

DIVORCE PROCESS

Initiation of Divorce Process

Member must contact DPFP to let them know of their potential divorce.

Member must complete a Release and Waiver.

- Identifies the people DPFP can speak with during the divorce.

Upon completion and receipt of the Release and Waiver, an analysis will be completed to define the community interest of your pension.

RELEASE AND WAIVER

Who do you want us to send pension projections and information to?

- ☐ Member's Attorney - Name: _____ E-mail: _____
- ☐ My Spouse's Attorney - Name: _____ E-mail: _____
- ☐ My Spouse

How long do we have your permission to send pension projections and information to those you've selected?

This release is effective until (check only one): ☐ My divorce is final OR ☐ Date: _____

See Appendix H

Release and Waiver

Financial projection to be used for divorce proceedings.



I _____ give the Dallas Police & Fire Pension system permission to release pension projections and information from my personal file to the following. Check all that apply. I understand it can take up to 10 business days for projections and applicable information to be sent.

- ☐ Member's Attorney - Name: _____ E-mail: _____
- ☐ My Spouse's Attorney - Name: _____ E-mail: _____
- ☐ My Spouse

This release is effective until (check only one): ☐ My divorce is final OR ☐ Date: _____

Please provide the following information:

Date of Marriage: _____

Member's Full Name: _____

Member's Social Security #: _____

Member's Phone Number (cell & home): _____

Member's Email Address: _____

Spouse's Full Name: _____

Spouse's Social Security #: _____

Spouse's Date of Birth: _____

Spouse's Phone (cell & home): _____

Spouse's E-mail: _____

Signature _____ Date _____

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority on this the _____ day of _____, A.D., 20_____.

Notary Public In and For _____ County

Dallas Police & Fire Pension System
4100 Harry Hines Blvd., Suite 100
Dallas, Texas 75219

Divorce Process Overview

(1) A model Domestic Relations Order (DRO) will be sent to the member for his/her lawyer.

- Defines community interest (pension assets specific to time of marriage)

(2) Once final judgment has been rendered in the divorce, DPFP must receive a copy of the final Divorce Decree.

- The final Divorce Decree will give the effective Date of Judgment.
- The Date of Judgment specifies the date through which community interest is split

(3) If the ex-spouse is awarded a portion of the member's benefit, an original certified copy of the final Domestic Relations Order (DRO) is required per Article 6243a-1.

Domestic Relations Order (DRO)

A Final DRO outlines the following:

1. Establishes the ex-spouse as an Alternate Payee (AP)
2. Defines the portion of the pension asset that has been awarded to the AP

Once the certified DRO is received by DPFP, it must be qualified.

- Complies with state law
- DPFP-approved model DRO form
- Content and verbiage is reviewed for compliance to the Plan Document

All payments to APs are placed on the Board Agenda for approval.

NOTE: DPFP does not pay any award to the AP based on a Divorce Decree. A DRO is required.

Options for the Alternate Payee

- The type of DRO issued and the award is based on the member's status at the time of the divorce.
- Lump sum option can be repaid prior to member joining DROP or retiring.

NOTE: Once a member has set their benefit, either by entry into DROP or retirement, the AP cannot be awarded contributions.

Member Status	Award to AP
Active Members/Deferred Vested	Lump sum of contributions or monthly benefit (cannot collect until member is pension eligible)
Active DROP	Monthly benefit and/or DROP account (annuitized once AP reaches age 58 or when member retires)
Retirees	Monthly benefit and/or DROP annuity

Community Interest Example (Active)

Hire date: 01/01/2000

Marriage date: 06/01/2010

Divorce date: 12/01/2020

Prior to marriage:	\$25,000
During marriage:	\$50,000
Total contributions:	\$75,000
Community interest:	\$50,000

Special Note: If you were not married the entire time of your employment with the City of Dallas, your total contribution balance may not all be community interest. Community Interest is determined as if the member began to participate in the Plan on the date of marriage and ended that participation on the date of dissolution of the marriage (divorce).

Offset to Member's Benefit

An award to an AP results in an actuarial offset (reduction) to a member's lifetime monthly pension benefit

- This reduction does NOT equal what was awarded to the AP

Service Retirement						
Pre 9/1/2017	10/02/2032	9.44485	3.0%	\$ 8,873.73	\$ 1,343.13 ¹	\$ 671.56
Post 9/1/2017		15.08562	2.0%	\$ 8,875.35	\$ 1,993.58 ²	\$ 996.79
				Total	\$ 3,336.71 ^{4,5,8}	\$ 1,668.35

4 Eligible for Minimum Benefit \$ 344.58

6 Spousal benefits cannot be determined for members that defer a benefit after leaving active service.

7 Please contact the pension office for additional information.

8 Any benefits provided on this estimate have been reduced by \$ 1,855.42, due to a Qualified Domestic Relation Order

See Appendix I

Notes for Members

Even if there is no split of the pension, please ensure DPFP still receives a copy of the final Divorce Decree for your file. This ensures we are aware of the divorce and what, if anything, was awarded to the ex-spouse.

A member can only update their Beneficiary form once DPFP receives a copy of the final Divorce Decree.

Notes for Members (con't)

Ensure DPFP always receives the Final Divorce Decree

- Even if there is no split of pension assets
- Cannot update beneficiary form until Final Divorce Decree has been received

Ensure DPFP receives Final DRO **ASAP**

- DPFP is not responsible for any potential back payments owed to an ex-spouse as of the date specified in the Final Divorce Decree

The process from the initial call to finalization of the divorce can be lengthy, from months to years in some cases. There are no short timeframes within the divorce process.