

1 **Rule 3-501. Insurance Benefits Upon Retirement.**

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3 **Intent:**

4 To establish uniform policies regarding sick leave for justices, judges, active senior judges of
5 courts of record, and court commissioners and conversion of sick leave to paid up medical,
6 dental and life insurance at the time of retirement.

7 **Applicability:**

8 This rule shall apply to all justices, judges, active senior judges of courts of record, and court
9 commissioners of courts of record.

10 **Statement of the Rule:**

11 **(1) Earned benefits.**

12 (1)(A) For each year of full-time employment that a justice, judge, or court commissioner
13 uses less than four days of sick leave in a calendar year, the judge, justice, or court
14 commissioner will be eligible for and accumulate eight months of paid up medical
15 insurance, dental insurance, prescription drug insurance and life insurance benefits at
16 the time of retirement. Upon retirement, the submission of an annual application and a
17 showing that the judge, justice, or court commissioner is not otherwise covered by a
18 comparable medical insurance policy, the judge, justice, or court commissioner shall be
19 eligible for and receive the insurance benefits which have accrued.

20 (1)(B) Maternity leave and parental leave is considered sick leave for determining
21 benefits under this rule.

22 (1)(C) Medical and dental insurance coverage provided will be the same as that carried
23 by the justice, judge, or court commissioner at retirement, i.e., family, two party, single.

24 **(2) Automatic benefits.** Notwithstanding the provisions of paragraph (1), a justice, judge, or
25 court commissioner who retires and who is eligible for retirement benefits at the time of
26 retirement shall receive a maximum of five years medical insurance, dental insurance,
27 prescription drug insurance and life insurance.

28 **(3) Duration of benefits.**

29 (3)(A) The duration of benefits shall be calculated from the effective date of the justice's,
30 judge's or court commissioner's retirement. Earned benefits shall not exceed seven
31 years. Automatic benefits shall not exceed five years. Earned benefits and automatic
32 benefits shall not exceed seven years.

33 (3)(B) Earned benefits and automatic benefits shall terminate when the justice, judge, or
34 commissioner is eligible for Medicare, except that prescription drug insurance and
35 supplemental Medicare insurance shall continue for the balance of the term of earned or
36 automatic benefits.

37 (3)(C) If the spouse of the justice, judge, or court commissioner qualifies for medical
38 insurance, prescription drug insurance or dental insurance under subsection (1)(C), such
39 insurance shall continue for the period of earned or automatic benefits or until the
40 spouse becomes eligible for Medicare, whichever is earlier, except that prescription drug
41 insurance and supplemental Medicare insurance for the spouse shall continue for the
42 balance of the term of earned or automatic benefits.

43 (3)(D) Earned or automatic benefits for dependents, other than a spouse, of the justice,
44 judge, or court commissioner terminate when the justice, judge, or court commissioner
45 reaches age 65.

46 (4) **Sick leave.** As authorized by Utah Code Section§ 78A-2-107(9), the state court
47 administrator or designee will develop methods for recording sick leave use by justices, judges,
48 and court commissioners and for recording sick leave conversion to paid up medical, dental and
49 life insurance benefits.

50 (5) **Active senior judge incentive benefit.**

51 (5)(A) The judiciary will pay 50% of the cost of medical and dental insurance premiums
52 for a qualifying active senior judge and spouse until the qualifying active senior judge is
53 age 65. The judiciary will pay 50% of the cost of supplemental Medicare insurance and
54 prescription drugs for a qualifying active senior judge and spouse if the active senior
55 judge is age 65 or older.

56 (5)(B) To qualify for the incentive benefit the active senior judge must:

57 (5)(B)(i) qualify as an active senior judge pursuant to ~~r~~Rule 11-201;

58 (5)(B)(ii) have exhausted the earned and automatic benefits provided for by this
59 rule;

60 (5)(B)(iii) submit to the state court administrator or their designee ~~on or before~~
61 ~~July 1 of each year~~ a letter expressing an intent to participate in the incentive
62 benefit program;

63 (5)(B)(iv) ~~perform case work, subject to being called~~comply with qualifications for
64 reappointment as outlined in rule 11-201 during the active senior judge's term of
65 appointment; and

66 (5)(B)(v) show good cause to the ~~Judicial~~ Council why the active senior judge
67 should not be disqualified for the incentive benefit if the active senior judge ~~has~~
68 ~~turned down case assignments and~~ has not performed case work for two or more
69 fiscal years.

70 (5)(C) The State Retirement Office shall deduct from the active senior judge's retirement
71 benefit the portion of the cost payable by the active senior judge.

72 (6) **Inactive status.** If an active senior judge who receives the incentive benefit changes to
73 inactive status, the senior judge shall notify the state court administrator or designee in writing
74 that the active senior judge has converted to inactive status and is receiving the incentive
75 benefit. The state court administrator or designee shall notify Human Resources and URS of the
76 change in status.

77 (7) This policy will be implemented subject to availability of funds.

78 *Effective: ~~May 1 June 28, 2024~~*