



Judicial Pension Plan Summary Plan Description

Please Note: This handbook is also available on the Office of Pensions website:

www.delawarepensions.com

Text in **green font** in the online PDF contains live links:

- Clicking on the **green text in the Table of Contents** will automatically redirect you to that page.
- Clicking on the **green headings in the body text** will automatically redirect you to the Table of Contents.
- Clicking on **any other green content** will automatically redirect you to that webpage.

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WELCOME

Welcome to the Delaware Public Employees' Retirement System (DPERS). This booklet will assist Judicial Pension Plan members in becoming familiar with the benefits and features of their pension plan.

The information in this booklet is very important to the security of you and your family! As a member of our Judicial Pension Plan, we strongly urge you to take the time to read it and familiarize yourself with your rights, privileges, and obligations.

The Pension Plan laws are necessarily written in legal language; therefore, this booklet has been prepared in lay language to help you better understand its provisions. The following pages should be informative to you and, it is hoped, will answer most questions you may have about your Plan.

Our office assists all active and retired members of the Plan. If you have questions or need assistance in any of your retirement plan matters, please contact the Office of Pensions directly or through the business or human resources office of your agency. Useful information about your pension plan benefits is also available on our website, www.delawarepensions.com.

OFFICE OF PENSIONS CONTACT INFORMATION:

Address: Office of Pensions
860 Silver Lake Blvd, Suite 1 – McArdle Building
Dover, DE 19904

Telephone: (302) 739-4208
Toll-free for Long Distance Calling: (800) 722-7300

Fax: (302) 739-6129

Email Address: pensionoffice@delaware.gov

DPERS has been providing retirement benefits to participants, their families, and beneficiaries for over 50 years. We look forward to continuing to serve those who have served the State of Delaware.

NOTE: This booklet is only applicable to judges covered under the Judicial Pension Plan. Nothing in this booklet is meant to extend or change in any way the provisions expressed in the Plan. If there is any conflict between a provision in this booklet and the Plan ([29 Del. C. Ch. 56](#)), the Plan will take precedence.

1. MEMBERSHIP

ELIGIBILITY

You are a member of the Judicial Pension Plan if you are a judge mentioned in Article IV, § 2, of the Constitution of Delaware, or you are any other judge of a court of record for whom the following apply:

- a. Is appointed by the Governor and confirmed by the Senate for a term of 12 years.
- b. Receives your entire remuneration as judge in the form of a salary paid by the State.
- c. Is by law during this tenure of office either prohibited from practicing law, or else prohibited from engaging in any other gainful occupation.

Judges unsure if they are in a Judicial pension creditable position should contact their Human Resources representative.

MEMBERSHIP IDENTIFICATION

As a Judicial member, you have two identification numbers: (1) Payroll Human Resource Statewide Technology (PHRST) Identification Number and (2) Pension ID.

The PHRST identification number is your active employee identification.

The Office of Pensions identification number is your retirement identification. Your Pension ID is assigned upon your initial employment and can be found in Block 1 of your Comprehensive Annual Statement (CAS). To ensure proper identification and prompt service, always include your Pension ID in addition to your full name, mailing address, phone number, and signature in all communications concerning your pension status. If you do not know your Pension ID, we are also able to reference your account with your Social Security Number.

CONTRIBUTIONS

Membership in the Judicial Pension Plan is mandatory for all Judges who have accepted the appointment as a member of the state judiciary. Your employer automatically enrolls you when you are appointed and confirmed.

Your first \$6,000 in wages is exempt from employee contributions each calendar year. Afterward, contributions to the Plan are automatically deducted from your pension-creditable earnings based on the following table:

Table 1: Judicial Contribution Rates

	Annual Compensation > \$6,000 and up to Social Security Wage Base	Annual Compensation > Social Security Wage Base
First 24 Years of Service	3%	5%
Year 25 and Beyond	None	None

The Social Security Wage base is the maximum wage that's subject to Old-Age, Survivors, and Disability Insurance (OASDI) taxes for the year. [The limit is subject to change each year \(Tax Topic NO. 751, Publication 15,51\)](#)

Effective 1/1/1993, the federal and state income tax on your contributions is deferred under [Section 414\(h\)\(2\) of the U.S. Internal Revenue Code](#).

Pension contributions do not determine pension benefits. As a member, you will receive a Comprehensive Annual Statement detailing your contributions towards the pension plan, the interest earned on those contributions, and estimated future pension amount. Please see [Section 3. Comprehensive Annual Statement](#) for more information on CAS reports.

Contribution Restrictions

- Members cannot contribute additional contributions to their pension plan.
- Members are **unable** to borrow against or take a loan from pension contributions/ interest earned.

VESTING ELIGIBILITY

To be eligible for a pension you must be vested and meet eligibility requirements (see [Section 4. Benefit Eligibility Requirements](#) for more details). Judges must complete 12 years of service as a judge to have a vested right to a pension.

Once you are vested, if you should leave your job for any reason, you are guaranteed to receive a future pension benefit for the pension-creditable service earned before termination unless you withdraw your accumulated contributions. All vested pensioners are encouraged to keep the Office of Pensions updated on any changes in contact information (e.g., address, phone, email address). Change of address forms can found on the Office of Pension website (<https://delawarepensions.com>) under *Retirees > Retiree Forms*.

If you are not vested, you have the option of either leaving your contributions in the fund if you may return to service in the Judicial Pension Plan or the State Employees' Pension Plan or withdrawing your contributions and interest.

TERMINATION OF MEMBERSHIP

Membership ends if the member:

- Terminates from employment without meeting vesting requirements; or
- Terminates employment after meeting vesting requirements and withdraws their accumulated contributions and earned interest, if any.

Upon termination of employment, the Office of Pensions receives notification from your agency. Once notification has been received, you will be sent a letter and the following forms if you are not eligible to collect a pension immediately:

- Contribution Retention Notice
- Application for Withdrawal of Benefits

If you do nothing or complete the Contributions Retention Notice form, all monies will stay in the fund and continue to accrue interest. If you complete the Application for Withdrawal of Benefits, then contributions and interest will be paid out.

WITHDRAWAL OF CONTRIBUTIONS

Upon receipt of the Application for Withdrawal of Benefits, the Office of Pensions will reach out to your agency to verify your termination if documentation has not been received. Once termination has been verified, you will receive additional correspondence to determine how you would like to receive your refund of contributions and interest. Monies can be paid out in a check or transferred to a qualifying retirement account. If you choose to get a cash payout, it will be taxed at a minimum of 20% for federal taxes. Refunds cannot be paid out until at least 45 days after your final paycheck.

Withdrawal of your contributions will terminate your membership in the Plan and will void any rights you have to future benefits in the Plan.

If you receive a refund of your contributions and subsequently return to State of Delaware employment, you should contact the Office of Pensions for information relative to the options available to you regarding prior service credit.

2. CREDITABLE SERVICE

GENERAL

As a member of the Judicial Pension Plan, you earn creditable service time towards your retirement benefit each day on the job. Creditable service is used to determine your eligibility for retirement, monthly pension amount, and cost of health insurance.

Creditable service time represents periods of employment that are either earned or claimed. If you do not agree with your creditable service time, it is recommended that you contact your current human resources office and request a creditable service schedule be completed. A copy should be forwarded to the Office of Pensions so your file can be updated accordingly. The following describes the types of service credit which may be earned, claimed, or purchased.

EARNED SERVICE

You earn creditable service for each day during the year in which you are an appointed member of the state judiciary. No more than one year of service is creditable for all employment in one year.

CLAIMED MILITARY SERVICE (Interrupting Employment)

If you are called into active service or volunteer for active service in the Armed Forces or the National Guard of the State while you are a member of the Judicial Pension Plan and you return to employment within 90 days after discharge, you will receive full creditable service for such full-time continuous, active military service.

UNIFIED SERVICE

Unifying services gives members with service in the Judicial Pension Plan the option to combine their State Employee Pension Plan (SEPP) creditable service time with their Judicial Pension Plan creditable service to meet retirement eligibility requirements.

Your unified creditable service time can qualify you to retire from both plans. You cannot unify services if you started collecting retirement benefits from one of the plans. If service in one of the plans was refunded, you can repay the refund to restore service time in the plan.

Unification can only be established at the time of retirement. If you have previous service and want to know if you qualify, please contact the Office of Pensions.

3. COMPREHENSIVE ANNUAL STATEMENT

OVERVIEW OF YOUR COMPREHENSIVE ANNUAL STATEMENT

As a member of the Judicial Pension Plan, you will receive a Comprehensive Annual Statement (CAS) yearly. Active member statements can be viewed online by logging into [My.Delaware.Gov](https://my.delaware.gov)

Members with multiple plans should have CAS access for each plan online. Active members without [My.Delaware.Gov](https://my.delaware.gov) access and vested members will receive CAS by mail.

The CAS is a four (4) page report designed to give you an overview of your membership status. The statement consists of six (6) blocks:

1. **PERSONAL INFORMATION (Block 1)** – includes your address, Pension ID, Date of Birth, Gender, Marital Status, and Spouse’s Date of Birth.
2. **PENSION INFORMATION (Block 2)** – Specifies the Pension Plan the statement pertains to and total pension-creditable service time as of the statement date.
3. **CONTRIBUTORY INFORMATION (Block 3)** –
 - a. Total pension contributions and total interest accrued by the employee as of the statement date.
 - b. Wages and Contributions Breakdown for your Highest Creditable Compensation Period. *Wages and Contributions Breakdown will only be available once an employee has met vested status.* Please Note: Highest Creditable Compensation Period can be any consecutive 12-month period and is often not a calendar year.
4. **COMPUTATION INFORMATION (Block 4)** – Pension Estimate Computation Formula is the breakdown of how your pension amount is calculated. Part 3 shows your final estimated pension. *This calculation is only available once an employee has met vested status. If you have not met vested status this page will be blank.*
5. **SURVIVOR INFORMATION (Block 5)** – This box is informational and explains who would be considered an eligible survivor.
6. **BENEFICIARY INFORMATION (Block 6)** – This box lists the current designated beneficiary or beneficiaries to receive payment of undistributed Pension Contributions upon your death if there is no survivor. You are limited to six (6) beneficiaries. If any changes need to be made, please update the form, sign, date, and submit it to the Office of Pensions.

Please review your statements yearly for accuracy. If changes are needed, follow the instructions below each block to get the necessary corrections made. Note: Changes to personal information cannot be updated by the Office of Pensions if you are an active employee. You **MUST** work through your Human Resources office for these changes.

SAMPLE COMPREHENSIVE ANNUAL STATEMENT

See [Section 6. Benefit Computation](#) for information on utilizing the on-line calculator for future estimates.



Delaware Public Employees' Retirement System 2022 Comprehensive Annual Statement

DISCLAIMER: This statement represents an estimate only of potential benefits developed from records available to the Delaware Public Employees' Retirement System. This data must be verified at the time of retirement. As a result, your actual retirement benefits may vary significantly from the amounts reflected here. None of the information in this estimate has been verified and the Office of Pensions of the State of Delaware makes no representation or warranty, expressed or implied, as to the accuracy or completeness of such information. Actual service credit and benefits will be verified at the time of retirement. The Office of Pensions encourages all participants who are nearing retirement age to request copies of their records and review them for accuracy.

PERSONAL INFORMATION	BLOCK 1																
Joe Sample 123 Main Street Dover, DE 19904	Pension ID: 123456 Date of Birth: 01/01/1951 Gender: M Marital Status: M Spouse's Date of Birth: 01/01/1951																
If any information in Block 1 is incorrect, submit changes with verification to your current Human Resources Office.																	
PENSION INFORMATION	BLOCK 2																
Pension Plan: REVISED JUDGE PLAN Total Pension Creditable Service as of 12/31/2022: 29 Years 2 Months (29.2028)																	
If any information in Block 2 is incorrect, please contact your current Human Resources Office and have them submit service verification to the Office of Pensions.																	
CONTRIBUTORY INFORMATION	BLOCK 3																
Total Pension Contributions as of 12/31/2022: \$140,498.72 1. Pre-Tax Pension Contributions: \$140,498.72 2. After-Tax Pension Contributions: \$0.00 Total Interest Accrual as of 12/31/2022 : \$164,336.61																	
Wage and Contribution Breakdown by year for your Highest Creditable Compensation Period:																	
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Period Start</th> <th style="text-align: left;">Period End</th> <th style="text-align: left;">Pension Creditable Wages</th> <th style="text-align: left;">Pension Contributions</th> </tr> </thead> <tbody> <tr> <td>01/2022</td> <td>12/2022</td> <td>196,477.38</td> <td>0.00</td> </tr> <tr> <td>01/2020</td> <td>12/2020</td> <td>192,576.50</td> <td>0.00</td> </tr> <tr> <td>09/2017</td> <td>08/2018</td> <td>190,614.96</td> <td>6,663.32</td> </tr> </tbody> </table>	Period Start	Period End	Pension Creditable Wages	Pension Contributions	01/2022	12/2022	196,477.38	0.00	01/2020	12/2020	192,576.50	0.00	09/2017	08/2018	190,614.96	6,663.32	
Period Start	Period End	Pension Creditable Wages	Pension Contributions														
01/2022	12/2022	196,477.38	0.00														
01/2020	12/2020	192,576.50	0.00														
09/2017	08/2018	190,614.96	6,663.32														
If any information in Block 3 is incorrect, keep original for your records and submit a photocopy with the errors circled in black ink only with an explanation to this office for investigation.																	



Pension ID: 123456
 Name: Joe Sample
 Pension Plan: REVISED JUDGE PLAN

Delaware Public Employees'
 Retirement System
 2022 Comprehensive Annual Statement

COMPUTATION INFORMATION

BLOCK 4

Pension Estimate Computation Formula

PART 1 - Calculation for years of service up to 12.

1. Total Compensation—————>	\$579,668.84
Divided by 36	
2. Equals Final Average Compensation—————>	\$16,101.91
Divided by 24	
3. Equals Factor 1—————>	670.91
4. Multiplied by Years of Creditable Service (up to 12)—————>	12.0000
5. Equals Estimated Monthly Pension (part 1)—————>	\$8,050.92

PART 2 - Calculation for years of service greater than 12 but less than 24.

6. Final Average Compensation—————>	\$16,101.91
Divided by 48	
7. Equals Factor 2 —————>	335.46
8. Multiplied by Years of Creditable Service (> 12, <= 24)—————>	12.0000
9. Equals Estimated Monthly Pension (part 2)—————>	\$4,025.52

PART 3 - Total Estimated Monthly Pension Benefit

10. Part 1 + Part 2 equals Total Monthly Pension Benefit—————>	\$12,076.44
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If the increased Survivor Benefit Option is chosen, the computed amount in Item 10 would be reduced.

Block 4 contains a step-by-step calculation of your estimated monthly pension accrued under the Delaware Public Employees' Retirement System based on your service and compensation as of 12/31/2022. This monthly pension does not reflect any reduction for early retirement nor does it indicate your eligibility to collect a monthly pension. Please refer to our website, www.delawarepensions.com, for eligibility requirements.

DISCLAIMER: This statement represents only an estimate of credited service and potential benefits. None of the information in this estimate has been verified and the Office of Pensions of the State of Delaware makes no representation or warranty, express or implied, as to the accuracy or completeness of such information. Actual service credit and benefits will be verified at the time of retirement.



Pension ID: 123456
 Name: Joe Sample
 Pension Plan: REVISED JUDGE PLAN

Delaware Public Employees'
 Retirement System
 2022 Comprehensive Annual Statement

SURVIVOR INFORMATION

BLOCK 5

This block is an informational block to assist members in understanding the word "survivor" as it relates to a pension. Unless the order of priority is changed by filing a form with the Office of Pensions, the following is the order of eligible survivors:

1. A spouse – OR
2. An unmarried child under age 18 - or an unmarried child between age 18 and 22 and attending school full-time – OR
3. An unmarried child disabled before age 18 – OR
4. A parent who receives at least one-half of his or her support from you.

An eligible survivor receives a monthly pension. If there is no eligible survivor under Items 1, 2, 3, or 4 above, a death benefit is paid out to your beneficiary(ies) (See Block 6). A death benefit equals the amount of unpaid pension contributions plus interest through the date of death.

The Priority of Eligible Survivors form can be found on our website, www.delawarepensions.com. This form requires your signature in the presence of a notary public.

BENEFICIARY INFORMATION

BLOCK 6

Designated Beneficiary(ies) to receive payment of undistributed Pension Contributions upon your death, if no survivor's pension is payable.

NOTE: You are limited to (6) beneficiaries.

PRIMARY/SECONDARY	NAME		BIRTHDATE	GENDER
RELATIONSHIP	ADDRESS			
PRIMARY	Sample, Jane			
Child	123 Main Street	Dover, DE 19904	01/01/1980	F
PRIMARY	Sample, John			
Oth Relat	123 Main Street	Dover, DE 19904	01/01/1968	M

If the information on this page is accurate, retain for your records. If you have any changes, please complete and return the Designated Beneficiary form. Please use black ink only.

Pension ID: 123456
 Name: Joe Sample
 Pension Plan: REVISED JUDGE PLAN



Delaware Public Employees'
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 2022 Comprehensive Annual Statement

Designated Beneficiary Form

Designated Beneficiary to receive payment of pension contributions plus interest if no survivor's pension is available.
 You may designate a maximum of six (6) beneficiaries. (If more than one beneficiary is listed, payment will be divided equally unless otherwise noted by indicating Primary and/or Secondary.)

Check one below to update beneficiary information.

ADD	DELETE	MODIFY	PRIMARY		SSN	NAME	BIRTHDATE	GENDER
			PRIMARY	SECONDARY				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	RELATIONSHIP	ADDRESS		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	XXX-XX-1234	Sample, Jane Child 123 Main Street Dover, DE 19904	01/01/1980	F
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	XXX-XX-1234	Sample, John Oth Relat 123 Main Street Dover, DE 19904	01/01/1968	M
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

If the information is accurate, do not return. If you have changes, please complete all requested information using BLACK INK only, sign and return to:
 OFFICE OF PENSIONS, McARDLE BLDG, 860 SILVER LAKE BLVD., SUITE#1, DOVER, DE 19904-2402 (SLC:D570A)
 OR EMAIL TO PENSIONOFFICE@DELAWARE.GOV

 DATE

 SIGNATURE

4. BENEFIT ELIGIBILITY REQUIREMENTS

RETIREMENT ELIGIBILITY CRITERIA

You are eligible to receive monthly pension payments based on the retirement eligibility criteria below:

Table 2: Pension Benefit Eligibility Requirements

SERVICE <i>(Active Employees)</i>	<ul style="list-style-type: none"> ○ 12 years as a judge and has attained age 62 or, ○ 24 years of service at any age ○ Been Involuntarily retired after having served 22 years as a judge.
Disability	<ul style="list-style-type: none"> ○ Develop a permanent physical or mental disability, while in office ○ A certificate must be signed by the Chief Justice of the Supreme Court, or if the Chief Justice is the disabled judge, by the senior Justice of the Supreme Court, and by 3 persons duly licensed to practice medicine or surgery in this State and who have been actively engaged in such practice in this State for at least 10 years immediately preceding the signing of such certificate.
VESTED <i>(Terminated Employees)</i>	<ul style="list-style-type: none"> ○ 12 years of service as a judge.
SURVIVOR <i>(Active, Vested, or Retired)</i>	<ul style="list-style-type: none"> ○ Upon the death during service of a member, provided that a spouse survivor had been married to the deceased member at least one year before the member's death, a monthly survivor's pension shall be payable to the member's eligible survivor(s) equal to two-thirds (66.67%) of the service pension for which the judge would have been eligible and computed based on actual service to the date of death or 12 years, whichever is greater. The Survivor pension payable is actuarially reduced if the surviving spouse is under the age of 50 and does not have a dependent under their care. ○ Upon the death of a pensioner, the survivor(s) will be entitled to the percentage of the retiree's pension elected at the time of retirement; and ○ If the member is currently in a vested status, a survivor's pension is payable based on the future effective retirement date and 50% of the amount the vested member would have been eligible to receive.

SURVIVOR PENSION

In the event of a member’s death, the eligible survivor is entitled to a survivor’s pension. The following are eligible survivors listed in order of priority:

Table 3: Survivor Definitions by Survivor Type

Survivor Type:	Definition:
Spouse (Lifetime Benefit)	A widow(er) of a member, provided they had been married to the deceased member at least one (1) year before the member’s death.
Dependent child or children (Limited Term Benefit)	The child(ren) must be unmarried, have not attained age 18, or have attained age 18 but not age 22, and are attending school on a full-time basis.
Disabled child (Lifetime Benefit)	A child that has attained age 18 and is permanently disabled as the result of a disability that began before the child attained age 18.
Dependent parent or parents (Lifetime Benefit)	Any parent that was deemed to have been receiving at least one-half of their support from such a deceased person at the time of death.

The retiree may change the order of priority by submitting a notarized Survivor Order of Priority (SOP-1) form.

The monthly survivor pension amount can equal 50%, 66.67%, 75%, or 100% of the employee pension benefit calculation, depending on circumstance and/or member election at the time of retirement.

Criteria are as follows:

1. Upon the death of an active member, a monthly survivor’s pension shall be payable to the survivor(s) equal to two-thirds (66.67%) of the service pension the member would have been eligible to receive. The deceased member’s service will be computed based on actual service to the date of death or 12 years, whichever is greater.
2. If a member is currently in a vested status, a survivor’s pension is payable based on the future effective date and 50% of the amount the vested member would have been eligible to receive.
3. At retirement, a member has the option of electing their survivor option. This election is irrevocable and must be made before the issuance of the first pension direct deposit. The choices are as follows:
 - No reduction to member’s pension = 50% survivor’s pension
 - 2% reduction to member’s pension = 66.67% survivor’s pension
 - 3% reduction to member’s pension = 75% survivor’s pension
 - 6% reduction to member’s pension = 100% survivor’s pension

If the deceased member does not have a spouse but does have more than one dependent child, the benefit will be divided equally between all dependent children.

Surviving Spouse Under 50

If your spouse is under the age of 50 at the time of your death, the survivor's pension will be actuarially reduced for each month they are under age 50. However, this reduction will not apply for any period during which your surviving spouse is caring for an unmarried child either under age 18 or between age 18 and 22 and attending school on a full-time basis, or over age 18 but permanently disabled before age 18.

DEATH BENEFITS WHEN NO ELIGIBLE SURVIVOR

If you die leaving no eligible survivors, your named beneficiary or beneficiaries will be paid a lump sum equal to the excess, if any, of your accumulated contributions with interest less all pension payments made, including survivor's benefits. You may designate a beneficiary or beneficiaries or change your beneficiary or beneficiaries at any time by completing a Designation/Change of Beneficiary Form. This form should be updated to reflect any name or contact information changes to your named beneficiaries. If there is no designated beneficiary or beneficiaries, the sum will be paid to your estate.

You can see who you have selected as a beneficiary, by reviewing the last page of your Comprehensive Annual Statement.

5. RETIREMENT PLANNING

Along with Social Security and private investment earnings, your pension may be one of your major sources of income at retirement.

While you can count on the stability of the fund, your Judicial Pension Plan membership is not responsibility-free. Your biggest responsibilities are keeping yourself informed about your benefits and notifying your local human resources office and the Office of Pensions of changes in your life that affect your pension. It is never too early to start planning for retirement. In preparing for retirement there are several steps you can take:

- Each year you will receive a Comprehensive Annual Statement (CAS). Please examine the statement carefully to ensure that your personal information found in Block 1 and years of credited service found in Block 2 are accurate. If there are any issues, please follow the instructions below each box on your CAS report.
- Keep your beneficiary information up to date. This information can be found on page four (4) of your CAS.
- Delaware Retirement Saving Plan (DEFER) is a State of Delaware Deferred Compensation Savings Plan administered through the Office of the State Treasurer. It provides you with the opportunity to save money for retirement on a tax-deferred basis through the convenience of a pre-tax payroll deduction. DEFER offers a variety of investment options, including access to lower-cost funds, online educational planning tools and resources, the interactive online experience [myOrangeMoney®](#), and the support of local financial advisors from Voya Financial. For more information, please contact Voya at (302) 318-8840 or (800) 584-6001.
- Individual counseling sessions are available through the Office of Pensions and are designed to provide employees with a comprehensive overview of the Judicial Pension Plan and retirement process. Upon request, you could receive a personalized pension estimate.
- Contact the Social Security Administration regarding social security benefits (including Medicare), if applicable at 1-800-772-1213 or www.ssa.gov.
- Download the DPERS mobile app for smartphones. The app does not connect to personal data so there are no security concerns. The app is simply a communication tool to stay connected and send notifications of current activities (e.g. newsletter releases, open enrollment for pensioners). The app also includes a countdown to retirement feature.

6. BENEFIT COMPUTATIONS

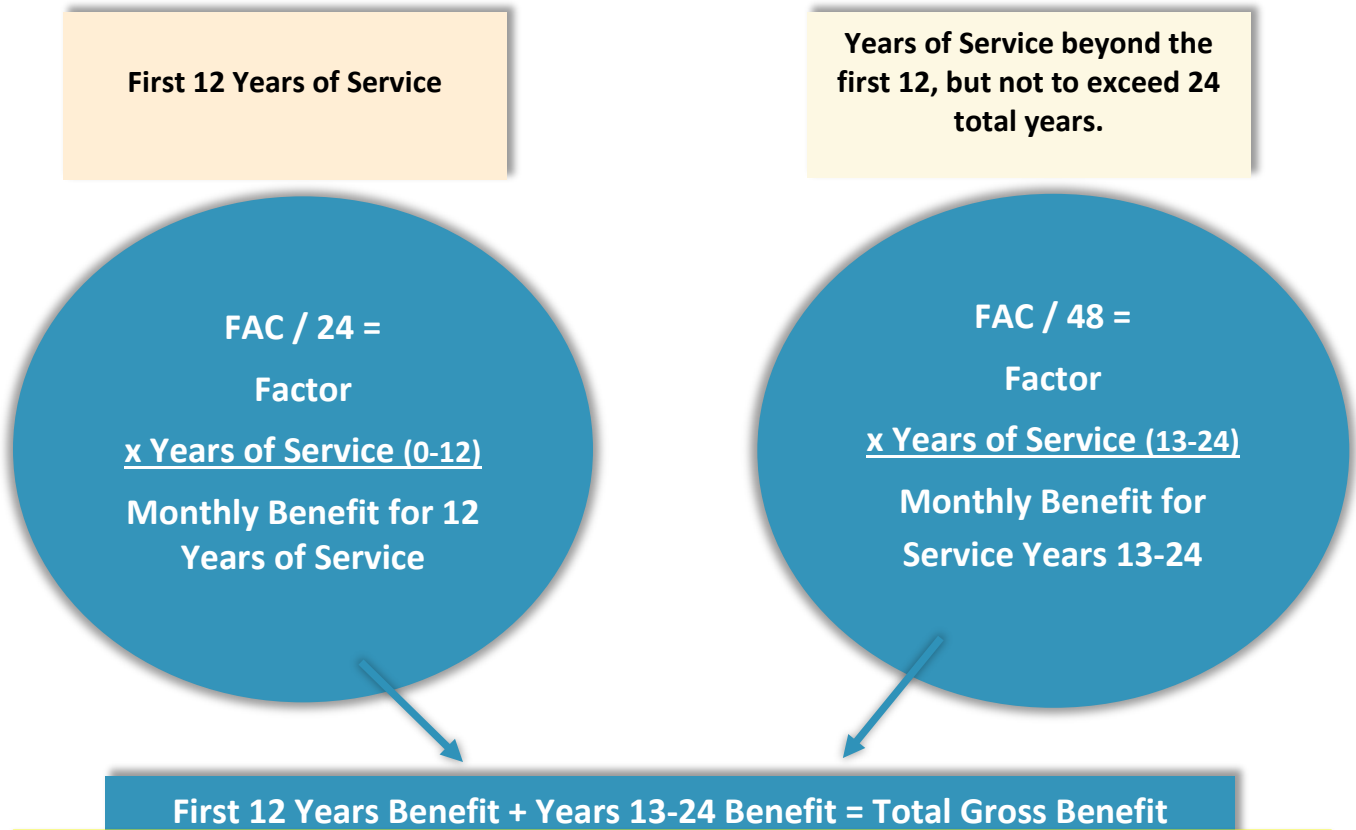
CALCULATING YOUR PENSION

Your pension amount is primarily based on your years of credited service and your Final Average Compensation (FAC). Your FAC is 1/36 of the total compensation paid to you during the three (3) periods of twelve (12) consecutive months during which your compensation was the highest for service as a judge.

You can find the breakdown of your three (3) highest years on page one of the Comprehensive Annual Statement (CAS) under Block 3 Contributory Information. The FAC can be found on page 2 of your CAS.

SERVICE PENSION CALCULATION

Figure 1: Calculating Your Service Pension



TIPS ON USING THE ONLINE CALCULATOR

Employees are encouraged to utilize the pension online calculator to calculate future pensions, located under Active Members > Revised Judicial Plan at <http://www.delawarepensions.com>, which also includes an instructional video on how it works.

All the information needed for the online calculator can be found on page 2 of your recent Comprehensive Annual Statement (CAS).

Our Retirement Counseling page is another great resource for pension information, which is located under Active Members > Retirement Counseling at <http://www.delawarepensions.com>

7. APPLYING FOR A PENSION

OVERVIEW OF THE PENSION APPLICATION PROCESS

Congratulations on making it to retirement!

At least four (4) months before you plan to retire, you should contact your human resources office to begin the application process. Once notified, the human resources office of your organization begins the process of verifying service by initiating an electronic Pension Application (Pen-App). The Office of Pensions verifies your service and sends a confirmation email back to the human resources department after creditable service is confirmed.

Your organization's human resources office then contacts you for an appointment to complete the necessary paperwork. Once the pension application is signed and notarized, the pension application and required documents are forwarded to the Office of Pensions. The signed pension application and required documents should be in our office 45 days before the effective date of pension (e.g., Retirement effective date of 7/1/YY, the signed pension application should be in our office no later than 5/15/YY). Upon receipt of the pension application by the Office of Pensions, the employee receives a letter acknowledging receipt of the pension application, the effective date of retirement, and the payroll processing month.

Since all organizations are on lag payroll, the first pension check is deposited on the last business day of the next month following the effective date of pension (e.g., Retire 7/1/YY, first direct deposit received on 8/DD/YY and includes two months of pension).

VESTED PENSIONERS

For vested pensioners, the Office of Pensions will send out correspondence before the pensioner's effective date. Once contact information has been verified, a vested packet will be sent out with all necessary paperwork. To avoid delay in receiving a pension, all vested pensioners are encouraged to keep the Office of Pensions updated on any changes in contact information (e.g., address, phone, email address).

NECESSARY DOCUMENTS

The Office of Pensions requires different documents depending on the circumstances of your retirement. You can assist by being ready to provide the personal documentation and forms listed below for your type of pension at retirement. Personal documents should be copies only, please do not send your original birth certificates or social security cards. Even if you don't have everything, don't delay the submission of the requested documents. You can provide some of the missing documents later.

All forms can be found on the Office of Pension website (<https://delawarepensions.com>) under *Retirees > Retiree Forms*.

The following are the documents required to go on pension:

Table 5: Documents Required for Your Pension

Documents Required	Pension Type			
	Service	Vesting	Disability	Survivor
Personal Documents				
1. Copy of both your own and dependents' original birth certificate OR federally-compliant drivers' license – if you do not have either of these, you can substitute: <ul style="list-style-type: none"> • Delayed record of birth • Statement of birth as established by the Social Security Administration • Vital Statistics Statement of Birth • Baptismal Certificate (as an infant) 	Y	Y	Y	Y
Copies of all marriage certificates/divorce decrees. The Office of Pensions must be able to track your name from birth to the present. We also need these documents to establish survivor eligibility.	Y	Y	Y	Y
Copies of Social Security cards for yourself and dependents	Y	Y	Y	Y
Copies of Medicare Cards (A and B)	Only if eligible and selecting medical coverage	Only if eligible and selecting medical coverage	Only if eligible and selecting medical coverage	Only if eligible and selecting medical coverage
School verification (For survivors between the age of 18 and 22 who are not permanently disabled before the age of 18.)	N	N	N	Y
Pension Office Forms				
Pension Application – signed & notarized after service has been verified	Y	@ Retirement **	Y	Y Except for Survivors of Retirees

Documents Required	Service	Vesting	Disability	Survivor
Direct Deposit Authorization (DA) Form - Direct deposit of the monthly benefit to a checking, savings, or other account is required. Submit a pensioner's DA form to provide account information.	Y	@ Retirement	@ Retirement	Y
Federal & Delaware Tax Withholding Election Forms - Generally, pension benefits are taxable. Year-end tax forms are mailed before January 31 and report the total amount of pension benefit paid, taxes withheld, and other items. Tax withholding options may be changed by filling out a Federal W-4P or a State of Delaware W-4. State taxes can only be withheld for the State of Delaware. Pensioners living outside of Delaware should seek tax advice to meet their local tax requirements.	Y	@ Retirement	@ Retirement	Y
Joint Survivor Benefit Form (JSB)* – <i>must be notarized.</i> The purpose of this form is for the pensioner to choose the amount of pension to be left to your eligible survivor (<i>an eligible survivor is your spouse whom you were married to at least one year prior to your death, dependent children under 18, children 18 to 22 that are full-time students, a child that is permanently disabled as a result of a disability which began before the child attained age 18, or your dependent parents</i>) at the time of your death. There are four choices: <ol style="list-style-type: none"> 1. No reduction to member's pension = 50% survivor's pension 2. 2% reduction to member's pension = 66.67% survivor's pension 3. 3% reduction to member's pension = 75% survivor's pension 4. 6% reduction to member's pension = 100% survivor's pension 	Y	@ Retirement	@ Retirement	Y
Health, Dental and Vision application/refusal forms and Coordination of Benefits (COB) form (if applicable) (See Section 8. Retiree Benefits)	Y	@ Retirement	Y	Y

*This election is irrevocable and must be made before the issuance of the first pension direct deposit.

**Agency may have employee sign application at the time of termination.

8. RETIREE BENEFITS

HEALTH INSURANCE (including prescription coverage)

Eligibility for medical coverage and cost vary depending on when you originally entered service as well as the number of years of service accumulated.

For eligible pensioners who were first employed by the State in a pension-creditable position before July 1, 1991, the State will pay 100% of the normal monthly State share.

For eligible pensioners who were first employed by the State in a pension-creditable position on or after July 1, 1991 (except for those receiving a disability pension). The State shall pay a portion of the normal monthly State share based on the number of years of pension-creditable service at the time of retirement. The rates are as follows:

Table 6: Understanding the Monthly State Share Cost of Health Insurance

The following portion of the State Share will be paid by the State, except for those receiving a disability pension, 100% of State Shared is paid.	
Eligible Pensioners Hired by the State on or After July 1, 1991, through December 31, 2006	
Years of Service	State share paid by the State
Less than 10 years	0%
10 years – less than 15 years	50%
15 years – less than 20 years	75%
20 years or more service	100%
Eligible Pensioners Hired by the State on or After January 1, 2007	
Years of Service	State share paid by the State
Less than 15 years	0%
15 years – less than 17.5 years	50%
17.5 years – less than 20 years	75%
20 years or more service	100%

For disability pensioners, the State will continue to pay 100% of the monthly **State** share regardless of years of creditable service.

The same health insurance plans and coverage elections available to active employees are available to a pensioner.

Spousal Coordination of Benefits

If you cover a spouse under your Highmark Delaware or Aetna health plan, you are required to complete a Spousal Coordination of Benefits (COB) Form online to determine your spouse's eligibility status. The online form must be completed within 30 days of enrolling your spouse in a State of Delaware health plan, within 30 days of your spouse losing or gaining employee coverage and every year during Open Enrollment in May. Failure to complete a Spousal COB Form or provide documentation when required will result in a reduction of your spouse's coverage. To complete online please go to: <https://cob.dhr.delaware.gov>.

MEDICARE ELIGIBILITY

Medicare Part B eligibility is met either upon obtaining age 65 or after 24 months of receiving Social Security disability benefits. If a member has Medicare Part A insurance, this means that the member must now enroll in Medicare Part B insurance at the time of retirement or placement on long-term disability benefits.

Medicare-eligible pensioners, spouses or eligible dependents are required to enroll in Medicare Parts A and B as primary. Part B may not be required if coverage with active employment is available. Contact the Office of Pensions if you have questions regarding Part B's required enrollment. For more information regarding the current State of Delaware Medicare health plan and qualified part D prescription plan, please visit <https://dhr.delaware.gov/benefits/index.shtml>.

For more information on Medicare Frequently Asked Questions (FAQ), please visit our website at www.delawarepensions.com and navigate to Active Members > Retirement Counseling > Medicare FAQ.

DENTAL INSURANCE

Dental insurance is available upon retirement. The pensioner is responsible for the full cost of the monthly premium. The pensioner may select Individual, Individual and Spouse, Individual and Child(ren), or Family coverage.

VISION INSURANCE

Vision insurance is available upon retirement. The pensioner is responsible for the full cost of the monthly premium. The pensioner may select Individual, Individual and Spouse, Individual and Child(ren) or Family coverage.

9. RETIREMENT

Once you are retired, the Office of Pensions becomes your Human Resource Department.

MONTHLY PENSION

You utilize My.Delaware.Gov to review your pay stubs online. To ensure the timely delivery of benefit payments, all pensioners must receive payment of their monthly benefit through direct deposit. Payments are issued on the last business day of each month. The payments are sent electronically so funds post immediately to your bank account.

POST-RETIREMENT INCREASES (PRI)

Pension law does not provide for automatic post-retirement increases. Increases are only granted upon legislative approval.

TAXES

Pensioners may be required to pay both federal and states taxes on pension income. The Office of Pensions cannot withhold another State's tax from the State of Delaware monthly pension. If you intend to move out of Delaware, check with the Division of Revenue in that State to determine if the monthly pension is subject to state income tax. Be sure to consult with an accountant or a tax advisor about your liability or visit the IRS's website at www.irs.gov.

Withholding changes can be made anytime throughout the year by submitting new Federal and Delaware Tax Withholding Election forms to the Office of Pensions.

YEARLY STATEMENTS

Each year pensioners will receive the following statements:

Table 7: Description of Yearly Statements

Form	Description
1099R	Retiree version of a W-2 Form. Form sent out by January 31 st of each year.
1095B	A tax form that reports the type of health insurance coverage you have, any dependents covered by your insurance policy, and the period of coverage for the prior year. This form is used to verify on your tax return that you and your dependents have at least minimum qualifying health insurance coverage.
Retiree Annual Statement	Annual statement with a summary of benefits.

Pensioners should review the Retiree Annual Statement for accuracy. If any changes need to be made, follow the instructions provided in each block of the statement.

WORK RESTRICTION

You cannot receive a pension from the Judicial Pension Plan or any other pension plan payable by the State during any month in which you are appointed to and accept any judicial office under state law unless you are designated by the Chief Justice of the Supreme Court and compensated on a per diem basis.

GENERAL QUESTIONS

If you are a retiree, please be sure to contact our office if any of the following changes occur:

Table 8: Pensioner Changes that Require Updates with the Office of Pensions

If I:	I should:
Change my address	Complete and submit a Change of Address Form to the Office of Pensions.
Change my name	Submit updated documentation to the office: <ul style="list-style-type: none"> • Marriage or Divorce Certificate • Court documentation • Updated Driver’s license, Social Security Card, Medicare Card, if applicable
Need to report the death of spouse or pensioner	Call the Office of Pensions to report a death. <i>Please note: An original death certificate will be needed to collect any benefits.</i>
Become re-employed by the State of Delaware in a pension covered position	Contact the Office of Pensions and ask to speak with our Return-to-Work Coordinator.
Have questions regarding health care	Call the Office of Pensions and ask for our benefits section.
Want to change my tax withholdings	Tax withholdings can be changed at any time. Please complete updated Federal and Delaware Tax Withholding Election Forms and submit them to the Office of Pensions.
Want to change my beneficiary or beneficiaries	Complete and submit an updated Designation or Change of Beneficiary Form to the Office of Pensions.

Forms can be found on our website at www.delawarepensions.com under Retirees > Retiree Forms.