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Family Care Plans for All Family Members

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Abstract

According to paragraph 5-5 of Army Regulation (AR) 600-20, single parents and dual-military couples with family members must have plans to ensure family members are properly and adequately cared for when the soldier is deployed, on temporary duty, or otherwise not available due to military requirements. When these soldiers fail to meet these requirements, they face separation from the Army under chapter 5-8 of AR 635-200 for parenthood. Service members married with a spouse not in the Armed Forces, do not require a Family Care Plan or the counseling that comes with it and do not face the same consequences of chapter 5-8, AR 635-200 for failing to have adequate care for their family members even if that is the case.

Family Care Plans for All Family Members

According to paragraph, 5-5 of Army Regulation (AR) 600-20, single parents and dual-military couples with family members must have plans to ensure family members are properly and adequately cared for when the soldier is deployed, on temporary duty, or otherwise not available due to military requirements. When these soldiers fail to meet these requirements, they face separation from the Army under chapter 5-8 of AR 635-200 for parenthood. Service members married with a spouse not in the Armed Forces, do not require a Family Care Plan or the counseling that comes with it and do not face the same consequences of chapter 5-8, AR 635-200 for failing to have adequate care for their family members even if that is the case. All soldiers with family members requiring care should be required to have Family Care Plans under AR 600-20 and face the same punitive actions.

Family Care Plans are the means in which soldiers provide care for their family members when military duty prevents them from doing so. Commanders must approve the packet and validate it annually, 30 days prior to deployment, and when any change occurs. Soldiers have 30 days upon arrival into a unit to have a Family Care Plan in place.

Family Care Plans consist of: DA Form 5841 (Power of Attorney) or the equivalent delegation of legal control; DA Form 5840 (Certificate of Acceptance as Guardian or Escort); DD Form 1172 (Application for Uniformed Services Identification Card--DEERS Enrollment) for each family member; DD Form 2558 (Authorization to Start, Stop, or Change an Allotment); copies of the children's identification cards, and a letter of instruction for the guardian/ escort. The soldier is responsible for implementing the Family Care Plan when time permits. The letter of instruction details what actions to take if the soldier cannot implement the plan.

Commanders are required to counsel soldiers who are pregnant with no spouse, divorced, widowed, or separated; or residing without her spouse; a soldier who is divorced (not remarried) and who has liberal or extended visitation rights (in excess of 30 consecutive days); a soldier whose spouse is incapable of self care or is otherwise physically, mentally or emotionally disabled so as to require special care or assistance; or a soldier who is one half of a dual-military couple who has joint or full legal custody of one or more children under the age of 19 or has adult family members incapable of self care. The commander counsels these soldiers on the requirements of a Family Care Plan. This counseling is extensive and covers all the required documentation in paragraph three above and the timeline to gather all the items.

All married soldiers are encouraged to complete a Family Care Plan even if not specifically required by AR 600-20. To do so assists the spouse, commander, rear detachment commander, Family Assistance Center, or next of kin providing care for the dependent family member. Counseling of such is encouraged as stated in AR 600-20.

Initial counseling goes over the policies covering the care responsibilities of family members. The soldier must understand how to arrange for care of their family members so they can be available for deployment and training, and report for duty as required without interference of responsibility of family members. The soldier assumes all responsibility for all obligations for such things as childcare, food, adequate housing, transportation, and emergency needs of their family members regardless of age. Soldiers also receive counseling on the repercussions of failure to keep up with these obligations. If they fail to maintain these standards, they are subject to separation, administrative action, or disciplinary action under the Uniform Code of Military Justice (UCMJ). Soldiers must keep their plan up to date and will receive no special considerations when it comes to assignments or duty because of their responsibilities for their

family members. This counseling goes in depth on the importance of choosing qualified, reliable and stable guardians for both short-term and long-term to entrust the sole care of soldier's family members. It covers the importance of providing maximum information to these guardians on the full extent of their responsibilities and on the procedures for gaining access to military facilities, services, entitlements and benefits on behalf of the family members. The counseling covers the importance of giving the proper documentation and financial support to the guardians to have the capacity to care for the family members in the soldier's absence.

The commander also covers that the soldier must understand that he or she still assumes responsibility for their family during any absence to include duty hours, alerts, temporary duty, deployments, or in the event of hospitalizations, or other periods of absence for military duty, emergencies or unexpected circumstances. The soldier is also responsible for making all arrangements to ensure a rapid, smooth turnover of care responsibilities of family members in case the plan is activated. All legal documentation is activated as soon as the Family Care Plan is activated to include Powers of Attorney for Guardianship. Counseling also covers the importance of wills, the locations of other personal documents in case of death such as birth certificates, school records for children, and other special powers of attorney. These items will not be maintained in the Family Care Plan but should be noted in the letter of instruction.

The soldiers must have the guardians accept guardianship through notarized certificates of acceptance. These certificates indicate the guardians understand their responsibilities and accept the great challenges that come with it.

After the Family Care Plan initial counseling; the soldier writes the letter of instruction, gets the Powers of Attorneys, DEERS enrollment forms, allotment forms and any other documentation; the guardians have accepted their responsibilities; and the packet is completed.

The commander approves the packet and it remains on file. It is reviewed annually on the soldier's birth-month or when making changes or the soldier receives assignment instructions.

Active duty soldiers have 30 days and Reserve Component soldiers have 60 days to complete a Family Care Plan. The commander can grant an additional 30 days to complete a plan. If a Family Care Plan fails while a soldier is deployed, a commander can send the soldier back to fix the plan for up to 30 days. Soldiers without a valid Family Care Plans are non-deployable.

Commanders should consider a Bar to Reenlistment against soldiers who fail to properly manage personal, marital or family affairs, or who fail provide or maintain adequate Family Care Plans. According to AR 600-20, paragraph 5-5 g (12), the unit commander should consider initiating involuntary separation proceedings against soldiers who fail to provide and maintain adequate Family Care Plans.

Under Chapter 5, AR 635-200, Separation for Convenience of the Government, paragraph 5-8, involuntary separation due to parenthood; soldiers will be considered for separation when parental obligations interfere with fulfillment of military responsibilities as per AR 600-20, chapter 5 concerning Family Care Plans. These responsibilities include not being able to perform prescribed duties satisfactorily, repeated absenteeism, repeated tardiness, and inability to participate in field training exercises or perform special duties such as Charge of Quarters (CQ) or Staff Duty Noncommissioned Officer (SDNCO), or non-availability for world-wide assignment or deployment according to the needs of the Army. The soldier can receive a characterization of honorable or under honorable conditions discharge. No soldier will be awarded a character of service under honorable conditions unless specific factors in their record warrant such a characterization.

If the Family Care Plan fails and cannot be fixed, the soldier receives a Bar to Reenlistment and processed for separation. There should be many counseling statements in their records showing failure to fulfill their duties because of their family responsibilities. The soldier should have been missing work, assignments, or deployments because of family matters. Leaders should have seen the pattern well before reached the point of a Family Care Plan going bad.

I have gone through the process of what a Family Care Plan is and who must have one and have also told you what happens when a Family Care Plan fails. So where are the ethical issues? They lie in treating single soldiers and dual-military with family members as though they are irresponsible and need extensive counseling in the responsibilities of having a family, while soldiers married to non-military spouses are able to raise a family without guidance. Single soldiers and dual-military can be separated from the service under chapter 5-8, AR 635-200 for parenthood for failure to handle their duties and responsibilities, while married soldiers do not fall under this chapter even if they fail in their duties and responsibilities at work due to family issues. Single soldiers and dual-military with family members must put in place a plan to take care of their family members in case of any deployments or work schedule; this entails financial support, powers of attorney, letters of instruction, and guardianship. Married soldiers can do these same things, only if they choose to do so.

It is not just the single soldiers or dual-military soldiers with family members that should be held to the standards of AR 635-200; all soldiers should face the same consequences. All soldiers spend time taking care of their families. Most spouses have jobs too, so the soldier is the one taking the children to doctor appointments. The spouse wants the soldier to go the doctor with them or there are appointments that both the spouse and the soldier need to attend. When

the spouse takes one child to the doctor, the soldier watches the rest of the children. When it comes time for deployments and time away from families, these other soldiers take time out to relocate their families, and they too have the same issues with their family members. The other soldiers need to have Powers of Attorney, allotments, DEERS enrollments, wills and letters of instructions for others to know their intentions.

Too many soldiers with non-military spouses deploy and leave their spouses with no information or the means to accomplish the household requirements. With the ability to handle finances and personnel actions via the internet, soldiers can change or cut off spouses abilities in an instant. If regulations required all soldiers with family members to have a Family Care Plan, it would hold the soldier responsible for ensuring the spouse was aware of the services available to them. This would also provide the counseling to the soldiers on their responsibilities as a soldier with family members and hold them accountable for their actions, just as it holds the single and dual-military soldiers accountable. All soldiers become accountable under the same chapter in AR 635-200 when it comes to failure to uphold their responsibilities and duties for parenthood. Commanders will no longer have to wait and make a decision if a married soldier is having complications in their household as to whether that soldier may need a Family Care Plan.

References

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