

**United Food and Commercial Workers  
and Food Employers Labor Relations Association  
Legal Benefits Fund**

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*A Program of the  
FELRA and UFCW  
Health & Welfare Fund*

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**Summary of Material Modifications**

**EIN: 52-1036978**

**SCHEDULE OF BENEFITS FOR THOSE HIRED ON OR AFTER JANUARY 1, 2014**

*The following benefits are available to eligible participants hired on or after January 1, 2014, and their eligible dependents.*

**General**

1. 24 Hour Telephone Numbers Available in the event of an emergency so you can contact a provider.
2. Legal Consultations. All Areas. An unlimited number.
3. Legal Document Review Unlimited consultations for the purpose of reviewing and revising legal documents not incident to litigation.
4. Notary Service Unlimited use of a notary public designated by a provider.
5. Preparation of Simple Legal Documents Preparation of an unlimited number of simple legal documents not incident to litigation, including power of attorney, bills of sale, affidavits, other simple documents.

*NOTE: ALL RECORDATION FEES AND COURT COSTS ARE YOUR RESPONSIBILITY.*

**Consumer**

1. Bankruptcy - Representation for purposes of filing a personal bankruptcy petition regardless of assets as a Chapter 7 Bankruptcy filing.
2. Wage Earners' Plans - Representation should you have to file a Wage Earners' Plan pursuant to the Bankruptcy Code as a Chapter 13 Bankruptcy.
  - Bankruptcy's filed jointly by Husband and Wife, in which a spouse is a dependent, will be charged a fee of \$250.
3. Excessive Interest and Late Charges - Representation.
4. Medical Insurance Claims not involving the employer, union, or FELRA & UFCW Health and Welfare Fund.
5. Garnishment Actions - Representation in a garnishment proceeding.
6. Personal Property Repossessions - Representation.
7. Enforcement of Warranties - Representation.

8. Consumer Rights/Problems with Credit Ratings - Representation.
9. Collecting/Defending an Action on a Debt - Representation in an action for or against you.

*\*\*Court appearances are limited to matters in which the controversy exceeds \$1200\*\**

### **Criminal**

1. Juvenile Participant or Dependent - Representation for any charge lodged in juvenile court against you or your eligible dependent.
2. Adult Participant or Dependent Accused of Misdemeanor - Representation in connection with any misdemeanor charge brought against you or your eligible dependent.
3. Adult Participant or Dependent Accused of a Felony – Representation by Akman and Associates, P.C. at a flat fee quoted in advance, or by Robert A. Ades and Associates, P.C. at a fixed rate of \$1,500.

*\*\* In cases of Criminal Law matters, members are eligible for 10 hours of legal representation. The majority of these matters will be completed in less than 10 hours. In the instances in which the matter is in excess of the 10 hour maximum covered under the Schedule of Benefits, you are eligible for representation by Akman and Associates, P.C., or by Robert A. Ades and Associates, P.C. at an hourly rate of \$80.*

### **Family Law**

1. Uncontested Divorce or Annulment - Representation.
2. Contested Divorce or Annulment (maximum 5 hours attorney's time) - Representation.
3. Uncontested Adoption - Representation.
4. Contested adoption (maximum 5 hours attorney's time) - Representation.
5. Plaintiff/Defendant in a Support Action - Representation in the prosecution or defense of an action to collect, increase, or decrease support and maintenance for you or your minor children.
6. Plaintiff/Defendant in a Custody/Visitation Action (maximum 5 hours attorney's time) - Representation when you are the plaintiff or defendant in an action for custody of your minor children and/or visitation rights.
7. Guardianship - Representation for you if you are the petitioner in a guardianship proceeding.
8. Ante Nuptial/Post Nuptial/Property Settlement Agreements - Representation relating to the negotiations, preparations, execution, or any other matters related to an ante nuptial, post nuptial, or property settlement agreement, including preparation of a Qualified Domestic Relations Order (“QDRO”).
9. Name Change - Representation when you seek to have your name legally changed by a court of competent jurisdiction.
10. Paternity - Representation in action to establish paternity of a minor child.
11. Birth Certificate - Services and representation when necessary to establish a birth certificate or to obtain any information on, move for any changes to, or establish the existence of, a birth certificate.
12. Child Neglect - Representation.

*\*\* In cases of Family Law matters in excess of the 5 hour maximum covered under the Schedule of Benefits, you are eligible for representation by Akman and Associates, P.C. or by Robert A. Ades and Associates, P.C. at an hourly rate of \$80.*

*\*\* All Family Law benefits listed above are limited in coverage to UFCW members and exclude dependents. This is largely to avoid any conflicts of interest. In situations where there is no conflict, or a member chooses to waive any claim to a conflict, dependents will be able to utilize the services of Akman and Associates, P.C. or Robert A. Ades and Associates, P.C. at a reduced hourly rate.*

### **Real Estate/Landlord-Tenant (For Primary Residence Only)**

1. Landlord Tenant, Consultation - Consulting services concerning any landlord/tenant dispute incident to the rental of your personal dwelling. Consultation includes a review of the lease/agreement.
2. Landlord Tenant, Negotiations - Representation with respect to the negotiations with a landlord or his agent regarding any landlord/tenant dispute with respect to your personal residence, including lease negotiations or rent increases.
3. Landlord Tenant, Rental Accommodations (D.C. only) - Representation when you are sued for possession of a rental unit dwelling and/or the violation of any lease provisions. Representation regarding an increase in rent before the local rental accommodations commission or anyone with jurisdiction over rental increases.
4. Real Estate Settlements, Seller - Representation incident to the sale of residential real property by you.
5. Post Settlement Breach of Warranty - Representation regarding any claim you may have against the seller of real property for a breach of warranty after you purchase your residence.
6. Violation of Property Owner's Covenants - Representation when you are charged with violating any by laws, covenants, or agreements incident to the ownership of your residence.
7. Zoning Violations - Representation in any zoning violation charges brought against you with respect to your residence by a local, federal, or state jurisdiction.
8. Negotiation of a Contract for Purchase or Sale of Residence (including condominium).

### **Wills**

1. Preparation of Simple Wills.
2. Preparation of Codicil to Wills.
3. Preparation of Power of Attorney.
4. Preparation of Advance Medical Directive.
5. Consultation Regarding Estate Planning.
6. Contested Will Litigation - Representation in a contested will action, but only in the court of original jurisdiction for such matters (i.e., no appeals to higher courts).
7. Complex Will - Complex wills include a will with trust, provision for a charitable bequest, creation of life estates, insurance trusts, or other complex provisions.

### **Probate And Administration Of Estates**

1. Conservatorship - Representation when you file an application to establish a conservatorship for a relative.
2. Assistance in the Administration of Estate (less than statutory amount) - Assistance and representation with respect to your appointment as personal representative of an estate for which no formal probate proceedings are required.
3. Probate of an Estate - Representation with respect to the probating of an estate when you are named the personal representative of the estate or when, because of your relationship to the deceased, you are eligible to act as the personal representative of the estate of the deceased who dies without a will. The provider will be entitled to a fee from the estate not to exceed 75% of the prevailing attorney's fee charged for similar matters in the jurisdiction where the estate is probated.

### **Motor Vehicle Violations**

1. Driving While Intoxicated, Court Appearance - Representation is limited to court proceedings and includes administrative hearings incident to the charges.
2. Operating a Motor Vehicle after Suspension or Revocation of Driving Privileges - Representation.
3. Leaving the Scene after a Collision - Representation.
4. Fleeing and Eluding a Police Officer - Representation.

*\*\* In cases of Motor Vehicle Violation matters, members are eligible for 10 hours of legal representation. The majority of these matters will be completed in less than 10 hours. In the instances in which the matter is in excess of the 10 hour maximum covered under the Schedule of Benefits, you are eligible for representation by Akman and Associates, P.C., or by Robert A. Ades and Associates, P.C. at an hourly rate of \$80.*

### **Personal Injury And Property Damage**

1. Preparation and Assistance in the Filing of Insurance Claims with Your Automobile Company.
2. Contingency Fee Cases, Plaintiff (Participant and Dependent) - Representation in legal matters for which counsel is normally compensated on the basis of a contingency fee. The provider will charge a maximum of 28% of any recovery obtained by you through settlement prior to filing suit in a matter. If a suit is filed, the provider will charge a maximum of 33½% of any recovery obtained through settlement or the result of a trial. If there is no recovery on your claim, the provider will charge no legal fees.
3. Defense of Liability Actions - Representation if there is no third party insurance coverage.
4. Defense of Personal Injury and Property Damage Cases - Representation in defense of any action involving personal injury or property damage in excess of \$1200 in damages. No representation will be provided in actions for which you have third party insurance coverage.

## **WHAT IS NOT COVERED**

### **Legal representation will not be provided for the following matters:**

1. Those pertaining to your trade or business.
2. Those pertaining to the management, conservation, or preservation of property held by you for the production of income.
3. Those pertaining to the production or collection of income by you.
4. Real estate matters other than those related to your personal residence.
5. Participation in class action or as amicus curiae except if the provider determines that services under the Fund are most appropriately provided that way. Such a decision by the provider must be approved by the Board of Trustees.
6. Any matter that is frivolous or brought for the purpose of harassment.
7. Patents and copyrights.
8. Preparation of federal or state tax returns, representation at tax audits, tax litigation, or appeal of tax assessment on real property.
9. Disputes involving a Participating Employer or participating local union or their officers and agents, including labor disputes, workers' compensation, unemployment compensation, or discrimination charges and suits.
10. Disputes involving any other employee benefit plan in which a Participating Employer or participating local union participates, or a provider of service to such a plan.
11. Disputes with respect to this Fund, including questions as to whether legal services are available under the Fund.
12. Matters where legal services are available to you free of charge, such as legal counsel by an insurance company, litigation involving a government agency, or legal representation by an employer or third party. This does not exclude representation when you are eligible for free legal representation because of your financial circumstances.
13. Disputes between participants of this Fund except as noted in the section "Provider's Inability to Provide Representation."
14. Any legal proceeding or cause of action prior to the eligibility date of your participation in the Fund.
15. All matters on the Appellate level.
16. Covered services outside the geographic area of the Fund as defined by the Board of Trustees.
17. Personal bankruptcy proceedings not under Chapters Seven and Thirteen of the Bankruptcy Code.
18. Dependent benefits for Safeway employees covered by the Zone B Addendum to the Richmond Division Collective bargaining agreement with UFCW Local 400.
19. Dependent benefits for employees of Giant 400 Charlottesville covered under a reduced contribution rate are not covered.
20. Employees of Giant 400 Charlottesville are not eligible for benefits relating to criminal misdemeanors.
21. Employees of Giant 400 Charlottesville are not eligible for benefits relating to incarcerable traffic cases.

*\*\*In the event that you have a legal matter not included in the Schedule of Benefits and not excluded in this section, Local 27 and Local 400 participants and dependents are eligible for discounted legal services from Akman and Associates, P.C. or Robert A. Ades and Associates,*

*P.C. Please contact Akman & Associates, P.C. or Robert A. Ades and Associates, P.C. in order to discuss your matter and any potential fees.*

**Required Payments**

The Plan does not cover the payment of any fines, penalties, deposition costs, recordation fees, expert witness fees, court costs, taxes, judgments, or money awards of any kind.

**Provider's Inability To Provide Representation**

There may be some infrequent situations in which a provider is unable to provide legal representation to a participant who would otherwise be entitled to representation under the Plan. This may occur as a result of a conflict of interest or other instance that would adversely affect the participant's representation. On this occasion, provider will present the participant with a list of qualified attorneys who can assist them in this matter, as well as guidance in the early stages of the matter and in retaining outside counsel.