

# Appellate Law Clerks

Hired Prior to January 1, 2011 ([La. R.S. 11:551 - 11:571](#))



(33) Photo by Robin Stevens (Please see pages 100-101)

The following information pertains to law clerks of a Judge or Justice of an Appellate Court hired prior to January 1, 2011 (Law Clerks). Please refer to the chapters on Regular Members if a topic is not covered in this chapter.

## Contribution Rates ([La. R.S. 11:62\(5\)\(e\)](#))

Law Clerks hired *on or before June 30, 2006*, pay a contribution rate of 7.5 percent.

Law Clerks hired *on or after July 1, 2006*, pay a contribution rate of 8 percent.

## Retirement Eligibility

As a Law Clerk, you will become eligible for retirement upon reaching one of the following criteria:

- 10 years of service credit as a Law Clerk at age 65
- 12 years of service credit as a Law Clerk at age 55
- 18 years of service credit as a Law Clerk at any age
- 20 years of total service credit at age 50, with at least 12 years as a Law Clerk
- Any number of years of service credit as a Law Clerk at age 70
- 20 years of service at any age, with an actuarially reduced benefit (Deferred Retirement Option Plan [DROP] participation and retirement with an Initial

Benefit Option [IBO] are not available to members who choose this option). The actuarial reduction is based on the number of months you are away **from eligibility for an unreduced retirement based on Regular Plan retirement eligibility, not Law Clerk retirement eligibility**. This reduction can be affected depending on whether you are in state service or out of state service at the time of your retirement.

You also have the option to retire as a Regular Member (see the chapters on Regular Members for additional information).

## Benefit Accrual

As a Law Clerk, you accrue benefits at 2.5 percent of your average compensation per year.

- If you were hired **on or before June 30, 2006**, your average compensation will be based on your highest successive **36** months of earnings.
  - If you were hired before July 1, 1986, and did not terminate employment, and receive a refund of your contributions, you will receive an additional \$300.00 per year added to your retirement benefit.
- If you were hired **on or after July 1, 2006**, your average compensation will be based on your highest successive **60** months of earnings.

## Limits on Final Average Compensation (La. R.S. 11:403(5))

When calculating your retirement benefit, the earnings used for your average compensation may be capped in order to avoid excessive spikes in compensation.

**If hired on or before June 30, 2006:** The earnings to be considered for the 13<sup>th</sup> through the 24<sup>th</sup> month shall not exceed 125 percent of the earnings of the 1<sup>st</sup> through the 12<sup>th</sup> month. The earnings to be considered for the final 12 months shall not exceed 125 percent of the earnings of the 13<sup>th</sup> through the 24<sup>th</sup> month.

**If hired on or after July 1, 2006:** The earnings to be considered for the 13<sup>th</sup> through the 24<sup>th</sup> month shall not exceed 115 percent of the earnings of the 1<sup>st</sup> through the 12<sup>th</sup> month. The earnings to be considered for the 25<sup>th</sup> through the 36<sup>th</sup> month shall not exceed 115 percent of the earnings of the 13<sup>th</sup> through the 24<sup>th</sup> month. The earnings to be considered for the 37<sup>th</sup> through the 48<sup>th</sup> month shall not exceed 115 percent of the earnings of the 25<sup>th</sup> through the 36<sup>th</sup> month. The earnings for the final 12 months shall not exceed 115 percent of the earnings of the 37<sup>th</sup> through the 48<sup>th</sup> month.