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TRANSMITTAL FORM

Today's Date:	<u>03/15/2022</u>	Department:	<u>115 - Budget and Management</u>
Contract No.:	<u>C-21-0792-03-08</u>	Effective Date:	<u>03/26/2022</u>
Description of Project:	<u>Prepaid (Post Tax) Voluntary Legal Services for Employees</u>		
Awarded Vendor:	<u>LegalShield</u>		
CC Approval on	<u>03/08/2022</u>	AI-	<u>84833</u>

Routing of documents:

- 1. Executive Office – Attn: Monica Salinas
- 2. District Attorney's Office – Attn: Select ADA *-Amanda*
- 3. County Judge's Office – Attn: Richard F. Cortez
- 4. County Clerk's Office – Attn: Arturo Guajardo, Jr.
- 5. Purchasing Department – Attn: Tanya DeLira ext. 4878

ATTENTION COUNTY CLERK'S OFFICE:

Please do not attach the following to the minutes of this agenda due to the confidential nature of the information contained herein:

- Contract/Agreement
- Exhibit A – RFB Procurement Packet
- Exhibit B – Fee Schedule/Bid Page (Pgs. _____ to _____)
- Exhibit C – Certificate of Liability Insurance
- Other: Ms. Moni, may you please route it for signatures.



LegalShield



1. Employer. Hidalgo County, a COUNTY in the state of Texas (the “Employer”) enters this agreement (“Agreement”) with Pre-Paid Legal Services, Inc., dba LegalShield (“LegalShield” or “Company”), an Oklahoma corporation, for legal services to be offered to its employees as an employee benefit.
2. This Contract shall be for a period commencing on March 01, 2022 and expiring on December 31, 2024, the County shall have the option to terminate during the term of the agreement, provided that the County gives a thirty (30) day notice of intent to cancel the agreement. The County also reserves the right to continue this bid for an additional sixty (60) day grace period at the end of the contract term for unforeseen delay of award for the next term and under the same rates, terms, and conditions.
3. Eligibility and Enrollment. All full time and part time employees working twenty (20) plus hours a week are eligible to enroll. Employees may enroll in the group legal plan (“Services Plan”) annually during the Employer’s open enrollment. The Employee (“Member”) must enroll for a period of one year.
4. Payment. The rate for the group legal Services Plan is \$ 20.25 per month per Employee for the family plan, which includes any applicable supplement amount. Each month, the Employer will provide the Company with a Member file list and payment for each Member.
5. The following are eligible for services under the family Legal Services Plan:
 - a. The Employee (“Member” or “Participant”).
 - b. The following family members are also eligible for benefits, unless provided otherwise in the family Legal Services Plan:
 - i. The Member's spouse or domestic partner.
 - ii. Dependent children of the Member, the Member's spouse, or domestic partner, under 26 years of age.
 - iii. Children under 18 years of age for whom the Member, the Member's spouse, or domestic partner, is the legal guardian.
 - iv. Any dependent child, regardless of age, who is physically disabled or mentally incapacitated resulting in an inability to make legally binding decisions, is unable to be employed and lives at home with the Member, Member’s spouse, or domestic partner.
 - c. A dependent child is the natural or adopted child of the Member, the Member's spouse, or domestic partner.

6. Services Plans. The Company will provide the Services described in the Legal Services Overview attached AND INCORPORATED INTO THIS AGREEMENT as Exhibit A, to enrolled Employees in return for the Member's Services Plans membership fee.
7. No change in the Services Plans shall be valid until approved by an officer of the Company and endorsed on or attached to the Agreement. No agent can change the Agreement or Services Plans or waive any of its provisions. A 30-day notice will be given should there be any change in the Services Plans.
8. Settlement of Disputes. All disputes or claims relating to the Company, the Services Plans, any Company products, any claims or causes of action between any Member and the Company whether in tort or contract, shall be settled totally and finally by MEDIATION in HIDALGO COUNTY, TEXAS. Each Party will be responsible for consent to the personal jurisdiction and venue of such courts IN HIDALGO COUNTY, TEXAS. This Agreement will be governed by and interpreted in accordance with the laws of the State of TEXAS. The HIDALGO COUNTY, TEXAS' COURTS shall have jurisdiction to resolve any disputes that arise under this Agreement, and each party consents to such jurisdiction, and to venue in such courts.
9. Notice. All notices under this Agreement must be in writing and shall be deemed to have been duly given and received when (a) delivered by hand (with written confirmation of receipt); (b) sent by email (with written confirmation of receipt), provided that a copy is mailed by registered or certified mail, return receipt requested; or (c) when received by the addressee, if sent by a nationally recognized overnight delivery service (receipt requested), in each case to the appropriate addresses set forth below:

 If to LegalShield: Pre-Paid Legal Services, Inc., dba LegalShield
 One Pre-Paid Way
 Ada, Oklahoma 74820
 Attn: General Counsel
 generalcounsel@legalshieldcorp.com (email)

 If to Employer: Hidalgo County
 2812 S Business Highway 281
 Edinburg, TX 78539
10. Reinstatement Procedure. Should the Member leave their employment; they may elect to continue their Services Plans by notifying the Company. The Company, at its option, may reinstate the Services Plans upon payment by the Member of the member fee. The Effective Date of the reinstatement shall be the date the reinstatement is accepted and processed by the Company. Services are not available for any act or occurrence during the lapse period.

11. Change of Fees. The Company has the right to change the membership fee for the Services Plans. Changes in the fee will only occur on the anniversary date of the Services Plans. Should the fee be changed, the Member will be sent a 30-day written notice.

12. Severability. If any provision of this Agreement is deemed invalid or unenforceable in any respect, such provision shall be, to the extent possible, reformed to make it effective. If any provision is deemed invalid and incapable of being reformed, it shall not impact the validity and enforceability of all other provisions of this Agreement, which shall remain valid and enforceable.

13. Termination. This Agreement may be terminated by Hidalgo County without cause upon thirty (30) days written notice.

PRE-PAID LEGAL SERVICES, INC. dba LEGALSHIELD

By: Mandy Simmons
Print Name: Mandy Simmons
Title: VP of Business Solutions
Date: 03/15/2022

EMPLOYER

By: Richard F. Cortez
Print Name: Richard F. Cortez
Title: County Judge
Date: 3/16/22

APPROVED BY
COMMISSIONERS COURT
ON: 3/8/22 ms

(con't signature page)

SERVICE AGREEMENT

Company's Name: LegalShield

Department: Hidalgo County

AI-84833 Approved on CC on 03/08/2022

APPROVED AS TO FORM:

Office of the Hidalgo County Criminal District Attorney

By: 

Amanda D. Austin, Assistant District Attorney
Civil Litigation Division

ATTEST:

By: 
Arturo Guajardo, County Clerk



EXHIBIT A

LEGAL SERVICES OVERVIEW



LegalShield Plan Overview

Accessing Your Provider Law Firm

To receive legal services, you can call your dedicated provider law firm directly. If you have questions about your plan or accessing your provider law firm, you may contact Member Services at 1-888-807-0407 from 7:00 a.m. — 7:00 p.m. CT, Monday-Friday.

Who is Covered

The participant (employee); participant's spouse; dependent children of the participant and/or participant's spouse, under 26 years of age.

A dependent is defined as the natural or adopted child of the participant, or participant's spouse for the purpose of this plan benefit.

What Services Are Covered

The LegalShield plan includes the following covered services:

Advice and Consultation Services

Phone Consultation

This service covers toll-free phone consultations to discuss any personal legal matter.

Legal Research

This service covers legal research on any personal legal matter

Office Visits

This service covers office visits with the provider law firm to discuss a personal legal matter. Office visits are available at an agreed appointment time.

Demand Letter or Phone Call

A phone call or a letter to a third party may be made by the provider law firm if it will further assist in the resolution of the personal legal matter.

Document Services

Document Review

This service covers review of any personal legal document, such as letters, leases or purchase agreements.

Affidavits

This service covers advice, consultation, preparation and review of documents for an affidavit. The participant must be the affiant.

Family and Domestic Related Services

Name Change

This service covers advice, consultation, preparation of documents and pleadings and representation at court hearings for a legal name change for a participant. Preparation of any required publication notice and any governmental documentation such as fingerprints and criminal history checks are not part of this service.

Adoption

This service covers advice, consultation, document review and representation for an adoption of a minor in the United States for the participant and/or participant's spouse. Preparation of any required publication notice or any governmental documentation such as fingerprints and criminal history checks are not part of this service.

Paternity

This service covers advice, consultation, document review and representation for a legal determination of paternity in the United States for the participant and/or participant's spouse. Preparation of any required publication notice or any governmental documentation such as fingerprints and criminal history checks are not part of this service.

Guardianship/Conservatorship

This service covers advice, consultation, preparation and review of documents for the creation of a new guardianship or conservatorship over a person or estate. The named guardian or conservator must be the participant and/or participant's spouse. This service includes obtaining permanent and/or temporary guardianship or conservatorship, gathering any necessary medical evidence, preparing the paperwork, preparing the initial accounting, and representation in guardianship appointment proceedings.

Juvenile Matters

This service covers advice, consultation, preparation and review of documents, and representation of a participant in juvenile matters, unless there is a conflict of interest between the participant and the dependent child. In the event of a conflict, or where the court requires separate counsel for the child, this service provides an attorney for the participant only. Matters in which a juvenile is charged as an adult are not part of this service.

Protection from Domestic Violence

This service covers advice, consultation, preparation and review of documents, and representation of the participant only, when he or she seeks to be protected by a victim protection order.

Incompetency Defense

This service covers advice, consultation, preparation and review of documents and representation when the participant and/or participant's spouse are the subject of a civil competency determination.

Immigration Assistance

This service covers advice, consultation, preparation of affidavits and powers of attorney, review of immigration documents and help to prepare for hearings in immigration related matters.

Prenuptial Agreements

This service covers advice, consultation preparation, negotiation and review of documents when the participant (not a spouse or child) needs a prenuptial agreement. The fiancé/partner must have separate counsel or waive his/her right to representation.

Reproductive Assistance

This service covers advice, consultation, and document review for the participant on reproductive matters, including surrogacy, egg donation, sperm donation, gamete donation, embryo donation and embryo adoption. Representation is available at a 25% discount from provider attorney's standard hourly rate.

Post-Nuptial Agreements/Domestic Partnership Agreements

This service covers, advice, consultation, preparation, negotiation, and review of documents when the participant (not a spouse or child) needs a post-nuptial agreement. The fiancé/partner must have separate counsel or waive his/her right to representation.

Gender Identifier Change

This service covers, advice, consultation, preparation of affidavits and powers of attorney, review of any government forms or documents and assistance/preparation of the participant for court matters or papers.

Elder Law Matters Coverage

This service covers advice, consultation, and review of documents for the participant, participant's spouse and/or the parents of the participant and/or participant's spouse (including Medicare, Medicaid, Social Security Benefits, Veterans Affairs, prescription plans, nursing home agreements, powers of attorney, Living Wills and Wills). The Provider Law Firm will prepare a simple Will, Powers of Attorney and Physicians/Medical Directive for the participant, participant's spouse and/or their parents. This service also covers preparation of a deed involving the parent's primary residence when the participants are either the grantor or grantee. In addition, the Provider Law Firm will prepare a promissory note involving the parents when the participants are the payer or payee. This service does not cover trusts, real estate matters, family matters or court representation of the parents of the participant or participant's spouse.

Civil and Social Discrimination

This service covers advice, consultation, and review of documents for the participant when a victim of differential treatment based on civil and/or social characteristics. Discrimination may include but not limited to age, disability, ethnicity, gender, marital status, national origin, race, religion or sexual orientation. Representation is available at a 25% discount from the provider attorney's hourly rate.

Bullying Protection

This service covers advice, consultation, document review and letter preparation on behalf of the participant if a victim of bullying. Bullying is referred to as ongoing aggressive and unwanted behavior for the purpose of this service.

Home Services

Sale or Purchase of Home

This service covers advice, consultation, preparation and review of documents (including the construction documents for a new home, the purchase agreement, mortgage and deed), relating to the purchase or sale of a primary or secondary residence or of vacant property to be used for building a primary or secondary residence by the participant and/or participant's spouse. The service also includes attendance of an attorney at closing, where customary. The service includes review of and advice on an abstract, preliminary title reports or a title opinion, and matters necessary for clearance of title or for the sale or purchase of a primary or secondary home. The cost of title insurance is not included. The service does not include leases with option to buy or services or documents provided by an attorney representing a lending institution or title company.

Mortgage Document Services

This service covers advice, consultation, preparation and review of documents for any residential mortgage documents of the participant and/or participant's spouse for their primary or secondary home. They must be the mortgagor, borrower or buyer. Mortgage Document Services include representation of the participant and/or participant's spouse in connection with a real estate closing, if necessary. The service includes review of and advice on an abstract, preliminary title reports or a title opinion, and matters necessary for clearance of title or for the sale or purchase of a primary or secondary home. The cost of title insurance is not included. The service does not include services provided by an attorney representing a lending institution or title company.

Home Equity Loan Services

This service covers advice, consultation, preparation and review of documents for any home equity loan of the participant and/or participant's spouse for their primary or secondary home. He or she must be the mortgagor, borrower or buyer.

Deeds

This service covers advice, consultation, preparation and review of documents related to real property deeds, when the participant and/or participant's spouse are purchasing or selling a primary or secondary home.

Refinancing of Home

This service covers advice, consultation, preparation and review of documents for any refinance loan of the participant and/or participant's spouse for their primary or secondary home. He or she must be the mortgagor, borrower, or buyer. This service does not include the refinancing of a second home, vacation property or property that is held for any rental, business, investment or income purpose. The service does not include services provided by an attorney representing a lending institution or title company.

Foreclosure

This service covers advice, consultation, preparation and review of documents and representation for the participant and/or participant's spouse in a court proceeding for foreclosure of their primary or secondary home. He or she must be the defendant.

Mineral Rights Assistance

This service covers advice, consultation and review of documents concerning a gas or oil lease for the participant's and/or participant's spouse's primary or secondary residence.

Boundary or Title Disputes

This service covers advice, consultation, preparation and review of documents and representation for the participant and/or participant's spouse as a defendant in a boundary, title dispute, mechanics lien or eminent domain proceeding involving their primary residence. This service is not available when coverage is available under the participants' homeowner or title insurance policies.

Easements

This service covers advice, preparation and review of documents and representation for the participant and/or participant's spouse as a defendant in a dispute related to an easement connected to their primary residence.

Property Tax Assessments

This service covers advice, consultation, preparation and review of documents, representation for the participant and/or participant's spouse in a legal proceeding concerning property tax assessments and property valuations related to the primary residence. This includes filing required paperwork, gathering evidence and negotiating a settlement.

Zoning Applications

This service covers advice, consultation, preparation and review of documents and representation for the participant and/or participant's spouse before a zoning authority for a personal zoning application for a primary residence.

Eviction and Tenant Problems

(Primary Residence - Tenant Only)

This service covers advice, consultation, preparation and review of documents and representation for any participant, 18 years of age or older, arising out of a residential lease. This includes security deposits, leases, disputes with a landlord, and property damage claims. The participant must be the defendant. It does not include representation in disputes with other tenants.

Security Deposit Recovery

(Tenant Only)

This service covers advice, consultation, review and preparation of documents, letters and representation for any participant, 18 years of age or older, to recover a security deposit from a residential landlord for the primary residence. It also covers assistance for the participant in prosecuting a small claims action; helping prepare documents; advising on evidence, documentation and witnesses; and preparing the participant for the small claims trial. The service does not include the provider law firm's attendance or representation at a trial, collection activities after a judgment, or any services relating to post-judgment actions or appeals.

Finance

Identity Theft

This service covers advice, consultation and review of documents regarding potential creditor actions against the participant and/or participant's spouse resulting from identity theft. This includes the provider law firm's legal services as needed to contact creditors, credit bureaus and financial institutions. It also provides defense services for specific creditor actions over disputed accounts. The defense services include limiting creditor harassment and representation in defense of any action that arises out of the identity theft, such as foreclosure, repossession or garnishment, up to and including trial, if necessary. The service also provides the participant and/or participant's spouse information about identity theft and protection.

Repossession

The service covers advice, consultation, preparation and review of documents and representation for the participant and/or participant's spouse in a legal proceeding for repossession of their personal property. He or she must be the defendant.

Garnishment

This service covers advice, consultation, preparation and review of documents and representation for the participant and/or participant's spouse for their wage or earnings garnishment. He or she must be the defendant.

Habeas Corpus

This service covers the participant for the preparation of all paperwork needed, and attendance at the hearing to pursue a habeas corpus proceeding to obtain the release of a participant who is being unlawfully imprisoned.

Consumer Bankruptcy

This service covers advice, consultation, preparation and filing, review of documents and representation for the participant and/or participant's spouse as a debtor in a consumer bankruptcy. This service is not available if a creditor is affiliated with the sponsor or employer, even if the participant or spouse chooses to reaffirm that specific debt.

Promissory Notes

This service covers advice, consultation, preparation, and review of documents related to a promissory note for a participant.

Collection Letters

This service covers advice, review of documents and preparation of letters on behalf of the participant and/or participant's spouse to collect on amounts payable to them for personal collection matters.

Personal Property Protection

This service covers advice, consultation, and review of documents regarding the participant's and/or participant's spouse's personal property matters such as consumer credit reports, contracts for the purchase of personal property, consumer credit agreements or installment sales agreements.

Consumer Protection

This service covers advice, consultation, preparation and review of documents and representation of the participant and/or participant's spouse as a defendant in court in disputes over consumer goods and services where the amount being contested exceeds the small claims court limit in that jurisdiction and is documented in writing. The service provides advice and document review for matters where the participant and/or participant's spouse are the plaintiff. This service does not include representation for real estate matters or if he or she is the plaintiff.

Small Claims Assistance

This service covers advice, preparation and review of documents and representation for the participant and/or participant's spouse, as a defendant, in a court proceeding for matters involving an appearance in small claims court. The service provides advice and document review for matters where he or she is the plaintiff.

Civil Litigation

This service covers advice, consultation, preparation and review of documents and representation for the participant and/or participant's spouse in arbitration proceedings or civil proceedings before a local, municipal, county, state, or a federal trial court of general jurisdiction. He or she must be the defendant. The service provides advice and document review for matters where the participant and/or participant's spouse are the plaintiff.

Administrative Hearing

This service covers advice, consultation, preparation and review of documents and representation for the participant and/or participant's spouse in defense of an adverse governmental action before a local, municipal, county, state, or federal administrative board, agency or commission.

Personal Injury

The provider law firm may handle personal injury matters for any participant on a contingency fee or other agreed upon basis when the he or she is the plaintiff.

Tax Audit and Collection Services

This service covers advice and representation of the participant and/or participant's spouse when notified in writing by any federal, state, or local taxing authority of an audit, investigation, or exam of his or her tax return. These services include a written request to appear at the offices of a federal, state, or local taxing authority about his or her tax return. Garnishments, attachments, appeals, or any other post judgment relief actions are not covered. Trust returns, business or corporate tax returns, payroll and related returns are not covered. Charges of tax fraud or income tax evasion are not covered. This service does not include prosecuting a claim for the return of overpaid taxes or the preparing of any tax returns.

Consumer Credit Services

This service covers advice, consultation, review of your credit report for possible errors, and file credit disputes with the credit bureaus for the participant and/or participant's spouse to help remove derogatory information negatively impacting credit.

Will and Estate Planning Services

Wills and Codicils

This service covers advice, consultation and preparation of a Will or Codicil for any participants who are at least 18 years old. Estate tax planning is not included. These services do not include the distribution of any assets outside of the United States.

Living Will or Physician's Directive

This service covers advice, consultation and preparation of a Directive to Physician or Living Will for participants who are at least 18 years old.

Trusts

This service covers advice, consultation, preparation, and review of documents related to a revocable or irrevocable living trust in which the participant and/or participant's spouse are the settlor. This service does not include tax advice, financial planning, or estate tax planning.

Power of Attorney

This service covers advice, consultation, and preparation of a power of attorney for any participants who are at least 18 years old and who are the principal.

Probate

This service covers advice, consultation and review of documents for the probate of a Will. The participant must be the named executor. Document preparation and court representation is available at a 25% discount.

Motor Vehicle Services

Moving Traffic Violations

This service covers advice, consultation, negotiation, review of documents, and representation of the participant in court for moving traffic violations.

Suspended Driver's License Assistance

When a driver's license has been suspended or revoked by the issuing authority, the provider law firm will advise and represent the participant. In this situation, a right to appeal must be provided by statute. The provider law firm will provide legal assistance to reinstate or maintain a driver's license due to job-related matters or medical reasons.

Motor Vehicle Property Damage

This service covers assistance up to, but not including, the filing of a lawsuit to collect all property damage claims. These services are for property damage incurred due to a vehicle, owned by a participant, being struck by any motor vehicle.

Additional Benefits

24/7 Emergency Access

This service covers toll-free access to the provider law firm on a 24-hour a day basis for the following emergencies, when the participant is: 1) detained by law enforcement; 2) seriously injured in an accident; or 3) served with a search warrant. Call the toll-free emergency number at 1-877-825-3797 to speak with Customer Care, who will connect the participant with the provider law firm. Phone access is subject to conditions set by the detaining or questioning authority, which may keep the provider law firm from speaking with the participant. Any other service is available 8:30 a.m. - 5:00 p.m Monday through Friday, excluding major holidays.

25% Discount

For all personal legal matters that are not fully covered by this plan, the participants may be eligible for Services at a 25% discount off the standard hourly rate. This does not apply to contingency fee matters or flat fee arrangements, which may be negotiated at a separate rate with the provider law firm. The 25% discount is available except in those instances listed in General Provision C of this plan.

Legal Forms

Participants have access to online legal forms that focus on many of today's most common legal concerns.

Mobile App

The participant can directly call their provider law firm, as well as upload traffic tickets and submit their Will questionnaire directly to the provider law firm through the LegalShield mobile app.

All legal services are provided by the Provider Law Firm and lawyers, not Pre-Paid Legal Services, Inc. dba LegalShield ("LegalShield") nor any of its companies. The following items are not included in the legal services plan: any matter or dispute between any Covered Person and LegalShield, a Provider Law Firm, or the Employer; any matter covered by any insurance policy or other legal service plan; employment, patent, trademark, or copyright matters; any matters related to Native or First American tribes or tribal governments; requested service that lacks merit, is frivolous or would violate any ethical rule or law; services outside the 50 states of the United States; business or commercial matters; fines, court costs, filing fees, ad litem fees, penalties, expert witness fees, bonds, bail bonds and any out-of-pocket expense.