



# STATESIDELEGAL

Legal help for military members, veterans and their families

## Stateside Legal™ Letter Packet

### Self-Help Sample Letter from Service Member Requesting Termination or Suspension of Cell Phone Contract (Protections under the Servicemembers Civil Relief Act)

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This self-help resource was created by the Stateside Legal Project. Stateside Legal provides these sample forms and information free of charge to individuals with military connections (IMC). These forms are not based upon any specific state law or jurisdiction. They are intended as samples of how to use the protections of the Servicemembers Civil Relief Act (SCRA) to assist active duty members of the military in requesting a court to set aside a default judgment.

For information about the Servicemembers Civil Relief Act or many more topics concerning individuals with military connections, visit [www.statesidelegal.org](http://www.statesidelegal.org) or contact your local Judge Advocate General's Corps office.

**Read all instructions** at the end of this packet very carefully. Some content has been provided by the Department of Defense and the Armed Forces Legal Assistance.

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**DISCLAIMER:** The Stateside Legal Information Series is produced by the Pine Tree Legal Assistance of Maine®, Arkansas Legal Services Partnership®, and the Legal Services Corporation®. These organizations promote or provide free legal services to eligible low-income people. Additional information can be found at [www.lsc.gov](http://www.lsc.gov). This sample form packet is given to you as a guide to help you generally understand the way legal matters are handled. Local courts interpret things differently. The information and statements of law contained in this fact sheet are not intended to be used as legal advice. Before you take any action, talk to an attorney and follow his or her advice. Always do what the court tells you to do.

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**LETTER FROM SERVICEMEMBER TO CELLULAR TELEPHONE SERVICE PROVIDER**

DATE  
SERVICE MEMBER NAME  
ADDRESS

RE: REQUESTING TERMINATION OR SUSPENSION OF CELL PHONE CONTRACT

Dear Sir or Madam:

I am writing to request that my contract for cell phone service be terminated on (DATE) without penalty or additional charges. This request is made pursuant to 50 U.S.C. § 535(a) of the Servicemembers Civil Relief Act (the "SCRA") as legislated by the United States Congress and signed into law in December 2003.

Per the enclosure, I am required to relocate for a period of not less than 90 days to a location that does not support the contract. Due to these orders, my ability to satisfy the contract or to utilize the service will be materially affected by such deployment or permanent change.

The SCRA states that the "the service provider under the contract may not impose an early termination charge or a reactivation fee for suspension of the contract." Additionally, if I re-subscribe to the service within 90 days of the last day of my relocation, the "service provider may not impose a charge for reinstating service."

I would also like to retain the telephone number of \_\_\_\_\_ as provided by the SCRA as I anticipate my relocation is for a period of three years or less and I re-subscribe to the service within 90 days of returning to a location that supports your service.

**ACCOUNT INFORMATION:**

Name(s) on Account: \_\_\_\_\_  
Account Number: \_\_\_\_\_  
Telephone Number(s): \_\_\_\_\_

Should you have any questions, you may contact me at the address listed above. Thank you for your understanding and support in this matter.

Sincerely,

SERVICE MEMBER RANK & NAME  
SERVICE MEMBER BRANCH

Enclosures (1): Copy of Orders

## **LAW YOU SHOULD KNOW**

The purpose of the Servicemembers Civil Relief Act (SCRA) is to provide protection to service members who have difficulty meeting their financial and legal obligations because of their military service. Under some circumstances, you can terminate or suspend your cell phone contract without penalty.

**You can terminate or suspend your cell phone contract without penalty/fees if** you are required to deploy for ninety (90) days or longer to a location that does not support the contract.

### **The Service Provider must:**

- Grant your request of early termination or suspension of services when they receive your request
- Not demand any type of penalty for early termination or a reactivation fee if suspending services
- Re-subscribe to the service within 90 days of the last day of your relocation without the service provider imposing a charge for reinstating the service.
- Retain your telephone number if your relocation is for a period of three years or less if you re-subscribe to the service within 90 days of the last day of your relocation.

## **ABOUT THIS SAMPLE LETTER**

- This letter is for service members to use to terminate or suspend cell phone contracts without penalty or additional fees pursuant to 50 U.S.C. § 535(a) of the Servicemembers Civil Relief Act (the “SCRA”).
- Read over this letter and make sure the information you have given is correct and complete. The letter in this packet is not based upon any specific state law or jurisdiction. The letter may need to be modified before use in any specific jurisdiction.
- Include a copy of your orders.
- It is a good idea to send this letter by registered mail with a return receipt request.

### **More Information**

For information about the Servicemembers Civil Relief Act or many more topics about individuals with military connections, visit [www.statesidelegal.org](http://www.statesidelegal.org) or contact your local Judge Advocate General's Corps office.

*Thank you for your military service.*

**UPDATED:** November 2015