**Section 1650.1122 Providing Benefit Information for Divorce Purposes**

a) Within 45 days after receiving a subpoena or request from a member, the System will provide a statement for divorce purposes regarding the value of a member's retirement benefit through June 30 of the last completed school year for which data are on file with the System. If requested, the System will also provide the TRS Member Guide, the TRS QILDRO publication, and this Subpart.

b) Within 45 days after receiving a percentage QILDRO, if the System receives the percentage QILDRO before the member has commenced receiving retirement benefits, the System will provide a statement including the following information:

1) School year of initial membership in the System;

2) Amount of permissive and regular service credit;

3) Non-reduced monthly retirement benefit estimate;

4) Earliest date when non-reduced monthly retirement benefit will become payable;

5) Permissive service credit purchased;

6) 2.2 upgrade information;

7) Refund upon termination of employment;

8) Survivor benefit contribution refund;

9) Lump-sum death benefit amount;

10) Whether the member has filed a retirement application; and

11) Intended retirement date, if the member has filed a retirement application.

c) Within 45 days after receiving a valid percentage QILDRO that designates an alternate payee share of the retirement benefit, and after the System receives all information necessary to determine the actual benefit payable, if the System receives the percentage QILDRO after the member has applied for or commenced receiving retirement benefits, the System will provide a statement including the following information:

1) Effective date of retirement;

2) Date retirement benefits commenced (or will commence);

3) Amount of permissive and regular service credit;

4) Actual monthly retirement benefit;

5) Survivor benefit contribution refund;

6) 2.2 upgrade refund; and

7) Lump-sum death benefit amount.

d) Within 45 days after the effective date of retirement of a member subject to a valid percentage QILDRO on file with the System that designates an alternate payee share of the retirement benefit, and after the System receives all information necessary to determine the actual benefit payable, the System shall provide a statement including the following information:

1) Effective date of retirement;

2) Date retirement benefits commenced (or will commence);

3) Amount of permissive and regular service credit;

4) Actual monthly retirement benefit;

5) Survivor benefit contribution refund;

6) 2.2 upgrade refund;

7) Lump-sum death benefit amount; and

8) If the QILDRO expresses any alternate payee share as a percentage, the notice will specify that the System must receive a valid corresponding Calculation Order before the System can implement that portion of the QILDRO.

e) Within 45 days after receiving notice of the death of a member, if lump-sum death benefits are subject to a valid QILDRO on file with the System, the System shall provide a statement indicating the lump-sum death benefit amount.

f) Information provided by the System for divorce purposes does not include the value of a member's retirement benefit accrued during a school year for which data are not yet on file with the System.

g) Information provided by the System for divorce purposes does not reflect an actuarial opinion as to the present values of a member's retirement benefit, refund, or other interests.

h) Information provided by the System for divorce purposes reflects the member's total service career for which service credit in the System has accrued, does not include reciprocal service accrued with another retirement system, and is not isolated as to the marital period only.

i) The System does not calculate the amount of a member's retirement benefit or refund that would be payable to a former spouse pursuant to a divorce decree or dissolution judgment.

j) While the System makes every effort to provide accurate information for divorce purposes, benefit estimates are by their nature approximate and subject to revision due to errors, omissions, erroneous assumptions, or future changes in the rules and laws governing the System.

k) In accordance with Section 1650.160 of this Part pertaining to the confidentiality of member records, the System does not disclose information for divorce purposes to spouses, former spouses, relatives, or other third parties, including the member's attorney, except in response to the member's written authorization to release such information, in response to a subpoena, or as provided in this Section 1650.1122.

(Source: Amended at 32 Ill. Reg. 4073, effective February 28, 2008)