

**COMMONWEALTH OF MASSACHUSETTS  
DIVISION OF ADMINISTRATIVE LAW APPEALS**

Middlesex, ss.

Lisa Rothman,  
Petitioner,

Docket No.: CR-25-0729

v.

State Board of Retirement,  
Respondent.

**ORDER OF DISMISSAL**

Petitioner, Lisa Rothman, appeals from the denial by Respondent, State Board of Retirement (SBR), of her application to purchase creditable service for work performed as an Assistant District Attorney with the Plymouth County and Middlesex County District Attorney's Offices.

SBR explained that Petitioner last worked for the Commonwealth of Massachusetts on or about 06/30/2009, but SBR did not receive her application until 10/15/2025.

The retirement statute's purchase-authorizing provisions normally apply only to "members in service" or "employees." *See, e.g.*, G.L. c. 32, § 3(3). *See generally* G.L. c. 32 § 3(1)(a)(i) (member in service is "any member who is regularly employed in the performance of his duties"). As the Contributory Retirement Appeal Board has written, "in the usual case, purchases of prior service may only be made at a time when the purchaser is an active member of a retirement system -- i.e., at a time when he is still working for a governmental entity that participates in a retirement system." *Zavaglia v. Gloucester Ret. Bd.*, CR-09-459, at \*1 (Contrib. Ret. App. Bd. Apr. 13, 2015). Here, Petitioner was not an active member of a retirement system when SBR received her application.

On December 30, 2025 I issued an Order to Show Cause for Petitioner to provide by January 30, 2026 sufficient evidence in writing of her eligibility to purchase creditable service, and a copy of her service purchase application. Petitioner provided no response.

In view of the foregoing, Petitioner has failed to state a claim upon which relief can be granted. Pursuant to 801 CMR 1.01(7)(g)(3), this appeal is DISMISSED.

Dated: February 6, 2026

/s/ Karen T. Guthrie  
Karen T. Guthrie  
Administrative Magistrate  
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