



Notes From the JAG

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Telekom Suspension

Going on a deployment and thinking about suspending your Telekom service? If so, there is information that you need to know to ensure you stay in the green and debt-free during your deployment.

When filling out the request to suspend your account for a six-month deployment, you must complete the request form and pay the required fee. Be aware that the first month of your requested suspension, you will receive a “final bill” before your suspension officially begins. The suspension does not go into effect unless this is paid. Failure to pay the “final bill” will lead to your account continuing to be charged as normal. This causes a chain reaction of penalties and late fees, and eventual account termination due to non-payment. At this point, Telekom generates a compensation fee for termination and forwards the bill to a collection agency. The collection agency will tack on even more fees for their services until you return. At the end of your deployment, you could owe over 600 Euros for an account you assumed had been suspended. If you do decide to use the suspension option, be aware that not only do the conditions mentioned above apply, but also that your six-month suspension will be added to the end of your contract. This means, if you suspend for six-months, your contract will automatically increase by six-months to a new contract end date.



An alternate option is to set up automatic payments and automatic allotments to ensure you have sufficient funds to cover your monthly bills during the entire duration of your deployment. You can then pull out your cell phone’s sim card and place it in a safe location until you return. This prevents you from incurring a fee for suspension, your account from being compromised by lack of funds, and keeps your contract at the original end date.

If you’ve unsuccessfully suspended your Telekom account, or if you have any questions about this process, please contact your base legal office to speak with your legal team for more information.

EARLY RETURN OF DEPENDENTS

An overseas posting can be a great experience for a family, but sometimes things don't work out as intended. Under certain situations, a family may find that they need to return to the US, but the service member needs to remain overseas. This is called an early return of dependents, but is usually shortened to ERD. Of course, the military has rules and regulations for these cases, and it is good to know a little bit about them if you are going overseas. ERDs are covered in the Joint Travel Regulations (JTR).

While people may choose to move home at any time, such a move will not be government-funded unless certain criteria are met. Typically, this includes: (1) the non-availability of appropriate medical care for a family member, (2) the death, serious illness or incapacitation of an adult dependent, leaving minor dependents without appropriate care, (3) financial difficulties, (4) marital difficulties, or (5) death or serious illness of a close relative.

The relevant benefits differ depending on the reason for the ERD, and many require the determination of a local authority to justify the request. It must be established that the problem did not arise until *after* arrival at the overseas location. In addition, all local resources must first be used to try and remedy the situation. This includes financial services, mental health services, family counseling, and legal advice. In short, ERD's are a last resort.

If you believe an ERD may be appropriate for you, the first step is to contact your command. First Sergeants are the wing POC's for ERD requests.

Housing Allowances

JFTR Volume I, Chapter 10, Part E, Section 6 discusses housing allowances in ERD situations. If a family ERDs at government expense, the servicemember becomes eligible for Basic Allowance for Housing (BAH) at the with dependents rate for the location where the family is to reside. Once BAH begins at the family's new location, the servicemember's Overseas Housing Allowance (OHA) drops to the without dependents rate.

Family Separation Allowance will not be authorized if the ERD is due to marital issues, misconduct, or other personal situations.

This is just an introduction to the basic ERD concepts. If you want more information, go straight to the source: <https://www.defensetravel.dod.mil/Docs/perdiem/JTR.pdf>. The ERD portion is in paragraph 050804 (as of April 2017, JTR is updated every month).

If you have questions, please contact your First Sergeant or the legal office at 452-6796.

Speeding Tickets in Germany

Have you received a German speeding ticket in the mail? The following chart gives you an idea of what kind of monetary fine to expect for speeding off-base:

KM/Hr Over	21 - 25	26 - 30	31 - 40	41 - 50	51 - 60	61 - 70	over 70
Inside of Town	€ 80 fine + fees for case	€ 100 fine + fees for case	€ 160 fine + fees for case 1-month suspension	€ 200 fine + fees for case 1-month suspension	€ 280 fine + fees for case 2-month suspension	€ 480 fine + fees for case 3-month suspension	€ 680 fine + fees for case 3-month suspension
Outside of Town	€ 70 fine + fees for case	€ 80 fine + fees for case	€ 120 fine + fees for case	€ 160 fine + fees for case 1-month suspension	€ 240 fine + fees for case 1-month suspension	€ 440 fine + fees for case 2-month suspension	€ 600 fine + fees for case 3-month suspension

Any tickets under 21 kph are considered warning fines in Germany and no points will be assessed. You are allowed 8 points in a year's time span for tickets in Germany. A ticket received that does not have an automatic suspension will result in 1 point.

You must remember that SFS also applies points. SABI 31-116 provides a breakdown of SFS traffic points allocation.

CERTIFICATION OF TRUE COPY



You may find yourself in a situation where you are required to submit a certified true copy of a document to a certain agency. Typically, this will be requested when applying for a passport, visa, or requesting tax identification numbers. A certified true copy of a document is a true and accurate copy of the original document. The originating agency has the exclusive capacity to create a certified true copy of the document they originally produced.

The Legal Office is not an originating agency for documents that require true copies. However, the Legal Office can assist with a *Certification of True Copy*, which is a notarized affidavit (sworn statement) from the client stating that the attached document is a copy of the original. Before receiving a Certification of True Copy from the Legal Office, please check with the receiving agency to see if they will accept it. If you have any questions, you can contact the Legal Office in Building 125, or at DSN: 452-6796.

ASK A JAG: MAKING LEGAL APPOINTMENTS

Q: My husband and I are in the process of getting a divorce and we would like an appointment together with the same attorney. Is that possible?

A. Unfortunately, you must see separate attorneys when you come in for this type of legal assistance appointment, as meeting with the same attorney regarding this matter would be a conflict of interest.

Q. I just found out that I have a conflicting appointment the same day that I have my legal appointment, what can I do?

A: Please provide the legal office with at least 24 hours notice if you need to cancel or reschedule your appointment. To prepare for each appointment, our attorneys complete research into your specific legal issue/subject before you come in. They also see short-notice deployers during these slots if they are not filled. If you don't show up to your appointment, you are taking the slot away from someone who may have a greater, more immediate need for it.

Q: I just found out that I'm deploying next week and I need a will to be prepared. What can I do?

A: Please give us a call at DSN 452-6796 or COMM 06565616796 as soon as you can. We will ensure that you are taken care of before you depart. Flexibility is the key to airpower!



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Phone: 452-6796
E-mail: 52fw.jaadm@us.af.mil

For will worksheets or Powers of Attorney, please visit our website below.

<https://aflegalassistance.law.af.mil>

American Attorneys

Please call for all appointments, including wills.

German Legal Advisor

Appointment Only

Mon-Tues, Thurs (0900-1100)

Weds (1230-1430)

Powers of Attorney & Notaries

WALK-IN HOURS:

Mon-Fri (0900-1500)