

Barbara A. DiFranza
5366 Ventana Parkway, Reno, NV 89511
Tel: (775) 852-2414; fax (408) 904-5215; E-mail bdf@difranza.com

Information Needed to Draft Domestic Relations Order for ERISA Plans

- | | |
|--|--|
| <input type="checkbox"/> Date of Marriage | <input type="checkbox"/> Date of retirement or intended retirement |
| <input type="checkbox"/> Date of Separation | <input type="checkbox"/> Both parties' date of birth |
| <input type="checkbox"/> Date of Divorce | <input type="checkbox"/> Both Parties' social security numbers |
| <input type="checkbox"/> Copy of Dissolution Judgment/MSA ¹ | <input type="checkbox"/> Both Parties' postal mailing address. |
| <input type="checkbox"/> Copy of Previous Orders re Plan | <input type="checkbox"/> Signed pension authorization. |
| <input type="checkbox"/> Copy of any plan joinder documents | |

- Contact information (including E-mail and bar numbers) for involved counsel.
- If I am to bill/contact parties directly: home phone, work phone, cell phone and E-mail address.
- Deadlines approaching (describe)?
- Signed "Pension Authorization".
- A narrative of concerns and questions.

For each plan (usually obtainable from HR department)

- Name of Each Plan to be Divided
- Any plan procedures for [Q]DRO Any Sample or Model [Q]DRO
- Agent to whom to send proposed order/questions to: Name, postal mailing address, phone, cell phone and E-mail address (may be in plan procedures)
- Plan Booklet/"Summary Plan Description" - especially for "defined benefit plan".²
- Recent plan correspondence & description of special retirement programs if any.

For each "account balance plan" (aka defined contribution plan) (e.g. 401(k) or ESOP)

- Valuation Date³ (e.g., date of separation or divorce).
- Latest Account Statement. What award: how much \$_____ or _____% as of Valuation Date.
- If pre-marital balance needs to be isolated/traced, statements from marriage - present.

For each "defined benefit plan":

- Latest annual statement of benefits payable.
- If retired, benefit statement showing how pension benefits were calculated on retirement (and showing, e.g., the percentage of joint and survivor annuity).
- Latest payment warrant or check stub.

**Note: Preference in order: E-mail (docs scanned to pdf); fax; mail. Please use ___s to check off each item to insure that all available information & documents are forwarded. Piecemealing transmission tends to consume more time and result in higher fees.*

¹ Marital or property settlement agreement.

² This type of plan pays periodic benefits (e.g. monthly) based on a formula.

³ If more than 9 months ago, provide all statements since that date.