

**Claims Report**  
*U.S. Army Claims Service*

**The Judge Advocate General's Excellence in Claims Award**  
*Lieutenant Colonel Cheryl E. Boone\**

The Judge Advocate General's Excellence in Claims Award is an annual award to recognize outstanding performance by claims offices worldwide.<sup>1</sup> The award measures performance in a number of areas, to include claims prevention, claims processing time, and an office's method of ensuring a quick and fair settlement of claims.<sup>2</sup> Each claims office that wishes to be considered for the award must submit an application, which is available on the Claims Forum of The Judge Advocate General's Corps website.<sup>3</sup>

The U.S. Army Claims Service (USARCS) receives numerous applications for the claims award, and the criteria for the award are extremely demanding. In Fiscal Year 2008, only thirty offices won the award.<sup>4</sup> Each application is reviewed by a committee of subject matter experts from USARCS and from overseas claims service commands. During the evaluation process, the committee reviews data from claims databases and considers the comments of Army Claims Service personnel who have interacted with each claims office. The claims offices are judged based on their compliance with regulatory standards and demonstrated innovation in providing service.<sup>5</sup>

Claims offices may gauge their own performance by reviewing the award criteria. Tallying positive and negative responses to questions asked on the application can provide a rough idea of how well an office may score on the official evaluation. The following suggestions should assist claims offices score better on the Excellence in Claims Award and provide better service.

1. **Training.** Claims offices should send their claims professionals to training annually. Conferences and seminars conducted throughout the year provide a variety of opportunities for professional training. For example, basic personnel claims training conferences are offered four times a year at locations throughout the United States,<sup>6</sup> and a tort claims conference is held in the Maryland area each fall.<sup>7</sup> Claims conferences are also offered annually in Europe and Korea.<sup>8</sup> In addition, Area Action Officers (AAOs) from USARCS can conduct training on a number of subjects. Claims offices may take advantage of AAO talent by asking them to provide training during their visits. Online claims training is also available through JAG University, an Internet site sponsored by the U.S. Army Judge Advocate General's Legal Center and School.<sup>9</sup>

2. **Personnel Stability.** Staff judge advocates are encouraged to leave judge advocates in claims positions for at least a year to foster continuity and to ensure that claims are investigated and acted on in a timely manner. Offices encountering

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<sup>1</sup> U.S. DEP'T OF ARMY, REG. 27-20, CLAIMS para. 1-23 (8 Feb. 2008).

<sup>2</sup> U.S. DEP'T OF ARMY, PAM. 27-162, CLAIMS PROCEDURES para. 1-23 (21 Mar. 2008).

<sup>3</sup> A message announcing the Fiscal Year 2008 award was posted on 12 September 2008. Posting of Colonel Reynold P. Masterton to JAGCNet Claims Forum, subject: Award for Excellence in Claims—FY 2008 (original posting), <https://www.jagcnet2.army.mil/nntp/fclaims.nsf/AllByDate?OpenView> (Sept. 2, 2008) [hereinafter Masterton's original posting]. The application containing the criteria for the award was published on the same day. Posting of Colonel Reynold P. Masterton to JAGCNet Claims Forum, subject: Award for Excellence in Claims—FY 2008 (supplemental posting), <https://www.jagcnet2.army.mil/nntp/fclaims.nsf/AllByDate?OpenView> (Sept. 2, 2008). A message announcing the criteria for the FY 2009 award was posted on 10 July 2009. Posting of Colonel Reynold P. Masterton to JAGCNet Claims Forum, subject: Criteria for 2009 Excellence in Claims Award, <https://www.jagcnet2.army.mil/nntp/fclaims.nsf/AllByDate?OpenView> (July 10, 2009).

<sup>4</sup> A message announcing Winners of The Judge Advocate General's 2008 Excellence in Claims Award was posted on 21 Apr. 2009, <https://www.jagcnet.army.mil>.

<sup>5</sup> See Masterton's original posting, *supra* note 3

<sup>6</sup> *Id.*

<sup>7</sup> These conferences are announced on the USARCS website, <https://www.jagcnet.army.mil/8525752700444FBFA>.

<sup>8</sup> The European conference is hosted by the U.S. Army Claims Service, Europe. Information on this conference may be obtained by contacting them at Box 37, Unit 30010, APO AE 09166 or by telephone at 001-49-621-730-6417 or 6467. The Asian conference is hosted by the U.S. Armed Forces Claims Service, Korea. Information on this conference may be obtained from their Internet site at <http://8tharmy.korea.army.mil/ClientLegalSVC/default.htm>.

<sup>9</sup> The U.S. Army Judge Advocate General's Corps, JAG University, available at <https://jag.learn.army.mil/webapps/portal/frameset.jsp> (follow "My Organizations" hyperlink; then follow "TJAG Training" hyperlink; then follow "Core Legal" hyperlink; then follow "Claims" hyperlink).

personnel shortages should contact their USARCS AAO for advice on claims issues. AAOs can assist offices to formulate a plan to prioritize investigations and maximize limited resources.

3. Use of Claims Databases and Automation Resources. All claims personnel should have access to JAGCNet,<sup>10</sup> the Internet site that contains all claims automation resources. A member of each claims office should review the Claims Forum on JAGCNet daily to obtain the latest claims information.<sup>11</sup> Claims offices should also regularly update claims in the Personnel Claims Database, the Tort and Special Claims Application, and Affirmative Claims Database.<sup>12</sup> All tort claims should be logged into the Tort and Special Claims Application as soon as possible after receipt, and new records related to tort claims should be uploaded at least on a weekly basis.

4. Communication. It is paramount that claims offices forge effective relationships with their USARCS AAO, military treatment facilities (MTF), Directorates of Public Works, Criminal Investigation Division and military police offices, post exchanges, commissaries and other agencies involved in claims. These relationships can help ensure that claims offices receive timely notice of potential claims as they arise. Enhanced communication can not only foster teamwork but can assist in the prompt resolution of claims.

5. Hands-on Tort Claims Investigations. Tort claim investigators should not wait to receive second-hand claims information. Instead, investigators should be proactive and should conduct thorough investigations themselves or work in conjunction with an injured party or the party's attorney once notified of an accident. Failure to investigate tort claims in a timely fashion only complicates the overall claims process because accident scenes change, memories fade and witnesses move out of the area. USARCS can provide a professional accident scene investigator if necessary.

6. TRICARE Agreement. Under the 2009 Memorandum of Agreement between The Judge Advocate General, The Medical Command, and TRICARE, the TRICARE Management Activity agreed to pay proportionate costs of select medical affirmative claims personnel who, until 2009, had been funded exclusively by Medical Treatment Facilities (MTFs).<sup>13</sup> This year, claims offices have the opportunity to enter into or revise a current memorandum of understanding between their office and the local MTF to hire new personnel or initiate changes in funded personnel positions. Some claims offices may be able to negotiate for new claims positions devoted exclusively to TRICARE reimbursements. This could benefit both the claims office, which would gain additional resources, and TRICARE, which could reap greater medical recoveries.

7. Publication of Claims Information and Articles. Claims offices should incorporate claims into their preventive law programs. Offices should be proactive in disseminating claims information to Soldiers, Family members, and employees regarding office hours and location, claims policies, potential risks, and the process for filing claims. Reaching the broadest audience can be achieved by publishing articles on claims in local post newspapers and similar sites, distributing brochures and information papers through command information channels, and participating in installation briefings for inbound personnel. Furthermore, linking office websites with installation websites can increase visibility and provide another useful venue in which to offer claims guidance and instruction.

8. Standard Operating Procedures (SOPs). Standing Operating Procedures should be both accurate and easy to understand. Offices should update their SOPs annually to ensure they are both practical and current.

9. Evaluate Customer Satisfaction. Offices should assess customer satisfaction frequently by calling claimants after settlement or distributing customer satisfaction surveys during claims intake. Feedback may identify areas warranting improvement.

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<sup>10</sup> JAGCNet, available at <https://www.jagcnet.army.mil> (last visited 31 July 2009).

<sup>11</sup> The current Claims Forum is available at the USARCS website, <https://www.jagcnet.army.mil/8525752700444FBA>. The forum is scheduled to be converted to a discussion board in 2009, but both the old forum and the new discussion board will be available at the current Internet address.

<sup>12</sup> The Personnel Claims Database is scheduled to be replaced by the Personnel Claims Army Information Management System (PCLAIMS), an online application, in October 2009. The new application will be available at the USARCS website, <https://www.jagcnet.army.mil/8525752700444FBA>. The Tort and Special Claims Application and the Affirmative Claims Database are also available at this Internet address.

<sup>13</sup> Additional information on this agreement can be obtained from the Affirmative Claims Forum on JAGCNet. Posting of Thomas Kennedy to JAGCNet Affirmative Claims Forum, subject: Reimbursement Agreement with TRICARE Management Activity, <https://www.jagcnet2.army.mil/nntp/FACnsf/AllByDate?OpenView> (Feb. 11, 2009).

10. Initiative. The Excellence in Claims Award rewards “out-of-the-box” thinking. Offices undertaking unique initiatives to improve operations are encouraged to share their accomplishments in the award application.

Applications are due in January of each year. Area Claims Offices should submit their applications through their SJA directly to USARCS. Claims processing offices should submit their applications through their Area Claims Office and SJA. Overseas offices should submit their applications through their SJA to the U.S. Army Claims Service, Europe, or the Armed Forces Claims Service, Korea, as appropriate. Staff judge advocates must submit a forwarding endorsement with the application.

All claims offices are encouraged to apply for this award. Regardless of whether an office wins the award, the application process provides an outstanding means of assessing an office’s claims operations.