



Memorandum # 19/2004

Commonwealth of Massachusetts | Public Employee Retirement Administration Commission
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MEMORANDUM

TO: All Retirement Boards

FROM: Joseph E. Connarton, Executive Director

RE: Implementation of the Goodridge Decision

DATE: May 18, 2004

The Supreme Judicial Court's decision in *Goodridge v. Dep't of Public Health*, 440 Mass. 309 (2003) authorizing same sex marriages became effective on May 17, 2004. As a result, any member of a Retirement System who is married to a person of the same sex will be eligible for the same benefit and in the same manner as have been previously available to any married couple. Retirement Boards are to require the same evidence of marriage that has been required in the past. The documents are to be retained in the member's file and reflected in the Board's records in the same manner as has been the case. No additional record keeping will be required.

Retirement boards should be advised that benefits paid as the result of the selection of a beneficiary pursuant to any option available under G.L. c. 32 are equal to the actuarial equivalent of the member's benefit, so as a result, the implementation of the Goodridge decision will have little fiscal impact on the Retirement Systems.

If you have questions, please feel free to contact the Commission's General Counsel, Barbara Phillips at (617) 666-4446, Extension 902.