

LETTERHEAD

(DATE)

Oklahoma Public Employees Retirement System
5801 N. Broadway Extension, Suite 400
Oklahoma City, Oklahoma 73118-7484

The individual named in the enclosed Qualified Domestic Relations Order is a Member of OPERS. The QDRO requires you to remit funds belonging to the Member to:

{ Alternate Payee Name }

{ Payment Address }

{ Special Instructions }

Sincerely,

{ Name and Title of Contact }

{ Member Full Name }

{ SSN of Member }

{ Mailing address for Payments }

{ Contact E-mail Address }

{ Contact Phone Number }

**IN THE DISTRICT COURT OF _____ COUNTY
STATE OF OKLAHOMA**

_____)	
)	
Petitioner,)	
)	
vs.)	CASE No: _____
)	
_____)	
)	
Respondent.)	

QUALIFIED DOMESTIC RELATIONS ORDER

**TO: OKLAHOMA PUBLIC EMPLOYEES RETIREMENT SYSTEM
5801 N. Broadway Extension, Suite 400
Oklahoma City, OK 73118**

I. RECITALS

1. This Order is intended to meet the requirements for a “Qualified Domestic Relations Order” relating to the Oklahoma Public Employees Retirement System (hereinafter “OPERS”), as set forth in 74 O.S. §923. This Order is valid and binding only upon presentation to and acceptance by OPERS.

2. The {Petitioner/Respondent} (hereinafter referred to as the “Member” is/was a participating Member of OPERS.

3. Member: Alternate Payee:

<u>{Member Full Name}</u>	<u>{Alternate Payee Full Name}</u>
<u>{Member Address}</u>	<u>{Payment Mailing Address}</u>

4. Minor Child(ren) covered by this Order:

{Children Full Names and DOB}

5. This Order assigns a portion of the benefits, which are otherwise payable to the Member by OPERS, to the Alternate Payee in recognition of the Alternate Payee’s right to receive child support in accordance with the Court’s finding that this Order is a Qualified Domestic Order for child support under 74 O.S. §923.

II. ALTERNATE PAYEE AWARD

1. a. The Alternate Payee is awarded \${Amount of Continuing Child Support} of each monthly benefit for continuing child support obligations at the time the Member retires and begins to draw benefits from OPERS. The Alternate Payee shall receive this amount until [] {Date Continuing Child Support Terminates} or [] until further Order of the Court; and/or
 - b. In addition to continuing child support obligations, the Alternate Payee is awarded \${Amount of Additional Monthly Support Judgment Payments (if applicable)} of each monthly benefit in arrearages at the time the Member retires and begins to draw benefits from OPERS. The Alternate Payee shall receive this amount over the period of [] {Number of Months} months, OR [] until {Date Additional Monthly Support Judgment Payments Terminates} OR [] until the award of \$ {Total Amount of Judgment Due} is paid in full; and/or
 - c. In the event the Member terminates employment and elects to withdraw his/her accumulated contributions, the Alternate Payee is awarded a lump sum of \${Total Arrearage/Judgment Amount}, or the amount as reflected in the official records of the Alternate Payee and/or their legal counsel at the time of the withdrawal. At the time the Member elects to withdraw his/her accumulated contributions, OPERS shall contact the Alternate Payee to verify the amount owed in this Order. The Alternate Payee must verify any increase or decrease from the amount listed in this Order which is based upon payments made to arrearages, unpaid continuing monthly support payments and/or interest upon which is due. Verification of the amount owed due at the time of the withdrawal must be made in writing to OPERS and the Member by the Alternate Payee within two (2) business days of the OPERS' verification request of the Alternation Payee.
2. This award will be paid for Members who elect the Medicare Gap benefit only if the Member's Pre-Medicare and/or Post-Medicare Benefits amounts are sufficient to make the required payment to the Alternate Payee under this Order and result in a payment amount to the Member of at least One Hundred Dollars (\$100.00) per month.

III. ORDER LIMITATIONS

1. This Qualified Domestic Relations Order does not require:
 - a. OPERS to provide any type or form of benefit, or option or survivor benefit not otherwise provided under the Oklahoma Statutes as relating to OPERS;
 - b. OPERS to provide increased benefits to the Member or to the Alternate Payee;
 - c. the payment of benefits to an Alternate Payee which are required to be paid to another Alternate Payee pursuant to another Order previously determined by OPERS

to be a Qualified Domestic Relations Order;

d. the payment of benefits to an Alternate Payee prior to the actual retirement date of the related Member or prior to the date the Member elects to receive a lump sum distribution of his/her retirement account upon withdrawal of OPERS.

2. This Qualified Domestic Relations Order and the provisions contained within are not subject to the provisions of the Employee Requirement Income Security Act of 1974 (ERISA), 29 U.S.C. Section 1001, et seq., as amended from time to time, or any rules or regulations promulgated thereunder, and court cases interpreting said Act.

IV. ADMINISTRATION OF ORDER

1. If either the Member or his/her beneficiary or the Alternate Payee receives any amount of distribution that should have been paid to the other, the recipient is designated a constructive trustee for the amount received and shall immediately transmit such amount back to OPERS or the person to whom the amount should have been paid.

2. The Court retains jurisdiction to enforce, revise, modify or amend this Order insofar as necessary to establish or maintain its qualification as a Qualified Domestic Relations Order; provided, however, neither this Order nor any subsequent revision, modification or amendment shall require OPERS to provide a form or amount of benefits not otherwise provided by OPERS, and any such modifications or amendments to this Order must be approved by OPERS.

V. TERMINATION

1. If the Qualified Domestic Relations Order is for current monthly child support obligations (see 43 O.S. §118A for definition), the part of the Order for payment of current monthly child support shall cease upon the death of the last minor child. If any part of this Qualified Domestic Relations Order is for arrearages owed for child support, the part of the Order for payment of arrearages, or interest on arrearages, shall not cease upon the death of the last minor child.

2. In the event of the death of the Member, this Order shall terminate and the obligation of OPERS to pay pursuant to this Order shall cease.

Dated: _____

JUDGE OF THE DISTRICT COURT

Approved by:

Petitioner/Attorney

Respondent/Attorney

Print Name

Print Name

Address

Address

City State Zip

City State Zip
