

Legal Service Plan



MEMBER
BENEFITS
nysut
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...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 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.

All the legal services you need – all in one plan!

Office consultations

Each year, starting with your initial membership, you'll receive coupons entitling you to two, free, hour-long



consultations with a National Legal Office attorney or local referral attorney. You can use the coupons to meet and interview an attorney who may be representing you prior to any commitments. Coupons 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.

The consultation coupons cannot be used for the preparation of Legal Security Package documents, estate planning, services listed under “Guaranteed Maximum Fees,” or any services provided under the optional Elder Law and Business Protection Riders.

Legal Security Package every year

If you should die without a Will, the state can decide who raises your children and who receives your money and possessions.

However, as a Plan member you'll never have to worry, because we'll provide you with a **Simple Will** – or an update of your existing Simple Will – every year of Plan enrollment.

That way, you'll be able to select a 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. This document may be broad in its power or limited to certain transactions. Through the Plan, you can receive a **Durable Power of Attorney**, which means the power will continue to function even if you become disabled or lose your mental capacity.

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.

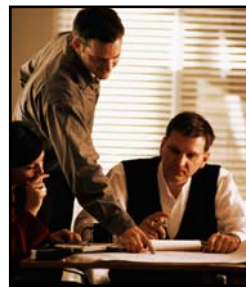
These four documents make up your Legal Security Package, which is provided to you each year of Plan enrollment. Best of all, there is no extra charge for this important Plan benefit.

Preventive Law Guide

As a Plan enrollee, you'll receive the *Preventive Law Guide* newsletter. Every issue of this informative, easy-to-read publication features articles dealing with subjects of current interest and concern to consumers.

Legal communications

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



When it concerns 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. The free services do not extend to any services provided under the optional Elder Law and Business Protection Riders.

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 rescue 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," discuss suspension of interest, budget review, and in extreme circumstances Chapter 7 and 13 Bankruptcy alternatives.

Mortgage foreclosure

For most people, the single most valuable asset they own is their home. Most have significant monetary and emotional investment in their homes, and the prospect of losing it can be the most stressful event in one's life. A combination of factors has placed many people in the position of being behind on their

mortgage payments. These mortgage arrears all too often result in bank foreclosure, placing families at risk of being displaced from their own home. Plan attorneys can review your loan documents and discuss options including lender payment workouts, short sale options and Chapter 13 Bankruptcy payment plan alternatives.

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., ET. 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, we'll refer you to a Plan attorney in your area. Referral attorneys are located throughout the continental United States. All are licensed and all will provide legal representation at reasonable costs – either the Plan hourly rate of \$225 or 40 percent less than their standard hourly rate, whichever is lower.

The Plan covers:

In addition to the NYSUT member or agency fee payer, the Legal Service Plan also covers his or her spouse (or domestic partner) who is living with the member. The only exception is for divorce and separation situations, in which case, the service is limited to the NYSUT member or agency 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.

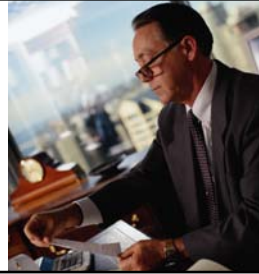
Guaranteed Maximum Fees

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, trial fees, process service, etc.

Personal Legal Matter	Maximum Fee
Divorce (uncontested, without marital agreement)*	\$825
Divorce (uncontested, with marital agreement)*	\$1,550
Separation (uncontested)*	\$825
Real Estate (sale or purchase, primary residence only)	
Up to \$250,000	\$775
\$250,000 - \$500,000	\$925
More than \$500,000	\$1,200
Refinance of Mortgage (primary residence only)	\$395
Traffic Violation (first offense, three points or less, up to two court appearances)	\$625
Misdemeanor (first offense, up to two court appearances)	\$950
Personal Bankruptcy (Chapter 7)	\$1,300
Name Change (uncontested)	\$500
Driving While Intoxicated (first offense, up to two court appearances)	\$950
Commencement of Proceedings for Modification of Child Support (preparation of pleadings only)*	\$500
Office Consultation re: Simple Will	\$100
Simple Promissory Note	\$35
Simple Trust	\$50
Simple Reciprocal Will with Simple Trust	\$100
Minor's Testamentary Trust	\$50

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

You may wish to purchase one or both of these vital optional riders that add value to your Legal Plan membership.



Elder Law Rider

This Rider is available to help you in your health and estate planning, but it is also available to assist you with health and estate issues for your parents and grandparents.

What benefits it offers

For just \$55 more per year, you can have access to Elder Law attorneys – all of whom have agreed to reduce their legal fees by 20 percent. In addition, you (or your dependent) will receive an additional Legal Security Package each year that includes a Simple Will, Health Care Proxy, Living Will and Durable Power of Attorney. Extra Legal Security Packages are available for other dependents at \$55 each.

Why it's important to have

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 all 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 it covers

Under the terms of the Elder Law Rider only, coverage is extended to your spouse (or domestic partner), parents, parents-in-law, grandparents and grandparents-in-law.

Business Protection Rider

If you have a business of your own (a rental income property, for example), you should consider this important optional benefit.

The Business Protection Rider is available to Plan members for an additional \$60 per year. Attorneys will provide this service at the Plan hourly rate of \$225 or 40 percent less than their standard hourly rate, whichever is lower.

The following chart represents fees associated with the optional Business Protection Rider only.

Business Legal Matter	Fee
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Incorporation	\$385
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Purchase or sale of business, excluding realty	
Sale price up to \$60,000	\$660
Sale price above \$60,000	1% of sale price

Preparation of shareholder's agreement	
3 Shareholders or less, excludes negotiation	\$745

Preparation of partnership agreement	
3 Partners or less, excludes negotiation	\$745

Review and legal analysis of covered business employment contract with employees	\$165
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Per diem trial – For court proceedings pertaining to business and/or professional matters	\$225 per hour
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Collection Matters	
25% of the first \$300 recovered (\$25 minimum)	
23% of the next \$1,700 recovered	
18% of the balance recovered	

Bankruptcy and Chapter 11 protection	\$225 per hour
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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 in local associations that have made the necessary payroll deduction arrangements for NYSUT Member Benefits Trust-endorsed programs.*

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

If you are choosing Payroll or Pension Deduction as your payment option:

- Complete the appropriate Deduction Authorization form.
- Do not enclose any payment with your enrollment form.
- Any optional riders you wish to add to your Legal Plan coverage must also be paid through payroll or pension deduction.

Guaranteed Satisfaction

If, after reviewing your Legal Service Plan Certificate of Legal Services Coverage, you're not completely satisfied, 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!

Exclusions

Matters related to the pursuit of business are excluded unless the optional Business Protection Rider is purchased (refer to Business Protection Rider section). 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.

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 expense reimbursement/endorsement arrangement of 33.33% 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.