

LEGAL READINESS CHECKLIST: DEPLOYMENT AND MOBILIZATION

General Information: DoDD 1350.4 establishes that DoD's policy is that commands must encourage Marines to seek legal counsel well before deployment, mobilization, or similar activities, regarding wills, living wills, advance medical directives, and other legal matters. This checklist allows judge advocates to quickly analyze in advance of deployments and mobilizations the legal issues Marines might encounter during such an activity. This checklist cannot replace individual consultation with an attorney, and should only be used as a catalyst to facilitate quick analysis of issues.

Instructions: Completion of this form reveals substantial amounts of personal information. Because of this, it should be completed *only* when individual and thorough interviews with judge advocates or other attorneys are an impossibility. Complete this form in its entirety, leaving no blanks, and deliver directly to the judge advocate providing deployment/mobilization counseling, or directly to a person designated by the judge advocate. Responsibility for the absolute confidentiality of this document rests on the shoulders of the Marine completing this document, as well as on the shoulders of the judge advocate providing legal readiness counseling. If you complete this form and deliver it to a third party not approved by the judge advocate, you risk the confidentiality of the information contained herein. Please complete the questionnaire and attach documentation where specified.

A. BASIC INFORMATION:

Name: _____ (Last, First, M.I.) Rank: _____
 Address: _____ (No., Street, Apt. No, City, State, Zip)
 Phone: _____ Fax: _____ Email: _____
 (Reserve) Unit: _____
 Admin Unit / Supporting Reserve Center: _____
 _____ (full address of Admin Office /supporting reserve center).
 Reserve Center Phone: _____ Reserve Center Fax: _____
 Mobilization/Recall date: _____ Processing site: _____
 Civilian monthly income: _____
 Monthly Income when on active duty: _____

Circle the correct answer:

Do you expect to be, or are you currently involved in a law suit? Yes No

Do monthly credit payments (loans, other obligations such as support payments) currently take close to or more than one-half of your monthly take-home pay? Yes No

What is the last date you viewed credit reports on yourself and your spouse? _____

B. ESTATE PLANNING: this section addresses basic questions about the readiness and adequacy of your estate plan.

QUESTION	Yes	No
1. Do you have a will, living trust, or other estate planning document?		
2. Do you have a living will?		
3. Do you have a health care power of attorney?		
4. Do you have a durable general power of attorney?		
5. Do you have an ongoing attorney-client relationship with a civilian/private attorney who regularly assists you in maintaining an estate plan?		
6. If you answered "yes" to question 5, have you reviewed your estate plan within the past 12 months with the civilian attorney or military judge advocate with whom you have an ongoing attorney-client relationship (that is, you have met with the attorney on several occasions)? If NO: consider immediately contacting the civilian attorney or judge advocate with whom you have previously drawn up estate planning documents, if applicable, to review your estate plan and make any updates to that plan before you are mobilized. An attorney who regularly helps you analyze your property for the purposes of developing your estate plan is in a better position to assist you than an attorney conducting or pre-deployment / pre-mobilization briefs.		
7. If you <i>do not</i> have a will, living will, health care power of attorney, and/or a durable general power of attorney, do you want assistance in drafting some or all of these documents? <div style="text-align: center; font-size: small;"> If you checked "yes," please circle the documents you believe you need:. </div> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="text-align: center;">Will</div> <div style="text-align: center;">Living Will</div> <div style="text-align: center;">Health Care Power of Attorney</div> <div style="text-align: center;">Durable General Power of Attorney</div> </div>		

8. If you indicated in question 7 that you desire help drafting documents, have you completed the necessary worksheets for those documents? If NO: contact a judge advocate or your reserve center for the necessary documents.		
9. If you have a will, have any of the following events occurred since you signed your will: a. Change in marital status? b. Birth or adoption of child? c. Death of close family member or other person mentioned in will? d. Significant change in property or monetary assets?		
10. If you <i>do not</i> have a will: a. Are you married? b. Do you have any children under 18? c. If you are single and have no children, do you know who will inherit your property if you die without a will in your state?		
11. Are you a single parent, one of a dual service couple, or solely responsible for the care of another person? a. If yes, do you desire an in-loco parentis power of attorney? In loco parentis powers of attorney authorize agents to perform any and all parental acts, to include but not limited to discipline, maintenance, supervision, arbitration of disputes, enrollment in school, sports, and consent to medical care.		
12. Are you, your spouse, or any other of your dependents non-U.S. citizens?		
13. Do you have any special-needs or handicapped dependents?		

C. SERVICEMAN'S GROUP LIFE INSURANCE, OTHER LIFE INSURANCE, AND PAGE 2 DATA: Your Life Insurance or Serviceman's Group Life Insurance (SGLI) elections and information in your service record must be kept up-to-date at all times. Many service members do not understand all options available to them under SGLI, and beneficiary elections, particularly for minors, can be confusing. You may read more on SGLI at <http://www.insurance.va.gov/sqliSite/default.htm>.
Instructions: Attach a copy of your SGLI election and your record book's dependency application/elections to the questionnaire.

Question	Yes	No
1. Have you elected coverage under SGLI? If "yes", state the amount of coverage you elected, including for other people:		
2. Have you updated your life insurance or SGLI election page within the last year?		
3. Have you updated your page 2 information within the last year?		
4. Has your personal situation or any information (to include addresses and contact information) changed since you last updated this information?		
5. If you answered "yes" to questions 3, have you updated your life insurance or SGLI election page and page 2 with the new information? If NO: update that information immediately.		
6. If an attorney assisted you with an estate plan, did that attorney know about your life insurance or SGLI?		
7. If your attorney knew about your life insurance or SGLI, did he use your life insurance or SGLI in your estate plan?		
8. Did you know that your spouse and children also carry SGLI coverage?		
9. If you are divorced or in the process of getting divorced, have you removed the spouse that you divorced or are divorcing from your life insurance or SGLI election form? If NO: consider removing that spouse from your life insurance or SGLI election.		
10. Is a minor (person under 18 years of age) designated a beneficiary for SGLI or other life insurance?		

D. SERVICEMEMBERS CIVIL RELIEF ACT OF 2003 (SCRA) ISSUES: The SCRA may provide numerous protections to active duty military and to mobilized reservists. These questions help determine whether SCRA provisions may be invoked to assist you during mobilization or deployment.

Question	Yes	No
1. Is a lawsuit currently pending against you or have you filed a lawsuit that is pending?		

If YES: attach a copy of all court documents related to the lawsuit to this questionnaire.		
2. If you are a reservist recalled to active duty for an <i>extended</i> period of time, would this adversely affect your financial situation in any way?		
3. Are you currently renting an apartment, home, condo, coop, etc.? If yes, attach a copy of your lease. What is your monthly rent: \$		
4. If you answered "yes", to question 3, did you sign the lease BEFORE you were being recalled/mobilized to active duty?		
5. Do you currently pay a mortgage, trust deed or other security interest/installment payment? If you answered yes to question 5, what type of instrument are you paying on: List each instrument, balance, and interest rate (<i>if necessary on separate sheet</i>):		
6. Do you currently have any credit cards? List each card, balance, and interest rate (<i>if necessary on separate sheet</i>):		
7. If you currently rent your dwelling, is an eviction proceeding pending against you?		
8. If you pay a mortgage, is a mortgage foreclosure proceeding pending against you?		
9. If you pay a mortgage, are you currently in default on any mortgage?		
10. Do you currently have a "whole life" civilian life insurance policy or a civilian life insurance policy with a cash value? If you answered "yes" to question 10, what date did you begin the policy?: ___/___/___ If you answered "yes" to question 10, what is your premium payment: \$ _____ per _____(Week/Month/Year/Quarter/Other)		
11. Other than credit cards, do you have any other type of debt that you are paying? If you answered "yes" to question 11, list the debts and each debts' interest rate:		
12. Do you have any property in a storage facility? If you answered "yes", attach a copy of the storage contract.		
13. Are you currently renting a motor vehicle? If YES: attach a copy of the contract/lease for that vehicle.		
14. Do you currently have an installment contract or lease for land, buildings, or personal property (including a motor vehicle lease or contract) for which you have made a deposit or paid at least one installment? If YES: attach a copy of the installment contract/lease.		
15. Do you have any interest/rights to the use of any public lands (i.e. land owned by the United States) on which you have mining rights, mineral rights or any other right to the use of those lands?		
16. Do you have any homestead entry rights to public lands owned by the United States?		
17. Do you have any interest in or rights of entry to desert-land?		
18. Do you have any mining claims, mineral permits, or irrigation rights?		
19. Is your pay being garnished for any reason? If you answered "yes" to questions 19, provide a brief explanation of why your pay is being garnished and provide how much of your pay is being garnished:		
20. Do you pay any state income tax? If you answered "yes", in which state do you pay income tax:		
21. If you are married, does your spouse pay state income tax? If you answered "yes", in which state does your spouse pay income tax:		
22. Have you given Power of Attorney to anyone containing specific language granting the power to exercise your SCRA rights?		
23. Have you signed any paperwork, or are you considering signing paperwork, containing a "Waiver" of your SCRA rights? If YES: attach a copy of that paperwork (before signing, if you have not yet signed).		

24. Do you currently have an installment contract or lease? If YES: attach a copy of the contract/lease for that vehicle.		
25. Do you currently have professional liability insurance? If YES: have you requested that the insurance be suspended?		
26. Do you currently have life insurance? If YES: list any policies and the amount and frequency of payments you make on the policies.		
27. Do you currently have health insurance? If YES: list any policies and the amount and frequency of payments you make on the policies.		

E. BUSINESS INTERESTS: These questions help the attorney to determine if you have ownership interests in a business so that we can advise you of the legal issues you may face if you must leave your business to mobilize. A good resource is the Small Business Administration's website at <http://www.sba.gov/reservists/>. **NOTE: You are encouraged to consult your private civilian attorney about legal issues that may arise if you are mobilized. Military legal assistance does not extend to issues relating to your business interests.**

Question	Yes	No
1. Do you have any ownership interest of any kind in a business?		
2. Do you have an ownership interest in more than one business?		
3. If you answered "yes" to question 1 and/or 2, do you have an ownership interest in a sole proprietorship?		
4. If "yes" to question 1 and/or 2, do you have an ownership interest in a partnership of any kind? If "yes" to the above: in what type of partnerships do you have an ownership interest?: (General/Limited) Are you a General Partner or a Limited Partner?:		
5. Do you have an ownership interest in a small business corporation?		
6. If "yes" to question 5, are you the sole stockholder?		
7. If you have an ownership interest in any business entity, do you have a plan for how the business will continue if you are mobilized?		
8. If you have an ownership interest in any business entity, have you granted another party a power of attorney so that this party can run your business in your absence?		
9. If you are regularly represented by an attorney in your business interests, have you consulted your attorney about legal issues that might be caused by your mobilization?		

F. UNIFORMED EMPLOYMENT AND RE-EMPLOYMENT RIGHTS ACT (USERRA): USERRA generally provides reservists and national guardsman the right to return to a civilian job held before entering a period of military service, subject to certain limitations and action required by the reservist.

Question	Yes	No
1. Are you currently employed?		
2. Have you given your employer written notice by certified mail, return receipt requested, of your period of active duty and that you will be returning to your job after the period of active duty is complete?		
3. Is your period of active duty for 5 years or longer duration?		

G. CHILD SUPPORT: Child support often can be modified prior to deployment to ensure that you do not suffer large arrears after return from deployment. Note that criminal charges can result from unpaid child support, and that modification post-deployment may be impossible.

Question	Yes	No
1. Do you currently pay court- or agency-ordered child support?		
2. Will your pay while deployed substantially prevent or effect your ability to pay the court- or agency-ordered child support?		
3. Have you notified any authorities or the custodial parent that you are deploying?		
4. Have you begun any agency or court action to modify child support prior to deployment?		

Signature: _____ (sign and print name) Date: _____