

THE 2016 GROUP LEGAL SERVICES PLAN

EMPLOYEES REPRESENTED BY MEF AND CEO:

The Group Legal Services Plan provides free or low cost legal assistance (on private matters unrelated to your employment) to full-time employees of the City of San José classified within MEF and CEO. These bargaining groups are represented by AFSCME, Local 101. The Legal Trust Fund, which oversees the Plan, was negotiated out of collective bargaining between the Unions and the City. The Plan is administered by a Board of Trustees consisting of 3 employees appointed by MEF and 2 by CEO. The City of San José, under the Memorandum of Agreement with the Union, makes a monthly contribution to the Legal Trust Fund on behalf of all eligible beneficiaries.

PROCEDURE:

The Board of Trustees has contracted with outside Attorneys to provide the legal services. If you are an eligible Beneficiary of the Legal Trust Fund and would like to see an Attorney, call the Law Office of Sally Cooperrider at 408-287-7717 x12 or the Law Office of Cathay Ericksen at 408-287-7717 x11 to verify your eligibility and schedule an appointment.

ELIGIBILITY:

The Attorneys' staff will verify your eligibility from a listing provided by the City. Your immediate family is also eligible, this includes your spouse or domestic partner, children 18 years and under and children between the ages of 19-23 years who are dependents and full time students. This coverage cannot be extended to any other person. Should you leave City employment, transfer out of a covered unit or are otherwise taken off eligible payroll prior to using the legal services, it is your responsibility to inform the Attorney of the termination date. Coverage only continues through the last month you were on City payroll in a covered unit.

\$1250 IN SERVICES:

Eligible employees are entitled to legal services up to the maximum of \$1250 per employee's family unit per year, from the Group Legal Services Plan Attorneys based on their hourly rate of \$225. Expenses beyond \$1250 for most matters are subject to individual fee arrangements made between Attorney and client. (The Group Legal Services Plan Attorneys are making available a reduced hourly rate of \$225 for qualified beneficiaries of the Plan for services beyond the \$1000 entitlement). The maximum amount is subject to change.

EXCEPTIONS:

1. Personal injury/accident cases and other matters commonly handled on a contingency fee basis.
2. The Legal Trust Fund cannot provide legal service benefits for any employee, spouse or dependent in any action or proceeding in which the Trust, Union, contracting Attorney's or City of San José are a party.
3. The Group Legal Services Plan does not cover matters, actions, or proceedings involving employer-employee relations, patents, immigration, criminal and juvenile criminal matters and traffic court matters.
4. Payment of fines, penalties, judgments and litigation expenses which are not specifically covered are excluded, as are patent applications or proceedings, and immigration proceedings.
5. Plan benefits are not available to an employee's parents or to a business in which employee and/or spouse has an ownership interest (including conduct of business relating to rental property).

CONSULTATIONS:

Two one-hour consultations with the Group Legal Services Plan Attorneys are available per year for which your benefit is charged \$50 per consultation. The consultations can be for most legal matters and include, but are not limited to, the following:

Auto/Injury	Divorce/Separation/Annulment	Small Claims Court
Bankruptcy	Guardianship and Conservatorships	Consumer/Debt Problems
Landlord/Tenant Disputes	Tax/Estate Planning	Purchase contract/Real Estate

SIMPLE WILLS:

The Attorneys can prepare an employee's individual will or reciprocal wills for employee and spouse once per year. Wills are billed against your annual benefit at \$200 per will and \$300 per pair of wills. For wills prepared in conjunction with a trust, the cost is \$100 for a single will or \$200 for a pair of wills. For particularly complex wills, the Attorneys will bill the time for extra drafting at their rate of \$225 per hour, billed against your annual benefit.

OUTSIDE ATTORNEY:

In special cases, you may receive authorization from the Board of Trustees to see another Attorney by contacting the Board at legaltrust@mef101.org or the Law Office of Sally Cooperrider at 408-287-7717 x12 or the Law Office of Cathay Ericksen at 408-287-7717 x11. Please contact the Board or Plan Attorneys for an application or for more information.

MISSED APPOINTMENTS:

If you are unable to keep your appointment call your Attorney and reschedule. Missed appointments or cancellations made later than one day prior are still billed and your annual benefit entitlement is debited \$25. The appointment will also be credited as one of the two consultations appointments to which you are entitled to.

PAYMENTS:

The Attorneys bill the Legal Trust Fund directly for the legal services covered by the Plan.

LEGAL SERVICE BEYOND PLAN COVERAGE LIMITS:

If you should request legal assistance beyond what is covered and paid for by the Legal Trust Fund, your Attorney will discuss with you the anticipated costs and payment procedures.

NOTE:

The legal service benefits as summarized above was adopted by the Board of Trustee's for the 2017 calendar year (beginning January 1, 2017 and continuing through December 31, 2017). Copies of the adopted agreement for Group Legal Services Plan and the Trust Agreement that govern the Fund are available upon request.