

QDRO Process

A **Qualified Domestic Relations Order** (QDRO) requires following specific steps. PBGC will notify you that the QDRO is approved after you have successfully completed the process.

Step 1 - Planning

As you are determining which marital assets to divide, be sure to obtain information about the pension benefit and PBGC's qualification process.

Contact PBGC to obtain information on the participant's benefit, using [these instructions](#).



Step 2 - Drafting

Create a draft QDRO showing how the benefit will be divided. You can use one of PBGC's model orders:

[Model 1](#) (Separate Interest)

[Model 2](#) (Separate Interest)

Use [this checklist](#) to ensure that the draft QDRO includes all necessary information and does not include prohibited provisions or requirements.



Step 3 - Preliminary Draft Review (optional)

Send the draft QDRO to PBGC for a preliminary review. PBGC will respond to both parties advising whether the draft would be approved as a QDRO.

If PBGC advises the draft would not be qualified, then make the changes indicated and resubmit to PBGC.



Step 4 - File In State Court

File the QDRO in the state court and follow the rules for your jurisdiction. Often, the QDRO is issued after the divorce decree is finalized.

Be sure to follow up with the court regarding the QDRO after your divorce decree is issued.

If the court approves the QDRO, it will be signed by a judge and issued as an order. Request a certified or authenticated copy from the court clerk.



Step 5 - PBGC Review

Send the certified or authenticated copy of your QDRO to PBGC. PBGC will respond in writing to both parties saying whether the order is approved as a QDRO.

If the QDRO is approved, PBGC will provide instructions for beginning benefits. **If the QDRO is not approved**, PBGC will explain what needs to be corrected. You will need to re-file the corrected order with the state court. Once the court approves it, you can resubmit it to PBGC.

