

Transitioning from TJAG to Chief, USALSA:

A Unique Event in Corps History

Our history: One of the more unusual leadership transitions in the Corps' history occurred in June 1971, when Major General (MG) Kenneth J. Hodson retired as The Judge Advocate General (TJAG) and was immediately recalled to active duty as the first Chief, U.S. Army Legal Services Agency (USALSA) and Chief Judge, Army Court of Military Review (ACMR).

This was the first--and only--time in history that three JAGC two-star generals were on active duty at the same time. It also was the first--and only time--that a TJAG retired and was recalled to active duty to continue to work as a Judge Advocate. But the transition worked because all three Judge Advocates understood their roles and synchronized their efforts.

Born in Kansas in 1913, Kenneth "Ken" Hodson entered the Army in 1934 (as a Reserve artillery officer) and then completed law school at the University of Kansas in 1937. When World War II began, he transferred to the JAG Department. Then-MAJ Hodson remained on active duty after World War II, and by the late 1940s, was recognized as a criminal law expert. This explains why he was tasked with writing the procedural chapters of the 1951 *Manual for Courts-Martial*.

His interest in military justice continued, and when then-BG Hodson pinned on his second star and assumed duties as TJAG in 1967, he spearheaded the revolutionary reforms to the Uniform Code of Military Justice enacted in the Military Justice Act of 1968. Key reforms included the creation of the office of military judge (and the opportunity, for the first time in court-martial history, for an accused to request trial by judge alone), and the requirement for defense counsel at special courts-martial to be lawyers. Prior to this time, both the prosecutor and defense counsel at special courts were line-officers who had no formal legal training.

When MG Hodson ended his busy and successful career as TJAG in June 1971, a leadership transition naturally occurred, since Hodson was being replaced by a new TJAG, MG George S. Prugh. A new The Assistant Judge Advocate General (TAJAG), MG Harold E. Parker, also assumed duties in the Pentagon. But MG Hodson did not leave the JAG Corps--or the military legal community. On the contrary, Hodson had arranged to remain on active duty to become the Chief Judge of ACMR (today's Army Court of Criminal Appeals) and the Chief of the newly formed USALSA.

This retired recall occurred because, while he had been serving as TJAG, Hodson had decided that the Army's trial and appellate judiciary should be separated from the Office of the Judge Advocate General and Headquarters, Department of the Army, and organized under a new, independent organization. This would enhance the

idea that military judges were part of an independent judiciary. The result was the creation of USALSA--which also included all appellate counsel and case examiners necessary to conduct the statutory review of courts-martial.

MG Hodson also realized that the new USALSA would be most successful if the transition to this new organization was overseen by an experienced JAGC general officer who had the confidence of the Army's senior leadership and had close and harmonious relations with the new TJAG and TAJAG. Given Hodson's criminal law background, his superlative service as TJAG, and his close professional relationships with both MGs Prugh and Parker, it made sense for him to lead this new transition.

Almost three years later, in March 1974, MG Hodson ended his recall period and reverted to retired status. The leadership transition had been a complete success, with MG Prugh and MG Parker firmly in charge as TJAG and TAJAG, respectively. As for MG Hodson, he had been careful to stay focused on USALSA and ACMR, and so his relations with MG Prugh and MG Parker remained harmonious. As for USALSA, MG Hodson's guidance and leadership ensured that this new Army Field Operating Agency got off to the best possible start.

The USALSA that exists today--40 years after it began--owes its success to the leadership transition skills of MGs Hodson, Prugh and Parker.

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MG Prugh with all of the JAG Corps General Officers in 1971



MG Ken Hodson at President Lyndon B. Johnson's signing of the MJ Act of 1968