PENSION BOARD POLICIES
FIREFIGHTERS & POLICE OFFICERS
PENSION FUND OF THE CITY OF TAMPA

Policy Number: 900
Policy: Marital Separation
Eff. Date: 04/25/18
Ref: Board Minutes

POLICY:

1. Florida domestic relations law recognizes that pension benefits payable by the Fund may be considered a marital asset and may be subject to division between parties in the event of marital separation. The purpose of this policy is to recover costs expended by the Fund due to involvement in the marital separation of a member or retiree.

2. In the event that a member or retiree is a party to dissolution of marriage proceedings, and his/her benefits become a subject of that proceeding, the member or retiree shall be required to give notice to the Fund.

3. All costs associated with preparation of any draft order or the correction of any domestic relations order shall be borne by the member or retiree. Therefore, all charges and fees are to be paid directly to the Fund by the member or retiree. The fees are billable at the time the cost is incurred by the Fund. The member may be charged the legal rate of interest in the State of Florida for any delay in payment. Members are deemed to have consented that any application for retirement shall not be processed until such time as the Fund is reimbursed for all outstanding costs and fees. In the case of a retired participant, the retired member is deemed to have consented that no 13th Check shall be distributed until all outstanding fees and costs are paid.

   Costs and fees shall include:
   a. All hourly/daily fees and expenses accrued by a professional of the Fund to attend hearings, depositions, trials, and travel related thereto. Professionals may include the Fund's attorney, accountant, actuary, or other professional retained by the Fund.
   b. Fees accrued as a result of a Fund professional's involvement in reviewing the member's or retiree's pension file, court orders, court proceedings, transcripts, depositions, communication with attorneys or the court, or any other cost charged to the Fund in relation to a marital separation, except as listed below in 3.c.
   c. Fees accrued as a result of a Fund professional's communication with staff regarding a member's or retiree's marital separation that exceeds 30 minutes.
   d. All salary and expenses accrued by a staff member to attend hearings, depositions, trials, and travel related thereto. Salary shall include the staff member's hourly rate plus the benefits load rate of 30%.

4. All court orders received by the Fund shall be made a part of the record of the member and the Plan Administrator shall be responsible for arranging for distribution in accordance with the terms of the order and consistent with the policies of the Fund. There shall be no distribution of the member's benefits until all domestic relations orders and/or settlement agreements are complied with or satisfied.

5. No payment may be made to any person who is not a member or retiree of the Fund, except in the case of an income deduction order for alimony or child support. **Qualified Domestic Relations Orders (QDROs) will not be honored by the Fund.** No distribution may be made to any person who is still employed by the City of Tampa as a police officer or firefighter and who is a contributing member to the Tampa Fire & Police Pension Fund.

Gregory P. Reed
Chairman