

NEW YORK QDRO KIT FOR PENSION IN PAY STATUS

CONTENTS:

- (1) QDRO FORM;
- (2) AUTHORIZATION OF PLAN PARTICIPANT FOR OTHER PARTY TO OBTAIN INFORMATION AND DOCUMENTS;
- (3) WAIVER;
- (4) NOTICE OF SETTLEMENT WITH PROOF OF SERVICE (FOR CASES IN WHICH THE OTHER PARTY DOES NOT EXECUTE A WAIVER);
- (5) LETTER TO COURT RE: SUBMISSION OF QDRO THAT HAS BEEN APPROVED BY THE PLAN;
- (6) FORM NOTES

SAMPLE

At an IAS Part _____ of the Supreme Court of the State of New York held in and for the County of _____ located at _____, New York _____ on the _____ day of _____, 20____.

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF**

-----X

Index No.

Plaintiff,

-against-

Defendant.

**QUALIFIED DOMESTIC
RELATIONS ORDER**
(For Participant In
Pension Pay Status)

-----X

It is the intent of the Court that the provisions of this domestic relations order ("Order") operate as an effective assignment of the Participant's interest in the Pension Fund set forth below to the Alternate Payee under both state and federal laws, for all purposes, and constitute a Qualified Domestic Relations Order ("QDRO") in compliance with section 414(p) of the Internal Revenue Code of 1986, as amended ("Code") and Section 206(d)(3) of the Employee Retirement Income Security Act of 1974, as amended ("ERISA").

The parties having stipulated to the entry of this order, and the Court being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED as follows:

1. This Court has personal jurisdiction over both parties to this proceeding, and jurisdiction over the subject matter of this Order hereafter referred to as "Order".
2. This Order is intended to be a Qualified Domestic Relations Order as that term is defined in Internal Revenue Code Section 414(p) (Internal Revenue Code of 1986) and the Retirement Equity Act of 1984, Public Law 98-397 (hereafter referred to as "the Act").
3. Marital History:

The parties were married on _____ ;
The parties were divorced on _____ ;
The date that Marital Right to a Benefit accrued under the Plan Ceases:_____.