

# NCSU becomes first state school to offer legal insurance plan

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Staff Writer

In a contract-signing ceremony held last week in Raleigh, N.C. State University established a first. By entering into an agreement with the North Carolina Prepaid Legal Services Corporation (NCPLS), a nonprofit insurance corporation sponsored by the State Bar, NCSU became the first state-supported school in the country to offer prepaid legal insurance to its faculty and staff.

Benefits from the plan include up to \$2,200 in coverage per year for legal costs stemming from a wide range of criminal and civil proceedings, and the freedom to choose any lawyer in the United States or Canada. The cost to each member enrolled in the plan is \$6 a month and is deducted automatically from his paycheck.

What about the possibilities of such a program at UNC?

As far as the faculty is concerned, negotiations are still in an early stage, although Dr. Robert Heines, who is in the process of examining the program for the UNC Medical School staff, says, "so far, our impression as far as the plan is concerned is that it is an attractive idea. We think it's something worthwhile."

As far as students are concerned, however, the story is a bit different. Originally, prepaid legal services were sought for students by Student Legal Services (SLS).

In negotiations earlier this year, SLS arranged for NCPLS to provide coverage both in legal matters currently provided by SLS, such as landlord/tenant problems, consumer matters and discrimination problems, and in matters presently excluded by SLS, such as criminal allegations, traffic violations and domestic-relations problems. It was to operate as insurance coverage, exacting a fixed fee and paying each claim as it came up. It was to cost the same amount of money that SLS currently requires for its operations, \$20,000.

But when the proposal was brought before Student Government (SG), it turned out there had been a misunderstanding in the negotiations, that NCPLS only intended to operate on a direct reimbursement system. This meant that rather than operating on an insurance concept where all who pay are entitled to benefits, NCPLS planned to expend its funds on a dollar-for-dollar basis, terminating service when its \$20,000 had depleted. This type of plan, according to On-Campus Atty. Dorothy Bernholz, "could hardly be justified as beneficial to the students. The first 15 students utilizing the plan would have exhausted the funds, working a great inequity on the remaining student population who had the misfortune to later incur the need for legal representation."

SG voted the measure down, resolving to stick to the present SLS program, despite its limited range of service.

In response to the present lack, SLS would like to expand their offerings to include more of the services which would have been provided had the NCPLS proposal been accepted. Bernholz says she sees "a demonstrated need for further coverage in domestic relations and traffic offenses," and therefore she desires that the SLS hire more staff attorneys. With a larger staff, each attorney would be able to develop an expertise in certain areas, and greater efficiency and a wider range of services would result.

But, the Council of The North Carolina State Bar deems such a move illegal. According to the Bar, any plan which restricts its service to the provision of a determinant number of lawyers for its clients constitutes a "closed panel" program, and such is currently prohibited by North Carolina law.

The only way SLS can currently comply with the law is through an "opt-out" feature which allows any student dissatisfied with SLS to go to another lawyer and receive



Dorothy Bernholz

financial reimbursement for the visit. Bernholz, however, feels that "the opt-out feature is a sham" and that the only way SLS could adequately extend its service would be through the elimination of the feature and the development of an exclusively closed panel program.

SG is therefore suing the Council of The North Carolina State Bar. Bernholz feels that the law violates the First and Fourteenth amendments, which guarantee the rights of students to band together to obtain legal representation of their choice under conditions of their choice. The suit is now before the U.S. District Court for the Western District of North Carolina in Charlotte and could be decided this month.

# AWS backs new rape bill with petition

North Carolina rape laws are archaic, Chapel Hill Rape Crisis Center spokesperson Joan Hattan said Monday night at the Association of Women Students (AWS).

Hattan said a proposed bill in the N.C. legislature would prohibit the rape victim's former sexual history from being brought into the courtroom, raise the conviction rate, and increase rape penalties.

"Rapists all over are usually involved in one or more incidents," Hattan said. "If the act is repeated, they usually do not get a bigger penalty." She said the bills, which probably won't be voted on until after the legislature's summer recess, provide for "escalating punishment" by which a previously convicted offender would be given a harsher punishment.

AWS members plan to circulate petitions concerning the rape bill. Members will petition in the Union from 11 a.m. until 2 p.m., beginning Tuesday 31. Signatures will be collected for at least one week.

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9:00		
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3:30	<b>"The PINK PANTHER STRIKES AGAIN"</b>	
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