



Trial Defense Services

FORT KNOX FIELD OFFICE
FORT KNOX, KENTUCKY 40121

INVOLUNTARY SEPARATION DUE TO PARENTHOOD CHAPTER 5-8, AR 635-200

Note: This handout only provides basic information and is not intended to serve as a substitute for personal consultation with an attorney.

BASIS FOR THIS CHAPTER.

You may be considered for involuntary separation under this chapter and paragraph if your parental obligations interfere with your fulfillment of military responsibilities. These responsibilities may include:

1. Inability to perform prescribed duties satisfactorily;
2. Repeated absenteeism and/or tardiness;
3. Inability to participate in field training exercises;
4. Inability to perform special duties such as CQ and Staff Duty NCO; and,
5. Nonavailability for worldwide assignment or deployment according to the needs of the Army.

WHAT MUST THE COMMAND DO BEFORE THEY CAN INITIATE A CHAPTER 5-8?

Separation processing may not be initiated against you until there has been adequate counseling concerning deficiencies and you have been afforded the opportunity to overcome them. The counseling statement should include the reason for the counseling; the fact that a separation action may be initiated if the your parental obligations continue to interfere with fulfillment of military responsibilities; and, the type of discharge that you could receive if separated from the military.

WHAT SHOULD YOU DO?

If a failed Family Care Plan makes it impossible for you to fulfill your military duties you should work to correct those deficiencies immediately. You should keep notes on who you contact and the outcome of your conversations. If you are unable to overcome those deficiencies, you will be notified for separation.

If your parental obligations are causing tardiness or absenteeism, work with your chain of command, your chaplain, and/or childcare services to come up with appropriate alternatives to childcare to prevent future problems in performing required military duties. If you are unable to prevent future problems you will be notified for separation.

TYPE OF DISCHARGE.

Honorable or General under Honorable Conditions.

ADDITIONAL INFORMATION/ANY QUESTIONS?

If you are notified for separation, you will visit our office for further advisement. In the meantime, should you have any questions, please address that with a Trial Defense Attorney or one of the office's Paralegal Specialist.