

FINANCIAL LIABILITY INVESTIGATION OF PROPERTY LOSS

Soldiers and Civilian Employees may be held liable for the loss or damage caused to Government property. When loss or damage to Government property occurs, a Financial Liability Investigation of Property Loss is conducted. Army Regulation 735-5 governs the FLIPL process, as well as the redress available to Soldiers and Civilians who are recommended for financial liability.

The first thing to do if you are recommended for financial liability is make an appointment to consult with a Legal Assistance Attorney. FLIPLs can be complex and seeking legal assistance is your best option. Ensure that you bring all documentation associated with the FLIPL to the appointment. Upon being recommended for liability, you should receive a DD Form 200, a document describing your rights in rebutting the recommendation of liability, and all documents gathered through the course of the FLIPL investigation.

After receiving these documents, you are entitled to submit a rebuttal statement. A rebuttal statement allows you to challenge the findings of the FLIPL investigation, as well as submit any relevant evidence that was not discovered through the course of the FLIPL investigation. You typically only have 7 days from the day you receive notice of the recommendation of liability to submit a rebuttal statement, so seek legal assistance immediately.

After the rebuttal statement is submitted, it will be included with the rest of the FLIPL packet. A legal review is then done on the FLIPL packet. If the legal review reveals that there is no legal basis for imposing liability, no financial liability will be imposed. If the legal review concludes that there is an adequate legal basis for the imposition of financial liability, the entire FLIPL packet and rebuttal are sent to the Approving Authority. The Approving Authority will review all material and decide whether to impose financial liability. If the Approving Authority elects not to impose financial liability, the FLIPL is closed. If financial liability is imposed, you will be notified in writing.

At that time, you will have the ability to submit a request for reconsideration. A request for reconsideration allows you to challenge the FLIPL only on the grounds of legal error, but you can also submit any newly discovered evidence on your behalf. The request for reconsideration is sent back to the Approving Authority for review. If the Approving Authority agrees and decides to remove the imposition of financial liability, the FLIPL is closed. If the Approving Authority again elects to impose financial liability, the FLIPL packet is automatically forwarded one level of command higher for review. This reviewing authority will then decide whether to impose financial liability.

If financial liability is recommended by the reviewing authority, one level of redress remains. This level of redress is the Army Board of Corrections for Military Records. You can choose to submit the entire packet to ABCMR for review. If all other avenues have been unsuccessful to this point, it is difficult to be successful at the ABCMR level. Again, you can challenge the FLIPL for legal error and submit any newly discovered evidence. Once the packet is received by ABCMR, the Board will review the packet and decide whether financial liability is appropriate.

If you have questions, contact the Fort Bliss Legal Assistance Office at (915) 568-7141 or usarmy.bliss.hqda-otjag.mesg.bliss-legal-assistance-office@army.mil for an appointment to speak with an attorney.