**UNIT DEMOTION ACTION CHECKLIST**

Name:  Unit:

\_\_\_\_\_1. Notification of Demotion Action Under DAFI 36-2502 Memorandum.

\_\_\_\_\_ a. Inform the legal office of desire to serve a demotion action. The legal office will draft the demotion memorandum and provide it to the First Sergeant for processing once the following documents are provided:

\_\_\_\_\_ (1) Please provide the legal office with any reports, statements or LOC/A/Rs/MFRs regarding the specific incident driving the demotion.

\_\_\_\_\_\_\_(1a) Provide the legal office copies of the member’s PIF documents and EPRs.

\_\_\_\_\_\_\_ **For Fitness Failures:** *Please provide a current Fitness Report showing all recent failures.*

\_\_\_\_\_ b. Upon receiving the demotion documentation from the Base Legal Office, have the unit commander date and sign the notification memorandum and serve it to the member (blocks 1 and 2). Ensure the member is provided with a copy of the notification memo and evidence.

\_\_\_\_\_ c. Have the member complete and sign the Receipt of Notification of Demotion ActionMemorandum (Block 3) and initials in block 2e.

**Note: Please provide the legal office with a copy of page 1 of the demotion for their**

**records.**

\_\_\_\_ d. The Airman has **3 duty days** from the date of notification to submit a written statement or to request an oral presentation.

\_\_\_\_\_2. After **3 duty days** have passed (or any extension granted), have the member make his/her elections, and sign and date the Initial Response Memorandum (Block 4). Provide a copy to the member.

\_\_\_\_\_3. After receiving the member’s response and/or oral presentation the commander will complete section 5. If the response is oral, the unit commander will summarize the response in an MFR to the Gp/CC. This consideration and decision needs to be timely and should be done within 1 day of receiving elections (Block 5). If the commander decides to stop the demotion action, please contact the legal office for assistance in this matter as well.

\_\_\_\_\_4. Have the member complete, sign and date the acknowledgment of the commander’s decision, showing receipt of the decision (Block 6). Provide the member with a copy of the document.

\_\_\_\_\_5. **Please keep all original documents (RCD Review RIP, EPRs, Member Response, and Evidence) in the file and return the file to the Legal Office for further processing.**

*NOTE: Upon return of the package, the legal office will conduct a legal review for the demotion authority. The legal office will obtain the Demotion Authority’s decision on the demotion and return the package to the unit for further processing.*

\_\_\_\_\_6. Upon receiving the package back from the legal office, have the commander notify the member (Block 8) and have the member acknowledge at Block 9. If the group commander chooses to demote, the member may appeal the decision and has **3 duty days** to make an appeal decision. After **3 duty days** have passed, have the member make their appeal decision at Block 10 of the Memorandum.

\_\_\_\_\_7. Contact the legal office to inform them of the appeal decision. If the member appeals the demotion decision, forward the entire case file to the legal office; JA will in turn, forward to the appellate authority. If the member does not appeal please forward the case file to the legal office for final processing.

\_\_\_\_\_\_\_ a. In the event the member appeals, the legal office will route the appeal through the demotion authority and appellate authority.

\_\_\_\_\_\_\_ b. Upon completion of their decisions, the package will be returned to the unit to obtain the member’s acknowledgment in block 13.

\_\_\_\_\_\_\_ c. Upon obtaining the member’s acknowledgment, please return the entire original package to the legal office for final processing. The legal office will forward the demotion to the MPS.

Legal Office Administrative Demotion POC’s

Current as/of 12 October 2022

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