

Your group can choose from two group plans: **Access Legal Service** or **Prepaid Legal Service**. Both of these plans provide a variety of legal services at no cost to the participant.



## Group Access Plan

The **Group Access Legal Service Plan** provides plan participants with access to attorneys who will answer legal questions, write letters and review documents relating to personal legal matters.

In addition to the plan participants, the plan covers their spouses or domestic partners who are living with the plan participant; unmarried, dependent children under the age of 19 (or under the age of 25 if the child is wholly dependent upon the plan participant for support and maintenance, and is enrolled as a full-time student); and dependent parents.

The initial point of contact for every participant is the toll-free number to the National Legal Office of Feldman, Kramer & Monaco, P.C. If necessary, the office will make referrals to local participating attorneys.

## Benefits of the Plan

**Free telephone advice and consultation** -- Each participant receives toll-free numbers to call for unlimited telephone advice and consultation.

**Free office consultations** -- Each year, participants are entitled to two, free, hour-long consultations with a National Legal Office attorney or referral attorney.

**Toll-free 24-hour hotline for emergencies**

**Free letter writing** -- Plan attorneys will write as many legal letters or place as many telephone calls as needed. In matters such as consumer protection and credit resolution, a telephone call from a plan attorney is often the ideal solution.

**Free document review** -- Plan attorneys will review documents such as apartment and automobile leases, promissory notes, retail sales agreements, and other contracts. Up to six pages per document.

**Legal Security Package** -- Participants are entitled to the preparation of a Simple Will, Living Will, Health Care Proxy, and Power of Attorney\*\* annually without any additional charge. Reciprocal Simple Wills are also prepared at no charge for spouses/domestic partners.

**Preventive Law Guide** -- Written to inform participants about their rights under the law, this newsletter provides timely information on a variety of consumer issues.

**Estate Planning seminars or "Will Days"** -- Plan attorneys are available to conduct Estate Planning Seminars or sponsor "Will Days" upon request.

**Referral attorneys** -- These attorneys have contracted to provide legal representation for \$265 an hour or a 30 percent discount on their usual hourly fee, whichever is lower. Attorneys are located throughout the continental United States.

Plan attorneys can be a tremendous resource in helping to both avoid becoming an identity theft victim and reclaiming one's identity. This may include advising on the laws governing this crime, the appropriate course of action, the proper entities to contact to place a fraud alert, and assistance with formulation of the appropriate dispute letters to the agencies and creditors involved.

Plan attorneys can offer advice on alternatives such as creditor "workout" in situations of overwhelming debt, including suspension of interest, budget review and, in extreme circumstances, Chapter 7 and Chapter 13 bankruptcy alternatives. Where appropriate, the Plan attorney may contact the creditor involved to discuss favorable alternatives to ever-mounting debt or collection litigation.

Plan attorneys can assist with steps that can be taken to avoid mortgage foreclosure by analyzing the financial situation, reviewing loan documents and discussing options such as lender payment workouts, short sale options and, in some cases, Chapter 13 bankruptcy payment plan alternatives. The Legal Service Plan has qualified foreclosure law experts on hand to assist participants with this stressful legal matter.

## Prepaid Plan

The Group Prepaid Legal Service Plan provides many of the same benefits as the Group Access Legal Service Plan, plus additional benefits. The Prepaid Plan provides six, half-hour, office consultations per year. A Plan participant, his or her spouse (or domestic partner), and dependent children under 19 years of age are eligible to participate in the Group Prepaid Plan.

Dependent children up to age 25 who are full-time students and dependent parents can avail themselves of some of the services provided by the Prepaid Plan.

## Additional Group Prepaid Legal Service Plan benefits provided at no cost

**Real estate** -- Two transactions (sale, purchase, refinance, or any combination thereof) in any five-year period. Participants represented outside of the plan will be entitled to a reimbursement of up to \$300 annually per transaction for attorney fees incurred.

**Wills and estate planning** -- In addition to the free Simple Will and Reciprocal Will, a Simple Testamentary Trust is included if appropriate. Attorneys are available to discuss estate planning and pre-nursing home strategies.

**Guaranteed Maximum Fees -- The following legal matters are subject not only to reduced hourly rates but also to a maximum fee, regardless of time spent on the matter.**

Legal Matter	Maximum Fee
<b>Divorce</b> (uncontested, without marital agreement)*	\$900
<b>Divorce</b> (uncontested, with marital agreement)*	\$1,700
<b>Separation</b> (uncontested)*	\$900
<b>Real Estate</b> (sale or purchase of primary residence only)	
Up to \$250,000	\$850
\$250,000 - \$500,000	\$1,025
More than \$500,000	\$1,325
<b>Mortgage Refinancing</b> (primary residence only)	\$425
<b>Traffic Violation</b> (first offense, 3 points or less, up to 2 court appearances)	\$700
<b>Misdemeanor</b> (first offense, up to 2 court appearances)	\$1,050
<b>Personal Bankruptcy</b> (Chapter 7)	\$1,425
<b>Name Change</b> (uncontested)	\$550
<b>Driving While Intoxicated</b> (first offense, up to 2 court appearances)	\$1,050
<b>Commencement of Proceedings for Modification of Child Support</b> (preparation of pleadings only)*	\$550
<b>Office Consultation</b> Re: Simple Will	\$110
<b>Simple Promissory Note</b>	\$40
<b>Simple Trust</b>	\$55
<b>Simple Reciprocal Will with Simple Trust</b>	\$110
<b>Minor's Testamentary Trust</b>	\$55
<b>Power of Attorney**</b>	Free / \$75
<b>Legal Security Package without Power of Attorney</b>	\$50
<b>Legal Security Package with Power of Attorney</b>	\$100

\* These benefits only cover representation of the Covered Participant. Covered Dependents are not covered under these benefits.

\*\*If a second Power of Attorney is requested within the same Plan year, there will be an additional charge of \$75 for the second Power of Attorney (payable to the National Legal Office). If you don't draft one in your first Plan year, you will be entitled to two free in your second subsequent year. Groups that select a two-year participation agreement will be entitled to free Simple Wills/Reciprocal Wills, Health Care Proxies, Living Wills and Powers of Attorney within their first Plan year.



# Legal Service Plans

## **Legal adoption and guardianship proceedings --**

Services normally rendered by an attorney to formalize an uncontested adoption or guardianship.

**Legal change of surname --** One per participant and one per each qualified dependent.

## **Living Will, Health Care Proxy and Power of Attorney\*\***

-- Documents prepared for participants and qualified dependents.

**Traffic matters and DWI --** Up to 10 hours of attorney time. Representation in court under this benefit is available once in a 12-month period beginning the day of first consultation with the Plan's attorney concerning a traffic-related matter. Benefits provided for instances where, in connection with the operation of a motor vehicle, a traffic ticket has been issued, and, due to the accumulation of points or the severity of violation, a license must be revoked or suspended upon conviction.

**Family and marital relations (contested and uncontested) --** Up to 55 hours of attorney time are provided but not more than 20 hours on any single matter. This coverage is provided to the Plan participant only.

**Bankruptcy and foreclosure --** Up to 20 hours of attorney time.

**Consumer protection --** For consumer items costing less than \$500, coverage for advice only. Up to five hours of attorney time are provided for consumer items costing \$501 to \$5,000; up to 10 hours for items costing \$5,001 to \$10,000; up to 15 hours for items costing \$10,001 to \$20,000; and up to 25 hours for items costing more than \$20,000.

**Personal injury matters --** No cost to participant unless a recovery is made; attorneys will then be entitled to 25 percent of the recovery.

**Probate and administration of estate --** Attorney probate fees are a percentage of the estate's assets. Plan attorneys will reduce those fees by 35 percent.

## **Coverage beyond stated benefit allowances**

If any "benefit allowance" is exhausted, Plan attorneys will bill at the reduced hourly rate of \$265 an hour or a 30 percent discount on their usual hourly fee (whichever is lower), for all time needed to conclude the matter.



Each element of coverage is subject to the specific benefit allowance; however, the maximum annual benefit allowance for all services rendered to a participant or qualified dependent shall not exceed 100 hours.

**\*\*Please Note: If a second Power of Attorney is requested within the same Plan year, there will be an additional charge of \$75 for the second Power of Attorney (payable to the National Legal Office). If you don't draft one in your first Plan year, you will be entitled to two free in your second subsequent year. Groups that select a two-year participation agreement will be entitled to free Simple Wills/Reciprocal Wills, Health Care Proxies, Living Wills and Powers of Attorney within their first Plan year.**

There will be no coverage for any legal action or proceeding in any court or administrative board or real estate closing outside of New York, New Jersey or Connecticut. However, special arrangements have been made for the availability of a referral service in some non-covered states. These attorneys will charge reduced rates. See the "Guaranteed Maximum Fees" appearing in the Access Plan description for guaranteed maximum fees per service outside of New York, New Jersey or Connecticut.

## **Conflict of interest under Prepaid Plan**

If it would be ethically improper to represent the participant or the law firm has a conflict of interest, separate arrangements will be made for retention of outside counsel to represent the participant, and the Plan will be liable up to a maximum of \$3,000 for outside counsel fees.

## **Taxable benefit**

Group Access and Group Prepaid Legal Service Plan contributions made by an employer or benefit fund are taxable and should be included in the participant's

earnings as shown on his or her W-2 Form. This will subject the amount included on the W-2 Form to withholding of income and social security taxes.

If the Group Plan is purchased and paid for from a dues increase, the above does not apply as the money used to purchase the Plan has already been taxed.

## Optional Elder Law Rider

An optional Elder Law Rider can be purchased as an enhancement to the Group Legal Service Plans. This rider provides access to a national panel of Elder Law attorneys who specialize in Elder and health law, estate planning, wills, trusts, pre-nursing home planning, probate, and conservatorship.

With this rider, participants who use the services of Elder Law attorneys will receive a 20 percent discount on their usual fees. The Elder Law Rider also provides one free Legal Security Package per participant or covered dependent per year. This package includes a Health Care Proxy, Living Will and Simple Will; a Power of Attorney is available for an additional \$75.

**Please Note:** Within the parameters of the Elder Law Rider only, Covered Individuals include the Plan participant's spouse (or domestic partner), parents, parents-in-law, grandparents, and grandparents-in-law.

**NEW:** We offer either a one or two-year contract commitment. Groups that select a two-year participation commitment will be entitled to free Simple Wills/ Reciprocal Wills, Health Care Proxies, Living Wills, and Powers of Attorney within their first plan participation year.

The cost of the optional Elder Law Rider (with either Legal Service Plan) is an additional \$15 per participant per year. These per participant per year rates are locked in through 8/31/19.

The Group Access and Group Prepaid Legal Service Plans are provided by Feldman, Kramer & Monaco, P.C. and are administered by Member Benefits.

For further information, please contact Member Benefits at **800-626-8101**.

## Cost of Group Legal Service Plans

The Group Access Legal Service Plan **costs \$35 per participant per year.**

The Group Prepaid Legal Service Plan **costs \$72 per participant per year.**



*The Group Access Legal Service Plan and Group Prepaid Legal Service Plan provided through Feldman, Kramer & Monaco, P.C. are NYSUT Member Benefits Trust (Member Benefits)-endorsed programs. Member Benefits has an endorsement arrangement of 15% of annual participation fees received for these programs. All such payments to Member Benefits are used solely to defray the costs of administering its various programs and, where appropriate, to enhance them. Member Benefits acts as your advocate; please contact Member Benefits at 800-626-8101 if you experience a problem with any endorsed program.*