



Asunto: Ejemplo de una orden calificada de relaciones domesticas

Adjunto encontrará un ejemplo de una orden calificada de relaciones domesticas (Qualified Domestic Relations Order, QDRO); este no es un formulario para “rellenar”, sino un documento que incluye los elementos necesarios con respecto a los Fondos de Pensión, Anualidad o 401(k) y que cumple con la ley federal. Le sugerimos que le entregue este documento a su abogado o a un servicio de asistencia legal, o usted mismo puede preparar la QDRO.

Tenga en cuenta que los Fondos de Fideicomiso para la Jubilación no pagarán los beneficios hasta que se completen los siguientes pasos:

1. La orden de relaciones domésticas se ha presentado ante, y ha sido dictada por los tribunales; Y,
2. El Fondo recibió la orden; Y,
3. El Administrador del Plan ha determinado que la orden es una orden calificada de relaciones domestica.

La Oficina del Fondo también necesita la Sentencia Final de Disolucion de Matrimonio y el Acuerdo Matrimonial de Derechos y Obligaciones. Envíe los documentos a la Oficina del Fondo si aun no lo ha hecho.

Al proporcionar el ejemplo adjunto del QDRO, los Fondos ni sus agentes o abogados lo hacen como su representante, agente o abogado. Debe comunicarse con su abogado para hablar sobre sus derechos, intereses y obligaciones legales en este asunto. Si usted o su abogado optan por preparar su propia orden, se les recomienda que la orden incluya las disposiciones requeridas que contiene el ejemplo adjunto. **Por favor, tenga en cuenta que un QDRO debe estar siempre en Inglés.**

Si desea información adicional sobre cómo manejar un divorcio y los procesos relacionados, le recomendamos que lea nuestro artículo "El manejo de un divorcio". Simplemente escanee el código QR con su teléfono o tableta para tener acceso al artículo. Si tiene preguntas sobre la preparación de una orden de relaciones domésticas, no dude en comunicarse con la Oficina del Fondo al (888) 547-2054 o visite benefitservices@carpenterfunds.com.



Un cordial saludo,
Departamento de
Beneficios
opeiu 29 afl -cio

1 Name, address, tel.)

(for court use only)

3 Attorney for _____

6 THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

7 IN AND FOR THE COUNTY OF _____

8 In re the Marriage of:

) Case No.: _____

)

9) STIPULATION AND ORDER DIVIDING

)

10 Petitioner,

) COMMUNITY PROPERTY INTEREST IN

)

11 and

) CARPENTERS ANNUITY FUND (QDRO)

)

12 Respondent

)

)

13)

14)

15 WHEREAS:

16 A. Petitioner and Respondent were married to each other on
17 and separated on _____ and a Judgment of Dissolution of Marriage was
18 entered in this action on finally dissolving the marriage on _____

19 B. This court has personal jurisdiction over both petitioner and
20 respondent and jurisdiction over the subject matter of this Order.

21 C. Petitioner and Respondent intend this Order to be a Qualified
22 Domestic Relations Order (QDRO) as defined in 206(d)(3) of the Employee
23 Retirement Income Security Act of 1974 (ERISA), as amended by the Retirement
24 Equity Act of 1984, 29 U.S.C. § 1056(d)(3).

25 1.

1 D. Petitioner and Respondent hereby stipulate to entry of the
2 following Order.

3 IT SHALL BE ORDERED AS FOLLOW:

4 1. As used in this Order the following terms shall apply:

5 a. "Participant"

6 Name: _____

7 Address: _____

8 Social Security No and Date of Birth:

9 (To be provided under separate cover)

10 b. "Alternate Payee"

11 Name: _____

12 Address: _____

13 Social Security No and Date of Birth:

14 (To be provided under separate cover)

15 C. "Plan" refers to the Annuity Plan maintained by the
16 Carpenters Annuity Trust fund for Northern California, whose Plan
17 Administrator is the Board of Trustees of the Carpenters Annuity
18 Trust Fund for Northern California.

19 2. Participant has accrued benefits in the Plan, which are the
20 community property of Participant and Alternate Payee. For the purpose
21 of dividing this community property, Alternate Payee is assigned as
22 his/her separate property one-half of that portion of the Participant's
23 Accumulated share in the Plan accrued between the date of marriage and
24 the date of separation, adjusted by investment gain or loss and
25 expenses attributable to such one-half share from the date of
separation to the date of distribution.

1 3. Within a reasonable period after determination by the Plan
2 Administrator or its designee of the qualified status of this Order
3 within the meaning of Section 206(d) (3) of ERISA, the Annuity Fund
4 shall distribute to Alternate Payee his/her share of the Participants'
5 accumulated Share in the Annuity Plan as defined in paragraph 2 above.
6 Upon distribution to the Alternate Payee of his/her share, Alternate
7 Payee hereby relinquishes all further community quasi-community, or
8 marital property right, title, and interest therein, whether under this
9 Qualified Domestic Relations Order or otherwise, and any claim to
10 treatment as the Surviving Spouse of the Participant with respect to
11 the Annuity Plan or any benefits thereunder, or to be considered a
12 Beneficiary under the Annuity Plan.

13 4. If, after entry of this Order and prior to determination of the
14 qualified status of the Order participant predeceases Alternate Payee,
15 Alternate Payee's share as described in paragraph 2 shall be distributed
16 to her as a surviving spouse of Participant.

17 5. Nothing in this Order shall be construed to require the Plan to
18 provide a type or form of benefit or an option not otherwise provided
19 under the Plan.

20 6. Nothing in this Order shall be construed to require the Plan to
21 provide increased benefits determined on the basis of actuarial value.

22 7. This Order shall not require the Plan to pay to an Alternate
23 Payee, benefits which are required to be paid to another Alternate
24 Payee under another Order previously determined to be a Qualified
25 Domestic Relations Order.

8. Nothing in this Order shall be construed to require the Plan to provide a type or form of benefit or an option not otherwise provided under the Plan.

9. This Order is intended to be a QDRO made pursuant to ERISA, and its provisions shall be administered and interpreted in conformity with ERISA as amended from time to time. If ERISA is amended or the law regarding QDRO'S if otherwise changed or modified, then either party may take such steps as are necessary to amend this order to comply with such changes, amendments, and/or modifications, or, if permissible under any such change amendment, or modification to ERISA or the laws regarding QDRO'S, the Plan Administrator may elect to treat this Order as a qualifying Order.

APPROVED AS TO FORM AND CONTENT:

Date: _____

Name: Petitioner

Date: _____

Name: Attorney for Petitioner

Date: _____

Name: Respondent

Date: _____

Name: Attorney for Respondent

IT IS SO ORDERED

Date: _____

Judge of the Superior Court