



FOP NON-DUTY LEGAL DEFENSE PLAN

The Colorado Fraternal Order of Police in cooperation with the law firm of Elkus Sisson & Rosenstein, P.C. is now offering an inexpensive outstanding addition to its Legal Services for all FOP members (including retired) in good standing. The F.O.P. duty related Legal Defense Plan that all members enjoy is by far the best available to law enforcement. No other plan comes close. However, members have been asking the opportunity to have a low cost legal service to cover “off duty” and/or non-law enforcement related legal matters. This option is NOW AVAILABLE!

This optional legal services benefit gives members who elected the option a wide variety of legal services to include off duty incidents, incidents that are not duty related, non-law enforcement related legal matters: including family law and most necessary legal services.

Members selecting this optional coverage will now have financial peace of mind when it comes to legal matters.

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ELKUS SISSON & ROSENSTEIN, P.C.

Colorado Fraternal Order of Police (Off-Duty/ Extra Duty) Non-Duty Legal Defense Plan

Eligibility: This plan is available to all ***current** Colorado Fraternal Order of Police (hereinafter “FOP) and Legal Defense Fund (hereinafter “LDF) members in good standing.

**** Applications are not processed until FOP/LDF membership is established***

Cost: The cost of obtaining this off-duty/extra duty legal defense plan (the “Plan) will be One Hundred Twenty dollars **(\$120.00) per (calendar) year regardless the month membership is established.** Full payment of \$120.00, by check, payable to, Colorado State FOP Lodge (Attn: Non-Duty LDF Plan, 2701 W. 84th Ave., Suite 211, Westminster, CO, 80031), or, monthly withdrawal of Ten dollars (\$10.00) per month—ACH Withdrawal Form—is the only acceptable form of payment. Any FOP member in good standing that wishes to opt into this Plan must return an executed copy of this Plan acknowledging their agreement to be bound by the terms and conditions of the Plan together with full payment of \$120.00. or, a completed ACH form authorizing the debit of \$10.00 per month. The dues will be debited on the 15th of every month and deposited into an FOP State Lodge Account. The costs of administering the Plan will be deducted from the FOP State Lodge Account. The FOP State Lodge will remit the collected funds less the costs of administering the Plan to Elkus Sisson & Rosenstein, P.C. The FOP member and the FOP agrees and understands that fees are deemed earned by Elkus Sisson & Rosenstein, P.C. upon receipt.

Representation: The law firm of **Elkus Sisson & Rosenstein, P.C.** will provide all legal service *** Excluding** matters concerning **Wills, Trusts, and, Estates**; 501 South Cherry Street, Denver, Colorado 80246, **Tel: (303) 567-7981.**

*** Legal services involving Wills, Trusts, and Estates provided by the law firm of **Foster Graham Milstein & Calisher, LLP**; 360 South Garfield Street, 6th floor, Denver, CO 80209, **Tel: (303) 333-9810.****

Coverage: Provided a member is in good standing and is paying the monthly cost, he or she will receive \$15,000.00 per year in legal services that may be used in one or more of the following practice areas:

- 1. Family Law:** Family law includes any divorce, child support, allocation of parental rights and responsibilities,





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restraining orders or any other matter typically heard in the domestic relations docket of the Colorado District Court. Specifically excluded from family law coverage is any type of adoption, international child custody, or immigration matters.

2. Criminal Defense: Criminal defense includes any misdemeanor or felony case. Specifically excluded from criminal defense coverage is any traffic ticket or parking violations (DUI/DWAI is considered a misdemeanor and is therefore covered).

3. Employment Law: Employment law matters include unemployment hearings, civil rights matters, and any matter generally considered an employment law matter.

4. General Real Estate or Transactional Matters: This practice area includes landlord/tenant issues and/or disputes, real estate transactions, real estate finance and general business matters.

5. Wills, Trusts & Estate Law: This practice area includes consultations involving and the preparation of one or more of the following documents (as needed) - simple will, medical power of attorney, financial power of attorney, living will, simple will with trust provisions and declaration of last remains.

Disclaimer: unless expressly mentioned above, not all other practices areas of law are covered by this Plan. For instance, the Plan does not include matters concerning immigration, securities, syndications, environmental, tax, immigration, patent, copyright, and intellectual property law.

Fee Agreement & Billing: Prior to the commencement of any work, each member must execute a mutually acceptable fee agreement with the applicable law firm or firms. The fee agreement will expressly state the scope of the work and that fees will be waived up to the annual cap of \$15,000 so long as the member is in good standing and is paying his or her monthly charge. Once the \$15,000 threshold is reached, the member will pay at the rate of \$165.00 per hour (the FOP rate) directly to the law firm or firms on any given case. The member will receive a monthly statement so that he or she can track time spent and costs incurred. All time will be credited to the member until the member exceeds the annual cap of \$15,000.

Costs: Each member agrees and understands that the Plan covers only attorney's fees - not "costs." Each member will pay directly or reimburse the applicable law firm for all costs necessarily incurred in the representation of the applicable member. Depending upon the nature of the representation, such costs may include without limitation:

- a. Subpoena and witness fees;
- b. Fees payable to the court and for service of process;
- c. Costs of investigation, photographs, and film;
- d. Fees of court reporters to take and prepare transcripts of depositions;
- e. Costs for reports and records from physicians, hospitals and employers;
- f. Costs and fees for experts for preparation of reports, preparation for depositions, & preparation for and testimony at trial;
- g. Necessary travel and related expenses; and,
- h. Photocopying, postage, and long distance telephone calls.

Conflict: In the event that there is a conflict in representation, Elkus Sisson & Rosenstein will pay conflict counsel legal fees up to the \$15,000.00 threshold for representation in the event that we are unable to provide the coverage due to a conflict.

FAVORABLE OUTCOME NOT GUARANTEED. Each firm will use its best efforts in representing each member. However, the law firm or firms cannot make any representations concerning the successful or favorable outcome to or conclusion of a member's claim, or of any legal action that may be pursued. Each member further acknowledges that a firm's expressions relative to a member's possible success are preliminary opinions based on our then current knowledge of the matter.

A Proud Tradition in Law Enforcement





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FOP NON-DUTY LEGAL DEFENSE PLAN APPLICATION

Obligation

By my signature, I attest that I am a member in good standing of the Fraternal Order of Police Legal Defense Fund, or that I am a retired member in good standing.

Legal Defense Fund Agreement

To my knowledge, I am not presently named in any suit, action, proceeding, or under investigation for any non-duty related incident, except for the following:

Brief Explanation

Type: suit; action; proceeding; investigation

TERMS AND CONDITIONS

I hereby apply for enrollment into the FOP NON-DUTY LEGAL DEFENSE PLAN. I agree to abide by all the terms and conditions thereof. I understand that no coverage is in effect until this application is approved and accepted by the Non-Duty Legal Defense Plan Administrator. I agree to be truthful when making a claim, and I will agree to release all of the information required by the Plan Directors.

SIGNATURE:





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FOP NON-DUTY APPLICATION FORM

DATE OF APPLICATION:

YYYY/MM/DD

LOCAL LODGE:

FOP MEMBER ID #:

(Required: Enter the 5-digit FOP member # [Note: 1 = 00001])

LDF MEMBER ID #:

(If Available: Enter the 11-digit LDF member # [Example: = 0123456789-Q])

LAST NAME:

FIRST NAME:

DATE OF BIRTH:

YYYY/MM/DD

ADDRESS:

CITY, STATE, ZIP:

CURRENT ASSIGNMENT:

DATE OF HIRE:

YYYY/MM/DD

MAIN PHONE #:

PERSONAL EMAIL:

** Please Notify The CO State Lodge Of Any Contact Information Changes*

DISCLAIMER: (PLEASE READ)

Upon receipt, your application will be reviewed and verified to confirm active FOP/LDF membership, and that membership is in good standing. The application will, then, be processed; *NOTE: membership will not be activated prior to receiving Full Payment of \$120.00. or, a completed ACH Form authorizing \$10.00 monthly dues withdrawals (deducted on the 15th of every month).* Members in default of monthly dues payments will be allowed a 30-day grace period. If any dues in arrears are not corrected within 30 days, membership will be deemed, Inactive.

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NON-DUTY LDF PLAN PAYMENT AUTHORIZATION ACH FORM

LODGE#:
DATE:

MEMBER INFORMATION:

FULL NAME:

ADDRESS:

CITY, STATE, ZIP:

HOME#: WORK#: CELL #:

I hereby authorize the Colorado Fraternal Order of Police NON-DUTY LDF PLAN to withdraw membership dues from the account listed below.

Signature:

- Dues in the amount of \$10.00 will be withdrawn on the 15th of every month
- OR
- Full annual payment of \$120.00 (Check or M.O. Signed To: Colorado F.O.P.)

BANKING INSTITUTION INFORMATION

BANK NAME:

BANK ADDRESS:

CITY, STATE, ZIP:

ROUTING NUMBER:

ACCOUNT NUMBER:

** ATTACH A VOIDED CHECK TO THIS FORM TO INSURE ACCURACY*

