WESTERN CONFERENCE OF TEAMSTERS
LEGAL SERVICES TRUST FUND
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August 11, 2014

To: Participating Panel Attorneys

Subject: Western Conference of Teamsters Legal Services Trust Fund
General Counseling, Consumer Transaction, and Billing

General Counseling and Consumer Transaction

Recent attorney audits have found some attorneys are using transaction codes incorrectly. The two transaction codes most commonly used incorrectly are General Counseling and Consumer Transaction. It is because of this, that the Fund Office will require a description of all services that will be provided any time any attorney wishes to open a claim under these transaction codes.

Consumer Transaction (820) – This benefit is intended to protect the participant as a purchaser. The SPD refers to the typical claims – faulty home repairs, a lemon car, or warranties. The Consumer Transaction code also provides benefits where the participant is resisting efforts by a creditor to collect for services or products that were defective. The Trust does not provide benefits for a defense of a collection action where there is no dispute regarding the quality of services or product received by the participant. The Consumer Transaction code does not provide benefits where the participant is seeking to collect money owed to the participant on a contract, a loan, or the like. Consumer Transaction benefits are not available in connection with an activity the participant engages in for profit or potential profit. For example, if a participant was a dog breeder, no benefits would be available in connection with any dispute involving that activity, even if the participant were the purchaser in connection with that activity.

General Counseling (530) - There are certain types of services that are not covered, even under general counseling. These are listed in the Summary Plan Description and the document which describes all of the transaction codes. If your office needs additional copies or has not received these documents, please contact our office. The most common prohibited services that the Fund Office comes across are:

- Cases where the participant is the landlord (participants are only covered as tenants). This exclusion also applies to transaction codes 280 Eviction Proceedings and 290 Tenant Lease.
- Criminal cases other than criminal traffic
- Any business venture, or any other matter in which, for federal income tax purposes, the cost of legal service would normally constitute a business expense or a capital investment. This means no coverage is provided to participants in a case where they are considered to be a business owner.
- Appeals of any decisions, judgments or orders of any administrative body or court of original jurisdiction.

- A judicial or administrative proceeding involving any of the following as an adverse party or potential adverse party: (a) any employer party to a collective bargaining agreement with the International Brotherhood of Teamsters or any of its affiliates, (b) the Plan or any agent thereof, (c) any employer that contributes to the Plan, (d) the International Brotherhood of Teamsters, or any other labor union, local or joint council affiliated with the Plan, (e) any health, welfare, pension or other fringe benefit trust, fund or plan, or the trustees, administrators or employees thereof, in which any labor union participates or has an interest. – Please note: This exclusion is extremely important. Participants cannot receive any assistance under this benefit with issues that concern UPS, Teamster Local Unions, or any benefits provided through these employers such as health insurance.

Billing

A couple of reminders regarding billing:

- Filing fees require a separate claim number. When submitting billing for filing fees you must include the claim number, date of service for when the fees were paid, and a description of what was filed. Filing fee, travel, and mediation claim numbers do not need claim forms.
- A cover sheet is not required when submitting billing.
- All submitted billing must include your attorney code, claim number, transaction code, and clearly state which attorney completed the work. This can be done by putting the attorney initials next to each date of service or have a statement on the billing which states “All work completed by (attorneys name)”.
- Checks are issued on the 5th and 20th of each month. Billing is due by the close of business on the 14th and the last day of the month.
- Any date of service that occurred more than 180 days ago will be considered untimely and no payment will be issued.
- No work should be started on a claim before the claim number is issued. There are times when attorneys will find it hard to get a hold of our office due to large call volumes. Please feel free to request claim numbers through email (LST@deltafund.com).
- Claim forms must be completely filled out (all 5 sections). If the participant is unsure of any information (name of Local, previous claim information, etc.) please just have them put what they think it might be. If the claim form you are using has more boxes on the bottom than you need, it is probably an old claim form. Please contact our office to request a current one. We also have PDF versions where you can type in the information.

If you have any questions, please call me at the numbers listed below.

Sincerely,

Sarah Bagley, Account Manager
Delta Fund Administrators