

This model QDRO is not intended to provide legal advice to any California Savings Plus participant/alternate payee or anyone else. This model is for general informational purposes only. All participants/alternate payees are advised to consult with a CA licensed attorney to draft a Domestic Relations Order that will accurately reflect any marital or property settlement agreements or court orders that have been entered into.

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF _____**

)	Case No. _____
Petitioner)	
)	
And)	DOMESTIC RELATIONS ORDER
)	
)	
Respondent)	
)	

1. This ORDER creates and recognizes the existence of an Alternate Payee’s right to receive all or a portion of the Participant’s benefits which may become payable under State of California Savings Plus Program Deferred Compensation Plan – 457(b) (the “Plan”) established pursuant to section 457(b) of the Internal Revenue Code of 1986, as amended (“IRC”).
2. The Plan Administrator is the State of California Department of Human Resources, Savings Plus Program.
3. The Administrative Services Provider is Nationwide Retirement Services (“NRS”).
4. The Participant _____, the Alternate Payee, _____, and the Court intend this Order to be a Qualified Domestic Relations Order (“QDRO”) as defined in Section 414(p) of the IRC.
5. The Court has jurisdiction over the parties hereto and the subject matter hereof. This Order is entered pursuant to the authority granted in the applicable domestic relations laws of the State of California.
6. This Order relates to the provision of child support, alimony payments, or marital property rights to a spouse, former spouse, domestic partner, child, or other dependent of the Participant.
7. The Participant and Alternate Payee were husband and wife and were married on _____, _____. The Court entered a Judgment for Dissolution of Marriage in the above case on _____, _____ pursuant to State domestic relations law, thereby ending the marriage of the Participant and Alternate Payee.

8. The name, last known address, social security number, and date of birth of the Participant are:

Name: _____

Address: _____

Social Security Number: _____ (May be provided under separate cover)

Date of Birth: _____ (May be provided under separate cover)

9. The name, last known address, social security number, and date of birth of the Alternate Payee and relationship to Participant are:

Name: _____

Address: _____

Social Security Number: _____ (May be provided under separate cover)

Date of Birth: _____ (May be provided under separate cover)

Relationship to Participant: _____

10. The Alternate Payee shall have the duty to notify the Plan and NRS of any changes in his/her mailing address subsequent to the entry of this Order.

11. This Order awards to the Alternate Payee an amount equal to \$_____ of the Participant's total account balance under the Plan, excluding Participant loans, to be segregated as soon as administratively feasible and transferred to a separate account established in the name of the Alternate Payee.

OR

11(a). This Order assigns to the Alternate Payee an amount equal to _____% of the Participant's total account balance under the Plan, attributable to benefits (select one of the following):

As of _____ [date]

Accrued for the period from _____ [date] to _____ [date],

Select one of the following:

Including outstanding participant loans

Excluding outstanding participant loans

to be segregated as soon as administratively feasible and transferred to a separate account established in the name of the Alternate Payee. Such amount (select one of the following):

Shall be adjusted for gains and losses after _____ [date]

Shall be adjusted for an assumed rate of return of _____% after the valuation date

Shall not be adjusted for gains and losses

To the extent the amount awarded exceeds the Participant's total account balance reduced by any outstanding participant loans, this Order shall be null and void.

12. If the Alternate Payee so elects, he/she shall be paid his/her benefits as soon as administratively feasible following the date this Order is approved as a QDRO by the Administrative Services Provider, or at the earliest date permitted under the Plan or Section 414(p) of the IRC.

13. The Alternate Payee's award amount shall be allocated on a pro-rata basis among all of the Participant's account investments under the Plan excluding Participant loans. Participant loans shall remain solely part of the Participant's account.

14. All amounts in the Participant's account that have not been awarded to the Alternate Payee shall remain in the Participant's account.

15. This Order is not intended, and shall not be construed in such a manner as to require the Plan to provide any type or form of benefit or any option not otherwise provided under the terms of the Plan, or to require the Plan to provide increased benefits determined on the basis of actuarial value or to require the payment of any benefits to the Alternate Payee which are required to be paid to another alternate payee under another order which was previously determined to be a QDRO.

16. In the case of conflict between any of the terms of this Order and the terms of the Plan, the terms of the Plan shall prevail.

17. The Court shall retain jurisdiction with respect to this Order to the extent required to maintain its qualified status. The Court shall also retain jurisdiction to enter such further orders as are necessary to enforce the award of benefits to the Alternate Payee as set forth herein.

IT IS SO ORDERED, this _____ day of _____, 20__.

BY THE COURT:

JUDGE OF THE SUPERIOR COURT

PETITIONER

DATED

ATTORNEY FOR PETITIONER

DATED

RESPONDENT

DATED

ATTORNEY FOR RESPONDENT

DATED