

MILITARY CULTURAL COMPETENCY

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What do you need to know?

- The Structure of the Military
- The Nature of Military Service
- Transitioning to Civilian Life

MILITARY ORGANIZATIONAL CHART



VETERAN LEGAL SERVICE





The Army







The Navy







The Marine Corps







The Coast Guard







The Air Force







The Space Force







Special Forces







Key Takeaways

- Each service has a specific mission and focus
- Each has its own institutional history and culture
- Each has its own distinctive uniforms
- Each servicemember has a service specific name
 - -Soldiers = Army
 - -Sailors = Navy
 - -Marine = Marine Corps
 - -Guardsman = Coast Guard
 - -Airman = Air Force
 - -Guardian = Space Force



The Nature Of Military Service

- Duty Status
 - -Active Duty
 - -Reserve
 - -National Guard
- Rank Structure (Officer vs. Enlisted)
- Military Occupational Specialty (MOS)
- System of Reward / Promotion / Punishment



Military Justice System

Uniform Code of Military Justice (UCMJ)

Specialized military courts

Courts-martial

General courts-martial (GCM)

Special courts-martial (SPCM)

Summary courts-martial (SCM)

Non-Judicial Punishment

Article 15

Letters of reprimand / counseling statements

"drop and give me 20"



Cultural Differences

Military	Civilian
Direct Communication	Indirect Communication
Conflicts Addressed	Conflicts Avoided (Diplomacy)
Rules Of Conduct Explicit	Rules Of Conduct Implicit
Language Function	Language Ascetic
Authority = Respect / Formality	Authority = Peer / Informality
Daily Structure High	Daily Structure Low
Emphasis On Outcome	Emphasis On Process
Tight Community Bonds	Loose Community Bonds

-David M. Joseph, Ph.D.



Transition Process

- Annually, about 175,000 active duty and 100,000 reserve servicemembers leave the armed forces
- Out-processing includes information sessions, medical evaluations, and other activities
- Challenges with transition common
 - Unemployment and underemployment: 8 in 10 servicemembers leave the military without a job lined up
 - Difficulties with securing housing, arranging finances, obtaining health care, planning for the future: 40% or more leave without permanent housing

Source: USC School of Social Work, The State of the American Veteran (2013



Transition Pathways

- Administrative Separation
- Punitive Separation
- Medical Discharge
- Retirement



Administrative Separation

- Within control of chain of command
- Subject to laws and regulation but individual unit command has significant discretion
- Connected to military discipline and the military justice system
- Voluntary vs. involuntary separation



Administrative Separation

CHARACTER OF SERVICE

- Honorable
- General (Under Honorable Conditions)
- Other Than Honorable (OTH, formerly Undesirable)
- Bad Conduct
- Dishonorable or Dismissal

NARRATIVE REASON

- Completion of required active service
- Condition not a disability, Personality disorder, Pregnancy ...
- Serious Misconduct, Minor Misconduct, Drug Abuse, Pattern of Misconduct
- In Lieu of Court Martial
- (formerly) Homosexual Conduct or Acts



Punitive Separation

- Sentence of a courts-martial may include punitive discharge as part of the punishment
- Special Courts-Martial \rightarrow Bad Conduct
- General Courts-Martial → Bad Conduct or Dishonorable/Dismissal
- Automatic appeal to military Criminal Courts of Appeals
- VERY rare: ~1% of all discharges punitive, steady since post-WWII



Medical Discharge

- No longer "fit for duty" due to injury incurred or aggravated during service
- Processing through the Integrated Disability Evaluation System (IDES)
 - Medical Evaluation Board (MEB) → Physical Evaluation Board (PEB) → Temporary Disability Retirement List (TDRL) or Permanent Disability Retirement List (PDRL) or Discharge
- Uses VA examiners and rating schedule

-But can have different ratings DOD vs. VA



Retirement

- 20+ years of service
- Entitled to military pension

 Different than VA non-service-connected pension
- Eligible for TRICARE health insurance
- Still subject to UCMJ

DD-214

• Department of Defense Form 214

- Documents key facts about service, including dates of active and inactive service, awards/medals, discharge status, narrative reasons, and deployments
- Different versions for different eras
- National Guard Bureau (NGB)
 Form 22 = equivalent form for
 Guard veterans

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WHAT IS A "VETERAN"?



Legal Standard – Cultural Standard

 Inconsistent standard across various administrative agencies

- "Are you a veteran?" OR..
- "Have you ever served in the military?"



Department of Veterans Affairs



U.S. Department of Veterans Affairs



QUESTIONS?