

IMPORTANT INFORMATION CONCERNING THIS MODEL FORM

This is a model Domestic Relations Order for possible use in a domestic relations matter involving the City of Knoxville Employees' Pension System ("Plan"). It may be used in situations where, on the date the QDRO is approved by the City of Knoxville Pension Board, the Member has retired from the City of Knoxville. This form should not be used except upon the advice of counsel. Neither the City of Knoxville Pension Board, nor its attorneys or actuary, make any warranty or representation about the fitness of use of this model for any purpose, compliance with Plan provisions or applicable legal requirements, or tax consequences. Other forms of Domestic Relations Orders, and Domestic Relations Orders with other, additional or modified terms may be acceptable as QDROs. This model was not written for any particular Member or Alternate Payee and no assumption should be made concerning the appropriateness of this model for any particular situation or to accomplish any particular result. The Administrator reserves the right to apply its QDRO Procedure and to make an original determination about the qualified status of any Domestic Relations Order based on this model.

____ CIRCUIT
____ COUNTY

_____)	CASE NO. _____
)	
Petitioner,)	
)	
-vs-)	<u>QUALIFIED DOMESTIC</u>
)	<u>RELATIONS ORDER</u>
)	<u>(All Plans, Shared Interest)</u>
)	<u>(only use with Members who have retired)</u>
_____)	
)	
Respondent.)	

IT IS HEREBY ORDERED AS FOLLOWS:

I. Effect of This Order

This order ("Order") creates and recognizes the existence of the Alternate Payee's right to receive a portion of the benefits otherwise payable to the Member under the City of Knoxville ("Employer") Employees' Pension System (the "Plan"). It is intended to constitute a Qualified Domestic Relations Order ("QDRO") under Section 414(p) of the Internal Revenue Code ("Code"), State law including Tenn. Code Ann. § 26-2-105, the Plan and the Plan's QDRO Procedure.

This Order is directed to the City of Knoxville Pension Board ("Administrator") that administers the Plan on behalf of the Employer. The Order shall be served on the Board's Executive Director, Public Safety Complex
1650 Huron St.
Knoxville, TN 37917.

II. Information Concerning Plan Member and Alternate Payee

(A) The name, last known address and social security number of the Member are:

Name:

Address:

Social Security Number:

- (B) The name, last known address and social security number of the Alternate Payee, who is the Member's former spouse [child or other dependent] are:

Name:

Address:

Social Security Number:

- (C) The Member and Alternate Payee shall have the duty to notify the Administrator in writing of any changes in mailing address subsequent to the entry of this Order.

III. Application of State Domestic Relations Law

This Order is entered pursuant to the authority granted in the applicable domestic relations laws of the State of _____.

IV. Assignment of Benefits to the Alternate Payee

This Order is directed to Employer and assigns to the Alternate Payee an amount equal to ____ % of the Member's monthly retirement benefit under the Plan. Such amount shall be paid to the Alternate Payee beginning in the month following acceptance of this Order as a QDRO at the same time as, in the same form as and for so long as such amount would otherwise have been paid to the Member in the absence of this Order, provided that if the Alternate Payee predeceases the Member, the monthly retirement benefit assigned to the Alternate Payee shall thereafter revert to the Member. The Alternate Payee's monthly benefit shall be subject to cost of living adjustments at the time and in the manner the Member's benefit is adjusted under the Plan.

The monthly benefit payable under the Plan to the Member for any month shall be reduced by the monthly benefit amount paid to the Alternate Payee for that month.

V. Savings Clause

This order is not intended, and shall not be construed in such a manner as to require the Plan:

- (A) to provide any type or form of benefit option not otherwise provided under the terms of the Plan;
- (B) to provide an increased benefit determined on the basis of actuarial value; or
- (C) to require the payment of any benefits to the Alternate Payee that are required to be paid to another Alternate Payee under another order that was previously deemed to be a Qualified Domestic Relations Order.

VI. Certification of Necessary Information

All payments made pursuant to this Order shall be conditioned on the certification by the Alternate Payee and Member to the Administrator of such information as the Administrator may reasonably require from such parties to make the necessary calculation of the benefit amounts contained herein. The Alternate Payee shall provide the Administrator with such necessary or appropriate tax and benefit application forms as may be required by the Administrator.

VII. Continued Jurisdiction

The court reserves jurisdiction in the event that either the Alternate Payee or Member takes affirmative action or inaction to circumvent the provisions of the Order to the detriment of the other party or in the event that the Administrator determines that it is unable to give effect to the terms of the Order as drafted.

SO ORDERED:

DATE

Circuit Judge

APPROVED:

APPROVED:

Attorney for Member

Attorney for Alternate Payee