

STATE EMPLOYEES  
RETIREMENT COMMISSION



MEDICAL EXAMINING BOARD  
for DISABILITY RETIREMENT



STATE OF CONNECTICUT  
RETIREMENT SERVICES DIVISION  
OFFICE of the STATE COMPTROLLER  
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**Office of the State Comptroller  
Retirement Services Division (Division)**

What the Division Provides:

The Division will give the Plan Participant or their Attorney, with the participant's authorization, an Employee Benefit Statement.

A valid QDRO must contain:

\_\_\_\_\_ The name, address and social security number of the retirement plan Member.<sup>1</sup>

\_\_\_\_\_ The name, address, and social security number of the Alternate Payee.

\_\_\_\_\_ Identify the Plan.

\_\_\_\_\_ State that the order is a domestic relations order (DRO) under the domestic relations laws of Connecticut.

\_\_\_\_\_ State the flat dollar amount of the Member's monthly benefit payment that is to be assigned to the Alternate Payee; or, in the alternative, a fixed percentage of the Member's total retirement benefit payment that is to be paid to the Alternate Payee at the time of retirement. All percentages have to be as of the total retirement amount at the date of retirement. We cannot isolate specific periods of time. The Plan is not responsible for formula errors or ambiguous language on the part of the drafter.

\_\_\_\_\_ Only one annuitant can be named except in the case of a 10 or 20 year payment election option if chosen. If the alternate payee is not named as the contingent annuitant the duration of the monthly benefit payments (the distribution) to the Alternate Payee may not extend beyond the lifetime of the plan Member. As benefit obligations cease with the death of the Alternate Payee, SERS does not disburse payments to the estate of the Alternate Payee.

\_\_\_\_\_ State the arrangement for the distribution of the Member's contributions and credited interest (if applicable – remember most Tier II members do not make contributions) in the plan. This contingent method of payment would become operative if the Member is eligible for a lump sum payment of his/her contributions and interest - if any - in the plan, and the Member affirmatively elects to receive such lump sum payment; or, alternatively, the contingent

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<sup>1</sup> Social security numbers are required. However, with the court's approval, the parties' social security numbers may be submitted on a separate document and sent to the Division with the certified QDRO.

arrangement becomes operative if: 1) the Member dies prior to commencing monthly benefit payments under the plan, 2) the Member has contributions and interest remaining in the plan, and 3) no continuing survivor payments are required in accordance with the provisions of the plan. A QDRO can bar the Member from taking a refund of his/her contributions.

\_\_\_\_\_ State that the payments will begin at the time distributions to the Member begins, at the time of retirement.

\_\_\_\_\_ Have a provision regarding the applicability of a disability retirement benefit.

\_\_\_\_\_ The document must be court ordered signed and sealed by the Judge with the seal from the Clerk of the Court. Ideally, we would like to have the Member, alternative payee and their respective attorneys (unless the parties are *pro se*) sign the QDRO. Non certificated court ordered QDROs are not acceptable and will be returned.

A valid QDRO CANNOT:

- Require the Division to maintain separate accounts.
- Require the Division to pay any amounts to attorneys, financial institutions or others.
- Require the Division to provide a type or form of benefit or option not already provided.
- Require the Division to pay increased benefits (determined on the basis of actuarial value).
- Take precedence over any QDRO previously accepted by the Division involving the same Member and a different spouse.
- Use wording or statutory provisions applicable to ERISA plans.

**For actuarial and other reasons, the Division will request certain information from the Alternate Payee including but not limited to a copy of his or her birth certificate, depending on what payment option is noted in the QDRO.**

**Alternate Payee and the Member must notify the Plan Administrator of any change of address so that this QDRO can be carried out in accordance with the law.**