



## San Francisco Culinary, Bartenders & Service Employee Legal Services Plan

Administrative Service Provider:

### EXEMPLAR Legal & Benefit Administrative Services, LLC

Professional Administrative Services for Union Trustee Administered Benefit Plans

Admin Office.: (925) 680-8890 ■ Fax: (877) 761-4316 ■ Attorney Referral: (800) 604-0999

Treat Towers ■ 1255 Treat Blvd, Suite 300 ■ Walnut Creek, CA 94597

Eligibility: [www.exemplarlegal.com](http://www.exemplarlegal.com) ■ Claims: [staff@exemplarlegal.com](mailto:staff@exemplarlegal.com) ■ Office: [elbas@exemplarlegal.com](mailto:elbas@exemplarlegal.com) ■ Claim Payments: [benefitpaymentdept@exemplarlegal.com](mailto:benefitpaymentdept@exemplarlegal.com)

## LEGAL PLAN BENEFITS

Adopted: 01-Jan-1998  
Effective: 23-Dec -2016

## Non-Immigration Matters:

### Consultations

*The following benefits are limited to the participant only* and is limited to the terms and conditions of Legal Plan. If further covered legal services are obtained, then these benefits are not a payable code. Legal matter consulted must be identified on the claim for payment.

#### **Telephone Consultation Resulting In No Action**

Limited to a maximum of a 30 minute telephone consultation for any legal matter not described as a covered legal benefit in this transaction code schedule. Claim form signed by plan participant is not required.

#### **Office Consultation Resulting In No Action**

Limited to a maximum of a 1 hour office consultation for any legal matter not described as a covered legal benefit in this transaction code schedule.

### Legal Document Review and Preparation

This benefit covers:

#### **Legal Document Review**

This benefit is limited a maximum of 2 hours per document review. If further covered legal services are obtained, then this code is not a payable code. Legal matter consulted must be identified on the claim.

#### **Legal Document Preparation**

This benefit is limited to advanced health care directives, bills of sale, childcare authorization, grant deed, homestead declarations, power of attorney, promissory note, and conservatorship.

#### **Legal Document Preparation (Complex)**

This benefit is limited to challenges to denial of credit, deeds of trust, special power of attorney and revocation, prenuptial agreement, and restraining order. Restraining order is limited to petitioner, and non-employment related.

### Administrative Proceedings

**Documentation required.** This benefit covers social security disability application representation, veteran's benefit disputes, public benefit disputes, and DUI administrative matters related to license suspension, (excludes other related DUI hearings).

#### **Administrative Proceeding**

#### **DMV Administrative Hearing - Telephone Hearing**

#### **DMV Administrative Hearing - Office Hearing**



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### Civil Litigation

This benefit covers the following legal matters in civil litigation. Complaint/petition filed in a court of law required. Includes pleading, prep for trial, and trial up to 4 days.

#### **Consumer Protection - Limited to Transactions Over \$5,000**

**Documentation required.** Limited to representation of plaintiff only

#### **Plaintiff's Personal Injury**

#### **Defense of Debt Collection - Limited to Transactions Over \$500**

**Documentation required.** Includes bankruptcy adversary proceedings.

#### **Defense of Uninsured Personal Injury and Property Damage**

**Documentation required.**

### Name Change

This benefit covers:

#### **Name Change - Individual Petition**

#### **Name Change - Joint Petition**

### Garnishment of Wage

This benefit covers:

#### **Garnishment of Wage Defense**

Excludes matters related to child support.

### Criminal Defense

**Documentation required.** This benefit covers the following legal matters, to include Driving Under the Influence (DUI), driver suspension, loss of license, and juvenile defense. Excludes traffic violations.

#### **Arraignment, Plea Negotiations and Disposition**

#### **Prep for Trial, including Motions and Discovery, Misdemeanor Only**

#### **Trial (Maximum of 4 days) - Misdemeanor Only**

#### **Juvenile Court Defense - Adjudication Hearing Only**

### Driver License Suspension

This benefit covers:

#### **Driver License Suspension**



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### Real Estate

Limited to personal residence only. Limited to 1 claim every 3 years. This benefit covers:

#### **Purchase or Sale**

Preparation or review of offer/counteroffer, liens on title, lender problems, or recovery of deposit if no closing occurs.

#### **Boundary & Title Disputes**

Excludes survey costs and quiet title proceedings.

#### **Mortgage Foreclosure**

**Documentation required** - lender default notice. Limited to plan participant only, to include short sale and renegotiating loan.

#### **Loan Modification**

This benefit is limited to plan participant only and covers preparation and review of loan modification documents.

### Tenant Matters

**Documentation required.** Participant or enrolled dependent **must** be the tenant.

This benefit covers:

#### **Security Deposit Assistance**

Excludes litigation.

#### **Representation of 3-Day Notice**

#### **Unlawful Detainer Defense - Pleading and Preparation for Trial**

#### **Representation of 60-Day Notice**

#### **Unlawful Detainer Defense - Trial**

#### **Unlawful Detainer Defense - Motion for Summary Judgment**

Includes pleading, discovery, and motion.

### Personal Bankruptcy

This benefit is limited to the participant only, the participant and spouse filing jointly, or the participant and domestic partner filing individually to only one of the following and is limited to 1 claim per 7 years:

#### **Chapter 7**

#### **Chapter 13**



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### Marital Dissolution/Legal Separation/Annulment

*This benefit is limited to the participant only.* Representation limited to a maximum of 3 court appearances or to filing of default. Includes paternity. Excludes arrearage matters. Not an applicable benefit with concurrent open claim for establishment/modification of child support/custody. This benefit covers:

**Petitioner-Without Property Settlement and Without Child Support/Custody Agreement**

**Respondent-Without Property Settlement and Without Child Support/Custody Agreement**

**Petitioner-With Property Settlement and Without Child Support/Custody Agreement**

**Respondent-With Property Settlement and Without Child Support/Custody Agreement**

**Petitioner-With Property Settlement and With Child Support/Custody Agreement**

**Respondent-With Property Settlement and With Child Support/Custody Agreement**

**Petitioner-Without Property Settlement and With Child Support/Custody Agreement**

**Respondent-Without Property Settlement and With Child Support/Custody Agreement**

### Will and Trust

This benefit covers the following and includes preparation and recording of all personal residence deed(s), attestation(s) to witness(s) of all will(s) and notarization of trust(s), and attestation(s) to will and trust signature(s) when applicable.

#### **Simple Will for an Individual**

Includes power of attorney, excludes trust.

#### **Simple Wills for a Couple**

Limited to Participant and enrolled dependent. Excludes trusts. Includes healthcare proxy(s),



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advanced care directive(s), and power(s) of attorney.

### **Codicil of Will(s) for an Individual or Couple**

Limited to Participant and enrolled dependent, to include trust(s). Not applicable if will/living will(s) is revoked in its entirety.

### **Will and Trust for an Individual**

Includes will, pour-over will, revocable/living trust, healthcare proxy(s), advanced care directive(s) and power(s) of attorney.

### **Will and Trust for a Couple**

Limited to participant and enrolled dependent. Includes wills, pour over wills, revocable/living trust(s), healthcare proxy(s), advanced care directive(s) and power(s) of attorney.

### **Identity Theft**

This benefit covers:

**Negotiations  
Pre-Litigation  
Litigation**

### **Court & Miscellaneous Fees**

**Documentation required** – Reimbursement only, receipt required. This benefit covers:

**Court Filing Fee and Service of Process  
Deposition Court Reporting, Deposition Transcription, Deposition  
Translation Fee  
Notary  
Mediation (to include administrative fee)**

### **Child Support/Custody, Guardianship, and Adoption**

Includes pleading, prep for trial and trial up to 4 days, and paternity. Excludes arrearage matters. This benefit covers:

### **Establishment or Modification of Child Custody/Child Support Order**

Benefit limitation- Not an applicable benefit with concurrent open claim for 400000 series.

### **Uncontested Guardianship Petition**

### **Uncontested Agency Adoption**

### **Uncontested Step-Child Adoption**

### **Uncontested Independent/Private Adoption**



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### Internal Revenue Service and Franchise Tax Board Matters

**Documentation required** – This benefit covers:

**Defense of IRS/FTB Collections (less than \$3,500)**

**Representation at Audit**

**Defense of IRS/FTB Collections (greater than \$3,500)**





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## Immigration Matters:

### Immigration Consultation

If further covered legal services are obtained, then this code is not a payable code.

### **Immigration Consultation Resulting in No Action**

### Request for Records

This benefit covers:

### **Freedom of Information Act-Form G-639**

### Citizenship

This benefit is limited to eligible participant or enrolled dependent. This benefit covers:

### **Citizenship Application Assistance**

**Filing Fee - Form N-400**

**Filing Fee - Form N-600**

**Filing Fee - Form N-600K**

### Permanent Residency/Naturalization

This benefit is limited to participant, eligible enrolled dependent, or participant must be petitioner/sponsor, or beneficiary for/of a direct/immediate family relative, unless otherwise stated. Derivatives are not eligible. This benefit covers:

### **Immigrant Visa Petition**

Limited to one (1) lifetime benefit.

**Filing Fee - Form I-130**

### **Refugee/Asylum Relative Petition**

### **Adjustment of Status Application and Related Forms**

Limited to one (1) lifetime benefit.

**Filing Fee - Form I-485**

Limited to \$635 for child, \$985 for adult.

**Filing Fee - Form I-485A**

Supplemental penalty fee.

### **Adjustment of Status Interview at USCIS**

### **Application for Employment Authorization Document**





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### Filing Fee - Form I-765

Limited to eligible participant or enrolled dependent. Reimbursement available for emergency requests. Requirements- valid paid receipt or bank cleared check.

### Application to Renew/Replace Permanent Resident Card

Limited to participant only

### Filing Fee - Form I-90

Limited to participant only

## Deferred Action for Childhood Arrivals

This benefit is limited to eligible participant or enrolled dependent. This benefit covers:

### Deferred Action for Childhood Arrivals (DACA)

### Filing Fee - Form I-821D

## Permanent Residency/Naturalization - Consular Processing

This benefit is limited to participant, eligible enrolled dependent, or participant must be petitioner/sponsor, or beneficiary for/of a direct/immediate family relative. Derivatives are not eligible. This benefit covers:

### Immigrant Visa Petition

Limited to one (1) lifetime benefit

### Filing Fee - Form I-130

### Affidavit of Support

Limited to petitioner.

### Filing Fee - Form I-134 or I-864

**Documentation required.** Reimbursement only, requirements: paid USCIS receipt(s), or copy of money order/cashier/receipt **and** Form I-797.

### Consular Processing

### Filing Fee - Form DS-230/DS-260

**Documentation required.** Reimbursement only, requirements: paid USCIS receipt(s), or copy of money order/cashier/receipt **and** Form I-797

## Permanent Residency/Naturalization – Fiancé(e)

This benefit is limited to participant, eligible enrolled dependent, or participant must be petitioner/sponsor, or beneficiary for/of a direct/immediate family relative. Derivatives are not eligible. This benefit covers:

### Petition for Alien Fiancé(e)

### Filing Fee - Form I-129F or K-1

### Consular Processing for Alien Fiancé(e)

### Filing Fee - Form DS-156K/DS-160

**Documentation required.** Reimbursement only, requirements: paid USCIS receipt(s), or copy of money order/cashier/receipt **and** Form I-797. DS-160 limited to visa type K.





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### Deportation Defense

This benefit is limited to participant, eligible enrolled dependent, or participant must be petitioner/sponsor, or beneficiary for/of a direct/immediate family relative. Derivatives are not eligible. Additional deportation services are considered non-covered services. This benefit covers:

**NACARA Application for Suspension of Deportation or Special Rule  
Cancellation of Removal  
Filing Fee - Form I-881  
Master Calendar Court Appearance**

Limited to master court appearance only.

### Affirmative Political Asylum

This benefit is limited to participant, eligible enrolled dependent, or participant must be petitioner/sponsor, or beneficiary for/of a direct/immediate family relative. Derivatives are not eligible. This benefit covers:

**Application for Political Asylum  
Interview on Asylum Application at USCIS**

**Documentation required** – I-797 Notice of Action.

### USCIS Interview

**Documentation required** – I-797 Notice of Action. This benefit is limited to participant, eligible enrolled dependent, or participant must be petitioner/sponsor, or beneficiary for/of a direct/immediate family relative. Derivatives are not eligible. This benefit covers:

**Joint Petition Interview at USCIS  
Waiver of Joint Petition Interview at USCIS  
Naturalization Interview at USCIS  
Secondary USCIS Interview to Deny or Revoke Petition  
Naturalization Interview at USCIS, Requirement of Second Interview**

### Petition to Remove Conditional Residency

This benefit is limited to participant, eligible enrolled dependent, or participant must be petitioner/sponsor, or beneficiary for/of a direct/immediate family relative. Derivatives are not eligible. This benefit covers:

**Petition to Remove Conditional Residency  
Filing Fee - Form I-751**



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### Adoptee and Orphan Petition

This benefit is limited to participant, eligible enrolled dependent, or participant must be petitioner/sponsor, or beneficiary for/of a direct/immediate family relative. Derivatives are not eligible. This benefit covers:

**Petition to Classify Convention Adoptee as an Immediate Relative**  
**Filing Fee - Form I-800**

**Application to Determination of Suitability to Adopt a Child from a Convention Country**

**Filing Fee - Form I-800A**

**Orphan Petition**

**Filing Fee - Form I-600**

**Advanced Processing for Orphan Petition**

**Filing Fee - Form I-600A**

### VAWA (Violence Against Women Act)

This benefit is limited to participant, eligible enrolled dependent, or participant must be petitioner/sponsor, or beneficiary for/of a direct/immediate family relative. Derivatives are not eligible. This benefit covers:

**Petition for Amerasian, Widow(er) or Special Immigrant**  
**Filing Fee - Form I-360**

### Waiver

**Documentation required** – Identify waiver issue. This benefit is limited to participant, eligible enrolled dependent, or participant must be petitioner/sponsor, or beneficiary for/of a direct/immediate family relative, unless otherwise stated. Derivatives are not eligible. This benefit covers:

**Joint Waiver of Conditions, To Exclude Criminal or Fraud**

Limited to participant only.

**Application for Waiver of Grounds of Excludability and Related Documents**

Limited to medical or mental clearance representation, excludes criminal, fraud matters, and unlawful presence.

**Filing Fee - Form I-601**

Limited to medical or mental waiver, excludes criminal, fraud matters, and unlawful presence I-601A.