

HOW TO REQUEST APPROVAL OF A QUALIFIED DOMESTIC RELATIONS ORDER

Parties to actions for dissolution of marriage or legal separation frequently submit for court approval proposed Qualified Domestic Relations Orders and other domestic relations orders relating to retirement assets. Such orders, referred to in these instructions as “QDROs,” are most commonly requested after judgment has entered, for the purpose of effectuating the terms of the judgment about the division of retirement assets.

The customary procedure for requesting approval of a QDRO is to submit a hard copy of the proposed order for review by the court and signature by a judge. A QDRO is often prepared by independent counsel retained for that purpose who does not have an appearance in the file (a “QDRO attorney”). The QDRO attorney typically mails the proposed order to the court with an explanatory cover letter, requesting that the proposed order be signed by a judge and returned to the QDRO attorney for submission to the administrator of the retirement plan.

It is now the filer’s option to submit the QDRO by sending a hard copy to the court, or to file it electronically, if the filer has access to electronically file (for information on how to enroll in E-Services click [here](#)). Important Note: Please do not submit the QDRO both ways.

While hard copies of QDROs will once again be reviewed and approved, the following are the steps of the process to submit a QDRO electronically. (For purposes of the instructions it is assumed that the parties have retained an independent QDRO attorney, but that is not a requirement of the procedure.)

1. The QDRO attorney prepares the proposed domestic relations order and has the parties sign it.
2. The QDRO attorney also prepares a cover sheet for e-filing with the QDRO, requesting that the QDRO be approved electronically. The cover sheet should also specify the name of the retirement plan, and the date in the QDRO case caption heading, exactly as the QDRO attorney would like it to appear in the separate electronic order that will be issued by the court if it approves the QDRO as filed.
3. The QDRO attorney mails copies, or emails PDF digital copies, of the QDRO and the cover sheet to an e-filer with an appearance in the case, typically the attorney for one of the parties. If e-mailing, the set of documents should be sent as one PDF document with the cover sheet first, followed by the proposed QDRO itself.
4. The attorney or other e-filer then e-files the cover sheet and proposed QDRO (as a single document, in the same order specified in Step 3), selecting the e-filing document type “QDRO.” No fee is payable with this filing as it is not possible at this point in the process to request a certified copy (see below).

5. If the QDRO is approved by the court, the reviewing judge issues a separate electronic order that refers to and approves the QDRO as so filed. The electronic order bears the judge's electronic signature (using the judge's juris number) and appears in the electronic file immediately or closely following the proposed QDRO.

6. Upon entry of the order, attorneys and other e-filers in the case receive notice of it from the court electronically. Attorneys or e-filing self-represented parties in the case are then able, from their law office or home computers, to print both the QDRO and the separate order approving it.

7. After doing so, one of the e-filers mails or emails the documents back to the QDRO attorney for submission to the retirement plan administrator.

Certified copies of QDROs may now be obtained by submitting the fee in the correct amount for a copy of each page plus the certification fee to the Clerk's Office.

June 25, 2020