



## Terminating Your Cell Phone Contract under the SCRA



The Servicemembers Civil Relief Act (SCRA) allows Soldiers to terminate their cell phone contracts under certain circumstances. (See [50 U.S.C. Section 3956](#).)

### **Q. Can I terminate my cell phone contract if I have orders?**

**A.** It depends. If you are moving to an area that will where your service provider does not provide coverage for 90 days or more, then you can probably terminate your service. For example, if you are deploying to Afghanistan or PCSing to Korea, you can probably terminate your service.

If you are PCSing from one CONUS location to another, then you probably cannot terminate your contract—assuming you have a major carrier that provides service nationally.

### **Q. My service provider does not provide service in my new location. How do I terminate my contract?**

**A.** As soon as you receive your orders, contact your service provider and ask how they receive requests for termination (e.g. an online form, email, or handwritten letter). Regardless of the format, your request should include:

1. Language indicating that you intend to terminate your contract because the military is relocating you to a location that does not support the contract for 90 days or more; and
2. A copy of your orders.

### **Q. Can the service provider charge me an early termination fee?**

**A.** No. If you meet the requirements of the SCRA, the service provider may not charge you an early termination fee.

### **Q. Will this process relieve me of debts incurred for past service?**

**A.** No. You are still responsible for any debts or obligations incurred under the contract before termination.

### **Q. What if I have a family plan?**

**A.** You may terminate service without an early termination fee for any other members of the family plan that are traveling with you to a location that does not support the contract. You may not do so for members of the plan not traveling with you.

**Q. I have already paid for service into the period that I am terminating. Can I receive a refund of those advance payments?**

**A.** Yes. If you have paid in advance, the service provider must refund your payments within 60 days. However, you may not receive a refund for the remainder of the billing period in which you terminate service.

For example, suppose you are billed monthly and you have paid for the month of March, and you terminate your service on March 15th. The service provider does not have to refund you for service from March 15th through the end of the month.

**Q. Can I keep my cell phone number?**

**A.** If you are deploying, or otherwise relocating under orders to an area that does not support the contract for less than three years, you can keep your cell phone number. To do so, you must resubscribe to the service within 90 days of the end of your deployment or relocation.

**Q. Oops, I messed up! I signed up for a cell phone service *after* I received orders to deploy, and then I realized that I needed to cancel the service. Can I terminate my service without early termination fees?**

**A.** Not under the SCRA. The SCRA only allows you to terminate service without an early termination fee for a contract that you entered into before receiving orders. However, you may call your service provider's customer service department, explain your situation, and ask them to allow you to terminate your service without early termination fees or with reduced fees.

**Q. What if I have other questions?**

**A.** Please call 706-545-3281/3282 and schedule an appointment with a legal assistance attorney.



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