

Attorney Fees Awarded in Kanerva v. Weems

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Sangamon County Circuit Court Judge Steven Nardulli has awarded fees and costs in the amount of \$1,502,011.00 to attorneys who litigated the *Kanerva v. Weems* case (**No. 115811**).

The case, originally filed in July 2013 in Sangamon County Circuit Court by several state employee groups seeking to protect their premium-free state health insurance, reached the Illinois Supreme Court in early 2014. The court ruled that state retiree health care benefits are protected under the state constitution.

State retirees and survivors, who had been paying 1% (retirees and survivors with primary coverage under Medicare) or 2% (retirees and survivors with primary coverage under the state program) of their annuities for health insurance, were no longer required to pay.

The money collected for retiree health insurance premiums was held in a separate account pending the outcome of the *Kanerva v. Weems* case. All refunds are to be repaid by June 15, 2015. SURS will begin processing refunds for affected members at the end of May. Retirees and survivors receiving refunds will be sent a letter notifying them of their refund amount.

The total award of attorney fees is approximately 2.16% of the money collected from retirees. In effect, for each \$100 to be refunded to a retiree, \$2.16 will be deducted for attorney fees.

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