

Bond Case Briefs

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Estate of Benyo v. Breidenbach

Supreme Court of Pennsylvania - July 21, 2020 - A.3d - 2020 WL 4102382

Husband's estate, and husband's brother brought action against wife, alleging wife waived any right to husband's police-pension benefits.

Following a bench trial, the Court of Common Pleas entered judgment for husband's estate. Following wife's death, her estate appealed. The Superior Court affirmed. Wife appealed.

The Supreme Court held, in a matter of first impression, that statutes that governed disbursement of retirement allowances from police pensions did not prohibit enforcement of a property settlement agreement that directed wife to transfer those funds to husband's brother after wife received them.

Statutes that provided that retirement allowances from police pension funds shall be payable only to the designated beneficiary and not subject to assignment or transfer, and that pension benefits shall not be subject to attachment, execution, levy, garnishment, or other legal process, applied only to pension funds in the possession of the plan administrator, and thus, did not prohibit enforcement of a property settlement agreement that directed wife to transfer those funds to husband's brother after wife received them; when wife agreed to waive all rights, title, and interest in husband's police pension she made a legally enforceable bargain, concomitantly exposing herself to legal process if she refused to make good on her contractual obligations.