

QDRO PROFESSIONALS PLLC
Request for QDROs or EDROs

Instructions: Please complete this **General Information Section** once only. Please also complete **Schedule DC** and/or **Schedule DB** (on the following pages). Please refer to the instructions at the bottom of the next page. **We are available to help you. CALL JON MALLIN BEFORE SENDING ANY ASSIGNMENTS AT 248-932-3500 X281.**

If you are completing this form in Microsoft Word, use Tab to move forward one field, Shift+Tab to move backward one field and the space bar to toggle a check box on/off. You can also navigate with the mouse. You can save the form at any time.

General Information Section

1. Husband or Former Husband (“Husband”)

Full Name: _____

Street Address: _____

City, State & ZIP: _____

Social Security #: _____ Date of Birth: _____

Telephone #: _____ E-mail Address: _____

Plaintiff Defendant Is there a counter-suit? Yes No

Is he currently represented by an attorney? Yes, name: _____ No

2. Wife or Former Wife (“Wife”)

Full Name: _____

Street Address: _____

City, State & ZIP: _____

Social Security #: _____ Date of Birth: _____

Telephone #: _____ E-mail Address: _____

Is she currently represented by an attorney? Yes, name: _____ No

3. Retaining Party or Parties (check one box only)

Most Common: Joint retention by Husband and Wife.

Single retention by Husband only.

Single retention by Wife only.

4. Marital History

Marriage Date: _____ Date Judgment was entered with Court: _____

5. Enclosures: Judgment/Settlement Agreement (send both, if applicable)

Copy of Judgment enclosed. Please include, at a minimum, the caption page (first page) and any pages discussing retirement benefits. Send a proposed Judgment if not yet entered.

If there is a separate Settlement Agreement, copy enclosed.

6. Delivery Options for Sending Completed QDROs/EDROs (please check one box only)

Preferred — E-mail to: _____ & _____ or U.S. Mail

7. Additional Instructions (optional)

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General Information Section (continued)

Fees and Retention Agreement

Each plan being divided will require a separate QDRO or EDRO. Please contact Jon Mallin before sending any assignments.

\$750 x _____ (number of QDROs/EDROs).....= \$

Plus Optional Expedited Three Business Day Service (emergencies only)
 \$250 x _____ (number of QDROs/EDROs expedited).....= \$ _____
FEE \$ _____

- The Fee is enclosed as a check or money order made payable to **QDRO Professionals PLLC**.
- _____ paid with a credit card online at WWW.QDRO.PRO.

This is a limited engagement. I/We understand that the fee is for preparing the requested QDROs and/or EDROs only and does not include other services, including litigation, testimony or depositions. Unless you instruct us otherwise, we generally seek pre-approval of our orders prior to you entering them with the court. Unfortunately, we, like all order preparers, have no control over how long it takes plans to review an order or draft order. It is your responsibility (or your attorney(s)) for entering completed orders with the court and mailing them to the plan for implementation upon our instruction.

Signature: _____
 Name: _____

Date: _____

Instructions: This is the end of the **General Information Section**. Please complete **Schedule DC** (Defined Contribution) or **Schedule DB** (Defined Benefit) on the following pages, whichever is applicable, for each QDRO or EDRO requested. For example, if only a 401(k) is being divided, complete only Schedule DC. If only a pension is being divided, complete only Schedule DB. If both, complete both Schedule DC and Schedule DB. Multiple copies of Schedule DC and/or Schedule DB may be necessary if more than one QDRO or EDRO of the same type is needed.

Please mail to **QDRO Professionals PLLC, 30300 Northwestern Hwy., Suite 319, Farmington Hills, MI 48334** the following items: (1) this **General Information Section**, (2) all applicable **Schedules**, (3) **the documents identified in Item 5**, and (4) a **check or money order** for the fee shown above made payable to **QDRO Professionals PLLC** unless you are paying by credit card. We can also receive documents by e-mail at JON@QDRO.PRO or fax at 248-932-3500, but we will not begin work until we receive the fee.

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Schedule DC

Instructions: Complete this **Schedule DC** for each award from a Defined Contribution Plan. Defined Contribution plans have individual investment accounts and include 401(k), 403(b), 457, profit sharing, tax sheltered annuities (including TIAA-CREF annuities), employee stock ownership plans and money purchase pensions. **If you need assistance completing Schedule DC, please call us at 248-932-3500.**

DC-1. Defined Contribution Plan

Plan's Official Name: _____

Plan Sponsor (employer, union, etc.): _____

Plan Address for QDRO or EDRO submission: _____

Name & Telephone #/e-mail address of Plan contact: * _____

* To expedite QDRO or EDRO preparation, Participant should request published rules/procedures for QDRO/EDRO drafters and send them to us.

DC-2. Plan Participant. This is the person whose account is being divided.

Plan Participant: Husband Wife

Hire date (enter date, estimated date or whether **before** or **after** marriage date): _____

Participant currently employed at Plan Sponsor? Yes No, ended on _____

DC-3. Division Date. This is the date as of which the Non-Participant's ("Alternate Payee's") portion of the Participant's account is based. Any contributions made after this date and the earnings on those contributions belong solely to the Participant. **(check one box only)**

Divorce/Separation Date Date of QDRO/EDRO Other date _____

DC-4. The Alternate Payee is awarded: (check one box only)

_____ % of the Participant's entire account at the Division Date.

_____ % of only the **marital portion** of the Participant's account at the Division Date.

\$_____ of the Participant's account at the Division Date. If this box is checked, should the Alternate Payee receive any investment income and investment gains and losses from the Division Date to the date(s) of distribution? **Yes*** No, the award is unadjusted.

Other (specify): _____

Instructions: Complete DC-5 only if the award in DC-4 is a percentage award. This means that the first or second box of DC-4 was checked.

DC-5. Loans. Should the Alternate Payee's award be based upon account values that include or exclude any outstanding loan? **(check one box only)**

Exclude the loan balance. Alternate Payee effectively repays a proportionate part of loan. This choice is generally used if the loan proceeds were shared by the divorcing parties or used jointly. This produces a smaller award to the Alternate Payee.

Include the loan balance. Alternate Payee does not effectively contribute toward loan repayment. This choice is generally used if the loan proceeds were retained or used by the participant exclusively (for example, if the participant raided the account because of the impending divorce). This produces a larger award for the Alternate Payee.

Not applicable. Plan does not permit loans or the Participant has never borrowed from the Plan.

This is the end of Schedule DC.

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Schedule DB

Instructions: Complete this **Schedule DB** for each award from a Defined Benefit Pension Plan. A defined benefit pension plan promises a specific monthly benefit at retirement calculated according to a benefit formula that usually considers salary and years of service or is stated as an exact dollar amount. Unlike defined contribution plans, participants do not have investment choices. **If you need assistance completing Schedule DB, please call Jon Mallin at 248-932-3500.**

DB-1. Defined Benefit Pension Plan

Plan's Official Name: _____

Plan Sponsor (employer, union, etc.): _____

Plan Address for QDRO or EDRO submission: _____

Name & Telephone #/E-mail address of Plan contact: * _____

* To expedite QDRO or EDRO preparation, Participant should request any published rules/procedures for QDRO/EDRO drafters and send them to us.

DB-2. Plan Participant. This is the person whose benefit is being divided.

Plan Participant: Husband Wife

Hire date (enter date, estimated date or whether **before** or **after** marriage date): _____

Participant currently employed at Plan Sponsor? Yes No, ended on _____

If employment ended, have benefits begun? No Yes, payments began on _____

DB-3. Division Date. This is the date as of which the Non-Participant's ("Alternate Payee's") portion of the Participant's accrued benefit is based. Any benefits accrued after this date belong solely to the Participant. **(check one box only)**

Divorce/Separation Date Date of QDRO/EDRO Other date _____

DB-4. The Alternate Payee is awarded: (check one box only)

_____ % of the **marital** portion of the Participant's accrued benefit.

_____ % of the Participant's entire accrued benefit at the Division Date.

\$_____ per month.

Other (specify): _____

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Schedule DB (continued)

Instructions: Complete DB-5 only if the first box was checked for DB-4. Item DB-5 pertains to methods of determining the marital portion. For more information, please refer to our article entitled “*Coverture Methods*” which is available in the Articles section of our website at www.QDRO.PRO.

DB-5. Coverture Options. If Alternate Payee’s benefit is based upon a portion of the marital benefit, the marital benefit is determined as follows: **(check one box only; if the Participant’s hire date was after the marriage date, do not select the Tracking Method or the Accrued Coverture Method; if the Participant’s retirement benefit payments commenced before the Division Date, do not select the Prospective Coverture Method)**

- Accrued Coverture Method** (*most common*): The Accrued Coverture Method also uses a coverture fraction to determine the marital benefit and applies that fraction to the Participant’s accrued benefit at the division date. The numerator is the Participant’s months of credited service earned by the Participant during the marriage through the division date and the denominator is the participant’s total months of credited service at the division date.
- Prospective Coverture Method:** The Prospective Coverture Method also uses a coverture fraction to determine the marital portion of the Participant’s accrued benefit at the division date. The numerator is the months of credited service earned by the Participant during the marriage through the division date and the denominator is the Participant’s total months of credited service at the date benefits first commence to either the Participant or the Alternate Payee. This method results in the Alternate Payee sharing in benefits attributable to post-divorce benefit rate or salary increases but not attributable to post-divorce credited service. This method can protect the Alternate payee’s awarded benefit from inflation during the period from the division date to benefit commencement. This method may be used even if there is no pre-marital benefit.
- Tracking Method:** The Tracking Method divides the accrued benefit at the division date by treating the actual amount of increase in accrued benefit that has occurred between the marriage date and the division date as the marital portion. Some plans will not accept orders that use the Tracking Method because they are unwilling to compute benefits at two different points in time. Accordingly, we strongly discourage the use of the Tracking Method except in unusual cases.

Instructions: For more information about DB-6, please refer to our article entitled “*Survivorship Rights —Shared Payment and Separate Interest QDROs*” which is available in the Articles section of our website at www.QDRO.PRO. Please call Jon Mallin at 248-932-3500 if you have any questions.

DB-6. Shared Payment or Separate Interest. The Judgment specifies or the Alternate Payee elects: **(check one box only)**

- Separate Interest:** Benefits are payable as an actuarially equivalent annuity for the Alternate Payee’s entire lifetime.
- Shared Payment:** Benefits are payable for the Participant’s lifetime with survivor benefits thereafter for the Alternate Payee’s remaining lifetime, as specified in DB-8 on the next page.

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Schedule DB (continued)

Instructions: Items DB-7 and DB-8 pertain to deemed spousal treatment and survivorship options. These options address what benefits an Alternate Payee receives in the event the Participant dies first.

DB-7. Survivorship: Pre-Benefit Commencement by Alternate Payee. If Participant dies before Alternate Payee begins to receive awarded benefits, the Parties intend that: **(check one box only)**

- Most Common:* Alternate Payee treated as Participant's surviving spouse with respect to the divisible benefit. The pre-retirement survivor benefit is at least equal the awarded benefit.
- Alternate Payee treated as Participant's surviving spouse to the extent necessary to exactly preserve the awarded benefit for the Alternate Payee.
- Alternate Payee treated as Participant's surviving spouse with respect to the awarded benefit only. In most cases, the pre-retirement survivor benefit will be 50% of the awarded benefit.
- Alternate Payee's interest will cease (Alternate Payee will receive no awarded benefits).
- Alternate Payee be treated as Participant's surviving spouse with respect to the entire benefit accrued at the Participant's death.

Instructions: Complete DB-8 only if the second box was checked for DB-6 (Shared Payment).

DB-8. Survivorship: Post-Benefit Commencement by Alternate Payee. If Participant dies after Alternate Payee begins to receive awarded benefits, Parties intend that: **(check one box only)**

- Most Common:* Alternate Payee treated as Participant's surviving spouse with respect to the divisible benefit. The post-retirement survivor benefit will at least equal the awarded benefit.
- Alternate Payee treated as Participant's surviving spouse to the extent necessary to exactly preserve the awarded benefit for the Alternate Payee.
- Alternate Payee treated as Participant's surviving spouse with respect to the awarded benefit only. In most cases, the post-retirement survivor benefit will be 50% of the awarded benefit.
- Alternate Payee treated as Participant's surviving spouse with respect to the entire benefit accrued at the Participant's death.

This is the end of Schedule DB.