

Legal Services

Judge Advocate Legal Services

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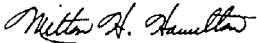
Legal Services

Judge Advocate Legal Services

By Order of the Secretary of the Army:

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General, United States Army
Chief of Staff

Official:


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History. This publication was originally printed on 3 February 1995. This publication is now available in electronic media only (EMO) and incorporates Change 1.

Summary. This change consolidates seven regulations containing essential information concerning the Judge Advocate Legal Services and the Judge Advocate General's Corps. The change defines responsibilities; explains policies, objectives, and procedures for the development and maintenance of the Reserve Component Judge Advocate General Corps officers; details responsibilities for the supervision, training, employment, and administration of Judge Advocate General Service Organizations, including Table of Organization and Equipment changes; updates procedures for acquiring and maintaining Army law library materials; defines the professional standards and

procedures for processing alleged violations of professional standards; provides guidance for applicants for voluntary active duty with the Judge Advocate General Corps; and explains and describes the administration of The Judge Advocate General's Funded Legal Education Program.

Applicability. This regulation applies to the Active Army, the Army National Guard, the U.S. Army Reserve, and Department of the Army civilians who are involved in any matter that falls under the responsibility and authority of The Judge Advocate General, regardless of whether such person is a member of the Judge Advocate Legal Service. This publication is applicable during mobilization.

Proponent and exception authority. The Judge Advocate General is the proponent of this regulation. The Judge Advocate General has the authority to approve exceptions to this regulation that are consistent with controlling law and regulation. The Judge Advocate General may delegate this authority in writing to a division chief within the proponent agency who holds the grade of colonel or the civilian equivalent.

Army management control process. This regulation contains management control provisions, but does not identify key management controls that must be evaluated.

Supplementation. Supplementation of

this regulation and establishment of command and local forms is prohibited without prior approval from The Judge Advocate General, 2200 Army Pentagon, ATTN: DAJA-ZX, Washington, DC 20310-2200.

Interim changes. Interim changes to this regulation are not official unless they are authenticated by the Administrative Assistant to the Secretary of the Army. Users will destroy interim changes on their expiration dates unless sooner superseded or rescinded.

Suggested Improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to the Office on The Judge Advocate General, ATTN: DAJA-PT, 2200 Army Pentagon, Washington, DC 20310-2200

Distribution. This publication is available in electronic media only and intended for command levels B, C, D, and E for Active Army, the Army National Guard of the United States, and U.S. Army Reserve.

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Chapter 1

Introduction

1-1. Purpose

This regulation provides general information about the Judge Advocate Legal Service (JALS) and the Judge Advocate General's Corps (JAGC); prescribes the composition, mission, and functions of the JALS; details responsibilities and explains policies, objectives, and procedures for the development and maintenance of Reserve Component (RC) JAGC officers; details responsibilities for the supervision, training, employment, and administration of Judge Advocate General Service Organizations (JAGSOs), including Table of Organization and Equipment (TOE) changes; updates procedures for acquiring and maintaining Army law library materials; defines the professional standards and procedures for processing alleged violations of professional standards; provides guidance for applicants for voluntary active duty with the JAGC; and explains and describes the administration of The Judge Advocate General's Funded Legal Education Program (FLEP).

1-2. References

Required and related publications and prescribed and referenced forms are listed in appendix A.

1-3. Explanation of abbreviations and terms

Abbreviations and special terms used in this regulation are explained in the glossary.

1-4. Responsibilities

Responsibilities are listed in chapter 2.

1-5. Statutory authority

Statutory authority for this regulation includes 5 USC 3109, 10 USC 1044, 10 USC 2004, 10 USC 3036, 10 USC 3037, 10 USC 3064, 10 USC 3065, and 10 USC 3072.

Chapter 2

Responsibilities

Section I

Overall Responsibilities

2-1. The Judge Advocate General

a. General responsibilities. TJAG will—

- (1) Head the JALS.
- (2) Serve as a personal staff officer (AR 10-5, paras 2-36 and 2-39).
- (3) Have those duties established by statute, regulation, delegation, designation, and assignment.
- (4) Secure legal services by appointment of professional consultants.

b. Responsibilities as legal advisor. The Judge Advocate General is the legal advisor to the Chief of Staff, U.S. Army (CSA), members of the Army Staff, and members of the Army generally. The Judge Advocate General serves as military legal advisor to the Secretary of the Army (SA) and members of the Secretariat, in coordination with the General Counsel. Laws, executive orders, and regulations specify the responsibilities of TJAG to provide legal advice in the following areas:

- (1) Administration and operation of Department of the Army (DA).
- (2) Business, property, and financial operations under the jurisdiction of the Army.
- (3) Administration, control, discipline, status, civil relations, and activities of DA personnel.

c. Judicial responsibilities. TJAG will—

(1) Designate, establish, alter, and dissolve judicial areas and judicial circuits of the U.S. Army Judiciary. (See AR 27-10, para 8-3.)

(2) Establish U.S. Army Court of Criminal Appeals (ACCA), refer cases to the court, and instruct convening authorities to take action according to the decisions of the court. In accordance with Article 66, Uniform Code of Military Justice (UCMJ, Art. 66 (10 USC 866)), TJAG will—

(a) Along with the Judge Advocates General of the other armed forces, prescribe uniform rules of procedure for proceedings in and before Courts of Military Review.

(b) Meet periodically with the Judge Advocates General of the other armed forces to formulate policies and procedures in regard to review of courts-martial in the Office of The Judge Advocate General (OTJAG) and by the ACCA.