

**602.9204 Salary — annuity of senior judge and retired senior judge.**

1. *a.* A judge who retires on or after July 1, 1994, and who is appointed a senior judge under section 602.9203 shall be paid a salary as determined by the general assembly.

*b.* A senior judge or retired senior judge shall be paid an annuity under the judicial retirement system in the manner provided in section 602.9109, but computed under this section in lieu of section 602.9107, as follows:

(1) The annuity paid to a senior judge or retired senior judge shall be an amount equal to the applicable percentage multiplier of the basic senior judge salary, multiplied by the judge's years of service prior to retirement as a judge of one or more of the courts included under this article, for which contributions were made to the system, except the annuity of the senior judge or retired senior judge shall not exceed an amount equal to the applicable specified percentage of the basic senior judge salary used in calculating the annuity.

(2) However, following the twelve-month period during which the senior judge or retired senior judge attains senior judge retirement age, the annuity paid to the person shall be an amount equal to the applicable percentage multiplier of the basic senior judge salary cap, multiplied by the judge's years of service prior to retirement as a judge of one or more of the courts included under this article, for which contributions were made to the system, except that the annuity shall not exceed an amount equal to the applicable specified percentage of the basic senior judge salary cap.

*c.* A senior judge or retired senior judge shall not receive benefits calculated using a basic senior judge salary established after the twelve-month period in which the senior judge or retired senior judge attains senior judge retirement age.

*d.* The state shall provide, regardless of age, to an active senior judge or a senior judge with six years of service as a senior judge and to the judge's spouse, and pay for medical insurance until the judge attains senior judge retirement age.

2. As used in this section, unless the context otherwise requires:

*a.* "Applicable percentage multiplier" means as follows:

(1) For a senior judge or retired senior judge who retired as a judge and received an annuity prior to July 1, 2006, three percent.

(2) For a senior judge or a retired senior judge who retired as a judge and received an annuity on or after July 1, 2006, three and one-fourth percent.

*b.* "Applicable specified percentage" means, for a senior judge or retired senior judge, the specified percentage, as defined in section 602.9107, subsection 1, that applied on the date the judge was separated from full-time service.

*c.* "Basic senior judge salary" means the highest basic annual salary which the judge is receiving or had received as of the time the judge became separated from full-time service, as would be used in computing an annuity pursuant to section 602.9107 without service as a senior judge, plus seventy-five percent of the escalator.

*d.* "Basic senior judge salary cap" means the basic senior judge salary, at the end of the twelve-month period during which the senior judge or retired senior judge attained senior judge retirement age, of the office in which the person last served as a judge before retirement as a judge or senior judge.

*e.* "Escalator" means the difference between the current basic salary, as of the time each payment is made up to and including the twelve-month period during which the senior judge or retired senior judge attains senior judge retirement age, of the office in which the senior judge last served as a judge before retirement as a judge or senior judge, and the basic annual salary which the judge is receiving at the time the judge becomes separated from full-time service as a judge of one or more of the courts included in this article, as would be used in computing an annuity pursuant to section 602.9107 without service as a senior judge.

[C81, §605A.24]

83 Acts, ch 186, §10202(2)

CS83, §602.9204

86 Acts, ch 1243, §41; 89 Acts, ch 162, §2; 92 Acts, ch 1201, §73, 76; 92 Acts, 2nd Ex, ch 1001, §116; 94 Acts, ch 1183, §86, 90; 95 Acts, ch 145, §3, 4; 99 Acts, ch 200, §22; 2000 Acts,

ch 1077, §116; 2002 Acts, ch 1135, §58; 2006 Acts, ch 1091, §23, 24; 2008 Acts, ch 1191, §151, 152

Referred to in §602.9115A, 602.9203, 602.9208

[P] Interpretive memorandum by the Iowa Supreme Court filed July 22, 1982