



U.S. ARMY OKINAWA

TORII STATION



LEGAL ASSISTANCE

• 652-4332 / 4742 • BUILDING 218, ROOM 220 •

Make Sure Your Legal Affairs are in Order **By Rudy Wartella**

Don't wait until the last minute to get your legal affairs in order. Many times, Soldiers put off getting their legal affairs together until they get their orders to deploy, or until the Soldier Readiness Processing (SRP) comes along.

Soldiers on Okinawa can get powers of attorney prepared on an appointment basis at the Okinawa Law Center on Torii Station. Soldiers can also visit the USAG Okinawa legal web page and download power of attorney worksheets and Will worksheets/Burial Preferences. (<https://home.army.mil/okinawa/index.php/about/Garrison/legal-office>) We also have numerous information papers. Use of the power of attorney worksheet found on the legal assistance page will reduce the waiting time at the legal assistance office. This form can be sent by email, or the Soldier can bring it to the legal assistance office.

The legal assistance office can review your SGLI beneficiary designations; prepare Powers of Attorney, Wills, Advance Medical Directives, Healthcare Powers of Attorney, and review your automobile insurance paperwork:

Powers of Attorney: There are two types of powers of attorney: General and Special. A General Power of Attorney gives broad power to your "attorney-in-fact" to do many things on your behalf. There are potential problems with a General Power of Attorney. Because the powers are so broad, an irresponsible or unethical person can abuse them. It is very hard to effectively revoke a General Power of Attorney. Many activities are skeptical about accepting a General Power of Attorney and will only accept a Special Power of Attorney. Because the power is so vast, Army Regulation requires that you are briefed by an attorney or read an information paper signed by an attorney before receiving.

Special Power of Attorney: A Special Power of Attorney gives limited power to do a specific act (sell a car, file income taxes, clear government quarters, etc). As mentioned above, many businesses will only accept a Special Power of Attorney. If you can anticipate what you will need a power of attorney for, you should make a Special Power of Attorney.

Will: This is a document that determines how your assets will be distributed upon your death. You choose a Personal Representative (or Executor) to manage your estate. You can also appoint guardians for your minor children and/or set up testamentary trusts for the benefit of your children.

Advance Medical Directives: This document instructs your physicians on your desires regarding continuation of life sustaining measures under various circumstances. We have all heard stories about people who were “hooked up to machines” for years while their family members fought over what should be done. An Advance Medical Directive allows you to make this decision in advance. This takes the burden off of your family and it is the best way to ensure your wishes are met.

Healthcare Power of Attorney: This document appoints someone you trust to make healthcare decisions for you if you are unable to make them for yourself (you are unconscious or incapacitated). You can also make your desires known about organ donation.

Automobile Insurance in Japan: SOFA personnel are required to have both Japanese Compulsory Insurance (JCI) and Property Damage Insurance (PDI, usually AIG or Chubb). It is important to check both your JCI and PDI policies to make sure they are current. If you deploy, be sure to have a plan to have your insurance paid, especially if someone will be using your vehicle. If your vehicle is involved in an accident with expired insurance, you will be held liable to pay for the other party’s damage out-of-pocket.

The above are just examples of routine legal services for soldier readiness. Other legal issues may also affect legal readiness (pending litigation, family law problems, debtor/creditor problems, etc). Soldiers on Okinawa should call the Okinawa Law Center on Torii Station at 652-4332/4742 if they have any legal questions, problems, or want to prepare any of the above documents.