



Trial Defense Service

US Army Trial Defense Service
Bavaria Field Offices
DSN: 569-0562



**This fact sheet provides basic information. It does not substitute for legal advice. You have the right to see an attorney, and should do so if you have any questions*

TRIAL DEFENSE SERVICE

PURPOSE

To inform Soldiers about the Trial Defense Service (TDS) office and its operation.

TDS MISSION STATEMENT

The TDS Mission is to provide a full-range of defense legal services to over 490,000 Soldiers serving in numerous commands worldwide. These services include:

- Representing Soldiers charged with military criminal offenses at trial;
- Representing Soldiers during criminal investigations and before administrative separations (Chapters), administrative reduction boards, boards of inquiry; and
- Counseling Soldiers regarding pretrial restraint, non-judicial punishments, and various other adverse administrative actions taken pursuant to military regulations.

FACTS

The Trial Defense Service is a separate organization of attorneys, with organizational headquarters located in Fort Belvoir. While attorneys may be serving at your installation, they are not part of the local command. To ensure objectivity and fairness, TDS attorneys are completely independent of local commands and the post legal advisors. They are supervised and rated by their superiors within TDS.

You need not have any reservations about talking to a Trial Defense Attorney. Conversations between you and a defense attorney and his/her paralegals are protected by the rules of attorney/client confidentiality. This rule prohibits a defense attorney from revealing confidential communications, unless with your express consent.

Because TDS does not have to “please” the Government or your commanders, we work with you to obtain the best possible result in your case. Your attorney will carefully evaluate your case and honestly advise you of the best course of action. If you decide to plead not guilty, your detailed military counsel will work zealously to protect your interest, and provide you with the best possible defense. If you decide to plead guilty, your attorney will work hard to negotiate for the best outcome.

In addition, should your TDS attorney engage in any pretrial negotiations with the government prosecutor concerning your case, such negotiations are protected under the Military Rules of Evidence. These rules prevent information gained in such pretrial negotiations from being used by the Government.

A Soldier suspected or charged with a crime may always obtain a private attorney to represent them, at no expense to the Government. While the service of your TDS attorney is completely free of charge, a private attorney will likely expect payment of their fees, regardless of the result.

Your TDS Office is here solely to serve you, the Soldier. The attorney will communicate with you regularly to keep you informed about your case. You will receive competent and caring representation concerning your legal issues.