

## Transaction Codes / Fee Schedule

### 1 Administrative

110 SOCIAL SECURITY	\$480
120 INTERNAL REVENUE	\$960
130 STATE TAX DEPT	\$480
131 MEDICAL LICENSE SUSP. LIT.	\$1,200
140 MOTOR VEHICLE DEPT	\$480
150 CRIME VICTIM COMP	\$480
160 OTHER PROCEEDING	\$480
170 IMMIGRATION	\$2,500

### 2 Real Estate

210 PURCHASE OF PERSONAL RESD	\$1035
220 SALE OF PERSONAL RESD	\$1035
230 MORTGAGE REFINANCE	\$380
240 BUILDING CONTRACTS	\$640
250 DEED TRANSFER	\$320
260 QUIET TITLE	\$1,585
270 PROCEEDINGS AGAINST LANDL	\$1,005
280 EVICTION PROCEEDINGS	\$2,160
290 TENANT LEASE	\$720

### 3 Financial

310 CHAPTER 7 - MEMBER	\$2,220
320 CHAPTER 7 – SPOUSE/PARTNER	\$2,220
330 CHAPTER 13 – MEMBER	\$4,440
331 MODIFICATION OF CHAP. 13	\$900
340 CHAPTER 13 – SPOUSE/PARTNER	\$4,440
350 OUT OF COURT ARRANGEMENTS	\$795
360 EXAMINATION OF DEBTOR	\$640
370 DEFENSE/ADVERSARY PROCEED	\$2,625

### 4 Domestic

405 WILL (POWER OF ATTORNEY)	\$920
410 LIVING TRUST	\$1,980
415 PROBATE	\$3,550
420 ADMINISTRATION OF ESTATES	\$3,550
425 PRE-NUPTIAL AGREEMENT	\$2,500
430 RESPOND TO/DEF MOD OF DIS	\$1,680
435 MODIFICATION OF DISSOLUT	\$1,680
440 SEPARATION AGREEMENT	\$550
444 DRAFTING OF QDRO	\$875
445 DIVORCE (INC QDRO)	\$8,250
446 DIVORCE LITIGATION*	\$3,300
447 CONTEMPT PROCEEDINGS	\$1,250

450 SEPARATION	\$8,250
451 SEPARATION LITIGATION	\$3,300
455 ANNULMENT	\$8,250
460 SUPPORT(IE CHILD SUPPORT)	\$3,140
461 SUPPORT LITIGATION*	\$1,250
465 CUSTODY	\$3,140
466 CUSTODY LITIGATION*	\$1,250
470 VISITATION	\$3,140
475 TWO FAMILY MATTERS	\$4,950
476 TWO FAMILY LITIGATION*	\$1,985
480 THREE FAMILY MATTERS	\$5,100
481 THREE FAMILY LITIGATION*	\$2,040
485 PATERNITY	\$3,140
486 PATERNITY LITIGATION	\$1,985
490 GUARDIANSHIP	\$3,140
491 GUARDIANSHIP LITIGATION	\$1,985
495 ADOPTIONS	\$3,140
496 ADOPTION LITIGATION*	\$1,985
498 JUVENILE DELINQUENCY PETIT	\$4,125

### 5 Costs

510 FILER/SERVER FEES	\$1,000
515 INVEST./GAL COSTS	\$1,800
520 MEDIATION COSTS	\$480/\$960
530 GENERAL COUNSELING	\$900
540 TRAVEL EXPENSES	\$340

### 6 Traffic/Criminal

610 MOVING VIOLATION	\$900
620 EQUIPMENT VIOLATION	\$720
630 TRAFFIC MISDEMEANOR	\$3,960
640 Y. TRAFFIC MISDEMEANOR	\$3,960
650 TRAFFIC LITIGATION*	\$1,585

### 8 Civil

805 PERSONAL INJURY	\$2,000
810 DEFENSE OF PERS. INJURY	\$5,545
820 CONSUMER TRANSACTION	\$5,545
821 CONSUMER TRANS LITI*	\$2,400
822 DEBT COLLECTION DEFENSE	\$2,400
823 DEBT COLL DEFENSE LIT*	\$2,400
830 MORTGAGE FORECLOSURE	\$6,655
840 PROOF OF CLAIM	\$320
850 NAME CHANGE	\$955

\*Litigation benefits are paid at a reduced hourly rate



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## Transaction Code Descriptions

### 1. Administrative Proceedings

Social security disability benefits are not encompassed within the social security benefit. It is intended to encompass questions regarding coverage, benefit levels, and the like, under non-disability provisions of Social Security laws.

The Medical License Suspension Litigation benefit (131) is available only when a participant's driver's license has been suspended for alleged medical conditions (e.g., vision problems, or episodes of fainting, or syncope), and a hearing, whether in person or telephonic, is conducted to dispute whether the license should be suspended or, if suspended, should be restored. This benefit is NOT available in situations where a suspension is the result of driving under the influence of alcohol or drugs.

The Immigration benefit is available to assist participants who are attempting to adjust their own immigration status, and also for participants who are attempting to facilitate the immigration of their immediate family members, including the participant's spouse/partner and children, and the participant's parents and siblings. An Immigration benefit is available only if twelve months have passed since the closing of the participant's most recent Immigration claim.

Note – Where the specific issue being addressed is within the listed administrative proceedings, the benefit is to be paid under the specific matter, not under general counseling, even if general counseling provides for a larger benefit.

### 2. Real Estate

Real Estate benefits are only available for personal primary residence. No benefits are available for any property that is used for recreational or commercial purposes (such as a business or rental unit).

- A. Purchase of Personal Residence (210) – A benefit is available once every 36 months for legal assistance in connection with the purchase of a residence. This benefit can be used in the purchase of a two unit building as long as the participant will be residing in one of the units. No benefits are available for the costs associated with the purchase, such as appraisals or title searches.
- B. Sale of Personal Residence (220) – The rules for this benefit are the same as for Purchase of Personal Residence.
- C. Mortgage Refinance (230) – Participants are eligible for assistance in connection with a mortgage refinancing that occurs without the sale of the home. However, the benefit is limited, and the participant may not use a general counseling benefit

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in place of the smaller mortgage refinancing benefit.

- D. Building Contracts (240) – The Building Contracts benefit provides assistance and counseling regarding contracts for the construction or renovation of the Participant Family’s primary residence. As with the refinancing benefit, the participant may not use a General Counseling benefit instead of the smaller building contracts benefit.
- E. Deed Transfer (250) – The Deed Transfer benefit is not to be provided in connection with the living trust benefit. The living trust benefit encompasses the service of transferring deeds.
- F. Quiet Title (260) – In disputes between neighbors regarding property lines, one or the other party may file an action that is characterized as a “quiet title” action, but the Plan does not provide a benefit for civil actions of that type. The Quiet Title benefit is subject to a frequency limitation of 2 years. Unlike the other real estate benefits, it may be used in addition to the General Counseling benefit, as long as the attorney provided counseling in connection with a title issue, and it ultimately develops that a quiet title action is required to resolve the dispute. A Quiet Title action encompasses efforts to clear up questions about the validity of title to property in connection with a purchase or, more typically, a sale of property. Examples include:
- i. When the records for the property show an easement for a road across the property, although it has never been used.
  - ii. When a court judgment shows a lien on the property against a person with the participant’s name and the participant never had anything to do with the lawsuit that resulted in the lien.
  - iii. The records show a lease for 99 years on the property in favor of someone the participant never heard of.
  - iv. The participant received the property by a “quit claim” deed in which the seller does not guarantee he has clear title to the property, but wants to sell it by a device that represents that the buyer will receive clear title.
  - v. The property description is incorrectly entered on the records and the participant wants the property description modified to accurately reflect the actual property.
- G. Proceedings Against Landlord (270) – The Plan provides benefits in a situation where the participant is enforcing rights against a landlord, such as the right to

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have basic services provided, or to have repairs made to the rental unit. This benefit is not available to participants who are acting as a landlord, even if the tenant is occupying the other unit of a two family residence for which the Plan provided benefits for a purchase or sale.

- H. Eviction Proceedings (280) – The Plan provides benefits for the defense of a participant who is faced with eviction proceedings. This benefit is not available to participants who are acting as a landlord, even if the tenant is occupying the other unit of a two family residence for which the Plan provides services for a purchase or sale.
- I. Tenant Lease (290) – The benefit provides a review of a lease of property for personal use by the participant.

### 3. Financial

- A. Chapter 7 (310) – This benefit is available for a participant, or a participant and his/her spouse/partner, to file bankruptcy under Chapter 7.
- B. Chapter 7 Spouse/Partner (320) – This benefit is for situations where only the spouse/partner is choosing to file bankruptcy. It is not permissible for the participant and the spouse/partner to each get a separate claim number. If the spouse/partner chooses to file bankruptcy without the participant, the participant is not eligible for benefits under 310 until the frequency limit has been satisfied.
- C. Chapter 13 (330) - This benefit is available for a participant, or a participant and his/her spouse/partner, to file bankruptcy under Chapter 13.
- D. Chapter 13 Spouse/Partner (340) - This benefit is for situations where only the spouse/partner is choosing to file bankruptcy. It is not permissible for the participant and the spouse/partner to each get a separate claim number. If the spouse/partner chooses to file bankruptcy without the participant, the participant is not eligible for benefits under 330 until the frequency limit has been satisfied.
- E. Modification of Chapter 13 (331) – This benefit is for situations where the Chapter 13 plan must be modified because of changes in the debtor's (or debtors') circumstances, such as where a debtor becomes unemployed.
- F. Out of Court Arrangements (350) – This is only for participants who have financial problems and are engaged in setting up arrangement with creditors, rather than filing bankruptcy.



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- G. Examination of Debtor (360) – This is only for a particular procedure whereby, after a bankruptcy has been filed, one or more of the creditors demand the right to examine the debtor regarding some issue in the bankruptcy – typically whether the debtor engaged in some conduct that made assets unavailable to the creditor. Essentially, it is a type of deposition.
- H. Defense / Adversary Proceedings (370) – The benefit is for use in bankruptcy. It is to be utilized only when a creditor has initiated an Adversary Proceeding against the debtor. The benefit amount encompasses all representation required to respond to the Adversary Proceeding, including, without limitation, preparing an answer, discovery, motion practice, and hearings required in connection with the Adversary Proceeding.
4. Domestic
- A. Will (405) – This benefit is intended to cover all documents that are typically prepared as part of the typical estate planning appointment, including powers of attorney, medical directives, and the like. This benefit has a time frequency limit of once every two years. If a Living Trust claim was previously opened for the participant, a Will claim may not be opened until two years after the Living Trust claim was opened. A participant can use this benefit before the time frequency has elapsed if there is a change in circumstances that requires a new will, such as a divorce, death of a spouse/partner, or birth of a child. **A Will benefit claim and a Living Trust benefit claim may not be opened simultaneously for the same Participant Family.**
- B. Living Trust (410) – The Living Trust benefit is intended to cover all documents that are typically prepared as part of the typical living trust, including general powers of attorney, medical directives, pour-over wills, and the like. If a will includes the creation of a trust for beneficiaries (e.g., if my spouse/partner predeceases me, my estate is left to my sister, in trust for my two children), the Will benefit should be used instead. No claims in the Real Estate section can be opened in connection with a Living Trust benefit. This benefit has a time frequency limit of once every three years. If the Will benefit was previously used, the participant cannot open a Living Trust claim until two years after the Will claim was opened. A participant can use this benefit before the time frequency has elapsed if there is a change in circumstances that requires a new will, such as a divorce, death of a spouse/partner, or birth of a child. Simply having acquired more property that needs to be placed in the living trust will not warrant opening a new Living Trust benefit before the required time frequency. **A Will benefit**

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**claim and a Living Trust benefit claim may not be opened simultaneously for the same Participant Family.**

- C. Probate (415) – The purpose of the Probate benefit is to enable a participant to receive an inheritance without incurring the expense of attorney’s fees. The benefit is available if the participant is eligible under the laws of the jurisdiction to be appointed as the administrator of the estate. It does not require that the participant was named by the decedent to that role. It also does not require that the participant be the only beneficiary under the estate. The attorney may not accept benefits under the Plan, and also receive fees from the estate, participant, or any other beneficiaries. If the attorney receives funds from the court, or is paid by beneficiaries, the attorney must reimburse the Trust for any benefits paid by the Trust. In such as case, all benefits paid by the Trust must be reimbursed, unless the total fees received do not exceed the total hours billed, times the Trust’s hourly rate, subject to the maximum benefit limit.
- D. Administration of Estates (420) - The rules for this benefit are the same as for Probate.
- E. Pre-Nuptial Agreement (425) – It is permissible for attorneys to open pre-nuptial agreements as general counseling, if the participant is simply seeking advice regarding whether to obtain a pre-nuptial agreement. It is not permissible for the attorney to open both a General Counseling claim and a Pre-Nuptial Agreement claim to increase the payment for a Pre-Nuptial Agreement. If the actual sequence is that the client sought counseling related to an upcoming marriage, and the attorney opened a General Counseling benefit, and the participant later decided to go ahead and have a pre-nuptial agreement prepared, the attorney may open both a General Counseling and a Pre-Nuptial Agreement claim. Post-Nuptial Agreements are also covered under this benefit. The Pre-Nuptial Agreement benefit is available only if three years have passed since the closing of the participant’s last pre or post-nuptial agreement.
- F. Respond to / Defense of Modification of Dissolution (430) – This benefit is only used to address inadvertent errors in a dissolution, such as where certain property was omitted from the distribution of assets, or certain debts were not addressed.
- G. Modification of Dissolution (435) – The rules for this benefit are the same as for Respond to / Defense of Modification of Dissolution.
- H. Separation Agreement (440) – The rules for this benefit are the same as for Pre-Nuptial Agreements.

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- I. Drafting of QDRO (444) – This benefit cannot be used by the firm who completed the divorce.
- J. Divorce (445) – This benefit is intended to cover the entire dissolution process, including determining any issues of responsibility for debts, child support, custody, visitation, and spousal support. The maximum applies, regardless of the number of disputed issues in the case. The Divorce benefit is available for court proceedings to terminate domestic partnerships.
- K. Divorce Litigation (446) - If a live hearing with witnesses is required, and the fees for preparation and participation in the hearing exhaust the maximum benefit available for the Divorce claim, the Plan will pay a litigation benefit to help reduce the financial burden on the attorney. The benefit will be paid for hours that would otherwise not be compensated because the benefit maximum has been reached, and will be paid at an hourly rate equal to 70% of the normal hourly rate. The Trust requires Panel Attorneys to maintain records confirming that a live hearing with witnesses occurred.
- L. Contempt proceeding (447) – This benefit provides a one-time (i.e., “once in a lifetime,” not one time per underlying order) benefit to initiate, or respond to, proceedings to enforce obligations created in a dissolution, custody, support, or visitation order. There is no requirement that any specific length of time elapse between entry of the order being enforced and the proceeding to enforce the order. However, the benefit will be provided to a participant family only one time. Utilizing the contempt proceeding benefit has no impact on timing or frequency of other benefits in the 400 series (i.e., domestic benefits).
- M. Separation (450) - The rules for this benefit are the same as for Divorce.
- N. Separation Litigation (451) - The rules for this benefit are the same as for Divorce Litigation.
- O. Annulment (455) - The rules for this benefit are the same as for Divorce.
- P. Support (460) – A support claim can be opened only if two years have elapsed since the last dissolution claim (including any dissolution litigation claim) was closed.
- Q. Support Litigation (461) - If a live hearing with witnesses is required, and the fees for preparation and participation in the hearing exhaust the maximum benefit available for the Support claim, the Plan will pay a litigation benefit to help reduce the financial burden on the attorney. The benefit will be paid for hours that would otherwise not be compensated because the benefit maximum has been

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reached, and will be paid at an hourly rate equal to 70% of the normal hourly rate. The Trust requires Panel Attorneys to maintain records confirming that a live hearing with witnesses occurred.

- R. Custody (465) – The rules for this benefit are the same as for Support.
- S. Custody Litigation (466) - The rules for this benefit are the same as for Support Litigation.
- T. Visitation (470) - The rules for this benefit are the same as for Support, with the following exception: the visitation benefit is available to grandparents who are seeking visitation rights.
- U. Two Family Matters (475) – This benefit is used when two of the three issues (custody, support, and visitation) need to be addressed.
- V. Two Family Matters Litigation (476) - If a live hearing with witnesses is required, and the fees for preparation and participation in the hearing exhaust the maximum benefit available for the Two Family Matters claim, the Plan will pay a litigation benefit to help reduce the financial burden on the attorney. The benefit will be paid for hours that would otherwise not be compensated because the benefit maximum has been reached, and will be paid at an hourly rate equal to 70% of the normal hourly rate. The Trust requires Panel Attorneys to maintain records confirming a live hearing with witnesses occurred.
- W. Three Family Matters (480) – This benefit is used when all three issues (custody, support, and visitation) need to be addressed.
- X. Three Family Matters Litigation (481) - If a live hearing with witnesses is required, and the fees for preparation and participation in the hearing exhaust the maximum benefit available for the Three Family Matters claim, the Plan will pay a litigation benefit to help reduce the financial burden on the attorney. The benefit will be paid for hours that would otherwise not be compensated because the benefit maximum has been reached, and will be paid at an hourly rate equal to 70% of the normal hourly rate. The Trust requires Panel Attorneys to maintain records confirming a live hearing with witnesses occurred.
- Y. Paternity (485) – Benefits for Paternity are available to any member of the participant’s family. Costs associated with this benefit, other than filing fees, are not covered.
- Z. Paternity Litigation (486) – The rules for this benefit are the same as for custody litigation and support litigation.

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- AA. Guardianship (490) – The rules for the benefit are the same as for Paternity.
- BB. Guardianship Litigation (491) – The rules for this benefit are the same as for custody, support, and paternity litigation.
- CC. Adoptions (495) - The rules for the benefit are the same as for Paternity.
- DD. Adoption Litigation (496) – The rules for this benefit are the same as for custody, support, paternity, and guardianship litigation.
- EE. Juvenile Delinquency Petition (498) – This benefit provides for representation once a juvenile delinquency petition has been filed.

## 5. Costs

- A. Filer / Server Fees (510) – The Plan maximum for this benefit may be less than the actual cost of filing an action. The attorney may charge the participant for any amounts that exceed the maximum benefit amount. Attorneys are not allowed to require participants to pay in advance any costs that will be paid by the Plan, but they may require participants to advance any costs that are not covered by the Plan. Expenses not covered by the Plan include:
  - i. Bank charges and bank legal fees for preparation of mortgage documents
  - ii. Title reports
  - iii. Fines, penalties or fees that the member has been charged in a judgment
  - iv. Private investigations
  - v. Polygraph tests
  - vi. Adoption agency fees
  - vii. Medical examinations and tests
  - viii. Abstract updating
  - ix. Copies of driving records and police reports
- B. Investigation/Guardian ad litem costs (515) – The Plan will reimburse up to \$1,500 of costs incurred for investigation and guardian ad litem fees incurred in domestic relations matters involving custody or visitation. Reimbursement is made to the Panel or Designated Attorney. If the participant has advanced the costs, the Panel or Designated Attorney is required to transmit the reimbursement to the participant.

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- C. Mediation Costs (520) – This benefit is only available in connection with family law cases. The first \$400 of the participant’s share of mediation costs is paid by the Plan. An additional \$400 will be paid by the Plan on a “matching basis.” After the Plan has paid \$400 in mediation costs, the Plan will pay \$1 for each \$1 paid by the participant, up a maximum total benefit of \$800. For example, if the participant’s share of total mediation costs were \$780, the Plan would pay \$590, which is \$400, plus ½ of \$380. It is understood that the maximum amount available typically will not cover the entire cost of mediation. Therefore, attorneys may require the participant to advance the participant’s anticipated share of the cost of mediation, or to reimburse the attorney for any amounts not covered by the Plan.
- D. General Counseling (530) – This benefit is intended to provide limited legal services in areas where it would be prohibitively expensive for the Trust to provide legal representation. For example, the Plan does not provide representation in a property line dispute with a neighbor. But the Plan will provide General Counseling benefit for a participant to consult with an attorney about such a dispute. The attorney may open a General Counseling benefit claim if it appears that the client is seeking advice, rather than representation (e.g., I am thinking of leaving my wife; how would property be divided and how much child support would I likely have to pay?). If it later turns out that representation is needed (e.g., six months later the participant decides to get divorced), then the attorney may open a claim for that matter. It is not permissible for the attorney to open both a General Counseling claim and a claim for a covered matter that is the subject of the counseling at the same time. It is also not permissible for the attorney to open a specific claim and then later open a General Counseling claim for the same matter. A General Counseling claim is not allowed to be opened for a service that is available under a different claim but at a lower benefit. For example a General Counseling benefit may not be opened to provide representation or assistance for any matter that would be covered under Administrative, Mortgage Refinancing, or Deed Transfer.

Although the Plan does not provide benefits to represent participants in criminal matters, other than criminal traffic misdemeanors, a General Counseling claim may be opened to counsel a client regarding a criminal misdemeanor. After providing general counseling regarding a criminal misdemeanor, the attorney may enter into an agreement to represent the participant in the criminal misdemeanor, at the participant’s expense.

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With the exception of criminal misdemeanors, the General Counseling is benefit may not be used for any other cases or claims that are specifically excluded under the Plan, which are:

- i. 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.
- ii. 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.
- iii. A judicial or administrative proceeding involving another participant or eligible dependent as an adverse party except for those benefits listed under Domestic Relations and Real Estate Transactions.
- iv. Any matter or proceeding, except as otherwise provided herein, in which representation on a contingent fee basis is normally and customarily available.
- v. Any matter or proceeding, except as otherwise provided herein, in which legal services are available through insurance except to the extent that such services are not provided.
- vi. Interventions or amicus curiae filings in any matter or proceeding not involving the immediate and direct interest of the participant or the participant's eligible dependent.
- vii. Cases or matters in which counsel has already been consulted at the time the participant or the participant's eligible dependent becomes eligible to receive services under the Plan.
- viii. Appeals of any decisions, judgments or orders of any administrative body or court of original jurisdiction.
- ix. Unemployment hearings if a contributing employer is involved.

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- x. Felony cases.
- xi. The purchase or sale of real property used for recreational or business purposes.
- xii. Representation in divorce, dissolution, separation or annulment proceedings for persons other than the participant.
- xiii. Actions for restraining orders, or defense of restraining orders, other than as part of a covered family matter.
- xiv. Expungement or sealing of records

E. Travel Expense (540) – Travel expenses must be pre-approved by the Trust Fund office. Attorneys should normally not accept any cases where travel is required unless the participant is unable to obtain an attorney who is closer. Travel must be more than 35 miles one way.

## 6. Traffic/Criminal

- A. Moving Violation (610) – Moving violations, such as speeding tickets, are covered under this benefit. This benefit is available even if the moving violation occurred in a UPS vehicle. If a participant is charged with a traffic misdemeanor, and, after the claim is opened, the charge is reduced to a traffic violation, benefits are paid at the traffic misdemeanor level.
- B. Equipment Violation (620) – The rules for Equipment Violation are the same as for Moving Violations.
- C. Traffic Misdemeanor (630) – Benefits are not available for the defense of criminal matters, except for misdemeanor traffic offenses such as driving while intoxicated, driving without a license, reckless driving, and, in some states, negligent driving. If an offense is charged as a traffic felony (e.g., vehicular homicide, or felony hit and run) and the charges are reduced to a misdemeanor after any attorney is consulted, no benefits are available to defend the misdemeanor charge. This is because, under the Plan, no benefits are available if an attorney was consulted before the claim was opened. No General Counseling benefits are available for traffic misdemeanor or felony matters. If a participant is charged, or anticipates being charged with a traffic misdemeanor, a traffic misdemeanor claim should be opened. If a participant is charged with a traffic misdemeanor, and, after the claim is opened, the charge is reduced to a traffic violation, benefits are paid at the traffic misdemeanor level.

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- D. Youth Traffic Misdemeanor (640) – The rules for this benefit are the same as for adults.
- E. Traffic Litigation (650) - If a live hearing with witnesses is required, and the fees for preparation and participation in the hearing exhaust the maximum benefit available for the Traffic Misdemeanor benefit, the Plan will pay a litigation benefit to help reduce the financial burden on the attorney. The benefit will be paid for hours that would otherwise not be compensated because the benefit maximum has been reached, and will be paid at an hourly rate equal to 70% of the normal hourly rate. The Trust requires Panel Attorneys to maintain records confirming a live hearing with witnesses occurred.

### 8. Civil

As a general rule, the Plan does not provide legal services regarding general civil disputes such as property disputes, contract disputes, environmental disputes, and the like. Benefits are available only if it fits within one of the specific provisions of the Plan:

- A. Personal Injury (805) – This claim is limited to cases where the member is the plaintiff, no motor vehicle is involved, and the attorney will not be compensated on a contingent fee.
- B. Defense of Personal Injury Actions (810) – Normally, personal injury is not covered by the Plan because representation is provided by the participant's insurer. The Plan provides benefits only if there is a claim for physical injury or property damage against a participant or the participant's dependents for which the participant either does not have insurance, or has insurance for an amount that is less than the damages claimed. For example, benefits would be available if the participant had no renters' insurance, and a guest was injured in the home and sued for damages, or if the participant's 17 year old son had \$50,000 limits on his auto liability policy, and caused the death of a pedestrian, who was suing the participant for damages. No benefits are available for defense of such matters as libel, damage to reputation, and the like, as such matters do not involve physical injury or property damage.
- C. Consumer Transaction (820) – Most civil litigation claims arise under the Consumer Transaction code. 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 Consumer Transaction code does not provide benefits

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where the participant is seeking to collect money owed to the participant on a contract, a loan, or the like; although a limited benefit is made available for filing a creditor's claim in bankruptcy. 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 were 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.

- D. Consumer Transaction Litigation (821) - If a live hearing with witnesses is required, and the fees for preparation and participation in the hearing exhaust the maximum Consumer Transaction Matter benefit, the Plan will pay a litigation benefit to help reduce the financial burden on the attorney. The benefit will be paid for hours that would otherwise not be compensated because the benefit maximum has been reached, and will be paid at an hourly rate equal to 70% of the normal hourly rate, to the maximum Consumer Transaction Litigation benefit. The Trust requires Panel Attorneys to maintain records confirming a live hearing with witnesses occurred.
- E. Debt Collection Defense (822) – This benefit provides benefits for defense of a collection action where there is no dispute regarding the quality of services or product received by the participant, but the participant either disputes the obligation to pay the debt on other grounds, or seeks assistance to reduce, avoid, or structure the debt.
- F. Debt Collection Defense Litigation (823) – In the unusual situation where a live hearing with witnesses is required in a Debt Collection Defense matter, and the fees for preparation and participation in the hearing exhaust the maximum Debt Collection Defense benefit, the Plan will pay a litigation benefit to help reduce the financial burden on the attorney. The benefit will be paid for hours that would otherwise not be compensated because the benefit maximum has been reached, and will be paid at an hourly rate equal to 70% of the normal hourly rate, to the maximum Debt Collection Defense Litigation benefit. The Trust requires Panel Attorneys to maintain records confirming a live hearing with witnesses occurred.
- G. Mortgage Foreclosure (830) – The Plan provides benefits if the participant is subject to a mortgage foreclosure, or threatened foreclosure, of the participant's primary residence only. The Plan does not provide benefits where the participant is attempting to foreclose, as that would be treated as a commercial transaction, for which benefits are not provided.

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- H. Proof of Claim (840) – The Plan provides a limited benefit to prepare and file a creditor’s claim in bankruptcy.
- I. Name Change (850) – The Plan provides benefits for a change of name.