

COMMONWEALTH OF KENTUCKY
JEFFERSON FAMILY COURT
CIVIL ACTION # _____

IN RE THE MARRIAGE OF:

PETITIONER

and

QUALIFIED DOMESTIC RELATIONS ORDER

RESPONDENT

*** **

Pursuant to paragraph # _____ of the parties' separation agreement dated the _____ day of _____, 20____, which separation agreement was approved and incorporated by the Court in its Decree of Dissolution of Marriage issued in this action on the _____ day of _____, 20____, it is hereby ORDERED AND ADJUDGED as follows, to-wit:

1. The name of the Plan hereby affected is the Electrical Workers Local Union No. 369 Retirement Plan, 906 Minoma Avenue, Louisville, KY 40217;

2. The name, address and social security number of the Participant in said Plan is [NAME], [STREET ADDRESS], [CITY, STATE, ZIP], social security number _____ .

3. The name, address and social security number of the Alternate Payee is [NAME], [STREET ADDRESS], [CITY, STATE, ZIP], social security number _____ .

4. The date of marriage of the Participant and Alternate Payee was _____ .
The date of dissolution of marriage was _____ .

5. This Order assigns to the Alternate Payee a benefit equal to _____ percent (%) [OR SPECIFIC DOLLAR AMOUNT] of the marital portion of the Participant's accrued vested account balance in the Plan [OR A DIFFERENT AMOUNT/PERCENTAGE AT AN EARLIER

AGREED UPON DATE]. The amount payable to the Alternate Payee shall be segregated in a separate individual account. The Alternate Payee shall be entitled to invest her account in any of the investment options available to participants in the Plan. Her individual account shall be subject to valuation in accordance with the terms of the Plan.

6. The Alternate Payee may elect to receive her benefit in any form allowed by the Plan, other than a Husband and Wife Annuity with a subsequent spouse.

7. The Alternate Payee may apply for the benefit awarded to her in this Order no earlier than the earliest retirement age at which the Participant is eligible to commence benefits under the Plan, regardless of whether the Participant actually retires on that date, or on any earlier date if the Participant becomes entitled to a distribution.

8. In the event that _____ [INSERT NAME OF PARTICIPANT] should die prior to reaching his earliest retirement age, the Alternate Payee shall be treated as the Participant's surviving spouse and shall be entitled to receive the payment awarded to her herein in accordance with the provisions of the Plan.

9. The Alternate Payee and the Participant, respectively, are to notify the Electrical Workers Local Union No. 369 Retirement Plan of any change in address and are each solely responsible for failure to do so, and each is to further notify the Plan of any subsequent orders of this Court that may affect the payment of benefits to the Alternate Payee.

10. Benefit payments made pursuant to this Order are conditioned on the certification by the Alternate Payee and the Participant to the Plan administrator of such information as the Plan administrator may reasonably require to calculate the parties' respective benefit amounts.

11. For purposes of the applicable provisions of the Internal Revenue Code, the Alternate Payee will be treated as the distributee of any payments made to her pursuant to this Order and, as

such, will be required to pay the appropriate Federal income taxes [and any similar State income taxes, if required] on the distribution.

12. This Order is not intended to require, and shall not be construed in such a manner as to require, the Plan:

- (a) to provide any type or form of benefit option not otherwise provided under the terms of the Plan; or
- (b) to require the Plan to provide increased benefits; or
- (c) to require the payment of any benefits to the Alternate Payee that are required to be paid to another alternate payee under another order that was previously deemed to be a QDRO.

11. It is further ordered that this Order may be amended or modified, if necessary, to permit it to become a "Qualified Domestic Relations Order" if it is determined that it does not initially comply with the requirements of the Electrical Workers Local Union No. 369 Retirement Plan or any other law or laws dealing with this subject, so that the parties' intention of permitting the Alternate Payee to share in the Plan can be accomplished.

Given under my hand, this the _____ day of _____, 20_____ .

Judge, Jefferson Circuit Court

Participant:

Alternate Payee:

Attorney for Participant
address and telephone number

Attorney for Alternate Payee
address and telephone number

CLERK'S CERTIFICATION

I, _____, do hereby certify that I have mailed a true and correct copy of the foregoing Qualified Domestic Relations Order to the following: Electrical Workers Local Union No. 369 Retirement Plan, 906 Minoma Avenue, Louisville, Kentucky 40217, [INSERT NAMES OF ATTORNEYS], on this, the ____ day of _____, 20____.

_____ Clerk

_____ D.C.