

# QDRO Research Guide

## Overview

This research guide contains information and resources for a Qualified Domestic Relations Order, or “QDRO.” This is a legal document typically used in divorce proceedings that recognizes the former spouse’s right to certain retirement plan assets of their former spouse. The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

*Related guides: Community Property, Post-Divorce Division of Property, Separate Property, Spousal Maintenance*

## Statutes & Codes

Texas Statutes Online [www.statutes.capitol.texas.gov](http://www.statutes.capitol.texas.gov)

Texas Family Code

- Ch. 7 Award of Marital Property §7.003 Disposition of Retirement and Employment Benefits and Other Plans  
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.7.htm#7.003>
- Ch. 9 Post-Decree Proceedings, Subchapter B: Post-Decree Qualified Domestic Relations Order  
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.9.htm#B>

Texas Government Code

- Ch. 804 Domestic Relations Orders and Spousal Consent §804.003  
<https://statutes.capitol.texas.gov/Docs/GV/htm/GV.804.htm#A>

Texas Administrative Code

- Title 34, Ch. 47 Qualified Domestic Relations Orders (Teacher Retirement System of Texas)  
[https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac\\_view=4&ti=34&pt=3&ch=47&rl=Y](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=34&pt=3&ch=47&rl=Y)

## Secondary Resources in Print

**Texas Administrative Code KFT 1235 .A215**

- Vol. 34, Ch. 47 Qualified Domestic Relations Orders (Teacher Retirement System of Texas)

**QDRO's: What You Need Before You Do the Order KF532.7 .Q8P4**

**QDROs: The Division of Pensions through Qualified Domestic Relations Orders KF 3510 .U5**

**Texas Family Law: Practice and Procedure KFT 1294 .F35**

- Task B7.05, Ascertaining Rights of Parties, Dividing Community Property, Implementing Division of Property
- Task F1.21, Finalizing the Case, Preparing the Final Decree, Dividing Retirement Benefits
- Task F1.224, Finalizing the Case, Preparing the Final Decree, Order—Texas Qualified Domestic Relations Order
- Task F2 Concluding Client Matters, (multiple)
- Task 02.02, Dividing Property Post-Dissolution, Identifying Types of Divisible Property, Understanding Divisibility of Retirement Benefits

**Texas Family Law Practice Manual KFT 1294 .T4S7**

- Vol. 2, Ch. 25 Employment and Retirement Benefits

## CLE Materials

### Advanced Family Law Course KFT 1294 .S83

- 2021 Ch. 2 Defaults, Deeds, and Debatable Divisions: Property Case Law Updates
- 2021 Ch. 27 Division of Employee and Retirement Benefits
- 2021 Ch. 32 Entity Issues and Pitfalls
- 2019 Ch. 7: Retirement Division and Orders
- 2019 Ch. 42 Divorce and Taxes – Questions and Answers on How the Tax Cuts and Jobs Act of 2017 Affect Divorce
- 2018 Ch. 26 Retirement Orders: There's More to Life Than QDROs

### Advanced Family Law Drafting KFT 1294 .A92

- 2010 Ch. 2 Retirement Benefits and Drafting QDROs
- 2008 Ch. 5 QDROs and Retirement Benefits: Changes and Beyond
- 2001 Ch. P: Drafting to Incorporate changes in Military and Federal QDRO's

## Online Resources

How Does a QDRO Work in Divorce? (attorney blog)

<https://amsberrylaw.com/how-does-qdro-work-divorce/>

Dividing Retirement Benefits Upon Divorce (Texas Law Help) <https://texaslawhelp.org/article/dividing-retirement-benefits-upon-divorce>

FAQs about Qualified Domestic Relations Orders <https://www.dol.gov/sites/dolgov/files/EBSA/about-ebsa/our-activities/resource-center/faqs/qdro-overview.pdf>

QDRO Preparation (attorney blog) <https://www.phillipstexaslaw.com/QDRO/QDRO.htm>

Everything to Know About QDROs in Divorce (attorney blog) <https://www.mcnamaralawyers.com/everything-to-know-about-dividing-retirement-in-divorce>

What is a Qualified Domestic Relations Order and How Does it Impact My Retirement Assets? (attorney blog)

<https://www.ondafamilylaw.com/qualified-domestic-relations-order-qdro-impact-retirement-assets/>

Domestic Relations Order (DRO): Meaning, Regulations (Investopedia)

<https://www.investopedia.com/terms/d/domestic-relations-order-dro.asp>

I'm Getting Divorced: What is a Qualified Domestic Relations Order and Why Should I Care? (Pension Rights Center)

<https://pensionrights.org/resource/im-getting-divorced-what-is-a-qualified-domestic-relations-order-and-why-should-i-care/>

The Ultimate Guide to QDROs (Survive Divorce)

<https://www.survivedivorce.com/qdros>

QDROs (U.S. Department of Labor)

<https://www.dol.gov/sites/dolgov/files/ebsa/about-ebsa/our-activities/resource-center/publications/qdros.pdf>

QDROs (IRS)

<https://www.irs.gov/retirement-plans/plan-participant-employee/retirement-topics-qdro-qualified-domestic-relations-order>

QDRO (Texas Employee Retirement System)

[https://www.ers.texas.gov/Contact-ERS/Additional-Resources/FAQs/Qualified-Domestic-Relations-Order-\(QDRO\)](https://www.ers.texas.gov/Contact-ERS/Additional-Resources/FAQs/Qualified-Domestic-Relations-Order-(QDRO))

## Legal Assistance

**Legal Lines – Ask Attorneys simple legal questions (free service)**

- Tarrant County LegalLine Sign-up <https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up <https://www.dallasbar.org/index.cfm?pg=legalline>

**Tarrant County Bar Association Lawyer Referral Service:** 817-336-4101 (\$20 for the first 30 minutes)