

The material in this letter provides a template for a basic situation – this is not legal advice. Each individual's situation is unique and may require more than what is provided in this template. Speak with a licensed attorney before completing and sending this letter. It is always best to consult with an attorney regarding your legal rights and responsibilities specific to your particular situation before making a decision or taking action.

TEMPLATE LETTER FOR STAY OF PROCEEDINGS

Instructions

- (1) Meet with a licensed attorney at an armed-service legal assistance office to discuss your specific situation.
- (2) Submit a request through your chain of command for your commanding officer to write a letter on your behalf. The letter must state how your current military duties prevent you from appearing, and that military leave will not be authorized at the time of the letter.
- (3) Replace the bolded portions in the template with the applicable information.
- (4) Print and sign the letter.
- (5) Make a copy of the signed letter to keep for your own records.
- (6) Attach the original letter from your commanding officer and a copy of your orders to active duty or orders to deploy.
- (7) Send the original letter via certified mail return receipt requested.
- (8) Retain any written response from the court for your own records.
- (9) Follow-up with a licensed attorney at an armed-service legal assistance office to address any concerns.

Date

Rank and Full Name
Street Address
City, State Zip Code

Honorable **Judge's Name**
Street Address
City, State Zip Code

RE: Request for Stay of Proceedings
Docket/Case No.: XXXXXXXXXXXX

Dear Honorable **Judge's Name**:

Pursuant to the Servicemembers' Civil Relief Act ("SCRA") 50 U.S.C. App. Section 522, this letter is my formal written request for a stay of proceedings, in the above referenced case. I am currently serving on active duty with the **Branch of Armed Forces**.

I am unable to appear before this Court on the date of the scheduled hearing because **Briefly explain why you are unable to appear**. However, I am able to appear before this Court on or after **Date**. I respectfully request this Court to stay the proceedings of this case until **Date**. If this Court will not stay the proceedings, I respectfully request this Court appoint counsel to represent me after the expiration of the initial 90-day stay, pursuant to 50 U.S.C. App. Section 522(d)(2).

Please find the attached letter from my commanding officer

If you have any questions or concerns, you may contact me at the above address, or my commanding officer's address on the attached letter.

Respectfully Submitted,

Rank and Full Name

Attachment(s):
Commanding Officer's Letter
Orders to Active Duty
Orders to Deploy