

Instruction Guide to Form A & Form B

Form A: Important Information

- ❖ **Client Information:** All information is required. Your mailing address will be the contact information we provide to the Plan. It will be up to you to keep the Plan informed if the information we provide to them changes. Correspondence will be sent by mail or encrypted email. Please remember that your documents contain sensitive information, including your address, date of birth and social security numbers.
- ❖ **Case Information:** If you don't recall your case information it can be obtained through our State's Circuit Court Access Program (CCAP) at <https://wcca.wicourts.gov/case.html>
- ❖ **Responsibilities:** DFS does not possess the authority to submit QDROs to the court, given our non-legal and non-representative status. It's crucial for you to ascertain the party responsible for managing the Order's submission to the court.

Form B: QDRO Information

- ❖ **Plan information:** Please provide the legal plan name as provided on your current statement and/or Summary Plan Description (SPD).
- ❖ **Who is the Participant?** The Participant is the account holder for the Plan to be divided.
- ❖ **Who is the Alternate Payee?** The Alternate Payee is the person who will be receiving the funds from the QDRO.
- ❖ **Assignment of Benefits:** Please complete section as indicated by your Marital Settlement Agreement.
- ❖ **What is a Defined Contribution (DC) Plan?** If your Plan is a 401k, 403b, 457b/deferred compensation plan, 401a, etc., it is a defined contribution Plan.
- ❖ **What is a Defined Benefit (DB) Plan?** A pension plan.
- ❖ **What if my MSA is silent in regard to gains/losses?** Per Taylor v. Taylor, if the MSA is silent and a percentage is awarded, we automatically include gains/losses on the awarded amount. If the MSA is silent and a dollar amount is awarded, we will automatically exclude gains/losses on the awarded amount.
- ❖ **What if my MSA is silent in regard to any outstanding loans?** If the MSA is silent regarding loans, we automatically exclude any outstanding loan balance when drafting the QDRO.

FAQs

- ❖ **Payment Information:** With respect to payment for our services, we do require payment prior to beginning the drafting process. We will send invoices for our services with our formal engagement letter. Payments can be made online anytime at <https://divfinsolutions.com/pay-my-bill/>
- ❖ **What if I am still unsure what type of Plan I have?** Please send in the statement you have, and we will review and advise accordingly.

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Divorce Financial Counselors and Divorce Financial Analysts

QDRO REQUEST FORM

Please provide the following:

- A completed Form A
- A completed Form B for each Plan being divided
- A copy of the judgement of divorce/MSA
- A recent statement for the account being divided, which displays the legal plan name
- The division date, for which the alternate payee's benefit is determined, if not stated in the divorce decree is _____

For general assistance in filling out our forms please refer to our instruction guide

Form A: Important Information

Case Number	County	Date of Marriage		Date of Divorce	
		Client A		Client B	
Full Name					
Social Security Number					
Date of Birth					
Email Address					
Mailing Address					
City					
State					
Zip Code					
Attorney Information, if applicable					
It is important to establish whether either party desires legal representation throughout this process. Having an attorney involved is beneficial for clients who are not cooperative, and/or clients that wish to have Orders reviewed and circulated through the Court by counsel. Clients opting for a ProSe/unrepresented status are required to remain cooperative and handle Court submissions themselves. Please leave Attorney information blank if there will not be an Attorney involved in the QDRO process					
Attorney Name					
Attorney Email Address					
Attorney Phone Number					
		Attorney for Client A	Attorney for Client B	Client A	Client B
Who will be filing the QDRO with the Court?					
Who should be copied on all correspondence?					
Who should be billed for our services?					
Please provide any additional comments here:					

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Form B: QDRO Information Multiple QDROs? Please complete a form B for each Plan being divided.

Legal Plan Name		
Participant's Employer		
Plan Contact Information (if known)		
Assignment of Benefits: Which of the following option is granted to the Alternate Payee based on the total account balance as of the date of division:		
Option 1: A percentage of _____ %		Option 3: Other, please specify
Option 2: A dollar amount equal to \$ _____		
Please identify the Plan type and answer any corresponding questions		
Defined Contribution Plan		Fee \$600
✦ Investment gains/losses attributable to the alternate payee's share of the benefits from the date of valuation to the date of distribution shall be: Included Excluded ✦ If there is an outstanding loan balance in the participant's account, the loan balance shall be: Included Excluded as an asset when calculating the alternate payee's awarded share. ✦ For Thrift Savings Plans (TSP) ONLY, please select one of the following account options: Civilian Uniformed Services		
Defined Benefit Plan		Fee \$700
✦ Is the participant currently receiving benefits? Yes No		
FERS		Fee \$700
✦ Is the participant currently receiving benefits? Yes No If the Participant is not currently receiving benefits, we will need the following information to draft the Order: <u>A. Cost of Living Adjustment</u> Should COLAs be included? Yes No If the benefit amount is expressed in a flat dollar amount, FERS will not apply a cost-of-living adjustment to the former spouse's benefit. All other types of awards will include a cost-of-living adjustment. <u>B. Survivor Benefits</u> Is the Former Spouse awarded Survivor Benefits? Yes No If so, who is responsible for the cost to maintain the Survivor Benefits? Participant Alternate Payee Split equally Please note the MSA must award Survivor Benefits for us to award them in the Order. <u>C. Reversion of Former Spouses Benefit</u> If the Former Spouse dies before the Participant, the Former Spouse's share of the benefits shall revert to: The Retiree The estate of the Former Spouse The surviving children of the marriage including any adopted children, in equal shares. Upon the death of any child, that child's share will be distribute amount the other surviving children. If there is no reference to the reversion of the benefit in the MSA, upon the death of the former spouse, FERS will apply the default option of reversion to the Participant		
Military		Fee \$700
✦ Is the Former Spouse awarded Survivor Benefits? Yes No Please note the MSA must award Survivor Benefits for us to award them in the Order. Any election for Survivor Benefits must be made within one year of the date of divorce. DFAS will not honor any Survivor Benefit election made after that deadline. We will need the following information from the Member to draft the Order: ✦ If the participant is active duty, we will need a current LES statement, through the date of divorce ✦ If the participant is in the reserves or if a marital portion is needed, we will need a current points history statement, through the date of divorce ✦ If the participant is in pay status, we will not need anything (unless we are awarding a martial portion, then we will need the points history statement)		
Wisconsin Retirement System (WRS)		Fee \$250
Unknown/Other		