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How Long Does It Take To Divide A Retirement Account?

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As we discussed in a previous post on [retirement and QDRO's](#) we know that 401(k)s are divided by using a legal document called a QDRO. The previous post talked about how and why to do it, but not what you probably care about most, how long does it take to get the money!?

As you know by now, the law in Minnesota is not a precise science and the answers are often a bit vague, this post will be no different. In dividing a retirement account there are a few sticking points when it comes to actually getting your money from a division of retirement assets here are the points and how long they typically take:

- **Drafting the QDRO document**
Depending on how busy the attorney is this typically takes 1-2 weeks.
- **Opposing attorney reviewing document**
Again, depending on how busy the reviewing attorney is this can take 1-2 weeks.
- **Submitting QDRO to financial entity for approval**
There is no uniform document or standard method regarding how QDRO's are submitted in Minnesota, this means that hopefully, the financial entity will have a skilled QDRO person who will review the proposed document via email. This often times can be the longest wait in the process, with the shortest time I've seen is a day or two but I've had to wait up to 3 months to get a reply.
- **Submit to Judge for approval and signature**
This is very simple and depending on the Judge's case load, it can be a 1-3 weeks. Hopefully, there is no mistake in the document, on very rare occasions the Judge may find issues with the document.
- **Send to financial entity**
Very straightforward, once the order comes in the attorney sends the document to the financial entity, the client and the other attorney, usually just a day or two.
- **Wait for dispersal of funds**
This can be difficult, hopefully it will take the financial entity just a week or so, but it's not uncommon for the entity to take weeks to disperse the funds.

You can see that there is a bit of work that goes into drafting a QDRO, to take a look at how long they typically take in Minnesota Divorce cases. Hopefully, this will help you understand the process as your divorce lawyer goes through the work of drafting and submitting the QDRO documents.

Any questions or comments please feel free to either post them here or send me an email at jkohlmeyer@rokolaw.com

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