



**JUDGES' RETIREMENT SYSTEM  
APPLICATION FOR SERVICE RETIREMENT**

FOR RETIREMENT  
USE ONLY

FORM 16 (REV. 11/24)

**INSTRUCTIONS FOR COMPLETION OF APPLICATION**

**IMPORTANT:** Read the following instructions and information carefully before filling out this form.

1. **If you are married at the time of your retirement**, you must designate your spouse as your sole beneficiary. With your spouse as your sole designated beneficiary your retirement allowance will be paid as the Basic Allowance (50% Survivor Option). Upon your death, your surviving spouse would be paid fifty percent (50%) of your retirement allowance.<sup>6</sup>

DO NOT complete the Retirement Allowance Options section on the second page of the application.

2. **If you are not married at the time of your retirement, but have at least one child under the age of 26**, you must designate your child or children under age 26 as your beneficiary or beneficiaries. With your child or children under age 26 as your beneficiary or beneficiaries, your retirement allowance will be paid as the Basic Allowance (50% Survivor Option). Upon you death, fifty percent (50%) of your retirement allowance will be divided equally to your child or children under age 26, until all have reached age 26.

DO NOT complete the Retirement Allowance Options section on the second page of the application.

3. **If you are not married at the time of your retirement and have no children under the age of 26**, you may designate one or multiple beneficiaries, and you must select one of the Retirement Allowance Options on the second page of the application.

If you designate only one beneficiary, you may select any of the Retirement Allowance Options on the second page of the application. Please carefully read the descriptions of each Retirement Allowance Option.

If you designate more than one beneficiary, you may select only Option 1 or Option 4 of the Retirement Allowance Options. Please carefully read the descriptions of each Retirement Allowance Option.

To designate multiple beneficiaries, complete the *Judges' Retirement System Designation of Beneficiary* (Form 4.1).

4. **For all retirees**, if you marry or remarry after retirement, any designation of beneficiary other than your spouse is void, and your spouse is automatically entitled to the survivor monthly allowance due under the Basic Allowance (50% Survivor Option).
5. Please complete this form by printing in ink.
6. This form must be notarized.
7. Submit completed forms to the Maryland State Retirement Agency at 120 East Baltimore Street, Baltimore, Maryland 21202.
8. In addition to this *Judges' Retirement System Application for Service Retirement* form, you should also complete and submit to the Retirement Agency Form 85 (Direct Deposit Authorization), IRS Form W-4P (Federal Tax Withholding) and Form 766.11 (Maryland State Tax Withholding Request). These forms are available for download from our website at [sra.maryland.gov](http://sra.maryland.gov).
9. If you need help to complete this form, or need information on your retirement benefits or the retirement process, please contact a Retirement Benefits Specialist at 410-625-5555 or 1-800-492-5909.

## Reemployment After Retirement

Keep a copy of this information on file as a handy reference. You should also keep your Notice of Retirement Allowance that the State Retirement Agency sends to you as a new retiree. The Notice of Retirement Allowance lists the amount of your earnings limitation.

Under no circumstances should your decision to retire be conditioned upon an offer of reemployment, and in fact, no offers of reemployment should be discussed by you and your employer prior to your retirement. However, if after your retirement you consider reemployment with an employer that participates in the SRPS you need to be aware of two important issues: Internal Revenue Service (IRS) guidelines regarding reemployment and Maryland retirement law regarding reemployment.

### Internal Revenue Service Guidelines Regarding Reemployment

There can be significant consequences to you and the SRPS if you retire before the normal retirement age of your plan and/or before age 59 1/2, and are reemployed with the same employer without a bona fide separation of service. Please note that all units of Maryland state government, including the University System of Maryland, are considered one employer.

The IRS can impose a significant tax penalty on your income if you are under the age of 59 1/2, retire and begin receiving your monthly retirement benefits, and are reemployed by the same employer from whom you retired. In order to avoid this penalty there must be a bona fide separation from service between you and your former employer.

If you retire before your normal retirement age, there are also serious IRS consequences to the SRPS if a bona fide separation does not take place following retirement and prior to reemployment with the same employer.

While the IRS has not specifically defined what constitutes a bona fide separation from service, it is clear that the greater the difference between your last job before retirement and the job being performed upon your reemployment, and the longer the break between the date of your retirement and the date of your reemployment, the more likely it is that there has been a bona fide separation of service. If you are reemployed to perform the same job, even if there is a reduction in your work schedule, this would not likely qualify as a bona fide separation of service unless there is a lengthy break in employment. Even arrangements where you are rehired as an "independent contractor" may not meet the IRS' standard.

### Maryland Retirement Law Regarding Reemployment

Employment after retirement, under certain circumstances, may cause your retirement allowance to be reduced.

#### Service Retirement

If you accept employment with a participating employer that is an employer who offers State Retirement Benefits to their employees (a list of these employers can be found on page three), you must notify the Board of Trustees in writing of your intent to accept reemployment and the amount of your anticipated compensation. If you accept employment with the *same employer* from which you retired, you are subject to an earnings limit. All units of Maryland State government, including the University System of Maryland, are considered to be *one employer* under these reemployment rules. If you are subject to an earnings limit, your allowance will be reduced only if your *reemployment earnings* exceed the earnings limitation printed on your Notice of Retirement Allowance.

Reemployment earnings are the annual reemployment compensation reported to the IRS that you received during a calendar year. Your benefit is reduced one dollar for every dollar you earn in excess of your limit, up to a maximum of the full retirement allowance.

#### Exceptions

Earnings limits do not apply if:

- You have been temporarily assigned to sit in a court of Maryland under the authority of Article IV, §3A of the Maryland Constitution.
- You have been retired for more than five years. With the exception of a January 1 retirement date, the five-year period begins on January 1 of the year following the year of retirement.
- You are employed as a member of the faculty of a public institution of higher education in Maryland

**PARTICIPATING EMPLOYERS\***  
**Maryland State Retirement and Pension System**

**State of Maryland**  
**University System of Maryland**  
**Baltimore City and All County Boards of Education (Teachers' System)**  
**Community Colleges and All Public Libraries (Teachers' System)**

**Participating Governmental Units in the Employees' System as of July 1, 2024**

Allegany College of Maryland	Frederick County Soil Conservation	Prince George's County Memorial
Allegany County Board of Education	Garrett County Board of Education	Library
Allegany County Government	Garrett County Community Action	Princess Anne, Town of
Allegany County Public Library	Committee, Inc.	Queen Anne's County Board of
Annapolis, City of	Greenbelt, City of	Education
Anne Arundel County Board of	Greensboro, Town of	Queen Anne's County Commission
Education	Hagerstown, City of	Queenstown, Town of
Anne Arundel County Community	Hagerstown Community College	Ridgely, Town of
College	Hampstead, Town of	Rock Hall, Town of
Berlin, Town of	Harford County Board of Education	St. Mary's County Board of Education
Berwyn Heights, Town of	Harford Community College	St. Mary's County Government
Bladensburg, Town of	Harford County Government	Saint Mary's County Housing Authority
Bowie, City of - Police Dept. (LEOPS)	Harford County Public Library	St. Mary's County Metropolitan
Brentwood, Town of	Harford County Liquor Control Board	Commission
Brunswick, City of	Howard Community College	St. Michaels Commissioners
Calvert County Board of Education	Howard County Board of Education	Salisbury, City of
Cambridge, City of	Howard County Community Action	Shore Up!, Inc.
Caroline County Board of Education	Council	Snow Hill, Town of
Caroline County Sheriffs	Hurlock, Town of	Somerset County Board of Education
Carroll County Board of Education	Hyattsville, City of	Somerset County Economic
Carroll County Government	Kent County Board of Education	Development Commission
Carroll County Public Library	Kent County Government	Somerset County Government
Cecil County Board of Education	Kent Soil and Water Conservation	Somerset County Sanitary District
Cecil County Government	District	Southern Maryland, College of
Cecil County Public Library	Landover Hills, Town of	Southern Maryland Tri-County
Centreville, Town of	LaPlata, Town of	Community Action Committee, Inc.
Chesapeake Bay Commission	Manchester, Town of	Sykesville, Town of
Chestertown, Town of	Maryland Health and Higher Educational	Takoma Park, City of
Cheverly, Town of	Facilities Authority	Talbot County Board of Education
College Park, City of	Middletown, Town of	Talbot County Government
Crisfield, City of	Montgomery College	Taneytown, City of
Crisfield Housing Authority	Morningside, Town of	Thurmont, Town of
Cumberland, City of	Mount Airy, Town of	Tri County Council for Lower Eastern
Cumberland, City of - Police Department	Mount Rainier, City of	Shore, Maryland
Denton, Town of	New Carrollton, City of	Tri-County Council for Western
District Heights, City of	North Beach, Town of	Maryland, Inc.
Dorchester County Board of Education	Northeast Maryland Waste and Disposal	University Park, Town of
Dorchester County Council	Authority	Upper Marlboro, Town of
Dorchester County Roads Board	Oakland, Town of	Walkersville, Town of
Dorchester County Sanitary Commission	Oxford, Town of	Washington County Board of Education
Eastern Shore Regional Library, Inc.	Pocomoke, City of	Washington County Board of Liquor
Edmondston, Town of	Preston, Town of	Commissioners
Emmitsburg, Town of	Prince George's Community College	Washington County Free Library
Federalburg, Town of	Prince George's County Board of	Westminster, City of
Frederick County Board of Education	Education	Worcester County Board of Education
Frostburg, City of	Prince George's County Government	Worcester County Government
Fruitland, City of	Prince Georges County Crossing Guards	Wor-Wic Community College

**\*NOTE:** The list of employers that participate in the Maryland State Retirement and Pension System (SRPS) is subject to change at any time. This list is updated annually. To determine whether a particular employer participates in SRPS, call a retirement benefits specialist at 410-625-5555 or toll-free at 1-800-492-5909.



# RETIREMENT ALLOWANCE OPTIONS

## Optional Allowance - Reduced Benefit

Complete this section only if (1) you do not have a spouse or children under age 26 and (2) you elect not to accept the basic retirement allowance. You may designate one beneficiary to receive an allowance under Option 2, 3, 4, 5, or 6. You may designate one or more beneficiaries to receive the Option 1 retirement allowance in equal shares. Selection of an optional retirement allowance provides a reduced benefit for you for your lifetime. Please note that your choice of option and beneficiary/ies is irrevocable. Indicate your selection by signing the appropriate box below. If you elected an optional allowance, you also must complete the *Judges' Retirement System Designation of Beneficiary* (Form 4.1).

### **OPTION 1:**

Guarantees monthly payments that equal the total of your retirement benefit's Present Value. The Present Value of your benefit is figured at the time of your retirement, based on life expectancy statistics. If you die before receiving monthly payments that add up to the Present Value, the remaining payments will be paid in a lump sum to your designated beneficiary or beneficiaries who remain alive.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

### **OPTION 2:**

Guarantees that after your death the same monthly benefit will continue to be paid to your surviving beneficiary for his or her lifetime. No further payments will be made after the deaths of you and your beneficiary. If you choose this option, you must send proof of your beneficiary's date of birth with this application. Retirees electing Option 2 cannot designate a beneficiary who is more than 10 years younger unless the beneficiary is the retiree's spouse or disabled child.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

### **OPTION 3:**

Guarantees that after your death one half of the monthly benefit paid to you will be paid to your surviving beneficiary for his or her lifetime. No further payments will be made after the deaths of you and your beneficiary. If you choose this option, you must send proof of your beneficiary's date of birth with this application.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

### **OPTION 4:**

Guarantees the return of your accumulated contributions and interest as established when you retire. If you die before you have recovered the full amount of your accumulated contributions and interest the remainder will be paid in a lump sum to your designated beneficiary who remains alive.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

### **OPTION 5:**

Guarantees that after your death the same monthly benefit paid to you will be paid to your surviving beneficiary for his or her lifetime. It also provides that your monthly benefit will Apop-up@ to the Basic Allowance for your lifetime if your beneficiary dies before you. No further payments will be made after the death of you and your beneficiary. If you choose this option, you must send proof of your beneficiary's date of birth with this application. Retirees electing Option 5 cannot designate a beneficiary who is more than 10 years younger unless the beneficiary is the retiree's spouse or disabled child.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

### **OPTION 6:**

Guarantees that after your death one half of the monthly benefit paid to you will be paid to your surviving beneficiary for his or her lifetime. It also provides that your monthly benefit will Apop-up@ to the Basic Allowance for your lifetime if your beneficiary dies before you. No further payments will be made after the deaths of you and your beneficiary. If you choose this option, you must send proof of your beneficiary's date of birth with this application.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_