

Chicago Regional Council of Carpenters Pension Fund
Chicago Regional Council of Carpenters Millmen Pension Fund
PROCEDURES TO DETERMINE THE QUALIFIED
STATUS OF DOMESTIC RELATIONS ORDERS AND TO
ADMINISTER DISTRIBUTIONS UNDER SUCH QUALIFIED ORDERS

1. Promptly upon receipt of a Domestic Relations Order, the Plan Administrator will:
 - a. notify the Participant to whom the Order relates and each Alternate Payee (an Alternate Payee includes any spouse, former spouse, child or other dependent of a Participant who is recognized by the Domestic Relations Order as having a right to receive all, or a portion of, the benefits payable under the Plan with respect to the Participant) of the receipt of the Order, and
 - b. send copies of these procedures to:
 - (I) the Participant and any other Alternate Payee,
 - (II) each Alternate Payee specified in the order, and
 - (III) each representative designated by an Alternate Payee for receipt of copies of notice at the mailing addresses specified in the Order, or, if the Order does not specify addresses, to the last address known to the Plan Administrator.
2. The Plan Administrator will complete the Qualified Domestic Relations Order check list. If all questions are answered 'yes' or 'not applicable', the Plan Administrator will notify each person described in paragraph 1 that the Order is a Qualified Domestic Relations Order, and obey the Order.
3. If any answer is answered 'no', the Plan Administrator will consult legal counsel.
4. If in the opinion of legal counsel, all questions should be answered 'yes', the Plan Administrator will follow the procedure in paragraph 2. If legal counsel determines that any question should be answered 'no', legal counsel will notify the parties' counsel and try to persuade them to have the Order amended so that it will be a Qualified Domestic Relations Order. If the Plan's legal counsel is unsuccessful, he will take appropriate steps (in the court issuing the Order, in a Federal District Court, in both, by appeal or otherwise) to resist the Order and/or to resolve the question of whether the Order is a Qualified Domestic Relations Order.
5. While the qualified status of the domestic relations order is being determined (by the Plan Administrator, by a court of competent jurisdiction or otherwise), the Plan Administrator will segregate in a separate account the amounts, if any, that would have been payable to the alternative payee(s) during the period if the Order had been determined to be a Qualified Domestic Relations Order. Amounts shall only be segregated if the participant is in pay status.
6. If within 18 months of receipt by the Plan:
 - a. the Order (or modification thereof) is determined to be a Qualified Domestic Relations Order, the Plan Administrator will pay the segregated account, if any, to the person or persons entitled thereto, but if
 - b. it is determined that the Order is not a Qualified Domestic Relations Order or the issue as to whether such an Order is a Qualified Domestic Relations Order is not resolved, the segregated account, if any, shall be paid to the Participant.
7. Any determination that an Order is a Qualified Domestic Relations Order which is made after the aforementioned 18-month period will be applied prospectively only.
8. If the Plan or Trust is made a party defendant in any kind of domestic relations case before the entry of an Order, the Plan Administrator will consult legal counsel. Legal Counsel will:
 - a. file an appropriate pleading,
 - b. send copies of these procedures and the Qualified Domestic Relations Order check list to counsel for the other parties, and
 - c. attempt to insure that any order entered in a domestic relations case which affects the Plan or Trust is a Qualified Domestic Relations Order.

**Chicago Regional Council of Carpenters Pension Fund
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QUALIFIED DOMESTIC RELATIONS ORDER CHECK LIST**

DOMESTIC RELATIONS ORDER _____ DATED _____

PARTICIPANT _____ ALTERNATE PAYEE _____

- | | | |
|---|-----|----|
| Does the Order clearly appear to be issued by a Court? | Yes | No |
| Does the Order clearly appear to be a Judgment, Decree or Order (Including approval of a Property Settlement Agreement)? | Yes | No |
| Does the Order clearly appear to relate to the provisions of child support to, alimony payments to, or marital property rights of a spouse, former spouse, child or other dependent of a participant? | Yes | No |
| Does the Order appear to be made pursuant to a State Domestic Relations Law (Including a Community Property Law)? | Yes | No |
| Does the Order clearly appear to recognize the existence of an Alternate payee's right to receive all or a portion of a Participant's benefit? | Yes | No |
| Does the Order clearly specify that it applies to the Chicago Regional Council of Carpenters Pension Fund/ or Chicago Regional Council of Carpenters Millmen Pension Fund? | Yes | No |
| Does the Order specify the name, relationship, date of birth and address of the Participant? | Yes | No |
| Has the participant designated a representative for receipt of copies of notices?
Representative _____ | Yes | No |
| Does the Order specify the name, relationship, date of birth and address of Alternate Payee?
Representative _____ | Yes | No |
| Does the Order specify the amount or percentage the Alternate Payee is entitled to or the manner in which the amount is determined? | Yes | No |
| Does the Order specify that the amount does not exceed 100% of the Participant's benefit? | Yes | No |
| Does the Order specify the number of payments or the period of time for which payments are to be made? | Yes | No |
| Does the Order specify when payments to the Alternate Payee are to begin? | Yes | No |
| Does the Order require the Fund to provide a type of benefit provided for under the Plan? | Yes | No |
| Does the Order provide that the Alternate Payee is not entitled to portions of the Participant's benefit not attributed to the marriage? | Yes | No |
| If the Order provides payments in case the Participant dies prior to commencement benefits, does such payment comply with Plan provisions? | Yes | No |
| If the Order provides payment in case the Alternate Payee dies prior to commencement of benefits, does such payment comply with Plan provisions? | Yes | No |
| Is it clear that the Order does not require the payment of benefits to an Alternate Payee under another Order previously determined to be a Qualified Domestic Relations Order? | Yes | No |

DO NOT WRITE INFORMATION ONLY
SAMPLE
RETURN