

CENTRAL LABORERS' ANNUITY FUND
SAMPLE QUALIFIED DOMESTIC RELATIONS ORDER

THE DIVISION OF RETIREMENT BENEFITS INVOLVES MANY COMPLEX TAX AND LEGAL ISSUES. CENTRAL LABORERS' ANNUITY FUND STRONGLY RECOMMENDS THAT INDIVIDUALS SEEK THE ADVICE OF LEGAL COUNSEL OR OTHER QUALIFIED EXPERTS BEFORE THE DIVISION OF RETIREMENT PLAN BENEFITS UPON DIVORCE.

THE FOLLOWING IS INTENDED AS GENERAL INFORMATION; IT SHOULD *NOT* BE RELIED ON BY ANY PARTY AS THE SOLE METHOD OF DIVIDING RETIREMENT BENEFITS. PLEASE NOTE THAT NEITHER CENTRAL LABORERS' ANNUITY FUND, ITS DESIGNATED AGENTS NOR ITS ADMINISTRATORS MAY PROVIDE LEGAL ADVICE, AND THE FOLLOWING IS *NOT* INTENDED AS SUCH.

THE ANNUITY FUND'S PLAN DOCUMENT (NOT ANY EXTRINSIC DOCUMENT, I.E., SEPARATION AGREEMENT, DIVORCE DECREE, ETC.) DICTATES HOW ADMINISTRATIVE MATTERS ARE HANDLED UNDER THE PLAN. IT IS THEREFORE EXTREMELY IMPORTANT TO CONFIRM WITH THE FUND'S ADMINISTRATIVE OFFICE WHAT ADDITIONAL STEPS UNDER THE PLAN DOCUMENT ARE REQUIRED TO ENSURE THE OUTCOME CONTEMPLATED IN THE DIVORCE SETTLEMENT.

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT
_____ COUNTY, [STATE]

IN RE THE MARRIAGE OF:

_____ ,)	
)	
Petitioner,)	Case No. _____
)	
)	
and)	
)	
_____ ,)	
)	
Respondent.)	

QUALIFIED DOMESTIC RELATIONS ORDER (ANNUITY PLAN)

THIS CAUSE coming on to be heard for the purpose of entry of a Qualified Domestic Relations Order as defined in 29 U.S.C. Section 1056(d)(3); the Court on

_____, 20____, having entered a judgment of this Court relating to the provisions of marital property rights of a spouse.

THE COURT FINDS AND IT IS HEREBY ORDERED AS FOLLOWS:

A. The order is intended to be a Qualified Domestic Relations Order as defined in Section 206(d)(3) of the Employee Retirement Income Security Act of 1974, as amended by the Retirement Equity Act of 1984, 29 U.S.C. Section 1056(d)(3).

B. The Annuity Plan to which this Order applies is Central Laborers' Annuity Fund, P.O. Box 1267, Jacksonville, Illinois 62651-1267, referred to herein as "the Plan."

C. The following definitions should be utilized for purposes of this Order:

1. Participant: _____. For Participant's current mailing address, date of birth, and Social Security number, please see "Notice of Confidential Information."

2. Alternate Payee: _____. For Alternate Payee's current mailing address, date of birth, and Social Security number, please see "Notice of Confidential Information."

D. Alternate Payee is hereby assigned the sum of \$_____ of Participant's Annuity Fund account. That amount shall be segregated into a separate account as soon as practicable after the Order has been accepted as "qualified" by the Plan. Distribution of that amount in Alternate Payee's Annuity Fund account shall be subject to the Plan's rules and federal law.

E. Alternate Payee may elect to receive his/her share of Participant's Annuity Fund account as soon as Participant has attained his earliest retirement age under the Plan, whether or

not Participant has retired or otherwise separated from covered employment, and in any form currently permitted under the Plan.

F. It is acknowledged that this Order expressly provides for the following:

1. Both Participant and Alternate Payee shall have the duty to notify the Plan Administrator in writing of any changes in his or her respective addresses subsequent to the entry of this Order.
2. The amount of Participant's Annuity Fund account awarded to Alternate Payee is specified herein.
3. The manner in which the number of payments, form of payments and the payment period are to be determined as specified herein; and
4. The Plan to which the Order applies is specified herein.

G. The foregoing terms and provisions:

1. Create or recognize the existence of Alternate Payee's right to receive a portion of Participant's benefits under the Plan or assigns to the Alternate Payee such a right;
2. Adjudicate the parties' respective marital property rights pursuant to the Illinois Marriage and Dissolution of Marriage Act as amended, 750 ILCS 5/503(c).

[REFERENCE OTHER STATE LAW AS APPLICABLE]

H. The foregoing terms and provisions are not to be construed to:

1. Require the Plan to provide any type or form of benefits, or any option not otherwise provided for under the Plan;
2. Require the Plan to provide increased benefits (determined on the basis of actuarial value); and

3. Require the payment of benefits to Alternate Payee which are required to be paid to another Alternate Payee under another Order previously determined to be a Qualified Domestic Relations Order.

I. Participant and Alternate Payee shall each be responsible for his/her own federal, State, and local income taxes or other taxes attributable to distributions from the Plan that are received by Participant and Alternate Payee, respectively.

J. In the event of the death of Alternate Payee before his/her distribution from the Plan, but after this Order has been adjudicated by the Court as a QDRO, the amount set forth in Paragraph 4 shall be payable to Alternate Payee's designated beneficiary. In the event that the beneficiary predeceases Alternate Payee or that Alternate Payee fails to designate a beneficiary, the benefit shall be paid to Alternate Payee's estate.

K. In the event the Plan's Administrative Office does not approve the form of this Order, then each party shall cooperate and do all things reasonably necessary to devise a form of order acceptable to the Plan Administrator.

L. The parties shall cause a certified copy of this Order to be served on the Plan's Administrative office forthwith once accepted as "qualified" pursuant to the Plan's procedures; this Order shall remain in effect until further order of this Court or its terms and obligations have been discharged by the distribution of benefits from this Plan.

M. The parties were married on _____, _____, and said marriage was registered in _____, [STATE]. The marriage of the parties was dissolved by Judgment of Dissolution of Marriage on _____, _____. A copy of said Judgment has been provided to the Plan.

N. This Court retains jurisdiction to enforce, revise, modify, or amend this Order insofar as necessary to establish or maintain its qualification as a QDRO or to amend this Order for other reasons, provided, however, neither this Order nor any subsequent revision, modification, or amendment shall require the Plan to provide any benefit not otherwise provided by the Plan.

O. If the Plan inadvertently pays to Participant any benefit that is assigned to Alternate Payee pursuant to the terms of this Order, Participant will immediately reimburse Alternate Payee to the extent that Participant has received such benefit payment and shall forthwith pay such amounts so received to Alternate Payee within ten (10) days of receipt. If the Plan inadvertently pays to Alternate Payee any benefit that is actually payable to Participant, Alternate Payee must make immediate reimbursement. If Participant's benefit have not begun, Alternate Payee shall immediately reimburse the Plan. If Participant's benefits have begun, Alternate Payee shall immediately reimburse the Participant. In either case, Alternate Payee must make reimbursement to the extent that he or she has received such benefit payments and shall forthwith pay such amount so received to either the Plan or Participant within ten (10) days of receipt.

DATED: _____

ENTER: _____

Approved:

Attorney for Petitioner

Attorney for Respondent

IN THE CIRCUIT COURT FOR THE _____ JUDICIAL CIRCUIT
_____, COUNTY, [STATE]

IN RE: THE MARRIAGE OF:)
)
)
 Petitioner,)
)
 and) No.
)
)
 Respondent.)

NOTICE OF CONFIDENTIAL INFORMATION

I. Participant: _____
 Current Mailing Address: _____
 Date of Birth: _____
 Social Security Number: _____

II. Alternate Payee: _____
 Current Mailing Address: _____
 Date of Birth: _____
 Social Security Number: _____