

# **RULES REGULATING THE FLORIDA BAR**

## **CHAPTER 9. LEGAL SERVICES PLANS RULES AND REGULATIONS**

### ***RULE 9-1.2. STATEMENT OF POLICY AND PURPOSES***

Every citizen of this state should have access to the legal system. A person's ability to gain such access is enhanced by the assistance of and representation by an attorney duly licensed to practice law in this state. To this end, *it is the policy of The Florida Bar to support the concept and to actively encourage the establishment, operation, growth, and development of legal services plans* as one means of increasing a person's ability to obtain legal services at an affordable cost in order to have the opportunity to better gain access to the legal system.

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## **FLORIDA STATUTES**

### **CHAPTER 642 LEGAL EXPENSE INSURANCE**

#### **642.021. Certificate of Authority**

(1) It is unlawful for any person to engage in a legal expense insurance business in this state without a valid certificate of authority issued by the office, pursuant to ss. 642.011-642.049, except that a domestic, foreign, or alien insurer authorized to transact life or casualty insurance in this state may transact legal expense insurance provided it complies with the applicable provisions of ss. 642.011-642.049.

## **ADDITIONAL INFORMATION ON LEGAL SERVICES PLANS**

For additional information on the operation of Legal Services Plans in the State of Florida, please feel free to contact the following resources:

- 1. The Florida Bar**  
651 East Jefferson Street  
Tallahassee, Florida 32399-2300  
1-850-561-5600  
[www.floridabar.org](http://www.floridabar.org)
- 2. Prepaid Legal Services Committee of  
The Florida Bar**

Go to The Florida Bar website listed above [[www.floridabar.org](http://www.floridabar.org)] and click on "Inside The Bar", "Committees", then "Standing Committees", and then "Prepaid Legal Services" under "Public Service Committees".

- 3. Florida Office of Insurance Regulation**  
200 East Gaines Street  
Tallahassee, Florida 32399-0305  
1-850-413-3140  
[www.floir.com](http://www.floir.com)

Go to the Florida Office of Insurance Regulation website listed above [[www.floir.com](http://www.floir.com)] and click on "Company Search", and select "LEGAL EXPENSE INSURANCE" under "Company Type".

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The material in this pamphlet represents general legal advice. Because the law is continually changing, some provisions in this pamphlet may be out of date. It is always best to consult an attorney about your legal rights and responsibilities regarding your particular legal situation.

## **LEGAL SERVICES PLANS**

### **WHAT EVERY *FLORIDA* CONSUMER SHOULD KNOW ABOUT LEGAL SERVICES PLANS**

*Legal Services Plans are one means  
by which the consumer is able to  
obtain affordable legal services with  
qualified attorneys and have the  
opportunity to better gain access  
to the legal system.*



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## THE NEED FOR LEGAL SERVICES PLANS

- Although studies have shown that **7 out of 10** people experience some sort of “legal event” in any twelve month period, most people do **not** hire an attorney to represent them because they are:

- Unaware that they are experiencing the occurrence of a “legal event”

- Unable to adequately determine the qualifications of an attorney

- Unsure of the type of services the attorney shall perform for and on their behalf

- Fearful of the high, and sometimes uncertain, cost of legal services

- On the other hand, by their very nature, Legal Services Plans:

- Provide easy access to attorneys

- Encourage members to access legal services at an early stage in the occurrence of a “legal event” when a favorable resolution may be more reasonably obtainable

- Generally provide for a free initial in-office consultation

- Provide cost certainty in determining the amount of attorney fees

- Provide an interface by and between members and attorneys by use of a customer service department

## TYPES OF LEGAL SERVICES PLANS

### ENROLLMENT

#### 1. **Voluntary**

Individuals who *choose* to enroll in a Legal Services Plan upon personally making payment of the plan’s premium *or* membership fee.

#### 2. **Mandatory**

Persons who are *automatically* enrolled in a Legal Services Plan by virtue of being a member of a “Group” - e.g., an Employer - who furnishes the Legal Services Plan at no cost.

- *Includes* employees enrolled in an “**Employee Assistance Program**” offered by their Employer.

### COVERAGE

#### 1. **Telephone Access**

Provides easy access to an attorney and encourages use for “preventative” legal services; and, including:

- a. Unlimited telephone advice and consultation with an attorney during normal business hours
- b. Document review
- c. Document preparation
- d. Third-party letters

#### 2. **Comprehensive**

Provides for legal services greater in scope than “**Telephone Access**”; and, including, e.g., legal representation in court proceedings.

## BENEFITS OF LEGAL SERVICES PLANS

### FOR EMPLOYERS

- Reduces employee absenteeism
- Increases employee productivity
- Provides a valuable low-cost employee benefit which is attractive in *both* the hire of new employees **and** retention of old employees
- Promotes a stress free work environment
- Reduces health care costs associated with the onset of stress related medical issues due to the occurrence of a “legal event”

### FOR EMPLOYEES

- Ease of mind that access to an attorney is available simply by telephone
- Affordable opportunity available to better gain access in and to the legal system
- Ability to have access to “preventative” legal services in order to resolve early on in the process “small” legal issues before becoming “major” legal problems
- Cost certainty in determining the amount of attorney fees

## HOW MUCH DOES IT COST TO BELONG TO A LEGAL SERVICES PLAN?

In general, depending upon the type and kind of coverage provided, the cost to belong to a Legal Services Plan is within the range of \$9 to \$25 per month.