

Foreword

Welcome to the seventh annual¹ Military Justice Symposium. This month's issue of *The Army Lawyer* contains Volume I of the symposium. Jurisdiction, pretrial procedure, evidence, substantive crimes and defenses, and urinalysis articles comprise this issue. The May 2002 issue of *The Army Lawyer* will contain Volume II of the symposium and will include articles on unlawful command influence, the Fourth Amendment, discovery, sentencing, post-trial procedure, and professional responsibility.

Volume II will also include a cumulative index of military justice related articles published from 1971-present. The index will assist trial practitioners in locating articles that address a wide range of military justice issues. Additionally, we will make the index accessible through the The Judge Advocate General's School Web site.²

In the two-volume symposium, the nine members of the Criminal Law Department provide their assessment of significant developments in military justice during the past year. The purpose is to provide the field, including both trial and appellate practitioners, with perspectives on significant criminal law opinions as well as noteworthy service courts cases. The following charts provide a quick look at the work of the Court of Appeals Armed Forces (CAAF) during last year's term.³

As always, the purpose of the symposium is to provide thoughtful and relevant support to trial practitioners at the point of the spear. We welcome all comments, suggestions, and questions. We hope you find the articles timely and helpful.

Opinion Statistics for 2001 Term of Court (1 October 2000 – 30 September 2001)

	SJC	ERS	HFG	ASE	JEB	WTC	ROE	PC	TOTAL
TOTAL OPINIONS	33	46	22	23	18	2	1	3	148
Majority Opinions	18	14	17	11	8	2	0	3	73
Separate Opinions	15	32	5	12	10	0	1		75

1. The idea for the military justice symposium originated with Lieutenant Colonel Lawrence J. Morris, Professor and Chair of the Criminal Law Department from 1995-1998. The idea, based on the "COMA Watch" instruction given by previous department members, came to fruition with the publication of the first symposium in the March 1996 issue of *The Army Lawyer*. Lieutenant Colonel Morris hesitated to attach the label "annual" to the second symposium issue. See Lieutenant Colonel Lawrence J. Morris, *Foreword*, ARMY LAW., Apr. 1997, at 4. Thanks to the efforts of former and current members of the Criminal Law Department, the label "annual" may now safely be affixed to the symposium name.

2. The JAG School Web site is <http://www.jagcnet.army.mil/TJAGSA>.

3. This past year was the first full term for the newest member of the CAAF, Judge James E. Baker. Judge Baker joined the CAAF as the court's eighteenth member on 1 December 2000. The investiture proceedings may be found at 54 M.J. LXIX-LXXXVIII (2000).

Breakdown of Separate Opinions

	SJC	ERS	HFG	ASE	JEB	WTC	ROE	PC	TOTAL
Concur	1	10		1	4				16
Concur in Result	2	9	2	1	5				19
Concur in Part & in the Result	1	3		1			1		6
Concur in Part & in the Result & Dissent in Part		1							1
Concur in Part & Dissent in Part	4	1		3	1				9
Dissent	7	8	3	6					24

Key:

SJC = Chief Judge Crawford
 ERS = Associate Judge Sullivan
 HFG = Associate Judge Gierke
 ASE = Associate Judge Effron

JEB = Associate Judge Baker
 WTC = Senior Judge Cox
 ROE = Senior Judge Everett
 PC = Per Curiam

Note: An opinion that is “**joined by**” one or more judges or authored by one or more judges (“**and**”) is counted only for the judge listed first.

Provided by the Clerk of the Court, Court of Appeals for the Armed Forces.