

NO. _____

IN THE MATTER OF
THE MARRIAGE OF

_____ AND

AND IN THE INTEREST OF

(A) CHILD(REN)

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**QUALIFIED DOMESTIC RELATIONS ORDER
FOR THE LAREDO FIREFIGHTERS RETIREMENT SYSTEM**

This order is an integral part of the Decree of Divorce signed in this case on _____. This order is intended to meet the requirements for a "Qualified Domestic Relations Order" in accordance with the provisions of Vernon's Texas Codes Annotated, Government Code, Title 8, Subtitle A, Chapter 804, Subchapter A, with the exception of Section 804.004, and Subchapter C, relating to the Laredo Firefighters Retirement System, called "the Plan" in this order. In compliance with those requirements, the Court specifies, finds, and ORDERS as follows:

1. This qualified domestic relations order assigns a portion of the benefits payable under the Plan to _____ (NAME OF ALTERNATE PAYEE) in

recognition of _____ (HIS/HER) marital rights in _____ (NAME OF PARTICIPANT)'s benefits payable under the Plan.

2. Participant in the Plan is _____ (NAME OF PARTICIPANT), whose birth date is ___-___-___, whose Social Security number is ___-___-___, and whose last known mailing address is:

_____ (NAME)

_____ (STREET)

_____ (CITY/STATE/ZIP)

3. Alternate Payee is _____ (NAME OF ALTERNATE PAYEE), whose birth date is ___-___-___, whose Social Security number is ___-___-___, and whose last known mailing address is:

_____ (NAME)

_____ (STREET)

_____ (CITY/STATE/ZIP)

Participant and Alternate Payee were married on ___-___-___ (the "Date of Marriage").

4. As part of a just and right division of the estate of the parties, Alternate Payee is hereby awarded the amount of \$_____ ¹ from each monthly retirement benefit payment Participant is entitled to receive from the System.

5. The award to Alternate Payee under paragraph 4 of this order is expressly made subject to the following provisions:

¹ Typically, ½ of the Monthly Retirement Benefit as of Date of Divorce (DOD) multiplied by (Total Months of Marriage during Service as of DOD ÷ Total Months of Service as of DOD)

(a) This order shall not be interpreted in any way to require the Plan to provide any type or form of benefit or any option not otherwise provided under the Plan.

(b) This order shall not be interpreted in any way to require the Plan to provide increased benefits determined on the basis of actuarial value.

(c) This order shall not be interpreted in any way to require the Plan to pay any benefits to the Alternate Payee named in this order that are required to be paid to another alternate payee under another order previously determined to be a qualified domestic relations order.

(d) In the event that, after distribution of a benefit to Participant has begun, the amount of the benefit payable to Participant is increased as a result of amendments to the Plan, Alternate Payee shall be entitled to a share of such increase, which shall be proportionate to Alternate Payee's interest in the retirement benefit Participant is receiving as of the date of this order.

(e) If, after the date of this order, the amount of any benefit otherwise payable to Participant is reduced by law or amendments to the Plan, the portion of benefits payable to Alternate Payee shall be reduced proportionately to Alternate Payee's interest in the retirement benefit Participant is receiving as of as of the date of this order.

(f) All benefit payments to Alternate Payee under this order shall terminate on the earlier to occur of Alternate Payee's death or Participant's death.

6. Alternate Payee is ORDERED to report any retirement payments received on any applicable income tax return, provided that any nontaxable portion of Participant's total accrued benefit shall be apportioned to Alternate Payee in the same proportion as the amount of Alternate Payee's benefit bears to the amount of Participant's total benefit (before reduction for Alternate Payee's benefit). Alternate Payee is ORDERED to promptly notify the Plan of any changes in Alternate Payee's mailing address. The Plan is authorized to issue a Form W-2P or Form 1099R on any direct payment made to Alternate Payee.

7. Participant is designated a constructive trustee for receiving any retirement benefits under the Plan that are due to Alternate Payee but paid to Participant. Participant is ORDERED to pay the benefit defined in this paragraph directly to Alternate Payee within three days of receipt by Participant. All payments made directly to Alternate Payee by the Plan shall be a credit against this order.

8. The Court retains jurisdiction to amend this order so that it will constitute a qualified domestic relations order under the Plan even though all other matters incident to this action or proceeding have been fully and finally adjudicated.

9. This Order is effective with respect to the Plan upon the delivery of a certified copy of same to the Plan Administrator. Payments to the Alternate Payee by the Plan shall commence as soon as administratively feasible. It is the sole responsibility of Participant to

remit to Alternate Payee any and all amounts awarded hereunder to Alternate Payee and paid by the Plan to Participant prior to the date this Order is effective with respect to the Plan.

10. Participant and Alternate Payee are ordered to comply with the requirements of the Plan to provide written verification to the Plan of the accuracy of any “sensitive data” as defined under Texas Rule of Civil Procedure 21c that is redacted from this Order pursuant to such Rule. The Plan may withhold payments under this Order to a party until such party provides the Plan with written verification in accordance with this Paragraph.

SIGNED on _____.

JUDGE PRESIDING

APPROVED: