



**U.S. ARMY TRIAL DEFENSE SERVICE
FORT CAMPBELL FIELD OFFICE
FORT CAMPBELL, KY 42223**



ADMINISTRATION SEPARATION (CHAPTER) INFORMATION

Your commander has recommended that you be administratively separated from the service under the provisions of AR 635-200. This handout will answer some general questions about your administrative separation (also called a “chapter”). This fact sheet is not intended to constitute legal advice and is not a substitute for speaking with a defense attorney. For further information contact the Trial Defense Service at 270-798-4177 **Your Rights:**

- You have a right to consult with an attorney. You can consult with a Trial Defense Service attorney at no cost to you, or hire civilian counsel at your own expenses
- You have the right to submit statements in your own behalf.
- You have the right to obtain copies of documents which your commander will forward in support of the separation recommendation.
- You can waive the above rights in writing. Failure to respond (that means not signing the form) within seven duty days from the date you see an attorney means you give up all of your rights;
- You have the right to an administrative discharge board if you are considered for discharge with an Under Other Than Honorable Conditions (OTH) characterization of service or if you have over 6 years of service in the military. If you are a soldier that has over 6 years in service you are entitled to have an administrative separation board hear your case regardless of the command recommendation as to characterization of service. (For example: the command is recommending an honorable discharge but you want to stay. If you have over 6 years you can request a board to hear your case and argue for retention). An attorney from TDS will be detailed to represent you at a board, you can hire a civilian attorney to represent you, or you can represent yourself.

Types of Discharge/Characterizations of Service:

- An **Honorable Discharge** is the best discharge you can receive from the service. An honorable discharge will be given for proper military behavior and proficient performance of duty. If the soldier has served faithfully and performed to the best of his ability, and there is no derogatory information in his military record, he should receive an honorable discharge. If there are infractions of discipline, the seriousness and frequency will be evaluated
- A **General, Under Honorable Conditions Discharge** (also called a “General Discharge): This type of discharge is usually given to someone who had non-judicial punishments (Article 15s), but not for serious infractions. When this type of discharge is given, the commander must state the specific basis for it. A general discharge indicates that you had problems while you were in the military and may cause prejudice in civilian life. However, because it is under honorable conditions and is still considered “good paper,” most employers probably will not press the issue.
- An **Under Other Than Honorable Conditions (OTH) Discharge** will deprive you of most of the benefits you would receive with an Honorable discharge and may cause you substantial prejudice in civilian life. Before you can be given an OTH, you have the right to have your case heard by an administrative separation board.