

## 9-105. THE CONTRIBUTORY PLAN.

(A) EACH JUDGE WHO FIRST QUALIFIED AS A JUDGE AFTER JUNE 30, 1969, AND EACH JUDGE THEN IN OFFICE WHO HAS ELECTED TO BE COVERED, IS COVERED BY THIS PLAN.

(B) EACH JUDGE COVERED BY THE PLAN SHALL CONTRIBUTE AN AMOUNT EQUAL TO SIX PERCENT OF THE JUDGE'S COMPENSATION, TO BE DEDUCTED FROM THE JUDGE'S COMPENSATION EACH PAY PERIOD UNTIL THE JUDGE HAS SERVED AS A JUDGE FOR 16 YEARS. THE JUDGE SHALL MAKE NO CONTRIBUTION THEREAFTER.

(C) THE AMOUNT OF THE RETIREMENT ALLOWANCE PAYABLE TO A FORMER JUDGE IN EACH FISCAL YEAR IS TWO THIRDS OF THE SALARY PAYABLE IN THAT FISCAL YEAR TO A JUDGE HOLDING THE SAME OR SAME LEVEL JUDICIAL POSITION AS THAT IN WHICH THE FORMER JUDGE SERVED AT THE TIME OF THE TERMINATION OF SERVICE, PROVIDED THAT THE FORMER JUDGE SERVED 16 YEARS OR MORE. IF THE PERIOD OF ACTIVE JUDICIAL SERVICE OF THE FORMER JUDGE WAS LESS THAN 16 YEARS, THE AMOUNT OF THE RETIREMENT ALLOWANCE SHALL BE LESS, IN THE PROPORTION THAT THE PERIOD OF THIS SERVICE BEARS TO 16 YEARS. IN NO EVENT MAY THE RETIREMENT ALLOWANCE PAYABLE TO A FORMER JUDGE FOR REASON OF DISABILITY BE LESS THAN ONE THIRD OF THE FORMER JUDGE'S SALARY IF THE JUDGE HAS ACCRUED AT LEAST THREE YEARS OF CREDITABLE SERVICE UNDER THIS RETIREMENT SYSTEM. HOWEVER, A JUDGE WHO RETIRES DUE TO DISABILITY DURING THE PERIOD JULY 1, 1975, THROUGH JULY 1, 1976, IS ENTITLED TO A RETIREMENT ALLOWANCE EQUIVALENT TO NOT LESS THAN ONE THIRD OF THE ANNUAL SALARY FOR JUDGES OF THAT COURT AS OF THE DATE OF SUBMISSION OF THE APPLICATION FOR RETIREMENT, AND A JUDGE WHO DIES AFTER SUBMISSION OF THE APPLICATION BUT PRIOR TO APPROVAL BY THE BOARD IS DEEMED RETIRED ON DISABILITY.

(D) A JUDGE SHALL HAVE CREDIT FOR PRIOR SERVICE AS A FULL-TIME JUDGE OF A PEOPLE'S COURT OR A MUNICIPAL COURT FOR DETERMINING THE JUDGE'S PERIOD OF ACTIVE JUDICIAL SERVICE.

(E) IF A JUDGE'S SERVICE IS TERMINATED BY DEATH AND THE JUDGE LEAVES NO SPOUSE, THE JUDGE'S ACCUMULATED CONTRIBUTIONS, PLUS INTEREST AT FOUR PERCENT FROM THE DATES OF PAYMENT, SHALL BE PAID TO THE JUDGE'S ESTATE.

(F) AT THE TIME OF TERMINATION OF SERVICE, OR WITHIN SIX MONTHS THEREAFTER, BUT BEFORE RECEIVING PAYMENT OF A RETIREMENT ALLOWANCE, A FORMER JUDGE MAY ELECT TO WITHDRAW IN A LUMP SUM THE JUDGE'S ACCUMULATED CONTRIBUTIONS PLUS