



DIVORCE/DOMESTIC PARTNERSHIP DISSOLUTION

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Pursuant to California law, if you are a member of SCERA while you are married or have a registered domestic partner, your retirement benefits may be considered community property and your spouse/partner may be entitled to an interest in the community property portion of your retirement benefit. Upon a dissolution filing, it is essential that you notify SCERA as soon as possible. If not, you could face long delays in the payment of your future or current retirement benefits, including contribution refunds upon termination of employment.

Please provide SCERA with the entire copy of the Dissolution Order and, if there is one, the Settlement Agreement. The Dissolution of Marriage/Domestic Partnership document confirms the termination of the relationship. Depending on any property disposition ordered by the Court, your ex-spouse/partner may be entitled to a share of the community property portion of your future or current pension benefit.

If you are already retired, this paperwork is necessary to determine whether a named beneficiary is eligible to receive a continuance upon your death and/or if your ex-spouse is to receive a portion of your benefit.

Whether active or retired, if any portion of your benefit is awarded to your ex-spouse, a Joinder must be filed. A Joinder is a legal document that joins SCERA as a party to the dissolution proceedings. A Domestic Relations Order (DRO) is also needed. This is a document signed by both parties and their attorneys (if any), and a Superior Court Judge. A DRO explains in detail many issues, including who is entitled to a benefit, and when they are entitled to receive it.

The disposition of retirement benefits in domestic relations proceedings involves complex marital and tax issues. SCERA advises you to seek competent legal counsel. SCERA, its agents and consultants are not authorized to give legal advice regarding a divorce. SCERA is, however, able to provide you with our ***Dissolution of Marriage Guidelines***, which contain sample DROs for active or retired members. Please contact SCERA to request this or access it from the Resource Center tab at www.scretire.org.

Finally, regardless of your SCERA membership status, please contact SCERA to complete a beneficiary change form to ensure that your wishes regarding your beneficiary are on file.