

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

2
3 **Intent:**

4 To establish uniform policies regarding sick leave for all judicial officers of courts of record
5 (justices, judges, ~~active senior judges of courts of record,~~ and court commissioners), and
6 conversion of sick leave to paid-up medical, dental, prescription drug, and employer-funded
7 basic life insurance benefits at the time of retirement; and to establish uniform policies for
8 incentive benefits for active senior judges of courts of record.

9 **Applicability:**

10 ~~This rule shall apply to all justices, judges, active senior judges of courts of record, and court~~
11 ~~commissioners of courts of record. Provisions (1) through (4) of this rule apply to all judicial~~
12 ~~officers, not including active senior judges. Provision (5) and (6) of this rule apply only to active~~
13 ~~senior judges of courts of record.~~

14 **Statement of the Rule:**

15 **(1) Earned benefits.**

16 (1)(A) For each year of full-time employment that a ~~justice, judge, or court~~
17 ~~commissioner~~ judicial officer uses less than four days of sick leave in a calendar year, the
18 ~~judge, justice, or court commissioner~~ judicial officer ~~will be eligible for and~~
19 ~~accumulate~~ accrues eligibility for eight months of paid-up medical ~~insurance,~~ dental
20 ~~insurance,~~ prescription drug, ~~insurance~~ and employer-funded basic life insurance
21 benefits at the time of retirement. Dental and employer-funded basic life insurance
22 coverage is dependent upon the judicial officer's age at retirement. Upon retirement, the
23 judicial officer will declare to the Human Resources Department if they are otherwise
24 covered by a comparable medical insurance policy. If not, the judicial officer will receive
25 the accrued insurance benefits. ~~submission of an annual application and a showing that~~
26 ~~the judge, justice, or court commissioner is not otherwise covered by a comparable~~
27 ~~medical insurance policy, the judge, justice, or court commissioner shall be eligible for~~
28 ~~and receive the insurance benefits which have accrued.~~

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

31 (1)(C) Medical, ~~and~~ dental, and prescription drug insurance coverage provided will be
32 the same as that carried by the ~~justice, judge, or court commissioner~~ judicial officer at
33 retirement, ~~i.e., family, two party, single if the judicial officer is under age 65 at~~
34 retirement. The judicial officer will continue to pay their portion of the shared premiums
35 and the judiciary will continue to pay its portion of the shared premiums.

36 (1)(D) Medical and prescription drug insurance coverage provided will convert to the
37 PEHP Medicare Supplement and Enhanced Pharmacy insurance benefits if the judicial
38 officer is age 65 or older on the effective date of retirement. Dental and employer-
39 funded basic life insurance benefits will terminate when the judicial officer is eligible for
40 Medicare. The judiciary covers 100% of the cost of premiums for the PEHP Medicare
41 Supplement and Enhanced Pharmacy plans for the judicial officer and spouse.

42 (1)(D)(i) If the judicial officer is enrolled in a high deductible plan, it is their
43 responsibility to stop all contributions (employee and employer) six months prior
44 to applying for Medicare benefits to avoid a Social Security (Medicare) penalty

45 tax. The judicial officer is responsible for contacting the PEHP Flex Department
 46 to stop all contributions.

47 (1)(D)(ii) If the spouse of the judicial officer is not Medicare eligible when the
 48 judicial officer retires, the spouse's coverage will remain the same as that carried
 49 by the judicial officer at retirement until the spouse is eligible for Medicare or until
 50 earned benefits are exhausted, whichever is earlier.

51
 52 ~~(2) **Automatic benefits.** Notwithstanding the provisions of paragraph (1), a justice, judge, or~~
 53 ~~court commissioner who retires and who is eligible for retirement benefits at the time of~~
 54 ~~retirement shall receive a maximum of five years medical insurance, dental insurance,~~
 55 ~~prescription drug insurance and life insurance.~~

56
 57 **(23) Duration of benefits.**

58 ~~(23)(A) The duration of earned benefits willshall be calculated based on the judicial~~
 59 ~~officer's last work day. Active employee insurance coverage ends on the last day of the~~
 60 ~~month in which the judicial officer worked. Retiree insurance coverage or the PEHP~~
 61 ~~Medicare Supplement and Enhanced Pharmacy coverage begins on the first of the~~
 62 ~~month following the judicial officer's last work day. from the effective date of the justice's,~~
 63 ~~judge's or court commissioner's retirement. Earned benefits willshall not exceed seven~~
 64 ~~years. Automatic benefits shall not exceed five years. Earned benefits and automatic~~
 65 ~~benefits shall not exceed seven years.~~

<u>YEARS in which judicial officer used fewer than 4 days of sick leave in the calendar year</u>	<u>TOTAL NUMBER OF MONTHS PAID INSURANCE (1 year --> 8 months)</u>	<u>YEARS OF PAID INSURANCE</u>
<u>1 year</u>	<u>8 months</u>	
<u>2 years</u>	<u>16 months</u>	<u>1 year, 4 months</u>
<u>3 years</u>	<u>24 months</u>	<u>2 years</u>
<u>4 years</u>	<u>32 months</u>	<u>2 years, 8 months</u>
<u>5 years</u>	<u>40 months</u>	<u>3 years, 4 months</u>
<u>6 years</u>	<u>48 months</u>	<u>4 years</u>
<u>7 years</u>	<u>56 months</u>	<u>4 years, 8 months</u>
<u>8 years</u>	<u>64 months</u>	<u>5 years, 4 months</u>
<u>9 years</u>	<u>72 months</u>	<u>6 years</u>
<u>10 years</u>	<u>80 months</u>	<u>6 years, 8 months</u>
<u>11 years</u>	<u>88 months</u>	<u>7 years</u>

66
 67 ~~(23)(B) If the judicial officer is under age 65 at retirement, when the judicial officer~~
 68 ~~reaches age 65, retiree insurance coverage will convert to the PEHP Medicare~~
 69 ~~Supplement and Enhanced Pharmacy insurance coverage, and coverage Earned~~
 70 ~~benefits and automatic benefits shall terminate when the justice, judge, or commissioner~~

71 ~~is eligible for Medicare, except that prescription drug insurance and supplemental~~
 72 ~~Medicare insurance shall~~will continue for the remaining duration~~balance~~ of the term of
 73 earned ~~or automatic~~ benefits. Dental and employer-funded basic life insurance benefits
 74 will terminate when the judicial officer reaches age 65.

75 ~~(23)(C) If the judicial officer is under age 65 at retirement but the spouse is 65 or older,~~
 76 ~~the spouse's coverage will remain the same as that carried by the judicial officer at~~
 77 ~~retirement until the judicial officer becomes eligible for Medicare. The spouse's retiree~~
 78 ~~insurance coverage will convert to the PEHP Medicare Supplement and Enhanced~~
 79 ~~Pharmacy insurance coverage, and will continue for the remaining duration of the term~~
 80 ~~of earned benefits. If the spouse of the justice, judge, or court commissioner qualifies for~~
 81 ~~medical insurance, prescription drug insurance or dental insurance under subsection~~
 82 ~~(1)(C), such insurance shall continue for the period of earned or automatic benefits or~~
 83 ~~until the spouse becomes eligible for Medicare, whichever is earlier, except that~~
 84 ~~prescription drug insurance and supplemental Medicare insurance for the spouse shall~~
 85 ~~continue for the balance of the term of earned or automatic benefits.~~

86 ~~(23)(D) Earned or automatic~~ benefits for dependents, other than a spouse, of the ~~justice,~~
 87 ~~judge, or court commissioner~~judicial officer terminate when the ~~justice, judge, or court~~
 88 ~~commissioner~~judicial officer reaches age 65 or until the dependent reaches age 26,
 89 whichever is earlier.

90 ~~(2)(E) Additional life insurance coverage will terminate for the judicial officer's spouse~~
 91 ~~and dependent(s) when employment ends.~~

92
 93 ~~(34) Recording s~~**Sick leave.** As authorized by Utah Code Section 78A-2-107, the state court
 94 administrator or designee will develop methods for recording sick leave used each year by
 95 ~~judicial officers~~justices, judges, and court commissioners and for recording sick leave
 96 ~~conversion to paid-up medical, dental and life insurance benefits.~~

97
 98 ~~(45)~~ **Active senior judge incentive benefit.**

99 ~~(45)(A) The judiciary will pay 50% of the cost of medical and dental insurance premiums~~
 100 ~~for a qualifying active senior judge and spouse until the qualifying active senior judge is~~
 101 ~~reaches~~ age 65. The judiciary will pay 50% of the cost of ~~supplemental the PEHP~~
 102 ~~Medicare~~ Supplemental and Enhanced Pharmacy insurance ~~coverage and prescription~~
 103 ~~drugs~~ for a qualifying active senior judge and spouse if the active senior judge and
 104 spouse are age 65 or older.

105 ~~(45)(B) To qualify for the incentive benefit the active senior judge must:~~

106 ~~(45)(B)(i) qualify as an active senior judge pursuant to rule 11-201;~~

107 ~~(45)(B)(ii) have exhausted the earned and automatic~~ benefits provided for by this
 108 rule;

109 ~~(45)(B)(iii) submit to the state court administrator or their designee a letter~~
 110 ~~expressing an intent to participate in the incentive benefit program;~~

111 ~~(45)(B)(iv) comply with qualifications for reappointment as outlined in rule 11-201~~
 112 ~~during the active senior judge's term of appointment; and~~

113 ~~(45)(B)(v) show good cause to the Council why the active senior judge should not~~
 114 ~~be disqualified for the incentive benefit if the active senior judge has not~~
 115 ~~performed case work for two or more fiscal years.~~

116 ~~(45)(C) The State Retirement Office shall deduct from the~~ active senior judge is
117 responsible for their portion of insurance premium deductions and will coordinate with
118 URS and/or PEHP as applicable's retirement benefit the portion of the cost payable by
119 the active senior judge.

120
121 ~~(56) Inactive status.~~ If an active senior judge who receives the incentive benefit changes to
122 inactive status, the senior judge ~~will~~shall notify the state court administrator or designee and the
123 Human Resources Department in writing that the active senior judge has converted to inactive
124 status and is receiving the incentive benefit. ~~The state court administrator or designee shall~~
125 ~~notify~~ Human Resources ~~and URS~~will notify PEHP of the change in status.

126 ~~(67) Availability of funds. This policy will be i~~Implementation of this rule ised subject to
127 availability of funds.

128 *Effective: November 1, 2024/~~5/30/2024~~*