



A Guide to NEA-NM Legal Services Programs

NEA-NM provides its members with a wide variety of legal services. This guide summarizes them for you and directs you to the documents in the membership packet that will give you more details about the programs:

- **If Someone Accuses You of a Crime on the Job.**

NEA-NM can assist you before charges are filed, to try and keep them from every being charged, and to reimburse you for attorneys' fees if you are charged. For details on these benefits, see the pamphlets "Legal Coverage When You Join NEA-NM" and "NEA Educators Liability Employment Liability Program: Questions and Answers." Remember this, however: if you hire your own criminal defense lawyer, you are responsible solely for her or his fees.

- **If Someone Sues You Alleging You Did Something Wrong at Work.**

NEA-NM provides you with important insurance coverage when the New Mexico Public School Insurance Authority coverage you receive as an employee runs out. For details on these benefits, see the pamphlets "Legal Coverage When You Join NEA-NM" and "NEA Educators Liability Employment Liability Program: Questions and Answers."

- **If You Are Placed on Leave for Disciplinary Reasons, or Your Employer Wants to Terminate or Discharge your Employment.**

NEA-NM's professional staff and local representatives will assist you with employer interviews, with advice on a course of action, and in hearings. If necessary, they will call in NEA-NM lawyers to assist you. For details on these benefits, see the pamphlets "Legal Coverage When You Join NEA-NM."

- **If You Need a Lawyer for Wills and Estates, Real Estate, Personal Injury, and Other Cases Not Related to Your Work.**

NEA-NM has an Attorney Referral Program. For participating attorneys and the terms of the program, see _____.

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**See page 2 for the
NEA-NM FLOW CHART FOR HANDLING LEGAL CASES**

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Legal advice to NEA-NM; covered by attorney-client privilege

This flow chart describes how to handle legal matters through the NEA-NM Legal Services Program. This program provides legal assistance to members only who have joined NEA-NM before their legal issues arose. Members of collective bargaining units who have chosen not to join NEA-NM have important rights, but they do not include these services.

STEP 1: Decide whether the issue involves Employee Rights or may become a criminal case.

Tip: How do you decide if an investigation might become a criminal case? Has the member been accused of hitting or grabbing a student or colleague? Has she or he been accused of touching someone in a sexual way? Has she or he been accused of mishandling money from the district or from a student group? If the answer to any of these questions is "yes", the issue may become a criminal case.

STEP 2: For a possible criminal case, follow the steps in this box.

For an Employee Rights case, follow the steps in this box.

STEP 3: A Possible Criminal Case:

1. Immediately contact your local's UniServ Consultant; if you cannot reach your UniServ Consultant, contact NEA-NM headquarters and speak with the Executive Director. This assures that the member will receive quick legal help.
2. If the administration insists on speaking to the member before you can reach a UniServ Consultant or the Executive Director, advise the member to give no statements and to sign no documents until she or he has spoken to counsel. You may explain to persistent administrators that NEA-NM will have its attorney call the district's attorney right away to discuss the need for a statement. **BE POLITE AND FIRM.**
3. The UniServ will have the member fill out ULSP paperwork packet (attached).

Reminder: these services come only through NEA-NM's counsel. If a member hires counsel on her own, she is responsible for the fees.

STEP 3: A Matter of Employee Rights:

1. Contact the local President or Vice President to discuss the nature of the problem. NEA-NM will pursue all rights through board policy or collective bargaining. This means, in most cases, a grievance or other action at the local level.
2. After meeting with local leadership, the local leader should in most cases contact the local's UniServ Consultant for advice and guidance.
3. As part of the consultation with the UniServ Consultant, she or he may decide to contact the Executive Director for legal support. The Executive Director then alerts the general counsel of the need for legal help, and a lawyer will contact the UniServ Consultant to discuss possible courses of action.
4. The UniServ, after consulting counsel, may have the member fill out the ULSP paperwork packet (attached).