

Note: This memo and survey of judges' pension benefits and salaries was prepared by the West Virginia Legislative Auditor's Office, Performance Evaluation and Research Division

MEMORANDUM

To: Honorable Edwin J. Bowman, Chairman

CC: Honorable Earl Ray Tomblin, Honorable Walt Helmick

From: John Sylvia

Subject: Re: Request for information "Judges"

Date: January 5, 2005

Attached is a state-by-state summary of judges' pension benefits and a state-by-state listing of judges' salaries as requested in your December 7, 2004 memo.

It is difficult to summarize retirement data due to the many differences in retirement laws among the 50 states. In addition, the structure of the court systems adds difficulty in making comparisons. However, Attachment 1 provides information regarding the mandatory retirement age, the age requirement to receive full pension benefits, and the retirement allowance for judges in all 50 states. We also have print-outs of applicable state statutes for all 50 states, which can be provided if more detailed information is needed.

In regard to judges' salaries, Attachment 2 contains a list of 1999 and 2004 salary data for all 50 states. It also includes the percentage of change between 1999 and 2004. These data include the salaries for Chief Justice, Associate Justice, and Superior Court judges with the average and median salary for each type of judge.

Pensions are calculated using one of three methods: 1) the average salary for a specified number of years, 2) the current salary, or 3) the final salary. I have included a third attachment, Table 1, which lists the states and the method used to calculate pensions.

If you have further questions regarding the data provided or a need for additional information please contact Michael Midkiff, Research Manager or Paul Barnette, Senior Research Analyst.

Attachment 1 Pension Benefits of Retired Judges

State	Mandatory Age Retirement Y/N	Age of Mandatory Retirement	Age Requirement to Receive Full Pension Benefits	Retirement Allowance
Alabama	Y	70	Age 65, 12 yrs. service; 15 yrs. of service, has attained age 62 less one year for each year of service in excess of 15; 10 yrs. service, not less than Age 70	75% of current salary
Alaska	Y	70	Age 70	5% per year of service up to 75% of current position salary
Arizona	Y	70	Age 65 with 5 or more yrs. service; 62 with 10 or more yrs. service; 20 or more yrs. service	Equal to 1/12 of 4% of avg. yearly salary multiplied by yrs. of service not exceed 80% of avg. yearly salary
Arkansas	Y	70	Age 65 with 10 yrs. service; 20 yrs. service	60% of salary payable to the last judicial office held
California	N		Age 65 with 20 yrs. service; 70 with 5 yrs. service	3.75% per year of service not to exceed 75% of judge's final compensation
Colorado	Y	72	Age 50 with 30 yrs. service; 60 with 20 yrs. service; 65 with 5 yrs. service	2.5% of highest average salary multiplied by years of service
Connecticut	Y	70	Age 65 with 20 yrs. service; 30 yrs. service	The annual salary payable at the time of retirement or death, fixed in accordance with subsection (a) of section 51-47; and for judges to whom a longevity payment has been made or is due and payable, in each case under subsection (d) of section 51-47, (1) one and one-half per cent of the annual salary the judge was receiving at the time of retirement or death, for those who have completed 10 or more but less than 15 yrs of service as a judge or other state service or service as an elected official of the state or any combination of such service, (2) 3% of the annual salary the judge was receiving at the time of retirement or death, for those who have completed 15 or more but less than 20 yrs of service as a judge or other state service or service as an elected official of the state or any combination of such service, (3) 4.5% of the annual salary the judge was receiving at the time of retirement or death, for those who have completed 20 or more but less than 25 yrs of service as a judge or other state service or service as an elected official of the state or any combination of such service, and (4) 6% of the annual salary the judge was receiving at the time of retirement or death, for those who have completed 25 or more yrs of service as a judge or other state service or service as an elected official of the state or any combination of such service

Delaware	N		Age 62 with 12 yrs. of service; 24 yrs. of service	Final Average Compensation multiplied by 1/24 for years 1-12 and 1/48 of final average compensation for years 13 to 24
Florida	Y	70	Age 62 with 6 yrs of service or 30 yrs of service	1.6% of average final compensation multiplied by years of service, for first yr of retirement, 1.63% for the 2nd yr, 1.65% for the 3rd yr, and 1.68% for all remaining yrs
Georgia	N		Age 60 and 16 yrs. of service	66.66% of member's average annual salary plus 1% for each year over 16 yrs. not to exceed 24 yrs
Hawaii	Y	70	Age 55 with 5 yrs. service; 25 yrs. of service	3.5% of average final compensation multiplied by years of service not to exceed 75% of final average compensation
Idaho	N		Age 65 with 4 yrs. service; 60 with 10 yrs. service; 55 with 15 yrs. service; 20 yrs. service	5% of current compensation for first 10 yrs, 2.5% of current compensation for remaining years not to exceed 75% of current salary
Illinois	Y	75	Age 60 with 28 yrs. of service (pension benefits are reduced by reduced yrs of service)	3.5% of final average salary for first 10 yrs, 5% for yrs in excess of 10, not to exceed 85% of final average salary
Indiana	Y	75	Age 62 with 8 yrs. service; age 55 and years in age plus years of service is at least 85	3% of final salary for years 8-11, 50% for those with 12 or more years of service plus 1% for each year, not to exceed 60% of final compensation
Iowa	Y	75	65 with 6 yrs. service; 25 yrs. of service	3% of average salary multiplied by yrs of service up to 60% of average salary
Kansas	Y	70	Age 65, but shall be reduced by 1 year, but no more than 5 years, for each 5 yrs. of service	5% of final average salary for up to 10 yrs, 3.5% for yrs in excess of 10, not to exceed 70% of final average salary
Kentucky	N		Age 65; 62 with 10 yrs. service	2.75% of final compensation multiplied by yrs of service, not to exceed 100% of final compensation
Louisiana	Y	70	18 yrs. of service; Age 50 with 20 yrs. and at least 12 were as a judge; 55 with 12 yrs.; 65 with 10 yrs.; 70 without regard to years served	The judge shall receive as a base annual benefit that proportion of his annual judicial pay, as it exists on the date of his retirement, which his number of years served on a court of record bears to twenty-five. As a supplemental benefit, a judge covered by R.S. 11:1351 through 1358 shall receive a sum equal to three and one-half percent of his annual judicial pay, as it exists on the date of his retirement, for each year, not to exceed four years, that he served in the armed forces of the United States, a sum equal to three and one-half percent of such pay for each year that he served as a member of the legislature of this state, and a sum equal to two and one-half percent of such pay for each year that he served in a prosecutorial capacity with an office of district attorney or any other political subdivision or agency of this state
Maine	N		Age 70 or 18 yrs. of service; 65 with 15 yrs. or 65 with 6 consecutive yrs.; 70 with 12 yrs. or 70 with less than 6 yrs. but continuously from date of appt. to the age of 70; 55 with 12 yrs	1/50% of average final compensation for years of 1985 to 1998, and 3% of average final compensation for years beginning in 1998, not to exceed 70% of final average compensation

Maryland	Y	70	Age 60	2/3 of current salary
Massachusetts	Y	70	Age 65 with 15 yrs. service	3/4 of final salary
Michigan	Y	70	Age 60 with 8 yrs. of service; 55 with 18 yrs. of service; 25 yrs. of service with last 6 being continuous	3% of final compensation multiplied by yrs of service for those with less than 12 yrs of service. For more than 12 yrs of service, 50% of final compensation plus 2.5% of final compensation for yrs 12 through 16 not to exceed 60% of final compensation
Minnesota	Y	60	Age 65 and minimum of 12 yrs. service	For Supreme Court Justices, 50% of final compensation plus 2.5% of final compensation for years greater than 10 For other judges, 50% of final compensation
Mississippi	N		Age 60 with 4 yrs. of service; 25 yrs. of service	1.875% of average compensation for yrs 1-25, and 2.25% for yrs greater than 25
Missouri	Y	70	Age 65 with 12 yrs. service	50% of final compensation.
Montana	N		Age 60 with 5 yrs. service; age 65; 30 yrs. of service	1/56 of highest average compensation multiplied by yrs of service or 1/50 by years of service if more than 25 yrs of service
Nebraska	N		Age 65	3.5% of average compensation multiplied by years of service not to exceed 70% of final average compensation
Nevada	N		Age 60 with 5 yrs. service	4.1666% of final compensation multiplied by years of service.
New Hampshire	Y	70	Age 60 with 15 yrs; 65 with 10 yrs; 70 with 7 yrs. of service	Age 65 w/ 10 yrs, 75% of final salary; age 70 w/ 7 yrs., 45% of salary plus an additional 10% over the 45% level for each year over 7 years
New Jersey	Y	70	Age 70 with 10 yrs. service; 65 but not yet 70 with 15 yrs. service; 60 but not yet 65 with 20 yrs. service	1/2 of final salary
New Mexico	N		Age 64 with 5 yrs. service; 60 with 15 yrs. service	In the case of former or current judge or justice, 1/12 of 75% of salary received during last year in office prior to retirement multiplied by number of years of service, not exceeding 10 yrs. In the case of a new judge or justice, 1/12 of 75% of salary received during last year in office prior to retirement multiplied by .05 multiplied by number of years of service, not exceeding 15 yrs. plus 5 yrs.
New York	Y	70	Age 60	The sum of an annuity which shall be the actuarial equivalent of his accumulated contributions at the time of his retirement, and A pension which is the actuarial equivalent of the reserve-for-increased-take-home-pay to which he may then be entitled, if any, and a pension of one-one hundred fortieth of his final average salary, multiplied by the number of years for which he has member service credit

North Carolina	Y	72	Age 65 with 12 consecutive yrs. or 15 yrs. total; 24 yrs. service	2/3 of total annual compensation, including longevity, but excluding any payments in the nature of reimbursements for expenses, from time to time received by the occupant or occupants of the office from which he retired
North Dakota	N		Age 65 or when age and yrs of service equal 85	3.5% of final average salary multiplied by first 10 yrs, 2.8% multiplied by 2nd 10 yrs, and 1.25% for remaining yrs
Ohio	Y	70	Age 60 with 5 yrs; 55 with 25 yrs; 30 or more yrs	2.2% of final average salary for each of the first 30yrs of service plus 2.5% of final average salary for each subsequent year of service
Oklahoma	N		Age 65 with 8 yrs.; 60 with 10 yrs.; sum of years of service and age equal or exceeds 80 yrs. after completing 8 yrs. judicial service	4% of average monthly salary multiplied by years of service
Oregon	Y	75	Ages 60 or 65 with 5 yrs. service	3.75% of final average salary multiplied by the number of years of service as a judge not exceeding 16 yrs. of service as a judge and 2% of final average salary multiplied by the number of years of service as a judge exceeding 16 yrs. of service of as a judge, but the annual amount shall not exceed 75% of final average salary
Pennsylvania	Y	70	Age 60 or the age when the member attains 35 eligibility points, if earlier	1.5 (reduced class multiplier) x 2% (.02) x final average salary x years of class E-1 service in excess of 10
Rhode Island	N		Age 60 with 10 yrs. of service; 28 yrs. of service	Years of Service % Allowance: 1 through 10 inclusive, 1.7%; 11 through 20 inclusive, 1.9%; 21st through 34 inclusive, 3%; 35th, 2%. The allowance shall be in an amount equal to the % allowance specified in schedule A of his or her average highest 3 consecutive years of compensation multiplied by the number of years of total service, but in no case to exceed 80% of the compensation payable at completion of 35 yrs. of service
South Carolina	Y	72	25 yrs. of service; Age 65 with 20 yrs.; 65 with 4 yrs. as judge or 25 yrs. other services w/ state; 70 with 15 yrs.; 72 with 10 yrs. as judge or as of July 1, 1984	1/12 of 71.3% of the current active salary of the respective position
South Dakota	Y	70	Age 65 with 3 or more yrs. of creditable service	For the first 15 years of service equal to 3.658% of final compensation for each year of service before July 1, 2002, plus 3.333% of final compensation for each year of service after July 1, 2002. in excess of fifteen years, 2.325% of final compensation for each year of service before July 1, 2002, plus 2.0% of final compensation for each year of service after July 1, 2002

Tennessee	N		Age 65; 55 with 24 yrs. of service; or completion of 30 yrs. of service	2% of the member's average final compensation, multiplied by the number of years of creditable service plus .5% of the member's average final compensation in excess of the social security integration level applicable at the time of retirement, multiplied by the number of years of creditable service, plus .5% of the average final compensation not in excess of the social security integration level, multiplied by .4% for each month which the member's age is less than 65 years of age, multiplied by years of service
Texas	Y	75	Age 65 with 10 yrs. service and currently holds judicial office; 65 with 12 yrs. service; 20 yrs. of service	50% of state salary, as adjusted time to time, being paid a judge of a court of the same classification as the court on which the retiree last served before retirement
Utah	Y	75	Age 70 with 6 yrs. service; 62 with 10 yrs. service; 55 with 20 yrs. service; 25 yrs. service	5% of the final average monthly salary multiplied by the number of years of service credit, limited to 10 yrs, plus 2.25% of the final average monthly salary multiplied by the number of years of service credit in excess of 10 yrs. and up to and including 20 yrs., plus 1% of the final average monthly salary multiplied by the number of years of service credit in excess of 20 yrs. Except as modified by cost-of-living adjustments, an allowance under this system may not exceed 75% of the member's final average monthly salary
Vermont	Y	70	12 yrs. of service	After 12 yrs. service, 2/5 of salary; each additional year after 12, 3 1/3% of salary without exceeding salary at retirement
Virginia	Y	70	Age 65 with 5 or more yrs. of service	1.7% of average final compensation times years of service
Washington	Y	75	Age 65 with at least 5 yrs. of service	2% of final salary multiplied by years of service
West Virginia	N		Age 65 with 16 yrs. service; 24 yrs. service	75% of the highest annual salary of the office he or she retired from and may be changed from time to time while he or she is retired
Wisconsin	Y	70	Age 55	Based on actuarial tables in effect on the effective date of the annuity. Participants have several annuity plans to choose from
Wyoming	Y	70	Age 70 or 18 yrs. of service; 65 with 15 yrs. or 65 with 6 consecutive yrs.; 70 with 12 yrs. or 70 with less than 6 yrs. but continuously from date of appt. to the age of 70; 55 with 12 yrs	50% of salary currently authorized by law

Attachment 2
Salaries of Judges as
Reported in 2004

As Reported In 2004					
State	Chief Justice	Rank	Associate Justice**	Superior Court*	Rank
California	\$191,000	1	\$176,000	\$144,000	2
Illinois	\$169,000	2	\$169,000	\$146,000	1
Michigan	\$165,000	3	\$165,000	\$140,000	4
New Jersey	\$164,000	4	\$159,000	\$141,000	3
New York	\$156,000	5	\$151,000	\$137,000	7
Florida	\$155,000	6	\$155,000	\$135,000	8
Delaware	\$153,000	7	\$147,000	\$140,000	4
Georgia	\$153,000	7	\$153,000	\$110,000	23
Alabama	\$153,000	7	\$152,000	\$112,000	21
Maryland	\$151,000	10	\$132,000	\$120,000	13
Connecticut	\$150,000	11	\$138,000	\$125,000	10
Minnesota	\$147,000	12	\$134,000	\$118,000	15
Pennsylvania	\$147,000	12	\$143,000	\$138,000	6
Rhode Island	\$146,000	14	\$133,000	\$120,000	13
Virginia	\$144,000	15	\$136,000	\$126,000	9
Nevada	\$140,000	16	\$140,000	\$100,000	38
Ohio	\$137,000	17	\$128,000	\$110,000	23
Arkansas	\$136,000	18	\$126,000	\$118,000	15
Washington	\$135,000	19	\$135,000	\$122,000	11
Massachusetts	\$132,000	20	\$127,000	\$113,000	19
Wisconsin	\$130,000	21	\$122,000	\$109,000	26
Arizona	\$129,000	22	\$127,000	\$121,000	12
Kentucky	\$129,000	22	\$124,000	\$114,000	17
Iowa	\$127,000	24	\$123,000	\$112,000	21
Missouri	\$126,000	25	\$123,000	\$108,000	28
South Carolina	\$125,000	26	\$120,000	\$114,000	17
Tennessee	\$124,000	27	\$124,000	\$113,000	19
Louisiana	\$124,000	27	\$118,000	\$106,000	30
Maine	\$121,000	29	\$105,000	\$98,000	41
Nebraska	\$119,000	30	\$119,000	\$110,000	23
Alaska	\$118,000	31	\$118,000	\$109,000	26
Kansas	\$118,000	31	\$115,000	\$100,000	38
North Carolina	\$118,000	31	\$115,000	\$105,000	33
New Hampshire	\$117,000	34	\$113,000	\$106,000	30
Hawaii	\$117,000	34	\$116,000	\$107,000	29
Colorado	\$116,000	36	\$114,000	\$105,000	33
Utah	\$116,000	36	\$114,000	\$104,000	35
Mississippi	\$115,000	38	\$113,000	\$106,000	30
Texas	\$115,000	38	\$113,000	\$102,000	37

Vermont	\$115,000	38	\$110,000	\$104,000	35
Indiana	\$115,000	38	\$115,000	\$90,000	47
Oklahoma	\$110,000	42	\$107,000	\$96,000	42
Oregon	\$108,000	43	\$105,000	\$96,000	42
South Dakota	\$105,000	44	\$103,000	\$96,000	42
Wyoming	\$105,000	44	\$105,000	\$100,000	38
Idaho	\$104,000	46	\$102,000	\$96,000	42
North Dakota	\$102,000	47	\$99,000	\$91,000	46
New Mexico	\$101,000	48	\$99,000	\$90,000	47
Montana	\$97,000	49	\$96,000	\$88,000	50
West Virginia	\$95,000	50	\$95,000	\$90,000	47
Average	\$129,700		\$125,420	\$112,020	
Median	\$125,500		\$122,500	\$109,500	

Notes

*For the purposes of this analysis, Circuit, District, and Superior are inter-changeable.

**Some states elect to have a chief justice of the supreme court. The chief justice typically has some administrative duties in addition to judicial duties. For states that list the same salary for both positions, no chief is described.

Attachment 3
Comparison of Basis of Pension

Table 1
Salary Basis for Pension Computation

Average Salary	Current Salary	Retirement Salary
Arizona	Alabama	Arkansas
Colorado	Alaska	California
Delaware	Idaho	Connecticut
Florida	Maryland	Indiana
Georgia	South Carolina	Kentucky
Hawaii	Texas	Louisiana
Illinois	West Virginia	Massachusetts
Iowa	Wyoming	Michigan
Kansas		Minnesota
Maine		Missouri
Montana		Nevada
Nebraska		New Hampshire
New York		New Jersey
North Carolina		South Dakota
North Dakota		Washington
Ohio		New Mexico
Oklahoma		Vermont
Pennsylvania		
Tennessee		
Virginia		
Mississippi		
Oregon		
Rhode Island		
Utah		

¹ Pensions are calculated using one of three methods: 1) the average salary for a specified number of

years, 2) the current salary (the current salary of active judges) or 3) the final salary (the final salary of the individual at retirement)

Attachment 4
Additional Explanation of
Pensions of States Similar to
West Virginia

State	Descriptions of Retirement Allowance, and Benefits to surviving spouse.
Alabama	<p>According to the Code of Alabama §12-18-10(a) and (b), the retirement salary for a judge of the supreme court or the district court “shall be 75% of the salary prescribed by law for the position from which he retires, payable monthly for the rest of his life. Such benefit shall continue to be 75% of his salary prescribed by law for such position and shall change in amount as such salary is hereafter increased or decreased by law.”</p> <p><u>Benefits of Surviving Spouse</u> According to the Code of Alabama §12-18-10(c), “After the death of any justice or judge who had held office for a minimum of 5 years, his spouse shall receive a yearly benefit equivalent to 3% of the salary payable from the State Treasury prescribed by law for his former position as either a justice or judge, as the case may be, for each year of service, not to exceed 30% of such salary, payable monthly for the remainder of such spouse's life or until his or her remarriage, and such benefit shall change in amount as such salary is hereafter increased or decreased by law.”</p>
Alaska	<p>According to the Alaska Statutes §22.25.020, “a retired justice or judge eligible for retirement pay shall receive from the date of eligibility until death monthly retirement pay equal to 5% per year of service, to a maximum of 75%, of the monthly salary authorized for justices and judges, respectively, at the time each retirement payment is made.” In order to receive 75% (like West Virginia), the Judge would need to serve for 15 years.</p> <p><u>Benefits of Surviving Spouse</u> According to Alaska Statutes §22.25.030, “ the death of a justice or judge who has served for at least two years, the surviving spouse is entitled to receive survivors' benefits equal to one-half of the monthly retirement pay the justice or judge would thereafter have been entitled to receive if retired at the time of death. If at death the justice or judge was not yet entitled to retirement pay, or was or would have been entitled to less than 60 percent of the monthly salary authorized for the office, the surviving spouse is entitled to monthly survivors' benefits equal to 30 percent of the salary authorized for justices or judges, respectively, at the time each monthly payment is made.”</p>
Idaho	<p>According to Idaho Statutes §20-1-2001(2)(a), a retiring judge is entitled to annual compensation in the amount of “ five percent (5%) multiplied by the number of years served as either justice or judge or both, for the first ten (10) years of service plus two and one-half percent (2 1/2%) multiplied by the remaining number of years served as either justice or judge or both, but in any event the total shall not be greater than seventy-five percent (75%) of the current annual compensation of the highest office in which he served.” In order to receive 75% (like West Virginia), the judge would need to serve for 30 years.</p>

	<p><u>Benefits of Surviving Spouse</u> According to Idaho Statutes §20-1-2009, “In the case of a justice or judge receiving retirement compensation at the time of death, allowance to his surviving spouse shall commence immediately and be payable to such spouse from such fund in an amount equal to fifty percent (50%) of the retirement compensation to which such justice or judge would be entitled under section 1-2001(2), Idaho Code.”</p>
Maryland	<p>According to Maryland Code §27-402, a retired judge is entitled to “receive a retirement allowance that equals two-thirds (66%) of the salary payable in that fiscal year to a member holding the same level judicial position as that held by the retiree on termination of service.”</p> <p><u>Benefits of Surviving Spouse</u> According to Maryland Code §27-403, “on the death of a member, the Board of Trustees shall pay to the surviving spouse 50% of the retirement allowance that would be payable were the member alive and eligible to receive a retirement allowance.”</p>
South Carolina	<p>According to the South Carolina Code of Laws, §9-8-60(5), the retirement allowance for a judge “ who retires, who has completed at least 25 years of credited service shall receive a monthly retirement allowance which must be equal to 1/12 of 71.3% of the current active salary of the respective position plus 1/12 of 2.67% of the current active salary of the respective position for each additional year of earned service over 25. The monthly retirement allowance may not exceed 1/12 of 90% of the current active salary of the respective position.” In plain language, this means that the judge will earn anywhere from 71.3% of the current salary up to 90% of the current salary of someone in that position. A member retiring after 2003 shall receive an additional benefit, paid at retirement, equal to the member's employee contributions, plus interest, paid to the system after the member attains sufficient creditable service to become eligible to receive the maximum benefit of ninety percent of the current active salary of the respective position under this section.</p> <p><u>Benefits for Surviving Spouse</u> According to South Carolina Code of Laws §9-8-110(2), the surviving spouse receives a salary in the amount of 1/3 of the retirement allowance which would have been payable to the retiree for the remainder of their life. This would mean that this allowance would also increase as the salary of the current position increases.</p>
Texas	<p>It would appear from reading Texas Government Code that a retiree has essentially two options: they can receive retirement allowance for 120 months, or they can receive a reduced allowance for the rest of their lives. According to Texas</p>

	<p>Government Code §834.102, “the base service retirement annuity is an amount equal to 50% of the state salary, as adjusted from time to time, being paid a judge of a court of the same classification as the court on which the retiree last served before retirement. (b) The retirement system shall increase by 10% of the amount of the applicable state salary under Subsection (a) the annuity of a member who on the effective date of retirement: (1) has not been out of judicial office for more than one year; or (2) has served as a visiting judge in this state and the first anniversary of the last day of that service has not occurred.”</p> <p>Language in the Texas Code seems to imply that this is not a lifetime annuity, but instead is an annuity for a period of 120 months. The retiring member has the option before retirement of taking a lifetime annuity that is the actuarial equivalent of the above annuity.</p> <p><u>Benefits of Surviving Spouse</u> The death benefits for surviving spouse is the same as that of the retiring judge. If the judge chose the 120 month option, the spouse receives the remaining payments. If the retiring judge chose the lifetime annuity option, the surviving spouse receives the annuity for the remainder of their life.</p>
Wyoming	<p>According to Wyoming Statutes §5-1-106(b) a retire judge shall receive “a maximum lifetime annual pension of 50% of the salary currently authorized by law for judges of the court from which they retired.”</p> <p><u>Benefits of Surviving Spouse</u> According to Wyoming Statutes §5-1-106(g) “In lieu of the service retirement allowances provided in subsection (b) of this section, any judge specified in subsection (a) of this section may elect one (1) of the following forms of retirement benefits which shall be the actuarial equivalent of the allowance to which he would otherwise be entitled as determined by the actuary for the state retirement system: (i) A full joint and survivor benefit which provides reduced monthly service retirement benefit payments during the retired member's life and upon his death after retirement continues payments in the same reduced amount to a designated beneficiary during the life of that beneficiary; (ii) A half joint and survivor benefit which provides reduced monthly service retirement benefit payments during the retired member's life and upon his death after retirement continues payments, in the amount of one-half (1/2) of such reduced amount, to the designated beneficiary during the life of that beneficiary.” No other discussion of death benefits exists.</p>