490.126 PROCEDURES.

Subdivision 1. **Compulsory retirement.** Proceedings for compulsory retirement of a judge, if necessary, must be conducted in accordance with rules issued by the supreme court under section 490A.02.

Subd. 2. **Vacancies.** Any judge may make written application to the governor for retirement. The governor thereupon shall direct the judge's retirement by written order which, when filed in the Office of the Secretary of State, effects a vacancy in the office to be filled as provided by law.

Subd. 3. **Application for annuity or refund.** An application for an annuity or a refund under this chapter may be made by the potential annuitant or by someone authorized to act for the potential annuitant. Every application for an annuity or refund, accompanied by a proof of age and by a record of years of service when required, must be submitted to the executive director of the Minnesota State Retirement System in a form prescribed by the director. Except as provided for in this chapter, the application for an annuity, benefit, or refund under this chapter must comply with the filing procedures in section 352.115, subdivision 7a.

Subd. 4. **Manner of payment.** Unless otherwise specifically provided by statute or agreed upon by the annuitant and the board of directors of the Minnesota State Retirement System, annuities payable under this chapter must be paid in the manner and at the intervals as prescribed by the executive director of the Minnesota State Retirement System. The annuity ceases with the last payment received by the annuitant while living.

Subd. 5. **Exemption from process; no assignment.** The provisions of section 356.401 apply to the judges retirement plan.

History: *1973 c 744 s 6; 1981 c 224 s 233; 1986 c 444; 1988 c 668 s 10; 1997 c 203 art 6 s 92; 1Sp2005 c 8 art 10 s 79; 2006 c 271 art 11 s 42,48; 1Sp2019 c 8 art 1 s 13*