

At a Matrimonial Special Term
of the Supreme Court Part_____,
held in and for the County of
_____ at _____
_____, New York on the
_____ day of _____, 20____.

PRESENT. HON _____
Justice Presiding

STATE OF NEW YORK: County of:

_____,
Plaintiff,
_____,
Defendant.

**DOMESTIC RELATIONS ORDER
INDEX NO. _____
CAL. NO. _____**

This Court having granted a Judgment of Divorce on the _____ day of _____ 20____, by the
HON. _____, and filed in the _____ County Clerk's Office on the _____ day of _____, 20____ and
upon the stipulation entered into by the parties and ratified in open court on the _____ day of _____, 20____ and it
appearing to the court as follows:

1. The parties hereto were formerly husband and wife.
2. This order is made pursuant to the Judgment of Divorce granted on the _____ day of _____ 20____, and filed in
the _____ County Clerk's Office on the _____ day of _____, 20____ ratified in open court on the _____ day of
_____, 20____
3. The parties hereto were married on the _____ day of _____, _____.
4. _____ is hereafter referred to as PARTICIPANT in the New York City Employees' Retirement
System.
5. _____ is hereafter referred to as the ALTERNATE PAYEE in the New York City Employees'
Retirement System.
6. The current and last known mailing address of PARTICIPANT is _____, and
his/her social security number is _____.
7. The current and also known mailing address of ALTERNATE PAYEE is _____, and
his/her social security number is _____.
8. To accommodate the marital property distribution between the parties, it is hereby

ORDERED, that the pension benefits earned by the PARTICIPANT with the New York City Employees'
Retirement System, to the extent to which it has accrued during the marriage is marital property; and it is further

ORDERED, that the Plan Administrator issue separate checks to the PARTICIPANT and the ALTERNATE
PAYEE for their respective interests in the plan at the time the benefits become payable; and it is further

ORDERED, that at such time as PARTICIPANT has retired from and is actually receiving a
retirement allowance from the New York City Employees' Retirement System, the said New York City
Employees' Retirement System, in accordance with the Equitable Distribution Law, and in accordance with
the formula devised in the case of Majauskas v. Majauskas is directed to pay to ALTERNATE PAYEE from
PARTICIPANT'S retirement allowance, _____ percent of a fraction of PARTICIPANT'S monthly retirement
allowance; and it is further

ORDERED, the numerator shall be the total number of months of credit earned from the Participant's date of initial credited service with the New York City Employees' Retirement System or from the parties' date of marriage, whichever is later, up to the earlier of the asset cutoff date of _____ (*insert asset cut-off date or divorce date*), or Participant's actual retirement, and the denominator shall be the total number of months of service credit in the New York City Employees' Retirement System with PARTICIPANT has at the time of retirement. The term "retirement allowance" as used herein, shall be deemed to include any annuity as well as supplemental retirement allowance which is paid by the said New York City Employees' Retirement Systems to PARTICIPANT; and it is further

[Optional] ORDERED, PARTICIPANT is directed to designate the ALTERNATE PAYEE as beneficiary of the New York City Employees' Retirement System pension plan, so that in the event in the PARTICIPANT dies prior to the retirement, the ALTERNATE PAYEE shall receive his/her pro-rata share of any survivor benefits calculated pursuant to the formula herein above set forth, and it is further

[Optional] ORDERED, PARTICIPANT is directed to elect at the time of retirement, assuming the ALTERNATE PAYEE is then living, to receive the retirement allowance pursuant to the terms of Option___ (*insert one of the options under the law for the Participant's tier*) for the purpose of providing the ALTERNATE PAYEE, upon the PARTICIPANT'S death, with a monthly retirement allowance payable pursuant to such option; and it is further

ORDERED, that nothing contained in this Order shall, in any way, require the New York City Employees' Retirement System to provide any form, type or amount of benefit not otherwise available by law; and it is further

ORDERED, that the New York City Employees' Retirement System shall have no obligation or responsibility as a consequence of this action apart from the specific direction contained in this Order; and it is further

ORDERED, in the event of change of address of said ALTERNATE PAYEE, he/she will immediately notify, in writing, the New York City Employees' Retirement Systems, 335 Adams Street, Suite 2300, Brooklyn New York 11201-3751; and it is further

ORDERED, that this Order shall not require the Retirement System to pay any benefits to an ALTERNATE PAYEE, including spouse, which are required to be paid to another ALTERNATE PAYEE; and it is further

ORDERED, that this order is to be deemed appropriate to effectuate the division of the retirement benefits earned by the PARTICIPANT, pursuant to his/her participation in the New York City Employees' Retirement System; and it is further

ORDERED, that this Court retained jurisdiction to implement and supervise the payment of retirement benefits as provided herein should either party or the Plan Administrator make such application, and the Court determines such to be appropriate and necessary.

E N T E R

J.S.C.

GRANTED: _____

COURT CLERK _____