



Your Legal Assistance Benefit

Legal assistance, which includes oral and written advice, preparation of documents and correspondence, is available for the following:

Family Matters

- Adoption
- Child custody, support and visitation
- Divorce, legal separation and dissolution of marriage
- Pre-marital agreements
- Nonsupport

Consumer Matters

- Excessive indebtedness
- Bankruptcy
- Taxes
- Student loans
- Automobile purchases, repairs and sales
- Defective products

Real Estate and Housing Matters

- Landlord-Tenant
- Real estate purchases and sales
- Lease reviews

Estate Planning

- Wills and estate planning
- Durable powers of attorney for health care
- Powers of attorney

Civil Suits

- Motor vehicle collisions
- Torts

Command Training

- Will briefings
- SCRA training
- Pre-deployment briefings

Servicemembers Civil Relief Act Matters

Immigration and Naturalization

Many, many other matters, including:

- Name Changes
- Notary Services
- Income Tax Assistance



Personal Readiness

Readiness is a responsibility of all of us. Coast Guard readiness often is framed in terms of unit, mission or agency readiness. For those, we train relentlessly, unceasingly; we study; we prepare for real or perceived challenges. Unfortunately, we often do not apply this same rigor to our personal matters. But our military readiness is built on a foundation of personal, and by extension family, readiness. Members distracted by personal circumstances cannot be completely focused execution of the mission. The Personal Readiness Plan (PRP) is a tool to help you ensure your focus is where it belongs.

The PRP helps provide you and your family a framework from which to organize and store your personal information and paperwork. It is private, so it need not be shared with your command or anyone else outside of your family or trusted friends. Ideally, the plan will be useful in your daily living, but it will be indispensable in an emergency.

The PRP is divided into ten sections, and then further subdivided into subsections. Some topics—Wills, Powers of Attorney and Healthcare Directives, for example—require consultation with an attorney for production of documents. Others, such as personal finances, credit reports, taxes and benefits, may generate legal questions, even if just to confirm that you are on the right track. Coast Guard legal assistance attorneys are available to provide guidance, prepare documents and answer questions.

For more information on the PRP contact the Legal Assistance office or go to <https://www.uscg.mil/Resources/Legal/LMA/Personal-Readiness-Plan/>



U.S.C.G. District Seventeen

Legal Assistance Office

P.O. Box 195005
Kodiak, Alaska 99615

Phone: (907) 487-5474
Fax: (907) 487-5546

District Legal Office

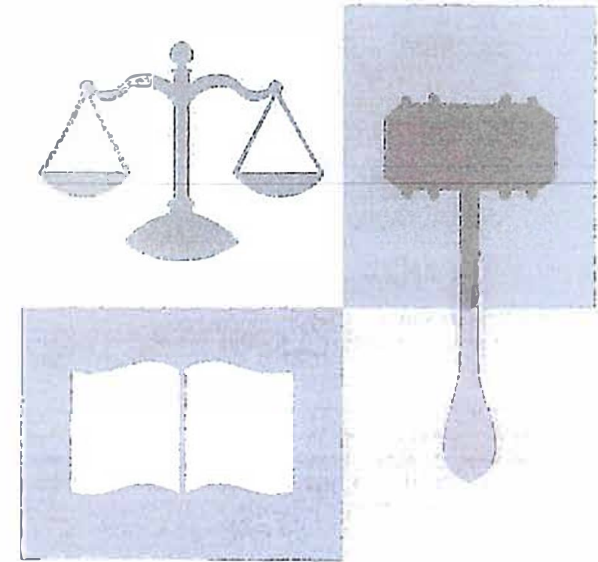
P.O. Box 25517
Juneau, Alaska 99802

Phone: (907) 463-2050
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or

To schedule an appointment with the Legal Assistance Attorney please call, or email:

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**How the Legal
Assistance Office
can help you**



Legal Readiness

The United States traditionally has recognized the importance of the legal readiness of its military personnel. Therefore, Congress has provided for legal assistance in connection with the personal civil legal affairs of all military members. Commandant's Instruction 5801.4E, pursuant to the authority of 10 U.S.C. 1044, prescribes **FREE** legal assistance to eligible personnel to the fullest extent possible under the law.



Eligibility & Priority for Legal Assistance

Title 10 U.S. Code, Section 1044 authorizes legal assistance to specified personnel in connection with their personal civil legal affairs, subject to the availability of legal staff resources.

The eligible beneficiaries are:

- Members of the armed forces on active duty (including reservists on active duty or scheduled for deployment), and their dependents.
- Members and former members entitled to retired or retainer pay or equivalent pay, and their dependents.
- Officers of the commissioned corps of the Public Health Service who are on active duty or entitled to retired or equivalent pay, and their dependents.

Provision of legal assistance necessarily must be prioritized based on the nature of the member's assigned duties and the particular legal assistance need. The highest priority shall be given to Coast Guard personnel who need legal assistance because of the nature of their assigned duties. These high priority needs include pre-deployment assistance to regular and reserve personnel, especially when the deployment is unanticipated, and will, power of attorney and advance medical directive preparation for personnel involved in significant travel or hazardous duty. The next highest priority shall be personnel least able to obtain legal services from the local civilian bar (for example, junior enlisted personnel and junior officers with limited financial means). In addition, some legal assistance needs, by their nature, have higher priority than others. Command Directors of Legal Assistance may prioritize these services to ensure the readiness of Coast Guard personnel.

Limitations on Legal Assistance Services

Pursuant to the authorization, civilian employees and members of the Coast Guard Auxiliary, even if acting under official orders, are not eligible for legal assistance, except in conjunction with income tax filing assistance and civil notary services.

In addition these matters are not covered under the legal assistance program:

Military Administrative and Military Justice Matters, including UCMJ Article 138 complaints; Petition for relief to the Board for Correction of Military Records (BCMR) or Personnel Records Review Board (PRRB); A rebuttal to a decision of a medical board or from the physical disability evaluation system (PDES); Evaluation appeals or rebuttals, or any other similar administrative complaint; Captain's masts, NJP and court-martials; CGIS investigations; Discrimination, other civil rights or constitutional claim or complaint against the Government.

Criminal Matters (other than advice regarding minor criminal and traffic matters)

Private Income Producing Matters, including the establishment and management of small business organizations. However, advice regarding the lease or sale of a principal residence and drafting of leases are not prohibited.

Claims against the United States.

Complex Estate Planning and Probate Administration.

In-Court Representation.

However, all members—civilian and military—may be eligible to participate in the Coast Guard Support (CG SUPRT) Program, which includes a legal services component. The CGSUPRT consultation and referral line (855)-CGSUPRT or (855) 247-8778 offers one-half hour free consultation time with attorneys who have agreed to offer reduced fees if retained for in-court representation. Details are available at www.cgsuprt.com. In addition, the Alaska Bar Association has a referral line at (800)770-9999. For military justice matters call the Naval Legal Service office in Bremerton, Washington at (360) 476-2156.

Servicemembers Civil Relief Act

The Servicemembers' Civil Relief Act (SCRA) is a federal law (50 U.S. Code App. Sections 501-596) enacted to provide for, strengthen and expedite the national defense through civil protections provided to servicemembers to enable them to devote their entire energy to the defense needs of the nation. In 1943, the Supreme Court noted its purpose "to protect those who have been obliged to drop their own affairs to take up the burdens of the nation." It provides legal protections in civil court actions and in some banking matters.

Specifically, SCRA provides for the temporary suspension of judicial and administrative civil proceedings and transactions that may adversely affect servicemembers during their military service. Members are entitled to automatic delays in civil law suits, and default judgments may not be entered against servicemembers without following very specific procedural requirements. In addition, SCRA requires that a court order be obtained before a protected servicemember may be evicted or before the member's home can be sold at foreclosure. Even without a court proceeding, it allows for forbearance and reduced interest on certain financial obligations incurred before entry into military service and for the termination of residential leases, vehicle leases and telephone contracts.

Keep in mind, though, that SCRA applies to civil matters only, not to criminal cases. And it is intended for the protection of rights, not the avoidance of responsibility.

SCRA relief is available to members of all five branches of the United States military, including some reservists and National Guard members; to officers of the United States Public Health Service and to officers of National Oceanic and Atmospheric Administration. Many of its protections also apply to reservists and inductees who have received orders but not yet reported to active duty or induction into the military service.

If you questions about a pre-service obligation, or if you've been sued, or if you need to terminate a lease before its expiration date, or if you have any other matters which might be protected under SCRA, contact the Legal Assistance office at (907)487-5474.