

INSTRUCTIONS TO COMPLETE A QUALIFIED DOMESTIC RELATIONS ORDER (QDRO)

This form is for use by active, vested, or retired OPERS members who have divorced, and the court has ordered division of the OPERS contributions and/or current/future benefit as part of the divorce property division settlement. A QDRO must be completed and approved by OPERS before division of the contributions or current/future monthly benefit will occur. A fillable format document has been created for your convenience. Simply type in the areas highlighted in gray and print. The gray highlights will not appear in the finished printed copy. As an alternative, a Word version is also provided. Check the appropriate boxes and fill in the blank spaces. Altered forms may be rejected. If both the Petitioner and the Respondent are participating OPERS members whose benefits are to be divided, use a separate QDRO for each.

Request a **Divorce Benefit Valuation** to determine the value of the member's benefit during the term of the marriage. This is a 401(a) defined benefit retirement plan, and the amount of contributions has no bearing on the retirement benefit. The benefit is calculated based on average annual salary and total years of credited service. Only the member or the member's attorney may request this valuation; otherwise it must be obtained by subpoena. Please send the request or subpoena to: General Counsel, OPERS, 5400 N. Grand Boulevard, Suite 400, Oklahoma City, Oklahoma 73112 or via email at legal@opers.ok.gov. When requesting a Divorce Benefit Valuation, you must include the date of the marriage to the date of filing the petition for dissolution in order for the valuation to be properly completed.

Please [email](mailto:legal@opers.ok.gov) a completed copy of the QDRO for review to legal@opers.ok.gov before filing the QDRO with the Court. This will save time if the QDRO needs corrections.

Header:

This section must be identical to your Decree of Dissolution or Decree of Divorce. It must be filed in the same county as your divorce action. If you were divorced outside of Oklahoma, please contact legal@opers.ok.gov for additional requirements.

Section I. Recitals:

Paragraph (2): Mark the appropriate box as it applies to the OPERS member.

Paragraph (3): Provide the date of marriage and the date the divorce petition was filed.

Paragraph (4): Fill in the full name, address, email addresses, and the last four digits of the SSN for both the member and alternate payee. As this document will be filed with the court clerk and visible to the public, do not list complete SSNs.

OPERS recognizes the privacy of SSNs. Please include only the last four digits of the SSN in the QDRO. For the QDRO to be officially accepted, the full SSNs for both parties must be provided to OPERS in a separate confidential document. Please do not provide SSNs via email.

Section II. Alternate Payee Award:

A Divorce Benefit Valuation is needed to complete Section II accurately. If the OPERS member is already retired, paragraph (1)(a) is not applicable.

Paragraph (1)(a): In addition or as an alternative to the monthly award in (1)(b), the alternate payee's award may also be a lump sum dollar/percentage amount of the member's accumulated contributions. Please be advised that this award is payable to the alternate payee only if the member terminates employment and elects to withdraw their accumulated contributions. *If this lump sum award is selected to the exclusion of the monthly award in (1)(b), the alternate payee would not receive any benefit if the member elects to retire from OPERS and receive monthly benefits.*

Paragraph (1)(b): In addition or as an alternative to the lump sum payment award in (1)(a), the alternate payee's award may include a portion of the member's current or future monthly retirement benefit. The alternate payee's award must be an exact dollar amount and corresponding percentage based on the member's current or future monthly retirement benefit. You must also select the time period such payment will be made to the alternate payee. Your choices are the lifetime of the member, a certain number of

months, or until the award of a set dollar amount is paid in full *If this monthly benefit award is selected to the exclusion of the lump sum award in Section II (1)(a), the alternate payee would not receive any benefits if the member terminates employment and withdraws his or her accumulated contributions.*

Paragraph (1)(c): In addition to selecting (1)(a) and/or (1)(b), the alternate payee's award may include Cost of Living Adjustments (COLAs). COLAs are cost of living increases to a retired member's monthly benefit and granted exclusively by the Legislature. If COLAs are awarded, the COLA will be paid in the same percentage as paragraph (1)(a).

Section VI. Termination:

The QDRO terminates upon the death of the member. If the alternate payee dies prior to the full distribution of the award, the benefits awarded to the alternate payee will revert to the member. These provisions cannot be changed.

Signatures:

The parties and any attorneys must sign the order. Attorneys are requested to provide their email address. The order must be signed by the judge and filed with the court clerk before final submission to OPERS.

The final QDRO must be provided to and approved by OPERS before it is effective. It is the responsibility of the parties to provide the final QDRO to OPERS.