member contributions upon your death.

Return of Remaining Contributions Option 1 – Provides a monthly retirement allowance payable to you for your lifetime. Upon your death after retirement, a lump-sum payment of any remaining member contributions will be paid to your surviving spouse or registered domestic partner, or if none, to your estate.

100 Percent Spousal Option 2 – Provides a monthly retirement allowance payable to you for your lifetime. Upon your death after retirement, 100 percent of your ongoing monthly allowance will be paid to your surviving spouse or registered domestic partner. Upon both your deaths, a lump-sum payment of any remaining member contributions will be paid to the estate of the deceased.

100 Percent Spousal Option 2 with Benefit Allowance Increase – Provides a monthly retirement allowance payable to you for your lifetime. Upon your death after retirement, 100 percent of your ongoing monthly allowance will be paid to your surviving spouse or registered domestic partner. Your retirement will increase back to the Unmodified Allowance amount if:

- Your spouse or registered domestic partner predeceases you; or
- Your marriage or domestic partnership is dissolved or annulled, or you and your spouse or registered domestic partner are legally separated, and the judgment dividing the community property awards the total interest in the Judges' Retirement System II to you.

50 Percent Spousal Option 3 – Provides a monthly retirement allowance payable to you for your lifetime. Upon your death after retirement, 50 percent of your ongoing monthly allowance will be paid to your surviving spouse or registered domestic partner. Upon both your deaths, a lump-sum payment of any remaining member contributions will be paid to the estate of the deceased.

50 Percent Spousal Option 3 with Benefit Allowance Increase – Provides a monthly retirement allowance payable to you for your lifetime. Upon your death after retirement, 50 percent of your ongoing monthly allowance will be paid to your surviving spouse or registered domestic partner. Your retirement will increase back to the Unmodified Allowance amount if:

- Your spouse or registered domestic partner predeceases you; or
- Your marriage or domestic partnership is dissolved or annulled, or you and your spouse or registered domestic partner are legally separated, and the judgment dividing the community property awards the total interest in the Judges' Retirement System II to you.

Flexible Benefit Specific Dollar Amount or Specific Percentage to Spouse Option 4 – Provides a monthly retirement allowance payable to you for your lifetime. Upon your death after retirement, an ongoing benefit of a specific dollar amount or specific percentage of your Unmodified Allowance will be paid to your surviving spouse or registered domestic partner.

Monetary Credit Plan—Lump-Sum Payment

Instead of receiving the monthly defined benefit allowance, you may elect to receive the amount of your monetary credits, plus interest, in one lump sum. There would be no other benefits payable to you or to a spouse or registered domestic partner upon your death. Judges who receive their monetary credits are considered “retired judges” for purposes of a concurrent retirement, and are eligible for health benefits under GC section 22814, and for the Assigned Judges Program administered by the Judicial Council of California.

Monetary Credit Plan—Monthly Annuity

Instead of receiving the monthly defined benefit allowance or receiving the monetary credits in one lump sum, GC section 7552(e) allows you to receive the amount of your monetary credits in an annuity of actuarially equivalent value for your life or in one of the optional forms provided for in GC section 75571.5.

Eligibility

You are eligible for the monetary credit annuity if you are eligible for service retirement. You must be at least 65 years old with 20 or more years of service, or 70 years old with five or more years of service.

Payment of Monetary Credit Annuity

- You may elect to receive a **monthly** annuity of actuarially equivalent value for your lifetime.
- In lieu of an allowance for your life alone, you may elect to have the monthly annuity paid under one of the optional settlements provided in GC section 75571.5.
- The monthly monetary credit annuity may exceed 75 percent of your final compensation as opposed to the defined monthly benefit, which is limited to 75 percent of your final compensation.
- There is no option for a return of the monetary credits if you die before the balance of the monetary credits is exhausted.
- There are no other forms or type of payments available under the monetary credit annuity, other than the monthly annuity payable for the judge's life or under one of the optional settlements.

Return of Remaining Contributions

The following optional settlements provide for the return of any remaining member contributions and interest:

- Return of Remaining Contributions Option 1
- 100 Percent Spousal Option 2
- 50 Percent Spousal Option 3

Please refer to the Optional Settlement section for a detailed explanation of all of the optional settlements available.

Surviving Spouse Allowance

There is no provision for payment of the surviving spouse allowance if you elect to receive the monetary credit annuity.

Cost-of-Living Adjustment (COLA)

The monetary credit annuity payment does **not** receive COLA.

Health Insurance

- A judge who elects the monetary credit annuity will be entitled to medical and dental insurance under GC 22760(a) for themselves and any eligible family members.
- Upon the judge's death, the surviving spouse or registered domestic partner will be entitled to receive medical and dental benefits under GC 22760(b) if eligible to receive a lifetime allowance as the designated beneficiary under one of the optional settlements.

DISABILITY RETIREMENT

If you become unable to continue the duties of your office because of a mental or physical disability that is, or is likely to become, permanent, you **may** apply to the Commission on Judicial Performance (CJP) to be considered for a disability retirement. You cannot be retired for disability without your consent and the approval of the Chief Justice and the CJP.

If you receive a disability retirement allowance, you are not eligible to receive any other benefit payment from JRS II, including a refund of your contributions, payment of your monetary credits, or any service retirement benefit.

Work-Related Disability

Eligibility

There are no age or service requirements for a work-related disability retirement. To receive a work-related disability retirement, the CJP must determine that your **disability is predominantly a result of an injury arising out of and in the course of judicial service.**

Monthly Benefit

If the CJP notifies JRS II that your disability was found to be work related, you will receive a monthly allowance equal to 65 percent of your final compensation.

Taxability of a Work-Related Disability Retirement

If the CJP finds your disability to be to work related, your gross retirement allowance will be reported, on an IRS Form 1099-R, as not taxable.

Non-Work-Related Disability

Eligibility

You must have at least five years of service credit to qualify for a non-work-related disability retirement.

Monthly Benefit

Your monthly retirement allowance will be the **lesser** of either:

- 3.75 percent of your final compensation multiplied by the number of years of service you would have been credited had you continued to work until the age you would have been first eligible for a service retirement;

..... Or

- 65 percent of your final compensation on the effective date of the disability retirement.

Taxability of a Non-Work-Related Disability Retirement (IRS Form 1099-R)

If the CJP notifies JRS II that you have been approved for a disability retirement, but they do not find specifically that your disability is work or non-work related, your disability retirement allowance will be reported annually on the IRS Form 1099-R as taxability not determined. It will be your responsibility to determine the proper reporting of your income to the Internal Revenue Service.

If the CJP specifically determines that your disability it is not work related, your disability retirement allowance will be reported on an IRS Form 1099-R as a taxable distribution.

Surviving Spouse Allowance

If you die after you retire for a disability retirement, your spouse or registered domestic partner will receive a monthly allowance equal to one-half of your allowance for life. The optional settlements are not available under a disability retirement.

Important Rules About Working After a Disability Retirement

Please refer to the Working After Retirement section for important information regarding working after your disability retirement.

WORKING AFTER RETIREMENT

Service Retirement

Your service retirement allowance is generally not affected by any employment that does not require membership in JRS II, although some exceptions apply. PEPRA added sections 7522.56 and 7522.57 to the Government Code effective January 1, 2013, which set forth post-retirement employment requirements for all retirees.

GC section 7522.56 provides that a retired person shall not serve in the same public retirement system from which the retiree receives the benefit without reinstatement from retirement. This applies to all JRS II retirees, except for those who serve as retired judges with the Assigned Judges Program.

GC section 7522.57 prohibits a person retired from a public retirement system from receiving his or her retirement allowance if appointed on or after January 1, 2013, to a full-time salaried position with a state board or commission. Please refer to GC section 7522.57(d) for specific information regarding your options if appointed to a full-time salaried position with a state board or commission.

A retiree appointed to a part-time state board or commission may serve without loss or interruption of benefits. A part-time appointment is defined as an appointment with a salary of no more than \$60,000 annually. It is your duty to notify JRS II if you are appointed to a state board or commission.

Disability Retirement

Your disability retirement allowance could cease permanently or be reduced if you work after retirement depending on the type of work you do and the duties you are required to perform. In addition, you may not serve in a public office, or engage in employment that requires membership in another public retirement system.

Work That Requires You to Perform Substantially Similar Duties

If you practice law or accept other gainful employment that requires you to perform duties substantially similar to those you were found unable to perform due to your disability, your retirement allowance could cease permanently.

If you work in the Assigned Judges Program, your disability retirement allowance will be reduced by the amount of salary or compensation you receive while in that employment.

Work That Does Not Require You to Perform Substantially Similar Duties

If you practice law or accept other gainful employment that does **not** require you to perform duties substantially similar to those you were found unable to perform due to your disability, your retirement allowance may be reduced. The total of your retirement allowance plus earnings from your employment cannot exceed 75 percent of the current salary for your last judicial office. You are required to report monthly employment earnings to JRS II by the eighth of the following month.

When you reach the age that you would have been eligible for a service retirement under section 75522, your disability allowance will no longer be reduced by earnings from employment that does **not** require you to perform duties substantially similar to those you were found unable to perform due to your disability.

SURVIVOR AND DEATH BENEFITS

Pre-Retirement Death Benefits

If you die before you retire, your survivor and death benefits will be determined based on one of the following three scenarios:

- Not married or in a registered domestic partnership at the time of your death.
- Married or in a registered domestic partnership, but not eligible to retire at the time of your death.
- Married or in a registered domestic partnership, eligible to retire at the time of your death.

If you are not married or in a registered domestic partnership at the time of your death, the greater of the following benefits will be paid to your children; or if none, to your designated beneficiary; or if none, to your estate:

- The monetary credits payable in a lump-sum distribution; or
- Three times your annual salary at the time of death, payable in 36 equal monthly installments.

If you are married or in a registered domestic partnership, but are not eligible to retire at the time of your death, the greater of the following benefits will be paid to your surviving spouse or registered domestic partner:

- The monetary credits payable in a lump-sum distribution; or
- Three times your annual salary at the time of death, payable in 36 equal monthly installments.

If you are married or in a registered domestic partnership and are eligible to retire at the time of your death, your surviving spouse or registered domestic partner will receive **one** of the following benefits:

- A monthly survivor allowance equal to one-half of the Unmodified Allowance that would have been payable had you retired on the date of your death; or
- The monetary credits, plus interest, in one lump-sum payment; or
- The Pre-Retirement Option 2 benefit, if you are at least age 65 with 20 years of judicial service and, prior to your death completed a *JRS II Pre-Retirement Option 2 Death Benefit Election* form.

The Pre-Retirement Option 2 Death Benefit is the maximum monthly allowance available to a surviving spouse or registered domestic partner. It is equivalent to the Option 2 benefit that would have been payable if you had retired on the date of your death and elected the option specified under GC section 75571(b)(1).

Pre-Retirement Death Benefits can **only** be paid to a designated beneficiary if, at the time the judge dies, there is no surviving spouse, registered domestic partner, or surviving children.

A surviving spouse or registered domestic partner receiving a monthly allowance would be eligible for medical, dental, and vision benefits.

A spouse who receives a lump-sum payment of the monetary credits would **not** be eligible for medical, dental, or vision benefits.

Post-Retirement Death Benefits

The post-retirement death benefits are determined by the type of retirement you select when you retire and on the method of payment you choose.

Defined Benefit Plan

If you elect a monthly allowance under the defined benefit plan when you retire, your surviving spouse or registered domestic partner will receive the surviving spouse allowance, which is 50 percent of your Unmodified Allowance.

If you elect an optional settlement, your surviving spouse or registered domestic partner will receive the amount payable under the optional settlement you elected. The amount payable under the optional settlements includes the surviving spouse allowance.

You must be legally married or in a registered domestic partnership at the time of your death for the surviving spouse allowance to be payable. If your marriage or domestic partnership is dissolved after retirement, your former spouse or former domestic partner **may** still be eligible for the optional settlement portion of the benefit, but will not receive the surviving spouse allowance portion of the benefit.

Monetary Credits Plan

If you elect the monetary credits plan when you retire, your surviving spouse or registered domestic partner will receive benefits based on the method of payment you chose at retirement.

- If you receive your monetary credits in a lump sum upon retirement, either with the Early Retirement or in lieu of the Defined Benefit, there will be no benefits, including medical, dental, and vision benefits, payable to your surviving spouse or registered domestic partner.
- If you chose to receive your monetary credits in the form of a lifetime annuity, your surviving spouse or registered domestic partner will receive benefits based on any optional settlement you chose at retirement. There is no surviving spouse allowance or return of any balance of the monetary credits. If you provided a continuing monthly allowance to your surviving spouse or registered domestic partner under one of the optional settlements, your spouse may be eligible for continued medical, dental, and vision benefits.

MEDICAL, DENTAL, AND VISION BENEFITS

Service Retirement, Disability Retirement, Monetary Credits Annuity

If you are enrolled in a state health plan at the time of your retirement, you may have the ability to continue with your existing plan, change your plan, and/or change your dependents. If you are not enrolled in a state health plan at the time of your retirement, you are still eligible to enroll. You may elect to enroll at retirement or within 60 days of your retirement date. You may also enroll during any future Open Enrollment period or due to a qualifying life event when outside of Open Enrollment.

Early Retirement—Monetary Credits Payment

Under Age 65

You may continue your health insurance coverage upon retiring, provided the following occurs:

- You have at least five years of service credit;
..... and
- You elect the health coverage within 60 days after leaving office;
..... and
- You assume the cost of both the employee and employer shares of the health premium, plus an additional 2 percent of the premium payments required and maintain your state health coverage uninterrupted until age 65.

When you reach the age of 65 and have maintained continuous and uninterrupted coverage, you may be entitled to receive a contribution from the state toward the cost of your premiums. However, the state contribution may not completely cover the full monthly premium of your medical plan. Depending on your medical vesting for the state contribution and which plan you choose, you may be responsible for a portion of the medical premium.

Age 65 or Older

You may continue your health insurance coverage upon retiring, provided the following occurs:

- You have at least five years of service credit;
..... and
- You elect the health coverage within 60 days after leaving office.

You may be entitled to receive a contribution from the state toward the cost of your premiums. However, the state contribution may not completely cover the full monthly premium of your medical plan. Depending on your medical vesting for the state contribution and which plan you choose, you may be responsible for a portion of the medical premium.

Medical Benefits Vesting Requirements

You may be entitled to receive a contribution from the state toward the cost of your retiree medical premiums. However, the state contribution may not completely cover the full monthly premium of your plan. You are responsible for paying the difference between the state contribution amount and the premium for the medical plan.

The amount the state contributes toward your medical plan coverage depends on whether or not you are “vested.” If you were first hired by the state:

- **Before January 1, 1985** – You are eligible to receive 100 percent of the state’s contribution.
- **On or After January 1, 1985** – You are subject to “vesting” requirements. You must have 10 years of service to be fully vested and qualify for 100 percent of the state’s contribution toward your medical coverage. With less than 10 years, your state contribution is pro-rated based upon your years of service as shown in Table 2.

Table 2

Years of Service Credit	Percentage of State Share Toward Monthly Premium
At least 5 years	50 percent
Between 5 and 10 years	Pro-rated between 50 and 100 percent
10 years or more	100 percent

Medicare Enrollment

All retirees and their dependents enrolled in a CalPERS medical plan must certify their Medicare status with CalPERS when they become eligible for Medicare at age 65 or upon retirement if working beyond age 65. State law specifies that if you and your dependents are eligible for Medicare Part A and Part B, you cannot be enrolled in a Basic medical plan. You will need to enroll in one of our Medicare plans.

To enroll in a Medicare plan, mail a copy of your Medicare card or “letter of award” from the Social Security Administration along with a letter requesting this change to JRS II.

Medicare Part B Reimbursement

All Medicare Part B enrollees must pay a premium directly to the Social Security Administration for their enrollment. The State of California provides a monthly reimbursement to Medicare plan enrollees for some or all of the cost of their Medicare Part B premiums.

The reimbursement amount is limited to the difference between your state contribution and the cost of your plan’s premium, up to the amount of the standard Part B premium. Your reimbursement will be automatically calculated and will appear on your retirement warrant as a credit.

Income-Related Monthly Adjustment Amount (IRMAA)

If you are paying an increased Medicare Part B premium (IRMAA) due to your income level, send a copy of the entire Social Security notice showing your increased Medicare Part B premium to JRS II. If there are funds available, you’ll see an increased reimbursement credit on your retirement warrant.

If you pay an IRMAA for Part B, you may also pay an IRMAA for Part D. California law does not provide for reimbursement of Medicare Part D premiums.

Dental Benefits

You may elect to continue or enroll into a state dental plan at retirement. JRS II will process your enrollment according to your election at retirement. All retirees pay a share toward their dental coverage. The amount of your retiree share depends on the dental plan in which you elect to enroll.

For more information on the dental plans available to you and your expected monthly premium, please visit the Retirees section of the California Department of Human Resources website at www.calhr.ca.gov/retirees.

Vision Benefits

You may elect to continue or enroll into a state retiree vision plan at retirement. Please contact your human resources department to facilitate your enrollment. There is no state contribution for the retiree vision benefits. The amount of your premium will depend on the plan in which you elect to enroll.

For more information on the vision plans available to you and your expected monthly premium, please visit the Retirees section of the California Department of Human Resources website at www.calhr.ca.gov/retirees.

COST-OF-LIVING ADJUSTMENTS

The defined benefit allowance, the disability allowance, and most of the monthly allowances payable to a surviving spouse or registered domestic partner are subject to an annual cost-of-living adjustment (COLA). The COLA is based on the annual change in the Consumer Price Index and is effective January of each year. Your first COLA will be made after you have been retired for more than six months and annually thereafter. No COLA adjustment is made unless the increase equals or exceeds 1 percent. The maximum annual adjustment is 3 percent per year.

COLA is not provided to a member, or a surviving spouse or registered domestic partner, who receives the monetary credit annuity payment.

DISSOLUTION OF MARRIAGE OR REGISTERED DOMESTIC PARTNERSHIP

Community Property

If you and your spouse or registered domestic partner divorce or legally separate, your spouse or registered domestic partner may be entitled to receive a portion of your retirement benefits. JRS II has a Community Property Model Order Package, which contains suggested language that may be used in the preparation of the Qualified Domestic Relations Order.

Loss of Dependent Health Coverage

A spouse or domestic partner loses eligibility as a dependent under the member's health benefit plan on the last day of the month in which the marriage or registered domestic partnership is terminated.

An active judge must inform his or her employer that the marriage or registered domestic partnership has been terminated.

Retired judges who are enrolled in a CalPERS-covered health benefit plan must submit a copy of the Judgment of Dissolution or Termination of Registered Domestic Partnership to JRS II to remove their former spouse or registered domestic partner from their health plan.

The former spouse or registered domestic partner may be eligible for coverage under the Consolidated Omnibus Budget Reconciliation Act Program (COBRA) or an individual conversion policy.

RECIPROCITY

JRS II has limited reciprocity with CalPERS and plans under the County Employees Retirement Law of 1937. If you have service credit and/or contributions on deposit with CalPERS or one of the county retirement plans, you may be entitled to have your CalPERS or county retirement benefit computed based on your judicial salary if you have at least six years of judicial service. You must retire concurrently from JRS II and the other system for reciprocity to apply.

If you had previous CalPERS membership and refunded your contributions, you may have the option of purchasing that service credit. The CalPERS service credit election must be completed prior to retirement from JRS II. You may then be entitled to have your CalPERS retirement benefit computed based on your judicial salary if you retire concurrently from both systems and have six years of judicial service.

Questions regarding your eligibility for reciprocal benefits, including concurrent retirement or purchase of service credit, must be directed to your other retirement plan.

TAXES

Your monthly retirement allowance will be subject to both state and federal taxes. At the time of your retirement, you will be given the opportunity to make an election regarding tax withholding. You may change your tax withholding election at any time. An IRS Form 1099-R is issued at the end of each tax year and will be mailed to you by January 31 of the following year.

At retirement, we recommend that you make an appointment with representatives from the Internal Revenue Service and the California Franchise Tax Board, or a private tax consultant and/or attorney, to obtain information regarding the taxability of your retirement allowance. JRS II can provide you with information they may need to advise you in this matter.

Taxability of Other Benefits

A lump-sum payment of your member contributions or monetary credits qualifies as an eligible rollover distribution. When you apply for these benefits, you will receive a notice that explains the rollover rules, describes the effects of rolling an eligible rollover distribution to an IRA or another plan, and the effects of not rolling it over, including an automatic withholding of taxes.

OTHER CONSIDERATIONS

Internal Revenue Code (IRC) Section 415

IRC Section 415 places a dollar limit on the annual benefit you can receive from a tax-qualified pension plan.

Social Security Benefits

During your employment as a judge covered under JRS II, you do not pay Social Security taxes. A pension or distribution from JRS II may affect the amount of any Social Security benefit you may be entitled to receive through two provisions of federal law: the Windfall Elimination Provision (WEP) and the Government Pension Offset. Contact the Social Security Administration if you have any questions regarding how WEP or the Government Pension Offset may affect Social Security benefits.

Group Life Insurance

If you wish to continue deductions for payment of group life insurance premiums, please contact your group insurance office for authorization forms.

Long-Term Care Program

If you want to continue deductions for payment of CalPERS Long-Term Care Program premiums, please contact the program's administrator to request the proper authorization forms to ensure continuity of your premium payments.

APPLYING FOR RETIREMENT

To apply for retirement, you must complete JRS II retirement forms. To ensure timely processing, submit your application to our office 60 to 90 days prior to your intended retirement date.

You can find JRS II retirement forms on our website at www.calpers.ca.gov in the **Forms & Publications** area.

RETIREMENT PLANNING CHECKLIST

One Year Before Retiring

- Review your latest JRS II Annual Member Statement, which may be obtained online through your myCalPERS account. Additionally, if you think you may be eligible to purchase additional service credit for employment not shown on your statement, please contact JRS II.
- Contact the Social Security Administration for information on benefits under that system and your Medicare eligibility.
- If you have a community property claim on your JRS II account, you must provide JRS II with a copy of the court order resolving the claim before you can receive retirement benefits. If you are not sure if JRS II has this information, or you have community property questions, please contact JRS II.

Six Months Before Retiring

- You may wish to obtain a retirement estimate, which can help you select your retirement benefit option. JRS II retirement forms will be sent with your estimate, or you can print retirement forms from the CalPERS website at www.calpers.ca.gov.

Three to Four Months Before Retiring

- Begin working on your JRS II retirement forms.
 - *Judges' Retirement System II Application for Defined Benefit or Distribution of JRS II Contributions or Monetary Credits*
(Note: signatures must be notarized)
 - *Judges' Health and Dental Declaration*
 - *Tax Withholding*
 - *Justification for Absence of Spouse's or Registered Domestic Partner's Signature*, if applicable
- Begin gathering and making copies of the documents you will be required to submit with your application. Please provide photocopies only. Do not send originals.
 - Your birth certificate
 - Your beneficiary's birth certificate (needed if you are electing an optional settlement that provides a lifetime allowance to your spouse or registered domestic partner)
 - Your marriage certificate or certificate of registration of domestic partnership

Two Months Before Retiring

- Send your completed retirement application and other applicable forms to JRS II at the address shown on each form. Keep a copy of all forms and supporting documents for your records.

- Contact the Social Security Administration to apply for Medicare Part B, if applicable.

BECOME A MORE INFORMED MEMBER

CalPERS Website

Visit our website at www.calpers.ca.gov for information on all of our benefits and services.

my|CalPERS

Log in at my.calpers.ca.gov to access real-time details and balances of your JRS II account. With my|CalPERS you can:


- View, print, and save current and past statements.
- Select mailing preferences for your statements and newsletters.
- Confirm which dependents are covered on your medical plan and what medical plans are available in your area.
- Send and receive secure messages.
- Order and download publications.
- Search for medical premium rates.

Experience CalPERS Through Social Media

 Facebook: www.facebook.com/myCalPERS

 Twitter: www.twitter.com/CalPERS

 Instagram: www.instagram.com/CalPERS

 YouTube: www.youtube.com/CalPERSNetwork

 LinkedIn: www.linkedin.com/company/calpers

Contact JRS II

Street Address

Judges' Retirement System II
400 Q Street
Sacramento, CA 95811

Mailing Address

P.O. Box 942705
Sacramento, CA 94229-2705

Phone Numbers

(916) 795-3688
Fax (916) 795-1500

PRIVACY NOTICE

The privacy of personal information is of the utmost importance to CalPERS. The following information is provided to you in compliance with the Information Practices Act of 1977 and the Federal Privacy Act of 1974.

Information Purpose

The information requested is collected pursuant to the Government Code (sections 20000 et seq.) and will be used for administration of Board duties under the Retirement Law, the Social Security Act, and the Public Employees' Medical and Hospital Care Act, as the case may be. Submission of the requested information is mandatory. Failure to comply may result in CalPERS being unable to perform its functions regarding your status. Please do not include information that is not requested.

Social Security Numbers

Social Security numbers are collected on a mandatory and voluntary basis. If this is CalPERS' first request for disclosure of your Social Security number, then disclosure is mandatory. If your Social Security number has already been provided, disclosure is voluntary. Due to the use of Social Security numbers by other agencies for identification purposes, we may be unable to verify eligibility for benefits without the number.

Social Security numbers are used for the following purposes:

1. Enrollee identification
2. Payroll deduction/state contributions
3. Billing of contracting agencies for employee/employer contributions
4. Reports to CalPERS and other state agencies
5. Coordination of benefits among carriers
6. Resolving member appeals, complaints, or grievances with health plan carriers

Information Disclosure

Portions of this information may be transferred to other state agencies (such as your employer), physicians, and insurance carriers, but only in strict accordance with current statutes regarding confidentiality.

Your Rights

You have the right to review your membership files maintained by the System. For questions about this notice, our Privacy Policy, or your rights, please write to the CalPERS Privacy Officer at 400 Q Street, Sacramento, CA 95811 or call us at **888 CalPERS** (or **888-225-7377**).

CalPERS is governed by the Public Employees' Retirement Law and the Alternate Retirement Program provisions in the Government Code, together referred to as the Retirement Law. The statements in this publication are general. The Retirement Law is complex and subject to change. If there is a conflict between the law and this publication, any decisions will be based on the law and not this publication. If you have a question that is not answered by this general description, you may make a written request for advice regarding your specific situation directly to the CalPERS Privacy Officer at 400 Q Street, Sacramento, CA 95811.

California Public Employees' Retirement System

400 Q Street
P.O. Box 942701
Sacramento, CA 94229-2701

888 CalPERS (or 888-225-7377)

www.calpers.ca.gov

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