

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.

7 Applicability:

8 This rule shall apply to all justices, judges, and court 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
16 at the time of retirement. Upon retirement, the submission of an annual application
17 and a showing that the judge, justice, or court commissioner is not otherwise covered
18 by a comparable medical insurance policy, the judge, justice, or court commissioner
19 shall be eligible for and receive the insurance benefits which have accrued.

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

22 (1)(C) Medical and dental insurance coverage provided will be the same as that carried by
23 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
36 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 (1)(C),
39 such insurance shall continue for the period of earned or automatic benefits or until

40 the spouse becomes eligible for Medicare, whichever is earlier, except that
41 prescription drug insurance and supplemental Medicare insurance for the spouse
42 shall continue for the balance of the term of earned or automatic benefits.

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

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

50 (5) ~~Active S~~Senior Jjudge incentive benefit.

51 (5)(A) The judiciary will pay 50% of the cost of medical and dental insurance premiums for
52 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
54 and prescription drugs for a qualifying active senior judge and spouse if the active
55 senior 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 Rule 11-201;

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

60 (5)(B)(iii) submit to the state court administrator or their designee on or before July 1
61 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, for at least 6 days per during
64 the active senior judge's term of appointment-fiscal year; and

65 (5)(B)(v) show good cause to the Judicial Council why ~~he or she~~ the active senior
66 judge should not be disqualified for the incentive benefit ~~upon declining~~
67 ~~three times within any fiscal year to accept case work if the active senior~~
68 ~~judge has turned down case assignments and has not performed case~~
69 ~~work for two or more 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) If an active senior judge who receives the incentive benefit changes to inactive status, the
73 senior judge shall notify the state court administrator or designee in writing that the active senior
74 judge has converted to inactive status and is receiving the incentive benefit. The state court
75 administrator or designee shall notify Human Resources and URS of the change in status.

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

Effective June 28, 2021