

Appendix

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INTRODUCTION HANDOUTS

INTRO-1 BINGO GAME (4 x 4)

NAME BINGO

INTRO-2 BINGO GAME (5 x 5)

NAME BINGO

INTRO-3 MILITARY TRAINING EVALUATION FORM

EVALUATION FORM

Instructions: Keeping the learning objectives in mind, indicate your level of satisfaction with the following aspects of the training. Please check the box in the column that best represents your response to each question. Your comments are encouraged. If more space is needed, please use the back of the page.

Very Great Extent (5) → Not at All (1)

INTRODUCTION

	5	4	3	2	1
1. Appropriateness of Content	<input type="checkbox"/>				
2. Level of Detail	<input type="checkbox"/>				
3. Applicability of Information to Workers' Tasks	<input type="checkbox"/>				
4. Responsiveness of Training to Workers' Needs	<input type="checkbox"/>				
5. Time Allocated for Training	<input type="checkbox"/>				
6. Opportunity for Input into Discussion	<input type="checkbox"/>				

Other Comments:

Very Great Extent (5) → Not at All (1)

MODULE 1 – OVERVIEW OF THE MILITARY

	5	4	3	2	1
1. Appropriateness of Content	<input type="checkbox"/>				
2. Level of Detail	<input type="checkbox"/>				
3. Applicability of Information to Workers' Tasks	<input type="checkbox"/>				
4. Responsiveness of Training to Workers' Needs	<input type="checkbox"/>				
5. Time Allocated for Training	<input type="checkbox"/>				
6. Opportunity for Input into Discussion	<input type="checkbox"/>				

Other Comments:

Very Great Extent (5) → Not at All (1)

MODULE 2 – MILITARY LOCATE PROCEDURES

	5	4	3	2	1
1. Appropriateness of Content	<input type="checkbox"/>				
2. Level of Detail	<input type="checkbox"/>				
3. Applicability of Information to Workers’ Tasks	<input type="checkbox"/>				
4. Responsiveness of Training to Workers’ Needs	<input type="checkbox"/>				
5. Time Allocated for Training	<input type="checkbox"/>				
6. Opportunity for Input into Discussion	<input type="checkbox"/>				

Other Comments:

Very Great Extent (5) → Not at All (1)

MODULE 3 – SERVICE OF PROCESS ON MILITARY PERSONNEL

	5	4	3	2	1
1. Appropriateness of Content	<input type="checkbox"/>				
2. Level of Detail	<input type="checkbox"/>				
3. Applicability of Information to Workers’ Tasks	<input type="checkbox"/>				
4. Responsiveness of Training to Workers’ Needs	<input type="checkbox"/>				
5. Time Allocated for Training	<input type="checkbox"/>				
6. Opportunity for Input into Discussion	<input type="checkbox"/>				

Other Comments:

Very Great Extent (5) → Not at All (1)

MODULE 4 – THE SERVICEMEMBERS CIVIL RELIEF ACT

	5	4	3	2	1
1. Appropriateness of Content	<input type="checkbox"/>				
2. Level of Detail	<input type="checkbox"/>				
3. Applicability of Information to Workers’ Task	<input type="checkbox"/>				
4. Responsiveness of Training to Workers’ Needs	<input type="checkbox"/>				
5. Time Allocated for Training	<input type="checkbox"/>				
6. Opportunity for Input into Discussion	<input type="checkbox"/>				

Other Comments:

Very Great Extent (5) → Not at All (1)

MODULE 5 – OBTAINING EVIDENCE FROM THE MILITARY

	5	4	3	2	1
1. Appropriateness of Content	<input type="checkbox"/>				
2. Level of Detail	<input type="checkbox"/>				
3. Applicability of Information to Workers’ Task	<input type="checkbox"/>				
4. Responsiveness of Training to Workers’ Needs	<input type="checkbox"/>				
5. Time Allocated for Training	<input type="checkbox"/>				
6. Opportunity for Input into Discussion	<input type="checkbox"/>				

Other Comments:

Very Great Extent (5) → Not at All (1)

MODULE 6 – MILITARY ESTABLISHMENT PROCEDURES

	5	4	3	2	1
1. Appropriateness of Content	<input type="checkbox"/>				
2. Level of Detail	<input type="checkbox"/>				
3. Applicability of Information to Workers’ Tasks	<input type="checkbox"/>				
4. Responsiveness of Training to Workers’ Needs	<input type="checkbox"/>				
5. Time Allocated for Training	<input type="checkbox"/>				
6. Opportunity for Input into Discussion	<input type="checkbox"/>				

Other Comments:

Very Great Extent (5) → Not at All (1)

MODULE 7 – MILITARY ENFORCEMENT PROCEDURES

	5	4	3	2	1
1. Appropriateness of Content	<input type="checkbox"/>				
2. Level of Detail	<input type="checkbox"/>				
3. Applicability of Information to Workers’ Tasks	<input type="checkbox"/>				
4. Responsiveness of Training to Workers’ Needs	<input type="checkbox"/>				
5. Time Allocated for Training	<input type="checkbox"/>				
6. Opportunity for Input into Discussion	<input type="checkbox"/>				

Other Comments:

Very Great Extent (5) → Not at All (1)

MODULE 8 – ACCESS, PARENTING TIME, AND CUSTODY ISSUES

	5	4	3	2	1
1. Appropriateness of Content	<input type="checkbox"/>				
2. Level of Detail	<input type="checkbox"/>				
3. Applicability of Information to Workers’ Task	<input type="checkbox"/>				
4. Responsiveness of Training to Workers’ Needs	<input type="checkbox"/>				
5. Time Allocated for Training	<input type="checkbox"/>				
6. Opportunity for Input into Discussion	<input type="checkbox"/>				

Other Comments:

Very Great Extent (5) → Not at All (1)

MODULE 9 – COLLABORATIONS: SERVING THOSE WHO SERVE US

	5	4	3	2	1
1. Appropriateness of Content	<input type="checkbox"/>				
2. Level of Detail	<input type="checkbox"/>				
3. Applicability of Information to Workers’ Task	<input type="checkbox"/>				
4. Responsiveness of Training to Workers’ Needs	<input type="checkbox"/>				
5. Time Allocated for Training	<input type="checkbox"/>				
6. Opportunity for Input into Discussion	<input type="checkbox"/>				

Other Comments:

OVERALL TRAINING EVALUATION FORM

Very Great Extent (5) → Not at All (1)

MODULES OVERALL

	5	4	3	2	1
1. Appropriateness of Content	<input type="checkbox"/>				
2. Level of Detail	<input type="checkbox"/>				
3. Applicability of Information to Workers' Tasks	<input type="checkbox"/>				
4. Responsiveness of Training to Workers' Needs	<input type="checkbox"/>				
5. Time Allocated for Training	<input type="checkbox"/>				
6. Opportunity for Input into Discussion	<input type="checkbox"/>				

Other Comments:

Very Great Extent (5) → Not at All (1)

TRAINING DESIGN

	5	4	3	2	1
1. Mix of Training Methods (e.g., lecture, exercise, discussion)	<input type="checkbox"/>				
2. Training Flow	<input type="checkbox"/>				
3. Training Organization	<input type="checkbox"/>				
4. Training Sequence	<input type="checkbox"/>				

Other Comments:

Very Great Extent (5) → Not at All (1)

TRAINING STAFF

	5	4	3	2	1
1. Knowledge of Subject Matter	<input type="checkbox"/>				
2. Ability to Communicate Subject Matter	<input type="checkbox"/>				
3. Ability to Guide Training and Keep on Track	<input type="checkbox"/>				
4. Ability to Respond to Questions	<input type="checkbox"/>				
5. Ability to Synthesize General Discussion	<input type="checkbox"/>				

Other Comments:

Very Great Extent (5) → Not at All (1)

TRAINING MATERIALS

	5	4	3	2	1
1. Quality	<input type="checkbox"/>				
2. Appropriateness	<input type="checkbox"/>				
3. Comprehensiveness	<input type="checkbox"/>				
4. Clarity	<input type="checkbox"/>				

Other Comments:

MODULE 1 HANDOUTS

1-1 MILITARY ACRONYMS

ACRONYMS

APO – Army or Air Force Post Office. This term is used in mailings to a member overseas that is serviced by an Army or Air Force post office. The city/state/zip code line would read something like APO AE 09067, which is the designation for someone receiving mail through an Army or Air Force post office serving the Armed Forces Europe region (AE).

BAH – Basic Allowance for Housing. Encompasses all monies paid to service members to defray housing costs. Includes extra money if member is supporting dependents.

BAS – Basic Allowance for Subsistence. Constitutes the military food allowance given to service members who are not required to eat their meals in military dining facilities or who do not have access to such services.

CO – Commanding Officer.

CONUS – Continental United States.

DEERS – Defense Enrollment Eligibility Reporting System. Database containing information on the service member, his or her dependent(s) (including former spouses if previously registered), and address information. Address information can also be accessed through FPLS.

DEROS – Date of Expected Return from Overseas Assignment.

DFAS – Defense Finance Accounting Services. DoD agency that is responsible for paying service members and processing orders for child support. Note that DFAS does not process pay for the Coast Guard, which is part of the Department of Homeland Security and has its own payroll center.

DMDC – Defense Manpower Data Center. Collates personnel, manpower, training, financial, and other data for the Department of Defense. Data can be used to verify a person's military service. Also used for purposes of healthcare, retirement funding, and other administrative needs.

DoD – Department of Defense.

ETS – Expiration of Term of Service. The date a service member's obligation to the military ends.

FPO – Fleet Post Office. Used in mailings to a member overseas or on board a vessel serviced by a Navy post office. The city/state/zip code line would read something like FPO AP 96667, which is the designation for a ship receiving mail through the Fleet Post Office serving the Armed Forces Pacific region (AP).

FRG – Family Readiness Group. An official Army program established pursuant to AR 600-20, Army Command Policy. Unit commanders at all levels in the active, Guard, and Reserve Components of the Army are expected to establish and/or support FRG operations for their organization. The FRG serves as a grass-roots network of communication among the family members, chain of command, and community resources. The FRG leaders are trained volunteers, who are often spouses of the military members of the unit the group supports.

JAG – Judge Advocate General. The judicial arm of any of the United States armed forces.

LES – Leave and Earnings Statement. Equivalent to a civilian pay statement with extensive information on the service member such as the state of legal residency, leave balance, and whether person is receiving BAH at “with dependent” rate.

OCONUS – Outside Continental United States. Alaska and Hawaii are considered OCONUS assignments.

POTUS – President of the United States.

PCS – Permanent Change of Station. When the service member leaves one duty station to begin an assignment at a new duty station.

SCRA – Servicemembers Civil Relief Act. Permits service members to delay civil (judicial and administrative) proceedings if military duty materially affects their ability to appear/defend.

TAD – Temporary Additional Duty. Same as TDY but is used by the Navy and Marine Corps.

TDY – Temporary Duty. Indicates a service member is temporarily assigned duties at another location. This terminology is used by the Army and Air Force.

TIG – Time in Grade.

TIS – Time in Service.

Original Source: Air Force Lt. Col. Patrick W. Lindemann, (ret.), former deputy director for Legal Policy in DoD’s Office of the Undersecretary of Defense for Personnel and Readiness.

1-2 MILITARY RANK AND PAY GRADE CHART

MILITARY RANK AND GRADE					
Officer Pay Grades					
<p>US military officer ranks include commissioned officers and warrant officers. The commissioned ranks are the highest. These officers hold presidential commissions and are confirmed at their ranks by the Senate. Army, Air Force and Marine Corps officers are called company grade officers in the pay grades of O-1 to O-3, field grade officers in pay grades O-4 to O-6 and general officers in pay grades O-7 and higher. The equivalent officer groupings in the Navy are called junior grade, mid-grade, and flag. See www.defense.gov/about/insignias.</p>					
<p><i>Note: O=Officer E=Enlisted W=Warrant Officers</i></p>					
PAYGRADE	Navy	Army	Air Force	Marine Corps	Coast Guard
O1	Ensign (ENS)	2nd Lieutenant (2LT)	2nd Lieutenant (2d Lt)	2nd Lieutenant (2ndLt)	Ensign (ENS)
O2	Lieutenant Junior Grade (LTJG)	1st Lieutenant (1LT)	1st Lieutenant (1st Lt)	1st Lieutenant (1stLt)	Lieutenant Junior Grade (LTJG)
O3	Lieutenant (LT)	Captain (CPT)	Captain (Capt)	Captain (Capt)	Lieutenant (LT)
O4	Lieutenant Commander (LCDR)	Major (MAJ)	Major (Maj)	Major (Maj)	Lieutenant Commander (LCDR)
O5	Commander (CDR)	Lieutenant Colonel (LTC)	Lieutenant Colonel (Lt Col)	Lieutenant Colonel (LtCol)	Commander (CDR)
O6	Captain (CAPT)	Colonel (COL)	Colonel (Col)	Colonel (Col)	Captain (CAPT)
O7	Rear Admiral Lower Half (RDML)	Brigadier General (BG)	Brigadier General (Brig Gen)	Brigadier General (BGen)	Rear Admiral Lower Half (RDML)
O8	Rear Admiral Upper Half (RADM)	Major General (MG)	Major General (Maj Gen)	Major General (MajGen)	Rear Admiral Upper Half (RADM)
O9	Vice Admiral (VADM)	Lieutenant General (LTG)	Lieutenant General (Lt Gen)	Lieutenant General (LtGen)	Vice Admiral (VADM)
O10	Admiral (ADM) Chief of Naval Operations	General (GEN) Army Chief of Staff	General (Gen) Air Force Chief of Staff	General (Gen) Commandant of the Marine Corps	Admiral (ADM) Commandant of the Coast Guard

MILITARY RANK AND GRADE (CONTINUED)

Warrant Officer Pay Grades

Warrant officers hold warrants from their service secretary and are specialists and experts in certain military technologies or capabilities. The lowest ranking warrant officers serve under a higher ranking warrant officer, but they receive commissions from the president upon promotion to chief warrant officer 2. These commissioned warrant officers are direct representatives of the president of the United States. They derive their authority from the same source as commissioned officers but remain specialists, in contrast to commissioned officers, who are generalists. The Air Force does not have warrant officers.

PAYGRADE	Navy	Army	Air Force	Marine Corps	Coast Guard
W1	USN Warrant Officer 1 (WO1)	Warrant Officer 1 (WO1)	No Warrant	Warrant Officer 1 (WO1)	
W2	USN Chief Warrant Officer 2 (CWO2)	Chief Warrant Officer 2 (CW2)	No Warrant	Chief Warrant Officer 2 (CWO2)	USCG Chief Warrant Officer 2 (CWO2)
W3	USN Chief Warrant Officer 3 (CWO3)	Chief Warrant Officer 3 (CW3)	No Warrant	Chief Warrant Officer 3 (CWO3)	USCG Chief Warrant Officer 3 (CWO3)
W4	USN Chief Warrant Officer 4 (CWO4)	Chief Warrant Officer 4 (CW4)	No Warrant	Chief Warrant Officer 4 (CWO4)	USCG Chief Warrant Officer 4 (CWO4)
W5	USN Chief Warrant Officer 5 (CWO5)	Chief Warrant Officer 5 (CW5)	No Warrant	Chief Warrant Officer 5 (CWO5)	

MILITARY RANK AND GRADE (CONTINUED)

Enlisted Pay Grades

Service members in pay grades E-1 through E-3 are usually either in some kind of training status or on their initial assignment. The training includes the basic training phase where recruits are immersed in military culture and values and are taught the core skills required by their service component.

Basic training is followed by a specialized or advanced training phase that provides recruits with a specific area of expertise or concentration. In the Army and Marines, this area is called a military occupational specialty; in the Navy, it is known as a rate; and in the Air Force, it is simply called an Air Force specialty.

ARMY — * For rank and precedence within the Army, specialist falls immediately below corporal because the rank of corporal is generally reserved for a soldier who holds a troop leadership position in a combat or combat support unit. A specialist does not have such leadership responsibilities. Among the services, however, rank and precedence are determined by pay grade.

NOTE: The U.S. Coast Guard is a part of the Department of Homeland Security in peacetime and the Navy in times of war.

PAYGRADE	Navy	Army	Air Force	Marine Corps	Coast Guard
E1	Seaman Recruit (SR)	Private (PVT)	Airman Basic (AB)	Private	Seaman Recruit (SR)
E2	Seaman Apprentice (SA)	Private E-2 (PV2)	Airman (Amn)	Private First Class (PFC)	Seaman Apprentice (SA)
E3	Seaman (SN)	Private First Class (PFC)	Airman First Class (A1C)	Lance Corporal (LCpl)	Seaman (SN)
E4	Petty Officer 3rd Class (PO3)	Corporal OR Specialist (CPL/SPC)	Senior Airman (SrA)	Corporal (Cpl)	Petty Officer 3rd Class (PO3)

MILITARY RANK AND GRADE (CONTINUED)

Enlisted Pay Grades

Leadership responsibility significantly increases in the mid-level enlisted ranks. This responsibility is given formal recognition by use of the terms noncommissioned officer and petty officer. An Army sergeant, an Air Force staff sergeant, and a Marine corporal are considered NCO ranks. The Navy NCO equivalent, petty officer, is achieved at the rank of petty officer third class.

PAYGRADE	<i>Navy</i>	<i>Army</i>	<i>Air Force</i>	<i>Marine Corps</i>	<i>Coast Guard</i>
E5	Petty Officer 2nd Class (PO2)	Sergeant (SGT)	Staff Sergeant (SSgt)	Sergeant (Sgt)	Petty Officer 2nd Class (PO2)
E6	Petty Officer 1st Class (PO1)	Staff Sergeant (SSG)	Technical Sergeant (TSgt)	Staff Sergeant (SSgt)	Petty Officer 1st Class (PO1)
E7	Chief Petty Officer (CPO)	Sergeant First Class (SFC)	Master Sergeant (MSgt) OR First Sergeant	Gunnery Sergeant (Gy Sgt)	Chief Petty Officer (CPO)

MILITARY RANK AND GRADE (CONTINUED)

Enlisted Pay Grades

At the E-8 level, the Army, Marines, and Air Force have two positions at the same pay grade. Whether one is, for example, a senior master sergeant or a first sergeant in the Air Force depends on the person's job. The same is true for the positions at the E-9 level. Marine Corps master gunnery sergeants and sergeants major receive the same pay but have different responsibilities. All told, E-8s and E-9s generally have 15 to 30 years on the job, and are commanders' senior advisers for enlisted matters.

A third E-9 element is the senior enlisted person of each service. The sergeant major of the Army, the sergeant major of the Marine Corps, the master chief petty officer of the Navy and the chief master sergeant of the Air Force are the spokespersons of the enlisted force at the highest levels of their services.

PAYGRADE	Navy	Army	Air Force	Marine Corps	Coast Guard
E8	Senior Chief Petty Officer (SCPO)	Master Sergeant (MSG) OR First Sergeant (1SG)	Senior Master Sergeant (SMSgt) OR First Sergeant	Master Sergeant (M Sgt) OR First Sergeant	Senior Chief Petty Officer (SCPO)
E9	Master Chief Petty Officer (MCPO) OR Fleet/Command Master Chief Petty Officer	Sergeant Major (SGM) OR Command Sergeant Major (CSM)	Chief Master Sergeant (CMSgt) OR First Sergeant OR Command Chief Master Sergeant	Master Gunnery Sergeant (MGySgt) OR Sergeant Major (SgtMaj)	Master Chief Petty Officer (MCPO)
E9	Master Chief Petty Officer of the Navy (MCPON)	Sergeant Major of the Army (SMA)	Chief Master Sergeant of the Air Force (CMSAF)	Sergeant Major of the Marine Corps (SgtMajMC)	Master Chief Petty Officer of the Coast Guard (MCPOCG)

1-3 MILITARY WEBSITES

MILITARY WEBSITES

Department of Defense

www.defense.gov - The DoD website with information about, and links to, the Department of Defense.

<http://www.defense.gov/RegisteredSites/RegisteredSites.aspx> - The DoD website with links to the databases of all registered DoD sites.

www.dod.gov/pubs/ - Provides links to DoD publications and other resources.

www.dfas.mil - Provides information about the Defense Finance Accounting Service.

<https://www.dmdc.osd.mil/appj/scra/scraHome.do> - The link within the website for the Defense Manpower Data Center that provides verification of whether an individual is in the military service.

<http://militarypay.defense.gov/index.html> - Provides information about military pay.

http://www.dtic.mil/doctrine/dod_dictionary/ - DoD Dictionary of Military Terms.

<http://www.defense.gov/about/insignias/> - DoD rank insignia charts.

Army

www.army.mil - Official home page of the United States Army. Contains links to Army websites, including Army installations and publications.

<http://www.army.mil/info/organization/> - Contains comprehensive links to all Army installations and their websites.

www.usar.army.mil/Pages/default.aspx - Website for the Army Reserve.

<https://www.jagcnet.army.mil/legal> - Website for the Army JAG Corps Legal Assistance Public Page. Includes information papers on such topics as paternity, child support, and service of process.

Navy

www.navy.mil - Official home page of the United States Navy. Contains links to Navy websites.

<http://www.navy.mil/navydata/ships/lists/homeport.asp> - Provides a list of homeports and the ships assigned to them, with FPO addresses.

www.navyreserve.navy.mil - Website includes information on a variety of topics, FAQs, and links for families.

www.jag.navy.mil/ - Website allows user to locate counsel and to seek legal assistance on a number of topics, including family law issues.

Air Force

www.af.mil - Official home page of the United States Air Force. Contains links to Air Force websites.

<http://airforce.com/contact-us/base-locator/?m=2011EASearch&pl=Google&med=CPC> - Allows search for Air Force locations within the United States and around the world, with site links to those installations.

www.afreserve.com - Site includes link on various topics of interest to parents.

<https://aflegalassistance.law.af.mil/lass/lass.html> - The Air Force JAG Corps Legal Assistance Public Page provides legal information and worksheets on a number of topics, including family law.

Marine Corps

www.usmc.mil - Official website of the United States Marine Corps. Contains links to Marine Corps websites.

<http://www.marines.mil/Units.aspx> - Provides comprehensive listing of links to Marine Corps units.

<http://www.marforres.marines.mil/> - Website for the Marine Forces Reserve contains a link to family resources, which includes a link to the MFR Family Readiness page.

<http://www.hqmc.marines.mil/sja/UnitHome.aspx> - Website for Marine Staff Judge Advocate to the Commandant of the Marine Corps.

Coast Guard

www.uscg.mil - Website for the Coast Guard includes information on the Coast Guard's Work-Life Program.

www.uscg.mil/Legal/la/Legal_Assistance_Home.asp - Provides legal assistance to Coast Guard members, dependents, and retirees on a range of legal issues, including family law.

National Guard

www.nationalguard.mil/ - Website for National Guard includes links to resources and family programs such as the National Guard Family Program.

www.ang.af.mil - Website for the Air National Guard includes link to the National Guard Family Program Online Community.

www.arng.army.mil/Pages/Default.aspx - Website for the Army National Guard includes links to Soldier Resources and Family Services.

Department of Veterans Affairs

www.va.gov - Home page for the Department of Veterans Affairs. Includes information on general benefits, employment services, and special initiatives.

<http://www.va.gov/homeless/vjo.asp> - Website for the Veteran Justice Outreach (VJO). VJO Specialists are responsible for direct outreach, assessment, and case management for justice-involved veterans in local courts and jails. They also liaison with local justice system partners.

<http://www.ptsd.va.gov/> - Website for the National Center for PTSD (Post Traumatic Stress Disorder). The Center does not provide direct medical care, but provides a wealth of information on the prevention, understanding, and treatment of PTSD.

Other Useful Military Websites

www.militaryonesource.mil/ - Military OneSource is a DoD Program that provides resources and support to active-duty, National Guard, and Reserve service members and their families. Services include a call center, specialized consultations, and publications, including publications on child support.

<http://www.jointservicessupport.org/fp/default.aspx> - Website for the National Guard Family Program.

www.yellowribbon.mil/index.html - Website for the Department of Defense's Yellow Ribbon Program.

<http://statesidelegal.org/findinghelp> - This website has been designed especially to help low-income service members, veterans, and their families. For that reason, it focuses on legal services that are available free of charge.

Department of Labor

<http://www.dol.gov/vets/> - The Department of Labor website that focuses on Veterans Employment and Training Services (VETS).

1-4 REVIEW EXERCISE**REVIEW EXERCISE**

Answer each question “True” or “False.” If the answer is “False,” identify what would be the correct information.

- 1. Four military departments report to the Department of Defense.**

- 2. There are two categories of rank: officer and enlisted.**

- 3. A captain in the Navy is equivalent to a captain in the Army.**

- 4. The best source for assistance to a caseworker is the highest ranking officer.**

- 5. In order to qualify for care under military health programs, a child must be enrolled in DEERS.**

REVIEW EXERCISE - FOR TRAINER

Answer each question “True” or “False.” If the answer is “False,” identify what would be the correct information.

- 1. Four military departments report to the Department of Defense. False**

There are three military departments that report to DoD: the Army, the Air Force, and the Navy. The Marine Corps falls under the Department of the Navy. The Coast Guard falls under the Department of Homeland Security.

- 2. There are two categories of rank: officer and enlisted. True**

- 3. A captain in the Navy is equivalent to a captain in the Army. False**

The military services have different names for different ranks. A Captain in the Navy is a higher pay grade than a Captain in the Army or Air Force.

- 4. The best source for assistance to a caseworker is the highest ranking officer. False**

A first-line commander is usually the best person to contact to resolve most issues related to child support.

- 5. In order to qualify for care under military health programs, a child must be enrolled in DEERS. True**

MODULE 2 HANDOUTS

2-1 MILITARY LOCATOR SERVICES

MILITARY LOCATOR SERVICES

Addresses for Military Locator Services

Note: Generally, requests for information by state or federal agencies or law enforcement must be in writing and on official letterhead.

Air Force Active Duty, Reserve, Retired, or Air National Guard

Air Force Personnel Center
Attn: DPDXIDL
550 C Street West, Suite 50
Randolph AFB, TX 78150-4752
(210) 565-2660

<http://www.afpc.af.mil/library/airforcelocator.asp>

Army Active Duty Only

(By mail only)
Army World Wide Locator Service
Enlisted Records & Evaluation Center
8899 East 56th Street
Indianapolis, IN 46249-5301

<http://www.army.mil/contact/>, “Additional Frequently Asked Questions” section,
“Locator Service”

Marine Corps

Marine Locator
Headquarters US Marine Corps
Personnel Management Support Branch (MMSB-17)
2008 Elliot Road
Quantico, VA 22134-5030
(703) 784-3941 / 3942 / 3943
(800) 268-3710

<http://www.marines.mil/FAQs.aspx>, “Personnel Locator”

Navy

Navy Active Duty, Reserve, or Retired

Navy Worldwide Locator

Bureau of Naval Personnel

PERS 1

5720 Integrity Drive

Millington, TN 38055-3120

(901) 874-5672

(866) 827-5672

Note: The Navy does not release unit addresses over the telephone. Submit your request in writing or call the commercial number for further instructions.

<http://www.public.navy.mil/bupers-npc/organization/npc/csc/Pages/NavyLocatorService.aspx>

Coast Guard

(By mail or e-mail only)

Commander

Personnel Service Center

US Coast Guard Stop 7200

4200 Wilson Blvd., Suite 1100

Arlington, VA 20598-7200

Email: ARL-PF-CGPSCCGlocator@uscg.mil

<http://www.uscg.mil/locator/>

Note: *The military locator services provide the member's military address.*

This information is current as of August 2013.

Most large military bases maintain legal assistance offices. Duties of the legal assistance attorneys include helping military spouses and dependent children obtain the service member's military address. The attorneys are not legally required to assist parents who have never been married to the service member.

2-2 SAMPLE FOIA LETTER**SAMPLE FOIA LETTER****Sample Letter to Request Home Address**

[Agency letterhead]

Office of the General Counsel, [identify branch]

Attn: FOIA agent

Address

Address

Re: _____, SSN: _____

Dear Sir or Madam:

I submit this request pursuant to the Freedom of Information Act. I request the home address of the individual identified above. As the head of a government agency engaged in a civil and/or criminal law enforcement activity in this matter, as authorized by state law, I believe that the requested disclosure constitutes a routine use of this information from the member's personnel records.

Additionally, I believe this information is generally releasable in this case under FOIA, notwithstanding the Privacy Act. I am acting in my capacity as the head of a public law enforcement agency on a matter involving the establishment and enforcement of this member's child support obligation, and I require a home address to fully discharge my responsibilities under state law. The public interest in disclosure to achieve child support enforcement outweighs the member's privacy interests, and therefore the release would not constitute an unreasonable invasion of privacy.

A public agency seeks the information. It will not be used for commercial purposes or for anyone's commercial gain. In view of this fact, and since the search should not require more than two hours and fewer than 100 pages are being requested, I assume that there are no fees charged for the search and any reproduction. If fees must be assessed, please notify me so I can make appropriate arrangements.

I certify that I am authorized by law to collect this information. Please send your response to my attention at the letterhead address. If you need any further information in order to process this request, please call me at [phone number].

Sincerely,

[The director of a civil or criminal law enforcement agency should sign this letter.]

REVIEW EXERCISES - FOR TRAINER

EXERCISE NUMBER 1:

Your IV-D office receives a referral from your state's IV-A (TANF) office. This is a paternity case where the custodial parent provides the alleged/putative father's full name but states that she never knew his social security number. She states that the alleged father is in the Navy, but she doesn't know his current duty station. The child was born 10 days ago.

1. What appropriate military locate resources are available in this case?

The absence of the alleged father's social security number (SSN) limits the available military locate resources. For example, the military locator services cannot provide assistance without the member's SSN. However, if the alleged father was stationed at a local military base or installation while he was dating the custodial parent, you should contact the installation's locator office to learn if it has the alleged father's reassignment location. If the alleged father enlisted at a local military recruiting office within the last 12 months, it may also have his current station on file and be willing to provide his assignment for the purpose of paternity establishment.

2. What appropriate civilian locate resources apply to this military case?

If you cannot identify the alleged father's SSN from local resources, you can initiate an automated referral to the Federal Parent Locator Service (FPLS). The FPLS has an interface with the Social Security Administration's database for the expressed purpose of identifying missing social security numbers. Once you have the member's SSN, you can use the military locator services to locate that member.

EXERCISE NUMBER 1 (continued):

The FPLS has access to information from external locate sources such as the Department of Defense and the Department of Veterans Affairs. It also includes the National Directory of New Hires. The NDNH W4 record provides address information for newly hired military personnel and the NDNH/Quarterly Wage (QW) record provides address and wage information for long term military members.

In addition, locate information is available through the State Services Portal, which is a secured internet application that provides direct access to FPLS data. The FPLS SSP Locate application provides caseworkers with real-time access to the National Directory of New Hires and direct access to the Department of Defense.

Finally, it is possible to obtain a current address for military service personnel by submitting an FPLS external locate request through the SSP to OCSE for forwarding to the Defense Manpower Data Center (DMDC). You need to provide the military service member's name and SSN. DMDC returns these requests to the FPLS on a weekly basis. If the alleged father is currently in the Navy, the FPLS will provide the following information:

Population	SSN Returned?	Address Provided	Annual Salary?
Active military	Yes	Unit/duty address	Not provided

REVIEW EXERCISES - FOR TRAINER (CONTINUED)**EXERCISE NUMBER 2:**

A nonassistance custodial parent (CP) applies for IV-D services, requesting the establishment of paternity and a child support order. The child was born 11 years ago, shortly after the CP lost contact with the alleged father. To the best of her recollection, the alleged father's name was "Spike something." The CP is unable to provide a full name or social security number, but does remember that the alleged father was in the Army when they were dating.

1. What appropriate locate activity should the IV-D office undertake in this case?

The caseworker should encourage the CP to remember as many details as possible, such as does she have any letters from Spike? Does she know any of his friends? Does she remember where Spike was stationed? Locate is not possible in all cases. If the CP is unable to provide any additional information, the IV-D office does not have sufficient information to seek assistance from military or civilian locate resources.

2. What appropriate case processing activity should occur in this case?

The caseworker should contact the CP in an attempt to obtain additional information (any letters, friends' names, etc.) regarding Spike. Unless the CP can provide additional identifying information, the caseworker is severely restricted in his/her locate efforts. According to the federal locate regulations, locate efforts must be repeated quarterly or immediately upon receipt of new locate information. When insufficient information exists in the case to allow for an automated locate effort, the case can be closed after one year of unsuccessful locate efforts. In this case, the appropriate case processing action is to close the case. The case can be reopened later should the CP furnish the necessary identifying information to allow the IV-D office to proceed with locate activity.

MODULE 3 HANDOUTS

3-1 SERVICE CONTACTS FOR ASSISTANCE**SERVICE CONTACTS FOR ASSISTANCE****AIR FORCE**

AFLSA/JACA
1420 Air Force Pentagon
Washington, DC 20330-1420
Phone: (703) 697-0413

ARMY

Office of the Judge Advocate General, ATTN: DAJA-LA
2200 Army Pentagon
Washington, DC 20310-2200
Phone: (571) 256-7997

COAST GUARD

Commanding Officer (LGL)
U.S. Coast Guard Pay & Personnel Center
444 SE Quincy Street
Topeka, KS 66683-3591
Phone: (785) 339-3592 or 3595 (for questions)
Fax: (785) 339-3788
Email: PPC-DG-LGL@uscg.mil

MARINE CORPS

Legal Assistance
1555 South Gate Road, Building 29, Room 301
Arlington, VA 22214
Phone: (703) 614-1266

Legal Assistance Headquarters, Marine Corps Base
Quantico, VA 22134
Phone: (703) 784-3122
Website: <http://www.quantico.usmc.mil/activities/?Section=Legal>

NAVY

Command Services/Staff Judge Advocate Office

Region Legal Service Office

Website (contact information for this office may be accessed via this link):

http://www.jag.navy.mil/legal_services/legal_services_locator_rlsso.htm

These points of contact are for information, not for the actual service of process. There is no central point to serve process in the Department of Defense or within any of the military departments. Information is accurate as of March 2013.

3-2 INFORMATION ON SERVICE OF LEGAL DOCUMENTS ABROAD

INFORMATION ON SERVICE OF LEGAL DOCUMENTS ABROAD

Foreign Service officers are prohibited by federal regulations (22 CFR 92.85) from serving process on behalf of private litigants or appointing others to do so, state law notwithstanding.

The United States is a party to two multilateral treaties on service of process: The Hague Service Convention and the Inter-American Service Convention.

THE HAGUE CONVENTION ON THE SERVICE ABROAD OF JUDICIAL AND EXTRA-JUDICIAL DOCUMENTS IN CIVIL AND COMMERCIAL MATTERS

As of January 2013, there were 67 contracting states to this Convention:

<ul style="list-style-type: none"> • ALBANIA • ANTIGUA & BARBUDA • ARGENTINA • ARMENIA • AUSTRALIA • BAHAMAS • BARBADOS • BELARUS • BELGIUM • BELIZE • BOSNIA & HERZEGOVINA • BOTSWANA • BULGARIA • CANADA • CHINA, PEOPLE'S REPUBLIC OF • CROATIA • CYPRUS • CZECH REPUBLIC • DENMARK • EGYPT • ESTONIA • FINLAND • FRANCE 	<ul style="list-style-type: none"> • GERMANY • GREECE • HUNGARY • ICELAND • INDIA • IRELAND • ISRAEL • ITALY • JAPAN • KOREA • KUWAIT • LATVIA • LITHUANIA • LUXEMBOURG • MACEDONIA, THE FRMR. YUGOSLAV REPUBLIC OF • MALAWI • MALTA • MEXICO • MOLDOVA, REPUBLIC OF • MONACO • MONTENEGRO • MOROCCO • NETHERLANDS 	<ul style="list-style-type: none"> • NORWAY • PAKISTAN • POLAND • PORTUGAL • ROMANIA • RUSSIAN FEDERATION • SAINT VINCENT & THE GRENADINES • SAN MARINO • SERBIA • SEYCHELLES • SLOVAKIA • SLOVENIA • SOUTH KOREA, REPUBLIC OF • SPAIN • SRI LANKA • SWEDEN • SWITZERLAND • TURKEY • UKRAINE • UNITED KINGDOM OF GREAT BRITAIN & NO. IRELAND • UNITED STATES OF AMERICA • VENEZUELA
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U.S. Central Authority

U.S. Department of Justice, Civil Division
 Office of International Judicial Assistance
 1100 L Street, NW, Room 11006
 Washington, D.C. 20530
 (202) 307-0983

Purpose

The Hague Service Convention codifies service of process by international registered mail and by agent. The treaty also provides for service of process by a Central Authority in the Convention countries pursuant to a request submitted on a Request for Service Form that can be filled out online at http://www.hcch.net/index_en.php?act=text.display&tid=47#pdf.

The text of the treaty is self-explanatory, but it is important to check the reservations and declarations each country made on accession to the treaty. Some countries made specific reservations against particular methods of service.

For some, the Convention is the exclusive method for service of process. For information about the Convention, visit the website for the Hague Conference on Private International Law, www.hcch.net, and search for the Evidence Convention.

INTERAMERICAN SERVICE CONVENTION

According to the Organization of American States, as of March 2013, there were 19 contracting states to this Convention. However, only countries that are party to both the Convention and the Additional Protocol have a treaty relationship with the United States. The Convention is now in force between the United States and the following

<ul style="list-style-type: none"> • ARGENTINA • BRAZIL • CHILE • COLUMBIA • ECUADOR 	<ul style="list-style-type: none"> • EL SALVADOR • GUATEMALA • MEXICO • PANAMA 	<ul style="list-style-type: none"> • PARAGUAY • PERU • URUGUAY • VENEZUELA
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U.S. Central Authority

U.S. Department of Justice
Civil Division, Office of International Judicial Assistance
1100 L Street, NW, Room 11006
Washington, D.C. 20530
(202) 307-0983

Submit a request for service in a foreign country party to the Convention and Additional Protocol on a form USM-272 (English) and USM-272A (Spanish), available at the office of any United States Marshal or the U.S. Department of Justice's contractor, [Process Forwarding International \(PFI\)](#).

For the most up to date information about ratifications and accessions to the Convention and the Additional Protocol, see the following web pages of the Organization of American States:

- The Inter-American Convention on Letters Rogatory OAS Treaty Text B-36, www.oas.org/juridico/english/Treaties/b-36.html
- List of Ratifications for OAS Treaty Text B-36, done at Panama January 30, 1975: www.oas.org/juridico/english/Sigs/b-36.html
- Additional Protocol: http://www.oas.org/DIL/treaties_and_agreements.htm
- List of Multilateral Treaties Signatories and Ratifications: OAS Treaty Text B-46, <http://www.oas.org/juridico/english/Sigs/b-46.html>
- List of Ratifications: OAS Treaty Text B-46, with Annex [regarding service of process] done at Montevideo, Uruguay on May 8, 1979: <http://www.oas.org/juridico/english/Treaties/b-46.html>

GENERAL INFORMATION ON SERVICE OF LEGAL DOCUMENTS ABROAD

The State Department website provides a wealth of information on the following topics:

- Service by Foreign Central Authority Pursuant to Multilateral Treaty or Convention
- Service by Mail
- Service by Publication
- Waiver of Service
- Service Pursuant to a Letter Rogatory
- Service of Subpoenas
- Service on a Foreign State, Agency or Instrumentality

See http://travel.state.gov/law/judicial/judicial_680.html#

3-3 REVIEW EXERCISES**REVIEW EXERCISES****EXERCISE NUMBER 1:**

You are a South Carolina child support caseworker. You need to serve an order on Private (PVT) Serveme that relates to a child support case assigned to you.

PVT Serveme is in the United States Army. He is stationed at Hunter Army Airfield in Savannah, Georgia, and is living in the barracks there. PVT Serveme enlisted in South Carolina (in a town across the river) where his girlfriend lives. PVT Serveme is assigned to Company B, 1st Battalion (Ranger), 75th Infantry Regiment. His company commander is Captain (CPT) Charge. The battalion commander, Captain Charge's boss, is Lieutenant Colonel (LTC) Gettem. Assume that Hunter Army Airfield is a closed installation under concurrent jurisdiction with the State of Georgia, which has reserved the right of service of process.

- 1. How are you going to serve process on PVT Serveme?**

- 2. If you are unable to serve process, what is your next step?**

- 3. What would you ask/tell CPT Charge if your previous efforts to serve PVT Serveme were unsuccessful? What would you do if CPT Charge refused to assist you or failed to respond to your inquiry?**

REVIEW EXERCISES - FOR TRAINER

EXERCISE NUMBER 1:

You are a South Carolina child support caseworker. You need to serve an order on Private (PVT) Serveme that relates to a child support case assigned to you.

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1. How are you going to serve process on PVT Serveme?

If permissible under South Carolina law, you should attempt service by mail through the United States Postal Service. If South Carolina law requires personal service, then you need to determine if a civilian authority can serve process on Hunter Airfield. Although Hunter is a closed installation, that does not prevent service of process. The main issue is whether Hunter is an exclusive federal jurisdiction installation or a concurrent jurisdiction installation. The facts state that Hunter is a concurrent jurisdiction installation. You therefore can seek to serve process through civil authorities by contacting the installation central point of contact (POC), usually the legal office or the installation military police (MP) office, which will then facilitate service of process. Once you request assistance for service from the installation POC, it will see if Serveme wishes to voluntarily accept service. If Serveme declines to voluntarily accept, you will be allowed to serve process, with any restrictions imposed by the installation Commander. The usual restriction is centralized service. The typical procedure is for the sheriff (or other official) to appear at the central POC. The central POC (MPs) will

arrange for Serveme to be brought to the MP station (through his commander). The official can then serve Serveme.

2. If you are unable to serve process, what is your next step?

You may try to contact PVT Serveme's commander in order to determine if Serveme is willing to accept voluntary service. You should probably make phone contact first, followed up by written correspondence that includes the documents to be served and a return certificate of service.

3. What would you ask/tell CPT Charge if your previous efforts to serve PVT Serveme were unsuccessful? What would you do if CPT Charge refused to assist you or failed to respond to your inquiry?

You would inform CPT Charge of your previous unsuccessful efforts and state that his assistance in obtaining Serveme's voluntary acceptance of service would be appreciated and probably in the best interests of Serveme. You would explain the possible ramifications of Serveme's delaying receipt of service. You should contact LTC Gettem if CPT Charge is nonresponsive to your request for assistance. You should explain your previous efforts to LTC Gettem and further explain the potential consequences to PVT Serveme of his delaying receipt of service, such as an award of retroactive support and the accrual of arrears.

4. How would it affect your efforts if Hunter Army Airfield were an open installation? What if the installation was exclusive federal jurisdiction? What office would you contact if you didn't know the procedure for serving process on Hunter Army Airfield?

Whether an installation is open or closed does not have an impact on the ability to serve state process; it only affects movement onto the installation. If Hunter were an open installation, the process server would not require a special pass or piece of identification to enter. If Hunter were an exclusive federal jurisdiction installation, service of process would only be permitted if federal process was being served or PVT Serveme voluntarily accepted

service. You should contact the installation legal or law enforcement office (military police/provost marshal) to learn the installation's procedure for serving process.

5. Of what state is PVT Serveme a legal resident/domiciliary? How could you confirm that?

Unless PVT Serveme has taken affirmative steps to change his legal residence, it is presumed that he is a legal resident/domiciliary of South Carolina because he enlisted there. You can confirm this by checking PVT Serveme's leave and earnings statement (LES).

REVIEW EXERCISES - FOR TRAINER (CONTINUED)

EXERCISE NUMBER 2:

PVT Serveme was transferred to a unit in Germany. He enjoys the beer, but misses his girlfriend (and Southern food). Another case involving PVT Serveme comes across your desk, involving a child he fathered with his girlfriend back in South Carolina. You need to serve a court order on him.

PVT Serveme is assigned to Company C, 1st Armored Division. His company commander is CPT Boom. PVT Serveme is very frugal with his money and lives in the barracks.

1. Describe the steps you will take to have process served on PVT Serveme.

If permitted by the forum state's law, you should first attempt service by mail. Although PVT Serveme is stationed overseas, military postal clerks follow the same guidelines as the United States Postal Service. The address may be through an Army or Air Force Post Office (APO) or Fleet Post Office (FPO), but it is still U.S. mail. Certified mail and "return receipt requested" services are available.

2. If your attempt at service of process by mail has failed, what are your alternatives?

Alternatives to service of process by mail include: Service by a Foreign Authority Pursuant to a Treaty of Convention, such as the Hague Convention; Personal Service by a Foreign Agent, such as a government representative in a country that the State Department has declared to be a foreign reciprocating country or in a country that has a reciprocal support agreement with the forum state under UIFSA; Voluntary Acceptance of Service by PVT Serveme; and Service by a Letter of Request (Letters Rogatory) by a Foreign Authority.

3. If PVT Serveme's unit got deployed to Afghanistan for one year, how would that affect your efforts to serve process on him?

You would probably have to serve process by mail. Even military members deployed to a conflict area or on a ship in the middle of a lengthy sea tour will have an APO or FPO address in the United States. If necessary, seek assistance in obtaining a return receipt. Explain to the officer-in-charge of the service member's military postal office that you never received a return receipt when you mailed the first notice, and request that proper mailing procedures be followed so that you receive a receipt upon the delivery of the enclosed letter to the service member.

4. To simplify serving PVT Serveme, you decide to serve the Army's central location for service of process on all Army personnel. Where are you going to find that address?

No such place exists.

MODULE 4 HANDOUTS

4-1 A GUIDE TO THE SERVICEMEMBERS CIVIL RELIEF ACT (SCRA)

A GUIDE TO THE SCRA

The Servicemembers Civil Relief Act (SCRA) is a federal statute found at 50 U.S.C. App. §§ 501 *et seq.* It is not found in state codes. Formerly known as the Soldiers' and Sailors' Civil Relief Act, it was enacted in 2003 and has been amended several times since then. The key provisions of the SCRA that apply to cases involving family law are Sections 201, 202, and 204 - 207, codified at 50 U.S.C. app. §§ 521, 522, and 524 - 527.

1. **To whom does the SCRA apply?** The SCRA applies to a "person in the military service of the United States." That definition includes:
 - Members of the U.S. Armed Forces (Army, Navy, Air Force, Marine Corps, and Coast Guard) who are on federal active duty status, or who are absent from duty as a result of being wounded or being granted leave
 - Reserve, National Guard, and Air National Guard personnel who have been activated and are on federal active duty
 - National Guard personnel under a call or order to active duty for more than 30 consecutive days under section 502(f) of Title 32, United State Code, for purposes of responding to a national emergency declared by the president and supported by federal funds
 - Commissioned officers of the Public Health Service and National Oceanic and Atmospheric Administration Officers in active military service.

The Act does not protect military retirees, civilians working for the Department of Defense (DoD), or DoD contractors.

2. **Does the SCRA apply to criminal proceedings, such as a criminal nonsupport prosecution?** No. It only applies to civil proceedings.
3. **Does the SCRA apply to civil judicial proceedings?** Yes.
4. **Does the SCRA apply to administrative proceedings, such as a challenge to income withholding?** Yes.

5. What is the effect on a judicial proceeding? Under the SCRA, a service member may obtain a stay if the following conditions are met:

- The service member is on active military service, or within 90 days after termination of or release from military service;
- The request for a stay is by the member's motion or the tribunal's own motion;
- The service member sends the following documents to the court or agency:
 - A letter or other communication from the member stating how the member's current military duties "materially affect" his or her ability to appear and stating a date when the member will be available to appear, and
 - A letter or other communication from the member's commanding officer stating that the member's current military duties prevent the member's appearance and that military leave is not authorized for the member at the time of the letter.

If the member makes an application for a stay and presents the required documents, the tribunal must stay the action for a period of not less than 90 days. The service member may apply for an additional stay.

6. What does "materially affect" mean? There is no federal definition of the phrase "materially affect." The service member may provide information about how his or her military duties impair or prevent an appearance before the tribunal at the designated time and place, or from assisting in the preparation or presentation of his or her case.

7. Does the fact that a service member is on active duty automatically mean that the member's current military duties "materially affect" his or her ability to appear? No. Department of Defense Directive 1327.06, "Leave Procedures" (September 30, 2011), requires that when a service member requests leave to attend paternity or child support hearings, ordinary leave "shall be granted" unless the service member is serving in a contingency operation or "exigencies of service" require that leave be denied.

8. If a service member seeks a stay under the SCRA and the tribunal grants a stay of the proceedings, how long will the stay last? The tribunal may on its own motion and shall, upon application by the service member, which includes the required letters or communications to the tribunal, stay the action for a period of not less than 90 days. At the time of the initial application or any other time where the service member is unavailable to defend the action, the service member who is granted a stay of a civil action or proceeding may apply for an additional stay based on continuing material effect of military duty on the service member's ability to appear.

9. How does the SCRA apply if a service member is served with a summons, but fails to appear at the proceeding? Section 201(b) of the SCRA, codified at 50 U.S.C. app. § 521(b), provides that, prior to the entry of a default judgment in a case where the defendant does not make an appearance, the plaintiff must file an affidavit with the tribunal:

- setting forth facts to support either the statement that the defendant is in military service or the statement that the defendant is not in military service; or
- stating that the plaintiff is unable to determine whether the defendant is in military service.

The affidavit may take any form so long as it is signed and certified, or declared to be true under penalty of perjury.

10. If a service member is not physically present at the proceeding, can the tribunal still find that he or she “made an appearance”? Yes. For example, if the service member has hired an attorney of record in the proceeding who has filed pleadings in the case on behalf of the service member, the tribunal will find that the service member has in fact made an appearance. The SCRA's provisions regarding default orders therefore will not apply.

11. Is a service member entitled to appointed counsel under the SCRA? If the affidavit filed by the plaintiff shows that the defendant is on active military service, the tribunal cannot enter a default until the tribunal has appointed an attorney to represent the service member. If the tribunal fails to appoint an

attorney, the default judgment is still valid but the member can later seek to reopen the judgment. In legal terms, the order is voidable.

12. What does the court-appointed attorney do? Under the SCRA, if the defendant is a service member, the appointed attorney is primarily responsible for trying to locate the service member and for obtaining a stay of the proceedings until the military member can be present. A service member will be bound only to the acts of an appointed attorney that the service member has authorized. Without such authority, the acts of an appointed attorney are not binding on the service member and the attorney cannot waive any of the member's legal rights.

13. In the absence of an affidavit regarding military service, if the tribunal enters a default judgment against a service member, such as a default paternity order, can the service member reopen the default judgment? Yes. Section 201(g) of the SCRA, codified at 50 U.S.C. § app. 521(g), permits a defendant to ask the tribunal to reopen its default judgment. Five conditions must exist in order for a service member to reopen a default judgment:

1. The tribunal entered the default judgment during the member's military service or within 60 days after termination of or release from military service;
2. The service member made no appearance;
3. The service member or his or her legal representative filed an application to reopen the judgment within 90 days after the termination of or release from military service;
4. The service member was materially affected by reason of his or her military service in defending the action; and
5. The service member has a meritorious or legal defense to the action, or some part of it.

14. What does the SCRA say about the statute of limitations? Section 206 of the SCRA, codified at 50 U.S.C. app. § 526, provides for the tolling (stopping) of the statute of limitations during the time that a person is in military service. The tolling applies regardless of whether the service member is a defendant or a plaintiff in the proceeding. The cause of action may have accrued either prior to,

or during, military service. Unlike other provisions within the SCRA, this section does not require the service member to show that military service materially affected his or her ability to participate in the proceeding. The SCRA only applies to the period before bringing a suit; it does not affect time periods within a suit.

15. Do state interest rates on unpaid child support apply to a military member? Yes, with an important limitation. If the support obligation was incurred before entry on active duty, the SCRA limits the interest rate that can be charged to six percent per year. The limitation only applies during the time the service member is in military service. See Section 207 of the SCRA, codified at 50 U.S.C. app. § 527.

In order for the six-percent limit to apply:

- The debt or obligation must have been incurred prior to entry into military service;
- The service member must provide the creditor with written notice of military service and a copy of the military orders calling the service member to military service and any orders extending military service; and
- The service member must provide such notice not later than 180 days after the date of the member's termination or release from military service.

Once the service member provides the creditor with such timely notice and a copy of orders, interest in excess of six percent that would otherwise have been incurred but for the SCRA prohibition is forgiven. A creditor may apply for relief from the six-percent limitation on interest. A tribunal may grant the creditor relief if, in the opinion of the tribunal, the ability of the service member to pay interest upon the obligation or liability at a rate in excess of six percent per year is not materially affected by reason of the service member's military service.

It is important to note that the six-percent limit does not apply if the support obligation was incurred after entry into active service.

16. Can a service member seek a stay of enforcement of a child support order due to his or her active duty? Yes, pursuant to Section 204 of the SCRA, codified at 50 U.S.C. app. § 524, a tribunal may, on its own motion, stay the execution of any judgment or order entered against the service member, and vacate or stay an attachment or garnishment against a military member's

property or money, if it finds that the service member is materially affected by reason of military service in complying with the judgment or order. It must grant the stay on the motion of the military member unless it finds that military service has no material effect on his or her compliance with the judgment or order. The section applies to an action or a proceeding commenced in a court, or an administrative agency against a service member before or during the period of the service member's military service or within 90 days after such service terminates.

17. If I need more information about the SCRA, are there official websites that can provide such information? Yes. To find more information about the SCRA and other laws that protect the rights of service members, visit the U.S. Department of Justice site at www.servicemembers.gov.

The U.S. Air Force Legal Assistance has an overview of the SCRA, as well as FAQs and sample form letters, <https://aflegalassistance.law.af.mil/lass/lass.html>.

The home page for the Army Judge Advocate General School library allows you to conduct a topical search, <http://jag.iii.com/>.

Military OneSource (www.militaryonesource.com) provides an overview of the basic SCRA protections, http://www.militaryonesource.mil/moving?content_id=267394

18. Are there state laws that apply to service members, in addition to the SCRA? Yes, some states have them. Make sure you check your state statutes to see if they give military personnel special rights or protections.

4-2 REVIEW EXERCISES

REVIEW EXERCISES

EXERCISE NUMBER 1:

Airman First Class (A1C) Grant Relief, a native of Georgia who is currently stationed in Oklahoma, has been in the Air Force for nearly three years. You have filed an action in your state tribunal in an effort to obtain child support. A1C Relief has been served notice of the upcoming hearing that will set the order. A1C Relief writes a letter to the tribunal on the back of a mess-hall napkin that tells the tribunal he is on a top-secret mission at an undisclosed location and cannot appear before the tribunal to defend himself in the pending action against him. The letter also states that this mission is important not only to the defense of our country but to his career; as a career man who wants to retire in 17 more years, the mission will look good on his record.

- 1. Will the tribunal likely grant a stay of the proceedings under the SCRA? Explain your answer.**

- 2. Assume that, prior to any communication by A1C Relief, his commander, Major (Maj) Flight, calls you and asserts that A1C Relief has better things to do than go before a tribunal. Maj Flight tells you that after this top-secret mission, he is going to "help" out A1C Relief by not granting him leave to attend the proceedings. What should you tell Maj Flight?**

REVIEW EXERCISES (CONTINUED)**EXERCISE NUMBER 2:**

Army Major (MAJ) Trubble is currently stationed at Fort Irwin, California. Your agency obtained a default judgment against MAJ Trubble that ordered him to pay child support for the seven children he fathered with his third wife. MAJ Trubble calls you and asks, "What's up?" He says that he had no idea about the action or any hearing date. He blames you personally and chants SCRA over and over again. You look in the file and see that no affidavit of military service was filed and that MAJ Trubble never made any appearances at the proceedings.

1. Should your agency have filed an affidavit of military service in MAJ Trubble's action?

2. Is the judgment still valid?

REVIEW EXERCISES (CONTINUED)

3. MAJ Trubble claims he “doesn't have time to be bothered with the situation” so he pays his support as required by the judgment. One year after MAJ Trubble is thrown out of the Army for adultery, he decides he had better reopen the default judgment so he can stop paying his child support. Is the ex-MAJ Trubble's application to reopen the default judgment going to succeed?

Would your answer change if MAJ Trubble were still in the Army?

4. Assume that during the original proceeding, the tribunal became aware of MAJ Trubble's military service. Would it appoint an attorney for him? If so, what would MAJ Trubble's attorney be able to do for him?

REVIEW EXERCISES - FOR TRAINER**EXERCISE NUMBER 1:**

Airman First Class (A1C) Grant Relief, a native of Georgia who is currently stationed in Oklahoma, has been in the Air Force for nearly three years. You have filed an action in your state tribunal in an effort to obtain child support. A1C Relief has been served notice of the upcoming hearing that will set the order. A1C Relief writes a letter to the tribunal on the back of a mess-hall napkin that tells the tribunal he is on a top-secret mission at an undisclosed location and cannot appear before the tribunal to defend himself in the pending action against him. The letter also states that this mission is important not only to the defense of our country but to his career; as a career man who wants to retire in 17 more years, the mission will look good on his record.

1. Will the tribunal likely grant a stay of the proceedings under the SCRA? Explain your answer.

Once the tribunal is on notice that A1C Relief is in active military service, it must determine whether the requirements of 50 U.S.C. app. § 522(b) have been met. Does A1C Relief's statement on a napkin constitute a "communication" setting forth facts stating the manner in which A1C Relief's current military duty requirements materially affect his ability to appear? And does it state a date when A1C Relief will be available to appear? Even if the tribunal determines that the answer to the first question is "yes," the communication from A1Relief does not state a date when he will be available to appear.

An additional requirement under the SCRA is that A1C Relief provide a letter or other communication from his commanding officer stating that A1C's current military duty prevents appearance and that military leave is not authorized for A1C at the time of the letter. Under the facts of this scenario, A1C has not presented such a document. Therefore, the tribunal is not required to grant a stay. Any stay will be within the discretion of the tribunal. Without more information, it is unlikely that the tribunal will grant the request for a stay.

-
- 2. Assume that, prior to any communication by A1C Relief, his commander, Major (Maj) Flight, calls you and asserts that A1C Relief has better things to do than appear before the tribunal. Maj Flight tells you that after this top-secret mission, he is going to "help" out A1C Relief by not granting him leave to attend the proceedings. What should you tell Maj Flight?**

You should tactfully remind Maj Flight of DoD Directive 1327.06 (September 30, 2011), which states that a service member shall be granted ordinary leave to attend hearings related to child support or paternity. The only two exceptions, which do not apply here, are if a member is serving with a unit deployed in a contingency mission or if there are exigencies of military service.

REVIEW EXERCISES - FOR TRAINER (CONTINUED)**EXERCISE NUMBER 2:**

Army Major (MAJ) Trubble is currently stationed at Fort Irwin, California. Your agency obtained a default judgment against MAJ Trubble that ordered him to pay child support for the seven children he fathered with his third wife. MAJ Trubble calls you and asks, "What's up?" He says that he had no idea about the action or any hearing date. He blames you personally and chants SCRA over and over again. You look in the file and see that no affidavit of military service was filed and that MAJ Trubble never made any appearances at the proceedings.

1. Should your agency have filed an affidavit of military service in MAJ Trubble's action?

Yes. Section 201(b) of the SCRA, codified at 50 U.S.C. app. § 521(b), provides that, prior to the entry of a default judgment in a case where the defendant does not make an appearance, the plaintiff must file an affidavit with the tribunal

- (A) Stating whether or not the defendant is in military service and showing necessary facts to support the affidavit; or
- (B) If the plaintiff is unable to determine whether or not the defendant is in military service, stating that the plaintiff is unable to determine whether or not the defendant is in military service.

2. Is the judgment still valid?

Yes, the judgment is still valid. A default judgment entered against a service member where no affidavit has been filed is voidable, not void.

REVIEW EXERCISES – FOR TRAINER (CONTINUED)

3. MAJ Trubble claims he “doesn't have time to be bothered with the situation” so he pays his support as required by the judgment. One year after MAJ Trubble is thrown out of the Army for adultery, he decides he had better reopen the default judgment so he can stop paying his child support. Is the ex-MAJ Trubble's application to reopen the default judgment going to succeed?

No. One of the conditions required for reopening a default judgment is that the member must file the application within 90 days after termination of military service. Because he filed a year after his termination from service, he has not met the requirements of 50 U.S.C. app. § 521(g).

Would your answer change if MAJ Trubble were still in the Army?

The success of his application will depend upon the facts.

Since no affidavit of military service was filed, 50 U.S.C. app. § 521(g) (Section 201(g) of the SCRA) permits MAJ Trubble to ask the tribunal to reopen its default judgment. Five conditions must exist in order for a service member to reopen a default judgment:

- The tribunal entered the default judgment during the member's military service or within 60 days after termination of or release from military service;
 - The service member made no appearance;
 - The service member or his or her legal representative filed an application to reopen the judgment during military service or no later than 90 days after the date of termination of or release from military service;
 - The service member was materially affected by reason of his or her military service in defending the action; and
 - The service member has a meritorious or legal defense to the action, or some part of it.
- It is unclear from the facts presented whether MAJ Trubble will be able to meet the last two requirements.

REVIEW EXERCISES - FOR TRAINER (CONTINUED)

- 4. Assume that during the original proceeding, the tribunal became aware of MAJ Trubble's military service. Would it appoint an attorney for him? If so, what would MAJ Trubble's attorney be able to do for him?**

If the tribunal was aware of MAJ Trubble's military service, it should have appointed an attorney for him. The attorney would be responsible for trying to locate MAJ Trubble and obtaining a stay of the proceedings. If the appointed attorney could not locate MAJ Trubble, he or she would lack the authority to waive any of MAJ Trubble's rights or bind MAJ Trubble to any of his or her acts.

MODULE 5 HANDOUTS

REVIEW EXERCISES (CONTINUED)**EXERCISE NUMBER 2:**

CPT Helper informs you that SPC Notme has verbally acknowledged paternity of the child. SPC Notme is not, however, being very cooperative with your efforts to obtain pay information that will assist you in establishing a support order.

- 1. What steps should you take in order to receive SPC Notme's pay information?**

REVIEW EXERCISES - FOR TRAINER

EXERCISE NUMBER 1:

You are attempting to establish paternity and obtain a support order against Specialist (SPC) Notme, an oboe player in an Army band. SPC Notme has refused to return your calls. There is no order for genetic testing. You call SPC Notme's commander, Captain (CPT) Helper. CPT Helper is a new commander and doesn't know how to respond to your request for assistance. He tells you that he needs to check with "JAG" before he says anything to SPC Notme.

1. What information do you provide CPT Helper with regard to your request for assistance?

You explain the facts and circumstances surrounding the request. You ask CPT Helper for his assistance in asking SPC Notme to contact the child support agency. You respectfully point out that Army regulations require him, as SPC Notme's commanding officer, to take certain actions with respect to paternity issues and inquiries. See *Army Regulation 608-99, Family Support, Child Custody, and Paternity*, 29 October 2003.

2. What type of assistance should you expect from CPT Helper?

CPT Helper should counsel SPC Notme as to his legal and moral obligations and send a response to you regarding the results of that conversation. CPT Helper should also refer SPC Notme to the legal assistance office for advice.

REVIEW EXERCISES – FOR TRAINER (CONTINUED)

EXERCISE NUMBER 2:

CPT Helper informs you that SPC Notme has verbally acknowledged paternity of the child. SPC Notme is not, however, being very cooperative with your efforts to obtain pay information that will assist you in establishing a support order.

1. What steps should you take in order to receive SPC Notme's pay information?

Once SPC Notme's information is entered in your state case registry and reported to the Federal Case Registry (FCR), it will be matched against information in the National Directory of New Hires (NDNH). DoD's Defense Manpower Data Center (DMDC) sends quarterly wage data to the NDNH. This includes all military pay received by Active Duty soldiers. The Defense Finance and Accounting Services (DFAS) will also provide historical pay information on SPC Notme in response to a FOIA request or a subpoena signed by a judge. For general military pay information, you can go to the website maintained by DFAS at www.dfas.mil.

In 2010, OCSS implemented the State Services Portal (SSP). The SSP is a secured internet application that provides direct access to FPLS data. One of the applications available to states is the DoD Entitlement Data application. This application provides a monthly breakdown of base pay, bonuses, and other financial allowances for members of the military. The information is similar to that provided on a Leave and Earnings (LES) statement. The person must be an active military service member or a reservist; this match does not provide information on retired service members. DoD military retiree income is available through the FPLS SSP Locate application. Also, a caseworker cannot use this application to request income information on alleged fathers; DoD will only provide information on those persons who have a legal responsibility to the child (i.e., members for whom parental responsibility has been established).

MODULE 6 HANDOUTS

6-1 LES EXERCISE

LES EXERCISE

It is not unusual for a member of the military to receive several types of compensation (e.g., taxable, non-taxable, and in-kind). The LES identifies these various types of income, provided you know how to interpret its many fields and codes. DFAS provides an “Understanding Your LES” section on its website, <http://www.dfas.mil/militarymembers.html>, for the three services as well as the Reserve and National Guard. The following is an explanation of various fields on an LES statement of an active Army member.

Fields 1 - 9 contain the identification portion of the LES.

Field 4 PAY DATE: The date the member entered active duty for pay purposes in YYMMDD format. This is synonymous with the Pay Entry Base Date (PEBD).

Field 6 ETS: The Expiration Term of Service in YYMMDD format. This is synonymous with the Expiration of Active Obligated Service (EAOS).

Field 9 PERIOD COVERED: This is the period covered by the individual LES. Normally it will be for one calendar month. If this is a separation LES, the separation date will appear in this field.

Fields 10 through 24 contain the entitlements, deductions, allotments, their respective totals, a mathematical summary portion, date initially entered military service, and retirement plan.

Field 10 ENTITLEMENTS: In columnar style the names of the entitlements and allowances being paid. Space is allocated for fifteen entitlements and/or allowances. If more than fifteen are present, the overflow will be printed in the remarks block. Any retroactive entitlements and/or allowances will be added to like entitlements and/or allowances.

Field 11 DEDUCTIONS: The descriptions of the deductions are listed in columnar style. This includes items such as taxes, Servicemembers Group Life Insurance, payments, Mid-Month pay, and dependent dental plan payments. Space is allocated for fifteen deductions. If more than fifteen are present, the overflow will be printed in the remarks block. Any retroactive deductions will be added to like deductions.

Field 12 ALLOTMENTS: In columnar style the type of the actual allotments being deducted. This includes discretionary and non-discretionary allotments for savings and/or checking accounts, insurance, bonds, etc. Space is allocated for fifteen allotments. If a member has more than one of the same type of allotment, the only differentiation may be that of the dollar amount.

Field 13 +AMT FWD: The amount of all unpaid pay and allowances due from the prior LES.

Field 17 = NET AMT: The dollar value of all unpaid pay and allowances, plus total entitlements and/or allowances, minus deductions and allotments due on the current LES.

Field 18 - CR FWD: The dollar value of all unpaid pay and allowances due to reflect on the next LES as the +AMT FWD.

Field 19 = EOM PAY: The actual amount of the payment to be paid to the member on End-of-Month payday.

Fields 20 - 22 TOTAL: The total amounts for the entitlements and/or allowances, deductions and allotments respectively.

Fields 25 through 32 contain leave information.

Fields 33 through 38 contain Federal Tax withholding information.

Field 33 WAGE PERIOD: The amount of money earned this LES period that is subject to Federal Income Tax Withholding (FITW).

Field 34 WAGE YTD: The money earned year-to-date that is subject to FITW.

Field 35 M/S. The marital status used to compute the FITW.

Field 36 EX: The number of exemptions used to compute the FITW.

Field 37 ADD'L TAX: The member specified additional dollar amount to be withheld in addition to the amount computed by the Marital Status and Exemptions.

Field 38 TAX YTD: The cumulative total of FITW withheld throughout the calendar year.

Fields 39 through 43 contain Federal Insurance Contributions Act (FICA) information.

Fields 44 through 49 contain State Tax information.

Field 44 ST: The two-letter postal abbreviation for the state the member elected

Fields 50 through 62 contain additional Pay Data.

Field 50 BAQ TYPE: The type of Basic Allowance for Quarters being paid.

Field 51 BAQ DEPN: A code that indicates the type of dependent. A - Spouse
C - Child D - Parent G Grandfathered I - Member married to member/own right
K - Ward of the court L - Parents in Law R - Own right S - Student (age 21-22)
T - Handicapped child over age 21 W - Member married to member, child
under 21

Field 52 VHA ZIP: The zip code used in the computation of Variable Housing Allowance (VHA) if entitlement exists.

Field 53 RENT AMT: The amount of rent paid for housing if applicable.

Field 54 SHARE: The number of people with which the member shares housing costs.

Field 55 STAT: The VHA status; i.e., accompanied or unaccompanied.

Field 56 JFTR: The Joint Federal Travel Regulation (JFTR) code based on the location of the member for Cost of Living Allowance (COLA) purposes

Field 57 DEPNS: The number of dependents the member has for VHA purposes.

Field 58 2D JFTR: The JFTR code based on the location of the member's dependents for COLA purposes

Field 59 BAS TYPE: An alpha code that indicates the type of Basic Allowance for Subsistence (BAS) the member is receiving, if applicable. This field will be blank for officers.

- B - Separate Rations
- C - TDY/PCS/Proceed Time
- H - Rations-in-kind not available
- K - Rations under emergency conditions

Field 60 CHARITY YTD: The cumulative amount of charitable contributions for the calendar year.

Fields 63 through 75 contain Thrift Savings Plan (TSP) information/data.

Field 63 BASE PAY RATE: The percentage of base pay elected for TSP contributions.

Field 64 BASE PAY CURRENT: Reserved for future use.

Field 65 SPECIAL PAY RATE: The percentage of Specialty Pay elected for TSP contribution.

Field 67 INCENTIVE PAY RATE: Percentage of Incentive Pay elected for TSP contribution.

Field 69 BONUS PAY RATE: The percentage of Bonus Pay elected towards TSP contribution.

Field 72 TSP YTD DEDUCTION (TSP YEAR TO DATE DEDUCTION): Dollar amount of TSP contributions deducted for the year.

Field 73 DEFERRED: Total dollar amount of TSP contributions that are deferred for tax purposes.

Field 74 EXEMPT: Dollar amount of TSP contributions that are reported as tax exempt to the Internal Revenue Service (IRS).

Field 76 REMARKS: This area is used to provide you with general notices from varying levels of command, as well as the literal explanation of starts, stops, and changes to pay items in the entries within the “ENTITLEMENTS”, “DEDUCTIONS”, and “ALLOTMENTS” fields.

Field 77 YTD ENTITLE: The cumulative total of all entitlements for the calendar year.

Field 78 YTD DEDUCT: The cumulative total of all deductions for the calendar year.

This exercise focuses upon several of the fields that are important to the child support caseworker. In this exercise, use the LES below to answer the questions.

DEFENSE FINANCE AND ACCOUNTING SERVICE MILITARY LEAVE AND EARNINGS STATEMENT														
ID	NAME (LAST, FIRST, MI)				SOC. SEC. NO.	GRADE	PAY DATE	YRS SVC	ETS	BRANCH	ADSN/DSSN	PERIOD COVERED		
	John Serviceman				2	3	4	5	6	7	8	9		
ENTITLEMENTS				DEDUCTIONS				ALLOTMENTS				SUMMARY		
TYPE		AMOUNT		TYPE		AMOUNT		TYPE		AMOUNT		+ AMT FWD		
A												13		
B												+ TOT ENT		
C												14		
D		Basic Pay \$1,550.00		Fed Inc Tax \$320.00				US Army Fed Credit Union \$220.00				- TOT DED		
E		BAH \$ 320.00		State Inc Tax \$110.00				US Savings bonds \$100.00				15		
F		BAS/Sep Rats \$ 140.00		Social Security Tax \$150.00				Child Support Garnishment \$250.00				- TOT ALMT		
G		Combat Zone Pay \$ 430.00		Medicare Tax \$ 30.00								16		
H												= NET AMT		
I												17		
J												- CR FWD		
K												18		
L												- BOM PAY		
M												19		
N												DIEMS		
O												RET PLAN		
TOTAL		\$2,440.00										23		
												24		
LEAVE		BF BAL	ERND	USED	CR BAL	ETS BAL	LV LOST	LV BAL	USED	FED TAXES	WAGE PERIOD	WAGE YTD	ADD'L TAX	TAX YTD
		25	26	27	28	29	30	31	32	33	34	35	36	37
FICA TAXES		SOC WAGE YTD		SOC TAX YTD		MED WAGE YTD		MED TAX YTD		STATE TAXES	WAGE PERIOD	WAGE YTD	M/S	EX
		40		41		42		43		44	45	46	47	48
PAY DATA		BAQ YTD	BAQ DEPN	VHA ZIP	RENT AMT	SHARE	STAT	JFTR	DEPN	2D JFTR	CHARITY YTD	TPC	PACIDN	
		50	51	52	53	54	55	56	57	58	59	60	61	62
Thrift Savings Plan (TSP)		BASE PAY RATE	BASE PAY CURRENT	SPEC PAY RATE	SPEC PAY CURRENT	INC PAY RATE	INC PAY CURRENT	BONUS PAY RATE	BONUS PAY CURRENT					
		63	64	65	66	67	68	69	70					
		CURRENTLY NOT USED			TSP YTD DEDUCTIONS		DEFERRED		EXEMPT		CURRENTLY NOT USED			
		71			72		73		74		75			
REMARKS		YTD ENTIT LE				YTD DEDUCT								
		76				77				78				

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1. What is the service member's name and in what branch is he serving?

LES EXERCISE - FOR TRAINER

It is not unusual for a member of the military to receive several types of compensation (e.g., taxable, non-taxable, and in-kind). The LES identifies these various types of income, provided you know how to interpret its many fields and codes. DFAS provides an “Understanding Your LES” section on its website, <http://www.dfas.mil/militarymembers.html>, for the three services as well as the Reserve and National Guard. The following is an explanation of various fields on an LES statement of an active Army member.

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Field 78 YTD DEDUCT: The cumulative total of all deductions for the calendar year.

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	John Serviceman				2	3	4	5	6	Army	8	9			
ENTITLEMENTS			DEDUCTIONS				ALLOTMENTS			SUMMARY					
TYPE		AMOUNT	TYPE		AMOUNT	TYPE		AMOUNT	+ AMT FWD		13				
A	Basic Pay	\$1,550.00	Fed Inc Tax	\$320.00	US Army Fed Credit Union	\$220.00		+ TOT ENT		14					
B	BAH	\$ 320.00	State Inc Tax	\$110.00	US Savings bonds	\$100.00		- TOT DED		15					
C	BAS/Sep Rats	\$ 140.00	Social Security Tax	\$150.00	Child Support Garnishment	\$250.00		- TOT ALMT		16					
D	Combat Zone Pay	\$ 430.00	Medicare Tax	\$ 30.00				= NET AMT		17					
E								- CR FWD		18					
F								= BOM PAY		19					
G								DIEMS		RET PLAN					
H								23		24					
I	TOTAL	\$2,440.00		\$610.00				\$570.00							
LEAVE		BF BAL	ERND	USED	CR BAL	ETS BAL	LV LOST	LV BAL	USED	FED TAXES		WAGE PERIOD	WAGE YTD	ADD'L TAX	TAX YTD
		25	26	27	28	29	30	31	32	33	34	35	36	37	38
FICA TAXES		WAGE PERIOD	SOC WAGE YTD	SOC TAX YTD	MED WAGE YTD	MED TAX YTD	STATE TAXES	WAGE PERIOD	WAGE YTD	M/S	EX	TAX YTD			
		39	40	41	42	43	44	45	46	47	48	49			
PAY DATA		BAQ YTD	BAQ DEPN	VHA ZIP	RENT AMT	SHARE	STAT	JFTR	DEPN	2D JFTR	CHARITY YTD	TPC	PACIDN		
		50	51	52	53	54	55	56	57	58	59	60	61	62	
Thrift Savings Plan (TSP)		BASE PAY RATE	BASE PAY CURRENT	SPEC PAY RATE	SPEC PAY CURRENT	INC PAY RATE	INC PAY CURRENT	BONUS PAY RATE	BONUS PAY CURRENT						
		63	64	65	66	67	68	69	70						
		CURRENTLY NOT USED		TSP YTD DEDUCTIONS		DEFERRED		EXEMPT		CURRENTLY NOT USED					
		71		72		73		74		75					
REMARKS		YTD ENTIT LE				YTD DEDUCT									
		76				77									
						78									

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1. What is the service member's name and in what branch is he serving?

The service member's name is John Serviceman and he serves in the Army.

2. What did the member earn in gross pay and allowances for the pay period reflected in the LES?

The member earned gross pay of \$1,980.00 and allowances of \$460.00.

3. Assume that your state's child support guidelines include both BAH and BAS/Sep Rats within income. Further assume that the guidelines use an individual's net pay (defined as gross earnings less mandatory deductions) to determine the child support award. What is the member's net monthly pay, per the LES, for a guideline calculation?

The LES shows total gross pay of \$2,440.00/month. However, some of this pay is not taxable. Neither the allowances (BAH, BAS/Sep Rats) nor combat zone pay are taxable. In light of this, begin your guideline calculation by identifying the total *taxable* gross earnings. The LES shows that Serviceman has taxable gross income of \$1,550.00/month. Next, identify those deductions from his gross pay that qualify under the state guidelines as deductions taken in order to determine net income. Since the state guidelines only recognize mandatory deductions, the allotments for Serviceman's credit union and a savings bond do not qualify. The mandatory deductions appearing in fields 11 and 12 of the LES are the federal and state income taxes, the Social Security tax, the Medicare tax, and the child support garnishment (we will assume that under the state guidelines, an ordered income withholding for child support qualifies as an appropriate deduction for determining net income). The total of these deductions is \$860.00. By deducting this \$860.00 from the taxable gross income of \$1,550.00, you arrive at a net income figure of \$690.00/month. However, that is not the end of the guideline calculation. You now need to add the nontaxable income noted on the LES to the \$690.00 to arrive at Serviceman's total monthly net income, per the LES. The nontaxable earnings and allowances total \$890.00, bringing the individual's total monthly net income for guideline purposes to \$1,580.00 (\$690.00 plus \$890.00).

In summary,

Field 9: This field identifies the individual pay period covered by the LES.

Field 10: This field contains all taxable and nontaxable income paid for the pay period. Unfortunately, the LES does not provide the level of detail to specifically identify the nontaxable income (e.g., Allowances, BAH and BAS-Sep Rats, entitlement for serving in a combat zone, and qualified hazardous duty pay). You need to review the Federal Income Tax Withholding Field (Field 33) to see if some income is not being taxed. The total for all income appears in Fields 14 and 20.

Field 11: This field identifies all deductions (mandatory and voluntary) taken from the gross pay for the pay period. The total amount of all deductions appears in Fields 15 and 21. (Use this field with Field 12.)

Field 12: This field identifies all allotments (mandatory and voluntary) taken from gross pay for the pay period. The total amount of all allotments appears at Fields 16 and 22. (Use this field with Field 11.)

Field 33: This field identifies the amount of income for this pay period that is subject to Federal Income Tax Withholding.

Field 39: This field identifies the amount of income for this pay period that is subject to FICA (Social Security tax).

Field 45: This field identifies the amount of income for this pay period that is subject to State Income Withholding Tax.

6-2 REVIEW EXERCISES**REVIEW EXERCISES**

The following scenarios represent situations concerning the establishment of paternity and/or a child support obligation in cases involving the military. Identify the establishment issues and answer the questions posed at the end of each scenario.

EXERCISE NUMBER 1:

In a case needing paternity and support order establishment, the alleged father is in the Marine Corps and stationed at a military base in California. Prior to setting a trial date, the child support office administratively prepared a notice requiring the alleged father to appear for genetic testing. The alleged father was served with the notice, but failed to appear for the test. According to the CP, he has stated that he refuses to participate in any genetic testing.

- 1. What procedures are available to assist the IV-D office in persuading the alleged father to appear for the rescheduled genetic testing?**

REVIEW EXERCISES - FOR TRAINER

The following scenarios represent situations concerning the establishment of paternity and/or a child support obligation in cases involving the military. Identify the establishment issues and answer the questions posed at the end of each scenario.

EXERCISE NUMBER 1:

In a case needing paternity and support order establishment, the alleged father is in the Marine Corps and stationed at a military base in California. Prior to setting a trial date, the child support office administratively prepared a notice requiring the alleged father to appear for genetic testing. The alleged father was served with the notice, but failed to appear for the test. According to the CP, he has stated that he refuses to participate in any genetic testing.

1. What procedures are available to assist the IV-D office in persuading the alleged father to appear for the rescheduled genetic testing?

Even in cases where no paternity order exists, the IV-D office can seek the assistance of the military. In this example, the IV-D office should send the alleged father's commanding officer a letter advising him of the father's failure to appear for previously scheduled tests and of his alleged refusal to appear for rescheduled tests. The commanding officer will meet with the alleged father and, while he cannot force the alleged father to appear, he can let him know that the service expects him to manage his personal affairs in a manner that does not require his chain of command to become actively involved in the management of the military member's personal affairs.

The Social Security Act requires that all state IV-D programs have the ability to issue an administrative order to appear for genetic testing (42 U.S.C. § 666(c)(1)(A)). Depending on the agency's ability to enforce its administrative order, it may be more prudent in this case to obtain an order from the tribunal requiring the alleged father to appear for genetic testing. If the alleged father fails to appear, the court can use its contempt powers to sanction him.

REVIEW EXERCISES – FOR TRAINER (CONTINUED)

EXERCISE NUMBER 2:

In this case, the service member and his wife have separated. His wife and child are living off base and the service member is not contributing to their financial support. His wife comes to your office requesting assistance in obtaining child support. From your experience, you believe that it will take your office more than 90 days to obtain a trial date for the establishment of a support order in this case.

1. What can the IV-D office do between today and the trial date to attempt to obtain child support from the alleged father?

The IV-D office should initiate its order establishment procedures as soon as possible. Under these facts, it is unlikely that a support order will be entered in 90 days. Therefore, it is prudent for the IV-D office to contact the military member and see if he will voluntarily initiate a support allotment from his wages pending the entry of a final support order. Since it usually takes no more than 60 days for the military to implement a voluntary allotment, this action by the member will result in support flowing to the family more quickly and will avoid the accrual of retroactive support owed. The IV-D office should also explore whether the service member will agree to a support order through a consent process, as opposed to a judicial hearing.

2. What procedures should the IV-D office undertake if the NCP fails to provide a current financial affidavit during the order establishment process?

In order to apply child support guidelines, the tribunal needs to know the parties' incomes. Remind participants that obtaining a military member's LES (Leave and Earnings Statement) is crucial to an accurate determination of the member's income. If the member fails to voluntarily provide a current LES, the IV-D attorney can file a Request for Production of Documents. A worker should seek at least six months of Leave and Earnings Statements to get a more accurate picture of the member's income. The worker should also seek the member's last three years of income tax returns. Income tax returns provide information about second job income and income from investments.

In military cases, you need both the LES and the individual's income tax returns in order to determine accurately that person's income.

Child support agencies also have access to income information through the Federal Parent Locator Service (FPLS). Workers can obtain quarterly wage information that DoD has reported to the National Directory of New Hires. In addition, a worker may be able to access the DoD Entitlement Data application through the State Services Portal (SSP). The SSP provides secured internet, direct access to FPLS data. The DoD Entitlement application provides monthly base pay, bonus, and entitlement pay information.

As a last resort, a worker can also seek the member's income information by sending a Freedom of Information Act (FOIA) request or subpoena, signed by a judge, to the appropriate Defense Finance and Accounting Service Center (DFAS) office.

MODULE 7 HANDOUTS

7-1 MILITARY FINANCIAL AND MEDICAL SUPPORT ENFORCEMENT

MILITARY PAYROLL PROCESSING & MEDICAL INSURANCE CENTERS

Military *Financial* Support Enforcement

Send Income Withholding Order requests for Army, Navy, Air Force, Marine Corps (active duty, retired, and reserve), and Activated National Guard members to:

DFAS Cleveland

DFAS-HGA/CL

P.O. Box 998002

Cleveland, OH 44199-8002

Phone: (888) 332-7411 – Garnishment Customer Service

Fax: (877) 622-5930 or (216) 522-6960

You may mail or fax the income withholding order. Supporting documents may be included and will be imaged and available for viewing by the paralegals. A faxed income withholding order will receive the same consideration as the same document mailed or electronically submitted through the e-IWO or Kids 1st. Fax each income withholding order individually. Do not send the underlying support order.

Send Income Withholding Order requests for Coast Guard (active duty and retired) members to:

Commanding Officer (LGL)

US Coast Guard Pay and Personnel Center

444 SE Quincy Street

Topeka, KS 66683-3591

Phone: (785) 339-3592 or 3595 (for questions)

Fax: (785) 339-3788

E-mail: PPC-DG-LGL@ucsg.mil

Receipt of Veterans' Disability Benefits in lieu of Retired Pay:

Department of Veterans Affairs Regional Office
(800) 827-1000 (call to identify the appropriate Regional Office)

DFAS Retired Pay Call Center:

(800) 321-1080

Military *Medical* Support Enforcement

DEERS Information Office:

DMDC Support Office

Attn: CA99

400 Gigling Road

Seaside, CA 93950-6771

(800) 538-9552

TRICARE Information Office:

TRICARE Management Activity

Public Affairs Branch

Aurora, CO 80045-6900

(303) 361-1000/1129

NOTE: Do not send the National Medical Support Notice to the DFAS Cleveland office. It is not necessary for TRICARE coverage.

Department of Defense

Army: Active Duty FEIN is 359990000

Navy: Active Duty FEIN is 349990000

Marine Corps: Active Duty FEIN is 539990000

Air Force: Active Duty FEIN is 849990000

National Oceanic and Atmospheric Administration: Active Duty FEIN is
520821608

Retired Military Pay: Retired FEIN is 34-727612

Department of Homeland Security

Coast Guard: Active Duty FEIN is 529980000

7-2 SAMPLE LETTER REQUESTING FEDERAL STATUTORY MILITARY ALLOTMENT (NOT AN OFFICIAL FORM)

SAMPLE STATUTORY ALLOTMENT REQUEST

[Use agency letterhead]

Commander

[Appropriate Military Payment Processing Center Address]

Reference: [Name and SSN of military member]

Dear Sir or Madam:

This letter is notice of delinquent support payments and a request for the initiation of the statutory allotment pursuant to 42 U.S.C. § 665.

[Identify military member] is subject to a court or administrative order (certified copy enclosed) requiring him/her to pay current child support in the amount of [identify amount and payment schedule] [if appropriate, add “plus an amount of xxx toward elimination of arrears of xxx”]. He/She has failed to meet this obligation and arrears exceed the total amount due under the order for two months. [If appropriate, insert “In addition, a portion of the arrearage pertains to payments that are more than 12 weeks overdue.”]

I request initiation of a statutory allotment from the member’s active duty pay in the amount of [identify amount], the monthly support obligation [if appropriate, add “and arrearage payment”] due under the order. Please direct the payment to this address:

[Provide the name/address of the appropriate state payment location and explain what information must accompany the payment.]

Please continue the allotment until [insert termination date] or such earlier date as this agency may later advise you.

I certify that I am an “authorized person” as defined by 42 U.S.C. § 655(b) and 32 C.F.R. Part 54. I am an agent of a state with an approved Title IV-D program under the Social Security Act, and my duties include seeking recovery of child and spousal support. Thank you for your attention to this matter.

[Authorized agent signature]

Enclosure (certified copy of court or administrative child support order)

7-3 REVIEW EXERCISES**REVIEW EXERCISES**

The following scenario represents a situation that involves enforcement of a military member's child support obligations. Identify the enforcement issues and answer the questions posed.

EXERCISE NUMBER 1:

Your IV-D office receives a telephone call from a CP, who has a IV-D case with the office. She advises that she just learned that her former boyfriend is in the Air Force. You review the case and see that it has been in "locate" status since it was opened nine months ago. There is a three-year-old court order in the case that established paternity and set a monthly child support obligation at \$310. It does not require the NCP to provide health insurance. You verify that the NCP is an active duty member of the Air Force and receive the address of his duty station. There have been no payments on the case.

- 1. What is the most effective enforcement remedy for obtaining financial support?**

2. What are the military remedies for obtaining medical support for the child?

3. What are other prudent case processing measures that should be initiated in this case?

REVIEW EXERCISES - FOR TRAINER

The following scenario represents a situation that involves enforcement of a military member's child support obligations. Identify the enforcement issues and answer the questions posed.

EXERCISE NUMBER 1:

Your IV-D office receives a telephone call from a CP, who has a IV-D case with the office. She advises that she just learned that her former boyfriend is in the Air Force. You review the case and see that it has been in "locate" status since it was opened nine months ago. There is a three-year-old court order in the case that established paternity and set a monthly child support obligation at \$310. It does not require the NCP to provide health insurance. You verify that the NCP is an active duty member of the Air Force and receive the address of his duty station. There have been no payments on the case.

1. What is the most effective enforcement remedy for obtaining financial support?

Under these facts it is preferable to use state income withholding because it provides for immediate income withholding, allows the collection of arrears without the necessity of obtaining an order adjudicating the arrears or setting an arrearage payback amount, and does not require a certified copy of the underlying order to accompany the income withholding order. You initiate state income withholding by sending DFAS the federal *Order/Notice to Withhold Income for Child Support*. This can be done electronically if your state uses the e-IWO portal.

2. What are the military remedies for obtaining medical support for the child?

The electronic match between the Federal Case Registry (FCR) and the Defense Manpower Data Center (DMDC) will tell you whether the dependent is already enrolled in the Defense Enrollment Eligibility Reporting System (DEERS) and eligible for TRICARE. Match information is reported quarterly. It may be quicker for the custodial parent herself to confirm the child's eligibility. She can call the DMDC Support Office (DSO) telephone center help line to see if the NCP has enrolled his child in DEERS. Because she was never married to the Air Force member, she will need to provide proof that she is the child's parent. Such proof could be a copy of the birth certificate naming the custodial parent as the child's mother. Once DSO reviews and approves the documents, it will update its tracking system and then release specific information to the custodial parent.

If her boyfriend has not enrolled the child in DEERS, an attempt should be made to contact the boyfriend and request that he voluntarily enroll the child. He can go to the nearest military installation with a RAPIDS ID Card Issuing Facility and submit a copy of the paternity/support order in order to establish the child's dependent status. A specific service branch affiliation is not required, so the member can go to any installation. As the sponsor, he will sign an Application for Identification/DEERS Enrollment (see Form DD1172-2, <http://www.cac.mil/docs/dd1172-2.pdf>).

Once the installation military technician validates the order, the documents are then scanned into the DEERS database and the child is automatically eligible to receive TRICARE coverage. There is no cost associated with the child's enrollment into DEERS.

If her former boyfriend fails to enroll the child in DEERS, the custodial parent can enroll the child by going to a RAPIDS ID Card Issuing Facility and presenting the appropriate documents to the officer who verifies dependent status. Location of the RAPIDS ID Card Issuing Facilities may be found via the internet.

The custodial parent will need to present the following documents to the verifying official:

- the child's birth certificate (usually a certified copy)
- because the child was born to unwed parents, a copy of the court order establishing parentage and establishing a duty of support for the child
- any forms required by the local installation.

Assuming this is a case where the sponsor will not sign the enrollment paperwork, the verifying official can sign on the sponsor's behalf, provided all of the required documents are present.

The custodial parent can also enroll the child into DEERS by mail.

Once the child is enrolled in DEERS, he or she is eligible for health insurance through TRICARE. It will still be necessary for the custodial parent to go to the ID facility to obtain an identification card for the child.

3. What are other prudent case processing measures that should be initiated in this case?

Initiate a modification to include an obligation to provide health insurance.

The custodial parent may also want you to seek an upward modification due to the noncustodial parent's receipt of rental income.

Submit the case for federal administrative offset and state income tax refund offset.

MODULE 8 HANDOUTS

8-1 REVIEW EXERCISES**REVIEW EXERCISES**

The following scenarios represent situations that involve access/visitation or custody issues. Identify the issues and answer the questions posed at the end of each scenario.

EXERCISE NUMBER 1:

Sergeant John Wilson is the noncustodial parent in a IV-D case paternity case. He is about to be reassigned to a different state. He calls with the following question: “My girlfriend and I don’t have any orders about visitation or custody. Can we handle everything through a Family Care Plan?”

EXERCISE NUMBER 2:

Sergeant Mary Jones is the custodial parent in a IV-D case. She asks you the following question: “If I have custody of the children under a court order, who will have custody of my children while I am deployed?”

REVIEW EXERCISES (CONTINUED)**EXERCISE NUMBER 3:**

1st Lieutenant John Jones has recently returned from Afghanistan. He calls your office and asks the following question: “Do I need to do anything about my child support or custody order now that I have returned home?”

EXERCISE NUMBER 4:

Airman First Class Tyrone Bass calls the IV-D customer service center with the following complaint:

“I’m the noncustodial parent. I love my kids. I pay my child support. About half the time when I go to pick them up for my weekend, my ex-wife has made other plans for them. It’s not fair that the state will enforce my child support obligation but not do anything about my right to see my kids.”

What is an appropriate response?

REVIEW EXERCISES - FOR TRAINER

The following scenarios represent situations that involve access/visitation or custody issues. Identify the issues and answer the questions posed at the end of each scenario.

EXERCISE NUMBER 1:

Sergeant John Wilson is the noncustodial parent in a IV-D case paternity case. He is about to be reassigned to a different state. He calls with the following question: “My girlfriend and I don’t have any orders about visitation or custody. Can we handle everything through a Family Care Plan?”

No. Although a Family Care Plan can designate the caregiver when the member experiences a short-term or long-term absence, it does not take the place of a court order. Both parents can consent to the terms of the Family Care Plan, but the service member should not consider the Plan as “resolving” custody in the sense of an enforceable order. In other words, the Family Care Plan will not protect either parent’s rights the way a court order will. State courts have the overriding authority to determine child custody arrangements, notwithstanding a Family Care Plan.

REVIEW EXERCISES - FOR TRAINER (CONTINUED)**EXERCISE NUMBER 2:**

Sergeant Mary Jones is the custodial parent in a IV-D case. She asks you the following question: “If I have custody of the children under a court order, who will have custody of my children while I am deployed?”

Even if a service member has sole physical custody, the member can't decide on his or her own to whom the member wants to transfer custody during any deployment. A DoD directive requires the service member to try to obtain the consent of the NCP to any family care plan that would leave the child in the custody of a third party. (DoD Instruction 1342.19 issued May 7, 2010). If there is going to be any conflict, the custodial parent can ask the court to grant a temporary order designating another person to have custody of the child. The temporary order can only be made by the court with jurisdiction over civil family matters. A Military Family Care Plan cannot legally change the terms of a court order. Once the deployment ends, the temporary order ends.

EXERCISE NUMBER 3:

1st Lieutenant John Jones is in the military and has recently returned from Afghanistan. He calls your office and asks the following question: “Do I need to do anything about my child support or custody order now that I have returned home?”

Inform the member that once he is no longer deployed, it is important that he notify the child support agency and court of his new address. If there was a temporary custody order in place during deployment, that order usually terminates when the deployment or temporary duty concludes and terms of the original order apply. In some states, it may be necessary to return to court to terminate the temporary order.

REVIEW EXERCISES - FOR TRAINER (CONTINUED)**EXERCISE NUMBER 4:**

Airman First Class Tyrone Bass calls the IV-D customer service center with the following complaint:

“I'm the noncustodial parent. I love my kids. I pay my child support. About half the time when I go to pick them up for my weekend, my ex-wife has made other plans for them. It's not fair that the state will enforce my child support obligation but not do anything about my right to see my kids.”

What is an appropriate response?

It is in your children's best interest that you continue to spend time with them. Although the child support program currently lacks authority to enforce visitation, many state or local governments have developed procedures for enforcing visitation orders. In addition, the federal government has made funding available to states for developing model programs to ensure that children will be able to have the continuing care and emotional support of both parents. I will share with you some resources available through the local court and other agencies that hopefully can help you with your problems around custody and visitation/access/parenting time.

MODULE 9 HANDOUTS

9-1 REVIEW EXERCISES**REVIEW EXERCISES**

The following scenario represents a common situation that attorneys with the Texas child support agency have faced during the implementation of the agency's HEROES project (Helping Ensure Responsive Orders and Ensuring Support for Children in Military Families). Begun in 2010 as a federal grant, the goal of HEROES is to:

- Offer service members, veterans and their dependents enhanced, personalized assistance in addressing paternity establishment, child support and parenting time (custody/visitation) matters;
- Provide appropriate relief in Texas child support cases where military service/combat related injuries have contributed to non-compliance with court orders; and
- Promote positive co-parenting solutions for service members and families.

Discuss the issues raised by the scenario and possible areas of collaboration between child support, military organizations, and other community resources.

EXERCISE NUMBER 1:

Sergeant (SGT) Castillo was divorced in 2008 in between his first and second deployments to Iraq. He has a young daughter. A Texas child support order was issued as part of the divorce decree. SGT Castillo ETSs (Expiration of Term of Service) in the spring of 2009 shortly after returning from Iraq. The former wife applied for IV-D services.

In July 2010, SGT Castillo is in court for non-payment of support; he has made no support payments since his ETS. Both he and his former wife appear in court. The following testimony is presented:

- He has been diagnosed with PTSD by the Department of Veterans Affairs (VA).
- He lives with his mother. He is not able to sleep unless there is someone awake in the room watching him.

- The VA has given him sleeping medication, which he testifies causes him to sleep all the time.
- He lost both jobs he was hired into because he did not show up on time and/or wasn't able to focus, was irritable, and was aggressive toward other employees/customers.
- He has a 10-year-old car that his mother bought for him.
- He recently received an initial disability rating of 20%, but he is appealing.
- His former wife testifies that he hasn't come to see daughter since returning from Iraq, his daughter is distraught, and the former wife worries if visits are appropriate.

What are the child support issues?

What other family issues need to be addressed?

REVIEW EXERCISES (CONTINUED)

EXERCISE NUMBER 2:

Brainstorm about possible ways your child support agency could improve its outreach to military families. Possible areas to explore include modifications to the state agency website, media outreach, participation in military events, contact with various military organizations, joint training programs, and outreach at military installations within the state.

