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## Instructions for Tier One/Tier Two and IAP Account (Retired Member) No Award to Former Spouse

The attached form is strictly for Tier One/Tier Two members who have been awarded the full retirement benefits associated with his/her Tier One/Tier Two and/or IAP accounts. The IAP program began January 1, 2004. OPSRP members who have a pension benefit as well as IAP account are addressed on a different form.

When used in this form, the term ‘former spouse’ refers to the former wife, former husband, or other person whom the court order treats or directs PERS to treat the same as a spouse.

### General information

- The [divorce forms online](#) are PDF fill-in forms. You can also complete a hard copy. Once completed, print the form and attach as an exhibit to your court order.
- Type or print clearly in dark ink. Illegible forms could be returned, which could delay the request.
- Do not change anything on the form; alterations could void the form.
- Attach the Tier One/Tier Two and IAP Account (Retired Member) No Award to Former Spouse form as an exhibit to the court order, and submit to the courts. Send the final filed court order to PERS.

### Section A: Member and former spouse information (Type or print clearly in dark ink.)

- Enter the member’s full name.
- Enter the member’s PERS number, the last four digits of the Social Security number, or a date of birth.
- Enter the former spouse’s full name.

### Section B: Non-survivor Option 1, Refund Annuity, 15-Year Certain, Lump-Sum Option 1, or Lump-Sum installments

This section is strictly for members who chose a non-survivorship Option 1, Refund Annuity, 15-Year Certain, Lump-Sum Option 1, or Lump-Sum installments.

Check the box to indicate the member retains his/her retirement benefit.

If the former spouse does **not** retain a beneficiary interest in the member’s account, submit an updated [PERS Tier One/Tier Two Pre-Retirement Beneficiary Designation form](#). PERS will comply with the most recent beneficiary designation form on file when determining the beneficiary for the member’s Tier One/Tier Two account.

### Section C: Survivor Options 2, 2A, 3, 3A, Lump-Sum Settlement Options L2, L2A, L3, L3A

This section is strictly for members who chose a survivorship option 2, 2A, 3, 3A, Lump-Sum Settlement Options Lump-Sum 2, Lump-Sum 2A, Lump-Sum 3, or Lump-Sum 3A.

Check box C1 to indicate the member retains his/her retirement benefit.

Check box C2 to indicate the member is restricted from changing his/her benefit to an Option 1 (popup) due to divorce.

### Section D: IAP account retained by member

Check the box to indicate the member retains his/her entire remaining IAP account.

**See reverse side for important beneficiary information.**

## **Beneficiary change information**

### **Request to Change Survivor Beneficiary**

Per ORS 238.465(2)(d), PERS can only change a survivor beneficiary after retirement due to divorce if the current beneficiary is the ex-spouse and the ex-spouse has been awarded an interest in the member's retirement benefits.

### **Popup to Option 1**

A member who elected Option 2A, 3A, Lump-Sum 2A, or Lump-Sum 3A may change his/her benefit to an Option 1 benefit (popup) due to divorce pursuant to ORS 238.305(6) unless restricted by court order.

### **Request to change benefit option to Option 1A**

A member who elected Option 2A, 3A, Lump-Sum 2A, or Lump-Sum 3A must submit a written request to change his/her benefit to an Option 1. Once PERS receives written request to popup to an Option 1 benefit, PERS will recalculate the member's retirement benefit effective on the first of the month following the entry of the divorce judgment, providing the member is not restricted by this form from changing his or her benefit to an Option 1 benefit.

The Option 1 benefit is a straight life annuity for the life of the member with no survivor option or death benefit. All benefits cease at the member's death.

### **Beneficiary Information on IAP account**

If the member has not received a benefit from his/her IAP account the member should provide PERS with an [IAP Pre-Retirement Designation of Beneficiary Packet](#) to change the beneficiary designation on the IAP benefit account. If the member is receiving installment payments, the member should provide PERS with an [Individual Account Program \(IAP\): Retirement Designation of Beneficiary Packet](#).

Should the member die without submitting this designation form, the order of distribution is in accordance with statute: to surviving spouse or to the constitutional equivalent of a surviving spouse, to the surviving children, or to the member's estate. PERS will comply with the most recent beneficiary designation form on file when determining the beneficiary for the member's IAP account.



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## Tier One/Tier Two and IAP Account (Retired Member) No Award to Former Spouse

This form is strictly for members with Tier One/Tier Two and IAP accounts who have been awarded their accounts in entirety.

### Section A: Member and former spouse information (Type or print clearly in dark ink.)

Member's full name	Please provide <b>one</b> of the following for the member: PERS number _____
Former spouse's full name	Social Security number _____ Date of birth _____

### Section B: Non-survivor Option 1, Refund Annuity, 15 Year Certain, Lump-Sum Option 1, or Lump-Sum installments

Member is awarded his/her Tier One/Tier Two retirement benefits.

### Section C: Survivor Options 2, 2A, 3, 3A, Lump-Sum Settlement Options L2, L2A, L3, L3A

C1.  Member is awarded his/her Tier One/Tier Two retirement benefits.

C2.  Member elected Option 2A, 3A, L2A, L3A, and member is restricted from changing his/her option to an Option 1 benefit pursuant to ORS 238.305(1) due to divorce.

### Section D: IAP Account retained by member

Member is awarded his/her current IAP account and future retirement benefits.