



## **A MEMBER'S GUIDE TO THE DIFFERENCES BETWEEN A DIVISION OF PROPERTY ORDER AND A COURT ORDER TO PROVIDE A CONTINUING BENEFIT TO A FORMER SPOUSE**

A division of property order (DOPO) and a court order to provide a continuing benefit to a former spouse are not the same. While both types of orders may relate to termination of a marriage and may involve STRS Ohio benefits or payments, a DOPO affects payments during a member's lifetime while a court order to provide a continuing benefit to a former spouse affects payments after a member dies.

A DOPO is an order of an Ohio court on a specific form that directs STRS Ohio to pay a portion of benefits or lump-sum payments to a former spouse (alternate payee) when the member is eligible to receive and applies for payment of a benefit or refund. A DOPO provides a specified payment to a former spouse only during a member's lifetime.

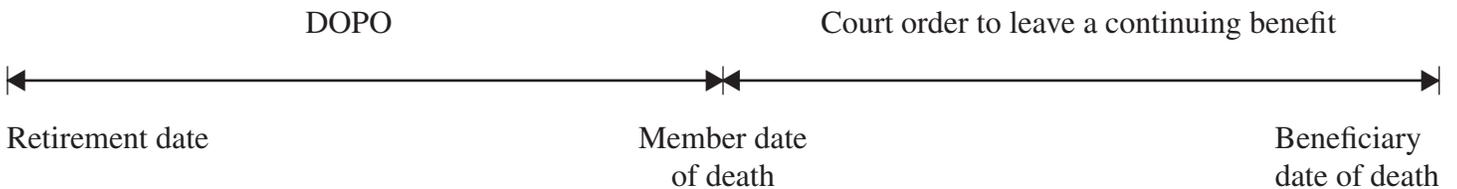
A court order to provide a continuing benefit to a former spouse is often included in a divorce decree or separation agreement (although it may be a separate court order), and it requires a member to select at retirement an optional plan of payment that provides a former spouse with a monthly benefit payment after the member dies. At retirement, a member is required to certify on his or her application if the member is under a court order to provide a continuing benefit to a former spouse, and the member is required to provide the court order to STRS Ohio.

STRS Ohio has the sole discretion to review the court order and to determine if the member has selected a plan of payment that complies with the court order. If STRS Ohio is unable to determine if the plan of payment selected by the member complies with the court order, STRS Ohio may require the member to obtain a new court order to clarify the plan of payment that the member is required to select. STRS Ohio will not pay retirement benefits until a member has provided a new court order or other information requested by STRS Ohio. See the *Service Retirement and Plans of Payment* brochure for further information about service retirement.

# Comparison of a Division of Property Order to a Court Order to Provide a Continuing Benefit to a Former Spouse

A division of property order (DOPO) and a court order to provide a continuing benefit to a former spouse are not the same. If you are divorced and required to pay a portion of your STRS Ohio retirement benefits to a former spouse, you may have one or both of the orders that require STRS Ohio to issue payment of retirement benefits to a former spouse.

The timeline below generally shows when retirement benefits may be affected by both types of order.



Division of Property Order (DOPO)	Court Order to Provide a Continuing Benefit to a Former Spouse (as a service retirement plan of payment beneficiary)
A DOPO is a specific form that cannot be changed and is used by an Ohio court to issue an order to Ohio public retirement systems regarding member accounts.	A court order to provide a continuing benefit to a former spouse may be a separate court order or a part of a divorce decree or separation agreement issued or approved by the court.
A DOPO must be transmitted to STRS Ohio by the clerk of courts.	A copy of the court order to provide a continuing benefit to a former spouse must be provided to STRS Ohio by the member when the member applies for service retirement.
A DOPO directs STRS Ohio to withhold a specific dollar amount or percentage from a benefit or payment to a member and pay it to the former spouse (alternate payee) when the member applies for and receives the payment.	A court order to provide a continuing benefit to a former spouse directs the member to name a former spouse as a beneficiary of a service retirement plan of payment where STRS Ohio will pay a specific dollar amount or percentage of the member's service retirement benefit to the former spouse (beneficiary) <i>after</i> the member dies.
Payment under a DOPO ends when the member dies, the former spouse (alternate payee) dies, or the benefits terminate.	Payment to the former spouse (beneficiary) ends in accordance with the plan of payment that was selected (i.e., if a Joint and Survivor Annuity plan of payment was selected, the beneficiary's benefit ends upon the death of the beneficiary).