

# The Big “D” - Divorce

# Divorce Process

- Member must contact DFPF to let them know of their potential divorce
- Member must complete a Release and Waiver
  - Identifies the people DFPF 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



I \_\_\_\_\_ give the  
Dallas Police & Fire Pension system permission to release pension projections and information  
from my personal file.

This release is effective until \_\_\_\_\_

Date of Marriage \_\_\_\_\_

Full Name of Spouse \_\_\_\_\_

Date of Birth of Spouse \_\_\_\_\_

Social Security # of Spouse \_\_\_\_\_

Spouse's Phone \_\_\_\_\_ (cell & home)

Spouse's E-mail \_\_\_\_\_

Spouse \_\_\_\_\_

My Spouse's Attorney \_\_\_\_\_

Member's Attorney \_\_\_\_\_

Member's Printed Name \_\_\_\_\_

Social Security # of Member \_\_\_\_\_

Member's phone \_\_\_\_\_ (cell & home)

Member'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

# Release and Waiver

## Divorce Process (continued)

- If the ex-spouse is awarded a portion of the member's benefit a Qualified Domestic Relation Order is required per Article 6243a-1.
- A model Domestic Relations Order (DRO) will be sent to the member for his/her lawyer
- The lawyers complete the DRO, without altering its verbiage or content
- The DRO is signed by the Judge and certified through the Court
- Once the certified DRO is received by DPFP, then it must be qualified (verifying it complies with state law)

## Divorce Process (continued)

- Once final judgment has been rendered in the divorce, DPFP must receive an original certified copy of both the Final Divorce Decree and the Final Domestic Relations Order
  - The Final Divorce Decree will give the effective Date of Judgment
    - The Date of Judgment specifies the date when the Alternate Payee's benefit is effective
  - The Domestic Relations Order will state the award to the Alternate Payee
  - All payments to Alternative Payees are placed on the Board Agenda for approval

# Options for an 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

Chart of the DROs and the Corresponding Awards:

Member Status	Award to AP
<u>Active Members/Deferred Vested</u>	Lump Sum of Contributions or Monthly Benefit when member is pension eligible
<u>Active DROP</u>	Monthly Benefit and/or DROP Annuity
<u>Retirees</u>	Monthly Benefit and/or DROP Annuity

# Notes for Members



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)."



DPFP cannot accept copies of the Final Divorce Decree and Domestic Relations Order, we need the certified original documents.



If there is no split of the pension, please ensure we receive a certified copy of your Final Divorce Decree for your file. This ensures DPFP knows that you have a divorce and what, if anything, was awarded to the ex-spouse.

## Notes for Members (continued)



Update Beneficiary Forms, once DFPF receives the Final Divorce Decree



Ensure DFPF receives the Final Divorce Decree and Final Domestic Relations Order as soon as possible, as you are responsible for the payment to the ex-spouse as of the date specified in the Final Divorce Decree



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