

Overview: The SCRA postpones or suspends some civil legal obligations to enable service members to devote full attention to duty and to relieve stress on the families of deployed servicemembers.

Who does it apply to: It applies to military members on federal active duty, beginning from the first date of the active duty period, and may extend from 30 to 180 days after the member is released from active duty.

Claiming and waiving protections: Many SCRA protections are not automatic and require the servicemember to invoke protections in a timely manner. And the servicemember may waive SCRA rights.

Significant SCRA protections:

- Stays of at least 90 days upon proper request in civil and administrative matters.
- Protection from default judgments.
- Reduced interest to 6 percent on obligations incurred before active service.
- Termination of real estate leases upon call to active duty for at least 90 days or upon receipt of orders for permanent change of station.
- Stays of evictions in certain circumstances including evictions for non-payment of rent of \$2,932 per month or less.
- Other significant protections that deal with credit agency information, termination of automobile leases, foreclosures and repossessions, insurance, maintenance of domicile, and taxation.

For more information go to

http://legalassistance.law.af.mil/content/legal_assistance/cp/scra_fact_sheet_dec04.pdf

State law: The Oregon Legislature passed a bill that grants additional legal rights to servicemembers. Servicemembers are not subject to court ordered arbitration in some kinds of cases, and Oregon resident servicemembers may insist that certain contract cases be filed in Oregon. In addition, servicemembers may be entitled to recover attorney fees and damages for SCRA violations under certain circumstances.