



The ADVOCATE

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Region Legal Service Office Naval District Washington is pleased to provide you with this edition of The ADVOCATE. This edition includes Legal Assistance topics that cover Identity Theft, the Exceptional Family Member Program, and Second Parent and Step-Parent Adoption. The articles are designed as a quick references and overviews of these subjects.

HOLIDAY SEASON HOT TOPIC: IDENTITY THEFT

- LTJG WILL WAHL, JAGC, USN

Some tips to prevent a Grinch from ruining your Christmas.

Threats in Online Shopping

Between travel, shopping, and high expectations, the holidays are already a stressful time of year. The last thing that anyone wants to worry about is someone stealing their identity. Unfortunately, identity thieves and scammers use the busy holiday season to steal personal information. The IRS warned readers on Cyber Monday of the increased risk that scammers pose for holiday shoppers.¹ Specifically, online shoppers tend to be a common target for scammers trying to steal the identity of unsuspecting victims.

One common method scammers use is sending fake delivery status update messages. Shoppers may receive texts messages claiming to be from the seller or shipping company stating that there is a problem with delivering their order.²

¹ <https://www.irs.gov/newsroom/irs-warns-of-holiday-scams-encourages-protecting-sensitive-personal-information-as-9th-annual-national-tax-security-awareness-week-startspotlight>

² Id.

These messages usually include a link to reschedule the delivery, however, these links are phishing scams to either trick shoppers into downloading malware onto their device or providing their personal information.

While scammers are becoming increasingly sophisticated and more difficult to detect, the IRS provided several helpful tips, such as only shopping on a secure Wi-Fi network, having security software on your devices, and using strong passwords on your accounts. Another helpful tip is to always contact the seller or shipping company directly if there is concern regarding a delivery. The seller or shipping company will be able to tell you whether the link is a scam.

Threats to Service Members

In addition to online shoppers, another major target for scammers are service members. The FTC reported that active-duty service members are 76 percent more likely to experience unauthorized access to an existing bank account or credit card, and 22 percent more likely to have an identity thief open a new account in their name.³

There are ways that service members can prevent identity theft. One method of protection is to properly store both printed and electronic documents containing personal identifiable information. It is also important to change passwords frequently and set up multi-factor authentication. Additionally, AnnualCreditReport.com offers free annual credit reports to each of the three credit bureaus: Equifax, Transunion, and Experian. It is recommended to request a report from a different bureau once every four months to scatter the reports throughout the year. Service members can also preliminarily “freeze” and/or lock their credit reports. If this is done, the service member will need to unfreeze and/or unlock their accounts each time they need to use their credit for an inquiry.

Mitigating the Damage

Once identity theft occurs, there are actions a person can take to mitigate the damage and report it. One of the first steps is to notify the three credit bureaus. The bureaus can freeze a victim’s credit and work to clear fraudulent information. It is also important that the victim notify their banks and credit card companies. Finally, it is helpful to notify the police and/or any relevant federal agencies.

The holiday season is supposed to be a merry time to spend with family and friends. By taking the appropriate steps to protect your valuable information, you can focus on the great parts of the holidays, without worrying about the stress that comes with identity theft.

³ <https://www.ftc.gov/news-events/data-visualizations/data-spotlight/2020/05/identity-theft-causing-outsized-harm-our-troops#end2>

THE EXCEPTIONAL FAMILY MEMBER PROGRAM: A GUIDE

- LT Nyaradzo Mavhenyengwa, JAGC, USN

The mission of the Department of Defense's (DOD) is to provide the military force needed to deter war and to protect the security of the United States. Thus, the well-being and readiness of service members and their families is a top priority. As part of the DOD's initiative to take care of service members and their families, the DOD implemented the Exceptional Family Member Program (EFMP).

Originally started by the U.S. Army in 1979, the EFMP serves military families with special needs dependents by ensuring that service members with exceptional family members (EFMs) are stationed at or near installations where necessary medical, mental health, or educational resources are available for their EFM dependents. The EFM Program does not preclude members from sea duty, normal sea/shore rotation, unaccompanied assignments, Global War on Terrorism (GWOT) Support Assignments (GSA), standing watches, or performing normally assigned duties. However, the program does service members are assigned only to those geographic areas where the medical (physical, developmental, and/or mental health) and/or educational needs of their family member(s) can be met. In order to maximize the coverage and effectiveness of the program, enrollment in EFMP is a mandatory enrollment program for sponsors with qualifying family members.

Qualifying special needs include, but is not limited to, family members who require any kind of specialty medical care or doctors and/or any type of educational support services, either of them lasting 6 months or longer. Some examples of qualifying services: early intervention services, 504/IEPs, referrals to speech/occupational therapy, clinical counseling, required adaptive equipment assistive technology devices and services and/or wheelchair accessibility.

EFM Enrollment

The EFMP provides for the identification of the family member's special needs through enrollment forms, assignment coordination, and family support.

EFM Enrollment

Upon identification of a special need, the sponsoring service member is required to complete DD 2792, "Family Member Medical Summary" and DD 2792-1, "Early Intervention/ Special Education", to enroll the family member into the program. The family member's military or civilian medical provider will fill out the medical summary portion of DD 2792. This medical summary is mandatory for children who are being enrolled in the program.

After the forms are completed, the service member with the assistance of their local EFM program coordinator will forward the forms to a Central Screening Committee (CSC).

There are three different Central Screening Committees, and each is responsible for reviewing referrals in their specific geographic region.

**The Exceptional
Family Member
Program:
A Guide
(cont.)**

EFM Support

The Fleet and Family Support Program is the Information and Referral (I&R) conduit for questions regarding available resources to the family on base, those located in the local community as well as within the state and nationally.

EFMP Case Liaisons are located at the Fleet and Family Support Centers (FFSC):

- Provide information, referral and system navigation to special needs families.
- Link families with available military, local and national resources.
- Delivers/coordinates EFMP type training for families and supports EFMP related events.
- Review Individual Education Program (IEPs) and attend IEP meetings for family support.
- Provide training to command EFMP POCs.
- Partner with the military treatment facility (MTF) EFMP Coordinators providing information, education/training and marketing about the EFMP to clinic staff.

How RLSO Legal Assistance Offices Can Help EFMP Families

Military families frequently move and are often unfamiliar with the area in which they live. As such, they may have trouble finding a school or medical facility that can effectively meet the needs of a family member with special needs. Transient military life can also leave service members and their children liable to education or medical discrimination from unscrupulous institutions that are willing to simply wait out the family rather than fulfill their legal obligations to them.

Fortunately, the Navy JAG Corp's Region Legal Service Offices (RLSOs) are here to help. The Legal Assistance team offers special education consultation for EFMP families in the areas of federal IDEA, Section 504, and, if applicable, state education laws. Beyond consultations, Legal Assistance attorneys can assist with referrals to resources and non-profit organizations, should a family require more extensive representation.

LA attorneys can also draft powers of attorney (POAs) for an EFM dependent in order to give their family the power to take care of their finances or medical needs, as long as the individual is competent enough to consent to the grant of power. While RLSO attorneys are unable to represent clients directly in court, they are able to help service members understand the litigation process, timeline, and how to file a case.

While the RLSOs advise service members out of court, the Navy's EFMP Program consists of two disability and special education law subject matter experts (SMEs), located in Midlant-Norfolk, and SW- San Diego) who can provide direct, in-court legal services to EFMP families in the jurisdiction wherein they are licensed. SMEs further supplement the RLSOs by serving as resources for the LA attorneys and clients to consult when dealing with cases involving the IDEA, the Family Education Rights and Privacy Act (FERPA) and the right to a Free Appropriate Public Education (FAPE) under section 504 of the Rehabilitation Act of 1973. Service members are encouraged to contact their nearest RLSO's LA Department and inquire about our services.

**The Exceptional
Family Member
Program:
A Guide
(cont.)**

SECOND PARENT AND STEP-PARENT ADOPTION

-LT Erin Seiffert, JAGC, USN

If you are seeking to adopt your spouse's children, or you are in a married same-sex couple and seeking to formalize your relationship with your children through adoption, it can be daunting. However, this article seeks to make the process less intimidating by showing that the process of second parent and step-parent adoption can be fairly simple in all of the DMV jurisdictions and you may be able to file yourself.

How do I know if I have a complicated adoption case and I need to hire a lawyer?

The important factors that make adoption more complicated include whether the non-spouse biological parent consents to the adoption (if there is a known non-spouse biological parent) and whether your child consents to the adoption (if they are above a certain age). If either the non-spouse biological parent or your child does not consent to adoption, you should hire an adoption attorney. If neither of these situations apply, then you may be able to file for adoption yourself!

District of Columbia

When can I file in DC?

You can file for adoption in DC if you (the petitioner) are a legal resident of DC, have lived in DC for at least one year before you file for adoption, or the child was born in DC.

Does my child need to consent?

If your child is 14 or older, they need to affirmatively consent to the adoption.

What do I need to file?

(1) A Petition for Adoption; (2) a Vital Records Form; (3) an Adoption Information Form; (4) A Final Decree of Adoption; (5) (If applicable) Notarized consent of the non-spouse biological parent; (6) Notarized consent of the biological parent/spouse; (7) Notarized consent of adoptee (if child is 14 or older); (8) (If applicable) Biological mother's affidavit concerning paternity, a certified copy of the death certificate of the non-spouse biological parent, or proof of artificial insemination, (9) Any other applicable evidence (marriage certificate, etc.).

Where do I get the forms?

All of the above forms can be found at the DC Courts website:
<https://www.dccourts.gov/services/forms/forms-by-location?location=adoption>

**Second Parent
and Step-Parent
Adoption (cont.)**

Maryland

When can I file in MD?

You can file for adoption in MD if you (the petitioner) are a MD resident or have lived in MD for at least 90 days prior to filing the petition.

Does my child need to consent?

If your child is 10 or older, your child must consent to the adoption. If they are under 10, then your child must not object

What do I need to file?

(1) A Petition for Adoption; (2) Your child's birth certificate; (3) Your marriage certificate; (4) Any judgments of divorce of yourself or your spouse; (5) (If applicable) a certified copy of the death certificate of the non-spouse biological parent.

Where do I get the forms?

***Second Parent
and Step-Parent
Adoption (cont.)***

Maryland does not have any standard forms for adoption. If you do need assistance with drafting a petition for adoption, you should contact the RLSO NDW Legal Assistance office!

Virginia

When can I file in VA?

You can file for adoption in VA if you (the petitioner) reside in VA or the birth parent executed consent for the adoption in VA.

Does my child need to consent?

If your child is 14 or older, they must consent to the adoption.

What do I need to file?

(1) A Notarized Petition for Adoption, (2) A proposed Final Order, (3) A completed form VS-21 (available at the circuit court clerk's office), (4) A completed VS-6 form (if you need a new birth certificate with updated parents), (5) Any applicable evidence (Marriage certificate, proof of artificial insemination, death certificate).

Where do I get the forms?

Virginia does not have any standard forms for adoption. If you do need assistance with the filings, you should contact the RLSO NDW Legal Assistance office!

MYNAVY FAMILY MOBILE APPLICATION

-Did You Know?

MyNavy Family mobile application is the first tool by the U.S. Navy developed for Navy spouses and Sailors' families that combines authoritative information from about two dozen websites into a single, convenient application.

Available information and resources cover a wide variety of topics within the following categories:

New Spouse

- Mentorship & Networking
- Employment & Adult Education
- Family Financial Planning
- Parenthood
- Special Needs Family Support
- Moving & Relocation
- Service Member Deployment
- Emotional Support Services
- Recreation, Lodging, Shopping & Travel
- Family Emergencies
- Transition & Retirement
- Parents & Family Members of Sailors
- Survivor's Resources

This app connects Navy families to information and resources to help them successfully navigate the complexities of the Navy lifestyle. In addition to a wealth of useful content, the app offers several features:

- Military Installation Search – Find information about every military installation around the world with contact information, base map, programs and services, plus an overview of its mission.
- MyNavy Career Center – Get help and information with this 24/7 resource, with in-app ability to call or send an email to a customer service representative.
- Emergency Contacts – Access a list of Navy websites and phone numbers for immediate support from a range of organizations: National Suicide Prevention Lifeline, Sexual Assault Crisis Support, National Domestic Violence Hotline, and American Red Cross Emergency Hotline).
- Content Sharing – Share information by using other mobile device applications, such as email, SMS text, and iMessage.

The app is part of a larger effort by the Navy to improve the experiences of spouses and families in order to promote strong Navy families and support them in every way possible. Download the app today!

RLSO NDW OFFICE LOCATIONS AND HOURS

RLSO Naval District Washington - DC (HQ)

1250 10th Street SE
Bldg. 200, Suite 1600
Washington Navy Yard, DC 20374-5160
Comm: (202) 685-5580

Pentagon

2201 Army Pentagon
Room 5B1058A
Washington, DC 20310
Comm: (703) 571-3114

Walter Reed National Military Medical Center

9045 Beale Road
Bldg 11, Ste 223
Bethesda, Maryland 20889
Comm: (301) 400-0182

Hours of Operation: Monday-Thursday 0800 to 1500; *Closed Fridays.*

For services: Please contact your closest legal assistance office to schedule a legal assistance appointment or email: RLSONDWLA@us.navy.mil.

Notary Services and Powers of Attorney are available on a walk-in basis.

DIY Special Powers of Attorney can be found on the Navy JAG Corps homepage:
www.jag.navy.mil.

RLSO NDW LEADERSHIP

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