

## Legal Separation Spousal Consent Waiver

This form is for incorporation into a legal separation court order if the parties agree to waive spousal consent requirements. If no spousal consent is being waived; this form does not need to be included in the court order.

### Section A: Member and alternate payee (AP)/spouse/registered domestic partner (RDP) information

Member name	PERS ID (optional)
AP/spouse/RDP name	

### Section B: Member retirement option and pension beneficiary (check one)

Only complete this section if the member is currently **not** retired.

- ☐ Spousal consent **is** waived. At retirement, the member can select a retirement option and pension beneficiary of their choosing.
- ☐ Spousal consent **is not** waived. *At retirement, the member must obtain spousal consent for the retirement option and beneficiary selection.*

If neither box is selected, or the member is required to obtain spousal consent and does not, the following statutory defaults will be applied to the member's retirement: without spousal consent, a married Tier One/Tier Two member will be retired under Option 3 and a married OPSRP member will be retired under the Half-Survivorship option. Under both plans, the spouse will be the survivorship beneficiary.

### Section C: Member IAP beneficiary (check one)

The section applies to the member's IAP beneficiary designation before, at, and after retirement.

- ☐ Spousal consent **is** waived. The member can designate IAP beneficiaries of their choosing and spousal consent is not required.
- ☐ Spousal consent **is not** waived. *The member must obtain spousal consent to designate a primary IAP beneficiary other than their spouse.*

If neither box is selected, or the member is required to obtain spousal consent and does not, the following statutory default will be applied. Upon the member's death, the member's IAP will be paid to the member's surviving spouse.

### Section D: AP IAP beneficiary (check one)

The section applies to the AP's IAP beneficiary designation before, at, and after retirement.

- ☐ Spousal consent **is** waived. The AP can designate IAP beneficiaries of their choosing and spousal consent (from the member) is not required.
- ☐ Spousal consent **is not** waived. *The AP must obtain spousal consent to designate a primary IAP beneficiary other than their spouse (the member.)*

If neither box is selected, or the AP is required to obtain spousal consent and does not, the following statutory default will be applied. Upon the AP's death, the AP's IAP will be paid to the AP's surviving spouse.