

CENTRAL ILLINOIS CARPENTERS RETIREMENT SAVINGS FUND

PROCEDURES FOR QUALIFICATION OF DOMESTIC RELATIONS ORDERS

Purpose

Section 414(p) of the Internal Revenue Code and Section 206(d) of ERISA require benefit plans which are subject to the provisions of the Retirement Equity Act of 1984 (REA) to adopt and implement procedures for qualifying Domestic Relations Orders. This document describes the procedures to be used by the Central Illinois Carpenters Retirement Savings Fund (“Fund” or “Plan”) to determine the qualified status of Domestic Relations Orders pursuant to Section 414(p) of the Internal Revenue Code and Section 206(d) of ERISA.

Delegation to Administrative Manager

The Trustees delegate to the Administrative Manager the authority to make final decisions on all matters relating to the qualification of Domestic Relations Orders and the interpretation of Qualified Domestic Relations Orders. Fund Counsel shall review all Domestic Relations Orders and make a determination whether the order constitutes a Qualified Domestic Relations Order.

Subpoenas or Request for Information

On an as needed basis, the Fund Office may notify Fund Counsel upon the receipt of a request for information to be utilized in a domestic relations case and/or upon the receipt of a subpoena to produce documents or to testify in a domestic relation proceeding. If needed, the Fund Office may consult with Fund Counsel prior to responding to any request for information and/or subpoena relating to a domestic relations case.

Request for Procedures and Model QDRO

Upon request, the Fund Office shall provide a Participant, Alternate Payee, and/or the representatives of the Participant/Alternate Payee with a copy of these procedures and the Plan’s Model Qualified Domestic Relations Order.

Draft QDRO

The Participant, Alternate Payee or their representatives are encouraged to submit a draft Domestic Relations Order for the Plan’s review.

Request for Determination of Qualification

Any Domestic Relations Order or proposed Order which involves the division of an Individual Account shall be forwarded to the Fund Office by the Participant, Alternate Payee(s), or their representative(s), with a request that a determination of qualification be made.

Upon receipt of any Domestic Relations Order or proposed Order involving the division of an Individual Account, the Fund Office shall promptly notify Fund Counsel of the receipt of such Order. The Fund Office shall then transmit the Domestic Relations Order and all correspondence to Fund Counsel for an initial review and determination as to its qualification.

It is the responsibility of the Participant and Alternate Payee, or their representatives, to notify each other that a Domestic Relations Order has been submitted to the Plan.

Requirements for Qualification

A Domestic Relations Order shall meet the following requirements in order for it to be a Qualified Domestic Relations Order:

- A. The Order shall be a judgment, decree, or order (including approval of a property settlement agreement) which relates to the provision of child support, spousal support payments, or marital property rights of an Alternate Payee, and shall be made pursuant to a State's domestic relations law (including community property law); and
- B. The Order shall assign to an Alternate Payee the right to receive all or a portion of the benefits payable to a Participant. The term "Alternate Payee" means any Spouse, former Spouse, child or other dependent of a Participant who is recognized by a Domestic Relations Order as having a right to receive all, or a portion of, the defined contribution benefits payable under the Plan to such Participant.
- C. All Orders shall meet the requirements of paragraphs 1 through 8 below:
 1. The Order shall specify the name and the last known mailing address of the Participant and the name and mailing address of each Alternate Payee covered by the Order;
 2. The Order shall specify the Social Security numbers of the Participant and each Alternate Payee;
 3. The Order shall clearly specify the amount or percentage of the Participant's benefits to be paid by the Fund to each such Alternate Payee, or the manner in which such amount or percentage is to be determined;

****The Participant and Alternate Payee, or their representatives, shall have the sole responsibility to ensure that the terms of the Domestic Relations Order reflect the agreement of the Participant and Alternate Payee or order of the Court. **THE PLAN WILL NOT EVALUATE WHETHER THE DOMESTIC RELATIONS ORDER IS CONSISTENT WITH THE TERMS OF THE JUDGMENT OF DISSOLUTION OR OTHER DOCUMENT.**

4. The Order shall state the proper legal name of the Plan;
5. The Order shall not require the Fund to provide any type or form of benefit, or any option, not otherwise provided under the Plan;
6. The Order shall not require the Plan to provide benefits in excess of the benefits to which the Participant would otherwise be entitled under the Plan, and
7. The Order shall 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.

Response to Request

When a Domestic Relations Order or proposed Order has been received, the Administrative Manager will forward the Order to Fund Counsel to determine if it is qualified. Within a reasonable period of time after the receipt of the Domestic Relations Order or proposed Order, not to exceed eighteen (18) months, Fund Counsel will issue a determination as to whether or not the order is a Qualified Domestic Relations Order.

If, at the end of the 18-month period, the issue as to whether the Domestic Relations Order is a Qualified Domestic Relations is not resolved **for any reason**, the Plan will release any hold on the Participant's account, and all amounts will be paid to the proper party had there been no proposed Domestic Relations Order, in accordance with the provisions of the Plan and applicable law. If the Plan determines that a Domestic Relations Order is a Qualified Domestic Relations Order more than 18 months after the determination period has begun, the Domestic Relations Order will apply prospectively.

If the order is qualified, Fund Counsel shall transmit the determination to the Administrative Manager, to the Participant, or attorney, as appropriate, who submitted the order. The Administrative Manager will then segregate accounts. After segregation accounts are set up, the Administrative Manager will notify the Participant and Alternate Payee(s) and/or their representatives of the determination and shall provide the Participant and Alternate Payee with the details of how the amounts were calculated.

If the Order is determined not to be qualified, Fund Counsel shall notify the appropriate person of the determination and the issues that prevented the qualification of the Order. The Participant and Alternate Payee(s) and/or their representative can submit the revised Order and/or any other requested information so that the Order can be qualified.

Upon receipt of the revised Order and/or any other requested information, Fund Counsel shall issue an opinion as to whether the Domestic Relations Order or proposed Order is qualified or whether any further action is necessary to obtain a qualified Order. If, in the opinion of Fund Counsel, the Order is qualified, Fund Counsel shall advise the Administrative Manager of this

determination and the applicable parties shall be notified by the Fund Office or Fund Counsel, as appropriate.

Administration

Upon the entry of the Qualified Domestic Relations Order by the Court, one (1) certified copy of said Order shall be transmitted to the Fund Office. A copy of the judgment of dissolution of marriage must also be submitted.

Upon receipt of the certified copy of the Order, the Fund Office shall establish a separate benefits file for the Alternate Payee(s) and a copy of the Order shall be permanently retained in the Fund Office in the files for both the Participant and the Alternate Payee(s).

During the period that the Domestic Relations Order is being considered for qualification, the Administrative Manager shall not distribute benefits to either the Participant and/or Alternate Payee(s), except that, upon approval, the Fund Office shall distribute benefits to the Participant which are not in dispute.

Subsequent to the entry of a Qualified Domestic Relations Order, the Fund Office shall submit all requests for distributions pursuant to the Order and/or all inquiries concerning the interpretation of, or benefits to be paid pursuant to the Order, to the Board of Trustees for a decision.

An Alternate Payee may complete an application after the Fund Office enters the Qualified Domestic Relations Order in the records of the Fund. Upon approval of the application, the Alternate Payee's distribution shall be paid as soon as administratively practical. Notwithstanding the foregoing, the Board of Trustees shall have the authority to interpret, construe and apply the provisions of the Qualified Domestic Relations Order and make all decisions concerning the Participant's and/or Alternate Payee's entitlement to benefits.

Any Qualified Domestic Relations Order fees, including legal, accounting, missing participant locator fees and any other expenses or fees related to an Individual Account shall be charged to the Individual Account and shall not be allocated among all Participants. Unless otherwise specified in the Qualified Domestic Relations Order, legal fees related to whether a Domestic Relations Order shall be charged equally to the Participant's Individual Account and Alternate Payee's Individual Account.