

GUIDELINES FOR DRAFTING A SHARED INTEREST QDRO

The following is a sample of the information that should be included in any order which the parties intend to be treated as a shared interest qualified domestic relations order ("QDRO"). A shared interest QDRO only allows an alternate payee to receive his or her allocated share if, as and when the participant receives his or her benefit. A separate interest QDRO, on the other hand, allows the alternate payee to receive his or her allocated share of the participant's benefit in the form of a single life annuity, which the alternate payee may commence at any time after the participant is entitled to receive a benefit under the Plan. If the participant has already begun to receive his or benefit under the Plan (i.e., is in "pay status"), the alternate payee must choose the shared interest QDRO option.

1) Name, current address, and birth date of the Alternate Payee (individual who intends to receive a portion of the pension plan participant's benefits). "The Alternate Payee is _____."

2) Name, current address, and birth date of the Participant (individual whose pension benefit is being affected). "The Participant is _____."

3) A statement describing the relationship between the participant and the alternate payee. "The Participant is Alternate Payee's former spouse."

4) The date Judgment for Dissolution of Marriage was entered and where the judgment was entered. "On _____, 19____, a Judgment of Dissolution of Marriage was entered by the Circuit Court of _____ County, _____ (State), on behalf of _____ (name of Participant) and _____ (name of Alternate Payee)."

5) A statement setting forth what benefits are being affected by the order. "This Order applies to benefits the Participant is receiving under the Laborers' Pension Fund ("Pension Fund"), the office of which is located at 11465 West Cermak Road, Westchester, Illinois 60154."

6) A statement setting forth alternate payee's rights to participant's pension benefits.
" _____ (name of Alternate Payee) is entitled to receive \$ _____ of
_____ (name of Participant) monthly pension benefit."

7) A statement setting forth scope of alternate's payee's rights to the pension benefits. "
_____ (name of Alternate Payee) may apply to receive her portion of the pension benefit on
or after the date at which _____ 's (name of Participant) pension becomes effective."

8) A statement setting forth the earliest date alternate payee can begin receiving pension benefits once eligible to do so under the rules of the Pension Fund. "Monthly pension benefits shall commence no earlier than in the month following the date Alternate Payee's application for pension benefits is received by the Pension Fund, along with a copy of the QDRO (if a copy of the order has not previously been provided)."

9) A paragraph describing the characteristics of a shared interest order. "This is a shared interest order. The Alternate Payee's assigned share of the benefit will be payable only during the time in which the Participant is receiving a benefit under the Plan and only after the entered order is submitted to the Fund. Once the Participant's benefits cease, the Alternate Payee's share of the benefits shall also cease unless the Alternate Payee is designated as the "surviving spouse" of any available post-retirement benefits."

10) A statement requiring alternate payee to keep the Pension Fund duly advised of her/his address and any changes therein. "It is Alternate Payee's responsibility to make sure that at all times the Pension Fund has current address information for her/him at all times."

11) A statement that the alternate payee does not have a transferable interest in the participant's benefits, should the alternate payee die before receiving the benefits in question. "In the event _____ (name of Alternate Payee) should die prior to receiving his/her benefits from the Pension Fund, _____ (name of Alternate Payee) interest in the pension benefits shall be forfeited and shall revert back to the Participant, since _____ (name of Alternate payee) does not have a transferable interest in these benefits."

12) A statement setting forth the limits of a qualified domestic relations order. "Nothing in this Order shall be construed to require the Pension Fund to:

a. make a payment or take action that is inconsistent with federal law, rule, regulation or applicable judicial decision;

b. provide any type or form of benefit or any option that is not otherwise provided for under the terms of the Pension Fund;

c. provide total benefits having a greater actuarial value than would have been payable in the absence of this Order; or

d. pay benefits to the Alternate Payee under another order previously determined to be a Qualified Domestic Relations Order.