

# POMPANO BEACH POLICE & FIREFIGHTERS' RETIREMENT SYSTEM

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Dear Retiree or DROP participant:

On July 1<sup>st</sup>, 2012, a new Florida law (section 732.703) took effect that may affect your pension *if* you were divorced after you retired or entered the DROP.

If you are still married to the same spouse as when you retired or entered the DROP, the new law has no impact on you at this time. However, it will affect you if you divorce in the future.

The law has an immediate impact on you if ALL of the following are true:

- You were divorced *after* you retired or entered the DROP; and
- You selected a joint and survivor benefit or a ten-year certain benefit; and
- You named your ex-spouse as your joint & survivor annuitant (i.e. the person who will get a lifetime pension from our pension fund after you die), or your beneficiary (i.e. the person who gets your DROP balance and the balance of your 10-year guaranteed pension if you die before you've been retired for 10 years); and
- You did not designate a new joint annuitant or beneficiary (or re-designate your ex-spouse) after you divorced; and
- There is not a court order requiring you to keep your ex-spouse as your joint annuitant or beneficiary. (If there is such an order, please send us a certified copy).

IF you can check all 5 of the boxes above, then *your designation of your ex-spouse as your joint annuitant or beneficiary is no longer valid!*

## What this means for you:

- a) If you chose a joint and survivor pension and if you die before your ex-spouse, your ex-spouse will not get a survivor pension. In fact, no one will receive a survivor pension unless you file a new post-divorce annuitant designation.
- b) If you chose a 10 year certain pension, your ex-spouse will not get the balance of your 10 years of guaranteed payments. The balance will be paid to your legal heirs unless you file a post-divorce beneficiary designation.
- c) If you have a DROP account balance when you die, your ex-spouse will not get that balance and it will be paid instead to your legal heirs.

The new law *invalidated* your pre-divorce designation of your ex-spouse and the pension fund cannot and will not pay any benefits to your ex-spouse.

If this applies to you, contact the pension office immediately.

**What to do:**

- a) If you are receiving a joint and survivor pension, you must re-designate your joint annuitant. If you want your ex-spouse to continue to be your joint annuitant, then we will have you fill out a new joint annuitant designation again naming your ex-spouse and your monthly benefit will not change. If you want to name someone else, your benefit will have to be re-calculated based upon the age of your new joint annuitant. You can change your joint annuitant twice after you retire, so this will count as one of the times.
- b) If you are receiving a 10 year certain pension and have been retired less than 10 years, or if you have a DROP account balance, you should re-designate your beneficiary. If you want your ex-spouse to continue to be your beneficiary, then we will have you fill out a new beneficiary designation again naming your ex-spouse. If you want to name someone else, you can do so. In either case, your monthly benefit will not change.
- c) If there's a court order from your divorce case requiring you to keep your ex-spouse as your survivor annuitant or beneficiary, then send us a certified copy of that order (you can get a certified copy from the clerk of the court that granted your divorce). Once the certified order is received by the pension office, you will not need to do anything more.

As you can see, this is important. The new law is in effect *now*. The pension office staff is ready to assist you. If you have any questions concerning your benefit option or current beneficiary, do not hesitate to call us at 954-782-4161.