**COMMON MISTAKES ON DA FORMS 4833**

1. When prepared in ALERTS, Sections 1, 2 and the offense portion of Section 3 are automatically completed. The commander or person completing the form begins filling in the form under the Commander Decision Date in Section 3.

2. Any offenses for which the commander says "Yes" in the Action Taken part of Section 3 should be reflected in Section 5. If not, that is a common mistake.

3. Section 4 is not completed. Commanders are not checking at least one of the three blocks in the top part of Section 4 that say whether the action taken was administrative, non-judicial or judicial, and if they pick non-judicial or judicial, they must check what type of Article 15 was imposed or what type of court martial (or civilian court) the offender was tried in. Additionally, both the Administrative and Non-Judicial blocks can be checked for the same offender and offense(s) because the offender could be given an Article 15 and then processed out of the Army under a Chapter 14 discharge. The administrative action (discharge or whatever) would be recorded in Section 6 and/or 7 as appropriate, and the non-judicial punishment would be recorded in Section 8.

4. Next common mistake is not completing all of Section 5 for all non-judicial or judicial actions. The offenses listed should be the same ones that came from Section 3.

If additional offenses were charged, they can be added in. For instance, say the offender was the subject of a founded CID case for Rape that the commander took action on. Then the Rape offense would be recorded in Sections 3 and 5. But if the commander also charged the same offender Conduct Unbecoming in the court martial, that Conduct Unbecoming offense needs to be added in Section 5.

If the offender pleads not guilty to the offense (say Rape) but is found guilty of a lesser included offense (say Assault and Battery), that results can be recorded in the "Finding Offense" section of Section 5.

5. If the offender is granted a Chapter 10 discharge in lieu of a court martial, then the "Judicial" block in Section 4 should be checked as well as the type of court martial in Section 4. In Section 5, the "Charged Offense" would be annotated as noted above, and in the "Plea" part in Section 5, the "Pre-Trial Diversion" choice should be selected. The "Finding Offense" would be the same as the "Charged Offense," and in the "Trial/NJP Finding" choices, you would pick "Settlement." It is judicial action because the offender cannot get a Chapter 10 discharge unless he was referred to a court martial. The Chapter 10 information would then be detailed in Section 7 of the DA Form 4833.

6. Section 6, Administrative actions. Ensure dates are entered for any action taken, and if it was a counseling, then whether it was oral or written, and if written if the filing was local or OMPF.

7. Section 7, Separations. All blocks must be completed. Note that officers are not separated under the same regulation or provisions as enlisted Soldiers.

8. Section 8, Non-Judicial/Judicial Sanctions. If the offender was found guilty for either an Article 15 or a court martial (or civilian court), then the sanctions and the date they were imposed have to be annotated in this section. However, for discharges and dismissals, DO NOT put an entry in for the effective date as that is subject to appeals and/or other actions.

9. Section 9, Suspended Sanctions. In courts martial, the convening authority may reduce or suspend the sentence the court handed down. In Article 15s, the commander may suspend some or all of the sanctions. All suspensions or reductions in a sentence or Article 15 punishment must be annotated in the appropriate blocks in the section.

10. Section 10, Commander's remarks. This is not the place to annotate what action was taken or not taken against the subject. That information is supposed to be made in Sections 3 through 9 as appropriate. If a Commander is listing all the actions he took against a subject in Section 10, it is likely he did not make any of the necessary entries in Sections 3 through 9.

11. Section 11, Commanding Officer or Reporting Officer DNA information and signature block. A common mistake is that commanders are marking "no" for the collection of DNA for Soldiers convicted in courts martial. The header on all court martial orders states "DNA processing required. 10 U.S.C. Section 1565," which means the convicted Soldier has to have his DNA collected, and so the DNA collection in Section 11 should be marked as "Yes." And the other common mistake is that the commander is not signing the form in Section 11.