

Divorce can have a significant impact on your TMRS benefit. How your TMRS benefit can be divided differs depending on if you divorce before or after retirement.

If your TMRS benefit is divided in a divorce, keep the following in mind:

- No benefit payment can be made to your former spouse until after you end employment with all TMRS cities and apply for a refund or retirement benefit. You cannot retire until you are eligible.
- If your former spouse dies before you either refund or retire from TMRS, they will not receive any portion of your TMRS benefit and their interest in it terminates.
- If you refund your account balance rather than retire, your former spouse will receive the portion of your benefit awarded to them by the court in a lump sum.
- If you retire, your former spouse will receive the portion of your benefit awarded to them by the court every month for the rest of their life. The death of your former spouse ends their interest in your benefit.
- If your TMRS benefit is going to be divided, Texas law requires the court to issue a Qualified Domestic Relations Order (QDRO). TMRS can only approve a QDRO that meets legal requirements applicable to the TMRS plan. To avoid unnecessary trips to court, we recommend that you use [TMRS' QDRO forms](#) found in the *Divorce Before Retirement* and *Divorce After Retirement* publications, as appropriate.

If you and your spouse agree not to divide your TMRS benefit, the divorce decree should specify this.

For additional information about how divorce can impact your TMRS benefits, please refer to TMRS' publications *Divorce Before Retirement* or *Divorce After Retirement*.

Because Texas divorce law is complicated, we also recommend you discuss these options with your attorneys.

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