

(9) Judgment

The term “judgment” means any judgment, decree, order, or ruling, final or temporary.

(Oct. 17, 1940, ch. 888, title I, §101, as added Pub. L. 108-189, §1, Dec. 19, 2003, 117 Stat. 2836; amended Pub. L. 108-454, title VII, §701, Dec. 10, 2004, 118 Stat. 3624.)

PRIOR PROVISIONS

A prior section 511, acts Oct. 17, 1940, ch. 888, art. I, §101, 54 Stat. 1179; Pub. L. 92-540, title V, §504(1), Oct. 24, 1972, 86 Stat. 1098; Pub. L. 102-12, §9(1), Mar. 18, 1991, 105 Stat. 38; Pub. L. 107-330, title III, §305, Dec. 6, 2002, 116 Stat. 2826, related to definitions, prior to the general amendment of this Act by Pub. L. 108-189.

AMENDMENTS

2004—Par. (9). Pub. L. 108-454 added par. (9).

§ 512. Jurisdiction and applicability of Act**(a) Jurisdiction**

This Act [sections 501 to 515 and 516 to 597b of this Appendix] applies to—

- (1) the United States;
- (2) each of the States, including the political subdivisions thereof; and
- (3) all territory subject to the jurisdiction of the United States.

(b) Applicability to proceedings

This Act [sections 501 to 515 and 516 to 597b of this Appendix] applies to any judicial or administrative proceeding commenced in any court or agency in any jurisdiction subject to this Act. This Act does not apply to criminal proceedings.

(c) Court in which application may be made

When under this Act [sections 501 to 515 and 516 to 597b of this Appendix] any application is required to be made to a court in which no proceeding has already been commenced with respect to the matter, such application may be made to any court which would otherwise have jurisdiction over the matter.

(Oct. 17, 1940, ch. 888, title I, §102, as added Pub. L. 108-189, §1, Dec. 19, 2003, 117 Stat. 2837.)

PRIOR PROVISIONS

A prior section 512, acts Oct. 17, 1940, ch. 888, art. I, §102, 54 Stat. 1179; Pub. L. 102-12, §9(2), Mar. 18, 1991, 105 Stat. 39, related to territorial application, jurisdiction of courts, and form of procedure, prior to the general amendment of this Act by Pub. L. 108-189.

§ 513. Protection of persons secondarily liable**(a) Extension of protection when actions stayed, postponed, or suspended**

Whenever pursuant to this Act [sections 501 to 515 and 516 to 597b of this Appendix] a court stays, postpones, or suspends (1) the enforcement of an obligation or liability, (2) the prosecution of a suit or proceeding, (3) the entry or enforcement of an order, writ, judgment, or decree, or (4) the performance of any other act, the court may likewise grant such a stay, postponement, or suspension to a surety, guarantor, endorser, accommodation maker, comaker, or other person who is or may be primarily or secondarily subject to the obligation or liability the performance or enforcement of which is stayed, postponed, or suspended.

(b) Vacation or set-aside of judgments

When a judgment or decree is vacated or set aside, in whole or in part, pursuant to this Act [sections 501 to 515 and 516 to 597b of this Appendix], the court may also set aside or vacate, as the case may be, the judgment or decree as to a surety, guarantor, endorser, accommodation maker, comaker, or other person who is or may be primarily or secondarily liable on the contract or liability for the enforcement of the judgment or decree.

(c) Bail bond not to be enforced during period of military service

A court may not enforce a bail bond during the period of military service of the principal on the bond when military service prevents the surety from obtaining the attendance of the principal. The court may discharge the surety and exonerate the bail, in accordance with principles of equity and justice, during or after the period of military service of the principal.

(d) Waiver of rights**(1) Waivers not precluded**

This Act [sections 501 to 515 and 516 to 597b of this Appendix] does not prevent a waiver in writing by a surety, guarantor, endorser, accommodation maker, comaker, or other person (whether primarily or secondarily liable on an obligation or liability) of the protections provided under subsections (a) and (b). Any such waiver is effective only if it is executed as an instrument separate from the obligation or liability with respect to which it applies.

(2) Waiver invalidated upon entrance to military service

If a waiver under paragraph (1) is executed by an individual who after the execution of the waiver enters military service, or by a dependent of an individual who after the execution of the waiver enters military service, the waiver is not valid after the beginning of the period of such military service unless the waiver was executed by such individual or dependent during the period specified in section 106 [section 516 of this Appendix].

(Oct. 17, 1940, ch. 888, title I, §103, as added Pub. L. 108-189, §1, Dec. 19, 2003, 117 Stat. 2838.)

PRIOR PROVISIONS

A prior section 513, acts Oct. 17, 1940, ch. 888, art. I, §103, 54 Stat. 1179; Oct. 6, 1942, ch. 581, §§2, 3, 56 Stat. 769; Pub. L. 102-12, §9(3), Mar. 18, 1991, 105 Stat. 39, related to protection of persons secondarily liable, prior to the general amendment of this Act by Pub. L. 108-189.

§ 514. Extension of protections to citizens serving with allied forces

A citizen of the United States who is serving with the forces of a nation with which the United States is allied in the prosecution of a war or military action is entitled to the relief and protections provided under this Act [sections 501 to 515 and 516 to 597b of this Appendix] if that service with the allied force is similar to military service as defined in this Act. The relief and protections provided to such citizen

shall terminate on the date of discharge or release from such service.

(Oct. 17, 1940, ch. 888, title I, §104, as added Pub. L. 108-189, §1, Dec. 19, 2003, 117 Stat. 2839.)

PRIOR PROVISIONS

A prior section 514, act Oct. 17, 1940, ch. 888, art. I, §104, as added Oct. 6, 1942, ch. 581, §4, 56 Stat. 770, related to extension of benefits to citizens serving with forces of war allies, prior to the general amendment of this Act by Pub. L. 108-189.

§ 515. Notification of benefits

The Secretary concerned shall ensure that notice of the benefits accorded by this Act [sections 501 to 515 and 516 to 597b of this Appendix] is provided in writing to persons in military service and to persons entering military service.

(Oct. 17, 1940, ch. 888, title I, §105, as added Pub. L. 108-189, §1, Dec. 19, 2003, 117 Stat. 2839.)

PRIOR PROVISIONS

A prior section 515, act Oct. 17, 1940, ch. 888, art. I, §105, as added Oct. 6, 1942, ch. 581, §4, 56 Stat. 770; amended Pub. L. 102-12, §9(4), Mar. 18, 1991, 105 Stat. 39, related to notice of benefits to persons in and persons entering military service, prior to the general amendment of this Act by Pub. L. 108-189.

§ 515a. Information for members of the Armed Forces and their dependents on rights and protections of the Servicemembers Civil Relief Act

(a) Outreach to members

The Secretary concerned shall provide to each member of the Armed Forces under the jurisdiction of the Secretary pertinent information on the rights and protections available to members and their dependents under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.).

(b) Time of provision

The information required to be provided under subsection (a) to a member shall be provided at the following times:

(1) During the initial orientation training of the member.

(2) In the case of a member of a reserve component, during the initial orientation training of the member and when the member is mobilized or otherwise individually called or ordered to active duty for a period of more than one year.

(3) At such other times as the Secretary concerned considers appropriate.

(c) Outreach to dependents

The Secretary concerned may provide to the adult dependents of members under the jurisdiction of the Secretary pertinent information on the rights and protections available to members and their dependents under the Servicemembers Civil Relief Act.

(d) Definitions

In this section, the terms “dependent” and “Secretary concerned” have the meanings given such terms in section 101 of the Servicemembers Civil Relief Act (50 U.S.C. App. 511).

(Pub. L. 109-163, div. A, title VI, §690, Jan. 6, 2006, 119 Stat. 3337.)

REFERENCES IN TEXT

The Servicemembers Civil Relief Act, referred to in subsecs. (a) and (c), is act Oct. 17, 1940, ch. 888, 54 Stat. 1178, as amended, which is classified to section 501 et seq. of this Appendix. For complete classification of this Act to the Code, see section 501 of this Appendix and Tables.

CODIFICATION

Section was enacted as part of the National Defense Authorization Act for Fiscal Year 2006, and not as part of the Servicemembers Civil Relief Act which comprises sections 501 to 515 and 516 to 597b of this Appendix.

§ 516. Extension of rights and protections to reserves ordered to report for military service and to persons ordered to report for induction

(a) Reserves ordered to report for military service

A member of a reserve component who is ordered to report for military service is entitled to the rights and protections of this title and titles II and III [sections 511 to 515, 516 to 519, 521 to 527, and 531 to 538 of this Appendix] during the period beginning on the date of the member’s receipt of the order and ending on the date on which the member reports for military service (or, if the order is revoked before the member so reports, or the date on which the order is revoked).

(b) Persons ordered to report for induction

A person who has been ordered to report for induction under the Military Selective Service Act (50 U.S.C. App. 451 et seq.) is entitled to the rights and protections provided a servicemember under this title and titles II and III [sections 511 to 515, 516 to 519, 521 to 527, and 531 to 538 of this Appendix] during the period beginning on the date of receipt of the order for induction and ending on the date on which the person reports for induction (or, if the order to report for induction is revoked before the date on which the person reports for induction, on the date on which the order is revoked).

(Oct. 17, 1940, ch. 888, title I, §106, as added Pub. L. 108-189, §1, Dec. 19, 2003, 117 Stat. 2839.)

REFERENCES IN TEXT

The Military Selective Service Act, referred to in subsec. (b), is act June 24, 1948, ch. 625, 62 Stat. 604, as amended, which is classified principally to section 451 et seq. of this Appendix. For complete classification of this Act to the Code, see References in Text note set out under section 451 of this Appendix and Tables.

PRIOR PROVISIONS

A prior section 516, act Oct. 17, 1940, ch. 888, art. I, §106, as added Oct. 6, 1942, ch. 581, §4, 56 Stat. 770; amended Pub. L. 102-12, §9(5), Mar. 18, 1991, 105 Stat. 39, related to extension of benefits to persons ordered to report for induction or military service, prior to the general amendment of this Act by Pub. L. 108-189.

§ 517. Waiver of rights pursuant to written agreement

(a) In general

A servicemember may waive any of the rights and protections provided by this Act [sections 501 to 515 and 516 to 597b of this Appendix]. Any