

Qualified Illinois Domestic Relations Orders

QILDRO

***Forms, Instructions
and General Information***



Illinois Municipal Retirement Fund
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1-800-ASK-IMRF (1-800-275-4673)



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Illinois Municipal Retirement Fund

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This publication is for informational purposes only and is not intended to constitute an opinion or professional advice.

This publication provides information about Qualified Illinois Domestic Relations Orders (QILDROs). This publication and the required forms are available on the IMRF website at www.imrf.org or by calling an IMRF Member Service Representative at 1-800-ASK-IMRF (1-800-275-4673).

In 2005, legislation was enacted (Public Act 94-0657) that amended the law governing Qualified Illinois Domestic Relations Orders (QILDROs), 40 ILCS 5/1-119. The amended law is effective July 1, 2006. The new law dramatically changes QILDROs. If you were familiar with QILDROs before July 1, 2006, it is important that you learn about and understand the changes.

This publication is based on the statutory language and requirements of the Illinois Pension Code. It is not intended to provide an opinion or legal, financial, or other professional advice. The IMRF Legal Department is available to provide information about this subject matter. However, IMRF attorneys do not provide legal advice to members or their spouses.

This subject matter may be of considerable financial and legal significance to you. IMRF does not assume responsibility for specific consequences of applying this information to a particular person. It is strongly recommended that you obtain competent legal advice and other expert assistance as necessary.

For detailed information not covered in this text, please consult the Illinois Pension Code. If there is any conflict between the information contained in this booklet and applicable law or administrative rules, the law and/or administrative rules prevail.

QILDRO Information and Instructions

Illinois Municipal Retirement Fund

QILDRO Timeline

The following timeline should help you with your QILDRO process.

As you are considering divorce	Obtain the IMRF QILDRO publication from the IMRF website at www.imrf.org . If you do not have Internet access, call the IMRF Member Services Department at 1-800-ASK-IMRF (1-800-275-4673).
At least 45 days before needed	Members can request a Divorce Pension Estimate statement by calling 1-800-275-4673. Current and former spouses and third parties, including attorneys, must provide either the member's written authorization, or a subpoena accompanied by the statutory witness fee.
Upon your court date	Illinois court may, in its discretion, enter a QILDRO. Obtain a Certified Copy* of QILDRO from the Clerk of Court.
After the court issues QILDRO	Send to IMRF Legal department: Certified Copy* of QILDRO and \$50 processing fee and original or Certified Copy* of Consent to Issuance of QILDRO form signed by the IMRF member†.
Within 45 days after IMRF receives QILDRO	IMRF sends notice♦ regarding validity of QILDRO. If the QILDRO uses percentages, IMRF will provide specific benefit information. See "Benefit Information Provided by IMRF," page 10.
Within 45 days after IMRF receives the member's retirement application	IMRF will provide specific benefit information. See "Benefit Information Provided by IMRF," page 10.
When the member retires	If QILDRO uses percentages, you must obtain a Calculation Order from an Illinois Court and send the following to the IMRF Legal Department: Certified Copy* of Calculation Order and a \$50 processing fee. Remember, IMRF cannot pay alternate payee based on a percentage QILDRO until a Calculation Order is received.
Within 45 days after IMRF receives Calculation Order	IMRF sends notice♦ regarding validity of Calculation Order.
If IMRF receives notice of member's death	If the QILDRO allocates part of death benefit to an alternate payee, IMRF will provide death benefit information. See "Benefit Information Provided by IMRF," page 10. Remember, IMRF cannot pay an alternate payee based on percentage QILDRO until a Calculation Order is received.

* A Clerk of Court's seal or stamp certifies a true and correct copy of original order. Plain or file-stamped copies are unacceptable.

† A Consent form is required only if the member participated in IMRF prior to July 1, 1999. See page 6 for more information.

♦ Notice will be sent to the member, the alternate payee, and the attorney who sent court order to IMRF.

IMRF Retirement Benefits and Divorce

What is a QILDRO?

“QILDRO” is an acronym for Qualified Illinois Domestic Relations Order (pronounced kwil-drō). A QILDRO is a court order issued by an Illinois court that directs an Illinois public retirement system such as IMRF to pay an alternate payee a portion of an IMRF member’s retirement benefit, certain refunds, or lump sum death benefit.

An alternate payee is typically an ex-spouse or ex-civil union partner (spouse), but may be a current spouse/civil union partner (spouse), child, or other dependent.

The QILDRO law applies to Illinois public pension systems governed by the Illinois Pension Code, 40 ILCS 5/101 et seq. Illinois public pension funds may only pay benefits to a former spouse according to a QILDRO. Illinois retirement systems cannot pay a former spouse based upon a member’s judgment for dissolution of marriage/civil union or a marital settlement agreement.

QILDROs are different from, and should not be confused with, Qualified Domestic Relations Orders, or QDROs. State law does not allow public retirement systems to honor QDROs.

Division of Benefits

IMRF benefits may be a marital asset. Your personal attorney should advise you whether a former spouse is entitled to any of your IMRF benefits. IMRF cannot provide legal advice.

IMRF may only pay benefits to a former spouse according to a Qualified Illinois Domestic Relations Order (QILDRO). IMRF cannot pay a former spouse based on a QDRO, judgment for dissolution of marriage/civil union, or a marital settlement agreement.

Even if IMRF has a valid QILDRO on file, payment cannot be accelerated to pay a former spouse before the IMRF member is paid. An alternate payee will only receive payment if and when the IMRF member receives payment—in other words, the member must apply for and receive a benefit before any payment can be made to the alternate payee.

An alternate payee will never receive more or different benefits than the IMRF member is eligible to receive.

Things to consider when completing and submitting a QILDRO

The new QILDRO is intended to give added flexibility by allowing the divorcing couple and their attorneys to select from a variety of methods to allocate the amount payable to the alternate payee.

The IMRF member and former spouse, with advice from your attorneys and financial advisors, have some questions to consider:

- To which benefits will the QILDRO apply? The possibilities are retirement benefit, partial (surviving spouse) refund, termination refund, and lump sum death benefit. The QILDRO may apply to some or all of the above, depending on what is decided in the divorce.
- What method will be used to determine the alternate payee's share? Will the QILDRO specify dollar amounts? Will the QILDRO use a percentage of the marital portion? Or will the QILDRO use a percentage as of the retirement date?
- If using the marital portion benefit calculation formula, how will it be defined?
- Will monthly retirement payments continue until one of you passes away, or will the QILDRO terminate after a specific number of payments to the alternate payee?

You and your attorney should carefully review the QILDRO law and the required forms. The new law is detailed to help you consider the necessary issues. IMRF will provide benefit information to help you determine how the alternate payee's share is to be allocated. IMRF will also provide general information about IMRF benefits, procedures, and technical form requirements as explained in this publication.

However, it is up to the divorcing couple and their attorneys to decide how to complete the QILDRO and the Calculation Order, if required. Every situation is unique. IMRF cannot help you make these decisions, or perform any calculations for you.

How have QILDROs changed?

The original QILDRO law took effect July 1, 1999. The new legislation passed in 2005 is a significant revision of the QILDRO law. The new QILDRO law, effective July 1, 2006, enacted the following major changes to the prior QILDRO law:

- The amount payable to the alternate payee may be expressed as a percentage or as a specific dollar amount. Under the old law, percentages were not allowed, and the only way to express the alternate payee's share was a specific dollar amount.

- The new law introduces a new court order, the QILDRO Calculation Court Order. This court order, separate from the QILDRO, provides the numerical information that the retirement system must have to implement a QILDRO that uses percentages to allocate the alternate payee's share. **The Calculation Order is not required if dollar amounts are used in the QILDRO rather than percentages.**
- The alternate payee may receive a share of any lump sum death benefit that would be payable upon the member's death. The old QILDRO law did not apply to death benefits. Monthly survivor benefits are still not divisible through a QILDRO.

In addition to these key features, the new QILDRO law specifies what benefit information must be provided by retirement systems and what events will trigger the retirement system to provide benefit information for divorce purposes. The new QILDRO allows payments to continue until death of the member or alternate payee, whichever occurs first. Alternatively, the QILDRO may terminate after a specified number of payments to the alternate payee.

The new QILDRO law does not change the law that determines appropriate division of marital assets. A member should consult a personal attorney about what assets are included in the couple's marital property and about the proper division of those assets. **IMRF cannot give legal advice about the proper division of retirement benefits in any given case.**

What is a Calculation Order?

The QILDRO Calculation Court Order (Calculation Order) is a court order issued by an Illinois court that provides numerical information determined in the divorce proceedings to instruct the retirement system how much to pay the alternate payee. The Calculation Order is a separate court order in addition to the QILDRO.

A Calculation Order is only necessary if the QILDRO indicates that the alternate payee is to receive a percentage of the benefit. If you want to avoid the Calculation Order, the QILDRO should express the amounts payable to the alternate payee as specific dollar amounts.

If you do not elect the dollar amount method of allocating benefits to the former spouse in the QILDRO, then you must send a Calculation Order to IMRF before IMRF can pay the alternate payee. Generally, the QILDRO would be issued at the time of divorce, and the parties would return to court to obtain the Calculation Order at the time of the member's retirement, when the amount of the retirement benefit becomes known.

A Calculation Order is only required if the QILDRO uses a percentage to specify the benefit.

If the QILDRO indicates specific dollar amounts, a Calculation Order is not necessary.

You must use a specific Calculation Order form (provided in this booklet and from IMRF). The form should be obtained from IMRF as explained in the Required Forms section of this publication. It is very important to include all of the language in the form, even the sections that you do not fill in -- in other words, you must submit the whole form to IMRF, not just the sections you fill in. If you leave out any sections or pages of the form, IMRF will reject your Calculation Order because there is no way to tell whether you intended to leave those sections out, or you inadvertently omitted them. ***Remember, no wording changes or alterations to the form are permitted.***

We must implement valid court orders that are sent to IMRF, and we will provide benefit information. **However, IMRF cannot:**

- Do the calculations for you.
- Determine whether the numbers in the Calculation Order are accurate or whether the calculations are in accordance with the underlying QILDRO, agreement, or judgment.
- Reject a Calculation Order because the calculations are not accurate or do not correspond to what was decided in your divorce.
- Tell you whether the court orders are consistent with the terms of your divorce.

What is the consent requirement?

A consent form is only required if the member's original IMRF participation date was before July 1, 1999.

If the member's original IMRF participation date was before July 1, 1999, a QILDRO will only be valid if the IMRF member consents in writing. This was the effective date of the original QILDRO legislation. You must use a specific consent form, obtained from IMRF as explained in the Required Forms section of this publication. No alterations to the form are permitted. The member's signed consent form must accompany the QILDRO.

The consent form must be signed by the member. The law does not provide that the court or anyone else may sign the consent form if the member is absent or refuses to sign the consent. The court does not have authority to order the member to sign the consent form.

This consent form requirement ***does not apply*** if the member's original IMRF participation date was on or after July 1, 1999.

What benefits may be paid to a former spouse?

An alternate payee may only receive certain benefits that the IMRF member is entitled to receive. These are:

- Retirement benefit.
- Separation refund the member may be eligible to receive.
- Partial refund that the member may be eligible to receive (such as a refund of SLEP , ECO, or surviving spouse contributions).
- Lump sum death benefit payable upon the member's death.

The QILDRO may allocate portions of only one, several, or all of these benefits and refunds to the alternate payee.

What is a separation refund?

The QILDRO allows the alternate payee to receive a portion of the separation refund consisting of member contributions that the member may receive after termination of employment with an IMRF employer. Upon accepting a separation refund, the member forfeits all rights to IMRF benefits, unless benefits are reinstated through repayment of the refund plus interest after returning to IMRF-covered service. See the "Purchasing IMRF Past Service Credit" booklet for more information on reinstating a refund.

What is a partial refund?

The QILDRO allows the alternate payee to receive a portion of a partial refund that the member may receive. For IMRF members, a partial refund of member contributions occurs when a member retires and receives a refund of:

- Surviving spouse contributions. (If a member does not have an eligible surviving spouse, he or she receives a refund of 16.67% (plus interest) of his/her total member contributions at retirement.)
- Sheriffs' Law Enforcement Personnel (SLEP) or Elected County Official (ECO) contributions. (If a member does not have sufficient service credit in either of these plans to earn an enhanced pension, the additional contributions made will be refunded at retirement.)

What about death benefits?

Death benefits are paid according to the most recent beneficiary designation on file with IMRF at the time of death. When you divorce, you should review your beneficiary designation on file with IMRF and make any desired changes to ensure that death benefits will be paid to your intended beneficiaries. To change your beneficiary designation, you must complete and file a new IMRF Form 6.11, "Designation of Beneficiary." The form is available on the IMRF website at www.imrf.org or by calling IMRF at 1-800-ASK-IMRF (1-800-275-4673).

The QILDRO law now allows an alternate payee to receive a share of any **lump sum death benefit** payable upon an IMRF member's death. However, monthly survivor benefits are never payable through a QILDRO. In other words, you cannot specify that a surviving spouse pension be paid through a QILDRO.

It is important to fully understand IMRF death benefits and not to make assumptions on what you think might be correct.

Some things to keep in mind when considering death and survivor benefits in the context of divorce:

- The member's former spouse will not receive any death benefit from IMRF unless designated by the member as a beneficiary or the QILDRO allocates a share of the lump sum death benefit to the alternate payee. An exception to this is if the divorce occurred after the member's retirement.
- A former spouse may only receive lump sum death benefits through a QILDRO. Monthly surviving spouse pension benefits cannot be divided by a QILDRO, even if the spouse is designated or named as an alternate payee in the QILDRO. However, a former spouse may receive a monthly surviving spouse pension benefit, if he or she meets the eligibility requirements for a surviving spouse pension under Article 7 of the Illinois Pension Code. (40 ILCS 5/7-101 *et seq.*)
- An IMRF member has a statutory right to name any person or entity as beneficiary and to change the beneficiary designation at any time, even if a divorce requires the ex-spouse to be designated as beneficiary. IMRF cannot compel the member to name or prevent the member from naming a specific person as beneficiary. The divorce may impose independent obligations. Please consult your personal attorney about those obligations.

What benefits are not payable through a QILDRO?

Monthly survivor benefits and disability benefits cannot be divided through a QILDRO.

Disability benefits

No IMRF disability benefits are payable to a former spouse. If an IMRF member is receiving a disability benefit and transfers to a retirement benefit, a valid QILDRO on file with IMRF will be implemented once the member begins receiving monthly retirement payments. The member must meet certain eligibility requirements to receive a disability benefit or transfer to a monthly retirement benefit.

Health insurance benefits

IMRF does not provide health insurance benefits. Therefore, a QILDRO does not provide any insurance coverage.

What about past or out-of-state divorces?

If you are already divorced and your ex-spouse is entitled to share in your retirement benefits, it may be possible to request an Illinois court to enter a QILDRO. Please seek advice from your personal attorney if you wish to obtain a QILDRO based on a past divorce.

If your divorce occurred in another state, it may be possible to request an Illinois court to enter a QILDRO. *Courts in other states do not have statutory authority or jurisdiction to issue QILDROs.* However, an Illinois court may be requested to enter a QILDRO based on your out-of-state divorce. Please seek advice from your personal attorney if you were divorced in a state other than Illinois and you wish to obtain a QILDRO.

IMRF does not honor QDROs

Some attorneys unfamiliar with public pensions assume that IMRF is subject to Qualified Domestic Relations Orders, or QDROs. In fact, IMRF does not honor QDROs. Illinois courts have ruled that public pension funds are not subject to QDROs. The Employee Retirement Income Security Act of 1974, commonly known as ERISA, does not apply to public pension funds, such as IMRF. Article 7 of the Illinois Pension Code (40 ILCS 5/7-101 *et seq.*), governs IMRF benefits. A QILDRO is the only way that IMRF may pay a former spouse any of a member's IMRF benefits.

Benefit Information Provided by IMRF

IMRF will provide benefit information in response to the following events:

- We receive a subpoena (accompanied by the statutory witness fee) or member's written authorization;
- We receive a request from the member;
- In response to receipt of a QILDRO that uses percentages;
- The member files a retirement application and has a QILDRO that uses percentages;
- Upon notice of the member's death, if the QILDRO allocates a lump sum death benefit to the alternate payee.

When will IMRF provide the information?

All information will be provided within 45 days of notification of the triggering event. If requested, IMRF will also provide general information about benefits, the relevant QILDRO procedures, rules, and the required forms.

It is our policy to provide information for divorce purposes showing total, actual career information on our database at the time of the request, assuming the earliest age at which the member could receive a non-reduced annuity (age 60 with at least eight years of service credit for the Regular IMRF plan, and age 50 with 20 years of SLEP service credit for the SLEP plan).

In preparing a benefit statement for divorce, we do not speculate as to potential future events such as early retirement, reciprocal retirement, additional service credit, future salary increases, purchase of optional or refunded service, or statutory changes.

We do not provide hypothetical estimates for retired members assuming facts that are different from the annuitant's actual retirement record. IMRF does not provide actuarial opinions as to present market value of a member's benefits or other interests.

Please plan ahead and request the information at least four to six weeks before it is needed. We are unable to accommodate "rush" requests for imminent court dates.

Divorce Pension Benefit Estimates

To help the parties value the benefit for divorce purposes, IMRF provides a customized Divorce Pension Benefit Estimate. The estimate reflects the member's actual IMRF service credit and contribution history, based on data on file with IMRF at the time the estimate is requested. The estimate includes a monthly annuity estimate, as well as other information pertinent to valuing the benefit.

The statement provides information through the end of the previous month, or if the employer has not yet reported the previous month's earnings, through the end of the most recent month for which earnings have been reported.

How can a member request a divorce estimate?

The estimate will be provided to members in response to their request. Contact the Member Services Department at 1-800-ASK-IMRF (1-800-275-4673) to request a "Divorce Pension Estimate" be mailed to you.

For purposes of confidentiality, the estimate may only be provided to spouses (current and former) and other third party (including attorneys) in response to a subpoena or with the member's written authorization. Pursuant to Illinois Supreme Court Rule, as well as state statute, a subpoena must be accompanied by the statutory witness fee (generally, \$20.00).

IMRF will also provide a copy of the booklet, "Your IMRF Benefits," which contains general information about IMRF benefits, as well as a copy of this QILDRO publication, which explains the relevant QILDRO procedures, rules, and the required forms.

Information provided in response to a percentage QILDRO

When IMRF receives a QILDRO that uses a percentage method of allocating retirement benefits to the alternate payee, IMRF will provide the following information:

If a percentage QILDRO is received prior to retirement

- IMRF participation date
- Permissive service credit purchased. (Permissive service credit includes optional service which has been purchased. Types of service considered permissive are Out-of-state service credit, Military service credit, Retroactive service credit, Prior service credit, and Benefit Protection leave service. Reinstatement of refunds and Omitted service credit *are not considered* permissive service. See the "Purchasing IMRF Past Service Credit" booklet for more information.)
- Amount of permissive and regular service credit
- Unreduced monthly retirement benefit estimate (including permissive service purchased, if applicable)
- Refund amount upon termination of employment
- Partial refund amount
- Lump sum death benefit amount
- Intended retirement date, if member has filed retirement application

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If a percentage QILDRO is received after effective date of retirement

- Effective date of retirement
- Date retirement benefits commenced
- Amount of permissive and regular service credit
- Actual monthly retirement benefit as of date of retirement
- Partial refund, if any
- Lump sum death benefit amount

Information provided at retirement

- Effective date of retirement
- Date retirement benefits commenced (or will commence)
- Amount of permissive and regular service credit
- Actual monthly retirement benefit
- Partial refund, if any
- Lump sum death benefit amount
- If a percentage QILDRO is on file with IMRF but no Calculation Order has been received, notification that a Calculation Order is required in order to implement the QILDRO

Information provided in response to a Calculation Order

- Notification of receipt
- Notification if there is no underlying QILDRO on file with IMRF
- Notification if the underlying QILDRO specifies a dollar amount rather than a percentage
- Notification if the Calculation Order does not clearly indicate the amount payable

Information provided at notice of member's death

- Lump sum death benefit amount *Note: This is only provided if a QILDRO allocates a share of the lump sum death benefit to an alternate payee*

Completing the QILDRO

On July 1, 2006, legislation was enacted (Public Act 94-0657) that amended the law governing Qualified Illinois Domestic Relations Orders (QILDROs). **After July 1, 2006 you must use the QILDRO form included in this booklet.** IMRF cannot accept the old QILDRO form on or after this date.

To allow the flexibility desired by some divorcing couples and their attorneys, the new QILDRO form is detailed and longer than the old form. It is critical that you and your attorney carefully review and complete the QILDRO form. Certain sections contain multiple options from which you must select only one option. If you fill in more than one option where the form indicates that you are to select only one option, the QILDRO will be rejected by IMRF.

Do not omit any sections in the QILDRO form and do not modify any wording. If some sections do not apply, simply leave them blank. Do not omit any sections or pages from the form provided by IMRF. You must submit every page of the form to IMRF in order for the form to be accepted. If you omit pages, the QILDRO will be unacceptable and you will need to obtain an amended QILDRO from the court that complies with the form requirements.

You may also mail or fax to 1-630-368-5397 a proposed copy of the QILDRO, and the Associate General Counsel will look at the QILDRO before you take it to court and have it certified. The Associate General Counsel will let you know if it is okay to be certified or if it needs corrections. However, the Associate General Counsel cannot give you any other kind of divorce information or legal advice.

Be sure to keep a copy of your QILDRO if you intend to submit a Calculation Order at a later date. You will need the underlying QILDRO to prepare the Calculation Order.

It is important that you use the correct QILDRO form. If you are unsure which form to use, contact IMRF at I-800-ASK-IMRF (I-800-275-4673)

Completing the Calculation Order

The QILDRO Calculation Court Order (Calculation Order) is a feature of the new QILDRO law. IMRF can only accept Calculation Orders for new law QILDROs submitted on or after July 1, 2006.

A Calculation Order is only required if the QILDRO uses a percentage to specify the benefit.

If the QILDRO indicates specific dollar amounts, a Calculation Order is not necessary.

The Calculation Order provides the “numbers” that IMRF needs in order to implement the QILDRO. The Calculation Order must be based on an underlying QILDRO between the same IMRF member and alternate payee.

If IMRF receives a Calculation Order without an underlying QILDRO that specifies a percentage benefit, the Calculation Order will be meaningless and IMRF will notify the parties.

If the Calculation Order does not clearly indicate the amounts payable to the alternate payee, IMRF will notify the parties.

You do not need to submit a Calculation Order if all of the amounts in the QILDRO are specific dollar amounts. The Calculation Order is only required if the underlying QILDRO uses a percentage method of allocating benefits to the alternate payee.

What sections of the Calculation Order must be completed?

The sections that you complete in the Calculation Order must correspond exactly with the sections completed in the underlying QILDRO. You will need a copy of the underlying QILDRO to complete the Calculation Order. On the next page is a chart to assist you in determining which sections of the Calculation Order you need to complete so that it will correspond with the QILDRO.

Certain sections in the Calculation Order contain multiple options from which you must select only one option. If you fill in more than one option where the form indicates that you are to select only one option, IMRF will be unable to interpret the Calculation Order and it will be rejected.

Do not omit any sections or pages in the Calculation Order form and do not modify any wording. If some sections do not apply, simply leave them blank. Do not remove or omit any sections or pages from the form provided by IMRF. If you do, the Calculation Order will be unacceptable and you will need to obtain an amended Calculation Order from the court that complies with the form requirements.

QILDRO and Calculation Order Comparison Chart

If you completed QILDRO Section:	Must complete marital portion benefit calculation formula QILDRO Section IX	Must complete corresponding Section in Calculation Order
III.A.1	No	No
III.A.2	Yes	3(a)
III.A.3	No	4(A)
V.A.1	No	No
V.A.2	Yes	3(b)
V.A.3	No	4(B)
VI.A.1	No	No
VI.A.2	Yes	3(c)
VI.A.3	No	4(C)
VII.A.1	No	No
VII.A.2	Yes	3(d)
VII.A.3	No	4(D)

The following summarizes the QILDRO sections and methods for allocating payment to the alternate payee.

QILDRO Section III: monthly retirement benefit

- A.1: dollar amount
- A.2: percentage of marital portion
- A.3: percentage as of retirement date

QILDRO Section V: termination refund or lump-sum retirement benefit

- A1: dollar amount
- A2: percentage of marital portion
- A3: percentage as of retirement date

QILDRO Section VI: partial refund

- A1: dollar amount
- A2: percentage of marital portion
- A3: percentage as of retirement date

QILDRO Section VII: lump sum death benefit

- A1: dollar amount
- A2: percentage of marital portion
- A3: percentage as of retirement date

Filing a QILDRO with IMRF

Where to send QILDRO information

QILDROs and Calculation Orders should be sent to:

**Associate General Counsel
Illinois Municipal Retirement Fund
2211 York Road, Suite 500
Oak Brook, IL 60523-2337**

Processing Fees

A \$50 non-refundable processing fee, payable by check made out to the Illinois Municipal Retirement Fund, must be submitted to IMRF along with a certified copy of the QILDRO.

If you are submitting a Calculation Order, a separate \$50 processing fee, payable by check made out to the Illinois Municipal Retirement Fund, must be submitted to IMRF along with a certified copy of the Calculation Order.

The processing fees are statutory and are intended to help defray IMRF's administrative costs associated with QILDRO and Calculation Order processing.

Certified Copy Required

Remember to send IMRF a certified copy of the court order. A certified copy bears the clerk of court's seal or stamp certifying the document as a true and correct copy of the original document. A plain or file-stamped copy will be rejected.

Notice from IMRF

The member, the alternate payee, and the attorney who sent the court order will receive a notice within 45 days acknowledging receipt of the order. The notice will also indicate whether the order is valid and other pertinent information regarding the order. If not valid, the notice will specify the applicable reason or reasons.

All deficiencies must be corrected before IMRF may honor the QILDRO. In most cases, deficiencies are easily corrected, for instance, by sending the \$50 fee or a certified copy of the order. If the order itself is defective, it will be necessary to obtain a new or amended order from the court. We will send a new notice in response to each correction or amended court order.

An invalid QILDRO has no effect on the member's IMRF benefits. No QILDRO is valid until all deficiencies have been corrected.

Implementing the QILDRO

The QILDRO will be placed in the member's record and will remain dormant until one of the following benefits becomes payable:

- Retirement benefits
- A refund
- Lump sum death benefit subject to the QILDRO

When one of these events occurs, we will send notice to the alternate payee at the last address reported to us. The alternate payee must return a completed address verification form before IMRF will pay the alternate payee (unless a calculation order with a current address has been received). It is important that the alternate payee keep IMRF informed of any future changes of address.

What if IMRF has not received a Calculation Order when a benefit is payable?

If the QILDRO uses percentages, IMRF must receive a Calculation Order in order to pay the alternate payee. Generally, the Calculation Order would be submitted to IMRF when the IMRF member retires, or when the amount of the retirement benefit becomes known.

Monthly retirement benefit

When a retirement benefit subject to a percentage QILDRO on file with IMRF becomes payable, and if no Calculation Order has been received, IMRF will determine an anticipated payment to the alternate payee based on information in the QILDRO, if it is possible to do so. IMRF will hold the alternate payee's anticipated payment and begin paying the member's monthly retirement benefit, less the amount held for the alternate payee, pending receipt of the Calculation Order.

Once the Calculation Order is received, IMRF will adjust the amounts payable in accordance with the Calculation Order and begin paying the alternate payee.

However, if it is not possible for IMRF to determine an anticipated payment based only on the QILDRO, then neither the member nor the alternate payee will be paid until the Calculation Order is received.

Refund or lump sum death benefit

When a refund or lump sum death benefit subject to a percentage QILDRO on file with IMRF becomes payable, and no Calculation Order has been received, IMRF will hold the refund or death benefit until the Calculation Order is received.

What if IMRF cannot locate the Alternate Payee?

An alternate payee must keep IMRF informed of any name or address changes in order to receive payment. The law does not require us to search for a missing alternate payee, other than sending notice to the last address reported to us.

If the notice to the alternate payee is undeliverable, IMRF will hold the amount payable to the alternate payee for 180 days from the date IMRF sent the notice, or the date the benefit becomes payable, whichever is later. The amount held will not bear interest. If IMRF is notified of the alternate payee's current address within 180 days, IMRF will pay the amount held to the alternate payee.

If IMRF does not learn of the alternate payee's current address within 180 days, IMRF will pay the amount held to the member as if no QILDRO existed. If IMRF is later notified of the alternate payee's current address, IMRF will implement the QILDRO with the next benefit payment. However, the alternate payee will have no right to any amounts previously paid. In other words, if the alternate payee fails to keep IMRF informed of his or her address, after 180 days the QILDRO amount is diverted back to the member. The alternate payee will be eligible for future payments only.

Effective Date of a QILDRO

The QILDRO takes effect with the first affected benefit payment that occurs at least 30 days after IMRF receives a valid QILDRO. However, note that if the QILDRO uses percentages, IMRF cannot pay the alternate payee until a valid Calculation Order has also been received.

IMRF monthly pension benefit payments are disbursed on the first of each month for that month—for example, the pension benefit a member receives on June 1 is for the period of June 1 to June 30. The alternate payee will receive his/her payment approximately 20-25 days after the member has received a monthly payment. Generally, you should expect about a 60 day processing period from the date that IMRF has received a valid QILDRO, and Calculation Order if required, until the alternate payee begins to receive monthly payments from IMRF. Therefore, during this processing period, the couple will need to make arrangements between

themselves if the divorce obligates the IMRF member to pay a portion of the monthly retirement benefit to the former spouse.

Expiration of a QILDRO

For monthly retirement benefits, the QILDRO must specify when payments to the alternate payee will terminate. This will be one of the following:

- Upon the death of the member or alternate payee, whichever is the first to occur
- After a specified number of payments are made to the alternate payee or upon the death of the member or alternate payee, whichever is the first to occur

A QILDRO also ends when the member receives a refund that terminates participation in IMRF. Finally, a QILDRO may also be terminated by a valid court order expressly terminating the QILDRO.

Required Forms

The QILDRO, Calculation Order, and consent forms are detailed and do not lend themselves to re-typing. The easiest way to ensure that you are using the correct forms and have not inadvertently added, modified, or omitted language is to use the forms that are included with this booklet. Additionally, copies of the forms, in PDF format, are available to fill in online from IMRF Online , www.imrf.org. **You must use the forms provided by IMRF rather than attempting to re-type the forms.**

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No. _____

Qualified Illinois Domestic Relations Order

Illinois Municipal Retirement Fund

THIS CAUSE coming before the Court for the purpose of the entry of a Qualified Illinois Domestic Relations Order under the provisions of Section 1-119 of the Illinois Pension Code (40 ILCS 5/1-119), the Court having jurisdiction over the parties and the subject matter hereof; the Court finding that one of the parties to this proceeding is a member of a retirement system subject to Section 1-119 of the Illinois Pension Code (40 ILCS 5/1-119), this Order is entered to implement a division of that party's interest in the retirement system; and the Court being fully advised;

IT IS HEREBY ORDERED AS FOLLOWS:

(I) The definitions and other provisions of Section 1-119 of the Illinois Pension Code (40 ILCS 5/1-119) are adopted by reference and made a part of this Order.

(II) Identification of Retirement System and parties:

Retirement System: [Illinois Municipal Retirement Fund](#)
[2211 York Rd., Suite 500](#)
[Oak Brook, IL 60523-2337](#)

Member:

(Name)

(Mailing Address)

(Social Security Number)

Alternate payee:

(Name)

(Mailing Address)

(Social Security Number)

The alternate payee is the member's (check one):

- current or former spouse current or former civil union partner child or other dependent (check one)



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(III) The Retirement System shall pay the indicated amounts of the member's retirement benefits to the alternate payee under the following terms and conditions:

(A) The Retirement System shall pay the alternate payee pursuant to one of the following methods (complete the ONE option that applies):

(1) \$ _____ per month (enter amount); or

(2) _____% (enter percentage) per month of the marital portion of said benefit with the marital portion defined using the formula in Section IX; or

(3) _____% (enter percentage) per month of the gross amount of said benefit calculated as of the date the member's alternate payee's (check one) benefit commences (check alternate payee only if the alternate payee will commence benefits after the member commences benefits, e.g. if the member is receiving retirement benefits at the time this Order is entered).

(B) If the member's retirement benefits has already commenced, payments to the alternate payee shall commence either (check/complete the ONE option that applies):

(1) as soon as administratively possible upon this order being received and accepted by the Retirement System; or

(2) on the date of _____ (enter any benefit date that will occur at least 30 days after the date the Retirement System receives a valid QILDRO, but ONLY if payment to the alternate payee is to be delayed to some future date; otherwise check item (1) above.

(C) If the member's retirement benefit has not yet commenced, payments to the alternate payee shall commence as of the date the member's retirement benefit commences.

(D) Payments to the alternate payee under this Section III shall terminate (check/complete the ONE option that applies):

(1) upon the death of the member or the death of the alternate payee, whichever is the first to occur; or

(2) after _____ payments are made to the alternate payee (enter any set number) or upon the death of the member or the death of the alternate payee, whichever is the first to occur.

(IV) If the member's retirement benefits are subject to annual post-retirement increases, the alternate payee's share of said benefits shall shall not (check one) be recalculated or increased annually to include a proportionate share of the applicable annual increases.

(V) The Retirement System shall pay to the alternate payee the indicated amounts of any refund upon termination or any lump-sum retirement benefit that becomes payable to the member, under the following terms and conditions:

(A) The Retirement System shall pay the alternate payee pursuant to one of the following methods (complete the ONE option that applies):

(1) \$ _____ (enter amount); or

(2) _____% (enter percentage) of the marital portion of the refund or lump sum retirement benefit, with the marital portion defined using the formula in Section IX; or

(3) _____% (enter percentage) of the gross amount of the refund or lump sum retirement benefit, calculated when the member's refund or lump sum retirement benefit is paid.

(B) The amount payable to an alternate payee under Section V(A)(2) or V(A)(3) shall include any applicable interest that would otherwise be payable to the member under the rules of the Retirement System.



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(C) The alternate payee's share of the refund or lump sum retirement benefit under this Section V shall be paid when the member's refund or lump sum retirement benefit is paid.

(VI) The Retirement System shall pay to the alternate payee the indicated amounts of any partial refund that becomes payable to the member under the following terms and conditions:

(A) The Retirement System shall pay to the alternate payee pursuant to one of the following methods (complete the ONE option that applies):

(1) \$ _____ (enter amount); or

(2) _____% (enter percentage) of the marital portion of the said benefit, with the marital portion defined using the formula in Section IX; or

(3) _____% (enter percentage) of the gross amount of the benefit calculated when the member's refund is paid.

(B) The amount payable to an alternate payee under Section VI(A)(2) or VI(A)(3) shall include any applicable interest that would otherwise be payable to the member under the rules of the Retirement System.

(C) The alternate payee's share of the refund under this Section VI shall be paid when the member's refund is paid.

(VII) The Retirement System shall pay to the alternate payee the indicated amounts of any death benefits that become payable to the member's death benefit beneficiaries or estate under the following terms and conditions:

(A) To the extent and only to the extent required to effectuate this Section VII, the alternate payee shall be designated as and considered to be a beneficiary of the member at the time of the member's death and shall receive (complete ONE of the following options):

(1) \$ _____ (enter amount); or

(2) _____% (enter percentage) of the marital portion of death benefits, with the marital portion defined using the formula in Section IX; or

(3) _____% (enter percentage) of the gross amount of death benefits calculated when said benefits become payable.

(B) The amount payable to an alternate payee under Section VII(A)(2) or VII(A)(3) shall include any applicable interest payable to the death benefit beneficiaries under the rules of the Retirement System.

(C) The alternate payee's share of death benefits under this Section VII shall be paid as soon as administratively possible after the member's death.

(VIII) If this Order indicates that the alternate payee is to receive a percentage of any retirement benefit or refund, upon receipt of the information required to be provided by the Retirement System under Section 1-119 of the Illinois Pension Code (40 ILCS 5/1-119), the calculations required shall be performed by the member, by the alternate payee, or by their designated representatives or designated



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experts. The results of the calculations shall be provided to the Retirement System via a QILDRO Calculation Court Order in accordance with Section 1-119 of the Illinois Pension Code.

(IX) Marital Portion Benefit Calculation Formula (Option to calculate benefit in items III(A)(2), V(A)(2), VI(A)(2), and VII A)(2) above.) If in this Section "other" is circled in the definition of A, B, or C, then a supplemental order must be entered simultaneously with this QILDRO clarifying the intent of the parties or the Court as to that item. The supplemental order cannot require the Retirement System to take any action not permitted under Illinois law or the Retirement System's administrative rules. To the extent that the supplemental order does not conform to Illinois law or administrative rule, it shall not be binding upon the Retirement System.

(1) The amount of the alternate payee's benefit shall be the result of $(A/B) \times C \times D$ where:

"A" equals the number of months of regular regular plus permissive other (check only one) service that the member accumulated in the Retirement System from the date of marriage or civil union _____ (enter date MM/DD/YYYY) to the date of divorce _____ (enter date MM/DD/YYYY). This number of months of service shall be calculated as whole months after receipt of information required from the Retirement System pursuant to Section 1-119 of the Illinois Pension Code (40 ILCS 5/1-119).

"B" equals the number of months of regular regular plus permissive other (check only one) service that the member accumulated in the Retirement System from the time of initial membership in the Retirement System through the member's effective date of retirement. The number of months of service shall be calculated as whole months after receipt of information required from the Retirement System pursuant to Section 1-119 of the Illinois Pension Code (40 ILCS 5/1-119).

"C" equals the gross amount of:

(i) the member's monthly retirement benefit (Section III(A)) calculated as of the member's effective date of retirement

including not including other (check only one) permissive service, upgrades purchased, and other benefit formula enhancements;

(ii) the member's refund payable upon termination or lump sum retirement benefit that becomes payable, including any payable interest (Section V(A)) calculated as of the time said refund becomes payable to the member;

(iii) the member's partial refund, including any payable interest (Section VI(A)) calculated as of the time said partial refund becomes payable to the member; or

(iv) the death benefit payable to the members death benefit beneficiaries or estate, including any payable interest (Section VII(A)) calculated as of the time said benefit becomes payable to the member's beneficiaries;

whichever are applicable pursuant to Section III, V, VI, or VII of this Order. These gross amounts shall be provided by the Retirement System pursuant to Section 1-119 of the Illinois Pension Code (40 ILCS 5/1-119).

"D" equals the percentage noted in Section III(A)(2), V(A)(2), VI(A)(2), or VII(A)(2), whichever are applicable.

(2) The alternate payee's benefit under this Section IX shall be paid in accordance with all Sections of this Order that apply.

(X) In accordance with subsection (j) of Section 1-119 of the Illinois Pension Code (40 ILCS 5/1-119), so long as this QILDRO is in effect, the member may not elect a form of payment of the retirement benefit that has the effect of diminishing the amount of the payment to which the alternate payee is entitled, unless the alternate payee has consented to the election in writing, the consent has been notarized, and the consent has been filed with the Retirement System.

(XI) If the member began participating in the Retirement System before July 1, 1999, this Order shall not take effect unless accompanied by the written consent of the member as required under subsection (m) of Section 1-119 of the Illinois Pension Code (40 ILCS 5/1-119).



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(XII) The Court retains jurisdiction over this matter for all of the following purposes:

- (1) To establish or maintain this Order as a Qualified Illinois Domestic Relations Order.
- (2) To enter amended QILDROs and QILDRO Calculation Court Orders to conform to the parties' Marital Settlement Agreement or Agreement for Legal Separation ("Agreement"), to the parties' Judgment for Dissolution of Marriage or Civil Union or Judgment for Legal Separation ("Judgment"), to any modifications of the parties' Agreement or Judgment, or to any supplemental orders entered to clarify the parties' Agreement or Judgment.
- (3) To enter supplemental orders to clarify the intent of the parties or the Court regarding the benefits allocated herein in accordance with the parties' Agreement or Judgment, with any modifications of the parties' Agreement or Judgment, or with any supplemental orders entered to clarify the parties' Agreement or Judgment. A supplemental order may not require the Retirement System to take any action not permitted under Illinois law or the Retirement System's administrative rules. To the extent that the supplemental order does not conform to Illinois or administrative rule, it shall not be binding upon the Retirement System.

Member Signature

Alternate Payee Signature

DATED: _____

SIGNED: _____
(Judge's Signature)



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Instructions for QILDRO Form

*Please follow these instructions for completing the QILDRO form on the previous page.
Do not alter the form. Doing so will invalidate the order.*

Caption:

- Enter court's judicial district and county. (The issuing court must be an Illinois court.)
- Enter the case caption and case number.

Section II Enter the name, mailing address, and social security number for the member and for the alternate payee. Check the box that indicates the relationship of the alternate payee to [the Retirement Fund](#) member during the course of the QILDRO.

Section III For the alternate payee to receive a **retirement benefit**, enter either:

- (A)(1), the exact dollar amount; or
- (A)(2), the percentage per month of the marital portion of the retirement benefit (also complete Section IX); or
- (A)(3), the percentage per month of the gross retirement benefit.

If Section III (A) is left blank, no benefit will be paid to the alternate payee from the member's retirement benefit.

- (B) If the member already receives retirement benefits, check only ONE option to determine when benefits will be payable to the alternate payee.
- (C) Automatically applies if the member does not yet receive retirement benefits.
- (D) Check only one option of when benefits will cease to be paid to the alternate payee.

Section IV Check the appropriate box to indicate whether or not the alternate payee is to receive applicable cost of living adjustment increases on the retirement benefit.

Section V For the alternate payee to receive a **contribution refund benefit**, or lump-sum retirement benefit, enter either:

- (A)(1), the exact dollar amount; or
- (A)(2), the percentage of the marital portion of the refund or lump-sum retirement benefit* (also complete Section IX); or
- (A)(3), the percentage of the gross refund or lump-sum retirement benefit.

If Section V is left blank, no benefit will be paid to the alternate payee from the member's refund or lump-sum retirement benefit. If an amount or percentage is entered, the alternate payee will receive the benefit when a refund of contributions or payment of a lump-sum retirement is payable to the member.



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** IMRF does not pay lump-sum retirement benefits. At retirement or resignation, the member may be eligible for a retirement benefit, depending on the member's age and service. If not yet eligible for an annuity, the member is eligible for a refund of contributions, but may leave contributions with this Fund until eligible for a benefit at a later age or with a reciprocal retirement system.*

Section VI For the alternate payee to receive a **partial refund of contributions**, enter either:

- (A)(1), the exact dollar amount; or
- (A)(2), the percentage of the marital portion of the partial refund benefit (also complete Section IX); or
- (A)(3), the percentage of the gross partial refund benefit.

If Section VI is left blank, the alternate payee will not receive any portion of the member's partial refund. If an amount or percentage is entered, the alternate payee will receive the benefit when a partial refund of contributions is payable to the member.

Section VII For the alternate payee to receive a **death benefit**, enter either:

- (A)(1), the exact dollar amount; or
- (A)(2), the percentage of the marital portion of the death benefit (also complete Section IX); or
- (A)(3), the percentage of the gross death benefit.

If Section VII is left blank, no benefit will be paid to the alternate payee from the member's death benefit. If an amount or percentage is entered, the alternate payee will receive a benefit when it becomes payable to the beneficiary of the member.

Section IX Marital Portion Benefit Calculation Formula

This section must be filled out if only when a percentage option is selected to calculate marital portion benefits in Sections III(A)(2), V(A)(2), VI(A)(2), and VII(A)(2).

Please ensure that only one check box is selected for "A" and "B" and "C" (each), and that the marriage/civil union dates are listed where applicable. If nothing is checked, nothing is assumed, and the QILDRO is invalidated in the case of the percentage option.

If "other" is selected in "A" and/or "B" and/or "C", then a supplemental order must be entered with this QILDRO to clarify the intent of the parties or the Court as to that item. The supplemental order cannot require the Retirement System to take any action not permitted under Illinois law or the Retirement System's administrative rules.

Signature lines The QILDRO must be signed and dated by the issuing judge, and signed by the member and the alternate payee.



Inside back cover.

IN THE CIRCUIT COURT OF THE _____ JUDICIAL
DISTRICT

ILLINOIS COUNTY,

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)
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No. _____

Consent to Issuance of QILDRO
Illinois Municipal Retirement Fund

Member's Name: _____

Member's Social Security Number: _____

Alternate Payee's Name: _____

Alternate Payee's Social Security Number: _____

I, _____, a member of the **Illinois Municipal Retirement Fund**, hereby irrevocably consent to the issuance of a Qualified Illinois Domestic Relations Order. I understand that under the Order, certain benefits that would otherwise be payable to me, or to my death benefit beneficiaries or estate, will instead be payable to _____ (name of alternate payee). I also understand that my right to elect certain forms of payment of my retirement benefit or member's refund may be limited as a result of the Order.

DATED: _____

SIGNED: _____
(Member's Signature)



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Instructions for Member Consent to Issuance of QILDRO Form

Please follow these instructions for completing the consent form on the previous page. Do not alter the form. Doing so will invalidate the consent.

This form is required only if [the IMRF](#) membership began before July 1, 1999, when the QILDRO law was originally enacted. Once signed and submitted to [IMRF](#), the consent form is irrevocable.

Caption:

Enter the court's judicial district and county.

The issuing court must be an Illinois court.

Enter the case caption and case number.

Body:

Fill in the required information for the member and alternative payee.

Signature line:

The consent form must be dated and signed by the consenting member of [the Retirement Fund](#).



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IN THE CIRCUIT COURT OF THE _____ JUDICIAL DISTRICT

_____ COUNTY, ILLINOIS

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)
)
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No. _____

QILDRO Calculation Court Order

Illinois Municipal Retirement Fund

THIS CAUSE coming before the Court for the purpose of the entry of a QILDRO Calculation Court Order under the provisions of Section 1-119 of the Illinois Pension Code (40 ILCS 5/1-119), the Court having jurisdiction over the parties and the subject matter hereof; the Court finding that a QILDRO has previously been entered in this matter, that the QILDRO has been received and accepted by the Retirement System, and that the QILDRO requires percentage calculations to allocate the alternate payee's share of the member's benefit or refund, the Court not having found that the QILDRO has become void or invalid, and the Court being fully advised;

IT IS HEREBY ORDERED AS FOLLOWS:

- (1) The definitions and other provisions of Section 1-119 of the Illinois Pension Code (40 ILCS 5/1-119) are adopted by reference and made part of this Order.
- (2) Identification of Retirement System and parties:

Retirement System: [Illinois Municipal Retirement Fund](#)
[2211 York Dr., Suite 500](#)
[Oak Brook, IL 60523-2337](#)

Member:

(Name)

(Mailing address)

(Social Security Number)

Alternate Payee:

(Name)

(Mailing Address)

(Social Security Number)

The Alternate payee is the member's (check one):

- current or former spouse current or former civil union partner child or other dependent.



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(3) The following shall apply if and only if the QILDRO allocated benefits to the alternate payee in the specific Section noted. The Retirement System shall pay the amounts as directed below, but only if and when the benefits are payable pursuant to the QILDRO and Section 1-119 of the Illinois Pension Code (40 ILCS 5/1-119). Parties shall see QILDRO Section IX for the definitions of A, B, C and D as used below.

(a) The alternate payee's benefit pursuant to QILDRO Section III(A)(2) shall be calculated pursuant to Section IX of the QILDRO and paid as follows:

$$\left(\frac{\text{_____}}{\text{(Enter A)}} / \frac{\text{_____}}{\text{(Enter B)}} \right) \times \frac{\text{_____}}{\text{(Enter C)}} \times \frac{\text{_____}}{\text{(Enter D)}} = \frac{\text{_____}}{\text{(Monthly Amount)}}$$

(b) The alternate payee's benefit pursuant to QILDRO Section V(A)(2) shall be calculated pursuant to Section IX of the QILDRO and paid as follows:

$$\left(\frac{\text{_____}}{\text{(Enter A)}} / \frac{\text{_____}}{\text{(Enter B)}} \right) \times \frac{\text{_____}}{\text{(Enter C)}} \times \frac{\text{_____}}{\text{(Enter D)}} = \frac{\text{_____}}{\text{(Amount)}}$$

(c) The alternate payee's benefit pursuant to QILDRO Section VI(A)(2) shall be calculated pursuant to Section IX of the QILDRO and paid as follows:

$$\left(\frac{\text{_____}}{\text{(Enter A)}} / \frac{\text{_____}}{\text{(Enter B)}} \right) \times \frac{\text{_____}}{\text{(Enter C)}} \times \frac{\text{_____}}{\text{(Enter D)}} = \frac{\text{_____}}{\text{(Amount)}}$$

(d) The alternate payee's benefit pursuant to QILDRO Section VII(A)(2) shall be calculated pursuant to Section IX of the QILDRO and paid as follows:

$$\left(\frac{\text{_____}}{\text{(Enter A)}} / \frac{\text{_____}}{\text{(Enter B)}} \right) \times \frac{\text{_____}}{\text{(Enter C)}} \times \frac{\text{_____}}{\text{(Enter D)}} = \frac{\text{_____}}{\text{(Amount)}}$$

The Retirement System's sole obligation with respect to the equations in this paragraph (3) is to pay the amounts as indicated as a result of the equations. The Retirement System shall have no obligation to review or verify the equations or to assist in the calculations used to determine such amounts.

(4) The following shall apply only if the QILDRO allocated benefits to the alternate payee in the specific Section noted. The Retirement System shall pay the amounts as directed below, but only if and when the benefits are payable pursuant to the QILDRO and Section 1-119 of the Illinois Pension Code (40 ILCS 5/1-119).

(a) The alternate payee's benefit pursuant to QILDRO Section III(A)(3) shall be calculated and paid as follows:

$$\left(\frac{\text{_____}}{\text{(Gross Benefit Amount)}} \right) \times \frac{\text{_____}}{\text{(Percentage)}} = \frac{\text{_____}}{\text{(Monthly Amount)}}$$



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(b) The alternate payee's benefit pursuant to QILDRO Section V(A)(3) shall be calculated and paid as follows:

$$\left(\frac{\text{_____}}{\text{(Gross Benefit Amount)}} \right) \times \frac{\text{_____}}{\text{(Percentage)}} = \frac{\text{_____}}{\text{(Amount)}}$$

(c) The alternate payee's benefit pursuant to QILDRO Section VI(A)(3) shall be calculated and paid as follows:

$$\left(\frac{\text{_____}}{\text{(Gross Benefit Amount)}} \right) \times \frac{\text{_____}}{\text{(Percentage)}} = \frac{\text{_____}}{\text{(Amount)}}$$

(d) The alternate payee's benefit pursuant to QILDRO Section VII(A)(3) shall be calculated and paid as follows:

$$\left(\frac{\text{_____}}{\text{(Gross Benefit Amount)}} \right) \times \frac{\text{_____}}{\text{(Percentage)}} = \frac{\text{_____}}{\text{(Amount)}}$$

The Retirement System's sole obligation with respect to the equations in this paragraph (4) is to pay the amounts indicated as the result of the equations. The Retirement System shall have no obligation to review or verify the equations or to assist in the calculations used to determine such amounts.

(5) The Court retains jurisdiction over this matter for the following purposes:

(A) To establish or maintain this Order as a QILDRO Calculation Court Order;

(B) To enter amended QILDROs and QILDRO Calculation Court Orders to conform to the parties' QILDRO, Marital Settlement Agreement or Agreement for Legal Separation ("Agreement"), to the parties' Judgment for Dissolution of Marriage or Civil Union or Judgment for Legal Separation ("Judgment"), to any modifications of the parties' QILDRO, Agreement, or Judgment, or to any supplemental orders entered to clarify the parties' QILDRO, Agreement, or Judgment; and

(C) To enter supplemental orders to clarify the intent of the parties or the Court regarding the benefits allocated herein in accordance with the parties' Agreement or Judgment, with any modifications of the parties' Agreement or Judgment, or with any supplemental orders entered to clarify the parties' Agreement or Judgment. A supplemental order may not require the Retirement System to take any action not permitted under Illinois law or the Retirement System's administrative rules. To the extent the supplemental order does not conform to Illinois law or administrative rule, it shall not be binding upon the Retirement System.

(Member's Signature)

(Alternate Payee's Signature)

DATED: _____

SIGNED: _____
(Judge's Signature)



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Instructions for QILDRO Calculation Court Order

Please follow these instructions for completing the QILDRO Calculation Court Order form on the previous page. Do not alter the form. Doing so will invalidate the consent.

This form is required only if the QILDRO requires payment of any benefit to be calculated using the marital portion benefit calculation formula or a percentage of gross benefit.

Caption:

- Enter court's judicial district and county. The issuing court must be an Illinois court.
- Enter the case caption and case number.

Section 2:

- Enter the name, mailing address and social security number of the member and of the alternate payee.
- Stipulate the alternate payee's relationship to the member.

Sections 3 and 4:

If the court orders this benefit in the QILDRO...	...then the following subsection of the QILDRO Calculation Order must be completed	
QILDRO Section:	Section 3 – % of Marital Portion	Section 4 – % of Gross Benefit
III – Monthly Annuity	3a	4a
V – Full Refund	3b	4b
VI – Partial Refund	3c	4c
VII – Death Benefit	3d	4d

Signature Lines: The QILDRO Calculation Order must be signed and dated by the issuing judge, and signed by the member and the alternate payee.



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Inside back cover.



Qualified Illinois Domestic Relations Orders (QILDROs)

Illinois Municipal Retirement Fund

2211 York Road, Suite 500

Oak Brook, IL 60523-2337

1-800-ASK-IMRF (1-800-275-4673)

www.imrf.org

Revised July 2011