

## Department of the Army, DoD

## § 589.2

### *Minor Children*

Unmarried children under 18 years of age who are not on active duty with the Armed Forces.

### *Nonsupport Complaint*

A written or oral complaint by a family member, or a third party acting on behalf of a family member, that alleges one of the following:

- a. Soldier is providing no financial support.
- b. Soldier is providing insufficient financial support.
- c. Soldier is failing to comply with—
  - (1) An oral agreement,
  - (2) A written support agreement, or
  - (3) A court order that sets up a financial support requirement.

### *Soldier*

As used in this regulation, the term soldier includes commissioned officers, warrant officers, and enlisted personnel.

### *Staff Judge Advocate*

The chief legal officer and his or her staff who advise commanders on laws and regulations affecting the command. Includes command judge advocates and post judge advocates, but not legal assistance attorneys or attorneys assigned to the Trial Defense Service.

### *System of Records*

Any record under DA control from which information is retrieved by the name of the individual or by his or her SSN.

### *Variable Housing Allowance*

An amount of money prescribed by law that a soldier receives to defray high housing costs in the continental United States.

### *Written Support Agreement*

Any written agreement between husband and wife in which the amount of periodic financial support to be provided by the soldier spouse has been agreed to by the parties. A written support agreement may be contained in a separation agreement or property settlement agreement. Also, the support agreement may be shown by letters exchanged between the parties in which the amount of support has been agreed to by the parties.

## **PART 589—COMPLIANCE WITH COURT ORDERS BY PERSONNEL AND COMMAND SPONSORED FAMILY MEMBERS**

Sec.

589.1 Definitions.

589.2 Policy.

589.3 Applicability.

589.4 General.

AUTHORITY: Public Law 100.456 and 10 U.S.C., 814.

SOURCE: 55 FR 47042, Nov. 8, 1990, unless otherwise noted.

### **§ 589.1 Definitions.**

(a) *Court*. Any judicial body in the United States with jurisdiction to impose criminal sanctions of a DoD member, employee, or family member.

(b) *DoD Employee*. A civilian employed by a DoD Component, including an individual paid from non-appropriated funds, who is a citizen or national of the United States.

(c) *DoD Member*. An individual who is a member of the Armed Forces on active duty and is under the jurisdiction of the Secretary of a Military Department, regardless whether that individual is assigned to duty outside that Military Department.

### **§ 589.2 Policy.**

(a) This part (chapter) implements procedural guidance in Department of Defense Directive 552 5.9, "Compliance of DoD members, employees, and family members outside the United States with court orders." This guidance applies to all soldiers and Department of the Army and Nonappropriated Fund (NAF) civilian employees serving outside the United States, as well as to their command sponsored family members.

(b) DODD 5525.9 requires DoD cooperation with courts and federal, state, and local officials in enforcing court orders pertaining to military personnel and DoD employees serving outside the United States, as well as their command sponsored family members, who—

(1) Have been charged with or convicted of any felony.

(2) Have been held in contempt of a court for failure to obey a court order, or

(3) Have been ordered to show cause why they should not be held in contempt for failing to obey a court order.

This guidance does not affect the authority of Army officials to cooperate with courts and federal, state, or local officials, such as is currently described