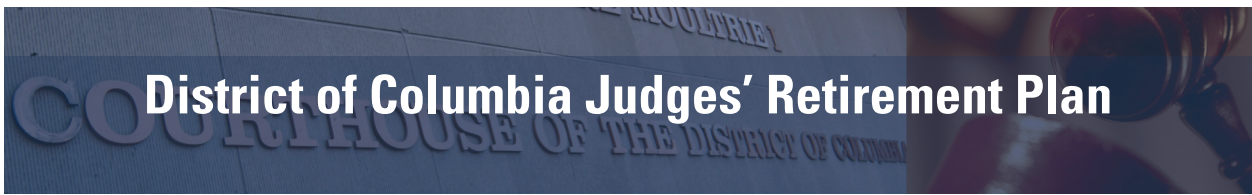


District of Columbia Judges' Retirement Plan

Summary Plan Description — 2008





Summary Plan Description

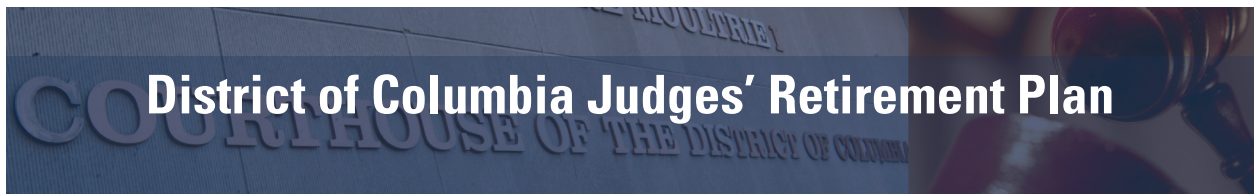
2008

This booklet is a Summary Plan Description of the benefits provided to you under the District of Columbia Judges' Retirement Plan and relevant procedural information. The full text of the plan is contained in Title 11 (section 11-1561 et seq.) of the Code of the District of Columbia. The U.S. Treasury Department has also issued regulations pertaining to this plan in the Code of Federal Regulations (C.F.R.) at 31 C.F.R. Part 29. If there are any conflicts between the information in this booklet and the D.C. Code or the CFR, the plan terms in the D.C. Code and CFR will always govern. This booklet replaces all previously provided summaries of your plan benefits.

Who Is Responsible for the Judges' Retirement Plan?

The Treasury Department administers the District of Columbia Judges' Retirement Plan pursuant to Title XI of the Balanced Budget Act of 1997 Pub. L. 105-33, as amended.

District of Columbia Judges' Retirement Plan



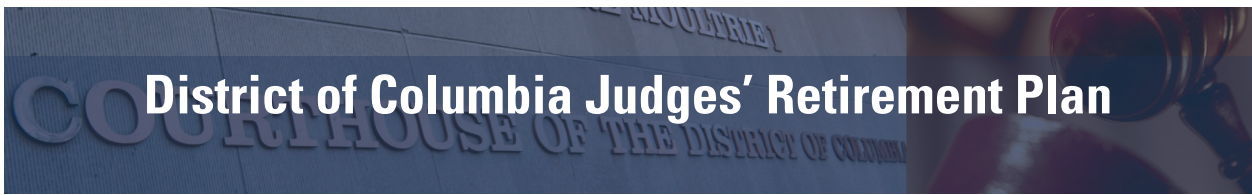
District of Columbia Judges' Retirement Plan

Table of Contents

Fast Facts About Your Retirement Plan	5
How the Retirement Plan Works	7
Plan Participation	7
Your Retirement Plan At-A-Glance	7
Your Contributions	8
How Benefits are Paid	8
When You Are Eligible to Receive Benefits	9
Regular Retirement Benefit	9
Eligibility for Executive Officers of the District of Columbia Courts	9
Early Retirement Benefit	9
Deferred Retirement Benefit	9
Disability Retirement Benefit	10
Voluntary Retirement Due to Disability	10
Involuntary Disability Retirement	10
Maximum Retirement Benefit	10
Life Events	11
If You Marry	11
If You Divorce	11
Qualified Domestic Relations Order (QDRO)	11
If You Become Disabled	12
If You Have a Break in Service	12
Receiving a Refund of Contributions	12
Rollover	13
If You Work as a Senior Judge After Retirement	13
If You Leave Work	13
If You Die	13
Survivor Benefits	14
Eligibility	14
Paying for the Survivor Benefit	15
Lump Sum Credit for Survivor Benefits	15
If Your Spouse Dies	16
If You Have Not Elected the Survivor Benefit	16
Continuing Health Benefits Coverage	16
If Your Benefits Terminate	17
How Your Retirement Benefit is Calculated	19
Your Total Service	19
Judicial Service	19
Credited Service	20
If You Accrued Retirement Benefits Through Another Retirement System	20
Civilian Service Credit Transfer	20
If You Received a Lump Sum Payout of Retirement Contributions	20
Civilian Service Credit Purchase	20
Paying Interest on Civilian Service Credit Purchase	21
Military Service Credit	22
Participation in Other Retirement Plans	22
Calculating the Regular Retirement Benefit	22
Calculating the Early Retirement Benefit	24
Calculating the Deferred Retirement Benefit	24
Calculating the Disability Retirement Benefit	24
Calculating Involuntary Disability	25
Calculating the Survivor Benefit	25
Cost of Living Adjustments	27

District of Columbia Judges' Retirement Plan

Applying for a Retirement Benefit	29
Timetable to Apply for Benefits	29
Filing Your Application	29
If Your Application is Denied	30
Judicial Review	30
Continuing Your Health and Life Insurance Benefits	31
Receiving Your Benefit	31
Receiving a Retirement or Survivor Benefit Involving a Qualified Domestic Relations Order	32
Retirement Benefit	32
Survivor Benefit	32
Refunds	32
Rollovers	33
Frequently Asked Questions	35
Frequently Asked Questions for Survivors	37
Contact Information	39
Glossary of Terms	41



Fast Facts About Your Retirement Plan

The amount of your **retirement benefit*** is based on:

- your **final basic salary**, which is the salary you receive as a **judge** immediately before you **retire**; and
- the years of **total service** you have accumulated. (See page 7.)

Each year you contribute 3.5% of your **basic salary** to the retirement plan. Your contribution is automatically deducted from your pay. (See page 8.)

If you leave the District of Columbia Judges' Retirement Plan before you are eligible to retire, you may apply for a **lump sum refund** of the contributions you have made, or you may elect to receive a **deferred retirement** benefit. (See page 9.)

You are eligible to retire with a **regular retirement** benefit:

- anytime after reaching age 50 if you have at least 20 years of **judicial service**;
- when you reach age 60 if you have at least 10 years of judicial service; or
- when you reach the mandatory **retirement** age of 74 regardless of how many years of judicial service you have. (See page 9.)

If you have between 10 and 19 years of judicial service, you may be eligible to retire between ages 55 and 60 and receive an early retirement benefit. Note that benefits are reduced under the **early retirement** benefit. (See page 9.)

If you become disabled and you have five or more years of service, you may be eligible for a **disability retirement** benefit. If you retire involuntarily because of a disability, you are eligible for a retirement benefit regardless of your years of service. For more information on **involuntary disability retirement** see page 10.

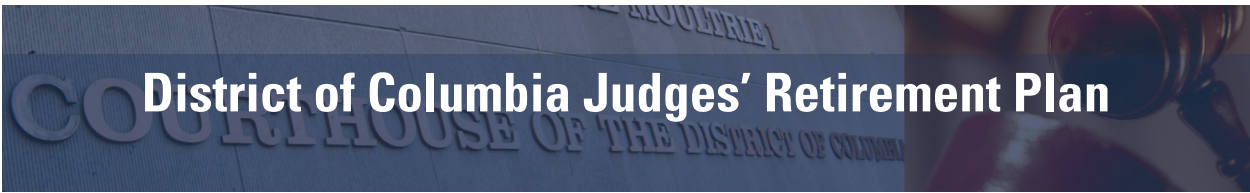
You may elect an optional survivor benefit, which is a monthly benefit to be paid after your death to your **spouse** and/or eligible **child(ren)**. You must elect a survivor benefit within six months from the date you marry or within six months after you take office or you are reappointed or recommissioned. (See page 14.)

To elect the survivor benefit, you must contribute an additional 3.5% of your basic salary while you are working and 3.5% of your retirement benefit once you retire. (See page 8.) You must also make a deposit for the voluntary 3.5%

District of Columbia Judges' Retirement Plan

deductions back to the starting date of your judicial service, plus interest, if you elect the survivor benefit after you start your judicial service, after you retire, or when you purchase creditable civilian service.

*Bold words or phrases **underlined in blue** can be found in the Glossary of Terms, beginning on page 41.



District of Columbia Judges' Retirement Plan

How the Retirement Plan Works

The District of Columbia Judges' Retirement Plan has been designed to provide eligible judges with a monthly benefit during retirement. The amount of your benefit depends on your years of service, your basic salary and your age when you retire.

Plan Participation

You are automatically a participant in the retirement plan if you are:

- a judge of the District of Columbia Court of Appeals;
- a judge in the District of Columbia Superior Court; or
- the Executive Officer for the District of Columbia Courts.

If you leave the District of Columbia Courts after contributing to the retirement plan and you are later rehired, you become a participant on the day you are re-employed.

Your Retirement Plan At-A-Glance

Regular Retirement	Age 50 if you have at least 20 years of judicial service; Age 60 if you have at least 10 years of judicial service; or Age 74 when retirement is mandatory.
Early Retirement Benefit Eligibility	Age 55 if you have between 10 and 19 years of judicial service. The judicial service component of the benefit is reduced by 1/12 of 1% for each month or fraction of a month you are under age 60 at the time benefits begin. The credited service component is not reduced.
Deferred Retirement Benefit Eligibility	The eligibility requirements to begin receiving a deferred retirement benefit are the same age and service requirements as for the regular and early retirement benefits.

Your plan also offers disability retirement benefits (see pages 10 and 24) and survivor benefits (see pages 14 and 25).

Your retirement benefit may not exceed 80% of final basic salary. Your final basic salary is the salary you earned immediately before you retired.

District of Columbia Judges' Retirement Plan

Your Contributions

You must make contributions to your retirement plan. Your contributions are:

- mandatory—3.5% of your annual basic salary while you are working.
- voluntary—an additional 3.5% of your annual basic salary if you elect a survivor benefit for your spouse and/or eligible dependent child(ren). Once you retire, you must continue to contribute 3.5% of your retirement benefit for your survivor benefit election.

Contributions are automatically withheld from your basic salary. Voluntary contributions that are made after you retire are paid from your retirement benefit. Mandatory and voluntary contributions are deducted from your pay each pay period and are deposited into the District of Columbia Judicial Retirement and Survivors' Annuity Fund ("Retirement Fund"). These contributions are always yours, and you can receive them as a lump sum refund if you leave office prior to retirement.

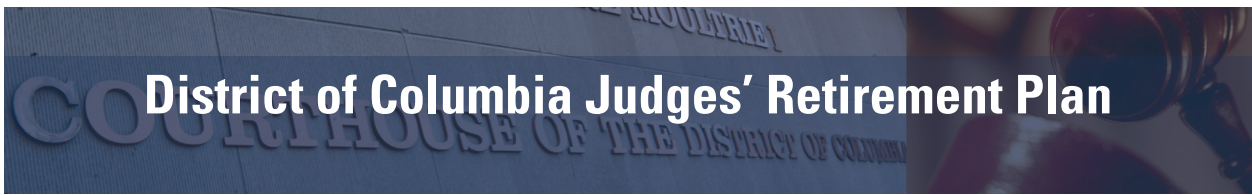
How Benefits are Paid

When you retire, you will receive your retirement benefit in monthly installments. Your payment is deposited into your account (if you elect the direct deposit option) on the first business day of the first month after the benefit accrues. Benefit payments stop on the day of your death.

NOTE: If the first of the month falls on a weekend or a holiday, the benefit is paid on the first business day of the month. For example, if January is the month in which your benefit payment begins and the first of February is a Sunday, your monthly benefit for January will be paid on Monday, February 2nd.

If you elected a survivor benefit, payments to your survivor(s) are effective on the day after your death and continue until your spouse remarries (if prior to age 55) or dies.

If your child(ren) is eligible for a survivor benefit, payments will continue until he or she reaches age 18 (or 22 if the child(ren) is a full-time student), marries, or dies—whichever occurs first. Payments to an unmarried child(ren) who is incapable of self-support because of a mental or physical disability that occurred before age 18 end when he or she marries, recovers from the disability, or dies—whichever occurs first.



District of Columbia Judges' Retirement Plan

When You Are Eligible to Receive Benefits

The retirement plan offers a regular retirement benefit, an early retirement benefit, a deferred retirement benefit, a disability retirement benefit and a benefit for your survivors in the event of your death. For information about how to calculate your retirement benefit, see page 19.

Regular Retirement Benefit

You are eligible for a regular retirement benefit:

- at age 50 if you have 20 or more years of judicial service;
- anytime after age 60 if you have at least 10 years of judicial service; or
- when you reach age 74, the mandatory retirement age for judges in the District of Columbia, regardless of how many years of judicial service you have.

Eligibility for Executive Officers of the District of Columbia Courts

If you are the Executive Officer of the District of Columbia Courts, you are eligible for retirement when you have completed seven years of service as an Executive Officer, whether continuous or not. The Executive Officer will receive the same retirement compensation under this plan as an associate judge of the Superior Court, with the only difference being the service requirement of seven years as the Executive Officer.

Early Retirement Benefit

If you have between 10 and 19 years of judicial service, you may elect to receive an early retirement benefit at any time between ages 55 and 60. Your retirement benefit is reduced by 1/12 of 1% for each month or fraction of a month that you are under age 60 when your retirement benefit is scheduled to begin.

Deferred Retirement Benefit

If you have separated from service with the District of Columbia Courts with at least 10 years of judicial service but before you are eligible to retire and do not take a lump sum refund and are entitled to a deferred retirement benefit, you must begin to receive that benefit no later than April 1st of the calendar year following the year you become age 70 1/2. The eligibility requirements

District of Columbia Judges' Retirement Plan

to begin receiving a deferred retirement benefit are the same age and service requirements as for the regular and early retirement benefits.

If you are rehired, you may retain credit for service previously earned if you did not receive a lump sum refund for your judicial service. Judicial service for which you received a lump sum refund cannot be repurchased.

Disability Retirement Benefit

If you become mentally or physically disabled, you may voluntarily retire with five or more years of service, including creditable civilian service.

Voluntary Retirement Due to Disability

To be eligible for a voluntary disability retirement, you must have a mental or physical disability that is likely to become permanent and that prevents or seriously interferes with the performance of your judicial duties.

You must provide the [Benefits Administrator](#) with a certificate of disability signed by a doctor that is duly licensed and approved by the Surgeon General of the United States. You may be asked to provide supporting evidence before your claim is approved.

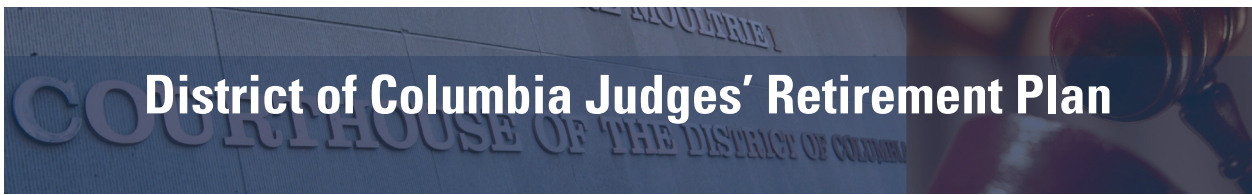
If you voluntarily stop working because you are disabled and you have fewer than five years of judicial or creditable civilian service, you will receive a lump sum refund of your retirement and survivor benefit contributions if any.

Involuntary Disability Retirement

You may retire involuntarily if the Commission on Judicial Disabilities and Tenure determines that your disability is likely to become permanent and will prevent or seriously interfere with your judicial duties. If you retire involuntarily, you may receive a retirement benefit without meeting any service requirements. The minimum disability benefit is 50% of your final basic salary and the maximum is 80% of your final basic salary.

Maximum Retirement Benefit

There is a cap on the [maximum retirement benefit](#) you can earn as a retired judge, regardless of the type of retirement benefit you are receiving. Your retirement benefit may not exceed 80% of your final basic salary, which is the salary you received immediately before your retired.



District of Columbia Judges' Retirement Plan

Life Events

This section discusses certain life events, such as marriage, divorce, disability, incurring a break in service, returning to work after retirement, leaving work, or death, that may affect your retirement benefit.

If You Marry

If you marry while in service as an **active judge**, contact your personnel office if you wish to name your spouse as your beneficiary for this plan. If you marry after retirement, contact the Benefits Administrator to name your spouse as the beneficiary for this plan. Phone numbers and addresses for personnel offices and the Benefits Administrator are on page 39. If you name your spouse as your beneficiary, this does not entitle him or her to a survivor benefit. That is a separate election. See page 15 for more information.

You may elect a survivor benefit for your spouse and your eligible dependents. You must elect survivor benefits within six months from the date you marry or within six months after you take office or you are reappointed or recommissioned. For information about survivor benefits, see page 14.

If You Divorce

If you divorce and you elected the survivor benefit, you will be refunded the amount you contributed toward the survivor benefit provided you do not have eligible child(ren) or a **Qualified Domestic Relations Order (QDRO)**. Your **former spouse** may receive a QDRO, which, if granted, may affect your retirement benefit.

Qualified Domestic Relations Order (QDRO)

If you divorce, in some cases the plan may have to pay benefits to your former spouse. This will depend on the terms of your divorce and what instructions are contained in an applicable QDRO issued after March 15, 1989. Your former spouse may be awarded all or a portion of your retirement benefit, a payment from your retirement benefit, or a survivor benefit if the plan receives a qualifying court order. To be acceptable, the QDRO must state:

- that your former spouse is entitled to a survivor benefit or that you must provide a survivor benefit for your former spouse;
- your former spouse's share of your benefit as a fixed-dollar amount or a percentage or fraction of a retirement benefit; and
- whether your former spouse should receive payment directly from the Treasury Department.

District of Columbia Judges' Retirement Plan

A QDRO can be accepted after you retire if it is based on the type of benefit payment you chose. For example, if you are married at the time you retire and you chose to receive a reduced retirement benefit in order to provide a survivor benefit—and then you get divorced—a QDRO to continue the survivor benefit for your former spouse is acceptable. However, if you did not elect a survivor benefit when you retired, the QDRO cannot require the plan to provide an additional survivor benefit for your former spouse.

If the former spouse is receiving benefit payments from this plan but remarries before age 55, payment will stop. Your payments will be restored to the amount they would have been if there had not been a court order.

If the court order grants your former spouse full benefits, any beneficiary who may have otherwise received a benefit under the plan may not receive one.

If You Become Disabled

If you become disabled after you have earned five or more years of total service, you may be eligible to receive a disability retirement benefit. You must provide the Benefits Administrator with proof of your disability signed by a doctor that is duly licensed and approved by the Surgeon General of the United States. The Benefits Administrator may ask for additional evidence before approving your claim for a disability retirement benefit.

If you become disabled and resign before completing five years of service, you will receive a lump sum refund for retirement contributions that you made and any amount that you deposited or transferred into the retirement fund.

If you retire involuntarily due to your disability, you will be eligible for a disability retirement benefit regardless of the years of service you have earned. The minimum disability benefit is 50% of your final basic salary and the maximum benefit is 80%.

For information on how to calculate a disability retirement benefit, see page 24.

If You Have a Break in Service

You will incur a break in service if you resign or leave the District of Columbia Courts for reasons other than normal or disability retirement. When you have a break in service, your plan membership stops. At that time, you may receive a lump sum refund as described below.

Receiving a Refund of Contributions

When you separate from service, you may elect to receive a lump sum refund of the retirement contributions you made, any voluntary survivor benefit

District of Columbia Judges' Retirement Plan

contributions, and the amount that you deposited or transferred to receive civilian credited service. You must make this election at least 31 days before you are eligible for a regular retirement benefit.

If you are rehired as a judge, you may retain the credit for judicial service you earned before and during that break, provided you did not receive a lump sum refund. **Once you take a lump sum refund for judicial service, the judicial service cannot be repurchased.**

Rollover

If you are eligible for a lump sum refund, you may choose to roll it over to another qualified plan or an IRA. For more information, ask your Benefits Administrator for the Rollover Information Sheet. See page 39 for contact information.

If You Work as a Senior Judge After Retirement

You may receive compensation for work as a **senior judge** for a limited number of days while you are receiving a retirement benefit. Your work as a senior judge does not count toward calculating a retirement benefit. The number of days you will be paid per year is based on the following formula:

$$\begin{array}{|c|} \hline \text{Annual Salary of} \\ \text{an Active Judge} \\ \hline \end{array} - \begin{array}{|c|} \hline \text{Your Retirement} \\ \text{Benefit} \\ \hline \end{array} = \begin{array}{|c|} \hline \text{Amount of compensation you} \\ \text{can earn as a Senior Judge} \\ \hline \end{array}$$

For example, if the annual salary of an active judge is \$150,000 and your retirement benefit is \$90,000, you may receive up to \$60,000 in compensation as a senior judge.

If You Leave Work

If you separate from service with the District of Columbia Courts and do not take a lump sum refund, you may be eligible to elect to receive a deferred retirement benefit at a later date. The eligibility requirements to begin a deferred retirement benefit are the same age and service requirements as for the regular retirement benefits. See discussion of deferred retirement benefit on page 9.

If You Die

If you die, your survivor should contact both the Judges' personnel office and the Benefits Administrator. If you have elected the survivor benefit (see page 14), your survivor will need to complete an application and provide your personnel office with certain documentation (such as marriage and death

District of Columbia Judges' Retirement Plan

certificates). Your survivor will receive 55% of your retirement benefit as a monthly benefit for the rest of his or her life unless your spouse remarries before age 55 or your child(ren) is no longer eligible.

Survivor Benefits

The survivor benefit is an optional benefit that you must elect if you want to provide a monthly benefit for your spouse and/or your eligible child(ren). Your share of the cost for a survivor benefit is an additional 3.5% of your basic salary while you are working and 3.5% of your retirement benefit during your retirement.

You must make a survivor benefit election in writing within six months of the date that you take office, become reappointed or recommissioned, or within six months of the date you marry. The written election should be submitted to your personnel office while in active service as a judge, or the Benefits Administrator if you marry after you retire. See page 39 for contact information.

You must make a deposit plus interest for the voluntary 3.5% deductions back to the starting date of your judicial service. In addition, you must also deposit 3.5% of the basic salary you received for credited civilian service that you purchased during your judicial service plus interest.

In order for survivors to be eligible for benefits, the judge must have elected such benefits and must have at least five years of creditable service during which contributions have been withheld or deposits made. Five years of creditable service is required whether the judge dies in active service or after retirement. See page 15 for information on the lump sum credit for survivor benefits.

Survivor benefit payments are effective on the day after your death.

Eligibility

Survivor benefits can be paid to your eligible spouse and your eligible child(ren). Your spouse must have been married to you for at least two years prior to your death, or be the natural father or mother of a child(ren) by your marriage.

Your spouse is eligible to receive the survivor benefit for his or her lifetime unless he or she remarries before reaching age 55. If this happens, the survivor benefit will terminate and he or she will be paid the portion of the benefit that has accrued through the date of remarriage. If your spouse marries after age 55, survivor benefit payments will continue for your spouse's lifetime.

Your child(ren) is eligible for the survivor benefit until he or she reaches age 18 (or 22 if the child(ren) is a full-time student), marries or dies—whichever

District of Columbia Judges' Retirement Plan

occurs first. Payments to an unmarried child(ren) who is incapable of self-support because of a mental or physical disability that occurred before age 18 end when he or she marries, recovers from the disability, or dies—whichever occurs first.

Paying for the Survivor Benefit

If you elect the survivor benefit, you may make your required deposits in a lump sum or in installments. If you do not make the required deposits after you elect this benefit, your spouse's annual benefit will be reduced by 10% of the total deposits you did not make unless your spouse elects to pay the remaining deposit or to eliminate the service not covered by the deposit.

If you received credit for civilian service that you purchased during your judicial service, you must deposit 3.5% of the basic salary you received in that service, plus interest. However, if you have transferred civilian service creditable under Title 5 of the United States Code §8332 for which full contributions were made to the retirement system, you do not need to make additional contributions for a survivor benefit.

Lump Sum Credit for Survivor Benefits

A **lump sum credit** equal to the amount you contributed and/or deposited for the survivor benefit will be paid if you elected the survivor benefit and you die:

- while in regular active service before completing five years of judicial or credited service; or
- after retirement and you have no eligible survivors; or
- after completing five years of judicial or credited service and you have no eligible survivors; or
- if you or your survivor's rights to a benefit have terminated before a valid claim for benefits has been established.

The lump sum credit will be paid to the first person who survives you in the following order of precedence:

- the beneficiaries you name in writing and who are on file with the Benefits Administrator prior to your death;
- your spouse;
- your child or children and the descendants of any deceased child(ren) by representation;
- your parents or the survivors of them;

District of Columbia Judges' Retirement Plan

- your estate;
- your next of kin as determined by the Benefits Administrator to be entitled to the payment under laws of your domicile at the time of your death.

If you and your spouse divorce and you do not have an eligible dependent child(ren), you may elect a lump sum refund for the amount you contributed toward a survivor benefit, provided there is no QDRO requiring that a survivor benefit be paid to your former spouse.

If Your Spouse Dies

If your spouse dies before you and you do not have an eligible dependent child(ren), you may elect a lump sum refund for the amount you contributed toward a survivor benefit. Your retirement benefit annuity payments will be increased (for future payments) after your spouse's death (if you do not have an eligible child(ren)) to the amount they would have been if you had not elected a survivor benefit. You must notify the Benefits Administrator and provide your spouse's death certificate to claim your full annuity and a refund of your survivor's contributions.

If your spouse dies while receiving a survivor benefit and is survived by an eligible dependent child or children, the benefit to the surviving child(ren) will be calculated as described on page 25.

If your spouse dies while receiving the survivor benefit and there is no surviving dependent child(ren), any remaining **unexpended contributions** will be paid to the executor or administrator of the spouse's estate, or if there is no such person, the Benefits Administrator will name a person to be legally entitled to the unexpended contributions.

If You Have Not Elected the Survivor Benefit

If you have not elected the survivor benefit and you die while in regular active service, the lump sum credit for your contributions toward your retirement benefit will be paid to your beneficiary, then to the other persons in the order shown on page 15 under the order of precedence clause.

Continuing Health Benefits Coverage

Generally, you must have at least five years of continuous health* and/or life* insurance coverage immediately prior to your retirement date in order to continue your coverage into retirement. The five year requirement for health insurance coverage will not apply if you retire on a disability whether voluntary or involuntary. In addition, OPM has the sole discretion to waive the health coverage requirements for annuitants in exceptional circumstances. Under certain circumstances, your former spouse who is party to a QDRO and your

District of Columbia Judges' Retirement Plan

surviving spouse may also be eligible to continue receiving health insurance coverage. For more information on "QDROs", see page 11.

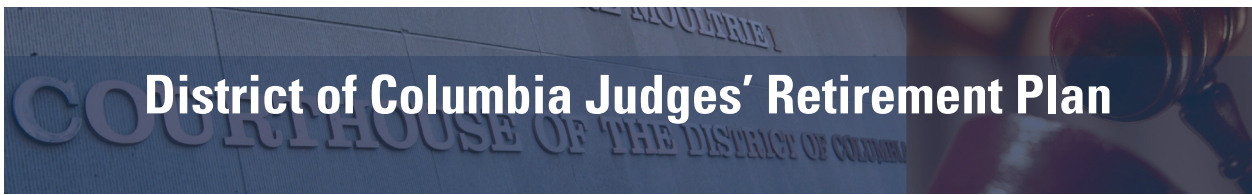
For information regarding health and/or life insurance please refer to contact information on page 39.

*** The U.S. Office of Personnel Management negotiates and administers the health and life insurance programs. The Benefits Administrator only provides forms and information on the programs.**

If Your Benefits Terminate

If retirement benefits for you or your dependents terminate before the aggregate amount of benefits paid (including your retirement benefit) equals the total amount that was credited to your account, the difference will be paid in order of precedence set on the list on page 15.

District of Columbia Judges' Retirement Plan



District of Columbia Judges' Retirement Plan

How Your Retirement Benefit is Calculated

You can determine the benefit you will receive at retirement by using the formulas described in this section. The calculations used to determine your benefit are based on your:

- final basic salary, which is the pay you are receiving immediately before you retire as a judge; and
- total service, which is your judicial service and your credited service combined.

Your Total Service

Total service consists of years, months and days of judicial service (your service as a judge) and years and months of credited service (civilian or military service for the Federal government).

Judicial Service

The amount of judicial service you have determines if and when you are eligible for retirement. Judicial service means service as the Executive Officer of the District of Columbia Courts or as a judge in the:

- District of Columbia Court of Appeals; or
- District of Columbia Superior Court.

Judicial service with certain courts that no longer exist also constitutes judicial service under this plan. These courts include:

- Juvenile Court of the District of Columbia;
- District of Columbia Tax Court;
- Police Court;
- Municipal Court;
- Municipal Court of Appeals; or
- District of Columbia Court of General Sessions.

District of Columbia Judges' Retirement Plan

Credited Service

Credited service refers to military or civilian service that you performed (other than judicial service) that is considered “creditable” under §8332 of Title 5 of the United States Code. Your credited service is used in calculating the amount of your retirement benefit through this retirement plan. If you have a question about whether or not your Federal service is creditable, contact your personnel office. (See page 39.) Service under the Federal Employees Retirement System (FERS) does not count as credited service under this plan.

You may elect to receive credit for your civilian or military service, but the election must be made while you are earning judicial service or at the time you retire. The method by which you receive credit for your service depends on whether or not you accrued (but did not receive) a retirement benefit through another plan or you received a lump sum payout of contributions to the retirement plan. If you do not elect a survivor benefit, you may be eligible to receive a partial return of the transferred credit.

If You Accrued Retirement Benefits Through Another Retirement System

Civilian Service Credit Transfer

If you have accrued contributions for retirement in the Civil Service Retirement and Disability Fund or in the Civil Service Retirement System, you may transfer those contributions into this plan to receive credit for the service. This transferred credit will be used to calculate your retirement benefit. You do not need to make any deposits in addition to the transferred amount if you made full contributions to the other retirement system.

If You Received a Lump Sum Payout of Retirement Contributions

Civilian Service Credit Purchase

If you received a lump sum payout of your contributions from another retirement plan, you must make a deposit equal to 3.5% of the basic salary plus interest you earned for each year of creditable civilian service that you want credited.

If you separated from civilian service prior to October 1, 1990, in lieu of making a full deposit, you may complete your purchase of civil service credit by accepting an actuarial reduction of your retirement benefit. The amount of the reduction is such that if you live the average life expectancy, the total reduction would be equal to the deposit balance.

District of Columbia Judges' Retirement Plan

FOR EXAMPLE:

Judge Jones left employment after 15 years of credited service and received a lump sum payout of his retirement contributions from the Civil Service Retirement System. His basic salary was \$50,000 for his first five years, \$60,000 for his second five years and \$75,000 for his final five years. After he received his payout, he became a judge in the District of Columbia. Judge Jones must deposit 3.5% of his basic salary for each of the 15 years he worked under the Civil Service Retirement System if he wants to include those years in calculating the amount of his retirement benefit through the District of Columbia Judges' Retirement Plan. Judge Jones contributes \$32,375 (plus interest) to the Fund for his 15 years of credited service.

$$3.5\% \times \$50,000 = \$1,750 \times 5 \text{ years} = \$8,750$$

$$3.5\% \times \$60,000 = \$2,100 \times 5 \text{ years} = \$10,500$$

$$3.5\% \times \$75,000 = \$2,625 \times 5 \text{ years} = \$13,125$$

$$\$8,750 + \$10,500 + \$13,125 = \$32,375$$

You may make your deposit as a lump sum or in installments while you are earning judicial service. You may make installment payments on a purchase of service up until the time you retire. If you are making your deposit in installments, you may request to pay the balance as a lump sum at any time. Contact your personnel office. See page 39 for more information.

Paying Interest on Civilian Service Credit Purchase

You will have to pay interest on a civilian service credit purchase. Interest is due for the period beginning on the first day of the first month after the end of the service period for which the deposit is made, and ending on either:

- the last day of the month preceding the month during which the deposit is made if you make a lump sum deposit; or
- the last day of the month during which you make your first payment, if you are paying in installments. If you are paying the deposit in installments, interest is due on the unpaid balance, but it is calculated at a different interest rate.

For the period prior to January 1, 1948, the interest rate is 4% per year.

For the period from January 1, 1948 through February 14, 1980, the interest rate is 3% per year. For the period from February 15, 1980 through September 30, 1980, the interest rate is based on the average rate of interest on interest-bearing obligations of the United States forming a part of the public debt.

For the period from October 1, 1980 through April 30, 1999, the interest rate is based on the average rate of return on investment for the District of Columbia Judges' Retirement Fund. For the period beginning May 1, 1999, the interest

District of Columbia Judges' Retirement Plan

rate is based on the average rate of return on investment for the District of Columbia Judicial Retirement and Survivors' Annuity Fund.

If you transfer funds from the Civil Service Retirement and Disability Fund or the retirement fund of any other Federal (except FERS) or D.C. retirement plan for civilian employees in excess of the required amount, you will be granted a refund of the excess amount if you have not elected the survivor benefit.

Military Service Credit

If you elect to receive credit for military service that is creditable under Title 5 United States Code §8332, you do not have to transfer or deposit funds to receive credit. However, if you are receiving military retirement pay you cannot also receive a retirement benefit from this plan based on that credit.

Participation in Other Retirement Plans

If you elect to remain in another civilian or military retirement plan of the Federal or D.C. government, you may receive a retirement benefit from this plan and those other retirement plans. Your service in another plan will not be used to calculate your retirement benefit under this plan; however, it may be used to determine your eligibility for a voluntary disability retirement.

Calculating the Regular Retirement Benefit

To calculate your regular retirement benefit, you will need to know the following:

1. Your years of judicial service: _____
2. Your years of credited service: _____
3. Your final basic salary (the pay that you receive immediately before you retire as a judge): _____

Step 1. Multiply your basic salary by your years of judicial service and divide by 30.

basic salary	x	judicial service	÷	30	=	\$
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Step 2. Multiply your basic salary by 1.5% (0.015) and then multiply by the number of years of credited service you have, up to five. If you have more than five years of credited service, you will also complete step 3.

basic salary	x	1.5%	x	years of service (1 through 5)	=	\$
--------------	---	------	---	--------------------------------	---	----

District of Columbia Judges' Retirement Plan

Step 3. Multiply your basic salary by 1.75% (0.0175) and then multiply by the number of years of credited service you have between six and ten years. If you have more than ten years of credited service, you will also complete step 4.

$$\text{basic salary} \times 1.75\% \times \text{years of service (6 through 10)} = \$$$

Step 4. Multiply your basic salary by 2% (0.02) and then multiply by the number of years of credited service you have beyond ten.

$$\text{basic salary} \times 2\% \times \text{years of service over 10} = \$$$

Step 5. Add together the totals from steps one through four to determine the amount of your annual retirement benefit.

$$\text{Total} = \text{Step 1} + \text{Step 2} + \text{Step 3} + \text{Step 4} = \$$$

FOR EXAMPLE:

Judge Cochran decides to retire at age 60 when he will have 20 years of judicial service and 7 years of civilian service. His final basic salary is \$150,000.

FORMULA:

$$\begin{aligned} & \$150,000 \times 20/30 = \$100,000 \\ & \text{(his judicial service)} \\ & + \\ & \$150,000 \times 1.5\% \times 5 = \$11,250 \\ & \text{(his first five years of creditable civilian service)} \\ & + \\ & \$150,000 \times 1.75\% \times 2 = \$5,250 \\ & \text{(his next two years of creditable civilian service)} \\ & = \\ & \text{Total annual regular retirement benefit} = \\ & (\$100,000 + \$11,250 + \$5,250) = \$116,500 \\ & \text{(77.6\% of Judge Cochran's basic salary)} \end{aligned}$$

NOTE: The portion of your retirement benefit that is related to civilian service is calculated under the civil service formula (CSRS credit formula) provided in Title 5 United States Code §8339 rather than the formula in D.C. Code §11-1564(a), except that “average pay” for the purpose of calculating your retirement benefit is your final basic salary.

Your retirement benefit cannot equal more than 80% of your final basic salary. If your benefit is actuarially reduced, the reduced retirement benefit cannot equal more than 80% of your final basic salary. However, you may be able to receive up to 80% from this retirement plan and still receive retirement benefits from another plan. Credited service purchased and included under this retirement plan may not be used for another retirement benefit and vice versa. You may not receive a partial refund of amounts you contributed to the plan, including amounts contributed to purchase civilian service.

District of Columbia Judges' Retirement Plan

Calculating the Early Retirement Benefit

You are eligible for an early retirement benefit if you are at least age 55 and have more than 10 (but fewer than 20) years of judicial service. Your early retirement benefit is calculated the same way that a regular retirement benefit is calculated, however, the amount of your judicial service component of the benefit will be reduced by 1/12 of 1% for each month or fraction of a month that you are under age 60 when you retire.

FOR EXAMPLE:

Judge Bell decides to retire at age 57 with 16 years of judicial service and 4 years of creditable civilian service. Her basic salary is \$150,000. For the purposes of this example, let's assume she is exactly 36 months younger than 60. Her early retirement benefit will be calculated as follows:

FORMULA:

$$\$150,000 \times 16/30 = \$80,000 \text{ (her judicial service)}$$

$$\text{Reduction for early retirement is } 3\% \text{ of } \$80,000 = \$2,400$$

$$(\$80,000 - \$2,400) \text{ Judicial service benefit portion} = \$77,600$$

+

$$\$150,000 \times 1.5\% \times 4 = \$9,000 \text{ (her creditable civilian service)}$$

=

$$\text{Total annual early retirement benefit} = (\$77,600 + \$9,000) = \$86,600$$

Calculating the Deferred Retirement Benefit

The deferred retirement benefit is calculated in the same way as a regular retirement benefit and early retirement benefit.

Calculating the Disability Retirement Benefit

Your disability retirement benefit is based on your basic salary and your years of service at the time you retire.

Your disability retirement benefit is calculated in the same way as a regular retirement benefit. There is no reduction to your benefit if you are younger than age 60 and you retire due to a disability. If you become disabled and resign before completing five years of service, you will receive a lump sum refund that includes your retirement contributions from your basic salary, plus any amount that you have deposited or transferred into the retirement fund. For more information about the disability retirement benefit, see "If You Become Disabled" on page 12.

District of Columbia Judges' Retirement Plan

Calculating Involuntary Disability

You may retire involuntarily if the Commission on Judicial Disabilities and Tenure determines that your disability is likely to become permanent and will prevent or seriously interfere with your judicial duties. If you retire involuntarily, you may receive a retirement benefit without meeting any service requirements. The minimum disability benefit is 50% of your final basic salary and the maximum is 80% of your final basic salary.

Calculating the Survivor Benefit

If you have elected the survivor benefit prior to your retirement, or within six months of marriage after retirement, your spouse and eligible dependents may receive a benefit in the event of your death. The survivor benefit is payable to your spouse and eligible dependent child(ren).

Your child(ren) is eligible for the survivor benefit until he or she reaches age 18 (or 22 if the child(ren) is a full-time student), marries or dies—whichever occurs first. Payments to an unmarried child(ren) who is incapable of self-support because of a mental or physical disability that occurred before age 18 end when he or she marries, recovers from the disability, or dies—whichever occurs first.

The survivor benefit is calculated as follows:

Surviving Spouse Only		
If your spouse is your only survivor, and you die before you retire, your spouse will receive the greater of:		
55% of the retirement benefit that you would be entitled to receive if you had retired on the day before your death.	OR	55% of the retirement benefit that you would be entitled to receive if you had 15 years of judicial service and had retired on the day before your death.
Surviving Spouse and Child(ren)		
If your spouse and eligible child(ren) are your survivors, your spouse's benefit is calculated using the formula above. Then, each year, each dependent child(ren) receives one-half of the spouse's annual benefit up to the lesser of:		
\$5,258 per year (as of January 1, 2008)	OR	\$15,774 per year (as of January 1, 2008) Divided by the number of eligible child(ren).

District of Columbia Judges' Retirement Plan

Surviving Child(ren) Only

If you do not have a surviving spouse, each eligible child(ren) receives a benefit calculated the same way as the spouse's benefit if the spouse had survived. However, the maximum annual benefit for each child(ren) is the lesser of:

\$6,311 per year (as of January 1, 2008)	OR	\$18,832 per year (as of January 1, 2008) Divided by the number of eligible child(ren).
---	----	---

FOR EXAMPLE:

Judge Marcus wants to provide a survivor benefit for his spouse. His basic salary is \$150,000 and he has earned 20 years of judicial service and seven years of civilian service.

FORMULA:

$$\begin{aligned}
 & \$150,000 \times 20/30 = \$100,000 \\
 & \text{(his judicial service)} \\
 & + \\
 & \$150,000 \times 1.5\% \times 5 = \$11,250 \\
 & \text{(his first five years of creditable civilian service)} \\
 & + \\
 & \$150,000 \times 1.75\% \times 2 = \$5,250 \\
 & \text{(his next two years of creditable civilian service)} \\
 & = \\
 & \text{Total annual retirement benefit} = (\$100,00 + \$11,250 + \$5,250) = \\
 & \$116,500 \\
 & \text{Then, his total retirement benefit is multiplied by 55\%:} \\
 & \$116,500 \times .55 = \$64,075
 \end{aligned}$$

When Judge Marcus dies, his spouse would receive an annual survivor benefit of \$64,075 for the rest of her life, unless she remarries before age 55.

District of Columbia Judges' Retirement Plan

All survivor benefit amounts are subject to cost of living adjustments, as described below.

Cost of Living Adjustments

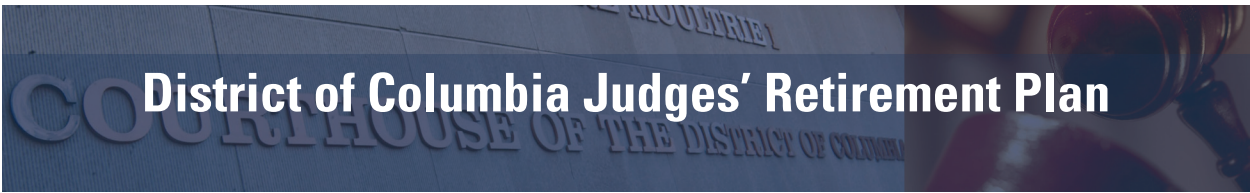
Your retirement benefits are adjusted on December 1st of each year to reflect changes in the cost of living for the year just past based on the Consumer Price Index (CPI) adjustments provided under §8340 of Title 5 of the United States Code. Your adjustment is reflected in your January payment.

Your first adjustment is prorated by multiplying the CPI adjustment by 1/12 then multiplying this figure by the number of months you have been receiving your retirement benefit.

For example, assume the cost of living increase is 3% and you retired on January 15. Your first adjustment, payable in January of the following year, would be increased by 2.8%, because it would be based on 11 months rather than a full year.

After the first year, you and your survivors would be entitled to the full amount of all future cost of living adjustments.

District of Columbia Judges' Retirement Plan



Applying for a Retirement Benefit

You or your survivor must apply to receive retirement, disability or survivor benefits under the plan.

You should contact your personnel office as early as six months before you wish to retire to meet with a retirement counselor and review your personnel folder to ensure that your service is properly documented and verified. Your personnel office can provide you with an estimate of your retirement benefit.

Timetable to Apply for Benefits

What You Should Do:	Your Time Frame:
Contact your personnel office with an approximate date of your retirement to make an appointment	Six months before your anticipated retirement date
Request a retirement benefit estimate	Three to six months before your anticipated retirement date
Submit your application	30 days before your anticipated retirement date
Receive your first benefit payment	30 to 60 calendar days from your retirement date

Filing Your Application

You must file your application for a retirement benefit in writing with the Benefits Administrator. If you are filing an application for a voluntary disability retirement benefit, you must include a certificate of disability to be filed with the Benefits Administrator that is signed by doctor that is duly licensed and approved by the Surgeon General of the United States.

The Benefits Administrator requires a determination by the District of Columbia Commission on Judicial Disabilities and Tenure and an order of involuntary retirement filed in the District of Columbia Court of Appeals for an application for an involuntary disability retirement.

District of Columbia Judges' Retirement Plan

If Your Application is Denied

If your application for retirement benefits is denied in whole or in part, the Benefits Administrator will notify you in writing. The notice must advise you of your right to request reconsideration of the denial and the time limits for doing so. You must submit your request for reconsideration to the Benefits Administrator in writing within 60 days from the date of the denial. Your request must include:

- your name;
- your address;
- your date of birth;
- the claim number (if applicable); and
- a statement of the basis for the request.

If your reconsideration request is denied, you will receive written notice from the Benefits Administrator with the specific reason for the denial and your right to appeal to the Treasury Department and how to do so.

If you submit an appeal to the Treasury Department, your appeal must include the same information as your original request for reconsideration and state the basis for your appeal. The Department must receive the appeal within 60 days from the date of the reconsideration decision.

The Treasury Department's final decision on the appeal must be in writing and must fully set forth the Department's findings and conclusions on the appeal, and must contain notice of your right to judicial review of the decision.

Judicial Review

An individual whose claim has been denied (in whole or in part) by the Treasury Department in a final decision may file a civil action in the United States District Court for the District of Columbia. The action must be filed within 180 days of the date of the final decision from the Treasury Department.

District of Columbia Judges' Retirement Plan

Continuing Your Health and Life Insurance Benefits

Generally, you must have at least five years of continuous health and/or life insurance coverage immediately prior to your retirement date in order to continue your coverage into retirement. The five year requirement for health insurance coverage will not apply if you retire on a disability whether voluntary or involuntary. In addition, OPM has the sole discretion to waive the health coverage requirements for annuitants in exceptional circumstances. Under certain circumstances, your former spouse who is party to a QDRO and your surviving spouse may also be eligible to continue receiving health insurance coverage. For more information on "QDROs", see page 11.

For information regarding health* and/or life insurance* please refer to Contact Information on page 39.

*** The U.S. Office of Personnel Management negotiates and administers the health and life insurance programs. The Benefits Administrator only provides forms and information on the programs.**

Receiving Your Benefit

Once your application for regular or disability retirement benefit is approved/granted by the Benefits Administrator, the Benefits Administrator will begin processing your application. Provided the Benefits Administrator has all of the required documents, it usually takes between 30 and 60 calendar days from your approved retirement date for you to receive your first monthly benefit payment. Your annuity is payable to you on the first business day of each month.

You may receive your annuity by direct deposit or by paper check. Direct deposit is the preferred method of payment because it is more convenient, secure, and timely than the distribution of a paper check. Electronic payments made through direct deposit are wired to your designated financial institution on the first business day of the month. Your earnings statement is mailed to you for your receipt shortly thereafter. Your earnings statement contains information regarding the gross and net amounts of your annuity, as well as other pertinent information (e.g., tax withholdings). Paper checks are dated the first business day of the month and are mailed, along with an earnings statement, for your receipt shortly thereafter. Your annuity will automatically be forwarded to you via paper check, unless you provide the Benefits Administrator with a direct deposit form when you retire. If at any time you would like to receive your annuity electronically, you must contact the Benefits Administrator or your financial institution to obtain a direct deposit form. You must complete and sign the form, and mail it to the Benefits Administrator for processing.

District of Columbia Judges' Retirement Plan

The above information also applies to when and how your eligible survivor(s) receives his/her regular survivor benefit payment. The timing and distribution of a lump-sum survivor benefit payment will vary. The above information also applies to plan members who are eligible to receive a deferred retirement benefit (including their survivor(s)).

NOTE: It is important that you contact the Benefits Administrator if you move or change your designated financial institution. Your annuity may be delayed if you fail to update your records.

Receiving a Retirement or Survivor Benefit Involving a Qualified Domestic Relations Order

Retirement Benefit

If a QDRO is issued awarding your former spouse all, or a portion of, your retirement benefit, his/her benefit payments will stop if your retirement benefit payments stop or if he/she predeceases you. If benefit payments to a former spouse stop due to his/her death, your future retirement benefit payments will be restored to the amount it would have been had a QDRO not been issued.

Survivor Benefit

If a QDRO awards all, or a portion of, your regular survivor benefit to your former spouse, he/she will begin receiving the benefit upon your death. A survivor benefit paid to a former spouse will stop if he/she remarries prior to reaching age 55 or when he/she dies. If payments to a former spouse stop (or never begin), your eligible survivor(s) (i.e., your surviving spouse and/or surviving child(ren)) will begin receiving a survivor benefit payment as if a QDRO had not been issued.

Refunds

In certain situations you, your survivor, or your designated beneficiary may be entitled to a refund of contributions made to the Retirement Plan. Certain refunds are defined in the Glossary of Terms under: Lump Sum Credit for Retirement and Lump Sum Credit for Survivor Benefit. For information regarding refunds, please see the following sections in this booklet: If You Have a Break in Service on page 12; If You Leave Work on page 13; Lump Sum Credit for Survivor Benefits on page 15; and If You Have Not Elected the Survivor Benefit on page 16.

District of Columbia Judges' Retirement Plan

Rollovers

If you are eligible for a lump sum refund, you may chose to roll it over to another qualified plan or an IRA. For more information, ask your Benefits Administrator for the Rollover Information Sheet.

District of Columbia Judges' Retirement Plan

Frequently Asked Questions

1. Who should I call if I have a question about my retirement plan?

If you are an active judge, you should contact your personnel office.. Retirees should contact the Benefits Administrator. See page 39 for contact information.

2. How much do I have to pay for my retirement benefit?

You must deposit 3.5% of your basic salary. These contributions are deducted from your pay.

3. How much do I have to pay if I want a survivor benefit for my spouse and/or eligible child(ren)?

You must make a voluntary contribution of 3.5% of your basic salary, as well as 3.5% of your retirement benefit while you are receiving it. Voluntary contributions begin from the date of your appointment. This is in addition to the mandatory 3.5% contribution you make toward your retirement benefit.

4. How is my retirement benefit calculated?

Your retirement benefit is calculated using a formula consisting of your years of total service and your basic salary immediately before you retire. See page 19 for details.

5. Will federal taxes be taken out of my retirement benefit?

You will be asked to complete a W-4 tax withholding form before you retire. The amount of tax withheld from your monthly benefit will depend on the number of allowances you elect on the W-4 form.

6. If my service is divided between civilian service and judicial service, do I receive credit for my civilian service?

Yes. If your military or civilian service is creditable under §8332 of Title 5 of the United States Code, you can chose to have this service used to calculate the amount of your retirement benefit. If you made contributions to another pension plan, you must transfer the contributions from that plan to this one. If you received a payout of contributions from another plan, you must make a deposit to this plan based on the number of years of civilian service for which you want to receive credit plus interest. You do not need to transfer or make a deposit for creditable military service. See page 21 for more information.

7. Am I eligible to retire?

To discuss your eligibility for retirement, you should contact your personnel office to make an appointment.

District of Columbia Judges' Retirement Plan

8. Can I get an estimate of my retirement benefit?

Yes. Contact your personnel office to receive an estimate of your retirement benefit.

9. Can I have my annuity payments directly deposited into my bank account?

Yes. Contact the Benefits Administrator for a direct deposit form. Complete and sign the form, and return it to the Benefits Administrator.

10. When will I receive my first benefit payment?

It usually takes between 30 and 60 days calendar after the Benefits Administrator receives your retirement package from your personnel office before you receive your first payment. Checks (or direct deposits) are sent monthly.

11. Can I continue my health and life insurance benefits when I retire?

Generally, you must have at least five years of continuous health and/or life insurance coverage immediately prior to your retirement date in order to continue your coverage into retirement. The five year requirement for health insurance coverage will not apply if you retire on a disability whether voluntary or involuntary. In addition, OPM has the sole discretion to waive the health coverage requirements for annuitants in exceptional circumstances. Under certain circumstances, your former spouse who is party to a QDRO and your surviving spouse may also be eligible to continue receiving health insurance coverage. For more information on "QDROs", see page 11.

12. Can I change my health plan?

Yes. Each year during open season, which is usually in November and December, you will receive information about available health plans. Contact the Benefits Administrator for an application to change your health plan.

13. Will I receive a cost of living increase?

Yes. You will receive a cost of living increase every December. Increases are reflected in your January benefit payment.

District of Columbia Judges' Retirement Plan

14. Who is my beneficiary for my life insurance?

For information regarding life insurance coverage, your life insurance beneficiary designation or to change your beneficiary designation, you must contact one of the following offices:

- if you are an active judge, you must contact the Office of Human Resources
- if you are retired, you must contact the Benefits Administrator

Please see page 39 for contact information.

15. If I move, whom should I notify with my new address?

If you move to a new address, write or fax the Benefits Administrator to update the address where your retirement benefit, earnings statement and other important information is sent.

16. If I marry after I retire, can I elect a survivor benefit?

Yes. You must elect a survivor benefit within six months of your marriage. You will need to make a deposit to the retirement fund. Contact the Benefits Administrator for more information.

Frequently Asked Questions for Survivors

17. Where do I report a death?

You must contact both your personnel office and the Benefits Administrator.

18. How do I receive my survivor benefit?

You must complete an application for the survivor benefit and provide your marriage and a death certificate to your Benefits Administrator. If you receive any benefit payments after the retiree's date of death, you must return them before you can receive the survivor benefit.

19. How long can a surviving spouse receive the survivor benefit?

A surviving spouse is eligible to receive the survivor benefit for his or her lifetime unless he or she remarries before reaching age 55.

20. How long can a child(ren) survivor receive a survivor benefit?

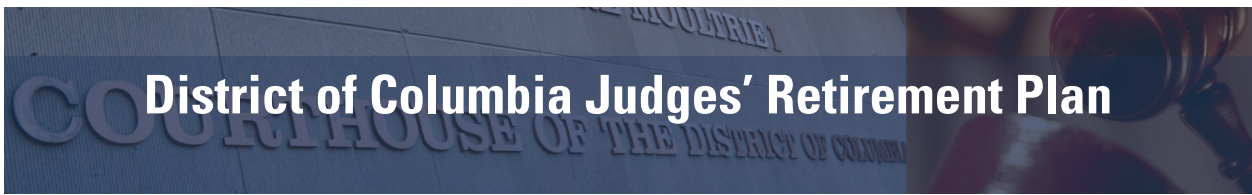
A child(ren) survivor will receive a survivor benefit until the earliest of the following occurs:

- the child(ren) dies;
- the child(ren) marries; or
- the child(ren) turns 18, or if a full-time student, age 22.

District of Columbia Judges' Retirement Plan

If the child(ren) is a full-time student, the child(ren) and the academic institution must complete a Student Certification Form every semester. If the student remains in school, he or she can continue to receive a benefit up to the age of 22.

Payments to an unmarried child(ren) who is incapable of self-support because of a mental or physical disability that occurred before age 18 end when he or she marries, recovers from the disability, or dies—whichever occurs first.



District of Columbia Judges' Retirement Plan

Contact Information

The Benefits Administrator is available to answer your question. Below are some other phone numbers and addresses for more specific information.

Contact	Area	Address/Phone
Judges' Personnel Office (Superior Court)	<ul style="list-style-type: none"> To request an estimate of your retirement benefit To change your beneficiary designation To report a death To request an application for a lump sum credit payment 	D.C. Superior Court Human Resources Division 500 Indiana Ave, N.W. Washington, D.C. 20001 202-879-4205
Judges' Personnel Office (D.C. Court of Appeals)	<ul style="list-style-type: none"> To discuss your eligibility for retirement To elect a survivor benefit For information about health insurance or life insurance (active judges) To find out if your Federal service is creditable 	D.C. Court of Appeals Administration Office 500 Indiana Ave, N.W. 6th Floor, Room 4200 Washington, D.C. 20001 202-879-2755
Office of Personnel Management (OPM)	For information about health and life insurance	The U.S. Office of Personnel Management, Retirement Operations Center (OPM) P.O. Box 45 Boyers, PA 16017-0001 724-794-2005
Executive Office of the Courts		D.C. Superior Court 500 Indiana Ave., N.W. Washington, D.C. 20001 202-879-1700
D.C. Commission on Disabilities and Tenure	Makes findings of facts, conclusions of law and decisions regarding involuntary disability retirement benefits	515 5 th Street, N.W. Building A Room 312 Washington, D.C. 20001 202-727-1363

District of Columbia Judges' Retirement Plan

Contact	Area	Address/Phone
Office of D.C. Pensions Department of the Treasury	Makes findings of fact, conclusions of law and decisions regarding eligibility for normal and voluntary disability retirement benefits To file and appeal if your request for reconsideration is denied	Department of the Treasury Office of D.C. Pensions Metropolitan Square, 6 th Floor 1500 Pennsylvania Ave., N.W. Washington, D.C. 20220 202-622-0800

District of Columbia Judges' Retirement Plan

Glossary of Terms

Active Judge means a judge employed by D.C. Courts receiving a salary that is not retired.

Basic salary means the annual salary you received as an active judge.

Benefits Administrator means the Benefits Administrator of the Treasury Department or his or her designee.

Child(ren) means:

- an unmarried child(ren) under 18 years of age, including an adopted child(ren), a stepchild(ren) or a recognized natural child(ren).
- an unmarried child(ren) regardless of age who is incapable of self-support because of a mental or physical disability that occurred before he or she reached age 18.
- an unmarried child(ren) between 18 and 22 years of age who is a student regularly pursuing a full-time course of study or training in residence in a high school, trade school, technical or vocational institute, junior college, college, university or comparable recognized educational institution.

For purposes of this plan, a child(ren) who is a student (as defined above) whose 22nd birthday occurs before July 1 or after August 31 of a calendar year, is considered 22 years of age on the first day of July after his or her 22nd birthday.

A child(ren) will continue to be considered a student during a school term (of five or fewer months) provided the child(ren) shows—to the satisfaction of the Secretary of the Treasury—that the child(ren) fully intends to continue his or her education at the same or different school during the school semester immediately after the interim.

Credited Service means military and civilian service performed by the judge that is otherwise creditable under §8332 of Title 5 of the United States Code (Civil Service Retirement System, including most service with the D.C. Government commencing before October 1, 1987, but does not include service under the Federal Employees Retirement System). Each month of credited service equals 1/12 of a year.

Deferred Retirement is the benefit a judge may elect to receive at a later date if he or she leaves the bench after at least 10 years of judicial service but before reaching the age at which he or she may begin receiving a retirement benefit. The eligibility requirements for a deferred retirement benefit are the same as those listed for regular and early retirement benefits.

District of Columbia Judges' Retirement Plan

Disability Retirement is the retirement benefit a judge may voluntarily elect if he or she has at least five years of service (including civilian service performed by the judge that is creditable under 5 U.S.C. §8332), if he or she has a mental or physical disability that is or is likely to become permanent and that prevents or seriously interferes with the performance of his or her judicial duties.

Early Retirement is the reduced benefit a judge with fewer than 20 years of judicial service may elect to receive at any time between ages 55 and 60. The retirement salary that is based on judicial service is reduced by 1/12 of 1% for each month or a fraction of each month that the judge is under age 60 at the time the reduced retirement benefit payments begin.

Final Basic Salary means the salary you received as a judge immediately before your retirement date.

Former Spouse means a person whose marriage to an employee or retiree has been subject to a divorce, annulment, or legal separation resulting in a court order, except that with respect to an award of a survivor annuity, the term additionally means a living person:

- who was married for at least nine months to an employee or retiree who performed at least 18 months of credited service in a position covered by the District of Columbia Judges', Teachers, or Police and Firefighters Retirement Plan (D.C. Code 1-529.03(a)); and
- whose marriage to the employee or retiree was terminated prior to the death of the employee or retiree.

Judge means any judge (except Magistrate Judges) of the District of Columbia Court of Appeals or the Superior Court or any person with judicial service, including the Executive Officer of the Courts. (See page ???).

Judicial Service means service as a judge in the District of Columbia Court of Appeals, the Superior Court, or the former Juvenile Court of the District of Columbia, District of Columbia Tax Court, Police Court, Municipal Court, Municipal Court of Appeals, District of Columbia Court of General Sessions or as the Executive Officer of the Courts. Months and days of judicial service are included as a fractional part of a year.

Involuntary Disability Retirement is the retirement benefit you may receive if determined by the Commission on Judicial Disabilities and Tenure that your disability is likely to become permanent and prevent or interfere with your judicial duties. There are not service requirements for this type of retirement benefit.

District of Columbia Judges' Retirement Plan

Lump Sum Credit

Retirement means the unrefunded amount consisting of:

- retirement deductions made from the basic salary of a judge; and
- amounts deposited covering earlier judicial and other creditable service.

Survivor Benefit means the unrefunded amount consisting of:

- survivor benefit deductions made from the salary of an active or retired judge; and
- amounts deposited for survivor benefit covering earlier judicial and other creditable service.

Lump Sum Refund is the payout of contributions you have made from your account.

Maximum Retirement Benefit is the cap on a retirement benefit of a judge (including amounts resulting from creditable service). The maximum benefit cannot exceed 80% of the judge's basic salary immediately prior to his or her date of retirement.

Qualified Domestic Relations Order (QDRO) means a qualifying court order issued by a court after March 15, 1989 that must state:

- that your former spouse is entitled to a survivor benefit or that you must provide a survivor benefit for your former spouse;
- your former spouse's share of your benefit as a fixed-dollar amount or a percentage or a fraction of a retirement benefit; and
- whether your former spouse should receive a payment directly from the Treasury Department.

Regular Retirement is the retirement benefit that is available to all judges with 20 or more years of judicial service at age 50, or to judges with more than 10 years of judicial service after age 60.

Retire and **Retirement** includes retirement, resignation, or failure to be recommissioned or reappointed upon the expiration of a commission.

Retirement Benefit means the monthly sum to which a retired judge is entitled by law.

Senior Judge means a retired judge employed as an active judge.

Spouse is the husband or wife of a judge who has been married to the judge for at least two years or be the parent of child(ren) of marriage.

District of Columbia Judges' Retirement Plan

Total Service means the total of years, months and days of judicial service and the years and months of credited service.

Unexpended Contribution is the difference between the aggregate amount of benefits paid (including your retirement benefit) and the total amount credited to your account.