

QDRO TRANSMITTAL LETTER

Date

Board of Trustees
Northwest Ironworkers Retirement Trust
P. O. Box 34203
Seattle, WA 98124

Re: QDRO – _____ and _____
Participant *Alternate Payee*

Dear Plan Administrator:

Enclosed is a Qualified Domestic Relations Order (“Order”) impacting the benefits under the Northwest Ironworkers Retirement Trust.

This Order is a: Draft, or
 Court Certified Copy

As noted in the Order, the social security number and date of birth of the Participant and Alternate Payee will be provided separately. They are as follows:

Participant

Participant: _____
Social Security Number: _____
Date of Birth: _____

Alternate Payee

Alternate Payee: _____
Social Security Number: _____
Date of Birth: _____

If further information is needed in connection with this QDRO, please contact

Names: _____
Phone Number: _____

Sincerely,

Signature

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IN THE SUPERIOR COURT OF THE STATE OF _____
IN AND FOR THE COUNTY OF _____

IN RE THE MARRIAGE OF:

_____,
Petitioner,

v.

_____,
Respondent.

NO. _____

QUALIFIED DOMESTIC RELATIONS
ORDER

WHEREAS, the Court has jurisdiction over all parties and over the subject matter in this dissolution action; and

WHEREAS, the parties to this Order and Court intend this Order to be a Qualified Domestic Relations Order (hereinafter referred to as “Order” or “QDRO”) as that term is used in the Retirement Equity Act of 1984, as amended, and interpreted in accordance with that Act; and

WHEREAS, the parties have stipulated that the Court shall enter this Order as an Addendum to the Decree of Dissolution of Marriage filed herein on _____(date), NOW, THEREFORE,

IT IS HEREBY ORDERED by the Court as follows:

- 1. Definitions.** The following are the definitions used in this Order:

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1.1 "Participant"

Name: _____

Address: _____

The Participant's social security number and date of birth will be provided separately to the Plan Administrator.

1.2 "Alternate Payee"

Name: _____

Relationship to Participant: _____

Address: _____

The Alternate Payee's social security number and date of birth will be provided separately to the Plan Administrator.

1.3 "Plan" Northwest Ironworkers Retirement Plan

1.4 "Plan Administrator" Board of Trustees
Address: P.O. Box 34203
Seattle, WA 98124

2. **Division of Marital Property.** This Order hereby creates and recognizes the existence of the Alternate Payee's rights to receive a portion of the Participant's benefits under the Plan.

3. **Factual Basis for Order.** This Order is based on the following facts:

3.1 Participant is vested;

3.2 Participant is _____ years of age; and

3.3 Participant at the time of entry of this order is not receiving any payment of benefits under the Plans.

1 **4. Payments to Alternate Payee.**

2 4.1 Subject to the provisions in paragraph 4.3, below, for pre-retirement
3 death benefits, Alternate Payee is awarded _____ (%) of the Participant's accrued
4 benefit in the Plan earned from:

5 _____ (beginning date) to

6 _____ (ending date)

7 and calculated as of the Alternate Payee's benefit commencement date. Alternate Payee is
8 also entitled to any increases on Alternate Payee's share of the benefit.

9 Alternate Payee (select one):

10 Is entitled to share in "thirteenth" benefit checks.

11 Is NOT entitled to share in "thirteenth" benefit checks.

12 The level of benefit payments shall be calculated as the actuarial equivalent as defined by the
13 Plan. Subject further to the provisions in paragraph 4.3, below, Alternate Payee's benefits
14 shall be segregated into a separate account on behalf of Alternate Payee and payable in the
15 form of a single life benefit guaranteed for 60 or 120 months, based upon the lifetime of
16 Alternate Payee. Alternate Payee shall be entitled to elect the period of the guarantee (i.e., 60
17 or 120 months) at commencement of benefits.

18 4.2 Subject to paragraph 4.3, below, Alternate Payee's benefits shall
19 commence upon application by Alternate Payee at any time after Participant reaches the
20 earliest retirement age under the Plan as provided in Internal Revenue Code Section
21 414(p)(4), but not later than the Participant's commencement of benefits (other than on a
22 Disability) and not later than the required beginning date under the Plan. In the case of any
23 payment before Participant has retired, Alternate Payee's benefits shall not take into account
the present value of any employer subsidy for early retirement; however, if Participant later
takes early retirement following commencement of Alternate Payee's benefits and receives
a. subsidized early retirement benefit, the amount payable to Alternate Payee shall be
recalculated prospectively based upon the subsidized reduction factors for early retirement,
without affecting Participant's benefits.

 4.3 If Participant dies prior to commencement of Alternate Payee's
benefits, and Alternate Payee survives Participant, Alternate Payee shall not be entitled to
receive the single life benefit. Instead, Alternate Payee shall be Participant's sole surviving
spouse for purposes of any pre-retirement death benefits accrued from:

 _____ (beginning date) to

 _____ (ending date)

1 If Participant dies prior to commencement of Alternate Payee's benefits and Alternate
2 Payee has not survived Participant, pre-retirement death benefits shall be payable to
3 Participant's designated beneficiary. If Alternate Payee dies prior to commencing benefits,
Alternate Payee's benefits shall revert to Participant for payment to Participant pursuant to
the terms of the Plan.

4 4.4 In the event Participant becomes disabled and is entitled to begin
5 receiving Disability Retirement Income from the Plan, such benefits are the separate
6 property of Participant and do not affect the disposition of benefits or commencement date
of Alternate Payee's benefits.

7 **5. Limitations on Order.** Nothing contained in this Order shall be construed to
require the Plan:

8 5.1 To provide for any type or form of benefits, or any option, not
9 otherwise provided under the Plan at the time benefits commence to the Alternate Payee;

10 5.2 To provide increased benefits (determined on the basis of actuarial
value) not available to the Participant;

11 5.3 To provide benefits to the Alternate, Payee which are required to be
12 paid to another Alternate Payee under another order previously determined to be a QDRO;
and

13 5.4 To provide the payment to the Alternate Payee of benefits forfeited by
14 the Participant.

15 **6. Action to Be Taken.** The Plan Administrator shall be provided with a copy
of the Order by counsel for the Alternate Payee. Upon receipt, the Plan Administrator shall:

16 6.1 Immediately notify the Participant and the Alternate Payee of:

17 6.1.1 The receipt of this Order; and

18 6.1.2 The Plan's procedures for determining whether this Order is a
19 QDRO.

20 6.2 Within a reasonable period of time, determine if this Order is a
QDRO, and notify the Participant and Alternate Payee of such determination.

21 6.3 Pending determination of a proposed order's status as a QDRO,
22 separately account within the Plan for the amount ("segregated amounts") which would
23 have been payable to the Alternate Payee (if this order is established to be a QDRO) during

1 the determination period, as defined in Internal Revenue Code Section 414(p)(7). No
2 segregation is necessary if benefits are not payable during the determination period.

3 **7. Continuing Jurisdiction.** The Court retains jurisdiction over this matter to
4 amend this order to establish or maintain its status as a QDRO under the Retirement Equity
5 Act of 1984, as amended.

6 DONE IN OPEN COURT this ____ day of _____, _____.

7 _____
8 JUDGE/COURT COMMISSIONER

9 Presented by:

10 By: _____
11 *Signature* Petitioner or Respondent

12 Copy Received, Approved for Entry,
13 Notice of Presentment Waived:

14 By: _____
15 *Signature* Petitioner or Respondent
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