

SCRA Checklist

The Servicemembers Civil Relief Act (SCRA) protects persons serving on active duty from adverse consequences to their legal rights that may result from such service. Some SCRA protections apply to reservists and guardsmen called to serve on active duty. Other protections apply to members who have always been on active duty while some protections apply to military dependents.

This checklist will assist legal practitioners in ascertaining if specific protections apply to you. If so, you must take action either before or during your activation to be afforded some protections, while other protections allow you to take action within 30 to 180 days after completing an active duty assignment.

CHECK ALL THAT APPLY

- Administrative or Court Proceeding**: Are you involved in an administrative proceeding of any kind or a civil court case that you wish to postpone while serving on active duty or within 90 days after completing an active duty assignment?
- Automobile Lease**: Do you wish to terminate an automobile lease that was entered into before: (1) being called to active duty for a period of 180 or more days; or (2) receiving orders for a permanent change of duty station outside the U.S.; or (3) from a state outside CONUS to a state outside that state or (4) deploying with a military unit for 180 days or more?
- Rental Lease**: Do you wish to terminate a rental lease that was entered into before: (1) being called to active duty; (2) receiving orders for a permanent change of duty station; (3) deploying with a military unit for 90 days or more; or (4) separating or retiring from the military?
- Contracts**: Is a creditor threatening to terminate an installment contract for the purchase, lease or bailment of real or personal property, such as an automobile, that you entered into before serving on active duty?
- Eviction**: Are you or your dependents being threatened with eviction from your primary residence while serving on active duty?
- Foreclosures and Forced Sales**: Is a mortgagor or lien holder attempting to foreclose a mortgage or enforce a lien on property you acquired before serving on active duty?
- Interest Rates**: On purchases you made before serving on active duty, are you paying an interest rate of over 6%—including credit cards and mortgages but not student loans?
- Insurance**: Are you having difficulty paying private professional, health or life insurance premiums, or has your insurance been terminated, while on active duty?
- Judgments**: Has a court judgment been entered against you while on active duty, or do you anticipate that a judgment might be entered against you while on active duty?
- State & Federal Income Taxes**: Are you having difficulty paying income taxes while on active duty? Are you paying state taxes based on your military income or other property, such as a car, to a state other than your home state of legal residency?