

Defined Benefit QDRO Division Flowchart-For most cases

Employee works 30 years and is entitled to \$3,000/month at the time of retirement from pension. During 20 of those 30 years Employee was married to Former Spouse.

Since Employee was married to Former Spouse for 2/3 the length of employment, 2/3 of the \$3,000/month is community property. (meaning \$2,000/month belongs to the marriage)

\$3,000/month paid by pension for 30 years of service.

\$2,000/month community property for the 20 years worked during married.

\$1,000/month separate property for the 10 years worked before the date of marriage and/or after the date of separation

Former Spouse receives 1/2 the community property Interest = \$1,000/month

Employee receives 1/2 the community interest \$1,000/month + \$1,000/month separate property interest = \$2,000/month

DAVID T RUEGG
DIR
ATTORNEY AT LAW

Phone (Riverside): (951) 268-4479

Phone (Orange): (714) 836-5836

Facsimile: (855) 880-0098

E-mail: david@qdrodivision.com