



January 2010

Employee Benefits

Alert



January 31 Determination Letter Filing Deadline

Qualified plan sponsors with IRS Employer Identification Numbers (EINs) that end with **four or nine** must file for IRS determination letters **no later than January 31, 2010**.

The IRS determination letter program creates fixed, five-year cycles for the adoption of certain amendments and the submission of determination letter applications for individually designed plans. The five-year cycles are based on the last digit of a plan sponsor's EIN as follows:

Last digit of EIN	IRS Filing Deadline
4 or 9	January 31, 2010
5 or 0	January 31, 2011
1 or 6	January 31, 2012
2 or 7	January 31, 2013
3 or 8	January 31, 2014

Sponsors of retirement plans may apply for a determination letter that reflects the plan's compliance with Internal Revenue Code requirements. Determination letters provide assurance to plan sponsors and participants that the terms of the retirement plan satisfy the Code's qualification requirements.

The aforementioned deadlines apply to individually designed plans. Other deadlines apply to the following types of plans:

- Prototype plans,
- Nonqualified plans,
- Governmental plans,
- 403(b) annuities,
- Multiple employer plans, or
- Multiemployer plans.

If your company's EIN ends in four or nine and you have not begun the filing process, please contact any member of the Williams Mullen Employee Benefits Group **immediately** for further information.

**Williams Mullen
Employee Benefits
Group**

Catherine M. Marriott
Group Chair
804.783.6901
kmariott@williamsmullen.com

Brydon M. DeWitt
804.783.6917
bdewitt@williamsmullen.com

Elinor P. Hindsley
804.783.6469
ehindsley@williamsmullen.com

Steven B. Long
919.981.4085
slong@williamsmullen.com

Nona K. Massengill
804.783.6569
nmassengill@williamsmullen.com

Maria S. Stefanis
757.629.0664
mstefanis@williamsmullen.com

Ingrid A. Watson
757.473.5312
iwatson@williamsmullen.com