

IN THE SUPERIOR COURT FOR THE STATE OF [STATE]  
IN THE COUNTY OF [COUNTY]

IN RE THE MARRIAGE OF:

[PETITIONER'S NAME],

Petitioner,

v.

[RESPONDENT'S NAME],

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 filed with court], NOW, THEREFORE,

IT IS HEREBY ORDERED by the Court as follows:

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

1.1 "Participant:" [Participant's Name]

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1 Address: [Address]  
2 Social Security Number: [000-00-0000]  
3 Date of Birth: [Month, Day, Year]

4 1.2 "Alternate Payee:" [Alternate Payee's Name]  
5 Relationship to Participant: [Relationship]  
6 Address: [Address]  
7 Social Security Number: [000-00-0000]  
8 Date of Birth: [Month, Day, Year]

9 1.3 "Plan" Ironworkers District Council of  
10 the Pacific Northwest Field  
11 Ironworkers Annuity Plan

12 1.4 "Plan Administrator" Board of Trustees  
13 Address: P.O. Box 34203  
14 Seattle, WA 98124

15 **2. Division of Marital Property.** This Order is entered into pursuant to RCW  
16 26.09.080 governing division of marital property (as that term is defined therein) between  
17 spouses and former spouses in divorce actions. This Order hereby creates and recognizes the  
18 existence of the Alternate Payee's rights to receive a portion of the Participant's benefits under  
19 the Plan.

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

21 3.1 Participant is vested;

22 3.2 Participant is [age] years of age; and

23 3.3 Participant at the time of entry of this Order is not receiving any payment of  
24 benefits under the Plans.

25 **4. Payments to Alternate Payee.**

4.1 Alternate Payee is awarded [what %] of the Participant's account balance in the  
Plan earned from [beginning date] to [separation/divorce date]. The Alternate Payee's share  
shall be transferred effective [separation/divorce date] to a separate account in the Plan solely  
in the name of the Alternate Payee. Alternate Payee's account shall be valued separately from

1 the Participant's and be subject to allocation of earnings and expenses separately from  
2 Participant's.

3 4.2 Alternate Payee's benefits shall commence upon application by Alternate Payee  
4 at any time after approval of this Order by the Plan, but not later than the required beginning  
5 date under the Plan. Consistent with the terms of the Plan, Alternate Payee shall be entitled to  
6 select a form of payment and designate a beneficiary for her portion of the benefits. If  
7 Alternate Payee dies prior to commencement of benefits, the amount in her account shall be  
8 payable in the form of an alternate death benefit to her eligible beneficiary pursuant to the  
9 terms of the Plan.

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

12 5.1 To provide for any type or form of benefits, or any option, not otherwise  
13 provided under the Plan at the time benefits commence to the Alternate Payee;

14 5.2 To provide increased benefits (determined on the basis of actuarial value) not  
15 available to the Participant;

16 5.3 To provide benefits to the Alternate Payee which are required to be paid to  
17 another Alternate Payee under another order previously determined to be a QDRO; and

18 5.4 To provide the payment to the Alternate Payee of benefits forfeited by the  
19 Participant.

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

22 6.1 Immediately notify the Participant and the Alternate Payee of:

23 6.1.1 The receipt of this Order; and

24 6.1.2 The Plan's procedures for determining whether this Order is a QDRO.

25 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.

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

1 determination period, as defined in Internal Revenue Code Section 414(p)(7). No segregation  
2 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 Act  
5 of 1984, as amended.

6 DONE IN OPEN COURT this \_\_\_\_\_ day of *[month]*, *[year]*.

7  
8 \_\_\_\_\_  
9 JUDGE/COURT COMMISSIONER

10 Presented by:

11 *[NAME OF ATTORNEY'S OFFICE]*

12  
13 By \_\_\_\_\_  
14 *[NAME OF ATTORNEY]*  
15 WSBA No. *[00000]*  
16 Attorney for Respondent

17 Copy Received, Approved for Entry,  
18 Notice of Presentment Waived:

19 *[NAME OF ATTORNEY'S OFFICE]*

20 By \_\_\_\_\_  
21 *[NAME OF ATTORNEY]*  
22 WSBA No. *[00000]*  
23 Attorney for Petitioner

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26 QUALIFIED DOMESTIC RELATIONS