

**SUMMARY OF MAJOR CHANGES TO
DOD 7000.14-R, VOLUME 7A, CHAPTER 33
“PAYMENTS ON BEHALF OF MENTALLY INCOMPETENT MEMBERS”**

Substantive revisions are denoted by a ★ preceding the section, paragraph, table or figure that includes the revision

PARA	EXPLANATION OF CHANGE/REVISION	EFFECTIVE DATE
3303	Update DoDFMR reference.	Update.

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CHAPTER 33**PAYMENTS ON BEHALF OF MENTALLY INCOMPETENT MEMBERS****3301 ENTITLEMENT**

Members on active duty are entitled to active duty pay and allowances even though mentally incapable of managing their own affairs. This includes miscellaneous payments authorized on separation from the Military Service. See [Chapter 35](#).

3302 PAYMENT

The appointment of a guardian, trustee, or other legal representative is a prerequisite to payment. For designation of trustee and payment offices, see Table 33-1.

3303 MEMBER MENTALLY INCOMPETENT BEFORE ENTRY ON ACTIVE DUTY

★ When it is shown that a member was judicially declared mentally incompetent before induction or enlistment, member is not entitled to pay and allowances. See [Chapter 1](#) of this volume.

3304 FINALITY OF PAYMENTS TO TRUSTEE

Any payments on behalf of a mentally incompetent member to a designated trustee(s) are a complete discharge of the obligation of the United States as to amounts paid.

3305 RESTRICTION AGAINST ACCEPTANCE OF FEES

A person serving in a legal, medical, fiduciary, or other capacity may not demand or accept a fee, commission, or other charge (except bonding fee) for any service performed in administration of a mentally incompetent member account.

PAYMENT OF MENTALLY INCOMPETENT MEMBERS				
R U L E	A	B	C	D
	When	and member is in the	then the trustee is designated by	and payment is made by
1	a court of competent jurisdiction has not appointed a guardian, committee, or other legal representative	Army	DFAS-IN	DFAS-IN.
2		Navy or Marine Corps	Judge Advocate General	DFAS-CL or DFAS-KC, as applicable.
3		Air Force	Director, DFAS-DE	DFAS-DE
4	a court of competent jurisdiction has appointed a guardian, committee, or other legal representative	Army, Navy, Marine Corps, or Air Force	none required	appropriate office shown in rules 1, 2, or 3 above except as indicated in note.

NOTE: Army Only: Local disbursing officer servicing the member's financial record may make payments.

Table 33-1. Payment of Mentally Incompetent Members

PAYMENTS ON BEHALF OF MENTALLY INCOMPETENT MEMBERS

3301 - ENTITLEMENT

37 U.S.C. 601-604