



STATE OF WISCONSIN
Department of Employee Trust Funds
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CORRESPONDENCE MEMORANDUM

DATE: June 6, 2005

TO: Employee Trust Funds Board
 Teachers Retirement Board

FROM: Linda Owen, Policy Analyst
 Division of Retirement Services

SUBJECT: Supreme Court decision on Solie and Baxter

The Wisconsin Supreme Court recently issued a court decision in Solie and Baxter v. Employee Trust Funds Board which ruled that these teachers are eligible to have previously forfeited years of creditable service restored to their WRS accounts without cost to them. As a result of this decision certain teachers and former teachers are also eligible for this service credit. A brief description of the legal history leading to the Solie/Baxter court decision is attached.

As Board members you may get questions about who is eligible for service credit under Solie/Baxter. You may wish to refer participants to the attached self-screening criteria, and suggest that they contact the Department if they would like further information about the eligibility requirements.

The eligibility criteria for service credit under the Solie/Baxter decision are very complex, and the Department does not believe that there will be a large volume of participants who are eligible. Since there is no automated way to identify the affected participants, we will publicize some basic screening criteria that teachers can use to evaluate their possible eligibility (attached) and contact us if they think they may qualify. The actual eligibility criteria are more complex than described in the list we will publicize, and not everyone who meets all of the criteria listed will qualify, but a participant who does not meet all of these criteria will definitely **not** qualify.

Once a participant (or the survivor of a deceased participant) contacts the Department, we will review the records to determine whether the participant meets the additional eligibility criteria for service credit under Solie/Baxter and issue an eligibility determination.

Reviewed and approved by Sari King, Division of Retirement Services.	
Signature _____	Date _____

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