

Service Employees Local 32E

Legal Services Fund



Summary Plan Description

“(The assistance of counsel) is one of the safeguards of the Sixth Amendment deemed necessary to insure fundamental human rights of life and liberty... The Sixth Amendment stands as a constant admonition that if the constitutional safeguards it provides be lost, justice will not 'still be done'.”
United States Supreme Court Justice Hugo Black
Gideon vs. Wainwright

SERVICE EMPLOYEES LOCAL 32E LEGAL SERVICES FUND

**140 Huguenot Street
New Rochelle, New York 10801
Phone (914) 637-7000**

**Trustees
ROBERT L. CHARTIER
NICHOLAS E. FALCO**

SERVICE EMPLOYEES LOCAL 32E LEGAL SERVICES FUND

Dear Member:

The Legal Services Benefit Plan was instituted in the belief that its creation and operation will protect and advance your legal rights and interests and, in addition, that it will help alleviate some of your present difficulties in recognizing and resolving legal problems.

Please read this booklet carefully so that you will know what the Plan provides. Although not all legal matters are covered benefits, you will find legal assistance available in a wide range of different areas. Each benefit is paid in full by the Service Employees Local 32E Legal Services Fund.

If you have a legal problem, you are urged to call the Fund Office for an appointment.

When you talk to one of the Fund attorneys, you can expect to receive prompt and courteous treatment, competent legal advice, and the knowledge that all matters will be treated on a professional attorney-client relationship.

Your Legal Services Plan strives to the best of its kind and we are very proud to be able to provide you with access to such legal services. We look forward to your participation and utilization of the program.

Fraternally yours,

BOARD OF TRUSTEES

TABLE OF CONTENTS

	PAGE
ELIGIBILITY	2
HOW TO USE THE LEGAL SERVICES FUND	4
GENERAL LEGAL MATTERS	
A. Consultation Benefit	6
B. Document Review Benefit	6
REPRESENTATION IN CIVIL MATTERS	
A. Last Will and Testament Benefit	8
B. Adoption Benefit	8
C. Guardianship Benefit	9
D. Change of Name Benefit	9
E. Real Estate Benefit	9
F. Uncontested Divorce Benefit	10
G. Legal Separation Agreement Benefit	11
H. Annulment Proceeding Benefit	11
I. Family Court Benefit	12
J. Legal Defense Benefit	12
K. Personal Bankruptcy Benefit	13
L. Immigration Consultation Benefit	13
M. Consumer Benefit	14
N. Administrative Agency Benefit	14
REPRESENTATION IN CRIMINAL MATTERS	
A. Criminal Arraignment Benefit	16
B. Misdemeanor Defense Benefit	17
C. Bail Bond Benefit	17
GENERAL EXCLUSIONS	18
ADMINISTRATION OF THE PLAN	20
CLAIMS FILING AND REVIEW PROCEDURE	21
STATEMENT OF ERISA RIGHTS	24

ELIGIBILITY

ELIGIBILITY

You are eligible when (1) you work in a job covered by a collective bargaining agreement that requires your employer to contribute to the Service Employees Local 32E Legal Services Fund on your behalf and (2) you enroll in the Plan. Dependents are eligible when proof of dependent status is submitted to the Fund.

ENROLLMENT

Enrollment in the plan is the first step you must take to be able to receive benefits.

Obtain an APPLICATION CARD from the Plan's Office. Return the completed card promptly. If you do not, the start of your coverage may be delayed.

THE APPLICATION CARD is a permanent record of important dates for you and your eligible dependents. A dependent's eligibility for benefits under this Plan is limited to those benefits that expressly provide that dependents are covered.

Your eligible dependents are:

- Your legal spouse who resides with you.
- Your unmarried dependent children from birth to age 19. This includes any child who (1) normally resides in your household in a parent-child relationship and (2) is legally dependent upon you for support and maintenance.
- Proof of dependent status (marriage certificate for spouse/birth certificate for child) is required.

If the claim is made for a dependent not listed on your card, it will be denied.

Changes in dependent status should be reported within 30 days. File a CHANGE CARD within 30 days after your marriage or the birth or adoption of a child. Proof of marriage or birth certificate will be required when you file for change in your family status.

LOSS OF ELIGIBILITY

You cease to be eligible for benefits upon:

1. Termination of employment with an employer required to make contributions on your behalf.
2. Layoff.
3. Military service.
4. Leave of absence.
5. End of employer's obligation to make contributions pursuant to the collective bargaining agreement.
6. Retirement.
7. Death.

REINSTATEMENT OF ELIGIBILITY

If loss of eligibility occurs because of military service, layoff, or leave of absence approved by your employer, you will be reinstated to eligibility on the day you return to active employment.

HOW TO USE THE LEGAL SERVICES FUND

If you wish to consult a lawyer for benefits provided by the Legal Services Fund, call or visit the offices of the Fund, at 140 Huguenot Street, New Rochelle, New York 10801, telephone number (914) 637-7000. Or you may call or visit the law office at 258 Saw Mill River Road, Elmsford, New York 10523, telephone number (914) 592-5740. An appointment with an attorney will be scheduled for you.

A Legal Service Hotline is provided for emergencies after hours and weekends. The Hotline telephone number is (718) 325-3357 or (914) 592-5740.

Attorneys employed or retained by the Legal Services Fund will provide you with legal services. There is no subscription or registration fee to be paid by any covered member in order to entitle him/her to the benefits of the Fund. In most instances, legal services are provided by a Fund employed or retained attorney. However, in special situations, (member vs. member disputes, for example) you will be provided with legal services by an attorney recommended by the managing attorney. Your relationship with the attorney will be that of attorney and client. No member of the Legal Services Fund, or any Trustees of the Legal Services Fund, can interfere in this relationship.

As a covered member, you are not required to use the benefits provided by the Legal Services Fund. You are free at all times to hire your own attorneys, but the Fund will not pay your fees to a privately retained attorney. The Legal Services Fund will not absorb or be responsible for any part of the fees or charges of attorneys other than the Fund designated attorney.

Court Costs and Disbursements – The Legal Services Fund covers only the fees associated with legal services rendered under the Plan, not the expenses incident to the work provided. Members and dependents shall be required to pay all initial court costs and other disbursements required in advance of commencement of any proceeding or filing of any papers, and additional disbursements as necessary, or the Legal Services Fund shall be permitted to withdraw from representation or refuse to provide the subject legal service benefit.

A covered member is also free at any time to discontinue the services of the attorney and, if he/she so desires, to secure the services of another attorney. However, in such an event the Legal Services Fund will not be responsible for or absorb any part of the fees or charges of such other attorneys.

The Fund-designated attorney may, under exceptional circumstances, not undertake, discontinue or withdraw from representation of any covered member. In such cases, the member is free to secure his/her own attorney; however, the Legal Services Fund will not be responsible for any of the fees or charges of the member's attorney.

MEMBER VS. MEMBER DISPUTES

In instances where two covered members are involved in the same controversy or proceeding as adversaries (and both members would have the right to the benefit under the rules of the Fund), each member will be provided with an attorney recommended by the managing attorney.

This will insure that each party to the dispute will receive equivalent legal services.

GENERAL LEGAL MATTERS BENEFITS

The benefits of the Legal Services Fund are divided into three categories: General Matters, Civil Matters and Criminal Matters.

This section describes the Fund's General Matters Benefits that cover any general questions a member may have regarding his/her legal rights.

A. CONSULTATION BENEFIT

Who is Eligible... Any covered member or dependent(s).

What is the Benefit... This benefit provides a covered member and dependent(s) with the opportunity to consult an attorney for three one-hour sessions each calendar year per family concerning any matter whatsoever. The General Consultation Benefit does not involve representation by counsel, unless such representation involves legal services covered by the Plan. If a covered member or dependent is involved, the Fund will provide representation by an attorney in accordance with its Benefit Plan.

How to Obtain the Benefit ... For an appointment with an attorney to discuss any question relating to your legal rights, contact the Legal Services Fund office.

B. DOCUMENT REVIEW BENEFIT

Who is Eligible ... Any covered member or dependent(s).

What is the Benefit... This benefit provides review and interpretation by an attorney of all legal documents, such as guarantees, warranties, installment purchase agreements, loans, leases, insurance policies and court papers.

The following documents are not included in the Document Review Benefit:

A. Tax Returns

B. Work that is being prepared by other attorneys at the time of your Document Review appointment.

The Document Review Benefit provides review and interpretation of documents; it does not involve representation by counsel, unless such continued representation involves legal services covered by the Plan. If a covered matter is involved, the Fund will provide representation by an attorney in accordance with its Benefit Plan.

How to Obtain the Benefit ... For an appointment with an attorney to review a legal document, contact the Legal Services Fund office.

REPRESENTATION IN CIVIL MATTERS

This section describes the civil legal benefits available under the Plan. In addition to the Last Will and Testament Benefit, all covered persons are entitled to three of the following Civil Legal Benefits each year.

A. LAST WILL AND TESTAMENT BENEFIT

Who is Eligible... Any covered member and his/her spouse.

What is the Benefit... This benefit provides a covered member and his/her spouse with the opportunity, once every two years, to have a Last Will and Testament prepared and executed under the supervision of a legal benefits attorney. Additional benefits include preparation/execution of a Living Will and Health Care Proxy.

How to Obtain the Benefit... To obtain the Last Will and Testament Benefit, you should contact the Legal Services Fund office to request an appointment. If both husband and wife desire a Will, it is recommended that they make appointments together.

B. ADOPTION BENEFIT

Who is Eligible ... Any covered member who seeks representation in an Adoption Proceeding.

What is the Benefit ... The Legal Services Fund will provide a covered member with an attorney to represent the member, and spouse if applicable, in adoption proceedings. This benefit does not include payment of any fees or expenses to adoption agencies or any other agencies and is limited to those services normally rendered by an attorney to formalize an adoption. After all arrangements have been agreed upon, the attorney will prepare all petitions and allied papers and will appear in court with the parties in support of the adoption, if required.

How to Obtain the Benefit... To obtain the Adoption Benefit, contact the Legal Services Fund office to request an appointment.

C. GUARDIANSHIP BENEFIT

Who is Eligible... Any covered member.

What is the Benefit... The Legal Services Fund shall provide a covered member with an attorney to represent the member in an uncontested Guardianship proceeding. Dependents are not covered unless the dependent is the legal spouse of the member, and the member is the subject of the Guardianship proceeding.

How to Obtain the Benefit... To obtain the Guardianship Benefit, contact the Legal Services Fund office to request an appointment.

D. CHANGE OF NAME BENEFIT

Who is Eligible... Any covered member.

What is the Benefit ... This benefit provides legal advice and representation in the change of name procedure. The attorney will file all appropriate papers and represent the member in the change of name process.

How to Obtain the Benefit... To obtain the Change of Name Benefit, contact the Legal Services Fund office to request an appointment.

E. REAL ESTATE BENEFIT

Who is Eligible ... Any covered member who owns a private dwelling, a condominium or a cooperative or is in the process of purchasing such a residence.

What is the Benefit The Legal Services Fund shall provide a covered member with an attorney to represent the member in the sale or purchase of a private dwelling, condominium or co-operative in which the member resides or will reside.

This benefit does not include any aspects of residential problems that involve Title searches or Title Insurance, appraisal value, or seller misrepresentation.

This benefit does not include problems relating to any Board of Management or Homeowner Association governing the member's primary residence or other real property, condominium or cooperative unit owned or resided in by the member or his/her dependent(s). The Legal Services Fund shall continue to give advice and consultation under the Consultation Benefit with respect to such matters (see page 5).

How to Obtain the Benefit ... To obtain the Real Estate Benefit, contact the Legal Services Fund office to request an appointment.

F. UNCONTESTED DIVORCE BENEFIT

Who is Eligible Any covered member who seeks to initiate a divorce action which is unopposed by his or her spouse. This benefit is available to the member only.

What is the Benefit The Fund provides coverage for all steps of the legal process necessary to obtain an uncontested divorce. Coverage includes, for example, the preparation of the Summons, Complaint Note of Issue, Judgment and supporting papers, and entry of Judgment and Finalization.

The member will be required to pay court costs of approximately three hundred dollars (\$300.00) and Process Server fees of approximately fifty dollars (\$50.00), if a process server is required. These costs are subject to change.

If action becomes contested by spouse, the member will be required to pay any and all legal fees thereafter. After the action has been contested by the spouse, the member may retain the panel attorney or private counsel, whichever is desired.

How to Obtain the Benefit... To obtain the Uncontested Divorce Benefit, contact the Legal Services Fund Office to request an appointment.

G. LEGAL SEPARATION AGREEMENT BENEFIT

Who is Eligible.....Any covered member who desires to seek a separation from his/her spouse by means of a separation agreement mutually agreed upon by the parties. This benefit is available to the member only.

What is the BenefitThis benefit provides a covered member with legal representation for all necessary legal services that the preparation and negotiation of a separation agreement may require. The separation agreement may be prepared and executed with a minimum of consultation or it may necessitate extensive negotiation with the opposing counsel and spouse.

How to Obtain the Benefit... To obtain the Legal Separation Agreement Benefit, contact the Legal Services Fund Office to request an appointment.

H. ANNULMENT PROCEEDING BENEFIT

Who is Eligible... Any covered member who is a defendant or a plaintiff in this type of legal action. This benefit is available to the member only.

What is the Benefit... This benefit provides a covered member with legal representation for all steps of the legal process involved in obtaining an uncontested annulment.

How to Obtain the Benefit... To obtain the Annulment Proceeding Benefit, contact the Legal Services Fund to request an appointment.

I. FAMILY COURT BENEFIT

Who is Eligible... Any covered member who is a defendant (respondent) or a plaintiff (petitioner) in an appropriate Family Court Action, as described below. This benefit is available to the member only.

What is the Benefit... This benefit provides legal representation for all necessary legal services in cases involving support, child custody, visitation rights, and paternity matters.

ORDERS OF PROTECTION proceedings are covered benefits for the member only. The Legal Services Fund shall provide a covered member with attorney representation in any case where he or she is charged with a Family Offense Order of Protection proceeding, or on charges that the member has violated such Family Offense Order of Protection. Neglect, Abuse, Criminal and Person in Need of Supervision (PINS) proceedings are not covered benefits. The Family Court Benefit is only available to the member. Dependents are not covered.

How to Obtain the Benefit... To obtain the Family Court Benefit, contact the Legal Services Fund Office to request an appointment.

J. LEGAL DEFENSE BENEFIT

Who is Eligible... Any covered member or spouse who is a defendant in a lawsuit where the member or spouse is being sued for a debt arising from the purchase of goods or services or arising from a loan of monies.

What is the Benefit... This benefit provides a covered member or spouse with legal representation for all necessary legal services arising from the defense of a lawsuit or proceeding commenced against the covered member or spouse in a case where the member or spouse is being sued for a debt arising from the purchase of goods or services or arising from a loan of monies.

How to Obtain the Benefit... To obtain the Legal Defense Benefit, you should contact the Legal Services Fund Office to request an appointment.

K. PERSONAL BANKRUPTCY BENEFIT

Who is Eligible... Any covered member or spouse who seeks personal bankruptcy protection.

What is the Benefit... This benefit provides a covered member or spouse with legal representation for all necessary legal services that the preparation of a U.S. Bankruptcy petition under Chapter 7 may require. This benefit shall not be available to a member or spouse if such petition must necessarily involve the discharge or reorganization of debts arising out of a commercial undertaking in which the member was or is involved. The member and/or spouse must pay all Bankruptcy Court filing fees in advance of obtaining this benefit.

How to Obtain the Benefit... To obtain the Personal Bankruptcy Benefit, contact the Legal Services Fund Office to request an appointment.

L. IMMIGRATION CONSULTATION BENEFIT

Who is Eligible... Any covered member.

What is the Benefit... This benefit provides a covered member with consultation in matters involving problems with immigration. The attorney will offer assistance and guidance in how to handle a particular matter. This benefit does not include legal services requiring the formal appearance of the Legal Services Fund before any court or Immigration and Naturalization Service of the U.S.

How to Obtain the Benefit... To obtain the Immigration Consultation Benefit, contact the Legal Services Fund Office to request an appointment.

M. CONSUMER BENEFIT

Who is Eligible... Any covered member or dependent.

What is the Benefit... This benefit provides a covered member or dependent with legal representation in a case involving a complaint about faulty goods or services where the amount in controversy exceeds three thousand dollars (\$3,000.00). If the amount in controversy is less than \$3,000.00 the attorney will advise you as to your rights and what steps you might take yourself, but will not represent you in Small Claims Court.

The Legal Services Fund shall not commence a lawsuit under this benefit. This benefit provides a covered member or dependent with an attorney to advise the member as to his or her rights and what steps to take in a matter where the member or dependent has a Consumer claim against an individual or business.

How to Obtain the Benefit... To obtain the Consumer Benefit, contact the Legal Services Fund Office to request an appointment.

N. ADMINISTRATIVE AGENCY BENEFIT

Who is Eligible... Any covered member or dependent.

What is the Benefit... This benefit provides a covered member or dependent with legal representation up to and including the hearing stage of the proceeding in a claim for benefits from certain governmental agencies. The following types of claims are included in this benefit:

- A. Social Security Administration Benefits such as Supplemental Security Income (SSI), Disability, Survivors or Retirement Benefits
- B. Food Stamps.

- C. Public Assistance Benefits such as Aid to Families with Dependent Children and Home Relief.
- D. Medicare and Medicaid Benefits.
- E. Veterans Administration Benefits for service and non-service connected disabilities or death benefits.

How to Obtain the Benefit... To obtain the Administrative Agency Benefit, contact the Legal Services Fund Office to request an appointment.

REPRESENTATION IN CRIMINAL MATTERS

This section describes the Criminal Legal Benefits available under the Plan. Any covered member or his/her dependent who is arrested may call, or have someone call on his/her behalf the **24-hour Hotline number: (718) 325-3357 or (914) 592-5740**. A Fund-designated attorney will then be provided as soon as possible. The criminal legal services available under the Plan are as follows:

A. CRIMINAL ARRAIGNMENT BENEFIT

Who is Eligible... Any covered member or dependent who is to be arraigned on a criminal charge.

What is the Benefit... The benefit has three components:

1. **Post-Arrest Interrogations.** When an arrest has taken place, the member or dependent is entitled to representation at any interrogation by a law enforcement official.
2. **Pre-Arraignment Consultation.** The member or dependent is entitled to a consultation with an attorney prior to the arraignment concerning the application for bail as well as possible negotiation of a disposition on the outstanding charges.
3. **Representation at Arraignment.** A courtroom appearance by an attorney who will enter a plea on behalf of the member or dependent, make an application for bail, and, when possible, seek a disposition of the outstanding charges.

This benefit does not include representation in any aspects of post-arraignment criminal practice such as investigation of the charges, pre-trial motions, or trial and appellate representation, and does not extend to coverage beyond a fifty-mile radius of the Fund office.

How to Obtain the Benefit ... To obtain the Criminal Defense Benefit, contact the Legal Services Fund office to request an appointment or call the Legal Services Hotline to speak to an attorney.

B. MISDEMEANOR DEFENSE BENEFIT

Who is Eligible ... Any covered member or dependent who is a defendant in a misdemeanor prosecution arising under the New York State Penal Law only and which concerns a non-work related incident. Use of the Misdemeanor Defense Benefit is limited to one such case each calendar year per family.

What is the Benefit...A covered member or dependent will be entitled to the services of an attorney who will provide a full legal defense up to and including trial. The benefit does not, however, include representation in felony matters, in non-penal law criminal cases, or in any phase of post-trial or appellate practice.

How to Obtain the Benefit ... To obtain the Misdemeanor Defense Benefit, contact the Legal Services Fund office to request an appointment.

C. BAIL BOND BENEFIT

Who is Eligible... Any member who is arrested in a non-work related situation.

What is the Benefit... The Fund will post a Bail Bond of up to five hundred dollars (\$500) for any member who is arrested in a non-work related situation on a Civil or Criminal charge. This benefit is not available to dependents.

How to Obtain the Benefit... To obtain the Bail Bond Benefit, you or anyone on your behalf (friend, family member, etc.) should telephone the Fund office at (718) 325-3357 or (914) 592-5740. The Fund will then post your Bail Bond up to five hundred dollars (\$500).

GENERAL EXCLUSIONS

All legal services provided by the Legal Services Fund have been specifically stated and described. Any legal service that has not been so described is excluded from the Legal Services Fund Plan of Benefits.

However, in order to guide the member in his utilization of the Legal Services Fund Benefit package, this section lists specifically, but without limitation, particular exclusions of the Plan:

- a. Any controversy, dispute or proceeding with or against the employer or the employer's agents or officers;
- b. Any controversy, dispute or proceeding directed against Local 32E Service Employees International Union or any of their affiliated bodies, e.g., the Benefit Funds, or any of the officers, agents or attorneys of the Service Employees International Union or its Local 32E affiliated bodies;
- c. Any controversy, dispute or proceeding in which the Legal Services Fund would be prohibited from defraying the cost of legal services by any provisions of law;
- d. Any controversy, action or proceeding in which representation on a contingent fee basis is normally and customarily available or where the fee is payable by virtue of statute or by order of Court;
- e. Class actions or interventions or amicus curiae activities. Two or more parties may not pool or combine their benefits for the purpose of making a claim in which they have a mutual interest;
- f. Any matter concerning the payment of income tax including, but not limited to, preparation or filing of income tax returns;
- g. The Fund will not pay the claims for services or advice when such activity involves application of the same service or advice previously obtained in connection with the same problem and previously claimed for under the Plan;
- h. Services of an attorney who must be admitted to the Bar other than the New York State Bar;
- i. Appellate matters;

- j. The initiation of any proceedings in a Small Claims Court shall be limited to the services provided under the Legal Consultation and Advice benefit;
- k. The initiation of any proceeding that, in the judgment of the Board of Trustees may curtail the opportunities for employment of employees covered under this Plan;
- l. Services, fees or expenses in connection with any business venture or other matters in which, for Federal Income Tax purposes, the cost of legal services would normally constitute a business expense or capital investment;
- m. Court costs and/or filing fees, fines, or penalties in any amount;
- n. Any controversy, action, proceeding or dispute which legal services are available through insurance or through any governmental agency or attorney (Federal, State or Local);
- o. Any controversy, dispute or proceeding in which the member retained an attorney prior to the member's eligibility to receive benefits under the Plan;
- p. Any controversy, dispute, proceeding or matter that cannot be litigated or otherwise handled within a fifty-mile radius of the Fund's office;
- q. Review of any document requiring knowledge of laws outside of the State of New York;
- r. Contested Proceedings for Adoption, Guardianship, Divorce, Legal Separation and Annulment Benefits. The member shall consent to the withdrawal of the Legal Services Fund from representation in the action, proceeding or matter unless the panel attorney is retained by the member (at the member's own cost) as provided in the Plan and shall obtain private counsel with thirty days of written notice from the Legal Services Fund;
- s. In any case where dual representation of both member and/or dependent would constitute a conflict of interest, there shall be no legal coverage available to the dependent, coverage is available to the member only;
- t. Small Claims and Justice Court civil proceedings beyond an office consultation.

ADMINISTRATION OF THE PLAN

This is a legal service plan that is administered by a joint labor/management Board of Trustees. The Plan Administrator (the Board of Trustees) establishes the rules and regulations of the plan, interprets the plan, and is otherwise responsible for the operation of the plan. The current Trustees and their business addresses are:

Union Trustee

Robert L. Chartier
140 Huguenot Street
New Rochelle, New York 10801

Employer Trustee

Nicholas E. Falco
1428 Sheridan Expressway
Bronx, New York 10409

The Board of Trustees is the agent for service of legal process.

Official Name of plan:

SERVICE EMPLOYEES LOCAL 32E
LEGAL SERVICES FUND

Plan Sponsor (the Trustees):

Board Of Trustees
Service Employees Local 32E
Legal Services Fund
140 Huguenot Street
New Rochelle, New York 10801

Employer identification number:

(EIN) assigned to the plan sponsor
by the Internal Revenue Service:
13-3122838

Plan number assigned to this
plan sponsor: 003

CLAIMS FILING AND REVIEW PROCEDURE

Filing a Claim

Your claim is automatically made when you comply with the "How to Obtain the Benefit" requirements of the specific legal service.

Denial of Claim

If your claim for legal service is denied you will be notified within 90 days of the date the claim is made, unless special circumstances warrant an extension of time for processing the claim. In no event shall such extension exceed a period of 90 days from the date of the initial 90-day period.

The denial of your claim will contain the following information so you will know the reason for the denial:

- a. specific reason for the denial;
- b. reference to the specific plan provision upon which your denial is based;
- c. a description of any additional information required; and
- d. the steps to take if you want to have your denied claim reviewed, and the amount of time you have in which to do this.

Appeal Procedure

When your claim has been partly denied or entirely denied, you can appeal the denial and have the decision reviewed by the Board of Trustees of the Fund.

If you decide to appeal, you or your representative must make a written request for review within 60 days from the date of the written notice that your claim has been denied. You may include a written explanation of the issues and your comments on those issues with your request for review. You may examine all plan documents that have to do with

those issues when you prepare your request for review.

Who Decides Appeals

Appeals of claim denials are reviewed by the Board of Trustees. Send your request for review of your claim to:

Board of Trustees
Service Employees Local 32E Legal Services Fund
140 Huguenot Street
New Rochelle, New York 10801

How Long the Review Takes

If the Board of Trustees is to review your claim, it will do so within 60 days. If special circumstances (as determined by the Board of Trustees) require more time for a decision you will be notified. In such case, the Board of Trustees will make their decision as soon as possible, but not later than 120 days after you filed your appeal.

A written notice of the decision regarding your appeal will be mailed to you, giving the reason for the decision. If, for any reason, you do not receive a written decision within the time limits above, you may assume your claim has been denied on review.

Collective bargaining agreement and plan funding

The plan for legal benefits was established in 1982 pursuant to collective bargaining agreements between Employers and the Union and will be maintained through succeeding agreements under which Employer contributions to the plan are required.

Employer contributions are made to a qualified tax-exempt Trust Fund. This money is reserved irrevocably for payments on behalf of plan participants and qualified dependents. It cannot be used for any other purpose and it cannot be withdrawn by either the Employer or the Union.

A complete list of employers and the employee organizations sponsoring the Plan may be obtained upon written request to the Board of Trustees and is available for examination by covered members and dependents.

The financial activities of the Trust Fund are audited annually by a firm of Certified Public Accountants.

Fiscal Year

The plan's fiscal year is the twelve-month period ending March 31.

Benefit and Rules Changes

It is intended that the plan will be maintained indefinitely. However, the Trustees may at any time modify or reduce any benefit coverage or change any rule or regulation in order to protect the financial soundness of the plan or to better serve the membership. Any changes made will be uniformly applied to all eligible members.

STATEMENT OF ERISA RIGHTS

As a participant in the Service Employees Local 32E Legal Services Fund described in this summary plan description you are entitled to rights and protections under the Employee Retirement Income Security Act of 1974 (ERISA). The Board of Trustees complies fully with this law and encourages you to first seek assistance from the Plan's administrative office when you have questions or problems concerning the Plan. ERISA provides that all plan participants shall be entitled to:

Examine without charge, at the plan administrator's office and at other specified locations, such as worksites and union halls, all plan documents, including insurance contracts, collective bargaining agreements and copies of documents filed by the plan with the U.S. Department of Labor such as detailed annual reports and plan descriptions.

Obtain copies of all plan documents and other plan information upon written request to the plan administrator. The administrator may make a reasonable charge for the copies.

Receive a summary of the plan's annual financial report. The plan administrator is required by law to furnish each participant with a copy of the summary annual report.

In addition to creating rights for Fund Members, ERISA imposes duties upon the people who are responsible for the operation of employee benefit funds. The people who operate your Fund, called Fiduciaries of the Fund, have a duty to do so prudently and in the interest of you and other members, and your dependents. No one, including your employer, your union, or any other person may fire you or otherwise discriminate against you in any way to prevent you from obtaining a benefit or exercising your rights under ERISA. If your claim for a benefit is denied in whole or in part, you must receive a written explanation of the reason for the denial. You have the right to have the Fund review and reconsider your claim.

Under ERISA, there are steps you can take to enforce the above rights. For instance, if you request materials from the Fund and do not receive them within 30 days, you may file suit in a Federal court. In such a case, the court may require the Fund Administrator to provide the materials and pay you a fine until you receive the materials, unless the materials were not sent because of reasons beyond the control of the Administrator. If you have a claim for benefits that is denied or ignored, in whole or in part, you may file suit in a State or Federal Court.

Should the Fund's Fiduciaries misuse the Fund's money or if you are discriminated against for asserting your rights, you may seek assistance from the U.S. Department of Labor, or you may file suit in a Federal court. The court will decide who should pay court costs and legal fees. If you are successful the court may order the person you have sued to pay these costs and fees. If you lose, the court may require you to pay these costs and fees if for example it finds your claim is frivolous. If you have questions about your Fund, you should contact the Fund Administrator. If you have any questions about this statement or about your rights under ERISA, you should contact the nearest Area Office of the U.S. Labor-Management Services Administration, Department of Labor or the Division of Technical Assistance and Inquiries, Pension and Welfare Benefits Administration, U. S. Department of Labor, 200 Constitution Avenue N. W., Washington, D. C. 20210.

The above text of this section was prescribed by the U.S. Department of Labor. The plan administrator, the plan sponsor, and all other persons and entities associates with the plan deny responsibility for its accuracy and the inclusion of such "Statement of ERISA Rights" in this booklet should not be construed as the offering of legal advice.