OPD OFFICE OF THE PARENT DEFENDER

TUESDAY'S TIP #7

Welcome to a new feature on our listserv – Tuesday's Tip. Each Tuesday, our office will share a tip that you can apply to your cases right now. I encourage you to save each tip in a folder so that if you're faced with the same situation in a future case, you have this handy resource available to you. These will also be available on our website as a counsel resource.

Situation: Your client is in the military according to the SCRA declaration or the other parent or family member.

The Problem: Your client is in the military and not available or has restrictions on availability for court.

Law: Military members are protected by the Servicemembers' Civil Relief Act (SCRA). SCRA applies to 7B cases (check the SCRA Declaration attached to the petition).

Action Steps:

1. Determine if your client is part of the military covered by the SCRA [SCRA Resources are available on our website].
2. Meet with your client. Ask them whether they want to attend the hearings. Ask about relative placements and contact information.
3. Request a stay if your client is unavailable. You'll need a letter from their command. [See SCRA Resources.]
4. If your client is available, immediately start asking for placement of child in their home (or with their spouse, if available).
5. If ICPCs need to be conducted on family members, request them early!

Conclusion:

Don't let your military client's rights be trampled. Protect them while they're protecting us!

Is this something that you can implement? Feel free to email me directly with requests/suggestions for future Tuesday's Tip!