

MASSAD COBA

COBA Member Services Legal Defense Fund



Handbook

Nassau COBA

Member Services/Legal Defense Fund

Call the union office first for information
or advice on obtaining legal services.

Contact your COBA representative at:
(516) 937-7800
or for on-call representative,
contact Communications Unit at:
(516) 572-4195



**Nassau County Sheriff's Correction
Officers Benevolent Association**
504 East Meadow Avenue
East Meadow, NY 11554
nassaucoba.com

Dear COBA Members;

The Correction Officers Benevolent Association is proud to introduce the **COBA Member Services/Legal Defense Fund**. Several years back, through Collective Bargaining, the Union negotiated a payment to be made by the County for the formulation of a Legal Services Plan. The payment for this plan was made to an outside third party law firm and while the plan did contain some useful aspects, it was not very flexible to meet the needs of our members.



Your current COBA Board, revamped this plan and tailored it to better meet the needs of Nassau County Correction Officers. The most important aspect of this plan is that the payment is now made directly to COBA, and we now are in complete control of how the plan is administered, what will be covered and how this money is best used to get the most protection for our members from it.

You will see in the next few pages that we kept some aspects of the old plan, including the popular “Real Estate Benefit” which is a reimbursement plan for home closing costs. But, as you will see we have also included some important new benefits never before available to COBA members. First is the introduction of free legal defense, should a Member be sued in any Small Claims Court Actions. We have also added free legal representation through Arraignment for Members, Spouses and/or Domestic Partners should they ever be arrested within the 5 Boroughs of NYC, Nassau or Suffolk County. We have included a benefit to provide Probate consultation for the surviving Spouse or Domestic Partner of a member who dies while in active service with the County, and full Probate assistance for the surviving family of any Member who dies in the Line of Duty.

Most importantly, and a benefit that I am most proud to be able to introduce is our new Enhanced Criminal Legal Defense Fund. While still in its infancy, this fund is designed to assist our Members should they ever be accused/charged with a crime directly related to the Member’s “Official Duties” as a Correction Officer. Several times in the past, our Members have been wrongly accused with violating the law while performing their assigned duties. These accusations and subsequent criminal charges have resulted in an unnecessary financial burden with regard to the retention of a criminal defense attorney. This new fund will be administered by COBA on a case by case basis and is designed to help defray the cost of legal representation when one of our Members is wrongly accused.

The new **COBA Member Services/Legal Defense Fund** represents a major leap forward for this Union in helping to provide protections for the men and women of this Union who perform one of the most dangerous and thankless jobs in Law Enforcement. We look forward to continuing to provide our Members with these much needed protections and hope to expand upon them further in the future.

Always Yours in Unionism;

Brian P. Sullivan, COBA President

Member Services/Legal Defense Fund

Enhanced Criminal Defense Benefit

Pursuant to our collective bargaining agreement, the Union receives one hundred twenty five dollars per member per year for the purchase of a legal services plan. As part of this legal services plan, the Union will place a portion of that yearly payment into a newly created Criminal Defense Account. The purpose of this fund is to aid in the cost reimbursement for those members in good standing, who must hire counsel to represent them when the member has been charged with a crime in relation to the performance of the member's official duties as a Correction Officer. The Fund will be administered by a COBA committee, appointed by the President, which will set forth the rules of administration and reimbursement, and make recommendations to the Board of Governors as to whether cost reimbursement related to legal representation (if any) will be made to the member. The Board of Governors will have the discretion to accept, reject or modify the recommendation of the Committee.

Member Service Fund

Eligibility for Service:

Only COBA members "In Good Standing" and their legal spouse or registered domestic partner are eligible for additional benefits under this plan. The law firm of Koehler and Isaacs has been contracted to perform related duties as outlined below.

Preventive Legal Services:

- **Free Consultation Benefit:** This Benefit provides a covered Member to receive free telephone and/or in office consultations with attorney for issues related to:
 - a) Family Court Proceedings;
 - b) Divorce Proceedings;
 - c) Eviction Defense;
 - d) Adoptions;
 - e) Immigration issues;

f) Probate consultation for Surviving Spouse or Registered Domestic Partner of a Member who dies while in Active Service.

- **Free Legal Letters Benefit:** The attorney will write free legal letters on behalf of a covered Member, Spouse or Registered Domestic Partner to resolve any “non work related” legal disputes before they become lawsuits. Letters not to be in response to any pending lawsuits or personal injury claims.

Retained Legal Services:

- **Free Last will and testament benefit** - This Benefit provides a covered member, his/her spouse or registered domestic partner with the opportunity to have a last will and testament, including a Simple Minors Trust, if needed, or Codicil prepared and executed under the supervision of a legal benefits attorney.
- **Free healthcare proxy benefit** - This benefit provides a covered member, his/her spouse or registered Domestic partner with the opportunity to have a Health Care Proxy prepared and executed under the supervision of a legal benefits attorney.
- **Free living will benefit** - This benefit provides a covered member, his/her spouse or domestic partner with the opportunity to have a Living Will prepared and executed under the supervision of a legal benefits attorney.
- **Free durable power of attorney benefit** - This Benefit provides a covered member, his/her spouse or domestic partner with the opportunity to have a Durable Power of Attorney prepared and executed under the supervision of a legal benefits attorney.
- **Free legal representation through arraignment** - This Benefit provides a covered Member his/her Spouse or Domestic Partner with Legal Representation for any criminal arrest occurring within the Five Boroughs of New York City, Nassau and Suffolk County.
- **Free representation in Small Claims Court Actions**
(Defense Only)
- **Free Document review Benefit** - This Benefit provides a covered Member, his/her spouse or Domestic Partner, the review and interpretation by an attorney of all legal documents which directly involve the member, his/her Spouse or Domestic Partner, such

as guarantees, warranties, installment purchase agreements, loans, leases and court papers.

Exclusions and Limitations include;

- a) Tax Returns
- b) Work that is being prepared by other attorneys at time of your Document review.
- c) Documents exceeding 10 pages in length.

• **Free Family Probate Assistance** - Line of Duty Death

This benefit provides assistance to the surviving family of a member who dies in the line of duty.

Real Estate Benefit

The Members Service Fund will reimburse a Union member in good standing for retention of an attorney to represent them in regard to the sale or purchase of their primary residence up to five hundred dollars per transaction. The member must provide proof of transaction, in the form of a bill from the attorney representing them in the transaction. Reimbursement is limited to a maximum of one thousand dollars (\$1000.00) in every five year period from the time of the initial transaction.

General Exclusion:

All legal services provided by this plan have been specifically stated and described. Any legal service that has not been so described can be considered excluded from this Member Services Plan of Benefits.

NOTES:



KOEHLER & ISAACS LLP
ATTORNEYS AT LAW

61 Broadway, 25th Floor
New York, NY 10006
(917) 551-1300

The Annibale Law Firm
226 Seventh Street, Suite 302
Garden City, NY 11530





**Nassau County Sheriff's Correction
Officers Benevolent Association**

**504 East Meadow Avenue
East Meadow, NY 11554**

nassaucoba.com