

Death Benefits

Key Facts

- Retirement benefits are payable to members for their lifetime.
- Certain survivors can receive a portion of the retiree's benefits after their death.

Surviving Spouse and Children

A retiree's surviving spouse (married at least one year and living together at the time of the retiree's death) is entitled to receive an annuity (a monthly benefit). An annuity is also payable (based on what the deceased member would have otherwise received) upon the death of an active judge who has served at least three years or any other judge who has met or could have met the qualifications for retirement benefits.

If there are no minor children, the surviving spouse receives 67% of the member's annuity.

If there is no spouse but there are minor children, the guardian of the minor children will receive 67% of the member's annuity.

If there is surviving spouse and surviving children, 67% of the member's annuity will be split evenly between the spouse and the guardian of the minor children. (If the guardian is also the spouse, they will receive the full 67%.) When all of the children cease to be minors, the full 67% will be paid to the spouse.

The surviving spouse's annuity ends upon remarriage or death. If the surviving spouse remarries then becomes unmarried again, benefits will resume.

Effective Date of Benefits

The effective date of benefits payable to any survivor is the first day of the calendar month following the month in which the member dies, regardless of when the survivor submits an application for benefits.

It is important that members and their families understand how the retirement system can help provide a secure income to the family when a member dies. Discuss the information in this fact sheet with family members and advise them to contact us in the event of your death.

Additional Information

If you or your family have any questions about post-retirement death benefits, please contact our Retiree Services section at APERS@arkansas.gov.

Reference: A.C.A. § 24-8-218,
24-8-229, 24-8-713

