



Fort Belvoir Trial Defense Services

9990 Belvoir Drive
Fort Belvoir, Virginia 22060
703-805-4383

Trial Defense Services (TDS)

The Fort Belvoir TDS office is an independent military organization free of the control or influence of local commanders which provides legal advice and representation to accused Soldiers. A Soldier suspected of an offense or facing adverse administrative actions is entitled to free confidential advice and representation from a TDS attorney. You can also hire, at your own personal expense, a civilian defense attorney. Your TDS attorney will carefully evaluate your case and honestly advise you of the best legal course of action. TDS cannot represent you in a civilian court for criminal or civil matters or provide advice to anyone who is not on active duty, retired, or reserve recalled to active duty.

Hours of Operation

Monday, Wednesday, Friday	By Client Appointment Only from 0900-1700
Tuesday, Thursday	Walk-Ins from 0930-1200; 1400-1600

Areas of Practice

NOTE: BRING ALL YOUR PAPERWORK

- Summary court martial advice and general court martial representation.
- Administrative Separation advice.
- Advice if you are the subject or may be the subject of an investigation.
- Article 15 Counseling.
- Reductions in grade.

Telephone Policy

- It is the Fort Belvoir TDS policy that no legal advice to a prospective defense client may be given over the telephone or through third parties on behalf of the prospective client.
- Certain emergency situations, such as when dealing with clients at remote locations, will be addressed on a case-by-case basis.

Not All Advisors Will Help You

- Trial counsel, lawyers who work for the government, do not have a confidential relationship with you – anything you say to them may be used against you.
- In some situations communications to doctors, psychotherapists, and clergy may be used against you.

Confidentiality

Any information you provide to TDS attorneys or paralegals is protected by attorney-client privilege. In order to provide you the most effective legal advice, you should be open, up front, and truthful with us. There are three exceptions to this privilege: 1) your explicit permission; 2) if you provide information that you plan to commit a future criminal act, especially if the crime will cause someone bodily harm, we may take steps to protect the intended victim (this exception only applies to future crimes, not to past crimes you have committed); and 3) If you believe ineffective assistance of counsel was provided, confidential information may be used in defense of the legal services we provided.

Military Justice System

Members of the armed forces are governed by the Uniform Code of Military Justice (UCMJ), a statute enacted by Congress which functions as the military's criminal code. The UCMJ applies to service members on or off post and for actions that were or were not connected to the military. Military trials in certain situations are known as courts-martial with panels composed of military members. Accused military members have the right to an attorney (TDS attorneys at no cost or civilian attorneys with costs borne by you) and, may have court-martial rulings appealed to the Army Court of Criminal Appeals or Court of Appeals for the Armed Forces. For incidents that occur off military property, a civilian and/or military court may exercise jurisdiction over the offense.

Article 31 Rights

Article 31(b) of the UCMJ prohibits compulsory self-incrimination. No person acting on behalf of the military may interrogate or request any statement from a person suspected of an offense without first informing him or her of the nature of the accusation, that he or she has the right to not make a statement, to consult with an attorney, and to stop questioning at any time. If you choose to make a statement, then that statement can be used against you whether or not you directly admit to wrongdoing. Even if you initially agree to answer questions, you have the right to stop the interview at any time. The quickest way to stop an interview is to request to speak to an attorney.