

**Name of Person Filing:** \_\_\_\_\_  
**Street Address:** \_\_\_\_\_  
**City, State, Zip Code:** \_\_\_\_\_  
**Telephone Number:** \_\_\_\_\_  
**Email Address:** \_\_\_\_\_  
**ATLAS Number (if applicable)** \_\_\_\_\_  
 **Representing Self (No Attorney)**    or     **Represented by Attorney**  
**If Attorney, Bar Number:** \_\_\_\_\_

**SUPERIOR COURT OF ARIZONA  
PINAL COUNTY**

**Regarding the Matter of:**

<b>Name of Petitioner</b>	<b>CASE NUMBER:</b> _____
<b>AND</b>	<b>QUALIFIED DOMESTIC RELATIONS ORDER</b>
<b>Name of Respondent</b>	<b>HONORABLE:</b> _____

This Order is intended to be a "Qualified Domestic Relations Order" as such term is defined in §206(d) of the Employee Retirement Income Security Act of 1974 ("ERISA") and in §414(p) of the Internal Revenue Code of 1986 (the "Code"). Any ambiguity, uncertainty or inconsistency in this Order shall be interpreted so as to ensure its status as a Qualified Domestic Relations Order under such sections.

The Court, being fully advised of the premises, find, orders, adjudges and decrees as follows:

1. This Order relates to the marital property rights of the spouses under the community property laws of this State.
  
2. Petitioner / Respondent (circle one) is the participant in the Pension Plan for \_\_\_\_\_  
 \_\_\_\_\_ (employer's name), a plan qualified under §401 of the Code adopted by his employer  
 (the "Pension Plan.")
  
3. (a) The participant spouse is the Petitioner / Respondent (circle one) in these proceedings,  
 \_\_\_\_\_ (the "Participant"), whose last known mailing address  
 and date of birth is:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(b) The alternate payee is the Petitioner / Respondent (circle one) in these proceedings,  
\_\_\_\_\_ (the "Alternate Payee", whose last known mailing address  
and date of birth is:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(c) There are no other alternate payees with respect to Participant's interest in the Pension Plan.

4. (a) Alternate Payee shall be entitled to the actuarial equivalent of (1) \_\_\_\_\_% of Participant's accrued benefit in the Pension Plan as of \_\_\_\_\_ (date). (2) any early retirement subsidy which Participant may then be entitled to or may later be entitled to with respect to Alternate Payee's share of such benefits, and (3) any improvements, benefits updates or cost-of-living adjustments on Alternate Payee's share of such benefits, and the Pension Plan shall account for such benefit as the separate benefits of the Alternate Payee. The amount to be distributed to the Alternate Payee at the time provided in paragraph 7 shall be the actuarial equivalent of such amount determined under the actuarial assumptions of the Pension Plan at the time Alternate Payee begins to receive a distribution.

(b) If Participant predeceases Alternate Payee, and before payment of the Alternate Payee's interest has been made or begun under paragraph 7, prior to her/his retirement, Alternate Payee shall be entitled to her/his proportionate share of Participant's interest in the Pension Plan's pre-retirement survivor annuity benefits.

(c) If Participant predeceases Alternate Payee, and before payment of the Alternate Payee's interest has been made or begun under paragraph 7, after her/his retirement benefits have begun, Alternate Payee shall be entitled to her/his proportionate share in any of Participant's post-retirement death under the terms of the Pension Plan and same are awarded to Alternate Payee.

5. This Order does not apply to a specific number of payments or to a specific period but rather is intended to provide Alternate Payee with a benefit based on a percentage of Participant's accrued benefits in the Pension Plan.
6. This Order applies to the Pension Plan for \_\_\_\_\_ (employer's name).
7. The Pension Plan shall make a distribution, in accordance with the terms of the Pension Plan, to Alternate Payee at the time and in the form requested by Alternate Payee. The time of distribution and form requested by Alternate Payee shall conform to the requirements of the Pension plan. Alternate Payee shall not be entitled to receive a distribution until the time that Participant would be eligible to receive benefits.
8. If requested prior to distribution by the Plan Administrator pursuant to §411(a)(11) of the Code and §203(e) of ERISA, Alternate Payee shall execute a written consent to the distribution from the Pension Plan. Alternate Payee shall be entitled to elect against federal withholding taxes but only to the extent provided by §3405 of the Code and as otherwise permitted by the Pension Plan.
9. The Court retains jurisdiction to amend this Order but only for the purpose of establishing or maintaining its qualification as a Qualified Domestic Relations Order under ERISA and the Code and to supervise the payment of retirement benefits as provided herein to Alternate Payee; provided that no such amendment shall require the Pension Plan to provide any type or form of benefits, or any option, not otherwise provided under the Pension Plan, nor require the Pension Plan to provide increased benefits nor invalidate this Order as "Qualified" under ERISA.

10. Alternate Payee shall pay, when due, and hold Participant free and harmless from any income tax or other liability or obligation resulting from the distribution of proceeds from the Pension Plan to or for her/his.

11. A true copy of this Order shall be served upon (employer's name and address):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Judge of Superior Court