



OFFICE OF THE NATIONAL COMMANDER  
CIVIL AIR PATROL  
UNITED STATES AIR FORCE AUXILIARY  
MAXWELL AIR FORCE BASE, ALABAMA 36112-6332

28 August 2008

MEMORANDUM FOR ALL CAP UNIT COMMANDERS

FROM: CC

SUBJECT: ICL - Legal Officer Reporting, Indemnity, Definition & Insignia  
(Supersedes 25 August 2008 Memo: Legal Officer Reporting)

1. The following policies have been approved for immediate implementation by the NEC:

a. **Legal Officer Reporting.** CAP legal officers, while performing as such, shall report to a corporate officer-commander (National, region or wing commander) directly, or to or through legal officers who do report to a corporate officer (e.g., a squadron legal officer may report to a group legal officer, who reports to a wing legal officer). Members serving as legal officers are encouraged to accept and serve in other additional assignments, to the extent permitted by their professional responsibilities.

b. **Legal Officer Indemnity, Definition & Insignia.**

(1) Indemnity shall be afforded to legal officers in the same manner afforded to "unit legal officers" by deleting the word "unit" from "unit legal officer" in each case in which it appears in CAPR 111-1. This change is intended to remove liability as a potential disincentive to service as a legal officer.

(2) CAPR 111-1 is amended by adding a sentence at the beginning of paragraph 2 which reads as follows:

"Legal officer" means a CAP senior member and licensed attorney who has Civil Air Patrol as a client. Legal officer assignments include wing legal officer, assistant legal officer, and legal advisor to a corporate officer. Titles may vary; e.g., Wing Director of Legal Affairs, Assistant Legal Officer, Deputy Legal Officer, Special Counsel to the Commander, and Counsel to the Inspector General."

This change is intended to reduce the risk that confidences may be vested in and advice sought from those who do not presently owe a fiduciary duty to CAP.

(3) CAPR 111-1, paragraph 6b is amended by adding the following sentence to the end of the paragraph:

"Wear of the legal officer badge is restricted to members currently assigned as legal officers."

This change is intended to reduce the risk that confidences may be vested in and advice sought from those who do not presently owe a fiduciary duty to CAP.

2. These policies will be included in the next revision of CAPR 111-1, *Qualifications and Duties of Legal Officers*.

3. You may direct questions to the CAP National Headquarters General Counsel's office, Toll Free 877-227-9142, ext 234 or Commercial 334-953-7748, ext 234, or [godell@capnhq.gov](mailto:godell@capnhq.gov).

*Amy S. Courter*  
AMY'S. COURTER  
Major General, CAP  
National Commander