

Guard and Reserve Affairs Items

Guard and Reserve Affairs Division
Office of The Judge Advocate General, U.S. Army

USAR/ARNG Applications for JAGC Appointment

Effective 14 June 1999, the Judge Advocate Recruiting Office (JARO) began processing all applications for USAR and ARNG appointments as commissioned and warrant officers in the JAGC. Inquiries and requests for applications, previously handled by GRA, will be directed to JARO.

Judge Advocate Recruiting Office
901 North Stuart Street, Suite 700
Arlington, Virginia 22203-837

(800) 336-3315

Applicants should also be directed to the JAGC recruiting web site at <www.jagcnet.army.mil/recruit.nsf>.

At this web site they can obtain a description of the JAGC and the application process. Individuals can also request an application through the web site. A future option will allow individuals to download application forms.

The Judge Advocate General's Reserve Component (On-Site) Continuing Legal Education Program

The following is the current schedule of The Judge Advocate General's Reserve Component (on-site) Continuing Legal Education Program. *Army Regulation 27-1, Judge Advocate Legal Services*, paragraph 10-10a, requires all United States Army Reserve (USAR) judge advocates assigned to Judge Advocate General Service Organization units or other troop program units to attend on-site training within their geographic area each year. All other USAR and Army National Guard

judge advocates are encouraged to attend on-site training. Additionally, active duty judge advocates, judge advocates of other services, retired judge advocates, and federal civilian attorneys are cordially invited to attend any on-site training session.

1999-2000 Academic Year On-Site CLE Training

On-site instruction provides updates in various topics of concern to military practitioners as well as an excellent opportunity to obtain CLE credit. In addition to receiving instruction provided by two professors from The Judge Advocate General's School, United States Army, participants will have the opportunity to obtain career information from the Guard and Reserve Affairs Division, Forces Command, and the United States Army Reserve Command. Legal automation instruction provided by personnel from the Legal Automation Army-Wide System Office and enlisted training provided by qualified instructors from Fort Jackson will also be available during the on-sites. Most on-site locations supplement these offerings with excellent local instructors or other individuals from within the Department of the Army.

Additional information concerning attending instructors, GRA representatives, general officers, and updates to the schedule will be provided as soon as it becomes available.

If you have any questions about this year's continuing legal education program, please contact the local action officer listed below or call Dr. Foley, Guard and Reserve Affairs Division, Office of The Judge Advocate General, (804) 972-6382 or (800) 552-3978, ext. 382. You may also contact Dr. Foley on the Internet at Mark.Foley@hqda.army.mil. Dr. Foley.

**THE JUDGE ADVOCATE GENERAL'S SCHOOL RESERVE COMPONENT
(ON-SITE) CONTINUING LEGAL EDUCATION TRAINING SCHEDULE
1999-2000 ACADEMIC YEAR**

<u>DATE</u>	<u>CITY, HOST UNIT, AND TRAINING SITE</u>	<u>AC GO/RC GO SUBJECT/INSTRUCTOR/GRA REP*</u>	<u>ACTION OFFICER</u>
11-12 Mar	Washington, DC 10th MSO	AC GO BG Barnes RC GO BG DePue Criminal Law Int'l & Op Law GRA Rep TBD	Criminal Law Administrative & Civil Law MAJ Gerry P. Kohns kohnsg@hq.navfac.navy.mil Host: COL Jan Horbaly (202) 633-9615
11-12 Mar	San Francisco, CA 75th LSO	AG CO BG Romig RC GO BG O'Meara GRA Rep TBD	Contract Law Administrative & Civil Law: POR—How to get ready to deploy MAJ Douglas Gneiser (415) 673-2347 Host: COL Charles O'Connor (415) 436-7180
18-19 Mar	Chicago, IL 91st LSO	AC GO BG Marchand RC GO BG DePue GRA Rep TBD	Contract Law International & Operational Law MAJ Tom Gauza (312) 443-1600 Host: COL Johnny Thomas (210) 226-5888
25-16 Mar	Charleston, SC 12th LSO	AC GO MG Altenburg RC GO BG DePue Int'l & Op Law Criminal Law GRA Rep TBD	International & Operational Law Criminal Law: Fraternization COL Robert P. Johnston (704) 347-7800 Host: COL Dave Brunjes (912) 267-2441
1-2 Apr	Orlando, FL FLARNG	AC GO BG Romig RC GO BG O'Meara Criminal Law Int'l & Op Law GRA Rep TBD	Administrative & Civil Law Contract Law Ms. Cathy Tringali (904) 823-0132 Host: COL Henry Swann (904) 823-0132
16-20 Apr	Spring Workshop GRA		
29-30 Apr	Newport, RI 94th RSC	AC GO MG Huffman RC GO BG O'Meara GRA Rep TBD	International & Operational Law: ROE Criminal Law: New Devel- opments requested. (But a possible substitution by CLAMO was discussed with a focus on Domestic Opera- tions) MAJ Jerry Hunter (978) 796-2140 1-800-554-7813

5-7 May	Omaha, NE 89th RSC	AC GO BG Romig RC GO COL (P) Walker	Contract Law Administrative & Civil Law	LTC Jim Rupper (316) 681-1759, ext. 1397 Host: COL Mark Ellis (402) 231-8744
6-7 May	Gulf Shores, AL 81st RSC/ALARNG	AC GO BG Barnes RC GO BG DePue GRA Rep TBD	Criminal Law Administrative & Civil Law	CPT Lance W. Von Ah (205) 795-1511 fax (205) 795-1505 lance.vonah@usarc-emh2.army.mil

*Topics and attendees listed are subject to change without notice.

Please notify Dr. Foley if any changes are required, telephone (804) 972-6382.

Reserve Promotion Update

Promotions

*Army Regulation 135-155*¹ contains policy and procedures about Reserve Component promotions. The current Reserve Component promotion system does not differ significantly from the active component promotion system. Both boards use the *best qualified*² standard for evaluating officers before the boards. There are two types of Reserve Component promotion boards: mandatory selection boards and position or unit vacancy selection boards.

To be eligible for promotion, officers must have minimum time in grade, and meet the educational requirements shown below:

Time in Grade			
Promotion to	Education	Mandatory Board	Unit Vacancy Board
Captain	Basic Course	5	2
Major	Advance Course	7	4
Lieutenant Colonel	Phase II, CGSC	7	4
Colonel	Phase IV, CGSC	**	3

** Announced annually by Headquarters, Department of the Army, usually five years.

There are exceptions to the educational requirements. Officers leaving active duty are considered to be educationally qualified for promotion for three years after the date of their separation, unless they were non-selected for promotion for the next higher grade while on active duty.³ Officers who received conditional appointments requiring completion of educational courses within a specified time are considered to be educationally qualified for promotion if making satisfactory progress with the course.⁴

An officer is first considered for promotion by a mandatory board in advance of the date in which the officer meets time in grade requirements. Therefore, officers must ensure that they are prepared to be considered for promotion about one year before they reach eligibility. As this may change in the future, officers should pay close attention to promotion zone announcements.

Promotion Consideration File (PCF)

Total Army Personnel Command Promotions Directorate prepares the PCF for use by the Reserve Component selection boards. It should contain the following:

- (1) All academic and performance evaluation reports.
- (2) An Officer Record Brief (Individual Mobilization Augmentee (IMA)/Individual Ready Reserve (IRR) judge advocate officers) or Department of the Army Form 2-1⁵ (United States Army Reserve Troop Program Unit (TPU) judge advocate officers). These documents have necessary entries pertaining to personal data, military and civilian education, and duty assignment history.

1. U.S. DEP'T OF ARMY, REG. 135-155, PROMOTION OF COMMISSIONED OFFICERS AND WARRANT OFFICERS OTHER THAN GENERAL OFFICERS (1 Oct. 1994) [hereinafter AR 135-155].

2. See *Promotion Boards* section, *infra*.

3. AR 135-155, *supra* note 1, para. 2-6.

4. Contact the Guard and Reserve Affairs Division, Office of The Judge Advocate General, (804) 972-6381 or (800) 552-3978, ext. 381 or via Internet at Mark.Foley@hqda.army.mil concerning a certificate of satisfactory progress.

5. U.S. Dep't of Army, DA Form 2-1, Personnel Qualification Record (Jan. 1973).

(3) A color photograph taken within the past three years, which reflects insignia authorized at the time the promotion packet is submitted to the board. Height and weight data, and a signature must be entered on the reverse side of the photograph.⁶ Refer to *Army Regulation 670-1* for correct wear and appearance of Army uniforms and insignia.⁷

(4) A one page letter to the board is strongly encouraged.

Promotion Consideration File					
	IRR/IMA	AGR	TPU	NG	**Remarks
OMPF-P-Fiche	X	X	X	X	1
DA Form 2-1			X	X	2
ORB	X	X		X	3
Photograph	X	X	X	X	4
Letter to Board President	X	X	X	X	5
Loose Papers	X	X	X	X	6

** Remarks

1. Provided by the U.s. Army Reserve Personnel Command (AR-PERSCOM)/NGB ARNG Readiness Center as appropriate.
2. Provided by the officer's servicing personnel administration section.
3. To be provided by the officer for the board's use or by the personnel management officer if a current copy is available in the career management file. The photo must be current within three years.
4. Optional, but encouraged.
5. Includes Official Military Personnel File (OMP) documents received too late to be microfiched on the OMPF (Performance-fiche).
6. OMPF performance documents required to be included in the PCF include (listed in order of precedence):

Academic Evaluation Reports
 Officer Evaluation Reports
 Letter Reports
 Resident and nonresident course completion certificates
 Any record of adverse action
 Award orders
 Letters of appreciation or commendation

Officers in the zone of promotion are responsible for the following:

- (1) Reviewing their OMPF and providing the state adjutant general or the Chief, Office of Promotions, Reserve Components, with copies of any documents missing from the file.
- (2) Auditing their DA Form 2-1, when requested by the unit personnel clerk.
- (3) Ensuring they have a current photograph on file at Army Reserve, Personnel Command (AR-PERSCOM) or National Guard Bureau (NGB) Army Reserve National Guard Readiness Center.

6. AR 135-155, *supra* note 1, para. 3-3a(4).

7. U.S. DEP'T OF ARMY, REG. 670-1, WEAR AND APPEARANCE OF ARMY UNIFORMS AND INSIGNIA (1 Oct. 1992).

(4) Taking a military physical every five years in accordance with *Army Regulation 40-501*.⁸ If overweight, ensuring their status in the weight control program is reported to United States Army Reserve Personnel Command (AR-PERSCOM) in accordance with *Army Regulation 600-9*.⁹ An officer whose physical is out of date or who is overweight will not be issued promotion orders.¹⁰

(5) Following up with unit support personnel to ensure that evaluation reports, the DA Form 2-1, and other relevant information is submitted to AR-PERSCOM in time to be presented to the board.

Officer's Letter to the Board

Letters to the board are optional, but strongly encouraged. In some cases, letters detract from the file because of poor grammar, spelling errors, superfluous enclosures, and inadequate preparation. Communications to the board that contain criticism or reflect adversely on the character, conduct, or motives of any officer will not be given to the board. Also, the selection board will not be given any third party communications.

Any letter should be no more than one page, provide relevant information not contained in the OMPF, and be signed and dated. The letter should be a professional document in appearance, style, and content.

The following examples are good enclosures to letters: Officer Evaluation Reports (OERs) missing from OMPF; letters of appreciation or commendation not in OMPF; and newly acquired diplomas, degrees and documents about professional qualifications. The letter should reference all enclosures.

Promotion Boards

The promotion board uses the "whole person concept" when rating officers.¹¹ The list below indicates some items that are considered by the board (on the left) and where the board looks to find information about that characteristic (on the right).

Job performance	OERs
Leadership	Command/Staff Assignments
Breadth of Experience	Where/What/When (Assignments)
Job Responsibility	Scope of Assignment and Risk
Professional Military Education	Level and Utilization of Military Education
Academic Education	Level and Utilization of Civilian Education
Specific Achievements	Awards
Military Bearing	Photograph/OER/Height-Weight data

Scoring Criteria

All promotion boards will be convened under a *best qualified* criteria and will give each file a numerical rating from one to six (+ or -). When all files have been voted, an average score will be calculated for each individual before the board. The officers will be rank ordered (highest to lowest). The board will be told how many can be selected and they will count down the list until they reach

8. U.S. DEP'T OF ARMY, REG. 40-501, STANDARDS OF MEDICAL FITNESS (27 Feb. 1998).

9. U.S. DEP'T OF ARMY, REG. 600-9, THE ARMY WEIGHT CONTROL PROGRAM (1 Sept. 1986).

10. *Id.* para. 20d(1).

11. *See generally* U.S. DEP'T OF ARMY, REG. 600-8-29, OFFICER PROMOTIONS (30 Nov. 1994).

that number. If the last person selected is a 4+, then the board will revote all 4+ files and again rank order the files—creating the final list. The scoring criteria is listed below:

6+/-	Top Few—Must Select
5+/-	Above Contemporaries—Clearly Select
4+/-	Solid Performer—Deserves Selection
3+/-	Qualified—Select if There is Room
2+/-	Not Qualified—Too Many Weaknesses
1+/-	Absolutely Not Qualified—Show Cause Board

Best Qualified officers have demonstrated a strong performance, steady participation, possess good military bearing, have succeeded at a variety of jobs (especially those which exposed them to risk of failure), and have completed the required military education. Dr. Foley.