

Maurice@DenverQDRO.com; December 30, 2023

Colorado QDRO Transmittal Email

This is a typical “QDRO Transmittal” email that I send out to clients.

Friday, December 30, 2023

Hello Anthony and Leah:

I am attaching the Anderson Companies 401(k) QDRO which assigns 50% of Anthony's 401(k) account to a new 401(k) account in Leah's name.

The valuation date is the December 15, 2023 date of the Decree. This means that the 50% will be determined just as if the actual division of the account had occurred on December 15 even though the QDRO is now being processed later. Earnings will be added to the 50% beginning as of December 15.

In accordance with your separation agreement, Leah's 50% will not be debited (charged) for any of the existing loan balance.

Schwab will change a \$400 QDRO processing fee. It will be split between the two of you. \$200 will be taken out of Anthony's 401(k) account. And \$200 will be taken out of Leah's new 401(k) account.

Schwab will do those calculations.

Let me know whether you want a revision. Pay close attention to the personal information for both you which is listed in Section 2. It has to be accurate.

If the QDRO is acceptable, it is ready to be signed and filed with the court to get the Judge's approval.

One of you must purchase a court-certified copy of the Judge-approved QDRO from the clerk of court and mail it to Schwab at the address listed in Section 6 of the QDRO. The cost of the court-certified copy is about \$23. You pay that to the clerk of the court.

If Leah wants to take cash out of her new 401(k) account or roll the money over into her own 401(k) account, she has to request that in writing after her new 401(k) account is set up.

Thank you. I appreciate the business.

Maurice Johnson

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Additional provisions for some QDROs.

A. If both Parties are represented by Counsel, then the email goes to the Attorneys and usually not to the individual Parties. The Attorneys have to know what is going on. There will be signature blocks for the Attorneys in addition to the signature blocks for the Parties.

- And usually one of the Attorneys does the court filing, purchases the court-certified copy of the Judge-approved QDRO from the clerk of the court, and does the mailing to the retirement plan administrator for final processing.

B. The QDRO processing fee charged by Schwab in this example can be paid by either of the two Parties instead of split 50-50.

C. Sometimes I forward the unsigned QDRO to the plan administrator for preapproval after the Attorneys and Parties review it for accuracy and before it goes to the court for the Judge's approval. That is particularly true of the Colorado PERA and Colorado FPPA government plans. I will note that in the email.

D. Beginning in 2023, I can electronically upload some of the court-certified copies of the Judge-signed QDROs to the plan administrators for final processing and division of the account. I will let you know whether I can upload it for your particular retirement plan QDRO.

- I will do the upload free of charge.
- That saves the cost and time delay of using the US Postal Service or FedEx.

E. I suggest the mailing to the plan administrator be done using the US Postal Service Priority Mail so that you have proof of receipt tracking. Some of the plan administrators are not reliable. Particularly some of the insurance companies are not reliable.