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# Dragon Legal Digest

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## What You Need to Know About Article 31 Rights

**Guest Authors:** Capt Andrew Eichner (Keesler AFB Area Defense Counsel); SrA Tumursuren Byambadash (Keesler AFB Defense Paralegal). Phone: 228-376-8600.

In the military, when a person suspects that you have committed an offense, one of the most important processes required before they can question you about the offense is an advisement of your legal rights pursuant to Article 31 of the Uniform Code of Military Justice (UCMJ). In simple terms, an Article 31 rights advisement in the military is very similar to a *Miranda* advisement by the civilian police — except Article 31 rights are broader (they only have to **suspect you** of a crime — no custodial interrogation required) and Article 31 rights actually predate *Miranda* rights!

### What are your Article 31 rights?

Article 31 rights include:

- The right to be informed of the specific offense(s) you are suspected of committing;
- The right to remain silent; and
- The knowledge that any statement you make, oral or written, may be used against you in a trial by court-martial or any other judicial or administrative proceeding.

The following additional rights are usually read simultaneously with Article 31 rights:

- The right to military legal counsel (free of charge!);
- The right to a civilian lawyer at your choosing and at your expense; and
- The right to terminate questioning at any time.

### What happens if a questioner violates your Article 31 rights?

Article 31 rights are considered so important under the law that violating them can result in the suppression of statements taken in violation of the article. This means that even full confessions can be suppressed if Article 31 rights are violated. Even more, any evidence found because of those illegally obtained statements can also be suppressed as “fruit of the poisonous tree.”

### What do I do if someone reads me my rights?

If you have been read your rights, find yourself in need of our services or have any questions at all, you can always give us a call or ask for the assistance of a lawyer if you want. If you choose to exercise your right to counsel, we are here to help!



## Powers of Attorneys

A power of attorney gives your agent the authority to act for you in specified (limited) or all (general) legal or financial matters. These powers can include the power to sell property, access your bank account, pay bills, and even make healthcare decisions.

A power of attorney can be useful in situations where you will be temporarily unable to manage your own affairs. For example, you may be deploying and need to authorize your spouse to sell your car. Or, you may be stuck in bed recovering from surgery and need to authorize a friend to bring your child to school.

There are multiple kinds of powers of attorney:

**General POA:** A legal document that gives your agent the power to act for you in all areas that you specify. Some of these powers include the power to manage your banking accounts, sell your property, and deal with other legal and financial matters.

**In Loco Parentis:** A legal document that gives your agent the power to care for your child, to include bringing him or her to school or the doctor.

**Healthcare POA:** A legal document that gives your agent the power to make healthcare decisions on your behalf, if you are mentally incapacitated.

Powers of attorney grant extensive powers to your agent, and should only be used if necessary. Make sure that you protect yourself by only giving a power of attorney to a person that you trust. It is also essential that you discuss your wishes with your agent, to avoid any unpleasant surprises when you return from your deployment or recover from your illness.

## LEGAL ASSISTANCE CHANGES

We are changing our legal assistance program from an appointment system to WALK-INS\* ONLY. Please see the new legal assistance hours below.

We hope that these changes will allow us to serve you better. Thank you for your patience. We look forward to serving you in the future.

**\*Please note that will clients WILL NOT be seen without a completed will worksheet or Air Force Legal Assistance Website Ticket Number. The AF Legal Assistance Website can be accessed at: <https://aflegalassistance.law.af.mil/>**

**You can pick up a will worksheet from the legal office any day of the week. However, wills will only be completed during the time listed below.**

## CONTACT US



### 81 TRW/JA

Sablich Center  
2d Floor, Suite 227  
DSN 591-8601  
COMM: 228-376-8601

### Wills

**WALK-INS\* ONLY**  
**(\*Will worksheet or website ticket number REQUIRED)**  
**Tues (0830-1000)**

### Legal Assistance

**WALK-INS ONLY**  
**Wed (0930-1030)**  
**Thurs (1400-1500)**

### Powers of Attorney & Notaries

**WALK-INS ONLY**  
**Mon-Fri (0800-1600)**

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

<https://aflegalassistance.law.af.mil>