



Ohio Administrative Code Rule 3307:1-5-03 Court orders.

Effective: May 7, 2020

(A) All retirants subject to division (H)(1)(b) of section 3307.60 of the Revised Code shall indicate such requirement on his or her application for service retirement benefits submitted to the retirement system and shall provide a copy of the court order or court orders when making application for benefits pursuant to section 3307.57, 3307.58 or 3307.59 of the Revised Code.

(1) The retirement system in its sole discretion shall determine whether a retirant elects a plan of payment on the application for service retirement benefits that complies with any court orders.

(2) The retirement system may request the retirant to provide additional court orders or other information, as determined solely by the retirement system, to clarify the plan of payment that the retirant is required to elect.

(a) The retirement system shall not commence payment of retirement benefits until it receives the requested additional court orders or other information.

(b) If the retirement system does not receive the requested additional court orders or other information within twelve months of the date of the initial request, the retirant's application for service retirement benefits shall be cancelled.

(B) At any time, before or after monthly benefits begin, a former spouse may waive his or her rights to any part of a lump-sum payment paid before or after the members death or any portion of a continuing benefit payable after the retirants death as required by a court order issued under section 3105.171 or 3105.65 of the Revised Code or the laws of another state regarding division of marital property. Such waiver shall be effective upon receipt of a notarized statement approved by the retirement system and signed by the affected former spouse. Such waiver shall be a full discharge and release to the board and system from any future claim for such payment.

(C) For purposes of determining the priority of court orders issued under section 3105.171 or



3105.65 of the Revised Code or the laws of another state regarding the division of marital property that require a member to elect the plan of payment set forth in division (A)(4) of section 3307.60 of the Revised Code and designate a former spouse as a beneficiary, the retirement system shall process such court orders in the order in which they were filed with the clerk of courts.