



TORII LEGAL ASSISTANCE

OFFICE OF THE STAFF JUDGE ADVOCATE



LEGAL ASSISTANCE FOR CONTRACTORS

BY: RUDY WARTELLA

Paragraph 2-5 of Army Regulation 27-3 lists the categories of “persons eligible to receive legal assistance.” Overseas, this is usually almost everyone with an ID card. One big exception to the ID card “presumption” is “Civilian Contractors.” Civilian contractors outside the U.S. are only eligible for legal assistance when DOD is contractually obligated to provide legal assistance (Paragraph 2-5a (7)).

If DOD is contractually obligated to provide legal assistance, the legal assistance is limited to ministerial services, powers of attorney, Advance Medical Directives, and help retaining civilian lawyers (Paragraph-5a(7)(b)).

Staff Judge Advocates should recommend elimination of such contractual obligations whenever these contracts are reviewed or renegotiated (Paragraph 5a(7)(b)).

It is the contractor’s responsibility to provide proof of eligibility for legal assistance.

Army Regulation 27-3, Paragraph 2-5a(7)

(7) Civilian contractors accompanying the Armed Forces of the United States outside the United States (and their family members who accompany them), when DOD is contractually obligated to provide this assistance to such personnel as part of their logistical support, as indicated below:

(a) The legal assistance provided must be in accordance with— and not prohibited by—applicable international agreement, or approved by the host-nation government in some way.

(b) Legal assistance is limited to ministerial services (for example, notarial services), legal counseling (to include the review and discussion of legal correspondence and documents), legal document preparation (limited to powers of attorney and advanced medical directives (AMDs)), and help on retaining civilian lawyers (See paras 3-7a,b,e, and i.)

(c) SJAs should recommend elimination of such contractual obligations whenever these contracts are reviewed or renegotiated.