

Memorandum

To: Winchester, Frederick, and Clarke County Bar
From: John E. Wetsel, Jr., Judge
Date: August 25, 2014
Subject: Domestic Practice --- changes to Pretrial Order and Final Divorce dealing with QUADRO's

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Cases are being retained on the docket too long for the entry of QUADRO's. Therefore the following provision has been added to the standard pretrial order for divorce cases.

8. Thirty days before trial, the parties shall exchange all summary plan descriptions, account balances at separation and presently, model order or transfer forms, and any instructions or descriptions issued by any retirement, pension or deferred compensation plans, whether qualified or not, vested or not, owned and/or maintained for the benefit of a party in which either party may or has claimed a martial portion, so that any necessary orders dividing said retirement, pension or deferred compensation plan can be tendered timely upon divorce.

If your final decree asks the Court to retain the case on the docket for the entry of a QUADRO, I ask that you enclose the following provision in your final decree.

The Court retains jurisdiction to enter appropriate Domestic Relations or other Orders as may be required to divide the parties' pension, retirement and/or deferred compensation plans or account pursuant to Virginia Code Section 20-107.3K. Unless an Order dividing the retirement plans or accounts is sooner filed with the Court for entry, Counsel shall file a Notice of Filing of Retirement Order within 30 days of entry of the Final Decree of Divorce, which shall indicate the date on which a draft Retirement Order was submitted to a Plan Administrator for preapproval. Failure to file such a Notice may result in the case being stricken from the docket as ended.

Cc: Rebecca Hogan, Terry Whittle, Helen Butts