



10 Important Questions to Ask Your Lawyer During A Divorce

Ask your lawyer...

1. Do you have experience dividing pension plans and drafting pension orders (Qualified Domestic Relations Orders or QDROs)?
2. Do you have the necessary information from all of my spouse's pension plans?
3. Do you know that different types of benefits that must be specifically included in the pension order?
4. Will payments stop if he/she dies? Should I be getting a survivor's benefit? If I remarry, will that change or stop any of my benefits?
5. How will state laws affect what I get, and can we negotiate something better?
6. What could my former spouse do in the future that would reduce or stop my benefits?
7. Have you investigated all possible requirements or legal loopholes that might prevent me from receiving benefits?
8. Have you prepared a pension order to be signed by the court at the time of my divorce?
9. Has the order been pre-approved by the pension plan?
10. Will you follow up to make sure that the final pension order is sent to the pension plan and officially accepted by the plan administrator?

Use this checklist! Don't assume your lawyer knows all about the many federal and state laws that set rules for pension-splitting. Retirement benefits can be a couple's largest asset to be divided at divorce. The divorce court needs a special court order requiring the retirement plan in very certain specific terms to give you a portion of your spouse's retirement benefits.

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