

Your TRS Pension and Divorce

By Thomas P. Miller

QILDROs and TRS

You don't know how much of your TRS was lost in your divorce, and won't know until years later. Even estimates of Plan value in the Judgment for Dissolution of Marriage are frequently ignored.

Nearly all divorces are resolved by signing a marital settlement agreement. The agreement includes a provision dividing your TRS. These provisions often suffer from one or more of the following problems:

- The language is too general, not defining what is actually meant by the "marital portion";
- The provisions do not discuss who gets upgrades, permissive service or refunds;
- The provision just relies on statutory language granting the former spouse increased benefit for the Member's work after divorce

After divorce, most Members assume that the benefit given up stopped accumulating as of the date of divorce. In fact, the typically used formula grants the ex-spouse increased benefits the longer the member works after divorce. When retiring, the member realizes for the first time that how much the ex-spouse gets depends on how much the member gets, and most are floored by the outcome.

Consult an expert before finalizing your divorce, entering the QILDRO and the QILDRO Calculation Court Order.



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