

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

2 **Intent:**

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

6 **Applicability:**

7 This rule shall apply to all justices, judges, and court commissioners of courts of record.

8 **Statement of the Rule:**

9 (1) **Earned benefits.**

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

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

21 (1)(C) Medical and dental insurance coverage provided will be the same as that carried
22 by the justice, judge, or court commissioner at retirement, i.e., family, two party,
23 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
30 justice's, judge's or court commissioner's retirement. Earned benefits shall not

- 31 exceed seven years. Automatic benefits shall not exceed five years. Earned
32 benefits and automatic benefits shall not exceed seven years.
- 33 (3)(B) Earned benefits and automatic benefits shall terminate when the justice, judge,
34 or commissioner is eligible for Medicare, except that prescription drug insurance
35 and supplemental Medicare insurance shall continue for the balance of the term
36 of earned or 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
39 (1)(C), such insurance shall continue for the period of earned or automatic
40 benefits or until the spouse becomes eligible for Medicare, whichever is earlier,
41 except that prescription drug insurance and supplemental Medicare insurance for
42 the spouse shall continue for the balance of the term of earned or automatic
43 benefits.
- 44 (3)(D) Benefits for dependents of the justice, judge, or court commissioner terminate
45 when the justice, judge, or court commissioner reaches age 65.
- 46 (4) As authorized by Utah Code Section 78A-2-107(9), the Court Administrator will develop
47 methods for recording sick leave use by justices, judges, and court commissioners and for
48 recording sick leave conversion to paid up medical, dental and life insurance benefits.
- 49 (5) **Active Senior Judge incentive benefit.**
- 50 (5)(A) The judiciary will pay 50% of the cost of medical and dental insurance premiums
51 for a qualifying senior judge and spouse until the qualifying senior judge is age
52 65. The judiciary will pay 50% of the cost of supplemental Medicare insurance
53 and prescription drugs for a qualifying senior judge and spouse if the senior
54 judge is age 65 or older.
- 55 (5)(B) To qualify for the incentive benefit the senior judge must:
- 56 (5)(B)(i) qualify as an active senior judge pursuant to Rule 11-201;
- 57 (5)(B)(ii) have exhausted the other benefits provided for by this rule;
- 58 (5)(B)(iii) submit to the state court administrator or designee on or before July 1
59 of each year a letter expressing an intent to participate in the incentive
60 benefit program;
- 61 (5)(B)(iv) perform case work, subject to being called, for at least 6 days per
62 fiscal year; and

63 (5)(B)(v) show good cause to the Judicial Council why he or she should not be
64 disqualified for the incentive benefit upon declining three times within
65 any fiscal year to accept case work.

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

68 (6) This policy will be implemented subject to availability of funds.

69 *Effective May 1, 2019*