

Pensions, QDROs and Divorce

New Jersey Law Center, New Brunswick

December 12, 2017

Event Sponsor: New Jersey Institute for Continuing Legal Education

The Hon. Michael R. Casale (Ret.), Of Counsel in the firm's Family Law Department, will be a speaker at a seminar on "Pensions, QDROs and Divorce: Understanding Offsetting Methodology, Including Survivor Benefits With the Award, with Special Attention to the New Jersey Systems," to be presented by the New Jersey Institute for Continuing Legal Education on Tuesday, December 12, 2017 from 9:30am – 1:05pm.

QDROs (Qualified Domestic Relations Orders) allow a plan administrator to transfer plan assets from a titled spouse to a non-titled spouse after a divorce has been finalized. Since pensions are often the single largest asset a couple can hold, family attorneys must have an understanding of the methodologies used by pension administrators to distribute pension assets and how survivors are treated when the titled spouse dies.

Having a solid understanding of this important issue allows you to negotiate more effectively and obtain fairer settlements for your clients. Judge Casale and his fellow panelists will demystify the calculations and formulas pension administrators commonly use and discuss ways to maximize a client's share of the pension division.

Key elements to be discussed at this program include:

- The 3 Main Errors of Property Settlement Agreements
- Pension Train Diagram and the Marx formula
- Sample Pension Valuations, including the White Social Security Offset and why the GATT interest rate is obsolete
- Introduction to partial offset methodology under Risoldi and the error in Abel
- Valuation of a defined contribution plan and why it should be valued as part of E.D.
- Survivor benefits in the New Jersey State Systems
- How to determine the Marx QDRO percentage and avoid the dollar award error in defined benefit plans
- Offset of a 401(k) vs. pension using partial offset
- Offset of a 401(k) vs. cash, including tax discount for offsetting pre-tax and post-tax assets
- Introduction to the concept of "grossing up" post-tax assets for purpose of offsetting against pre-tax assets

Seminars & Events (Cont.)

- Offset of 401(k), TPAF pension, and house
- House/pension partial offset scheme that avoids selling house or wife borrowing money to keep it
- 60:40 global asset division scenario
- Offset as of complaint date scenario

Judge Casale focuses his practice on mediation, arbitration, settlement conferences and discovery management. He has extensive experience in the areas of family law, personal injury and insurance defense, which he brings to bear in his representation of clients in complex family and civil disputes, including malpractice and employment litigation matters. His practice also encompasses consultation and trial strategy in child custody, relocation, child support and domestic violence matters. Judge Casale joined the firm following his retirement from the New Jersey Judiciary after over 20 years of service as a Superior Court Judge in Essex County.

Additional program information and registration at: <http://bit.ly/2jeqYni>