



Determining A Party's Military Status

The Servicemembers Civil Relief Act (SCRA) requires a party moving for a default judgment to first file an affidavit with the court stating “whether or not the defendant is in military service and showing necessary facts in support of the affidavit.”

To find out whether a party is in the military, you can contact the Defense Manpower Data Center (DMDC) at the Department of Defense (DOD), which must issue a statement as to military service:

Defense Manpower Data Center
Attn: Military Verification
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593
Telephone: 703-696-6762 or -5790
Fax: 703-696-4156

You can also obtain this information on the DMDC Web site for SCRA inquiries, <https://www.dmdc.osd.mil/scra/owa/home>. Enter the last name and Social Security number (SSN) of the individual (mandatory entries). The form also asks for a first name, middle initial, and date of birth (DOB), which will help with the search. Further information is available on the “Help” section of the Web site.

To run a report, click on the “LookUp” button, which will open up a second window holding the report generated by DMDC. If the individual is on active duty, the report will show the branch of service and the beginning date of active duty status. If DMDC does not have information about whether the individual is on

active duty, the generated report will list only the last name, first name, and middle initial (if supplied), with the text: “Based on the information you have furnished, the DMDC does not possess any information indicating that the individual is currently on active duty.” The report is signed by the DMDC Director.

If the SSN is unavailable, you may request by mail a manual search using the individual’s DOB. You must send a stamped, self-addressed envelope with your mail request.

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Additional Resource: Published in 2007, the *Judge Advocate General’s School Guide to the Servicemembers Civil Relief Act* is available from the ABA for \$20, or \$15 for members of the GP/Solo division. For more information or to order this book, go to www.abanet.org/abastore/productpage/5150308.

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