

**CHAPTER 10
JUDICIAL RETIREMENT SYSTEM**

Authority

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

Source and Effective Date

R.2009 d.33, effective December 17, 2008.
See: 40 N.J.R. 4942(a), 41 N.J.R. 624(a).

Chapter Expiration Date

Chapter 10, Judicial Retirement System, expires on December 17, 2013.

Chapter Historical Note

Chapter 10, Judicial Retirement System, was adopted as R.1973 d.332, effective November 23, 1973. See: 5 N.J.R. 244(a), 6 N.J.R. 38(b).

Pursuant to Executive Order No. 66(1978), Chapter 10, Judicial Retirement System, was readopted by R.1983 d.178, effective May 16, 1983. See: 15 N.J.R. 530(a), 15 N.J.R. 931(a).

Pursuant to Executive Order No. 66(1978), Chapter 10, Judicial Retirement System, was readopted by R.1988 d.242, effective May 6, 1988. 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 16, 1993.

Pursuant to Executive Order No. 66(1978), Chapter 10, Judicial Retirement System, was adopted 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 by R.1998 d.243, effective April 22, 1998. See: 30 N.J.R. 1029(b), 30 N.J.R. 1847(d).

Chapter 10, Judicial Retirement System, was readopted as R.2003 d.296, effective June 27, 2003. See: 35 N.J.R. 388(a), 35 N.J.R. 3381(a).

Chapter 10, Judicial Retirement System, was readopted as R.2009 d.33, effective December 17, 2008. See: Source and Effective Date.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. ADMINISTRATION

- 17:10-1.1 Commission meetings
- 17:10-1.2 Fiscal year
- 17:10-1.3 Officers and committees
- 17:10-1.4 Certifying officer
- 17:10-1.5 Records
- 17:10-1.6 Appeal from Commission decisions
- 17:10-1.7 Suspension of pension checks
- 17:10-1.8 Proof of age
- 17:10-1.9 Judges; biweekly salaries
- 17:10-1.10 Survivor benefits; establishing dependency
- 17:10-1.11 (Reserved)

SUBCHAPTER 2. ENROLLMENT AND PURCHASES

- 17:10-2.1 Enrollment date
- 17:10-2.2 Enrollment following deferred retirement
- 17:10-2.3 Eligibility for purchase
- 17:10-2.4 Optional purchase of eligible service

SUBCHAPTER 3. INSURANCE AND DEATH BENEFITS

- 17:10-3.1 Computation of benefits; non-contributory insurance
- 17:10-3.2 Acceptable designations of beneficiaries; non-contributory insurance
- 17:10-3.3 Leave for illness
- 17:10-3.4 Survivor benefits
- 17:10-3.5 Contributory group life insurance; beneficiary designation
- 17:10-3.6 Proof of insurability; non-contributory and contributory group life insurance

SUBCHAPTER 4. MEMBERSHIP

- 17:10-4.1 Creditable salary
- 17:10-4.2 Approved leave
- 17:10-4.3 Suspension
- 17:10-4.4 Termination; resignation
- 17:10-4.5 Eligible credit
- 17:10-4.6 *Per diem* credit
- 17:10-4.7 Deductions
- 17:10-4.8 Minimum adjustment
- 17:10-4.9 Withdrawals
- 17:10-4.10 Eligibility for loan

SUBCHAPTER 5. RETIREMENT

- 17:10-5.1 Applications
- 17:10-5.2 Effective date
- 17:10-5.3 Effective date; changes
- 17:10-5.4 Deferred retirement
- 17:10-5.5 Death prior to effective date
- 17:10-5.6 Retirement credit
- 17:10-5.7 Employer disability application; employee notice
- 17:10-5.8 Early retirement defined
- 17:10-5.9 Service retirement; eligibility
- 17:10-5.10 Medical examinations; physicians
- 17:10-5.11 Compulsory retirement
- 17:10-5.12 Outstanding loan
- 17:10-5.13 Waiver
- 17:10-5.14 (Reserved)

SUBCHAPTER 6. TRANSFERS

- 17:10-6.1 Interfund transfers; other State systems
- 17:10-6.2 (Reserved)

SUBCHAPTER 1. ADMINISTRATION

17:10-1.1 Commission meetings

The State House Commission shall meet at the call of the counsel to the Commission. The Commission acts as the Board of Trustees for the Judicial Retirement System and has the general responsibility for the proper operation of the System pursuant to N.J.S.A. 43:6A-29.

Amended by R.2003 d.296, effective July 21, 2003.
See: 35 N.J.R. 388(a), 35 N.J.R. 3381(a).
Added second sentence.

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. If the chairperson is absent, another member selected by the majority of the members in attendance will preside for that single meeting.

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

(c) The chairperson will appoint such committees from the Commission members as 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.

Amended by R.2003 d.296, effective July 21, 2003.

See: 35 N.J.R. 388(a), 35 N.J.R. 3381(a).

Rewrote the section.

17:10-1.4 Certifying officer

(a) The official properly designated by the Administrative Office of the Courts will serve as the certifying officer.

(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".

Amended by R.2003 d.296, effective July 21, 2003.

See: 35 N.J.R. 388(a), 35 N.J.R. 3381(a).

In (a), deleted second sentence.

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.

(d) The designations of beneficiaries of all active and retired members are considered to be a part of the member's confidential files and shall only be released after the member's death or upon the member's written request.

(e) Charges for copies of pension records which have been deemed to be public information will be made in accordance with the provisions of N.J.S.A. 47:1A-2.

Amended by R.2003 d.296, effective July 21, 2003.

See: 35 N.J.R. 388(a), 35 N.J.R. 3381(a).

Capitalized "Commission" throughout; added (d) and (e).

17:10-1.6 Appeal from Commission decisions

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 the claimant's 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."

Amended by R.2003 d.296, effective July 21, 2003.

See: 35 N.J.R. 388(a), 35 N.J.R. 3381(a).

Removed the paragraph identifier and substituted "the claimant's" for "his" preceding "legal representative".

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 when requested by the Division of Pensions and Benefits;