

WORKSHEET FOR ORDERS DIVIDING MILITARY RETIRED PAY
(Doc No. 403681, Rev 02/28/08)

THIS WORKSHEET WAS COMPLETED BY: _____

PHONE NUMBERS:

Home: _____

Work: _____

Cell Phone: _____

Email: _____

INSTRUCTIONS: Provide as much of the requested information as possible. If you do not know the answer or understand the question, leave it blank and someone will call you if the information is critical to preparing the Order. Supply as many of the documents as requested. **IF COMPLETING THE FORM “BY HAND” PLEASE BE NEAT.**

1. Provide the style (caption) of the case, to include the Parties’ Names, Court, County, State, Case or Civil Action Number. (This information is on the first page of your Final Judgment and Decree of Divorce.):

2. Is the division of Military Retired Pay based upon: (circle):

Consent Order or Divorce Settlement Agreement

If a Court Order, is it based upon: (Jury) (Judge’s) Verdict?

3. Identify the Spouse WHO WAS/IS IN THE ARMED FORCES as being which? (circle):

Plaintiff or Defendant WHO IS Husband or Wife

4. Date of parties (this) marriage (Month/Day/Year): ____/____/____

5. Date of Parties Divorce (Month/Day/Year): ____/____/____

6. Total Number of **months** the parties were married: _____.

7. What is the number of **months** the parties were married that occurred while the Service Member *was in military service or was earning Retirement Credit Points*: _____

8. Information on the Former Spouse (Party Married to the Service Member):

- a. Full Legal Name: _____
(First) (Middle) (Last) (Maiden???)
- b. Social Security Number: _____
- c. Age: _____ Date of Birth: _____ (Month/Day/Year)
- c. Present Mailing Address: (Street/PO Box, City, State, Zip Code):

- d. Phone Number: _____
- e. County and State of Legal Residence:
_____/_____

9. Information on the Spouse who is the Service Member:

- a. Full Legal Name: _____
(First) (Middle) (Last) (Sr., Jr., II, etc.)
- b. Branch of Military Service (Specify if in the Reserves or National Guard):

(Example: USAF, USMC, US Army, USAF Reserves, Georgia Air National Guard) (US Public Health Service)
- c. Age: _____ Date of Birth: _____ (Month/Day/Year)
- d. Social Security Number: _____
- e. Please indicate the Service Member's (Present) (Retired) military rank/grade:
_____/_____ (e.g., Lt. Col./ 0-5).
- f. Please provide the number of Years of Credible Service he/she now has for purposes of retirement: _____ (e.g., E-7, over 19 years).
- g. County and State of Legal Residence: _____

h. Present Mailing Address: (Street/ PO Box, City, State, Zip Code)

Phone Number: ()

10. What is the date the Military Member entered military service (Month/Day/Year):
_____/_____/_____ (This may appear on either a DD Form 214 as the “Initial/
Entry Date of Service; or, on the Leave and Earnings Statement as the Pay Entry Base Pay
Date (PEBD)).

11. Will the Service Member be eligible to retire with 20 years of active military service after
February 2001? (Yes) (No)

12. If the Service Member is still on active duty or in the Reserve Component and has not yet
reached the 16 year point in their career, do they intend to take a REDUX Career Status
Bonus (CSB) in exchange for reduced retirement benefits? (Yes) (No).

13. If the Service Member **has already retired**, please state the date of the retirement as it
appears in their Retirement Orders or DD Form 214 (Discharge Certificate from the Armed
Forces):

Date: (Month/Day/Year): _____/_____/_____.

Please attach a copy of the DD Form 214 to this Worksheet

14. Were there any significant “breaks” in their military service? (Yes) (No)

If yes, please specify each and every period the Service Member was not in
military Service:

15. If the Military Member has not yet retired, please state which of the following Military
Retirement Plans the Military Member is under? (This appears on the most recent Military
Leave and Earning Statement). **(Circle One):**

- a. Determined upon **Final Base Pay** (Entered Service **before**: Sept 8, 1980)
- b. Determined upon **“High 3”** (Entered Service **after** September 8, 1980)
- c. **REDUX** (A CSB (career status bonus) has been elected)
- d. **CHOICE** (No CSB bonus has yet been elected)

16. At any time during the Military Member's career, was he granted a **Variable Separation Incentive (VSI)**. (Yes) (No)

If yes, attached a copy of the VSI contract and provide a detailed history of the payments.

17. Have the parties stipulated to a "cut off" or "Valuation Date" that is other than the date a Final Decree of Divorce is/will be entered? If so, what is that date and what does it represent?

CUT-OFF/VALUATION DATE IS: _____
MM/DD/YYYY

AND, REPRESENTS WHAT EVENT: (Circle One)

- a. The Date of the Entry of the Final Decree of Divorce;
- b. The Date of the Filing of the Complaint of Divorce;
- c. The Date of the Parties Separation;
- d. The Date of a Settlement Conference or Mediation; or
- e. Just a date agreed upon by the parties.

18. If the Military Member is NOT under the FINAL BASE PAY Retirement System, and depending upon how the parties have decided to divide the Military Retired Pay, a "**Retirement Base Pay**" may need to be computed or stipulated to by the parties. This is expressed as a "monthly amount" and can not exceed the Base Pay entitlement of the Military Member. (Circle and Complete One of the Following:)

- a. Please use the DoD Pay Table Base Pay amount for the Rank and years of service (stated in paragraph 9 e. & f., above) that was in effect on the Valuation Date (Question 17).
- b. The Retired Pay Base is stipulated by both parties to be: \$_____/month.
- c. The Military Member's "High 36" months that preceded the Valuation Date was determined to be \$_____/month using the Base Pay data appearing in the Attached "High 3 Determination" **that the Military Member has completed and attached to this Worksheet. (The Military Member must certify under oath that the data is true and correct. Failure to do so may result in the Pension Division Order being set aside.)**

19. If the Military Member is still serving on active duty and has not yet retired, how many months of creditable military service has he/she completed as of the "Valuation Date"?"

_____ months

20. **FOR ALL RESERVISTS AND NATIONAL GUARDSMEN;** Attach the MOST RECENT copy of the Service Member's "Statement of Service for Reserve Retirement," Official Print Out, or other form that shows the Total Reserve Points earned over their career.

21. For Reservists and National Guardsmen: Please state what is your belief as to the number of Reserve Retirement Credit Points that were accumulated during the period of the marriage, which would be the "Date of the Marriage" through the Valuation Date (established in Question 17.)

Points Earned During Marriage: _____

22. Were any Retirement Credits earned before the parties were married? If so, how many?

Points Before Marriage: _____.

23. If now retired, what are the total Retirement Points accumulated over the military career and upon which Military Retired Pay will be based: _____

24. Has the Military Member at any time during military service or afterwards been considered as "disabled" due to any "service connected illnesses or injuries"? (Yes) (No)

a. At any time in the past, has the Military Member been placed on the Temporary Disability Retirement List (TDRL) (Yes) (No)

If yes, state the time, and circumstances of the disability:

b. If now retired, did the Military Member receive Military Disability Retirement? (Yes) (No)

If yes, state the nature of the injury or illness that led to the determination of disability, and what was the percent of disability that was determined:

c. Has the Military Member ever filed for **Veteran's Administration Disability Compensation**? (Yes) (No)

If yes, state the nature of the injury or illness; when the Application to the Veteran's Administration was made; and, what was the disability rating that was determined:

d. If the Military Member is now receiving Veteran's Disability Compensation, please state:

- i. What was the percentage of the Rating: _____%
- ii. How much Military Retired Pay is waived each month in order to receive VA Disability Compensation: \$_____
- iii. Has the Military Member also applied for, or is receiving:

_____ Combat Related Special Compensation (CRSC)

_____ Concurrent Retired Disability Pay (CRDP)

25. As part of any previous legal action, has the Military Member's Military Retired Pay been divided by Court Order or Agreement? (Yes) (No)

If yes, please provide the details and attach a copy of the prior court action (i.e., Final Decree of Divorce, Settlement Agreement, or Pension Division Order) that divided your Military Retired Pay.

26. Does/Did the Service Member participate in the Uniformed Services Thrift Savings Plan (TSP)? If so, please state the balance in the TSP Account and attach a copy of his/her most recent TSP statement.

TSP Balance Amount: \$_____

27. If the Service Member was retired *at the time of the divorce*, was the Former Spouse covered under the **Survivor Benefit Plan** at the time of the Service Member's retirement? (Yes) (No)

If yes, what was the "Base Amount" of the SBP? \$_____ (NOTE: (By attaching a copy of the Military Member's Retired Pay Statement, (DFAS-CL Form 7220/148), it will answer this question and provide all of the necessary information.)

28. If the Military Spouse is a Reservist or National Guardsman, has he/she received a "20 Year Letter" advising them they are eligible to be moved to the Retired Reserve List? (Yes) (No).

29. If the Military Spouse is a Reservist or National Guardsman, has he/she made a Reserve Component – Survivor Benefit Plan election (i.e., Options A, B, C?) (Yes) (No)

If YES, state which option was selected: Option _____.

(Attach a copy of both the 20 Year Letter and RC-SBP Election Statement to this Worksheet.)

30. If the Service Member is still on active duty or still active in the Reserve Component, attach a copy of the Service Member's **most recent** Leave and Earnings Statement.

31. State what the language is in the parties' (Agreement) or (Order) on how the military retired pay will be divided:

32. Do the parties intend for the Former Spouse to receive the same Cost of Living Adjustments as does the Service Member: (Yes) (No)

33. Is the Service Member now working in the Federal Civil Service? (Yes) (No). Is there a likelihood he/she will attempt to combine his/her Military Service with Civil Service time for an enhanced Civil Service Retirement: (Yes) (No) Has the Former Spouse signed a waiver to permit combination of Military with Civil Service time? (Yes) (No)

34. Provide the name and mailing address of the Opposing Counsel (if one is involved):

Name: _____
Address _____

Phone: (_____) _____

35. **Attach the following documents to this worksheet:** Should any of these documents not be available to you, your attorney may need to obtain them by use of Discovery or by Subpoena to Produce Documents. **PLEASE PROVIDE AS MANY OF THESE AS POSSIBLE.**

- A. (____) Copy of Caption of the Case showing the Court and Case Number and parties
- B. (____) Military Spouse's DDForm 214 if he/she has retired
- C. (____) Copy of Active Duty or Reserve Component Leave and Earnings Statement
- D. (____) Copy (front and back) of Military Retired Pay Leave and Earnings Statement (DFAS-CL Form 7220/148)
- E. (____) Copy of Variable Separation Contract and history of VSI payments
- F. (____) If Service Member is a Reservists or National Guardsmen, provide a copy of "20 Year Letter" if it has been issued

- G. (____) If Service Member is Reservist or National Guardsman and has received “20 Year Letter”, provide copy of Reserve Component – Survivor Benefit Plan Election indicating which Option (Options A, B, C) was selected.
- H. (____) Copy of Marriage Certificate
- I. (____) Copy of Final Decree of Divorce (if one has been entered) showing date of filing; and copy of any Settlement Agreement.
- J. (____) Copy of Service Member’s TSP Account Balance (if any).
- K. (____) If Service Member is Reservists or National Guardsman, provide copy of Record of Credible Retirement Points (Points Summary Sheet).
- L. (____) If the Military Spouse has been awarded VA Disability, provide a copy of his/her Disability Compensation Determination Letter.
- M. (____) Determination of “High 3” Base Pay Average for “Retired Pay Base.”

**SPREADSHEET FOR DETERMINING THE HIGH 3
RETIRED PAY BASE**

INSTRUCTIONS: This is a simple process, but does require a little time and research to complete. What is to be determined is the “high 36 month average” of the Military Member’s monthly Base Pay “starting from the Valuation Date (See Question 17 of the Worksheet) and going back 35 months. (So the “36th month” will be the month of the Valuation Date.) Pay data may be available from old LES Statements (if they were kept), or from accessing the DoD Pay Tables at <http://www.dfas.mil/militarypay/militarypaytables.html> as far back as 1949 and current as of today. *When going back, keep in mind such things as increases in pay due to promotions and years of service increases in the pay table.* Be certain to include in the table, or in a statement at the bottom of the table (where certification occurs), the effective dates of promotions and increases due to longevity of service.

Number of Month	Date (MM/DD/YYYY)	Amount of Base Pay
36 th (Valuation Date):		
35 th		
34 th		
33 rd		
32 nd		
31 st		
30 th		
29 th		
28 th		
27 th		
26 th		
25 th		
24 th		
23 rd		
22 nd		
21 st		

20 th		
19 th		
18 th		
17 th		
16 th		
15 th		
14 th		
13 th		
12 th		
11 th		
10 th		
9 th		
8 th		
7 th		
6 th		
5 th		
4 th		
3 rd		
2 nd		
1 st		
	XXXXXXXXXXXXXXXXXXXX	
TOTAL FOR ALL 36 MONTHS		
TOTAL ÷ 36 = (Average)	XXXXXXXXXXXXXXXXXXXX	

CERTIFICATION OF ACCURACY AND COMPLETENESS

I, _____, do hereby state under oath that the forgoing table and the information contained therein is true and correct. I understand it may be relied upon in determining my Retired Pay Base and for dividing my military retirement as part of my divorce.

I state that I have used the following source for information on my pay history (Initial in the blank besides those that apply:

_____ A. Actual Leave and Earnings Statements, which I will make available upon request by either party or by Mr. Camp in preparing the Military Pension Division Order.

_____ B. DoD Pay Tables found at <http://www.dfas.mil/militarypay/militarypaytables.html> for the months and years appearing in the forgoing spreadsheet, and with the following notable changes in my pay entitlement due to promotions and longevity of service:

I make the forgoing statement under oath and penalty of perjury.

So stated this _____ day of _____, 20__.

Personally before me, a notary public, did appear _____, who in my presence on the _____ day of _____, 20__ was sworn and did execute this certification of information contained in the forgoing spreadsheet.

Notary Public (Seal)