







Joelle Tavan

Special Counsel

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“I strive to provide outstanding support to my clients through collaboration with their team and other benefits professionals. Employee benefits law is complex and constantly evolving and, as benefits counsel, I am committed to helping my clients properly administer their benefits programs and delivering sound, practical, and cost-effective solutions.”

Joelle Tavan is a senior counsel in the firm’s employee benefits practice group. She advises public and private employers as well as multiemployer trusts on a broad range of employee benefits matters including qualification requirements under the Internal Revenue Code, ERISA compliance, correcting plan defects, DOL and IRS audits, fiduciary duties, service provider contracts, withdrawal liability issues, and qualified domestic relations orders. Joelle also assists public employers with PERS-related matters.

Professional Activities

- Western Pension & Benefits Conference, Portland Chapter, member
- Oregon Asian Pacific American Bar Association, member
- Asian American Business Alliance, member
- Oregon Women Lawyers, member

Civic Activities

- Legal Aid Services of Oregon, past volunteer
- Multnomah Defenders Inc., past volunteer
- ASPIRE program, past volunteer

Representative Experience

Qualified Plan Design & Compliance

- Regularly advise clients on plan design, regulatory, operational, and compliance issues relating to their employee benefit plans. Help plan sponsors comply with ERISA, including advising about fiduciary duties, assisting plan administrators with reporting and disclosure requirements, and advising about prohibited transaction rules.

Education

J.D., Lewis & Clark Law School (formerly Northwestern School of Law), 2008

- Associate Editor, *Animal Law Review*
- Business Law Roundtable Scholar
- Dean’s Scholarship for Excellence
- Paul H. Casey Scholarship for Business Law
- Student Representative for SBA Honor Board

B.A., Portland State University, *magna cum laude*, political science and administration of justice, 2005

Bar Admissions

Oregon, 2008

Languages

French

Multiemployer Pension Plan Withdrawal Liability

- Knowledgeable about all aspects of employer withdrawal liability. Has assisted plans and employers with estimates of withdrawal liability, including facilitating negotiations and resolving issues between clients and nonclient plans and employers. Has advised clients about events that may trigger partial withdrawals, mass withdrawals, and complete withdrawals for employers, including those in the building and construction industry.

Audits and Correction of Qualification Defects and Fiduciary Breaches

- Assist clients with correcting retirement plan defects under the IRS's Employee Plans Compliance Resolution System. Also help clients correct fiduciary breaches under the DOL's Voluntary Fiduciary Correction Program. Has also represented clients in DOL and IRS audits of their employee benefit plans.

Oregon PERS

- Regularly advise public employers on PERS-related matters, including compliance with PERS's various Tier systems and OPSRP.

Qualified Domestic Relations Orders, Garnishments & Tax Liens

- Advise plan administrators and sponsors on the qualification of domestic relations orders (DROs). Has counseled administrators and sponsors on post-death DROs. Has also counseled plan administrators on how to respond to garnishments of and tax liens on participants' benefits.

Prohibited Transaction Exemption Application

- Obtained a DOL prohibited transaction exemption. Prepared the prohibited transaction exemption application and communicated with the trustees and DOL agent about the application and filing procedures.

Retention of Plan Service Providers

- Preparing and reviewing requests for proposals to employee benefit plan service providers and investment managers. Also routinely reviews, and advises plan sponsors on, service providers' agreements.

Participant Notices

- Draft all types of notices to participants, including 204(h) notices, QDIA notices, Medicare Part D notices, and withdrawal liability notices.

Publications

- "New Fee Disclosure Requirements for Plans With Participant-Directed Investments," Miller Nash, *Employee Benefits Update* (Apr. 2012)
- "New Fee Disclosure Requirements Under ERISA Section 408(b)(2)," *Employee Benefits Update* (Mar. 2012)
- "DOL Issues Model Employer CHIP Notice," Miller Nash, *Employee Benefits Update* (Mar. 2010)
- "The Children's Health Insurance Program Reauthorization Act of 2009: New Requirements for Group Health Plans," Miller Nash, *Employee Benefits Update* (Mar. 2009)

Personal Activities

Born and raised in Paris, France, Joelle speaks fluent French. She is an avid equestrian in the hunter/jumper discipline and enjoys running and spending time with her family.