

Rule 3-501. Insurance Benefits Upon Retirement.**Intent:**

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

Applicability:

~~Provisions-Paragraphs~~ (1) through (34) of this rule apply to all judicial officers, not including active senior judges. ~~Provision-Paragraphs~~ (45) and (56) of this rule apply only to active senior judges of courts of record.

As used in this rule, “retirement” means the judicial officer has become eligible, applies for, and is entitled to receive an allowance under Utah Code title 49.

Statement of the Rule:**(1) Earned benefits.**

(1)(A) For each year of full-time employment that a judicial officer uses less than four days of sick leave in a calendar year, the judicial officer accrues eligibility for eight months of paid medical, dental, prescription drug, and employer-funded basic life insurance benefits at the time of retirement. Dental and employer-funded basic life insurance coverage is dependent upon the judicial officer’s age at retirement. Upon retirement, the judicial officer will declare to the Human Resources Department if they are otherwise covered by a comparable medical insurance policy. If not, the judicial officer will receive the accrued insurance benefits.

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

(1)(C) Medical, dental, and prescription drug insurance coverage provided will be the same as that carried by the judicial officer at retirement if the judicial officer is under age 65 at retirement. The judicial officer will continue to pay their portion of the shared premiums and the Judiciary will continue to pay its portion of the shared premiums.

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

(1)(D)(i) If the judicial officer is enrolled in a high deductible plan, it is their responsibility to stop all contributions (employee and employer) six months prior to applying for Medicare benefits to avoid a Social Security (Medicare) penalty tax. The judicial officer is responsible for contacting the PEHP Flex Department to stop all contributions.

(1)(D)(ii) If the spouse of the judicial officer is not Medicare eligible when the judicial officer retires, the spouse’s coverage will remain the same as that carried

by the judicial officer at retirement until the spouse is eligible for Medicare or until earned benefits are exhausted, whichever is earlier.

(2) Duration of benefits.

(2)(A) The duration of earned benefits will be calculated based on the judicial officer's last work day. Active employee insurance coverage ends on the last day of the month in which the judicial officer worked. Retiree insurance coverage or the PEHP Medicare Supplement and Enhanced Pharmacy coverage begins on the first of the month following the judicial officer's last work day. Earned benefits will not exceed seven years.

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

(2)(B) If the judicial officer is under age 65 at retirement, when the judicial officer reaches age 65, retiree insurance coverage will convert to the PEHP Medicare Supplement and Enhanced Pharmacy insurance coverage, and coverage will continue for the remaining duration of the term of earned benefits. Dental and employer-funded basic life insurance benefits will terminate when the judicial officer reaches age 65.

(2)(C) If the judicial officer is under age 65 at retirement but the spouse is 65 or older, the spouse's coverage will remain the same as that carried by the judicial officer at retirement until the judicial officer becomes eligible for Medicare. The spouse's retiree insurance coverage will convert to the PEHP Medicare Supplement and Enhanced Pharmacy insurance coverage, and will continue for the remaining duration of the term of earned benefits.

(2)(D) Earned benefits for dependents, other than a spouse, of the judicial officer terminate when the judicial officer reaches age 65 or until the dependent reaches age 26, whichever is earlier.

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

(3) **Recording sick leave.** As authorized by Utah Code ~~s~~Section 78A-2-107, the ~~S~~state ~~C~~court ~~A~~administrator or designee will develop methods for recording sick leave used each year by judicial officers.

(4) **Active senior judge incentive benefit.**

(4)(A) The ~~J~~udiciary will pay 50% of the cost of medical and dental insurance premiums for a qualifying active senior judge and spouse until the qualifying active senior judge reaches age 65. The ~~J~~udiciary will pay 50% of the cost of the PEHP Medicare Supplemental and Enhanced Pharmacy insurance coverage for a qualifying active senior judge and spouse if the active senior judge and spouse are age 65 or older.

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

(4)(B)(i) qualify as an active senior judge pursuant to ~~R~~ule 14-201 of the Utah Supreme Court Rules of Professional Practice;

(4)(B)(ii) have exhausted the earned benefits provided for by this rule;

(4)(B)(iii) submit to the ~~S~~state ~~C~~court ~~A~~administrator or their designee a letter expressing an intent to participate in the incentive benefit program;

(4)(B)(iv) comply with qualifications for reappointment as outlined in ~~R~~ule 11-201 of the Utah Supreme Court Rules of Professional Practice during the active senior judge's term of appointment; and

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

(4)(C) The active senior judge is responsible for their portion of insurance premium deductions and will coordinate with the Utah Retirement System~~URS~~ and/or PEHP as applicable.

(5) **Inactive status.** If an active senior judge who receives the incentive benefit changes to inactive status, the senior judge ~~will~~ must notify the ~~S~~state ~~c~~court ~~A~~administrator or designee and the Human Resources Department in writing that the active senior judge has converted to inactive status and is receiving the incentive benefit. Human Resources will notify PEHP of the change in status.

(6) **Availability of funds.** Implementation of this rule is subject to availability of funds.

Effective: November 1, 2026~~4~~