

## REQUIREMENTS FOR A QUALIFIED DOMESTIC RELATIONS ORDER

1. Must clearly identify the Plan name: United Food and Commercial Workers Union Local 655 Food Employers Joint Pension Plan.
2. Must list the name, address, social security number and date of birth for the Plaintiff.
3. Must list the name, address, social security number and date of birth for the Defendant.
4. Must specify the amount payable to the Alternate Payee, either by specifying a dollar amount or specifying a percentage of the participants benefit.
5. Must specify how long payments are to be made to the Alternate Payee.
6. Compliance - **MUST** clearly state that this Order does not require the Plan to provide any type or form of benefit, or any option, not otherwise provided under the Plan Rules and Regulations.
7. Ms. Donna Frame, Administrative Manage for the Pension Fund, is the Plan's agent for service of legal process. Accordingly, if legal disputes involving the Plan arise, any legal documents should be served upon Ms. Frame at the Pension Fund Office or upon any individual Trustee. Ms. Frame's direct line (636) 736-2712 or email address [dframe@ufcw655.org](mailto:dframe@ufcw655.org).
8. UFCW Local 655 Food Employers Joint Pension Plan  
300 Weidman Road  
Ballwin, MO 63011  
  
Phone Number (636) 736-2777 or (636) 394-6500  
Fax Number (636) 394-5006

STATE OF \_\_\_\_\_)

COUNTY OF \_\_\_\_\_)

THE CIRCUIT COURT OF \_\_\_\_\_

IN RE: THE MARRIAGE OF: )

)

)

Petitioner, )

)

and )

)

)

Respondent. )

**MODEL QUALIFIED DOMESTIC RELATIONS ORDER**

WHEREAS, by order issued \_\_\_\_\_ {date of Order}, the marriage of \_\_\_\_\_ {participant} and \_\_\_\_\_ {alternate payee} has been dissolved: and

WHEREAS, in connection with the property settlement executed relative to the distribution of property between \_\_\_\_\_ {participant} and \_\_\_\_\_ {alternate payee}, certain retirement benefits earned by \_\_\_\_\_ {participant} are to be transferred to {alternate payee}.

**IT IS HEREBY ORDERED:**

1. The alternate payee is assigned a benefit equal to \_\_\_percent of the actuarial present value of the participant’s accrued benefit as of \_\_\_\_\_, the date the Dissolution of Marriage was entered, earned under the Plan during the Period beginning \_\_\_\_\_ {date of marriage} and ending \_\_\_\_\_ {date of Dissolution of Marriage} to be paid in the form of a single life annuity with no survivor benefit, for the life of the alternate payee [participant], at the alternate payee’s election as early as the participant’s earliest retirement age under the plan.
2. Prior to the commencement of benefits to the alternate payee, the alternate payee is to be treated as the surviving spouse for purposes of the qualified pre-retirement survivor annuity with regard to \_\_\_percent of the participant’s accrued benefit earned under the Plan during the period beginning \_\_\_\_\_ {date of marriage} and ending \_\_\_\_\_, the date the Dissolution of Marriage was entered.

3. The participant is \_\_\_\_\_ {name of participant}: whose last known mailing address is \_\_\_\_\_ {Street Address, City, State Zip Code}; whose social security number is \_\_\_\_\_; and whose date of birth is \_\_\_\_\_.
4. The alternate payee is \_\_\_\_\_ {name of alternate payee}: whose last known mailing address is \_\_\_\_\_ {Street Address, City, State Zip Code}; whose social security number is \_\_\_\_\_; and whose date of birth is \_\_\_\_\_.
5. The name and address of the retirement fund is United Food and Commercial Workers Union Local 655 Food Employers Joint Pension Plan (the 'Plan'), 300 Weidman Road, Ballwin, Missouri 63011.
6. The alternate payee shall have the right to elect to commence benefit payments at any time beginning when the participant attains the earliest retirement age as defined in Section 414(p) of the Internal Revenue Code.
7. If the alternate payee elects to commence benefit payments at the participant's earliest retirement age under the plan, and the participant subsequently retires with subsidized early retirement benefits, the amount payable to the alternate payee shall be re-computed, and the alternate payee's benefit adjusted, so that the alternate payee will receive a share of such early retirement subsidy to which the participant is entitled, based on the benefit formula set forth in this Order.
8. The alternate payee *shall OR shall not [please elect which pertains to this Order]* be entitled to share in any benefit increase that may be granted the participant retrospectively after the date of divorce [based on the assignment set forth in Item 1 of this Order].
9. The benefits payable under the retirement plan shall not be increased, on an actuarial basis, and shall not be a type or form of benefit, or any option, not otherwise provided under the plan.
10. This Order does not require 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.
11. If the alternate payee predeceases the participant prior to the commencement of benefits to the alternate payee, the benefits assigned under this Order shall revert to the participant.
12. It is intended that this Order will qualify as a Qualified Domestic Relations Order under Section 414(p) of the Internal Revenue Code of 1986, as amended (the

ACode@) , and Section 206(d)(3) of the Employee Retirement Income Security Act of 1974, as amended (AERISA@), and the provisions hereof shall be administered and interpreted in conformity with such Code and ERISA.

- 13. The Court retains jurisdiction to amend this Order only for purposes of establishing or maintaining its qualification as a Qualified Domestic Relations Order under the code and ERISA.
- 14. An attested copy of this Order shall be promptly delivered to the Plan Administrator, Donna Frame, who shall within the time prescribed under Section 414(p)(6) of the Internal Revenue Code notify the appropriate parties of the receipt of this Order, the Plan’s procedure for review of its qualified status, and its determination as to whether the Order is a Qualified Domestic Relations Order.
- 15. All notices shall be mailed to the alternate payee at the mailing address stated in this Order or to such other address as the alternate payee shall from time to time specify by notifying the Plan Administrator in writing.
- 16. The participant and the alternate payee shall each be responsible for the payment of all taxes on the portion of benefits each receives under the laws that apply at the time of distribution of benefits.
- 17. The participant and alternate payee shall cooperate fully and execute any and all documents necessary to obtain an amended Order, if necessary, meeting all requirements of a Qualified Domestic Relations Order.
- 18. The intend of this Order does not require the Plan to provide any type or form of benefit, or any option, not otherwise provided under the Plan Rules and Regulations.

Date this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BY THE COURT:

\_\_\_\_\_  
JUDGE

Approved as to form this

\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Attorney for Petitioner