

Defined Contribution QDRO Division Flowchart-For most cases

Employee works before marriage and purchases 100 shares of Gold Stock in a retirement account at a price of \$1/share. (New Investments \$100)

Employee marries and during the course of the marriage 80 additional shares of Gold stock are purchased at a price of \$2/share. Employee also purchases 50 shares of Silver stock, at a price of \$1/share. (New Investments \$210)

Employee separates from spouse. The 401(k) has 180 shares of Gold stock with a new current value of \$3/share and 50 shares of Silver Stock with a new current value of \$2/share. (\$640 Total Value)

80 Gold stock and 50 Silver stock shares purchased during marriage belong to the community. Gold stock is \$3/share and Silver stock is \$2/share. (\$340 Total Value)

100 shares of Gold stock shares are the separate property of Employee from before marriage. Gold stock is valued at \$3/share. (\$300 Total Value)

Former Spouse receives 1/2 the community: 40 Gold stocks (valued at \$120) and 25 Silver Stocks (valued at \$50).
Total value: \$170

Employee receives: 40 community property Gold stocks (valued at \$120), 100 separate property Gold stocks (Valued at \$300), and 25 Silver Stocks (valued at \$50) Total value: \$470

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