

JAG

Magazine of the United States Navy



Staff Duty with the MCPON

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ON THE FRONT COVER

LN1(SW/AW) Cindy Rodriguez with Master Chief Petty Officer of the Navy Joe Campa during a visit to Capitol Hill. Read more on page 18.

REGION LIASIONS

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JAG

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DEPUTY COMMANDER, NAVAL LEGAL SERVICE COMMAND
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The Judge Advocate General



At the recent JAG Corps Training Symposium, we reviewed our community's past achievements and focused on our way ahead. In this spirit, our one-year-anniversary issue of *JAG Magazine* details the JAG Corps community's major accomplishments in 2007. I hope that the following pages will be a source of pride and will inspire continued excellence.

To everyone supporting the Navy and Marine Corps' warfighters at home and abroad and transforming the way we do business, your expertise and dedication has made lasting results. This edition of *JAG Magazine* only scratches the surface of your collective accomplishments.

This anniversary edition of *JAG Magazine* focuses on our people - the interesting and valuable work they are doing and how the JAG Corps is changing to provide more opportunities for personal and professional growth. In our cover story, LN1(SW/AW) Cindy Rodriguez gives an excellent account of her experiences as a member of MCPON's staff. CAPT Moira Modzelewski and CDR Ann Minami announce changes to our post-graduate education program, and former Commanding Officer Charlotte Wise pays tribute to the Naval Justice School for its second Education and Training Excellence Award.

This edition also continues our coverage of Individual Augmentees. LCDR Keeton, a JAG Corps Reservist, shares his Iraq experience in "Kirkuk Rule of Law." LT Chris Julka authors a poignant article about the support the legal community can provide to our deploying service members in "On Alert for an Invisible Client." LT Catheryne Pully shares details of the new Guantanamo Bay Mobile Courthouse designed for military commissions. "Taking Care of Individual Augmentees Like Family," a compilation from the JAG Magazine's region liaisons, provides

insights into this important aspect of leadership.

This past year, the *JAG Magazine* staff worked closely with community leaders and members to publish significant and timely information. We received overwhelmingly positive feedback and made significant improvements to the magazine. *JAG Magazine* added regular columns, new design elements, and is now embracing broad and novel issues. I would like to thank our writers, Public Affairs Office, and Editorial Board for creating this outstanding publication. Also, I would be remiss if I did not thank you, the reader. Your input was vital to the magazine's success in this inaugural year. We truly value your continued thoughts and suggestions.

As I said at the JAG Corps Training Symposium, RADM Houck, RADM Joerg, and I are exceedingly proud of you and your many accomplishments. This sentiment was echoed by SECNAV, CNO, and the Navy General Counsel. They recognize how you have made lasting contributions to improving the lives of individual Sailors and Marines, the Global War on Terrorism, and the Navy's mission. They also praised your willingness to undertake new initiatives to enhance the delivery of legal services and our community's professional growth. Together, we are building a JAG Corps that will be strong and relevant for decades to come. To this end, RADM Houck, RADM Joerg and I ask for your ideas and assistance. At the same time, we will do everything possible to communicate with you as transformation continues. As you read the following pages, please reflect upon our collective accomplishments so that we may continue to shape the Navy JAG Corps of the future.

BRUCE MacDONALD
Rear Admiral, JAGC, U.S. Navy

Deputy Judge Advocate General for Reserve Affairs and Operations



The Reserve law program has never contributed more to the JAG Corps Legal Community than now. As we look back over the past year at Active-Reserve Integration and Alignment, it is useful to note how our Reserve judge advocates and Legalmen together are a formidable force multiplier everyday. Consider the following facts from the past 12 months: the Reserve

Component has increased Active Duty for Special Work (ADSW) contributions by 60 percent in the face of an overall 50 percent cut in ADSW funding Navy-wide. Overall contributions by Legalmen are up 85 percent. This year's Reserve Legalmen total rose to approximately 20 man-years, spread over virtually our entire Reserve LN community. Judge advocates have added another 100 man-years through ADSW, Active Duty Training (ADT), Annual Training (AT), and drills. Our Reserve Component officers and enlisted members have added the equivalent of about 120 skilled, problem-solving, ready, and flexible professionals to the JAG Corps mix over the last 12 months. These numbers are not only large, but unprecedented.

This total does not take into account the Reserve Component's contributions via mobilizations in support of our efforts in Iraq and Afghanistan. Reserve Component judge advocates and Legalmen have supplied about 30 percent of all Individual Augmentees (IAs)

to those theaters as well as Guantanamo Bay and the Office of Military Commissions. That percentage is set to rise as the demand for top-tier legal talent continues to grow.

To meet this demand, our Reservists are stepping up as never before, with a willingness to flex their schedules and lives that is impressive and deeply gratifying. Still, there are strains as our folks struggle to balance the competing needs of civilian jobs, Reserve duty, and families. We have had to fill IA requirements with involuntary recalls on several occasions. To a person, all those affected have met their burdens and sacrifices with grace and commitment, indistinguishable in every respect from their active duty counterparts. We are truly a community of professionals, dedicated to service.

Transforming Active-Reserve Integration and Alignment is all about ensuring that we remain tightly bound with each other. As we work toward *JAG Corps 2020*, we will pursue CNO's goals to maintain "a diverse, high-performing, competency-based and mission-focused force" and to "instill in [it] a focus on mission and individual readiness that is underpinned by a warrior ethos." It is clear we are well on our way.

NORTON C. JOERG
Rear Admiral, JAGC, U.S. Navy

Postgraduate Education

*The Nation that makes a great distinction between its scholars and its warriors will have its thinking done by cowards and its fighting done by fools.
- Thucydides quoting the Spartan King*

By CAPT Moira Modzelewski and
CDR Ann K. Minami
NPC, PERS-4416

PERS-4416 in Millington has been working very hard with JAG Corps leadership to improve the quality and accessibility of postgraduate education for all judge advocates. The JAG and Deputy JAG are committed to expanding postgraduate opportunities so all career judge advocates will be able to attend school and obtain an advanced degree. We will have to phase in this process, as our manning is currently stressed with GWOT deployments. Eventually, though, all judge advocates should be able to receive schooling. This article reviews the different ways a judge advocate can obtain a LL.M. or Masters degree, summarizes the different obligations incurred when obtaining these degrees, and describes the JAG Corps postgraduate education transformational changes afoot.

First, what postgraduate programs does the JAG Corps offer? There are three programs: the civilian institutions LL.M. program (CIVINS), the Army JAG School's LL.M. program, and the Naval War College (NWC) Master's program.

Civilian Institutions LL.M. Program

Officers who would like to obtain an LL.M. at a civilian school can request to participate in the CIVINS program. The CIVINS program has been governed by JAGINST 1520.1A, but we are in the midst of significant changes to that instruction. Previously, judge advocates were required to apply to an annual selection board to attend a CIVINS program. Once selected, those officers were detailed to a particular curriculum during the slating process. However, starting this year, we will no longer hold a CIVINS selection board. Now, all judge advocates who participate in the slating process will be eligible for slating to a civilian LL.M. program in environmental or international law. Selection for those specialties will become a standard slating decision by the admirals, with input from the AJAGs and detailers. When choosing officers to pursue a trial advocacy degree, the admirals will draw from the pool of previously designated military justice litigation experts and specialists. The JAG Corps no longer sends officers to study tax law, labor law, or health care law.

CIVINS programs are nine months long, and students must apply to the law schools on their own after they learn

they have been slated to attend. Upon graduation, and once transcripts are forwarded, officers receive a subspecialty designation, or P-code, in their permanent military records. Trial advocacy graduates receive a 1202P code, international law graduates receive a 1203P code; and environmental law graduates receive a 1207P code.

Most officers want to know what schools they may attend if selected for CIVINS. Each curriculum has an approved list of schools printed in OPNAVNOTE 1520. For international law, most students attend George Washington University, Georgetown University, the University of San Diego, or the University of Virginia. Except for the University of San Diego, all have top 10 programs in international law. For environmental law, students typically attend George Washington University, the University of San Diego, or Lewis & Clark. One judge advocate has been accepted to Vermont Law School, and PERS-4416 is working to add this school to the approved list. Vermont and Lewis & Clark trade off as the number one environmental law program in the country.

Officers frequently ask why the JAG Corps encourages so many students to attend George Washington University (GWU). The answer is two-fold: first, its programs are among the best available for each curriculum, and second, GWU provides a generous scholarship for each student. By sending three students to GWU, the JAG Corps saves enough tuition to pay for an additional officer to attend school.

The JAG Corps encourages all postgraduate school-bound officers to research the different programs offered by the different schools. Ultimately, which school a judge advocate attends will depend on the JAG Corps' annual tuition budget. The Naval Postgraduate School in Monterey, Calif., not the JAG Corps, controls the tuition budget.

Quotas for CIVINS are separate from the tuition budget. The Deputy Chief of Naval Operations (Manpower and Personnel), or OPNAV N1, controls the number of CIVINS quotas the JAG Corps receives each year. Traditionally, the JAG Corps receives CIVINS quotas for 12 students each year. The JAG Corps gained two additional quotas for the upcoming academic year, so 14 officers are slated to begin school in August 2008. The JAG Corps competes with all other Navy officer communities for the limited number of CIVINS quotas available.

The CIVINS program does not offer military specific training, and it does not offer joint education or experience, but it is a fantastic opportunity to return to academia in the

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civilian sector.

The Army JAG School's LL.M. Program

For more military-specific legal training in a joint setting, the Army Judge Advocate General's Legal Center and School (TJAGLCS) in Charlottesville, Va., offers a LL.M. in military law. This nine-month graduate program is accredited by the American Bar Association and is intended to prepare experienced military attorneys for leadership roles in several critical subspecialties.

Navy judge advocates are selected to attend the Army's graduate course through our yearly slating process. Beginning in August 2008, we will send five students through the program each year. We plan to increase our quotas by an additional billet every year until we reach a total of 10 billets.

Students attending the TJAGLCS graduate course are required to complete 37 credits over two semesters. Twenty-five of those credits are completed through core courses in criminal law, administrative and civil law, international and operational law, contract law, fiscal law, professional development, and professional writing. In addition to these core courses, students must complete 12 elective credits. If a student concentrates 10 of these 12 elective credits in a specific discipline, the student will be awarded a specialty in that discipline. A specialty emphasis can be obtained in criminal law, administrative and civil law, international and operational law, or contract and fiscal law. The specialty emphasis will be annotated on the student's academic transcript and diploma. Officers who specialize in criminal law or administrative and civil law will be awarded the 1201P code. Those who specialize in international and operational law will be awarded the 1203P code.

TJAGLCS also houses the Army's Center for Law and Military Operations (CLAMO). This resource, as well as the joint environment, makes TJAGLCS a great option for graduate study. Add TJAGLCS's location on the beautiful North Grounds of the University of Virginia, and what more does an officer need?

For more information about TJAGLCS, access the Army JAG Corps Web site, www.jagcnet.army.mil, then click on the TJAGLCS link.

Naval War College

For officers interested in serving with the operational forces and gaining an understanding of joint military operations, the curriculum at the Naval War College (NWC) in Newport, R.I., provides the greatest benefit. The NWC is an additional opportunity available to a judge advocate and is not in lieu of an LL.M.

The Naval War College offers a Master of Arts degree in National Security and Strategic Studies. In addition to the degree, officers who successfully complete the program receive Joint Professional Military Education (JPME) Phase I certification and the 2000P (National Securities Studies) subspecialty code.

There are several ways to obtain the master's degree

from the NWC, but the resident program is most similar to the two programs mentioned above. The program is nine months long and requires three core courses: Joint Military Operations, Strategy and Policy, and National Security Decision Making. In addition to these core courses, students must take elective courses to complete the requisite number of credits to graduate. A complete description of the core courses and a list of electives are available at www.nwc.navy.mil.

Besides the master's degree, students completing the NWC curriculum will be JPME Phase I certified. JPME is focused on the integrated employment of land, sea, air, space, and special operations forces. This certification is significant for officers who ultimately wish to be designated as a Joint Specialty Officer (JSO). Right now, judge advocates cannot receive JSO designation, but JPME certification is a huge professional achievement for any naval officer.

Obligations Incurred with Postgraduate Education

With any of the three degree programs described above come three different obligations/requirements.

The first is the utilization tour. Once an officer earns a subspecialty code, he or she must serve at least one tour in a validated subspecialty position as soon as possible, but no later than the second tour following graduation. The Navy must utilize that officer's new knowledge. Although an officer must serve at least one utilization tour, he or she will serve in as many subspecialty positions as the Navy may need. For more information, see OPNAVINST 1520.23B.

The second is the service obligation incurred for graduate education. Per NAVADMIN 193/07 (August 2007), any officer who obtains postgraduate education will incur a service obligation of three years. This is a change from the previous "three months of service obligation per month of school." However, this obligated service now runs concurrently with any other service obligation; previously, it ran consecutively.

At the risk of causing confusion, the service obligation for Judge Advocate Continuation Pay (JACP) is consecutive to any other obligation. How do postgraduate education obligations affect the JACP obligation? It depends on which obligation an officer incurs first. If an officer incurs a JACP obligation first, then later incurs a school obligation, the school obligation runs concurrently with the existing JACP obligation. However, if an officer incurs the school obligation first, then later incurs a JACP obligation, the JACP obligation will run consecutively to the existing school obligation.

The last requirement is the writing requirement. Per JAGINST 1520.1A, all students attending CIVINS, TJAGLCS, or NWC are required to submit an original academic writing to the Naval Justice School for possible publication in the Naval Law Review. The writing must be an original work that contains a legal analysis of an issue that affects the U.S. military.

Guantanamo Bay Mobile Courthouse



By LT Catheryne Pully
International Law Advisor

The Expeditionary Legal Complex's mobile courthouse specifically designed for the military commissions in Guantanamo Bay was completed in March 2008.

Materials for the mobile courthouse began to arrive in August 2007 and construction began in September 2007. All facilities can be removed and used elsewhere when the commissions are completed.

In the new courtroom, at least six detainee defendants can be tried concurrently, with simultaneous interpretations in up to six languages. There will also be Secret Compartmentalized Information Facilities where the prosecution, defense

counsel, and military judges can properly handle classified materials.

A federal prisoner witness cell, which complies with Federal Bureau of Prisons standards, is also a part of the complex. In addition, the facility includes detainee holding cells with attorney-client meeting areas.

The Center for Legal and Court Technology at William and Mary Law School designed the courtroom technology with state-of-the-art court reporting, translation services, and evidence presentation. Closed-circuit television links the courthouse to a media observation area and to each holding cell. This will allow the press to view the proceedings while out of the courtroom. The total cost of the project was approximately 12 million dollars.

Postgraduate continued from page 6

Transformational Changes in Postgraduate Education

Postgraduate Education for All. As mentioned at the beginning of this article, our admirals' goal is to make postgraduate education available for all career judge advocates. It is important for the JAG Corps to invest in the future of its officers, and these educational opportunities are critical to the JAG Corps' effectiveness in tomorrow's Navy.

Increased Quotas. PERS-4416 is already hard at work increasing the number of quotas available for CIVINS and TJAGLCS. JAG Corps year groups are approximately 30 officers strong, and we currently have 20 school quotas each year, so our phasing plan will take several years to complete.

Elimination of CIVINS selection board. As the goal is for all officers to eventually go to school, the JAG Corps has eliminated the yearly selection board for CIVINS. Elimination of the board will give our Corps greater flexibility to assign officers to school at a time that makes sense for that officer. Previously, officers could not even

apply for the selection board until they were selected for lieutenant commander. The JAG Corps is now sending senior lieutenants. At the other end, we are also eliminating the limitations that prevented commanders from attending school. Officers should be able to attend school when the time is right. The only additional point to highlight is that while we may send more senior officers to school, many utilization tours are in lieutenant commander billets. Officers will still be required to perform a utilization tour regardless of the actual billet rank of the utilization tour.

Expanded Areas of Study. The JAG Corps is also working to increase the areas of study for our students. Our Community of Practice leaders and detailers will work closely to find ways to expand our expertise in intelligence law, information operations law, and national security law.

JAG Corps Professional Development

JAG Corps 2020 envisions a highly-educated, well-trained community of knowledge workers who receive continuing education and training over the course of their careers. With all of the hard work described above, the JAG Corps is making great strides as it invests in our officers' futures.

Demand Signal High:

THE JAG CORPS

Training Symposium focuses on strategy, operations, and people

The Judge Advocate General held a biennial training symposium for more than 350 members of the Navy legal community June 3-6 in Lansdowne, VA. Guest speakers included the Secretary of the Navy, the Chief of Naval Operations, and the Navy's General Counsel.

RADM Bruce MacDonald kicked off the symposium with a discussion about the state of the JAG Corps. He discussed the many initiatives that the JAG Corps is currently working on as well as the effects on the JAG Corps of fighting two wars.

"The demand signal for your talents is high," said RADM MacDonald. "We are being asked to provide people to the Office of Military Commissions as well as continue to fill our IA [Individual Augmentee] billets in Iraq, Afghanistan, Horn of Africa, and Guantanamo Bay. We are also continuing our efforts to transform to ensure we remain an indispensable part of the naval, joint, and combined force of the future."

The Chief of Naval Operations, ADM Gary Roughead,

began his comments by commending the community's vision and execution of JAG Corps 2020. He explained that this type of planning is vital for the future of the Navy.

"The JAG Corps has a plan that is on track to provide the support we need for the new maritime strategy," said ADM Roughead.

The CNO focused on the Navy's challenges and opportunities and praised the legal community for having an understanding of these challenges.

"JAGs are a valuable part of the command group and bring a unique perspective," said ADM Roughead. "Your advice and counsel is essential to maintaining the tone and discipline of the force."

When discussing the discipline of the force, ADM Roughead made a point to describe not only military justice, but operational discipline as well. He focused on sonar litigation as one of the most important legal issues facing the Navy's operational force today.

ORPS

Visit the JAG Corps community page on NKO for briefs and photos from the training symposium!

“Sonar is essential to the value that we provide the Nation. It is a crucial part of our ability to dominate on the water,” said ADM Roughead. “We are committed to understanding the potential effects of sonar. Thus far, we have no indication that it is affecting the abundance of marine life. And we remain committed to being good stewards of the environment. You have helped us achieve this discipline in environmental programs.”

The CNO ended his remarks by talking about the people that make up the JAG Corps. He praised the JAG Corps for its efforts in diversity and the missions he has asked the community to complete.

“The JAG Community stepped up to the plate and is helping the Army and the Marine Corps with IAs,” said ADM Roughead. “This is evident in Iraq, Afghanistan, the Horn of Africa, and Guantanamo Bay. I am proud of your efforts in training Afghan military leaders on the rule of law and your support of the counter-terrorism efforts in the Horn of Africa.”

“In December, I visited Guantanamo and, with the commissions now gearing up, the demand signal for your support has increased. This is a national priority and a focus. I am proud of your role in making this process fair, which is what our citizens and the world must see at the end of the day. My expectation is that you will do your utmost to zealously represent America’s values,” said ADM Roughead.

The Secretary of the Navy, the Honorable Donald Winter, also provided his perspective on the important role members of the JAG Corps play by ensuring military commanders understand all the options legally available to accomplish the mission.

“Whether you are negotiating bilateral or multilateral data sharing agreements with our allies or emerging partners; providing fiscal legal counsel to facilitate analytical tools that help us detect anomalies and identify patterns; or supplying critical real-time legal counsel to operational commanders and decision makers to put that maritime data and analysis into action on the high seas, your JAG Corps and OGC partners are ensuring maritime safety and security worldwide,” said Mr. Winter. “What leadership truly needs from counsel is an understanding of the range of legally supportable

options available to accomplish the mission, and your assistance in analyzing the risk associated with those options. I commend the Navy JAGs who have provided us with good advice in how we can make positive changes when such cases come before us, and I believe that they have embraced the kind of perspective that I believe is needed.”

SECNAV concluded by adding his appreciation to all the men and women in the audience as well as those not able to attend the symposium by saying, “Thank you for your service, and thank you for all your hard work in support of our mission.”

A panel consisting of Navy General Counsel, the Honorable Frank Jimenez; RADM MacDonald; and Deputy SJA to the Commandant, Col Peter Collins, introduced the first joint Department of the Navy legal strategy “One Mission, One Team.” This strategy describes areas of expertise belonging to each of the services and OGC. The presenters discussed how the strategy lays the groundwork to best utilize the legal expertise of the communities as well as a way to ensure there is full legal coverage for the Department of the Navy.

“We described this as gaps and seams,” said Mr. Jimenez. “Although the three DON legal communities have different areas of expertise, they also have common areas of practice. We recognize that working together to address the gaps and seams is vital for providing effective and efficient legal services to the Department.”

RADM MacDonald concluded the conference by asking for a continued dialog about the issues affecting the JAG Corps and innovation for the future.

“We are building a JAG Corps that you will all be proud to lead in the future,” said RADM MacDonald. “Communicating is the key. We need you to give us your ideas on how we can do things better; how we can continue to innovate and improve.”

Briefs are available on the JAG Corps page on Navy Knowledge Online (NKO). Other topics included Active-Reserve Integration (by RADM Norton Joerg), the Future LN Community (by LNCM Stephen DiStefano), the Pulse of the JAGC (by CAPT Dawn Tompkins), and a brief on Selection Board Process (by CAPT Moira Modzelewski and CAPT Hank Molinengo).

On Alert for an Invisible Client

By LT Chris Julka
Legal Assistance (Code 16)

Ever since he returned from Iraq, LT David Shull worries that in his past practice as a legal assistance attorney, he might have let a client down. Perhaps this client never existed, but LT Shull has no way of knowing. The mere possibility is so important, LT Shull believes, that military lawyers should be on the lookout for some of the invisible signs of Post Traumatic Stress Disorder (PTSD) or Traumatic Brain Injury (TBI).

Iraq and other fronts in the Global War on Terrorism (GWOT) are giving rise to a new challenge for legal assistance providers: the potential needs of service members wounded in combat. Just as combat wounds may lie beneath the surface, the unique needs of combat veterans may not be readily apparent.

“There is a range of traumatic stress responses that can occur in returning service members,” said Dr. Maria Mouratidis, the head of the National Naval Medical Center’s Traumatic Brain Injury and Psychological Health Directorate. “Family members and caregivers are very important in helping to determine if a service member is having problems that require clinical attention. Their observations of the person as well as their historical information about the person’s behavior and functioning are very important.”

The U.S. military is looking for ways to address this issue at the institutional level. Military legal practitioners may be able to assist through heightened awareness of wounds that may be largely hidden.

Naval Legal Service Office Southwest (NLSO SW), which provides legal assistance to patients at the Naval Medical Center in San Diego, identified wounded service members as high-priority prospective clients last summer. “The effort was proactive rather than reactive, designed to reach out to such service members, just in case their needs were not being met,” said LCDR Jennifer Eichenmuller, NLSO SW’s Legal Assistance Department Head.

The effort consists of increasing publicity with fliers and e-mails and dispatching an attorney to the hospital in search of such clients. LTJG Ritesh Srivastava said that in the several months he has been involved, he has seen three clients under this effort. They seemed to be in no way specially disadvantaged, at least in terms of meeting their legal needs.

However, the apparent ordinariness of wounded service members may be misleading. At least LT Shull thinks so. He remembers a Navy hospital corpsman who came to his office for legal assistance last spring. The young enlisted man wanted to know about benefits he could receive if he separated.

His unit was set to deploy to Iraq. The corpsman had been there once before. For him, once had been enough. Such a sentiment is not unusual, but something about the corpsman’s manner struck LT Shull as odd. He fidgeted a lot and looked distracted.

LT Shull decided to do some investigating. He learned of allegations that the corpsman missed work. The corpsman’s command warned him that persistence in such behavior would lead to discipline at captain’s mast or processing for separation. LT Shull learned that the alleged infractions started after the corpsman returned from Iraq. More than legal assistance, it seemed the client might need advice related to disciplinary proceedings.

LT Shull suspected PTSD. He knew from general reading that PTSD may affect military personnel who serve in Iraq. Research has shown that about one-third of the 103,788 combat veterans of Iraq and Afghanistan seen at Veterans Affairs facilities between Sept. 30, 2001 and Sept. 30, 2005 were diagnosed with a mental illness or a psycho-social disorder. More than half were suffering from more than one disorder. The most common combination was PTSD and depression.

Another possibility for many service members is TBI. Such an injury can lead to a wide range of physical or mental disabilities, some obvious, some that may not be readily apparent. Operation Iraqi Freedom may have occasioned more instances of TBI than any previous military engagement for two reasons: the employment of Improvised Explosive Devices (IEDs) as the enemy’s

weapon of choice and the unprecedented quality of medical care for victims of explosions who in the past would have died.

“It is common for patients with TBI not to be aware of their deficits, whereas a family member may be noticing their problems in thinking and functioning,” said Dr. Mouratidis.

With the consent of his client, LT Shull raised the possibility of PTSD with the corpsman’s command, which worked with him to schedule a medical examination and suspended the possibility of disciplinary action.

Something as subtle as a psychological malady may be difficult to diagnose properly, even for the experts. Sometimes clients lie. On the other hand, sufferers from psychological disorders such as PTSD are often reluctant to reveal or even acknowledge the condition. A stigma could attach, and such a diagnosis could lead to separation on a

medical basis.

“If anyone notices a somatic or mental health concern for a service member, it is recommended that an appointment be made with his or her primary care manager for an initial evaluation,” said Dr. Mouratidis. “The primary care manager can make referrals to various subspecialties such as audiology, neurology, and so on. If it is clearly a mental health issue such as traumatic stress or depression, it is recommended that a direct referral be made to a mental health provider in addition to the service member’s primary care provider.”

Lack of medical expertise does not relieve the military attorney of the duty, LT Shull believes, to consider the possibility of PTSD and, if appropriate and if the client consents, refer the issue to “the right people” to make additional pertinent determinations.

The Doctor's Recommendation

*From Dr. Maria Mouratidis, National Naval Medical Center's
Traumatic Brain Injury and Psychological Health Directorate*

- (1) Significant change in behavior or personality should trigger an evaluation by a mental health professional and the service member’s primary care manager.
- (2) Significant administrative actions such as administrative separation, especially for problems such as treatment failure, should trigger an evaluation by a mental health professional and the service member’s primary care manager.
- (3) Any service member who has been exposed to (near or around) a blast explosion (IED, mortar, grenade, etc.) should be referred for an audiology exam and a Traumatic Brain Injury (TBI) evaluation.
- (4) Service members who have both brain injuries and psychological injuries may have symptoms that look different than if they had either type of injury alone.
- (5) Re-evaluation of the service member’s mental health is often necessary because some symptoms of traumatic stress may not appear for months after they were exposed to the traumatic situation.
- (6) Any service member who is considered to be malingering should be referred for a neuropsychological and mental health evaluation.

Want to Improve Your Advancement Opportunities?

By LNCM (SW) Donna Sayers
Center for Service Support

Every Sailor should have a mentor and should look for opportunities to mentor others. A mentor can answer questions you may have on advancement opportunities, and provide guidance in reaching your personal and professional goals. When selecting a mentor, look for someone who has diverse experiences.

According to the Center for Personal Development, some questions you should ask your chain of command or mentor include:

- What can I do to gain more authority and responsibility in my current position to make me more competitive for the next higher pay grade?
- I passed but didn't advance the last advancement exam; what changes can I make to improve my chances next time?
- In order to make me more competitive for advancement and to round out my rating expertise, what should my next assignment or duty station be?

If you are waiting to make first class before you start preparing for chief, you have waited too long. If chief (or a commission) is your goal, you should start preparing at the E-4 level by focusing on your performance evaluation. Performance evaluations serve three functions: documenting performance, providing feedback, and serving as a basis for decisions by selection boards. Evaluation breakouts are the single, most important element in promotion decisions.

Your best influence over this process is quality input or "brag sheet". Poor evaluation inputs are the inevitable result of last minute efforts to recollect the year's contributions. The first rule of good input is that it starts the day after the last reporting period ends. Make it a working docu-

ment that evolves and grows from month-to-month. Take five minutes at the end of the month to write down the month's accomplishments before heading for the parking lot. Consider using the NAVFIT software itself; the limited comment space in block 41 will provide

the discipline to avoid writing too much. If you run out of room, discard the least important bullet. That way, your input gets better over time. When writing your brag sheet, write for the ranking board. Document actions that demonstrate why you should be selected for promotion or serve in a billet of greater authority and responsibility. A good question to ask when writing a brag sheet bullet is "so what?" Is there a meaningful answer to that question? If not, leave it out. Comments that help a ranking or selection board make promotion decisions are those that show demonstrated leadership and measurable results with a definite benefit, especially contributions to one's supported command. Always put significant accomplishments on your brag sheet. "Fluff" never promotes, nor do PRT results.

While you should provide quality input to your evaluation, you should not be writing your own evaluation. By your signature, however, you are responsible for its content. When reviewing your evaluation, ensure you read the entire document and not just the performance marks and promotion recommendation. The write-up is just as important. The write-up should support both the grades and recommendation. The entire document will be reviewed by selection boards. The best way to avoid bad evalu-



ations is to deliver performance and to provide good, substantiated inputs in a timely fashion. Remember, your evaluation will influence your career long after your reporting senior has retired. Make sure it is the very best possible.

There is no need to reinvent the wheel. The Advancement and Professional Development page in the Navy Knowledge Online (NKO) Legalman Community provides direct links to tools and resources for writing better evaluations and Fitness Reports. Gone are the days when taking the separate Basic Military Requirements (BMR) exam was a prerequisite to taking the Navy-Wide Advancement Examination. Basic military requirements are now included in the exam itself. Advancement profile reports show that many of our LNs would have exceeded the final multiple for advancement but for the military knowledge section of the exam. Study material specifically relating to military requirements is also available on the Advancement and Professional Development page under the NKO Legalman Community. Additionally, the Navy's Center for Service Support home page provides a sample BMR exam question in the same format as the technical knowledge question on the Legalman home page.

Tools are available on the Advance-

ment and Professional Development page under the NKO Legalman Community to help you prepare for the board. There you can access selection board criteria from previous selection boards, information on the board process, lessons learned from prior selection boards, information on communicating with the board, and the order form for obtaining your Enlisted Service Record on CD-ROM. Order your CD-ROM after the exam; do not wait for exam results to see if you are board eligible. This will give you sufficient time to correct discrepancies before the selection board actually meets. If you have discrepancies, correct them. Opening your NKO profile will provide a link to instructions for data corrections. These instructions include information regarding award, warfare, and education discrepancies, as well as addresses and points of contact to forward your documentation for inclusion in your official service record. To access these instructions from any page on NKO, click on the "Manage Profile" link. When your profile opens, click on the "Data Problems? Please follow this guidance" link.

After each selection board, whether you were not selected or not eligible for advancement, review the selection criteria for that year. This will help you to write your brag sheet for the next evaluation cycle. Get your SMART transcript and Electronic Training Jacket (ETJ) for forwarding to the board. Additionally, if you have earned a degree, forward a copy of the degree to the board. Often only the courses you have completed are listed and not the actual degree. Before sending a package to the board, have it reviewed by a master chief who has sat on a board.

The Legalman Community has always enjoyed a higher rate of advancement opportunities than the Navy average. In the past few years these opportunities have increased, and the Legalman advancement rate has never been better. Senior leadership has worked hard to make professional development tools and opportunities available to you. It is now up to you to take advantage of these valuable resources. Visit the Advancement and Professional Development page under the NKO Legalman Community today!

NJS Receives Education and Training Excellence Award

**By CAPT Charlotte Wise, Former
Commanding Officer, Naval Justice School**



Winners of the Navy Education and Training Excellence Award were announced via message on Jan. 31. Naval Justice School (NJS) was selected as one of seven activities providing education and training to receive the 2007 Award. Recipients of the award receive a plaque and burgee (maritime flag).

It is a satisfying feeling to earn official recognition that NJS is in the top tier of the Navy's training and education commands. This is a team award; it represents the hard work and initiatives displayed daily by every staff member at our three training sites in Newport, Norfolk, and San Diego.

The entire command's vision of academic, command, and personal excellence is a key reason NJS received this award a second time. We strive to inspire every member of the command to deliver quality education and training. Another key to success was our significant progress on *JAG Corps 2020*'s professional development transformation initiatives. NJS launched the first session of the revised Legalman Accession Course, in which new Legalman graduates earn 10 college credits towards a paralegal degree. NJS also formed the Distance Learning Working Group to direct transformational educational opportunities.

Some of the other areas where NJS excelled in 2007 include: realigning primary courses to meet fleet training requirements, coordinating with NJS's sister legal schools to promote more effective legal training and education for the entire military legal community, publishing the first edition of a joint legal publication, developing legal modules for enlisted Navy Professional Military Education and revising the process for strategic oversight and management of the JAG Corps training plan through creation of the NJS Board of Advisors.

This award is another testament that the JAG Corps is sending the right people to NJS, supported by an outstanding group of civilian personnel.



ABA Lamp Committee: Expanding Legal Assistance to Court Representation

By CDR Steven Haycock
Legal Assistance (Code 16)

Legal Assistance practice has traditionally been limited by the inability of military attorneys to appear in court. JAGs could advise clients, write letters on their behalf, and even discuss controversies with the opposing party or his or her counsel. However, such efforts were often ineffective because the opposition understood that military lawyers, generally unlicensed to practice law in the jurisdiction in which they are stationed, could not take cases to court.

To increase the effectiveness of their Expanded Legal Assistance Programs (ELAP), the services joined together to eliminate barriers that kept judge advocates out of state courts in jurisdictions where they were not licensed to practice. The services approached the American Bar Association's Legal Assistance for Military Personnel (ABA LAMP) Committee, an organization composed of representatives from each of the services and several civilian attorneys with an interest in serving the military. The ABA LAMP Committee agreed to draft a Model ELAP rule and to encourage states to incorporate it into bar admission rules.

The result of the LAMP Committee's efforts was the ABA Model Expanded Legal Assistance Program Rule for Military Personnel. This rule is almost identical to Washington State Court Special Admissions Rule 8(g), which resulted from NLSO Northwest's efforts in the mid-1990s to sharpen the teeth of its Legal Assistance program. Both rules permit a JAG to "appear as a lawyer and practice law before the courts of this state in any [civil] matter, litigation, or administrative proceeding" to represent military personnel in enlisted grades E-1 through E-4 and their dependents. Both require only that the JAG file an application with the state, present proof of membership in a bar of any state, territory, or the District of Columbia, and complete at least 15 credit hours of approved continuing legal education in the state where the appearance is sought. The Model ELAP Rule was established in 2003, and reaffirmed in 2004 by the ABA's Working Group on Protecting the Rights of Service Members.

Promulgation of the Model ELAP Rule might have opened the doors of state courts to military lawyers throughout the country. Unfortunately, states such as Texas and North Carolina do not permit ELAP. Other states allow ELAP but have not adopted the Model ELAP Rule, resulting in unnecessary impediments for military attorneys. For example, while Virginia permits JAGs to represent eligible clients in state courts, the \$250 application fee it requires from attorneys creates a disincentive. Hawaii goes farther still, requiring the JAG applicant to pay

full bar dues. Florida requires JAGs to attend a Florida Bar-sponsored "Practicing with Professionalism" course not offered year-round. California limits ELAP to Servicemembers' Civil Relief Act cases in which a judge appoints a military attorney. In short, most jurisdictions fail to provide the kind of access granted in Washington State, the state whose rule served as the template for the ABA's Model ELAP Rule.

Despite the impediments, some NLSOs have nevertheless demonstrated that ELAP plays an important role in Legal Assistance practice. For example, in January 2007, NLSO Mid-Atlantic won \$75,000 in compensatory and punitive damages for an E-4 who had been cheated by a used car dealer. At the controversy's inception, the client did not have the resources to pursue his claim, nor did the \$9,700 at issue at the time attract the services of civilian attorneys.

NLSO Southeast has also achieved outstanding results through ELAP. Among other examples, NLSO Southeast used Florida's ELAP provisions to assist two families with probate matters following a tragic helicopter crash as well as a third family after the death of a Marine in Iraq.

Even when JAGs do not appear in court, their ability to do so provides a strong incentive to adverse parties to settle. For example, NLSO North Central took up the cause of a Sailor who bought a new car that turned out to be a "lemon." Despite winning in arbitration, he found he had been assessed fees in contravention of Illinois law. The case settled when NLSO attorneys made it known they would take the issue to court.

While these cases prove the merits of ELAP, the Legal Assistance program cannot realize its full potential until state bars remove the barriers that inhibit JAGs from practicing in state courts. As the author of Washington State Court Special Admissions Rule 8(g), the template for the ABA Model ELAP Rule, RADM Bruce MacDonald is uniquely qualified to appreciate the Model Rule's importance. In the months ahead, the JAG and OJAG's Legal Assistance Division (Code 16) will work to renew interest in the Model ELAP Rule among the services and to reinvigorate the ABA's efforts with the state bars.

Clearly, an aggressive ELAP program is beneficial to Sailor Legal Readiness. ELAP provides in-court representation to those who could not otherwise find an attorney willing to take their case. It provides eligible clients with expertise in military-related matters that might be difficult, or even impossible, to find in the local civilian attorney community. Finally, it allows JAGs to attack decisions and practices negatively affecting the military community as a whole, one case at a time. Code 16 encourages Legal Assistance providers to look for and report opportunities to ameliorate state bar admission rules, to take on promising ELAP cases, and to share your success stories with one another and OJAG.

UPDATED

COURTHOUSE SECURITY ACROSS THE ENTERPRISE

By **LT Chris Colby**
Management and Plans (Code 63)

The year 2007 saw several exciting advances in courthouse security, as Naval Legal Service Command (NLSC) received a special allocation of \$2.2M in FY-09 funds for security improvements. Data from security assessments conducted by each Region Legal Service Office (RLSO) in November 2007 are being used to prioritize, plan, and program security projects for FY-09. Additionally, CNLSCINST 5530.2A was signed, creating a program of “no notice” security drills conducted at random intervals by OJAG and graded as Pass/Fail. The instruction also requires all quarterly security drill after-action reports to be submitted to Mr. Joe Scranton, the JAG IG, in addition to Code 63.

LCDR Ryan Davis, CEC, the OJAG Facilities Engineer, offered some recommendations to ensure RLSO commanding officers get maximum “bang for their buck”. First, he recommends RLSO commanding officers target the high impact/low cost items in the NLSC instruction via Code 64 to maximize their security posture as quickly as possible. Coupled with this is the need for commanding officers to actively conduct security assessments. LCDR Davis noted that accurate data is key to allocating funds appropriately. Third, every RLSO should develop relationships with their regional and base Public Works Department (PWD); to create the best long-term climate of cooperation, these relationships must continue beyond PCS rotations. Lastly, the RLSO commanding officer must recognize that more substantial projects may require extensive construction designs first, which could be a multi-year effort.

Recent experiences have shown that non-JAG personnel do not understand the difference between the need for courtroom security versus courthouse security. The instruction notes that “courthouse” is defined to include not only the combined internal space such as the bench, well, and gallery, but also external areas that support military justice proceedings, such as parking lots and head facilities. When coordinating security improvements with NAVFAC and SPAWAR representatives, it is important to emphasize this distinction because the security of a courtroom requires consideration of the greater

courthouse facility’s security posture.

Starting in FY-09, Navy will provide a special allocation of funds for security improvements in an effort to update existing security measures within courtroom spaces, correct deficiencies in facilities that endanger privacy and confidentiality between lawyer and client, or correct deficiencies that compromise privacy within the deliberation room and within judges’ chambers. They will also correct deficiencies in traffic flow and visitor access to court spaces, and bring JAG courtrooms up to industry and DoD standards.

Incorporating security into a new courthouse construction or renovation project is generally easier (and, ultimately, less costly) than making piecemeal improvements to an existing facility, according to LCDR Davis. The Navy’s publication used to prepare Basic Facility Requirements Lists (BFRs), the UFC 2-000-05N, provides facility planning criteria for computing quantitative facility requirements for Navy and Marine Corps Installations. Commonly known as the P-80, this publication evaluates existing assets and plans against deficiencies for both proposed and existing facilities. Its appendix includes a section dedicated to legal facilities (61 040). NAVFAC’s recent decision to reference CNLSCINST 5530.2A in the P-80 can be used by RLSO facility officers to get security features included when NAVFAC constructs or renovates their courthouses. LCDR Davis cautions that RLSOs should never assume, however, that NAVFAC personnel are familiar with this requirement. If NAVFAC is working on your courthouse, or if you have significant security issues with your courthouse, LCDR Davis advises providing a copy of CNLSCINST 5530.2A to NAVFAC and your architect/engineer at the earliest possible stages of construction or renovation planning. Design and construction changes that would otherwise be relatively inexpensive if identified early tend to increase substantially in costliness as the project proceeds toward completion.

LCDR Davis notes that some requirements will be more expensive than others. For example, adding heads dedicated to judge and jury to a building without plumbing in those locations could be extremely expensive, because of the existing concrete slab. In fact, it may become much more expensive than building a head for a new building.

This work is very important to building the JAG Corps of the future and keeping the focus of the vital issue of courthouse security.

Kirkuk Rule of Law

By LCDR Timothy Keeton
Kirkuk Provincial Reconstruction Civil Affairs

The concept of Rule of Law (ROL) is broad and can encompass many facets of the Iraqi legal system, from training police to distributing laptops containing the Iraqi Penal Code to judges to attempting to establish the institution of law firms. The ROL Team of the Kirkuk Provincial Reconstruction Team (PRT) embraces the notion that security is the most important and necessary element of ROL. The establishment of a prosperous law firm, for example, is worthless if, like any other successful business, it is merely extorted for money by criminals and insurgents. Those who fail to pay may lose their storefront or more to a massive, vehicle-borne improvised explosive device (VBIED).

The PRT is a joint Department of Defense/Department of State concept, tasked with enhancing the capacity of several important sectors of the Iraqi government and private sector. As such, the PRT is a diverse mixture of both civilian and military components. In addition to me, the ROL Team is comprised of two Army non-commissioned officers, MSG Kelvin Najab and SSG Brandon Hamous, and one Assistant United States Attorney from San Francisco, Mr. Marlon Cobar. We also have a dedicated, local national interpreter, Ziyad, who can speak and write in English, Arabic, and Kurdish. Understanding more than one language is indispensable in Kirkuk Province, where the population is an ethnically diverse 40 percent Kurdish, 40 percent Arab, and 20 percent Turkomen.

Since the liberation of Iraq in 2003, the deteriorating security situation has been such that terrorist and insurgent cases cannot be safely tried in the vulnerable provincial courthouses. Most provincial courthouses throughout Iraq are routinely transacting mundane civil matters such as divorce, real property transactions, and notarizations, as well as minor and petty criminal matters. Terrorist and insurgent cases and serious felony-type offenses, however, have been tried at the Central Criminal Court of Iraq (CCCI). The CCCI is located on a secure compound adjacent to the "Green Zone" in Baghdad. In fact, most of the CCCI's judges also reside in a heavily secured housing complex inside of the Green Zone.

Provincial Iraqi Police (IP) authorities were responsible for the transport of pre-trial detainees from their respective provinces to Baghdad. For Kirkuk Province, this was often an arduous, costly, and dangerous undertaking. Because the province lacked the manpower and resources to



assemble a vehicle convoy large enough to deter potential assailants, the only viable alternative was stealth. This entailed renting an unmarked civilian vehicle for the four to five hour drive. The other vehicles available were marked IP vehicles, which made them obvious targets for insurgents. Two plain clothes policemen would escort the prisoner, praying that their vehicle was not stopped by an illegal checkpoint along the way, or that corrupt IP elements had not alerted the detainee's associates that the vehicle was en route. Often, for a variety of reasons, from the bribing of corrupt escorts to outright escape, detainees did not make it to the CCCI for their ultimate trial. If and when the accused was ultimately delivered to the CCCI, almost no update or information on the status of that criminal's case was relayed back to the province.

To resolve these problems, the Iraqi Higher Judicial Council established the Kirkuk Military Criminal Court (MCC) by written order in October 2007. This mere sweep of the pen, however, did not approximate the many weeks and countless hours of preparation, negotiation, and management that preceded the MCC's opening. While physical security was the paramount consideration when selecting the court's location, we knew that putting it on a Coalition forward operating base (FOB) was not an option if we wanted it to retain its rightful identity as a legitimate Iraqi court. The existing Kirkuk Central Courthouse, a structure that had suffered two devastating VBIED attacks within the previous year, was also not a viable option. After reviewing a number of potential Iraqi-controlled facilities (including the former summer villa of Ali Hassan al-Majid al-Tikriti, the infamous "Chemical Ali,"), we ultimately selected the Iraqi Army base called "K1," home to the 2/4 IA Brigade and located approximately 10 kilometers outside the city of Kirkuk.

K1 is the most securely guarded facility in the Province

of Kirkuk, second only to the Coalition FOB. We selected an existing, single-story, open bay barracks building to renovate into a courtroom. Additionally, an adjacent office building had to be furnished with beds and furniture to be converted into living spaces for judges who would travel from the CCCI. This is when lawyers unfamiliar with building and engineering matters must become instant construction project managers. Construction standards in Iraq generally differ from what we are familiar with in the Western, industrialized world. We would often only half joke that the notion of “good enough” was a common construction standard.

At least two to three times a week, the ROL Team would go to K1 to monitor progress and to keep the Iraqi contractor and his workers vigilant. This process involved the members of the ROL team first donning their heavy protective gear and loading their individual weapons. With me as the truck commander (TC) having overall command of the vehicle and running the communications gear, MSG Najab at the wheel as driver, SSG Hamous on the M240B machine gun, and Mr. Cobar and Ziyad in the rear as passengers, our armored M1114 vehicle would proceed outside the FOB gate after first test firing the M240B. The route from the FOB to K1 is a dangerous one where enemy attack is frequent and where both Coalition and Iraqi personnel have lost lives. The 125 degree heat of an Iraqi August only compounded the physical discomfort.

The Kirkuk MCC began hearing cases the first week of October 2007. Over a ten day period, the three judge panel heard cases from a total of 36 defendants. Twenty-five of these defendants were found guilty of their crimes, while eleven were acquitted. Those convicted were swiftly separated from the pre-trial population and transported to prison to serve their sentences or await execution. Those acquitted were promptly released. While the approximately 73 percent conviction rating would sound dismal by the standards of any decent state-side prosecutor’s office, we were actually quite pleased. The numerical results indicated a fair court that would convict when the evidence so warranted but would acquit when it did not. Due to backlogs at the CCCI and the aforementioned logistical problems, some of the defendants had been awaiting trial for almost three years. Therefore, in ten days time, the Kirkuk MCC eliminated a nearly three-year backlog of insurgent and terrorist cases.

After the closing of the first panel of the Kirkuk MCC, the criminal justice leadership of Kirkuk held a press conference at the MCC to publicize the court’s successes.



Representatives from the IP, the Iraqi Army, and the judiciary were present. Local media broadcast that, for the first time since the liberation of Iraq, everyone who had committed a crime against the people of Kirkuk was facing justice in Kirkuk. Within two days of the press conference, an attempt was made on the life of the Chief of the Kirkuk Court of Appeals. The insurgent group Ansar Al-Sunna claimed responsibility for this attack, in which a member of the judge’s personal security detachment died. Perhaps as a testament to the efficacy of the court, the group specifically cited the judge’s complicity in the MCC as the reason for the attack.

The advancement of the ROL in Kirkuk Province by the Kirkuk MCC can be measured in a variety of ways. First, there is the empirical data of case processing and the elimination of years of back caseloads. Second, is the ample anecdotal evidence from private citizens, government officials, and the media over the rise in public confidence in the Kirkuk security situation, bolstered by the transparent process of adjudicating the cases of terrorists and insurgents. Third, is the unprecedented cooperation among the various branches of the criminal justice system (IP, Iraqi Army, judiciary, corrections, and the defense bar) required to resume adjudicating cases of this magnitude.

The second panel of the Kirkuk MCC convened in January 2008.

Top left: Reserve Rule of Law team members LCDR Timothy Keeton, SSG Brandon Hamous, USA, court guard, and Assistant United States Attorney Marlon Cobar with MCC court.

Top right: LCDR Timothy F. Keeton and Assistant United States Attorney Marlon Cobar with court guard.



Legalman Joins MCPON Staff

**By Natalie Morehouse
Public Affairs Office**

Master Chief Petty Officer of the Navy (SW/FMF) (MCPON) Joe Campa, Jr. recently selected LN1(SW/AW) Cindy Rodriguez to join his staff for a four year tour.

Much of LN1 Rodriguez's role is the establishment and constant maintenance of strong congressional relationships. Her duties include research and briefings for the MCPON on new legislation that will affect the Sailors and their families, current events, attrition status, child care, housing, health care, reserve force, and issues involving the Global War on Terrorism.

"When I was told I would be the

Legalman for MCPON staff, I felt ready for the challenge as an independent duty Legalman. However, it's not just the typical legal issues that I deal with, it includes a little bit of everything," said LN1 Rodriguez.

During the month of January, 95 percent of her work was focused on preparing MCPON to testify before the House Appropriations Subcommittee on Military Construction and Veteran Affairs.

"When I became part of MCPON's staff, my first task was preparing for the congressional hearing on military construction. I must admit, I felt a little lost because I did not have any type of legislative background. But the staff here, JAG Corps, and Legalman Community supported me every step of the way, and we accomplished the mission," said LN1

Rodriguez. "There have been long working days and a weekend here and there, but every minute has been worth it."

Her daily tasks vary. At any given time she could be scheduling the MCPON's appointments to visit the Hill, keeping up with current events and politics, or handling a matter with a Sailor's family member. LN1 Rodriguez has also accompanied MCPON to office calls with Representatives Kennedy, Crenshaw, Carter, Young, Farr, and Edwards. "Everyday is a learning experience, and I am enjoying it very much," said LN1 Rodriguez.

"We are truly fortunate to have such great Sailors in our community, and MCPON certainly picked a great Legalman who is dedicated to her work and her service," said LNCM

(SW/AW) Stephen DiStefano, senior enlisted advisor to the JAG.

LN1 Rodriguez was born in Mountain View, California, but raised in Michoacán, Mexico. LN1 Rodriguez began her Navy career as an Operations Specialist. In December 2002, she converted to the Legalman rating. She has recently reported from a tour with Commander Naval Air Forces, San Diego, and an IA in Iraq.

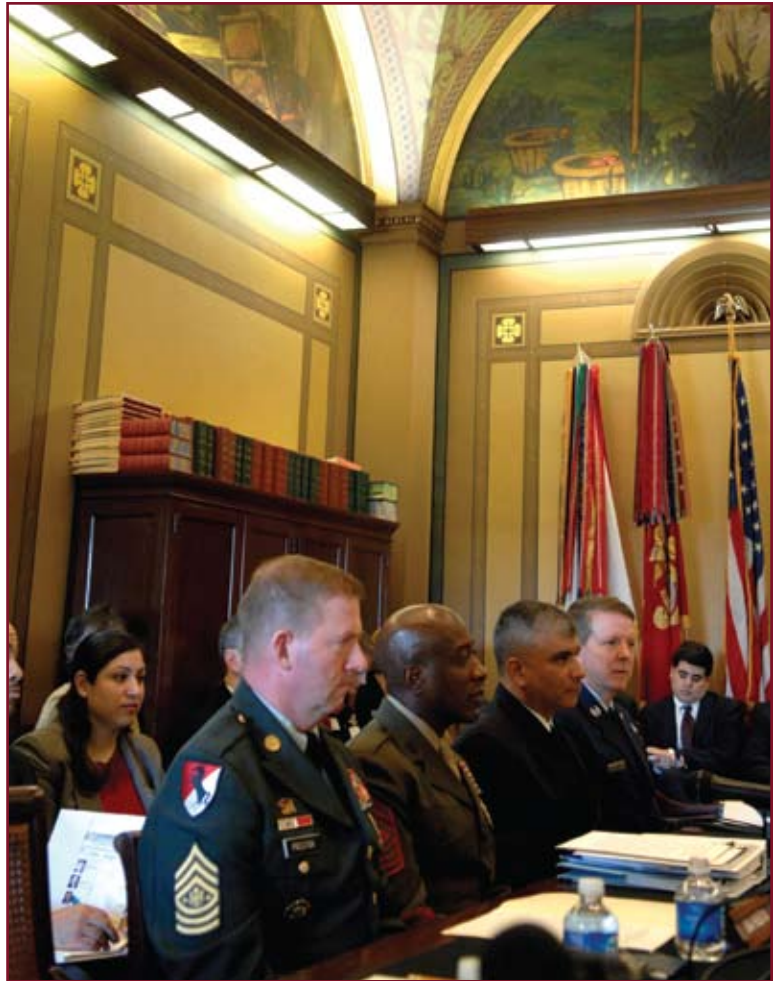
Now that the House Appropriations Subcommittee on Military Construction Congressional testimony is over, her primary focus has shifted to ethical issues, legal, and other administrative matters. In her short time with MCPON, LN1 Rodriguez believes she has already learned so much just by listening to MCPON speak with various Congressmen.

“If there is one thing I am sure about, it is that I am in a great place for growth in leadership,” said LN1 Rodriguez.

Left: Sgt. Major of the Marine Corps Carlton Kent, left, and Master Chief Petty Officer of the Navy (SW/FMF) Joe R. Campa Jr.

Right: LN1(SW/AW) Cindy Rodriguez observing Sgt. Major of the Army Kenneth Preston, Sgt. Major of the Marine Corps Carlton Kent, Master Chief Petty Officer of the Navy Joe R. Campa Jr. and Chief Master Sgt. of the Air Force Rodney McKinley answer questions before the House Appropriations Subcommittee on Military Construction.

Below: LN1 Cindy Rodriguez right and Master Chief Petty Officer of the Navy left with congressional staff member after his testimony before the House Appropriations Subcommittee on Military Construction.



Taking Care of Individual Augmentees Like Family

Compiled from region submissions
By Natalie Morehouse
Public Affairs Office

JAG Corps family members are vital to the success of our legal community. They sustain our morale. With an increased emphasis on Individual Augmentees (IAs) deployments, every JAG Corps command is ensuring they are taking care of those left behind. Below is a compilation of some creative ways to support the JAG Corps family.

To support the children of deploying Legalmen and officers, **Region Legal Service Office (RLSO) Hawaii** instituted the “Flat Daddy/Mommy” program with resounding success. Thought to be first created by families of National Guard units deploying in support of Operation Iraqi Freedom, “Flat Soldiers” can be close to life-size waist-up mounted photographs of the deployed family member. The photos are given to young family members in order to keep the service member in the child’s mind even while the service member is on the other side of the world.

LN1(AW) Misty Galentine thought the program was worthwhile during her recent deployment in support of Task Force 134. “The RLSO gave my daughter a ‘Flat Mommy’ picture and, believe it or not, she kept that crazy thing with her the whole time, at school, at her bedside, in the bathroom, everywhere! She really loved it a lot and when I returned home, that Flat Mommy looked like it needed some Botox or something! It was worn slap out.”

LT Jason Levy’s two children received a “Flat Daddy” while he was an Individual Augmentee (IA) in Iraq. His young son Isaiah bonded with his father’s image and often took him to preschool. “Flat Jason” even joined the family on a trip to the snow in Lake Tahoe.

From care packages to parties, **Naval Legal Service Office North Central (NLSO NC)** supports IAs and their families. LT Emily Dewey, currently serving in Iraq with the Law and Order Task Force, enjoys receiving gifts that range from wet wipes to marshmallow Easter candy. In a recent e-mail, she thanked NLSO NC for her gift and wrote that “these gestures do a lot to brighten up our days.” LT Jerod Markley deployed with II Marine Expeditionary Force in Iraq. While serving, he received care packages with gifts for him and for Iraqi children living in orphanages. LT Markley hand delivered these toys and reported that “the children’s eyes lit up.”

It’s not just the larger commands that have a support system in place for their deployed shipmate and his or her family. Be it the

detachment in San Diego or Norfolk, or the parent command in Newport, **Naval Justice School (NJS)** routinely has command members deployed on IA assignments. From the single officer with no dependents to the officer with four small children, NJS caters its support to the IA’s specific needs. Each department, detachment, or branch office keeps in regular contact with the IA member and dependents, including personal visits with the family and periodic care packages.

RLSO Northwest works hard to keep in touch with all IA families. IA family members are invited to all command parties and events. Additionally, RLSO Northwest helps IA families coordinate homecoming parties for their service member and continues to find ways to ensure IA families feel included and are up to date about the command and their deployed service member.

The term “shipmate” goes beyond the workplace to include family members at **RLSO Midwest**. For those team members who deploy as IAs, they can rest assured that RLSO Midwest does look after its shipmates. So far, that has included regular telephone calls from the chain of command, pumpkin carving and pizza parties, movie nights, and even babysitting. The commanding officer personally ensures that her “kids” families are aware that we are here for them, no matter what the need. Of course, support to a family would be incomplete without the regular support of the deployed shipmate as well. This support can be a bit more challenging, but RLSO Midwest has managed to care for its shipmates through e-mail exchanges, telephone calls, care packages, and, best of all, meeting them at the airport when they return safely to the area.

RLSO Japan engages in a proactive approach that starts with the pre-deployed member. The command ombudsman contacts the spouse before deployment and offers assistance and her POC should any issues arise. Deployed members’ names are added to the header of the command plan of the week (POW), right below the names of the commanding officer, executive officer and senior enlisted advisor. Copies of the POW are transmitted to the IA and his or her family via e-mail to help them connect with command life.

IA spouses are invited to all command events, and the commanding officer hosts occasional lunches for IA spouses attended by the executive officer, senior enlisted advisor and the ombudsman. These informal luncheons are designed to reinforce the command’s commitment to the family and ensure that their needs are being met. The command assists with welcome home dinners, family moves, and babysitting. Finally, the command arranges the attendance of the service member and family at a two-day post-deployment symposium.

IA Families continued page 31

The JAG's Middle East Tour

RADM Bruce MacDonald visited the Central Command area of responsibility, making stops in Bahrain, Afghanistan, and Iraq Jan 19-30.

The visit, his second since becoming the Judge Advocate General, was to see firsthand how his judge advocates and Legalmen are supporting the legal missions.

"I could really see the progress being made," said RADM MacDonald. "The contribution to the Rule of Law by our Legal Community has never been greater, and I could not be more proud."



Top: JTF-134 in Baghdad, Iraq.
Middle left: RADM MacDonald with BGEN Shir Muhammad Zazai, the Judge Advocate General of the Afghan National Army.
Middle right: JTF-134 Baghdad, Iraq.
Bottom: RADM MacDonald with Combined Security Transition Command - Afghanistan.



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JAG Video Wins Communicator Award

By Ms. Jen Zeldis
Public Affairs Office

The International Academy of the Visual Arts (IAVA) recently selected the Navy JAG Corps' Awareness Video as a winner of a 2008 Communicator Award of Distinction (Silver Award).

The Communicator Awards honor creative excellence for communications professionals. This year's competition received more than 9,000 entries from across the United States and around the world, making it one of the larg-

est and most competitive awards programs of its kind in the world. "This video illustrates the quality of our new accessions," said RADM Bruce MacDonald, the Judge Advocate General of the Navy. "Our officers are an integral part of the mission of America's armed forces, and this video is one tool to ensure we continue to recruit a high quality, diverse group of legal professionals."

The Awareness Video is the centerpiece for the new JAG Corps recruiting website found at www.jag.navy.mil/careers. The Navy JAG Corps recently updated this

site to inform potential candidates about the JAG Corps and to explain the application process.

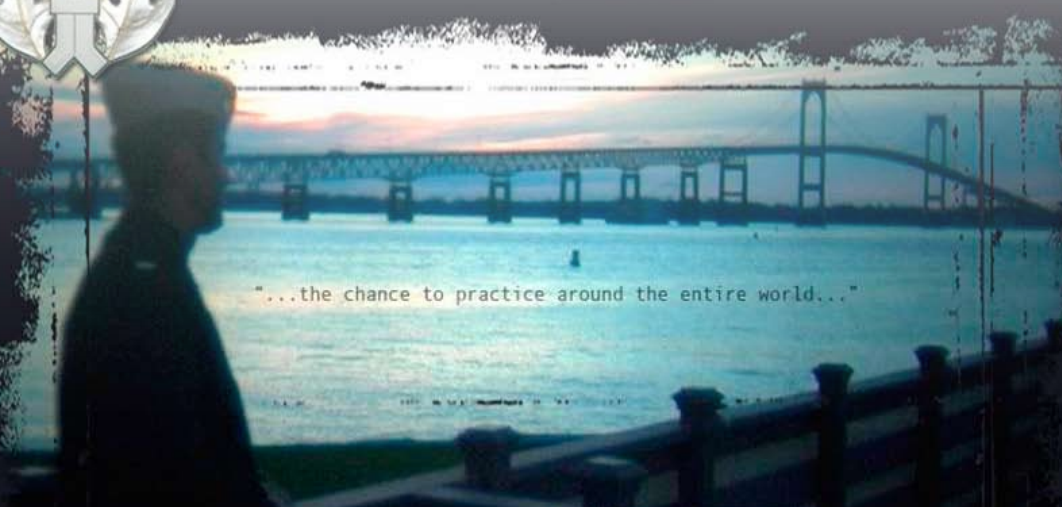
"The incredible quality and diversity of this year's entries was an inspiration to the academy and all of our judges," said Director of IAVA Linda Day. "The work reflected the rapidly changing media landscape as the growing amounts of interactive work submitted pushed the limits of the medium, and the quality of the traditional work submitted was again remarkable."

For more information on the Navy JAG Corps, visit www.jag.navy.mil.



U.S. NAVY JAG CORPS CAREERS

AUDIO



"...the chance to practice around the entire world..."

Volunteers donate book bags, supplies to orphans

By SSgt Jennifer Redente
CJTF-HOA

Female service members from Combined Joint Task Force-Horn of Africa (JTF-HOA) donated more than 50 book bags containing school supplies, flip flops, shampoo, soap, and treats to girls at Center Aicha Bogoreh in Djibouti on Jan. 27.

Volunteers from the English as a Second Language Team received the donations from service members, family, friends, and organizations including three chapters from the Federally Employed Women Organization, the Department of Leadership, Ethics and Law, U.S. Naval Academy and Naval Legal Service Office Southeast.

“The girls are eager to learn, but lack resources for language acquisition as we know it in the United States,” said 1LT Jody Glover, USA, CJTF-HOA Cryptologic Services Group officer in charge and Signals Intelligence liaison officer. “The

writing supplies will enable them to practice dictation and repetition. The notebooks ensure continuity in their studies, so they can review their work over time. The fun treats, like markers, crayons and candy, surely make learning fun.”

The volunteers visit the orphanage twice a week to teach the girls, between 7 and 13 years old, English.

“We leave for the school in the evening after a full work day, and the volunteers are usually tired, but we are always so happy we went at the end because the girls make it so worth while,” said DCC Danielle Saunders, Camp Lemonier Operations Emergency Management Officer.

By the time the team arrives at the orphanage, the girls are gathering outside the school house, and the volunteers can see their faces light up.

“The best thing about volunteering is our students are genuinely interested in learning English, and they are gifted with the talent to learn new languages easily, said LT Hollis Simodynes, the

Camp Lemonier Staff Judge Advocate. They were a bit shy at first, but they quickly became very friendly and spirited. In one of my classes, we discussed what the girls want to be when they grow up, and many of them said they wanted to be doctors.”

The enjoyment is a unanimous feeling felt by all the volunteers from Camp Lemonier supporting the CJTF-HOA mission to prevent conflict, promote regional stability, protect coalition interests in order to prevail against extremism.

“I really enjoy working with the girls,” said LNCS Alicia Barnes, the Camp SJA staff legalman. “Although they are less fortunate than some, their love for each other and their willingness to learn is overwhelming. They have taught me many things about themselves and their culture, which has enabled me to better understand them. I have grown close to all of them, and I will miss them when I leave.”



Happy 40th birthday JAG Corps!

On Dec. 8, 1967, Congress established the Judge Advocate General's Corps within the Department of the Navy. The legislation was signed into law by President Lyndon B. Johnson and ensured the status of Navy lawyers' as members of a distinct professional group within the Navy.



President Lyndon B. Johnson signs legislation creating the JAG Corps.

As part of tradition, the youngest and oldest members of the JAG Corps, LT Jentso Hwang and CAPT Randy Russell, cut the traditional birthday cake this year.



RADM Norton Joerg, LT Jentso Hwang, CAPT Randy Russell, RADM Bruce MacDonald, and CAPT Hank Molinengo pose as they cut the cake.

JAG Visits NLSO NW for ABA/WSBA

By LT Chad Temple
NLSO NW

In conjunction with an invitation to speak at the Washington State Bar Association (WSBA) Legal Assistance for Military Personnel Section (LAMP) and the American Bar Association's Standing Committee on LAMP, RADM Bruce MacDonald recently visited Naval Legal Service Office Northwest. RADM MacDonald's visit was something of a homecoming, as he returned to the command where he previously served as both executive officer and commanding officer. During his visit, RADM MacDonald toured the updated NLSO NW Bremerton and met with Legalmen, junior officers, and civilians to discuss the future of the JAG Corps and issues facing it such as paralegal education, Individual Augmentation, and the Military Justice Career Track.

RADM MacDonald also traveled to United States Coast Guard Integrated Support Command, Seattle, Washington, for a presentation at the LAMP training.

The ABA's Standing Committee on LAMP and the WSBA's LAMP Section provide resources to support the legal needs of service members. Both groups also review pending federal and Washington legislation,

analyze its affect on the legal demands of military personnel, and provide input to the legislative process. Finally, both entities offer Continuing Legal Education (CLE) for military and civilian lawyers who represent military personnel. On Nov. 14 and 15, the ABA LAMP Committee and WSBA LAMP Section held a joint CLE. Civilian experts gave presentations on Landlord-Tenant Law, Family Law, Consumer Protection, Property, Predatory Lending, Washington court procedures and other legal assistance topics.

RADM MacDonald was one of the many distinguished speakers in attendance at the joint CLE. Other notable speakers included RDML William Baumgartner, JAG and Chief Counsel, U.S. Coast Guard, William Neukom, President, American Bar Association, James McDevitt, U.S. Attorney, Eastern District of Washington, Mary Fairhurst, Supreme Court Justice, State of Washington, Donald Guter, RADM, (Ret.), former Judge Advocate General, and Earl Anderson, Gen, USMC (Ret.), Chair, ABA Standing Committee on LAMP.

RDML Baumgartner, the opening speaker for the joint CLE, discussed the duties and responsibilities of JAG Officers in the U.S. Coast Guard. During Justice Fairhurst's presentation on Washington ethical rules, she

praised each armed service's JAG Corps community for their pro bono work through their legal assistance commitments. During a lunchtime presentation, Mr. McDevitt discussed the United States Attorney's Office role in Iraq and Afghanistan. He also discussed their efforts in representing service members in SCRA and USERRA claims. On the second day of the conference, RADM MacDonald talked about the history of legal assistance in the Northwest, joint service integration for legal assistance initiatives, the advent of the Wounded Warrior Program, and the value of the joint CLE training. Finally, on the last day of the conference, Mr. Neukom presented his presidential initiative, the World Justice Project (WJP). Mr. Neukom explained that the WJP is a multi-disciplinary and multi-national effort to promote human well-being through the advancement of the rule of law. Mr. Neukom reported that the military was the best attended and best represented discipline, and best understood the importance and value of "developing communities of opportunity and equality." Included in Mr. Neukom's WJP is the concept of access to justice. He commended the military for the access to legal assistance provided to servicemembers, many of whom otherwise would not receive it.



RADM Bruce MacDonald and RADM (Ret.) Donald Guter with the members of the RLSO and NLSO NW who attended a meeting of the Washington State Bar Association Legal Assistance for Military Personnel Section and the American Bar Association's Standing Committee on Legal Assistance for Military Personnel.

RLSO Midwest's Recruit Training Command Legal Department: "Busy and Proud Of It"

By LN1 Tamara Brewer
RLSO Midwest

Although workload is sometimes in the eye of the beholder, Region Legal Service Office (RLSO) Midwest's Recruit Training Command (RTC) Legal Department proved to be one of the busiest legal offices in the Navy in 2007.

The mission of RTC Great Lakes is of course, to train recruits and to get them out to the fleet. The RTC legal mission is to ensure that qualified Sailors are quickly sent to the fleet, while those not qualified are efficiently, and fairly, separated from the Navy. Towards that end, we assist RTC with more than 800 nonjudicial punishment cases annually, and we process more than 3,500 recruits a year for administrative separation for physical, psychological, and behavioral reasons. Last year, we responded to 469 Congressional inquiries and 884 parental inquiries. We also provide all the ethics and command services advice required by a nationally-visible client command of over 1,000 staff personnel with responsibility for the welfare of up to 10,000 recruits at any given time. Our work directly impacts the ability of RTC to train new Sailors.

At RTC, recruits complete eight-grueling weeks of boot camp. They are usually 18-year-olds who may



Region Legal Service Office Midwest's Recruit Training Command Legal Department.

never have lived away from their homes and families. Recruits come from across the country and, in some cases, the world. Every year, approximately 42,000 recruits enter basic training with the hope of proudly marching at graduation and becoming Sailors.

The RTC legal team is composed of two officers, one Legalman chief petty officer, four Legalmen first class, four Legalmen second class, hardworking first class and third class petty officers on loan from local commands, one civil service employee, one civilian contractor, and four graduated Sailors who act as legal clerks. In addition to providing legal support to RTC, our personnel are supporting the Global War on Terrorism through Individual Augmenta-

tion deployments. Personnel from our office have served in Cuba, Iraq, and Afghanistan. Three are currently deployed, and we depend on essential Reserve support to carry the heavy workloads they leave behind.

Although we work hard, the atmosphere at RTC Legal is pretty lively, between the constant stream of recruits who need our help and our own unit camaraderie regularly built through birthday celebrations, pizza parties, and good-natured joking among colleagues. We are proud of the work we do to support the mission of training new Sailors, to represent the larger Navy legal community, and to be what we like to think of as the busiest legal office in the Navy.

ABA OFFERS FREE MEMBERSHIP TO JAGS

By LT Chris Ray
Administrative Law (Code 13)

The American Bar Association (ABA) now offers free membership to members of the JAG Corps who are in their first five years of practice. The ABA is the largest, legal professional association in the world. Membership benefits include inexpensive and convenient CLE, publications for use in professional development, and opportunities to participate in specialty sections (e.g., military lawyers).

Personnel interested in joining free of charge may contact the ABA Service Center at 1-800-285-2221 or on-line at www.abanet.org/join/jag.

In addition to this offer, the ABA will waive the membership dues for personnel serving in a combat zone. Membership dues will be re-activated upon return from the combat zone. Personnel interested in taking advantage of this opportunity may contact the ABA Service Center at 1-800-285-2221 or at service@abanet.org.

Please note that this article and the appearance of hyperlinks do not constitute endorsement by the Department of Defense and/or the Department of the Navy of the message, the Web site, or the information, products, or services contained therein. The Department of Defense and/or the Department of the Navy do not exercise any editorial control over the information you may find.

Commanders Training Symposium

By LT Chris Colby
Management and Plans (Code 63)

Commanding officers and their senior enlisted leaders converged on Washington, D.C., in late January to attend the annual Commander's Training Symposium hosted by Commander, Naval Legal Service Command RADM James Houck. The training symposium, held at the Admiral Gooding Center next door to the OJAG spaces aboard the Washington Navy Yard, provided a week-long opportunity for commanding officers and senior enlisted advisors to discuss, debate, and collaborate on the unique challenges facing the senior leadership. A highlight of the training symposium was an informative brief by MCPON Joe Campa on enlisted recruiting, retention, and education. Given the symposium's theme of ethical decision-making, all participants also had the opportunity to hear from three distinguished academic speakers in the field of military ethics with the expectation that the commanding officers would then pass along the training to their commands.

Case Management Tracking Information System (CMTIS) was another topic of lengthy discussion. Commanding officers learned exactly how their data is used at a headquarters level in monitoring *Moreno* violations, attorney workload, and case processing. In the most popular segment of the training symposium, Dr. Dan Cable of UNC-Chapel Hill introduced some of his research, which has helped the JAG Corps refine the "special sauce" it provides to its primary client, the fleet. They heard the latest and greatest innovations from around the JAG Corps, including NLSO Pacific's Self-Service Tax Centers, Lean Six Sigma initiatives at NAMARA and elsewhere, as well as the Trial Defense Command pilot projects. Finally, the commanding officers and the Senior Detailer had an opportunity to say goodbye to an old friend, and AJAG, CAPT Hank Molinengo, who will be retiring this November.



Happy 36th Birthday Legalmen



RADM Norton Joerg, RADM Bruce MacDonald and RADM James Houck with Navy District Washington Legalmen community.

The JAG Corps celebrated the Legalman birthday, commemorating 36 years of service by Legalman worldwide. LNCM Tyrone Burnett and LNI Cindy Rodriguez cut the Legalman cake. The Secretary of the Navy approved the establishment of the Legalman rating on Jan. 4, 1972.

"As we celebrate our rating's 36th birthday, we can look back and be extremely proud of the accomplishments of Legalmen throughout the previous 35 years and look forward with great anticipation on a bright future in our Navy," said LNCM Stephen Distefano, senior enlisted advisor to the JAG.

Naval Justice School Foundation

The Naval Justice School Foundation (NJSF) was created 10 years ago by Navy JAGs who saw a need for additional educational support for the Naval Justice School (NJS). The NJSF is a non-profit organization with approximately 50 active members, comprised mostly of retired Navy judge advocates. NJSF is an Alumni Association that is dedicated solely to giving back to the academic institution that took them from law school graduates to military attorneys.

RDML (Ret.) Dennis McCoy is the current president of NJSF. He sees the mission of the NJSF as an entity that provides financial support from alumni, friends, and others for the sole benefit of NJS. The NJSF currently sponsors an annual prize, awarded to the top NJS scholar.

Look for more articles in the next magazine on the works of the NJSF.

This article is not an endorsement of the Naval Justice School Foundation by the U.S. Government, U.S. Navy, or Office of the Judge Advocate General.



RADM Don Guter

At the time RADM (Ret.) Don Guter decided to attend law school, he was already serving on active duty as a Surface Warfare Officer in the U.S. Navy. During three different tours, he was assigned the collateral duty of command legal officer. In that capacity, he had several interactions with JAG Corps officers. He decided the law was of particular interest to him and that he could best serve the Navy by attending law school.

RADM Guter attended the University of Colorado on a Navy ROTC scholarship. He served more than four years on active duty before attending Duquesne University School of Law in Pittsburgh, PA. He returned to active duty in 1977 after passing the bar exam and served until his retirement in 2002 as the 37th JAG of the Navy. He then served for three years as the CEO of Vinson Hall Corporation/Executive Director of the Navy Marine Coast Guard Residence Foundation in McLean, VA. In August 2005, he returned to his alma mater, Duquesne University School of Law, to assume the position of Dean.

RADM Guter regularly offers individualized advice to his Duquesne law students. "First, I tell them everything I think they should consider before making the decision to join the Navy JAG Corps. Only after fully exploring these topics and others as they arise do we discuss whether or not they should pursue a commission."



RADM John Hutson

RADM (Ret.) John Hutson was the RJAG of the Navy from 1997 to 2000 and is currently the President and Dean of the Franklin Pierce Law Center in Concord, N.H. He served in the JAG Corps from 1972-2000.

A native of Muskegon, Michigan, he attended Michigan State University for his undergraduate degree, followed by his law degree. He was commissioned in the Navy soon after, with assignments in Texas, California and Maine, teaching

stints at the Naval Justice School (NJS), Newport, RI, and three tours in the Office of Legislative Affairs, Washington DC. In 1994 he became Commanding Officer, Naval Legal Service Office for Europe and Southwest Asia and a year later became Commanding Officer of NJS. He assumed duties as the Judge Advocate General of the Navy on May 23, 1997.

RADM Hutson remembers all his assignments fondly. "Being the only legal officer at a Naval Air Station as a lieutenant was just as rewarding in many respects as being the JAG, and certainly more fun. The best ones are always the last one and the next one," said RADM Hutson.

Looking back over his career, he offers this advice. "Enjoy the moment and appreciate the important mission you are performing. It's not just a job, and it's not just an adventure. It's a way of life. Finally, it's not just words when retired people say they miss the people. It's the truth."

Find out what they are doing now! Alumni of the JAG Corps describe their current positions and what they did in the JAG Corps.

Counting Everyone's Time ... Because Everyone's Time Counts

All *JAG Corps 2020* initiatives share the same goals: improve the quality, timeliness, and/or efficiency of the JAG Corps' practice of law. The demand for our services continues to grow, but it is unclear whether our numbers will grow. Our constant challenge is to provide more services with the same, or fewer, people and resources. Delivering less to our clients is not an option. Members of the JAG Corps Legal Community already work long, hard hours. The question is how can we work smarter?

In the JAG Corps, working smarter begins with examining our processes and practices. We must make better use of the talent in our midst, the resources at our disposal, and the time in each day. Many within our Community are patiently testing initiatives for improved efficiency and timeliness. Some commands have developed their own initiatives through Lean Six Sigma projects.

Each initiative begins with a hypothesis that a specific action or change will save time, resources, or both. By removing unnecessary steps in a process, eliminating duplication of effort, or automating a task, an office may be able to reduce the time needed to finish a typical case. Improved collaboration among personnel may improve efficiency. For example, paralegals within our community already help maximize our legal assistance practice. As our Legalmen pursue paralegal studies degrees, they will assume more responsibility on all types of cases. Attorneys should then have more time to advise the growing number of clients and focus on emerging legal requirements. Many of these hypotheses strike us as common sense, but all hypotheses must be tested.

Testing timeliness and efficiency initiatives requires counting minutes, days, and ultimately dollars applied to a case. You might ask "why" – well if you consider it, the JAGC provides a valuable legal service. We do not have a large supply chain or overhead cost. So the cost for our legal service is the time we spend on a case, and the cost of the time a JAG spends on a case is different than the cost of the time a Legalman spends on the case. If we reduce the amount of time or change the manpower spent working on a case then we reduce the cost. If an initiative shaves time off a process without compromising quality, the initiative is a success. In

the JAG Corps Legal Community time equals money. Our personnel's time is our greatest expense. Our quest for better timeliness and efficiency explains the need for measuring everyone's minutes and hours. While this may sound like billable hours, the purpose is entirely different. Unlike the law firm that encourages more hours from its associates, the JAG Corps looks for the smarter way to produce the service but still exceed the client's expectations.

To measure overall timeliness and efficiency accurately, we must shift our perspective from counting the number of isolated services to associating our time with a case. Cases are our products, whether they are courts-martial, will packages, NJPs, claims, JAGMAN investigations, or administrative separations. Case Management Tracking Information System (CMTIS) 2.0 will be a smarter measurement tool, capturing time per case instead of time per service. A new case will trigger a new CMTIS case file. As a case moves through an office, everyone who touches the case will record his or her time in that CMTIS case file. When the last person completes the case, he or she will close the CMTIS file. CMTIS will then report the number of days needed to complete that case along with the time each person in the office spent on that case.

As commands, offices, and individuals experiment with new business practices, CMTIS 2.0 data will help objectively measure the results of that experimentation. Raw numbers will tell us if we can complete a case in fewer days or if that case now takes fewer hours of an individual's time. If a new process results in a greater error rate and requires more time for review and rework, total time on the case should reveal the unintended inefficiency. Admittedly, CMTIS data will not reveal all collateral effects on the quality of our practice. It cannot perfectly account for the unique challenges in a particular office or capture all the complexities of an individual case.

Improvements in timeliness and efficiency must never come at the expense of the quality of our practice. The JAG Corps will always have to balance timeliness and efficiency data from CMTIS against more subjective measurements of quality. CMTIS will never capture the full value of our practice. How can we capture that subjective value to our clients? We will explore that in a future issue of JAGMAG, but please feel free to contact any members of the Transformation Team with your questions and suggestions.

Special Assistant for Transformation (SAT) Staff

CAPT Dawn Tompkins
(202) 685-7701
dawn.tompkins@navy.mil

CDR Michael Jaeger
(202) 685-7255
michael.jaeger@navy.mil

LT Anne Marks
(202) 685-5462
anne.marks@navy.mil

NSPS: NLSC Offices Learn from OJAG Experiences



By Amy Stevens

Fiscal and Resource Management (Code 64)

The inaugural year of the National Security Personnel System (NSPS) within the Office of the Judge Advocate General (OJAG) has concluded, and employees began to receive payouts in January 2008. The conversion of Naval Legal Service Command (NLSC) to NSPS last October expanded the breadth of pay-for-performance employment across the JAG/NLSC community. To ensure success and to meet the interest of NLSC personnel, RADM Bruce MacDonald and RADM James Houck directed the best business practices and lessons learned from the OJAG NSPS transition be shared with NLSC personnel face-to-face. As a result, Code 64 (Fiscal and Human Resource Management) representatives traveled to Pearl Harbor, Newport, Groton, Washington, D.C., Great Lakes, Bremerton, Jacksonville, Norfolk, Naples, Millington, Pensacola, and Corpus Christi over the past five months to meet NLSC personnel and to share the lessons learned from OJAG's first year of NSPS.

The agenda for these training sessions remained the same throughout the five months. The first day began with a large group session focused on providing the information employees and supervisors need to understand NSPS, in part by dispelling the myths that have surrounded NSPS (e.g., previous delays, finances, and accountability). In addition, OJAG provided a basic overview of the new recruitment/staffing practices, NSPS architecture, and rating methodology. Based upon OJAG's experiences, an in-depth understanding of the rating methodology (e.g., performance indicators and contributing factors) is key to successful pay pool deliberations, a lesson that OJAG emphasized throughout the training. The first day concluded with separate group sessions for employees and supervisors to address issues essential to their respective groups. These sessions also were beneficial as a forum for open dialogue for candid discussion among peers.

During the second day, all training participants received the opportunity to role play the pay pool panel in a practical exercise that had members rating "sample employee" assessments. These sample employees were created using exaggerations of best and worst practices found in the

OJAG mock pay pool. After each participant studied, questioned, and assessed a mock employee prior to the panel meeting, that participant presented his or her employee for rating consideration to the full panel. The panel members then consulted the NSPS performance indicators and contributing factor benchmarks to guide them in rating the job objectives, as is the practice in the real NSPS pay pools. In this exercise, the participants discussed what stood out as well-written or poorly-written job objectives, self-assessments, and supervisory assessments. By acting in the role of a pay pool panel member, participants identified the questions that the panel needed to answer in deliberations, which will prove useful when participants write their own assessments.

In concluding this training, supervisors, their respective employees, and Code 64 representatives sat in groups to discuss individual job objectives for the employees. Having just experienced the role as pay pool panel members, supervisors and employees had a better understanding of the necessity of job objectives in conveying the employee's responsibilities and as a means for accountability. Supervisors and employees left these meetings with a firm grasp of what specific job objectives would apply to their unique roles. As in OJAG, however, NLSC may further refine job objectives the longer NLSC's experience with NSPS grows. This refinement, or in some cases, redirection, of job objectives is one of the elements of flexibility NSPS touts to drive employee performance to meet the organization's needs.

The NSPS training efforts across NLSC were well received on the whole. In addition to sharing lessons learned, NLSC personnel heard first-hand from OJAG employees who had wrestled with the same questions and concerns regarding NSPS more than a year ago. Feedback was overwhelmingly positive; many comments spoke to an increase of NSPS knowledge and a decrease in skepticism from personnel. NLSC will take the next step in NSPS transition this spring as they conduct Mock Sub Pay Pools and a Mock Pay Pool. With the knowledge shared from OJAG's first NSPS year, NLSC can look forward to a smoother transition to this new performance management system.

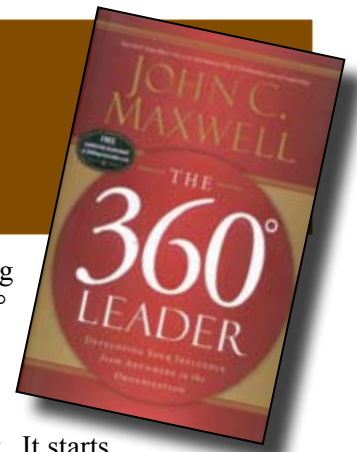
National Security Personnel System

For more information or to ask a question about NSPS, contact Amy Stevens at 202-685-5286 or at amy.stevens@navy.mil

The 360° Leader

By John C. Maxwell

Book review provided by CDR T. L. Dorwin



New York Times best-selling author John C. Maxwell has written approximately 40 leadership and management related books over the years, with *The 360° Leader* being his latest project. Although it comes in at a respectable 308 pages, I found the book to be a fairly quick read.

The book's premise is that you can be a leader from anywhere in an organization, whether you find yourself at the top, bottom, or middle of the organization. While some discussion is given to those at the bottom and top, the book is heavily slanted to middle managers. Maxwell believes 99% of leadership in any organization occurs at the middle management level. He posits that increasing your influence in an organization is the key to leadership, and he offers numerous suggestions and examples of how you might increase your influence.

Maxwell raises various myths and challenges in the book's first two chapters. These chapters seek to set the stage for the rest of the book by prompting middle management leaders to think critically about their own acts and behaviors within the organization. If you buy the book, you receive a password to take an online self-assessment. CAPT Stuart Belt and other leaders in my command took advantage of the online self-assessment and reported it to be worthwhile.

Many of the myths and challenges raised may be familiar, but the book provides a good review and slightly different way of looking at them. Just about anyone who has been in a leadership position will see things they did, or failed to do, as leaders reflected in these chapters. The task is to identify weaknesses or areas with room for improvement.

Maxwell uses the myth analogy to point out self-limiting thinking that he believes many middle managers employ, consciously or unconsciously, and how that can have a negative effect on their ability to influence others and can limit their ability to be good leaders. Two myths are "I can't lead if I am not at the top," and "when I get to the top I will no longer be limited." With regard to the challenges, Maxwell simply points out the difficulties inherent in being a middle manager such as "following an ineffective leader," "championing the vision" when you did not create it, and managing what he terms the "Ego" challenge inherent from being in the middle and not in the limelight.

The subsequent chapters of the book address the myths and challenges raised by the first two chapters. The author exhorts leaders to practice "leading up,"

"leading across," and "leading down," hence the title *The 360° Leader*.

Leading up generally refers to managing yourself and your interactions with higher authority. It starts with the premise you must lead yourself well first. By that Maxwell means being in control, i.e., managing your emotions, your time, your priorities, and perhaps most important, your thoughts and words. He discusses his ideas about lightening your superior's load, becoming a go-to player, and "being better tomorrow than you are today." He explains his view of the role of manager versus leader. He sees managers as those who work with processes, while leaders work with people. Both are necessary to the organization, but each has a different function. Maxwell actually uses a Navy ship as an analogy, stating there must be schedules developed, inventories taken, and procedures created to arm, fuel, supply, and navigate the ship. Leaders then lead the people who manage. His bottom line: all good leaders are good managers, but not all good managers are good leaders.

Leading across refers to understanding, practicing, and completing the "leadership loop." The leadership loop begins with taking an interest in people and follows through the various stages that culminate in success from a mission and a personnel perspective. Maxwell communicates this process through concepts such as putting fellow leaders ahead of competing with them, avoiding office politics, and not pretending you are perfect. I actually found this chapter to be the most applicable to the JAG Corps. Since we are largely a band of professionals where the lion's share of the work is arguably accomplished at the O-3 and O-4 levels, often in commands where officers are ranked against one another, and cooperation could take a back seat to competition.

Finally, leading down is the author's phrase for describing the importance of establishing relationships with people in your organization, getting to know them, and seeing them for the valuable commodities they are. The sub-title to this chapter is "Follow me; I'll add value to you." This chapter is an extension of the concept of "leadership by walking around." Emphasis is placed on connecting with people, getting to know them, learning their dreams and aspirations, helping them know themselves, and positioning them in a way that develops them and also plays to their strengths. This chapter helps to explain the importance of having the right people, at the right place, at the right time.

The author closes with a special section where he observes

that, “more than two-thirds of the people who leave their jobs do so because of an ineffective or incompetent leader. People don’t leave their company – they leave their leader.” The author emphasizes placing a high value on people, leadership, and the importance of devoting significant resources to developing both, while fostering an environment where people feel safe to take risks and share ideas. He exhorts leaders to “unleash their leaders.” By allowing others to lead, one can go from being the only leader to being one of many leaders.

Overall, I thought it was a good book offering some interesting insights, even though most of the ideas expressed in the book will be familiar to any student of management. I found many of the principles expressed in the book to be variants of empowerment and other managerial theories popular in the late 1980’s and early 90’s. I found myself pondering Maxwell’s definition of manager versus leader, and I wondered if we did not place too much value on what we perceive to be leadership at the expense of good old-fashioned managerial skill. It seems that having vision is of little use if one does not have the managerial skill to create the structure that supports it. Stated another way, I wonder if we sometimes give people we perceive as leaders a pass on managerial skill, because managerial skill is deemed more pedantic and less important. If so, perhaps we do so at our peril.

In any event, I found I did not agree with every idea expressed in the book, and I doubt you will either. For instance, in the opening pages of “Leading down,” the author makes the assumption that “the leader at the top often has boundless energy and is very quick mentally. Conversely, when you move down (the chain), people move slower.” He does say that is not true across the board, just generally. I am not sure I buy into that mindset. It seemed like pandering to those he believes are reading his book. It also seemed to be a bit paternalistic and inconsistent with his idea of seeing everybody as a “10” later in the same chapter. I agreed that “one should be prepared every time you take your leader’s time,” but he encourages the middle manager to prepare 10 minutes for every minute of meeting time. That seems excessive, and I have no idea how one would enter that into CMTIS. Still, there were good ideas in even this sub-chapter, so I do not mean to throw the baby out with the bathwater.

In conclusion, I found this book to be a worthwhile read. The uninitiated will find a nicely packaged set of theories, simply expressed, that they can use immediately to become better leaders and managers. I give it a 7.5 on a scale of 10.

Read any good books lately?
Tell us about it!
Submit a book review to
natalie.morehouse@navy.mil.

IA Families continued from page 21

RLSO Naval District Washington works diligently to ensure that IA and their families are fully supported. Family member contact and assistance plans are developed with the active duty members and their families prior to deployment. In several instances, the member’s family relocates during the deployment. The command identifies local support available for those family members. In one instance, a mentor whose spouse had deployed multiple times as an IA was identified and has provided invaluable support to the IA’s spouse. The command maintains regular contact via e-mail and telephone with IAs and their families.

RLSO Europe and Southwest Asia (EURSWA) gives the needs of IA families the highest priority. In light of the overseas locations, many IA families choose to take long vacations or even relocate during the IA. RLSO EURSWA coordinates those travel plans, including use of military aircraft whenever space is available. Children of IAs stay connected through military athletic events such as little league and flag football. These events create another forum for contact with the IA family. For example, the European-wide swim program with teams in Sigonella, Rota, and Naples results in increased family interaction. CDR Tony Mazzeo just returned from a swim meet in Spain where he had the opportunity to visit with the family of LCDR Jason Baltimore (currently in Iraq).

At **NLSO Northwest**, the junior officers play a large role in supporting the spouses and families of the IAs. For example, when a spouse, eight-and-half months pregnant, needed assistance moving across the Puget Sound, the junior officers worked together to move the spouse and the couple’s household goods to their new home. In addition, spouses of IAs participate in command training and social events such as the popular Friday morning ultimate frisbee match and NLSO Northwest spouses’ book club. While NLSO Northwest personnel are serving overseas, the entire command is committed to making the IA and the families feel appreciated and supported until the family is reunited.

Keeping in touch with fellow shipmates and their families during the deployment is very important to **NLSO Mid-Atlantic**. A quick call or e-mail to our colleagues, letting them know the command is thinking about them, is a priority and doesn’t need to be tasked. Members of the command reach out to the IAs families, regularly inviting them to both formal and informal gatherings of the command.

We are sure there many ways the JAG Corps is supporting its families and every single way is important!



Ms. Ann-Marie Silvia retired after 42 years of government service. Ms. Silvia served as the Commanding Officer's Secretary at Naval Justice School for almost 19 years from 1989 to 2008. All the staff and students whom she touched as part of our Navy JAG Corps community are grateful for her dedicated and cheerful service.



Having served over 39 years, **Ms. Doris Lama** retired from Federal service in May 2008. She retires as the Navy's Privacy Act/FOIA Officer, and has served the Navy in the Privacy Act/FOIA Office for more than 26 years.



LCDR Michael Adams was awarded the MG William Garrison Award February 2008 for excellence in legal support to special operations forces. Winners of this award are given a sculpted eagle on a walnut pedestal bearing a quote from MG Garrison.



CDR Elisabeth Jones at her promotion ceremony. CAPT Wise administered the oath and was also the accession detailer when CDR Jones applied for the JAG Corps.



NLSO Mid-Atlantic's **Mr. Dwain Alexander** has been awarded the Consumer Advocate of the Year by the National Association of Consumer Advocates, an association of mostly civilian consumer law attorneys. Alexander was presented the award at the group's annual training conference in Washington, DC.

The National Association of Consumer Advocates is a nationwide organization of attorneys who represent thousands of consumers.

The Chairman of the Joint Chiefs of Staff has awarded the Joint Meritorious Unit Award for exceptionally meritorious achievement to **Headquarters, Task Force 134, Baghdad, Iraq**, during the period Dec. 16, 2005 to Dec. 31, 2006. Headquarters, Task Force 134, was the theater proponent for detention operations and the command and control element for an assemblage of 6,000 Soldiers, Sailors, Airmen, Marines, and Coalition forces who contributed to the mission of achieving peace and stability in Iraq.



LT Brad Parker, NLSO Central, served as a legal advisor for the Afghan National Police. His efforts were singled out for praise by the U.S. Ambassador's political / military advisor. LT Parker received the Defense Meritorious Service Medal from Brigadier General Twomey, U.S. Army, the Deputy Commanding General of Combined Security Transition Command Afghanistan.

LCDR Greg Bart received a Certificate of Merit by The American Society of International Law's Lieber Society on the Law of Armed Conflict. He received the award for his paper "The Ambiguous Protection of Schools under the Law of War."

Assistant Secretary of the Navy Installations and Environment B.J. Penn presented a coin in Diego Garcia, Indian Ocean to **LN1 Taleska Green** to recognize her sacrifice to the Navy and her country.



CDR Rebecca Conrad, Community Manager, was awarded a MSM for her RLSO Hawaii tour. The award was presented to her by CAPT Tim Howington, BUPERS-3, Head Community Manager.



RADM MacDonal presented **CDR Andy Levitz** his Bronze Star for his service in Iraq and Afghanistan. The award was presented in the Pentagon Feb. 20, 2008.



LCDR Frank Hutchison presented **LN2 Jason Weaver** the Joint Service Commendation Medal for his service in Camp Bucca, Iraq.



COL Martin, USA, presented **LT Dave Melson** with the Iraq Campaign Medal for his service in Multi National Force - Iraq.



LNCM Tyrone Burnett was honored for outstanding meritorious achievement while serving as Senior Enlisted Advisor, Naval Legal Service Office Pacific (NLSO PAC) Yokosuka, Japan, from July 2005 to August 2007.



CDR Greg Cervi retired after 21 years of honorable and dedicated service. CDR Cervi's inspirational leadership, profound insight and subject matter expertise resulted in unparalleled success for the Navy's premier maritime practice. By his dynamic leadership, keen judgment, and loyal devotion to duty, CDR Cervi reflected great credit upon himself and the Navy. CDR Cervi is pictured with his family.

The 2007 Outstanding Legalman of the Year was presented to **LN1(SW/AW) Tanica Bagmon**, USS KITTY HAWK (CV 63) and the Naval Legal Service Command Sailor of the Year award was presented to **LN1(SW/AW) Paul McCarthy**, Region Legal Service Office Japan.



Special congratulations to the following personnel on their selection as finalists: LN1(SW) Tracey Mitchell, Commander, Naval Air Forces, U.S. Pacific Fleet, LN1(SW/AW) Amy Rodriguez, Training Support Center, San Diego, Calif; LN1(SW) Michelle Stallings, RLSO MID-ATLANTIC, LN1 Vernice Williams, NLSO PACIFIC.

Congratulations to **Ms. Heidi Beasley** on her selection as the Judge Advocate General's 2007 Senior Civilian of the Year and **Mrs. Viola Witherspoon** on her selection as the Judge Advocate General's 2007 Junior Civilian of the Year.



Ms. Heidi Beasley is assigned to the OJAG National Security Litigation and Intelligence Law Division at the Washington Navy Yard. Ms. Beasley demonstrated significant leadership skills through her initiative to mentor field Security Managers, which had a significant impact throughout NLSC.



Ms. Viola Witherspoon is assigned to NLSO PAC and was recognized for her skill, initiative, attitude, and provision of the best possible customer service.

PHOTOS FROM THE FLEET



LN2 Kerry Thomas. LN2 Rasha Stewart-Potter, and LN1 Alicia Romero at Camp Bucca, Iraq.



LCDR Eric McDonald's homecoming celebration at his daughter's school, Grace Christian Brethren School in Maryland.



On March 14, NJS hosted a command brief and tour for a Canadian delegation from the Canadian Forces Military Law Centre (CFMLC). Pictured are LCDR Tracy Clark, Maj Cory Moore (CFMLC); CDR Denise Stich; LCol Martin Kenny (CFMLC); Dr. David Emelifeonwu (CFMLC); LCdr Mary Gardam (CFMLC); LCDR Justin Clancy and LT Derek Mills.



LCDR Zoe Kugeares and LN1 George Anderson take a break to pose for the camera in Afghanistan.

PHOTOS FROM THE FLEET



CAPT Charlotte Wise presented with gift from LNCM David Leafer and LNCM Christopher Browning at her retirement ceremony in April.



Senator and Air Force Colonel Lindsey Graham at Camp Victory Baghdad in February 2008. Capt. Kathryn Miller (USAF), LT Matt Hamel, Senator Graham, LT Mike Hussey, LT Mike Bloomrose, LCDR Steven Brady, LCDR Chris Tucker.



ENS Michael Ammendola, LNC Michael Stephens, CDR Scott Thompson, and Adam Siegfried at the Pensacola Marathon Feb. 17, 2008.



LN1 Carole McCoy, attached to RLSO EURSWA Det Rota and currently serving in Iraq as a TF-134 IA, with Secretary of State Condoleezza Rice.



CAPT Dave Weaver and LT James Kirby on the bridge of USS DWIGHT D. EISENHOWER (CVN 69) during a pre-deployment legal assistance and will drafting visit.



LN1 Brenda Donohoe in a M1A1 tank while serving with the Marine Corps in Iraq.



**Office of the Judge Advocate General
Public Affairs Office
1322 Patterson Ave., SE, Suite 3000
Washington Navy Yard, DC 20374-5066**