

# Covered Legal Services Schedule

## CONSUMER PROTECTION

### Consumer Protection Matters

This service provides the Covered Person with representation, as a plaintiff, in consumer protection matters and includes representation at trial. It covers disputes over consumer goods and services where:

- the amount being contested exceeds the small claims court limit; and
- the controversy is evidenced by a written document such a sales slip, contract, note or warranty.

This service does not include disputes over real estate, construction or insurance, or collection activities after a judgment.

### Small Claims Assistance

This service provides the Covered Person with:

- counseling on prosecuting a small claims action;
- help in preparing documents;
- advise on evidence, documentation and witnesses; and
- help in preparing for trial.

This service does not cover the Plan Attorney's attendance or representation at a small claims trial, collection activities after a judgment or any services relating to post-judgment actions.

## CRIMINAL MATTERS

### Juvenile Court Defense

This service provides representation of a Participating Employee's Dependent Child in any juvenile court matter, provided there is no conflict of interest with the Participating Employee. If such a conflict exists, no service is provided.

## DEBT MATTERS

### Debt Collection Defense

This service provides a Covered Person with an attorney to:

- negotiate with creditors for a repayment schedule;
- help limit creditor harassment; and
- defend any action for personal debt collection, foreclosure, repossession or garnishment.

This help includes representation at trial if necessary.

It does not include:

- defense against a judgment, vacating a judgment, counter claim, cross claim, third-party claims, or bankruptcy;
- any action arising out of divorce or post-decree matters;
- any matters involving child custody, alimony or support; or
- any matter where the creditor is an affiliate of Yours.

### **Identity Theft Defense**

This service provides Covered Persons with consultations with an attorney regarding potential creditor actions resulting from identity theft and attorney services as needed to contact creditors, credit bureaus and financial institutions. It also provides defense services for specific creditor actions over disputed accounts. The defense services include limiting creditor harassment and representation in defense of any action that arises out of identity theft such as foreclosure, repossession or garnishment, up to and including trial if necessary. The service also provides Covered Persons with online help and information about identity theft and prevention. It does not include include counter claims, cross claims, bankruptcy, any actions arising out of divorce or post decree matters, or any matter where the creditor is affiliated with the sponsor.

## **DEFENSE OF CIVIL LAWSUITS**

### **Administrative Hearing Representation**

This service provides the Covered Person with defense in civil proceedings. It includes proceedings before a municipal, county, state or federal administrative board, agency or commission. It does not apply where legal representation is available or being provided by virtue of a homeowner or vehicle insurance policy. It does not include:

- divorce or post-decree defense;
- any matters involving child custody, alimony or support;
- paternity matters; or
- litigation of a job-related incident.

### **Civil Litigation Defense**

This service provides the Covered Person with defense in civil proceedings. It includes proceedings in a trial court of general jurisdiction or before an administrative agency or a local, state or federal agency. It does not apply where legal representation is available or being provided by virtue of another insurance policy. It does not include:

- divorce or post-decree defense;
- any matters involving child custody, alimony or support;
- paternity matters; or
- litigation of a job-related incident.

This service does not include bringing counterclaims, cross claims or third-party claims.

### **Incompetency Defense**

This service provides the Covered Person with defense in any incompetency action. It includes representation at court hearings when there is a proceeding to find the Covered Person incompetent.

## **DOCUMENT PREPARATION**

### **Affidavits**

This service provides preparation of an affidavit where the Covered Person is the person making the statement.

### **Deeds**

This service provides for the preparation of any deed for which the Covered Person is either the grantor or grantee.

### **Demand Letters**

This service provides for:

- the preparation of letters which demand money, property or some other property interest of the Covered Person;

- mailing them to the addressee; and
- forwarding and explaining any response to the Covered Person.

Negotiations and representation in litigation are not included.

### **Mortgages**

This service provides for the preparation of any mortgage for which the Covered Person is the mortgagor.

### **Notes**

This service provides for the preparation of any promissory note for which the Covered Person is the payor or payee.

## **DOCUMENT REVIEW**

This service provides for the review of any personal legal document of the Covered Person, such as letters, leases or purchase agreements.

## **FAMILY LAW**

### **Name Change**

This service provides for all necessary pleadings and court hearings for a legal name change for the Covered Person.

### **Premarital Agreement**

This service provides for the preparation of an agreement by a Participating Employee and his or her fiancé(e) prior to marriage, outlining how property is to be divided in the event of:

- separation;
- divorce; or
- death of either.

Representation is provided only to the Participating Employee. The fiancé(e) must have separate counsel or waive representation.

### **Uncontested Adoption**

This service provides for all uncontested governmental agency and stepparent adoptions for the Participating Employee. If an adoption becomes contested, the Participating Employee must pay all additional legal fees. If Dependent coverage for a Spouse or Qualified Domestic Partner is in effect, this service extends to such person.

### **Uncontested Guardianship or Conservatorship**

This service provides for establishing a guardianship or conservatorship over a person and his or her estate by the Participating Employee. It includes:

- obtaining a temporary guardianship or conservatorship if necessary;
- gathering any necessary medical evidence;
- preparing the paperwork;
- attending the hearing; and
- preparing the initial accounting.

If the proceeding becomes contested, the Participating Employee must pay all additional legal fees.

This service does not include:

- representation of the person over whom guardianship or conservatorship is sought;
- or any proceedings involving annual accountings after the initial accounting.

If Dependent coverage for a Spouse or Qualified Domestic Partner is in effect, this service extends to such person.

### **Uncontested Divorce**

This service provides coverage for the Participating Employee if the spouse does not hire an attorney or file a responsive pleading which contests any portion of the divorce. It includes:

- preparing and filing all necessary pleadings and affidavits;
- drafting settlement agreements; and
- representation at an uncontested hearing for divorce.

This service does not include:

- coverage for the Participating Employee's Spouse or Dependents;
- any divorce in which the Participating Employee's Spouse hires an attorney or files a responsive pleading that contests any portion of the divorce; or
- disputes that arise after the issuance of a divorce decree.

If the divorce becomes contested, no coverage will be provided and the Participating Employee will pay all legal fees. This service cannot be used as a "credit" toward a contested divorce.

## **REAL ESTATE MATTERS**

### **Eviction Defense**

This service provides representation for the Covered Person as a residential tenant, in case of eviction, up to and including a trial defense.

### **Tenant Negotiations**

This service provides the Covered Person with representation as a tenant for matters involving leases, security deposits or other disputes with a residential landlord. It does not include representation in a lawsuit.

## **TRAFFIC MATTERS**

### **Restoration of Driving Privileges**

This service provides the Covered Person with representation in proceedings to restore his or her driving license.

### **Traffic Ticket Defense (No Driving under Influence)**

This service provides the Covered Person with representation in defense of any traffic ticket. However, no service is provided where the ticket was the result of any driving under influence or related charge or vehicular homicide. This service includes representation for:

- court hearings;
- negotiation with the prosecutor; and
- trial.

## **WILLS AND ESTATE PLANNING**

### **Living Trusts**

This service includes the preparation of a living trust for the Covered Person. It does not include tax planning.

**Living Wills**

This service covers the preparation of a living will for the Covered Person.

**Powers of Attorney**

This service includes the preparation of any power of attorney when the Covered Person is granting the power.

**Wills and Codicils**

This service covers the preparation of wills or codicils for the Covered Person. The creation of a testamentary trust is covered. The service does not include tax planning.