



DEPARTMENT OF THE ARMY
OFFICE OF THE JUDGE ADVOCATE GENERAL
2200 ARMY PENTAGON
WASHINGTON, DC 20310-2200

DAJA-ZB

27 May 2026

MEMORANDUM FOR JUDGE ADVOCATE LEGAL SERVICES PERSONNEL

SUBJECT: Legal Representation of Soldiers in the Army Disability Evaluation System

1. References.

- a. 10 USC 1214, Right to full and fair hearing.
- b. Section 524 of the National Defense Authorization Act for Fiscal Year 2022, Pub. L. No. 117-81, § 524, 135 Stat. 1541 (2021).
- c. Department of Defense Instruction 1332.18, Volume 1, Disability Evaluation System, November 10, 2022
- d. Army Regulation 635-40, 19 January 2017, Disability Evaluation for Retention, Retirement or Separation.
- e. Army Regulation 27-3, 1 May 2024, The Army Legal Assistance Program.
- f. Army Directive 2024-06, 24 June 2024, Soldier Appeal of the Formal Physical Evaluation Board Findings and Recommendations.
- g. Office of The Judge Advocate General Memorandum (DAJA-ZA), "U.S. Army JAG Corps FTE Reduction Proposal and Associated Risks to Mission," 24 March 2025.

2. The Office of Soldiers' Counsel (OSC) provides appointed, accurate, timely, and zealous representation to eligible wounded, ill and injured Soldiers with making informed decisions regarding their desired outcomes in the Disability Evaluation System (DES).

3. OSC has experienced dramatic cuts to its authorized positions over the past 12 months. Since May 2025, OSC has used a phased approach, based on personnel numbers, to limit services to only those that are statutory. Given current resourcing, it is necessary that OSC solely focuses on their statutorily required services to Active-Duty Soldiers.

4. Effective immediately, except as annotated below, the OSC will make the following changes to the scope of their representation:

- a. Cease providing all legal services to all Soldiers (all Components) in the DES prior to the informal Physical Evaluation Board (PEB) level;

DAJA-ZB

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b. On 1 July 2026, cease providing all legal services to non-active duty US Army Reserve (USAR) and Army National Guard (ARNG) Soldiers, including Soldiers on active-duty orders less than 30 days, pending at any level in both the duty-related and non-duty related DES processes;

c. Cease providing all legal services to Temporary Disabled Retired List members, including all formal hearings; and

d. OSC services provided upon Active-Duty Soldiers' receipt of any informal PEB findings will be restricted to a single legal consultation appointment.

5. The services listed paragraph 3 represent the final stage of OSC's divestment of legal services based on manning and the maximum services OSC can provide within resourcing constraints.

6. The POC for this memorandum is Mr. Lakandula Dorotheo at 703-693-0800 and lakandula.d.dorotheo.civ@army.mil.



ROBERT A. BORCHERDING
Major General, USA
Deputy Judge Advocate General