

JAGC Publication 1-1

Personnel Policies

Office of The Judge Advocate General

19 September 2016

PREFACE AND AUTHENTICATION

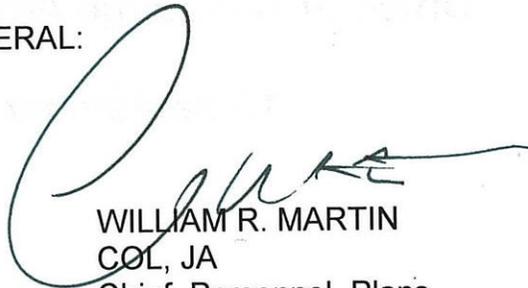
1. JAGC Publication 1-1 has been revised to incorporate and supersede several TJAG Policy Memoranda that have evolved into enduring Judge Advocate General's Corps (JAGC) policies. This update is intended to make the document easier to review and reference for the members of the Judge Advocate Legal Service (JALS). It provides guidance for individuals in the management of their own careers, as well as tools for leaders in mentoring and educating their subordinates.

2. This policy reference is separate from the personnel directory. This reference is designed to be a searchable digital document. To facilitate the regular and rapid revision of this publication, I encourage individuals to keep digital copies accessible on their computers rather than in hardcopy.

3. Where a policy is unclear or the approval authority for an exception to the policy is not identified, the clarification or exception sought should be sent to the Chief, PPTO. More general comments and suggested improvements should be sent to the PPTO Chief of Plans, Office of The Judge Advocate General, ATTN: DAJA-PT, 2200 Army Pentagon, Washington, DC 20310-2200.

4. The policies in this publication are effective as of 19 September 2016; all previous versions of this publication are hereby revoked.

FOR THE JUDGE ADVOCATE GENERAL:



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SUMMARY of CHANGE

JAGC Pub 1-1
Personnel Policies

This revision -

- Replaces all previous versions.
- Contains administrative updates (throughout).
- Deletes certain sections that are no longer applicable (throughout).
- Updates the JAGC Vision and Mission in the Judge Advocate Career Development Objective (Figure 1-1) (chap 1).
- Updates the Judge Advocate Career Model (Figure 1-2) incorporating the Special Victims' Counsel (chap 1).
- Clarifies the Summer Intern and Extern Programs available to law students (chap 2).
- Updates the Student Loan Repayment Program information and provides a new requirement for the first lieutenant colonel judge advocate in the supervisory chain of SLRP applicants to sign as the verifying official on repayment requests. (chap 4 and appendix 4-1).
- Provides updates throughout the career management and progression section to clarify the assignment cycle for judge advocates of all ranks (chap 5).
- Establishes requirement to inform Chief, PPTO of all frocking actions IOT obtain TJAG recommendation (chap 5-2).
- Clarifies applicability of Brigade Combat Team policies to similarly situated units (chap 5-10).
- Clarifies procedures for requesting PPTO assistance in updating records (chap 5-14).
- Updates requirements for requesting assignment as an Emergency Preparedness Liaison Officer (chap 6-5)
- Clarifies the authority of the Commander, US Army Reserve Legal Command (USARLC) to direct cross-leveling of personnel within USARLC (chap 6-10).
- Provides specific information on RC JA Officer Advanced Course (chap 7-6).
- Adds the International Law Skill Identifier (SI), updates requirements and submission instructions for the Contract Law and Military Justice SIs; and clarifies JAs are not required to be jointly qualified (chap 7-14).
- Clarifies the selection, certification, and assignment of military judges (chap 8).

- Phases out the Acquisition Law Specialty Program; grandfathers current members of the Program (chap 9).
- Clarifies the definition of “member in good standing” (chap 11-2).
- Incorporates TJAG Policy Memo 14-02, which requires all Army nonlawyers to receive at least one hour of professional responsibility training each year (chap 11-7).
- Updates schooling and training information for warrant officers (chap 12).
- Updates references and information concerning civilian attorney licensing fee reimbursement (chap 13-5).
- Incorporates TJAG Policy on Noncompetitive Military Spouse Attorney Placement Program and Policy (chap 13-6).
- Removes Judge Advocate Officer Incentive Program Appendixes which can now be found on JAGCNet, under the PPTO tab.

JAGC PUBLICATION 1-1: PERSONNEL POLICIES

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CHAPTER 1. INTRODUCTION

1-1. FORMAT AND SCOPE.

a. This publication outlines policies and procedures for the execution of The Judge Advocate General's unique statutory duties defined in 10 U.S.C. § 3037, Secretarial-directed duties as delineated by the Secretary of the Army in General Order 2012-01, regulatory duties as listed in Army Regulation 27-1, *Judge Advocate Legal Services*, and all other regulations where The Judge Advocate General (TJAG) is the proponent or authority for personnel matters within the Judge Advocate General's Corps (JAGC) or the Judge Advocate Legal Service (JALS). It consolidates information and policies concerning personnel matters within the JAGC and JALS, with appropriate citations to applicable references and authorities. Consult these references for specific procedures. This publication also includes several sample formats, modified as appropriate to reflect procedures specific to the JAGC.

b. Where information in this publication conflicts with law, regulation, or policies by a more senior policy authority, the law, regulation, or more senior policy takes precedence.

c. Information in this publication is current as of 19 September 2016. Policies are subject to change. Changes will be posted on JAGCNet at www.jagcnet.army.mil.

1-2. APPLICABILITY.

TJAG is the proponent for the JAGC and JALS. This publication codifies TJAG's personnel policies and applies to all individuals under the authority of TJAG or within the JALS. In accordance with Army Regulation 27-1, the JALS includes officers, warrant officers, enlisted personnel, and other members of the Army detailed to the JAGC; Civilian attorneys for whom TJAG is the qualifying authority (see AR 690–200, subchapter 213); executive level Civilian attorneys who are under the technical supervision of TJAG; and professional consultants, legal technicians, Civilian employees, and other personnel on duty with the JALS.

1-3. QUESTIONS AND CHANGES.

Submit questions and recommended changes to this publication by contacting the Personnel, Plans and Training Office (PPTO), Office of The Judge Advocate General (OTJAG) at usarmy.pentagon.hqda-otjag.list.ppto-plans@mail.mil.

1-4. JAGC & JALS PERSONNEL POLICIES.

a. TJAG is the personnel policy proponent for the JAGC and the members of the JALS.

b. The Chief, PPTO is responsible for assisting TJAG in fulfilling his or her statutory and regulatory responsibilities as the JAGC branch proponent. The Chief, PPTO, is principally responsible for all personnel policies affecting personnel in the JALS except for those areas covered by The Judge Advocate General's Legal Center and School (LCS). The Commander, LCS and the Chief, PPTO jointly assist TJAG in executing JAGC force modernization responsibilities.

c. Fair, candid, and open personnel management remains critical to meeting the JAGC's mission to develop, employ, and retain a team of proactive professionals, forged by the warrior ethos, who deliver principled counsel and mission-focused legal services to the Army and the Nation. The expert flexible force produced by sound personnel management practices will realize the JAGC leadership's vision for the Corps to be one team, values-based, and committed to justice, with one focus: proactive legal support, while deployed and at home station, to enable the successful conduct of full spectrum operations for the Nation we serve.

d. Effective personnel management occurs only when the JAGC leadership, supervisors, and individual members of the Corps all share interest in individual and organizational professional development. Every member of the JALS should remember, however, that responsibility for a successful career ultimately remains the responsibility of the individual. To that end, all members of the JAGC have a right to communicate directly with their appropriate personnel manager.

e. TJAG Policy Memoranda (available on JAGCNet) provide guidance to the JAGC as a whole or to a large segment of the Corps.

f. JALS members may submit policy suggestions or recommendations to the Strategic Planning Team at the LCS through the "Virtual Suggestion Box" link found on the JAGCNet homepage (www.JAGCNet.army.mil) and JAGConnect (<https://www.milsuite.mil/book/groups/vsb>).

1-5. PROFESSIONAL DEVELOPMENT OF JUDGE ADVOCATES.

TJAG is the primary personnel manager of judge advocates (JAs) under the statutory mandate of Title 10 U.S.C. §§ 806 and 3037(c)(2). While other Army and government guidance affect the management of Civilian employees and subordinate military personnel, TJAG has the principal obligation to prescribe personnel policy for JAs. Accordingly, developing Army officers is a key priority of the JAGC's leadership. DA Pamphlet 600-3, Commissioned Officer Professional Development and Career Management, summarizes the Army's philosophy and policies of officer professional development. JAGC Publication 1-1 provides additional guidance for JAs. TJAG manages Active and Reserve Component (AC/RC) JAs through PPTO according to the career development models that follow (Figures 1-1 through 1-4). This publication explains these models in greater detail (see Chapter 5).

1-6. EQUAL OPPORTUNITY.

Equal opportunity for all members of the JALS is the only acceptable standard in the Army. This principle applies to every aspect of career development and utilization in the JAGC and is equally important in the recruitment process. The various thoughts and ideas offered by the JALS members of diverse gender, cultural, racial, and ethnic background are a great source of strength for the JAGC. See TJAG Policy Memo 14-05 for specific guidance on this issue.

Figure 1-1 Judge Advocate Career Development Objective

JAGC Vision	JAGC Mission
<p>In an increasingly complex and legally dynamic world, remain the most highly trained and values-based Corps of adaptive, ready, and dedicated legal and Army professionals who excel in our Joint Force and Army missions, at home and abroad, both today and against emerging threats.</p>	<p>Provide principled counsel and premier legal services, as committed members and leaders in the legal and Army professions, in support of a ready, globally responsive, and regionally engaged Army.</p>
<p>JAGC's Career Development Objective</p>	
<p>The Army and the JAGC develop, employ, and retain Broadly Skilled Judge Advocates. Broadly Skilled Judge Advocates are capable of performing successfully in any core legal discipline, at any location, in roles appropriate for their grade. Broadly Skilled Judge Advocates provide the JAGC with officers capable of accomplishing today's mission and succeeding in an uncertain future.</p> <ul style="list-style-type: none"> •Captains: Broadly Skilled Judge Advocates are mission and client focused counsel, prepared to provide proactive legal support in any environment. Company grade Judge Advocates are developed--and must develop themselves--to meet this objective. Consistent effort, improvement, and success in multiple core legal disciplines develop the proficiencies required for promotion to major. •Majors: Employed as practitioners, leaders, and advisors in any core competency at any echelon. Diverse experience remains the objective for developing broadly skilled majors. A secondary objective is added for majors and above: the JAGC may assign majors to positions that develop or employ specialized expertise. •Senior Leaders: Senior Judge Advocates (LTC and higher) lead Judge Advocates, Paralegals, and Army Civilians in the provision of legal services. They are legal advisors to senior Army and Joint Force leaders. They apply specialized expertise. Success as a senior leader requires a thorough understanding of the law and the Army/Joint Force. 	
<p>Judge Advocate's Role (FM 1-04)</p>	
<p>No matter the level of command to which assigned, Judge Advocates have several roles. They are counselors, advocates, and trusted advisors to commanders and Soldiers. They are Soldiers, leaders, and subject matter experts in all of the core legal disciplines. In every aspect of their professional lives, Judge Advocates serve the Army and the Nation with their expertise, dedication, and selflessness.</p> <p style="text-align: center;">(¶ 1-12)</p>	

Figure 1-2 Judge Advocate Career Model

Judge Advocate Career Model										
<p>JAGC's Career Development Objective: The Army and the JAGC develop, employ, and retain Broadly Skilled Judge Advocates. Broadly Skilled Judge Advocates are capable of performing successfully in any core legal discipline, at any location, in roles appropriate for their grade. Broadly Skilled Judge Advocates provide the JAGC with officers capable of accomplishing today's mission and succeeding in an uncertain future.</p>										
Assignments										
Year	1	8			14		20		30	
Rank	1LT	CPT			MAJ		LTC		COL	
Seniority	Company Grade Assignments			Field Grade Assignments		Senior Leader Assignments				
Goal	Broadly develop within core legal disciplines. Varied assignments. Diverse duties.			Utilize core disciplines, develop specialized expertise, lead.		Lead and develop Judge Advocates, provide legal counsel to senior leaders, apply specialized expertise.				
Duties	<ul style="list-style-type: none"> •Administrative and Civil Law •Claims •Contract and Fiscal Law •International and Operational Law •Legal Assistance •Military Justice •Special Victims' Counsel 			<ul style="list-style-type: none"> •AO at USALSA, OTJAG, OGC, Corps (or higher) HQs •BJA/CJA/GJA/RJA •OIC of field office •OSJA Division Chief •Professor/Staff, TJAGLCS •Senior Defense Counsel •Special Victim Prosecutor 		<ul style="list-style-type: none"> •AO/DSJA/Leader at Division, Corps, Joint Command, Installation, DRU, ASCC, ACOM, COCOM, or higher HQ •Leader at OTJAG, USALSA, or TJAGLCS •Military Judge •Regional Def. Counsel •SJA, Installation 		<ul style="list-style-type: none"> •Advisor/DSJA/Leader at Division, Corps, Joint Command, Installation, DRU, ASCC, ACOM, COCOM, or higher HQ •Legal Advisor to senior Army leadership •Leader at OTJAG, USALSA, or TJAGLCS •Military Judge •SJA at Division, Corps, Joint Command, Installation, DRU, ASCC, ACOM, COCOM, or higher HQ 		
Education: Continuous professional and personal development										
Self-develop	State CLE, Professional Reading (military, legal, history, doctrine), Military Leadership, Professional Writing/Publication									
Prof. Mil. Educ.	OBC DCC	Airborne, Air Assault, JATSOC			Grad Crs	ILE-AOC, ILE, LLM		SSC		
TJAGLCS Short Courses										
Year	1	8			14		20		30	

Figure 1-3 Judge Advocate Assignment Factors

JA Assignment Factors		
<p>1. Needs of the Army</p> <ul style="list-style-type: none"> • Goal. Support the Army and the Joint Force. • Priority. First. • Factors. <ul style="list-style-type: none"> • Mission • Availability of Personnel • Comply with Army Policy: ARFORGEN, EFMP, Married Army Couples Program • Method. Match qualified and available JA with current mission requirement. Army service is a privilege that, at times, requires sacrifice. 	<p>2. Needs of the JAGC</p> <ul style="list-style-type: none"> • Goal. Develop Broadly Skilled Judge Advocates. • Priority. Second. • Factors. <ul style="list-style-type: none"> • Develop Broadly Skilled Judge Advocates through diversity of assignments, diversity of skills, and diversity of roles. • Equity of deployments/mobilizations. • Education and developments appropriate to the officer. • Specialized expertise, especially for majors and above, may be utilized to meet JAGC needs. • Method. Assign JAs to duties that develop broad skills as officers and lawyers. 	<p>3. Personal Interest</p> <ul style="list-style-type: none"> • Goal. Consider each JA's preferences and goals. • Priority. Third. • Factors. <ul style="list-style-type: none"> • Career managers consider individual preferences. • Reaffirms the JAGC's commitment to Soldiers and Families. • Method. JAGC considers personal preferences while meeting all Army requirements.

Figure 1-4 JA (ARNG/USAR) Career Development & Utilization Model (TPU, DIMA, IRR, AGR)



RC Judge Advocate Career Model



<p>JAGC's Career Development Objective: The Army and the JAGC develops, employs, and retains broadly skilled Judge Advocates. Broadly skilled Judge Advocates are capable of performing successfully in any core legal discipline, at any location, in roles appropriate for their grade. Broadly skilled Judge Advocates provide the JAGC with officers capable of accomplishing today's mission and succeeding in an uncertain future. Generally, Judge Advocates who fail to achieve a diversity of experiences will fail to satisfy JAGC's Career Development Objective and therefore undermine their opportunities for promotion and advancement. However, while Judge Advocates primarily perform functions within the core legal disciplines they may from time to time pursue non-legal assignments approved by JAGC leadership.</p>								
Assignments								
Year	1	8		14	20 30			
Rank	1LT	CPT		MAJ	LTC	COL		
Seniority	Company Grade Assignments		Field Grade Assignments		Senior Leader Assignments			
Goal	Broadly develop within core legal disciplines. Varied assignments. Diverse duties.		Utilize core disciplines, develop specialized expertise, lead.		Lead and develop Judge Advocates, provide legal counsel to senior leaders, apply specialized expertise.			
Duties	<p>TPU JA:</p> <ul style="list-style-type: none"> •Junior LOD and SJA section positions (e.g. Admin and Civil Law, Claims, Contract and Fiscal Law, Int'l and Op Law, Legal Assistance, Military Justice) •Brigade JA <p>IMA JA:</p> <ul style="list-style-type: none"> •Company Grade positions at Army Centers and Schools, Active Component Division or Garrison units. <p>ARNG JA:</p> <ul style="list-style-type: none"> •Junior SJA section positions (same as TPU) •Defense Counsel 		<p>TPU JA:</p> <ul style="list-style-type: none"> •SJA Section Chief •CJA for BDE level unit •Senior Defense Counsel •Int'l Law Officer <p>IMA JA:</p> <ul style="list-style-type: none"> •Section Chief at Centers & Schools, Active Component Division or Garrison units •USALSA, OTJAG, TJAGLCS <p>ARNG JA:</p> <ul style="list-style-type: none"> •Brigade JA or CJA for BDE level units •SJA Section Chief •Senior Defense Counsel 		<p>TPU JA:</p> <ul style="list-style-type: none"> •GOCOM SJA/CJA at Division or Corps level •LOD Deputy/Tm Ldr •Military Judge •Regional Def. Counsel •Int'l Law Officer •Joint Assignments <p>IMA JA:</p> <ul style="list-style-type: none"> •SJA or DSJA •Professor TJAGLCS or USMA <p>ARNG JA:</p> <ul style="list-style-type: none"> •DSJA, State Joint Force HQ •GOCOM SJA/DSJA •Military Judge 		<p>TPU JA:</p> <ul style="list-style-type: none"> •O&F Sustainment or Training Command SJA •Senior Military Judge •LOD Commander •Joint Assignments <p>IMA JA:</p> <ul style="list-style-type: none"> •SJA or DSJA •Appellate Judge, USALSA •TJAGLCS; XO, OTJAG <p>ARNG JA:</p> <ul style="list-style-type: none"> •SJA •Senior Military Judge •State Judge Advocate 	
Education: Continuous professional and personal development								
Self-develop	Grad / Post Grad education & Degree, State CLE, Professional Reading (military, legal, history, doctrine), Military Leadership, Professional Writing/Publication							
Prof. Mil. Educ. (Required)	OBC DCC	Airborne, Air Assault, JATSOC	JAOAC	ILE-AOC, ILE	SSC			
TJAGLCS Short Courses and JAGU Distributed Learning Opportunities								
Year	1	8		14	20 30			

CHAPTER 2. RECRUITING

2-1. GENERAL.

All JAs should be familiar with JAGC recruiting procedures and be capable of providing current information on JAGC personnel procedures to prospective applicants. Such information is available from the Judge Advocate Recruiting Office (JARO) (DSN 426-0882; Commercial (703) 693-0882; Toll Free: 1-866-ARMYJAG) or on JAGCNet.

2-2. INTERN PROGRAM.

a. Traditionally TJAG hires, on a temporary basis during school summer breaks, approximately 70 second-year law students to work in Army legal offices. The actual number of summer interns hired each year may depend on a variety of factors, including funding and the JAGC's current needs. Designed to show law students the opportunities for the practice of law in the JAGC, the intern program's success depends largely on the efforts of Staff Judge Advocates (SJAs) and other supervisors to provide a balanced work program and an accurate evaluation at the end of the work period.

b. Interns are selected yearly by a competitive selection board. Legal offices should contact JARO shortly after JARO announces the intern selections and inform JARO of the number of interns they wish to host during the upcoming summer. JARO will assign interns based on these requests and interns' preferences.

c. Host offices will ensure that interns are assigned a sponsor and are properly in-processed to their installations to ensure that their pay is not delayed and that they are prepared to work on the first day of their internship. Host offices will complete a JAGC Intern/Extern Evaluation Report (JIEER) for every intern. The JIEER should provide the intern with a meaningful assessment of his or her work performance and provide helpful information to the JAGC Accession Selection Board if the intern later applies for a JAGC appointment. The host office will submit the JIEER to both JARO and the intern no later than three weeks after the end of the internship. Additionally, host offices will ensure the intern completes an Intern/Extern Program Feedback Form and submits it to JARO prior to the completion of the internship.

2-3. STUDENT VOLUNTEER EXTERN PROGRAM.

a. Each year, TJAG may accept a number of qualified law students as voluntary externs (to serve without pay) to perform legal duties at various locations. Student volunteers perform duties pursuant to academic credit programs at their law schools or to obtain legal work experience and are not employees of the U.S. Government. This program is designed to complement the Intern Program as a means of informing law students of practice opportunities in the JAGC. SJAs will develop a performance plan in concert with the student volunteer and the law school. During the externship, SJAs and supervisors will provide instruction, guidance, analysis, and evaluation equivalent to that given summer interns

b. Offices must submit requests to host a student volunteer extern to JARO. JARO will provide guidance, and process and forward such requests to OTJAG for final approval or disapproval. Host offices will complete a JIEER and an Intern/Extern Program Feedback Form for externs in the same manner as required under the Intern Program.

c. Offices may host other volunteers, e.g., paralegals and paraprofessionals, at their discretion. JARO does not oversee or approve these volunteers. Office should take care to complete volunteer service agreements and ensure all other procedures for accepting volunteers are followed.

2-4. JAGC RECRUITING.

a. Applications for appointment as a JA are received from law students, ROTC graduates on educational delay, active members of the civilian bar, active duty commissioned officers seeking participation in the Funded Legal Education Program (FLEP), commissioned officers seeking a service or branch transfer, and enlisted Soldiers who are bar members. Each applicant must be interviewed in person by a Field Screening Officer (FSO) appointed by TJAG. In the case of FLEP applicants, the SJA of the applicant's command will conduct the interview as described in AR 27-1. Except for FLEP applications, all applications are completed online. More information about all programs and the online applications can be accessed on JAGCNet under the CAREERS tab.

b. TJAG appoints selected active duty JAs to serve as FSOs. FSOs visit American Bar Association-accredited law schools in their assigned regions to provide information about the JAGC and to interview and evaluate applicants for appointment. An interview report is submitted for each interviewee. Evaluation by an FSO is a critical part of the selection and appointment process, and such duty will be given high priority by SJAs. See AR 27-1, paragraph 9-5.

c. The FLEP (10 U.S.C. § 2004) authorizes the annual selection of up to 25 active duty Army officers to attend law school at government expense. The actual number selected may vary from year to year. See paragraph 3-3, below.

d. USAR recruiting is managed by the JARO USAR representative and Army National Guard (ARNG) recruiting is handled by individual states in coordination with the National Guard Bureau. Information on recruiting for both services can be found on JAGCNET. The Chief of Reserve Recruiting can be contacted at (703) 693-0863.

CHAPTER 3. ACCESSIONS

3-1. DIRECT COMMISSION AND ORDER TO ACTIVE DUTY.

a. Individuals interested in a Regular Army appointment in the JAGC submit an application requesting consideration by a selection board. See AR 27-1; AR 135-100, *Appointment of Commissioned and Warrant Officers of the Army*; AR 601-100, *Appointment of Commissioned and Warrant Officers in the Regular Army*; and AR 614-100, *Officer Assignment Policies, Details, and Transfers*. TJAG, upon the recommendation of the Chief, PPTO, determines the number of candidates to be appointed each fiscal year. The goal is to appoint a sufficient number of quality JAs, within authorized manpower limitations, to accomplish the Army legal service mission while providing an opportunity for qualified officers to advance through the JAGC career model.

b. Generally, JAGC Accession Selection Boards meet at least once annually to consider eligible applicants to fill projected vacancies. The primary board is held in the fall with an application deadline of 1 November. Additional boards will be announced on an as-needed basis.

c. Accession Selection Boards consider all applicants for the JAGC, to include officers with prior service in the JAGC, another branch or component of the Army, or another service of the military.

d. All active duty Army officers applying for appointment into the JAGC through the Accession Selection Board must submit an application for consideration in accordance with AR 27-1. More information is available on JAGCNet. There is no need for Army officers currently on the ADL to separate from active duty if selected by the JAGC.

e. Applicants will enter active duty in the JAGC in a Regular Army status. Applicants who have Regular Army status in another branch of the Army at the time of their selection for JAGC service will be re-appointed in the JAGC upon acceptance after their current branch executes a release via DD Form 368. Applicants who have Regular Army-equivalent status in another service will be re-appointed in or assigned to the Army JAGC in a Regular Army status.

f. Officers who enter or re-enter active duty in the grade of captain or above are not eligible, absent a waiver, for promotion consideration by boards that convene before the first anniversary of the effective date of the officer's placement on the active duty list. See AR 600-8-29, *Officer Promotions*, paragraph 1-10.e(5). Applicants should discuss their potential active date-of-rank (ADOR) adjustment and the timing of their subsequent promotion board consideration with the appropriate JAGC Assignment Officer in PPTO.

g. Applicants in another Service must request an inter-service transfer in accordance with that service's regulations and submit an application for appointment in accordance with AR 27-1.

3-2. INITIAL ACTIVE DUTY GRADE.

a. Regular Army Judge Advocates, with no prior commissioned military service, will be appointed as first lieutenants and placed on the ADL. JAs ordered to active duty as first lieutenants are promoted to the grade of captain only upon completion of Initial Military Training, certification by TJAG as fully qualified for promotion, approval of the promotion list by the Secretary of Defense, and fulfillment of minimum time-in-grade requirements. See AR 135-100 and AR 600-8-29. For officers ordered to active duty in a grade other than first lieutenant, a date-of-rank determination will be made as soon as possible after entry on active duty. Individuals are responsible for providing the documentation required by AR 600-8-29, Table 2-2, to PPTO for submission to Human Resources Command (HRC).

b. For officers accepting an appointment to the Army Reserve, a date of rank determination will be made by HRC, in consultation with PPTO through JARO, and in accordance with AR 135-100, para. 3-12(4)b. Unless an officer has prior commissioned military service, most individuals are appointed as first lieutenants.

First lieutenants are considered for promotion upon completion of all phases of the Judge Advocate Officer Basic Course (JAOBC) (including the Direct Commission Course, DCC) and after arrival at their initial duty station. Promotions to captain are processed three times a year. Individuals are responsible for providing the documentation required by AR 600-8-29, Table 2-2, to PPTO for submission to HRC.

3-3. FUNDED LEGAL EDUCATION PROGRAM.

(See 10 U.S.C. § 2004 and AR 27-1)

- a. The FLEP authorizes the annual selection of up to 25 active duty commissioned officers to attend law school at government expense. The program is limited to officers who are serving in the grade of CPT or below and have no fewer than two years nor more than six years of active duty, including warrant officer and enlisted service, on the date that legal training begins. Legal training begins on the first day of formal instruction at law school. These requirements are statutory and cannot be waived. Aviation officers, once selected for the FLEP, must forego Aviation Career Incentive Pay (ACIP). Applicants are required to submit a request for voluntary permanent disqualification for aviation service with the FLEP application for later processing, if selected. See AR 614-100, AR 600-105, and AR 27-1.
- b. Applications must be submitted before 1 November each year for consideration by the FLEP Selection Board. This board is convened by TJAG and is composed of three JAs and two non-JAGC officers. It normally meets in early December and selections are generally announced by late December.
- c. Officers who are selected for the program retain their basic branch designation and are detailed to the JAGC until later appointed in or assigned to the JAGC, discharged, released from active duty, or returned to the control of their basic or another branch.
- d. Generally, officers will attend a state-supported law school in a state where they are eligible for in-state tuition rates or a private institution of comparable cost. Officers selected for the program must apply to at least one law school where the selectee qualifies for resident ("in-state") tuition and may also be directed to apply to additional schools. The selectee's choice of law schools which he or she will attend is subject to the approval of TJAG.
- e. Officers participating in the FLEP are assigned to field SJA and Trial Defense Service offices for on-the-job training (OJT) when classes are not in session. They may be assigned legal duties as described in paragraph 11-1d, below. Because they are not yet qualified attorneys, they will not give legal advice under any circumstances to individual clients or members of the command. This rule ensures that only qualified lawyers provide such advice; it is intended to protect both clients and FLEP officers. Accordingly, during periods of OJT and until they are admitted to practice, FLEP officers will continue to wear the insignia of their basic branches. See AR 27-1.
- f. While performing OJT, officers participating in the FLEP will receive an OER to cover the rated and non-rated time while in the program, in accordance with AR 623-3. Offices with questions on this matter should contact the PPTO FLEP Coordinator.
- g. FLEP officers must take the first bar examination offered after graduation in the jurisdiction of the law school attended or in the jurisdiction of the officer's domicile. FLEP officers may only take the bar examination in another jurisdiction provided that it will not interfere with their report date, and upon notification to PPTO. FLEP officers may take the bar examination during their final year of law school if the jurisdiction concerned permits it. FLEP officers who fail to pass the first bar examination will take the next bar examination in the same jurisdiction, or they may, with TJAG approval, take the next available bar examination in any other jurisdiction. In jurisdictions that do not require passing a bar examination as a condition for admission to practice, FLEP officers will apply for admission to practice as soon as they are eligible.

h. FLEP officers will not normally be assigned OCONUS until they have passed the bar examination. Chief, PPTO, may, on a case-by-case basis, assign a FLEP officer OCONUS.

i. In the event a FLEP officer fails a bar examination, the officer will pay all expenses incurred traveling to and from his or her duty station and the bar test site for a second exam. In addition, the officer will be in a leave status when traveling and taking the bar.

j. Officers who complete the FLEP and who are admitted to the bar will remain detailed to the JAGC for a minimum of one year in order to evaluate their qualifications for appointment or assignment in the JAGC. The one-year period commences on the date an officer completes the Judge Advocate Officer Basic Course. The first regularly scheduled Accessions Board to convene after the FLEP officer serves a one-year detail will consider these officers for appointment in the JAGC. Consideration is automatic and applications are unnecessary; however, evaluation letters from supervising JAs, current DA photos, and new statements or certificates of good standing from the attorney's licensing are required.

k. FLEP officers who have completed law school, been authorized to practice law in the JALS, and been assigned to a position within the JAGC become members of the JAGC competitive category for promotion consideration and will be considered for promotion by JAGC promotion selection boards. Authorization to practice law in the JALS is defined in AR 27-1. Before being authorized to practice law in JALS, FLEP officers remain members of their basic branches for retention and promotion purposes and are considered for retention or promotion by the retention or promotion selection board for those competitive categories, although TJAG may request an exemption from DA G-1. Before authorization to practice law in JALS, officers detailed to the JAGC who are in the zone of consideration for promotion in their basic branches and fail to be selected will be considered for return to their basic branches. JAGC promotion zone timelines may not be the same as the officer's basic branch promotion timeline.

l. Upon graduation from law school and admission to practice, FLEP officers are expected to perform JAGC attorney duties. They will neither solicit nor encourage selection for federal or state judicial clerkships.

3-4. SERVICE OBLIGATION.

a. Individuals who enter active duty for an initial tour incur a four-year active duty service obligation (ADSO), except those who received ROTC scholarships, who must serve for a period commensurate with their ROTC scholarship terms. Branch or inter-service transferees incur a four-year ADSO that begins upon transfer.

b. Individuals who successfully complete the FLEP incur a two-year obligation for each year of law school (or part thereof) attended under the program. Service of this obligation begins upon reporting to the JAGC Basic Course or when the officer begins performing legal duties as prescribed by TJAG, whichever occurs first. This obligation must be served in consecutive JAGC assignments, and runs consecutively, not concurrently, with any other ADSOs, to include future ADSOs incurred. See AR 27-1 and AR 350-100, Officer Active Duty Service Obligations.

c. Curtailment of ADSOs will not normally be granted to allow for resignation prior to scheduled expiration of term of service (ETS). In the event an officer resigns or is released before completing his or her ADSO, recoupment of a pro-rata share of a ROTC scholarship or FLEP law school tuition will be required.

d. After completion of the Graduate Course, officers will remain on active duty for at least two years after graduation. After the completion of two years of service following Graduate Course graduation, regulatory ADSOs may be considered for waiver based on JAGC personnel strength.

CHAPTER 4. JUDGE ADVOCATE OFFICER INCENTIVE PROGRAM

4-1. GENERAL INCENTIVE PROGRAM INFORMATION.

The Judge Advocate Officer Incentive Program (JAOIP) currently includes the Judge Advocate Student Loan Repayment Program (SLRP) and Judge Advocate Continuation Pay (JACP). The JAOIP was created to facilitate the accessing and retaining of lawyers in the Regular Army (Active Component (AC)) JAGC. The program is limited to AC JAs on the Active Duty List (ADL) in the rank of lieutenant through captain who meet specific eligibility criteria. All programs are subject to the annual availability of funds.

4-2. JUDGE ADVOCATE STUDENT LOAN REPAYMENT PROGRAM.

a. Purpose: SLRP is designed to encourage lawyers to access onto active duty as a JA. It accomplishes this by assisting in the repayment of student loans incurred prior to accessing into the AC as a JA.

b. Application Submission: Officers who are attending the JAOBC must submit an application prior to departure from the basic course. Officers who have already completed the JAOBC and recently accessed onto active duty must submit a completed application within ninety days of accessing. JA SLRP applications are available on JAGCNet under the PPTO Website, Active Component, JA Officer Incentives Program (JAOIP) tab.

c. Eligibility: Individuals are eligible for SLRP under the following conditions:

(1) Access into the AC JAGC agreeing to an initial four-year active duty service obligation (ADSO).

(2) Be in the rank of lieutenant through captain.

(3) At the time of the individual's commissioning in the AC JAGC, they:

(a) Have complied with all accession requirements into the JAGC including completion of a DA Form 160-R, agreeing to an initial four-year ADSO in the JAGC; and

(b) Possess qualifying loans that are in good standing and have not received a law school education funded through the Armed Forces.

(4) Maintain the highest levels of ethical, professional, and personal conduct; moral behavior; and legal proficiency. Acts that constitute a failure to adhere to these standards, as determined by TJAG, may result in disqualification from or termination of the SLRP.

(5) An officer in the rank of lieutenant through captain accessing into the AC JAGC from the USAR or ARNG is eligible if the officer applies for SLRP within 90 days of accession.

d. Loan Repayment Criteria and Procedures: The maximum loan repayment amount is \$65,000. Upon acceptance of the written agreement to serve in the AC JAGC for four years, no additional loans may be added. If existing, qualifying loans are consolidated after acceptance of the written agreement, the Incentives Program Manager may require proof that the consolidated debt otherwise qualified for SLRP.

(1) Eligible loans: The Army is authorized to pay on the following loans:

(a) Any loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. § 1071 et seq.);

(b) Any loan made under part D of such title (the William D. Ford Federal Direct Loan Program, 20 U.S.C. § 1087a et seq.);

(c) Any loan under part E of such title (20 U.S.C. § 1087a et seq); or

(d) Any loan incurred for educational purposes made by a lender that is:

(i) an agency or instrumentality of a state;

(ii) a financial or credit institution (including an insurance company) that is subject to examination and supervision by an agency of the United States or any state;

(iii) a pension fund approved by the Under Secretary of Defense for Personnel and Readiness for the purposes of this program.

(iv) a non-profit entity designated by a state, regulated by such state, and approved by the Under Secretary of Defense for Personnel and Readiness for the purposes of this program.

(2) Loan repayment procedures:

(a) The Incentives Program Manager at PPTO will notify SLRP participants each year when submission of their SLRP request and the Judge Advocate Officer Incentive Program (JAOIP) Form 1 are due. Participants must complete the Servicemember Data and Loan Data sections on the Form 1 and have the first Judge Advocate supervisor, in the rank of lieutenant colonel or higher, sign as the Verifying Official. Participants will then submit the JAOIP Form 1 to all qualifying lenders to complete the Lender Verification portion.

(b) Upon receipt of the JAOIP Form 1 from a qualifying lender, the Incentives Program Manager at PPTO will ascertain the authorized amount of payment. The portion or amount of a loan that may be repaid is 33 and 1/3 percent or \$1500, whichever is greater, based on the established amount of loan debt in a participant's first year of eligibility. Repayments of loans are made after each complete year of active service performed by the borrower. The amount repaid each year is calculated from the total remaining original unpaid principal verified by the loan holder; however, the remaining principal cannot exceed the total amount borrowed. Additionally, second and third payments cannot exceed the amount of the first payment.

(c) Interest, even interest recapitalized into the principal, cannot be repaid. No reimbursement will be paid for payments made on the principal to lenders.

(d) Repayments are subject to federal and state income taxes as taxable income in the year repayment is made. The Defense Finance and Accounting Service will withhold applicable federal and state taxes. DFAS will send the Soldier a W-2 form separate from the W-2 received for military pay.

(e) SLRP participants who have served on active duty for 10 months and have not received a notice of annual payment from PPTO should contact the JASLRP manager at:

HQDA, DAJA-PT
ATTN: Incentives Manager
2200 Army Pentagon (RM 2B517)
Washington, DC 20310-2200
(703) 545-2063

e. Initial ADSO: An individual who participates in the SLRP must complete the initial four-year ADSO in the Regular Army JAGC. An officer who, voluntarily or because of misconduct, fails to satisfactorily serve the period required by AR 350-100, Table 3-1, may be required to reimburse the United States. An obligation to reimburse the United States imposed under this program is for all purposes a debt owed to the United States; further, a discharge in bankruptcy under Title 11 that is entered less than five years after the termination of the loan program agreement does not discharge this debt.

f. Disqualification and Termination.

(1) Standards. At the time of application and continuing through the final payment, officers must maintain the highest levels of ethical, professional, and personal conduct, moral behavior, and legal proficiency. Acts that constitute a failure to adhere to these standards, as determined by TJAG, or his or her designee, may result in disqualification or termination of the program.

(2) Procedures.

(a) Judge Advocates must be notified of the reason(s) for disqualification or termination. The officer must sign a written acknowledgment and receipt, or the officer's supervisor must sign a memorandum indicating that the officer received notification.

(b) Officers may submit a rebuttal memorandum to TJAG, or TJAG's designee, within 14 calendar days from the date the officer receives notification of the reasons for disqualification or termination. If no rebuttal is received within 14 calendar days, the officer forfeits any opportunity to respond. If the officer provides a rebuttal, the SJA or equivalent supervisor may comment. However, if the SJA or equivalent supervisor includes additional matters not previously provided to the officer, the officer must be provided with the new information and allowed 14 calendar days to respond. The Chief of PPTO may grant reasonable extensions to the response time on behalf of TJAG.

(c) The SJA or equivalent supervisor will forward all documentation to PPTO.

g. Relationship to other pay and allowances: Loan repayment under this program is in addition to any other pay and allowances to which the officer is entitled.

h. Specific requirements: Responsibilities identified as necessary for implementation.

(1) OTJAG-PPTO: Process all applications for the SLRP, see Appendix 4-1. Contact and provide JAOIP Form 1 to all eligible SLRP participants on or about their tenth month of active duty.

(a) Upon receipt of completed JAOIP Form 1 from loan holder, authorizes and submits eligible amount of payment and payment information to DFAS for payment disbursement.

(b) Provides e-mail notification to Soldier of authorized payment.

(c) Assists Soldier in any disputes regarding authorized payments.

(2) Defense Finance and Accounting Service (DFAS):

(a) Disburses approved payments (less state or federal tax withholding).

(b) Makes payment to loan holder.

(c) Reports to PPTO the completed transaction.

(d) Identifies tax codes associated with payment.

(e) Provides Soldier with W-2 at tax year end for payments authorized under the SLRP, separate from the W-2 received for military pay.

(3) First judge advocate supervisor, lieutenant colonel or higher: Signs the JAOIP Form 1 as a Verifying Official to certify that the Officer has maintained the highest levels of ethical, professional, and personal conduct; moral behavior; and legal proficiency.

(4) SLRP Participant:

(a) Maintains the highest levels of ethical, professional, and personal conduct; moral behavior; and legal proficiency. Acts that constitute a failure to adhere to these standards, as determined by TJAG, may result in disqualification from or termination of the SLRP.

(b) Ensures SLRP application is completed and submitted prior to departure from the Judge Advocate Officer Basic Course.

(c) Dis-enrolls from the Montgomery GI Bill, if applicable.

(d) Maintains loans in good standing.

(e) Submits the JAOIP Form 1 to your lender within 30 days of receipt from PPTO.

(f) Maintains contact with lender through the payment process to ensure payment is received.

(g) Includes SLRP payments in taxable income at the tax year end.

4-3. JUDGE ADVOCATE CONTINUATION PAY PROGRAM.

a. Purpose: The Judge Advocate Continuation Pay (JACP) program was created to encourage Judge Advocates in the rank of Captain to remain on active duty. The program accomplishes this goal by assisting in the repayment of student loans incurred prior to accessing onto Active Duty as a Judge Advocate.

b. Judge Advocate Continuation Pay Program. Officers are eligible to apply for JACP during the fiscal year in which they complete their initial active duty service obligation (ADSO) as Judge Advocates. Applications must be submitted to PPTO Plans no later than 15 September of the fiscal year of eligibility (or the first duty day thereafter, for years in which 15 September falls on a weekend). Applicants are highly encouraged to submit their applications as early as possible during the fiscal year of eligibility. Applicants do not need to wait until their ADSO expires to submit their application.

c. Eligibility and procedures:

(1) Officers eligible for the total (\$60,000) JACP payment are:

(a) Regular Army (RA) JAs;

(b) Currently in the rank of Captain;

(c) Who will complete their initial active duty service obligation (ADSO) as a JA as indicated in paragraph b above.

(d) Officers who maintain the highest levels of ethical, professional, and personal conduct; moral behavior; and legal proficiency. Acts that constitute a failure to adhere to these standards, as determined by TJAG, may result in disqualification from or termination of JACP eligibility.

(2) All officers applying for JACP who meet the eligibility criteria outlined in paragraph 4-3b, above, must complete the Lump Sum (\$60,000) JACP application (Appendix 4-2). Applications must be received by PPTO Plans no later than 15 September in the fiscal year of eligibility as outlined in 4-3b. Payment of JACP will only occur upon completion of the officer's initial ADSO. Applications for JACP will include an agreement to incur an additional four-year ADSO in exchange for payment of \$60,000. The four-year JACP ADSO will commence on the expiration of the officer's initial ADSO period or the date the application for continuation pay

is accepted by PPTO Plans, whichever is later. Final action on the officer's request for JACP will be made by the Chief, PPTO. Applications should be submitted to PPTO Plans for processing.

(3) The total (\$60,000) JACP is paid in a lump sum payment.

(4) JACP is not available to Active Guard Reserve or FLEP officers.

(5) No officer will receive more than \$60,000 in total payments under the JACP program during the officer's lifetime.

d. SJA or equivalent supervisory JA:

(1) Recommendation for Approval. All requests for JACP will be processed through the SJA or equivalent supervisor. The SJA or equivalent supervisor will make a recommendation for approval or disapproval using the military memorandum format (see Appendix 4-3). Approval recommendations must, at a minimum, include the applicant's height and weight, state whether the applicant meets Army height and weight standards, and include any appropriate comments concerning the applicant's performance and potential. Comments should be brief.

(2) Recommendation for Disapproval. Disapproval recommendations must include the information listed above (i.e., height/weight), and specific reasons for the recommended disapproval. Reasons for recommending disapproval may include, but are not limited to:

(a) Ongoing or pending investigation into a military or civil offense(s);

(b) Pending involuntary separation action in accordance with AR 600-8-24; or,

(c) Misconduct or substandard duty performance rendering the officer a poor candidate for retention on active duty.

(3) Notification procedures for a JACP request with a recommendation of disapproval.

(a) Judge Advocates must be counseled on the reason(s) their JACP applications are recommended for disapproval by their SJA or equivalent supervisor. The SJA or equivalent supervisor must provide the Judge Advocate with a copy of the recommended disapproval and have the applicant sign a written acknowledgment and receipt (see Appendix 4-4).

(b) Applicants may submit a rebuttal to the disapproval memorandum within 14 calendar days (see Appendix 4-5) from the date the officer receives and acknowledges this memorandum. If no rebuttal is received within 14 calendar days, the JACP applicant forfeits any opportunity to respond. If the JACP applicant provides a rebuttal to the disapproval memorandum, the SJA or equivalent supervisor may comment further on the merits of the applicant's submission. However, if the SJA or equivalent supervisor includes additional matters not previously provided to the JACP applicant, the applicant must be provided with the new information and allowed 14 calendar days to respond. SJAs or equivalent supervisors may grant reasonable extensions to the response time.

(c) The SJA or equivalent supervisor will forward all documentation to PPTO Plans. The Chief, PPTO, will take final action on the request for JACP.

(4) The following officers are not eligible for continuation pay:

(a) Officers flagged under the provisions of AR 600-8-2.

(b) Officers with an approved separation or retirement date.

- (c) Officers non-selected for promotion to major or lieutenant colonel.
- (d) Active Guard Reserve officers.
- (e) Funded Legal Education Program officers.

(5) Recoupment:

(a) Officers who do not remain on active duty for the entire period for which a JACP ADSO was incurred will, except as otherwise provided, reimburse the Government that part of the payment equal to the percentage of service not performed of the total provided for in the application/agreement.

(b) The Secretary of the Army (or a designee) may waive, in whole or in part, the reimbursement if the Secretary determines that reimbursement is contrary to an Army personnel policy or management objective; against equity or good conscience; or contrary to the best interests of the United States.

(c) An obligation to reimburse the United States under an agreement described in the Judge Advocate Continuation Pay Application is, for all purposes, a debt owed to the United States. A discharge in bankruptcy under Title 11, United States Code, which is entered less than five years after the termination of an agreement under this program does not discharge the Judge Advocate signing the application from a debt arising under such agreement.

(d) An officer may not repay voluntarily an amount equal to the percentage of the unserved time on the agreement solely to reduce the period of obligated service.

(6) Miscellaneous:

(a) JACP ADSOs run concurrently with permanent change of station (PCS), graduate course, and Command and General Staff College ADSOs. However, continuation pay ADSOs run consecutively with other ASDOs.

(b) All payments under the JACP program will be a single lump sum installment.

(c) Receipt of continuation pay will be subject to normal Defense Finance and Accounting Services (DFAS) processing time. JACP is taxable income and state and federal taxes will be withheld by DFAS. The individual officer is liable for payment of all federal, state, and local taxes on any amounts paid under this program.

(d) In the event an officer serving under a continuation pay agreement dies before receiving the full amount of the pay due, the remaining unpaid balance is payable as a lump sum in the settlement of the deceased officer's final military pay account, provided the officer's death was not the result of the officer's misconduct.

(e) The Chief, PPTO is delegated authority to administer the continuation pay program and to execute continuation pay contracts and, where appropriate, grant exceptions.

(f) Electronic copies of JACP applications are available on JAGCNET under the PPTO Website, Active Component, JA Officer Incentives Program (JAOIP) tab. Applications should be scanned and emailed to PPTO Plans, utilizing the subject heading "JACP Application CPT Last Name, First Name."

4-4. JUDGE ADVOCATE CRITICAL SKILLS RETENTION BONUS PROGRAM.

The Judge Advocate Critical Skills Retention Bonus Program was discontinued at the end of FY13. The policies and procedures (e.g., ADSOs) for this program are still in effect for officers who received this bonus. Questions should be directed to PPTO.

CHAPTER 5. ACTIVE COMPONENT CAREER MANAGEMENT AND PROGRESSION

5-1. ASSIGNMENTS AND PROFESSIONAL DEVELOPMENT.

a. JA professional development comes through progressively more challenging assignments to Army and Joint Force organizations in the field and at higher headquarters and through opportunities for schooling and broadening. The general career development and education models for JAs are at Figures 1-1 through 1-3. This chapter explains the JAGC's active component career progression, professional development, and assignment philosophy.

b. The JAGC mission and vision form the foundation of active component (AC) JAGC career management. From that mission and vision, the Career Development Objective (CDO) outlines the "what, how, and why" of career development and management. "The Army and the JAGC develop, employ, and retain Broadly Skilled Judge Advocates. Broadly Skilled Judge Advocates are capable of performing successfully in any core legal discipline, at any location, in roles appropriate for their grades. Broadly Skilled Judge Advocates provide the JAGC with officers capable of accomplishing today's mission and succeeding in an uncertain future." (Figure 1-1).

c. The Judge Advocate Career Model applies the CDO throughout an officer's career, providing objectives and goals at different points along a career path. (Figure 1-2). The CDO and the Career Model provide the basis for the Assignment Factors. The Assignment Factors are, in order of priority: (1) the needs of the Army, (2) the needs of the JAGC, and (3) personal interests. (Figure 1-3). While personal interests are considered, individual desires are subordinate to the needs of the Army to fill mission-critical assignments and the needs of the JAGC to develop Broadly Skilled Judge Advocates (BSJAs).

d. Developing BSJAs. Proven performance and potential from a diversity of assignments are the key factors in deciding the best qualified officer for an assignment. The JAGC assignment process is designed to meet all Army requirements while facilitating the development of BSJAs. PPTO works to ensure officers are afforded a diverse pattern of assignments and opportunities, providing each JA opportunities for experience, leadership, and education in a variety of the core legal disciplines in a variety of assignments with increasing responsibility.

e. Company Grade Assignments. Company grade, pre-Graduate Course (GC) assignments are key developmental milestones for JAs. Company grade duties include the core legal disciplines rather than specific jobs, supporting the goal of broadly skilled development. Company grade assignments provide JAs opportunities to develop basic technical skills and learn about the Army. BSJAs are mission and client focused counsel, prepared to provide proactive legal support in any environment. Company grade JAs are developed, and must develop themselves, to meet this objective. Consistent effort, improvement, and success in multiple core legal disciplines develop the proficiencies required for promotion to Major. Examples of company grade assignments are listed in the Career Model (Figure 1-2). Progressive company grade assignments of increasing responsibility may provide officers the chance to focus on a particular area of the law, or serve as a command legal advisor. SJAs and other heads of legal offices will rotate company grade officers through as many different duties as sound officer management and the local mission allow. This rotation provides a firm foundation for future training and assignments and helps officers make more informed career choices as they become more senior in grade. Officers whose initial assignments are to organizations whose missions are more limited may be reassigned during their initial obligated tour to have the opportunity for assignment to offices with a greater diversity of duties.

f. Field Grade Assignments (Major). Officers selected for promotion to Major attend the Graduate Course. The Graduate Course prepares JAs to become mid-level leaders and managers, and develop specialized expertise in complex practice areas. After the Graduate Course, officers may be employed as practitioners, leaders, and advisors in any core competency at any echelon. They are typically assigned to positions where they supervise other JAs, noncommissioned officers (NCOs) and paralegals (such as command legal advisors or branch chiefs) or to positions requiring specialized legal expertise. Officers may also be assigned to broadening opportunities (such as joint, NATO, interagency positions or fellowships).

Examples of major assignments are listed in the Career Model (Figure 1-2). Diverse experience remains the objective. Regardless of the assignment, continued proven performance and potential in positions of increasing responsibility remains the hallmark of field grade officer success. As Majors, officers reach eligibility for ILE and compete for Command and General Staff College (CGSC) and advanced civilian schooling during their initial post-Graduate Course assignments.

g. Field Grade Assignments (Lieutenant Colonel). After promotion to lieutenant colonel, officers enter the JAGC's senior leader ranks. Lieutenant colonels are assigned to positions where they lead JAs, paralegals, and Army Civilians in the provision of legal services. They may serve as legal advisors to senior Army and Joint Force leaders, and they are expected to apply specialized expertise. Success as a senior leader requires a thorough understanding of the law and the Army/Joint Force. Examples of lieutenant colonel assignments are listed in the Career Model (Figure 1-2). Regardless of the assignment, continued proven performance and potential in positions of increasing responsibility remains the hallmark of field grade officer success. Most officers nearing promotion to Colonel become eligible for selection to attend resident Senior Service College or the Army War College Distance Education Program.

h. Field Grade Assignments. (Colonel). Colonels will typically be considered for assignment as command legal advisors to senior Army and Joint Force leadership; as leaders in OTJAG, U.S. Army Legal Services Agency (USALSA), or the LCS; as senior interagency legal advisors; or as Military Judges. Examples of Colonel assignments are listed in the Career Model (Figure 1-2).

i. No single assignment in the JAGC is a prerequisite for either future assignments or future promotion. **Sustained superior performance over time and in a variety of assignments that develop and display each officer's skills as an attorney, manager, and leader are the keys to success.**

j. "Specialized Expertise." The Army and Joint Force need BSJAs, but the JAGC also recognizes the need for some BSJAs to further develop specialized expertise in critical practice areas. The Army's, the Joint Force's, and the JAGC's needs are mutually reinforcing. BSJAs, by understanding the interrelationship of the core legal disciplines, are better practitioners and better able to serve their clients, even in areas requiring the development of specialized expertise. Specialized expertise is not sole-discipline specialization, and as such developing specialized expertise in a particular core competency does not guarantee exclusive utilization within that core competency. Officers with specialized expertise must continue to seek diverse assignments of increasing responsibility, inside and outside their specialized expertise, in order to remain the most competitive for promotion, schooling, and assignments.

k. The JAGC recognizes its obligation to distribute high quality officers fairly throughout the Army and Joint Force: between TDA and MTOE units, between continental United States (CONUS) and outside the continental United States (OCONUS) commands, between the National Capital Region and the field, and between instructors who educate the JAGC and the Army and the legal advisors supporting commanders in day-to-day operations. The JAGC's assignment, schooling, and promotion practices reflect these competing requirements. Distributing these officers throughout the Army, the Joint Force, and the JAGC is critical to developing BSJAs.

5-2. RESPONSIBILITIES.

a. Pursuant to 10 USC § 3037, TJAG assigns all SJAs (including rear-detachment SJAs of deploying units) and has final authority over all JAGC assignments. See *also* AR 614-100, para. 1-4.

b. The Chief, PPTO is responsible for recommending field grade assignments to TJAG, unless otherwise delegated or directed.

c. Assignments of military judges are made as described in Chapter 7, below.

d. The Chief, PPTO is delegated authority for all other assignments.

e. The Chief, PPTO, is responsible for recommending to TJAG whether officers selected for promotion should be “frocked” to the next higher grade. SJAs, their deputies, or other supervisors of officers’ whose commands intend to frock them to the next higher grade are responsible for notifying the Chief, PPTO, as soon as they learn of the proposed frocking action.

f. SJAs, their deputies, and other heads of legal offices participate fully in the assignment process. They are the JAGC’s primary trainers. They must encourage and facilitate their subordinate JAs’ continued development as BSJAs. JAGC leaders must understand the JAGC Career Model and assignment process, be able to provide career advice to their subordinates, tailor assigned JAs’ duties according to their stages of professional development, identify their office’s needs to PPTO, and make recommendations to PPTO about follow-on assignments for their officers.

g. Each officer is ultimately responsible for his or her own career. The individual JA is the most critical link in the personnel management process. All officers may communicate directly with their Career Manager in PPTO, however company grade JAs should first discuss their assignment preferences with their supervisory JA since PPTO collects company grade assignment preferences from these supervisors. JAs and their supervisors should review the career model slides (Figures 1-1 through 1-3) when developing assignment preferences and discussing career management goals and opportunities.

5-3. AC ASSIGNMENT CYCLE PROCESS (FIELD GRADES).

a. The annual assignment cycle normally begins during the 3rd and 4th quarter of the fiscal year preceding the fiscal year in which the assignments will occur. Generally:

(1) In May, PPTO solicits office requirements from all Offices of the Staff Judge Advocate (OSJAs) and joint/interagency legal offices. Based on this office input, PPTO develops office personnel requirements and potentially available jobs that are expected to need filled in the coming fiscal year.

(2) In August, based on the input from OSJAs and legal offices, PPTO will publish the list of potentially available jobs. Based on the potentially available jobs, PPTO solicits preferences from officers in the assignment cycle window (assignment preference sheets will be provided directly to eligible officers and posted on the PPTO JAGCNet page for reference by supervisors). Majors, lieutenant colonels, and colonels submit their preference sheets directly to their respective Career Manager. When completing their preference sheets, JAs should remember to do three things: (1) Review the Judge Advocate Career Model found in Figures 1-1 through 1-3; (2) Discuss their career development with supervisors or mentors and their respective PPTO Career Manager; and (3) Ask themselves whether they are considering potential assignments that would best develop them as BSJAs.

(3) After preference sheets have been collected, PPTO Career Managers discuss potential assignments with supervising SJAs (or SJA equivalents), as needed, and collect additional data to inform the assignment process. The Career Managers also directly discuss assignment options with each JA to ensure JAs remain within the Judge Advocate Career Model, furthering development into BSJAs while also taking into account the needs of the Army, the needs of the JAGC, and personal interests (Figure 1-3). Based on this information, the Career Managers prepare potential slates of proposed assignments.

(4) Between late October and early December, PPTO Career Managers will develop and present a slate of proposed assignments to the Judge Advocate Assignment General Officer Steering Committee (JAA-GOSC). Consisting of the Deputy Judge Advocate General (DJAG) and other senior JAs appointed by TJAG, the JAA-GOSC is an advisory body that reviews PPTO’s proposed assignment slate (which usually consists of a primary and two or three alternates for each assignment). The JAA-GOSC meets as often as necessary to review and discuss proposed assignments. Once the JAA-GOSC agrees on a proposed assignment slate PPTO then presents that proposed assignment slate to TJAG. TJAG makes the final decision on all field grade JA assignments.

b. Once TJAG approves an assignment, PPTO informs the officer and issues an assignment instruction (AI) soon thereafter. Approved assignments generally begin in July.

5-4. ASSIGNMENT CYCLE PROCESS (COMPANY GRADES).

a. For company grade officers moving in the summer, the assignment cycle begins when PPTO solicits preferences from officers in the assignment cycle window. The current assignment preference sheet is available on the PPTO JAGCNEet page. Company grade officers submit their assignment preferences through their SJA or DSJA. SJAs/DSJAs should counsel and mentor their JAs on appropriate assignment preferences. In these counseling sessions, the SJA/DSJA and the officers should review the Judge Advocate Career Model found in Figures 1-1 through 1-3. The SJA/DSJA should discuss the officer's assignment history, reviewing the diversity of professional experiences. Considering these factors, the SJA/DSJA and junior JA should develop assignment preferences that will best support the officer's development into a BSJA.

b. SJAs and DSJAs should compile their company grade JAs' assignment preferences on the assignment cycle spreadsheet sent out by PPTO. Once all assignment preferences are collected, SJAs/DSJAs should return the completed spreadsheet to PPTO. Career Managers will review the spreadsheets. Career Managers will coordinate with SJAs (or SJA equivalents) to collect additional information to inform the assignments process as needed.

c. After coordinating with SJAs, the Company Grade Career Manager will apply the JA Career Model and develop the assignment slate for company grade JAs. During this process, the Career Manager will consider the assignment factors. Found in Figure 1-3, the Assignment Factors are, in order of priority: (1) meeting the needs of the Army, (2) meeting the needs of the JAGC, and (3) the individual JA's personal interests.

d. The Company Grade Career Manager presents proposed assignments to the Chief, PPTO for approval. Once an assignment is approved, the Career Manager will notify the officer of the new assignment, generally through the SJA or DSJA. PPTO will also issue the AI. Once the AI is released, the officer should be contacted by HRC via e-mail. The officer can then take the AI to the servicing personnel center for orders processing. If a company grade officer notified of a summer assignment has not received an AI by the middle of April, the officer should have his or her SJA or DSJA contact PPTO.

e. Although most company grade officers move during the summer cycle, a large number of company grade assignments occur off-cycle. For these assignments, the same general process and considerations apply, but the timeline is driven by the requirement. Officers notified of an off-cycle assignment should generally receive their AIs no later than 90 days before the report date.

5-5. TOUR LENGTH.

Assignments in the continental United States (CONUS) are normally two to three years. However, the relatively small size of the JAGC combined with the need to staff all legal offices properly and to develop BSJAs often requires shorter tours. Tour lengths for overseas tours are outlined in AR 614-30.

5-6. INITIAL ASSIGNMENT PRACTICES.

a. Recently accessed JAs typically attend the JAOBC en route to their first duty stations, although a few may be assigned in a delayed schooling status to installations before attending the JAOBC. All officers are eligible for overseas assignment as an initial assignment. Newly commissioned officers and officers detailed to the JAGC serving in their initial JAGC assignments are not normally assigned to the following organizations:

- (1) OTJAG (including U.S. Army Claims Service);
- (2) The Judge Advocate General's Legal Center and School;

(3) The United States Military Academy's Department of Law;

(4) Headquarters for the following commands: U.S. Army Europe (USAREUR), U.S. Army Pacific (USARPAC), Eighth U.S. Army, Forces Command (FORSCOM), Training and Doctrine Command (TRADOC), Army Materiel Command (AMC), and Criminal Investigation Command (USACIDC);

(5) Trial Defense Service (TDS) offices requiring assignment of experienced military attorneys (see paragraph 5-9 below); and,

(6) Small offices (offices with limited supervision and or limited junior officer job opportunities).

b. Initial officer assignments normally will not be made to the state in which the officer is admitted to practice, the state in which the officer attended law school, or a FLEP officer's on-the-job training (OJT) station. This policy ensures that new JAs are given a full opportunity to become acclimated to the broader military environment.

c. Officers assigned to CONUS stations are subject to reassignment for developmental and mission-related needs during their initial service obligation. An officer will be reassigned once prior to the end of an initial service obligation if initially assigned to serve in a short tour area (one- or two-year tour). Officers assigned OCONUS will normally complete the overseas tour prescribed by regulation before being reassigned.

5-7. OVERSEAS SERVICE.

a. As with all assignments, the paramount consideration for service OCONUS remains the needs of the Army. To the maximum extent practicable, an officer's overseas service will be alternated between long and short overseas tours. Officers assigned to overseas locations may serve an accompanied tour or an "all others" tour, as prescribed in AR 614-30.

b. Overseas tours, including Alaska and Hawaii, are normally three years. Tours in Korea vary from 12 to 24 months. Tour lengths depend on location, marital or parental status, and whether or not the officer elects to serve overseas without dependents. Overseas tour lengths are prescribed by AR 614-30.

5-8. FOREIGN SERVICE TOUR (FST) EXTENSION.

Foreign Service Tour Extensions will be granted only when in the best interests of the Army. Requests will be submitted through and endorsed by the supervising JA, SJA, or commander concerned, to PPTO.

5-9. TRIAL DEFENSE SERVICE (TDS).

a. TDS assignments are considered a critical part of career development in the JAGC. To ensure a balance of experience and to minimize permanent change of station costs, transfers of JAs between TDS and the installation SJA office should be made, whenever practicable. When assigning a transferred defense counsel directly into a trial counsel position, SJAs will take care to avoid any real or apparent conflict of interest.

b. Regional defense counsel, senior defense counsel, and trial defense counsel will normally be assigned to TDS for 24 months.

c. As a general rule, JAs graduating from the JAOBC will not be assigned to TDS as their initial assignment. Exceptions will be made based on individual qualifications and the needs of the Army. To ensure necessary training and supervision, any assignment of JAOBC graduates to TDS will be carefully

monitored. Basic Course graduates assigned to TDS will normally be placed in larger TDS offices that can provide the necessary training and supervision.

d. The Chief, U.S. Army Trial Defense Service, exercises independent supervision, control, and direction over all Trial Defense Service personnel and their mission. All Trial Defense Service personnel will wear the unit patch of the U.S. Army Trial Defense Service.

5-10. BRIGADE COMBAT TEAMS.

a. General. JA officers assigned to Brigade Combat Teams (BCTs), regiments, groups, and other brigade equivalents must be prepared to operate under the command and control of the higher headquarters with which they have a habitual relationship. The BCT legal section is led by the Brigade/Regimental/Group/Command Judge Advocate [hereinafter BJA], who is the senior legal officer assigned. The SJA of the servicing Office of the Staff Judge Advocate will provide technical guidance to the BCT as necessary.

b. TJAG, through the Chief, PPTO, assigns officers and senior paralegals to the BCT. It is the SJA's responsibility to monitor the professional development of JAs assigned to BCTs. Specific details regarding the roles and responsibilities of BCT members can be found in Army Regulation (AR) 27-1, paragraph 3-6.

5-11. COMPASSIONATE REASSIGNMENTS.

Compassionate reassignments are governed by ARs 614-100 and 614-30. Reassignment consideration will be given in cases of extreme hardship that can be alleviated only by an assignment to a specified area. The needs of the Army will be the final determining factor.

5-12. DUAL MILITARY COUPLES.

(See AR 614-100)

a. A number of married couples jointly serve on active duty. Some couples are JA spouse teams and others are JAs married to a member of another branch of the Army or Sister Service. When possible, these couples are assigned to the same general locality. This is not always possible, particularly when one member is attending Professional Military Education (PME). When spouses are assigned to the same location, they will not have contemporaneous assignments as trial counsel and trial defense counsel. Although TJAG cannot control other branch assignments, every effort is made to coordinate with other branches to facilitate a joint domicile assignment. Service couples are eligible for assignment to unaccompanied assignments and deployments.

b. Joint domicile assignments cannot be made if the Career Manager is not aware of the marriage; therefore, it is the responsibility of each JA to ensure his/her official file reflects the officer's marriage to another service member and that the information is brought to the Career Manager's attention as part of the assignment preference process. AR 614-100 governs the timeline for enrollment in the Married Army Couples Program (i.e., not later than 30 days from the date of marriage). JAs should also directly notify PPTO if they marry a service member and provide a copy of the enrollment in the Married Army Couples Program. Notification should include name, grade, date of rank, social security number, and branch of service of the spouse.

c. Officers who change their names on their official military records will submit a copy of the approved name change documents to PPTO.

5-13. SPONSORS.

The appointment of qualified, conscientious sponsors is an essential means of assisting officers upon initial and subsequent assignments. SJAs and other supervisors are responsible for ensuring that each new arrival is promptly welcomed and assisted by a sponsor. Assistance for outgoing Soldiers should also be considered in accordance with AR 600-8-8.

5-14. ARMY MILITARY HUMAN RESOURCE & SELECTION BOARDS RECORDS MANAGEMENT.

a. Official Military Personnel Files (OMPF) have been renamed the Army Military Human Resource Records (AMHRR). AMHRRs are governed by AR 600-8-104. HRC is the custodian of each JA's AMHRR. The AMHRR is used for Headquarters Department of the Army (HQDA) promotion and school selection boards and when adjudicating Active Date of Rank (ADOR) determinations for senior accessions placed on the ADL. Officers should send documents (see AR 600-8-104, appendix B for a listing of authorized documents) for inclusion in their AMHRR through their local servicing Military Personnel Division (MPD). It is the officer's responsibility to ensure that their AMHRR is accurate and current. Accordingly, JAs are encouraged to review their AMHRR on a regular basis to ensure that documents such as awards, OERs, course completion certificates, official transcripts, and their DA Photo are properly filed. Officers can access their files online through the HRC record portal (www.hrc.army.mil). Officers can use the links at the bottom of the website to review the AMHRR, Officer Record Brief (ORB), and DA photo. Officers should also contact their local human resources personnel office to review and update their ORBs.

b. Officer Record Brief (ORB). The ORB is used by PPTO for personnel purposes (e.g., assignments) and by HQDA for selection boards. Most of the data on the ORB is entered by the local servicing military personnel office. In some cases, officers will be required to provide original documents to support changes. Officers are required to audit the ORB and provide corrections to the local personnel office at least annually. Officers may view their ORBs online at the HRC Self Service portal.

c. As outlined in AR 600-8-29, officers are notified of upcoming selection boards via HQDA/HRC military personnel (MILPER) messages. Officers eligible for selection will be individually notified of their eligibility through Army Knowledge Online (AKO) and the My Board File (MBF) application on the Self Service portal of the HRC website. The MBF opens approximately 60 days prior to the convene date of each board. Officers are responsible for presenting accurate information to the promotion selection board. Officers must review their MBFs and contact their servicing S-1 to correct and update their records. Failure to apply due diligence is not a basis for reconsideration for promotion.

d. Officers who are not being considered for selection must use their local MPD/S-1 to correct and update their records. If all efforts have been exhausted in an attempt to get records updated by the local MPD/S-1, Career Managers can assist officers being considered for selection with the correction and updating of their records. Officers submitting such requests for assistance to their Career Managers should copy their Deputy Staff Judge Advocate/Regional Defense Counsel/or equivalent supervisor on all correspondence with the Career Manager.

5-15. DA PROMOTION SELECTION BOARDS PROMOTION PLANS

a. Officers selected for promotion will be promoted based on a TJAG approved promotion plan, which is typically released to the field within ten days of Senate confirmation of the promotion list.

b. Officers are promoted in order of seniority as determined by HRC.

CHAPTER 6. RESERVE COMPONENT ASSIGNMENTS AND CAREER MANAGEMENT

6-1. ARMY RESERVE ASSIGNMENTS AND TENURE.

a. The following policy applies within the United States Army Reserve.

b. All Army Reserve JA positions in the grade of colonel or lieutenant colonel; any staff, command, or brigade judge advocate (S/B/CJA) position; and all Drilling Individual Mobilization Augmentee (DIMA) positions are tenured positions. Assignment to these positions will not exceed three years.

(1) Only one officer will be assigned to a tenured position, unless an exception to policy is approved by TJAG's designee.

(2) To ensure all qualified Army Reserve JAs have an opportunity to be considered for assignment to tenured positions, vacancies must be advertised on JAGCNet no later than six months before the tenure end date, and for a period of at least 60 days. Vacancy announcements must be provided to PPTO for posting to JAGCNet.

(3) The senior JA in each organization is responsible to: (1) track all tenured personnel, (2) notify PPTO of new JA force structure modifications, (3) ensure PPTO advertises positions in a timely fashion; and (4) comply with PPTO requests to post vacancies.

(4) All requests for overstrength assignments and tenure extensions will be forwarded through command channels to PPTO for TJAG decision. Applicants will forward their requests to TJAG (DAJA-PT/Army Reserve Management), at usarmy.pentagon.hqda-otjag.mbx.reserve-component@mail.mil.

c. Tenure Assignment Process.

(1) JA Readiness Mobilization Integration Counsel (JARMIC) Roundtable.

(a) Applications for the following assignments will be considered on a quarterly basis by a roundtable of Reserve Component JAGC general officers, who will recommend personnel for each assignment.

(i) Any staff, command, or brigade judge advocate (S/C/BJA) position,

(ii) All colonel positions, and

(iii) All military judge positions.

(b) Officers will forward their application packets for assignment as a .pdf file via e-mail to usarmy.pentagon.hqda-otjag.mbx.reserve-component@mail.mil addressed to The Judge Advocate General (DAJA-PT/Army Reserve Management), 2200 Army Pentagon, Room 2B517, Washington, DC 20310-2200. Application packets must comply with the instructions posted in the vacancy announcement and on-line instructions. Forms and a letter of instruction may be obtained on-line at JAGCNet.

(c) The recommended assignments will be staffed to TJAG for final approval by PPTO. In the event that there is only one applicant for a TJAG tenured assignment as of the advertised closing date, PPTO may staff the applicant to TJAG for approval without prior consideration of the GOSC. Officers will be selected based on their complete record of military service using the following criteria:

(i) Demonstrated performance as recorded in the Officer Evaluation Report (OER) file;

(ii) Levels of responsibility in military and civilian employment;

- (iii) Military and civilian education;
- (iv) Record of active duty and combat duty as an officer;
- (v) Awards and decorations;
- (vi) Staff and command experience; and
- (vii) Embodies Army Values and Warrior Ethos.

(2) Tenured Assignments not considered by the Roundtable. All lieutenant colonel positions not listed in para. 6-1c(1) above, will be filled using the following process:

(a) Any O-5 assignments within the Legal Command (LC) or its subordinate Legal Operations Detachments (LODs) will only be made after coordination with the Chief, Army Reserve Management, PPTO, and approval by TJAG or designee. The CDR, LC, will prepare a slate of officers for assignment to these positions in a format specified by PPTO, and provide the slate to PPTO for staffing to TJAG for final approval.

(b) Any other O-5 assignment will only be made after coordination with the senior JA who will prepare a slate of officers for assignment to these positions in a format specified by PPTO, and provide the slate to PPTO for staffing to TJAG for final approval.

(3) Officers assigned to a tenured position may not vacate their assignments before their tenure end date without the prior, written consent of TJAG or designee (except for mobilization, see paragraph four below). Officers may not apply for another TJAG-tenured assignment until six months before their tenure end date unless an exception to policy is approved by TJAG or designee before the officer submits an application.

(4) If officers wish to mobilize in a position other than their TJAG-tenured positions, the following restrictions apply:

(a) DIMA officers must voluntarily transfer to the Individual Ready Reserve (IRR) prior to mobilization. The tenured position will then be advertised and filled in accordance with Chapter 7 of this publication;

(b) Embedded officers must receive written consent from their O-6 or higher commander and TJAG or his or her designee. Upon approval, such officers may be required to resign from their tenured positions and transfer to the IRR. The embedded position will then be advertised and filled;

(c) Officers assigned within the LC must receive written consent from their LOD Commander, the Commander, LC, and TJAG or his or her designee. Upon approval, such officers may be required to resign from their tenured positions and transfer to the IRR. The tenured position will then be advertised and filled.

6-2. OVERSTRENGTH ARMY RESERVE JA ASSIGNMENTS.

a. Army Reserve JAs may only be assigned at up to 200% of authorized levels, as permitted under AR 140-1, paragraph 2-5. In addition to the approval authorities in AR 140-1, all overstrength assignment of Army Reserve JA officers in the grades of O-5 and O-6 must be approved, in advance, by TJAG.

b. SJAs and LOD Commanders (CDRs) should counsel JAs on the benefits of assuming vacant positions (especially embedded positions), and afforded the opportunity to voluntarily fill vacant positions at the earliest opportunity. Should these measures be insufficient to fill existing vacancies within the Ready Reserve Corps (RRC), RRC SJAs and LOD CDRs will identify excess or overstrength officers to, within existing regulatory authority (see AR 140-1), involuntarily transfer to existing vacancies, subject to tenure policies outlined above.

c. Under no circumstances will SJAs or LOD CDRs remove Army Reserve JAs in the grades of O-5 and O-6 from valid Unit Manning Roster (UMR) positions and transfer them to overstrength categories (i.e., 999X positions) solely for the purpose of creating additional vacancies in which to slot overstrength JAs. Exceptions to this policy must be approved by TJAG or designee.

d. Management of JA assets in accordance with this policy will be a matter of interest during Uniform Code of Military Justice Article 6 inspections. Further, PPTO monitors the total number of officers on hand versus the total number of authorizations by grade in a unit to ensure compliance with this policy.

6-3. OVERGRADE ASSIGNMENTS AND PROMOTIONS.

a. In fulfilling the statutory responsibility to assign JAs, TJAG will normally assign or approve the assignment of a JA to a position with the same grade as the officer's current grade.

b. Occasionally, circumstances warrant assigning an Army Reserve JA to a position one grade lower than the grade of the officer. Such an assignment will be made only upon the prior written approval of TJAG or designee. The duration of an overgrade assignment will be at the discretion of TJAG but will normally not exceed one year.

c. The criteria used to evaluate a request for an overgrade assignment includes the following:

(1) needs of the JAGC and the command;

(2) whether the officer is an incumbent SJA or CJA in a tenured position and the amount of time remaining in his or her tenure;

(3) availability of other JAs in the grade of the vacant position;

(4) availability of other JA positions in the requesting officer's grade; and

(5) the officer's past performance.

d. Officers requesting approval of an overgrade assignment must submit the request by memorandum (see Appendix 6-1) through their chain of command to The Judge Advocate General (DAJA-PT/Army Reserve Management) at usarmy.pentagon.hqda-otjag.mbx.reserve-component@mail.mil.

6-4. OVERGRADE ASSIGNMENTS AND PROMOTIONS DURING PERIODS OF MOBILIZATION.

a. Normally, an Army Reserve officer selected for promotion must be assigned to a position authorized for the higher grade in order to be promoted to that higher grade. Unless they decline the promotion, officers are also promoted when they reach their maximum time in service in a particular grade as defined in 10 U.S.C. § 14304(a) and upon transfer to the IRR. Officers who are mobilized and who reach their maximum time in service are also eligible for promotion.

b. Officers who are mobilized for extended periods of time and who have not reached their maximum time in service are at a disadvantage, as it may be impossible to locate a new assignment while mobilized.

c. Army Reserve officers serving on active duty who are selected for promotion, but assigned to positions not authorized for the higher grade, may be promoted overgrade if the following criteria are met:

(1) On the reserve-active status list (RASL) in the grade of first lieutenant through lieutenant colonel;

(2) Assigned to Troop Program Unit (TPU) or DIMA positions that require an authorized grade lower than the grade to which the officer has been selected by an approved mandatory selection board promotion list established under 10 U.S.C. § 14308(a);

(3) Serving on a period of active duty for more than 90 days pursuant to 10 U.S.C. §§ 12301 (a) or (d), 12302, or 12304; and

(4) Remaining in a promotable status while serving on such active duty.

d. Eligible officers seeking an overgrade assignment under this policy must submit a request (Appendix 6-1) endorsed by their supervisory JA to the Office of The Judge Advocate General (DAJA-PT/Army Reserve Management) at usarmy.pentagon.hqda-otjag.mbx.reserve-component@mail.mil.

e. Officers who meet the criteria listed in the paragraphs above may be eligible for promotion based on that overgrade assignment. Officers will be assigned to the IRR 180 days after release from active duty (REFRAD) unless they are assigned to a position requiring the grade to which the officer was promoted under this policy, or a higher grade.

6-5. ARMY RESERVE AND ARMY NATIONAL GUARD NON-JAGC ASSIGNMENTS.

a. As special branch officers, USAR and Army National Guard JAs are expected to serve as JAs and perform legal duties for their entire career. In exceptional cases, based solely on the needs of the Army and not on the individual desires of the officer, a JA may serve in one out-of-branch assignment during the course of the officer's career which assignment may last up to three years. All out-of-branch assignments and the duration of the assignments are subject to TJAG's approval. This paragraph applies to both USAR JAs and Army National Guard JAs who serve in a Title 10, United States Code status.

b. A Reserve Component JA may not serve in a non-JAGC assignment unless the officer receives prior written approval of TJAG or his or her designee. RC officers requesting approval to serve in a non-JAGC assignment must submit a request by memorandum through the officer's first supervisory JA, to the Office of The Judge Advocate General (DAJA-PT) at usarmy.pentagon.hqda-otjag.mbx.reserve-component@mail.mil. Except with respect to Emergency Preparation Liaison Officer (EPLO) positions, as authorized under section d of this paragraph, each request must include a statement from the gaining commander (see Appendix 6-2).

c. Reserve Component JAs who intend to compete for a non-JAGC assignment, such as through a USAR command assignment board, must obtain TJAG approval for the assignment.

d. A Reserve Component JA may request TJAG approval to apply for a Federal Emergency Management Agency EPLO position only if the officer is an O-6 and has at least three years remaining until the officer's Mandatory Retirement Date. The officer may not apply for an EPLO position until TJAG signs a memorandum authorizing the officer to accept the position if selected. No more than five Reserve Component JAs will be permitted to serve in EPLO positions at any one time.

e. The criteria used to evaluate each request to serve in an out-of-branch assignment will include, but will not be limited to:

- (1) the needs of the Army and the JAGC;
- (2) the needs of the requesting command;
- (3) the professional development of the requesting officer;
- (4) the availability of non-JAs to fill the position;
- (5) the requesting officer's past performance and demonstrated leadership skills;

(6) whether the officer served in another branch before being appointed as a JA; and

(7) whether the officer has received any training relevant to the assignment.

6-6. POSITION VACANCY BOARDS.

The written permission of TJAG is required prior to any Army Reserve JA officer or position being put before an Army Reserve position vacancy board.

6-7. ARMY RESERVE ACTIVE GUARD RESERVE (AGR) JUDGE ADVOCATES.

a. All Army Reserve AGRs are on active duty under the provisions of 10 U.S.C. § 12301(d). Current authorizations for Army Reserve AGR JAs are at the Army Reserve training commands, the U.S. Army Reserve Command (USARC) headquarters, and at other USARC direct reporting commands. Army Reserve AGR JAs can expect reassignment every two to four years based on the needs of the Army.

b. AGR applicants typically apply to the AGR Program following service with the active component or after serving in traditional reserve component assignments or after some combination of active and reserve component service. Optimally, AGR JAs will be accessed before or after selection for promotion to major, and must have already completed the reserve component Judge Advocate Officer Advanced Course (JAOAC) or the Graduate Course. Those selected for an AGR assignment must have a successful track record as a JA, a well-rounded background, diverse assignment experience, and exposure to the full range of legal subject matters.

c. AGR JAs are accessed onto active duty on an initial close-ended three-year active duty service tour. AGR JA performance records are reviewed in the third year of the initial tour to determine the officer's eligibility for continued service in the program for an indefinite period. AGR JAs are automatically boarded for ILE. AGR JAs may also be offered an opportunity to attend the Graduate Course.

6-8. RETIREMENT POINT CREDIT FOR ARMY RESERVE TRAINING IN A NON-PAY STATUS.

a. Army Reserve officers may earn retirement points in a non-pay status in a number of ways. Examples include participating in battle assemblies, completing correspondence courses, and serving as board members. See Table 2-1, AR 140-185. In addition to these examples, Army Reserve JAs may earn retirement points under Rule 16, Table 2-1, AR 140-185, for "perform[ing] certain legal duties." The following are legal duties eligible for retirement-point credit under Rule 16:

(1) Serving as a duly appointed investigating officer;

(2) Providing legal assistance as authorized in AR 27-3;

(3) Providing Defense Services as authorized by Chief, TDS;

(4) Drafting scholarly legal articles for publication, provided such assignments are approved in advance by the SJA/CJA/LOD commander to which the officer is assigned or attached;

(5) Providing legal review of investigations, reports of survey, and other actions that have been assigned by the SJA/CJA of the organization to which the officer is assigned or attached;

(6) Serving as a JA recruiting officer with the authorization of a duly appointed Field Screening Officer;

(7) Attending military continuing legal education conferences; and

(8) Attending civilian continuing legal education conferences and other professional conferences of military value in accordance with para. 3-29e, AR 140-1. As an exception to AR 140-1, JAs need not obtain prior approval from Guard and Reserve Affairs. Prior approval should be obtained, however, from the next most senior supervising JA. Individuals assigned to the IRR may obtain approval from the Chief, Army Reserve Management, PPTO.

b. Retirement points may not be awarded for professional reading unless such reading is conducted in conjunction with authoring a scholarly legal article.

6-9. DRILLING INDIVIDUAL MOBILIZATION AUGMENTEE MANAGEMENT.

a. General. All DIMA billets are three-year tenured positions. The senior JA in each organization is responsible for following all of the provisions listed above in paragraph 6-1(b). In addition, they must ensure their DIMAs receive administrative support through coordination as applicable with the Legal Command, their installation or activity DIMA Coordinator/RC liaison.

b. DIMAs occupy critical positions in Mobilization Tables of Distribution and Allowances (MOBTDA). The DIMA program develops members of the Selected Reserve capable of reporting to their JA DIMA assignments upon mobilization or presidential call-up, fully prepared to perform their mobilization duties. SJAs/DIMA supervisors and JA activities should both work to maximize DIMA training to achieve this goal. Annually, SJAs must ensure that each civilian employee in their office who holds a reserve commission or DIMA assigned to their office are not key government employees as defined in AR 135-133, paragraph 2-10. If a civilian employee or a DIMA becomes a key employee, the requirements of AR 135-133, paragraph 2-12, will be followed.

c. DIMA Positions on the MOBTDA. The SJA should coordinate with force structure planners to ensure the MOBTDA meets the mobilization mission. The command may submit MOBTDA changes to HQDA only during the periods of January to March and July to September. These periods are referred to as the management of change (MOC) windows. The MOBTDA must be reviewed annually. Not all mobilization "plus up" positions need to be DIMA, but only those so critical as to require pre-trained officers with experience in the position. Positions that are no longer required because of changes in the mobilization mission, or that are no longer compatible with the organization's personnel structure because of grade, specialty, or other characteristics, should be deleted or modified on the MOBTDA.

d. Training.

(1) Each DIMA is required to perform twelve days of annual training (AT), exclusive of travel time, each fiscal year. The primary objective is to become an expert in the duties and functions the DIMA will perform upon mobilization. See AR 140-145. Every authorized DIMA position allows for an officer to perform up to 24 calendar days (48 Inactive Duty Training (IDT) periods) of additional paid inactive duty training a year with the agency, subject to availability of funds. No travel pay is provided for IDT. SJAs are responsible for the training and utilization of their DIMAs, and should afford DIMAs the opportunity to perform IDT. Inactive duty training is documented with the DA Form 1380, Record of Individual Performance of Reserve Duty Training.

(2) SJAs should coordinate with their DIMAs well in advance of annual training. All requests for AT must be received by HRC at least 60 days prior to the requested reporting date; and, in any event, not later than the annual DIMA fund accounting deadline established by HRC, currently 31 March. SJAs must coordinate with the activity or installation's DIMA coordinator/RC liaison who is responsible for ensuring that requests for AT are properly processed and that each DIMA is administratively processed during their AT.

6-10. JUDGE ADVOCATE MOBILIZATION MANAGEMENT.

a. For purposes of mobilization or activation, OTJAG PPTO determines and directs the method of mobilizing, sourcing, and filling all RC JA vacancies and requirements within AC, USAR or ARNG units, including replacement operations and multi-component units. Mobilization determinations will be based upon current operational concerns, available mobilization authorities, the best interests of the Army, and available RC and AC JAGC assets. OTJAG PPTO's determination and directives relating to this decision are binding on FORSCOM, USARC, and National Guard Bureau (NGB).

b. RC JAs interested in volunteering for mobilization or deployment will contact the OTJAG RC PPTO, Mobilization, Augmentation and Deployment branch. JAs will not solicit units in the field directly for mobilization/deployment opportunities. Conversely, units seeking augmentation or backfill JAs will submit requests to the OTJAG RC PPTO, Mobilization, Augmentation and Deployment branch at usarmy.pentagon.hqda-otjag.mbx.reserve-component@mail.mil and will not solicit JAs directly.

c. Involuntary Transfer Between Units ("Cross-Leveling") of RC JAGC Personnel for Purposes of Mobilization. For purposes of mobilization, RC JAGC personnel may neither be cross-leveled between units nor transferred between components (e.g., TPU, DIMA, or IRR) to fill positions without the prior approval of OTJAG PPTO. The Commander, U.S. Army Reserve Legal Command (USARLC) is authorized to direct the cross-leveling of personnel within the USARLC.

d. For further guidance, please consult Annex L of the Army Mobilization Operations Planning and Execution System (AMOPES) and AR 27-1.

CHAPTER 7. PROFESSIONAL SCHOOLING

7-1. JUDGE ADVOCATE SCHOOLING PLAN.

a. The JAGC integrates legal education with PME in other Army schools to prepare JAs for duties at each level of professional development. Summarized below are the progressively more advanced resident and nonresident courses offered to JAs, followed by detailed discussion about them and other schooling opportunities.

<u>School</u>	<u>Years of Service*</u>	<u>Paragraph</u>
Direct Commissioned Officer Course (DCC)	0-1	7-2
Officer Basic Course (JAOBC)	0-1	7-2
Continuing Legal Education (CLE)	0-RET	7-11, 12, & 13
Judge Advocate Tactical Staff Officer Course (JATSOC)	0-2	7-4
Graduate Course (MEL 6 and Qualification Course for JPME I & MEL 4)	7-11	7-5
Intermediate Level Education (MEL 4 & JPME I)	9-15	7-7
Advanced Civilian Schooling	9-17	7-8
Senior Service College (MEL 1 & JPME II)	16-23	7-9

*Times listed are approximate eligibility windows. See specific paragraphs for details.

b. Officers may be relieved of assignment to professional military schooling based on any of the following: misconduct, relief for cause, incidents involving moral turpitude, or substandard performance.

c. Officers who are overweight may not attend professional military schools. Further, Soldiers scheduled for attendance at professional military schools that require preparation of a DA Form 1059, Service School Academic Evaluation, are required to be screened prior to departing their home station or losing command for height, weight, and ability to pass the Army Physical Fitness Test (APFT). The Soldier's height and weight is required to be recorded on their temporary duty (TDY) orders or PCS packets. Applicable provisions of Army Directive 2012-20, include paragraphs 2 and 3, which apply to students in the following courses: NCO Advanced Leaders Course, NCO Senior Leaders Course, JA OBC, JA Advanced Course/Graduate Course, Military Judges Course, Warrant Officer Advanced Course and Court Reporter Course. Notably, Army Directive 2012-20 paragraphs 2 and 3 require removal of students who fail retests of the APFT or Height/Weight and requires the issuance of AERs, reflecting "Failed to Achieve Course Standards." (See AR 600-9, AR 350-1, and AD 2012-20).

7-2. DIRECT COMMISSION OFFICER COURSE (DCC) AND JUDGE ADVOCATE OFFICER BASIC COURSE (JAOBC).

a. Prior to attending JA OBC, all officers (including FLEP officers) will in-process and attend the six-week DCC course at Fort Benning, GA. DCC provides JAs with Soldier and leadership training designed to instill the Warrior Ethos and build esprit de corps. DCC also provides an environment where JAs will work and train alongside each other in a tactically focused field setting.

b. Upon graduation from DCC, officers attend JAOBC at the LCS. The ten-and-one-half week LCS Phase of JAOBC stresses military law in a law school environment. All newly accessed JAs and FLEP officers will complete DCC/JAOBC. Failure to complete the course satisfactorily will result in return to basic branch, discharge, or other appropriate action.

c. Army Reserve reservations for DCC/JAOBC, orders, and attendance is managed through OTJAG, PPTO, ATTN: DAJA-PT (JARO, Chief of Reserve Recruiting), 9275 Gunston Road, Fort Belvoir, VA 22060. Army National Guard quotas are managed by the officer's individual state.

d. TJAG is the approval authority for exceptions to DCC attendance. This authority is delegated to the Chief, PPTO.

7-3. RESERVE COMPONENT BIFURCATION OF DCC AND OBC.

Reserve Component JAs may request to delay JAOBC if attendance immediately following DCC only if such a delay is in the best interest of the Army and JAGC based on an individual's unique circumstances. A request for bifurcation will be sent in memorandum format through the military supervisory chain of the requesting officer to the Chief, PPTO, for disposition. If the requesting officer does not have a military supervisory chain, the officer will submit the request directly to the Chief, PPTO. The Chief, PPTO, will assess the officer's situation and make a determination based on the needs of the JAG Corps and the needs of the individual officer. If a bifurcation is granted, JAOBC must be completed within one year of completion of DCC.

7-4. JUDGE ADVOCATE TACTICAL STAFF OFFICER COURSE (JATSOC).

a. Active and RC JAs with 48 or fewer months of commissioned service must complete JATSOC within one year of enrollment in the course and prior to enrollment in the Judge Advocate Officer Advanced Course or attendance at the Graduate Course. The JATSOC is designed to familiarize JAs with the tactical staff officer skills necessary to function effectively as part of a tactical-level staff. JATSOC consists of approximately 20 hours of online, self-paced instruction and includes eight lessons: Army Doctrine, the Military Decision Making Process, Symbology, Army Organizations, Intelligence Preparation of the Battlefield, Joint Operations, Military Briefings, and Brigade Combat Team Staff.

b. JAs access JATSOC via The Judge Advocate General's University (JAGU).

c. JAs are enrolled in JATSOC immediately upon graduation from the JAOBC. JAs who are required to take JATSOC will be notified via AKO e-mail that they have been enrolled in the course. JAs who receive a JATSOC enrollment e-mail but believe they are exempt from JATSOC, should submit a helpdesk ticket to the JAGU home page. Those required to complete the course must complete the course in which they are enrolled. Completion of the JATSOC Elective discussed below will not satisfy the mandatory educational requirement.

d. The JATSOC Elective is a self-development course available to all members of the JAGC at any time for professional development. Completion of the elective does not meet the educational requirement of those required to complete JATSOC. The JATSOC Elective is a self-enroll course for officers, enlisted Soldiers and civilian members of the Corps, to include JAs with more than 48 months of service. Those who lack operational experience or otherwise believe they may benefit from the course are strongly encouraged to complete the JATSOC Elective. Supervising JAs should ensure that subordinates are aware of this opportunity.

7-5. JUDGE ADVOCATE OFFICER GRADUATE COURSE.

a. This resident course provides career JAs and selected Department of the Army Civilian attorneys with education and training in all areas of military law, leadership and management, and communications.

Because it prepares officers for middle and senior grade legal positions, Graduate Course attendance generally comes after selection for promotion to major and at least two company-grade assignments that will have adequately prepared the JA to fully participate in the curriculum. It is an essential element in career development and the keystone in the JAGC's professional development plan; accordingly, all active component JAs will attend the forty-one-week Graduate Course.

b. Those students meeting the academic requirements established by the LCS and the ABA for award of a graduate law degree receive a Master of Laws (LL.M.) in military law. The American Bar Association has approved the School's Master of Laws Program as meeting its graduate-level education standards. The course is conducted over a four-quarter, 41-week academic year. Army attorneys attend along with a number of officers from the other military services, U.S. agencies, and allied nations. Upon signing in to the course, JAs incur a two-year service obligation, which begins upon completion of the course.

c. Officers assigned to attend the course must generally--

(1) be serving JAs in Regular Army or Active Guard Reserve status;

(2) be majors or have completed not fewer than five years of commissioned service since promotion to captain as of 1 September of the academic year the course begins;

(3) have served at least three years as a JA in a field assignment after completing JAOBC as of 1 September of the academic year the course begins; and

(4) have completed their current overseas tour or 24 months of a CONUS assignment as of 1 September of the academic year the course begins.

d. The Chief, PPTO, assigns officers to attend this course. Consideration for attendance is automatic for majors; promotable captains or those in the current zone of consideration; and captains who will have completed five years of service as a captain and who will have completed an OCONUS tour or 24 months of a CONUS assignment as of 1 September of the next academic year may also be considered. Active Component officers desiring exceptions to the criteria in paragraph c, above, may address their requests through the supervising JA or commander concerned to PPTO, who will consider such requests on a case-by-case basis consistent with the needs of the Corps and, where appropriate, make a recommendation to TJAG.

e. The Chief, PPTO, may permit earlier attendance when the needs of the Army or the officer's professional development require such attendance. For more senior officers, attendance at the Graduate Course will generally be scheduled within a year of an officer's promotion to major. TJAG is the approval authority for requests to defer the Graduate Course; deferrals are limited to compelling reasons.

f. Officers who have been considered; but not recommended for promotion to major will not attend the Graduate Course, whether or not previously designated for attendance.

g. Officers who have completed the RC Judge Advocate Officer Advanced Course, obtained an advanced law degree, or completed an advanced course at another service school will still attend the resident Graduate Course.

7-6. RESERVE COMPONENT JUDGE ADVOCATE OFFICER ADVANCED COURSE.

a. The JAOAC is mandatory for the career progression and promotion eligibility for all Reserve Component company grade JAs. It is a blended course divided into two phases. Phase I is an online nonresident course administered by the Distributed Learning Division (DLD) of the Training Developments Directorate (TDD) at the LCS. Phase II is a two-week resident course at the LCS each December.

b. Phase I (nonresident online): Phase I is limited to USAR and ARNG JAs who have successfully completed JAOBC and JATSOC. Prior to enrollment in Phase I, students must have obtained at least the rank

of CPT and must have completed two years of service since completion of JAOBC, unless, at the time of their accession into the JAGC, they were transferred into the JAGC from prior commissioned service. Other cases are reviewed on a case-by-case basis. Phase I is a prerequisite for Phase II. For further information regarding enrollment in Phase I, go to JAGU and find JAOAC registration information at the "Enrollment" tab.

c. Phase II (resident): Phase II is offered each December at the LCS. Students must have completed and passed all non-writing Phase I modules by 2359 1 October in order to be eligible to attend Phase II in the same fiscal year as the 1 October deadline. Students must have submitted all Phase I writing exercises for grading by 2359 1 October in order to be eligible to attend Phase II in the same fiscal year as the 1 October deadline.

7-7. INTERMEDIATE LEVEL EDUCATION.

Intermediate Level Education (ILE) continues to provide a standard experience across all career fields and functional areas, but the term Command and General Staff Course has been reinstated to describe one of the four ILE options detailed below. Officers are eligible for consideration to attend ILE one year after completing the graduate course and the majority of officers who attend are selected in their first two years of eligibility for consideration. ILE is intended to prepare field grade officers for service in division, corps, echelons above corps, and joint staffs. More information may be found at the ILE Homepage, <https://www.hrc.army.mil/site/protect/branches/officer/LeaderDev/MilSchool/ILE/index.htm>. (Note: Before you can visit this page, you must log in using your AKO password.)

a. ILE options. There are four ways in which an officer can become MEL-4 qualified: Command and General Staff College (CGSC) (formally called ILE Advanced Operations Course (AOC) and ILE Common Core) at Fort Leavenworth; ILE Common Core at Course Locations (ILE CL); Army Distributed Learning (DL); and USAR non-resident ILE.

(1) CGSC ("The Resident Course"). CGSC is a DA board-selected 10.5 month course that consists of two sub-courses, the ILE Common Core and AOC (ILE AOC). The first 3.5 months of the Leavenworth ILE is the same common core curriculum taught at the ILE CLs. The second part of CGSC, AOC, is covered in the remaining 7 months of the course. Annually, the JAGC receives a limited number of seats to CGSC. The course starts in August and ends in June.

(a) All AC JAs will compete in the ILE board their first year of eligibility; that board typically convenes in August the year following completion of the JA Graduate Course (i.e., approximately 15 months after Graduate Course completion). JAs cannot decline consideration by their first ILE selection board. The Chief PPTO, in coordination with HRC, may grant an exception to these eligibility requirements. Requests for exception should be submitted to PPTO no later than six months prior to ILE selection board, which normally occurs in August.

(b) CGSC is a broadening opportunity. Both the subject (the military's role in national security) and the environment (a college of joint, interagency, and international students) at CGSC provide a unique educational opportunity. CGSC is the Army's preparatory course for successful service as staff officers in division through echelons-above-corps. Though CGSC is not a prerequisite for any position, it is excellent preparation for service in key positions at divisions, corps, and higher headquarters.

(2) ILE CL Resident ("The Short Course"). This 3.5-month course is the same course as the ILE Common Core portion of CGSC taught at Fort Leavenworth, currently taught at four satellite locations: Fort Gordon, Fort Lee, Fort Belvoir, and Redstone Arsenal. The JAGC receives an annual allocation of slots. This allocation is sub-divided by location and course date. Only officers assigned to HQDA (OTJAG and USALSA) will be centrally funded; attendance for all others is funded by the officer's unit. Officers who attend this course are ineligible to attend CGSC. PPTO will not schedule an officer for attendance at ILE CL during the year following completion of the Graduate Course. The Chief, PPTO may grant exceptions.

(3) Non-Resident Studies. The Directorate of Non-Resident Studies at Fort Leavenworth is responsible for the administration of both non-resident ILE taught by the USAR and the correspondence course. Army Distance Learning is a web-based version of ILE that is for students who are unable to attend one of the ILE CLs. Officers must obtain approval from Chief, PPTO, to enroll in this course and are not eligible to attend ILE CL or CGSC. This version will mirror the USAR non-resident ILE (see below) and may allow USAR officers to switch between options at phase breaks. This option provides students flexibility in completing ILE requirements. After receiving approval, officers may enroll on line at: <https://cgsc2.leavenworth.army.mil/DDE/enrollinstructions.asp>. (Note: Before visiting this page, log in with an AKO password is required.) This program generally takes 12 to 18 months to complete.

(4) Non-resident ILE. Non-resident ILE is a course taught by the USAR. Non-resident ILE consists of three phases taught over approximately 13 months: Phase I (two weeks TDY in the summer), Phase II (October through May in an evening or weekend format), and Phase III (two weeks TDY the following summer). Non-resident ILE is not currently an MTSA-approved school, so funding will come from the unit's Operations and Maintenance Army (OMA) funds. This option is primarily designed for RC officers, who have priority for attendance; however, AC officers have been admitted when spaces are available. Active Component officers must obtain approval from Chief, PPTO, to enroll in this course and they must decline attendance at the ILE CLs. Officers who plan on attending should contact their army Training Requirements and Resources System (ATRRS) manager as soon as possible. HRC will fund ILE for non-mobilized reserve officers. More information, to include enrollment procedures, course dates and locations, can be found at the Non-resident ILE website, https://cgsc2.leavenworth.army.mil/nrs/dir_welcome.asp. RC officers may enroll in the Army DL, should they be unable to attend any phase in an active duty training (ADT) or IDT status. Officers who attend this course are ineligible to attend CGSC.

b. Officers seeking to enroll in an ILE course must be graduates of JAOAC or the Graduate Course.

c. ORB Military Course Codes. Officers who attended the ILE Common Core course at either Fort Leavenworth or at a CL will have the annotation "ILE Common Core" in the Military Course location on the ORB. Officers that attend the 10.5 month course at Fort Leavenworth will have an additional code on the ORB in the same section – "ILE Qualification Course." Officers who are board-selected as primaries to attend CGSC will have "CSC-selectee" annotated on their ORB. This annotation will remain on the ORB if the officer is in a deferral status, but is removed once the officer either attends ILE or declines attendance to CGSC.

d. Qualification Course for MEL 4 and JPME I. Upon completion of the Graduate Course or JAOAC and the ILE Common Core course, JAs receive MEL 4 and JPME I education certification.

e. Officers attending ILE-level schooling or equivalent incur a two-year service obligation, which begins upon completion of the course.

7-8. ADVANCED CIVILIAN SCHOOLING.

(See AR 621-1, Training of Military Personnel at Civilian Institutions)

a. The eligibility and selection criteria for the LL.M. program changed beginning with the Fiscal Year 2012 (FY12) CGSC selection board; LL.M. candidates are now selected using the rank-ordered CGSC board results. Using these results, a limited number of outstanding career officers may be selected by TJAG to attend civilian institutions for one year at government expense (with the exception of books, computers, supplies, and application fees) to obtain advanced legal education in specialized areas in which requirements exist (e.g., cyber intelligence law, health care law, international law, criminal law, contract law, national security law, information technology law, environmental law, labor and employment law, and tax law). Officers selected must complete all work required to receive the LL.M. degree, including any thesis, prior to the report date for their initial follow-on assignment and not later than one year after commencing studies. Failure to complete all requirements on time may be reflected in Section III of the Academic Efficiency Report as a failure to complete the course. (See AR 623-3.)

b. This training is limited to career officers who are eligible for consideration by the CGSC Board and would have fewer than 17 years active federal commissioned service as of 1 October of the academic year in which the course begins.

c. Officers completing this program incur a three-year active duty service obligation and will serve a utilization tour. Utilization tours are normally three years. Most utilization assignments are made to the following organizations:

(1) OTJAG.

(2) LCS.

(3) USALSA.

(4) FORSCOM, TRADOC, AMC, Army Command, Army Service Component Command or Direct Reporting Unit headquarters in CONUS and overseas.

(5) US Military Academy.

d. Selection for advanced civilian schooling precludes attendance at the Fort Leavenworth CGSC Resident Course. However, enrollment in the LL.M. program is not a substitute for completion of military educational requirements such as ILE and these officers must meet this requirement through one of the alternative options described in paragraph 7-7.

e. Officers who do not complete the three-year service obligation before leaving active duty may be subject to recoument for the costs of their schooling.

7-9. SENIOR SERVICE COLLEGE (SSC).

Senior Service College (SSC) prepares officers for duty as commanders and staff officers at the highest levels. Normally, each year, four JAs attend the Army War College, two JAs attend the Dwight D. Eisenhower School for National Security and Resource Strategy, two JAs attend the National War College, and two JAs are selected to fill Army War College Fellowships with the Department of Justice and the Office of the Director of National Intelligence. Officers are typically selected to attend SSC as senior lieutenant colonels or junior colonels. Additionally, one JA normally attends the Naval War College biannually. Attendees are selected by a board of officers convened under procedures prescribed by HQDA. Eligible JAs are considered automatically and have the option to decline consideration. Eligibility criteria are announced annually through an Army MILPER message. The JAGC has mirrored the recent change to the Army Competitive Category (ACC) Senior Service College (SSC) active federal commissioned service (AFCS) eligibility guidelines, reducing the AFCS ceiling from 25 years to 23 years and reducing the FLEP exemption to this rule from 36 months to 24 months. Eligibility for consideration for SSC requires officers have credit for completing intermediate level education (MEL4), be in the date of rank zone articulated in the MILPER (generally, no less than two years time in grade as a LTC; the MILPER will also include an upper limit for COLs), and not have attended, declined attendance, enrolled, dis-enrolled, or graduated from the US Army War College Distance Education Program. LTCs previously non-selected for the rank of COL are not eligible.

7-10. US ARMY WAR COLLEGE (USAWC) DISTANCE EDUCATION COURSE.

The objective of the course is to make USAWC level education more widely available to qualified officers. The JAGC receives a limited annual quota of seats. PPTO will contact eligible officers by virtue of board selection and offer them the opportunity to enroll. In addition to those eligible by SSC Board selection, promotable lieutenant colonels may be permitted to enroll if sufficient quotas exist. PPTO will contact them and offer them the opportunity to enroll. Once enrolled in USAWC, the officer foregoes consideration by a future SSC Board, even if the officer later disenrolls from the course.

7-11. CONTINUING LEGAL EDUCATION (CLE).

Each attorney (JA and Civilian) is individually responsible for fulfilling the requirements of his or her state bar. Even if not required by a state licensing authority, in recognition of the need for lifetime learning and self-development, TJAG requires all attorneys participate in CLE, (See para 11-17 and TJAG Policy Memo 14-02, Professional Responsibility). Supervisors should monitor their attorneys' compliance with CLE requirements. Any questions concerning state CLE requirements must be addressed directly to the state bar.

7-12. CONTINUING LEGAL EDUCATION (CLE) COURSES AT THE LCS.

a. Attendance at resident and on-site CLE courses at the LCS requires a confirmed reservation. Reservations for CLE courses are managed through the ATRRS.

b. Active duty service members must obtain reservations through their directorates of training or through equivalent agencies. RC personnel must obtain reservations through their unit training offices. IRR/IMA personnel must obtain reservations through the Office of The Judge Advocate General, Personnel, Plans & Training Office, ATTN: DAJA-PT (RC Management), 2200 Army Pentagon, Room 2B517, Washington, DC 20310, e-mail: usarmy.pentagon.hqda-otjag.mbx.reserve-component@mail.mil. Army National Guard personnel request reservations through their unit training offices.

c. Officers requesting a reservation should know the following:

LCS School Code is 181.

Course name and number - (Example: Contract Attorneys Course, 5F-F10).

Class number - (Example: 148th Contract Attorneys Course).

Specific course information is published in *The Army Lawyer*, on the LCS web site on JAGCNet, and in ATRRS itself. ATRRS automatically sends an e-mail notification to the student after the training office has inputted the reservation into the system. Notification includes the status of the reservation: Reservation, Wait, or Canceled. Students may also verify reservation status through their individual AKO accounts. Students should not call the School to verify reservations. It is the student's responsibility to confirm his or her reservation prior to travel. Students with a confirmed reservation who find that they cannot attend the class as scheduled must cancel their reservation through the local training office or the School so other students on the wait list may attend in their place. Students who do not cancel reservations will receive a "No-Show" on their ATRRS student record that may result in their organization losing quotas in future year course allocations.

7-13. OTHER MILITARY TRAINING.

a. Airborne, Ranger, and Air Assault training is available to qualified JAs designated for assignment to organizations requiring those skills. Airborne training may be available to JAOBC students immediately following graduation. After coordination with the LCS, JAOBC students desiring to attend Airborne school will gain approval from their gaining SJA office. After SJA approval, the LCS will inform PPTO. Other JAs interested in attending Airborne or Air Assault schools may be permitted to do so in conjunction with a PCS. JAs should contact their Career Manager for information and quotas if they desire to attend other Army schools ((e.g., Ranger or Pathfinder school).

b. The JAGC encourages officers to volunteer for these military schools. For newly accessed officers, it provides an introduction to challenging military training. It also provides a cadre of JAs trained for possible future assignment to Airborne, Air Assault, and Special Operations units.

c. Language school training may be available to selected career JAs who will be assigned to a position requiring specialized language training. Officers interested in applying should submit a Defense Language Aptitude Battery (DLAB) score to their Career Manager. When required by position, language training is available at the Defense Language Institute, Presidio of Monterey, California.

7-14. PROFESSIONAL DEVELOPMENT PROFICIENCY CODES (PDPCs) AND SKILL IDENTIFIERS (SIs).

a. Professional Development Proficiency Codes (PDPCs) and Skill Identifiers (SIs) identify individuals with specialized expertise in military justice, government contract law, and international law in accordance with DA PAM 611-21, *Military Occupational Classification and Structure*. Applications for award of a PDPC/SI must be submitted through JA technical supervisory channels to PPTO. These PDPCs/SIs are one indication of proficiency in a core legal discipline. PDPCs/SIs are a factor in the assignment process. Though needs of the Army and needs of the JAGC remain paramount in the assignment process, the Career Development Objective includes employing field grade JAs based on expertise.

b. Military Justice Skill Identifiers. The military justice PDPCs are based on a combination of formal education, additional training, and experience. This program, previously outlined in TJAG Policy Memorandum 08-2, Military Justice Skill Identifiers, dated 21 July 2008, established four PDPCs for military justice: *Basic Military Justice Practitioner*, *Senior Military Justice Practitioner*, *Expert Military Justice Practitioner*, and *Master Military Justice Practitioner*. Each PDPC builds on both schooling and either courtroom or justice management experience, and encourages counsel to deepen their understanding of military justice practice. These PDPCs do not create a specialization, but rather highlight the JAGC's desire to maintain a sustained proficiency in military justice. The current guidance is contained in Appendix 7-1. **Request for a military justice skill identifier should be routed through an officer's supervisory chain to the Chief, Criminal Law Policy Branch, OTJAG.**

c. Contract Law Skill Identifier. The contract law SI, "3D," described in DA Pam 611-21, Table 4-3, requires completion of the JAGC graduate course, and service in two major acquisition or government contract assignments. Successful completion of a master's degree program in Government Contract Law may be substituted for one of the major acquisition assignments. See Table 4-3 for additional requirements. Request for a contract law SI should be routed through an officer's supervisory chain to the Chief, Contract and Fiscal Law Division, USALSA.

d. International Law Skill Identifier. The international law SI, "3N," described in DA Pam 611-21, Table 4-3, requires successful completion of the JAGC graduate course and (1) service for at least 3 years in a position requiring at least half of the officer's time to be devoted to international law; or (2) service for 3 years as an instructor in the International Law Division at the LCS; or (3) service for at least 2 years in a capacity under (1) or (2) above and 1 year of post graduate legal study specializing in international law; or (4) any combination of 3 years under the foregoing categories. Request for an international law SI should be routed through an officer's supervisory chain to the Chief, International and Operational Law Division, OTJAG.

e. The Chief, PPTO is the approval authority for the skill identifiers listed above. Upon recommendation from the applicable Division Chief, the applications should be submitted to PPTO Career Managers for processing.

f. Joint Qualification. Unlike competitive category officers, JAs are not required to be jointly qualified when competing for colonel and brigadier general selection boards. Accordingly, the joint qualified SIs (3A: Joint Duty Assignment Qualified and 3L: Joint Qualified Officer) do not apply to JAs.

7-15. ACTIVE DUTY SERVICE OBLIGATIONS ASSOCIATED WITH TRAINING.

The following ADSOs are associated with participation in military training:

a. Officers who attend the Graduate Course incur a 2-year ADSO; the FLEP ADSO cannot be served concurrently with the Graduate Course ADSO.

b. Officers who attend a SSC, ILE (including ILE CL, but not Non-Resident (Distance) ILE), equivalent foreign military schools, or equivalent training (e.g., with DoJ or ODNI) incur a 2-year ADSO.

c. Newly appointed warrant officers who attend Warrant Officer Basic Course (WOBC) incur a 6-year ADSO upon graduation. This ADSO does not apply to warrant officers who already hold a warrant officer MOS. Warrant officers who attend Army-directed professional development courses, including the Warrant Officer Advanced Course, Warrant Officer Intermediate Level Education, and Warrant Officer Senior Service Education (WOAC, WOILE, WOSSE), do not incur a service obligation.

CHAPTER 8. SELECTION, CERTIFICATION, AND ASSIGNMENT OF JUDGES

8-1. SELECTION AND CERTIFICATION OF ACTIVE DUTY MILITARY TRIAL JUDGES.

a. TJAG selects active duty JAs to serve as military trial judges who will meet the following criteria:

- (1) have at least three years of trial experience as a court-martial trial or defense counsel; two years of court-martial trial experience and at least one year as chief of criminal law, regional defense counsel, or criminal law instructor; or three years as a SJA in an active criminal law jurisdiction;
- (2) are serving in the grade of colonel, lieutenant colonel, or major (promotable);
- (3) have completed ILE or the equivalent, or are willing to enroll and complete such a course;
- (4) have demonstrated mature judgment and high moral character; and
- (5) have been nominated for selection by the Chief Trial Judge, in coordination with the Chief, PPTO.

b. To be certified as a military trial judge, selectees must graduate from the LCS-run Military Judge Course with a grade of 77 or higher.

8-2. SELECTION AND CERTIFICATION OF USAR TRIAL JUDGES.

a. TJAG selects USAR JAs to serve as military trial judges who will meet the following criteria:

- (1) have at least three years criminal law experience as: (a) a full-time civilian trial or appellate judge, or U.S. Magistrate Judge; (b) a criminal trial practitioner, with recent extensive experience in federal, state, or military courts; or (c) a full-time criminal law instructor in a military or civilian school);
- (2) have demonstrated familiarity with the military justice system (for example, have documented service on active duty as a court-martial trial or defense counsel, or have documented observation of multiple active duty courts-martial);
- (3) are serving in the grade of colonel, lieutenant colonel, or major (promotable);
- (4) have demonstrated mature judgment and high moral character; and,
- (5) have been nominated for selection by the screening committee referenced below.

b. To be certified as a military trial judge, selectees must graduate from the LCS-run Military Judge Course with a grade of 77 or higher.

c. Upon selection by TJAG and prior to attending the Military Judge Course at the LCS, USAR military judge candidates will be assigned to the 150th Military Judge - Legal Operations Detachment (MJ-LOD).

d. Vacancies in the 150th MJ-LOD will be advertised on JAGCNet on or about 1 October for positions opening in June of the following year. Applications for appointment as a USAR military judge will be sent to the Chief Trial Judge, 150th MJ-LOD. Applications must be accompanied by the officer's 2-1, a chronology and description of military service, a civilian résumé and the last three OERs. The application should also include letters of recommendation and such additional information sufficient to demonstrate compliance with the selection criteria above. A screening committee chaired by the Chief Trial Judge, United States Army Trial Judiciary, will review the application files and recommend candidates to TJAG to fill open USAR military trial judge positions.

8-3. SELECTION AND CERTIFICATION OF NATIONAL GUARD (NG) MILITARY JUDGES.

a. NG applications to attend the Military Judge Course must be endorsed by the senior JA or state SJA, as applicable, and sent through the Office of the Chief Counsel, National Guard Bureau, to the Chief Trial Judge, United States Army Trial Judiciary for final decision. Attendance at the Military Judge Course is limited to those NG JAs who meet the below criteria for certification; accordingly, application packets must contain information sufficient to demonstrate compliance with the certification criteria. Quotas are limited so applications should contain additional information (beyond the required information) to distinguish otherwise qualified candidates. In order to allow sufficient time for processing, complete applications should be received by the Chief Trial Judge NLT 15 January for the course beginning in April of that year.

b. For a NG JA to be certified as a military judge by TJAG, the following criteria must be met:

(1) have at least three years criminal law experience as (a) a full-time civilian trial or appellate judge, or U.S. Magistrate Judge, (b) a criminal trial practitioner, with recent extensive experience in federal, state, or military courts, or (c) a full-time criminal law instructor in a military or civilian school;

(2) have demonstrated familiarity with the military justice system (for example, have documented service on active duty as a court-martial trial or defense counsel, or have documented observation of multiple active duty courts-martial);

(3) are serving in the Army National Guard in the grade of colonel, lieutenant colonel, or major (promotable);

(4) have demonstrated mature judgment and high moral character; and

(5) currently is assigned (or, upon graduation from the Military Judge Course, immediately will be assigned) to an existing position as a state military judge.

c. To be certified as a military trial judge, selectees must graduate from the LCS Military Judge Course with a grade of 77 or higher.

8-4. TRIAL JUDICIARY ASSIGNMENTS.

a. Assignments of military judges to the Trial Judiciary are made by TJAG upon the recommendation of the Chief Trial Judge, United States Army Trial Judiciary, and the Chief, PPTO.

b. As a general rule, officers below the grade of colonel will not receive consecutive trial judge assignments. Upon the completion of a tour as a trial judge, the officer typically will be reassigned to a position related to the field of criminal law such as SJA, Regional Defense Counsel, Deputy SJA, Criminal Law Division at OTJAG, the LCS, or one of the Appellate Divisions in USALSA. Military judges are eligible and compete for military and civilian schooling on the same basis as any other JAs. School assignments are considered intervening assignments for purposes of determining eligibility for a subsequent assignment as a trial judge.

8-5. SELECTION AND ASSIGNMENT OF APPELLATE MILITARY JUDGES.

a. General. Assignments of appellate military judges to the U.S. Army Court of Criminal Appeals are made by TJAG upon recommendation of the Chief Judge, U.S. Army Court of Criminal Appeals, and the Chief, PPTO.

b. Grade Requirements. Appellate judges will normally be in the grade of colonel. Exceptional lieutenant colonels with at least two years' time-in-grade may be considered for a waiver of the grade requirement.

c. Experience Requirements. Appellate judges should have at least two years of experience as a GCM trial judge, previous service as an appellate judge, two years of experience as an SJA of a general court-martial jurisdiction, or two years of experience as a regional defense counsel. Appellate judges should also have at least two years of criminal law experience as a trial counsel, chief of military justice, criminal law instructor, or trial defense counsel.

d. Military Education Requirements. Appellate judges must be a graduate of ILE or its equivalent. Appellate judges must graduate from the LCS Military Judge Course with a grade of 77 or higher. TJAG may grant waivers to these requirements.

8-6. TENURE FOR MILITARY JUDGES.

a. Trial Judges. Judge advocates are certified as military judges by TJAG and assigned to the Trial Judiciary for a minimum of three years, except under any of the following circumstances:

(1) The military judge is assigned to the Republic of Korea or other such area where officers are normally assigned for a one- or two-year tour; in such cases the military judge will typically be appointed to a one- or two-year term;

(2) The military judge voluntarily requests to be reassigned to other duties, and TJAG approves such reassignment;

(3) The military judge retires or otherwise separates from military service;

(4) The military judge is reassigned other duties by TJAG based on the needs of the service in a time of war, contingency operation, or national emergency; or

(5) The officer's certificate as a military judge is withdrawn by TJAG for good cause.

b. USAR judge advocates certified by TJAG as military judges are assigned to the 150th LOD for a minimum of three years and detailed by the Chief Trial Judge, United States Army Trial Judiciary, or a designee to courts-martial within one of several designated judicial circuits. Upon the completion of a three-year tour as a military trial judge, a USAR military judge can request three-year extensions (through the Chief Trial Judge, 150th LOD, and the Chief Trial Judge, United States Army Trial Judiciary) from TJAG. In the event a USAR military judge is mobilized for an assignment inconsistent with the role of a military judge, that officer will be reassigned from the 150th LOD and may reapply for a position in the unit upon demobilization. A USAR military judge who mobilizes to serve in a capacity consistent with the role of a military judge may remain assigned to the 150th LOD and may return to the unit upon demobilization without having to reapply. While mobilized, a USAR military judge's tenure continues to run.

c. Appellate Military Judges. Judge advocates are assigned as appellate military judges for a minimum of three years, except under the following circumstances:

(1) The appellate military judge voluntarily requests to be reassigned to other duties, and TJAG approves such reassignment;

(2) The appellate military judge retires or otherwise separates from military service;

(3) The appellate military judge is reassigned other duties by TJAG based on the needs of the service in a time of war, contingency operation, or national emergency; or

(4) The officer is removed from service as an appellate military judge by TJAG for good cause.

CHAPTER 9. ACQUISITION LAW SPECIALTY PROGRAM

The Acquisition Law Specialty (ALS) Program is being phased out. No further applications will be accepted. Attorneys already enrolled in the ALS Program will continue to receive first consideration for assignment to acquisition law positions and acquisition law training, subject to the needs of the Army and the JAGC. Judge advocates in the ALS Program have equal opportunity with other JAs for promotion and other training programs. At their request, JAs in the ALS Program may be identified to promotion boards (O-4 to O-6). JAs wishing to have this notification in their promotion board file must inform their career manager before the board file closes. Questions should be directed to PPTO.

CHAPTER 10. SEPARATION, RESIGNATION, DISCHARGE, AND RETIREMENT

10-1. GENERAL.

Officers may be released from obligated and non-obligated periods of service upon personal request or involuntarily when personal circumstances or needs of the Army dictate. All officers serving on the ADL possess Regular Army commissions and must resign their commissions in order to be released. This chapter covers the more frequent circumstances in which release from service may be directed or approved.

10-2. RESIGNATIONS.

a. Unqualified resignations will be submitted as soon as possible, and normally must be submitted not earlier than 12 months or less than 6 months prior to the requested date of separation. If an officer has been considered by a promotion board and selected for promotion, then the six-month requirement will be enforced. If the officer is requesting a waiver of any ADSO, then this request must be submitted at least 12 months prior to the effective date. Additionally, maintaining the current rank upon resignation is dependent upon regulatory time requirements as outlined in AR 600-8-24 and AR 600-8-29. Normally, unqualified resignations will not be accepted unless the officer will have satisfied all service obligations by the effective date of the resignation. In this regard, officers serving overseas normally will be required to complete the current prescribed tour for the area of assignment. Unqualified resignations must be processed in accordance with AR 600-8-24, Chapter 3, including the mandatory counseling required by paragraph 1-13 and the endorsement by step 2 of Table 3-1. See JAGCNet PPTO Sample Separation Forms for the currently recommended format. Resigning officers must provide an endorsement letter in the format provided on JAGCNET PPTO Sample Separation Forms (no thru line endorsements).

b. Officers who resign should keep copies of the following documents. Possession of these documents will facilitate transition to the RC and, in addition, will be useful for future reference.

- (1) Appointment Orders
- (2) Latest Promotion Orders
- (3) Officer Record Brief
- (4) Assignment Orders to Reserve Control Group (if available)
- (5) DA Form 873 – Certificate of Clearance
- (6) DD 2807-1 – Report of Medical Examination (on Jan 01 replaced SF 88)
- (7) DD 2808 – Report of Medial History (on Jan 03 replaced SF 93)
- (8) DD Form 214 – Certificate of Release/Discharge from Active Duty

c. Officers are required to fill out and submit an exit survey in conjunction with their resignation as well as a reserve component briefing memorandum. Reserve component briefing memorandums must be signed by a PPTO RC Career Manager. See Appendix 10-4 and 10-11.

d. All officers are required to fill out and submit a Victim of Sexual Assault Statement with their resignation. See the JAGCNet PPTO page for sample form.

e. Officers requesting to change the date of previously approved or pending resignation or withdraw their resignation should use the form posted on the JAGCNet PPTO page.

10-3. RETIREMENTS.

a. Applications for voluntary retirement may be submitted up to 12 months before the requested retirement date or no later than 9 months prior to requested retirement date or beginning of transition leave, whichever is the earliest. Guidelines on extended timelines, if applicable, will be published separately by PPTO. Prior to submitting a retirement request, officers must complete DA Form 7301-R – Officer Service Computation for Retirement. The officer must have 19 or more years AFS and be able to complete all service obligations by the retirement date. Applications will be processed in accordance with AR 600-8-24, Chapter 6. See JAGCNet PPTO page for the most up to date versions of all required forms.

b. The following documents must be submitted with all retirement requests:

- (1) Retirement application—including GI Bill transfer confirmation memorandum (if applicable);
- (2) Supervisor endorsement memorandum;
- (3) DA Form 7301-R; and
- (4) Request form for permission to practice law on transition leave (if applicable).

c. 10 U.S.C. § 1370(a)(2) requires three years time-in-grade for COLs and LTCs seeking to retire in the highest grade satisfactorily served on active duty. The Secretary of the Army may waive that requirement in individual cases involving extreme hardship or unusual circumstances. Officers desiring to submit an application for retirement with a concurrent request for waiver of the time-in-grade requirement should contact PPTO for guidance on current policy on time-in-grade waivers.

d. Selective Early Retirement Boards (SERBs). 10 U.S.C. § 638 provides statutory authority for selective early retirement. The JAGC will consider SERBs, when necessary, to assist it in reaching its force structure goals.

10-4. OFFICER ELIMINATIONS.

a. An officer is permitted to serve in the Army because of the special trust and confidence the President and the nation have placed in the officer's patriotism, valor, fidelity, and competence. An officer is expected to display responsibility commensurate with this special trust and confidence and to act with the highest integrity at all times. However, an officer who will not or cannot maintain those standards will be separated in accordance with Chapter 4 of AR 600-8-24, *Officer Transfers and Discharges*.

b. JA personnel files will be routinely reviewed by supervising officers, SJAs, and PPTO. Officers who have poor potential for continued service, substandard duty performance, or derogatory information may be processed for elimination. See paragraph 4-2, AR 600-8-24. Prior to initiating an officer elimination action, SJAs and other heads of legal offices should consult with PPTO. Pursuant to paragraph 4-20 of AR 600-8-24, probationary RA officers are not entitled to have their cases heard by a board unless an Other than Honorable Discharge is recommended.

10-5. FORCE SHAPING AUTHORITY.

Force shaping authorities in 10 U.S.C. § 647 and in 10 U.S.C. § 638a allow TJAG to request authority through the Secretary of the Army to hold boards for the purpose of restructuring the JAGC and managing endstrength across the Corps. If it is necessary to hold a force shaping board (e.g., Officer Separation Board), PPTO will notify the field of the board process and the population to be considered.

10-6. RECOUPMENT OF EDUCATIONAL EXPENSES.

Officers who have an active duty service obligation based on educational expenses paid by the government (e.g., USMA, ROTC scholarship, FLEP, or LL.M.) are generally required to repay the government for a pro-rata portion of these expenses if they leave active duty before the end of their obligated service.

10-7. TRANSITION LEAVE.

a. Requests for transition leave pending retirement or resignation are approved or disapproved by the officer's commander, SJA, or office approval authority. No action by PPTO is required. In determining whether to approve a request for transition leave, approving authorities should consider that replacements are scheduled based upon the actual separation date and not the date transition leave begins. Approval of such a request may result in an office vacancy for at least the period of transition leave.

b. The practice of law outside the JAGC during a period of transition leave requires prior approval. TJAG has delegated authority to approve such requests to the Chief, PPTO. Requests should be sent through and endorsed by the SJA, or equivalent supervisor, to PPTO. Recommended format is available on the JAGCNet PPTO page.

10-8. FORWARDING ADDRESS UPON SEPARATION FROM ACTIVE DUTY.

Officers who are leaving active duty should provide PPTO with a forwarding address.

10-9. RETIREMENT OR RESIGNATION IN LIEU OF PCS ASSIGNMENT.

Officers who will be eligible for retirement or separation within 6 months of the date on which they receive a PCS assignment alert may resign or request voluntary retirement in lieu of PCS. The request must be submitted within 30 days after the officer is alerted for assignment. (See AR 350-100, paragraph 2-6.) An alert is defined as oral or written notification of an assignment or reporting date. The officer must request a release date not later than six months from the date of the PCS assignment alert.

10-10. SELECTIVE CONTINUATION.

a. Selective continuation is a method of retaining capable, experienced officers of a specific grade to meet the needs of the Army and the needs of the JAGC. Officers pending separation for twice failing to be selected for promotion to lieutenant colonel may be continued on active duty in their present grade if recommended by a selective continuation selection board and approved by the Secretary of the Army. Not all selection boards are authorized to recommend selective continuation. Selective continuation is not an entitlement.

b. TJAG may determine that selective continuation is necessary to maintain a certain number of best-qualified majors who have been twice non-selected to lieutenant colonel. Selective continuation in the JAGC will end upon retirement eligibility under 10 U.S.C. § 3911 and will not continue beyond 20 years of federal service. Selectively continued officers will continue to be eligible for selection for promotion until separated.

c. Regular Army officers may decline selective continuation before the period of continuation begins. Such officers may not be eligible for separation pay.

d. Officers wishing to be discharged or released from active duty before a selective continuation period expires may voluntarily request such action. If discharged or released, however, they may not be entitled to separation pay. See AR 600-8-29, Officer Promotions, and AR 600-8-24, Officer Transfers and Discharges.

10-11. SERVICE IN THE RESERVE COMPONENT.

a. Regular Army officers accept an eight-year statutory military service obligation upon initial appointment; the first four years are an ADSO. Regular Army officers must resign their commissions, and request reappointment to obtain a Reserve commission. SJAs of officers leaving active duty after completing their initial ADSO must ensure the officers understand that they have a remaining statutory Reserve obligation.

b. PPTO will provide to Chief, RC Management, PPTO, on a recurring basis, the names of CPTs and MAJs who have approved resignations. RC Management will use this information to provide separating officers with basic information on the Reserve Components and how to participate prior to expiration-term of service (ETS).

c. The SJA or equivalent senior command legal counsel will personally meet with each officer scheduled to resign to discuss service in the Reserve Components and request that each officer provide a forwarding address and phone number. A briefing point paper is provided on the JAGCNet PPTO page. A report of the results of each interview, in the template provided on the JAGCNet PPTO page, will be provided to the Office of The Judge Advocate General, ATTN: DAJA-PT, 2200 Army Pentagon, Room 2B517, Washington, D.C. 20310-2200. The report will be provided to PPTO along with the officer's resignation.

d. Army policy requires that resigning officers must also receive a reserve component briefing. Use the Memorandum for Record format provided on the JAGCNet PPTO page to document the reserve component briefing. This briefing must be given by a Reserve Army career counselor; most installations require the briefing be received from the local counselor before allowing an individual to separate.

CHAPTER 11. SPECIAL RULES OF MILITARY PRACTICE

11-1. COUNSEL IN COURTS-MARTIAL.

- a. Article 27(b), Uniform Code of Military Justice (UCMJ), requires that an individual detailed as a trial or defense counsel of a general court-martial (GCM) must be a JA and a graduate of an accredited law school or a member of the bar of a Federal court or of the highest court of a state, and certified to perform such duties by TJAG. All SJAs and RDCs are responsible for ensuring that only certified commissioned officers are detailed as counsel in all courts-martial.
- b. Officers appointed in or assigned or detailed to the JAGC will be certified as counsel before GCMs upon successful completion of JAOBC or on admission to the bar, whichever occurs later.
- c. Non-JA officer-lawyers normally will not be certified. If an exception to this rule is required, the SJA concerned will submit a request to PPTO, accompanied by the officer's law school transcript, a certified copy of the officer's license to practice, certificate of good standing, a resume of experience, and a justification for an exception to this policy.
- d. Reserve Component JAs serving on active or inactive duty for training who are certified may be detailed as trial counsel or assistant defense counsel in all levels of courts-martial.
- e. FLEP officers performing OJT may be detailed as summary courts-martial officers.
- f. Only JAs assigned to USATDS counsel will be detailed as defense counsel or assistant defense counsel.

11-2. GOOD STANDING WITH ATTORNEY'S LICENSING AUTHORITY.

- a. All Army attorneys, including JAs who are members of the Active Army, USAR, and ARNG and Civilian attorneys under TJAG's qualifying authority, must maintain a valid law license and remain in good standing with at least one attorney licensing authority (i.e. member of the bar of a Federal court or of the highest court of a State). If a state bar has an inactive member in good standing designation, that may satisfy the requirement, however, be advised that other agencies, such as OGC, do require active membership in addition to good standing. For details on the definition of "good standing," see the Glossary of AR 27-1.
- b. To ensure compliance, all attorneys who are part of the JALS must self-certify every other fiscal year (odd years) that they are in good standing with their licensing authority. PPTO will notify all members of JALS when the window for self-certification opens. Noncompliance with this policy is a basis for suspension from performing legal duties or separation in cases of loss of license or disbarment from professional practice. A current, valid license to practice law in a state, territory of the United States, District of Columbia, or Commonwealth of Puerto Rico is a condition of continued employment for civilian attorneys of the DA. See AR 690-200.
- c. In addition to self-certification, all Regular Army and USAR JAs must provide proof of good standing when the officer is in the primary zone of eligibility for promotion or prior to first time eligibility before a DA centralized school selection board. Proof of good standing must be provided to PPTO prior to the officer's consideration by the board. One submission per year is sufficient (e.g., if an officer submitted a certificate of good standing for the CGSC board, then he or she does not need to submit it again in the same calendar year for the lieutenant colonel promotion board). Similarly, civilian attorneys will provide sufficient proof of good standing prior to being hired, reassigned or promoted.
- d. Each Army attorney has a personal responsibility to ensure compliance with applicable licensing rules pertaining to the practice of law and to maintain his or her license and good standing. Every attorney has a responsibility to report to Chief, Professional Responsibility (ATTN: DAJA-PR), upon being notified that he or

she is being investigated by his or her licensing authority under circumstances that could result in the attorney being disciplined as an attorney or judge and upon being so disciplined, in accordance with AR 27-1 and AR 27-26.

e. Appointment as a Special Assistant United States Attorney (SAUSA) requires attorneys to comply with Department of Justice (DOJ) policies on bar membership. The DOJ requires all DOJ attorneys, including SAUSAs, to certify annually that they are duly licensed and authorized to practice as an attorney under the laws of at least one state, territory, or the District of Columbia at all times. The DOJ has interpreted the term “duly licensed and authorized” to mean that a SAUSA’s current status is such that “as is” he or she could practice in their home state. The DOJ requirement is not met by merely being “a member in good standing,” but requires a SAUSA to maintain “active” bar membership. Those who do not maintain an active status will not be allowed by DOJ to continue to appear on behalf of the United States in U.S. District or U.S. Magistrate Courts. Prospective SAUSAs should meet this requirement prior to the request for appointment to avoid any delay in certifying the SAUSA. Furthermore, the Citizens Protection Act (28 U.S.C. § 530B) applies to Special Assistant United States Attorneys and provides: “An attorney for the Government will be subject to State laws and rules, and local Federal court rules, governing attorneys in each State where such attorney engages in that attorney’s duties, to the same extent and in the same manner as other attorneys in that State....” As used in the Act, “attorney for the government” includes judge advocates appointed as a SAUSA, or “employed” by the DOJ, who are authorized to conduct criminal or civil law enforcement proceedings on behalf of the United States.

11-3. STATE FEES.

Some states, including New Jersey, Tennessee, Texas, and the District of Columbia, have begun to charge a professional license fee or privilege tax for attorneys. This is a tax by the state and not a bar fee. In many cases, however, the states have been granting exemptions to attorneys employed by the federal government and not practicing in their state. If you receive any report that a state in which you are a member of the bar is considering or has instituted a privilege tax, notify PPTO.

11-4. SUSPENSION FROM DUTIES.

a. Military. The Judge Advocate General may, in his or her discretion, issue, suspend, or withdraw any certification of qualification to act as military judge, or any certification of competency to serve as a JA and/or to act as counsel before courts-martial and Army Court of Criminal Appeals (ACCA), or any certification to serve as a warrant officer in the JAGC, or any certification to serve as a paralegal in the JAGC. The Judge Advocate General may, in his or her discretion, suspend any JA, legal administrator, or military paralegal from performing legal duties. This authority applies to the Active Army, USAR, and ARNG when in a Title 10 status. The Judge Advocate General may, in his or her discretion, discipline other lawyers who practice in proceedings governed by the UCMJ and MCM.

b. Civilians. Approval of qualifications is a condition of continued employment and TJAG may withdraw such approval when appropriate (e.g., for a violation of the Army Rules of Professional Conduct for Lawyers when such violation is established in accordance with the procedures published in AR 27-26 and AR 27-1). When TJAG withdraws approval of an attorney’s qualifications, the person may not thereafter be employed by any Qualifying Authority in the Department of the Army as an attorney.

11-5. OUTSIDE PRACTICE AND COURT APPEARANCES.

a. Judge Advocates.

(1) Active Army JAs may not engage in the outside practice of law or appear as counsel in civilian courts, tribunals, hearings, or boards. This requirement does not apply to RC JAs (USAR and NG) unless they are ordered to active duty for more than 30 consecutive days (see AR 27-1). Exceptions to this policy may be authorized by TJAG upon the request of the JA. Under no circumstances will a JA undertake such outside practice without first obtaining the written approval of TJAG.

(2) Requests for exceptions to policy will be submitted to PPTO in writing through and endorsed by the SJA, supervising JA, or commander concerned, describing fully the nature and extent of the practice contemplated and whether an appearance in court may be required. Requests for appearance as counsel in proceedings in which the United States has an interest will be made through USALSA, Litigation Division, as set forth in AR 27-40, paragraph 1-6b. Requests for exception to policy will include the name of the client, jurisdiction and name of the judicial body, compensation, and requisite bar affiliations, as applicable.

(3) Judge advocates are not prohibited from practicing law or performing legal services for themselves or members of their immediate families, providing such activity is in accordance with the provisions of paragraph 11-6, below.

(4) For procedures to request approval for private practice during transition leave, see paragraph 10-7, above.

(5) In addition to restrictions in subparagraph (2) above, no JA will engage in the outside practice of law without prior written approval. The "practice of law" means representing, advising, or providing other legal services for a client or employer with or without compensation. If bar membership is required for the position, it falls under the definition of the practice of law. Such employment does not include employment where bar membership is not a prerequisite, including teaching non-legal subjects (with or without compensation), lecturing on non-legal subjects (with or without compensation), or writing for publication (with or without compensation). It also does not include the occasional rendering of legal advice or assistance without compensation to personal friends and relatives when not inconsistent with the restrictions above. For outside employment not involving the "practice of law," Army regulatory and local policy guidance will govern.

b. Civilian Attorneys.

(1) This policy supplements the general limitations on outside employment contained in AR 690-200, chapter 213; the Joint Ethics Regulation (JER), 5 C.F.R. Part 2635; and DoD 5500.7-R. The guidance outlined in paragraphs (2) through (5) below is derived from AR 690-200, chapter 213, subchapter 4.

(2) Civilian attorneys under TJAG's qualifying authority will not participate in outside employment (as determined by Director, Civilian Personnel Labor and Employment Law), with or without compensation, which

(a) Interferes in any manner or is incompatible with the proper and effective performance of his or her official duties;

(b) Creates a conflict of interest or appearance of one; or

(c) May reasonably be expected to reflect adversely on the government or the Army.

(3) In addition to restrictions in subparagraph (2) above, no Army Civilian attorney will engage in the outside practice of law without prior written approval. The "practice of law" means representing, advising, or providing other legal services for a client or employer with or without compensation. It does not include employment where bar membership is not a prerequisite, including teaching non-legal subjects (with or without compensation), lecturing on non-legal subjects (with or without compensation), or writing for publication (with or without compensation). It also does not include the occasional rendering of legal advice or assistance without compensation to personal friends and relatives when not inconsistent with the restrictions below.

(4) TJAG's authority to approve requests for outside practice of law is delegated to the Director, Civilian Personnel Labor and Employment Law. Employee requests will include the name of the client, jurisdiction and name of the judicial body, compensation, and requisite bar affiliations, as applicable. The head of legal office will provide a separate, written endorsement containing an analysis of how the request

complies with the limitations imposed by this section. Requests for approval will be submitted in writing through legal office command channels, and will include any applicable justification, to:

Director, Civilian Personnel, Labor and Employment Law
OTJAG, ATTN: DAJA-LE
2200 Army Pentagon, Room 3D548
Washington, DC 20310-2200

(5) Even with written approval, no attorney will engage in outside practice of law in violation of: 18 U.S.C. § 203, nor § 205 (U.S. is a party or has an interest), nor § 209 (outside compensation for official services); nor AR 27-1; nor with respect to matters:

- (a) Referred from the Civilian attorney's legal office; or
- (b) With which he or she is, or may become, involved in an official capacity; or
- (c) Involving government personnel serviced by the legal office.

11-6. STANDARDS OF CONDUCT.

a. In each case of outside practice of law and outside employment, JALS attorneys (both JA and Non-JA) will ensure that they do not act as an agent or attorney against the United States' interests or engage in any matter that interferes with, or is incompatible with, their duties. Army attorneys will not demand, accept, nor agree to receive any compensation for any representational services, as agent or attorney or otherwise, rendered or to be rendered either personally or by another in relation to any proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which the United States is a party or has a direct and substantial interest, before any department, agency, court, court-martial, officer, or any civil, military, or naval commission.

b. Army attorneys will not engage in any matter that, under the circumstances, may reasonably be expected to create the appearance of a conflict of interest or bring discredit on the government or the Department of the Army. Judge advocates assigned as SJAs will not represent individual clients in matters that will conflict them from performing their duties as an SJA; this rule applies to all SJAs, including members of the U.S. Army Reserve and the Army National Guard (whether serving in Title 10 or Title 32 status). Any request for an exception to this policy will be submitted and processed IAW the procedures specified in paragraph 11-5 above. Violations of this policy by SJAs will be reported to the Executive Officer for TJAG.

11-7. PROFESSIONAL RESPONSIBILITY

Supervisory lawyers will ensure that all Army lawyers under their supervision receive annual training on the Army Rules of Professional Conduct for Lawyers (AR 27-26) and other applicable ethics standards, such as the Code of Judicial Conduct for Army Trial and Appellate Judges (May 2008). At a minimum, each lawyer should receive three hours of professional responsibility training each year. The training should focus on ethics issues relevant to the lawyers' practice and be designed to educate Army lawyers regardless of their experience. At a minimum, each Army nonlawyer who performs duty in an Army or joint legal office should receive one hour of professional responsibility training each year. The training should focus on ethics issues relevant to the nonlawyer's duties. Supervisory lawyers are encouraged to make maximum use of available TDY funds to allow lawyers to attend civilian ethics courses. See TJAG Policy Memorandum 14-02, Professional Responsibility, which provides more detailed guidance on professional responsibility.

11-8. COMPLAINTS INVOLVING PROFESSIONAL RESPONSIBILITY OR MISMANAGEMENT

a. Credible professional responsibility complaints will be reported through supervisory lawyer technical channels to the Professional Responsibility Branch (PRB). All members of the JALS will notify their

supervisory lawyer prior to alleging mismanagement, ineffective assistance of counsel, misconduct or ethics violations against another lawyer. Alleged judicial misconduct or unfitness will be reported to the Chief Trial Judge in the case of trial judges or to Chief Judge, U.S. Army Court of Criminal Appeals, in the case of appellate judges

b. Supervisory lawyers will report credible complaints of mismanagement through normal legal technical channels to the Chief, Professional Responsibility Branch.

11-9. TJAG FLAGS INVOLVING THE PROFESSIONAL LICENSING AND CERTIFICATION OF JUDGE ADVOCATES, LEGAL ADMINISTRATORS, AND MILITARY PARALEGALS (FLAG CODE X).

a. In accordance with AR 600-8-22, Suspension of Favorable Personnel Actions, paragraph 2-2o, TJAG is responsible for the professional supervision and professional discipline of judge advocates, military trial and appellate judges, legal administrators (military occupational specialty 270A), and military paralegals (military occupational specialty 27D). Only TJAG (or designee) may impose or remove a Flag, at his or her discretion, for JAs, military trial and appellate military judges, legal administrators, and military paralegals for reasons related to their professional licensing or certification of competency to act as counsel, their professional licensing or certification of qualification to act as a military trial or appellate military judge, their certification as a legal administrator or military paralegal, or for reasons related to the delivery of legal services, in accordance with 10 USC 3037, Rule for Courts-Martial 109 (Manual for Courts-Martial), AR 27-1, and AR 27-26.

b. The Chief, PPTO is TJAG's designee to impose or remove a Flag, in his or her discretion, for JAs, legal administrators, and military paralegals, for reasons related to their professional licensing or certification of competency or fitness to act as counsel, their certification as a legal administrator or military paralegal, or for reasons related to the delivery of legal services;

c. The Chief Trial Judge, U.S. Army Trial Judiciary is TJAG's designee to impose or remove a Flag, in his or her discretion, for military trial judges for reasons related to their certification of qualification to act as a military trial judge.

CHAPTER 12. WARRANT OFFICERS

12-1. GENERAL.

This chapter pertains to the personnel management of JAGC Warrant Officers/Legal Administrators, Military Occupational Specialty (MOS) 270A. Also see Chapter 39, DA Pam 600-3. TJAG manages JAGC Warrant Officers according to the career development models that follow (Figures 12-1 and 12-2). This publication explains the model in greater detail.

12-2. CAREER MANAGEMENT AUTHORITY.

The Judge Advocate General is the career management authority for JAGC Warrant Officers, MOS 270A. The Chief Warrant Officer of the Corps (CWOC) exercises personnel management and professional development responsibilities for JAGC Warrant Officers on behalf of TJAG. In addition, assistance and technical advice on JAGC Warrant Officer matters are provided by the CWOC who also serves as the JAGC Warrant Officer Career/Branch Manager.

- (1) Address: OTJAG
ATTN: DAJA-CW
2200 ARMY PENTAGON, RM 3E548
WASHINGTON, D.C. 20310-2200
- (2) Telephone: DSN 312-223-4466
Commercial (703) 693-4466
- (3) Fax Number: DSN 312-223-1059
Commercial (703) 697-1059

12-3. WARRANT OFFICER APPOINTMENT.

a. General guidance regarding processing instructions and procedures are in accordance with separate AC, RC, and ARNG accessions memos, located both on the PPTO website and within Milbook. Additional information is provided on the U.S. Army Recruiting Command (USAREC) website at www.usarec.army.mil/hq/warrant. JAGC Warrant Officers are appointed from the ranks of Army paralegal noncommissioned officers (MOS 27D). The period for submitting an application for appointment is announced annually.

b. In addition to the general requirements listed in AR 135-100 and DA Pam 601-6, the MOS specific criteria and prerequisites for JAGC Warrant Officer/270A applications are detailed within the specific accession memos.

c. Applications will be submitted following guidance from the JAGC Warrant Officer Accession Board memorandums released annually.

d. Appointments are based on authorized end strength and losses occurring within the fiscal year. After selection, the Assignment Manager in the Office of the CWOC schedules attendance at Warrant Officer Candidate School (WOCS). It takes approximately twelve months to complete the administrative processing, travel, training, and certification of a candidate. RC and ARNG may also complete training via Regional Training Institutes. Training will consist of:

- (1) Warrant Officer Candidate School (WOCS), a branch-immaterial course held at the Warrant Officer Career College, Fort Rucker, Alabama. Additional information about WOCS can be found at <http://usawocc.army.mil/WOES/wocs.htm>.

(2) Upon selection to the JAGC Warrant Officer program, every effort will be made to attach or assign the NCO to the nearest office staffed with a more Senior JAGC Warrant Officer for mentorship and formal integration into the JAGC Warrant Officer Cohort. Upon graduation from WOCS, newly appointed JAGC Warrant Officers will be assigned to their first permanent duty station, usually prior to attendance at the JA Warrant Officer Basic Course (WOBC).

12-4. INITIAL OBLIGATED TOUR.

Active duty Warrant Officers are appointed by the Secretary of the Army in the Army Reserve with a concurrent call to active duty. Individuals incur an initial six-year obligation of voluntary service (OBV). The six-year OBV period for new appointments commences upon graduation from WOBC when they are awarded the Military Occupational Specialty (MOS) 270A Legal Administrator.

12-5. REGULAR ARMY (RA) APPOINTMENT.

(See AR 601-100)

a. Warrant Officers are appointed into the Regular Army and commissioned by the President when promoted to CW2.

b. Any WO1 not recommended for promotion to CW2 will not be granted Regular Army status. Those not recommended will be processed for separation under AR 600-8-24, and must separate no later than 90 days after the promotion review authority approves the non-recommendation for promotion.

c. Warrant Officers promoted to CW2 who decline Regular Army status will be separated no later than 90 days from the date of declination or when all service obligations have been fulfilled. Once RA integration has been declined, it will not be offered again and a declination cannot be withdrawn.

12-6. MILITARY EDUCATION AND TRAINING.

(See DA Pam 600-3)

a. LCS Resident & Nonresident Distance Learning (DL) Training.

(1) Judge Advocate Warrant Officer Basic Course (JAWOBC). JAWOBC is a six-week course conducted once a year. Upon completion, warrant officers are technically and tactically certified by TJAG and awarded the MOS 270A, Legal Administrator. Funding for WOBC is provided by Military Training Specific Allotment (MTSA). Students are automatically enrolled in the Legal Administrator JATSOC distributed learning course upon successful graduation. Students should enroll in the Supervisor's Development Course after completion of WOBC (1-250-C5(DL)).

(2) Judge Advocate Warrant Officer Advanced Course (JAWOAC). JAWOAC is a four-week course. The Action Officer Development Course (AODC) (131-P00), Legal Administrator's JATSOC Course, Resource Management Course (7D-36A/541-F7(DL)) and the Supervisor's Development Course (1-250-C5(DL)) must be completed prior to attending the WOAC resident phase. Enrollment in AODC must occur after promotion to CW2 in order to qualify for WOAC Prerequisite Studies credit. Funding for WOAC is provided by MTSA. The Planning, Programming, Budgeting and Execution System (PPBES) course (7D-36A/541-F13(DL)) must be completed prior to attendance at Warrant Officer Intermediate Level Education (WOILE).

(3) The Legal Administrator Course (LAC) is an annual one-week course for AC and RC (USAR and ARNG) CW2 and CW3 JAGC Warrant Officers. This course is by invite only and funding is provided by the JAGC Warrant Officer's assigned unit.

(4) The Senior Legal Administrator Course (Sr. LAC) is an annual one-week course for AC and RC (USAR and ARNG) CW4 and CW5 Legal Administrators. This course is by invite only and funding is provided by the JA Warrant Officer's assigned unit. Exceptions for non-attendance must be formally requested and approved by the CWOC.

b. Non-resident (DL) Instruction. JAGC Warrant Officers are encouraged to enroll in distributed learning courses offered through JAGU or the Army's e-Learning (Smart Force) web-based training courses to develop their professional expertise.

c. TRADOC Resident Courses.

(1) Warrant Officer Intermediate Level Education (WOILE) is a two-phase course consisting of Phase I (dL) and a five-week Phase II (resident) course conducted at the Warrant Officer Career College, Fort Rucker, AL. Completion of PPBES (7D-36A/541-F13dL) and Resource Management (7D-36A/541-F7dL) is required prior to requesting attendance. Personnel eligible for promotion to CW4 will schedule attendance in coordination with the branch manager. Funding for WOSC is provided by Military Training Specific Allotment (MTSA) dollars.

(2) Warrant Officer Senior Service Education (WOSSE) is a two-phase course consisting of Phase I (dL) and a four-week Phase II (resident) course conducted at the Warrant Officer Career College, Fort Rucker, AL. Personnel eligible for promotion to CW5 will schedule attendance in coordination with the branch manager. Funding for WOSSC is provided by MTSA dollars.

d. Other Continuing Education.

(1) Judge Advocate General's Corps Warrant Officers are encouraged to attend relevant short courses offered at the LCS. The current FY academic calendar is located at <https://www.jagcnet.army.mil/tjaglcs>. Funding is provided by the JAGC Warrant Officers' assigned unit.

(2) Continuing professional education is also encouraged and can be obtained by attendance at short courses offered by numerous institutions, and online professional development. Use of local funds is encouraged, as limited funding is available from HQDA. Judge Advocate General's Corps Warrant Officers are encouraged to share information on training opportunities with the CWOC and the Department Chair, Legal Administrator and Paralegal Studies Department, LCS. Technical development may also be accomplished by attending functional and supervisory training sessions offered by the Office of Personnel Management and local commands. Enrollment in correspondence courses offered by The Army Institute for Professional Development is encouraged. Course listings can be found at <http://www.atsc.army.mil/accp/>. (See DA Pamphlet 351-20)

(3) USAR JAGC Warrant Officers are required to attend the on-site training in their region of operations on an annual basis. Active component and ARNG JAGC Warrant Officers are also strongly encouraged to attend an on-site in their region on an annual basis.

e. Degree Completion Program (DCP). The DCP enables selected warrant officers to complete degree requirements at accredited civilian colleges and universities as a resident student. Applications for consideration should be forwarded to the Branch Manager in accordance with AR 621-1.

12-7. ASSIGNMENTS.

(See AR 614-100, DA Pam 611-21, AR 600-8-11 & DA Pam 600-3)

a. Pursuant to the Warrant Officer Management Act (WOMA), all MOS 270A positions on manpower documents have been position coded by grade. Where possible, personnel will be assigned to positions equivalent to their grade and experience.

b. In making assignments, the needs of the Army take precedence over other considerations. An individual's skills, professional development, and personal preferences are considered in the assignment process. The location, level, and types of units authorized MOS 270A positions are extremely limited; therefore, vertical or lateral progression may not be reflected in every assignment. Assignments are generally made only to organizations that have valid requirements and position authorizations.

c. Assignment Policies.

(1) Reassignments are kept to the minimum needed to maintain an overseas rotational base, satisfy requirements for special qualifications, and provide for career progression.

(2) Warrant Officers will ordinarily complete the minimum months assigned on station as prescribed in Army regulations before being reassigned; however, mission requirements may require earlier departure from an assignment.

12-8. PROMOTIONS.

(See AR 600-8-29 and AR 135-155 (USAR))

a. Promotion Boards. The Judge Advocate General does not convene separate selection boards for promotion to the grades of CW3, CW4, and CW5 for AC and USAR JAGC Warrant Officers. Judge Advocate General's Corps Warrant Officers are considered by regularly scheduled HQDA Warrant Officer promotion boards. On occasion, TJAG will provide a voting member to Warrant Officer promotion boards. Warrant Officers are recommended for promotion on a "best qualified" basis.

b. Permanent RA Grade. In accordance with the Warrant Officer Management Act (WOMA), all promotions to the grade of CW3, CW4, and CW5 are permanent.

12-9. RETIREMENTS.

In accordance with AR 600-8-24, paragraph 6-19(b), applications for voluntary retirement will be submitted to the Branch Manager no earlier than 12 months and no later than 9 months prior to the desired date of retirement or beginning date of transition leave, whichever is earlier. Officers considering retirement should contact the Office of the CWOC for guidance, then obtain a Service Computation Worksheet from their local Personnel Office or S1 and request calculation of their retirement date prior to submitting an application for retirement through the CWOC to PPTO. Applications will be processed in accordance with applicable regulations. See the JAGCNet PPTO page for the recommended format.

Figure 12-1 JAGC Warrant Officer Career Development & Utilization Model

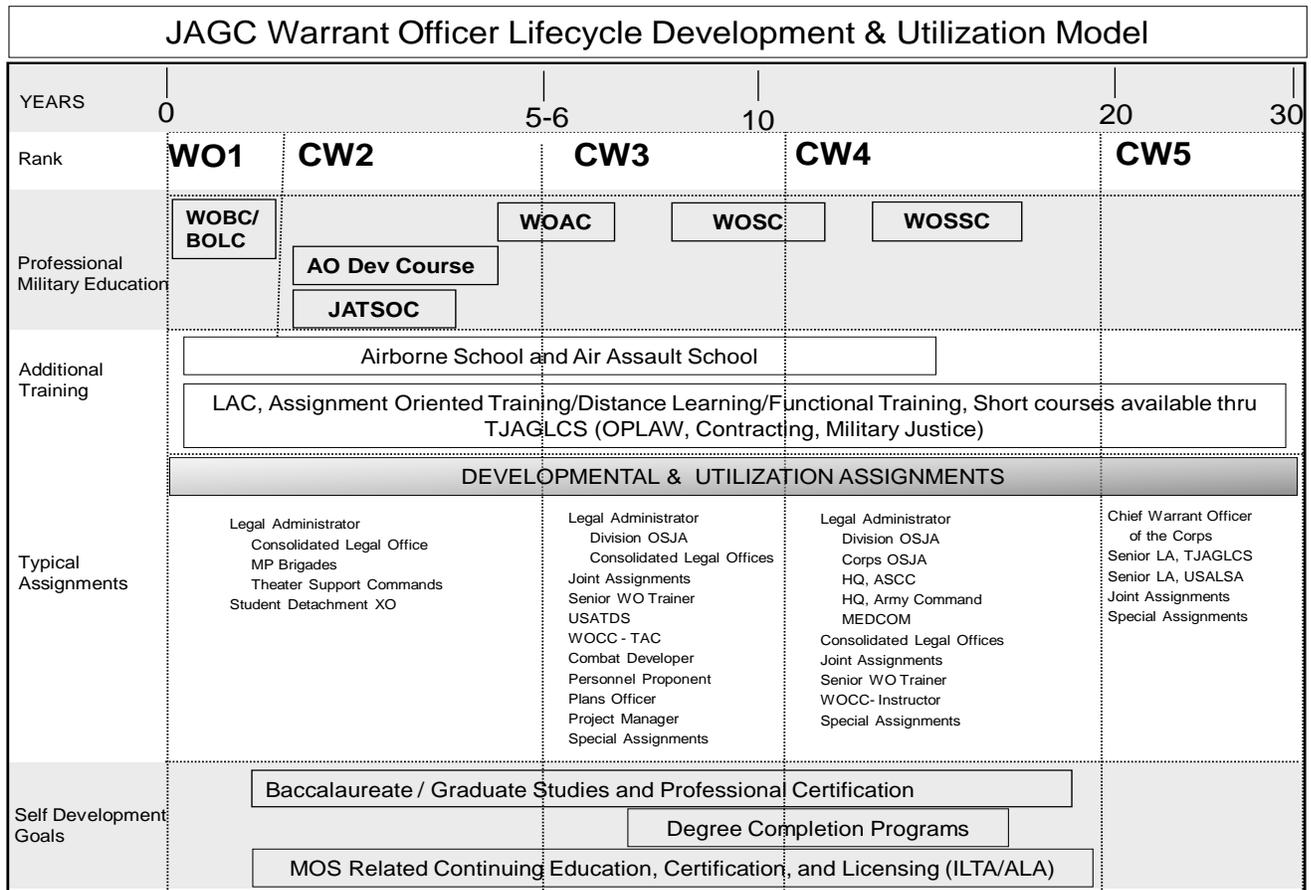
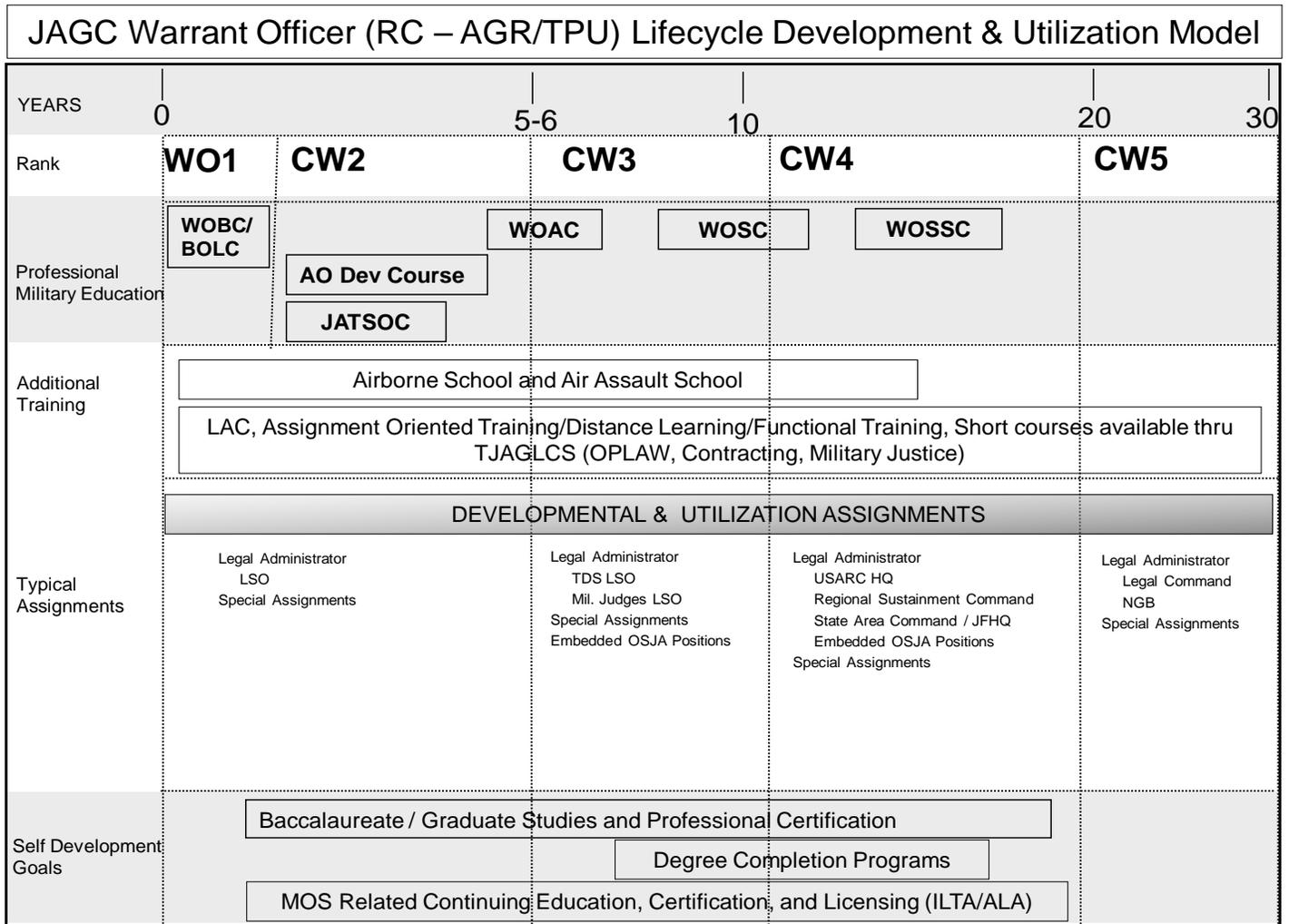


Figure 12-2 JAGC Warrant Officer (RC) Career Development & Utilization



CHAPTER 13. CIVILIAN ATTORNEY MANAGEMENT PROGRAM

13-1. SCOPE.

This chapter applies to all Civilian attorneys and Civilian attorney positions within the professional qualifying authority of TJAG. This includes all Army Civilian attorneys who are not specifically included within another professional qualifying authority (Army General Counsel; Chief Counsel, US Army Corps of Engineers; and Command Counsel, US Army Materiel Command). Individuals with questions concerning the scope of TJAG's qualifying authority should address them to the Chief, Civilian Personnel Management, Labor and Employment Law Division, OTJAG. This chapter does not apply to law students hired under TJAG's Intern Program.

13-2. REFERENCES.

- a. AR 690-200, Chapter 213, Subchapter 4, *Employment of Civilian Attorneys*.
- b. DOD Instruction 1442.02, *Personnel Actions Involving Civilian Attorneys*.
- c. TJAG and DCP Sends, Military Spouse Employment, Volume 39-01, 18 June 2014

13-3. CIVILIAN ATTORNEY PERSONNEL MANAGEMENT GUIDANCE.

This chapter reproduces reference a, above (Figure 13-1), and provides a graphical overview of the civilian attorney staffing process (Figure 13-2). Questions concerning JALS civilian personnel management should be directed to the Chief, Civilian Personnel Management (DAJA-LE).

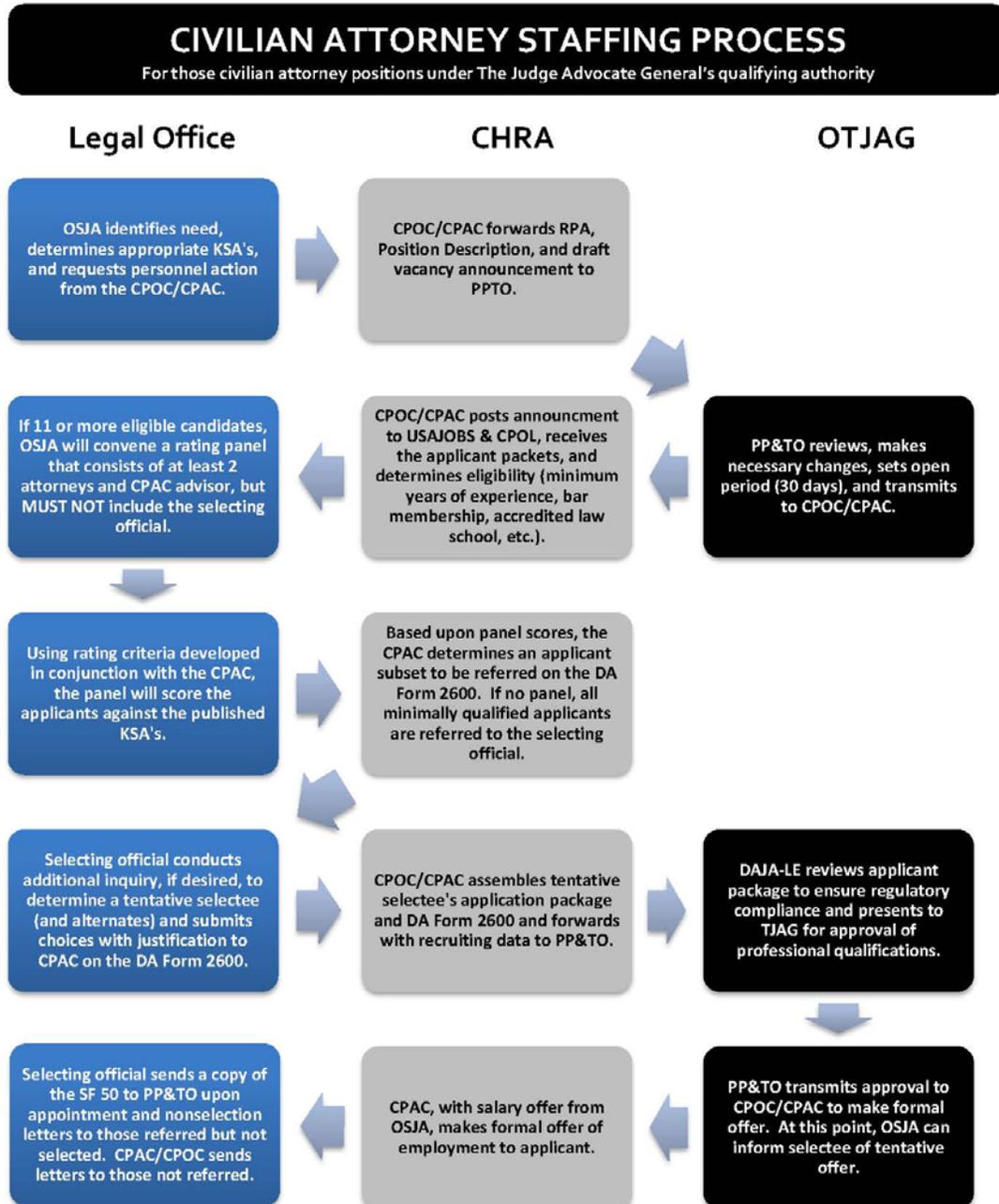
13-4. CIVILIAN ATTORNEY PROFESSIONAL DEVELOPMENT.

a. Doctrine. The intent of the civilian attorney professional development program is to expose attorneys to ample formal education, training, professional development, and performance-enhancing job experiences so that all attorneys can grow professionally throughout their careers. The recently published attorney ACTEDS (Army Civilian Training, Education, and Development System) plan is a significant initial step toward implementing a comprehensive and effective Army-wide program. The ACTEDS plan provides the information and guidance necessary to promote systematic training and development of career Army civilian attorneys from initial entry to senior technical and managerial and executive levels. The plan is functionally tailored to the legal career field, is systematic and progressive, and combines formal training with developmental assignments. The ACTEDS plan may be found at <http://www.cpol.army.mil/library/train/acteds/>.

b. Career Management Tool. The Army Career Tracker (ACT), <https://actnow.army.mil>, is a single aggregated source for assignment history, experience, skills, education, and civilian acquired skills. As a leader development tool, ACT integrates data on training, education, and experiential learning from a number of source systems into one personalized and easy to use interface, provides users a more efficient and effective way to monitor their career development, and allows supervisors to track and advise employees on their leadership development.

c. Communications. Career program information and developmental opportunities will be disseminated through JAGCNet, MilSuite, and ACT. The CP 56 landing page on ACT will be the primary source of communication with careerists as it will provide CP Manager updates, CP-featured links, and CP-specific resources. In addition to being a repository of information for attorneys, ACT provides a mechanism for targeted communication from the CP Manager to careerists, or to a specific set of careerists based on grade, series, and duty location.

Figure 13-1 Civilian Attorney Staffing Process



- **Full civilian attorney staffing guidance is contained in AR 690-200, Chapter 213.**
- **NONCOMPETITIVE APPOINTMENTS.** Upon TJAG approval, individuals may be noncompetitively:
 - Appointed temporarily (≤ 12 months) or for a time-limited term,
 - Reassigned laterally, or
 - Appointed to their reclassified positions; even if it would result in a promotion.
- **Questions concerning additional staffing flexibilities should be directed to the Chief, Civilian Personnel Management, Labor & Employment Law Division (DAJA-LE), OTJAG.**

13-5. CIVILIAN ATTORNEY LICENSING FEE REIMBURSEMENT POLICY

a. References.

- (1) Title 5, United States Code, Section 5757.
- (2) DoD Instruction 1400.25-V410, DoD Civilian Personnel Management System: Training, Education, and Professional Development, 25 September 2013.
- (3) Army Regulation 350-1, Army Training and Leader Development, 19 August 2014.
- (4) Army Regulation 690-200, Chapter 213, Subchapter 4, Employment of Civilian Attorneys, 3 September 1993.
- (5) Memorandum, Administrative Assistant to the Secretary of the Army, Subject: Delegation of Authority to Approve Payment of Professional Credentials, 28 August 2003.

b. Pursuant to statutory authority, Department of Defense (DoD) and Department of the Army (DA) guidance, and the conditions listed below, the reimbursement of expenses incurred to maintain professional licenses (bar dues) for civilian attorneys in the JALS is authorized. This program is not an entitlement, but a discretionary recruitment and retention tool.

c. In accordance with reference a(5), TJAG has delegated authority to pay licensing fees. This authority is re-delegated to the Director, Civilian Personnel, Labor and Employment Law, OTJAG.

d. Licensing fees will be centrally reimbursed utilizing OTJAG funds, subject to availability. The maximum reimbursable amount per employee as of FY14 is \$350.

e. This policy does not replace existing command licensing fee reimbursement programs.

f. Policy.

(1) All full-time, permanently appointed, appropriated fund civilian attorneys in occupation series 0905 or 1222 under The Judge Advocate General's qualifying authority, to include those executive level (SES, SL, and DISL) attorneys under direct JALS supervision, are eligible for reimbursement subject to the conditions below. This authority may not be exercised for any position that is excepted from the competitive service because of the confidential, policy-determining, policy-making, or policy-advocating character of the position (e.g., Schedule C and non-career SES).

(2) As outlined in Army Regulation 690-200, Chapter 213, every JALS Civilian attorney must maintain membership in good standing with the licensing authority of a state, territory, the District of Columbia, or the Commonwealth of Puerto Rico. On a fiscal year basis and funding permitting, OTJAG may reimburse the cost of one licensing fee in one attorney licensing jurisdiction where the civilian attorney is currently licensed. Those attorneys receiving licensing fee reimbursement from another federal entity (e.g., local command) are ineligible for reimbursement through OTJAG. Reimbursement is limited to those licensing fees mandatory to remain in good standing (section fees, voluntary pro bono fund, etc. are not reimbursable).

(3) Retroactive approval will not be granted. Reimbursement requests must be approved by OTJAG (DAJA-LE) prior to the attorney's payment to the licensing jurisdiction. Note that requesting reimbursement does not relieve the attorney's obligation to meet all applicable licensing authority timelines to remain a member in good standing.

g. Procedures.

(1) To be eligible for reimbursement, JALS attorneys must obtain prior written approval from OTJAG (DAJA-LE) prior to incurring the costs connected with the licensing fees.

(2) Requests for the payment of licensing fees will be submitted electronically, utilizing the PDF-fillable form (Fig. 2), by the requesting attorney, through the head of the legal office, to the program manager. All requests must be accompanied by a copy of the licensing jurisdiction's invoice outlining the charges.

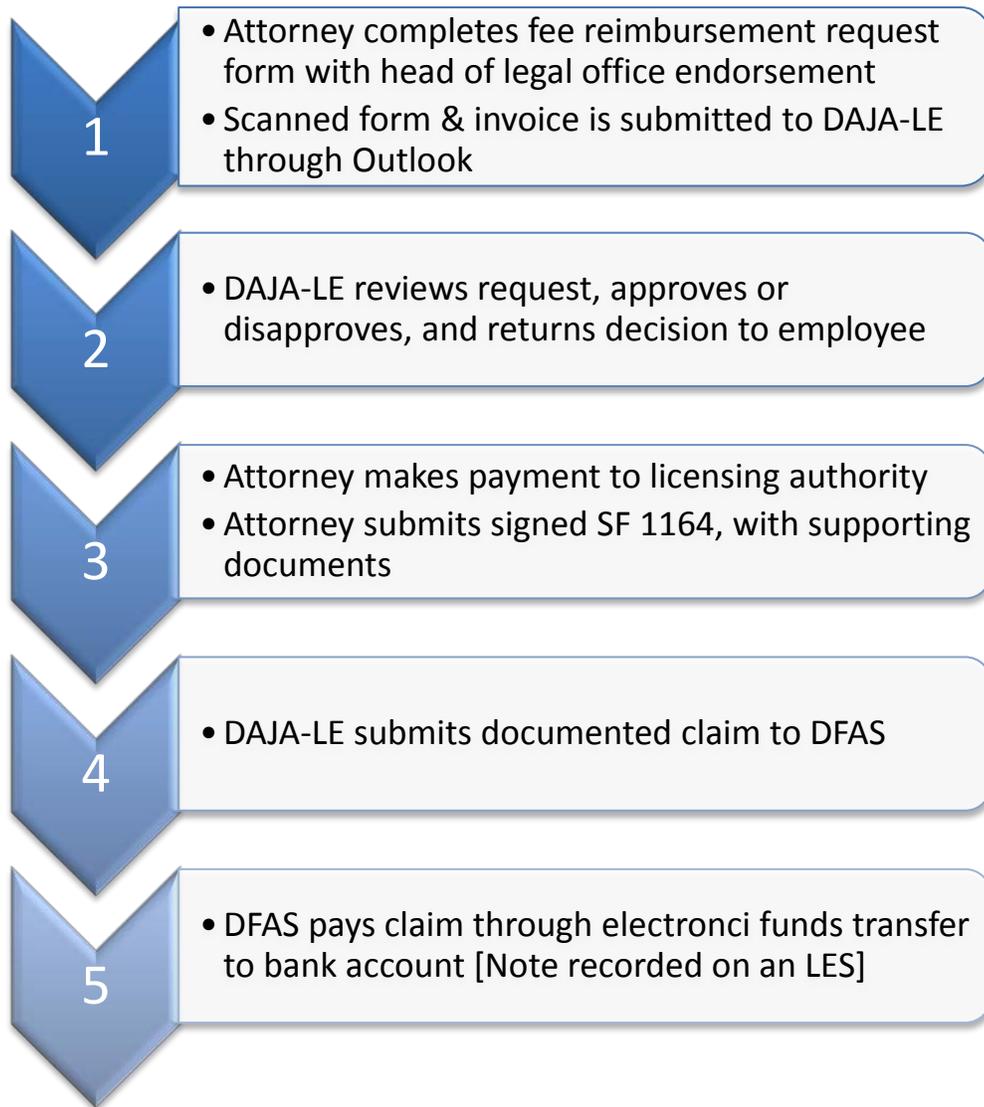
(3) Complete requests must include the following information: civilian attorney's name, e-mail address, duty title, UIC/paragraph/line number of manning document, licensing jurisdiction requested, status to be renewed (active, inactive, government attorney, associate, etc.), due date, regularity of licensing fees (every year, once every two years, etc.), and composition of the cost (surcharges, taxes or other fees).

(4) If approved, reimbursement will be provided after payment to the licensing authority and upon successful submission of the SF 1164, Claim for Reimbursement for Expenditures on Official Business [A scanned copy of proof of payment must accompany the claim and is required for approval]. The SF 1164 must be submitted by e-mail to the program manager within 5 days of receiving proof of payment to the licensing authority.

(5) All expenses incident to the actual licensing fee (e.g., CLE courses, training classes, travel to and from the licensing jurisdiction and examination fees) are non-reimbursable under this policy, but may be subject to reimbursement under command-specific programs.

h. Questions should be directed to Labor & Employment Law Division, OTJAG, at (571) 256-2934.

Figure 13-2 Licensing Fee Reimbursement Map



13-6. Noncompetitive Military Spouse Attorney Placement Program and Policy

a. It is TJAG's intent that military spouse attorneys will be considered for noncompetitive placement by legal offices seeking to fill attorney vacancies, prior to the position being filled through the competitive process. Nothing in the program precludes military spouse attorneys from applying for any competitively announced attorney position.

b. Process. (For a Step-by-Step Guide, see Figure 13-3 or the current Standard Operating Procedure for Noncompetitive Military Spouse Attorney Placement Program and Policy, available on JAGConnect – Labor and Employment Law, on milSuite.)

(1) Upon making a decision to recruit an attorney, legal offices will contact the Chief, Civilian Personnel Management at OTJAG, Labor and Employment Law Division (hereinafter "Chief, CPM"), and request a slate of military spouse attorneys. At the same time, they should initiate the competitive hiring process with their servicing Civilian Personnel Advisory Center (CPAC).

(2) The slate will be reviewed by the hiring official. The hiring official may, after reviewing the slate, pursue noncompetitive placement of a military spouse attorney or decide to fill the position through competitive announcement.

(3) Regardless of outcome, the hiring official will report the results of the review to the Chief, CPM and the PPTO Attorney Program Specialist.

c. The Slate and The Military Spouse Attorney Database.

(1) The Slate. The Chief, CPM, or designee, will provide the requesting office with a slate of all eligible military spouse attorney candidates within two business days of request. To be considered eligible, a spouse must:

(a) be married to a military sponsor currently on active duty,

(b) be living in the local commuting area of the position at issue or about to move there as a sponsored dependent with the military spouse who relocates to the new duty station via PCS orders,

(c) (the military sponsor) has more than 6 months remaining on orders at the location for which employment is sought,

(d) not be currently employed by an Army legal office within the local commuting area of the position at issue,

(e) be registered in the database and timely responded to all Chief, CPM's (or designee's) requests for information, and

(f) be otherwise qualified IAW AR 690-200, Chapter 213 and DoD Instruction 1442.02.

(2) The Military Spouse Attorney Database. The Chief, CPM, shall maintain a database of military spouse attorneys. This database will be used to generate slates of eligible candidates to be forwarded to hiring officials for consideration.

(a) Process for Inclusion. To be included in the database and considered for noncompetitive placement, spouses must submit (1) a current resume (PDF format) and (2) a copy of the military sponsor's orders to the Chief, CPM at william.j.koon.civ@mail.mil, or ashley.m.ludovicy-donahue.civ@mail.mil. Ms. Ludovicy-Donahue may also be reached at (703) 695-0449.

(b) Updates. Participating spouses must inform the Chief, CPM or designee of any changes to their profile (e.g., current employment, PCS orders, change to contact information, etc.). The Chief, CPM and designee will also conduct audits of profiles, and may request updated information from the spouse. Failure to timely respond to requests for information may result in the spouse's profile being deleted from the database.

(c) Permission. Spouses understand that inclusion in the database is an agreement to have their information shared with Army legal offices for the purpose of consideration for noncompetitive appointment.

(d) Minimal Qualifications. Qualifications include education, bar membership, and experience. Candidates must have successfully completed a full course of study in a school of law accredited by the American Bar Association, and have the first professional law degree. Candidates must also currently be a member in good standing of a state, territory of the US, District of Columbia, or Commonwealth of Puerto

Rico. Finally, candidates generally must have a minimum of 2 or 3 years of post-bar admission legal experience. [See legal experience requirements by grade in DODI 1442.02]. Legal offices may contact the Chief, CPM, with any questions regarding qualifications, or how restructuring a position may allow placement of an otherwise unqualified candidate.

(e) Prohibited Assignments. Spouses and their sponsors cannot be placed in a supervisory relationship with each other, or be in a position to benefit the other.

(f) Rejected offers. Participation in the Noncompetitive Military Spouse Attorney Placement Program may be terminated by the Chief, CPM in cases of spouse-attorneys who participate in the process, but ultimately decline an offer of employment.

d. Other Responsibilities and Requirements.

(1) Director, Civilian Personnel, Labor and Employment Law. The Director is responsible for the operation of the Noncompetitive Military Spouse Attorney Placement Program, to include:

(a) developing and maintaining policies and procedures to ensure the program's proper operation,

(b) maintaining a database of military spouses eligible for noncompetitive placement as civilian attorneys,

(c) promoting the program to Army legal offices.

(2) Chief, Personnel, Plans, and Training Office (PPTO). The Chief of PPTO shall ensure that:

(a) the PPTO Attorney Program Specialist coordinates with the Chief, CPM to ensure both offices are aware of any legal office's intention to recruit a civilian attorney position, and

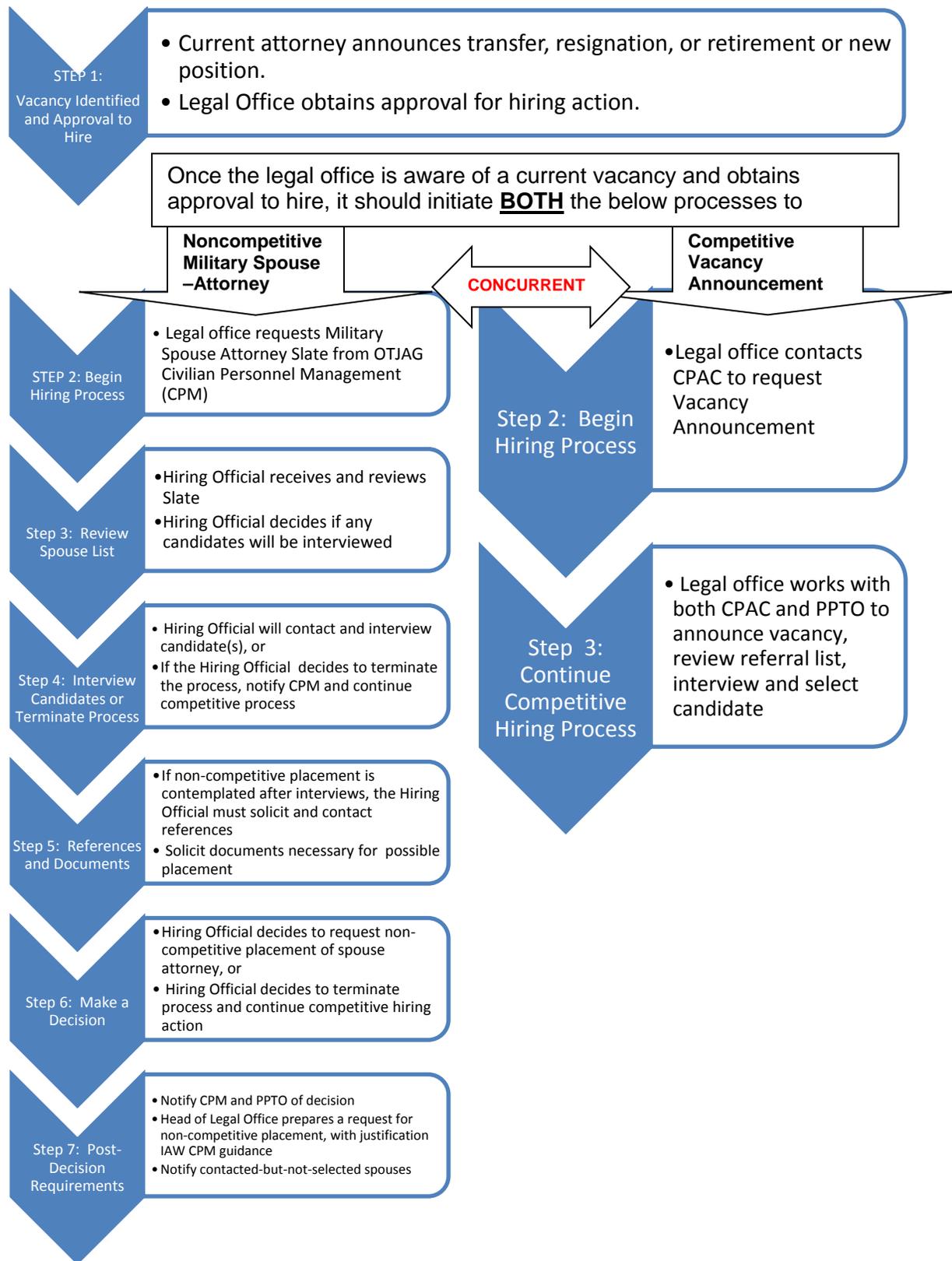
(b) the PPTO Attorney Program Specialist does not approve a civilian attorney vacancy announcement for publication until the hiring official has concluded his or her review of a spouse-attorney slate, if applicable.

(3) Heads of Legal Offices. For Civilian attorney positions falling under TJAG's qualifying authority (QA), the head of the legal office will ensure:

(a) that military spouse attorneys are considered for placement by hiring officials under the process detailed in Appendix A and Figure 1, and

(b) that the Chief, CPM and PPTO Attorney Program Specialist are informed of the slate review results, before the legal office either pursues noncompetitive placement of the spouse-attorney, or progresses to the next stage of competitive recruitment.

Figure 13-3: Step-by-Step Process for Consideration of Military Spouse Attorneys:



CHAPTER 14. Enlisted Paralegal Management

14-1. GENERAL

This chapter pertains to the personnel management of all military paralegals, MOS 27D. As a member of JALS, outlined in AR 27-1, TJAG manages military paralegals according to the career development model that follows (Figures 14-1, 14-2 and 14-3). The JAGC Regimental Command Sergeant MAJ (RCSM) serves as the Senior Enlisted Advisor to TJAG for all 27D enlisted assignments.

14-2. CAREER MANAGEMENT AUTHORITY

In accordance with HQDA General Order 2012-12, dated 11 June 2012, TJAG is the career management authority for all members of the JAGC.

14-3. ASSIGNMENTS

a. Active Component. Enlisted assignments are determined and processed by HRC. Generally, all active component enlisted assignments will be for 36 months, with the following exceptions: Korea unaccompanied tours (12 months) and accompanied tours (24 months); AIT Platoon Sergeants (24 months); or Drill Sergeants (24 months). Soldiers who wish to extend an assignment beyond these length requirements, must submit submitted a request to RCSM.

b. Reserve Component.

(1) TPU Assignments. Enlisted assignments for TPU Soldiers are coordinated by the individual Soldier for approval by their gaining and losing units. For any questions or concerns about a given assignment, the issue should be addressed through their JA technical chain.

(2) Active Guard and Reserve (AGR) Assignments. Generally, all AGR enlisted assignments will be for a length between 36 and 60 months. If any AGR assignment will extend beyond or be shorter than these guidelines, OTJAG approval is required.

(a) Accession panels are conducted by HRC. If a Soldier is deemed to be a candidate for the AGR program, they will be placed on an Order of Merit List (OML) that is created and maintained by HRC.

(b) All AGR assignments are determined by the RCSM in coordination with from the AGR Assignment Steering Committee. The AGR Assignment Steering Committee members are the CSM, LCS; CSM, Legal Command; and SGM, USARC. The committee is responsible for providing recommendations to the RCSM.

c. Nominative Positions.

(1) Nominative assignments are those positions which, at the discretion of the RCSM, require additional prerequisites. All selections for these positions will be made by the RCSM, through consultation with senior JAGC leadership. Nominative assignments include: 27D First Sergeant Positions; 27D HRC Career Development NCOs; Office of Military Commissions; 27D PME Instructors; Court Reporter Instructors; 27D PME Training Developers; Platoon Sergeants; Drill Sergeants; Special Victim NCOs; Drill Sergeants; Special Victim NCOs; Any USARC Staff position (RC only); and HQDA Staff.

(2) Selection consideration: Applicants for nominative 27D assignments will forward a packet to the Senior 27D HRC Career Development NCO located at OTJAG PPTO. The packet will include DA Photo, NCOERs (minimum of last 3), ERB, SJA Recommendation, Chief/Command Paralegal NCO

Recommendation, Statement from Soldier as to why they want to be considered, and Associates Degree for 27D PME instructors only.

(3) Based on the needs of the JAGC, RCSM may waive these prerequisites and select any Soldier holding the 27D MOS for these positions based upon their demonstrated performance.

Figure 14-1 Active Enlisted Career Model

Professional Development Model Career Management Field: 27 - Paralegal Specialist										
Skill Level	SL 1 (PVT-CPL)		SL 2 (SGT)		SL3 (SSG)		SL4 (SFC)		SL5 (MSG/1SG)	SL6 (SGM/CSM)
Duty Titles	Paralegal SPC		Paralegal NCO Paralegal NCO (TDS) Court Reporter		Paralegal NCO Paralegal NCO (TDS) OPS LAW NCO Court Reporter Special Victim Paralegal		Senior Paralegal NCO Senior Paralegal NCO (TDS) Senior Court Reporter OPS LAW NCO		Chief Paralegal NCO Senior MJ Ops NCO	Command Paralegal NCO
Duty Assignments	Paralegal SPC - BN Paralegal SPC - BDE Paralegal SPC - MSE Paralegal SPC - DIV Paralegal SPC - Corps Paralegal SPC - ASCC Paralegal SPC - OSJA		Paralegal NCO - BN/BDE Paralegal NCO - DIV/Corps Paralegal NCO - ASCC Paralegal NCO - MSE Paralegal NCO - OSJA		Paralegal NCO - SPT BDE Paralegal NCO - DIV/Corps/ASCC Paralegal NCO - OSJA Paralegal NCO - MSE		Senior Paralegal NCO - SPT BDE Senior Paralegal NCO - DIV/Corps/ASCC Senior Paralegal NCO - MSE Senior Court Reporter - DIV/Corps/ASCC/MSE Senior Paralegal NCO - CMD Medical Claims Investigator Honor NCO - USMA		Chief Paralegal NCO - ASCC Chief Paralegal NCO - Instalation/MSE/TSC/ AAMDC/SIG CMD/ MP BDE Senior MJ Ops NCO - DIV/Corps/ASCC	Command Paralegal NCO - DIV/ASCC SGM - MOS Immaterial Instructor/Writer - USASMA
Demanding Assignments			Paralegal NCO - Sep. BN Court Reporter		ALC Instructor - NCOA Recruiter Drill Sergeant Court Reporter Instructor/Writer - AIT Platoon Sergeant - AIT Court Reporter Instructor Paralegal NCO - SOF		SR Paralegal NCO - BCT Career Advisor - HRC SR Developer/Writer - TJAGLCS Chief Court Reporter Training - TJAGLCS SR Instructor/Writer - AIT Course Director - AIT SR Small Group Leader - NCOA SLC Instructor - NCOA Platoon Sergeant - AIT Combat Trainer - OPLAW O/C Senior Court Reporter Senior Paralegal NCO - SOF Operations NCO - NCOA		1SG - NCOA 1SG - TJAGLCS 1SG -AIT 1SG - MOS Immaterial Combat Developer SR Career Advisor - HRC	Regimental CSM CSM - TJAGLCS CSM - MOS Immaterial CMD Paralegal NCO - Corps
Institutional Training	AIT	SSD1	WLC	ALC CC	ALC	SSD3	SLC	SSD4	SMC	SSD5
DL Courses			**Pre-ALC (must be WLC graduate)		**Pre-SLC (must be ALC graduate)					
CMF Resident Courses			Law for Paralegal NCO Course Court Reporter Course TDS Course		Law for Paralegal NCO Course TDS Course OPLOW Course Court Reporter Course		Senior Paralegal NCO Course Military Justice Managers Course OPLOW Course Criminal Law New Developments Course Senior Court Reporter Course Brigade Legal Course Operational Law of Armed Conflict CRS OPLAW Course		Senior Paralegal NCO Course Military Justice Managers Course Criminal Law New Developments Course	Command Paralegal NCO Course Force Management Course CSM Legal Orientation Course
Recommended Civilian Education	Paralegal Degree Program		Paralegal Degree Program		Paralegal Degree Program		Paralegal Degree Program Associates Degree		Bachelors Degree	Masters Degree

** Pre-ALC & Pre-SLC are mandatory for attendance at ALC and SLC**

Figure 14-2 Enlisted TPU Career Model

27D TPU ARMY RESERVE CAREER PROGRESSION MAP						
Years of Active Federal Service			6	8	10	
	Skill Level 2 SGT	Skill Level 3 SSG	Skill Level 4 SFC	Skill Level 5 MSG	Skill Level 5 SGM/CSM	
Job Description	Paralegal NCO; Court Reporter	Paralegal NCO; Court Reporter	Senior Paralegal NCO; Senior Court Reporter	Chief Paralegal NCO	Command Paralegal NCO	
Professional Military Education	<i>Institutional Training</i> WLC, Court Reporter Course	ALC, Court Reporter Course, Battle Staff Course	SLC, First Sergeant's Course, Battle Staff Course	Sergeants Major Course, Sergeants Major Non-Resident Course		
MOS Specific Training	PWTC, Law for Paralegal	PWTC, Law for Paralegal, Military Justice Managers Course, Advanced Court Reporter Course, Redictation Training Course	PWTC, Chief/Senior Paralegal Course, Military Justice Managers Course, Advanced Court Reporter Course, Redictation Training Course	PWTC, First Sergeant's Course, Chief Paralegal NCO Course	Command Paralegal Course,	
Typical Assignments	BN/LOD/TDS/GSU Paralegal NCO; Court Reporter	LOD/TDS/GSU Paralegal NCO; Court Reporter; Paralegal NCO - Training Command/ESC	LOD/GSU/RRC Senior Paralegal NCO; Senior Court Reporter; Paralegal NCO - Training Command/ESC	LOD CPLNCO; USARC, Training Command/ESC	CMDPNCO LC/USARC	
Operational Assignments	Squad Leader, NCOIC in any SJA/CJA section	Squad Leader, Platoon Sergeant, Operational Law NCO	Platoon Sergeant, Operational Law NCO	First Sergeant	Operations SGM, CSM	
Assignment Experiences (MOS Mastery)/ Deployments / Real-World Problem Solving						
Nominative Assignments (AGR)			SGL/TDD TJAGLCS	AGR Enlisted Career Advisor ARCD		
▪Guided Self Development ▪Personal Self Development	Begin AA/AAS, Paralegal Degree Program, Pre-ALC CC, CSA Sublist 1, DANTES/CLEP, SSD I	Complete AA/AAS, CSA Sublist 2, DANTES/CLEP, ALC (CC), Army e-Learning	Begin BS/BA, CSA Reading Sublist 3, SSD III, Army e-Learning	Complete BS/BA, begin MA/MS, Army e-Learning, CSA Reading Sublist 3/4, SSD IV	Complete BS/BA, begin MA/MS, Army e-Learning, CSA Reading Sublist 3/4, SSD V	
JAGU On-Demand Courses, Videos and Standard Training Packages: jag.elc.learn.army.mil						

Figure 14-3 AGR Enlisted Career Model

27D AGR ARMY RESERVE CAREER PROGRESSION MAP					
Years of Active Federal Service					
	Skill Level 2 SGT	Skill Level 3 SSG	Skill Level 4 SFC	Skill Level 5 MSG	Skill Level 5 SGM
Job Description	Paralegal NCO; Paralegal NCO (TDS)	Paralegal NCO; Paralegal NCO (TDS)	Senior Paralegal NCO	Chief Paralegal NCO	Command Paralegal NCO
Professional Military Education	<i>Institutional Training</i> WLC, Court Reporter Course	ALC, Court Reporter Course, Battle Staff Course	SLC, First Sergeant's Course, Battle Staff Course	Sergeants Major Course, Sergeants Major Non-Resident Course	
MOS Specific Training	PWTC, Law for Paralegal	PWTC, Law for Paralegal, Military Justice Managers Course	PWTC, Chief/Senior Paralegal Course, Military Justice Managers Course	PWTC, First Sergeant's Course, Chief Paralegal NCO Course	Command Paralegal Course,
Typical Assignments	LOD/TDS	LOD/TDS/GSU	LOD/GSU/RRC Senior Paralegal NCO; Paralegal NCO - T Training Command/ESC	LOD CPLNCO; USARC, Training Command/ESC	CMDPNCO LC/USARC
Operational Assignments	BN/LOD/TDS Paralegal NCO	BCT/LOD/TDS Paralegal NCO; Training Command/ESC	LOD/BCT Senior Paralegal NCO; Training Command/ESC	First Sergeant	Operations SGM, CSM
Assignment Experiences (MOS Mastery)/ Deployments / Real-World Problem Solving					
Nominative Assignments (AGR)			SGL/TDD TJAGLCS	AGR Enlisted Career Advisor ARCD	
■Guided Self Development ■Personal Self Development	Begin AA/AAS, Paralegal Degree Program, Pre-ALC CC, CSA Sublist 1, DANTES/CLEP, SSD I	Complete AA/AAS, CSA Sublist 2, DANTES/CLEP, ALC (CC), Army e-Learning	Begin BS/BA, CSA Reading Sublist 3, SSD III, Army e-Learning	Complete BS/BA, begin MA/MS, Army e-Learning, CSA Reading Sublist 3/4, SSD IV	Complete BS/BA, begin MA/MS, Army e-Learning, CSA Reading Sublist 3/4, SSD V
JAGU On-Demand Courses, Videos and Standard Training Packages: jag.elc.learn.army.mil					

APPENDICES

Appendix 6-1. Activated JA Request For Overgrade Assignment/Promotion

MEMORANDUM THRU (SUPERVISORY JUDGE ADVOCATE)

FOR The Judge Advocate General (DAJA-PT/Army Reserve Management), 2200 Army Pentagon, Room 2B517, Washington, DC 20310

SUBJECT: Request for Overgrade Promotion for Activated Army Reserve Judge Advocate (Rank, Name, SSN)

1. I am an Army Reserve Troop Program Unit or DIMA officer, serving on a period of active duty as a judge advocate for more than 90 days pursuant to 10 U.S.C. § 12301 (a) or (d), 12302, or 12304. A copy of my order to active duty is attached.
2. I have been selected for promotion by a mandatory selection board. A copy of my promotion notification memorandum is attached. Pursuant to JAG PUB 1-1, paragraph 6-4 Overgrade Assignments and Promotions During Periods of Mobilization, I request over grade assignment in my current position so that I may be promoted immediately.
3. I understand that upon release from active duty, I will have 180 days to locate and be assigned to a TPU or DIMA position requiring the grade to which I am promoted under this policy. If I am unable to locate such a position or if I am unwilling to serve in such a position within the 180 day period, I understand I will be transferred to the Individual Ready Reserve.

2 Encls

1. Supervisory
SJA Endorsement
2. Promotion Orders

Signature of Officer/Date

NAME
GRADE, JA
United States Army Reserve

CF:

(Deployed SJA/CJA, etc.)
(Reserve Unit SJA/CJA/LOD Chief JA, etc.)

Appendix 6-2. Commander's Request for Non-JA Assignment

MEMORANDUM FOR The Judge Advocate General (DAJA-PT/Army Reserve Management), 2200 Army Pentagon, Room 2B517, Washington, DC 20310

SUBJECT: Gaining Commander's Statement – Selection of a judge advocate for a non-JAGC Assignment

1. I certify the judge advocate (JA) named below was selected by me to occupy a non-JAGC position within my unit:

Selected judge advocate's full name

Position Description including UIC/Paragraph Line Number

2. My reasons for selecting the above named judge advocate to fill a non-JAGC position are as follows: ***This paragraph is critical to the approval process. Strong justification language is necessary for TJAG's approval of this assignment.***

3. I understand the selected officer may not perform any judge advocate duties or legal functions of any kind without approval of The Judge Advocate General or his or her authorized designee.

4. I also understand the selected officer is required to attend, at a minimum, one LCS, on-site CLE program per year.

5. The assignment of the JA officer will not occur until the accompanying request is approved by The Judge Advocate General or his or her authorized designee.

Commander's Signature Block

Appendix 7-1. Military Justice Skill Identifiers Implementing Policy

1. This policy addresses skill identifiers (SIs) for military justice and provides modifications to the policy originally implemented on 21 July 2008. This policy is effective immediately and supersedes the 21 July 2008 policy and the modifications implemented on 9 June 2011. Suggested changes to this policy should be forwarded to the Office of The Judge Advocate General, ATTN: Criminal Law Division (DAJA-CL), 2200 Army Pentagon, Washington, D.C. 20310-2200.

2. Background.

a. Military justice is our Corps' statutory mission. The SI program for military justice encourages judge advocates (JAs) to set goals to achieve greater skill in litigation and expertise in military justice. It also allows our Corps to better train and challenge JAs throughout their careers to improve their military justice proficiency.

b. This policy memo provides four SIs for military justice: *Basic Military Justice Practitioner*, *Senior Military Justice Practitioner*, *Expert Military Justice Practitioner*, and *Master Military Justice Practitioner*. In addition to establishing basic military justice training requirements, these SIs require progressive experience in military justice and litigation assignments, and are designed to encourage counsel to seek out litigation-related assignments to deepen their level of military justice training and expertise.

c. While not prerequisites for any duty assignment, selection boards, or promotion boards, the SIs will assist Personnel, Plans, and Training Office (PPTO) in making more informed assignment decisions. SIs will essentially capture experience for use in the assignments process. While no particular SI will be dispositive to any specific position, SIs will assist PPTO in recommending qualified officers for certain jobs.

d. Counsel and supervising judge advocates will ensure that the focus remains on providing the best military justice support to commanders and the best representation of clients, and not on acquiring an SI.

3. Military Justice Experience. Military justice experience includes time spent in attorney positions substantially devoted to the investigation, prosecution, or defense of potential violations of the UCMJ, or the management, supervision or appellate review thereof, i.e., trial counsel, defense counsel, chief of justice, senior defense counsel, trial counsel assistance program training officer, defense counsel assistance program training officer, special victim prosecutor, government appellate counsel, defense appellate counsel, or military judge. Duty as a Staff Judge Advocate, Deputy Staff Judge Advocate, Brigade Judge Advocate, Command Judge Advocate, Officer in Charge, or Special Assistant United States Attorney may qualify upon application through the Office of The Judge Advocate General – Criminal Law Division (OTJAG-CLD) to the Chief of PPTO if time in the position requires a substantial amount of military justice involvement. The Chief of PPTO has waiver and extension authority for the requirements within each SI and will take into account operational considerations and individual circumstances in awarding SIs.

4. Skill Identifiers.

a. *Basic Military Justice Practitioner.* The 3I SI requires: (1) completion of the Judge Advocate Officer Basic Course; (2) 18 months as a trial or defense counsel, or served as a trial or defense counsel in 15 courts-martial (3 of which must have been contested cases); (3) attendance at The Judge Advocate General's Legal Center and School (LCS) Criminal Law Advocacy Course (CLAC)/ Intermediate Trial Advocacy Course (ITAC)(or similar trial advocacy course with prior approval from the Chief of OTJAG-CLD) within 6 months of assuming duty as a trial or defense counsel; and (4) attendance at Trial or Defense Counsel Assistance Program (TCAP, DCAP) training (or similar training course with prior approval from the Chief of OTJAG-CLD) within 12 months of assuming duty as a trial or defense counsel. (*We are aware of the problems associated with TDY during deployments, therefore, we allow for extensions of the time to attain the training. We believe this training is critical for development of new MJ practitioners, and we do not want to categorically provide an exception. We prefer to provide extensions and exceptions on a case by case basis.*) Extensions for training requirements and waiver requests must be sent through OTJAG-CLD to the Chief of PPTO. The experience

level of JAs with SI 1 eligibility would be typical of those who have completed initial military justice assignments as a trial or defense counsel. JAs with this SI typically serve as a senior trial counsel, a Government or Defense Appellate Division (GAD, DAD) Counsel, or a Brigade Combat Team Judge Advocate.

b. Senior Military Justice Practitioner. The 3M SI requires: (1) *Basic Military Justice Practitioner* SI; (2) completion of two advanced military justice or litigation courses (post-SI 1 qualification); (3) a total of 30 months military justice experience (preferably serving as both a trial and defense counsel), or served as a trial or defense counsel in 36 courts-martial (7 of which must have been contested cases), or a total of 18 months military justice experience *and* written verification from the Chief of Litigation Division (LITDIV), Contract and Fiscal Law Division (KFLD), or Environmental Law Division (ELD) of 24 months experience as a litigation attorney; (4) and a written recommendation from an Appellate Military Judge; a Military Judge; a Staff Judge Advocate; a Regional Defense Counsel; or the Chief of GAD, DAD, TDS-HQ, OTJAG-CLD, LITDIV, KFLD, or ELD. Completion of courses on the military justice master synchronized training calendar satisfies the training requirement for this SI. Judge advocates attending non-LCS or Army-sponsored courses must receive prior approval from the Criminal Law Division to receive credit for the training requirement. Waiver requests for this SI must be sent through the Chief of OTJAG-CLD to the Chief of PPTO. Typically, JAs that are SI 2 qualified serve as Chief of Military Justice, a Senior Defense Counsel, Special Victim Prosecutor, a TCAP or DCAP counsel, Branch Chief of GAD or DAD, attorneys serving in the Trial Defense Service Headquarters (TDS-HQ) or OTJAG-CLD, or a LCS Criminal Law Department Professor.

c. Expert Military Justice Practitioner. The 3P SI requires: (1) *Senior Military Justice Practitioner* SI; (2) completion of the LCS Graduate Course with 3 elective hours in criminal law, or completion of the LCS Graduate Course with three post Graduate Course military justice courses, or completion of the Judge Advocate Officer Advance Course (Phases I & II) with three post Judge Advocate Officer Advance Course military justice courses; (3) a total of 48 months military justice experience (preferably serving as both a trial and defense counsel), or served as a trial or defense counsel in 45 courts-martial (12 of which must have been contested cases), or a total of 36 months military justice experience *and* written verification from the Chief of LITDIV, KFLD, or ELD of a total of 30 months experience as a litigation attorney; and (4) a written recommendation from an Appellate Military Judge; a Military Judge; a Staff Judge Advocate; a Regional Defense Counsel; or the Chief of GAD, DAD, TDS-HQ, OTJAG-CLD, LITDIV, KFLD, or ELD. Waiver requests must be sent through the Chief of OTJAG-CLD to the Chief of PPTO. JAs with this SI typically serve as a Chief of Military Justice at a Corps, a Regional Defense Counsel, the Deputy Chief of TDS-HQ, OTJAG-CLD, GAD, or DAD, the Chief of TCAP or DCAP, a Military Judge, or LCS Criminal Law Department Chair.

d. Master Military Justice Practitioner. This SI requires: (1) *Expert Military Justice Practitioner* SI; (2) a total of 96 months military justice experience, or served as a trial counsel, defense counsel, or military judge in 80 courts-martial (18 of which must have been contested cases); (3) served as a Regional Defense Counsel; Chief of Military Justice at a Corps; Professor or Chair of the LCS Criminal Law Department; Chief of TCAP or DCAP; Deputy Chief of GAD, DAD, OTJAG-CLD, or TDS-HQ; Staff Judge Advocate (may qualify upon application), or Military Judge; and (4) a written recommendation from an Appellate Military Judge; a Military Judge; a Staff Judge Advocate; a Regional Defense Counsel; or the Chief of GAD, DAD, TDS-HQ, OTJAG-CLD, LITDIV, KFLD, or ELD. Waiver requests must be sent through the Chief of OTJAG-CLD to the Chief of PPTO. JAs at this level typically serve as the Chief of GAD, DAD, TDS-HQ, or OTJAG-CLD; Appellate Military Judge, or Chief Trial Judge.

5. Certification Process.

a. All JAs are expected to certify eligibility for the skill identifiers. This may be accomplished through submission of results of trial, Officer Evaluation Reports (OER) that detail military justice or litigation experience, award citations, or memoranda by current or former supervisors. (*We provided several options because we recognize that many officers will not have trial records immediately available.*) All applicants must submit an updated and accurate Officer Record Brief (ORB). Although not required, Reserve and National Guard JAs who obtain the necessary requirements during periods of active duty are encouraged to apply for SIs.

b. Additionally, as noted above, the Chief of PPTO has waiver and extension authority for the requirements within each SI and will take into account operational considerations and individual circumstances in awarding SIs.

c. SI applications, with supporting documentation, should be submitted using the online database located on the Military Justice Online page of JAGCNET. Any questions regarding submission of packets, waivers, or other matters related to this policy should be directed to OTJAG, Criminal Law Division.