

## Standard Operating Procedure: Editing the Military Judges' Benchbook (8 Dec 23)

1. Persons proposing to edit the Military Judges' Benchbook (MJBB) must draft the proposed edit using "**BB Form 1 (Proposal to Edit the MJBB)**." BB Form 1 may be found on the USATJ website (<https://www.jagcnet.army.mil/USATJ#>) by **either** clicking on the "Electronic Benchbook" link **or** by clicking on "Proposing Edits to the Benchbook" under the "Benchbook" dropdown menu.

2. Persons proposing to edit the MJBB must submit the proposed edit (**BB Form 1**) to the MJBB Editor (COL Bret Batdorff) via email ([gregory.b.batdorff.mil@army.mil](mailto:gregory.b.batdorff.mil@army.mil)).

3. The Editor will conduct an initial review of the proposed edit.

a. If the proposed edit is to correct a typographical, administrative, or other minor non-substantive matter, the Editor will notify the Army's Chief Trial Judge (CTJ) of the proposed edit without submission of the proposed edit to the MJBB Committee or the field. If approved, the Editor will comply with paragraphs 5.a. and 5.b. below.

b. If the proposed edit is a substantive or major change, then the Editor will:

i. notify the Army's CTJ regarding the proposed edit. The Army's CTJ may provide guidance.

ii. format the proposed edit using "**BB Form 2 (Review of Proposal to Edit MJBB)**."

iii. forward the proposed edit, via email, to all members of the MJBB Committee and the field ("the field" = all Active Duty and Reserve Component Army Military Judges, other services' Benchbook Committee members, and other interested parties (DCAP, TCAP, OTJAG Criminal Law Chief, Criminal Law Department Chair)). The other services' Benchbook Committee members are responsible for forwarding proposed edits to the members of their respective trial judiciaries. The Editor will typically provide a suspense of 7-10 days for comments from the MJBB Committee and the field. The Editor may adjust the suspense based on the risk of legal error if the proposed edit is not quickly reviewed and approved.

- All MJBB Committee Members are required to respond to all proposed edits using **BB Form 2**. The Editor may grant an exception to the use of BB Form 2 and allow Committee members to simply respond via email ("concur," "concur with the following minor edit..," etc...). Comments from the field are optional.

- Anyone recommending changes to the proposed edit must provide a revised version of the proposed edit using "track changes" or other similar editing function that clearly identifies the proposed change(s).

iv. review and compile comments from the MJBB Committee and the field.

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v. draft and submit a "final" version of the proposed edit for the Army's CTJ to review using "**BB Form 3 (CTJ Review of Proposal to Edit MJBB)**." Editor will provide a summary of the MJBB Committee's and the field's responses to the Army's CTJ, including any dissenting responses. The Editor will include his/her recommendation.

4. The Army's CTJ will review the submission and take action ("approve," "approve with minor edits," "approve with major edits," "disapprove," or something else) using **BB Form 3**. The Army's CTJ will return the final, signed action to the Editor.

5. If the Army's CTJ approves a proposed edit, then the Editor will immediately:

a. reformat the approved edit to update the Electronic Benchbook (EBB). Email the approved edit to the Information Technology Department (ITD) at the United States Army Legal Services Agency (USALSA) with appropriate instructions on which section of the Electronic Benchbook (EBB) needs to be updated. The current POC at USALSA ITD is Mr. Steve McElvain ([stephen.d.mcelvain.civ@army.mil](mailto:stephen.d.mcelvain.civ@army.mil)).

b. reformat the approved edit to update the unofficial DA Pam 27-9.

c. reformat the approved edit to update the "Approved Interim Updates" on the USATJ website. Email the approved edit to the USATJ's Civilian Court Administrator with instruction to post the approved change on the USATJ website. The current POC is Ms. Carol Dwyer ([carol.j.dwyer.civ@army.mil](mailto:carol.j.dwyer.civ@army.mil)).

d. send, via email, the approved edit to the field.

6. The Editor will develop a consistent naming convention for all proposed and approved edits. The Editor will maintain electronic copies of all proposed edits, comments from the MJBB Committee and field, and actions taken by the Army's CTJ.