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## SPOUSAL CONSENT FORM – Judicial /Magistrate Retirement

Instructions: Please print or type in dark ink. The original of this form must be completed in its entirety and returned to PERA for processing. Required Fields are in **BOLD ITALICS**. Additional instructions are on the back.

**No correction fluid will be allowed on this form.**

### SPOUSE'S INFORMATION AND NOTARIZATION – In The Presence Of A Notary

I, \_\_\_\_\_, spouse of  
**(Spouse's Name)** (please print)  
\_\_\_\_\_ consent to his/her decision to name  
**(Retiree's Name)** (please print)  
\_\_\_\_\_ as his/her survivor beneficiary.  
**(Beneficiary's Name)** (please print)

I understand that I am relinquishing my option to be named as my spouse's survivor beneficiary and I hereby consent to my spouse's decision to name the individual shown above as the survivor beneficiary.

\_\_\_\_\_  
**Date**  
State of New Mexico )  
County of \_\_\_\_\_ ) SS:  
Signed and sworn to (or affirmed) before me by \_\_\_\_\_ on this the \_\_\_\_\_ day of  
**(Spouse's Name)** (please print)  
\_\_\_\_\_, \_\_\_\_\_.  
My Commission Expires \_\_\_\_\_  
Notary Public Telephone No \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Notary Signature \_\_\_\_\_

### NOTARIZATION OF RETIREE'S SIGNATURE – In The Presence Of A Notary

\_\_\_\_\_  
**Signature of Retiree**  
**Retiree's Social Security Number or PERA ID Number**  
\_\_\_\_\_  
**Retiree Name** (please print) **Date**  
State of New Mexico )  
County of \_\_\_\_\_ ) SS:  
Signed and sworn to (or affirmed) before me by \_\_\_\_\_ on this the \_\_\_\_\_ day of  
**(Retiree's Name)** (please print)  
\_\_\_\_\_, \_\_\_\_\_.  
My Commission Expires \_\_\_\_\_  
Notary Public Telephone No \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Notary Signature \_\_\_\_\_

**No** correction Fluid will be allowed on this form. **INSTRUCTIONS ON BACK** September 2015

PERA Rule 2.83.700.10.B (3)NMAC requires that the retiring member provides PERA with court endorsed copies of all divorce orders and marital settlement agreements entered after the first PERA membership application is filed.

The member should return the completed Application for Pension with all required documentation to PERA at least sixty (60) calendar days prior to the selected date of retirement. If the member does not specify a form of payment prior to their retirement date, the retirement application will be processed according to NMSA 1978, Section 10-12B-14(2003). This section of the state statute requires that unless a member has designated a survivor beneficiary other than the member's spouse, a survivor pension shall be paid for life to a member's or retired member's spouse. The survivor's pension is equal to seventy-five (75) percent of the member's pension.

## INSTRUCTIONS FOR COMPLETING THE SPOUSAL CONSENT FORM

No correction fluid will be allowed on this form.

**DO NOT** fill out this Spousal Consent Form if you are naming your spouse as your beneficiary. Your spouse is automatically designated as your survivor beneficiary unless you name someone other than your spouse and your spouse agrees to the designation.

**CONTINUE** if you are designating a beneficiary other than your spouse.

- Step 1            The retiree's spouse must complete, date and sign this document in the Spouse's Information and Notarization section in front of a notary public.
- Step 2            Your spouse prints his/her name in the first space designated "spouse's name."
- Step 3            Your spouse prints your name in the second space designated "retiree's name."
- Step 4            Your spouse prints the name of the agreed upon beneficiary in the space designated "beneficiary's name."
- Step 5            Your spouse must sign and date this document in front of a notary public.
- Step 6            The following must be filled in by the notary public:
  - ❖ The notary public must write down in which county they are signing the document.
  - ❖ The notary must print your spouse's name in the space designated "spouse's name."
  - ❖ The notary must fill out the complete date.
  - ❖ The notary must fill in his/her term expiration date.
  - ❖ The notary must either imprint or stamp this document.
  - ❖ The notary must sign his/her name in the space designated "Notary Signature."
- Step 7            The retiree must sign and date this document in the Notarization of Retiree's Signature section in front of a notary public.
- Step 8            The following must be filled in by the notary public:
  - ❖ The notary public must write down in which county they are signing the document.
  - ❖ The notary must print your name in the space designated "retiree's name."
  - ❖ The notary must fill out the complete date.
  - ❖ The notary must fill in his/her term expiration date.
  - ❖ The notary must either imprint or stamp this document.
  - ❖ The notary must sign his/her name in the space designated "Notary Signature."