

# JAG

*Magazine of the United States Navy Judge Advocate General's Corps*



**A Day in the  
Life of a Carrier  
Strike Group Staff  
Judge Advocate**

**New Leadership Takes the Helm of  
the Judge Advocate General's Corps**

# INSIDE JAG

## FEATURES

**5** *New Leadership Takes Helm of Navy Judge Advocate General's Corps*



**6** *Privileged to Lead : Profile of VADM MacDonald*

**8** *RLSO Midwest Gets Million-Dollar Results With Lean Six Sigma*



**9** *Operation Willing Spirit*

**10** *The Thrill of Sea Duty*

**11** *A Conversation with LNCM Stephen DiStefano & LNCM Christopher Browning*

**14** *Operation Iraqi Freedom*



**15** *Electronic Legal Research for Legalmen*

**16** *A Carrier Strike Group Staff Judge Advocate*

**18** *Marine National Monuments*

**20** *Student Loan Relief*



**21** *Part Four of a User's Guide to E-Mail*

**22** *Government Ethics:*

*Meet a few reserve judge advocates that happen to be subject matter experts*

## REGULAR COLUMNS

Fleet News .....	24
Shipmate Spotlight .....	31
Book Review: <i>The Origins of Adversary Criminal Trial</i> .....	32
JAG Corps 2020 .....	34
JAG Corps Civilians .....	36
JAG Corps Alumni .....	37
Milestones .....	38
Photos from the Fleet .....	39

## Region Liaisons

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# JAG

## ON THE FRONT COVER



CDR Jon Peppetti  
aboard USS Enterprise  
(CVN 65). Find out  
what CDR Peppetti  
believes to be the best  
job in the JAG Corps  
on page 16.

JUDGE ADVOCATE GENERAL  
Vice Admiral James W. Houck

DEPUTY JUDGE ADVOCATE GENERAL,  
COMMANDER, NAVAL LEGAL SERVICE COMMAND  
Rear Admiral Nanette M. DeRenzi

DEPUTY JUDGE ADVOCATE GENERAL,  
RESERVE AFFAIRS & OPERATIONS  
DEPUTY COMMANDER, NAVAL LEGAL SERVICE COMMAND  
Rear Admiral Steven M. Talson

COMMAND MASTER CHIEF,  
OFFICE OF THE JUDGE ADVOCATE GENERAL,  
NAVAL LEGAL SERVICE COMMAND  
Master Chief Christopher Browning

RESERVE COMMAND MASTER CHIEF,  
OFFICE OF THE JUDGE ADVOCATE GENERAL,  
NAVAL LEGAL SERVICE COMMAND  
Master Chief Jeffrey N. Luthi

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# The Judge Advocate General

Welcome to another edition of the JAGMAG. I have enjoyed watching this magazine grow and improve over the past three years and I look forward to many more outstanding issues in the days ahead. As I begin my tenure as the Judge Advocate General, I congratulate Jen Zeldis and Natalie Morehouse, as well as everyone else who works so hard to make this a success.

On August 14, 2009, we said goodbye to a phenomenal judge advocate and leader in VADM Bruce MacDonald. We also welcomed RADM Nan DeRenzi to the ranks of our Corps' senior leadership. Given this transition, it's fitting that this edition of the JAGMAG features both officers. We offer a retrospective on the career and service of Bruce MacDonald, followed by an article from Nan DeRenzi giving her insider's view of the rescue of three contractors during her recent tour as the staff judge advocate for U.S. Southern Command.


In our cover story, CDR Jon Peppetti shares why he believes that being the staff judge advocate for a Carrier Strike Group is the best job in the Navy JAG Corps. Lieutenants Paige Ormiston and Candice Albright also describe their adventures at sea and in Iraq.

LCDR Tanya Cruz writes about student loan relief programs currently available to judge advocates. A majority of

judge advocates enter the service with substantial student loan debt and we must continue to pursue ways to help.

I would like to end by thanking all of you for the hard work and sacrifice that you put forth daily to ensure mission accomplishment. Our mission is clear, simple, and straightforward: to provide superb legal solutions to our clients, wherever and whenever they need us in the core areas they require – accountability, operations, Sailor legal readiness and Navy legal administration. You are doing this splendidly every day, all around the world. You have met and answered every call and you represent the very best our nation has to offer. Thank you for all you do.



  
JAMES W. HOUCK  
Vice Admiral, JAGC, U.S. Navy

## Deputy Judge Advocate General for Reserve Affairs and Operations

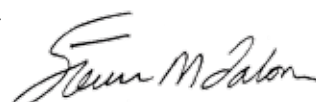


In my first opportunity to address readers of this magazine, I would like to start by thanking all of you for the hard work and sacrifice that you put forth daily to ensure mission accomplishment. I said it in my assumption of office statement, and it is one of my guiding principles; it is truly an honor and a privilege to serve with you. Thank you, and thanks to your families, for everything you do in support of our Navy and our country.

As you may know, our total force transition continues, and following a series of Town Hall meetings with active and reserve units around the country, we have completed a draft of JAG Instruction 1001 (Reserve Component Judge Advocate Force Structure). This instruction sets forth the details of our new three-pillar construct for Reserve judge advocates, provides instruction on implementation, and gives guidance on all aspects of career management including recruiting, retention, promotion, and career progression. The details were presented at the Military Law Training Symposiums. Ultimately, the end product will be a total force that provides responsive operational support to the Navy, while also maintaining the ability to provide strategic augmentation.

This is also an excellent forum to introduce two of our new key personnel. After six years of superior service as our law program manager, CAPT Joe Twining retired, and CAPT Janet Donovan assumed duty as our new law program manager, including serving as operational support officer and staff judge advocate to Commander Navy Reserve Forces Command (CNRFC) at the new headquarters in Norfolk. Our LN community also has new leadership in LNCM Jeffery Luthi, who relieved LNCM Tim Ayoub in January. Both CAPT Donovan and LNCM Luthi bring valuable experience and expertise to their jobs.

We have exciting and challenging work ahead of us in the coming years. In a knowledge-based community such as ours, it will always be the quality of the people and of the leadership that determines our success in meeting challenges. I am confident that we will succeed – we have good people, and we have a sound strategy to provide superior legal service to the Navy. That said, it is time to execute our plan, and that will be our focus over the next several years.

  
STEVEN M. TALSON  
Rear Admiral, JAGC, U.S. Navy

# New Leadership Takes Helm of Navy Judge Advocate General's Corps

By Navy Judge Advocate General Public Affairs

The U.S. Navy's Judge Advocate General's (JAG) Corps held a change of office ceremony on Aug. 14, at the Washington Navy Yard.

During the traditional change of office ceremony, presided over by the Secretary of the Navy, the Honorable Ray Mabus, VADM Bruce MacDonald retired and was relieved by VADM James Houck who became the 41st Judge Advocate General of the Navy. RADM Nanette DeRenzi became Deputy Judge Advocate General and Commander, Naval Legal Service Command. ADM Gary Roughead, the Chief of Naval Operations, also participated in the ceremony.

Secretary Mabus thanked VADM MacDonald for his service and his leadership.

"Admiral MacDonald has ensured an enduring legacy of greatness for the next generation. By spearheading JAG Corps 2020, Admiral MacDonald has put the JAG Corps on the right trajectory to best meet the needs of naval, joint, and combined forces far into the future," said Secretary Mabus. "He set the tone of our legal community while deftly managing a diverse and challenging portfolio of complex legal questions and innovating to ensure the Navy's legal needs will be met for the next generation."

VADM MacDonald was the first Judge Advocate General of the Navy to serve as a three-star admiral. The 2008 National Defense Authorization Act elevated the Judge Advocates General of the Navy, Army, and Air Force to the rank of Vice Admiral or Lieutenant General. During his speech, VADM MacDonald addressed the men and women of the JAG Corps.

"In so many ways and in so many different places around the world, you have played a key role in ensuring the advance of freedom and democracy grounded in the rule of law," said

VADM MacDonald. "All of you, active and reserve, military and civilian, played a part and I am immensely proud of you for having done so."

During his speech, VADM Houck reaffirmed the JAG Corps' commitment to finding solutions through the legal process to the challenges presented to the Navy, Marine Corps, and joint forces wherever and whenever required.

"Our Navy and our Nation have given us a great trust and a great privilege," said VADM Houck. "We will exhaust our imagination and our energy to find every possible way for you [the military client] to find the legal and ethical way to do what you must do to defend our country."

RADM DeRenzi was promoted prior to the ceremony to the rank of Rear Admiral (Upper Half).

"As we move forward together, let us strive each day to make a difference. Let us always remember why we are here, and let us never forget whom we serve," said RADM DeRenzi. "Where we are needed is where we will go - doing whatever it takes to provide superb legal solutions to our commanders; to make our forces legally ready; to be a resource for their families whenever they need us; and to maintain a second-to-none military justice system."

The Judge Advocate General of the Navy provides legal and policy advice to the Secretary of the Navy and the Chief of Naval Operations on legal matters in the areas of military justice, administrative law, environmental law, ethics, claims, admiralty, operational and

international law, national security litigation and intelligence law, general litigation, and legal assistance. The Judge Advocate General also directs a worldwide organization of 778 judge advocate officers, 18 limited duty officers (law), 434 enlisted legalmen, 431 civilian personnel, and 689 Naval Reserve Law Program officer and enlisted personnel.



Above: VADM Bruce MacDonald, RADM Nanette DeRenzi, and VADM James W. Houck at the swearing-in and promotion ceremony.

Below: Secretary of the Navy, the Hon. Ray Mabus took a moment before the swearing-in and promotion ceremony to speak with VADM Houck and RADM DeRenzi.



# Privileged to Lead

By Natalie Morehouse  
Public Affairs Officer

As he reached into a full but amazingly neat black leather organizer, VADM Bruce MacDonald took out a laminated, small, white card featuring his “eight principles” of leadership.

Without even looking at the words on the card, VADM MacDonald began to rattle off first one, then another and another of the principles he lives and leads by. Each and every “principle” he recited was delivered with the same amount of reverence and sincerity.

“Being a leader isn’t about you -- it is all about the people you lead,” said VADM MacDonald in a recent interview prior to his retirement. “A leader should never lose sight of the privilege. Understand that at the end of the day it’s about the relationships you build with people. The moment it becomes about you, you have lost.”

As a junior lieutenant, VADM MacDonald learned an important leadership lesson that has stayed with him through his entire career. His first ship was the USS Hepburn (FF 1055), where he served as the main propulsion assistant and navigator under the mentorship of commanding officer CAPT Pete Soveral. To VADM MacDonald, CAPT Soveral was the quintessential sea captain. Standing over six feet tall and with full beard, CAPT Soveral looked the part. VADM MacDonald fondly remembers CAPT Soveral as the best shiphandler he had ever seen, better than any pilot that came aboard.

As navigator, one of VADM MacDonald’s duties was to chart the course for the ship. This track was then approved by the commanding officer. During one evening’s routine, VADM MacDonald modified the track after it was approved by CAPT Soveral. An unexpected turn during the night awoke CAPT Soveral and he knew the course had been changed. VADM MacDonald was summoned to the bridge. With a fatherly tone, CAPT Soveral explained the danger of the course deviation.

“That evening, he taught me what it meant to lead with grace and patience,” recalled VADM MacDonald. “He showed me that people make mistakes and it’s important to point those mistakes out and help them learn from them. CAPT Pete Soveral was the finest leader I’ve ever known. He was a man of unbelievable character and competence.”

As the JAG, VADM MacDonald practiced “covenant leadership,” a phrase often used by former Chief of Naval Operations ADM Vern Clark. VADM MacDonald made it a personal goal

to always have an open dialogue with the entire community -- officers and enlisted, reserve and active duty, civilians, retirees and family members.

## Changes of a career

The Navy VADM MacDonald now leaves behind is a very different institution than the one he joined in the late 1970s. Over the past thirty years, VADM MacDonald observed a renewed culture of pride and professionalism. The JAG Corps has also undergone tremendous changes during his career. According to VADM MacDonald, the JAG practice is becoming increasingly diverse and legal expertise is more valued than ever before.

Without question, the greatest highlight from VADM MacDonald’s three year tenure was the publication and execution of the JAG Corps’ strategic plan, *JAG Corps 2020*. But the publication of that document was just the beginning. The initiatives *JAG Corps 2020* launched are now benefiting judge advocates and military commanders and Sailors around the world,

through improved legal services.

What really makes VADM MacDonald proud about the impact of *JAG Corps 2020* is that, “Our people believe that we are serious about the future. We have already accomplished several milestones in the transformation process and there are many more to come” VADM MacDonald explained.

Some of the most publicized changes during VADM MacDonald’s tenure were the creation of new opportunities in education and training for members of the legal community. These included college credits for legalman training, increased opportunities for postgraduate education for judge advocates, and publication of a JAG instruction on Civilian Education, Training, and Career Development.

“It is vital for service to the Navy and the Nation that we invest in education and training opportunities for our entire community, provide planned career development, and ensure that all are afforded the opportunity to acquire the career-field expertise,” said VADM MacDonald.

## JAG Corps deployments

VADM MacDonald served as the JAG during a time when our Nation has been fighting two wars and judge advocates and legalmen have been called upon to serve in overseas contingency operations. VADM MacDonald is no stranger to conflict. When Saddam Hussein invaded Kuwait during Operation Desert Shield in 1990, VADM MacDonald was the USS *Independence* (CV 62) Command Judge Advocate. The *Independence* was the

### 8 Principles of Leadership

- (1) **To know your character.** If I follow you will I know who you really are? Will you deal with me with integrity?
- (2) **That you’ll take the time to explain your vision.** What’s the future and where do I fit? Is there a place for me or will you simply “use” me?
- (3) **To never be left in isolation. Will you be there for me?** Will you care for me? Will you care about my needs?
- (4) **To be heard. To whom will you listen?** When you’re busy and overloaded will I still be heard, taken seriously and appreciated?
- (5) **To be trusted.** Can I take initiative without fear? Will my ideas be rewarded and encouraged or will I be regarded with suspicion and distanced?
- (6) **To be given an opportunity to grow.** Will I be encouraged to be a lifelong learner? Will my gifts be increasingly identified and expressed? Will I be developed?
- (7) **To be held accountable.** Will I be fairly evaluated for my performance? Will I be held to the highest standards for my life? Will you show me how to do it better and be patient while I learn and self-correct?
- (8) **To be the object of grace.** Will I be forgiven even in the face of shortcomings, inadequacies and failure? Will I be led with kindness?

first carrier to enter the Arabian Gulf since 1974. When the ship's crew received the announcement that Iraq had invaded Kuwait and they would be moving into the Gulf, the mood onboard the carrier changed and every Sailor felt the gravity of the situation.

Several weeks later, onboard *Independence*, VADM MacDonald received a video from his wife and daughter in a care package. The video showed his family at the beach enjoying a picnic with a group of friends. While watching the fun and laughter, he realized that this was what his mission was all about. He was in a combat zone so his family and friends could remain safe. At home, his family and the American public could go on with their lives without fear because of the men and women on the front lines.

With this memory in mind, VADM MacDonald feels great responsibility and never forgets those deployed members of the JAG Corps. With more than 150 members of the JAG Corps deployed at any one time, VADM MacDonald knows the strain on the families and the Corps. They are in his mind every day.

#### **Full circle**

VADM MacDonald began his tenure as JAG on Friday, July 28, 2006. The following Wednesday he was called to testify before the Senate Judiciary Committee about the United States' authority to prosecute terrorists. With the support of many members of the JAG Corps, and the other service JAGs, this congressional testimony set the tone in 2006 for the next three years. In perfect symmetry, in his last few weeks as the JAG he again testified before the Senate and the House Armed Service Committees about military commissions.

Now that his tenure as JAG has ended, VADM MacDonald has one last piece of advice for his beloved JAG Corps. "Your clients depend upon you more every day for advice and guidance," said VADM MacDonald. "Your relationships with the people you serve should be your highest concern. That's the most important thing, and you should never, ever lose sight of that. Never forget that behind every piece of paper that we as lawyers, paralegals, and civilians touch, is a human face and family. It will motivate you to do your best every day."

As for where the JAG Corps is heading, VADM



Former Navy Judge Advocate General VADM Bruce MacDonald testified with Defense Department General Counsel Jeh Johnson (C) and Assistant Attorney General David Kris of the Justice Department's National Security Division before the Senate Armed Services Committee July 7, 2009 in Washington, DC. The full committee met to hear testimony on military commissions and the trial of detainees for violations of the law of war. (Photo by Win McNamee/Getty Images)

MacDonald could not be happier with VADM Jim Houck and RADM Nan DeRenzi taking the helm, and he is confident that transformation will continue.

"Their passion, their vision, their dedication to you is without equal," said VADM MacDonald. "Our JAG Corps is blessed to have these exceptional officers serving in critical leadership positions. They are committed to the many transformation initiatives already underway in our community."

#### **Seattle sunset**

After khakis are no longer the uniform of the day, VADM MacDonald and his wife plan to return to Seattle where they have a home. VADM MacDonald is thankful and honored by the support from his wife Karen and daughter Erin and what they did without so he could serve. He also believes that military families should be recognized in their own right for supporting their Navy and our Nation.

"I do not believe a service member can be successful without the support and sacrifice of the family," said VADM MacDonald. "I have always believed the American people may not truly understand what the families give up."

The JAG Corps wishes the entire MacDonald family, "fair winds and following seas."

# RLSO Midwest Gets Million-Dollar Results With Lean Six Sigma



By Natalie Morehouse  
Deputy Public Affairs Officer

The Region Legal Service Office Midwest (RLSO) Lean Six Sigma (L6S) project began in February 2008 and has continued to pay dividends. At the urging of CAPT Tammy Tideswell, commanding officer, RLSO Midwest, the RLSO decided to try to speed up the process of administrative separations (ADSEPs) at Recruit Training Command (RTC). Process improvement at RTC was important for two reasons. First, faster ADSEPs could save the Navy \$150 every day by eliminating the cost of feeding and housing each separating recruit. Second, with recruits spending less time in the separation process, the RTC separations barracks known as USS *Mason* would be less crowded and prone to disciplinary problems, parental complaints, congressional inquiries, and the like. RLSO Midwest created a team and mapped the process, in preparation for a visit from Mr. Bill Whitacre, OJAG's L6S expert Black Belt.

Three days later, the L6S team had a plan. "Essentially, we addressed the biggest delay in the process, which happens when a recruit has been removed from training and transferred to the USS *Mason* because of a medical problem," says LCDR Paul Kapfer, RLSO Midwest's executive officer and, at the time, the RTC legal department head. The solution was a "Just-Do-It Improvement" in L6S parlance, because it was based on an inefficiency found in the initial Value Stream (process) Map. No further study or metrics were needed.

The legal department asked RTC to assign a USS *Mason* staff member as an ADSEP liaison, in order to improve the transfer of medical paperwork to the legal department. Paperwork would be retrieved from medical by hand if necessary, allowing legal to start the ADSEP process the same day a recruit was transferred out of training. Recruit medical history documents would be sought only if the legalman assigned to the case recommended processing for fraudulent, rather than erroneous, enlistment. These changes shaved 1.3 days off of the average time it takes to complete an ADSEP.

When LCDR John Clady arrived as RTC department head, he put L6S to work as well. Using the same Value

Stream Map, LCDR Clady implemented a "just in time" method for assigning cases to the department's team of crack legalmen. Because each legalman conducts a live, classroom briefing in which the recruits complete their ADSEP notification documents, typically 25-30 cases would start the process at once. According to LCDR Clady, "If we had 15 cases come in, we would hold those 15 until we had enough to assign 25-30 cases to the legalman. Sometimes, this caused a backup on the front end of the process."

All told, RLSO Midwest L6S improvements have reduced average ADSEP processing times by 1.75 days per recruit. "It is very safe to say that RLSO Midwest is saving the Navy over a million dollars a year using this new ADSEP process at RTC," said LCDR Kapfer. The local

PSD, which used to issue no more than 25 DD-214 discharge forms per day, is now committed to handling as many cases as possible. "If we have 60 cases to send to PSD, we send them, and PSD separates them that day or as soon as it can," said LCDR Clady.

LCDR Clady also held a meeting with ADSEP process stakeholders from RTC's Military Training Department, Medical, Mental Health, and PSD. This discussion convinced RTC to make its recently-staffed ADSEP liaison position permanent, ensuring that on the same day a recruit checked into USS *Mason*, his or her file was transferred to legal. The discussion impressed upon all stakeholders the importance of their respective roles in keeping processing times down.

Further efficiency gains will be possible if CMTIS 2.0 can link to the mail-merge and spreadsheet capabilities that are critical to tracking and generating ADSEP paperwork. "Currently," said LN1 Amanda Whaley, the ADSEPs local processing official (LPO) who drafted the initial Value Stream Map, "we have to maintain a case tracker using a spreadsheet program, then enter every recruit's information into [Microsoft] Access to generate the Letters of Notification and Letters of Transmittal." If both functions could be linked from CMTIS, current LPO LN1 Tiffany Zandstra thinks she could cut ADSEP processing times by another 10-20 percent. OJAG CMTIS gurus are hard at work on just these kinds of improvements.

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**"It is very safe to say that RLSO Midwest is saving the Navy over a million dollars a year using this new ADSEP process at RTC."**

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# Operation Willing Spirit

By *RADM Nan DeRenzi*  
*Staff Judge Advocate, U.S. Southern Command*  
*June 2007-June 2009*

**M**arc Gonsalves, Keith Stansell, and Tom Howes were Northrop-Grumman contractors working for U.S. Southern Command (SOUTHCOM). They were part of a team of pilots, spotters, and communicators who flew across Colombia to find coca fields, the primary source of revenue for the narco-terrorist group, Fuerzas Armadas Revolucionarias de Colombia, more commonly known as the FARC. The FARC is engaged in Latin America's largest insurgency and has waged war on the Colombian government for over 40 years, funding themselves with the narcotics trafficking trade. Their tactics include bombings, murder, mortar attacks, kidnapping, extortion, and hijacking, as well as guerrilla and conventional military action against Colombian political, military, and economic targets. Since the late 1990s, the U.S. has stood with the democratically elected government of Colombia against the FARC. Most U.S. aid came under a program called "Plan Colombia," which over a 10-year period sent \$6 billion and maintained about 600 advisors to help train the Colombian military. At its peak, the FARC counted 20,000+ men and women under arms. Today, the FARC numbers about 8,000 and holds over 700 hostages.

On February 13, 2003, Marc, Keith, and Tom were on a routine mission when their plane experienced engine failure and crash-landed. FARC members executed the U.S. pilot, Tom Janis, and the Colombian rider, Sergeant Luis Alcides Cruz, near the crash site; Marc, Keith, and Tom began what would become over five years of captivity deep in the dense jungles of Colombia. They, along with Colombian military members and political figures, were deemed "high value" prisoners and the FARC command gave orders to the guards to murder Marc, Keith, and Tom at the first sign of a rescue attempt. And so began "Operation Willing Spirit."

For the next five and a half years, finding these three men was a top priority for SOUTHCOM. We expended over \$250 million, 17,000 flight hours, 3,600 air sorties, and undertook countless operations searching for them in the triple-canopy jungle. Dozens of military and civilian attorneys were deeply involved in planning and execution. The FARC provided a

"proof of life" video in 2003, and late in 2007 a videotape seized from FARC operatives showed our U.S. hostages alive. A team from SOUTHCOM and the U.S. Embassy in Colombia worked to expand coordination, integration, and cooperation with our interagency partners. Finally, in January 2008, we located Marc, Keith, Tom and other high value prisoners and tracked their movements for several weeks. Working with the Colombians, we formulated a plan designed to maximize the chance for a successful rescue, but we lost the trail in March. On July 2, 2008, the Colombian military staged a brilliant rescue. Exploiting the FARC's communications system, they convinced the FARC to turn Marc, Keith, and Tom and several high-value Colombian hostages over to a group of Colombian military disguised as members of an international organization. Not a single shot was fired. We monitored the operation and I will never forget the relief, joy, and tears that flooded our watch center when word was passed that our three hostages were among those rescued.

Marc, Keith, and Tom, along with some family members, came to Miami on March 12 to receive the Defense of Freedom Medal, given to civilians to recognize their sacrifices in the line of duty - equivalent to the Purple Heart for active duty military. I will never know a happier day from a career standpoint. They gave a revealing presentation to a packed house, met at length with our planning team that worked so hard last year, and signed countless copies of their book, "Out of Captivity". Finally, after a wonderful and very moving morning, we enjoyed a picnic in the Miami sunshine, complete with burgers, beer, and SOUTHCOM's rock band, "Southern Sounds." It was incredible to see Marc, Keith, and Tom laughing and crying with us, trading stories, posing for pictures, and simply having a blast. Frankly, I just could not stop looking at them. It was hard to believe they were actually home and that exactly one year earlier we were so thoroughly dejected after finally locating them and then failing to get them back. In many ways their survival and rescue was a miracle, and LtCol Dan Kazmier and I were lucky enough to be the attorneys on deck for the most intense periods of Operation Willing Spirit and the emotional reunion with our three shipmates.

I'll always keep my picture with Marc, Keith, and Tom on my desk as a reminder that no matter what job a JAG may hold, there's a person at the other end for whom you are making a difference.

Pictured from left are Tom Howes, RADM Nan DeRenzi, Keith Stansell, LtCol Dan Kazmier (Southern Command operational law attorney), and Marc Gonsalves.



USS *Abraham Lincoln* (CVN 72)  
Legal Staff: CDR Dom Flatt, LCDR Dave Peck, ABH3 Bruce Pagan, LN2 Debra Bazan, LT Paige Ormiston, LN1 David Hunt, LN1 Gail Hill, LN1 Paul Smith, LN1 Stacy Rouse, YNSN Brian Snipes, and NCIS Special Agent Mike Defamio.

# The Thrill of Sea Duty

By *LT Paige Ormiston*  
USS *Abraham Lincoln* (CVN 72)

We've all heard the phrase "Sailors belong on ships, and ships belong at sea." As a carrier JAG, you'll have the opportunity to see exactly why that statement is true.

The title varies from ship to ship, but whether called the Mini Judge, the Lego, or the Disco, as the Assistant Command Judge Advocate (ACJA) onboard a carrier, these attorneys are primarily responsible for managing the discipline program onboard the ship. In addition, ACJAs run the customs program for the entire Strike Group, provide legal assistance for the crew, run the tax program, administer the liberty risk program during foreign port calls, act as legal's division officer, stand watch, and provide support to the Air Wing legal officers. ACJAs have more one-on-one access to the commanding officer and executive officer than almost any other junior officer onboard, and the leadership relies on the ACJA to give timely and accurate advice on a wide range of issues.

I arrived at the right time, just after USS *Abraham Lincoln* (CVN 72) came out of nine months in the shipyard. Work-ups gave me the opportunity to learn my

job and how the ship works while everyone else onboard re-learned their jobs and shook off the cobwebs. After flying aboard via the Carrier Onboard Delivery (COD), which is the coolest way to arrive for a first day of work, the legalmen and my boss (the Judge) helped me settle in. After the first 24 hours, I was thrilled to be able to make my way from my stateroom, to the head, my office, and the wardroom without consulting my written directions. Reliably finding anything else onboard took a few more days. Our Strike Group JAG also welcomed me aboard and gave me a tour of the flag spaces. We had a port call in Victoria, British Columbia about 10 days after I arrived, which was a great opportunity to get together with the local Canadian JAG.

The adventure factor of this job is off the charts. I've flown in the COD, an MH-53, and an SH-60 and spent hours watching flight operations. I've ridden on foreign trains, buses, taxis, elephants, and camels. I've played golf and visited temples in Singapore, Dubai, and Thailand. The opportunity to see the world is why many of us joined the Navy. Getting off of the ship for a month of fun crammed into four days with my closest friends is one of the best parts of the job. For the first time in my career, the vast

majority of my friends at the office aren't JAGs, and thanks to them, I've received a crash course in what the rest of the Navy does.

Spotty connectivity while underway means that the ability to reach back to a Region Legal Service Office and fellow Minis is crucial. It was a pleasant surprise to find the network of 11 other people doing my job who are willing to reach out and help. It doesn't matter if I need a quick sanity check or an in depth discussion of law and policy, my fellow Minis are ready to jump in with their opinions. Visiting other ships and meeting the other legal department staffs is a great time.

It's not all fun and games though. On the average two year tour, ACJAs will be lucky to spend more nights in their own bed than on the ship. Carrier deployments are now regularly seven months long and usually include significant time in the Arabian Gulf and the Gulf of Oman.

A carrier tour provides a real understanding of what life in the fleet is actually like. When I came back from a long deployment, I felt a mix of emotions. Happy to be home, proud to be part of the naval tradition, and grateful to have had the opportunity to represent the JAG Corps in the fleet.



# A Conversation with LNCM Stephen DiStefano & LNCM Christopher Browning

**M**aster Chiefs Stephen DiStefano and Christopher Browning sat down with the *JAG Magazine* staff to talk about their military careers and about the great honor and responsibilities that go along with the position of Command Master Chief.

## Master Chief Stephen DiStefano



**JAGMAG:** Could you tell us a little bit about your education, interests, and past work experiences?

**LNCM DiStefano:** I was born in Guantanamo Bay, Cuba (My Dad was in the Navy). I grew up in Lawrence, Massachusetts (a city about 25 miles north of Boston). I did pretty well in school through 8<sup>th</sup> grade and then my priorities shifted and I lost interest in school. I worked very hard at the jobs I had and really needed a challenge. I had thought about joining the Marine Corps but at the time, they weren't accepting high school drop outs. I immediately went to the Navy recruiter after the Marines told me no and the rest is history.

I actually didn't finish high school. I quit in 9<sup>th</sup> grade and went back for a couple of months two years later and then left again. I joined the Navy in 1985 and received my GED in 1987. As I look back on my career and my life, I realize every single day how important education was to me and should be to everyone.

I had pretty good grades in school before I left. At the time, I would rather work and make money instead of going to school. I try really hard to make my children understand the importance of staying in school and working hard to achieve academic success through a normal school pattern. I have taken that approach with our legalmen as well.

**JAGMAG:** What were some of your goals and ambitions as a young Sailor?

**LNCM DiStefano:** My first goal was to obtain my GED and I accomplished that goal within the first 18 months of my initial enlistment. College wasn't on my mind at the time and I still regret not engaging in my college education early on in my Navy career. The rest of my goals centered

on advancement. I wanted to put myself in the best situation possible for advancement at every paygrade and never passed up an opportunity to promote. Whether it was studying obsessively before an advancement exam or seeking advice for future duty stations to better develop myself, that's what I did.

**JAGMAG:** Why did you choose to join the legalman rating?

**LNCM DiStefano:** I was looking for something different at the time – really wasn't sure what I wanted to do but I knew I wanted something that would be more specialized than yeoman.

**JAGMAG:** Besides your senior enlisted leadership, did you have any officers who helped mold you?

**LNCM DiStefano:** I have had an opportunity to work with some great officers during the past 24 years. My commanding officer onboard USS *Kearsarge* was probably the most influential leader I have seen in the Navy. To lead a warship with 1,300 Sailors onboard may be one of the most challenging leadership positions in the Navy. I watched his leadership from a very close perspective and appreciated the way he let his Sailors do the job. Amazing!

**JAGMAG:** What do you consider to be some of the highlights of your time as command master chief?

**LNCM DiStefano:** Clearly, the three trips to the Middle East to see our attorneys and legalmen on the front lines in roles we have never been in before is a highlight that I play over and over in my head. To perform at a high level in those conditions is a true test of where we are as a community today.

Education: the complete transformation of our Naval Justice School in the way we train our legalmen today. We have taken a giant step forward in our goal to become highly skilled paralegals within the Navy, a status that was never envisioned in the past. Most importantly, we are providing our Sailors with an opportunity to take professionally related college courses in their accession course, making us the only school in the Navy to do so.

Another highlight would be the way we have transformed our Legalman of the Year and NLSC Sailor of the Year activities

*Command Master Chief continued on page 12*



## **Command Master Chief** *continued from page 11*

here at Headquarters. We have made this an event that is special to our deserving top performers and to hear their positive feedback about their experiences from the week has been very rewarding for us as a staff here at OJAG.

**JAGMAG: During your time as the Command Master Chief, you have traveled all over the world. Why were those visits important to you?**

**LNCM DiStefano:** I have been around the world four or five times since 2004 and my visits with our legalmen have always been special. Time and time again, I am amazed at their dedication and professionalism. They are the Sailors who get the work done each and every day; they are the Sailors on the front lines taking care of Sailors and Marines and their families; they are the Sailors who put other Sailors' needs before their own.

To be able to sit down with our legalmen and talk to them about where the community is headed thanks to their extraordinary efforts is truly rewarding.

**JAGMAG: What are some examples of the way you implemented initiatives from JAG Corps 2020?**

**LNCM DiStefano:** The timing couldn't have been any better for the LN community. The JAG Corps leadership gave us the opportunity to complete a top-down review of an enlisted community on the brink of extinction. A chance to look at what we brought to the table and what improvements

were needed to bring value to the JAG Corps and the Navy. What we envisioned was a highly skilled and educated paralegal; able to extend the arm of the JAG Corps in the fleet.

We also established a lifelong career professional development plan for every legalman in the Navy. To accomplish this, we created the LN Learning and Development Roadmap, LN PQS, and a standardized training plan. The Roadmap was a template used by the Navy for all Navy ratings going forward.

*JAG Corps 2020* has come early for the LN community as most of the initiatives that we envisioned are already in place in just four years.

**JAGMAG: Would you like to offer any advice to people wanting to make a career as a Navy Paralegal?**

**LNCM DiStefano:** The legalman community has an extremely bright future going forward. Anyone interested in education, professional development and an opportunity to immerse themselves in the Navy's military justice system would be best suited for conversion into the legalman rating.

**JAGMAG: What does the future hold for you? Any exciting plans?**

**LNCM DiStefano:** My plans right now will be to re-connect with family first and then seek employment (not sure what just yet). I intend on staying involved with the LN community and will assume responsibilities as the National Federation of Paralegal Association Armed Forces Coordinator when I retire.

# ***Master Chief Christopher Browning***

**JAGMAG: Where are you originally from?**

**LNCM Browning:** I was born in Downey, California, which is a suburb of Los Angeles. I spent a majority of my childhood growing up in Ogden, Utah, which is a town north of Salt Lake City. Although I won't end up back there when I retire from the Navy, the skiing is great and it's a fun place to visit.

**JAGMAG: Could you tell us a little bit about yourself - your education, interests, and past work experiences?**

**LNCM Browning:** Prior to joining the Navy, I puttered around with jobs in my hometown. I worked for Burger King, I bagged groceries, and I delivered dairy products for a local dairy company. I desired to do something more with my life; something better. I have an uncle who served 22 years in the Navy and retired as a senior chief in the mid-1980s. After speaking with him on the phone one day, he convinced me that a career in the Navy was worth a shot. After enlisting, I intended to serve my four years and return to civilian life. Well, during that four years, "life happened." I met and fell in love with my wife, Wendi. I knew after that first reenlistment at the four-year point that I was a "lifer." I've never once regretted making the Navy a career. Regarding education, I'm presently three classes



away from earning my Associates degree in Paralegal Studies. In my early Navy days, I was one of those Sailors who figured I had a great job and didn't need a college degree. I've since realized the importance of higher education and the role it has played in developing me, both personally and professionally.

As far as personal interests, I am an avid woodworker and I'm also a major sports fan: football, baseball and basketball - although mainly the NFL.

**JAGMAG: How many years have you been in the Navy and how many as a Navy legalman?**

**LNCM Browning:** I went over 21 years of service in December 2008. I've been a legalman for 18 years now. I graduated with Honors from Naval Justice School in March 1991. There are only two other people from my class still serving on active duty.

**JAGMAG: Why did you choose to become a Navy legalman?**

**LNCM Browning:** I chose to become a legalman for two reasons: promotion opportunity and marketable skills. Yes, even in 1990 as a 22 year-old I was concerned about

*“These legalmen represent the finest young men and women our country has to offer, and they are being well received by our senior LNs and JAG officers, who continue to develop them into the competent technicians we need in order to support JAG Corps 2020.”*

promotion. I worked for a YN2 who got me interested in the LN and Intelligence Specialist (IS) ratings. I quickly realized that the IS job skills were not very marketable in the civilian sector, so I chose LN. I was quickly approved for conversion, and chose my first set of orders to Naval Legal Service Office Puget Sound (now NLSO Northwest) in Bremerton, Washington, where I worked in trial, defense, legal assistance, and claims during that three-year tour.

**JAGMAG: What would you say makes you uniquely qualified for your line of work?**

**LNCM Browning:** I have progressed through the enlisted ranks as a legalman from the time I was a junior third class petty officer. I have served in every setting a legalman can experience, and pride myself in maintaining the highest level of subject matter expertise in the military paralegal field. Most importantly, I learned the art of effective leadership while serving with great officers and senior enlisted personnel in JAG Corps and fleet commands throughout my career. To those who helped me grow and develop as a leader, I am forever grateful. Over 10 years of my career have been spent in operational or independent duty assignments with USS Nimitz (CVN 68), USS Sacramento (AOE 1), Fleet Air Reconnaissance Squadron ONE (VQ 1) and the Submarine Force at NAVSUBSUPPFAC New London. Combining subject matter expertise with the fleet experience I've gained serving in the surface, air, and submarine communities has given me a unique perspective on all we do as legalmen in the Navy.

**JAGMAG: Would you like to offer any advice to people wanting to make a career as a Navy legalman?**

**LNCM Browning:** It's a great time to be a Navy legalman. We continue recruiting the best and brightest Sailors available. To date, we have sent 114 new LNs to the fleet since beginning the new version of the Legalman Accession course. These legalmen represent the finest young men and women our country has to offer, and they are being well received by our senior LNs and JAG officers, who continue to develop them into the competent technicians we need in order to support JAG Corps 2020. Our manning is quickly approaching healthy levels again for the first time in over five years, yet promotions remain fairly strong across all paygrades. The education we provide our enlisted force is second to no other rating in the Navy. We are on the cutting edge of combining higher education with military training in order to achieve a force of legal professionals like no armed service has ever known. The

legalman force of the future will be unlimited in their ability to integrate with JAG attorneys and carry out any mission required of a certified paralegal.

**JAGMAG: Besides your senior enlisted leadership, did you have any officers who helped mold you?**

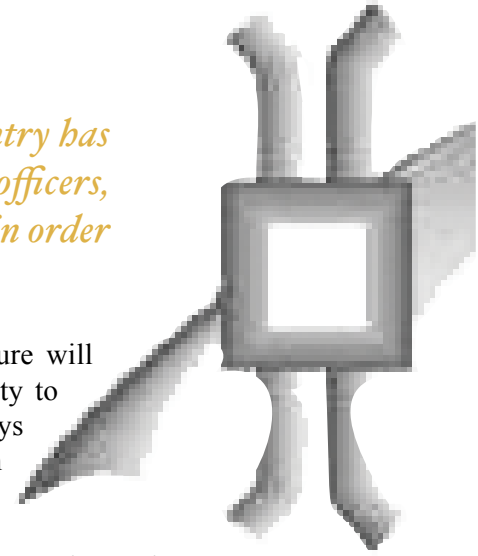
**LNCM Browning:** Yes, I did have some great naval officers who influenced me along the way and developed me as a leader, including VADM Bruce MacDonald, RADM Jamie Kelly, RDML(Ret.) Hank Molinengo, CAPT Mike Boock, CAPT Denise Stich and CDR Lisa Sullivan, all of whom I served with at various NLSC and fleet commands.

**JAGMAG: Can you tell us a little bit about your leadership style?**

**LNCM Browning:** What you see is what you get. I'm very focused on communication up and down the chain of command. Since I represent our Navy's legalmen, I will do my best to be "full disclosure" about matters that impact our community. That said, I expect the same in return. I ask our LNs to work on communication, up and down the chain of command. I want to empower leadership and vision down through our first class petty officers to our senior second class petty officers. If they're up to the challenge, I will trust them to lead and verify their effectiveness. I will also task my leadership mess (all LNCMs and LNCSSs, regardless of assignment) to run this community and I will consult them on matters which affect our progress and morale. Simply put, I view myself as the primary voice and supporter of our force, and will do everything possible to promote our professionalism and team success in every endeavor.

**JAGMAG: What do you hope to accomplish during your time as Command Master Chief?**

**LNCM Browning:** During my tenure as the community CMC, I plan to get us back to basics on various issues such as communication, life balance, and professional excellence in all we do. I will build on the strong foundation left by LNCM DiStefano to educate our fine force of legalmen. Manning and billet structure is of concern to me. Are we manned properly in the right locations, and are the paralegal assets being properly utilized? That's a task we are already working on. It will benefit productivity and geographic stability for all concerned. I have many more plans and initiatives I'd like to develop over time, and will speak about them soon.



# Operation Iraqi Freedom

*By LT Candice Albright  
Region Legal Service Office Southeast*

I am an Operation Iraqi Freedom (OIF) veteran! I am proud of my Individual Augmentee (IA) experience and for that reason, I happily agreed to share my experience. I volunteered with little understanding of the IA process. So, I write for those of you who are either admittedly or secretly as clueless as I was before I earned my OIF veteran's cap.

I volunteered for a fiscal year 2008 IA billet at Task Force 134 (TF-134). My first step in the pre-deployment preparation process was to complete the Expeditionary Combat Readiness Center (ECRC) checklist. The checklist required a full medical screening and immunizations, updated administrative information with PSD, and several NKO trainings. You must start the checklist early primarily to clear up any medical issues before you deploy. If you wait until the training pipeline begins, you run the risk of not having the time to correct any issues that could make you undeployable.

Upon entering the training pipeline, my first stop was a designated Navy Mobilization Processing Site (NMPS). NMPS is a week-long course, the purpose of which is to ensure that sailors are medically and administratively ready to deploy. After clearing NMPS, I arrived at the Navy Individual Augmentee Combat Training (NIACT) location. The mission of NIACT is to get sailors combat ready. It is a three-week training session run by the Army. NIACT is best summed up as follows: learning to wear unbelievably heavy gear in the blazing sun, operating a humvee, and shooting an M-16 over and over again. Its ancillary mission: eating MREs, marching and standing in formation, and learning to be sweaty and dirty all the time like real soldiers. Though this may sound difficult or unappealing, I actually found it fun and exciting at times.

“Arrival in theatre” always means the same thing for every IA deployer: arrival in Kuwait. Aside from administrative matters, the week-long stint in Kuwait puts our NIACT skills to use at the Udari Range and acclimatizes our bodies to the desert environment. We were in the desert for three days with no shower and ate nothing but MREs, but the training is important. While most deployers from our community will never experience anything close to combat or indirect-fire attacks, I recommend taking the training seriously and appreciating the sacrifice of others who keep you from actually having to use it.

Up until this point, the training process was basically the same for every IA deployer. But now training was over and from Kuwait we were deployed to our designated units within Iraq. At the time of my arrival at TF-134, the command needed a body at the Magistrate Cell (Mag Cell) located at Camp Cropper in Baghdad. Camp Cropper is a small FOB (forward operating base) on the western side of Baghdad. The FOB itself houses minimal facilities. This may seem unappealing to some, but I



LT Candice Albright with a Patriot Guard at her welcome home rally.

think the Mag Cell is the best-kept secret of TF-134.

The small size of Camp Cropper was advantageous because it made for short walks to and from work. Also, the people assigned to the Mag Cell had positive attitudes about deployment, which made it a great place to work. The people assigned to the Mag Cell were primarily Air Force and Navy, but Camp Cropper also housed some Marine liaisons not assigned to the Mag Cell itself. The primary mission of the Mag Cell is the review of detainee cases. After a detainee is taken into custody by Coalition Forces, the Mag Cell reviews each detainee file and ensures there is sufficient evidence for criminal prosecution. If not, a release recommendation is made. If there is sufficient evidence, then the detainee is placed in the pipeline for prosecution by the Iraqi courts. Other possible jobs at the Mag Cell include coordinating the detainee hearings as well as detainee assistance, both of which require working with the detainees on a daily basis. As you can imagine, that provides some very interesting and memorable experiences.

The daily life of deployment at Camp Cropper is simple and enjoyable if one makes the most of it. Our working hours at the Mag Cell were usually twelve-hour shifts, one half day off per week, and one full day off each month. Despite long working hours, the command does a great job of planning social activities almost every week and we frequently ate lunch and dinner together. Many of us participated in several races, including half-marathons, and we even started our own version of “Pain Before Breakfast,” much to the chagrin of our Air Force brethren. Quality of life is fairly normal, as PT time is allocated and internet is available at work and in the dorms.

My orders to TF-134 were for 180 days “boots on ground” time. I left Iraq for the transition home around the 175-day mark. Fortunately, getting home is the easiest part of deployment because the Navy runs a very impressive transition program. As previously mentioned, every IA deployer flies in and out of Kuwait. On the way home, this is called the Warrior Transition Program (WTP). The purpose of WTP is mostly administrative, but also to ensure that each deployer is mentally and medically ready to return home. Of course, I find all of those things very important. However, the highlight of my WTP experience was returning all of the gear issued to me seven months earlier at

*Operation Iraqi Freedom continued on page 15*



# Electronic Legal Research

By LNC Renate Williams  
Naval Education and Training Command

Legal research is changing rapidly. During the past few years, legal publishing titans have merged, whole law libraries now fit onto CD-ROMs, and the ease of access to all written law and reference materials provided by the internet has made a tremendous impact on the practice of law. Researching with books from the law library is quickly becoming a thing of the past. Electronic legal research provides the user with a fast, comprehensive library that is accessible 24 hours per day and contains the most up-to-date law and references available.

Many regard the internet as the largest library in the world. However, in order to make the internet work for you, you must have the ability to find what you are looking for. Conducting effective legal research is one of the professional cornerstones of a competent paralegal, yet the primary demands placed on most legalmen make it challenging to maintain proficiency in legal research.

To assist in meeting the goal of community-wide proficiency in legal research, the Judge Advocate General has directed the creation of an advanced training program in electronic legal research. Partnering with the Lexis/Nexis Corporation, the Naval Justice School (NJS) is working to develop a legal research training continuum for all legalmen, regardless of billet or duty assignment. What does this mean to you as a legalman in the fleet? Whether you are assigned to a busy Region Legal Service Office (RLSO) or an aircraft carrier at sea, maintaining and honing your legal research skills is vital. Preserving the skills and competence to conduct quality and

comprehensive legal research is necessary in each and every job we do as legalmen. Legal research skills are integral to conducting sound legal analysis, and to spotting the relevant issues. In litigation shops, when conducting legal research, legalmen should be searching for relevant cases and shepardizing them, in order to prepare motions for supervising judge advocates. Whether you are supporting a Naval Legal Service Office, Region Legal Service Office, or operational commander, you are expected to be able to dig into the heart of the issues at hand, analyze them, and provide a concise recommendation on how to apply a certain instruction, regulation, or statute.

Electronic legal research for legalmen is an indispensable part of our job as paralegals within the JAG Corps. Our ability to research effectively and efficiently is also essential to the attorneys and commanding officers we support regardless of duty assignment. Electronic legal research fundamentals are at the core of what we do as Navy paralegals. The Legal Research Training Continuum, will ensure that legalmen throughout the fleet are trained and updated on the newest and most efficient ways to conduct legal research.

The Legal Research Training Continuum is at the "tip of the spear" when it comes to training, and it will enhance our relevancy and the skill-sets we bring to the fleet. Our enhanced research abilities will also forge a stronger working dynamic between legalmen and judge advocates. The end result of our investment in training will be a smarter, more effective JAG Corps with legalmen who are more capable and marketable during their active duty service and beyond.

## Operation Iraqi Freedom continued from page 14

NIACT. After we spent a few days in Kuwait, we departed theatre on the last day of our scheduled boots on ground time. From the time we left Kuwait to the time we arrived back in the U.S., almost 48 hours had passed, which included little sleep and no time for a shower. However, I promise that you will not have a care in the world about your smelly breath and dirty clothes when you arrive home to your family's smiling faces!

Overall, I found my IA deployment to be the most rewarding experience of my

naval career thus far. Not only did I get to see a completely different part of the world, learn about a different culture, and experience the military in a completely different light, but I also met great people from all branches of the armed forces. Most importantly, though, no matter what your assigned job is in support of OIF/OEF, if you deploy on an IA, you should take pride in the fact that you served your country. At the time I volunteered, I took the approach that it was "just my job" and I honestly thought the "pride" thing was a bit corny. However, after experi-

encing the appreciation and support of so many Americans during and after my deployment, I can't help *but* feel proud because my service meant so much to them (who wouldn't tear up when a hard-core biker hugs you and says, "I don't care if you're a lawyer, I thank you for your service and sacrifice.") For all these reasons and many more, I highly recommend an IA deployment in support of OIF/OEF. I also hope this article helped some of you understand the IA process better before deciding whether to volunteer.

**"...after experiencing the appreciation and support of so many Americans during and after my deployment, I can't help but feel proud because my service meant so much to them."**

# A Carrier Strike Group Staff Judge Advocate . . . The Best Job in the Navy JAG Corps



*By CDR Jon Peppetti  
Office of Legislative Affairs*

If you asked a group of senior judge advocates to name the best job they ever had in the Navy, chances are the answer you would hear most often is a Carrier Strike Group Staff Judge Advocate (SJA). After nearly two years as the Carrier Strike Group TWELVE SJA, I have to agree. What is it about this job that makes it so memorable and enjoyable? Plenty of SJA positions afford the opportunity to deal with sensitive and high visibility incidents, investigations, and personnel matters. Many SJAs advise flag officers. Some SJAs have the chance to deploy aboard a ship. But very few SJA jobs combine all of these aspects, and also require a judge advocate to play an operational role at the tactical level in a maritime environment. A Carrier Strike Group SJA must assume all of these duties and responsibilities, and therefore, in my opinion, the job is as professionally

challenging and rewarding for a naval officer and attorney as any position the JAG Corps has to offer.

Unless you have prior military experience, being an operational judge advocate at the tactical level requires you to perform in situations never imaginable in law school. When I was in law school, I could easily see myself representing a client in court, but I never imagined that one day my client would be a Strike Group Commander facing a potentially hostile adversary in the Arabian Gulf. Serving alongside your client in an operational context puts you in the middle of the action with a central role to play in the outcome of events. The rules of engagement (ROE) may be drafted by higher authorities, but you never fully understand the intricacies of ROE until you are involved with their application in an operational environment. At the tactical level, the Carrier Strike Group SJA is in the “hot seat” advising warfighters who must make split-second decisions. Even though you may never sit in the cockpit of an F/A-18

“...if you are looking for the quintessential operational tour and the best job in the Navy JAG Corps, this is it!”

Hornet and launch off the deck of an aircraft carrier, or man a crew-served weapon on a surface combatant, the training and guidance you provide to those who do could make the difference between life and death. The stakes could not be higher.

In 2007, I deployed for six months with Carrier Strike Group TWELVE aboard USS *Enterprise* (CVN 65). There are not enough pages in this magazine for me to fully describe my experiences on deployment. As Strike Group SJAs everywhere will attest, deployment is a whirlwind of activity from start to finish, and you are constantly reacting to emergent situations while trying to anticipate what could possibly happen next in a dynamic and ever-changing environment. There is some structure and order in the form of a daily “battle rhythm” schedule filled with briefings (given and received), planning meetings, standing watch in the Tactical Flag Command Center, and advising the Commander and subordinate COs on every possible legal topic. Eating, exercising, and sleeping are squeezed in whenever possible!

While on deployment, I quickly realized that to be a valued advisor to my client required much more than simply a firm grasp of the fundamental principles of international and domestic law that govern U.S. naval operations at sea. Rather, my practice required every bit of training, knowledge, and experience gathered over the course of my career to that point – law of the sea, law of armed conflict, military justice, ethics, legal assistance – I did it all. One of the greatest challenges for a Carrier Strike Group SJA on deployment is to avoid becoming carrier and air wing centric. Although you live and work on the aircraft carrier and watch flight operations on a daily basis, the Strike Group is a disaggregated force, often dispersed throughout one or more fleet areas of responsibility. For instance, our Strike Group had units simultaneously flying in the North Arabian Gulf in support of Operation Iraqi Freedom, conducting maritime security patrols in the Central Arabian Gulf, monitoring pirate activity off the coast of Somalia, and one destroyer circumnavigating Africa! All of these operations

involved significant legal issues, and as the SJA, I had to stay plugged into everything.

Shortly after returning from deployment, the Commander, Carrier Strike Group TWELVE and his Staff disembarked *Enterprise* and the ship entered the Northrop-Grumman Naval Shipyard for an extended non-availability period. At the time, I reflected on my days underway and thought the operational phase of my Strike Group tour was behind me. I was wrong. Over the past year, I have deployed twice more to work in coalition environments – first in support of BALTOPS 08 in the Baltic Sea with NATO and Partnership for Peace allies, and then in support of PANAMAX 08 in El Salvador with U.S. Army South and our South and Central American partners. Additionally, I participated in Commander, Second Fleet’s joint task force certification exercise, and the *Enterprise* Strike Group joined the *Eisenhower* Strike Group in a joint synthetic training exercise. Finally, the Commander, Carrier Strike

Group TWELVE and his Staff conducted Fleet Week Port Everglades, and we prepared to assume duties as the Combined Force Maritime Component Commander (CFMCC) for Defense Support to Civil Authorities (DSCA) operations as needed. Looking ahead, we are planning to execute Fleet Week Port Everglades, Fleet Week New York, and BALTOPS in 2009.

As the Carrier Strike Group TWELVE SJA, I played a central role in the execution of all these exercises, events, and missions, and the experience shed a new light on the broad scope of a Carrier Strike Group SJA’s duties and responsibilities. Certainly, a Carrier Strike Group SJA is not the only operational job in the Navy JAG Corps; however, in my opinion, no other judge advocate job places you so squarely in the middle of what we do as a sea service. In

retrospect, being a Carrier Strike Group SJA has provided me with many of the defining moments of my career; the job has pushed me to my limits and positioned me on scene for world events – not simply as an observer, but as a participant. I now know why so many former Carrier Strike Group SJAs cite this tour as the highlight of their careers. And so on behalf of Carrier Strike Group SJAs everywhere, if you are looking for the quintessential operational tour and the best job in the Navy JAG Corps, this is it!





# Marine National Monuments

By CDR Christopher Corvo & LT Michael Melocowsky  
International Law (Code 10)

On Jan. 6, President George W. Bush created three new marine national monuments: the Marianas Trench Marine National Monument, the Pacific Remote Islands Marine National Monument, and the Rose Atoll Marine National Monument. The Marianas Islands are the southern part of a submerged mountain range that extends 1,565 miles from Guam toward Japan. The Marianas Trench Marine National Monument consists of three components. The first component is the waters and submerged lands encompassing the coral reef ecosystem of the three northernmost islands of the Marianas chain. The second component is the Marianas Trench, and the third component is a series of active undersea volcanoes and thermal vents, primarily located west of the trench.

The Pacific Remote Islands Marine National Monument includes coral reef ecosystems around Kingman Reef, Palmyra Atoll, Johnston Atoll, and Howland, Baker, Jarvis, and Wake Islands. The Rose Atoll Marine National Monument protects the coral reef ecosystem around a remote part of American Samoa.

These monument designations protect roughly 340,000 square miles of the Pacific Ocean, an area larger than California, Oregon and Washington combined. Navy judge advocates played an important role in the designation process, not only in ensuring national security imperatives were considered to maintain the Navy's operational equities, but also in shaping the text of the designations themselves.

The President designated these marine national monuments using his authority under the Antiquities Act of 1906 (16 U.S.C. §§ 431-433), a law which until 2006 had only been used to designate terrestrial national monuments. In June of 2006, however, President Bush used the Antiquities Act to create the Northwestern Hawaiian Islands National Monument (renamed "Papahānaumokuākea Marine National Monument" in 2007).

The Act was originally signed into law by President Theodore Roosevelt. It gave the President the authority to restrict the use of designated land owned by the federal government through executive order. This allowed the President to protect certain lands from excavation and

destruction without undertaking a lengthy Congressional process to create a national park.

Interpreting the Act to permit the designation of a marine national monument is an expansion on a century of executive action that had historically covered only terrestrial territory. The Act gives the President the authority to "declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments." The Act also requires that the monument "in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected." Yet, the Papahānaumokuākea Marine National Monument is vast, protecting a predominantly ocean area of 140,000 square miles, making it the largest environmentally protected area in the world (Australia's Great Barrier Reef is second measuring 133,000 square miles).

Given the location of the three new monuments, the Department of Defense, the Joint Staff, and the U.S.

Navy in particular, were deeply immersed in the drafting of that executive order. These efforts ensured the inclusion of language protective of navigation and military activities.

When the President designated the three new

monuments, he issued a statement addressing military activities in the protected areas: "I confirm that the policy of the United States shall be to continue measures established in the Papahānaumokuākea Marine National Monument to protect the training, readiness, and global mobility of U.S. armed forces, and ensure protection of navigation rights and high seas freedoms under the law of the sea." Each proclamation also contains a section entitled "Armed Forces Actions," specifically excluding all activities of the Armed Forces from the prohibitions in each proclamation. With this language, the President ensured that all military activities within the monuments were protected. This is particularly important in the Marianas Trench Marine National Monument, which is located near the Navy's Mariana Islands Range Complex (MIRC).

Further, the proclamations establishing the three monuments contain language protective of navigation rights and freedoms: "The United States continues to act in accordance with the balance of interests relating to tradi-

*"The Navy has a large interest in the Pacific Ocean, and the designation of these areas as marine national monuments will, in one way or another, have an impact on the fleet."*



tional uses of the oceans recognizing freedom of navigation and overflight and other internationally recognized lawful uses of the sea.”

Navy judge advocates, particularly those in international and environmental law billets in the Office of the Judge Advocate General (OJAG), the Navy Staff, the Navy Secretariat, affected Fleets, and the Joint Staff, worked assiduously to ensure that this language, so critical for Navy operations, was inserted into the President’s statement and in each proclamation. Balancing environmental concerns with Navy operations is not a new problem, as the judge advocates who worked on the recent sonar litigation can attest. And, it is a concern that will not go away anytime soon.

With regard to these new monuments, the need for vigilance has not passed. The executive order designating the monuments states that the Secretaries of Commerce and Interior shall manage the monuments, in consultation with the Secretary of Defense. To do this, a management plan and implementing regulations,

supported by a full-scale environmental impact statement (EIS), will be promulgated through the administrative law process, affording the opportunity for public notice and comment. This provides further opportunities for judge advocates to play an important role in safeguarding the operational capabilities of the Navy. While the monument proclamations include exemptions for military activities, the management plans or EIS’s could potentially include language limiting that exemption. It is the judge advocate’s responsibility to diligently review these documents to ensure that Navy equities continue to be adequately protected.

Each proclamation places some responsibility on the military, of which commanders must be aware. Each proclamation states, “the armed forces shall ensure, by appropriate measures not impairing operations or operational capabilities, that its vessels and aircraft act in a manner that is consistent, so far as is reasonable and practicable” with the proclamations. If a Department of Defense (DoD) component causes

damage to a monument living marine resource from an incident such as a spill or grounding, that DoD component is required to coordinate efforts with the Departments of the Interior or Commerce to mitigate the damage and, if possible, restore the monument to its original state.

Notwithstanding the military exemptions, operational commanders may find it necessary to justify why an activity is necessary for operations or operational readiness and may have to demonstrate why moving those activities to an area outside the monument would be “unreasonable.” These are questions that commands should be prepared to answer, and it is the judge advocate’s responsibility to help answer them.

The Navy has an important interest in the Pacific Ocean and the designation of these areas as marine national monuments will, in one way or another, have an impact on the fleet. By understanding the designations and what they mean, Navy judge advocates can help commanders train and operate while safeguarding these National Marine Monuments.



# Student Loan Relief

By LCDR Tanya Cruz  
Administrative Law (Code 13)

The majority of judge advocates enter the service with substantial student loan debt. There are a number of programs currently available to judge advocates that are designed to provide student loan relief.

## Student Loan Forgiveness

The College Cost Reduction and Access Act (CCRAA) of 2007 significantly expanded federal student loan forgiveness by establishing the Public Service Loan Forgiveness Program which applies to a broad category of public service employees, including military members. The Public Service Loan Forgiveness Program discharges any remaining student loan debt (principal and accrued interest) after a borrower makes 120 qualifying monthly payments on Federal Direct or Federal Direct Consolidation loans while employed full-time in a qualifying public service. The CCRAA also established a new Income Based Repayment (IBR), one of the “qualifying” payment types for the Public Service Loan Forgiveness, which provides for affordable monthly payments that are no more than 15% of a borrower’s discretionary income. The Public Service Loan Forgiveness Program took effect in October 2007 and the IBR will take effect in July 2009.

In addition, judge advocates may qualify for Perkins loan forgiveness. The Perkins Loan Forgiveness Program applies to certain public service positions, including members serving as full time “law enforcement officers” (applies to prosecution billets) and members serving in areas of hostilities.

## Loan Deferment

Student loan deferment for military members is available for all types of federal student loans. Prior to

the CCRAA, military deferment for federal student loans was limited to 3 years. The CCRAA expanded the military deferment by eliminating the 3-year time limit. However, a borrower should carefully consider the option to defer federal student loans that may be eligible for the Public Service Loan Forgiveness and IBR because deferring such student loans will only delay the period to make the 120 qualifying payments required for loan forgiveness. Furthermore, for purposes of the Public Service Loan Forgiveness and IBR, borrowers are encouraged to begin making IBR payments early on while income is lower.

The CCRAA also enhanced benefits for mobilized reservists by extending the time period covered by military service deferments. The deferment period for borrowers whose qualifying active duty service begins on or after October 1, 2007 is extended for an additional 180 days following the date the borrower is demobilized from that active duty service. The additional 180-day deferment period is available each time a borrower is demobilized at the conclusion of an eligible active duty service that supports the military deferment.

Deferment may also be available for private student loans depending on the lending institution. Judge advocates are encouraged to consult with their private lenders regarding the types of student loan deferments that may be available.

## Student Loan Interest

The Higher Education Opportunity Act (HEOA) provides for reduced student loan interest rates for military members. Pursuant to the HEOA, the

interest rate limitations (6%) under the Service member’s Civil Relief Act (SCRA) apply to Federal Family Education Loans. Note, the SCRA interest rate limitation is also available for *private* student loans entered into prior to active service. In addition, pursuant to the HEOA, interest does not accrue for up to 5 years on Federal Direct Loans disbursed on or after October 1, 2008 for borrowers serving on active duty during a war or other military operation or national emergency, in areas of hostility.

## Judge Advocate Continuation Pay

Judge Advocate Continuation Pay (JACP) is an incentive pay available to judge advocates. JACP is intended to alleviate the financial burden of student loan debt on judge advocates. JACP totals \$60,000 and is paid in three phases over an eligible judge advocate’s career. An officer who accepts JACP also accepts a service obligation with each payment.

## Ongoing Initiatives

While the above programs provide substantial benefits in the area of student loan relief, reform is in order. The JAG Corps is working with the other Services and has briefed the American Bar Association (ABA) Military Law Committed on matters involving student loan relief initiatives and areas for reform.

## Student Loan Forgiveness (CCRAA IBR)

As previously discussed, the CCRAA IBR limits student loan monthly payments to no more than 15% of a borrower’s discretionary income. The IBR formula calculates monthly payments factoring adjusted gross income,





household size and poverty guidelines. Therefore, when two married individuals both have student loan debt and file joint tax returns, they will be required to pay up to double the monthly loan payment of two unmarried borrowers in otherwise identical situations. Currently, the law authorizes married borrowers to file taxes separately for purposes of the CCRAA. However, this is not ideal. Further reform is necessary to enable married borrowers to take advantage of the CCRAA IBR payments (and Public Service Loan Forgiveness) without foregoing valuable tax benefits of filing joint tax returns.

### **Student Loan Repayment**

Student loan repayment programs, as distinguished from student loan forgiveness programs, allow agencies (or organizations) to repay all or a portion of incurred educational loan obligations. Student loan repayment programs fall under the authority of the agency (or organization) responsible for the loan repayment program. In addition, student loan repayment programs may apply to federal and/or private student loans. Finally, student loan repayment may occur while the borrower is in school or while the borrower is employed by the agency; however, a borrower must agree to remain serving with the agency for a specified period of time.

Within the Department of Defense, the authority for student loan repayment for officer programs in specified military specialties falls under 10 U.S.C. § 2171. Student loan repayment for officers is subject to implementation by each military department. The Navy has not implemented a student loan repayment program for any officer program under the authority of 10 U.S.C. § 2171. A student loan repayment program for judge advocates pursuant to the authority of 10 U.S.C. § 2171 is currently under consideration.

In addition, many law schools offer student loan repayment programs for graduates who wish to pursue careers in public service. Judge advocates are encouraged to consult with their law school financial aid offices regarding available student loan repayment programs. A list of law schools with student loan repayment programs can be found at: <http://www.equaljusticeworks.org/node/447>.

In order to maximize the benefits of student loan relief programs (e.g., CCRAA Public Service Loan Forgiveness Program), a change to the structure of JACP is currently under consideration that would work most effectively with student loan relief programs.

This article only provides a general description of various student loan relief programs available to judge advocates. Further information is also posted on the JAG careers website. JAG Corps leadership will continue to pursue key areas for reform in order to improve overall access and availability of such programs to the widest audience of judge advocates and prospective judge advocates.

# A User's Guide to E-Mail

*The fourth and final installment of the e-mail series that provides some rules for communicating through e-mail*

*By Col Gary Brown, USAF*

*Senior Legal Advisor, Air Force Inspector General*

Heavy e-mail users might expect everyone to check their own e-mail constantly. This, in turn, can lead to an expectation that messages will be answered instantly, regardless of the recipient's work load or relative position in the organization. If you request input from someone by e-mail, you need to allow a reasonable amount of time for them to provide it – especially if they are senior to you. On more than one occasion, I've had a junior officer request edits on a project. I provided the edits in what I considered a timely fashion, only to find that the officer had moved on without waiting for my suggestions. That the projects went forward without benefit of my "wisdom" didn't bother me, but I was not pleased that I had wasted time preparing edits that could not be used. If you receive an e-mail without a specific "reply by" date, one business day is standard. If you plan to take longer, it is best to send an e-mail giving an estimated date for your in-depth reply.

Many people set their e-mail options to provide a gentle aural reminder when a message has arrived. Unlike a telephone, however, the reminder does not continue to jangle, driving us out of our wits, until it is answered. E-mails, especially those asking difficult questions, can be oh-so-easy to ignore. As is usually the case, the easy answer is not the right one.

Everyone who sends a legitimate e-mail deserves a response. In the military, most people expect to receive at least an acknowledgement of an e-mail by the end of the next work day. Even someone who is extremely busy can usually manage a quick "Got it" message to acknowledge and assure that, at some future date, they plan to answer the message.

For good or bad, e-mail is here to stay. It's incumbent on all of us to learn to use it appropriately. There are many benefits, but many pitfalls, as well. Responsible recipients are just as important to the health of the e-mail system as good senders.

# Government Ethics:

## Meet a few reserve judge advocates who happen to be subject-matter experts

By LCDR Paul Ehrman  
NR RLSO Naval District Washington

Judge advocates regularly find themselves immersed in legal work unique to military practice: courts-martial, Manual of the Judge Advocate General (JAGMAN) investigations, staff judge advocate recommendations, and administrative separation boards. It is work that seems far removed from the legal work performed by civilian attorneys. As a result, current judge advocates may be concerned that the legal skill set that they have developed will not be relevant in the civilian sector following their naval careers. This concern is unfounded; the legal skill set acquired through military practice is readily transferable to civilian legal practice and, thus, holds considerable value. Some military legal skills, in fact, have direct applicability to civilian legal fields. Government ethics work is one such field. This article examines the practice of three reserve judge advocates currently serving in the field of government ethics, and discusses how active duty judge advocates can better utilize their subject matter expertise.

Every branch of the federal government, and each administrative agency within the executive branch, employs ethics attorneys. The overall mission of an ethics program is to increase the level of trust the public has in their elected officials. Ethics attorneys carry out this mission by concentrating on three main tasks: ethics training, ethics advice, and (yawn) review of financial disclosure reports. In larger agencies, senior ethics attorneys routinely provide training to Cabinet and sub-Cabinet-level officials, advise senior members of the administration, and assist in the nomination and confirmation of Presidential appointees. More junior ethics attorneys advise and train career employees and review financial disclosure reports. In smaller agencies, ethics attorneys may perform a combination of these functions.

These days, it takes little more than a cursory reading of the front page of a Washington, D.C. newspaper to see increased public attention to the field of government ethics. Recent high-level prosecutions and Inspector General investigations into violations of federal ethics regulations and criminal conflicts-of-interest statutes have made the work of ethics attorneys even more relevant and pressing. Moreover, the Obama administration is putting a priority on government ethics. Executive Order 13490, signed on Jan. 21, placed additional gift and revolving door restrictions on Presidential appointees requiring Senate

confirmation, noncareer Senior Executive Service (SES) appointees, and “Schedule C” employees.

I am currently a full-time ethics attorney with the United States Immigration and Customs Enforcement (ICE), an agency of the Department of Homeland Security. I was introduced to government ethics as a judge advocate when I became the Assistant Force Judge Advocate for Commander, Naval Air Forces. In that assignment, I regularly provided ethics advice to staff and tenant commands. These experiences laid the foundation for my future employment with ICE.

The ICE Ethics Office is located within the Office of the Principal Legal Advisor. The office consists of four attorneys and a program analyst. This small staff is responsible for advising and training an agency work force of approximately 16,000 employees serving throughout the United States and around the world as embassy attachés. The workload, though heavy, is diverse in subject-matter, fast-paced, and is very rewarding. In addition to “bread-and-butter” ethics issues, there are many issues unique to working in a federal law-enforcement agency. For instance, what are the responsibilities of a federal agent who learns that a company in which he holds stock is connected to a pending investigation, either as a subject of the investigation, a victim, or otherwise? Or, can a federal agent participate in her personal capacity in a government-sponsored public auction of property that was seized by the federal government?

ICE’s leadership has made ethics a priority. As a testament to this commitment, ICE’s conference planning directive requires that all conferences and training it hosts must include an ethics segment. With over 80 conferences annually, ICE ethics attorneys are often on the road training the agency’s work force. The ICE Ethics Office also serves as the agency’s Professional Responsibility Advisory Office, where attorneys can seek advice and request formal opinions on all matters pertaining to their professional responsibility obligations. With over 800 attorneys, many of whom actively litigate cases in federal and immigration court, this is a major component of the mission of the ICE Ethics Office.

Like me, numerous Navy Reserve judge advocates are federal attorneys working in the administrative law field; of these, many work at least part-time in government ethics. Some, however, do even more. In the paragraphs below, I will introduce you to two reserve judge advocates who serve as full-time ethics attorneys in their civilian capacity. They serve as excellent examples of how to convert Navy JAG experiences into a successful civil-



LCDR Paul Ehrman and CAPT Mike Edwards meet with former Navy judge advocate and U.S. Department of Agriculture Ethics Official, Ray Sheehan (far right).

ian practice, and they reinforce that the Navy JAG Corps has subject matter experts on-call in the Reserves.

CAPT Brian Howell is an ethics attorney at the Army Office of General Counsel (Ethics and Fiscal), where he serves as an ethics advisor to the Secretary of the Army and the Secretariat Staff. He began his ethics career in 1993 and has worked for the Department of the Navy, Office of the Judge Advocate General (OJAG) and the Department of the Navy, Office of General Counsel in various ethics and procurement positions. He has also worked for The Judge Advocate General, U.S. Army, where he was the Chief of the Standards of Conduct Branch, and the Office of Counsel, U.S. Army Materiel Command, where he was the Senior Ethics Counsel. CAPT Howell has provided ethics advice to the Secretary of the Navy, the Secretary of the Army, and the U.S. Army Chief of Staff and Vice Chief of Staff on all aspects of Standards of Conduct, conflicts of interest and procurement integrity. He was a founding member of the team that developed the Financial Disclosure Management (FDM) System, a web-based program to file and review Public Financial Disclosure (SF-278) and Confidential Financial Disclosure (OGE-450) forms. CAPT Howell has trained thousands of Army and federal government employees and Ethics Counselors in Standards of Conduct matters. He serves as an instructor at the U.S. Army Judge Advocate General's Legal Center and School for the Ethics Counselor Course. In his Reserve capacity, CAPT Howell is the Commanding Officer, Navy Reserve Regional Legal Service Office (RLSO) Mid-Atlantic in Norfolk, Va.

CAPT Mike Edwards is deputy director of the Office of Ethics at the United States Department of Agriculture (USDA) and a proud alumnus of the Ethics and Standards of Conduct

Branch of OJAG, Administrative Law Division (Code 13). He has served a four-month detail working government ethics issues at the Office of the Counsel to the President.

USDA is the only federal department with an independent Office of Ethics that is not a part of an Office of General Counsel or Solicitor's Office. The office employs 30 full-time ethics specialists and assistants and has four branches (which divide up USDA's 17 agencies) and a headquarters element. With approximately 100,000 employees in the department, you might expect some unusual questions. The more humorous include: (1) "Do sexual favors from prohibited sources count as a gift under the gift rules?"; (2) "Do I need to file a financial disclosure form if my supervisor never takes my recommendations?"; and, (3) "If I am ethically required to disqualify myself from the duties of my position, do I still have to show up for work?"

CAPT Edwards tries to reserve his weekends and evenings for his duties as the commanding officer of Navy Reserve RLSO, Naval District Washington (NDW). He points out that working with RLSO NDW has been a great partnership in ethics matters. He recently stated, "RLSO NDW has already passed us a significant workload of ethics issues and post-government employment advice and we are working toward ethics training for judge advocates, legalmen, and civilians in the region. It has been a great partnership".

Reservists with significant government ethics experience are available to assist active duty staff judge advocates and command services attorneys. Whether drafting a post-government employment letter or providing training, we can best serve our Navy clients and exemplify the Active duty/Reserve Total Force concept if we work together and use our subject-matter experts in the Reserves.



# First Annual Advanced Immigration Symposium

By Vicki Alba and DC3 Ana O'Dea  
Region Legal Service Office Southwest

Region Legal Service Office Southwest (RLSO SW) hosted its first Advanced Immigration Symposium on March 18-19, at the Admiral Kidd Conference Center, onboard Naval Base Point Loma. The symposium provided basic training to over 100 legal service providers and command citizenship representatives regarding the impact of immigration laws on military service members. Attendees included representatives from Navy Region Northwest, Navy Region Midwest, Navy Region Southwest, Army and Marine Corps units from the southwestern United States, RLSO SW, and its detachments in Ventura County, Calif., Lemoore, Calif., and Fallon, Nev.

RLSO SW hosted the event in an effort to ensure that the maximum number of eligible service members are able to become U.S. citizens. Since December 1999, Navy Region Southwest and U.S. Citizenship and Immigration Services (USCIS) have partnered in a unique program that has resulted in over 12,000 service members in Navy Region Southwest becoming U.S. citizens. The program is made possible through streamlined U.S. citizenship processing for service members. RLSO SW hopes to inspire other regions and commands to implement similar programs to help service members obtain the benefits of citizenship.

Commander, Navy Region Southwest, RADM Leendert Hering, Sr. delivered the welcoming remarks at the symposium and the Commanding Officer of RLSO SW,

CAPT Kirk Foster introduced the guests.

The Advanced Immigration Symposium lecture began with a basic overview of the immigration system by CDR Matthew Lee, executive officer of the Naval Justice School's Reserve unit. CDR Lee also instructed the participants on the Navy's naturalization program and the changes imposed by the National Defense Authorization Acts of 2004 and 2008. LtCol Margaret Stock, JAGC, U.S. Army, gave training on the American Immigration Lawyers Association Military Assistance Program and the American Bar Association Standing Committee on Legal Assistance for Military Personnel.

Other speakers included Mr. Paul Pierre, a USCIS District Director, Mr. John Ramirez, a Community Relations Officer for USCIS, CDR Eric Roper, Command Services Attorney, RLSO SW, Ms. Kathrin S. Mautino, Attorney and Certified Specialist in Immigration and Nationality Law, Ms. Emi Fujimoto, Adjudication Manager for the U.S. Passport Agency in Los Angeles, and CDR Bill Boland, Navy Medicine West. The speakers instructed attendees on everything from the Child Citizenship Act of 2000 and family citizenship issues, to applying for a U.S. passport, to the Civil Surgeon Program which allows eligible service members and family members to obtain free immigration physicals from military physicians at military medical clinics.

Hard work by many members of from RLSO SW made the symposium a great success. CAPT Ted Yamada and CDR Matthew Lee, both Reserve judge advocates, supported the immigration symposium immensely with their subject matter expertise. RLSO SW hopes to continue providing training on immigration issues in the future.

## NAS Lemoore hosts its first Naturalization Ceremony

By Melinda Larson  
Public Affairs Officer NAS Lemoore

Ten Sailors came aboard Naval Air Station (NAS) Lemoore as citizens of other countries. "But you will leave today as American citizens," CAPT Kirk Foster, commanding officer, Region Legal Service Office Southwest (RLSO SW) told the group during his keynote speech during the first naturalization ceremony at NAS Lemoore held in January.

Sailors from China, Chad, Nigeria and the Philippines completed the naturalization process after they recited an oath of allegiance to "support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic."

CAPT James Knapp, NAS Lemoore's commanding officer, noted the similarities between the oath of allegiance and the military's oath of enlistment. "There are not many nations on this planet that have these types of oaths. Our oath of allegiance and oath of enlistment are what make us special. Welcome

to becoming a co-equal share of the greatest nation in the world," said Knapp.

Aviation Structural Mechanic Equipment Airman Jude Osezua Epken, who won a green-card lottery through the U.S. Diversity Immigrant Visa Program in his home country of Nigeria, said he wants to repay a debt to America and that is why he joined the Navy. "I feel I owe this country a lot," said Epken who is attending classes at the Center for Naval Aviation Technical Training Unit at NAS Lemoore.

The naturalization ceremony was made possible through the hard work of many people. CAPT Foster made the trip from San Diego to support the event. Ms. Annette Monroe, a legal assistance paralegal at RLSO SW Lemoore, worked with USCIS and new citizens to organize and prepare for the ceremony. Ms. Vicki Alba, a supervisory paralegal specialist at RLSO SW in San Diego, also assisted with the naturalization ceremonies. Ms. Monroe commented that the ceremony was very rewarding, "I was very busy for about three weeks organizing the ceremony, but the outcome was awesome. The smiling faces of the new citizens made it all worth it."

# Seven-year-old at Yokosuka is first child to get citizenship under new rule

By Erik Slavin  
*Stars and Stripes Pacific edition*

The most noticeable of the 72 people with hands raised for the U.S. oath of citizenship stood barely higher than the pews at a ceremony held in Yokosuka's Chapel of Hope.

Martin Miles Ulsano, age seven, became the first child to take the oath since the 2008 Defense Authorization Act allowed family members of service members to become citizens overseas, according to officials.

Ulsano was born on Yokosuka Naval Base and already had the right to citizenship, said his father, Petty Officer 2nd Class Caesar Ulsano. However, making it official is important to the family, he said.

"He's been raised in American ways his whole life," said Caesar Ulsano, a Filipino-American who became natu-

ralized in 2004 and is now stationed on USS *Harpers Ferry* (LSD 49) at Sasebo Naval Base after previous tours at Yokosuka.

The boy is among a growing number of military family members seeking citizenship, said Kenneth Sherman, field director of the U.S. Citizenship and Immigration Services (USCIS) in Seoul, which oversees South Korea and Japan.

More than 30 family members were naturalized overseas during the last fiscal year, said Sherman, who thinks that figure might triple or even quadruple this year.

Ms. Naoko Takamura of the Naval Legal Service Office Pacific (NLSO PAC) Branch Office Sasebo assisted the Ulsano family with processing the application and logistics. "Ms. Takamura liaised with the USCIS direc-



Martin Ulsano poses with service members and spouses who received their certificates of naturalization.

tor, Mr. Sherman, to ensure that the groundbreaking event went off without a hitch and set the precedent for this process in the future," said LT James Toohey, NLSO PAC Sasebo branch head.

Those interested in service member and military family naturalization can go to [www.uscis.gov/military](http://www.uscis.gov/military), or ask their unit's citizenship representative.

## Navy JAG Winners of the 2008 ABA Lamp Awards

Each year the Standing Committee on Legal Assistance for Military Personnel (LAMP) selects recipients of the LAMP Distinguished Service Awards. Awardees are individuals and units who are the standard bearers for military legal assistance.

For the individual award, the Committee selected Mr. George Sabga, a volunteer from Naval Legal Service Office Southwest (NLSO SW). Naval Legal Service Office Pacific (NLSO Pacific) won the unit-level 2008 LAMP Distinguished Service Award.

Mr. Sabga has been providing exceptional service as a volunteer at NLSO SW since February 2006. A retired Marine Gunnery Sergeant, member of the California Bar, and former employee of the U.S. Citizenship and Immigration Services (USCIS), Mr. Sabga sought out the opportunity to continue a lifetime of public service at NLSO SW.

For its part, NLSO Pacific made significant innovations to the Volunteer Income Tax Assistance/Electronic Filing (VITA/ELF) program. Building off the traditional VITA/



ELF program, NLSO Pacific added a self-service component, allowing service members with simple tax situations to do their own taxes on site. This greatly diminished the number of trained tax preparers necessary to support the tax assistance program while providing Sailors with a lifetime skill. This innovation permitted the NLSO to continue offering robust tax preparation services despite personnel shortages due to current operational demands.



# Task Force Life/Work Balance Takes Shape and Takes Off!

By CDR Jean Kilker  
Navy Reserve 108

While the Navy JAG Corps rapidly transforms to meet emerging challenges facing our Navy and our Nation, our people remain the foundation of our strength and flexibility. That foundation is rock solid. We have attracted top talent and developed an incredible cadre of officers, enlisted, and civilians with superior legal acumen, leadership skills, and experience. Our challenge is to remain the employer of choice for talented junior personnel, middle managers, and senior leadership. One way to do this is by offering innovative programs responsive to changes in members' personal lives and family obligations.

That is where the Task Force Life/Work Balance (TFLWB) comes in. Chartered by VADM MacDonald on May 15, 2008, TFLWB was directed to provide "advice and recommendations on initiatives and policies relating to life/work balance for the JAGC, including but not limited to career intermission (sabbaticals), telecommuting, child care, and assignments."

As the task force moves forward with its charter, it is cognizant of the different perceptions regarding programs targeted at life/work balance. Some people are skeptical, believing these programs create unrealistic expectations regarding the inherent sacrifices of military life. Others feel "it's about time!" Interestingly, these viewpoints appear consistent with generational differences in our community.

"Baby Boomers," born between 1946 and 1964, have a more "work-

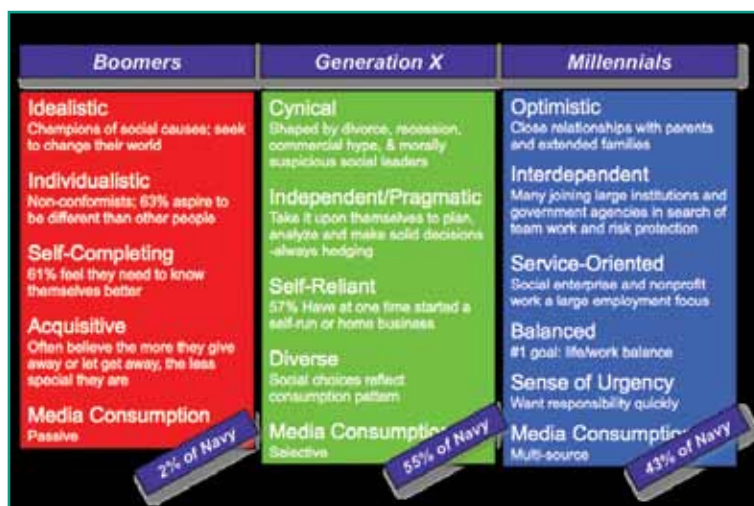
centric" view on life. Their dedication to the military and all aspects of our society have been transformative. No doubt many sacrificed, and continue to sacrifice, their personal lives to ensure mission accomplishment. "Generation X," born between 1965 and 1979, is the first generation of "latchkey kids." Incredibly independent and innovative, they approach their work and their families with equal passion. Generation X expects a flexible workplace and career path, and many are unwilling to sacrifice family life and personal goals to climb the organizational ladder. Next are the millennials, our "everybody gets a trophy" generation, born between 1979 and 1998. They expect the workplace to have an element of fun. At the same time, they multitask like no other generation, expect to work hard and put a major emphasis on familial relationships and life/work balance. JAG Corps demographics break out like this:

(Winter 2007) and the best-selling book, *The Starfish and the Spider: The Unstoppable Power of Leaderless Organizations*, by Ori Brafman and Rod A. Beckstrom (Portfolio, 2006). Other sources can be found on Navy Knowledge Online (NKO), under JAGC 2020, then Task Force Life/Work Balance.

Can these seemingly divergent views regarding emphasis on family, fun, and work be reconciled in the military? The task force believes they can. Technological advances enable workplace flexibility. Personnel can be "connected" to the workplace from virtually anywhere. Career choices widely available in law firms and businesses around the globe, such as sabbaticals and temporary part-time work programs, are compatible with the military if carefully drafted and executed. TFLWB is confident that these programs will strengthen the JAG Corps by retaining our most talented and committed members.

TFLWB was not established to eliminate the stressors inherent in Navy life or undermine the culture of sacrifice and commitment that is the fabric of the JAG Corps. Instead, by initiating work arrangements and career paths that offer flexibility and professional growth, the TFLWB can work to alleviate the strain of pressing issues that emerge as individuals grow personally and advance professionally.

The task force has been moving full speed ahead since its membership was finalized, introducing TFLWB at the December 2008 Senior Enlisted Leadership Conference in San Diego and at the January 2009 Commander's Training Symposium in Washington, D.C. Presentations sparked lively discussion resulting in a list of



If you are interested in learning more about differences in generational outlooks and their impact on organizational structure and approach, TFLWB recommends two resources. One is an article entitled "Military of Millennials" by Art Fritzson, Lloyd W. Howell Jr., and Dov S. Zakheim found in *Strategy+Business*



issues impacting the life/work balance of community members. It was exactly what the task force needed to chart an effective course.

In January, the task force had its first official meeting in Washington, D.C., as well. Candid roundtable discussions were held with VADM MacDonald, who underscored his commitment to programs that ease the challenges that accompany military life, without diminishing the superior level of service the JAG Corps provides the fleet. The task force also met with the Special Assistant for Transformation (SAT) Team, the Navy's Office of Women's Policy, the legalman detailee, the senior JAG detailee, and Commander Navy Installation Command's representative for Navy Child and Youth Programs.

When the January meeting concluded, TFLWB solidified and organized ideas and proposals, resulting in a comprehensive plan of action.

### **Child Care**

Access to quality child care remains a top priority for many service members with children. JAG Corps leaders are equally concerned. They understand that people cannot focus on professional responsibilities if child care requirements are not met. Child care concerns escalate when individuals prepare for Permanent Change of Station (PCS) moves. So how should the JAG Corps address these concerns?

TFLWB is proposing a Navy-wide initiative to include putting a link to Navy Child and Youth Programs in every set of PCS (with dependents) orders. The search for child care begins long before orders arrive. With that in mind, and with the help of Ms. Donna Sayers, Code 65, Knowledge and Information Services Division, the task force is creating an interactive computer program, a "Child Care Roadmap," with links to child care information and resources worldwide. A Sailor or officer can find his or her new duty station on the map, click, and be linked to child care information for that area. It is as easy as that.

Short-term child care availability at temporary duty locations is also a task force focal point. Availability can mean the difference between enhanced training and a lost opportunity. TFLWB is studying availability and the need for short-term care at Navy Child Development Centers (CDCs) in Washington, D.C., Norfolk and Charlottesville Va., Newport, R.I., and San Diego, Calif and whether existing programs should be extended to all CDCs.

### **Assignments**

During command visits and leadership seminars, JAG Corps leaders have been struck by the impact that PCS moves have on continuity of health care for JAG Corps family members, and they understand the immense strain that this issue puts on our personnel and family members. TFLWB is working with senior enlisted leadership to determine the scope and nature of the problem.

This summer, senior enlisted leaders will canvass commands to identify individuals who have encountered TRI-

CARE issues associated with PCS moves and a change in TRICARE regions. For those who have had problems, a follow-up questionnaire will be distributed to gather detailed information. If you have experienced challenges, please complete the questionnaire. Be honest, be accurate, and be detailed. It is the only way the task force can identify matters facing the community and evaluate ways to rectify them.

Several officers raised concerns regarding the reduction of co-location opportunities caused by JAG Corps restructuring. The task force is working with JAG detailers and Code 13, Administrative Law Division, comparing available billets under both the old and new models, and identifying professional responsibility issues related to co-location under the new Naval Legal Service Command (NLSC) structure.

### **Personnel Policies and Programs**

The task force's proposed Flex Hour Instruction is nearly complete. It is the Telecommuting Program's "sister document" and provides members of the JAG Corps community, civilians and military personnel alike, the opportunity to manage their workspace arrival and departure times. Flex hours are comprised of "core hours" during which all members of the command must be present and "flex hours" which are specific windows of time when personnel can choose to arrive and leave the workplace. This is another tool offering flexibility without compromising high quality services.

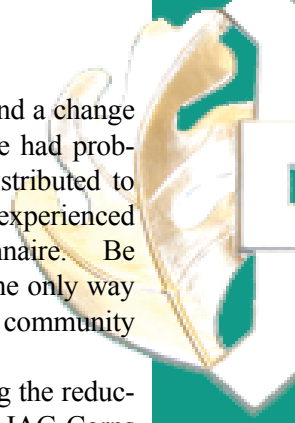
A broader initiative currently in the works involves part-time work for active duty members. TFLWB partnered with the Navy's Office of Women's Policy to develop the Extended Active Duty Support (EADS) Program, transitioning active duty members to the Reserve component to provide 10 days of support to the active component per month. After a maximum of two years, participants will transition back onto active duty to continue their career paths. The program design is in its infancy, but the task force remains determined to submit a well designed, viable program for the fiscal year 2012 budget approval cycle this summer. Stay tuned.

Finally, the Career Intermission Pilot Program was approved by the National Defense Authorization Act for Fiscal Year 2009 and is poised to begin. This program will provide up to a three-year "off-ramp" for selected enlisted and officers. More information is available on the task force's NKO page.

### **Future Plans**

TFLWB encourages you to get involved. It is investigating different training opportunities, lecture series, and discussion groups focusing on life/work balance issues. We want your input! Speak up, speak out, get creative, and forward us your ideas. The task force looks forward to hearing from you!

***For more information Contact: [OJAG\\_ALL\\_TFLWB@navy.mil](mailto:OJAG_ALL_TFLWB@navy.mil)***



# Get Connected

By Donna Sayers

Knowledge and Information Services (Code 65)

Do you need to host a meeting or training event with personnel across multiple geographic locations? Do you need greater capabilities for a virtual meeting than what is offered through basic instant messaging and chat room applications? Save money, and eliminate hassles associated with travel and video teleconferencing. Get connected with Defense Connect OnLine (**DCO**).

DCO is now available on classified and unclassified servers, free of charge to the Navy, from the Department of Defense Collaboration Services. In addition to standard instant messaging and chat rooms, this tool has enhanced collaboration capabilities, which are perfect for web conferencing and/or remote training.

This web-based application is easy to use and allows you to upload files or share your computer desktop and applications for your meeting or training session. Files can include documents, PowerPoint, and even videos. Once files are uploaded, they can be transferred to your meeting room.

All plug-ins needed for your meetings are available for downloading to your hard drive. They can be installed on NMCI computers without technical support or administrative rights.

The application allows for the use of webcams and microphones, eliminating the need for conference calls to support web conferencing. Webcams and microphones are provided by your IT department, and provided they are “plug-n-play,” require no additional IT support.

The web-conferencing capabilities allow the host to set up virtual conference rooms, public or private, through the use of interactive tools or “pods.” Among some of the pods available are the presentation, white board, chat, poll, webcam, and audio pods. In the same manner that a facilitator or moderator controls a traditional meeting or training event, the host controls the conference room and limits or expands participant interaction capabilities as needed. For example, the host can limit interaction to the use of a chat pod only, requiring participants to type in a question or comment; or can allow participants with webcams and/or microphones to interact through visual and audio capabilities. The host can also determine which pods will actually be seen by the participant. The host can share files that were previously uploaded, files from his or her computer’s hard drive, the computer screen and computer



applications. If needed, the host can relinquish sharing to participants. All meetings can be recorded, making them available online for personnel who could not attend, or for attendee reach-back.

When creating a conference, the host can invite attendees by sending a conference URL which is generated when the conference is created. Attendees can be registered or unregistered users, including those outside the Department of Defense. Unregistered users will log on as guests. Guests are unable to attend conferences with all the capabilities of a registered user. Guests are not able to post files to the Slides tab, and they are not able to search the user directory to invite other users to the conference.

Visit <https://www.dco.dod.mil/> to register for a DCO account. Because DCO allows for CAC logon as well as UserName and Password logon, it can be used from anywhere. Be advised, however, that password generation follows DoD password requirements and restrictions.

DCO offers on-demand training, which can be downloaded or viewed on line. DCO also offers 2-hour live remote basic, intermediate and advanced training sessions on a monthly basis. The next scheduled training can be found by clicking on the “Live Training” link under “User Resources” on the login page. You can also search for a previously recorded

The possible uses for this tool are limited only by your imagination!

## NLSO Mid-Atlantic

Have you ever gone on deployment or left the country on an individual augmentee assignment only to return and find that your vehicle was towed and subsequently sold? If so, you are not alone and the law is on your side. Under the Servicemembers Civil Relief Act (SCRA), servicemembers’ vehicles cannot be towed and then sold without a court order.

A local lieutenant had this very thing happen to him. When he deployed to Iraq in the spring of 2007, he left his 1991 Acura at his condo complex where he owned a unit. Upon returning from deployment, he discovered that his car was missing. In June 2007, a local towing company had towed his car and obtained a storage lien in accordance with Virginia law. The

# Defense Department Expedited Disability Evaluation System Process For Combat Wounded

The Department of Defense (DoD), in collaboration with the Department of Veterans Affairs (VA), has introduced a process designed to expedite the transition from active duty to veteran status for service members seriously injured in combat. By waiving the standard Disability Evaluation System (DES), veterans who were seriously injured in combat can receive benefits in three to four months.

“This new policy should allow service members and their families to focus on the essentials of recovery, reintegration, employment and independent living, with the combined assistance from DoD and VA,” said acting Under Secretary of Defense for Personnel and Readiness Michael L. Dominguez. “The policy supports our belief that there must be a distinction for those who incur devastating disabilities in combat.”

The expedited process applies to service members whose conditions are designated as “catastrophic” and whose injuries were incurred in the line of duty as a direct result of armed conflict. A catastrophic injury or illness is a permanent, severely disabling injury, disorder, or disease that compromises a person’s ability to carry out the activities of daily living to such a degree that a

service member or veteran requires personal or mechanical assistance to leave home or bed, or requires constant supervision to avoid physical harm to self or others.

Unlike other DES processes, the new expedited process requires that legal counsel be appointed prior to the service member electing the expedited process. While recent changes to DoD DES policy provide an opportunity for service members in the DES process to seek the advice and assistance of legal counsel earlier in the process, there is no requirement that the service member take advantage of this benefit. This is not the case with the expedited DES

process. It provides that government legal counsel “who is familiar with the DES process” will be appointed to advise the service member or his/her family or guardian prior to referral to the Informal Physical Evaluation Board.

The policy also provides special consideration and exceptions for members who retire under the expedited DES process to reenter the service with a waiver, should they subsequently request reentry to the service after recovery and rehabilitation.

To date, more than 1,000 service members have participated in the pilot during the last 14 months.



## Enforces Sailors’ Rights

By Dena Panecaldo  
Naval Legal Service Office Mid-Atlantic

storage lien allows towing companies to recover their costs when a vehicle’s owner refuses to pay for storage fees. The towing company can sell the vehicle if it notifies the owner and lien holder by certified mail at least 10 days before the date of the sale. In July 2007, the towing company sold the lieutenant’s car at auction. However, because he was a service member, the towing company had violated both federal and state law. Under the SCRA and Virginia law, the towing company was required to get a court order to enforce the storage lien and sell the car.

The lieutenant sought legal advice from Naval Legal Service Office Mid-Atlantic’s (NLSO Midlant) Legal Assistance

Department in September 2007, when he returned from deployment. After NLSO Midlant attorneys made several attempts to resolve the matter, they referred the case to the U.S. Department of Justice, Civil Rights Division. The Department of Justice got involved because they are responsible for enforcing the provisions of the SCRA. As a result, the Justice Department filed suit against the towing company in December 2008, for violating the SCRA.

If you are a service member and your car has been towed and subsequently sold, contact your local legal assistance department for more information.



# Task Force Diversity

As a Corps, we are united by each member's commitment to serve the people of the United States and the JAG Corps mission. That

*By CDR Jean Kilker  
Navy Reserve 108*

common thread binds us as a team of professionals, excelling at our craft and ensuring that the United States Navy and its personnel receive superior legal services. We are also individuals. Our varying viewpoints, shaped by our unique experiences and backgrounds, intertwine with our threads of commonality to create the fabric of the Navy JAG Corps.

That fabric, constantly tested by the challenges facing our Corps and our Nation, is created by different demographics, educational and life experiences and resulting viewpoints. Strong now, we are determined to make that fabric even stronger.

To achieve that goal, the Judge Advocate General appointed the JAG Corps' Task Force Diversity in May 2008. The task force's charter was to foster diversity by creating programs and initiatives related to recruiting, retention, mentoring and assignments. Led by CAPT Lindy Bunn, the Task Force made incredible strides its first year.

Working with Military Personnel Division, Code 61, the task force identified and consolidated JAG Corps recruiting efforts aimed at students from underrepresented groups, evaluated the success of different recruiting programs, and worked to increase Navy JAG Corps presence on law school campuses.

One successful recruiting strategy was to reach out to affinity groups, or groups of people who have something in common. The task force continually underscores the JAG Corps' commitment to diversity by developing and expanding its ties with the American Bar Association (ABA) diversity committees, reaching

out to different affinity group bar associations and introducing the outstanding career path offered by the Navy JAG Corps to law school student affinity groups around the nation. The task force seeks more opportunities for our senior leaders to address these groups, and then VADM Houck spoke to the Coalition of Bar Associations of Color (CBAC) leadership in May.

For the first time, a formalized plan is in place to invite leaders from the civilian legal community to experience, firsthand, the traditions and mission of the Navy JAG Corps. During Fleet Week, deans and career placement officers from New York law schools were invited to a sunset parade onboard USS *Iwo Jima*. Legal leaders from different affinity groups will be invited to visit the Pentagon. There are plans to arrange embarkations aboard aircraft carriers for individuals dedicated to promoting career and leadership opportunities for underrepresented members of our society. This new, innovative approach to recruiting is designed to educate influential members of the legal community about the incredibly exciting and unique experience provided by a career in the Navy JAG Corps. Once they see what we do, they're guaranteed to spread the word.

While working on task force initiatives, our members have continued their involvement in different bar associations. CAPT Dave Iglesias was a featured speaker at the ABA's Continuing Legal Education Opportunities (CLEO) meetings and published an article in CLEO's alumni newsletter describing his most memorable experiences as a JAG Corps officer. CAPT Rex Guinn participated in the National Native American Association's Moot Court competition. Other members have dedicated countless hours ensuring Task Force Diversity's success.

The JAG Corps is committed to achieving a Corps of individuals representative of our national diversity. Learn more about our mission and how you can get involved by visiting the JAG Corps Task Force Diversity NKO website (listed under JAG Corps 2020), or contact us at [OJAG\\_TF\\_Diversity@navy.mil](mailto:OJAG_TF_Diversity@navy.mil).

## Navy JAG Corps Launches New Home Page

*By Navy Judge Advocate General Public Affairs*

The Navy Judge Advocate General's Corps revamped its website ([www.jag.navy.mil](http://www.jag.navy.mil)) to provide easily accessible and important information to its members, clients, and the public.

The site features quick links to various functions. Service members and their families can easily link to legal service information; lawyers and paralegals can find research material and court information; and general visitors can browse the latest news as well as delve into the history of the Corps.

"We have a broad range of visitors to our website,

from students working on a report for school to military family members who need help with a will," said Jennifer Zeldis, the JAG Corps' public affairs officer. "We wanted to make sure each visitor was able to find what they were looking for easily and quickly as well as provide information about the mission of the JAG Corps."

The website retained, but updated, many of its features. The site continues to provide information about the headquarters, trial judiciary, Navy-Marine Corps Court of Criminal Appeals, Naval Legal Service Command offices and careers. It also prominently displays links to multimedia features, including JAG Corps videos, podcasts and the JAG magazine.

## JAG Corps Career Website Wins 2009 Communicator Award

By Natalie Morehouse  
Deputy Public Affairs Officer

The International Academy of the Visual Arts (IAVA) selected the careers website of the Navy JAG Corps, [www.jag.navy.mil/careers](http://www.jag.navy.mil/careers), as a recipient of the 2009 Communicator Award of Distinction (Silver Award). This is the second Silver Award for the Navy JAG Corps.



The careers website was revamped in 2008 to better inform potential candidates about the Navy JAG Corps and to explain the application process. The website features career information, a map of duty locations, detailed instructions on how to apply, as well as many other important features useful to potential applicants.

“Our new careers website is one of the most utilized and important tools we have in order to recruit the most talented, diverse group of legal professionals,” said VADM Bruce MacDonald, the former Judge Advocate General of the Navy. “We are extremely proud of this recognition by the International Academy of the Visual Arts.”

The centerpiece for the Navy JAG Corps’ career website is the 2008 award-winning awareness video. The awareness video presents personal accounts from new JAG Corps attorneys about what drew them to the JAG Corps and highlights the process of becoming a Navy JAG Corps officer.

“We wanted the website to be current, useful, and provide information about what the JAG Corps is all about. Feedback so far has been incredibly positive,” said LCDR Jennie Goldsmith, the former JAG Corps accessions and recruiting detailer.

Strategic marketing communications and information technology firm Qnexis, Inc. assisted the JAG Corps in the development of the revamped career website and awareness video. The Communicator Awards honors creative excellence for communications professionals. This year’s competition received more than 7,000 entries from across the United States and around the world, making it one of the largest and most competitive awards programs of its kind.

For more information on the Navy JAG Corps, visit [www.jag.navy.mil](http://www.jag.navy.mil).

# JAG Leaders

## LT Justin Hawks

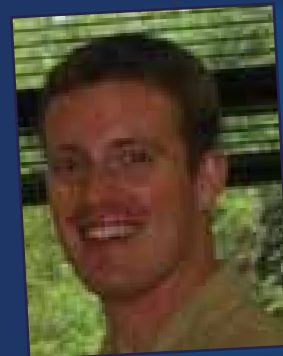
From Region Legal Service Office (RLSO) Hawaii, LT Justin Hawks has made himself someone to follow. LT Hawks oversaw the creation of a state-of-the-art courtroom staffed by well-trained personnel. His vigilance and perseverance has enabled practitioners in Pearl Harbor’s courtroom to focus solely on their cases and legal arguments, secure in the knowledge that they are practicing in a safe yet publicly accessible space. Much of the courtroom’s success is due to LT Hawks, who deflects praise towards others when asked about the secrets to his success in fulfilling his security officer collateral duty.



Would you like to recognize an exceptional shipmate?  
Submit your command’s outstanding member and  
photos to [natalie.morehouse@navy.mil](mailto:natalie.morehouse@navy.mil)

## LT Mike Layne

LT Mike Layne does more than just assist the commanding officer for Naval Submarine Base (SUBASE) New London in his usual day-to-day matters. Instead, LT Layne has tackled a myriad of complex and extraordinary issues head on. In the past year, LT Layne coordinated with federal and state agencies to provide intergovernmental support for the Federal Plum Island Research Center’s safe-haven use of base piers, as well as the kenneling of Military Working Dogs for the Connecticut National Guard. LT Layne assisted local and headquarters MWR in planning, coordinating and executing a plan to rid the base marina of 15-20 years worth of abandoned boats. Through his exceptional research and diplomacy, he was able to convince State regulators to follow Federal rules for declaring the boats “abandoned” and thus eligible for new titles after an MWR auction. As a result, LT Layne’s reputation on the waterfront has established him as the “go-to” attorney for the tenant commands at the SUBASE. LT Layne’s enthusiasm, vigor, and dedication set him apart as one of the premier future leaders of the JAG Corps.



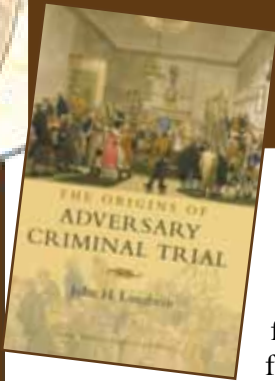
Shipmate Spotlight

# The Origins of Adversary Criminal Trial

By John H. Langbein

Book review provided by LCDR Jason Jones

Naval Legal Service Office Southeast



John Langbein's *The Origins of Adversary Criminal Trial* (Oxford University Press, Oxford, 2003) is a succinct and fascinating read that answers the fundamental question every 1L asks him or herself. "Why do we

do it like that?" Starting in the late 1600's in London's Old Bailey courthouse, he tracks the origins of the modern adversarial trial from its origins as a blatant shouting match between two individuals to a lawyer-dominated and judge-refereed evidentiary quest for answers.

Scholarly literature from the 16<sup>th</sup> century expounded the maxim that defense attorneys were not necessary for defendants in felony criminal trials, though oddly enough they were quite common in misdemeanor cases. The logic, though seemingly absurd today, was that a lay person could tell the truth and present a case as well as any trained lawyer and therefore no lawyer was necessary. The 16<sup>th</sup> century trial was a contest of amateurs on both sides; there were no "prosecutors" in the modern sense and most cases were swearing matches between an alleged criminal and alleged victim, with virtually no rules of procedure and evidence. There were some modern aspects to a 16<sup>th</sup> century trial, a jury sat and determined guilt or innocence, a judge presided over the court and a legislature defined some crimes. Yet, the common law gave no right to defense counsel at a felony trial.

However, even at that early stage, judges, lawyers and scholars had some qualms about the avenger-led "altercation" trial. Allowing private prosecutions was dangerous; some trials resembled blood feuds rather than a quest for truth and punishment of the guilty. Penalties were draconian, the time between sentence and execution was extremely short and appeals were unlikely. Altercation trials were rapid, probably around fifteen to twenty minutes. The jury did not retire to deliberate in private and there was little, if any, plea bargaining. The defendant spoke in virtually all cases, as he had no alternative. The lack of the right to remain silent put the defendant in an untenable situation. If he spoke, he often incriminated himself. If he remained silent, the accusations remained unanswered. Additionally, while the "pros-

ecutor" testified under oath, he could not. While at the time this practice was defended so as to prevent perjury, even contemporaries admit the real concern was that swearing on a Bible gave the defendant a certain level of credibility in denying the accusations.

Contemporaries note some advantages to the accused. First, the accused was presumed innocent and, while proof beyond a reasonable doubt was a later development, doubts were resolved in the accused's favor. (Ironically, this was also a justification for denying counsel.) Second, defendants were prosecuted by amateurs who were just as unskilled in the law, which is in stark contrast to the pro se defendant of today. Third, the judge acted as some form of counsel for the accused, forbidding some types of evidence or arguments and preventing the affair from getting out of control. Amazingly, the conviction rate was about fifty percent.

The modern trial made its first nascent appearance in 1696 with the "Treason Trials Act." After the English Revolution, both sides used the court system to extract vengeance and accusations of "treason" abounded, with the death penalty swiftly following. (Our Founding Fathers took note, treason is the only crime defined in the Constitution, taking the power away from the legislative branches to redefine it *easily*.) After some exceedingly political treason trials and executions, the English Parliament created the Treason Trials Act. The Act created a statutory right to defense counsel at trial, provided for pre-trial discovery of the indictment, noted a presumption of innocence and granted the accused the compulsory production of defense witnesses. The Act still included several restrictions and specifically stated that defense counsel could not appear in non-treason cases.

These new rights were not as magnanimous as they first appear. The average English peasant was not being charged with treason; it was the lords and peers of Parliament. In practice, the members of Parliament were hedging their bets, granting rights to themselves that they denied to the average citizen. Contemporaries note that Parliament immediately redressed many of the perceived defects of altercation trial but did nothing to alter the daily court system, showing an astounding lack of care for the average citizen's judicial plight. Nevertheless, the stage was set for the creation of the modern trial – government counsel, defense counsel, judge, jury, procedural rules and burdens of proof.



As any new prosecutor can tell you, give the defense an inch and they will take a mile. Once the absolute ban was lifted for one class of cases, defendants began clamoring for attorneys at other types of trials, and the courts began to allow it as a judicial reaction to the increasingly modern world. The first defense counsel began to appear regularly in non-treason cases. The appearance was a response to the Government's hiring of private attorneys to prosecute cases in which the Government was the victim. Theft of the mail, counterfeiting, illegal minting and failure to pay taxes created a problem for the Government, which sought to enforce the laws but had no private person to act as the aggrieved party. So, the Government began to hire private attorneys to prosecute on the Government's behalf, the first modern prosecutors.

The appearance of Government counsel created a dilemma for judges, who were unaccustomed to counsel appearing at all in criminal trials. Judges traditionally were referees but were also pseudo defense-counsel, interjecting at times and questioning witnesses for the defense when necessary. Prosecution counsel forced the court to alter its stance: either become actual defense counsel or allow the scales of justice to be tipped heavily in favor of the Government. To avoid what could have been the virtual dismantling of the system, courts began to ease the prohibition on defense counsel, attempting to balance the system by having counsel on both sides. Courts did not appoint counsel, but they began to allow hired counsel to appear with some regularity by the mid 1700's.

The regular appearance of defense counsel did not create the modern trial overnight. Initially defense counsel were only allowed to cross-examine witnesses and were forbidden to summarize evidence in arguments to the jury. The accused was still forced to speak in his defense, plea

bargaining was rare and punishments remained draconian. The rules of evidence were primitive and pre-trial discovery remained non-existent. The appearance of defense counsel was still rare enough that the impact on the trial process was small, but it began to happen.

Over time, lawyers on both sides began to change what was an "altercation" type trial with lawyers in the wings, into a modern, lawyer-dominated trial. As trials for crimes against the Government grew more complex, judges began to allow both sides to summarize evidence via arguments. As defense counsel were allowed to cross-examine witnesses, some defendants began to take the risk of remaining silent, transforming the case from a swearing match of two sides to its more modern version where most defendants do not testify on their own behalf. Counsel on both sides, usually to try to defeat the other side verses an actual quest for truth, began to argue against allowing certain types of evidence, such as hearsay, character evidence and coerced confessions. As lawyers argued theories of admissibility, and burdens of proof and persuasion, common law judges reacted by creating judicial rules. Parliament rarely entered the common law fray to legislate rules or procedures.

By the latter 18<sup>th</sup> century, the modern trial had replaced the altercation trial. It also immigrated to America. The Founding Fathers, many of them lawyers and criminal defense attorneys, wanted no return to the altercation trial and imbedded in the Constitution many of the common law judicially-created rules. Proof beyond a reasonable doubt, the right to trial by jury, the right to counsel and the prohibition of cruel or unusual punishment all originated during the creation of the modern trial. The Founding Fathers defined treason in the Constitution, making it virtually impossible for later genera-

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tions to alter the definition; no serious attempt has ever been made.

*The Origins of Adversary Criminal Trial* is a fascinating look at the extremely complex development of how society judges and punishes its own. A quick study on how personal greed, fear of corruption, money, and technology shaped the law, the book's lessons show that the law is an ever-changing social contract. While the modern trial's structure has remained static for some time, it continues to ebb and flow. Although the Treason Trials Act created the first right to defense counsel at felony trial, it was not universally accepted for hundreds of years. As late as 1942 in *Betts v. Brady*, the U.S. Supreme Court rejected the idea that the Constitution gave an accused an absolute right to counsel, affirming the conviction of a pro se defendant who requested an attorney before his felony trial. Only in 1963, two hundred and sixty seven years after the first defense counsel were created by the Treason Trials Act, did the Supreme Court alter the common law and its own precedent by holding that an indigent accused at felony trial has a right to free representation. *The Origins of Adversary Criminal Trial* is hard to put down once started and answers fundamental questions regarding the creation of our system. It is highly recommended for even the most die-hard Operational Law attorney who shivers with dread at the very thought of appearing in a court again.

# Transformation

## Year in Review, by the Numbers

Two and a half years have passed since the JAG Corps published its strategic plan, *JAGC 2020*. Our community's transformation is a journey, not a single event. Fortunately, there are clear milestones along the way. Looking back on the past year, our community's accomplishments reveal real and continuous progress toward our *JAGC 2020* goals.

Thanks to metrics from hundreds of members of our community, the Chief of Naval Personnel has authorized 53 new judge advocate billets and 32 new legalman billets in the fiscal year 2010 budget. By recording hours in daily work diaries, judge advocates, legalmen, and civilians supplied the productivity metrics that substantiated our increased workload and our need for increased manpower. The Navy's financial investment in the growth of the JAG Corps in these times of belt-tightening and draw-down reflects the Navy's view of the value that judge advocates bring to the origination.

**Performance management and metrics** will continue to yield dividends for our community, but we cannot sacrifice efficiency when collecting data. CMTIS, our primary data collection tool, continued to evolve in 2008. Version 2.0, launched in October 2008, enabled us to capture **efficiency** and timeliness data on command services and administrative boards as well as courts-martial. Like any new system, CMTIS 2.0 came with growing pains and lessons learned. New in 2008 was a cadre of CMTIS Coordinators from every Region Legal Service Office (RLSO) and Naval Legal Service Office (NLSO). These coordinators were prepared to train their commands on

the new features of CMTIS and collect feedback. In March 2009, the CMTIS Coordinators returned to Washington, D.C., with lessons learned and recommended improvements to the new modules in CMTIS 2.0. Not only will future versions of CMTIS benefit from increased input from the field, but all users can rest assured that their interests are represented in the continuing design and development of CMTIS.

The JAG Corps introduced a new survey in 2008 to ensure that we do not overlook our most importance performance goal: quality. Military judges conducted their first quarterly assessment of litigation performance at the RLSOs and NLSOs. Results of this assessment provide quality metrics to balance metrics on timeliness and efficiency.

Initiatives in **personnel policy**, specifically recruiting and retention, also yielded impressive numbers in 2008. A new recruiting video and website came online in the spring of 2008. This new electronic outreach, along with more proactive recruiting efforts at law schools and student bar association events, have paid off in the form of record numbers of applicants to the JAG Corps. From fiscal year 2007 to fiscal year 2008, overall applications to the JAG Corps increased 54%, and applications from diverse candidates more than doubled. While the current state of the economy has undoubtedly contributed to the number of applicants, our JAG Corps recruiters in the field deserve much of the credit for the talent and diversity of experience they have attracted to the JAG Corps.

Recruiting accomplishments in 2008 and 2009 will not guarantee our success in 2020 without equal empha-

sis on retention. The JAG Corps has begun sending an exit survey to officers, enlisted, and civilians who submit requests to resign or retire. The second Pulse of the JAG Corps Survey opened in November to identify any new leading indicators of retention issues as well as changes during 2008. Results were published on Navy Knowledge Online (NKO) in early March 2009. The results showed improvement in perceptions of our leaders' management of change, numbers of personnel who felt they had a mentor in our community, and belief that the JAG Corps legal community values diversity of personnel. Nevertheless, there is still room for improvement in these areas.

The results of the Pulse survey also reinforced the critical importance of personal career development and life/work balance. Cognizant of the importance of life/work balance and diversity to the retention of our personnel and the success of our community, the JAG Corps created Task Force Diversity and Task Force Life/Work Balance in 2008. In late summer 2008, the phased rollout of the telecommuting initiative began at the Office of the Judge Advocate General and RLSOs and NLSOs Mid-Atlantic and Southwest. Currently, 113 members of our community telecommute.

Our community's commitment to the education and **professional development** of Sailors is unprecedented and unparalleled in the Navy. The JAG Corps enthusiastically welcomed 71 new legalmen (LNs) over the past year. Every new LN graduated from Naval Justice School's accession course with 10 college credits toward a Paralegal Studies degree. The number of LNs enrolled in Roger Williams University (RWU) Paralegal Studies courses has



## 12 Transformation Focus Areas

Operations  
Accountability  
Sailor Legal Readiness  
Navy Legal Readiness  
Navy JAG Corps Organization  
Active Reserve Integration  
Personnel Policy  
Professional Development  
Knowledge Management and Information Technology  
Facilities  
Performance Management and Metrics  
Efficiency

grown to 91. Legalmen completed over 300 courses in 2008 and are currently registered for 169 courses at RWU alone. The American Bar Association approved RWU's Associates Degree in Paralegal Studies in 2008 and has approved individual paralegal ethics courses now offered at Naval Justice School detachments in Norfolk and San Diego. Expanded educational opportunities are only part of the new Legalman Learning Development Roadmap, completed in 2008 and used as a model for other communities.

Professional development and educational opportunities are not limited to legalmen. A Civilian Education/Training instruction has been issued. The number of judge advocate quotas for LLM degrees at civilian law schools has grown to 16, and the number of quotas for the Army JAG School's LLM program has grown to six. As more judge advocates earn their LLMs in international law and environmental law, the quality of our legal support of Navy **operations** only improves.

The cadre of experienced Navy JAG Corps litigators has also grown in

the past year, improving the quality of our support of **accountability** in the fleet. The Military Justice Litigation Career Track Selection Board has named 19 Military Justice Experts and 18 Specialists. Many of these Experts and Specialists currently serve as RLSO or NLSO executive officers, senior defense counsel, senior trial counsel, or military judges, and more are slated to fill those positions this year.

Other examples of the JAG Corps' direct support of our Sailors involve initiatives for **Sailor legal readiness**. Code 16, our legal assistance division, and legal assistance attorneys throughout Naval Legal Service Command updated and standardized powers of attorney and intake forms to ensure quality and consistency among our legal assistance offices. Our personnel have begun venturing into Navy medical centers to address the legal needs of wounded, ill, and injured Sailors in the Navy's Safe Harbor Program. Eleven Reserve judge advocates have mobilized to provide wounded, ill, and injured Sailors advice on the Physical Evaluation Board process.

Whether delivering legal services to Sailors in our medical centers or helping to fill the new requirement for judge advocates and legalmen at the Office of Military Commissions, our Reserve Component augments our active-duty JAG Corps more seamlessly than ever. All Reserve units and billets are newly aligned with active-duty units for optimal **active reserve integration**.

Harnessing the wealth of legal expertise available to the JAG Corps is one of the primary goals of our **knowledge management and technology**

initiatives. In 2008, electronic Communities of Practice (COPs) came online for every area of our practice. The JAG Corps and the Navy's Office of General Counsel have collaborated in building online COPs for Ethics and Standards of Conduct and Environmental Law.

The JAG Corps' technological advances are not limited to the internet but also appear in our new brick and mortar **facilities**. RLSO Midwest has a new, state-of-the-art courtroom in Great Lakes. The building housing our claims personnel in Norfolk is newly renovated. Finally, the Navy-Marine Corps Appellate Center has opened in newly-renovated Building 58 on the Washington Navy Yard.

Whether it is a new building, a new billet, or new initiative, each milestone brings us closer to our goals for JAGC 2020. Our journey is a shared one, and each of you can follow our progress throughout the year. Log onto the JAGC 2020 page on NKO anytime to read the latest update of the Strategic Transformation Execution Plan, or STEP.

There are also opportunities to share your ideas and insight into our transformation journey. Anyone can post a message on the JAGC 2020 discussion board on NKO, and the Special Assistant for Transformation's (SAT) Team will ensure the message reaches the right people. Additionally, a new JAG Corps Board of Advisors (JAGC BOA), comprised of senior officer, enlisted, and civilian leaders, convened in March 2009. The JAGC BOA will help keep our community informed of our transformation objectives and achievements and help carry feedback and ideas from our community to our leadership. You may see your idea or project on these pages next year.

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# Federal Employee Assistance Program

By Amy Stevens

Fiscal and Resource Management (Code 64)

Within the federal government, all agencies have a voluntary Employee Assistance Program (EAP) available to support personnel through free, short-term, confidential counseling and referral services. EAPs are organized to provide counseling and support for employees experiencing stressful life situations that may adversely affect employee performance and emotional health to include substance abuse, grief, family problems, divorce, financial struggles, and psychological disorders. EAP is staffed by professional counselors who are committed to assisting employees facing problems. Recent evaluations of EAPs conducted by the Office of Personnel Management (OPM) show that the programs and services are highly successful in helping employees cope with personal troubles.

**The basic services of an EAP include:**

- Confidential, free, short-term counseling to identify and assess problem(s) and to help employees in problem-solving
- Referral, where appropriate, to a community service or professional resource that provides treatment and/or rehabilitation
- Follow-up services to help an employee readjust to his or her job during and after treatment,

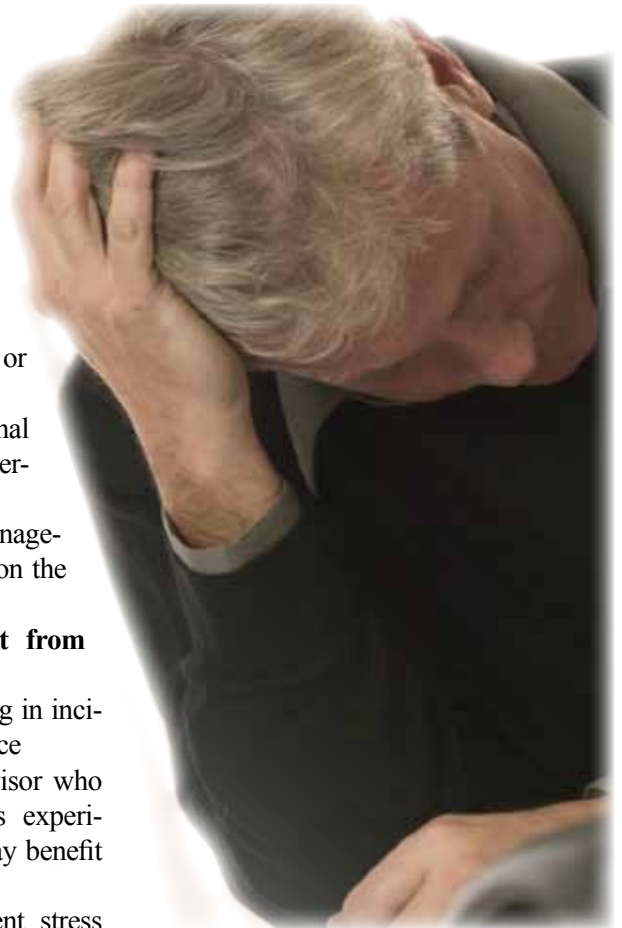
e.g., back-to-work conferences

- Training sessions for managers and supervisors on handling work-related problems that may be related to substance abuse or other personal or health-related problems
- Orientation and educational programs to promote the services of the EAP
- Briefings to educate management and union officials on the role of EAPs

**Management can benefit from EAP services by:**

- Preventing and intervening in incidents of workplace violence
- Consulting with a supervisor who suspects an employee is experiencing difficulties and may benefit from EAP
- Delivering critical incident stress debriefings
- Providing assistance to management and employees during agency restructuring or other major organizational transitions or developments

EAP appointments are generally scheduled via telephone and are as flexible as possible to accommodate employees before, during, or after their normal workday. Employers may grant excused absences or leave for those



employees who are utilizing EAP services. Employee information of those who utilize EAP services is subject to confidentiality requirements. Exceptions are rare and usually directly relate to issues of safety of the employee or others.

For additional information regarding Employee Assistance Programs and services, please visit [http://www.opm.gov/Employment\\_and\\_Benefits/worklife/healthwellness/EAP/](http://www.opm.gov/Employment_and_Benefits/worklife/healthwellness/EAP/).

*For more information or to ask a question about civilian training opportunities, contact Amy Stevens at (202) 685-5286 or at amy.stevens@navy.mil*



# Spotlight On

## ***CAPT (Ret.) David Larson***

Except for his short time as an appellate attorney with the Maryland Attorney General's Office, CAPT Larson's post-JAG Corps career has been entirely with the Office of the General Counsel in the FBI. Currently CAPT Larson is the Deputy General Counsel for the FBI. He is one of four deputies in an office of about 250 personnel and the head of the branch that provides general law advice and counsel.

"The FBI is a great home for former JAGs, because it is mission-oriented just like the Navy. Like the Navy, the career is not about making money or about 'you,' it is about serving a greater and very rewarding cause," said CAPT Larson

CAPT Larson retired in October 1995 after serving more than 29 years in the U.S. Navy. CAPT Larson has been an attorney giving legal advice on criminal procedures, investigative jurisdiction, and the use of investigative techniques. He has also been in leadership positions as the director of a unit that provides criminal law advice, and one which provides advice on protection of privacy and civil liberties.

CAPT Larson received his undergraduate degree from the University of Washington in 1965, his Juris Doctor from Santa Clara University in 1975 and his Master of Laws degree from George Washington University in 1983.

Looking back over his naval career, CAPT Larson found that his most professionally satisfying billets were as the Commanding Officer of Naval Legal Service Office Subic Bay, Philippines (1990-92) and as the Chief Judge of the Navy-Marine Corps Court of Criminal Appeals (1992-95).

For current judge advocates, CAPT Larson offers some advice. "Don't spend too much time worrying about career progression or lining up the right billets for promotion. While every judge advocate and legalman should seek billets that will make him/her well rounded, the primary goal should be to seek assignments that are professionally and personally satisfying for you. Make the most of each one without undue concern over what comes next. I didn't always get what I wanted or asked for – but each one turned out to be the right job for me," said CAPT Larson.

"Remember each day that it is an honor to serve your country and your shipmates; most lawyers don't get that opportunity. You should consider yourself blessed to be in such good company, regardless of whether it is for one tour or a career," said CAPT Larson.

## ***RDML(Ret.) David Hardy***

RDML(Ret.) David Hardy is currently the Chief of the Record/Information Dissemination Section at the FBI where he is responsible for the FBI's Freedom of Information/Privacy Act, document declassification, and prepublication review programs.

RDML Hardy retired in July 2002 after 25 years as a Navy JAG (plus five years as a Surface Warfare Officer). RDML Hardy became a JAG through the Law Education Program.

In 1972, RDML Hardy earned his undergraduate degree from the University of Texas, his Juris Doctor from the University of Texas Law School in 1980 and his Master of Laws degree from the University of Virginia Law School in 1986.

While his career gravitated toward international and operational law positions, he was fortunate to experience a rich variety of jobs. "Each was sufficiently distinct so as to present new challenges and fresh perspectives. I thoroughly enjoyed my work as a trial counsel, learning the inter-agency process and international negotiations while in the Office of the Secretary of Defense and at Naval Forces Europe, and command of a Naval Legal Service Office and OJAG Civil Law division," said RDML Hardy.

RDML Hardy felt that his time on the E-Ring was challenging and the equivalent of graduate school in learning how government really works. "I have found that the bumps and bruises of the E-Ring were superb preparation for my current position as a senior executive in a civilian agency," said RDML Hardy.

RDML Hardy worked for many incredible senior line commanders and tried to emulate their strengths in both his personal and professional life. "I have always thought that every JAG should serve at sea at some point in their career. Otherwise, I don't believe you can really understand the Navy," said RDML Hardy.

"As a staff judge advocate you'll want to satisfy the requests of your commander, yet you must say no when it is appropriate. In those instances, always seek advice of more senior judge advocates, always. If no is the correct answer, then stay the course even if your Chief of Staff gets upset with you. In the end, you will earn true respect and trust from your commander."

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

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**LT Christopher Mora** Region Legal Service Office Southeast was selected to the New Orleans City Business 2009 Leadership in Law (i.e., the top 50 lawyers in the 10-parish Greater New Orleans Region (GNO)). LCDR Mora is a reservist who is on a three-year recall to serve as the SJA for New Orleans. He is the only active duty military lawyer and Native American attorney to be listed in this annual ranking. The annual lawyer ranking looks at lawyers in both the private and public sector and is based on the quality of legal services, and impact on the GNO Region.

RADM K. M. Quinn, Commander, Naval Surface Force Atlantic, presented the Meritorious Service Medal to **CDR Peter Jankell**, USNR for his service as Legal Department Head, Naval Surface Force Atlantic, Naval Reserve Detachment 606 from October 2005 - December 2008.

RADM Joseph F. Kilkenny, Commander, Navy Recruiting Command, selected **LN1 Danelle Slack** as Navy Recruiting Command Headquarters' Sailor of the Quarter for the first quarter of CY-09. She was recognized for her outstanding legal support to more than 7,000 staff and field recruiting personnel nationwide.

In a RLSO Japan awards ceremony CAPT Stuart Belt recognized **LT Jonathan Flynn** as Junior Officer of the Year, **Mr. Gerald Sauls** as Civilian of the Year, and **SH1 Dante Ribada** as Sailor of the Quarter.

**LN1 Shawn Sargent** was the named the Sailor of the Year for CTF 70 and **LN1 Wanda Smylie** was named as the Sailor of the Year for RLSO Japan.

**LT Billy Holt** received a Navy and Marine Corps Achievement Medal from CAPT Pamela Ball, Commanding Officer, NLSO NW. This was an end of tour award for his time at NLSO NW.

The finalists for the 2008 JAG Outstanding Legalman of the Year and Naval Legal Service Command Sailor of the Year were in Washington D.C. from Mar. 8-12 for the final round of the competition.

**JAG Outstanding Legalman of the Year Finalists:**

- **LN2 Amy Alexander**, Naval Mobile Construction Battalion ONE
- **LN1 Shawn Sargent**, Commander, Carrier Strike Group FIVE
- **WINNER: LN1 Veda May**, Commander, Carrier Strike Group TWELVE

**Naval Legal Service Command Sailor of the Year Finalists:**

- **LN1 Christopher Lehman**, Region Legal Service Office Southwest
- **LN1 Christie Richardson**, Region Legal Service Office Midwest
- **WINNER: LN1 Andrea Navarro**, Region Legal Service Office Southeast Det. Fort Worth, Texas.

**LN1 Myron Chism** and **LN2 Erin Crusan**, both assigned to RLSO Midwest, were recognized for their selection as Navy Region Midwest's Senior and Junior Sailor of the Quarter for the period January to March 2009. Presenting the awards were the Region Commander, RDML Douglass Biesel, and the Region Master Chief, CMDCM(SW/AW) Aloysius Nelson. LN1 Chism was also selected as Naval Legal Service Command's Sailor of the Quarter.

On March 18th, **LCDR Andrew House** assumed Command of Naval Legal Service Office (NLSO) Central as CDR Scott Thompson prepared to depart for Afghanistan. The Change of Command Ceremony, held on the flight deck of the USS *Cabot* in the National Naval Aviation Museum at Naval Air Station Pensacola, was attended by over one hundred guests, including Rear Admiral James Houck.

VADM MacDonald presented **Mrs. Debra Ward** with the Meritorious Civilian Service Award.

CDR Shelby Hladon, Executive Officer, Region Legal Service Office Northwest, had the pleasure of reenlisting **LN1 Annette Walters**, RLSO NW Branch Office Whidbey Island. The two were dropped off on top of a snowy mountain peak in the Cascade Mountains in a MH-60S (NAS Whidbey Island's Search and Rescue helicopter).

**LT Jocelyn Loftus-Williams** received the Navy and Marine Corps Achievement Medal for outstanding performance of duties for Naval Legal Service Office Central prior to her transfer to Region Legal Service Office EURSWA.

On Jan. 21, the Naval Justice School recognized four individuals. **LCDR Melissa Powers** received the Defense Meritorious Service Medal for her work as the officer-in-charge of the Combined Review and Release Board in Iraq. **LT Anthony Capece** was given the Navy and Marine Corps Commendation Medal in recognition of his outstanding service as an instructor and division officer in military justice and administrative law. **LN1 Erin Kolb** earned the Navy and Marine Corps Commendation Medal for her impressive contributions during her time at Region Legal Service Office Southeast, Branch Office New Orleans. Finally, **LT Mike O'Regan** was named the Naval Justice School's Junior Officer of the Quarter for October - December 2008 for his efforts as course coordinator of Basic Lawyer Course 09010, division officer of the Trial Advocacy Division, and recruiting officer for NJS.

**LCDR Chris Williams** received the Colleen S. Smiley-Owendoff Teaching Excellence Award. The United States Naval Academy bestows the award annually upon a military or civilian faculty member in either the Division of Professional Development or the Division of Officer Development. LCDR Williams' name will be inscribed on a plaque permanently displayed in Luce Hall at the Naval Academy.

*See your name in print! Submit your command awards and photos to [natalie.morehouse@navy.mil](mailto:natalie.morehouse@navy.mil)*



Photos From The Fleet



LT Bryan Barletto (NLSO SW), CDR Eric Roper (RLSO SW), and CDR Mary Ellen Moss (RLSO SW) during the NLSO SW Golf Tournament at the North Island Naval Air Station.



TF 134 FOB Football team. Standing (left to right): LT Gavan Montague, LT Phil Angeli, Capt Reese Hays, LT James Head, LT Justin McEwen, Capt Andrew Nolan, Capt Wes Duncan. Kneeling (left to right): Capt Justin Swick, MSgt Jeffrey Julig, LCDR Brandon Keith.



Navy JAG team that supported ADM Walsh in his review of conditions of detention at Guantanamo Bay, pursuant to the President's Executive Order. Pictured from Left to Right are CAPT Pat McCarthy; ADM Pat Walsh, LCDR Elysia Ng; and CDR Erin Stone.



Task Force 134 Legal Headquarters on Camp Liberty in Baghdad, Iraq. Pictured from left to right are Capt Seth Rundle, USAF, LT Dan Napier, LT Mario Correa, and LT Will Bloomfield.



Navy IAs currently serving with Multi National Force – West in Al Asad Air Base, Iraq: LT Sean Thompson, LCDR Dave Lee, LT Jared Edgar, LT Tim French, and LCDR Josh Nauman.



LCDR Byron Divins, Jr. with children during a recent TAD in Afghanistan. LCDR Divins is the Officer-in-Charge of RLSO EURSWA Detachment Bahrain.



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Public Affairs Office  
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Navy and Marine Corps Court of Criminal Appeals . From left: 1. Judge Lewis Booker 2. foreground (LCDR James Carsten, Senior Law Clerk) 3. Judge John Maksym 4. Judge Robert Kelly 5. Senior Judge Robert Vincent 6. Senior Judge John Feltham 7. Chief Judge Daniel O'Toole 8. foreground (LtCol Richard Posey, Deputy Division Director, Appellate Defense) 9. Senior Judge Eric Geiser 10. Senior Judge Stuart Couch 11. foreground (Major Elizabeth Harvey, USMC, Appellate Government Counsel) 12. foreground (LT Dillon Ambrose, Appellate Defense Counsel) 13. Judge Joseph Stolasz 14. Judge Eric Price