

Understanding the QDRO Process

What QDROExpress does: QDROExpress will prepare the DROs and send them to the attorney(s) of the party(ies) who paid QDROExpress. QDROExpress works for the attorney(s) of the party(ies) who pay QDROExpress, whether the payment was made directly to QDROExpress or through the attorney. If QDROExpress receives payment from both sides, QDROExpress must communicate openly with, and share information with, both attorneys.

Address Changes: Kindly advise us of any address changes immediately. The new address should be in the QDRO, and prompt notice will save time and prevent potentially costly re-processing. While we aim to minimize your costs, fees may apply if much extra time is taken above the normal time needed to prepare a DRO.

What the attorney(s) do: After QDROExpress sends out the DRO(s), the attorney(s) will obtain the signatures, enter the DRO(s) in court, and send them to the plan administrator. The attorney(s) also issue any necessary subpoenas, negotiate disputed DRO terms, file any necessary motions, and represent clients in court if necessary. This portion of the process may take anywhere from one week to several weeks or more, depending on the agreeability and availability of parties. It is strongly urged that the parties are represented until the QDRO process is complete. We do not recommend proceeding through any legal process without legal counsel.

What the plan administrator does: The plan administrator is supposed to advise the parties that they have received the DRO, and that they will review it and make a determination as to its acceptability. Once the plan administrator approves the DRO, the Plan Administrator is supposed to send another notice to the parties informing them of their rights. Benefits payable to the parties are not sent to QDROExpress. The DRO instructs the plan to make payments directly to the parties. The approval process can take anywhere from a couple of weeks to a couple of months, depending on the plan administrator.

When a client terminates the attorney-client relationship (QDROExpress is not the attorney): Occasionally a party who has paid the DRO preparation fee to their attorney or to QDROExpress will terminate the relationship with their attorney. When this happens, QDROExpress needs to know who the new attorney is as soon as possible.