



UNDERSTANDING MILITARY AND VETERAN'S ISSUES IN AB1058 CASES

27th Annual AB 1058 Child Support

Training Conference

August 30, 2023

Hon. Adam Wertheimer, Commissioner, San Diego

Colonel Sarah T. Schaffer, USMCR, CLS-F

TOPICS COVERED

- The Absent Servicemember
 - Servicemembers Civil Relief Act (SCRA)
 - Deployment Issues/Rules
- Military Pay and Benefits (Active Duty and Reserve)
- Military Health Insurance Benefits
- Military Retirement
- Veteran Benefits
- GI Bill
- Military Support Guidelines
- Resources For The Court and FLF



THE ABSENT SERVICEMEMBER

US SUPREME COURT ON SSCRA

- Soldiers and Sailors Civil Relief Act was Predecessor to SCRA
- Keep the following in mind when dealing with Service Members in all regards
- “Protect those who have been obliged to drop their affairs to take up the burdens of the nation”

Boone v. Lightner, 319 U.S. 561, 575 (1943)

The background of the image is a camouflage pattern with irregular shapes in shades of brown, tan, olive green, and dark grey. The text is centered over this pattern.

**SERVICEMEMBERS CIVIL
RELIEF ACT (SCRA)**

LIBERAL CONSTRUCTION

- Again, referring to the SSCRA the US Supreme Court States:
- “The Act should be read with an eye friendly to those who dropped their affairs to answer their country’s call”

Le Maistre v. Leffers, 333 U.S. 1, 6 (1948)

Section 3902 Purpose

The purposes of this Act 50 U.S.C. §§ 3902 et seq. are –

- (1) to provide for, strengthen, and expedite the national defense through protection extended by this Act to servicemembers of the United States to enable such persons to devote their entire energy to the defense needs of the Nation; and
- (2) to provide for the temporary suspension of judicial and administrative proceedings and transactions that may adversely affect the civil rights of servicemembers during their military service.



GENERAL PROVISIONS

Three primary areas of coverage:

- Protection against the entry of default judgments;
 - 50 U.S.C. § 3931
- Stay of proceedings where the servicemember has notice of the proceeding; and
 - 50 U.S.C. § 3932
- Stay or vacation of execution of judgments, attachments and garnishments. 50 U.S.C. §§ 3931, 3932 and 3934.
 - 50 U.S.C. § 3934



INTEREST LIMITATION

This provision applies to Support!

50 U.S.C. § 3937

(a) Interest rate limitation

- (1) LIMITATION TO 6 PERCENT- An obligation or liability bearing interest at a rate in excess of 6 percent per year that is incurred by a servicemember, or the servicemember and the servicemember's spouse jointly, before the servicemember enters military service shall not bear interest at a rate in excess of 6 percent per year during the period of military service.
- (2) FORGIVENESS OF INTEREST IN EXCESS OF 6 PERCENT- Interest at a rate in excess of 6 percent per year that would otherwise be incurred but for the prohibition in paragraph (1) is forgiven



INTEREST LIMITATION

50 U.S.C. § 3937

(b) Implementation of Limitation

(1) WRITTEN NOTICE TO CREDITOR- In order for an obligation or liability of a servicemember to be subject to the interest rate limitation in subsection (a), the servicemember shall provide to the creditor written notice and a copy of the military orders calling the servicemember to military service and any orders further extending military service, not later than 180 days after the date of the servicemember's termination or release from military service.



INTEREST LIMITATION

50 U.S.C. § 3937

(b) Implementation of Limitation

(2) LIMITATION EFFECTIVE AS OF DATE OF ORDER TO ACTIVE DUTY - Upon receipt of written notice and a copy of orders calling a servicemember to military service, the creditor shall treat the debt in accordance with subsection (a), effective as of the date on which the servicemember is called to military service.



INTEREST LIMITATION

50 U.S.C. § 3937

(c) CREDITOR PROTECTION - A court may grant a creditor relief from the limitations of this section if, in the opinion of the court, the ability of the servicemember to pay interest upon the obligation or liability at a rate in excess of 6 percent per year is not materially affected by reason of the servicemember's military service.



Section 3931(a)

§ 3931. Protection of servicemembers against default judgments

(a) **APPLICABILITY OF SECTION.** This section applies to any civil action or proceeding, including any child custody proceeding, in which the defendant does not make an appearance.



“Appearance” Defined

- What constitutes an “appearance”?
 - Defined by state law
- Code of Civil Procedure §1014. Appearance.
 - A defendant appears in an action when the defendant answers, demurs, files a notice of motion to strike, files a notice of motion to transfer pursuant to Section 396b, moves for reclassification pursuant to Section 403.040, gives the plaintiff written notice of appearance, or when an attorney gives notice of appearance for the defendant.



Section 3931(a)

Comments:

- Only for defendants or respondents
- Intended for defendants or respondents who have been served but not yet appeared
- Confusingly, a served defendant or respondent who has not yet appeared could elect relief under 3932 if the person has "actual notice" (personal service as opposed to service by publication?)



Important Note

SCRA default guidance applies to all of the following:

- Final Judgments
- Interim Orders
- Court Orders
- Administrative Support Orders but not to administrative enforcement remedies, such as liens, wage withholdings, etc.



Section 3931(b)

§ 3931. Protection of servicemembers against default judgments

(b) Affidavit Requirement

(1) **PLAINTIFF TO FILE AFFIDAVIT.** In any action or proceeding covered by this section, the court, before entering judgment for the plaintiff, shall require the plaintiff to file with the court an affidavit—

(A) stating whether or not the defendant is in military service and showing necessary facts to support the affidavit; or

(B) if the plaintiff is unable to determine whether or not the defendant is in military service, stating that the plaintiff is unable to determine whether or not the defendant is in military service.



Section 3931(b)

§ 3931. Protection of servicemembers against default judgments

(b) Affidavit Requirement

(2) APPOINTMENT OF ATTORNEY TO REPRESENT DEFENDANT IN MILITARY SERVICE. If in an action covered by this section it appears that the defendant is in military service, the court may not enter a judgment until after the court appoints an attorney to represent the defendant. If an attorney appointed under this section to represent a servicemember cannot locate the servicemember, actions by the attorney in the case shall not waive any defense of the servicemember or otherwise bind the servicemember.



Section 3931(b)

§ 3931. Protection of servicemembers against default judgments

(b) Affidavit Requirement

(3) DEFENDANT'S MILITARY STATUS NOT ASCERTAINED BY AFFIDAVIT. If based upon the affidavits filed in such an action, the court is unable to determine whether the defendant is in military service, the court, before entering judgment, may require the plaintiff to file a bond in an amount approved by the court. If the defendant is later found to be in military service, the bond shall be available to indemnify the defendant against any loss or damage the defendant may suffer by reason of any judgment for the plaintiff against the defendant, should the judgment be set aside in whole or in part. The bond shall remain in effect until expiration of the time for appeal and setting aside of a judgment under applicable Federal or State law or regulation or under any applicable ordinance of a political subdivision of a State. The court may issue such orders or enter such judgments as the court determines necessary to protect the rights of the defendant under this Act [50 USC §§ 3901 et seq.].



Section 3931(b)

Comments on § 3931(b)(3):

- This provides the option of requiring a bond before allowing if there is an issue.
- Practically, these questionable cases will result in the appointment of counsel.



Section 3931(d)

§ 3931. Protection of servicemembers against default judgments

(d) STAY OF PROCEEDINGS. In an action covered by this section in which the defendant is in military service, the court shall grant a stay of proceedings for a minimum period of 90 days under this subsection upon application of counsel, or on the court's own motion, if the court determines that—

- (1) there may be a defense to the action and a defense cannot be presented without the presence of the defendant; or
- (2) after due diligence, counsel has been unable to contact the defendant or otherwise determine if a meritorious defense exists.



Section 3931

Comments on § 3931(d):

- No required form for application; may be made by way of pleadings, or verbally at hearing.
- Stay is mandatory if person qualifies.
- Stay must be 90 days but can be longer.
- Stay should be granted if appointed counsel cannot contact the person (appointed counsel required to "exhaust all efforts to determine whether the person is a servicemember, whether the person is in military service, and to contact the person.")
- Assuming no appearance, subsequent stays fall under this section as well.



Section 3931

Recap of Section 3931

- A petitioner is required by the court to file an affidavit stating whether or not the respondent is in military service or that the petitioner is unable to determine whether the respondent is in military service.
- If it appears that the respondent is in military service, the court may not enter a default judgment until after appointing an attorney to represent the defendant.



Section 3931

Recap of Section 3931 continued

- If the court is unable to determine whether the defendant is in military service, it may require the plaintiff to file an indemnity bond before entering a default judgment.
- Appointed counsel may request, and the court must grant a stay of proceeding for a minimum period of 90 days if a defense cannot be presented without the presence of the defendant or counsel cannot contact the defendant.
- Practically, the 90 day stay can be granted sua sponte when counsel is appointed.



Section 3932(a)

§ 3932. Stay of proceedings when servicemember has notice
(a) APPLICABILITY OF SECTION. This section applies to any civil action or proceeding, including any child custody proceeding, in which the plaintiff or defendant at the time of filing an application under this section—

- (1) is in military service or is within 90 days after termination of or release from military service; and
- (2) has received notice of the action or proceeding.



Section 3932(a)

Comments on § 3932(a):

- Confusion as to when 3931 vs. 3932 apply.
- Practically speaking, only 3932 (not 3931) can apply in the following situations:
 - If it is a plaintiff/petitioner at issue.
 - If the defendant/respondent has actually appeared.
 - If the party is not in military service currently, but was within the last 90 days.
- Note that 3931(f) gives a defendant/respondent an election under 3931 or 3932 if the defendant/respondent has "actual notice."



Section 3932(b)

§ 3932. Stay of proceedings when servicemember has notice

(b) Stay of proceedings.

(1) **AUTHORITY FOR STAY.** At any stage before final judgment in a civil action or proceeding in which a servicemember described in subsection (a) is a party, the court may on its own motion and shall, upon application by the servicemember, stay the action for a period of not less than 90 days, if the conditions in paragraph (2) are met.



Section 3932(b)

§ 3932. Stay of proceedings when servicemember has notice

(b) Stay of proceedings.

(2) **CONDITIONS FOR STAY.** An application for a stay under paragraph (1) shall include the following:

(A) A letter or other communication setting forth facts stating the manner in which current military duty requirements materially affect the servicemember's ability to appear and stating a date when the servicemember will be available to appear.

(B) A letter or other communication from the servicemember's commanding officer stating that the servicemember's current military duty prevents appearance and that military leave is not authorized for the servicemember at the time of the letter.



Section 3932(b)

Continued Comments on § 3932(b):

- Stay is mandatory if person qualifies.
- Stay can be 90 days but can be longer.



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO		<i>FOR COURT USE ONLY</i>
<input type="checkbox"/> CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101 <input type="checkbox"/> EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020 <input type="checkbox"/> NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92081 <input type="checkbox"/> SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910		
PETITIONER(S)		
RESPONDENT(S)		
OTHER		JUDGE/DEPT
FINDINGS AND ORDERS UNDER SERVICEMEMBERS CIVIL RELIEF ACT (FAMILY LAW)		CASE NUMBER

THE COURT FINDS:

Petitioner Respondent Other: _____ is a Presumed Service Member (PSM). There is a reasonable belief that the PSM may be eligible for protection under the Servicemembers Civil Relief Act (SCRA), 50 USC §§ 3931-3932. Accordingly, the PSM is entitled to an initial 90-day stay of the entire action and the appointment of an attorney for a limited scope representation.

IT IS HEREBY ORDERED:

1. The entire action is stayed for 90 days from the date of this order.
2. A qualified attorney, including a judge advocate ("Pro Bono Attorney"), as determined by and provided through the San Diego County/North County Bar Association Pro Bono Panel of Attorneys, is appointed for the limited scope representation of the PSM (*name of party*) _____.
3. The Pro Bono Attorney will serve solely to determine whether the PSM is eligible for protection under the SCRA and appear at a status conference on the date and time scheduled below to discuss the following issues:
 - a. What contact, if any, was made with the PSM
 - b. Is the PSM eligible for a statutory stay
 - c. If eligible, what is the requested length of any extended stay and why
 - d. Is the Pro Bono Attorney asking to be relieved of his or her duties as appointed counsel
 - e. Is the Pro Bono Attorney requesting or agreeing to the continued limited scope representation and, if so, for how long and for what purpose
4. Any and all appearances and filings by the Pro Bono Attorney will:
 - a. Not be construed as a general appearance by the PSM.
 - b. Not constitute an appearance for jurisdictional purposes.
 - c. Not constitute a waiver of any substantive or procedural defense.
 - d. Not waive any rights or defenses of the PSM.
 - e. Not otherwise bind the PSM.
5. Receipt of permanent change of station or deployment orders, or termination of active duty military status, by a judge advocate, while appointed as a Pro Bono Attorney, will constitute good cause for withdrawal and substitution of another Pro Bono Attorney.
6. All filing, appearance, or other fees from the Pro Bono Attorney related to this limited scope appointment are waived. This does not relieve the PSM of the obligation to pay all such fees as required by law.
7. All scheduled hearings between the date of this order and the Status Conference are continued to that hearing date.
8. All other counsel and self-represented litigants in this case are encouraged to appear at the Status Conference hearing on _____ (date) at _____ a.m. p.m. in Department _____.

IT IS SO ORDERED.

Date: _____

Judge/Commissioner of the Superior Court

CERTIFICATE OF SERVICE

I certify that I am not a party to the above-entitled action, that I placed a copy of this form in a sealed envelope addressed to the parties shown with postage prepaid, and deposited it in the United States mail at Chula Vista El Cajon San Diego Vista, California.

Clerk of the Superior Court

Date: _____

by _____, Deputy



DEPLOYMENT ISSUES/RULES

ACTIVATION TO SERVICE

Family Code § 3651 (c)(2)

- Process and form (FL-398) to modify child and spousal support due to reduction in income from being called to active duty.

Family Code § 3653 (c)

- Retroactivity of order per FC 3651

Family Code § 17440

- DCSS obligation to work with military and activated servicemembers to implement FC 3651 and the DCSS process to do so.

ATTORNEY OR PARTY WITHOUT ATTORNEY OR GOVERNMENTAL AGENCY (under Family Code, §§ 17400 and 17406) (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY CASE NUMBER: _____
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: _____	
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT: _____	
NOTICE OF ACTIVATION OF MILITARY SERVICE AND DEPLOYMENT AND REQUEST TO MODIFY A SUPPORT ORDER	

1. TO (name):
2. A hearing on this request will be held as follows:

a. Date:	Time:	<input type="checkbox"/> Dept:	<input type="checkbox"/> Rm.:
b. Address of court <input type="checkbox"/> same as noted above <input type="checkbox"/> other (specify):			

ORDER SHORTENING TIME	
3. <input type="checkbox"/> Time for <input type="checkbox"/> service <input type="checkbox"/> hearing is shortened. Service must be on or before (date):	
4. Any responsive declaration must be served on or before (date):	
Date:	_____ JUDICIAL OFFICER

NOTICE

If you are requesting modification of spousal support or family support, you **MUST** use this form.

If the court grants this *Request*, the new court order will become effective on the date this form was served, or on the date of deployment, whichever is later in time, unless the court determines there is good cause to do otherwise.

The deployed person **MUST** immediately notify the court and all parties when he or she returns from deployment. If the court was not able to hear the modification request before the deployment date, the service member **MUST** ask the court to bring any unresolved modification request to a hearing within 90 days of return or lose the right to change the support order as requested here.

Request for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to www.courtinfo.ca.gov/forms for Request for Accommodations by Persons With Disabilities and Order (form MC-410). (Civil Code, § 54.8.)

NOTICE FOR CASES INVOLVING A LOCAL CHILD SUPPORT AGENCY

This case may be referred to a court commissioner for hearing. By law, court commissioners do not have the authority to issue final orders and judgments in contested cases unless they are acting as temporary judges. The court commissioner in your case will act as a temporary judge unless, before the hearing, you or any other party objects to the commissioner acting as a temporary judge. The court commissioner may still hear your case to make findings and a recommended order. If you do not like the recommended order, you must object to it within 10 court days; otherwise, the recommended order will become a final order of the court. If you object to the recommended order, a judge will make a temporary order and set a new hearing.

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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5. I am requesting the court to change the existing
- a. child support spousal support family support order made under the case number listed above to an amount based on my income while deployed.
- b. earnings assignment order to state the new support amount if the request in item 5a is granted.
- c. This support is payable by
 petitioner/plaintiff respondent/defendant other parent.
6. This request is based on:
- a. petitioner's/plaintiff's respondent's/defendant's other parent's military deployment
- b. completed attached *Financial Statement (Simplified)* (form FL-155) or completed *Income and Expense Declaration* (form FL-150)
- c. the attached service member's *Notice of Deployment* that has been submitted to the local child support agency (*Attach this form if the local child support agency is involved.*)
7. Additional required information
- a. service member's out-of-state deployment date is (*specify date and attach a copy of the order of deployment*):
- b. service member's duration of activation is (*specify beginning and end dates*):
8. A blank *Responsive Declaration to Order to Show Cause or Notice of Motion* (form FL-320) and a blank *Financial Statement (Simplified)* (form FL-155) or a blank *Income and Expense Declaration* (form FL-150) will be served with the moving papers.
9. Check all that apply (*you must check at least one box*):
- a. While the service member is deployed, his or her employer will supplement the military pay (*specify amount per month and attach proof*): \$
- b. While the service member is deployed, his or her employer will not supplement the military pay, and the service member will only have military pay in the amount stated on the attached *Financial Statement (Simplified)* (form FL-155) or *Income and Expense Declaration* (form FL-150).
- c. It is unknown whether the service member's employer will supplement the military pay.
- d. While deployed, the service member will have other income (*specify amount per month, source of income, and attach proof*): \$
10. The other party and the service member have previously agreed that spousal support cannot be modified or terminated (*attach a copy of the agreement.*)
11. The facts in support of this request are (*specify*):
- Contained in an attached declaration.
12. Send notice of the hearing to the service member at (*specify address*):
13. I will be deployed out of state at the time of the hearing. I waive appearing in person at the court hearing. I ask the court to go forward with the hearing to decide if the support will be temporarily modified until I can appear in person. This request is not a waiver of my right to a stay or rehearing of the matter under the Servicemembers Civil Relief Act (SCRA). (**This waiver is only valid if the service member signs below.**)
14. Number of pages attached: _____

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE)

The background of the image is a camouflage pattern with irregular shapes in shades of brown, tan, olive green, and dark grey. The text is centered over this pattern.

MILITARY PAY & BENEFITS (ACTIVE DUTY)

MILITARY PAY

DEFENSE FINANCE AND ACCOUNTING SERVICE MILITARY LEAVE AND EARNINGS STATEMENT																		
ID	NAME (Last, First, MI)			SOC. SEC. NO.	GRADE	PAY DATE	YRS SVC	ETS	BRANCH	ADSN/DSSN	PERIOD COVERED							
	██████████			██████	E5	040211	04	100210	AF	██████	1-31 JUL 08							
ENTITLEMENTS				DEDUCTIONS				ALLOTMENTS				SUMMARY						
Type	Amount			Type	Amount			Type	Amount			+Amt Fwd						
A	BASE PAY	2247.30			FEDERAL TAXES	88.46			DISCRETIONARY ALT	1521.00			+Tot Ent					4266.73
B	BAS	294.43			FICA-SOC SECURITY	139.33			TRICARE DENTAL	11.58								
C	BAH	1725.00			FICA-MEDICARE	32.59										-Tot Ded	1570.22	
D					SGLI	27.00										-Tot Allt	1532.58	
E					AFRH	.50										=Net Amt	1163.93	
F					FAMILY SGLI	5.50										-Cr Fwd	.00	
G					TSP	112.37										=EOM Pay	1163.93	
H					MID-MONTH-PAY	1164.47										DIEMS		RETPLAN
I												040211		CHOICE				
J																		
K																		
L																		
M																		
N																		
O																		
	TOTAL	4266.73			1570.22				1532.58									
LEAVE	BF Bal	Ernd	Used	Cr Bal	ETS Bal	Lv Lost	Lv Paid	Use/Lose	FED TAXES	Wage Period	Wage YTD	M/S	Ex	Add'l Tax	Tax YTD			
	25.5	25.0	11	39.5	85.5	.0	.0	.0		2134.93	13682.36	M	02	.00	493.01			
FICA TAXES	Wage Period	Soc Wage YTD			Soc Tax YTD	Med Wage YTD	Med Tax YTD	STATE TAXES	St	Wage Period	Wage YTD	M/S	Ex	Tax YTD				
	2247.30	14402.50			892.94	14402.50	208.83	AK		.00	.00	N	00	.00				
PAY DATA	BAQ Type	BAQ Depn	VHA Zip	Rent Amt	Share	Stat	JFTR	Depns	2D JFTR	BAS Type	Charity YTD	TPC	PACIDN					
	WIDEP	SPOUSE	08641	.00	1	R		0			.00							
THRIFT SAVINGS PLAN (TSP)	Base Pay Rate	Base Pay Current	Spec Pay Rate	Spec Pay Current	Inc Pay Current	Inc Pay Current	Inc Pay Current	Inc Pay Current	Bonus Pay Rate	Bonus Pay Current								
	5	.00	0	.00	0	.00	0	.00	0	.00								
	TSP YTD Deductions				Deferred			Exempt										
	720.14				720.14			.00										
REMARKS: YTD ENTITLE 27768.11 YTD DEDUCT 2557.92																		
IF TSP ELECTION AMT EXCEEDS NET AMT DUE, TSP WILL NOT BE DEDUCTED.								BASE AIRMAN & FAMILY READINESS CTR FOR DETAILS.										
-LEAVE CARRYOVER INCREASED TO 75 DAYS FOR FY08. NO ACTION REQUIRED BY MEMBERS. DFAS WILL BEGIN RESTORING AFTER 1 OCT 08.								-IF YOU GAMBLE WITH SAFETY...YOU BET YOUR LIFE.										
-MYPAY HAS ALLOWED MBRs TO ELECT A HARD-COPY LES VIA US MAIL. AF POLICY IS TO PROVIDE AN ELECTRONIC LES. EFF 1 OCT (SEP LES). AF WILL NO LONGER PRINT LES STATEMENTS IF AVAILABLE ON MYPAY. THANK YOU FOR YOUR SUPPORT.								-ELECTIONS ARE COMING! UPDATE YOUR ADDRESS TO GET AN ABSENTEE BALLOT. REQUEST YOUR BALLOT FOR THE PRESIDENTIAL AND STATE ELECTIONS. SEE YOUR VOTING ASST. OFFICER OR WWW.FVAP.GOV.										
-IF YOUR SPOUSE WANTS INFO ABOUT THE MILITARY LIFESTYLE WE INVITE HIM/HER TO JOIN US FOR THE NEXT HEART LINK SPOUSES ORIENTATION. LUNCH AND CHILD CARE ARE PROVIDED. CALL YOUR								TSP 080701(183)										
								RATE CHG SGLI 080701(183)										
								CHANGE GRADE 080701(184)										
								BAH BASED ON W/DEP, ZIP 08641										
								BANK ██████████										
								ACCT # ██████████										

MARINE CORPS LEAVE AND EARNINGS STATEMENT

NAME (LAST, FIRST, MI)		EDIPI	COMPONENT	PERIOD COVERED	DATE PREPARED	Page																																																																																																																																																			
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SERVICE DATA		INCOME & TAXES		FEDERAL WITHHOLDING	STATE WITHHOLDING	LEAVE																																																																																																																																																			
GRADE	E8	CURRENT	YR TO DATE	STATUS	STATE CODE	BROUGHT FWD																																																																																																																																																			
YOS	20	TAXABLE INCOME	\$6,130.20	\$36,781.20	S	MA																																																																																																																																																			
DEAF	20020430	FEDERAL TAX	\$703.69	\$4,222.14	EXEMPTION	EARNED																																																																																																																																																			
AFADBD	20021015	SOC SEC WAGES	\$6,130.20	\$36,781.20	BOX 2C	USED																																																																																																																																																			
PEBD	20021015	SOC SEC TAX	\$380.07	\$2,280.43	CLAIM DEPENDENTS	BALANCE																																																																																																																																																			
CRA	20021015	MEDICARE WAGES	\$6,130.20	\$36,781.20	OTHER INCOME AMOUNT	EXCESS																																																																																																																																																			
EAS	20240229	MEDICARE TAX	\$88.89	\$533.33	OTHER DEDUCTIONS	MAX ACR																																																																																																																																																			
ECC	20240229	STATE WAGES	\$6,130.20	\$36,781.20	EXTRA WITHHOLDING	LOST																																																																																																																																																			
RECC	00000000	STATE TAX	\$279.84	\$1,579.08		SOLD																																																																																																																																																			
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FORECASTED PAY		UNIT INFORMATION	BAH INFORMATION	CAREER SEA PAY	TSP CONTRIBUTION YTD																																																																																																																																																				
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AMOUNT	\$4,170.89	MCC	1C0	YEARS	00	TAX EXEMPT																																																																																																																																																			
DATE	20230801	RUC	20371	MONTHS	08	ROTH																																																																																																																																																			
AMOUNT	\$4,170.87			DAYS	08																																																																																																																																																				
EFT INFORMATION		PAY STATUS INFORMATION	PRIOR DIFOP DATES	EDUCATION DEDUCTIONS	AGENCY CONTRIBUTIONS																																																																																																																																																				
USAA FEDERAL SAV NGS BANK		PAY STATUS	00000	START	00000000	AUTO 1% CURR																																																																																																																																																			
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<p>RIGHTS OF MARINES INDEBTED TO THE GOVERNMENT. YOU HAVE THE RIGHT TO (1) INSPECT AND COPY RECORDS PERTAINING TO THE DEBT (2) QUESTION THE VALIDITY OF A DEBT AND SUBMIT REFUTING EVIDENCE (3) NEGOTIATE A REPAYMENT SCHEDULE (4) REQUEST A WAIVER OF INDEBTNESS.</p> <p>MORE INFORMATION ABOUT YOUR RIGHTS CAN BE OBTAINED FROM YOUR COMMANDING OFFICER VIA YOUR CHAIN OF COMMAND.</p>																																																																																																																																																									
<p>Remarks</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td>BROUGHT FWD</td> <td style="text-align: right;">.00</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>ENTITLEMENTS</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>BASIC PAY</td> <td style="text-align: right;">6,130.20</td> <td>TAXABLE FOR FITW, SITW & FICA</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>BAS (MONTHLY)</td> <td style="text-align: right;">452.56</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>BAH WITH DEPNS</td> <td style="text-align: right;">4,062.00</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>TOTAL</td> <td style="text-align: right;">10,644.76</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>DEDUCTIONS</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>FITW (FED TAX)</td> <td style="text-align: right;">703.69</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>SOCIAL SECURITY</td> <td style="text-align: right;">380.07</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>MEDICARE</td> <td style="text-align: right;">88.89</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>SITW (STATE TAX MA)</td> <td style="text-align: right;">279.84</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>SGLI \$500,000</td> <td style="text-align: right;">30.00</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>TSGLI</td> <td style="text-align: right;">1.00</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>USN/MC RET HOME</td> <td style="text-align: right;">.50</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>SUPPORT GARN</td> <td style="text-align: right;">819.00</td> <td>GARNISHMENT 819.00</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>TOTAL</td> <td style="text-align: right;">2,302.99</td> <td>AMANDA THIBEAULT</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>PAYMENTS</td> <td></td> <td>DATE</td> <td>DSSN</td> <td>VOU</td> <td>PSDO/PR</td> <td></td> </tr> <tr> <td>REGULAR PAYMENT</td> <td style="text-align: right;">4,170.90</td> <td>20230615</td> <td>0777</td> <td>0000030017</td> <td>0000017</td> <td></td> </tr> <tr> <td>REGULAR PAYMENT</td> <td style="text-align: right;">4,170.87</td> <td>20230630</td> <td>0777</td> <td>0000030018</td> <td>0000018</td> <td></td> </tr> <tr> <td>TOTAL</td> <td style="text-align: right;">8,341.77</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>CARRIED FWD</td> <td style="text-align: right;">.00</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table> <p>YOUR PASSWORD HAS BEEN ESTABLISHED/CHANGED FOR ACCESSING MYPAY. IF YOU DID NOT TAKE THIS ACTION, CONTACT 1-888-332-7411 OR (216) 522-5096.</p> <p>"A NEW LAW EXPANDS VA HEALTH CARE AND BENEFITS FOR VETERANS EXPOSED TO BURN PITS, AGENT ORANGE, AND OTHER TOXIC SUBSTANCES. LEARN MORE ABOUT THE PACT ACT: HTTPS://WWW.VA.GOV/RESOURCES/THE-PACT-ACT-AND-YOUR-VA-BENEFITS/ (ALL LOWER CASE) "</p> <p>"THE TAX YEAR IS HALF OVER, NOW IS A GREAT TIME TO REVIEW YOUR DEDUCTIONS! FOR MORE INFO VISIT: HTTPS://WWW.IRS.GOV/INDIVIDUALS/TAX-WITHOLDING-ESTIMATOR"</p>							BROUGHT FWD	.00						ENTITLEMENTS							BASIC PAY	6,130.20	TAXABLE FOR FITW, SITW & FICA					BAS (MONTHLY)	452.56						BAH WITH DEPNS	4,062.00						TOTAL	10,644.76						DEDUCTIONS							FITW (FED TAX)	703.69						SOCIAL SECURITY	380.07						MEDICARE	88.89						SITW (STATE TAX MA)	279.84						SGLI \$500,000	30.00						TSGLI	1.00						USN/MC RET HOME	.50						SUPPORT GARN	819.00	GARNISHMENT 819.00					TOTAL	2,302.99	AMANDA THIBEAULT					PAYMENTS		DATE	DSSN	VOU	PSDO/PR		REGULAR PAYMENT	4,170.90	20230615	0777	0000030017	0000017		REGULAR PAYMENT	4,170.87	20230630	0777	0000030018	0000018		TOTAL	8,341.77						CARRIED FWD	.00					
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DEFENSE FINANCE AND ACCOUNTING SERVICE MILITARY LEAVE AND EARNINGS STATEMENT

ID	NAME (Last, First, MI)	SOC. SEC. NO.	GRADE	PAY DATE	YRS SVC	ETS	BRANCH	ADSN/DSSN	PERIOD COVERED
			05	990521	19	888888	NAVY	5905	1-31 JAN 19

ENTITLEMENTS		DEDUCTIONS		ALLOTMENTS		SUMMARY	
Type	Amount	Type	Amount	Type	Amount		
A	BASE PAY 8998.50	FEDERAL TAXES 1161.17		TRICARE DENTAL 29.62		+Amt Fwd	.00
B	BAS 254.39	FICA-SOC SECURITY 557.91		INSURANCE ALLOT 162.43		+Tot Ent	13656.89
C	BAH 3789.00	FICA-MEDICARE 130.48				-Tot Ded	7674.23
D	DEMO PAY 150.00	SGLI 29.00				-Tot Allt	192.05
E	PARACHUTE PAY 225.00	SGLI FAM/SPOUSE 5.00				=Net Amt	5790.61
F	DIVE PAY 240.00	MID-MONTH-PAY 5790.67				-Cr Fwd	.00
G						=EOM Pay	5790.61
H							
I							
J							
K							
L							
M							
N							
O							
TOTAL		13656.89	7674.23		192.05		

LEAVE	BF Bal 41.0	Emd 10.0	Used 10	Cr Bal 41.0	ETS Bal .0	Lv Lost .0	Lv Paid .0	Use/Lose 1.0	FED TAXES 9613.50	Wage Period 9613.50	Wage YTD M/S S 07	EX 07	Add'l Tax .00	Tax YTD 1161.17
FICA TAXES	Wage Period 8998.50	Soc Wage YTD 8998.50	Soc Tax YTD 557.91	Med Wage YTD 8998.50	Med Tax YTD 130.48	STATE TAXES TX	St .00	Wage Period .00	Wage YTD M/S S 01	EX 01	Tax YTD .00			
PAY DATA	BAQ Type W/DEP	BAQ Depn SPOUSE	VHA Zip 92155	Rent Amt .00	Share 1	Stat R	JFTR	Depns 0	2D JFTR	BAS Type	Charity YTD .00	TPC	PACIDN	
TRADITIONAL PLAN (TSP)	Base Pay Rate 0	Base Pay Current .00	Spec Pay Rate 0	Spec Pay Current .00	Inc Pay Rate 0	Inc Pay Current .00	Bonus Pay Rate 0	Bonus Pay Current .00						
ROTH PLAN	Base Pay Rate 0	Base Pay Current .00	Spec Pay Rate 0	Spec Pay Current .00	Inc Pay Rate 0	Inc Pay Current .00	Bonus Pay Rate 0	Bonus Pay Current .00						
CM AGCY CONTR	AGCY-AUTO .00	AGC-MATCH .00												
CONTRIBUTIONS TOTALS	YTD Deductions .00	YTD TSP Deferred .00	YTD TSP Exempt .00	YTD ROTH .00	YTD TSP AGCY-AUTO .00	YTD TSP AGCY-MATCH .00								

REMARKS: YTD ENTITLE 13656.89 YTD DEDUCT 1883.56

IF TSP ELECTION AMT EXCEEDS NET AMT DUE, TSP WILL NOT BE DEDUCTED.
 -TAX TIME IS HERE. RECEIVE YOUR 1095 AND W2 STATEMENTS VIA MYPAY. ALSO, USE IRS E-FILE FOR A QUICKER REFUND. VISIT IRS.GOV
 -THE IRS TAXPAYER ADVOCATE SERVICE CAN HELP YOU RESOLVE FEDERAL TAX PROBLEMS THAT YOU HAVE NOT BEEN ABLE TO RESOLVE ON YOUR OWN. LEARN MORE ABOUT YOUR RIGHTS AND FIND OTHER RESOURCES AT WWW.TAXPAYERADVOCATE.IRS.GOV
 -ANNUAL PAGE 2 VERIFICATION T MEI UPDATE YOUR PAGE 2 FOR ANY MAJOR LIFE CHANGES: MARRIAGE, DIVORCE, BIRTH OF A CHILD, DEATH, UPDATE A COLLEGE STUDENT'S NEW ADDRESS. ENSURE SGLI ELECTION AND BENEFICIARIES ARE ALSO UPDATED.

-PCSING THIS YEAR? ATTEND A NAVY HHG WEBINAR. [HTTPS://WWW.NAVSUP.NAVY.MIL/HOUSEHOLD](https://www.navsop.navy.mil/household)
 SEA DUTY TIME 00/01/13
 MEMBER'S SGLI COVERAGE AMOUNT IS \$400,000
 FAM/SPOUSE SGLI COVERAGE AMOUNT IS \$100,000
 USED LEAVE BALANCE ADJUSTED.
 CURRENT MONTH LEAVE BALANCE ADJUSTED.
 USED LEAVE BALANCE ADJUSTED.
 CURRENT MONTH LEAVE BALANCE ADJUSTED.
 CHARGE LEAVE 181217-181222(001)
 RATE CHG BASIC PAY 190101(001)
 RATE CHG BAH 190101(001)
 CHARGE LEAVE 190108-190111(011)
 BAH BASED ON W/DEP, ZIP 92155
 BANK USAA FEDERAL SAVINGS BANK

WWW.DFAS.MIL

DEFENSE FINANCE AND ACCOUNTING SERVICE MILITARY LEAVE AND EARNINGS STATEMENT														
ID	NAME (Last, First,MI)		SOC. SEC. NO.	GRADE	PAY DATE	YRS SVC	ETS	BRANCH	ADSN/DSSN	PERIOD COVERED				
			***_**	O02	200109	03	000000	USAR	5570	CHK DT 230203				
ENTITLEMENTS			DEDUCTIONS			ALLOTMENTS			SUMMARY					
Type	Amount		Type	Amount		Type	Amount		+Amt Fwd					
A B C D E F G H I J K L M N O	BASIC PAY 608.36		FED INC TAX	59.92					+TOT ENT 608.36					
			FICA TAX	46.54										
			STATE INC TAX	30.64										
			SGLI	25.00					-TOT DED 256.94					
			DEBT PAYMENT	29.50										
			TSP CONTRIBUTION	60.84										
			SGLI FAM/SPOUSE	4.50										
									-TOT ALMT					
									=NET AMT 351.42					
									-CR FWR					
									=EOM PAY					
	TOTAL		608.36	256.94						DIEMS		RET PLAN		
	FED TAXES	Wage Period	Wage YTD	M/S/H	Mult Jobs	Dep 17 Under	Other Dep	Add'l Tax	Other Deds	Other Income	Tax YTD			
		608.36	608.36	S	E	00	00	.00	.00	.00	59.92			
	FICA TAXES	Wage Period	Soc Wage YTD	Soc Tax YTD	Med Wage YTD	Med Tax YTD	STATE TAXES	St CA	Wage Period	Wage YTD	M/S	Ex	Tax YTD	
	608.36	608.36	37.72	608.36	8.82			608.36	608.36	S	00	30.64		
PAY DATA	BAQ Type	BAQ Depn	VHA Zip	Rent Amt	Share	Stat	JFTR	Depns	2D JFTR	BAS Type	Charity YTD	TPC	PACIDN	
	W DEP	SPOUSE	00000									A		
TRADITIONAL PLAN (TSP)	Base Pay Rate	Base Pay Current	Spec Pay Rate	Spec Pay Current	Inc Pay Rate	Inc Pay Current	Bonus Pay Rate	Bonus Pay Current						
	0	.00	0	.00	0	.00	0	.00						
ROTH PLAN	Base Pay Rate	Base Pay Current	Spec Pay Rate	Spec Pay Current	Inc Pay Rate	Inc Pay Current	Bonus Pay Rate	Bonus Pay Current						
	10	60.84	0	.00	0	.00	0	.00						
CONTRIBUTIONS TOTALS	YTD Deductions	YTD TSP Deferred	YTD TSP Exempt	YTD ROTH	YTD TSP AGCY-AUTO	YTD TSP AGCY-MATCH								
	60.84	.00	.00	60.84	6.08	24.33								
CM AGCY CONTR	AGCY-AUTO	AGC-MATCH	LEAVE	BF Bal	Emd	Used	Cr Bal	ETS Bal	Lv Lost	Lv Paid	Use/Lose			
	6.08	24.33		.0	.0	0	.0		.0	.0	.0			
REMARKS:														
YTD ENTITLE 608.36				YTD DEDUCT 256.94										
YOUR CHECK WAS SENT TO: USAA FEDERAL SAVINGS BANK DIRECT DEPOSIT DATE: 02/03/23 AMOUNT: \$351.42 * AS OF 09 JAN 20, 000 HIGH TEMPO DEPLOYMENT DAYS ACCRUED SINCE 1 OCT 00 (OR SINCE ENTERING MILITARY SERVICE) SERV GP LIFE INSURANCE DEBT BALANCE \$.00 ORIGINAL DEBT \$25.00 24 JAN 23 24 JAN 23 FAM SER GROUP LIFE INSUR DEBT BALANCE \$.00 ORIGINAL DEBT \$4.50 24 JAN 23 24 JAN 23 UNPAID DEBT BALANCE *TOTAL*: \$.00 TOTAL PERFORMANCE FY 23: UTA 08 AFTP 00 ET 00 ATA 00 JPT 00 AAUTA 00 AANT 00 RMA 00 SUP IDT TNG 00 MCOFT 00 RMA 00 AT/ADT 004 FHDA 000 INACTIVE DUTY TRAINING 03 DEC 22 1 03 DEC 22 2 04 DEC 22 1 INACTIVE DUTY TRAINING 04 DEC 22 2							YOUR CURRENT STATE CLAIMED IS: CALIFORNIA SERVICEMEMBER GROUP LIFE INSURANCE COVERAGE: \$400,000 YOUR SGLI DEDUCTION INCLUDES TRAUMATIC INJURY PROTECTION (TSGLI) SPOUSE SGLI COVERAGE: \$100,000 PLEASE VERIFY YOUR STATE OF LEGAL RESIDENCE FOR STATE INCOME TAX PURPOSE. CONTACT YOUR PAYROLL OFFICE TO FILE A NEW DD FORM 2058 TO CHANGE/ESTABLISH THE CORRECT STATE IMMEDIATELY. -NEW VA PACT LAW, VISIT: HTTPS://WWW.VA.GOV/RESOURCES/ THE-PACT-ACT-AND-YOUR-VA-BENEFITS/ -YOUR HEALTH IS IMPORTANT: TO LEARN MORE ABOUT BURN PIT AND REGISTRY, VISIT WWW.HEALTH.MIL/AHBURNPITREGISTRY -SGLI COVERAGE AUTOMATICALLY INCREASES MARCH 1, 2023, VISIT: HTTPS://WWW.BENEFITS.VA.GOV/INSURANCE/SGLI-INCREASE-FAQS.ASP							

MILITARY PAY

- Pay vs. Allowances
- Use BAH or Value of Provided Housing?
- Home State
- Military Pay Tables:
 - <https://www.dfas.mil/militarymembers/payentitlements/Pay-Tables.html>
- BAH, COLAs and OHA rates:
 - <https://www.travel.dod.mil/allowances/basic-allowance-for-housing/bah-rate-lookup/>



DEFENSE FINANCE AND ACCOUNTING SERVICE MILITARY LEAVE AND EARNINGS STATEMENT

ID	NAME (Last, First,MI)	SOC. SEC. NO.	GRADE	PAY DATE	YRS SVC	ETS	BRANCH	ADSN/DSSN	PERIOD COVERED
			E7	121210	10	260820	NAVY	5902	1-30 JUN 23

ENTITLEMENTS		DEDUCTIONS		ALLOTMENTS		SUMMARY	
Type	Amount	Type	Amount	Type	Amount	+Amt Fwd	
A	BASE PAY	FEDERAL TAXES	501.00	TSP LOAN	123.24		.00
B	BAS	FICA-SOC SECURITY	287.98	TRICARE DENTAL	32.13	+TOT ENT	9480.46
C	BAH	FICA-MEDICARE	67.35				
D	CAREER SEA PAY	SGLI	31.00			-TOT DED	6145.91
E		STATE TAXES	253.64				
F		AFRH	.50			-TOT ALMT	155.37
G		PAY RELEASED	1200.00				
H		SUPPORT/COMM DEBT	1200.00			=NET AMT	3179.18
I		SGLI FAM/SPOUSE	5.30				
J		MEAL DEDUCTION	387.00			-CR FWR	.00
K		TRADITIONAL TSP	232.25				
L		PRIOR SPT/COMM	-1200.00			=EOM PAY	3179.18
M		MID-MONTH-PAY	3179.89				
N							
O							
	TOTAL		6145.91		155.37		

								DIEMS	RET PLAN
								120604	BLENDE

FED TAXES	Wage Period	Wage YTD	M/S/H	Mult Jobs	Dep 17 Under	Other Dep	Add'l Tax	Other Deds	Other Income	Tax YTD
	4850.65	29201.57	S		00	00	.00	.00	.00	3027.49

FICA TAXES	Wage Period	Soc Wage YTD	Soc Tax YTD	Med Wage YTD	Med Tax YTD	STATE TAXES	St	Wage Period	Wage YTD	M/S	Ex	Tax YTD
	4644.90	27869.40	1727.88	27869.40	404.10	NY		4850.65	29201.57	S	01	1528.53

PAY DATA	BAQ Type	BAQ Depn	VHA Zip	Rent Amt	Share	Stat	JFTR	Depns	2D JFTR	BAS Type	Charity YTD	TPC	PACIDN
	W/DEP		92136	.00	1	R		0			.00		

TRADITIONAL PLAN (TSP)	Base Pay Rate	Base Pay Current	Spec Pay Rate	Spec Pay Current	Inc Pay Rate	Inc Pay Current	Bonus Pay Rate	Bonus Pay Current
	5	.00	0	.00	0	.00	0	.00

ROTH PLAN	Base Pay Rate	Base Pay Current	Spec Pay Rate	Spec Pay Current	Inc Pay Rate	Inc Pay Current	Bonus Pay Rate	Bonus Pay Current
	0	.00	0	.00	0	.00	0	.00

CONTRIBUTIONS TOTALS	YTD Deductions	YTD TSP Deferred	YTD TSP Exempt	YTD ROTH	YTD TSP AGCY-AUTO	YTD TSP AGCY-MATCH
	1393.50	1393.50	.00	.00	278.70	1114.80

CM AGCY CONTR	AGCY-AUTO	AGC-MATCH	LEAVE	BF Bal	Ernd	Used	Cr Bal	ETS Bal	Lv Lost	Lv Paid	Use/Lose
	46.45	185.80		58.0	22.5	20	60.5	155.0	.0	.0	8.0

REMARKS: YTD ENTITLE 58697.10 YTD DEDUCT 10453.70

IF TSP ELECTION AMT EXCEEDS NET AMT DUE, TSP WILL NOT BE DEDUCTED.

-NEW SGLI MAX COVERAGE IS NOW \$500K, TO CHANGE YOUR ELECTION VISIT: [HTTPS://WWW.VA.GOV/LIFE-INSURANCE/OPTIONS-ELIGIBILITY/SGLI/](https://www.va.gov/life-insurance/options-eligibility/sgli/)

-THE TAX YEAR IS HALF OVER, NOW IS A GREAT TIME TO REVIEW YOUR DEDUCTIONS! FOR MORE INFO VISIT: [HTTPS://WWW.IRS.GOV/INDIVIDUALS/TAX-WITHOLDING-ESTIMATOR](https://www.irs.gov/individuals/tax-withholding-estimator).

-A NEW LAW EXPANDS VA HEALTH CARE AND BENEFITS FOR VETERANS EXPOSED TO BURN PITS, AGENT ORANGE, AND OTHER TOXIC SUBSTANCES. LEARN MORE ABOUT THE PACT ACT: [HTTPS://WWW.VA.GOV/RESOURCES/THE-PACT-ACT-AND-YOUR-VA-BENEFITS/](https://www.va.gov/resources/the-pact-act-and-your-va-benefits/)

SEA DUTY TIME 05/01/10

MEMBER'S SGLI COVERAGE AMOUNT IS \$500,000

FAM/SPOUSE SGLI COVERAGE AMOUNT IS \$100,000

BAH BASED ON W/DEP, ZIP 92136

REPORT SUPPORT/COMM DEBT 230601 (152)

SUPPORT/COMM DEBT HELD PAY BALANCE \$1200.00

BANK NAVY FEDERAL CREDIT UNION

Family Code Section 4058 (a)(3)

(a) The annual gross income of each parent means income from whatever source derived, except as specified in subdivision (c) and includes, but is not limited to, the following: ...

(3) In the discretion of the court, employee benefits or self-employment benefits, taking into consideration the benefit to the employee, any corresponding reduction in living expenses, and other relevant facts.

In Re Marriage of Stanton 190 Cal.App.4th 547 (2010)

Printer Friendly Version

View other LESs 1703 Go

DEFENSE FINANCE AND ACCOUNTING SERVICE MILITARY LEAVE AND EARNINGS STATEMENT															
ID	NAME (Last, First, MI)		SOC SEC NO.	GRADE	PAY DATE	YRS SVC	ETS	BRANCH	ADSN/DSSN	PERIOD COVERED					
				E7	080731	16	190822	NAVY	6906	1-31 MAR 17					
			DEDUCTIONS			ALLOTMENTS			SUMMARY						
	Type	Amount	Type	Amount	Type	Amount	Amt Fwd					.00			
A	BASE PAY	4387.80	FEDERAL TAXES	421.78	TRICARE DENTAL	34.68	Tot Ent					7617.09			
B	BAS	368.20	FICA-SOC SECURITY	272.04	PRIVATIZED HOUSING	2685.00	Tot Ded					2730.88			
C	BAH	2686.00	FICA-MEDICARE	63.02			Tot Allt					2920.68			
D	HOP LOCATION	- 25.00	SGLI	29.00			Net Amt					1985.53			
E	FSH	- 125.00	STATE TAXES	100.52			Cr Fwd					.00			
F	ADVANCE DEBT	125.00	AFRH	50.00			EOM Pay					1985.53			
G			SGLI FAMSPOUSE	6.50											
H			MID-MONTH PAY	1637.00											
I															
J															
K															
L															
M															
N															
O															
TOTAL		7617.09	2730.88		2920.68										
LEAVE	BF Bal	Emd	Used	Ct Bal	ETS Bal	Lv Lost	Lv Paid	Use/Use	FED TAXES	Wage Period	Wage YTD	M/S	Ex	Add Tax	Tax YTD
	48.5	18.0	41	14.5	35.5	.0	.0	.0	4387.80	4387.80	4387.80	M	01	.00	421.78
FICA TAXES	Wage Period	Soc Wage YTD	Soc Tax YTD	Med Wage YTD	Med Tax YTD	STATE TAXES	St	Wage Period	Wage YTD	M/S	Ex	Tax YTD			
	4387.80	13163.40	816.12	13163.40	190.88	4387.80	CA	4387.80	4387.80	M	01	190.52			
PAY DATA	BAQ Type	BAQ Degr	VHA Zip	Rent Amt	Share	Stat	JFTR	Depns	20 JFTR	BAS Type	Charity YTD	TPC	PACDN		
	WIDEP	SPOUSE	92135	.00	1	R		0			.00				
TRADITIONAL PLAN (TSP)	Base Pay Rate	Base Pay Current	Spec Pay Rate	Spec Pay Current	Inc Pay Rate	Inc Pay Current	Bonus Pay Rate	Bonus Pay Current							
	0	.00	0	.00	0	.00	0	.00							
ROTH PLAN	Base Pay Rate	Base Pay Current	Spec Pay Rate	Spec Pay Current	Inc Pay Rate	Inc Pay Current	Bonus Pay Rate	Bonus Pay Current							
	0	.00	0	.00	0	.00	0	.00							
CONTRIBUTIONS TOTALS	YTD Deductions		YTD TSP Deferral			YTD TSP Exempt			YTD ROTH						
	.00		.00			.00			.00						
REMARKS:	YTD ENTITLE <u>23481.27</u>					YTD DEDUCT <u>2159.42</u>									
<p>IF TSP ELECTION AMT EXCEEDS NET AMT DUE, TSP WILL NOT BE DEDUCTED.</p> <p>-THE BLENDED RETIREMENT SYSTEM OPT-IN COURSE (2 HRS) (COURSE #J30P-US1332) IS NOW AVAILABLE VIA JMD AT HTTPS://IKODIRECT.JTEN.MIL THE COURSE IS DESIGNED TO PROVIDE ELIGIBLE SERVICE MEMBERS INFORMATION FOR MAKING A DECISION ABOUT WHICH DOD RETIREMENT SYSTEM BEST MEETS THEIR NEEDS. THIS IS MANDATORY FOR ALL OPT-IN ELIGIBLE SERVICE MEMBERS.</p> <p>-TRICARE DENTAL PROGRAM CONTRACTOR CHANGE FROM METLIFE TO UCCI APRIL 2017 NO ACTION IS REQUIRED BY YOU. FOR INFORMATION VISIT WWW.UCCIDDP.COM</p> <p>SEA DUTY TIME 0800Y9</p> <p>TAX EXEMPT LV BAL = 5.0</p> <p>MEMBER'S SGLI COVERAGE AMOUNT \$ 5400.000</p> <p>FAMSPOUSE SGLI COVERAGE AMOUNT IS \$100.000</p> <p>TOTAL INDEBTEDNESS \$125.00(062)</p> <p>STOP HOP LOCATION 170215(061)</p> <p>TAX EXEMPT LV BAL AS OF 170215</p> <p>COMBAT ZONE -STOP 000000-170228(061)</p> <p>SITV ADJUSTMENT (CZ) FOR CALIFORNIA</p> <p>INDEBTEDNESS DUE US \$125.00(061)</p> <p>STOP FAMILY SEPARATION ALLOW 170215(061)</p> <p>BAH BASED ON WIDEP, ZIP 92135</p> <p>BANK NAVY FEDERAL CREDIT UNION</p>															

MILITARY PAY AND BENEFITS

- Special Pays and Tax Rules
- BAH Rules Do You Get It or Not? With Dependents? BAH Differential?
- ID Cards for Children – Incidental Benefit to Custodial Parent

The background of the image is a camouflage pattern with irregular shapes in shades of brown, olive green, and dark grey. The text is centered over this pattern.

MILITARY PAY & BENEFITS (RESERVE)

RESERVE PAY

- Start with W-2
- Drill Pay
- Annual Training Pay
- Travel Pay, Per Diem and Allowances.
 - Income?
 - Necessary Job Related Expenses?

The background of the image is a camouflage pattern with irregular shapes in shades of brown, olive green, and dark charcoal grey. The text is centered over this pattern.

MILITARY HEALTH INSURANCE BENEFITS

HEALTH INSURANCE

- Health insurance provided by a SM for their dependents is called Tricare.
- Health insurance for the military and their children is administered through DEERS (Defense Eligibility Enrollment System).
- DEERS registration is required for Tricare eligibility.

HEALTH INSURANCE

- Continued Health Benefits Coverage
 - 10 U.S.C. 1078(a)
- Former Spouse Protection
 - Retired Pay and/or Annuity Pay



MILITARY RETIREMENT

- NDAA 17
- Rule for Division
- Frozen Benefit Rule
- Supreme Court Case
- Howell v. Howell, 137 S. Ct. 1400 (2017)

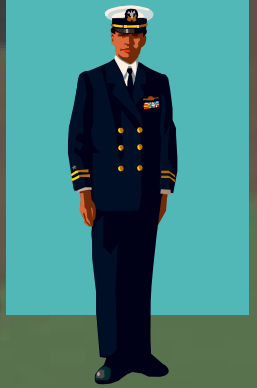
MILITARY RETIREMENT (CONT.)

- Concurrent Receipt Disability Pay
- Combat Related Special Compensation
- CRSC is a special compensation for combat-related disabilities. It is non-taxable, and retirees must apply to their Branch of Service to receive it.
- CRDP is a restoration of retired pay for retirees with service-connected disabilities, and it is taxable. No application is required. Eligible retirees receive CRDP automatically.



VETERAN'S BENEFITS

VETERAN'S BENEFITS



- VA disability compensation – CAN use for support
- VA disability pension – CANNOT use for support
- To distinguish between the two pensions, look to the veteran's award letter. If the veteran is receiving countable "disability compensation," those words will appear in the letter. If the veteran is receiving an exempt need-based pension, the letter will refer to "countable income."

The background of the image is a camouflage pattern consisting of irregular, organic shapes in shades of brown, olive green, tan, and dark charcoal. The pattern is centered and fills the entire frame.

GI BILL

GI BILL

- GI Bill, Is it Income?
- Post 911 GI Bill v. Montgomery GI Bill
- How much is income for support?
- BAH for E5, ZIP code
- Benefits for kids



MILITARY SUPPORT GUIDELINES

MILITARY SUPPORT GUIDELINES

- Each Branch Has Its Own Set of Guidelines for Child and Spousal Support
- Usually Higher Than California Guidelines
- Administratively Set by Command
- Not Applied If Family Court Matter Filed

MILITARY SUPPORT GUIDELINES

- United States Marine Corps
 - Volume 9 MCO P5800.16
 - LEGADMINMAN
 - Family Support

- United States Navy
 - MILPERSMAN 1754-030
 - Family Support



MILITARY SUPPORT GUIDELINES

- United States Army
 - Army Regulation 608-99, paragraph 2-6
 - Family Support
- United States Air Force
 - Air Force Instruction 36-2906, Personal Financial Responsibility, paragraph 3.2.1
 - Family Support



THE END