



VETS HELPING VETS SINCE 1974

DISCHARGE UPGRADE INFORMATION FOR MILITARY PRISONERS

If you're serving time in a military prison following a court-martial conviction, you're still in the military. You can't apply for an upgrade of your discharge until you receive your DD-214 discharge certificate and return to civilian life.

But there are steps you can take now to improve your chances for a discharge upgrade in the future.

Safeguard your court-martial transcript.

IF PRISON REGULATIONS PERMIT:

- 1. Order copies of your court-martial transcript and your military investigative records**, and safeguard them. If you had a General or Special Court-Martial, the proceedings were transcribed word-for-word. You're only entitled to one free copy. If it goes missing, you'll need to pay for another, and you may have to wait months to get it. For information about ordering these materials, visit www.stp-sf.org/guides/transcripts.
2. For information about ordering additional records that might be helpful, review our memorandum about discharge upgrades at www.stp-sf.org/guides/discharge.
- 3. Consider writing to the JAG attorney who represented you at your court-martial**, asking for a letter in support of a discharge upgrade. Your attorney knows what happened, and may well be willing to support your upgrade application, especially if he or she feels that the outcome of your court-martial was unjust.

Call or send a letter to obtain your attorney's current address, using the contact information below. At a minimum, you'll need the attorney's full name, rank, and last known duty station.

Air Force:

Telephone:
(210) 565-2660
Monday - Friday
7:30 a.m - 4:30 p.m. CST

Army:

Office of the Judge Advocate General
1777 North Kent Street
Rosslyn, VA 22209-2194

Navy/Marine Corps:

Office of the Judge Advocate General
1322 Patterson Avenue, Suite 3000
Washington Navy Yard, DC 20374-5066
Website: www.jag.navy.mil/contact.htm

Coast Guard:

Judge Advocate General
Commandant CG-094
U. S. Coast Guard Headquarters
2100 Second Street, SW, STOP 7121
Washington, DC 20593-7121
Website: www.uscg.mil/legal
Telephone: (202) 372-3726

Make sure your appellate attorney has your current address.

Finally, make certain that your current attorney—your appellate attorney—has your current address. This is especially important if you're released from confinement before the appeal process is concluded.

Disclaimer

This memorandum provides general information only. It does not constitute legal advice, nor does it substitute for the advice of an expert representative or attorney who knows the particulars of your case. Any use you make of the information in this memorandum is at your own risk. We have made every effort to provide reliable, up-to-date information, but we do not guarantee its accuracy. The information in this memorandum is current as of December 2012.

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