

**CITY OF KNOXVILLE EMPLOYEES' PENSION SYSTEM
QUALIFIED DOMESTIC RELATIONS ORDER ("QDRO") PROCEDURE
Revised Effective June 8, 2017**

The City of Knoxville Pension Board (the "Board") hereby adopts these rules and procedures as authorized by Sections 1350.2(L) and 1356 of the City of Knoxville Charter ("Charter") and Section 4.14 of the City of Knoxville Employees' Pension System Supplemental Plan Provisions.

For any Domestic Relations Order received by the City of Knoxville ("Employer") or the Board directed at the City of Knoxville Employees' Pension System ("Plan"), its status as a Qualified Domestic Relations Order ("QDRO") shall be determined under the following procedures ("QDRO Procedure"). The Board, as Administrator, is responsible for administering the QDRO Procedure. The purpose of the QDRO Procedure is to establish a reasonable and consistent procedure for determining the qualified status of a Domestic Relations Order and for making distributions pursuant to a Domestic Relations Order which qualifies under Internal Revenue Code ("Code") § 414(p) in accordance with applicable State law and the provisions of the Plan.

This QDRO Procedure is effective for Domestic Relations Orders issued on or after July 1, 2015. Domestic Relations Orders issued before July 1, 2015 will not be accepted.

I. Background

The Employer, a Tennessee local government, sponsors the Plan, a Code § 401(a) tax-qualified defined benefit plan, for the benefit of eligible employees, retirees and beneficiaries. Depending on their job classifications and hire dates, active employees may participate in Division A, C, G, or H of the Plan. Applicable terms and conditions of eligibility for participation and benefits for each Division, and available optional form and timing of benefit payments, are described in the City of Knoxville Charter and the Supplemental Plan Provisions which can be found on the City of Knoxville Pension Board website or may be obtained by request to the Administrator.

The representative of the Administrator is:

Kristi Paczkowski, Executive Director
City of Knoxville Pension Board
KristiP@COKpension.org
(865) 215-1446
917B East Fifth Avenue
Knoxville, TN 37917

Inquires may be made to the representative, and subpoenas and Domestic Relations Orders shall be served exclusively on the representative of the Administrator, at the above address.

II. Definitions

Unless the context clearly requires otherwise, the following terms shall have the stated meanings when used in this QDRO Procedure. Words used in the singular shall be interpreted to include the plural. Gender specific terms shall be interpreted to refer to either gender. Terms used, but not otherwise defined in these Procedures shall have the same meaning as those terms in the Plan and the Code.

- a. "Administrator" means the City of Knoxville Pension Board.
- b. "Alternate Payee" means a spouse, former spouse, child or other dependent of a Plan Member who is recognized by a Domestic Relations Order as having a right to receive all or a portion of the benefits payable by the Plan.
- c. "Code" means the Internal Revenue Code, as amended.
- d. "Domestic Relations Order" or "DRO") means any judgment, decree, or order that relates to the provision of child support, alimony payments, or marital property rights to an Alternate Payee so long as the order complies with state law.
- e. "Employer" means the City of Knoxville and any affiliated entity or entities participating in the Plan.
- f. "Member" means any employee who is eligible to participate in the Plan. For purposes of this QDRO Procedure, Member includes a retiree.
- g. "Plan" means the City of Knoxville Employees' Pension System.
- h. "QDRO Procedure" means this procedure, as amended.

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- i. "Qualified Domestic Relations Order" or "QDRO" means a Domestic Relations Order that:
 - i. Creates or recognizes the right of an Alternate Payee, or assigns to an Alternate Payee the right to receive all or a portion of the benefits payable with respect to a Member under the Plan; and
 - ii. Meets the requirements of Code § 414(p), Tennessee law, the Plan and this QDRO Procedure.
- j. "Suspension Period" shall have the meaning set out in Section VII.

III. Requests for or Subpoena of Information

- a. The Administrator shall not disclose Member-specific Plan information to anyone, other than the Member, without the permission of the Member or pursuant to applicable law or court order.
 - i. A Member may authorize, in writing on a form provided by the Administrator, the release of information pertaining to the Member's eligibility for and benefits under the Plan to the Member's attorney or to the Member's spouse, former spouse, child or other dependent (or an attorney for any of them) on conditions that are acceptable to the Administrator.
 - ii. In the absence of a valid release, Plan information specific to the Member will only be provided pursuant to a subpoena duces tecum issued to the Administrator or as required by Tennessee's Open Records Act. The parties should anticipate that the Administrator may seek to quash, to obtain a protective order, or to otherwise rely on Tennessee Code Annotated § 26-2-105(b) referring to exemption of plan records from the subpoena process.
 - iii. The Administrator shall provide to the Member a copy of any information disclosed to attorneys, spouses or others, at the time it is disclosed. A copy of information provided is retained in the Member's pension file.
- b. **Available Information.** In response to a valid release or subpoena, the Administrator shall provide in writing on the letterhead of the Administrator a statement of the following information, current as of a recent specified date:
 - i. Copy of the Summary Plan Documents for the applicable Division;
 - ii. Member's service dates with the Employer;
 - iii. Member's dates of Plan participation and identification of the Division in which he or she participates;
 - iv. Member's vested status;
 - v. If Member has retired, the amount of the Member's monthly benefit and the optional form of benefit elected; and
 - vi. If Member has not yet retired (or is a vested terminee), the amount of the Member's estimated benefits as of the date of the request payable at the Member's earliest eligible retirement date, and any optional form of benefit elected by the Member.

The Administrator is ordinarily not available to testify in domestic relations proceedings. If necessary, the Administrator will provide, upon request, the foregoing available information in the form of an affidavit.

IV. QDRO Processing Fee

- a. The Administrator has established and may revise from time to time a uniform minimum QDRO Processing Fee for the processing and review of Domestic Relations Orders, including the Administrator's direct expense for any legal and actuarial advice. The minimum QDRO Processing Fee shall be reasonable, as determined in the sole discretion of the Administrator, based on the expected time required for processing and review of Domestic Relations Orders. The fee may be discounted if using the sample QDRO provided by the Administrator.
- b. The minimum QDRO Processing Fee in effect at the time a Domestic Relations Order is first submitted, whether before or after entry by the court, must be paid before the Administrator will review or process the Domestic Relations Order. The minimum fee is a one-time fee, per Member/Alternate Payee, and is non-refundable. See the attached QDRO Processing Fee Schedule for the current fee.

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- c. If, due to the particular circumstances of a Domestic Relations Order submitted for review, the Administrator's actual direct expense for any legal or actuarial advice necessary to review the order exceeds the minimum QDRO Processing Fee, the Administrator will cease processing the order until an additional QDRO Processing Fee, sufficient to satisfy the actual expense incurred, has been paid. The Administrator will notify the parties when an additional fee is due.

V. Review of Proposed Domestic Relations Order

To minimize time and expense, the Parties are encouraged to ask the Administrator to review and comment on an otherwise complete proposed Domestic Relations Order before submitting it to the court for final entry. The Administrator will inform the Parties if a proposed Domestic Relations Order would be accepted as a QDRO if entered by the court and submitted to the Administrator as a final Domestic Relations Order.

VI. Submission of a Final Domestic Relations Order

- a. A person who wishes to have the Plan review a Domestic Relations Order to establish whether it meets the requirements of a QDRO must submit to the Administrator an original copy of the Domestic Relations Order certified by the clerk of the court.
- b. If a Domestic Relations Order is submitted for review and is thereafter amended, the Member or Alternate Payee must submit a certified copy of the amended Domestic Relations Order to the Administrator. The Administrator shall review any amended Domestic Relations Order that it receives according to the same rules applicable to all other Domestic Relations Orders.

VII. Procedure after Receipt of Domestic Relations Order

- a. **Suspension of Member Distributions.** If the Administrator receives a proposed or final Domestic Relations Order assigning a portion of a non-retired Member's benefit, distribution of the Member's benefit will be suspended. The Member will be notified, in writing, of such suspension within 30 days. The Administrator shall continue to suspend such benefit until the earlier of (i) the date it is determined that the Domestic Relations Order is a QDRO; or (ii) the expiration of eighteen (18) months from the date the Domestic Relations Order is submitted to the Administrator ("Suspension Period"). If the Domestic Relations Order is determined not to be a QDRO or no such determination can be made within eighteen (18) months, any suspension shall cease and Member's benefits shall thereafter be administered as if there had been no Domestic Relations Order.

This suspension relates only to distribution of benefits and does not prevent the Member from continuing to accrue benefits. For a Member who is a Retiree in pay status, distribution of the Member's monthly benefit will continue during review of the Order.

- b. **Release of Suspension of Member Distributions.** Generally, the suspension described above will be released, as to the portion of the Member's benefit not assigned to the Alternate Payee, upon a Domestic Relations Order's acceptance by the Administrator as a QDRO. However, if after submitting a Domestic Relations Order to the Administrator, the Parties decide to settle the marital estate in a manner that does not involve the division of Plan benefits, to release the suspension, the Administrator will require: (i) a court order revoking or otherwise rescinding a final Domestic Relations Order; or (ii) written confirmation, signed by the Member, Alternate Payee and their attorneys, if any, that a final Domestic Relations Order will not be issued. In any event, no Member's benefit distributions shall be suspended for more than 18 months.
- c. **Notice to Member and Alternate Payee.** Within a reasonable period of time after receipt of a Domestic Relations Order, not to exceed thirty (30) days, the Administrator will notify the Member and Alternate Payee of receipt of the Domestic Relations Order, and will deliver to the Member and Alternate Payee a copy of this QDRO Procedure.
- d. **Review.** The Administrator, with the Plan's counsel and actuary, will review the Domestic Relations Order within a reasonable time to determine whether it is a QDRO. The Administrator will complete a QDRO Determination Checklist with respect to each Domestic Relations Order received. In most circumstances, the Administrator will complete its initial review of the Domestic Relations Order within thirty (30) days of receipt. After its initial review, the Administrator will determine whether the Domestic Relations Order is a QDRO.
- e. The Administrator shall honor QDROs, as described in these Procedures, in accordance with the terms of the Plan, applicable State law and the Code. The Plan shall not honor any Domestic Relations Order or other document that does

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not constitute a QDRO or that does not comply with the terms of the Plan, this Procedure, applicable State law and the Code.

VIII. QDRO Requirements

To constitute a QDRO, the Domestic Relations Order must, at minimum, satisfy the following requirements:

- a. The Domestic Relations Order must create or recognize the existence of an Alternate Payee's right to, or assign to an Alternate Payee the right to receive, all or a portion of the benefits payable to a Member;
- b. The Domestic Relations Order must be made pursuant to State domestic relations law and must relate to the provision of child support, alimony payments, or marital property rights for a Member's spouse, former spouse, child, or other dependent;
- c. The Domestic Relations Order must clearly specify:
 - i. The name, social security number and last known address of the Member and each Alternate Payee covered by the Domestic Relations Order (except that social security numbers may be provided to the Administrator separately from the publicly-entered Domestic Relations Order);
 - ii. The amount or percentage of the Member's benefits to be paid by the Plan to each such Alternate Payee, or the manner in which such amount or percentage is to be determined;
 - iii. The number of payments or period to which such Domestic Relations Order applies; and
 - iv. The Plan to which such Domestic Relations Order applies.
- d. If the Member has retired and is receiving monthly benefits (in "Pay Status"), the Domestic Relations Order may only assign to the Alternate Payee a dollar or percentage amount of the benefit already being paid to the Member (a "shared interest" DRO).
- e. If the Member is an active employee or a vested terminnee, the Domestic Relations Order may award a portion of the Member's accrued benefit to the Alternate Payee as the Alternate Payee's separate interest (a "separate interest" DRO). Except as permitted in Section VIII.h, the Domestic Relations Order must provide that in lieu of any other form of benefit provided by the Plan, the Alternate Payee's benefit will be paid exclusively in the form of an actuarially equivalent single life annuity, which shall be based on the Alternate Payee's life.
- f. Except as permitted in Section VIII.h, the Domestic Relations Order must not require the Alternate Payee's benefit to commence earlier than the following times:
 - i. If the Member is an active Employee or vested terminnee on the date the Domestic Relations Order is determined to be a QDRO, at the Member's earliest retirement age under the Plan.
 - ii. If the Member is a retiree on the date the Domestic Relations Order is determined to be a QDRO, in accordance with the Administrator's regular payment procedures following acceptance and approval of the order.
- g. The Domestic Relations Order must not:
 - i. Require the Plan to provide any type or form of benefit, or any option, not otherwise provided under the Plan;
 - ii. Require the Plan to provide increased benefits;
 - iii. Require the payment of benefits to an Alternate Payee which are required to be paid to another Alternate Payee under another Domestic Relations Order previously determined to be a QDRO;
 - iv. Require any action contrary to Plan provisions;
 - v. If a Member has made an irrevocable annuity election, provide for the payment of any benefit not specified in such irrevocable election;

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- vi. Purport to prevent the Member from electing or to require the Member to elect a Refund or to have the Member's benefit calculated pursuant to Charter § 1371.3(A)(2) ("G2"); or
- vii. Purport to require a Member to elect or refrain from electing the delayed retirement option ("DROP").
- h. Additional Provisions.
 - i. **Refund.** A Domestic Relations Order will be accepted if it provides that in the event the Member terminates employment and elects to take a Refund in lieu of any other benefit under the Plan, the Alternate Payee is also entitled to elect in lieu of any other benefit under the Plan the Alternate Payee's proportional share of the Member's Refund payable to the Alternate Payee exclusively as a single lump sum at the time the Refund is paid to the Member, in accordance with the Administrator's regular payment procedures.
 - 1. If a Domestic Relations Order does not specifically grant the Alternate Payee the right to receive a portion of a vested Member's Refund, the Alternate Payee shall not be entitled to elect to take a Refund.
 - 2. If a Domestic Relations Order does not specifically grant the Alternate Payee the right to receive a portion of a non-vested Member's Refund and the Member terminates employment and requests a Refund, the Alternate Payee shall be paid a proportional share of the Refund, and no further payment under the Plan shall be due to the Alternate Payee.
 - 3. Regardless of whether the Alternate Payee also takes a Refund, the amount of the Refund payable to the Member shall be reduced proportionally pursuant to the division of the accrued benefit specified in the QDRO.
 - ii. **Division G Individual Account.** A Domestic Relations Order for a Division G Member will be accepted if it provides that in the event the Division G Member terminates employment and elects to receive the value of the Member's Individual Account in a lump sum payment, the Alternate Payee is also entitled to elect to receive a proportional share of the Member's Individual Account payable to the Alternate Payee exclusively as a single sum at the time the Member receives the distribution, in accordance with the Administrator's regular payment procedures.
 - 1. If a Domestic Relations Order does not specifically grant an Alternate Payee the right to receive a proportional share of a vested Member's Individual Account as a single sum upon the Member's election of a single sum payment, the Alternate Payee's portion of the Individual Account shall be paid as an actuarially equivalent single life annuity at the time the Alternate Payee commences benefits under the Plan and the Order.
 - 2. If a Domestic Relations Order does not specifically grant an Alternate Payee the right to receive a proportional share of a Member's Individual Account as a single sum upon the Member's election of a single sum payment and a non-vested Member terminates employment and requests payment of the Employee Account, the Alternate Payee's portion of the Employee Account shall be paid to the Alternate Payee exclusively as a single sum at the time the Member receives the distribution in accordance with the Administrator's regular payment procedures..
 - 3. In the event a Division G Member irrevocably elects, following completion of ten years of service, to have the Member's benefit calculated pursuant to Charter § 1371.3(A)(2) (a "G2 benefit") and to forfeit entitlement to the Individual Account, the Alternate Payee's benefit shall be determined based on the G2 benefit, and the Alternate Payee shall not be entitled to a portion of the Individual Account.
 - iii. **Division H Hypothetical Account.** A Domestic Relations Order will be accepted if it permits the Alternate Payee of a Division H Member to elect to receive up to ten percent (10%) of the Alternate Payee's proportional share of the Member's Hypothetical Account in a lump sum upon the commencement of the benefit and to thereafter receive an actuarially equivalent reduced monthly benefit for life.

IX. Determination Domestic Relations Order is a QDRO

If the Administrator determines the Domestic Relations Order is a QDRO:

- a. The Administrator will notify the Member and each Alternate Payee that the Domestic Relations Order is a QDRO by delivering to each party a copy of the QDRO Determination Checklist, including the Administrator's certification of the decision.

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- b. Benefits otherwise payable to the Alternate Payee under a QDRO are subject to other requirements of the Administrator. The Administrator shall require the Alternate Payee to complete IRS Form W-9 and any other documentation required by the Administrator prior to commencing any distribution under a QDRO.
- c. Except as permitted in Section VIII.h of this Procedure, the Alternate Payee's benefit shall be paid exclusively in the form of a single life annuity in accordance with the terms of the Plan
- d. The Member's benefit under the Plan shall be reduced by the actuarial equivalent of the amount, if any, assigned to the Alternate Payee pursuant to the QDRO. The terms of the Plan, including limitations on benefits, accruals, Compensation or Credited Service shall continue to apply to the Member as though the QDRO did not exist.
- e. If an Alternate Payee is a former spouse of the Member, payments are subject to reporting for federal income tax to the Alternate Payee in accordance with applicable law. If the payment is made pursuant to a QDRO for child support, payments are subject to reporting for federal income tax to the Member in accordance with applicable law.
- f. The Administrator will advise the Member when the Plan has commenced payment to the Alternate Payee and, if possible, when benefit payments to the Alternate Payee have been completed.
- g. The Plan will account separately for each Alternate Payee until the Plan has completed benefit payments under the QDRO.

X. Determination that the Domestic Relations Order is not a QDRO

If the Administrator determines that the Domestic Relations Order is not a QDRO:

- a. The Administrator will advise the Member and each Alternate Payee of the adverse decision and of the reasons for the adverse decision by mailing to each party a copy of the QDRO Determination Checklist, which will include the Administrator's certification.
- b. The Parties will have an opportunity to revise and resubmit the Domestic Relations Order to meet the Plan(s) requirements within the Suspension Period described in Section VII.
- c. Any determination that a Domestic Relations Order is a QDRO which is made after the close of the Suspension Period shall be applied prospectively only.

XI. Appeal of Determination

- a. Any determination under this QDRO Procedure may be appealed by giving written notice to the Administrator within sixty (60) days after the parties are notified of such determination.
- b. Any such appeal shall be handled under the Plan's separate appeals procedure.

XII. Death or Disability following Acceptance of QDRO

- a. **Death of Alternate Payee.**
 - i. In the event the Alternate Payee dies prior to the commencement of benefits under a QDRO, no benefit is payable to Alternate Payee, and the Alternate Payee's designated portion of the Member's benefit shall revert to the Member.
 - ii. In the event the Alternate Payee dies following the commencement of benefits under a QDRO, no further benefit is payable to the Alternate Payee. The Member's benefit shall not be affected by the Alternate Payee's death.
 - iii. Notwithstanding (i) and (ii) of this Section XII.a, if the QDRO is a shared interest QDRO, no benefits shall be payable to the Alternate Payee following the Alternate Payee's death at any time, and the Alternate Payee's designated portion of the Member's benefit shall revert to the Member.
- b. **Death or Disability of Member.**

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- i. If the QDRO is a separate interest QDRO, the death or disability of the Member prior to or following commencement of benefits shall not affect the Alternate Payee's right to benefits for the Alternate Payee's life.
- ii. If the QDRO is a shared interest QDRO and the Member dies after having made an irrevocable annuity election, the Alternate Payee shall not be entitled to further benefits under the Plan unless specified in such irrevocable election.

XIII. Payments Made in Error

The Administrator accepts no responsibility for verifying the accuracy of information provided by the Member or the Alternate Payee or contained in a Domestic Relations Order.

- a. If a Member or the beneficiary or estate of a Member receives any amount of a distribution that has been awarded to an Alternate Payee, the recipient is designated a constructive trustee for the amount received and shall immediately transmit such amount to the Alternate Payee.
- b. If an Alternate Payee or the beneficiary or estate of the Alternate Payee receives any amount of a distribution that should have been paid to a Member or the beneficiary or estate of a Member, the recipient is designated a constructive trustee for the amount received and shall immediately transmit such amount to the Member or other person to whom the amount should have been paid.
- c. If any person to which this QDRO Procedure applies receives a distribution that should not have been paid by the Plan, the recipient is designated a constructive trustee for the amount received and shall immediately return such amount to the Administrator.
- d. Notwithstanding the foregoing provisions of this Section XIII, the Administrator specifically reserves the right to seek the recovery of any amounts paid by the Plan in error to any person.

XIV. Miscellaneous

- a. **Model QDROs.** The Administrator provides model QDROs that are samples of acceptable Domestic Relations Orders. The models do not fit all circumstances. They may need to be revised by the parties, as determined by the parties and their attorneys. Members and Alternate Payees are not required to use the model QDROs, and the Plan's provision of the model QDROs is not and shall not be construed to be the provision of legal, financial or other advice to the parties. Use of a model QDRO may result in a reduced minimum QDRO Processing Fee as shown on the attached QDRO Processing Fee Schedule.
- b. **Modification of a QDRO.** Each party to the QDRO that has been accepted by the Administrator must advise the Administrator of any change in contact or identifying information. Any changes to the benefits payable or any other substantive provision of a QDRO that has been accepted by the Administrator must be effectuated through a subsequent Domestic Relations Order (*see Subsequent Domestic Relations Orders below*).
- c. **Subsequent Domestic Relations Orders.** If, after a Domestic Relations Order has been received by the Plan (before it is determined to be a QDRO), a new Domestic Relations Order with respect to the same parties is received modifying the earlier Domestic Relations Order, the second Domestic Relations Order shall supersede the first. If the first Domestic Relations Order has been determined to be a QDRO, the second Domestic Relations Order will have only prospective effect upon its qualification. The ability of a subsequent Domestic Relations Order to modify an earlier Domestic Relations Order may be limited once either party takes a distribution or begins receiving monthly benefit payments.
- d. **Legal representatives.** The Member and any Alternate Payee may designate, in writing, a representative for receipt of copies of any documents that are sent to them pursuant to these Procedures. If so designated, copies of documents will be sent to the legal representatives, and all future correspondence under these Procedures will be directed to the legal representatives. If there is no such designation but the Plan is aware of a legal representative of record, correspondence may be sent to the Member and Alternate Payee, with a copy to the legal representative(s).
- e. **Administrator's Counsel and Actuary.** The Administrator's attorney and actuary represent the Plan, not the Member or the Alternate Payee. Neither the Administrator nor the Administrator's attorney or actuary are available to assist the parties or their lawyers: to draft the Domestic Relations Order, to interpret the Plan, to value the benefit, to consider alternatives, or to assess the tax consequences of proposed Domestic Relations Orders.

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- f. **Judicial Proceedings.** Ordinarily, the Administrator is not a party to domestic relations actions. However, as the Administrator deems necessary or appropriate to protect the Plan or the Administrator's interests, including its fiduciary responsibility to all Members, beneficiaries and retirees, the Administrator may seek a protective order or otherwise seek to appear on behalf of the Plan and Administrator and not on behalf of either party to the domestic relations proceeding.
- g. **Modification of QDRO Procedure.** The Administrator reserves the right to modify, amend or terminate this QDRO Procedure (including the QDRO Processing Fee Schedule, the model QDROs, or any checklist or forms used hereunder), at its sole discretion, at any time. No such modification, amendment or termination, unless required by applicable law or regulation, will cause a Domestic Relations Order previously determined to be a QDRO to fail to retain its qualification.
- h. **Plan Controlling.** Nothing in this QDRO Procedure shall be interpreted or construed to modify or amend the Plan. In all cases, the terms of the Plan shall determine any party's eligibility for benefits and the amount of such benefits. The benefits payable are governed by the Plan, which is subject to modification, amendment or termination at any time. All benefit payments are subject to the actual terms and conditions of the Plan in effect when a party applies for benefits.
- i. **Release.** Any payment to the Alternate Payee in accordance with the provisions of this Procedure, shall, to the extent thereof, be in full satisfaction of all claims of the Member and the Alternate Payee, and any party claiming through either of them, against the Employer, the Plan and the Administrator.

ADOPTED: November 12, 2015

REVISED: June 8, 2017

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**QDRO Processing Fee
Schedule**

This minimum QDRO Processing Fee Schedule applies to Domestic Relations Orders (or proposed Domestic Relations Orders) submitted to the Administrator for review.

For separate interest QDROs, the minimum QDRO Processing Fee is \$1,500 if a Model QDRO is used in its entirety without modification. If the Model QDRO is not used or is modified in any way, the minimum QDRO Processing Fee is \$2,000.

For shared interest QDROs, the minimum QDRO Processing Fee is \$500.

The minimum QDRO Processing Fee must be paid in full before the Administrator will review an order. If a fee does not accompany an order, the Administrator will hold such order until payment is received. If no payment is received within 30 days, the Administrator will reject the order for non-payment and will return the order to the inquiring party.

If, due to the particular circumstances of a Domestic Relations Order submitted for review, the Administrator's actual direct expense for any legal or actuarial advice necessary to review the order exceeds the minimum QDRO Processing Fee, the Administrator will cease processing the order until an additional QDRO Processing Fee, sufficient to satisfy the actual expense incurred, has been paid. The Administrator will notify the parties when an additional fee is due.

The Administrator reserves the right to modify, amend or terminate this Processing Fee Schedule at any time.