

## ***The Ins & Outs of German Contract Law (continued)***

live). If you want to terminate a contract because the item you purchased doesn't work, you can't just cancel the contract—you must first give the other party two chances to fix the item. Lack of service is a limited defense when it comes to cell phones as it was never guaranteed in writing that the cell phone would work where you live. Are you beginning to get the picture? German contract law tends to favor the other party when it comes to early termination. Since it isn't easy to terminate early, the best advice I can give you is to carefully consider the duration of a German contract before you sign it.

***Before entering into a German contract of any kind, you should make an appointment to see a German attorney at the Kaiserslautern Legal Services Center to discuss the possible pitfalls. If possible, bring a copy of the unsigned contract with you so the attorney can review it. To make an appointment, call DSN 484-8848 or Civilian 0631-411-8848.***

## ***Legal Assistance & Conflicts of Interest***

by Mark Christensen

The Legal Assistance Office of the Kaiserslautern Legal Services Center (KLSC) on Kleber Kaserne provides assistance on a broad variety of legal issues, including many issues in which a dispute has developed between two people, or between a person and an organization. Lawyers providing legal assistance take extreme care to ensure their activities do not constitute a conflict of interest; sometimes avoiding a conflict of interest can be frustrating to someone who needs legal help.



For instance, it is common in the KMC for a Soldier to sell a car to another Soldier. But if the buyer later finds out the vehicle had been in a serious accident and the seller did not disclose this information to the buyer, the buyer may seek legal advice at the KLSC to find out whether he has any legal recourse against the seller. If lawyers at the KLSC provide legal assistance to the buyer, the seller will not be able to come to the KLSC for help identifying his rights or responsibilities. If the seller contacts the KLSC for an appointment, he will be referred to another legal office, usually at Ramstein Air Base or Baumholder. The seller will not be told why he cannot be seen at the KLSC, as that information is privileged.

When this scenario is expanded into other conflicts such as divorces or child custody disputes, it sometimes appears to the second party (whether spouse or Soldier) as if the KLSC is only interested in serving the first party. However, under the requirements of Army Regulation 27-3, we do not discriminate against clients. If a client sees a lawyer at the KLSC concerning a dispute, the opposing party, whether a Soldier or spouse or civilian employee, will not be able to confer with that lawyer or any other lawyer at the KLSC. The result is that our lawyers give divorce advice to Soldiers, retirees, civilian employees, family members, husbands, and wives, but in any given case we can only provide legal services to the first party to be a client in our office.

If you are involved in a dispute and need legal assistance, please be aware that the paralegal who takes your request is required to do a conflict search before letting you see a lawyer, and, if there is a conflict, the paralegal cannot tell you why you cannot be seen in our office. That does not mean the paralegal is singling you out; it just means you should contact another legal office for help with your case.

***Contact the Kaiserslautern Legal Services Center's Legal Assistance Office at DSN 483-8848 or Civilian 0631-411-8848 if you have questions about these rules (but not for disclosures of privileged information!).***