

# STATE OF UTAH LEGAL SERVICES PLAN

## FACT SHEET

## HOW TO GET LEGAL SERVICES

To use your Legal Plan, create an account online at www.members.legalplans.com or call MetLife Legal Plans' Client Service Center at 1-800-821-6400.

Employees enrolled in the plan must remain in the plan for the benefit plan year.

If you call the Client Service Center, the Client Service Representative will:

- Verify your eligibility

- Make an initial determination of whether and to what extent your case is covered (the Plan Attorney will make the final determination of coverage)

- Give you the telephone number of the Plan Attorney most convenient to you OR schedule an appointment for you with an attorney; and

- Answer any questions you have about your Legal Plan.

Then you can call the Plan Attorney and identify yourself as a legal Plan Member referred to them by MetLife Legal Plans. You should request an appointment for a consultation. You should be prepared to provide the name of the legal plan you belong to and the type of legal matter you are calling about. You may choose to work with an out-of-network attorney. In a few areas, where there are no Participating Law Firms, you will be asked to select your own attorney. In both circumstances, MetLife Legal Plans will reimburse you for these non-Plan attorneys' fees based on a set fee schedule. To obtain a fee schedule, call our Client Service Center.

## WHAT SERVICES ARE COVERED

You and your eligible dependents are entitled to receive certain personal legal services. The available benefits are very comprehensive, but there are limitations and other conditions that must be met. Please take time to read the description of benefits carefully. All benefits are available to you and your spouse and dependents, who are referred to below as Participant(s), unless otherwise noted or you are enrolled in a Single or Employee Only plan.

#### **ADVICE AND CONSULTATION**

#### **Office Consultation and Telephone Advice**

This service provides the opportunity to discuss with an attorney any personal legal problems that are not specifically excluded. The Plan Attorney will explain the Participant's rights, point out his or her options and recommend a course of action. The Plan Attorney will identify any further coverage available under the Plan, and will undertake representation if the Participant so requests. If representation is covered by the Plan, the Participant will not be charged for the Plan Attorney's services. If representation is recommended, but is not covered by the Plan, the Plan Attorney will provide a written fee statement in advance. The Participant may choose whether to retain the Plan Attorney at his or her own expense, seek outside counsel, or do nothing. There are no restrictions on the number of times per year a Participant may use this service; however, for a non-covered matter, this service is not intended to provide the Participant with continuing access to a Plan Attorney in order to seek advice that would allow the Participant to undertake his or her own representation.

# **CONSUMER PROTECTION**

# **Consumer Protection Matters**

This service covers the Participant as a plaintiff, for representation, including trial, in disputes over consumer goods

## **Tax Audits**

This service covers reviewing tax returns and answering questions the IRS or a state or local taxing authority has concerning the Participant's tax return; negotiating with the agency; advising the Participant on necessary documentation; and attending an IRS or a state or local taxing authority audit. The service does not include prosecuting a claim for the return of overpaid taxes or the preparation of any tax returns.

## **DEFENSE OF CIVIL LAWSUITS**

## **Administrative Hearing Representation**

This service covers Participants in defense of civil proceedings before a municipal, county, state or federal administrative board, agency or commission. It includes the hearing before an administrative board or agency over an adverse governmental action. It does not apply where services are available or are being provided by virtue of an insurance policy. It does not include family law matters, post judgment matters or litigation of a job-related incident.

## **Civil Litigation Defense**

This service covers the Participant in defense of an arbitration proceeding or civil proceeding before a municipal, county, state or federal administrative board, agency or commission, or in a trial court of general jurisdiction. It does not apply where services are available or are being provided by virtue of an insurance policy. It does not include family law matters, post judgment matters, matters with criminal penalties or litigation of a job-related incident. Services do not include bringing counterclaims, third party or cross claims.

#### **Incompetency Defense**

This service covers the Participant in the defense of any incompetency action, including court hearings when there is a proceeding to find the Participant incompetent.

## **DOCUMENT PREPARATION**

#### Affidavits

This service covers preparation of any affidavit in which the Participant Plus Parents is the person making the statement.

Plus Parents enables employees to cover up to 8 parents, parents-in-law or grandparents for this coverage.

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This service covers preparation of any affidavit in which the Participant is the person making the statement.

#### Deeds

This service covers the preparation of any deed for which the Participant Plus Parents is either the grantor or grantee.

Plus Parents enables employees to cover up to 8 parents, parents-in-law or grandparents for this coverage.

#### **Demand Letters**

This service covers the preparation of letters that demand money, property or some other property interest of the Participant Plus Parents, except an interest that is an excluded service. It also covers mailing them to the addressee and forwarding and explaining any response to the Participant Plus Parents. Negotiations and representation in litigation are not included.

Plus Parents enables employees to cover up to 8 parents, parents-in-law or grandparents for this coverage.

#### **Demand Letters**

This service covers the preparation of letters that demand money, property or some other property interest of the Participant, except an interest that is an excluded service. It also covers mailing them to the addressee and forwarding and explaining any response to the Participant. Negotiations and representation in litigation are not

included.

#### **Document Review**

This service covers the review of any personal legal document of the Participant Plus Parents, such as letters, leases or purchase agreements.

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## **Document Review**

This service covers the review of any personal legal document of the Participant, such as letters, leases or purchase agreements.

## **Elder Law Matters**

This service covers counseling the Participant and Parents over the phone or in the office on any personal issues relating to the parents as they affect the Participant and parents. The service includes reviewing documents of the parents to advise the Participant or parents of the effect on the Participant and Parents. The documents include Medicare or Medicaid materials, prescription plans, leases, nursing home agreements, powers of attorney, living wills and wills. The service also includes preparing deeds involving the parents when the Participant is either the grantor or grantee; and preparing promissory notes involving the parents when the Participant is the payor or payee.

## **Elder Law Matters**

This service covers counseling the Participant over the phone or in the office on any personal issues relating to the Participant's parents as they affect the Participant. The service includes reviewing documents of the parents to advise the Participant of the effect on the Participant. The documents include Medicare or Medicaid materials, prescription plans, leases, nursing home agreements, powers of attorney, living wills and wills. The service also includes preparing deeds involving the parents when the Participant is either the grantor or grantee; and preparing promissory notes involving the parents when the Participant is the payor or payee.

## Mortgages

This service covers the preparation of any mortgage or deed of trust for which the Participant Plus Parents is the mortgagor. This service does not include documents pertaining to business, commercial or rental property.

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This service covers the preparation of any mortgage or deed of trust for which the Participant is the mortgagor. This service does not include documents pertaining to business, commercial or rental property.

#### **Promissory Notes**

This service covers the preparation of any promissory note for which the Participant Plus Parents is the payor or payee.

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This service covers the preparation of any promissory note for which the Participant is the payor or payee.

## FAMILY LAW

#### Adoption and Legitimization (Contested and Uncontested)

This service covers all legal services and court work in a state or federal court for an adoption for the Plan Member and spouse. Legitimization of a child for the Plan Member and spouse, including reformation of a birth certificate, is also covered.

#### **Divorce, Dissolution and Annulment (Uncontested)**

This service is available to the Plan Member only, not to a spouse or dependents, and only applies as long as the spouse does not hire an attorney or file a responsive pleading that contests any portion of the case. This service includes preparing and filing all necessary pleadings and affidavits, drafting settlement or separation agreements and representation at an uncontested hearing. If a case is contested, the Plan Member must pay all legal fees. This service cannot be used as a "credit" toward a contested case. This service does not include disputes that arise after a decree is issued.

## Guardianship or Conservatorship (Contested and Uncontested)

This service covers establishing a guardianship or conservatorship over a person and his or her estate when the Plan Member or spouse is being appointed as guardian or conservator. It includes obtaining a permanent and/or temporary guardianship or conservatorship, gathering any necessary medical evidence, preparing the paperwork, attending the hearing and preparing the initial accounting. This service does not include representation of the person over whom guardianship or conservatorship is sought, any annual accountings after the initial accounting, or

## **Eviction and Tenant Problems (Tenant Only)**

This service covers the Participant as a tenant for matters involving leases, security deposits or disputes with a residential landlord. The service includes eviction defense, up to and including trial. It does not include representation in disputes with other tenants or as a plaintiff in a lawsuit against the landlord, including an action for return of a security deposit.

#### **Home Equity Loans**

This service covers the review or preparation of a home equity loan on the Participant's residence.

## **Property Tax Assessment**

This service covers the Participant for review and advice on a property tax assessment on the Participant's residence. It also includes filing the paperwork; gathering the evidence; negotiating a settlement; and attending the hearing necessary to seek a reduction of the assessment.

## **Refinancing of Residence**

This service covers the review or preparation, by an attorney representing the Participant, of all relevant documents (including the refinance agreement, mortgage and deed, and documents pertaining to title, insurance, recordation and taxation), which are involved in the refinancing of or obtaining a home equity loan on a Participant's residence. The benefit also includes attendance of an attorney at closing. This benefit includes obtaining a permanent mortgage on a newly constructed home. It does not include services provided by any attorney representing a lending institution or title company. The benefit does not include the refinancing of a property that is held for any rental, business, investment or income purpose.

## Sale or Purchase of Residence

This service covers the review or preparation, by an attorney representing the Participant, of all relevant documents (including the construction documents for a new home, the purchase agreement, mortgage and deed, and documents pertaining to title, insurance, recordation and taxation), which are involved in the purchase or sale of a Participant's residence or of a vacant property to be used for building a residence. The benefit also includes attendance of an attorney at closing. It does not include services provided by any attorney representing a lending institution or title company. The benefit does not include the sale or purchase of a rental property, property held for business or investment or leases with an option to buy.

#### Security Deposit Assistance (Tenant only)

This service covers counseling the Participant as a tenant in recovering a security deposit from the Participant's residential landlord; reviewing the lease and other relevant documents; and preparing a demand letter to the landlord for the return of the deposit. It also covers assisting the Participant in prosecuting a small claims action; helping prepare documents; advising on evidence, documentation and witnesses; and preparing the Participant for the small claims trial. This service does not include the Plan Attorney's attendance or representation at the small claims trial, collection activities after a judgment or any services relating to post-judgment actions.

#### **Zoning Applications**

This service provides the Participant with the services of a lawyer to help get a zoning change or variance for the Participant's residence. Services include reviewing the law, reviewing the surveys, advising the Participant, preparing applications, and preparing for and attending the hearing to change zoning.

## Traffic Ticket Defense (No DUI)

This service covers representation of the Participant in defense of any traffic ticket including traffic misdemeanor offenses, except driving under influence or vehicular homicide, including court hearings, negotiation with the prosecutor and trial.

## WILL AND ESTATE MATTERS

## **Advanced Healthcare Directive**

This service covers the preparation of a living will for the Participant Plus Parents.

Plus Parents enables employees to cover up to 8 parents, parents-in-law or grandparents for this coverage.

## **Advanced Healthcare Directive**

This service covers the preparation of a living will for the Participant.

## **Powers of Attorney**

This service covers the preparation of any power of attorney when the Participant Plus Parents is granting the power.

Plus Parents enables employees to cover up to 8 parents, parents-in-law or grandparents for this coverage.

## **Powers of Attorney**

This service covers the preparation of any power of attorney when the Participant is granting the power.

# EXCLUSIONS

Excluded services are those legal services that are not provided under the plan. No services, not even a consultation, can be provided for the following matters:

- Employment-related matters, including company or statutory benefits

- Matters involving the company, MetLife and affiliates, and Plan Attorneys

- Matters in which there is a conflict of interest between the employee and spouse or dependents in which case

services are excluded for the spouse and dependents

- Appeals and class actions

- Farm matters, business or investment matters, matters involving property held for investment or rental, or issues when the Participant is the landlord

- Patent, trademark and copyright matters

- Costs or fines

- Frivolous or unethical matters

- Matters for which an attorney-client relationship exists prior to the Participant becoming eligible for plan benefits

IF YOU HAVE ANY QUESTIONS, PLEASE VISIT OUR WEBSITE AT WWW.LEGALPLANS.COM OR CALL METLIFE LEGAL PLANS AT 1-800-821-6400.