



# LAW CLERK QUESTIONS AND ANSWERS

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# Incoming Clerks – Onboarding

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## Who do I contact with questions?

If you have any HR-specific questions, please contact:

Tina Stavrou, HR Manager, at [tina\\_stavrou@mdd.uscourts.gov](mailto:tina_stavrou@mdd.uscourts.gov) or (410) 962-3552 or

Tierra Armstrong, HR Specialist, at [tierra\\_armstrong@mdd.uscourts.gov](mailto:tierra_armstrong@mdd.uscourts.gov) or (301) 344-3223 or

Sierra Steigner, HR Technician, at [sierra\\_steigner@mdd.uscourts.gov](mailto:sierra_steigner@mdd.uscourts.gov) or (410) 962-3428.

Please contact chambers for any other questions.

## What's so significant about a pay period?

The Federal Judiciary uses a bi-weekly pay period schedule for all employees (with the exception of judges) that comprises the two-week period in which wages are earned. The wages earned during the period are paid on the Friday after the pay period closes. In most years there are 26 pay periods, however in some years (such as 2015) the dates of pay cause a 27<sup>th</sup> pay period to be necessary. Annual salaries are determined using 26 pay periods regardless of the number of pay periods in a year.

Biweekly pay periods start every other Monday and although they run in conjunction with leave periods, they are different and may even be numbered differently. The pay vs. leave period calendar below shows this year's pay and leave periods.

If a law clerk is covered by the Leave Act, they will only accrue leave for pay periods in which they have been on the payroll for every workday of the pay period, which requires starting employment at the beginning of a pay period. For instance, a clerk starting on the Tuesday after a holiday or terminating on any day other than the last Friday of the pay period would not accrue leave for that pay period.

## What are the 2023 pay and leave periods?

Start Date	Pay Period #	Leave Period #	Start Date	Pay Period #	Leave Period #
12/19/2022	1	26 – 2022	7/3/2023	15	14
1/2/2023	2	1	7/17/2023	16	15
1/16/2023	3	2	7/31/2023	17	16
1/30/2023	4	3	8/14/2023	18	17
2/13/2023	5	4	8/28/2023	19	18
2/27/2023	6	5	9/11/2023	20	19
3/13/2023	7	6	9/25/2023	21	20
3/27/2023	8	7	10/9/2023	22	21
4/10/2023	9	8	10/23/2023	23	22
4/24/2023	10	9	11/6/2023	24	23
5/8/2023	11	10	11/20/2023	25	24
5/22/2023	12	11	12/4/2023	26	25
6/5/2023	13	12	12/18/2023	1-2024	26
6/19/2023	14	13	1/1/2024	2-2024	1 - 2024

## What happens if I don't start at the beginning of a pay period?

Starting on a day other than the beginning of the pay period may delay your first pay. In order to receive a check for the first pay period that you are employed, all of your new hire paperwork must be submitted to the Administrative Office of the U.S. Courts (AO) on or before first day of the pay period—except in circumstances where a holiday is the first day of the pay period, then all paperwork must be submitted by the Friday before. The Human Resources department makes every attempt to do the onboarding call and process all actions two to four weeks before the start date. If you have to wait an additional pay period to receive your first pay, your first direct deposit will reflect all hours worked in your first two pay periods. If you are covered by the Leave Act, you will not accrue any annual or sick leave for your first pay period—leave accruals are not prorated for mid-pay hire dates.

## When do my benefits become active?

Your benefits become active on the first day of the pay period after which you enroll electronically. Employees can't enroll prior to their first day and have accounts set up.

## How does the transition between my current health insurance and my federal benefits work?

If your previous coverage terminates before you start with the courts (which you should verify), then you should have the option to elect COBRA/Temporary Continuation of Care (TCC). This coverage allows you to keep the employee level of benefit coverage but is an out-of-pocket cost. Having a gap in coverage does not affect your eligibility for federal health coverage.

## What do I need to have for my onboarding new hire call?

Based on availability, incoming law clerks will have a pre-arranged onboarding new hire call before their start date. You will need to either send copies of your [I-9 verification documents](#) (either one from list A or one each from lists B and C) prior to the call, or be prepared to do a FaceTime call at the end of the onboarding new hire call. This call includes going through your new hire paperwork and verification of your authorization to work in the U.S. (I-9 documentation).

## What if I'm not a U.S. citizen?

Please contact HR immediately if you are not a U.S. citizen. Current appropriations law prohibits the use of appropriated funds to pay the compensation of any employee of the U.S. federal government where the duty location is in the continental U.S. unless such person is a:

- (1) U.S. citizen;
- (2) Person who owes allegiance to the U.S. (e.g., nationals of American Samoa, Swains Island, and the Northern Mariana Islands);
- (3) Person admitted as a refugee or granted asylum who has filed a declaration of intention to become a lawful permanent resident and then a citizen when eligible; or
- (4) Lawful permanent resident (i.e., green card holder) who is seeking citizenship as outlined in 8 U.S.C. § 1324b(a)(3)(B). A lawful permanent resident "seeking citizenship":

**Note:** Some noncitizen applicants who are permanent residents may not yet be eligible to apply for citizenship at the time they begin judiciary employment. Such individuals may still

lawfully be employed if they provide an affidavit indicating that they intend to apply for citizenship when they become eligible to do so. It is required that all noncitizen applicants who are offered judiciary employment complete an affidavit indicating that they are seeking or intend to apply for citizenship in advance of their hire date for review by the Administrative Office.

The HR representative will provide additional information about the affidavit language and will serve as a liaison to the Administrative Office.

## What is the Leave Act?

Law clerks are exempt from the provisions of 5 U.S.C. chapter 63, subchapter I (“Annual and Sick Leave,” formerly referred to as the “Leave Act”), **unless specifically included by their appointing judge**. Law clerks who are covered by the Leave Act will accrue a set number of annual leave hours per leave period based on their years of federal service. They also accrue 4.0 hours of sick/family friendly sick leave hours per leave period and are eligible for all types of leave provided by the Federal Judiciary. Covered law clerks will be informed of local leave practices during their individual orientations.

Term law clerks who are excluded from the leave act do not accrue any leave and are exempt from all Judiciary leave provisions including annual leave, sick leave, and by reference, family and medical leave, voluntary leave transfer, and emergency leave transfer. However, they remain eligible for court leave, military leave, bone marrow and organ donor leave, and time-off to attend the funeral of an immediate relative who died in military combat.

## I will be covered by the leave act; how do I track and request leave?

Leave is tracked by a [leave calculator](#) that is provided by the Administrative Office on an annual basis. These forms can be located on the internal [Leave – Policies and Forms](#) page of the internal HR Embark page that you will have access to on your first day and are disseminated by Human Resources at the beginning of each leave year. Leave requests should be submitted via form [OPM 71](#), Request for Leave or Approved Absence. These forms should be signed by the Judge and maintained in a file with your leave tracker during your clerkship. At the end of your clerkship, you will provide the file to the Human Resources department so they can audit and close out your leave account.

# Incoming Clerks – Benefits:

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## General Benefits Information:

### Definitions:

- **FEHB** – Federal Employee Health Benefits; health insurance for federal employees, must opt-in
- **FEGLI** – Federal Employee Group Life Insurance; life insurance for federal employees, basic is automatic, must opt-in to Options A, B and/or C
- **FSA** – Flexible spending account; reimburses employees for eligible health care and day care expenses using tax-free money you set aside from your salary (deducted pre-tax and reimbursed without taxation). By not paying taxes for what you spend out-of-pocket on health care and day care, most employees save an average of 30%

- **Dependent care FSA** – Reimburses eligible non-medical day care and elder care for your children under age 13 and any dependents on your federal tax return who are incapable of self-care and live with you for at least half of the year
- **Health care FSA** – Reimburses eligible health care expenses incurred by you, a spouse and/or children through the calendar year they turn 26. Reimburses the part of the expense NOT covered or reimbursed by FEHB, FEDVIP, or any other insurance coverage

## Am I eligible for federal retirement benefits?

Term law clerks are only eligible for federal retirement benefits (CSRS/FERS/TSP) if they are transferring without a break in service from another covered federal position. If this is your first federal position or you were previously covered under FERS or CSRS and have a break in service of more than 3 days (including weekends) before starting your clerkship, you are ineligible for participation in the federal retirement program which also excludes you from making contributions to the Thrift Savings Plan. You will, however, receive Social Security credit for your clerkship.

## New employees – Specific Benefits Information:

### Federal Employee Health Benefits (FEHB)

- All term law clerks are eligible for Federal Employee Health Benefits.
- New employees have up to 60 days after hire to make FEHB elections. FEHB coverage is effective at the start of the pay period after which you submit your enrollment.
  - Enrollments must be submitted through the [Judiciary Benefits Center](#) after your new hire paperwork has been processed and you are active in the payroll system.
  - Pay period start dates can be found [here](#).
- You can choose from among Consumer-Driven and High Deductible plans that offer catastrophic risk protection with higher deductibles, health savings/reimbursable accounts and lower premiums, Fee-for-Service (FFS) plans and their Preferred Provider Organizations (PPO), or Health Maintenance Organizations (HMO) if you live (or sometimes if you work) within the area serviced by the plan.
- FEHB [plan brochures](#) show you what services and supplies are covered and the level of coverage for each plan. Review the brochures carefully and feel free to contact the Human Resources department with any questions.

### Supplemental Dental/Vision Coverage

- **Federal Employee Dental and Vision Insurance Program (FEDVIP):**
  - All term law clerks are eligible for coverage through the Federal Employee Dental and Vision Insurance Program (FEDVIP).
  - This program provides dental and/or vision insurance over and above your insurance plan. You do not have to be enrolled in FEHB to be eligible to sign up for a FEDVIP plan, but you may have to provide information about your health insurance information to ensure coordination of benefits.
  - New employees have up to 60 days after hire to make FEDVIP elections. FEDVIP coverage is effective at the start of the pay period after which you submit your enrollment.
    - Enrollments must be processed through [Benefeds.com](#) after your new hire paperwork has been processed and you are active in the payroll system.
    - Pay period start dates can be found [here](#).



- You may enroll in a plan for Self Only, Self plus one, or Self and Family coverage. Eligible family members include your spouse and unmarried dependent children under the age of 22. This includes legally adopted children and recognized natural children who meet certain dependency requirements. This also includes stepchildren and foster children who live with you in a regular parent-child relationship. Under certain circumstances, you may also continue coverage for a child 22 years of age or older who is disabled and/or incapable of self-support.
- FEDVIP rules and FEHB rules for family member eligibility are NOT the same. Changes in dependent eligibility under healthcare reform (Affordable Care Act) do not affect eligibility for children under FEDVIP.

## Health Care Flexible Spending Account (FSA)

Your Health Care Reimbursement Account (HCRA) or Health Care Flexible Spending Account (HCFA) allows you to set aside tax-free contributions to pay for eligible medical, dental and vision expenses that are not covered under your health insurance such as copays, coinsurance, OTC medications (with a prescription) and products that alleviate or treat injuries or illness (i.e., band aids, joint supports, contact lens solution, etc). The expenses you submit for reimbursement may be for you or any of your covered dependents. You will not be eligible for an HCFA if you enrolled in a Consumer Driven Health Plan that includes a Health Care Reimbursement Account (HCRA) or Health Savings Account (HSA). Additional information about Health Care FSAs can be found in the Flexible Benefits Summary Plan on the home page of the Judiciary Benefits Center.

## Dependent Care FSA

You may set up a Dependent Care Reimbursement Account (DCRA) by agreeing to contribute a portion of your salary before taxes are taken out and use it to pay for qualifying dependent care expenses. Your DCRA contributions may be used to pay for the care of your qualified dependents so you (and if you're married, your spouse) can work. The money in your account may also be used so that your spouse may attend school full-time while you work. The minimum contribution you may make to your DCRA is \$100 per year. Additional information about Dependent Care FSAs can be found in the Flexible Benefits Summary Plan on the home page of the Judiciary Benefits Center.

## Life insurance – Federal Employees Group Life Insurance

- All incoming employees are automatically enrolled in FEGLI basic life insurance, but there is no requirement to keep this coverage. If you do not want to elect basic coverage, you can waive the coverage through the Judiciary Benefits Center (JBC) once your account has been activated.
  - Basic insurance covers your incoming rate of pay rounded up to the nearest thousand dollars plus \$2,000. There is a cost for this coverage that can be calculated [here](#).
- Employees have the option to add up to three types of optional life insurance coverage:
  - Option A – Multiples of \$10,000 of life insurance
  - Option B – Multiples of your salary
  - Option C – Family coverage on your spouse and eligible dependent children
- Employees can reduce or cancel their coverage at any time but can only increase coverage with a Qualifying Life event (QLE) or during open season. FEGLI open seasons are very rare—there were 12 years between the last two open seasons.

## **Long-Term Care Insurance** This program has been suspended until December 2024.

- All term law clerks, and their qualified relatives are eligible for coverage through the Federal Long-Term Care Insurance Program (FLTCIP).
- The Federal Long-Term Care Insurance Program (FLTCIP) provides long term care insurance to help pay for costs of care when enrollees need help with activities they perform every day, or you have a severe cognitive impairment.
- Premiums are based on the age when you apply. FLTCIP coverage is portable and can be kept after your clerkship as long as premiums are paid, and you have not exhausted your maximum lifetime benefit.
- Additional information can be found on the [LTCFEDS website](#).

## **Short and Long-Term Disability**

- The federal government does not provide employees with short or long-term disability insurance coverage. However, all term law clerks are eligible to purchase short and/or long-term disability coverage through [Federal First](#).
- This coverage ends when your employment/eligibility ends.

## **Benefits for Transfers into the USDC MD from other Courts or Federal Agencies**

- If you are transferring into the Judiciary without a break in service, then you will continue with the same benefits that you had at your last court/agency. Changing courts/agencies is not considered a qualifying life event, but if you are moving outside of the service range of an HMO, you will be permitted to change your provider within the first 60 days of employment with the USDC – MD. Please double check your benefits at least once during your first 30 days to ensure that they are still active and not scheduled for termination.
- If you are coming from an agency other than the Judiciary and have a flexible spending account with FSAFEDS or WageWorks, please use all of those funds before you terminate with your agency; your FSA account will **NOT** transfer over, and you will forfeit all unused funds. If you are transferring without a break in service within the Judiciary, your FSA will transfer with you and no changes are permitted. If you are transferring from another court and have broken service for less than 90 days, please call the Judiciary Benefits Center regarding your FSA, (888) 442-FLEX (3539).
- If you were covered by FERS in your previous position and are transferring without a break in service to a clerkship, please alert HR as you will be eligible to continue your retirement coverage and TSP contributions during your clerkship. If you break service for more than 3 days, you will not be able to continue your retirement or TSP contributions during your clerkship.

## **Benefits FAQs – Incoming employees:**

### **My health insurance is effective already, but I don't see any payroll deductions.**

You should expect to see your first health insurance payroll deduction on the second pay date after your enrollment becomes effective. For instance, if your insurance effective date is 8/14/2023, your first deduction would come out of your 9/1/2023 paycheck rather than the 8/18/2023 paycheck since the 8/18/2023 pay covers the pay period before your election became effective, 7/31/2023 – 8/11/2023.

## Can I change my benefits?

After their initial election, term law clerks have two opportunities to change their insurance. You will have the option to make certain changes to your life\*\*, health, dental and/or vision coverage after experiencing a Qualifying Life Event (QLE) or during Open Seasons.

\*Qualifying life events can occur at any time throughout the year and consist of:

- Adoption or birth
- Employee or covered child turns 26
- Marriage
- Separation and Divorce

Please contact the Human Resources department if you experience any of these changes throughout your term.

\*Open Season for health benefits starts on the second Monday of November and ends on the second Monday of December. During this time period, all employees can make changes, cancel or make initial elections for their health insurance, healthcare and dependent care flexible spending accounts, dental and/or vision coverages for the next calendar year. These changes will take effect in January.

\*\*Please note that Federal Employee Group Life Insurance (FEGLI) elections can be lowered or cancelled at any time during employment through the JBC. However, elections can only be increased during the first 60 days of employment, or a specific open season organized by FEGLI. As an FYI, the most recent FEGLI open seasons were offered in 2004 and 2016.

## Do I have to make changes during open season?

You do not have to make changes during open season. If you are happy with your current elections, don't do anything at all.

Please note that healthcare and dependent care flexible spending accounts **require** re-enrollment every year. If you wish to use one of these accounts and even if you are otherwise happy with your current insurance providers, you still have to request new FSA elections through the Judiciary Benefits Center. ***FYI, the Federal Judiciary does not use FSAs or WageWorks and our FSA program does not abide by the same rules.***

# Payroll Q&A – Incoming Clerks:

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## Common Payroll Questions for Incoming Clerks:

### What do I do with my Public Service Loan Forgiveness form?

Please submit these forms to the Human Resources department for completion.

### Does Bar membership make a difference during my clerkship?

Bar membership, though not required of term law clerks, is required for promotion past the JSP 11.

## When will I be eligible for my promotion?

The requirements for promotion, in addition to the Judge's approval, are found in the table below. If you acquire bar membership during your clerkship, please contact the Human Resources department:

	Years of Legal Experience	Bar Membership	Federal Judiciary Experience
JSP 11	0	Not Required	No Requirement
JSP 12	1	Yes	No Requirement
JSP 13	2	Yes	No Requirement
JSP 14*	3	Yes	2 years

\* Regardless of qualifications, only one JSP 14 law clerk is allowed per chambers.

## Can I change my tax withholding?

Your tax withholdings can be changed at any point during your clerkship. Federal tax withholdings can be changed online in the Human Resources Management Information System (HRMIS). Paper forms must be submitted in order to change your state/local taxes.

## How do I access my paystub?

Paystubs are available for viewing when you log into HRMIS. Each payday you will receive an email from HRMIS directing you to view your earnings statement. It is recommended that you view your earning statement each time, but it is extremely important to check your first few earning statements to ensure that your benefit deductions, taxes, etc. are being deducted from your check correctly. If there are any discrepancies, you should contact the Human Resources department immediately.

## How do I access my W2?

W2s can be accessed through HRMIS, but only after you have opted-in to receive them electronically rather than via regular mail. The option to opt-in can be found on your HRMIS page under the Manage Personal and Payroll Information section. Instructions for opting in and receiving electronic W2s are typically broadcast at the end of the year, and the information can be found on [JNet](#) (the Federal Judiciary's intranet) throughout the year.

## Who do I call if an investigator needs to see my personnel file?

Investigators can make appointments with the Human Resources department to view and/or discuss your local personnel file. Law clerk personnel files are physically stored in Baltimore, but arrangements can be made for them to be viewed in Greenbelt. Please note that these local files are considered unofficial personnel files—your official personnel file is held at the Administrative Office. Investigators can contact the Court Personnel Management Division, Administrative Office of the U.S. Courts, at (202) 502-3180 to view the official file.

# Law Clerks Transferring out of USDC – MD

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## What is a transfer without a break in service?

A break in service is the time when an employee is no longer on the payroll of an agency. A separation of between one and three calendar days (including weekend and holidays) is not considered to be a break in service. A separation of four or more calendar days (including weekends and holidays) is a break in service and the days of separation are subtracted from the employee's total creditable service. If an employee breaks service, that transfer is treated as a termination/rehire which requires the payout of annual leave (if applicable), re-enrollment of benefits elections and,

quite often, a loss of flexible spending account funds. Please contact the Human Resources department if you will be transferring to another court or federal agency without a break in service.

## **What happens when I transfer to another Court?**

Please let the Human Resources department know if you will be transferring to another court or federal agency. There is pertinent information about your personnel records that need to be shared between the two agencies and doing this before your transfer can make the process substantially easier for all involved.

## **Who do I call if an investigator needs to see my personnel file after I have transferred?**

Investigators can make appointments with the Human Resources department to view your local personnel file. Law clerk personnel files are physically stored in Baltimore, but arrangements can be made for them to be viewed in Greenbelt. Please note that these local files are considered unofficial personnel files—your official personnel file is held at the Administrative Office. Investigators can contact the Court Personnel Management Division, Administrative Office of the U.S. Courts, at (202) 502-3180 to view these files.

## **I'm staying in the government, but I'm breaking service, what do I need to know?**

Be aware that technically you are breaking service and being rehired so you will have to complete all new hire paperwork again. If you were covered by FERS as a law clerk, then that break of service will cause your Service Computation Date for Retirement to be recalculated as your days off payroll must be subtracted. If you were covered by the Leave Act, your Service Computation Date for Leave will also be recalculated to account for your days off the payroll. Your benefits will terminate in the same manner that they would if you were leaving federal service. Please make note of the information below, especially if you plan to break service for more than one month:

## **I'm staying in the government, but I'm breaking service, what will happen to my benefits?**

### **Health Insurance (FEHB)/Temporary Continuation of Coverage (TCC):**

Your coverage in the Federal Employees Health Benefits (FEHB) program ends on the last day of the pay period in which you separate from federal service, subject to a 31-day extension of coverage (at no cost to you) with opportunity for conversion to an individual contract with your insurance carrier. You will be able to re-enroll when you start with your new agency. That coverage will begin at the beginning of the pay period after which you enroll.

***If you plan to break service for more than 31 days:*** You have the right to temporarily continue your FEHB coverage for up to 18 months after your separation instead of converting to an individual contract currently. You may select any plan in the FEHB program in which to continue your coverage if you are eligible to enroll in the plan. To continue your coverage, you must pay the full amount of the premium (both the employee and Government shares) plus a 2 percent administrative charge. If you choose to continue your coverage, you have the free coverage described above for the first 31 days. Your Temporary Continuation of Coverage (TCC) enrollment and premium charges begin on the day after the 31-day period of free coverage ends. If you continue TCC to the end of the 18-month period, you will have another 31-day extension of coverage with opportunity for conversion to an individual contract. Information about additional FEHB plans and TCC can be found at <https://www.opm.gov/healthcare-insurance/healthcare/>.

If you are interested in continuing your FEHB coverage, please contact the Human Resources department for additional information and an election form (SF2809). If you want to continue your coverage, your completed and signed election form must be received in the Human Resources department within 60 days after the date of separation.

Please note that the Patient Protection and Affordable Care Act (ACA) did not eliminate TCC or change the TCC rules. If you would like to learn more about the ACA including the health insurance marketplace, please visit <https://www.healthcare.gov/>.

### **Dental/Vision Insurance (FEDVIP):**

Dental and Vision insurance coverage ends on the last day of the pay period in which you separate and there are no provisions for extending or continuing of coverage. You will be able to re-enroll when you start with your new agency. That coverage will begin at the beginning of the pay period after which you enroll.

### **Life Insurance (FEGLI):**

Your coverage terminates at the end of the day on which you separate from federal service, however, you are given an additional 31 days of coverage free of charge beginning the day after your separation date. When you are rehired, you will automatically be covered by Basic insurance, unless you opt out, and have up to 60 days to increase your coverage to include Options A, B and/or C.

***If you plan to break service for more than 31 days:*** During the 31-day period after termination, you have the option of converting your coverage to an individual policy. This opportunity allows you to convert all or part of your Basic and Optional insurance to an individual policy with no medical examination requirements. Conversion options do not apply to Option C; however, family members can convert their coverage to their own individual policies. Information on how to convert your coverage can be found on the SF-2819 that you will receive at your exit meeting.

### **Flexible Spending Accounts:**

Flexible spending account contributions will stop with your last paycheck. If you do not have enough eligible expenses to submit to cover your remaining balances, you will forfeit any left-over money in the account.

- For the **Health Care FSA**, you have until April 30 of the following year to submit claims for expenses incurred before your date of termination. Any remaining account balance will be forfeited.
- The **Dependent Care FSA** is set up as a “pay as you go” account. This means that dependent care expenses can only be reimbursed up to the amount available in your account. *If you have a balance in your DCRA after terminating employment mid-year and you incur eligible expenses after your termination date, but before the end of the Plan Year (December 31), you may submit these claims for reimbursement.* You have until April 30 of the following year to submit claims. *Any remaining account balance after April 30 will be forfeited.*

***If you plan to break service for less than 90 days and are transferring to another court:*** Contact the Judiciary Benefits Center at 888-442-3539. They may be able to suspend payments on your account during your break in service and restart them when you are rehired by your next court. This only works with other courts. *You will not be able to bring your remaining account balances with you if you transfer to another federal agency.*

### **Long Term Care Insurance:**

If you would like to continue your long-term care insurance you will need to contact your provider and arrange for premiums to be paid through your personal account, otherwise your plan will be cancelled due to non-payment of premiums.

If you are enrolled in the Judiciary Long Term Care Plan, go to the CNA website at <http://www.ltcbenefits.com> (password: judiciaryltc).

If you are enrolled in the Federal Long-Term Care Plan, go to the FLTCIP website at [www.ltcfeds.com](http://www.ltcfeds.com) or call 1-800-LTC-FEDS (1-800-582-3337)

### **Short and Long-Term Disability**

- Short and/or long-term disability coverage purchased through Federal First ends when your employment/eligibility ends.
- If you will be transferring with a short break in service, and are interested in keeping this coverage, contact Federal First to see if they have options to avoid the cancellation of your current plan so you will not have to re-enroll in the same coverage when you are rehired.

### **When will I receive my last pay from the Maryland USDC:**

Your last pay with the court will be direct deposited on the corresponding pay date and will include deductions for all applicable benefits (health, life, dental, vision insurance). You will not have access to HRMIS to view your pay statements when you leave. If you are transferring to another court, please note that we will lose access to your HRMIS account once your file has been transferred, but you will be able to view all previous paystubs from your new court.

### **Common Holiday and Leave Information for Transferring Clerks:**

#### **What if there is a holiday during my transfer dates?**

Transferring to another court/agency without a break in service of more than three (3) days is the only way to keep your current benefits and not be paid out for your leave, if applicable. A Monday holiday typically counts as day 4 of a break in service. If it is important to you that you transfer without a break in service, you may have to alter your transfer date. Please contact the Human Resources department of your new agency for guidance.

#### **I am covered by the Leave Act and transferring into a leave-accruing covered position:**

If you were covered by the leave act and are transferring without a break in service to another position that also accrues leave, your annual and sick leave balances will transfer with you. Your next agency should request a copy of your SF1150 (Record of Leave Data) from the AO when they request your Official Personnel File. An unofficial copy can be provided by the Human Resources department upon request.

#### **I am covered by the Leave Act and transferring into a position that is not covered by the Leave Act:**

Any annual leave balance will be paid in a lump sum after your last pay day. During law clerk season, the payout can take upwards of eight to ten weeks because of the volume of leave records being processed by the Administrative Office. It is paid by direct deposit, so do not close out your direct deposit account before receiving these funds. Your sick leave balance is not paid out but stays attached to your record and if you return to qualifying federal employment in the future, the balance will be restored to you at that time.

## The Exit Process for Transferring Law Clerks:

### Exit meeting:

All law clerks will have an exit call scheduled with the Human Resources department prior to their last day. During this meeting, we will go over all payroll and benefits information and you will be given additional paperwork to facilitate TCC enrollment if needed, FEGLI conversion and information about making unemployment claims in Maryland, should you choose to pursue that option.

### Building keys/swipe card:

**Baltimore law clerks:** Please make an appointment with Brett Gwin ([brett\\_gwin@mdd.uscourts.gov](mailto:brett_gwin@mdd.uscourts.gov) or 2-3831) to return and sign your physical keys back in. FAC ID cards must be returned to the Human Resources department. Please do not leave any keys or swipe cards in your office. However, you should leave the keys to any locking desk drawers in the lock.

**Greenbelt law clerks:** Please make an appointment with EJ Stoltzfus ([Ej\\_Stoltzfus@mdd.uscourts.gov](mailto:Ej_Stoltzfus@mdd.uscourts.gov) or 4-0054) to return and sign your physical keys back in. FAC ID cards must be returned to the Human Resources department. Please do not leave any keys or swipe cards in your office. However, you should leave the keys to any locking desk drawers in the lock.



# Terminating Law Clerks

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## I'm going to the private sector, what happens to my benefits when I leave?

### **Health Insurance (FEHB)/Temporary Continuation of Coverage (TCC):**

Your coverage in the Federal Employees Health Benefits (FEHB) program ends on the last day of the pay period in which you separate from federal service, subject to a 31-day extension of coverage (at no cost to you) with opportunity for conversion to an individual contract with your insurance carrier.

You have the right to temporarily continue your FEHB coverage for up to 18 months after your separation instead of converting to an individual contract. You may select any plan in the FEHB program in which to continue your coverage if you are eligible to enroll in the plan. To continue your coverage, you must pay the full amount of the premium (both the employee and Government shares) plus a 2 percent administrative charge. If you choose to continue your coverage, you have the free coverage described above for the first 31 days. Your Temporary Continuation of Coverage (TCC) enrollment and premium charges begin on the day after the 31-day period of free coverage ends. If you continue TCC to the end of the 18-month period, you will have another 31-day extension of coverage with opportunity for conversion to an individual contract. Information about additional FEHB plans and TCC can be found at <https://www.opm.gov/healthcare-insurance/healthcare/>

If you are interested in continuing your FEHB coverage, please contact HR for additional information and an election form (SF2809). If you want to continue your coverage, your completed and signed election form must be received in the Human Resources department within 60 days after the date of separation.

Please note that the Patient Protection and Affordable Care Act (ACA) did not eliminate TCC or change the TCC rules. If you would like to learn more about the ACA including the health insurance marketplace, please visit <https://www.healthcare.gov/>

### **Dental/Vision Insurance (FEDVIP):**

Dental and Vision insurance coverage end on the last day of the pay period in which you separate and there are no provisions for extending or continuing of coverage. You will be able to re-enroll when you start with your new agency. That coverage will begin at the beginning of the pay period after which you enroll.

### **Life Insurance (FEGLI):**

Your coverage terminates at the end of the day on which you separate from federal service, however, you are given an additional 31 days of coverage free of charge beginning the day after your separation date. When you are rehired, you will automatically be covered by Basic insurance, unless you opt out, and have up to 60 days to increase your coverage to include Options A, B and/or C.

During the 31-day period after termination, you have the option of converting your coverage to an individual policy. This opportunity allows you to convert all or part of your Basic and Optional insurance to an individual policy with no medical examination requirements. Conversion options do not apply to Option C; however, family members can convert their coverage to their own individual policies. Information on how to convert your coverage can be found on the SF-2819 that you will receive at your exit meeting.

## Health Care/Dependent Care/Commuter Parking Flex Accounts:

Flexible spending account contributions will stop with your last paycheck. If you do not have enough eligible expenses to submit to cover your remaining balances, you will forfeit any left-over money in the account.

- For the **Health Care FSA**, you have until April 30 of the following year to submit claims for expenses incurred before your date of termination. Any remaining account balance will be forfeited.
- The **Dependent Care FSA** is set up as a “pay as you go” account. This means that dependent care expenses can only be reimbursed up to the amount available in your account. *If you have a balance in your DCRA after terminating employment mid-year and you incur eligible expenses after your termination date but before the end of the Plan Year, you may submit these claims for reimbursement.* You have until April 30 of the following year to submit claims. *Any remaining account balance after April 30 will be forfeited.*

## Long Term Care Insurance:

If you would like to continue your long-term care insurance you will need to contact your provider and arrange for premiums to be paid through your personal account, otherwise your plan will be cancelled due to non-payment of premiums.

If you are enrolled in the Judiciary Long Term Care Plan, go to the CNA website at <http://www.ltcbenefits.com> (password: judiciaryltc).

If you are enrolled in the Federal Long-Term Care Plan, go to the FLTCIP website at [www.ltcfeds.com](http://www.ltcfeds.com) or call 1-800-LTC-FEDS (1-800-582-3337)

## Short and Long-Term Disability

Short and/or long-term disability coverage purchased through Federal First ends when your employment/eligibility ends.

## Exit meeting:

All law clerks will have an exit call scheduled with the Human Resources department prior to their last day. During this call, we will go over all payroll and benefits information and you will be given additional paperwork to facilitate TCC enrollment if needed, FEGLI conversion and information about making unemployment claims in Maryland, should you choose to pursue that option.

## Last Pay from the Maryland USDC:

Your last pay with the court will be direct deposited on the corresponding pay date and will include deductions for all applicable benefits (health, life, dental, vision insurance). You will not have access to HRMIS to view your pay statements when you leave. You should save the last few earnings statements before your exit in the event you need them after your departure.

## SF-50:

The SF-50 Notification of Personnel Action Form is written documentation of a personnel action that affects your position or pay. After your departure, you will no longer have access to HRMIS or eOPF. Your final salary and other pertinent federal employment information can be found on your termination SF-50, which is normally created within three weeks of your departure. If you need a copy, please reach out to the Human Resources department.

## Building keys/swipe card:

**Baltimore law clerks:** Please make an appointment with Brett Gwin ([brett\\_gwin@mdd.uscourts.gov](mailto:brett_gwin@mdd.uscourts.gov) or 2-3831) to return and sign your physical keys back in. FAC ID cards must be returned to the Human Resources department. Please do not leave any keys or swipe cards in your office. However, you should leave the keys to any locking desk drawers in the lock.

**Greenbelt law clerks:** Please make an appointment with EJ Stoltzfus ([ej\\_stoltzfus@mdd.uscourts.gov](mailto:ej_stoltzfus@mdd.uscourts.gov) or 4-0054) to return and sign your physical keys back in. FAC ID cards must be returned to the Human Resources department. Please do not leave any keys or swipe cards in your office. However, you should leave the keys to any locking desk drawers in the lock.

## Annual and Sick Leave (for clerks covered under the Leave Act):

Any annual leave balance will be paid in a lump sum after your last pay day. During law clerk season, the payout can take upwards of eight to ten weeks because of the volume of leave records being processed by the Administrative Office. It is paid by direct deposit, so please do not close out your direct deposit account before receiving these funds. Your sick leave balance is not paid out but stays attached to your record and if you return to qualifying federal employment in the future the balance will be restored to you at that time.

## This year's W-2:

W-2's will be mailed to you at the address we have on file. If you know your address will be changing, please update your address in the HRMIS system prior to your exit, to ensure that your W-2 reaches you timely. If your address changes after your exit date, it needs to be reported to the Human Resources department before December 1<sup>st</sup>. If you haven't received your W-2 in the mail by February 1, please contact the AO's W2 Help Desk at [PSBW2Help@ao.uscourts.gov](mailto:PSBW2Help@ao.uscourts.gov) or call them at one of their dedicated help lines, 202-502-3134 or 202-502-3249.

## Unemployment:

Unemployment eligibility is determined by the Maryland Division of Unemployment Insurance. A copy of the SF-8, Notice to Federal Employee About Unemployment Insurance, will be provided to you during your exit interview should you choose to pursue any potential benefits. Information is available at the [Maryland Division of Unemployment Insurance](#) site.

## Judicial Employee Exit Survey:

Judiciary employees are invited to participate in an employee exit survey that will be emailed to you by the Administrative Office in the weeks following your departure.

## Additional information:

If you have any questions that were not covered in this document, please contact:

Tina Stavrou, Human Resources Manager, [Tina\\_Stavrou@mdd.uscourts.gov](mailto:Tina_Stavrou@mdd.uscourts.gov), (410) 962-3552

Tierra Armstrong, Human Resources Specialist, [Tierra\\_Armstrong@mdd.uscourts.gov](mailto:Tierra_Armstrong@mdd.uscourts.gov), (301) 344-3223

Sierra Steigner, Human Resources Technician, [Sierra\\_Steigner@mdd.uscourts.gov](mailto:Sierra_Steigner@mdd.uscourts.gov), (410) 962-3428