



Compassionate Actions



Please note that this Information Paper only provides basic information and is not intended to serve as a substitute for personal consultations with a Legal Assistance Attorney.

Consider these questions and answers to help you determine the procedures for requesting a compassionate reassignment, deletion, or deferral from orders.

Q: WHAT IS A COMPASSIONATE ACTION?

A: A compassionate action request is one from an individual soldier, requesting reassignment, deletion, or deferral from orders. A compassionate reassignment is a reassignment of a soldier to another duty station prior to his or her scheduled permanent change of station (PCS). It normally occurs in response to a family emergency, hardship, or other situation in which a soldier's presence at another duty station is warranted.

Q: WHAT ARE THE CRITERIA FOR COMPASSIONATE ACTIONS?

A: The soldier concerned must initiate the request. Compassionate consideration is given for problems that cannot be resolved through leave, correspondence, use of a power of attorney, or the assistance of family members or other parties. Compassionate consideration is only given for family members. The requesting service member must have a valid MOS and grade authorization.

Q: WHAT ARE GENERALLY NOT CONSIDERED VALID BASES FOR A COMPASSIONATE REQUEST?

A: The following generally are not considered valid bases for a compassionate request:

- Soldier's desire to be in a new area.
- Divorce or separation resulting from family separation due to military requirements.
- Legal actions or court appearances for matters relating to divorce and/or child custody issues.
- Sole parenthood.
- Problems expected to be resolved by family members joining the soldier at the duty station.
- Minor allergies suffered by family members due to climatic conditions.
- Home ownership or housing shortage issues.
- Financial problems.

Q: WHO REVIEWS AND APPROVES COMPASSIONATE REQUESTS?

A: A General Court-Martial Convening Authority (typically, an installation commander in the rank of General) reviews applications. Requests that do not meet standards for compassionate actions are disapproved.

Q: WHAT SUPPORTING DOCUMENTATION IS REQUIRED FOR COMPASSIONATE REQUESTS?

A: The type of problem alleged determines the type of documentation required.

a. Medical Problems. An attending physician's signed statement providing the specific medical diagnosis and prognosis, including the date of onset, past and anticipated periods of hospitalization, periods of convalescence, and anticipated life expectancy for terminal cases.

b. Legal Problems. A signed statement from a licensed attorney describing the problem, and the reasons why solutions other than reassignment are unacceptable. If applicable, a copy of a court order, divorce decree, or other documents must be submitted.

c. Rape/Child Abuse. Statements from police, social service agencies, and/or examining physicians.

d. Marital and Dependent Status. A statement by the soldier, witnessed by an officer, specifying that the soldier has been advised that travel for dependents at Government expense is unauthorized.

e. Other Problems. Supporting statements from responsible persons (*e.g.*, clergymen, social workers, etc.) who have personal knowledge of the problem.

Q: WHAT IS THE FORM NUMBER AND GOVERNING REGULATION FOR A COMPASSIONATE ACTION REQUEST?

A: Soldiers must submit their applications on DA Form 3739, *Application for Compassionate Actions*. The governing regulation is Army Regulation 614-200, Section III.

Q: WHAT SHOULD I DO IF I HAVE FURTHER QUESTIONS ABOUT REQUESTING A COMPASSIONATE ACTION?

A: Contact the Stuttgart Law Center Legal Assistance Division to arrange for a consultation with a legal assistance attorney. A legal assistance attorney can help evaluate your compassionate action request and assist with preparing some of the necessary documents.

REVIEWED BY: CPT Scott L. Goble

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References:

AR 600-8-14

DOD Financial Management Regulation Chapter 7A, Chapter 26 (specifically 260417).

DD Forms 137-3, 137-4, 137-5, 137-6, 137-7