

DRAFTING REQUEST FORM

Use this Drafting Request Form to request the preparation of any domestic relations order (DRO), including a Qualified Domestic Relations Order (QDRO), Division of Property Order (DPO), Court Order Acceptable for Processing (COAP), Thrift Savings Plan Order, IRA Order, or other necessary order.

Domestic Relations Order (DRO) Select Qty: 1 2 3 4 = Total \$ _____
(One DRO is \$375 and each additional DRO is \$275, i.e., \$100 off)

Military Retired Pay Division Order _____ = Total \$ _____
(This section will autopopulate to \$400 if a Military Retired Pay Division Order is requested in addition to a DRO.)

Pre-approval:

If permitted by plan, indicate whether QDRO Partners should submit an initial draft of the DRO(s) to the plan administrator for pre-approval. Yes No *(Note: the pre-approval process adds additional time as QDRO Partners awaits a response from the Plan)*

CASE INFORMATION

1. Requesting Attorney Information

Represents: Plan Participant Alternate Payee/Former Spouse
 Name: _____
 Mailing Address: _____
 Email: _____
 Send a courtesy copy of the draft order to opposing counsel? Yes No

2. Opposing Counsel Information (if any)

Name: _____
 Mailing Address: _____
 Email: _____

3. Participant (Employee) Information

If multiple orders are requested, and if this party is not the participant on all orders, please indicate as such on the following pages.
 Name: _____
 Mailing Address: _____
 Social Security Number: _____ Date of Birth: _____

4. Alternate Payee / Former Spouse Information

Name: _____
 Mailing Address: _____
 Social Security Number: _____ Date of Birth: _____

5. Information on Marriage and Divorce

Date of Marriage: _____ Date of Divorce: _____

Date for Assignment (if different than Date of Divorce): _____

County and State of Divorce: _____

6. Documents:

Please provide any and all of the following documents in your possession:

Divorce decree/separation agreement

Limited Authorization form

Account statement/annual benefits statement

The plan's QDRO Procedures/Summary Plan Description

DRAFTING REQUEST #1

Name of Participant's Employer: _____

Name of Plan: _____

Name, email and phone number of HR Representative or Plan Administrator:

Is the participant presently employed/accruing benefits under the Plan? Yes No

Is the retirement benefit in pay status (is the participant presently receiving the benefit)? Yes No

Does this request involve a military pension or federal pension under FERS or CSRS? Yes No *If yes, please see page 3 (Federal Retirement or Military Retired Pay Addendum) to complete additional information.*

DRAFTING REQUEST #2 *Please check the following box if the Participant listed on Page 1 is the Alternate Payee under this request.*

Name of Participant's Employer: _____

Name of Plan: _____

Name, email and phone number of HR Representative or Plan Administrator:

Is the participant presently employed/accruing benefits under the Plan? Yes No

Is the retirement benefit in pay status (is the participant presently receiving the benefit)? Yes No

Does this request involve a military pension or federal pension under FERS or CSRS? Yes No *If yes, please see page 3 (Federal Retirement or Military Retired Pay Addendum) to complete additional information.*

For additional requests, please make a copy of this page or attach a separate sheet including the same information.

Additional Directives/Comments for Drafting Requests?

Please include any additional information that may not be clear in the divorce decree/separation agreement.

401(k) Plans: For a 401(k) or other defined contribution plan, indicate (1) whether investment interest and gains and losses shall be included, (2) if a percentage is assigned, whether a pending loan should be excluded (therefore reducing the amount to be transferred), and (3) any other directives.

Pension Plans: For a defined benefit pension plan, indicate (1) whether the traditional coverture approach or frozen benefit approach should be utilized, (2) whether the Separate Interest or Shared Payment approach should be utilized (must be Shared Payment if the plan is a government pension or if a pension is in pay status), and (3) any other directives.

FEDERAL RETIREMENT PENSION ADDENDUM

ONLY COMPLETE THIS SECTION IF THE BENEFIT INVOLVES THE FEDERAL EMPLOYEES' RETIREMENT SYSTEM (FERS) OR CIVIL SERVICE RETIREMENT SYSTEM (CSRS)

Amount of Assignment

- Traditional Coverture Approach (50% of Marital Portion of the Participant's Self-Only, unreduced Monthly Annuity determined as of the Participant's date of retirement).
- \$_____ from Employee Annuity Upon Retirement

Refund of Employee Contributions: In the event the Employee separates from federal service and requests a refund of Employee contributions, the Former Spouse shall receive which of the following:

- A Prorata Share
- Nothing (Former Spouse also then relinquishes any employee annuity and survivor annuity)
- Bar payment of refund to the Employee

If Former Spouse Predeceases Employee, the Office of Personnel Management (OPM) is directed to pay the Former Spouse's share as follows: To Former Spouse's Estate Back to Employee

Former Spouse Survivor Annuity

- Include Former Spouse Survivor Annuity Protection for Former Spouse as follows:
- Pro Rata Share Maximum Possible
- Do not Include Former Spouse Survivor Annuity Protection. Former spouse will not receive any benefits upon Employee's death.

Include Cost-of-Living Adjustments: Yes No

MILITARY RETIRED PAY ADDENDUM

ONLY COMPLETE THIS SECTION IF THE BENEFIT INVOLVES MILITARY RETIRED PAY

The Service Member's Present Status: Active Reservist Retired
Branch of Service: Army Navy Air Force Marines Coast Guard

10/10 Rule: Was the former spouse married to the member for a period of at least ten years during which the member performed at least ten years of service creditable toward retirement eligibility?: Yes No

Amount of Assignment

Not Retired

- Frozen Coverture (50% of Marital Portion)
- If Active, number of months of the Member's creditable military service in the Plan earned during the marriage: _____ and the total number of months at divorce: _____
- If Reservist, number of Points of the Member's creditable military service in the Plan earned during the marriage: _____ and the total number of months at divorce: _____ (or provide a Points Record)
- The Member's High 36: _____. Input this amount or provide the Member's Leave and Earnings Statement (LES) as of the valuation date, preferably all 36 months of LES leading up to the valuation date.

Retired

- Fixed Dollar: \$_____ from Military Retired Pay Upon Retirement
- Percentage: _____% of Military Retired Pay upon Retirement (not to exceed 50%).

Please note, the passage of federal law in 2016 changed the nature of military pension division and what the MRPDOs must include.

The effect of this new law is that DFAS will only pay the ex-spouse a share of the military member's retired pay as it hypothetically existed on the day of divorce (or as it existed on a retroactive valuation date), i.e. frozen benefit.

Survivor Benefit Plan (SBP) Protection for Former Spouse

- Include Former Spouse Survivor Benefit Plan (SBP) Protection for Former Spouse as follows:
- Alternate Payee's Assigned Portion Maximum Possible
- Do not Include Former Spouse Survivor Benefit Plan (SBP) Protection for Former Spouse. Former spouse will not receive any benefits upon Member's death.

Include Cost-of-Living Adjustments (COLA) on the Former Spouse's Share: Yes No

Note: May only utilize COLA language when Former Spouse is assigned a **percentage** of the pension benefits.

- If there are any special directives, please include in a cover letter or via email to ben@qdropartners.com.
- Payment in full must be made prior to the commencement of any work. No additional fee to correct an order that is denied by the plan administrator so long that it is timely returned.
- QDRO Partners is only providing drafting and consulting services for domestic relations orders and does not provide legal advice or services. We do not represent individual clients and the use of our QDRO-drafting service does not create a client-lawyer relationship.
- It is the responsibility of the requesting attorney to ensure the terms of the domestic relations order prepared by QDRO Partners conform with the terms of the parties' settlement agreement.
- It is also the requesting attorney's responsibility to ensure that the appropriate steps are taken after receipt of the draft order so that the order is approved by the plan administrator including, but not limited to, obtaining the necessary signatures, submitting to the judge for signature, and submitting to the appropriate authority for approval and processing.