



# SHAKEY'S

## LAW CORNER

VOLUME 3, ISSUE 1 | FEBRUARY 2025

### IN THIS VOLUME

- Understanding the Servicemembers Civil Relief Act
- Understanding Debt Collection
- Status of Discipline - Nov/Dec '24
- Cope North '25: Warnings for Visiting Personnel

Andersen  
Legal Office



Air Force  
Smooth Move  
Website



Air Force Legal  
Assistance  
Website



### ANDERSEN AFB LEGAL OFFICE HOURS OF OPERATION

Monday & Tuesday	0900-1600
Wednesday	1200-1600
Thursday	1000-1600
Friday	0900-1600

Closed Weekends, Holidays, & PACAF Family Days.

### SERVICES

Walk-in Legal Assistance:  
Tuesdays - 1300-1400

Legal Assistance  
Appointments:  
Thursdays - 1300-1430

Wills:  
Wednesdays - 1330-1430

Notary & Power of  
Attorney:  
Walk-in Monday-Friday

#### Contact

Phone  
(671) 366-2937

Email  
36WG.jadms@us.af.mil

#### Visit

Corner of Chicago Ave. and O'Malley Ave.  
Bldg. 23003 (36th Wing HQ - First Floor)  
Andersen AFB, Guam

# Understanding the Servicemembers Civil Relief Act (SCRA)

The Servicemembers Civil Relief Act (SCRA) provides important financial protections to members of the military, especially when it comes to managing debt and relief from certain contractual obligations. As you navigate the demands of service, the following key points outline how the SCRA applies and how it can help you avoid financial strain.

## Residential Leases

Under the SCRA, service members can end a housing lease early without penalty if they signed the lease before entering active duty or receive PCS or deployment orders for more than 90 days. To take advantage of this benefit, you must provide written notice to your landlord and a copy of your orders, with at least a 30-day notice.



## Automobile Leases & Cell Phones

The SCRA also applies to auto leases and cell phone contracts. You may terminate an automobile lease if you signed the lease agreement before being called to active duty, receive PCS orders OCONUS, or receive orders to deploy for more than 180 days. You may terminate a cell phone contract if you receive orders to deploy for more than 90 days or PCS to an area where service is not offered.

## Lowering Interest Rates

One of the most significant benefits of the SCRA is the ability to cap interest rates on consumer debt, including credit cards and auto loans, if the purchases were made before entering active duty. The law states that the interest rate on credit card purchases, auto loans, and other debts made before entering active duty must be capped at 6% per year. Purchases made after you enter active duty are not subject to the SCRA cap, so be careful! The rate cap reduction only applies while the service-member is on active duty.



## Protection Against Default Judgments

The SCRA also protects service members from default judgments, which can occur if a service member is sued by a creditor while the service member is deployed or otherwise unable to appear in court. The court must appoint an attorney while you are deployed to represent your interests.

## Delay of Civil Proceedings

If your military service materially affects your ability to make credit card or other payments, you may request a stay (or delay) of civil proceedings, including debt collections or lawsuits filed by creditors. Courts may grant this delay for at least 90 days.

## Credit Reporting Protections

Creditors are also prohibited from reporting negative actions related to SCRA-protected accounts to credit reporting agencies. This means that if you exercise your rights under the SCRA, your credit score cannot be negatively impacted as a result.



## What is SCRA?

The SCRA, originally enacted in 2003, offers a variety of protections designed to ease financial and legal burdens on service members. Whether you're deploying, PCS-ing, or facing other service-related challenges, the SCRA is intended to ensure that your civilian obligations don't interfere with your mission.

## How to Apply for SCRA Protections

To make the most of your SCRA rights, you'll need to notify your creditors that you qualify for SCRA protections. Here's how:

1. Contact your creditor/landlord.
2. Provide necessary documentation: You'll need to submit a copy of your military orders and a written request for the interest rate reduction or other protections.
3. Act quickly: It's important to notify your creditors within 180 days of your active duty start date to ensure that the benefits apply to your account.

## The Bottom Line

The SCRA is a powerful tool that can provide peace of mind and financial relief for service members, especially when it comes to managing debt. Whether you're dealing with high-interest rates or facing legal action from creditors, knowing your rights under the SCRA can help you navigate the challenges of military life.

For more information or assistance with invoking your SCRA protections, reach out to the Andersen Legal Office.

# UNDERSTANDING DEBT COLLECTION

Debt collection occurs when a creditor or a third-party agency seeks to recover overdue money, including credit cards, loans, medical bills, or utility payments. While debt collectors can seek repayment, service members have protections limiting how and when they can contact you. In addition to the protections offered by the SCRA, service members should be aware of the Fair Debt Collection Practices Act (FDCPA). The FDCPA shields consumers from abusive debt collection practices. It ensures debt collectors cannot harass or threaten you; allows you to request validation of the debt; states collectors must contact you only during reasonable hours (8 AM to 9 PM); and allows you to dispute a debt within 30 days of receiving a collection notice.



## Financial Readiness: Staying Ahead of Debt

As a military member, you have an obligation to pay your bills. Dishonorably failing to pay debt is a violation of Article 134 of the Uniform Code of Military Justice. The best way to avoid debt issues is by maintaining financial readiness. Here are a few tips:

- **Create a Budget:** Use tools like the Military OneSource Budget Worksheet to track expenses.
- **Prioritize Savings:** Build an emergency fund covering 3–6 months of living expenses.
- **Use military resources:** The Military & Family Readiness Center (M&FRC) offers financial counseling on budgeting, debt management, and long-term savings goals.
- **Stay on top of payments:** Set up automatic payments or use reminder apps to avoid missed payments.

The Office of Financial Readiness can provide tools to help you manage your finances, reduce debt, create budgets, and understand your military pay and compensation benefits. To schedule an appointment with a local financial advisor, call (671) 480-1925.



**If contacted by a debt collector, don't panic! The first step is to gather information about the debt (creditor, amount owed, etc.). Request everything in writing: collectors must provide written notice within five days of contact. Document all communications with the collector.**

**Finally, if you are having trouble paying your bills, seek assistance to help you develop a plan to achieve financial readiness.**

# STATUS of Discipline

NOV & DEC '24

Air Force Docket  
<https://legalassistance.law.af.mil/AMJAMS/PublicDocket/docket.html>



## NONJUDICIAL PUNISHMENTS

Andersen AFB commanders administered 5 Nonjudicial Punishment actions under Article 15 of the Uniform Code of Military Justice (UCMJ) for the following offenses:

**Failure to Obey a General Order (x2) & Patronizing a Prostitute:** A SSgt, while TDY to the Philippines, went to an establishment in a restricted area, patronized a prostitute, and brought the prostitute back to their hotel room, which violated a lawful general order. For this misconduct, the SSgt received a reduction to E-4 and a reprimand.

**Wrongful Use of THC-8:** A SrA tested positive for THC-8, and tested positive at a higher amount on a second drug test. For this misconduct, the SrA received a reduction to E-3 and a suspended reduction to E-2.

**Dereliction of Duty:** An A1C drank alcohol while under the age of 21. For this misconduct, the A1C received a reduction to E-2, a suspended reduction to E-1, and a reprimand.

**Drunk Driving:** An A1C drove a vehicle while drunk on Andersen AFB. For this misconduct, the A1C received a reduction to E-2, 30 days restriction to Andersen AFB with 15 days suspended, suspended forfeiture of \$1,130 for two months, and a reprimand.

**Drunk on Duty:** An A1C was found drunk while on duty. For this misconduct, the A1C received a reduction to E-2 and suspended reduction to E-1.

## ADMINISTRATIVE DISCHARGES

Andersen AFB commanders processed 6 Administrative Discharges.

**Commission of a Serious Offense:** Two Airmen were separated with an Under Honorable Conditions (General) service characterization. (1) The first discharge was following an Article 15 for attempting to photograph the private area of an Airman without their consent and under circumstances in which they had a reasonable expectation of privacy and making a false official statement to investigators. (2) The second discharge was following two Article 15s for wrongfully using provoking words to another Airman, assaulting an Airman, and assaulting a civilian.

**Sexual Assault:** An Airman was separated with an Under Honorable Conditions (General) service characterization following an Article 15 for abusive sexual contact for inappropriately touching a fellow Airman who was asleep.

**Drug Abuse:** Two Airmen were separated with an Under Honorable Conditions (General) service characterization. (1) The first discharge was following an Alcohol and Drug Abuse Prevention Treatment (ADAPT) Program failure for wrongful use of marijuana; (2) The second discharge was following two positive drug tests for marijuana and THC-8.

**Unsatisfactory Performance, Failure to Progress in Military Training Required to be Qualified for Service with the Air Force or for Performance of Primary Duties:** An Airman was separated with an Honorable service characterization for failing to pass their duty position evaluations (DPE) four times.

## OFF-BASE ARRESTS

A TSgt was arrested by GPD twice in one weekend for public drunkenness, disorderly conduct, resisting arrest, and drunk driving.

A SSgt was arrested by Guam Police Department (GPD) for indecent exposure, public drunkenness, and child neglect.

## COURTS-MARTIAL

No courts were held or completed at Andersen AFB during this time period.

## AREA DEFENSE COUNSEL



Capt Otasowie



SSgt Robinson

Bldg. 718  
(First Floor-Back of MSG Bldg.)  
(671) 366-2281

## VICTIMS' COUNSEL



Capt Flederbach



SSgt Koerner

JB Pearl Harbor-Hickam, HI  
(315) 449-5510



# COPE NORTH 2025 WARNINGS FOR VISITING PERSONNEL



## **Illegal Drug Use**

Marijuana and CBD are legal to possess and use on Guam, however possession and use by military members remains prohibited. Take caution to read the ingredients before purchasing any coffee drinks, smoothies or vapes. In accordance with General Order No.1 at Andersen AFB, the use of any vape other than your own is prohibited.

---

## **Drunk/Disorderly Conduct & Assaults**

There are several bars and clubs in Tumon that are a “hot spot” for military members. There has been an increase of reports of bar fights and brawls at these locations. Exercise caution when visiting bars and remove yourself from dangerous or escalating circumstances. If you are under 21, do not consume alcohol at these establishments. From this month’s Status of Discipline update, you can see that the vast majority of misconduct on Guam involves alcohol. Drink responsibly, and don’t make the same mistakes!

---

## **Speeding & Driving Fatalities**

Speed contributed to more than ten driving fatalities in 2024 and is a focus item for the Guam Police Department. The maximum speed limit on the island is 35 miles per hour. Many local community members speed while driving. Additionally, Guam roads become slippery when wet and there are many additional hazards when driving, increasing the potential for accidents. Exercise caution when driving, especially in areas with poor lighting where pedestrians may not be easily seen.

---

## **Driving Under the Influence**

There has been an increased number of Driving Under the Influence arrests of military members on Guam. There is no Uber on Guam. The local ride-share app is called Stroll. The Stroll app can be found in all app stores and accepts credit card payments. During peak weekend hours, Strolls can be hard to come by. Taxis are available but most only accept cash. Guam has no public transportation. Ensure you have a plan for a way home BEFORE consuming any alcohol.

---

## **Illegal Activities**

There are many massage parlors and night clubs where illicit activity may occur. Members should avoid massage parlors, particularly late at night, and especially those that advertise 24/7 operating hours.