

Legal Service Plan



MEMBER
BENEFITS

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Working to Benefit You

At one time or another, you're likely to require some form of legal advice or assistance. Whether it's preparing a Will, creating a Trust, refinancing a mortgage, or even changing your name, you'll need the services of a legal professional.

That's why it makes such good sense to enroll in the NYSUT Member Benefits Trust-endorsed Legal Service Plan. By doing so, you'll have access to the legal help you need, when you need it – and at significant savings too.

Office Consultations

Each year that you are enrolled in the Plan, you will receive two, free, hour-long consultations with a National Legal Office attorney or local referral attorney.



You can use the free one-hour consultation to meet and interview an attorney who may be representing you prior to any commitments. Consultations are often used to determine compatibility, examine qualifications or discuss strategy. Others use them as an opportunity to see the environment and staffing of the attorney's office.

Please note that the free consultations cannot be used for the preparation of Legal Security Package documents, estate planning, Elder Law planning, business-related matters or services listed under "Guaranteed Maximum Fees."

Legal Security Package

If you should pass away without having a Will, the state can decide who raises your children and who receives your money and possessions. However, as a Plan member, you are entitled to a **Simple Will** – or an update of your existing Simple Will – every year that you are enrolled in the Plan. That way, you select the guardian for your children and decide who will share in your estate. A Will also speeds up the probate process and makes settling your estate much easier.

Another important legal document is the **Power of Attorney**, in which you give another person the right to sign your name and transact your financial affairs in the event you are unable to perform these actions yourself. This document may be broad in its scope or limited to certain transactions. Through the Plan, you are entitled to a Power of Attorney.

You are also entitled to a Living Will and Health Care Proxy. A **Living Will** enables you to express your wishes regarding end-of-life treatment options. With a **Health Care Proxy**, you appoint someone to make medical decisions on your behalf if you are unable to make them yourself. It also contains direction regarding organ donation.

These four documents make up your Legal Security Package, which is provided to you (or a covered individual) each year that you are enrolled in the Plan at no extra charge. See the “Guaranteed Maximum Fees” page for the charges to obtain additional Legal Security Packages for a covered individual.

Unlimited legal advice... as near as your phone

Anytime you wish to talk with an attorney – whether for advice or consultation – simply call our National Legal Office toll-free. Our experienced attorneys are available to assist you weekdays from 9 a.m. to 5 p.m. (EST). And if you need emergency legal assistance beyond these hours, just call our toll-free hotline.



A nationwide network of referral attorneys

If a problem can't be resolved by letter or phone, you will be referred to a Plan attorney in your area. Referral attorneys are located throughout the continental United States. All are licensed and will provide legal representation at reasonable costs – either the Plan rate of \$285 per hour or 25 percent less than their standard hourly rate, whichever is lower.

Legal communications

Our National Legal Office will review – at no cost to you – legal documents up to 10 pages in length, including purchase agreements, loan agreements, real estate documents, etc.

For personal legal matters, our National Legal Office attorneys will be happy to write letters and make phone calls for you. You'll find this service especially helpful with any problem involving consumer protection and credit resolution.

Identity theft advice and assistance

Millions of people fall victim to identity theft each year.

For these victims, problems range from loss of credit to medical record problems, and

may even result in a wrongful arrest for a crime the victim didn't commit.

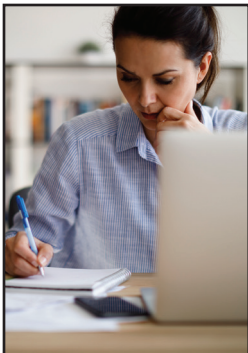


Plan attorneys are familiar with common practices used by identity thieves and can assist you in avoiding these. If you become a victim, the Plan attorney can offer advice and guidance on how to restore your good name.

Debt consolidation

Uncertainties in the economy, rising costs of daily necessities and predatory high-interest practices of many credit card companies have overwhelmed many people and placed them in a position where they cannot pay their mounting debt.

Plan attorneys can offer advice on alternatives such as creditor "workout," and discuss suspension of interest, budget review, and, in extreme circumstances, Chapter 7 and Chapter 13 bankruptcy alternatives.



Mortgage foreclosure

For many people, their single most valuable asset is their home, with a significant monetary and emotional investment. The prospect of losing it can be a very stressful event. A combination of factors can

place people in the position of falling behind on their mortgage payments, which could result in bank foreclosure, placing families at risk of being displaced from their homes. Plan attorneys can review your loan documents, and discuss options including lender payment workouts, short sale options and Chapter 13 bankruptcy payment plan alternatives.

Who is covered under the Legal Service Plan?

In addition to the NYSUT member or service fee payer, the Plan also covers their spouse or domestic partner. **The only exception is family law situations such as divorce, separation or child custody, in which case the service is limited to the NYSUT member or service fee payer.** The Plan also covers unmarried, dependent children (including stepchildren and legally adopted children) under the age of 19, or under the age of 25 if the child is wholly dependent upon the member for support and maintenance and is enrolled as a full-time student in an educational institution.

Coverage is also provided for parents who are wholly dependent on the Plan member for their own support and maintenance.

Guaranteed discounts on major legal services

Probate fees: Thirty percent (30%) off fixed fee schedule on an uncontested estate of a covered individual.

Personal injury cases: For contingency fee cases arising out of negligence, breach of warranty, product liability, etc.:

- Twenty percent (20%) reduction if case is settled prior to Examination Before Trial.
- Ten percent (10%) reduction if case is settled after Examination Before Trial or if tried to conclusion.

As in all contingency fee cases, if no money is awarded, only actual disbursements are due; legal fees are waived.

The following page contains more Guaranteed Maximum Fees. Participating Plan attorneys can charge no more than the maximum fees stated.

Guaranteed Maximum Fees

Many personal legal matters have fees that are capped; they will not exceed the maximum fees listed. However, additional fees may be charged for court costs, trial fees, process service, etc.

Personal Legal Matter	Maximum Fee
Divorce (uncontested, without marital agreement)*	\$1,000
Divorce (uncontested, with marital agreement)*	\$1,850
Separation (uncontested)*	\$900
Real Estate (sale or purchase, primary residence only)	
Up to \$250,000.....	\$850
\$250,000 - \$500,000.....	\$1,025
More than \$500,000.....	\$1,325
Refinance of Mortgage (primary residence only).....	\$425
Traffic Violation (first offense, three points or less, up to two court appearances).....	\$600
Misdemeanor (first offense, up to two court appearances).....	\$1,200
Personal Bankruptcy (Chapter 7)	\$1,525
Name Change (uncontested).....	\$600
Driving While Intoxicated (first offense, up to two court appearances).....	\$1,050
Commencement of Proceedings for Modification of Child Support (preparation of pleadings only)*	\$550
Simple Trust.....	\$50
Legal Security Package.....	\$100

**These benefits cover representation of the NYSUT member. Spouses or domestic partners are not covered under these benefits.*

*Additional Services
that add value to
your Legal Service
Plan membership.*



Elder Law Services

Elder Law Services will assist in health and estate planning for you as well as your parents and grandparents. Through the plan, you have access to Elder Law attorneys – all of whom have agreed to reduce their legal fees by 20 percent.

Since Elder Law attorneys specialize in the financial and health care needs of the elderly, they are more qualified to deal with such issues as trusts, guardianships, conservatorships, applying for Medicaid and other government assistance, and nursing home placement.

They can also assist with your long-term care needs, including Will preparation and estate planning. General practitioners, on the other hand, may not be as well informed about the constant changes that affect both the tax code and Medicaid law.

Who is covered?

Under the terms of the Elder Law Services only, coverage is extended to your spouse or domestic partner, parents, parents-in-law, grandparents, and grandparents-in-law. See your certificate of coverage for more details on these services.

Business-Related Matters

If you have a business of your own (a rental income property, for example), you may benefit from this important feature. Attorneys will provide services for your personal business-related matters at the Plan hourly rate as set forth under the base Legal Service Plan.

Please note: *The Elder Law Services and Business-Related Matters may have additional costs above and beyond the maximum fees and hourly wages listed in this brochure. Please refer to your certificate of coverage for more details.*

30-Day Free Look

This Plan has a 30-day free look period for new enrollees. If you're not completely satisfied after reviewing your Legal Service Plan Certificate of Legal Services Coverage, simply return the certificate along with your Legal Plan ID card within 30 days. We'll refund your annual fee in full. There's absolutely no risk. If any of the Legal Plan services are used within the 30-day period, the opportunity for a refund will be waived.

Exclusions

Matters relating to Federal Court, patent, copyright, trademark, tax matters, immigration, and pensions are excluded. Fines, court costs, penalties, filing fees, disbursements, and other expenses relating to legal services and litigation are not covered under this Plan. Nor are certain exceptions, such as employer/employee-related situations, legal matters between people or groups associated with the Legal Service Plan, appeals, matters arising outside the continental United States, class actions, and repetitious matters where circumstances have not substantially changed. Please refer to your Certificate of Coverage for specific exclusions; this brochure is for illustrative purposes only. This is not an insurance program.

Choose one of three convenient payment options

As a NYSUT member, you can choose from three convenient payment options: payroll or pension deduction (if available to you), personal check or credit card. If you select payroll* or pension** deduction, you'll save \$5 on the enrollment fee. Simply complete and return the attached Payroll Deduction or Pension Deduction Authorization Form along with your Enrollment Form.

**Payroll deduction is available to local associations that have made the necessary payroll deduction arrangements for NYSUT Member Benefits-endorsed programs.*

***Pension deduction is available to retirees who are collecting a monthly pension benefit from the NYSTRS, NYSERS, NYCTRS, or NYCBERS, or who are receiving income from a **monthly lifetime annuity** from TIAA.*

If you choose Payroll or Pension Deduction as your payment option:

- Complete the appropriate Deduction Authorization Form along with the Enrollment Form.
- Do ***not*** enclose any payment with your Enrollment Form.
- The Plan expiration date is August 31 for all members who use payroll/pension deduction. ***Plan renewal is automatic.*** Prior to September 1 of each year, you will receive your renewal Legal Service Plan ID card and certificate of coverage. Your payroll or pension deduction for this Plan shall remain in effect until revoked by your written authorization submitted to NYSUT Member Benefits.
- **If you cancel your Plan before the annual fee has been satisfied, you will be billed for the balance of the annual fee due.**

3 convenient ways to join!

- By mail using the enclosed Enrollment Form.
- By enrolling online at *memberbenefits.nysut.org*
- By calling to enroll by phone with a credit card at **800-626-8101**, Monday through Friday, 9 a.m. – 5 p.m. (EST).

If you need immediate use of the Plan, please enroll by phone.

By Mail:

1. Complete the attached Enrollment Form.
2. If paying by direct bill, enclose payment (check, money order or credit card).

Or enclose appropriate Payroll/Pension Deduction Authorization Form and *no* other form of payment.

3. Send to:
NYSUT Member Benefits Trust
Legal Service Plan
800 Troy-Schenectady Road
Latham, NY 12110-2455

The Legal Service Plan provided through Feldman, Kramer & Monaco, P.C. is a NYSUT Member Benefits Trust (Member Benefits)-endorsed program. Member Benefits has an endorsement arrangement of 27.5% of annual participation fees received for this program. 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.



LEGAL SERVICE PLAN ENROLLMENT FORM



**Complete and mail this form today! Send to
NYSUT Member Benefits Trust, Legal Service
Plan, 800 Troy-Schenectady Road, Latham, NY
12110-2455.**

(Please print)

NYSUT Member Name

NYSUT ID No.

Birthdate

Address

City

State

Zip

(_____)_____

Phone

By signing this Enrollment Form, I waive my attorney/
client privilege only with respect to the processing of
record-keeping information relating to the Plan, and not
with respect to the substantive content of any legal matters
covered by the Plan.

Signature_____

Date_____

You must complete the reverse side of this Enrollment
Form to indicate your payment preference. If you wish
to pay your enrollment fee through payroll or pension
deduction, you must also complete either the Payroll or
Pension Deduction Authorization Form that follows.

LEGAL SERVICE PLAN ENROLLMENT FORM PLAN AND PAYMENT OPTIONS

OPTION 1 – PAYROLL DEDUCTION – Do not send cash! Please complete and return the accompanying Payroll Deduction Authorization Form.

- Legal Service Plan paid through payroll deduction.
Annual fee is reduced to \$80.

OPTION 2 – PENSION DEDUCTION (NYSUT RETIREE MEMBERS ONLY) – Do not send cash! Please complete and return the accompanying Pension Deduction Authorization Form.

- Legal Service Plan paid through pension deduction.
Annual fee is reduced to \$50.

OPTION 3 – PAY DIRECT

- Legal Service Plan for \$85.
 Retiree discounted price: \$55.

CHECK ONE PAYMENT OPTION:

- Enclosed is a check or money order for the fees indicated above, made payable to NYSUT Member Benefits Trust.
- Please charge the fees indicated above to my
 Visa MasterCard

Account Number

Expiration Date

3-Digit Security Code (on back of card)

The Legal Service Plan provided through Feldman, Kramer & Monaco, P.C. is a NYSUT Member Benefits Trust (Member Benefits)-endorsed program. Member Benefits has an endorsement arrangement of 27.5% of annual participation fees received for this program. 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.

NYSUT MEMBER BENEFITS PENSION DEDUCTION AUTHORIZATION

NYSUT Member Benefits Trust

NYSUT Member Benefits Corporation

NYSUT Member Benefits CMM Insurance Trust



(Please Print):

Last Name _____ First _____ Middle Initial _____

Address _____

Telephone No. () _____ NYSUT ID # _____

Soc. Sec. # _____ Authorization is for _____

(name of plan)

Please Note: you must be retired for a minimum of six months to be eligible for pension deduction.

Read statements on the reverse side. Signature and date are required.

Mail this completed form with your invoice to the address on the invoice. Please call 800-626-8101 with any questions.

CHECK ONE BOX ONLY – SIGN AND DATE BELOW

I belong to the Teachers' Retirement System of the **CITY of New York** (TRS) and I hereby request a monthly withholding of deductions from my monthly benefit for the purchase of union-sponsored benefits as permitted by Chapter 248, Laws of 1994. The TRS is authorized to continue taking such deductions until NYSUT Member Benefits receives written notice from me to the contrary.

I belong to the New York City Board of Education Retirement System (BERS).

I belong to the NYSUT Staff Pension Program.

I belong to the New York **STATE** Teachers' Retirement System (NYSTRS), or

I belong to the New York **STATE** Employees' Retirement System (NYSERS) and I hereby request monthly withholding of union deductions from my monthly benefit as permitted by Section 536 of the Education Law and Section 110-C of the Retirement Social Security Law. The NYSTRS or NYSERS is authorized to continue taking such deductions until NYSUT Member Benefits receives written notice from me to the contrary.
NYSERS #: _____

I am a TIAA participant and hereby request a monthly withholding of deductions from my TIAA monthly lifetime annuity income for the purchase of coverages provided through NYSUT Member Benefits' Pension Advantage program. TIAA is authorized to continue taking such deductions until Member Benefits receives written notice to the contrary. If at any time the total deductions equal or exceed my combined monthly income payments from TIAA, all deductions I have authorized TIAA to take on my behalf will terminate immediately.

I expressly acknowledge and understand that NYSUT Member Benefits will determine the exact deductions to be withheld monthly and that any questions regarding the amount will be directed by me to Member Benefits. Depending on the NYSUT Member Benefits program(s) which I am currently enrolled in and that deductions are taken for, monies will be forwarded to the appropriate NYSUT Member Benefits entity as referenced on the reverse side. For insurance plans, I understand that this authorization may be revoked at any time by written notice to the Plan Administrator. For plans with annual fees, I understand that I must provide written notice to the Plan Administrator to cancel automatic renewal and that I must satisfy the annual fee. I hereby certify to the NYCTRS, NYSTRS, NYSERS or TIAA that I am a member of NYSUT, an employee organization entitled to receive union deduction payments as providers by law.

Signature _____

Date _____

NYSUT MEMBER BENEFITS PAYROLL DEDUCTION AUTHORIZATION

NYSUT Member Benefits Trust

NYSUT Member Benefits Corporation

NYSUT Member Benefits CMM Insurance Trust



(Please Print):

Last Name _____ First _____ Middle Initial _____

Address _____ NYSUT ID # _____

Phone (_____) _____ Member's SS # _____

I hereby authorize my employer to deduct from each of my salary checks the deductions necessary for the purpose of NYSUT Member Benefits. Depending on the NYSUT Member Benefits program(s) which I am currently enrolled in and that deductions are taken for, monies will be forwarded to the appropriate NYSUT Member Benefits entity. For insurance plans, I understand that this authorization may be revoked at any time by written notice to the Plan Administrator. For plans with annual fees, I understand that I must provide written notice to the Plan Administrator to cancel automatic renewal and that I must satisfy the annual fee.

Signature _____ **Date** _____

Mail this completed form with your invoice to the address on the invoice. Please call 800-626-8101 with any questions.

Please check your union membership affiliation:

- UFT* *UUP* *PSC/CUNY**
- All other NYSUT Locals*

The amount of deductions will be determined by NYSUT Member Benefits based on the programs chosen, and may be adjusted to ensure that premiums are paid in full.

**This authorization form cannot be used to authorize deductions for PSC-CUNY Welfare Fund Benefits.*

