

## **Article 139 Checklist and Information**

- 1. Complete the Article 139 claim form.**
- 2. Attach the police report.**
- 3. Attach proof of ownership of the damaged or missing property. For example, attach a copy of your vehicle registration if you are claiming your vehicle was damaged.**
- 4. Attach estimates for repair of the damaged property. If the property is a total loss, the repair estimate should state the property is a total loss. If you are claiming a total loss, attach additional documentation to show the replacement price. If you are claiming your property was stolen, attach documentation to show the replacement price.**
- 5. Attach statements from witnesses (if available).**

**OFFICE OF THE STAFF JUDGE ADVOCATE  
CLAIMS DIVISION  
9475 KERSHAW ROAD  
FORT JACKSON, SC 29207**

**TELEPHONE: (803) 751-3603/2739  
FAX: (803) 751-6848**

**DIRECTIONS: The Claims Office is located on Tank Hill on Fort Jackson. From the GateTwo entrance on Strom Thurmond Boulevard, turn left onto Marion and left onto Pickens and go to the end of Pickens. The office is located at the junction of Pickens and Kershaw Roads.**

**INFORMATION PAPER**

**SUBJECT: Compensation for Property Wrongfully Taken or Willfully Damaged**

- 1. Purpose. To provide information to potential claimants about Article 139 claims.**
- 2. Facts. If your property has been wrongfully taken or willfully damaged by a military member of the United States Armed Forces, you may be entitled to monetary compensation deducted directly from that member's military pay under Article 139, Uniform Code of Military Justice.**
- 3. To file a claim, you should do the following:**
  - (1) Report the wrongful taking or willful damage of your property to your commander or the Claims Office within 90 days of the incident.**
  - (2) Make the claim in writing and submit it to the Claims Office.**
  - (3) Attach receipts and documents to show ownership of the property and the amount of the loss.**
  - (4) State the amount of your loss as a definite sum in U.S. dollars.**
- 4. The words "wrongfully taken" and "willfully damaged" are legal terms with specific meanings. The facts of your case must fit these legal definitions before you may be entitled to compensation.**
  - (1) A "wrongful taking" is the criminal intent to take someone's property and may result from larceny, forgery, embezzlement, fraud, or a similar criminal offense. Claims resulting from contract disputes are not compensable under Article 139.**
  - (2) "Willful damage" is that which is inflicted intentionally, knowingly, and purposefully without justifiable excuse. Claims resulting from accidents are not compensable under Article 139.**
- 5. If you believe that you have a claim under Article 139 or have additional questions, contact the Claims Office, Office of the Staff Judge Advocate, 9475 Kershaw Road, Fort Jackson, SC at (803) 751-7504. The office is open 9 a.m. to 4 a.m. Monday through Friday.**

# ARTICLE 139 CLAIM FORM

CLAIMANT'S NAME \_\_\_\_\_ TELEPHONE \_\_\_\_\_

RANK \_\_\_\_\_ SSN \_\_\_\_\_ ADDRESS \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Pursuant to Article 139, UCMJ, and AR 27-20, chapter 9, I state that on \_\_\_\_\_ (date)

\_\_\_\_\_ (name of soldier) \_\_\_\_\_ (rank)

of \_\_\_\_\_ (unit) wrongfully took/willfully damaged personal property of

mine. I request that you assess his/her pay in the amount of \$ \_\_\_\_\_ and pay that sum to me. On

page two of this form, as part of my claim, I have listed in detail the factors and circumstances, describing

the property lost or damaged, to include the date of purchase, the purchase price, and the replacement or

repair cost, and giving the names and addresses of any witnesses.

Signature \_\_\_\_\_

Unit \_\_\_\_\_

Date \_\_\_\_\_

## REQUIRED ACTION UPON RECEIPT OF THIS CLAIM

The commander exercising special court-martial convening authority over the soldier against whom the claim is made will appoint an officer to investigate the claim in accordance with AR 27-20, paragraph 9-8c, within four (4) working days. Any other commander or subordinate receiving this claim will forward it to that commander exercising special court-martial convening authority over the soldier against whom the claim is made in accordance with AR 27-20, paragraph 9-8c, within two (2) working days. Any questions concerning this claim should be referred to the Office of the Staff Judge Advocate, Claims Office at 751-2739.

*DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)*

*AUTHORITY: 10 USC 939*

*PRINCIPAL PURPOSE: INVESTIGATION AND PROCESSING CLAIMS*

*ROUTINE USES: Information is principally used to provide a legal basis for the administrative settlement of a claim against a soldier for property willfully destroyed or wrongfully taken. The SSN is used to ensure correct identification of a claimant to ensure payment to the proper claimant.*

*MANDATORY OR VOLUNTARY DISCLOSURE AND EFFECT ON INDIVIDUALS NOT PROVIDING INFORMATION: Disclosure of information is voluntary. Failure to provide information substantiating a claim will delay action and may result in denial.*



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