

PROCEDURES FOR ADMINISTERING A QUALIFIED DOMESTIC RELATIONS ORDER

1. All Domestic Relations Orders and correspondence or inquiries regarding Domestic Relations Orders should be forwarded to: Central States, Southeast and Southwest Areas Pension Fund, Attn.: DOMESTIC RELATIONS ORDERS, P.O. Box 5109 Des Plaines IL 60017-5109.
2. Domestic Relations Orders are not deemed received by the Central States Pension Fund (hereinafter "Pension Fund") until "time-stamped" by the Domestic Relations Order desk in the Pension Department (hereinafter "QDRO Desk").
3. Upon receipt of a Domestic Relations Order, the QDRO Desk shall forward to the Participant and Alternate Payees, to the extent that the Pension Fund has knowledge of their present addresses, an acknowledgment letter specifying the date on which the Domestic Relations Order was "time-stamped" and shall also forward a copy of these written procedures. The acknowledgment letter shall advise the Alternate Payee that he/she may designate a representative (such as an attorney) for receipt of copies of notices that are sent to the Alternate Payee with respect to the Domestic Relations Order.
4. Any Domestic Relations Order received by the Pension Fund after January 1, 1985 must meet the requirements contained herein regardless of the date on which the Order was entered.
5. Funds will be escrowed based upon the following:
 - Upon receipt of a draft Domestic Relations Order that is **not entered**, funds will only be escrowed upon written agreement by the parties.
 - Upon receipt of an entered Divorce Decree, including all referenced settlement agreements, funds will be escrowed for a period of up to 18 months for the parties to submit a Domestic Relations Order, if the assignment is able to be calculated. If the assignment is not able to be calculated pursuant to the language in the Divorce Decree, written notification will be made to the parties that funds will not be escrowed.
 - Upon receipt of an **entered** Domestic Relations Order, Central States will escrow funds for a period of up to 18 months if the Order submitted is determined to be defective. The parties will be informed of the nature of the defect.

Prior to submitting a Domestic Relations Order to a court, the QDRO Department, as a courtesy can review proposed (draft) Orders to determine if they would be deemed 'qualified' by the Fund.

6. The QDRO Desk shall make an initial determination that the Domestic Relations Order is a judgment, decree or order (including approval of a property settlement agreement) which relates to the provision of child support, alimony payments, or marital property rights to a spouse, former spouse, child or other dependent of a Participant, and is made pursuant to a state domestic relations law (including a community property law). The Pension QDRO Desk shall also determine that the Alternate Payee is the spouse, former spouse, child or other dependent of the Participant who is recognized by the Domestic Relations Order as having a right to receive all, or a portion of, the benefit payable under a plan with respect to such Participant.

7. A Domestic Relations Order shall specify that it applies to the “Central States, Southeast and Southwest Areas Pension Fund.”
8. A Domestic Relations Order must clearly specify:
 - a. the name and last known mailing address (if any) of the Participant and name and mailing address of each Alternate Payee covered by the Order.
 - b. the amount or percentage of the Participant’s benefits to be paid by the Plan to each such Alternate Payee, or the manner in which such amount or percentage is to be determined; and
 - c. the number of payments or period to which such Order applies.
9. A Domestic Relations Order shall not require:
 - a. the Plan to provide any type or form of benefits, or any option, not otherwise provided under the Plan;
 - b. the Plan to provide increased benefits (determined on the basis of actuarial value); and
 - c. the payment of benefits to an Alternate Payee which are required to be paid to another Alternate Payee under another order previously determined to be a Qualified Domestic Relations Order.
10. If the Participant’s benefits are in pay status, the QDRO Desk shall determine whether or not the amount payable to the Alternate Payee is calculable or in calculable.
 - a. If the amount payable to the Alternate Payee is in calculable, the QDRO Desk shall forward to all parties a letter advising that no amounts can be paid into an escrow account because the portion that otherwise would be payable to the Alternate Payee or an escrow account cannot be determined. The letter shall also advise the parties of any other defects contained within the Domestic Relations Order.
 - b. If the amount payable to the Alternate Payee is calculable, the provisions of ERISA requiring payment into an escrow account or to an Alternate Payee shall take effect depending upon the date on which the Domestic Relations Order was time-stamped.
 - (1) If the Domestic Relations Order was time-stamped on the first through the fifteenth day of the month, the pension benefit payable to the Participant in the month immediately following shall be paid:
 - A. into an escrow account if there is a question as to whether the Domestic Relations Order is a Qualified Domestic Relations Order, or
 - B. to the Alternate Payee.

- (2) If the Domestic Relations Order was time-stamped on the sixteenth through the last day of the month, the pension benefit payable to the Participant in the second following month shall be paid:
 - A. into an escrow account if there is a question as to whether the Domestic Relations Order is a Qualified Domestic Relations Order, or
 - B. to the Alternate Payee.
 - c. If there are questions as to whether the Domestic Relations Order is a Qualified Domestic Relations Order, then:
 - (1) A letter shall be forwarded to the Alternate Payee or his designated representative identifying those parts of the Order which are deemed defective, or
 - (2) A letter shall be sent to the Alternate Payee or his designated representative advising that the Domestic Relations Order was referred to the Central States Legal Division for review. The Legal Division shall determine whether the Order is a Qualified Domestic Relations Order or identify those parts of the Order deemed defective. This information shall be transmitted to the Alternate Payee or his designated representative by the QDRO Desk.
11. During the period that the QDRO Desk continues to correspond with the Alternate Payee or his designated representative clarifying the requirements of the Fund or ERISA, as interpreted by the Fund, payments will continue to be made into the escrow account established for the Alternate Payee.
- a. The QDRO Desk shall authorize the release of all accrued benefit payments made to the escrow account to the persons or person entitled thereto if it is determined that the order (or modifications thereof) is a Qualified Domestic Relations Order within 18 months of the date the order was "time-stamped".
 - b. If the issue as to whether such order is a Qualified Domestic Relations Order is not resolved within 18 months or if the order is determined not to be a Qualified Domestic Relations Order, the payments made into the escrow account shall be paid to the person or persons who would have been entitled to such amount if there had been no order.
 - c. Any determination that an order is a Qualified Domestic Relations Order which is made after the close of the 18-month period shall be applied prospectively only.
12. When the Alternate Payee or his designated representative has satisfied all requirements of the Fund or ERISA, as interpreted by the Fund, the QDRO Desk shall advise the Alternate Payee or his designated Representative and the Participant in writing that the Domestic Relations Order is deemed to be a Qualified Domestic Relations Order.
13. When the parties (or their designated representatives) are advised that a domestic relations order has been deemed a Qualified Domestic Relations Order, the funds in escrow will be released to the applicable parties.

14. If an Order requires that payment of benefits be made to an Alternate Payee, on or after the date on which the Participant attains (or would have attained) the earliest retirement age, and a Participant has attained his earliest retirement age but has not separated from service, then a Domestic Relations Order shall not be treated as failing to meet the requirements of Paragraph 9(a) above. The QDRO Desk shall determine whether or not the amount payable to the Alternate Payee is calculable or incalculable, and shall otherwise proceed in accordance with Paragraph 10, above.
 - a. The Alternate Payee shall be eligible to receive a portion of the pension benefit calculated at the time the Domestic Relations Order is received by the Pension Fund. Computation of the pension benefit shall be based on all of the Participant's credited service which has been verified and recorded in the Pension Fund's records at the time the order is received.
 - b. If it is later determined that the Alternate Payee would have been entitled to additional benefits due to additional credited service verified at the time the Participant makes an application for benefits, the Pension Fund shall make any necessary retroactive payments.
 - c. The Pension Fund shall make a determination of the amount of the Participant's pension benefit based on the information contained in its records. The Pension Fund shall not be responsible for employment history which is not known to the Pension Fund or for any information which has not been provided by the Participant. It shall be the sole and exclusive responsibility of the individual Participants and Alternate Payees to ensure that the Pension Fund has been provided with an accurate record of the Participant's employment history.
15. These written procedures are not intended to be a complete statement of Section 206(d) (3) of ERISA and any statutory matter not specifically covered herein is incorporated by reference.
16. These written procedures may be revised by the Pension Fund, as necessary.

I, _____

Social Security No. _____ Designate

NAME: _____

ADDRESS: _____

CITY, STATE: _____

ZIP CODE: _____

TELEPHONE: (_____) _____

As my representative to receive copies of notices that are sent to me with respect to a Domestic Relations Order.

DATE

SIGNATURE

Participant Name: _____

Participant SSN: _____ - _____ - _____

RETURN TO: Central States Pension Funds, PO Box 5109, Des Plaines, IL 60017-5109