

# San Diego County Superior Court Rules

---

## APPENDIX J

### Civil Service Retirement System (CSRS) and Federal Employee Retirement System (FERS)

---

#### SUPERIOR COURT OF CALIFORNIA COUNTY OF SAN DIEGO

In re the Marriage of	CASE NO. D
Petitioner:	INTERIM QUALIFIED DOMESTIC
and	RELATIONS ORDER RE:
Respondent:	SURVIVOR BENEFITS

#### **PURSUANT TO THE [STIPULATED] ORDER FOR BIFURCATION OF THE PARTIES' MARITAL STATUS, THE COURT MAKES THE FOLLOWING FINDINGS AND ORDER:**

1. The Plan name and address of the Plan Administrator are as follows:

Name of Plan:  
Plan Administrator:  
Street:  
City/State/Zip:

2. Name, address and Social Security Number of Petitioner/Participant:

Participant:  
Street:  
City/State/Zip:  
Social Security No.: (provide under separate cover)

3. Name, address and Social Security Number of Respondent/Alternate Payee:

Alternate Payee:  
Street:  
City/State/Zip:  
Social Security No.: (provide under separate cover)

4. \_\_\_\_\_ ("Employee") has earned certain benefits under \_\_\_\_\_ the ("Pension Plan") which are the community property of ("Former Spouse") and Employee. Pending a final order of the court, Employee and Former Spouse intend by this Stipulation and Order to provide for the continuation of surviving spouse benefits to Former Spouse.

**San Diego County Superior Court Rules**

---

- 5. This Order is intended to be an Order Acceptable for Processing within the scope of the Code of Federal Regulations governing the CSRS and FERS system of retirement benefits.
  
- 6. If Employee dies before the effective date of Employee's retirement and if Alternate Payee survives Employee, then Former Spouse must be treated by the Pension Plan as a "surviving spouse" of Employee for purposes of any pre-retirement benefit payable to a surviving spouse under the Pension Plan. Former Spouse shall receive all of such pre-retirement survivor benefit.
  
- 7. This Order is effective against any successor(s) or transferee plans of Pension Plan, including any plan(s) into which the Pension Plan is merged.
  
- 8. This Order is effective following the termination of the Pension Plan.
  
- 9. Each party is responsible for and pay any taxes due in connection with his or her receipt of distributions from the Pension Plan.
  
- 10. Upon request, each party must perform any act reasonably necessary to carry into effect the terms of this Order.
  
- 11. The court retains jurisdiction to make such further orders to modify, enforce, clarify or revoke the provisions of this Order. The Pension Plan will not be responsible to inquire into any possible changes in the provisions of this Order, but will act in accordance with the most recent form of the Order which has been provided to the Pension Plan.
  
- 12. Pending further order of the court, the Employee is restrained and enjoined from making any request for commencement of benefits. This Order shall remain in effect with respect to the subject matter hereof until either (i) superseded by a subsequent order dividing the entire community property interest of Employee and Former Spouse under the Pension Plan (inclusive of any survivor benefits) or (ii) vacated by a subsequent order of this court.

APPROVED AS TO FORM:

\_\_\_\_\_

\_\_\_\_\_  
Petitioner

\_\_\_\_\_

\_\_\_\_\_  
Respondent

DATED: \_\_\_\_\_

\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT

(Revised 1/1/2008)