

CHAPTER 31

JUDGES & COURT OFFICERS

[Elected or Hired Prior to January 1, 2011]

(L.a. R.S. 11:551- 11:571)

This chapter pertains to members of the Judicial Plan prior to January 1, 2011. The following positions, hereinafter referred to as “Judges or Court Officers” are covered by the Judicial Plan:

- Justices of the Louisiana Supreme Court
- Judicial Administrator of the Supreme Court and his deputies
- Judges of the Courts of Appeal
- Judges of the District Courts
- Judges of the Civil District Court for Orleans Parish
- Commissioners of the Civil District Court for Orleans Parish
- Judges of the Criminal District Court for Orleans Parish
- Magistrates of the magistrate section of the Criminal District Court for Orleans Parish
- Commissioners of the magistrate section of the Criminal District Court for Orleans Parish
- Judges of the Juvenile Courts for East Baton Rouge, Orleans, Jefferson, and Caddo Parish
- Judges of the Family Court for East Baton Rouge Parish
- Judges of the First and Second Parish Courts for Jefferson Parish
- Judges of the First and Second City Courts of New Orleans, Municipal Court of New Orleans, and Traffic Courts of New Orleans
- Judges of the various City Courts
- Judges of any Parish Court
- Judicial Administrator of the Criminal District Court of Orleans Parish and his deputies
- Judicial Administrator of the Traffic Courts for Orleans Parish and each Deputy Administrator
- Judicial Administrator of the Fourth Judicial District Court for the parishes of Morehouse and Ouachita and his deputies

Contribution Rate

(La. R.S. 11:62(5)(a))

Judges and Court Officers pay a contribution rate of 11.5 percent.

Retirement Eligibility

Judges and Court Officers have the choice to retire under Judicial Eligibility listed below or Regular Rank and File eligibility as defined in Chapter 12 on Regular Retirement in this *Member's Guide*.

- 10 years of service credit as a Judge or Court Officer at age 65
- 12 years of service credit as a Judge or Court Officer at age 55
- 18 years of service credit as a Judge or Court Officer at any age
- 20 years of total service credit at age 50, at least 12 years as a Judge or Court Officer
- Any number of years of service credit as a Judge or Court Officer 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 Judicial retirement eligibility.** This reduction can also be affected depending on whether you are in state service or out of state service at the time of your retirement.

You may choose either the Judicial option that directs your benefits to survivors by statute, or you may choose a retirement benefits option defined in chapter 10 on Retirement Options and Self-Funded COLA (Maximum, Option 1, Option 2A, Option 2B, Option 3, Option 4A, Option 4B). Choosing one of these options will affect your survivor benefits.

Benefit Accrual

As a Judge or Court Officer, you accrue benefits at 2.5 percent of your average compensation, plus an additional one percent for years of service as a Judge or Court Officer. If you became a member before July 1, 1986, and did not terminate membership, and receive a refund of your contributions, you will receive an additional \$300.00 per year added to your retirement benefit. Your average compensation will be based on your highest successive 3 years of earnings.

EXAMPLE

Judge Smith is retiring at age 52 with 20 years of service credit. Her first four years of service credit were earned as a Regular Member, and her last 16 years were earned as a Judge. She has an annual final average compensation of \$80,000.00, so her base retirement benefit would be calculated in the following manner:

$$\begin{array}{rclclcl} \$80,000.00 & \times & .025 & \times & 4.0 & = & \$8,000.00 \text{ per year} \\ \text{average} & & \text{accrual rate} & & \text{years as a} & & (\$666.66 \text{ per month}) \\ \text{compensation} & & & & \text{Regular Member} & & \\ \\ \$80,000.00 & \times & .035 & \times & 16.0 & = & \$44,800.00 \text{ per year} \\ \text{average} & & \text{accrual rate} & & \text{years as a Judge} & & (\$3,733.33 \text{ per month}) \\ \text{compensation} & & & & & & \end{array}$$

Her total retirement benefit is \$52,800.00 per year, or \$4,400.00 per month.

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.

The earnings to be considered for the 13th through the 24th month shall not exceed 125 percent of the earnings of the 1st through the 12th month. The earnings to be considered for the final 12 months shall not exceed 125 percent of the earnings of the 13th through the 24th month.

Disability Benefits

If you become physically or mentally incapacitated to perform your duties, you may retire with 50 percent of the salary you were receiving immediately prior to your Disability retirement or the maximum retirement allowance provided in R.S. 11:444 plus an additional one percent for each year of service as a Judge or Court Officer, whichever is greater.

For the details on the Disability Retirement application, certification, and continuing benefits, see chapter 16 on Disability Retirement for Regular Members.

Important Note About Insurance

If you are approved for disability retirement, your agency may be required to pay the 75 percent participation rate for your Office of Group Benefits health insurance premium, if you were enrolled in the OGB program. Please contact your Human Resources Office for any insurance questions.

Survivor Benefits

In the event of your death, survivor benefits will be paid according to the provisions of the law applicable to Regular Members. This benefit cannot exceed 75 percent of your average compensation.

If you are in state service at the time of your death, survivor benefits will be payable to your spouse regardless of your years of service. Your surviving spouse shall receive the greater of:

- An amount not less than one-third of the salary or compensation which was being paid to you at the time of death,
- An amount equal to one-half of the retirement pay you were entitled to receive or were receiving prior to death, or
- 50 percent of your final average compensation (if provisions of R.S. 11:471 are met).

Service Credit Upgrade

If you are a member of the Judicial Plan, you may upgrade non-judicial service to judicial service credit. You may also purchase prior service as an elected official. Depending on the upgrade option selected, this service credit may be for computation only or both computation and eligibility for retirement.

APPLICATION PROCESS

To receive an invoice to upgrade your service credit, you must submit the following to LASERS:

- *Form 02-15: Judicial Upgrade Invoice Request*
- A \$150.00 nonrefundable actuarial calculation fee made payable to LASERS. If additional upgrade options are requested, additional fees may be required.

If you decide to pay the invoice and upgrade your service credit, you will accrue benefits at 3.5 percent of your average compensation for each year of upgraded service. Any such upgrade must be completed prior to retirement or participation in DROP. If you have participated in DROP, you may only upgrade credit earned after DROP participation provided that you have not retired. This election is irrevocable.

It is highly recommended that an invoice be requested several months prior to the date needed. ■



MEMBER FORMS

Form 02-15: Judicial Upgrade Invoice Request