

## LEVITTOWN UNITED TEACHERS SUPPLEMENTAL BENEFITS FUND

### SUMMARY OF LEGAL SERVICES BENEFITS

*The following is a highlight of the Legal Services plan of benefits. The amount payable by the member or "deductible" is set forth in brackets following the explanation of benefit.*

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**SIMPLE WILL**- entitling covered member, his/her spouse/domestic partner, parent(s) and parent(s)-in-law to each have simple wills prepared and executed. (Once per year) (No Charge)

**LIVING WILL/HEALTH CARE PROXY BENEFIT** - entitling the covered member, his/her spouse/domestic partner, his/her parent(s) and/or parent(s)-in-law for the preparation and execution of a living will and/or health care proxy. (No Charge)

**GENERAL CONSULTATION BENEFIT** - entitling covered member to consult an attorney and seek his professional advice concerning any legal problem whatsoever. (No Charge)

**DOCUMENT REVIEW BENEFIT** - entitling the covered member to have an attorney review and interpret legal documents such as guarantees, leases, loan and installment contracts, insurance policies, contracts of sale, etc. (No Charge)

**UNCONTESTED DIVORCE PROCEEDING BENEFIT** - entitling the covered member to representation in an action for uncontested divorce where you are either the plaintiff or defendant. (\$60.00)

**UNCONTESTED LEGAL SEPARATION BENEFIT** - entitling the covered member to legal representation in seeking a separation from his/her spouse, either by means of a negotiated separation agreement or relief through the court by an action for an uncontested legal separation. (Uncontested or cooperatively agreed - \$45.00; settlement after extensive negotiation-\$75.00)

**UNCONTESTED ANNULMENT PROCEEDING BENEFIT** - entitling the covered member to legal representation in a uncontested annulment proceeding. (\$60.00)

**ADOPTION BENEFIT** - entitling the covered member to legal representation in formal adoption proceedings (limited to those services normally rendered by any attorney to formalize an adoption). (\$65.00)

**PERSONAL BANKRUPTCY BENEFIT** - entitling the covered member to the legal services necessary to file a petition for personal bankruptcy, negotiate and finalize same. (Simple Personal Bankruptcy - \$75.00; Complex Personal Bankruptcy-\$100.00)

**CHANGE OF NAME BENEFIT** - entitling the covered member to all legal services required to effect a legal change of name. (\$45.00)

**LEGAL DEFENSE BENEFIT** - entitling the covered member named as a defendant, to legal representation in any civil action brought against him/her, and which does not fall within any of the other specified benefits listed herein. Excluded from this benefit are the defense of criminal or quasi-criminal matters, Family Court matters and appeals. (Pre-Litigation-\$15.00; Litigation-\$35.00)

**PERSONAL INJURY (NEGLIGENCE) BENEFIT** - entitling the covered member, as well as all members of his/her family to legal representation in connection with the prosecution of a claim for personal injuries suffered as a consequence of negligence in those cases which legal counsel believes are worthy of prosecution. The individual will be represented on the basis of a contingent fee of 33 1/3% of the net sum recovered.

**HOMEOWNERS RIGHTS BENEFIT** - entitling the covered member to legal representation in the purchase or sale of any home, condominium or co-operative as a primary residence, or the purchase of any unimproved property for the purpose of building his/her primary residence, or the refinancing of a mortgage on a primary residence (\$60.00); or representation in mortgage foreclosure proceedings; (pre-litigation negotiation - \$15.00; Litigation - \$125.00)

**ARRAIGNMENT ASSISTANCE-TELEPHONE CONSULTATION BENEFIT** - entitling the covered member or dependent who is a defendant in a criminal proceeding in Dutchess, Rockland, Orange, Westchester, Putnam, New York, Queens, Richmond, Kings, Bronx, Nassau and Suffolk counties to the legal defense cost of the assistance by an attorney where the member/dependent is charged as the defendant in a criminal matter. The Fund has arranged for this benefit to be provided on an emergency 24-hour basis. A Hotline telephone number will be available for 24-hour coverage. Excluded from this benefit is the cost of legal representation beyond the arraignment consultation. (\$75.00)

**CONSUMER PROTECTION BENEFIT** - entitling the covered member to legal representation needed to pursue action against fraudulent practices by merchants, department stores, home repair contractors, public utilities, automobile dealers, appliance dealers, etc. (Small Claims Court litigation - \$50.00; Litigation in other courts or Federal Agencies - \$100.00; Lemon Law litigation - \$250.00)

**PLANNING FOR THE ELDERLY** - entitling any covered member, his/her spouse, parent(s) and/or parent(s)-in-law the opportunity to consult with any attorney on matters involving placement of elderly family members in nursing homes, available Medicare entitlements and health planning for the elderly, including preparation of powers of attorney\*. (No Charge)

\* *After consulting with the Plan attorney pursuant to this benefit, and it is determined that an Elder Law specialist is required, the member shall have access to such a specialist. However, fees charged are not covered by this Plan.*

**ESTATE PROBATE AND ADMINISTRATION BENEFIT** - entitling the covered member or eligible dependent to all legal services required in connection with the handling of an estate from its inception (probate of a will or Petition for Letters of Administration). The panel law firm has agreed to provide legal representation in these matters with a 25% reduction in its usual hourly rate.

**IDENTITY THEFT PROTECTION BENEFIT** - entitling the covered member to consult an attorney if he/she believes he/she has been a victim of an act of identity theft or personal information theft. (No Charge)

**ESTATE PLANNING/TRUSTS BENEFIT** - entitling the covered members and their spouses/domestic partners, parent(s) and/or parent(s)-in-law with the opportunity to have estate planning trusts prepared and executed under the supervision of an attorney from the panel law firm. (Consultation \$150.00; 20% off usual customary fee of \$2,500 per trust for all trusts except QRPT trusts, the fee for which is \$3,000 per trust. Fees may change from year to year.)

**COUNSELING OF UNEMANCIPATED CHILDREN\*\* BENEFIT** - entitling the covered members coverage through the panel law firm for consultation and document review services to your unemancipated child on matters involving legal responsibilities that affect your child; contract review; lease review and real estate issues; agreements and documents associated with educational institutions; loan agreements and other credit matters; and identity theft matters.

*\*\* An unemancipated child is any dependent child (as defined by the rules of the Fund) who is over 18 years of age and fully dependent on you, the member, for support.*

Court costs and disbursements will be the responsibility of the member.