STATE OF SOUTH DAKOTA } IN CIRCUIT COURT
} **SS.**
COUNTY OF _____ } _____ JUDICIAL CIRCUIT

_____, Plaintiff,	DIV _____
VS.	**QUALIFIED DOMESTIC RELATIONS ORDER FOR MILITARY PENSION**
_____, Defendant	

SAMPLE

This order is entered this ___ day of ___, 20__ [after a hearing] [by stipulation of the parties]. This order is intended to divide a service member's Disposable Retired Pay as that term is used in the Uniformed Services Former Spouses Protection Act, 10 U.S.C. Section 1408, and to grant the service member's former spouse a survivor benefit plan.

1. *Parties.* The names and last known mailing addresses of the parties are: Service Member: _____ *(name),* United States [Army,] _____ *(address),* Social Security Number _____ ("Service Member"). Former Spouse: _____ *(name)* _____*(address)* ,social security number_____ ("Former Spouse").

2. *Jurisdiction.* This court has jurisdiction over the Service Member sufficient to divide his military retired pay due to [his residence, other than because of military assignment] [his domicile in the territorial jurisdiction of the court] or [his consent to the jurisdiction of the court].

3. *Soldiers' and Sailors' Civil Relief Act.* The Service Member [who was represented by counsel in this proceeding] [expressly waived his rights under the Soldiers' and Sailors' Civil Relief Act of 1940, as amended].

4. *Relationship of Former Spouse to Service Member.* The Former Spouse is the former spouse of the Service Member.

OPTIONAL ADDITIONAL CLAUSES:

4A. The Former Spouse and the Service Member were married on _____, 20__; separated on _____, 20__; and were divorced by this Court in this action on _____, 20__. The Service Member entered active duty on _____, 20__ and is still on active duty on the date of this order.