

## Foreword

*Lieutenant Colonel Daniel G. Brookhart  
Professor and Chair, Criminal Law Department  
The Judge Advocate General's School, U.S. Army  
Charlottesville, Virginia*

Welcome to the fifteenth annual Military Justice Symposium, which for the third straight year consists of two consecutive issues of *The Army Lawyer* dedicated to military justice. Our intent is to provide practitioners with a useful analysis of the most important recent developments in the military justice arena. To that end, the leadoff issue contains four articles written by current Criminal Law Department faculty members. These articles address topics ranging from new developments in Fourth Amendment case law, trends in post-trial processing, admitting forensic evidence after *Melendez-Diaz*, and proper methods for impeaching witnesses. We also have the annual instructions update written by Colonel Tim Grammel and Lieutenant Colonel Kwasi Hawks, both of whom are Criminal Law Department alumni currently serving as military judges.

The second issue of the Symposium, to be published in March 2010, will contain faculty-authored articles on aggravation evidence, charging webcam-related sex crimes, new developments in guilty pleas and pre-trial agreements, unlawful command influence committed by judge advocates, the evolution of the Sexual Assault Prevention and Response Program, and professional responsibility for military justice practitioners. The second issue will also contain a *View from the Bench* by Colonel Mike Hargis and an excellent piece from the Regimental Historian on an infamous court-martial involving the wear of a pigtail. As always, we hope that you will find these articles useful in developing your practice.

I would also like to remind you all of the many great military justice short-courses offered here at The Judge Advocate General's Legal Center and School. A complete listing of these courses is found at the end of this issue. Most courses have some seats dedicated to sister services. However, please remember that the Criminal Law Advocacy Course, which is offered in the spring and fall, is a by-invitation-only course. You must speak directly to the course manager, and he or she must individually approve your enrollment in the course. For more information contact the Criminal Law Department at (434) 971-3341.

If you can't make it all the way to the School, there are additional opportunities for training. The Trial Counsel Assistance Program (TCAP) also offers a number of excellent short courses geared for trial counsel. Course information can be obtained from the TCAP newsletter or by contacting TCAP at (703) 588-5277 or via e-mail at [usalsatcap@conus.army.mil](mailto:usalsatcap@conus.army.mil). If you are a defense counsel or a soon-to-be defense counsel, the Defense Counsel Assistance Program (DCAP) offers a similar set of defense-oriented short-courses. For more information contact DCAP at (703) 588-2571 or via email at [dcap@conus.army.mil](mailto:dcap@conus.army.mil).

Finally, this issue marks the final Symposium for Major Maureen Kohn and Major Pat Pflaum, who will be departing after three years each on the faculty. Please join me in thanking these two fine officers for all of their hard work and dedication to training military justice practitioners across the entire Department of Defense.