

# American Benefit Evaluators, LLC

“The experience you need when dealing with QDROs”<sup>SM</sup>

## Fee Schedule

### Pension Evaluations

- **Present Value of Accrued Pension Benefit**

Initial report: Determines the present value of the accrued benefit as of the date of divorce payable on the assumed benefit commencement date. Present values will be developed based on two possible benefit commencement dates. The first value will be determined assuming the participant’s benefits commence at the earlier of his normal retirement date defined by the plan or the date that his benefit percentage equals 100% of his final average compensation. The second value will be based on the assumption that the participant retires on the date with the largest present value. Usually this date is the date that the participant is first eligible to retire. While our recommended value is based on the first approach, we realize that during the court proceedings it might be helpful to know the value assuming the participant retires on the date with the largest present value.

Fee

Service  
Desired

\$400

- **Social Security Evaluation**

Determines present value of assumed Social Security benefit payable to both parties in the divorce reflecting the impact of the divorced wife's (husband's) and widow(er)'s benefit as well as their individual old age benefit based on compensation earned before, during and after the marriage.

\$400

- **Update Report**

An additional evaluation is developed where the present value of benefits is determined where either the assumed retirement date is changed or another set of assumptions is used.

\$100

- **Discovery:**

If we have to obtain the dollar amount of the frozen accrued benefit and/or the Plan’s SPD, an additional fee will be charged as shown below:

Military Evaluation

\$200

Non-military Evaluation

\$100

- **Expert Testimony:** A minimum fee of \$500 will be charged for case preparation and travel time. Charges for actual testimony time will be based on time required. Advance estimates of fees can be provided if requested.

\$500  
Minimum

### Determination of Marital Portion of Account Balance

Upon obtaining prior quarterly account balance statements we will estimate the split of the current account balance between marital and pre-marital assets. The statements must reconcile the change in the account balance recognizing contributions made, investment income earned and withdrawals and/or benefits and expenses paid during the quarter.

Other periods of time can be used such as monthly statements or annual statements. The fee charged will depend on the number of statements that must be reviewed in the analysis.

\$300  
Minimum

### Division of Property Order for State of Ohio Plans

Draft order based on provisions consistent with divorce decree while protecting the benefit rights of the attorney's client for the following plans:

- Public Employees Retirement System (PERS)
- State Teachers Retirement System (STRS)
- School Employees Retirement System (SERS)
- Ohio Police and Fire Pension Plan
- Ohio Highway Patrol Retirement Plan

\$400

	<u>Fee</u>	<u>Service Desired</u>
<p><b>State Plan Judgment Entry Language</b></p> <p>Because the current Ohio state statute does not permit a direct assignment of pre and post-retirement surviving spouse's benefits nor automatic cost-of-living increases to an alternate payee, a special judgment entry may be required to protect the alternate payee's interests.</p>	\$500	_____
<p><b>QDRO for Ohio Public Employees Deferred Compensation Plan</b></p> <p>Benefits under this plan can be assigned and cashed-out if desired without waiting for the participant to terminate employment or retire. We will draft an order that will indicate the dollar amount assigned to the alternate payee.</p>	\$400	_____
<p><b>Qualified Plan Domestic Relations Orders</b></p> <p>We will obtain a summary of plan provisions and model QDRO (if available) from plan sponsor and draft the order consistent with the divorce decree while protecting the benefit rights of the attorney's client. We will make sure the attorney is familiar with and understands the key provisions of the plan that have a significant financial impact.</p>	\$400	_____
<p><b>Military Court Orders</b></p> <p>We will obtain a summary of plan provisions and model QDRO (if available) from plan sponsor and draft the order consistent with the divorce decree while protecting the benefit rights of the attorney's client. We will make sure the attorney is familiar with and understands the key provisions of the plan that have a significant financial impact.</p>	\$600	_____
<p><b>Review QDROs</b></p> <p>We can review an order that has already been drafted to ensure that it satisfies ERISA requirements and the attorney client's intentions.</p>	\$200	_____

Our role in assisting attorneys in drafting domestic relations orders will be limited to taking model orders for the above plans and inserting the information indicated in Required Information Form. We are also available to help you understand the various provisions of the plans involved to help eliminate language that might be viewed as ambiguous in defining benefits that are payable to each party under events such as:

- Death of the Participant
- Death of the Alternate Payee
- Participant's eligibility for early retirement supplements and/or subsidies
- The impact of the Plan providing COLA

Our role should not be construed as providing legal advice. Our purpose is to use our many years of experience in designing and valuing plan benefits to help the attorney better understand the plan provisions that have a significant financial impact on the benefits assigned under the order. Services will only be performed if paid for in advance. We will accept a business or personal check. All checks should be made payable to:

**American Benefit Evaluators, LLC**  
**6325 Cochran Road, Suite 6**  
**Solon, Ohio 44139**

Phone: (440) 248-3002 Fax: (440) 248-3585 Email: QDRO@abeval.com

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Attorney's Name

\_\_\_\_\_  
Date