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**CalPERS Questionnaire**

Name of CalPERS Member: \_\_\_\_\_

Employer Name: \_\_\_\_\_ Member's Date of Hire: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

If exact Date of Hire not known was it:  Before Date of Marriage  After Date of Marriage

When the **Nonmember** Spouse dies, his/her interest shall be paid to the following beneficiary(ies):

Name: \_\_\_\_\_ Name: \_\_\_\_\_

Address: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_

SSN: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

SSN: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Did the Member purchase any elective service credit during the marriage?  Yes  No

If yes, said elective service credit should be treated as:

community property (divided between the parties) **or**  separate property of the Member only

**If the Member is RETIRED answer the following questions:** *(Note: This information is required for retired members. Please contact CalPERS at 888-225-7377 if you cannot answer all questions below.)*

Date of retirement: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Benefit Option elected at retirement: \_\_\_\_\_

Name of Member's beneficiary (if applicable): \_\_\_\_\_

Gross dollar amount of benefits Member currently receives monthly: \$\_\_\_\_\_

**If the Member is NOT YET RETIRED, please answer the following question:**

Which method of division do the parties agree to use: (see chart on next page for more information)

Separation of Account **OR**  Time Rule Formula

**Please send QDRO Helper a copy of any court orders previously filed regarding this retirement plan.**

Please describe any agreement between you and your former spouse regarding the division of CalPERS benefits that is not addressed in your Marital Settlement Agreement or Judgment:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

	<b>SEPARATION OF ACCOUNT METHOD</b>	<b>TIME RULE FORMULA</b>
<b>Basic method information</b>	Divides the member's contributions, interest, and service credit earned during the marriage into two individual accounts based on a court order. Both parties then each have a separate and distinct account.	Divides the benefits payable at member's retirement. There will only be one account (in member's name) and nonmember spouse receives a lifetime benefit equal to his/her community property interest in member's CalPERS benefits.
<b>Award Calculation</b>	Amount awarded to the former spouse is typically 50% of the member's accumulated contributions, interest, and associated service credit earned from date of marriage to date of separation. CalPERS calculates the nonmember's monthly benefit using the <b>member's salary on the date of dissolution</b> , the nonmember's age at the date of retirement, and the amount of service credit awarded to the nonmember spouse.	CalPERS calculates the service credit the member earned from the date of marriage to the date of separation and determines what percentage of the monthly retirement benefit is community property and what percentage is payable to the former spouse. CalPERS calculates the benefit amount <b>using the member's final compensation at retirement</b> .
<b>Nonmember Spouse's Commencement</b>	Possible when both parties reach the minimum retirement age (usually 50). Nonmember can receive benefits prior to member's retirement.	Nonmember spouse's interest can only be paid by CalPERS at the time that benefits become payable (member's retirement date or death).
<b>Nonmember Spouse's Payment Options</b>	Monthly allowance, or withdrawal by direct refund or rollover. Monthly allowance is only available if Member was vested at the date of dissolution. If not vested, refund of contributions is mandatory. <b>NB: A refund of contributions will only refund the member's contributions and interest, <u>not</u> any employer's contributions.</b>	Monthly allowance only.
<b>Optional Settlement at Retirement</b>	No restrictions on member's election. Nonmember spouse can elect a retirement option for his/her separate account and name his/her own beneficiaries. Each party controls his/her own option election.	Generally, DRO requires member to elect optional settlement 4 and name nonmember spouse as beneficiary to the extent of his/her community property interest.
<b>Death Benefits</b>	Member's death does not affect Nonmember's spouse's separate account.	Nonmember spouse receives his/her community property interest in any lump sum or other death benefits payable by the Plan.
<b>When is the Method Available?</b>	<b>Before Retirement:</b> This method can only be used for those members who are going through a divorce or legal separation <b>before</b> retirement.	<b>Before <u>or</u> After Retirement:</b> This method can be used for members who divorce or legally separate <b>before or</b> after receiving a retirement (or disability retirement).
<b>CalPERS Draft DRO Review Times</b>	Approximately 6-12 weeks.	Approximately 4-9 months for active members. Approximately 3-5 months for retired members.

This chart is not intended to be legal advice. Please contact CalPERS (888-225-7377) for plan details.