

NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION

_____ COUNTY

____-CVD-____

| | |
|------------|---|
| _____ |) |
| Plaintiff, |) |
| |) |
| v. |) |
| |) |
| _____ |) |
| Defendant. |) |

COMPLAINT FOR QDRO

NOW COMES Plaintiff, complaining of Defendant, and says as follows:

1. Plaintiff is a citizen and resident of _____ County, North Carolina and has been for more than six months next preceding the filing of this complaint.
2. Defendant is a citizen and resident of _____ County, North Carolina.
3. Plaintiff and Defendant were lawfully married to each other on _____, _____, and were separated on _____, _____.
4. During their marriage and before their separation, the parties acquired certain property and debt that is “marital” within the meaning of N.C.G.S. § 50-20, including certain vested retirement benefits held in Defendant’s name in _____ [*name of retirement plan*].
5. The parties have executed a Separation and Property Settlement Agreement providing for a division and distribution of Defendant’s _____ retirement benefits described in paragraph 4 above and providing for the entry of a Qualified Domestic Relations Order (QDRO) by this Court to effectuate the division and distribution of those retirement benefits.
6. Plaintiff hereby makes application to the Court for an equitable distribution to the extent necessary to enter a QDRO regarding Defendant’s _____ retirement benefits.

WHEREFORE, Plaintiff prays that the Court:

1. Take jurisdiction over the matter of equitable distribution to the extent necessary to enter a Qualified Domestic Relations Order dividing Defendant's retirement benefits in conformity with the parties' Separation and Property Settlement Agreement; and
2. Grant unto Plaintiff such other and further relief as the Court deems just and proper.

This the _____ day of _____, 20__.

By: _____

Attorney for Plaintiff

_____, North Carolina _____

Telephone: (____) ____ - ____

* * * * *

STATE OF NORTH CAROLINA

VERIFICATION

COUNTY OF _____

Plaintiff, _____, first being duly sworn, deposes and says that s/he is the Plaintiff herein; that s/he has read the foregoing Complaint and knows the contents thereof, and that the same is true of her/his own knowledge, except as to the matters therein stated upon information and belief, and as to those s/he believes them to be true.

Client

Sworn to and subscribed before me this
the _____ day of _____, 20__.

Notary Public

My Commission Expires: _____

