

Attorney Referral: Personal Problems

MSTA membership provides members with job-related legal services free of charge. For non-job-related personal problems, the MSTA/NEA Attorney Referral Program provides members consultations at no cost, and discounts on attorney fees.

Who Is Eligible?

All active, life, or retired MSTA/NEA members and, at the request of the member, his or her spouse and dependent children.

What Services Are Covered and What Do They Cost?

Each eligible member is entitled to one free consultation session of up to 30 minutes twice each year on any topic not arising out of the employment relationship between a member and a school district (except income tax preparation).^{*} If a consultation leads to follow-up legal services of at least one billable hour, or equivalent services at a flat fee, it will not be counted as one of the consultations to which the member is entitled that year. If the member decides to use the services of a participating attorney, the attorney's regular fees will be discounted 30 percent if the problem falls into one of the following five "core areas" covered by the program. These areas, and some examples of covered matters, are:

Real Estate Purchase or sale of property for residential purposes, disputes with landlords, property line disputes, problems with zoning laws or land use regulations.

Wills and Estates Preparation of wills, assistance with estate planning, representation of a member who is named executor or administrator of an estate, guardianship proceedings.

Domestic Relations Representation in proceedings for annulment, divorce, separation, alimony, custody, child support, guardianship, adoption, paternity, name change.

Consumer Protection Disputes with creditors or finance agencies, proceedings for garnishments and attachments, disputes with retailers concerning defective merchandise.

Traffic Violations Defense of charges of operating under the influence, reckless driving, or other offenses involving potential loss of license, financial liability in excess of \$50, or jail sentence.

While fees may vary from attorney to attorney, a particular attorney's fees will be 30 percent less than his or her regular rate for services in the five core areas, whether

billing is on an hourly or a flat-fee basis. (The discount does not apply to incidental fees such as court imposed filing fees and attorney's out-of-pocket expenses.)

**Free consultation sessions are limited to a teacher explaining his or her problems and being given advice as to what, if any, legal remedies are available. If the session continues beyond this basic consultation, the attorney is entitled to be paid for legal advice and/or services rendered, even if such advice or services fall within the half-hour session.*

Are There Any Legal Problems That Are Not Covered?

Almost any problem can be discussed with an attorney during the free advice and consultation sessions. Certain matters, however, are excluded from the 30 percent discount, including assistance with bankruptcies, preparation of federal income tax returns and defense of criminal violations (other than traffic). Any matter in which the attorney was retained prior to participating in the program or involving a member's business dealings is also excluded. The fee in the excluded matters would be determined by you and the attorney and may be higher than the program rates.

Participating attorneys cannot represent you or any other NEA member under any arrangement if the adverse party is the NEA, an NEA affiliate or another NEA member. The one exception is that an attorney may represent you in a separation or divorce proceeding if your spouse is also an NEA member.

How Do I Contact An Attorney?

Contact information for law firms participating in the program can be obtained from the MSTA Center for Legal Affairs, Marilyn Kurtz, 1-800-448-6782 x3668, mkurtz@mstanea.org, and can also be found at www.mstanea.org, *MembersOnly*, "Legal Assistance." A member may use any firm listed.

Attorney Referral Program

Members may contact any of the following attorneys to receive free consultations and to investigate the need for additional services. Participating attorneys have requested that members mention the MSTA Attorney Referral Program when setting up an appointment—some firms are instituting special office procedures to expedite the handling of inquiries. MSTA members should expect to receive a 30% discount for matters in the five core areas of real estate, wills and estates, domestic relations, consumer protection and traffic violations.