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When To Get A Will (And What To Do First!)

We hear it all the time: “Plan for the worst, but hope for the best.” Granted, this is not an enjoyable task, but ask yourself, what would happen if you or your spouse were severely injured, or worse, died unexpectedly? Do you and/or your spouse both have a will? Who would take care of your children? Does your family know where to find and what to do with money and other assets in the event of an untimely death? Have you clearly communicated to your next of kin what sorts of medical care you do and do not want if you are faced with critical medical care decisions but are unable to communicate your wishes? Bottom line: Have you planned for the worst? If you answered “no” or are unsure of your answer to any of these questions, schedule an appointment with the Base Legal Office, 81 TRW/JA, to get your last will and testament, advance medical directive, and powers of attorney drafted and executed.

Too many people leave these questions unanswered, which often causes a great burden on our closest loved ones at times of already heightened stress. Consider getting a Will, Advance Medical Directive, and a Power of Attorney created, or updated if you created them prior to a change in life circumstances (new baby, new spouse, divorce, pending deployment, etc.). Doing so will give clear direction to your loved ones if they are ever required to make difficult decisions in uncertain times.

Before you schedule your appointment with the Legal Office, we strongly encourage you to make an inventory of your assets (real estate, cars, bank accounts, stocks, etc.) and your liabilities (student debt, mortgages, car notes, etc.). Decide how you want the debts to be cleared, and how you want your remaining assets to be distributed to your family and friends. Also, take the time to think about what critical life sustaining care you would want should the need arise under various circumstances. If you have minor children, discuss with your spouse who you would want to raise your children if the worst happened. Finally, make sure that you speak with those individuals that you expect to entrust with the executory or attorney-in-fact powers and let them know both of their new responsibility and your wishes before listing them formally in your legal documents.

Taking the time for this sort of introspection, accounting, planning, and communication is a critical component of our responsibility to our loved ones. It is always our sincere hope that none of our clients ever need the documents we create for them. Nevertheless, it’s always better to have something and not need it, then need it and not have it.



Servicemember Civil Relief Act (SCRA) Protections

There is a Federal law called the Servicemembers Civil Relief Act (SCRA) that is designed specifically to help military members both financially and in certain legal situations.

Perhaps the most widely applicable provision in the Act is the six-percent interest-rate cap on pre-service debt found in 50 U.S.C. § 3937. For eligible military servicemembers, that means the interest you pay on any debt you incurred *before* you joined the military is limited to six percent. This includes credit cards, student loans, mortgages, vehicle loans, and home equity loans.

Eligible members are active duty members, reservists on Federal active duty, and National Guard members on Federal active duty for more than 30 days. To take advantage of the benefit, the member must notify their lender *in writing* and may apply as soon as they enter active duty, but no later than 180 days from the *end* of the member's military service. They must also provide the lender with a copy of their orders. As long as proper and timely notice is provided, the lender must apply the six-percent interest-rate cap retroactively, all the way back to the first day of the member's military service.

There are a few things members need to know about the rate cap. First, it *does* include debt incurred jointly by the member and his or her spouse. Second, the benefit only

lasts as long as the military service lasts, except in the case of mortgages, in which case it lasts until one year *after* the member leaves the military. Finally, the benefit only applies to debt incurred *before* the member enters the military, which means that if you consolidate your debt *after* you enter the military, you lose the benefit as of the date of consolidation.

If you have questions about your eligibility or how to take advantage of this or any other benefit under SCRA, please call the Legal Office for an appointment and we will be happy to help you determine which of your pre-service debts are eligible for relief and interest-capping through SCRA!

Immigration Agent Coming to Keesler

A representative from the United States Citizenship and Immigration Services will be at the Legal Office on Friday, 19 May 2017 to answer questions and provide specific guidance for Airmen and their dependents. Call 591-8601 for more info or to make an appointment.

CONTACT US



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For will worksheets or Powers of Attorney please visit our website below.

[https://
aflegalassistance.law.af.mil](https://aflegalassistance.law.af.mil)

Wills Appointments

By Appointment Only
Tues (9:00 a.m. - 10:00 a.m.)
Thurs (2:00 p.m. - 3:00 p.m.)

Legal Assistance

By Appointment Only
Mon (1:30 p.m. - 2:30 p.m.)
Wed (9:00 a.m. - 11:00 a.m.)

Powers of Attorney & Notaries

WALK-INS
Mon-Fri (8:00 a.m. - 4:30 p.m.)