



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
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WASHINGTON, DC 20350-1000

SECNAVINST 1520.7F
N79
6 September 2002

SECNAV INSTRUCTION 1520.7F

From: Secretary of the Navy
To: All Ships and Stations

Subj: LAW EDUCATION PROGRAM

Ref: (a) Title 10, United States Code
(b) DOD Directive 1322.12 of 12 Apr 74, Funded Legal Education (NOTAL)
(c) DOD 5500.7-R of 7 Aug 93 (NOTAL)
(d) SECNAVINST 1120.5A (NOTAL)
(e) SECNAVINST 1210.5A
(f) SECNAVINST 1920.6B

Encl: (1) Law Education Program Guidance
(2) Law Education Program Brief Sheet

1. Purpose. To establish policies and procedures for the Law Education Program (LEP) for the Department of the Navy, under section 2004 of reference (a) and reference (b). This instruction is a complete revision and should be reviewed in its entirety.

2. Cancellation. SECNAVINST 1520.7E

3. Applicability. The provisions of this instruction apply to all officers on the active duty list of the Navy and Marine Corps and all Navy Training and Administration of Reserves (TAR) officers (except officers in the Medical, Dental, and Nurse Corps). Detailed program guidance is included in enclosures (1) and (2).

4. Policy. In meeting the needs of the Navy and Marine Corps for career force judge advocates, it is Department of the Navy policy to use LEP to attract career-oriented commissioned officers, distributed among year groups, to serve as judge advocates by providing an opportunity to obtain fully funded legal education. The following conditions pertain:

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a. Law schools attended must be accredited by the American Bar Association (ABA).

b. Program participants must complete their Bachelor of Laws or Juris Doctor Degree within 36 months.

c. No agreement detailing an officer to law school may be implemented during a period in which the President has been authorized to induct persons into the armed forces involuntarily. During such periods, judge advocates will be identified through other sources. Agreements in effect at such time will not be voided by nature of induction authority.

d. No more than 25 officers in the Department of the Navy may begin law school in a single fiscal year.

5. Eligibility. Upon commencement of legal studies under orders to LEP, all Department of the Navy candidates for LEP must meet conditions in subparagraphs a through f below, which are established by references (a) and (b) and cannot be waived.

a. Education. Hold a baccalaureate degree from an accredited institution.

b. Paygrade. Be an O-1, O-2, or O-3.

c. Service Requirements.

(1) Hold United States citizenship and be serving on active duty as a commissioned officer on the active duty list, or on active duty for duty with the Navy TAR Program.

(2) Have served on active duty for a period of not less than two years and not more than six years (in officer and/or enlisted status).

(3) Be able to complete 20 years of active service as a commissioned officer before their 55th birthday.

d. Medical, Dental and Nurse Corps Officers. Medical, Dental, and Nurse Corps officers are ineligible.

e. Marine Corps Reserve Officers. Marine Corps reserve officers must apply for, and be offered, regular commissions prior to being considered by the LEP selection board.

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f. Nuclear Power Trained Officers. Naval officers who are nuclear power trained and have received special pay for such qualification must substantially fulfill the service requirements for nuclear training prior to becoming eligible for LEP. See MILPERSMAN 1212-010.

g. Aviation Trained Officers. Aviation officers who have completed training, been designated 1310, 1315, 1320 or 1325 and receive Aviation Career Incentive Pay (ACIP) must substantially fulfill Minimum Service Requirements (MSR) prior to being eligible for LEP. See MILPERSMAN 1212-010.

6. Responsibilities

a. Assistant Secretary of the Navy (Manpower and Reserve Affairs) (ASN(M&RA)), with advice from the Judge Advocate General, establishes the annual quotas for LEP.

b. Chief of Naval Operations (N79)

(1) Establishes policy for LEP.

(2) Serves as resource sponsor.

c. Commandant of the Marine Corps manages LEP for the Marine Corps, including:

(1) Recommends to the Judge Advocate General, by February each year, the number of Marine Corps officers to be selected.

(2) Receives applications, conducts initial screening, and acts on requests to take the Law School Admission Test after the 1 May application deadline.

(3) Prepares all material for the selection board.

(4) Writes the board precept, convenes the selection board, gives final approval and maintains records of board actions, and notifies candidates of their status.

(5) Prepares service agreements for signature, selects law schools, notifies selectees of their schools, acts on requests to attend school on an accelerated or decelerated basis, assigns appropriate designator and details selectees.

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(6) Monitors program participants at law school, determines summer assignments, acts on requests for outside employment and administers procedures to disenroll members from the program.

(7) Recommends to the Judge Advocate General the certification of those Marine Corps officers considered qualified to perform duties as trial and defense counsel of general courts-martial.

(8) Publicizes the program in the Marine Corps.

d. Judge Advocate General

(1) Recommends to ASN(M&RA) by 1 February each year, LEP yearly quota for the Department of the Navy.

(2) Informs Commanding Officer, Naval Education and Training Professional Development and Technology Center (NETPDTTC) (N2A2), Commandant of the Marine Corps, and Superintendent, Naval Postgraduate School of the approved quota.

(3) In coordination with Naval Postgraduate School, selects law schools for naval officers.

(4) Determines summer assignments in coordination with commands and Commander, Navy Personnel Command(PERS-4). In addition, acts on requests for outside employment and administers procedures to disenroll members from the program.

(5) Certifies those Department of the Navy officers considered qualified to perform duties as trial and defense counsel of general courts-martial and designates Marine Corps officers so certified as judge advocates.

(6) In coordination with Superintendent, Naval Postgraduate School, monitors performance of program participants at law school and acts on any requests to attend law school on an accelerated or decelerated basis.

e. Deputy Chief of Naval Personnel (PERS-00B)

(1) Approves selection board precept, convenes the selection board and approves the final report.

(2) Provides administrative support to the selection board.

(3) Details naval officer selectees to law school and to summer assignments.

(4) Initiates designator change to 250X for naval officer participants.

f. Chief of Naval Education and Training oversees the implementation of policy and management of LEP for the Navy.

g. Commanding Officer, NETPDTC (N2A2)

(1) Manages LEP for the Navy.

(2) Screens all Navy applicants for eligibility.

(3) Counsels and advises all Navy applicants on application status.

(4) Prepares all material for the selection board.

(5) Acts as board sponsor, technical advisor and retains all permanent records of board actions.

(6) Notifies candidates of their status and prepares service agreements for signature.

(7) Publicizes the program throughout the Navy.

h. Form. NAVCRUIT 1100/13, Interviewer's Appraisal Sheet, S/N 0114-LF-011-0065, may be obtained through the Navy Supply System or by contacting the Judge Advocate General (Code 61.4).

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LAW EDUCATION PROGRAM GUIDANCE

1. Application Procedures. Eligible officers who desire to apply for LEP must submit a letter request via their Commanding Officer. Letters must reach Commanding Officer, NETPDTC (N2A2) prior to 1 February, or Administrative Action (AA) forms must reach Commandant of the Marine Corps (Code MMOA-5) prior to the date as published in the annual MARADMIN of the fiscal year in which the applicant desires to begin law school. Application letters shall follow standard Department of the Navy correspondence format and include the following:

a. Names of all colleges attended and date baccalaureate (or any other degree) was received. State class standing, if known, and cumulative grade point average. Enclose copies of all college transcripts.

b. Active Duty Base Date (ADBD). ADBD is the date computed to represent the date when all service on active duty in any of the U.S. Forces, or in a Regular or Reserve component, would have commenced if it were continuous to the present.

c. Statement of legal education completed and any legal training/experience gained in civilian and/or military life.

d. A prioritized list of ABA-accredited law schools in the United States to which the applicant has applied. Applicants are encouraged to apply to more than one school. Applicants must apply to at least one law school in which in-state tuition fees can be obtained and one school near the officer's current duty station. Note: Navy officers may provide letters of acceptance as received. Marine Corp officers shall submit law school acceptance letters as received prior to the convening of the LEP selection board.

e. The date the Law School Admission Test (LSAT) was taken and enclose a copy of the score report. Applicants must take the LSAT at their own expense. All LSAT scores must be submitted and received prior to convening of the selection board. The LSAT is administered by the Law School Admission Service, Box 2000, Newton, PA 18940, in February, June, October and December.

f. A statement of 500 words or less indicating the steps the applicant has taken to learn about a career as a member of

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the Judge Advocate General's Corps or as a Marine Corps Judge Advocate and the reasons for seeking such a career.

g. Prior to submitting an application, naval officers shall be interviewed by a senior (O-5 or O-6) active duty officer of the Judge Advocate General's Corps, and Marine Corps officers shall be interviewed by a senior (O-5 or O-6) Marine Corps Judge Advocate. Candidates shall refer to this interview and identify their interviewer in their application letter. Only the most recent interview will be placed before the selection board.

h. Current work mailing and E-mail addresses and phone number must be included.

2. Other Requirements

a. Navy. Appraisals of Navy candidates will be documented by the interviewer using an Interviewer's Appraisal Sheet (NAVCRUIT 1100/13). Completed forms must be forwarded by the interviewer to NETPDTC (N2A2), with a copy to the Judge Advocate General (Code 61.4).

b. Marine Corps. A letter of recommendation from the interviewer is required for Marine Corps officers. Letters will be forwarded to the Commandant of the Marine Corps (Code MMOA-5).

c. All candidates may submit copies of their most recent fitness report or awards if they are not yet in their official service record.

d. Letters of recommendation will neither be considered nor placed before the selection board for either service.

3. Criteria for Selection of Law School. The Judge Advocate General approves the law school to be attended by naval officers. The Commandant of the Marine Corps approves the law school for Marine Corps officers. The following criteria pertain:

a. The rigor and recognized reputation of the school are a fundamental consideration and may outweigh all other elements.

b. Cost of tuition and fees, including the possibility for reduced tuition based on in-state tuition rates.

c. Change of duty station entitlement and proximity of the school to the officer's current duty station.

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d. Opportunities for a full-time, year-round academic study.

e. The availability of military supervision, administrative support and summer Navy/Marine Corps legal training in the area of the desired school.

4. Selection Procedures and Criteria

a. The Chief of Naval Personnel (CHNAVPERS) and the Commandant of the Marine Corps will convene separate LEP selection boards annually. Selection board membership consists of the following:

(1) Navy. Active duty list officers. The majority must be in the Judge Advocate General's Corps and at least one must be an O-6.

(2) Marine Corps. Active duty list officers. At least two must be judge advocates and at least one must be an O-6.

b. Board members shall select those program participants best qualified for selection for LEP and appointed in the Judge Advocate General's Corps or designation as a Marine Corps Judge Advocate, as appropriate, based on the following:

(1) Completeness and quality of the application.

(2) Command endorsement.

(3) Quality of academic and military records.

(4) LSAT score.

(5) Interview results.

5. Assignment

a. Selectees will not be assigned to a law school until they execute the service agreement prepared by NETPDTC (N2A2) or the Commandant of the Marine Corps, as appropriate.

b. Selectees will be assigned for administrative purposes to a Navy or Marine Corps activity near the law school to be attended, in the status of duty under instruction. They will be eligible for all pay and allowances appropriate to their grade and length of service. Hazardous duty pay, special pay (e.g., sea pay) and incentive pay (e.g., flight pay) to which the

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officer may be entitled, by virtue of special qualification or prior duty assignment, is subject to termination upon reporting to law school. Service obligations, which accrued as a result of participation in LEP, are computed in accordance with applicable rules and regulations and are in addition to any obligation incurred as a result of participation in LEP.

c. Mandatory tuition and fees will be paid by the Department of the Navy. Up to \$500 will be provided annually for required textbooks and up to \$1,500 will be paid for one bar examination review course.

d. The Chief of Naval Education and Training and the Commandant of the Marine Corps shall prescribe procedures in the service agreement for the submission of semester and final transcripts and evidence of admission to the bar.

e. Per section 2-303 of reference (c), participants may not engage in outside paid employment without the prior written approval of the Judge Advocate General or the Commandant of the Marine Corps (with the approval of the Staff Judge Advocate to the Commandant). Permission to engage in outside paid employment will normally be granted only when such employment would enhance the professional qualifications or performance of program participants.

f. At the discretion of the Judge Advocate General or the Commandant of the Marine Corps, program participants will be required to attend either summer school or accept assignment to a legal office during summer vacation periods. To the extent possible, legal office duty shall involve legal or paralegal tasks consistent with the training and experience of the officer. Legal office duty will be performed at a command at the discretion of CHNAVPERS (PERS-4) or CMC (JAS). CHNAVPERS (PERS-4) or the CMC will provide necessary funds and issue temporary additional duty orders for summer military duty.

6. Appointment, Designation and Service Requirements

a. Navy selectees shall be designated as student judge advocates (195X) without a change in Regular or Reserve status, grade or date of rank. In accordance with references (d) and (e), upon successful completion of law school and admission to the practice of law as described in paragraph 6d, LEP participants shall be designated as judge advocates (2500) in the Regular Navy. Upon successful completion of the Basic Lawyer Course at Naval Justice School, they shall be certified by the

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Judge Advocate General as qualified and competent to perform duties as trial and defense counsel of general courts-martial. In such capacity, they will accept transfer or detail as judge advocates.

b. Marine Corps selectees shall be designated as student judge advocates (4401) without a change in Regular or Reserve status, grade, date of rank, service in grade for promotion eligibility or position on the active duty list or promotion list. Upon successful completion of law school and the Basic Lawyer Course at Naval Justice School, and admission to the practice of law as described in paragraph 6d, they shall be certified by the Judge Advocate General, upon the recommendation of the Commandant of the Marine Corps (Code JA), as qualified and competent to perform duties as trial and defense counsel of general courts-martial and designated as judge advocates (4402). In such capacity, they will accept transfer or detail as judge advocates.

c. All program participants will serve on active duty following completion of the program for two years (24 months) for each year (12 months), or any part thereof, of legal training in the program. "Training in the program" commences as of the date of reporting for duty under instruction, at the unit to which the officer is assigned while attending law school, and terminates on the earliest of the following dates: (1) admission to the practice of law before a Federal court or the highest court of a State, a U.S. Territory, the Commonwealth of Puerto Rico or the District of Columbia; (2) detachment from duty under instruction; or (3) conferral of a law degree. The active duty service obligation commences on the day following the date an officer's training terminates. The obligation and time spent in law school are in addition to any other remaining service obligation (i.e., U.S. Naval Academy, Officer Candidate School or Naval Reserve Officer Training Corps) incurred by the officer under any other provisions of law or by agreement. The obligation for additional service is not met while a program participant is attending law school. Time spent during summer vacation, under orders at a legal office or in a leave status is considered as time participating in LEP and counts on a day-for-day basis toward obligated service accrued prior to entering the program.

d. An officer will make prompt application for admission to the practice of law upon completion of law school. Application will be made to a Federal court, or the highest court of a State, the District of Columbia, a U.S. Territory or the Commonwealth of Puerto Rico. The court selected must have jurisdiction over (1)

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the site of the law school attended, (2) the officer's domicile or (3) with the approval of the Judge Advocate General, any other place in which the officer may be eligible to seek admission to the practice of law. If a bar examination is required in the jurisdiction for which he or she is seeking admission, the officer will take the first bar examination after receipt of the law degree. In the event the officer fails the first bar examination, he or she will take the next examination at his or her own expense. When the officer passes the bar, he or she will make prompt arrangements (at no cost to the government) to proceed to, and be admitted to, the practice of law before a Federal court, the highest court of a State, the District of Columbia, a U.S. Territory or the Commonwealth of Puerto Rico. In the event that an officer fails to be admitted to the practice of law within one year from the date of graduation from law school or fails to successfully complete the Basic Lawyer course at the Naval Justice School, that officer will serve, unless sooner separated under reference (f), the period of obligated active duty service, computed in paragraph 6c, in that officer's former designator or military occupational specialty (MOS), in addition to any service obligation incurred by that individual under any other provisions of law or agreement.

7. Termination

a. Prior to graduation, an officer may be disenrolled from the program for deficiency in academic performance, abandonment of the study, or other good cause.

(1) Abandonment of the study shall include, but not be limited to, voluntary disenrollment from law school.

(2) Deficiency in academic performance shall include, but not be limited to, suspension or expulsion from law school, receipt of one or more failing grades, placement on academic probation, or failure to graduate within three years of admission to law school.

(3) Deficiency in conduct shall include, but not be limited to, criminal conviction by court-martial or civilian tribunal, receipt of nonjudicial punishment, a finding of misconduct or substandard performance of duty before an administrative separation board or commission of such behavior, recognized as inconsistent with either the high standards of conduct for officers or the ethical standards of the legal profession.

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b. While still in law school, the officer shall be notified, in writing, of the grounds upon which he or she is being considered for termination and shall be afforded an opportunity to make a written reply. Such reply, if made, shall be considered by the Judge Advocate General or the Commandant of the Marine Corps in determining whether the officer should be disenrolled from the program. The grounds for the final decision shall be set forth in writing and a copy provided to the officer.

c. An officer disenrolled from the program will incur, unless sooner separated under reference (f), a one-year active duty service obligation in that officer's former MOS or designator, for each year (12 months) or any part thereof of his or her training in LEP computed as described in paragraph 6c, not to exceed three years. This is in addition to any other service obligation incurred by the officer.

d. Under Section 2005 of reference (a), an officer who, voluntarily or because of misconduct, fails to complete the period of active duty incurred, will reimburse the United States Treasury in an amount that bears the same ratio to the total cost of law school provided the officer, as the unserved portion of active duty bears to the total period of active duty the officer has agreed to serve. The cost of education for the program includes all monies paid under paragraph 5c.

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LAW EDUCATION PROGRAM BRIEF SHEET

The Law Education Program provides for a maximum of 25 Navy and Marine Corps officers to enter law school annually, to earn the degree of bachelor of laws or juris doctor, and then to serve as career judge advocates. Applicants must be on active duty as commissioned officers, be college graduates, and be in pay grade O-1, O-2 or O-3, with 2 to 6 years active service (including any active enlisted time) as of the time of proposed entry into law school. Applicants must also be able to complete 20 years of active service as a commissioned officer in grades W-2 or above before their 55th birthday. Applicants must have taken the Law School Admission Test and have applied to an ABA-accredited law school. Annually, applications must reach Commanding Officer, NETPDTC (N2A2) by 1 February (Navy) or the Commandant of the Marine Corps (Code MMOA-5) prior to the date as published in the annual MARADMIN of the fiscal year in which the applicant desires to begin law school (Marines). Obligated service is 2 full years for each full year or any part thereof in the program, in addition to any other obligation that the individual has incurred. Applicants are encouraged to apply to as many law schools as desired, including at least one in which "in-state" tuition fees can be obtained. Applicants must be interviewed by a judge advocate and state their reasons for seeking a career as a judge advocate.

DISPLAY ON BULLETIN BOARDS AND PUBLISH AS APPROPRIATE, THEN DESTROY. INCLUSION IN THE PLAN OF THE DAY IS RECOMMENDED. USE OF THIS INFORMATION BY NAVY BROADCASTING SERVICE/AFRT OUTLETS ASHORE AND BY SITE TELEVISION OPERATORS AFLOAT IS STRONGLY ENCOURAGED.

Enclosure (2)