

# 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 there may be additional applications not included.

## Statutes & Codes

**Texas Family Code / Texas Legislature**  
[www.statutes.capitol.texas.gov](http://www.statutes.capitol.texas.gov)

**Tex. Gov’t Code § 804.003**

**Tex. Admin. Code 34 TAC § 47.4 and 34 TAC § 47.17**

## Secondary Resources in Print

**QDRO's: What You Need Before You Do the Order**  
KF532.7.Q8P4 2000

**QDROs: The Division of Pensions through  
Qualified Domestic Relations Orders** KF3510.U5  
1997

**Texas Family Law: Practice and Procedure**  
KFT1294.F35

- B7.05, Ascertaining Rights of Parties, Dividing Community Property, Implementing Division of Property
- F1.21, Finalizing the Case, Preparing the Final Decree, Dividing Retirement Benefits
- F1.224, Finalizing the Case, Preparing the Final Decree, Order—Texas Qualified Domestic Relations Order

- Task F2 Concluding Client Matters, (multiple)
- Task O2.02, 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 (Forms)

## 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 2010 KFT 1294.A92**

- 2010 Ch. 2: Retirement Benefits and Drafting QDROS by Charla Bradshaw Conner
- 2008 Ch. 5: QDROs and Retirement Benefits: Changes and Beyond by William C. Clifton
- 2001 Ch. P: Drafting to Incorporate changes in Military and Federal QDRO’s by James N. Higdon

## Online Resources

- FAQs about Qualified Domestic Relations Orders  
<https://www.dol.gov/sites/dolgov/files/EBS>

[A/about-ebsa/our-activities/resource-center/faqs/qdro-overview.pdf](https://www.ebsa.dol.gov/about-ebsa/our-activities/resource-center/faqs/qdro-overview.pdf)

- Dividing Retirement Benefits Upon Divorce <https://texaslawhelp.org/article/dividing-retirement-benefits-upon-divorce>
- QDROs: The Complete Guide for 2022 | Survive Divorce: QDRO's <https://www.survivedivorce.com/qdros>
- U.S. Department of Labor: QDROs <https://www.dol.gov/sites/dolgov/files/ebsa/about-ebsa/our-activities/resource-center/publications/qdros.pdf>
- Law Office of Philip D. Phillips website: "QDRO Preparation" <https://www.philliptexaslaw.com/QDRO/QDRO.htm>
- Internal Revenue Service (IRS): QDROs <https://www.irs.gov/retirement-plans/plan-participant-employee/retirement-topics-qdro-qualified-domestic-relations-order>

#### Miscellaneous

- Pension Rights Center <http://www.pensionrights.org/publications/fact-sheet/i%E2%80%99m-getting-divorced-what-qualified-domestic-relations-order-and-why-should->
- Overview of DRO, QDRO, and the process: <https://www.investopedia.com/terms/d/domestic-relations-order-dro.asp>

## 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)