



TORII LEGAL ASSISTANCE

OFFICE OF THE STAFF JUDGE ADVOCATE



LEGAL ASSISTANCE FOR RESERVISTS

BY: RUDY WARTELLA

Question: Can Soldiers in the Army Reserve come to Torii Station for legal assistance?

Answer: It depends on the Soldier's status. The Army's Legal Assistance Program is governed by Army Regulation 27-3, which sets out the categories of individuals who are entitled to legal assistance services. Under the provision of Army Regulation 27-3, a Reserve Soldier who is on active duty for 30 days or more is entitled to the full range of legal assistance services. A Reserve Soldier who is on active duty for 29 days or less, or is undergoing pre-mobilization legal preparation (PLP), is entitled to legal assistance services subject to the availability of expertise or resources.

A Reserve Soldier who is not on active duty cannot be seen at the Torii Legal Assistance Office unless they are eligible in some other way (such as DOD employees employed overseas or the dependents of an active duty service members). Unless otherwise eligible, these Reserve Soldiers must receive legal assistance services from Reserve Component legal personnel. Such services are limited by regulation to military administrative matters; personal legal problems; needs that may adversely affect readiness; and personal legal problems and needs that have arisen from, or been aggravated by, a mobilization within the past two years.

"Gray area retirees," that is Reserve Soldiers who are retired from the Army Reserve but are not yet drawing military retired pay, are not authorized legal assistance services. Once the retired Soldier starts receiving military retired pay, then he or she would be entitled to legal assistance services.