

MONTANA PUBLIC EMPLOYEES' RETIREMENT BOARD

TITLE: FLO-Charge for Excessive Use of Staff Time

POLICY NO: BOARD Op 03

EFFECTIVE DATE: 01/14/2010

I. POLICY AND OBJECTIVES

The Public Employees' Retirement Board (the Board) desires to provide information relevant to drafting Family Law Orders (FLOs) at no charge to members and their attorneys. However, the Board discourages excessive use of staff, resulting in excess cost to the retirement systems. Therefore, the member or the member's attorney will be charged for excessive (over 8 hours) use of staff hours in drafting a FLO.

II. APPLICABILITY

- A. This policy will apply to exceeding 8 hours time spent reviewing and processing a draft FLO and providing written or oral responses to questions. The Montana Public Employee Retirement Administration (MPERA) will apply this policy whether or not the draft FLO is approved.
- B. This policy does not apply to implementing an approved FLO or to providing general information about the FLO process.

III. PROCEDURES

- A. The MPERA will track the number of hours legal staff devote to each draft FLO.
- B. The MPERA will not charge for the first 8 hours of staff time devoted to a draft FLO. The MPERA will charge \$35 per hour for each hour in excess of 8 hours.
- C. The MPERA will have the discretion to waive charges for processing the draft FLO if the Executive Director decides the excessive use of staff time was unavoidable.

IV. CROSS REFERENCE GUIDE

The following laws, rules or policies may contain provisions that apply to this policy. The list should not be considered exhaustive – others may apply.

Section 19-2-403, MCA
Section 19-2-907(8), MCA
ARM 2.43.3001(7)

V. HISTORY

GB7-95 FLO – Charge for Excessive Utilization of Staff
Originally Approved July 1995
Amended July 22, 2004
Amended June 9, 2016
Board Op 03 – FLO Charges for Excessive Use of Staff Time
Reviewed and amended January 14, 2010
Reviewed and Amended June 2016

