

ROLL CALL

Newsletter of the Military Committee, ABA Family Law Section

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Greetings from the Chair

Dear colleagues,

Welcome to the Summer 2010 issue of ROLL CALL, assembled by our two committed editors, Henry DeWoskin and Theresa Buchanan. I hope that you'll find the provided practice tips as it relates to Active Guard and Reserve servicemembers to be valuable in your everyday practice. Thank you to everyone who volunteered to write articles for Roll Call. This newsletter would not be where it is today without these volunteers.

Please contact me at the e-mail address below with your suggestions, concerns and ideas. Oh, yes – and for a wealth of useful resources and information on military family law issues, go to the home page of the Committee, www.abanet.org/family/military.

Patricia Apy, Chair
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Introduction from the Editor

In this issue of ROLL CALL, we discuss practice tips that will help attorneys when they represent Active Guard and Reserve servicemembers. In addition, we discuss an important case as it relates to military retirement pay.

As with the past issue of ROLL CALL, I want to thank former Rhode Island attorney, now at the National Military Family Association in Alexandria, VA, Theresa Buchanan, the assistant editor of ROLL CALL, for her hard work and assistance in the preparation of this issue. As she becomes editor of Roll Call with the next issue, I know that she will continue her hard work and make Roll Call even better. We are continuously seeking articles, checklists, or other information relating to family law issues relevant to servicemembers. If you have an idea or a proposal for an article or are interested in providing a submission, please contact me at hmdewoskin@cs.com.

Henry DeWoskin
Editor

Active Guard and Reserve Program (AGR) Basics for Family Law Practitioners

By Captain Lyndsey M. Kimber Olson *

Generally, active-duty servicemembers are members of the active component of the armed forces.¹ However, active-duty servicemembers are also found in the reserve component (RC).² Active Guard Reserve (AGR) generally refers to the active-duty program run by both the Army Reserve and State Army and Air National Guards, as these services have the largest programs.³ The U.S. Navy and Marine Corps both have small programs of a similar nature.⁴ AGR servicemembers serve in an

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¹ 10 U.S.C. § 101(a)(4) and (d)(1).

² Active duty is defined by 10 U.S.C. § 101(d)(1).

The term "active Guard and Reserve duty" means active duty performed by a member of a reserve component of the Army, Navy, Air Force, or Marine Corps, or full-time National Guard duty performed by a member of the National Guard pursuant to an order to full-time National Guard duty, for a period of 180 consecutive days or more for the purpose of organizing, administering, recruiting, instructing, or training the reserve components. 10 U.S.C. § 101(d)(6)(A).

³ AGR can refer to Air Force, Army Reserve and National Guard personnel, Navy Full Time Support personnel and Marine Corps Active reservists. *See also* US DEP'T OF ARMY, REG. THE ACTIVE GUARD RESERVE PROGRAM 135-18, para. (1 November 2004) (With respect to Army National Guard and Army Reserve personnel).

⁴ *See generally* U.S. DEP'T OF NAVY, NAVAL MILITARY PERSONNEL MANUAL 1306-1500, FULL-TIME SUPPORT (FTS)

active-duty military status to manage the day-to-day affairs of their respective RCs. These SMs have active-duty benefits and privileges, including retirement, educational, medical, dental, commissary/exchange, and housing. AGR servicemembers are also subject to service regulations and the Uniform Code of Military Justice (UCMJ) or, in the case of the National Guard, the various state military justice codes.⁵ Representing (or opposing) a servicemember in AGR service can present unique challenges to a practitioner evaluating military retirement benefits.

Retirement for Servicemembers with AGR Service

Like other active-duty servicemembers, members in AGR status need at least 20 years of active federal service to qualify for active-duty retirement. However, because AGR soldiers are active-duty members of the RC, many of them may have served in a variety of duty statuses, and this can make reading their Retirement Points Accounting System (RPAS) statement quite challenging. Servicemembers in the AGR system are eligible for one of two retirement systems, an active-duty retirement, or the traditional RC retirement. Many AGR servicemembers have served in drilling reserve status, as well as active duty status.⁶ The type of service for a particular period can be determined by using the Military Membership Status Identifiers (MMSI) on the servicemember's RPAS statement.⁷

Calculating years of active-duty service for an AGR servicemember is the same as calculating active-duty years for other servicemembers. However, when calculating how many years of active-duty an AGR servicemember has towards an

active-duty retirement, only active-duty points⁸ are used to find the total number to active-duty years in service year to date based on the date of the RPAS statement. For instance, Figure 1 shows that the servicemember has 12.9 years of creditable service towards active-duty retirement eligibility (years are calculated from the 4650 points in the RPAS statement's "AD Pts" column divided by 360). Note however, that the SM has 16 years of creditable service towards a RC retirement.⁹ Be careful not to confuse these two calculations.

Calculating when an AGR servicemember will be eligible for retirement is different from calculating what he/she will receive. The monetary retirement calculations on the second page of the RPAS statement use RC retirement formulas, and are national estimates based on the specific year-to-date criteria stated on the RPAS statement. The pre-formulated amounts on the RPAS statement will most likely be of limited use to a practitioner calculating pension benefits during a marital dissolution. Many practitioners become confused seeing these calculations and assume numbers can be relied upon for pension division. Such an assumption can be costly for both parties, and may be malpractice. Practitioners should not assume these amounts reflect correct amounts for the servicemember's actual retirement and forego calculating pension amounts based on the client's individual circumstances.

When doing the retirement points calculation for an active-duty retirement, refer to the RPAS statement's "AD Pts" column for current points (see Figure 1). As long as an AGR servicemember remains in the AGR program for at least 20 credible years until retirement, he/she will receive an active-duty retirement using active-duty retirement pay calculations. However, these servicemembers also remain eligible to receive an RC retirement instead of an active-duty retirement, and in certain circumstances an AGR retirement may revert to a RC retirement at the election of the servicemember.

Moving Between Active-Duty and Reserve Retirement Systems

In certain circumstances, it may be financially advantageous for an AGR servicemember who achieves an active-duty retirement to revert to a RC retirement when becoming entitled to retired pay under the RC retirement system at age 60.¹⁰ Such a reversion may cause a significant change in the pension amount for the servicemember. Thus, if spousal shares are detailed in the military pension division order (MPDO) in a specific dollar amount and not a percentage, a spouse may lose a portion of the spousal share. The following examples

PROGRAM (4 November 2008) [hereinafter MILPERSMAN 13061-1500]; U.S. DEP'T OF THE NAVY, CHIEF OF NAVAL OPS INSTR. 1821.1, VOLUNTARY RETIREMENT OF THE NAVY RESERVE NOT ON THE ACTIVE-DUTY LIST (ADL) (INCLUDING NAVY RESERVISTS ON ACTIVE-DUTY IN FULL TIME SUPPORT (FTS)) (24 December 2005) [hereinafter OPNAV INST 1820.1]; U.S. MARINE CORPS, ORDER 1001.52H, ACTIVE RESERVE SUPPORT (AR) TO THE RC (17 Dec. 1996).

⁵ Most states have state codified military justice codes which apply to the National Guard forces. National Guard AGR soldiers under Title 32 U.S.C 502(f) (command and control at the state level, but federally funded) have a dual status, that is, they are active members of the U.S. Armed Forces, and active-duty members of the state militia controlled by the Governors of the several states, as provided for in the Second Amendment to the U.S. Constitution Art 1 §8 Cl. 15.

⁶ The term active duty for purposes of examining the RPAS statement can refer to service in the regular Army, Navy, Air Force, Marines and Coast Guard or AGR for any of these components, as well as mobilized service in the reserve component.

⁷ Practitioner should note that the MMSI on the RPAS statement refers to AGR service in the National Guard as "Army (or Air) National Guard Active Duty Under Title 32 USC State Controlled."

⁸ Active-duty points refer to points earned in a duty status, which counts towards active-duty retirement. Refer to the "AD Pts" column on the RPAS statement (Figure 1) for calculation.

⁹ See the RPAS statement's Total Points for Retirement Pay column of Figure 1.

¹⁰ In certain circumstances servicemembers may be entitled to RC retirement before age 60. The National Defense Authorization Act of Fiscal Year 2009 grants 3 month reductions in retirement eligibility age for every consecutive 90 day period spent on active-duty after January 28, 2008.

illustrate circumstances where reversion may occur.

EXAMPLE 1

Colonel Jim Jones achieves 20 years of active-duty and leaves the AGR program as a colonel, (O-6) to take a promotion to brigadier general (O-7) as a drilling guardsman. Colonel Jones serves 5 years as a brigadier general in a traditional National Guard drilling status, retiring from the military at age 55. Upon retirement from drilling guard status at age 55, he immediately becomes eligible to receive his active-duty pension based on his AGR colonel rank.¹¹ At age 60, when he qualifies to receive his RC retirement, he converts his active-duty retirement to the RC retirement system. His retirement pay is then drawn based on brigadier general rank using total points earned for retirement pay during service.¹²

Let us assume that Colonel Jones left the AGR program with 20 years active service in 2000, deferring his active-duty retirement to remain a drilling member of the reserve component until 2005. When he retires from the military as a member of the reserve component at age 55, his active-duty pension is calculated using the High-3 method based on a retirement year of 2005, with 20 years of active service plus any fraction of a year from accumulated qualifying points earned while in drilling reserve status (this example assumes .5 of a year is added to the High-3 calculation). From the High-3 calculation above, he would receive a retirement pension rate of \$4,014.00. When he reaches age 60 in 2010 and converts to the RC retirement system, his retirement amount is calculated based on his total points for retirement pay on his RPAS. If we assume 7200 points were received during his 20 years of AGR service, plus an additional 100 points a year during the 5 years he was a drilling guard member, a total of 7700 points for retired pay, Brigadier General Jones would receive \$6,067.22 based on his brigadier general rank under the RC retirement system.

EXAMPLE 2

Sergeant First Class (SFC) Ed Smith served 8 years in the Active Army and left as a Captain, (O-3). He had a break in service and then joined the National Guard as a traditional drilling guardsman in the enlisted ranks. A few years later, he was hired into the AGR program. SFC Smith achieved his RC retirement, but reached age 60 with only 17 years of active federal service and was required to leave the active service. Under the RC retirement system, he retires at the highest grade held (Captain, O-3) at 60 even though he spent the majority of his career as an enlisted AGR soldier.¹³ The RC retirement will

¹¹ Even though Colonel Jones became eligible for his active-duty retirement when he left the AGR program, because he remained a drilling guardsman for 5 years he was required to defer receipt of his active-duty retirement. He cannot receive an active-duty retirement while he remains a drilling member of a reserve component.

¹² U.S. DEP'T OF ARMY, REG. QUALIFYING SERVICE FOR RETIRED PAY NONREGULAR SERVICE 135-180, para. 1-4a.(1 July 1987).

¹³ U.S. DEP'T OF ARMY, REG. QUALIFYING SERVICE FOR RETIRED

be based on the total number of points achieved during military service calculated at the Captain (O-3) rank, not at his last enlisted grade held while in the AGR.

As the examples above illustrate, moving between the RC and the active-duty retirement systems is financially advantageous in certain situations. Practitioners should use caution with MPDO language limiting movement between the systems.

Movement between the systems also has an effect on SBP. When members of the AGR reach 20 years total creditable service in the reserve retirement system, they are required to make a Survivor Benefit Plan (SBP) election for the RC retirement. When a SM achieves active-duty retirement, another election must be made at that time. In Example 1 above, when Brigadier General Jones converts his active-duty retirement to the RC retirement, he also makes a third SBP election, a very rare opportunity.

The reserve component is growing, and it will continue in its current course as an operational reserve for the foreseeable future. As it grows, practitioners are more likely to encounter AGR servicemembers as potential clients. Recognizing the differing duty statuses of a servicemember is vital. For this reason, it is imperative that practitioners request the RPAS statement of the servicemember, and the discharge certificates (DD 214s) from any prior active service for a full understanding of each type of service the SM has performed. A case involving an AGR servicemember provides parties with unique challenges. Understanding the several different types of service, and how these may affect retirement amounts and options, enables the practitioner to turn these challenges into opportunities for creative solutions benefiting both parties.

PAY NONREGULAR SERVICE 135-180, para. 1-4a.(1 July 1987).

ARMY NATIONAL GUARD CURRENT ANNUAL STATEMENT

Figure 1

CW2 [REDACTED]
 472-xx-xxxx
 HHCFWD (-) [REDACTED]
 [REDACTED]

Date Prepared: 2009/07/09
 AYE: 02/23
 BASD: 1996/06/14
 Notice Of Eligibility: NO
 Highest Grade Held: W02
 Output Reason: Request

This summary is a statement of your points earned towards retirement. You should review all entries and report any discrepancies to your unit clerk. Particular attention should be given to any period of service with a verification status (VS) of "B" because points are not credited until verified.

Calculate total years of creditable service for reserve component retirement (need at least 50 points a year to be counted). This is not to be used when calculating years of active duty service for AGR retirement. Refer to AD points.

Begin Date (yyyymmdd)	End Date (yyyymmdd)	MMSI	IDT	MEM	ACCP Misc Pts	AD Pts	VS	Total Career Points	Total Pts For Ret Pay	Creditable Svc For Ret Pay
1993/02/24	1993/07/28	E5	0	--	0	0	V	--	--	--
1993/07/29	1994/02/23	A1	0	6	0	210	V	216	216	01/00/00
1994/02/24	1995/02/23	A1	0	0	0	365	V	365	365	01/00/00
1995/02/24	1996/02/23	A1	0	0	0	365	V	365	365	01/00/00
1996/02/24	1997/01/29	A1	0	--	0	341	V	--	--	--
1997/01/30	1997/02/23	B1	4	1	0	0	V	346	346	01/00/00
1997/02/24	1998/02/23	B1	46	15	0	29	V	90	90	01/00/00
1998/02/24	1999/02/23	B1	48	15	0	18	V	81	81	01/00/00
1999/02/24	2000/02/21	B1	45	--	0	32	V	--	--	--
2000/02/22	2000/02/23	B4	0	15	0	2	V	94	94	01/00/00
2000/02/24	2001/02/23	B4	0	15	0	366	V	381	366	01/00/00
2001/02/24	2002/02/23	B4	0	15	0	365	V	380	365	01/00/00
2002/02/24	2003/02/23	B4	0	15	0	365	V	380	365	01/00/00
2003/02/24	2004/02/23	B4	0	15	0	365	V	380	365	01/00/00
2004/02/24	2005/02/23	B4	0	15	5	366	V	386	366	01/00/00
2005/02/24	2006/02/23	B4	0	15	0	365	V	380	365	01/00/00
2006/02/24	2007/02/23	B4	0	15	0	365	V	380	365	01/00/00
2007/02/24	2008/02/23	B4	0	15	0	365	V	380	365	01/00/00
2008/02/24	2008/06/02	B4	0	--	0	100	V	--	--	--
2008/06/03	2009/02/23	B2	0	15	0	266	V	381	366	01/00/00
2009/02/24	2009/06/05	B2	0	--	0	102	V	--	--	--
2009/06/06	2009/06/17	B1	0	--	0	0	V	--	--	--
2009/06/18	--	B4	0	--	0	22	V	--	--	--
Grand Totals						4650		4985	4845	16/00/00

Used for reserve component retirement calculation. Also used when SM qualified for active duty retirement for calculation of total time for pay. Under Title 10, cannot use more than 365, or 366 (leap year) in total points.

Points not used to calculate years towards an active duty retirement by dividing the total number of points by 360.

MILITARY MEMBERSHIP STATUS IDENTIFIERS

- E5 - Delayed Entry Program (Any Component)
- A1 - United States Army Regular Service
- B1 - Army National Guard Unit Member
- B4 - Army National Guard Active Duty under Title 32 USC, State Controlled
- B2 - Army National Guard Mobilized Service

ARMY NATIONAL GUARD CURRENT ANNUAL STATEMENT

CW2 [REDACTED]
 47-xx-xxx
 HHCFWD (-) [REDACTED]
 [REDACTED]

Date Prepared: 2009/07/09
 AYE: 02/23
 BAS D: 1996/06/14
 Notice Of Eligibility: NO
 Highest Grade Held: W02
 Output Reason: Request

Amounts on this page are a snapshot in time based on date of RPAS. This only refers to reserve component retirement calculations and amounts. Do not use these figures for active duty AGR retirement calculations.

NON-CREDITABLE PERIODS OF SERVICE

From Date To Date Reason

As of this date, you have accumulated 445 points and 16 years 0 months 0 days creditable service toward eligibility for retired pay. You therefore require 4 more years of creditable service to reach 20 years. The following chart displays the different retirement options available to you. These values are based upon satisfactory service at your highest pay grade held.

If you retire...	Based on ...	Your monthly retired Pay at age 60 would be Approximately...
At 20 years of creditable service	Your highest pay grade held to date The current pay scale Continual earning of a minimum of 78 points per year until you reach 20 years of creditable service	\$170364
At Age 60	Your highest pay grade held to date 3% cost of living increase per year Continuing active status until age 60 Continual earning of a minimum of 78 points per year until you reach age 60	\$487579

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 Supplemental Detail Report

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Case Analysis: *Snodgrass v. Snodgrass*

By Jonathan Ricketts*

The recent Kentucky Court of Appeals' opinion in *Snodgrass v. Snodgrass*, 297 S.W.3d 878 (Ky. Ct. App. 2009) provides a servicemember-friendly opinion in the area of military retired pay division.

Guy Snodgrass, a career Army NCO, was divorced from his wife of nearly 14 years while he was stationed in Germany. As with many military personnel, the dissolution was filed while he was deployed overseas. Although he filed an answer, no indication was made that his rights under SCRA were honored. More troublingly, the only language dividing his military retired pay stated simply that his former spouse would be awarded "46% of Respondent's retirement benefit from the United States Military". Specifically, the Property Settlement Agreement awarded to his former spouse 46% of Guy's "disposable retired pay". Guy continued his military service for over six years before retiring.

Eight years after the divorce, when he submitted his retirement paperwork, Guy learned that his former spouse would be receiving 46% of his gross monthly retired pay. Only then did the error become clear: the Defense Finance Accounting Service (DFAS) read the decree of dissolution literally, and began making payments to Guy's former spouse of 46% of his entire retired pay, despite a significant portion of his retirement having accrued both before and after the marriage. The decree failed to distinguish between the marital share (that is, the amount of retirement that accrued while Guy was married) and the entire retirement. All the retirement pay that Guy had earned both prior and subsequent to his marriage was not marital property, and Guy's former spouse had no entitlement to it. Nevertheless, DFAS paid her 46% of that entire retirement, taking the Decree of Dissolution at face value.

In 2006, Guy sought relief from the 1999 Decree of Dissolution pursuant to Kentucky Civil Rule 60.02, but the Family Court denied his motion as not being within a reasonable time of the judgment itself. Guy appealed, arguing a) that the time between the judgment and the petition for relief was based on the impossibility of foreseeing DFAS' interpretation of the Decree, b) he was entitled to relief as his SCRA rights were not honored at dissolution due to his deployment, and c) that the

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Family Court had abused its discretion by allowing this division, which was contrary to Kentucky law, to continue.

The Court of Appeals agreed that the retirement division, as DFAS interpreted it, was in fact contrary to Kentucky law. It applied the basic formula stated in several Kentucky cases, in which the number of months of marriage during active service is divided by the total number of months of service, and then thereafter divided in half. In this case, the parties had been married for 166 months, and Guy's total service was 295 months. Therefore 56% of Guy's retirement was considered "marital property," to which his wife was entitled to half (or 28%).

In its reasoning, the appellate court found that by granting her 46% of the *entire* retirement, the Decree awarded the former spouse "a robust 82% of the marital portion of the benefit [while] Guy receives only 18%." *Snodgrass*, 297 S.W.3d at 883. Clearly this was an inequitable result. In determining the intent of the Family Court in the original dissolution, the court came to four possible conclusions:

- A. That the court had intended to disregard the distinction between marital and non-marital property with regard to the retirement;
- B. That the court had intended to award the former spouse 82% of the marital share of the retired pay, and none of the non-marital pay;
- C. That the court had intended to award the former spouse 46% of the marital share, and none of the non-marital share; or,
- D. That Guy had intended to waive his right to his sole share of the retirement pay earned prior to marriage, and that he was giving her 46% of his retirement up to the divorce, but not including anything he earned after the divorce.

The court of appeals quickly dismissed the first two options as contrary to law. Guy's former spouse had no claim to any of the non-marital portion (unless Guy voluntarily gave it to her), nor did she have a claim to such a large percentage of the marital share. Under the third option, she was entitled to a total of 28% of the *total* disposable military retired pay. Under the fourth option, she was entitled to 33% (assuming it was Guy's intent to give her that much). The court remanded to determine which option was supported by the facts.

In its published decision, the court very intentionally directed divorcing servicemembers (and, more obviously, their attorneys) to the resources made available by DOD for just these type of problems. When negotiating property division in military divorces, these resources can be both helpful in the present and also critical to a servicemember-client's future. In drafting property settlement agreements, it is essential that DFAS has a clear and unequivocal understanding of the intent of the parties. It is absolutely necessary to apply the commonly-used formula to ensure that the non-servicemember spouse receives only that portion of the servicemember's retirement to which he or she is entitled. A simple "down-the-middle" division will result in the former spouse receiving a windfall while the servicemember or veteran receives little or none of his or her retirement. Though this was not the case for Guy, many divorce

cases may still include child support or maintenance. In those cases, the retirement pay may be an essential part of the servicemember's or veteran's income, and these small oversights, though seemingly innocuous in a family court setting, can cause great consternation.

Even after a favorable court decision, practical obstacles stand in the way of the servicemember's getting his or her due. DFAS has strict requirements as to what suffices as adequate to change a distribution of retirement income, and, as yet, has no system in place for the reimbursement of overpayments made to the wrong spouse. By avoiding these ambiguity problems at the outset, divorcing servicemembers can be assured that the division of their military assets is fair and proper.

Ultimately, *Snodgrass* may stand for two propositions: 1) that CR 60.02 relief (or its equivalent) may be available in military pension division cases under the right set of facts, even many years after the decree; and, 2) courts want practitioners to utilize DFAS resources in dividing military pay. Servicemembers and veterans enjoy a special place in our Federal system, and where their family concerns are meted out in state family courts, attorneys must be cognizant and aware of the intersection of the laws of the two sovereigns.

Free Lawyers for Troops and Veterans

A project of the National Veterans Legal Services Program (NVLSP) honoring our men and women in uniform by providing free legal services to U.S. military personnel who have served in and returning veterans from Operation Iraqi Freedom (OIF) and Operation Enduring Freedom (OEF), including legal advocacy on issues of disability, discharge and veterans benefits.

While combat operations continue in Iraq and Afghanistan, countless American troops and veterans are returning to a crisis at home: U.S. military personnel home from the warzone find themselves left to fight, often without legal representation, for the benefits they have so honorably earned while defending our nation. Free Lawyers for Troops and Veterans provides free legal representation, through a network of premiere law firms and attorneys, for troops and veterans navigating government agencies in an effort to receive disability benefits, proper military discharges and other benefits due them.

What We Do

Through a network of volunteer attorneys, Free Lawyers for Troops and Veterans provides free legal services to U.S. Military personnel and veterans who have served in OIF or OEF in the following situations:

Referred to the physical disability evaluation system. The physical disability evaluation system determines a servicemember's eligibility for a disability severance or retirement. Assistance of an attorney in the process can be critical to ensuring the right determination and benefits.

Servicemembers who have been referred to the physical disability evaluation system can receive free legal representation through Free Lawyers for Troops and Veterans, including assistance with Medical Evaluation Boards (MEBs) and Physical Evaluation Boards (PEBs).

Facing an involuntary administrative separation. The type of discharge and discharge characterization a servicemember receives has a dramatic impact on benefits. Some servicemembers with disabilities, such as Post Traumatic Stress Disorder (PTSD) and Traumatic Brain Injury (TBI), have been inappropriately recommended for involuntary separation. Free Lawyers for Troops and Veterans will provide servicemembers who are being inappropriately involuntarily separated because of a disability with free legal representation.

Received an inappropriate discharge or discharge characterization. A less than Honorable discharge characterization or an inappropriate discharge can result in a veteran receiving no benefits or fewer benefits than he or she deserves. Veterans with disabilities, such as Post Traumatic Stress Disorder (PTSD) and Traumatic Brain Injury (TBI), who received an inappropriate discharge or discharge characterization can receive free legal representation through Free Lawyers for Troops and Veterans.

Filed a claim with the Department of Veterans Affairs (VA) for disability compensation. Veterans who have claims for VA disability compensation can receive free legal representation in preparing the claim and appealing an inappropriate denial of benefits from Free Lawyers for Troops and Veterans.

Claim under the Traumatic Injury Insurance Under the Servicemembers Group Life Insurance (TSGLI). TSGLI provides a onetime lump sum payment to qualified U.S. military personnel who have suffered a traumatic injury caused by a traumatic event. Free Lawyers for Troops and Veterans will provide representation to qualified military personnel who have been denied or have difficulties with a claim under TSGLI.

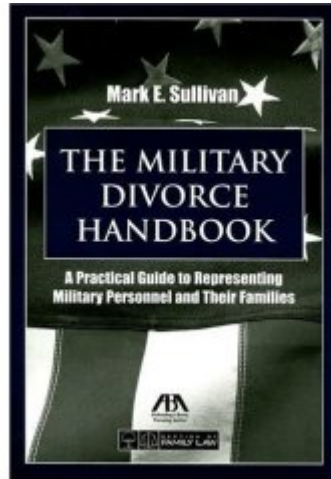
Who We Are

Free Lawyers for Troops and Veterans has recruited hundreds of lawyers from law firms throughout the country. In addition to their legal expertise, our attorneys have also been provided training on laws governing the military and veterans' disability benefits programs so they are prepared and qualified to handle such cases. Free Lawyers for Troops and Veterans also provides each volunteer lawyer with a mentor experienced in military and veterans law, further ensuring that every servicemember and veteran receives top notch legal representation.

Free Lawyers for Troops and Veterans is a project of the National Veterans Legal Services Program (NVLSP) an independent, nonprofit veterans service organization dedicated to ensuring that the U.S. government honors its commitment to our active duty personnel and veterans by

providing them the federal benefits they have earned through their service to our country. The project is operated in cooperation with the Pro Bono Institute, and veterans service organizations including the American Legion and the Military Order of the Purple Heart.

Free Lawyers for Troops and Veterans can be contacted by calling Thomas Moore at (202) 265-8305, ext. 131 or by emailing Thomas_moore@nvlsp.org



Editor's Note: Do You Have Your Own Copy of The Military Divorce Handbook?

The Military Divorce Handbook: A Practical Guide to Representing Military Personnel and Their Families by Mark E. Sullivan is a useful outline that guides the family law practitioner through the unique and difficult issues involved when a military retiree or servicemember divorces. Included in the book are a clear explanation of the Servicemembers Civil Relief Act, how to locate and serve the military member, visitation and custody, domestic violence, military tax issues, pension division, family support, medical care, and the division of military retirement benefits. The book includes a CD-ROM full of checklists, instruction sheets, forms and info-letters. *The Military Divorce Handbook* is priced at \$149.95, with a price of \$129.95 available to members of the ABA Section of Family Law. Learn more about the book and order online at <http://www.abanet.org/abastore/productpage/5130135>. To order by phone, call the ABA Service Center at 1-800-285-2221 and request product code 5130135. Orders can be faxed to 1-312-988-5568.