

The HSLDA Question

by Mary McCarthy

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Before purchasing a product or service a good consumer does a little basic consumer research. It is prudent to be a wise steward of one's funds. So before joining HSLDA/F (note there are 2 organizations - HSLDA and HSLDFoundation) it would be prudent to contact:

1. Your state's Consumer Affairs department. Send along a copy of HSLDA/F's application and ask if there are any complaints or actions taken against this organization or the individuals involved.
2. Your state's Insurance Commissioner. Again, send a copy of the application and ask the same questions as Consumer Affairs and whether this type of pre-paid legal service is legal in your state, whether HSLDA/F is an insurance plan and whether it is regulated as insurance or the practice of law. If HSLDA/F is not insurance, then what are you purchasing?
3. Contact your state's Secretary of State and see if there are any complaints on file or actions taken against HSLDA/F or the individual attorneys involved.
4. Contact your state's Bar Association and ask if there are any complaints against HSLDA/F or the attorneys and whether they may legally practice law in your state. If they are not members of the state's Bar, then ask whether that is required to practice law. (not all state's require membership.) If none of the attorney's are members and that is required, ask HSLDA/F how they plan to represent you.
5. Contact HSLDA/F and request copies of several years of "audited financial statements". These will enable you to determine how your membership dues are spent. If they respond that they do not have audited statements, ask them how they file a tax return without financial information. You can also request "public inspection copies" of IRS Form 990, either from HSLDA/F or the IRS. These will also enable you to determine how your dues will be spent and whether you wish to financially support this organization. To request public inspection copies of any non-profit organization's form 990, write to the Internal Revenue Service, PO Box 9941, Ogden Utah 84409 ATTN: MS6717. To speed your request include the EIN (employer identification number) for the organization you are requesting. HSLDA'S is 52-1354365 and HSLDF'S is 52-54-1719605 (Note:sometimes these numbers are reversed. You can expect to pay for the cost of copying these documents, usually a few dollars each.)

Note that these are general consumer questions, and that the laws vary from state to state. In general, most states require Bar Association membership, but not all, most states regulate 'pre-paid legal service plans' but not all. Your state may regulate consumer affairs through a different agency than your neighbor's. But a few letters and/or phone calls should answer most of your questions. Most address' for state agencies and bar associations can be found in the phone book or just send it to the agency at the state capital. The zip is in any zip code directory.

When you have satisfied yourself then you are acting as a wise consumer. As a member or potential member it is your money that HSLDA/F is using, so you have every right to insist that it be used properly.

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