



3ID Legal Assistance Office Newsletter Volume 7, August 2024

“SOLDIER FIRST, LAWYER ALWAYS”



Welcome back to the latest edition of the 3ID Legal Assistance Newsletter! This edition of the Legal Assistance Newsletter will present a few of the resources that the 3ID Legal Assistance Office can offer in cases of separation or divorce.

Divorce and Separation

If you are currently married and considering divorce or separation, this newsletter is aimed at providing some information on the resources that the Legal Assistance Office provides and best practices for moving forward.

- **Identify the type of divorce.**

- *Uncontested.* An uncontested divorce involves spouses who agree on the division of their assets and the dissolving of their marriage. The Legal Assistance Office can provide substantial assistance with an uncontested divorce.
- *Contested.* If your divorce is contested, meaning that you and your spouse cannot agree either about getting divorced or the terms of the divorce, you will need to seek representation from a civilian attorney. The Legal Assistance Office can provide a list of local divorce attorneys you can hire at your own expense.

- **Documents.**

- For *contested* divorces, the list of attorneys within the area is available for pickup during walk-in hours.
- For *uncontested* divorces, the Legal Assistance Office has two different divorce checklists to help guide you through the process. One for couples with children, and one for couples with no children. If you require either of these checklists, please come visit the Legal Assistance Office and pick your applicable checklist up. Legal Assistance also has a binder that explains exactly how to fill out the divorce paperwork.

- **Notary.** For both *uncontested* and *contested* divorces, documents will need to be notarized. You should not sign your documents until you are in the presence of a notary. The Legal Assistance Office can notarize your documents for free.

AR 608-99 Support

- If you and your spouse are separating, you may be subject to **Army Regulation (AR) 608-99: Family Support, Child Custody, and Paternity.** A Soldier's obligation to provide AR 608-99 support begins when the Soldier and spouse separate (no longer reside together) **AND** there is no oral or written agreement or court order addressing support. AR 608-99 requires that the Soldier pay a pro rata share of the Basic Allowance for Housing (BAH) II-WITH amount. The specific amount a Soldier owes is based on rank, number of dependents, and the BAH II-WITH amount. However, there are several exceptions that can impact the amount a Soldier owes under AR 608-99.
- If you are separating from your spouse, stop by the Legal Assistance Office for an AR 608-99 Fact Sheet or visit www.armypubs.army.mil to view the regulation. If you have questions or want to learn more, stop by Legal Assistance!

Special thanks to the primary author, Mr. Mick Rash.

If you have inquiries or would like to schedule an appointment with one of our attorneys, please email us at: usarmy.stewart.forscom.mbx.fsga-legal-assistance-office@army.mil.

Disclaimer: These materials have been prepared for general informational purposes only and are not legal advice. This information is not intended to create an attorney-client relationship, and receipt of it does not constitute an attorney-client relationship.

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