

CHAPTER 10
JUDICIAL RETIREMENT SYSTEM

Authority

N.J.S.A. 43:6A-29d.

Source and Effective Date

R.1998 d.243, effective April 22, 1998.
See: 30 N.J.R. 1029(b), 30 N.J.R. 1847(d).

Executive Order No. 66(1978) Expiration Date

Chapter 10, Judicial Retirement System, expires April 22, 2003.

Chapter Historical Note

All provisions of this chapter became effective November 29, 1973 as R.1973 d.332. See: 5 N.J.R. 244(a), 6 N.J.R. 38(b).

1974 Revisions: Amendments became effective December 5, 1974 as R.1974 d.335. See: 6 N.J.R. 359(e), 7 N.J.R. 34(a).

1976 Revisions: Amendments became effective September 30, 1976 as R.1976 d.304. See: 8 N.J.R. 86(a), 8 N.J.R. 538(c).

1978 Revisions: Amendments became effective May 31, 1978 as R.1978 d.184. See: 9 N.J.R. 387(a), 10 N.J.R. 305(b). Further amendments became effective November 24, 1978 as R.1978 d.405. See: 10 N.J.R. 303(a), 11 N.J.R. 51(a).

1979 Revisions: Amendments became effective October 23, 1979 as R.1979 d.431. See: 11 N.J.R. 357(e), 11 N.J.R. 649(b).

1980 Revisions: Amendments became effective February 28, 1980 as R.1980 d.97. See: 11 N.J.R. 648(c), 12 N.J.R. 224(a).

1981 Revisions: Amendments became effective July 9, 1981 as R.1981 d.244. See: 13 N.J.R. 331(a), 13 N.J.R. 462(b).

1982 Revisions: Amendments became effective May 31, 1982 as R.1982 d.342. See: 14 N.J.R. 140(a), 14 N.J.R. 1165(c).

1983 Revisions: This chapter was readopted pursuant to Executive Order No. 66(1978), effective May 16, 1983 as R.1983 d.178. See: 15 N.J.R. 530(a), 15 N.J.R. 931(a). Further amendments became effective June 20, 1983 as R.1983 d.212. See: 14 N.J.R. 1296(b), 15 N.J.R. 1038(a).

1984 Revisions: Section 3.5 was repealed by R.1984 d.13. See: 15 N.J.R. 1013(b), 16 N.J.R. 251(b).

1988 Revisions: Amendments became effective May 2, 1988 as R.1988 d.182. See: 20 N.J.R. 179(b), 20 N.J.R. 998(a). This chapter was readopted pursuant to Executive Order No. 66(1978), effective May 6, 1988 as R.1988 d.242. See: 20 N.J.R. 510(b), 20 N.J.R. 1208(c).

Pursuant to Executive Order No. 66(1978), Chapter 10, Judicial Retirement System, expired on May 6, 1993. Pursuant to Executive Order No. 66(1978), Chapter 10, Judicial Retirement System, was readopted as new rules by R.1993 d.375, effective August 2, 1993. See: 25 N.J.R. 1956(a), 25 N.J.R. 3507(a).

Pursuant to Executive Order No. 66(1978), Chapter 10, Judicial Retirement System, was readopted as R.1998 d.243, effective April 22, 2003. See: Source and Effective Date.

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SUBCHAPTER 1. ADMINISTRATION

17:10-1.1 Commission meetings

The State House Commission shall meet at the call of the counsel to the commission.

17:10-1.2 Fiscal year

(a) Fiscal year shall mean the 12-month period of fiscal transactions commencing July 1 and running until June 30 following.

(b) All reports and statements will consider such a fiscal year except special reports not having direct relationship to the financial transactions of the retirement system.

17:10-1.3 Officers and committees

(a) The chairperson of the commission will preside at all meetings he or she attends, and in his or her absence, another member selected by the majority of the members in attendance will preside for that single meeting.

(b) Upon recommendation of the Director of Pensions, the commission will select from the staff of the Division of Pensions an assistant secretary, who will serve in the absence of the secretary.

(c) The chairperson will appoint such committees from the commission members as he or she deems necessary to facilitate the Commission's operations. Such committee appointments will be for a one-year period, commencing each July 1.

As amended, R.1983 d.212, eff. June 20, 1983.

See: 14 N.J.R. 1296(b), 15 N.J.R. 1038(a).

Gender neutral references added.

17:10-1.4 Certifying officer

(a) The official properly designated by the Administrative Office of the Courts will serve as the certifying officer. Additional certifying officers will be designated in each county where necessary.

(b) The prime purpose of the certifying officer will be to certify facts of enrollment, retirement, resignation and to implement proper procedures for the reports concerning members and to act as liaison for all dealings between the courts and the retirement system.

As amended, R.1983 d.212, effective June 20, 1983.

See: 14 N.J.R. 1296(b), 15 N.J.R. 1038(a).

"Agent" replaced by "officer".

17:10-1.5 Records

(a) The minutes of the commission are a matter of public record and may be inspected during regular business hours in the office of the secretary.

(b) The mailing addresses of all active and retired members are considered to be part of the member's confidential files and shall not be released for any purpose.

(c) All medical testimony obtained in connection with an application for disability retirement shall be restricted for the confidential use of the commission.

17:10-1.6 Appeal from commission decisions

(a) the following statement shall be incorporated in every written notice setting forth the commission's determination in a matter where such determination is contrary to the claim made by the claimant or his legal representative:

"If you disagree with the determination of the State House Commission in this matter, you may appeal by sending a written statement to the commission within 45 days from the date of this letter informing the commission of your disagreement and all of the reasons therefor. If no such written statement is received within the 45-day period, this determination shall be considered final."

17:10-1.7 Suspension of pension checks

(a) Monthly pensions will be suspended under the following circumstances and the suspension will continue during the period of default:

1. If a widow, widower, parent or guardian of a minor child(ren) fails to file a certificate of eligibility which is normally mailed to such beneficiaries on an annual basis;
2. If a retirant or beneficiary becomes mentally or physically incompetent, the disbursements of pension checks shall be suspended until a proper legal representative has been appointed.

As amended, R.1979 d.431, eff. October 23, 1979.

See: 11 N.J.R. 357(e), 11 N.J.R. 649(b).

17:10-1.8 Proof of age

(a) As most members are appointed at a later age in this System, all members will be required to establish proof of their age with the System at the time of their enrollment in the System. If a member is transferring to the Judicial Retirement System from another State-administered retirement system where proof of age was secured, no additional proof of age will be requested.

(b) In the event a member dies before satisfactory evidence of his date of birth has been filed with the system, appropriate evidence may be required before any death claim is processed for settlement.

(c) In the event proof of age has not been filed with the system before retirement, such proof must be filed before any retirement benefits may be disbursed.

As amended, R.1980 d.97, effective February 28, 1980.

See: 11 N.J.R. 648(c), 12 N.J.R. 224(a).

As amended, R.1983 d.214, effective June 20, 1983.

See: 14 N.J.R. 1298(a), 15 N.J.R. 1038(b).

Clarification of the proof of age requirement.

17:10-1.9 Judges; biweekly salaries

(a) Service credit will be determined on the basis of biweekly pay periods for judges paid by centralized payroll.