

MAINE STATE LEGISLATURE

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August 28, 1947

To E. L. Walter, Supervisor, Employees' Retirement System
Re: Roger Osmonde Williams, Deceased

Your memo of August 27th received, relating to the above deceased State employee, who was a contributing member under the Retirement System, and who, at the time he signed his application to become a member, about June 7, 1943, nominated Geneva M. H. Williams, his wife, as his beneficiary. You state in your memo that some time after that date and prior to the date of his death on August 23, 1947, a divorce was granted to Mrs. Williams, but your department was not notified of this divorce decree, nor did you receive any request from the deceased in his lifetime for a change of beneficiary.

You ask me to advise you as to the proper disposition of the money now held to the credit of Roger O. Williams.

In reply I advise you that he nominated Geneva M.H. Williams, his wife, during the period when he was married and living with his wife. Subsequently, she obtained a divorce from Mr. Williams in the Superior Court of Kennebec County, and inasmuch as at the time of the death of Mr. Williams, the employee, she was not his wife, the money held to the credit of Mr. Williams should be paid to the legal representative of his estate, either the administrator or the executor. If the former wife or the sister claims this money, the claim must be filed against the estate, rather than against the State of Maine.

Ralph W. Farris
Attorney General

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