

Probate Judges

Surviving Spouse Benefits

No benefits or return of contributions are payable to the deceased Probate Judge's estate if a **retired** Probate Judge dies with no surviving spouse. If a Probate Judge dies **prior to retirement** with no surviving spouse or with a surviving spouse and the Probate Judge has less than five years of creditable service, the estate of the Probate Judge is entitled to the accumulated contributions in the Probate Judge's retirement account. Survivor benefits are payable in equal monthly installments for the remainder of the spouse's life or until remarriage.

Judicial Service Only

A surviving spouse of any Probate Judge with **five or more years** of creditable service is entitled to receive a benefit equal to the greater of \$480 per year **multiplied** by the deceased Probate Judge's number of years of service, not to exceed 10 years; or 3 percent of the Judge's base sum or final judicial salary for each year of service, not to exceed 10 years. The benefit **cannot** exceed the greater of \$4,800 per year **or** 30 percent of the Probate Judge's base sum or final judicial salary at the time of death.

ERS or TRS Transfer Service

A surviving spouse of any Probate Judge with **five or more years** of creditable service, including ERS or TRS transfer service, is entitled to receive a benefit as follows:

Surviving Spouse (ERS or TRS Transfer Service)

3% x Base Sum or Final Judicial Salary (for each year of Judicial service, not to exceed 10 years)

Plus

40% x 2.0125% x Average Final Salary of the Transfer Service x Years of Transfer Service

This benefit **cannot** exceed 30 percent of the Probate Judge's base sum or final judicial salary at the time of death.