

Lore of the Corps

Promotions to Major, Lieutenant Colonel, and Colonel in the Corps: The History of Separate Boards for Judge Advocate Field Grade Officers

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In March 1976, *The Army Lawyer* announced that the Secretary of the Army had “approved a separate promotion list for the Judge Advocate General’s Corps.”¹ This was a significant event because, prior to this announcement, every judge advocate field grade officer on active duty, or in the Reserve or Guard, was selected for promotion by the yearly Army Promotion Board—and consequently directly competed for promotion to higher rank with infantry, artillery, armor, engineer, and transportation officers, as well as officers of other Army branches. The story of how that changed—how the Corps obtained the authority to hold its own, separate promotion board—is worth telling.

By the mid-1970s, the grade structure of the Corps began to change as more and more young judge advocates elected to stay on active duty and make the JAG Corps a career. This was a marked change from the 1960s and early 1970s when, with the Army fighting an unpopular war in Southeast Asia, the vast majority of lawyers came into the Corps, stayed for one or two assignments, and then departed for civilian life. But the end of the war and the return of peacetime soldiering meant that more judge advocate captains were staying in the service.

Judge advocates assigned to the Personnel Plans and Training Office (PP&TO) in the Office of The Judge Advocate General (OTJAG) understood that increased retention was going to make it increasingly difficult to manage the Corps’s grade structure. “There was no way,” wrote Brigadier General (Retired) Ronald Holdaway, who served as the Chief, PP&TO, in the mid-1970s, “that we could reliably match judge advocate promotions with judge advocate vacancies under the Army Promotion List system where promotions Army-wide were matched with Army-wide vacancies and one branch might get 80 percent promotions while another got 60 percent.”²

As Holdaway further explained, the quality of judge advocates meant that the Corps had fared well in the Army Promotion List system on percentages in the past. However, these field grade promotion results had not made much difference to the Corps since the lack of retention meant that the Corps was already “way out of balance when it came to field grades.” Holdaway states, “We had acute shortages of field grade officers,” and “many of us were serving in billets

one or even two grades above our rank.”³ In fact, the low retention rate in the JAG Corps meant that it had a deficit of almost forty-five percent in field grade officers in the late 1960s and early 1970s.⁴ The shortage of majors, lieutenant colonels, and colonels to fill field grade billets in the Corps, though, also meant that field grade officer selection rates under the Army Promotion List system had been of little worry.

However, with retention increasing in peacetime, it was clear by 1975 that the Corps’s grade structure would be out of balance unless something was done. The solution: a separate JAG Corps promotion list for majors, lieutenant colonels, and colonels that would allow the Corps to manage its structure by matching JAG Corps promotions with projected JAG Corps vacancies.

At the direction of The Judge Advocate General (TJAG), Major General (MG) Wilton B. Persons, then-LTC Holdaway prepared a decision paper for The Judge Advocate General’s signature that requested the Deputy Chief of Staff for Personnel (DCSPER) give the Corps separate field grade promotion boards. Holdaway personally wrote the decision paper on two consecutive weekends so that he had the office to himself and was “not disturbed by the chaos that was PP&TO during the work week.”⁵

When the Secretary of the Army approved the concept, on the recommendation of the DCSPER, the next step was implementation.⁶ Holdaway remembers that his lieutenant colonel and colonel counterparts at DCSPER thought that a five-person board consisting of three line officers and two judge advocates would be best for a small branch like the JAG Corps. While Holdaway was willing to go along with this proposal, MG Lawrence H. Williams, The Assistant Judge Advocate General (TAJAG), was adamant that more judge advocates—if not a majority—should sit on the promotion boards. Major General Persons agreed with MG Williams, and the final decision from DCSPER acceded to the views of TJAG and TAJAG.⁷

³ *Id.*

⁴ *Separate JAGC Promotion List*, *supra* note 1.

⁵ E-mail from Brigadier General (Ret.) Ronald Holdaway to author 16 May 2010 (on file with author).

⁶ *Separate JAGC Promotion List*, *supra* note 1, at 29.

⁷ Holdaway E-mail, *supra* note 2.

¹ *Separate JAGC Promotion List*, *ARMY LAW.*, Mar. 1976, at 29.

² E-mail from Brigadier General (Ret.) Ronald Holdaway to author (17 May 2010) (on file with author) [hereinafter Holdaway E-mail]

Today, all JAGC promotion boards for field grade officers consist of six officers. A judge advocate brigadier general serves as the president of the board, and two other field grade judge advocates sit on the board as members. The other three board officers are non-special branch officers whose grades varies depending on the promotion level being considered.

Judge advocates today assume that the Corps has separate promotion boards for field grades because, given the relatively small number of judge advocates, the Corps is better able to make promotion selections than the Army Promotion Board. While that may be true, that was not the reason that the Corps asked for—and obtained—separate promotion board authority in 1976.

More historical information can be found at

The Judge Advocate General's Corps
Regimental History Website

Dedicated to the brave men and women who have served our Corps with honor, dedication, and distinction.

<https://www.jagcnet.army.mil/8525736A005BE1BE>