IN THE CIRCUIT COURT OF THE _____ **JUDICIAL CIRCUIT**
_____ **COUNTY, ILLINOIS**

)	
)	No. _____
)	

QUALIFIED ILLINOIS DOMESTIC RELATIONS ORDER

THIS CAUSE coming before the Court for the purpose of the entry of a Qualified Illinois Domestic Relations Order under the provisions of Section 1-119 of the Illinois Pension Code, the Court having jurisdiction over the parties and the subject matter hereof; the Court finding that one of the parties to this proceeding is a member of a retirement system subject to Section 1-119 of the Illinois Pension Code, this Order is entered to implement a division of that party's interest in the retirement system; and the Court being fully advised;

IT IS HEREBY ORDERED AS FOLLOWS:

(I)   The definitions and other provisions of Section 1-119 of the Illinois Pension Code are adopted by reference and made a part of this Order.

(II)   Identification of retirement system and parties:

Retirement System: State Universities Retirement System of Illinois (SURS)
1901 Fox Drive, Champaign, IL 61820

Member: _____
(name)

_____
(residence address)

_____
(Social Security number)

Alternate Payee: _____
(name)

_____
(residence address)

_____
(Social Security number)

The alternate payee is the member's (check one):
☐ current or former spouse   ☐ child or other dependent

Date of Marriage _____   **Date of Divorce** _____

_____   ____ ____
Member's Name

(III)   The Retirement System shall pay the indicated amounts of the member's *retirement benefits* to the alternate payee under the following terms and conditions:

    (A) The Retirement System shall pay the alternate payee pursuant to one of the following methods (complete the **ONE** option that applies):

        (1) $_____ per month (enter amount); OR

        (2) _____% (enter percentage) per month of the marital portion of said benefit with the marital portion defined using the formula in Section IX; OR

        (3) _____% (enter percentage) per month of the gross amount of said benefit calculated as of the date the (check one) ☐ member's   ☐ alternate payee's benefit commences (check alternate payee only if the alternate payee will commence benefits after the member commences benefits, e.g. if the member is receiving retirement benefits at the time this Order is entered).

    (B) If the member's retirement benefit has already commenced, payments to the alternate payee shall commence either (check / complete the **ONE** option that applies):

        (1) ☐ as soon as administratively possible upon this order being received and accepted by the Retirement System; OR

        (2) ☐ on the date of _____ (enter any benefit payment date that will occur at least 30 days after the date the retirement system receives a valid QILDRO, but ONLY if payment to the alternate payee is to be delayed to some future date; otherwise, check item (1) above).

    (C) If the member's retirement benefit has not yet commenced, payments to the alternate payee shall commence as of the date the member's retirement benefit commences.

    (D) Payments to the alternate payee under this Section III shall terminate (check / complete the **ONE** option that applies):

        (1) ☐ upon the death of the member or the death of the alternate payee, whichever is the first to occur; OR

        (2) ☐ after _____ payments are made to the alternate payee (enter any set number) or upon the death of the member or the death of the alternate payee, whichever is the first to occur.

(IV)   If the member's retirement benefits are subject to annual post-retirement increases, the alternate payee's share of said benefits (check one) ☐ shall   ☐ shall not be recalculated or increased annually to include a proportionate share of the applicable annual increases.

_____   ____ ___
Member's Name

(V)   The Retirement System shall pay to the alternate payee the indicated amounts of any *refund upon termination or any lump sum retirement benefit* (*or FOR MEMBERS IN THE SELF MANAGED PLAN ONLY…account balance transfer of member's vested balance to alternate payee*) that becomes payable to the member, under the following terms and conditions:

    (A) The Retirement System shall pay the alternate payee pursuant to one of the following methods (complete the **ONE** option that applies):

        (1) $_____ (enter amount); OR

        (2) _____% (enter percentage) of the marital portion of the refund or lump sum retirement benefit, with the marital portion defined using the formula in Section IX. OR

        (3) _____% (enter percentage) of the gross amount of the refund or lump sum retirement benefit, calculated when the member's refund or lump sum retirement benefit is paid.

    (B) The amount payable to an alternate payee under Section V (A) (2) or V (A) (3) shall include any applicable interest that would otherwise be payable to the member under the rules of the Retirement System.

    (C) The alternate payee's share of the refund or lump sum retirement benefit under this Section V shall be paid when the member's refund or lump sum retirement benefit is paid.

(VI)   The Retirement System shall pay to the alternate payee the indicated amounts of any *partial refund* that becomes payable to the member under the following terms and conditions:

    (A) The Retirement System shall pay the alternate payee pursuant to one of the following methods (complete the **ONE** option that applies):

        (1) $_____ (enter amount); OR

        (2) _____% (enter percentage) of the marital portion of said benefit, with the marital portion defined using the formula in Section IX; OR

        (3) _____% (enter percentage) of the gross amount of the benefit calculated when the member's refund is paid.

    (B) The amount payable to an alternate payee under Section VI (A) (2) or VI (A) (3) shall include any applicable interest that would otherwise be payable to the member under the rules of the Retirement System.

    (C) The alternate payee's share of the refund under this Section VI shall be paid when the member's refund is paid.

_____   ____ ____
Member's Name

(VII)   The Retirement System shall pay to the alternate payee the indicated amounts of any *death benefits* that become payable to the member's death benefit beneficiaries or estate under the following terms and conditions:

    (A) To the extent and only to the extent required to effectuate this Section VII, the alternate payee shall be designated as and considered to be a beneficiary of the member at the time of the member's death and shall receive (complete **ONE** of the following options):

        (1) $_____ (enter amount); OR

        (2) _____% (enter percentage) of the marital portion of death benefits, with the marital portion defined using the formula in Section IX; OR

        (3) _____% (enter percentage) of the gross amount of the death benefits calculated when said benefits become payable.

    (B) The amount payable to an alternate payee under Section VII (A) (2) or VII (A) (3) shall include any applicable interest payable to the death benefit beneficiaries under the rules of the Retirement System.

    (C) The alternate payee's share of death benefits under this Section VII shall be paid as soon as administratively possible after the member's death.

(VIII)   If this Order indicates that the alternate payee is to receive a percentage of any retirement benefit or refund upon receipt of the information required to be provided by the Retirement System under Section 1-119 of the Illinois Pension Code (40 ILCS 5/1-119), the calculations required shall be performed by the members, by the alternate payee, or by their designated representatives or designated experts. The results of the calculations shall be provided to the Retirement System via a QILDRO Calculation Court Order in accordance with Section 1-119 of the Illinois Pension Code.

(IX)   Marital Portion Benefit Calculation Formula (Option to calculate benefit items in III (A) (2), V (A) (2), VI (A) (2), and VII (A) (2). If in this Section "other" is circled in the definition of A, B, or C, then a supplemental order must be entered simultaneously with this QILDRO clarifying the intent of the parties or the Court as to that item. The supplemental order cannot require the Retirement System to take any action not permitted under Illinois law or the Retirement System's administrative rules. To the extent that the supplemental order does not conform to Illinois law or administrative rules, it shall not be binding upon the Retirement System.

    (1) The amount of the alternate payee's benefit shall be the result of (A/B) x C x D where:

        "A" equals the number of years or fraction of years of (check only one) ☐ regular ☐ regular plus permissive ☐ other service that the member accumulated in the Retirement System from the date of marriage _____(enter date MM/DD/YYYY) to the date of divorce _____(enter date MM/DD/YYYY). This number of months of service shall be calculated as whole months after receipt of information required from the Retirement System pursuant to Section 1-119 of the Illinois Pension Code (40 ILCS 5/1-119).

_____   ____ ____
(Member's Name)

"B" equals the number of years or fraction of years of (check only one) ☐ regular   ☐ regular plus permissive   ☐ other service that the member accumulated in the Retirement System from the time of initial membership in the Retirement System through the member's effective date of retirement. The number of months of service shall be calculated as whole months after receipt of information required from the Retirement System pursuant to Section 1-119 of the Illinois Pension Code (40 ILCS 5/1-119).

"C" equals the gross amount of:
    (i) the member's monthly retirement benefit (Section III (A)) calculated as of the member's effective date of retirement (check only one) ☐ including ☐ not including ☐ other permissive service, upgrades purchased, and other benefit formula enhancements;

    (ii) the member's refund payable upon termination or lump sum retirement benefit that becomes payable, including any payable interest (Section V(A)) calculated as of the time said refund becomes payable to the member;

    (iii) the member's partial refund, including any payable interest (Section VI (A)) calculated as of the time said partial refund becomes payable to the member; or

    (iv) the death benefit payable to the member's alternate payee, death benefit beneficiaries or estate, including any payable interest (Section VII (A)) calculated as of the time said benefit becomes payable to the member's beneficiary;

whichever are applicable pursuant to Section III, V, VI, or VII of this Order. This gross amounts shall be provided by the Retirement System pursuant to Section 1-119 of the Illinois Pension Code (40 ILCS 5/1-119).

"D" equals the percentage noted in Section III (A) (2), V (A) (2), VI (A) (2), or VII (A) (2), whichever are applicable.

(2) The alternate payee's benefit under this Section IX shall be paid in accordance with all Sections of this Order that apply.

(X)   In accordance with subsection (j) of Section 1-119 of the Illinois Pension Code (40 ILCS 5/1-119), so long as this QILDRO is in effect, the member may not elect a form of payment of the retirement benefit that has the effect of diminishing the amount of payment to which the alternate payee is entitled, unless the alternate payee has consented to the election in writing, the consent has been notarized, and the consent has been filed with the Retirement System.

(XI)   If the member began participating in the Retirement System before July 1, 1999, this Order shall not take effect unless accompanied by the written consent of the member as required under subsection (m) of Section 1-119 of the Illinois Pension Code (40 ILCS 5/1-119).

(XII)   The Court retains jurisdiction over this matter for all of the following purposes:

(1) To establish or maintain this Order as Qualified Illinois Domestic Relations Order.

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(2) To enter amended QILDROs and QILDRO Calculation Court Orders to conform to the parties' Marital Settlement Agreement or Agreement for Legal Separation ("Agreement"), to the parties' Judgment for Dissolution of Marriage or Judgment for Legal Separation ("Judgment"), to any modifications of the parties' Agreement or Judgment, or to any supplemental orders entered to clarify the parties' Agreement or Judgment.

(3) To enter supplemental orders to clarify the intent of the parties or the Court regarding the benefits allocated herein in accordance with the parties' Agreement or Judgment, with any modifications of the parties' Agreement or Judgment, or with any supplemental orders entered to clarify the parties' Agreement or Judgment. A supplemental order may not require the Retirement System to take any action not permitted under Illinois law or the Retirement System's administrative rules. To the extent that the supporting order does not conform to Illinois law or administrative rule, it shall not be binding upon the Retirement System.

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Judge's Signature

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Date

* certified copy required

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