



# Qualified Domestic Relations Order (QDRO) Fact Sheet

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A Qualified Domestic Relations Order (QDRO) divides or awards a participant's account(s) for the benefit of an alternate payee as a result of the dissolution of a marriage or legal separation. A QDRO is a state court's judgment, decree or order that affirms the rights of an alternate payee to receive payment from the participant's Savings Plus account(s) under the state's domestic relations law. We will provide account information only after being served a subpoena for the production of records.

This information is not intended to provide legal advice to any Savings Plus participant/alternate payee or anyone else. This is for general informational purposes only. All participants/alternate payees are advised to consult with an attorney licensed in the state in which the divorce is filed to draft a Domestic Relations Order that will accurately reflect any marital or property settlement agreements or court orders that have been entered into.

You can download the Plan's model QDRO by visiting [savingsplusnow.com](http://savingsplusnow.com) and clicking on the "Forms/Publications/Support" tab.

We are not part of the State's defined benefit pension plan, California Public Employees Retirement System (CalPERS). If you have questions about your CalPERS account, contact (888) 225-7377.

## 1. Legal hold on a participant's account

Savings Plus places a QDRO hold on a participant's account(s) upon receipt of written notification of a claim on the account in addition to the following draft or court-certified orders: joinder summons, qualified domestic relations order, final judgment of dissolution, marital settlement agreement or restraining order. A QDRO hold prevents withdrawals including 401(k) hardship withdrawals, 457(b) unforeseeable emergency withdrawals and loans. A QDRO hold may delay processing of your Alternate Retirement Program 401(a) Payout Selection Form during your election period. If you are currently taking systematic distributions, payments will cease until the matter is fully resolved. No exchanges or reallocations may be made while the QDRO hold is in place.

A QDRO hold remains in effect until:

- We receive a notarized letter from the Claimant rescinding the written notification of a claim on the account or submitted draft order
- We receive a court order revoking a prior court-certified order
- We receive a marital settlement agreement, community property agreement or qualified domestic relations order that clearly demonstrates the status of the account(s) has been resolved
- The account(s) is/are divided

## 2. Joinder Summons

A Joinder Summons is a legal document notifying Savings Plus of a competing claim to a participant's account(s). We will only accept Joinders that name the Claimant as "State of California, Human Resources Department, Savings Plus Program". A joinder is required prior to the account split for divorce proceedings filed within the State of California. We will not divide or award an account on the basis of a Joinder Summons. The party requesting the Joinder should provide the following items to the address at the end of this section:

- FL-370 Pleading on Joinder - Employees Benefit Plan
- FL-372 Request for Joinder of Employee Benefit Plan Order
- FL-374 Notice of Appearance and Response of Employee Benefit Plan
- FL-375 Summons (Joinder)
- FL-117 Notice and Acknowledgment of Receipt

**Mailing address:**

Nationwide Retirement Solutions  
PO Box 182797  
Columbus, OH 43218-2797

Continued on next page

### 3. Domestic Relations Order

The QDRO must be filed and signed with the court as an authority to divide a participant's account(s) and contain specific instructions with the following information:

- Identify each party's name, date of birth, Social Security number and mailing address
- The Plan's proper title, such as 401(k) Thrift Plan, 401(a) and/or 457(b) Deferred Compensation Plan; for example, stating "retirement account" will not be accepted
- How the account is divided using percentages or dollar amounts
- The effective date (usually the date of separation); Nationwide assumed administration of Savings Plus effective January 1, 2001, therefore, historical records prior to this date are not available
- Whether or not investment gains and/or losses from the effective date will be included in the awarded amount

You have the option to submit draft Orders for review prior to submission to the courts to help ensure complete and accurate information is included.

**NOTE:** If the effective date of the separation requires Nationwide to calculate an award amount prior to January 1, 2001, we will need the following information to split the account:

- Copies of historical statements providing the account value on or near the effective date specified in the order; if applicable, specify the interest rate or earnings to be applied to the alternate payee's account value from the effective date through December 31, 2000; Nationwide will not perform a hypothetical calculation to adjust for market fluctuations
- A specified dollar amount to be awarded

**Mailing address:**

Nationwide  
Attn: QDRO Review Team  
PO Box 182797  
Columbus OH 43218-2797

### 4. Account division

Nationwide calculates the awarded amount to the alternate payee as indicated in the QDRO. A letter is mailed to each party named in the QDRO indicating the proposed awarded amount to the alternate payee. In absence of an appeal from either party within 30 days, we establish the alternate payee(s) account and transfer the funds. We will mail a confirmation of the account division to each party. When the account is divided, a processing fee of \$300.00 will be assessed and equally split by the participant and the alternate payee, unless the QDRO orders differently. The QDRO hold will be applied to the participant's account and the alternate payee's account for 30-days after segregation. Once the QDRO hold is lifted and payable to the alternate payee, the QDRO split can no longer be appealed, amended or revoked. All future QDRO filings related to the named alternate payee will be denied.

Alternate payees cannot assign their award to a third party, but may designate beneficiaries on their account as permitted by the terms of the Plan. The alternate payee's funds are initially invested as they were allocated in the participant's account on the date of the split. The balance may fluctuate depending on the performance of the market.

**NOTE:** If you are already a participant in Savings Plus and wish to transfer your alternate payee account to your existing Savings Plus account, you can do so by means of an intra-plan transfer.

### 5. Account distribution

**Eligibility** - The alternate payee is eligible for a distribution after the alternate payee's account is established and the post-segregation 30-day hold expires. Refer to the Benefit Payment Booklet for distribution options.

**Taxes** - The alternate payee will be responsible for any applicable federal and state taxes on any distribution taken on their account unless otherwise stipulated in the Order (Ex: Child support or Domestic Partnership). A 1099-R will be issued by January 31 following the year in which a distribution occurs.

### 6. Contact Information

**Voice Response System:** (855) 616-4776, 24 hours a day, 7 days a week

**Savings Plus Service Center:** (855) 616-4776, 5:00 a.m. - 8:00 p.m. (PT), Monday-Friday  
To speak with a customer service representative, press \*0.

**Walk-In Center:** Open 8:00 a.m. - 5:00 p.m. (PT), Monday-Friday  
1810 16th Street  
North Building  
Sacramento, CA 95811

**TTY:** (800) 848-0833

**Website:** [savingsplusnow.com](http://savingsplusnow.com)