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Paul Irey

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## Legal Assistance for Service Men and Their Dependents

BY PAUL IREY\*

Early in the year 1941 it became apparent that the bar of America was to have an important part in the defense program. Thousands of young men were entering the armed forces without advice concerning their personal affairs. As a result many problems later confronted these men and their dependents which could have been avoided had they been properly advised prior to entering the armed services. The national, state and county bar associations visualized the work ahead and committees were appointed to outline a program for rendering the necessary services. In the month of June, 1941, Mr. Frazer Arnold, representing the American Bar Association Committee on War Work for the Tenth Judicial Circuit, Mr. John L. Zaroni, then Chairman of the National Defense Committee of the Colorado Bar Association, Colonel Philip Van Cise, President of the Denver Bar Association, Mr. Robert More, Chairman of the National Defense Committee of the Denver Bar Association, Mr. John Gorsuch, President of the Legal Aid Society of Denver, and the writer met to discuss the question of furnishing legal aid to needy servicemen and their dependents. At that meeting it was decided that the Legal Aid Society of Denver should interview servicemen seeking assistance and make preliminary investigations. The Committee of the Denver Bar Association agreed to furnish sufficient volunteer attorneys to properly represent those applicants whose matters could not be brought to conclusion in the Office of the Society.

It was learned by experience that the applicants for assistance fell into three classes:

1. Residents of Denver seeking counsel and advice prior to enlistment or induction.
2. Families and dependents of men who enlisted or were inducted from this area.
3. Servicemen from other states stationed at adjacent army posts.

Concerning the first group, we learned that the prospective soldier's attention should be called to the necessity of having his personal affairs in proper order. It was important that he be advised concerning the Acts of Congress passed for his protection. Arrangements were therefore made whereby a notice was sent to the inductee with his notice of induction calling attention to the fact that the Soldiers and Sailors Civil

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\*Of the Denver Bar. counsel for the Legal Aid Society.

Relief Act of 1940 had been passed for his protection and if he had any existing contracts, judgments, mortgages, taxes, conditional sales contracts, insurance policies, debts or other matters concerning which he was in doubt should confer with his attorney prior to enlistment or induction or if he was without counsel a member of the War Work Committee would gladly assist him. Although this system was effective and prevented many difficulties, the notices, however, did not reach many men who enlisted prior to receiving a notice of induction.

Therefore the Soldier's and Sailor's *Property Guide*\* was devised to meet this objection and to broaden the aid being given to servicemen. This form, which has superseded the notice, was prepared by Mr. Benjamin E. Sweet, Chairman of the Lawyers War Emergency Committee of the Colorado Bar Association and it is delivered to the inductee or enlistee at the time of his examination. The *Property Guide* is a simple and convenient form for the recording of the man's property and personal effects; it itemizes his debts or obligations; gives the names, address and relationship of members of his family and those to be consulted in the event of an emergency; provides a convenient notation for keeping his service record; contains a check list of matters he should attend to before entering the service; and outlines the important provisions of the law which pertains to his personal affairs while he is in the service. It is believed that this *Property Guide*, one copy of which is retained by him and another left at home, will simplify and expedite the handling of any of his personal affairs while he is a member of the armed forces.

### **Plan Aids Dependents**

Concerning the second group of applications, we were at first faced with the problem that there was no provision for the adequate maintenance of dependents of members of the armed forces until the passage of the Servicemen's Dependents Allowances Act of 1942. Because of the burden placed upon the Office of Dependency Benefits there was much delay and qualified dependents did not receive much material aid until late in 1942. As a consequence these dependents sought advice as to what they could do about installment contracts, rent, insurance premiums and like problems. They also requested assistance in securing Family Dependency Allowances in those cases where the soldier failed or refused to make the proper application, as for example in cases involving separation or divorce.

The third group of applicants were referred to the Legal Aid Office from many sources such as the Red Cross, company commanders, social service agencies, and other servicemen.

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\**Property Guide* is set forth in full in 20 Dicta, pages 158-159.

During this entire time an experiment was being conducted at Lowry Field. Mr. Zaroni was convinced of the fact that there should be a law office at every army post. Captain Roland Maroney and Captain John Tippet then stationed at Lowry Field concurred in this view. With the cooperation of Colonel Early Duncan, an unofficial legal clinic was established. Each soldier prepared a statement concerning his personal affairs before he cleared the post. The law clinic became official insofar as Lowry Field was concerned February 14, 1942, by General Order No. 4. It was officially designated as the Legal Service Bureau and was the first organization of its kind in the United States. The first official report of the activities of this bureau were submitted to the War Department on June 20, 1942; and undoubtedly the order of the War Department, of March 16, 1943, contained in Circular 74 creating Legal Assistance Offices was the direct result of the experiment above mentioned.\* During this comparatively short time over 2,000 men were interviewed and a careful analysis made of services rendered and types of problems confronting military personnel in general.

### **Post Judge Advocates Assist**

The Post Judge Advocates at Fort Logan and Buckley Field, in addition to their regular duties, gave legal advice and assistance to military personnel when requested and by order of Brig. Gen. O. H. Quade, a Law Service Bureau was established at Fitzsimons General Hospital. As a result of these orders a major portion of the work which we had been doing for servicemen was shifted to the legal assistance offices, and we devoted our services in the main to problems engendered by dependents. At the present time we assist only those soldiers referred by the legal assistance officers at the adjacent posts and only those matters are referred that require a service that cannot be rendered at the post. It is with pride we note that the order contained in Circular 74 is patterned after the system that was well established in this area prior to the order of March 16, 1943.

The value of the legal assistance officer is well expressed by Brig. Gen. O. H. Quade, Commanding General at Fitzsimons General Hospital in a letter he addressed to the Judge Advocate General in Washing-

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\*Circular No. 74 provides for the establishment of a Legal Assistance Office at all military posts in the United States under the jurisdiction of the Judge Advocate General. Provides that Legal Assistance Officers shall be licensed attorneys at law who shall interview, advise and assist military personnel, and, in proper cases, refer such personnel to a designated civilian lawyer, or to an appropriate bar committee on war work, or established legal aid organization, for needed advice and service in regard to their personal legal problems. Provides that all personal matters disclosed to a Legal Assistance Officer shall be confidential and privileged and will not be disclosed without permission of the party concerned. Such disclosure may not be ordered by a superior military authority.