



Retirement Plan Information - Help

Participant: The Participant is the spouse whose retirement plan you are dividing. The spouse that is to receive benefits under the QDRO is the Alternate Payee

Plan Name: You must supply the complete legal name of the Retirement Plan. This information can be obtained from Retirement Plan statements received by the Participant, a Summary Plan Description provided by the employer, or a telephone call to the Retirement Plan or employer. A QDRO with an incorrect plan name will be rejected by the Plan.

Plan Administrator: You must supply the name of the Plan Administrator. The Plan Administrator may be the employer or it may be a third party. This information can be obtained from Retirement Plan statements received by the Participant, a Summary Plan Description provided by the employer, or a telephone call to the Retirement Plan or employer.

Plan Address: You must supply the complete address for the Retirement Plan. The judge may not sign a QDRO if the Plan Administrator's address is omitted.

Plan Telephone Number: You must supply the telephone number, including area code for the Retirement Plan.

Employer: You must supply the name of the employer whose retirement plan to being divided by the QDRO.

Date of Hire: This is the date that the Participant began working for the employer whose plan is being divided. This date may be before your marriage date.

Defined Benefit Plan:

How Will Former Spouse's share of Benefits be determined

Time Rule: The Time Rule calculates the community property portion of the benefit by comparing length of participant's service during the marriage to length of participant's total service with employer as of Date of Benefit Payment. That comparison yields a fraction which is multiplied by the benefit to yield the community share,

of which the Former Spouse would normally receive Fifty percent (50%).

Based Upon What Date: Determination date can be either, Date of Separation, Date of Dissolution, Date of Retirement or some other date agreed upon by Husband and Wife.

Fixed Dollar Amount: Husband and Wife may agree that a fixed dollar amount of the benefit be paid to Former Spouse.

Fixed Percentage: Husband and Wife may agree that a fixed percentage of the benefit be paid to Former Spouse.

Is Former Spouse to participate in any other Retirement Enhancements: Some Employers offer Early Retirement Subsidies or other Retirement Enhancements. The Former Spouse normally receives his/her pro rata share of such enhancements. A plan may automatically give Former Spouse his/her share unless the QDRO specifically disallows.

Is Former Spouse to participate in any cost of living adjustments? (COLA): Under most Defined Benefit plans, the Plan will from time to time after the parties begin to receive benefits, increase the monthly benefit to adjust for inflation. The Former Spouse normally receives his/her pro rata share of COLAs. A plan may automatically give Former Spouse his/her share unless the QDRO specifically disallows.

Is Former Spouse to receive a Survivor Benefit if Participant dies before retirement: A Qualified Pre-Retirement Survivor Benefit (QPSA) is a benefit that is paid to the Former Spouse if Participant dies before retirement AND before Former Spouse begins receiving his/her benefits. If this option is not selected the Former Spouse may lose all retirement benefits if the Participant dies before the Former Spouse begins receiving his/her benefits.

Who pays the cost of the QPSA: The cost of the QPSA may times will be paid by the Employer. However, sometimes it will be charged to the parties in the form of a reduced benefit at time of death or retirement. You must decide how this cost will be allocated.

Is Former Spouse to receive a Survivor Benefit if Participant dies after retirement: A Qualified Joint and Survivor Annuity, (QJSA) is a joint and survivor annuity where (1) the participant receives a definite amount of money at regular intervals for his/her life, and (2) after the participant dies, the Former Spouse receives a definite amount of money (not less than 50% or more than 100% of the participant's amount) at regular intervals for his/her life. When a QJSA is elected by the Participant the monthly retirement benefit will be lower to pay for the Surviving Spouse's benefit, since the Plan will have to pay money over the lifetime of both the Participant and the Surviving Spouse rather than only

over Participant's lifetime. Therefore, Husband and Wife must determine who pays for this benefit, the Participant, Former Spouse or Shared Equally.

If Participant is already retired, what form of benefit did Participant elect:

Qualified Joint and Survivor Annuity (QJSA) - A QJSA is a joint and survivor annuity where (1) the participant receives a definite amount of money at regular intervals for his/her life, and (2) after the participant dies, the surviving spouse receives a definite amount of money (not less than 50% or more than 100% of the participant's amount) at regular intervals for his/her life. The joint life selected may be the Former Spouse or some other person. (ie., a previous spouse).

Single Life Annuity: An annuity that pays benefits only for the Participant's lifetime. Once the Participant dies, there are no further annuity payments. Also known as a straight-life annuity.

If Participant becomes disabled is Former Spouse to receive share of Disability Benefit that replaces retirement: If the Participant becomes disabled prior to Retirement, the Participant may be eligible for disability benefits from his/her employer. Some or all of these benefits may be paid in replacement of retirement benefits. If the QDRO does not specifically state that the Former Spouse is entitled to the retirement benefit portion of the disability benefits, the Former Spouse may not share in the disability pension payments.

Have any other QDROs been filed with the Plan: This would apply to any interim QDROs filed during your dissolution process, or any previous QDROs filed between the Participant and a spouse previous to the current Alternate Payee.