

**QDRO DRAFTER
USER'S MANUAL
For
FCA US LLC**

Overview

Willis Towers Watson has developed the Willis Towers Watson QDRO Drafter, which allows you to draft a QDRO on-line and save or print a copy of the order which is suitable for filing with the Court. You will be asked a series of questions relating to the benefit that is to be awarded under the QDRO. Your responses will be used to populate specific provisions of the QDRO. After all of the questions have been answered, you simply select “Generate QDRO” and a PDF version of the QDRO will be generated which will reflect your specific responses. You may submit a draft to the Willis Towers Watson QDRO Service Center for review prior to submitting it to Court for filing and we recommend that you do so. The QDRO Service Center will issue a response either that the order has been pre-approved and should be submitted to the Court for filing, or that there are problems with the order and those problems will be identified.

Getting Started

We recommend that you do the following before you start using the QDRO Drafter:

- Print out a copy of this User’s Manual so that you can refer to it as you respond to the questions;
- Gather all of the documents that you will need to refer to in order to respond to the questions (Divorce Decree, Property Settlement Agreement, other court orders, etc...);
- Gather all of the personal information for both the plan Participant and the Alternate Payee (former spouse, spouse, child or other dependent) that the order relates to. This includes the parties’ names, addresses, dates of birth and complete Social Security numbers;
- When you are ready to begin you will access the QDRO Drafter at the following website: <https://qdro.willistowerswatson.com/sites/fca/> We strongly recommend that you read the Frequently Asked Questions (FAQ) document relating to the QDRO Process. The FAQ document can be accessed by selecting the “View FAQs” link on the opening page of the QDRO Drafter.

General Information about the QDRO Drafter

- The QDRO Drafter includes 11 Steps. The Step numbers are identified at the top of each individual page and there is a menu of the Steps on the left-hand side of each page. You may go back and forth between the Steps by selecting a specific Step on the menu. This User’s Manual will explain each of the Steps included in the QDRO Drafter.
- The information that you enter on the QDRO Drafter is NOT stored. It is deleted when you close (“X out” of) the QDRO Drafter window on your computer. However, until you close the QDRO Drafter window, you will be able to draft multiple QDROs (such as a Savings Plan QDRO and one or more Pension Plan QDROs, or a different version of the same type of QDRO) without having to re-enter information that is the same for each QDRO.

QDRO Guidelines & Procedures

The opening page or Home Page is entitled QDRO Guidelines & Procedures. This page contains important information. There is a link to a Frequently Asked Questions (FAQ) document that provides a lot of useful information relating to the QDRO process. We strongly encourage you to read the FAQs. Click the link on the page [View FAQs](#) to access the document.

This page gives you two different options to assist you in drafting the QDRO. The first option is:

Option 1: Draft a QDRO manually

Click on the links for the [QDRO Procedures](#) and the appropriate model QDRO link to access PDF copies of the QDRO Procedures and model QDROs. You can print them out or save them to your computer. The model QDROs are examples of orders that will meet the requirements of a QDRO. However, you may need to modify some of the language to reflect the terms of the Decree of Dissolution or Property Settlement Agreement, etc. The QDRO Procedures outline the qualification process and provide important information regarding the administration of QDROs.

The second option is:

Option 2: Draft a QDRO using this site

Click on the light blue box containing the words [Create a QDRO with the QDRO Drafter](#)

By selecting this option you will be taken to the next screen entitled **Step 1: Create a New QDRO**. This page provides you with information relating to the actions required after you draft your QDRO. Click on [Continue](#) and you will begin the process of responding to questions. Your responses will be used to generate a QDRO.

Step 2: Plan Information

In Step 2 you will identify the specific plan that the QDRO will apply to. You will first need to **Select the QDRO Type**. Click on the box and a drop-down menu will open with a list of the following choices:

[Defined Contribution \(401k\) Plan QDRO](#)

[Defined Benefit \(Pension\) Plan – Separate Interest QDRO](#)

[Defined Benefit \(Pension\) Plan – Shared Payment QDRO](#)

Select the type of QDRO that you would like to draft. There are two different types of Defined Benefit (Pension) plan QDROs. The first option is a Separate Interest QDRO, which is appropriate for a Participant who is not yet receiving benefits from the plan. The second option, Shared Payment QDRO, should be used when drafting a QDRO for a Participant who is currently receiving periodic payments from the plan.

Next, **Select Plan Name**. Click on the box and a drop-down menu will open with a list of plan names. The order must contain the correct plan name that the Participant participates in. The plan name can typically be found on benefit statements or other communications to the Participant or the Participant can contact **FCA Benefit Connect Service Center at 1-888-409-3300** to obtain the information relating to defined benefit pension plan participation or **Merrill Lynch Retirement Benefits & Savings Contact Center at 1-800-483-7283 (SAVE)** for defined contribution Savings plan information. This information will not be provided to a non-participant in the plan without the plan first receiving written, notarized authorization from the Participant to provide the information,

If “Defined Contribution (401k) Plan QDRO” is selected, you must select the appropriate plan name from the following two plans:

FCA US LLC Salaried Employees’ Savings Plan
FCA US LLC UAW Savings Plan

If “Defined Benefit (Pension) Plan – Separate Interest QDRO” is selected, you must select the appropriate plan name option from the following list of plans:

Note: There are options to exclude specific merged plans from the CPP or to have the QDRO apply only to the specific merged plan portion of the CPP benefit. Therefore it is very important that the User be aware of all of the Participant’s plan benefits and know which benefits are to be awarded to the Alternate Payee in the QDRO(s).

FCA US LLC Pension Plan (formerly the “CPP”)
FCA US LLC Pension Plan (formerly the “CPP”) excluding the SERP
FCA US LLC Pension Plan (formerly the “CPP”) excluding the ESERP
FCA US LLC Pension Plan (formerly the “CPP”) excluding the Subs Plan
FCA US LLC Pension Plan (formerly the “CPP”) applies only to SERP
FCA US LLC Pension Plan (formerly the “CPP”) applies only to ESERP
FCA US LLC Pension Plan (formerly the “CPP”) applies only to the Subs Plan
FCA US LLC – UAW Pension Plan
FCA US LLC – SPFPA Pension Plan
FCA US LLC – IUE Pension Agreement
American Motors – Union Retirement Income Plan
Jeep Corporation – UAW Retirement Income Plan

If “Defined Benefit (Pension) – Shared Payment QDRO” is selected, you must select the appropriate plan name option from the following list of plans:

Note: There are options to exclude specific merged plans from the CPP or to have the QDRO apply only to the specific merged plan portion of the CPP benefit. Therefore it is very important that the User be aware of all of the Participant’s plan benefits and know which benefits are to be awarded to the Alternate Payee in the QDRO(s).

FCA US LLC Pension Plan (formerly the “CPP”)
FCA US LLC Pension Plan (formerly the “CPP”) excluding the SERP
FCA US LLC Pension Plan (formerly the “CPP”) excluding the ESERP
FCA US LLC Pension Plan (formerly the “CPP”) excluding the Subs Plan
FCA US LLC Pension Plan (formerly the “CPP”) applies only to SERP
FCA US LLC Pension Plan (formerly the “CPP”) applies only to ESERP
FCA US LLC Pension Plan (formerly the “CPP”) applies only to the Subs Plan
FCA US LLC – UAW Pension Plan
FCA US LLC – SPFPA Pension Plan
FCA US LLC – IUE Pension Agreement
American Motors – Union Retirement Income Plan
Jeep Corporation – UAW Retirement Income Plan

Step 3: Participant Information

In this Step you will enter information relating to the plan Participant. Enter the Participant's first name, middle initial and last name. The date of birth should be entered as mm-dd-yyyy (for example, January 23, 1968 should be entered as 01-23-1968). The Participant's street address, city, state and zip code should be entered. You will need to enter the Country ONLY IF it is outside of the United States. If it is a U.S. address, leave the Country box blank.

If the Participant is NOT represented by an attorney, you should select "Not Represented by an Attorney". If you select this box, please do not enter any further information. Click

Continue

If the Participant is represented by an attorney, enter the attorney's contact information. Enter the firm name, the attorney's first name, last name and any suffix (for example, Esq. or J.D.), street address, city, state and zip code. You will need to enter the Country ONLY IF it is outside of the United States. Then click

Continue

Step 4: Alternate Payee Information

In this Step you will enter information relating to the Alternate Payee, which is the former spouse, spouse, child or other dependent who will be receiving an awarded benefit from the plan. Entries for the Alternate Payee should be made in the same format as was used for the Participant's information in Step 3, above.

If the QDRO is for child support (rather than for an award of marital property or alimony payments), you should enter the Custodial Parent or guardian's information for the Child Alternate Payee, under the following heading:

Custodial Parent or Guardian Information (complete ONLY if Order is for child support)

Continue

After you have completed all of the applicable information for this Step, click

Step 5: Court Information

Enter the Case Number from the court proceeding that the QDRO is associated with. The case number can be found on the divorce or domestic relations documents that were previously filed with the Court.

Continue

Click

Step 6: Order Caption Format

Your responses to the questions in this Step will be used to create the court caption (heading) at the top of the QDRO. The caption will include the name and contact information for the person who is filing the

QDRO with the Court and it will contain a box, identifying the parties (Petitioner/Plaintiff v. Respondent/Defendant). The Petitioner (also sometimes called Plaintiff) is the person who filed the action against the other person known as the Respondent (sometimes called Defendant). You can typically find this information on the other divorce-related documents (such as the Decree of Divorce or Property Settlement Agreement). Those documents will identify which party was the Petitioner/Plaintiff in the court proceedings that the QDRO is associated with.

The first question is: “Who will be filing the order with the Court?”

Click on the circle next to the person who will actually be filing the order.

The next question is: Who is the Petitioner/Plaintiff?

Click on the circle next to either the Participant or the Alternate Payee, indicating which party is the

Petitioner/Plaintiff, then click

Continue

Step 7: Type of Order

The question “Does the Order relate to the provision of alimony payments, child support or marital property rights?” asks you to indicate what type of QDRO you are drafting. QDROs can be drafted for the division of marital property or for the payment of alimony. But they can also be drafted for child support payments. Please click on the circle next to the type of order you are drafting and then click

Continue

Step 8: Authority

The first question in this Step asks: This order will be entered in accordance with the domestic relations laws of the state of? You will click on the box and select the appropriate state from the drop down menu where the QDRO is being filed.

Next you will provide the parties date of marriage. It should be entered in mm-dd-yyyy form (for example, January 1, 1996 should be written as 01-01-1996).

The next question asks you to provide the parties date of divorce OR date of separation. DO NOT provide both. You should provide only the date that was used for determining the termination of marital property. For example in community property states, the date of separation is generally used as the date the community property terminates. But for other states it may be the date of the divorce. You should refer to the Decree of Divorce, Marital Dissolution or Property Settlement Agreement, for guidance on the appropriate date to use. Please click on the circle to select either the date of divorce or date of separation and provide the appropriate date then click

Continue

Step 9: Alternate Payee's Award – Defined Contribution

The next series of questions are related to the Alternate Payee's award. There are a different set of questions depending on the type of QDRO you are drafting. If you are drafting a QDRO for a Defined Contribution Plan (401k) Plan QDRO, then you will respond to the questions detailed below.

If you are drafting a Defined Benefit QDRO – Please skip ahead to [Step 9: Alternate Payee's Award – Defined Benefit](#).

Question 1 – This question asks for the award Valuation Date. The award is typically stated as either a percentage or specific dollar amount of the Participant's account valued (determined) as of a specific date, which is the award Valuation Date. Or if no specific date is intended and the award is to be valued as of the most current date possible, then "as of the date of account segregation" should be selected. The date of account segregation is the date the plan record keeper determines the award and segregates it (removes the funds) from the Participant's account and creates a separate plan account for the Alternate Payee.

Question 2 – Respond to this question ONLY IF you selected "as of a specified date" in Question 1. If you selected "as of the date of account segregation" skip to Question 3. Provide the specific Valuation Date for determining the Alternate Payee's award, in mm-dd-yyyy format where January 1, 2007 is expressed as 01-01-2007. Examples of common Valuation dates are the parties' date of separation or date of divorce (whichever was used for the date of termination of their marital property) or it can be some other date, as specified in their property settlement, etc...

Question 3 – Please indicate whether the award will be stated as a percentage (%) of the Participant's total vested account balance or if it will be stated as a specific (\$) amount.

Question 4 – Respond to this question ONLY IF you selected "as of a specified percentage of the Participant's total vested account balance" in Question 3. Please provide the specific percentage and must not be greater than 100%.

Question 5 – Respond to this question ONLY IF "as a specified dollar amount" was selected. Provide the specific dollar amount awarded to the Alternate Payee.

Question 6 – Indicate whether or not earnings/losses should be allocated to the Alternate Payee's award from the Valuation Date to the date of account segregation? (Do not answer if you selected "as of the date of account segregation" in Question 1 above.)

Question 7 – Indicate whether any outstanding loan balance in the Participant's account on the award Valuation Date should be excluded or included in the Participant's total account balance prior to determining the Alternate Payee's award? Examples of a loan balance being excluded or included are as follows: The Participant's total account balance is \$50,000, of which \$10,000 is an outstanding loan balance. The Alternate Payee is awarded 50%.

Excluded loan balance: The loan balance is excluded prior to determining the award so the account balance is \$40,000 for purposes of determining the award. Therefore, the Alternate Payee's award will be \$20,000.

Included loan balance: If the loan balance is to be included, the whole \$50,000 would be subject to the award of 50%. Thus, the Alternate Payee would be awarded \$25,000. All outstanding loan balances must remain with the Participant. They cannot be transferred to an Alternate Payee. Therefore, of the \$25,000 that remains with the Participant, \$10,000 is the outstanding loan balance.

Click

Step 9: Alternate Payee's Award – Defined Benefit – Separate Interest

If you are drafting a Defined Contribution (401k Plan) QDRO – Please skip ahead to [Step 10: Summary & Verification](#).

The next series of questions are related to the alternate payee's award. There are a different set of questions depending on the type of QDRO you are drafting. If you are drafting a Separate Interest QDRO (Selected in Step 2.), you will respond to the questions detailed below.

If you are drafting a Shared Payment QDRO, Please skip ahead to [Step 9: Alternate Payee's Award – Defined Benefit – Shared Payment](#) found immediately following the Separate Interest section.

Question 1 – This question asks “What is the method for determining the Alternate Payee's award?” The QDRO Drafter offers two different options. The method that you select should reflect the award that is stated in the Divorce Decree, Property Settlement or other document, or the type of award that the parties have agreed to.

The first Option (a.) A percentage of the Marital Portion of the Participant's benefit, where the Marital Portion is determined by a fraction provides an award based on the Marital Portion of the Participant's total benefit. It is often called the Brown or Sims formula. The numerator (top) of the fraction is determined by the number of months of the Participant's credited service in the plan during the parties' marriage. The dates of marriage and either date of separation or divorce will be populated from the responses in Step 8. The denominator (bottom) of the fraction will be the total number of months of the Participant's credited service in the plan up to the earliest of the Participant's date of retirement, death, termination, or benefit commencement of either party.

The fraction will determine the portion of the total benefit that is the Marital Portion. For example, if the parties were married for 10 years (120 months) during the time that the Participant was participating and accruing service in the Plan and the Participant continued working and participating and accruing service in the plan for 7 additional years (84 months) after the marriage ended (120 months during the marriage and 84 months after the marriage for a total of 204 months) the fraction would be as follows: $120/204$, which equals .588 (or 58.8%). This means that the Marital Portion of the Participant's benefit in the plan is 58.8%. You will then need to respond to [Question 2](#) and specify the percentage of the Marital Portion that the Alternate Payee is awarded. For example if the Alternate Payee is to be awarded 50% of the Marital Portion of the benefit, you would enter 50%. The 50% would be multiplied by the fraction, to determine the award ($50\% \times 120/204 = 29.4\%$). The resulting award to the Alternate Payee would be 29.4% of the Participant's total plan benefit. In some cases the resulting fraction will equal “1”, meaning that the numbers of the fraction were both the same because the parties were married during the entire time that the Participant was participating in the plan, and thus, the Participant's entire benefit is considered Marital Property. If you select this method DO NOT answer [Question 3](#) – Leave it blank.

The second Option (b.) As a percentage of the Participant's accrued benefit in the Plan as of a specific date awards the Alternate Payee a specified percentage of the Participant's accrued benefit in the plan as of a specified date. Typically, the date is the parties' date of separation or divorce. This option does not consider the Participant's total benefit, but will cut off the award to the Alternate Payee as of the specified date. If this method is selected, you will need to respond to [Question 3](#) and provide the specific

percentage awarded to the Alternate Payee and the specific date the award should be cut off. If you select this method DO NOT answer Question 2 – Leave it blank.

If either of the options do not reflect the method for determining the award that the parties have agreed to, or as provided in their divorce documents, the QDRO Drafter should not be used to draft the QDRO. It will be necessary utilize the model QDRO and modify the award provisions as needed, or draft a custom QDRO.

Question 2 – Respond to this question ONLY IF you selected option (a.) “A percentage of the Marital Portion of the benefit...” in Question 1. Provide the percentage of the Marital Portion of the benefit that the Alternate Payee is to be awarded (i.e., 50%, 60%, etc...).

Question 3 – Respond to this question ONLY IF you selected option (b.) “As a percentage of the Participant’s accrued benefit...” in Question 1. Provide the following information:

Accrued Benefit Awarded: %

Valuation Date: mm-dd-yyyy

Question 4 – This question asks If the Alternate Payee commences benefit payments before the Participant, and if the Participant subsequently retires and receives an early retirement subsidy, supplement or separation program, should the Alternate Payee’s benefit be recalculated to include a portion of such early retirement subsidy, supplement or separation program? An Alternate Payee may only share in a subsidized benefit, supplement or separation program at the time the Participant actually receives such benefit. If an Alternate Payee commences his/her benefit prior to the time that the Participant actually retires and receives a subsidy, supplement or separation program benefit, the Alternate Payee’s benefit will not include any portion of the subsidy, supplement or separation program benefit. If “Yes” is selected, if the Alternate Payee’s benefit payments have commenced, and the Participant subsequently receives a subsidy, supplement or separation program benefit, the Alternate Payee’s benefit will be recalculated to include a proportionate share of such benefit going forward from the date that the Participant begins to receive the benefit. If answered “No”, the Alternate Payee’s benefit will not be recalculated and the portion of the subsidy, supplement or separation program benefit and the entirety of such benefits shall be payable to the Participant.

Question 5 – This question asks if the Alternate Payee is to share in cost-of-living ("COLA") or post-retirement benefit increase or adjustment received by the Participant on or after the Participant's commencement date, Select “Yes” if the Alternate Payee should receive a proportionate share of any increase or adjustment or select “No” if the Alternate Payee shall not receive in any increase or adjustment. If “No” is selected, any increase or adjustment associated with the Alternate Payee’s portion of the benefit will be allocated to the Participant.

Questions 6 and 7– These questions are applicable ONLY IF the QDRO includes or applies to the SERP or ESERP benefit and is applicable ONLY IF the Participant is an active employee when the QDRO is submitted to the plan. If the QDRO does not include a SERP or ESERP award to the Alternate Payee (i.e. if the Participant does not participate in the SERP or ESERP, is not an active employee, or if such benefits were specifically excluded) please select “Not Applicable” in Question 6 and select “Continue” to move to the next Step. If this question is applicable, in Question 6, select “Yes” if the Alternate Payee is to be the designated beneficiary for the contributory and noncontributory lump sum death benefits

available under the Plan or select “No” if the Alternate Payee is not to be the designated beneficiary for such purposes.

Question 7 -- Respond to this question ONLY IF you selected “Yes” in Question 6. Select the first option if the Alternate Payee is to be the designated beneficiary to the extent of the entire amount of the available death benefit, or select the second option if the beneficiary designation is to be limited to the same proportion of the Participant’s benefit that was awarded under the QDRO.

Click

Step 9: Alternate Payee's Award – Defined Benefit- Shared Payment

If you are drafting a Shared Payment QDRO (Selected in Step 2.), you will respond to the questions detailed below.

If you are drafting a Separate Interest QDRO, Please refer to [Step 9: Alternate Payee's Award – Defined Benefit – Separate Interest](#) above.

Question 1 – What is the method for determining the Alternate Payee’s award? The two options available are either a percentage or a specific dollar amount of the monthly benefit that the Participant receives from the Plan. Select the appropriate method and insert either the specific percentage of the benefit that the Alternate Payee should receive OR the specific dollar amount of the monthly benefit that the Alternate Payee should receive.

Question 2 – This question asks if the Alternate Payee is to share in any temporary or supplemental benefit, or post-retirement improvement or adjustment, such as a cost of living adjustment, etc. that the Participant may receive after the Participant’s benefit payments have commenced. Select “Yes” if the Alternate Payee should receive a proportionate share of any increase or adjustment or select “No” if the Alternate Payee shall not receive in any increase or adjustment. If “No” is selected, any increase or adjustment associated with the Alternate Payee’s portion of the benefit will be allocated to the Participant.

Question 3 – This question relates to the cancellation of the surviving spouse coverage. If the Participant elected a form of benefit payment with a surviving spouse option and named the Alternate Payee as the survivor at the time the election was made, and if under the terms of the Plan the Participant is eligible to cancel the surviving spouse option upon divorce, the QDRO may allow the survivor coverage to be cancelled or it may specify that the survivor coverage may not be cancelled by the Participant and that the Alternate Payee must remain as the surviving spouse. Select “Yes” if the terms of the parties’ divorce decree or property settlement allow the Participant to cancel the survivor coverage or select “No” if the Participant is not permitted to cancel the surviving spouse coverage. If the Participant is not receiving his/her benefit in a form of benefit that provides for the Alternate Payee as the surviving spouse, select “Alternate payee was not named survivor at benefit commencement”.

Click

Step 10: Summary & Verification

This Step provides a summary of all of the questions and your responses. If you click on the Edit box on the right hand side of each section you will be taken back to the specific Step and you can modify your response. When you are satisfied with your responses

Click

Step 11: Generate QDRO

This Step allows you to generate your QDRO from the responses you provided to each Step.

Click to create your QDRO. The QDRO will be created in a new window. You should print or save a PDF version of the order to your computer.

If you would like to change your response to any questions in order to modify the provisions in the QDRO either before or after you have generated a QDRO, you can click and you can go back to any Step and modify your response. Simply select again, and another window will open with the modified QDRO. This allows you to create different version of the QDRO without having to enter all of the information multiple times.

THE QDRO IS NOT AUTOMATICALLY SUBMITTED TO THE WILLIS TOWERS WATSON QDRO SERVICE CENTER – YOU MUST SUBMIT THE ORDER VIA MAIL, EMAIL OR FAX

You may submit a draft order for preliminary review. You will receive a written response indicating that the order is acceptable and should be filed with the Court, or that the order has deficiencies and those deficiencies will be identified.

Submit QDRO to:

Willis Towers Watson QDRO Service Center
P.O. Box 712728
Los Angeles, CA 90071
Attn: FCA QDRO Team

Fax: 310-789-5984
Online: WTWQDRO@willistowerswatson.com