



MCWP 11-10

Marine Corps Legal Support



U.S. Marine Corps

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UNITED STATES MARINE CORPS

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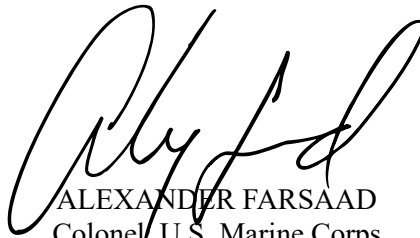
FOREWORD

Legal support is an integral part of the Marine Corps' responsibility to organize, train, equip, and provide forces to serve as an expeditionary force-in-readiness. Marine Corps Warfighting Publication (MCWP) 11-10, *Marine Corps Legal Support*, outlines the doctrinal basis for how the Marine Corps legal community provides such legal support. This publication describes the doctrinal elements of legal support, including the two types of legal support (command legal advice and legal services support), the six functions of legal support, how the Marine Corps legal community is organized, and the role of judge advocates in the planning process. MCWP 11-10 provides the foundation for the employment of legal professionals—whether officer, enlisted, or civilian—based on legal requirements and accumulated best practices.

This publication is intended primarily for commanders, staff officers, and legal professionals who want to understand the doctrinal fundamentals surrounding legal support. Nonetheless, all Marines who employ legal professionals should read MCWP 11-10. Additionally, any organization or activity that requires an understanding of legal support within the Marine Corps should start here.

This publication supersedes MCWP 11-10, *Marine Corps Legal Support*, dated 19 June 2018.

Reviewed and approved this date.



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CHAPTER 1.

FUNDAMENTALS

Within the Marine Corps, having Marine judge advocates serve as unrestricted line officers, expected to maintain themselves as well-rounded MAGTF officers, makes for not only a better Marine officer, but also a more effective Marine judge advocate.

—Final Report of the Independent Review Panel to
Study the Judge Advocate Requirements of the Department of the Navy

Commanders are responsible for maintaining good order and discipline and conducting military operations in accordance with the law, regulations, and policy. Changes in the law, regulations, and policy, as well as changes at the strategic, operational, and tactical levels of warfare, have dramatically increased the number of legal issues and have significantly impacted military operations. Marine Corps commanders, whether in garrison or deployed, are confronted daily with complex, technical legal issues. Commanders have also long recognized that good order, discipline, morale, and readiness are all command responsibilities that share a connection with combat readiness and effectiveness. Having professional and comprehensive legal support is necessary to respond to legal issues, necessitating the assignment of legal professionals throughout the Fleet Marine Forces (FMF), supporting establishment, and Headquarters, United States Marine Corps (HQMC).

Despite the growing legal complexity of today's operating environment, the Marine Corps remains dedicated to two major concepts relative to legal support: that Marines provide legal support to fellow Marines, and that Marines who provide legal support are unrestricted and not a separate corps. Although lawyers in the Marine Corps are called judge advocates, the Marine Corps has no Judge Advocate General Corps. The legal community provides the Marine Corps flexibility in that its members can be used in a broad span of assignments necessary to meet requirements.

These two major concepts originate from the character of an expeditionary force, a character that necessitates legal support inseparably intertwined with the force it helps maintain. These concepts also directly align with the Service culture and the emphasis on the commander's responsibility both to ensure mission accomplishment and to maintain good order and discipline. The legal community is one of the many fibers within the fabric of the Marine Corps and its warfighting ethos.

Legal support requirements are significant and continue to increase, particularly as the number and scope of laws and regulations expands. Consequently, identifying and fulfilling legal support requirements is essential to the Marine Corps' fulfilling its role in helping to preserve the security and prosperity of the Nation.

MISSION

The mission of the Marine Corps legal community is to provide timely, efficient, and appropriate command legal advice and legal services support to commanders, Marines, Sailors, and their dependents to promote readiness and to contribute to mission accomplishment.

MARINE CORPS LEGAL COMMUNITY

Marine Corps judge advocates, legal administrative officers (warrant officers), enlisted legal services specialists, and civilian personnel comprise the Marine Corps legal community. For more information on legal support military occupational specialties (MOSs), refer to the current Navy/Marine Corps Departmental Publication 1200.1L, *Military Occupational Specialties Manual*. Although there are a significant number of civilian members, the majority of the Marine Corps legal community is composed of uniformed Marines. Uniformed Marines support the Marine air-ground task force (MAGTF) across the competition continuum, including in expeditionary environments. Aside from the Marine Corps and its Navy counterparts, they also provide support at the joint force level and to other Department of Defense (DoD) agencies as needed.

Members of the Marine Corps legal community can serve tours in nonlegal billets, including command, staff, and leadership positions in areas such as recruiting and recruit training, and can serve as students at resident military schools. Service in these positions produces legal Marines who have a greater understanding of the Service's ethos and expectations, ultimately leading to providing better advice and support to commanders and their staffs. Additionally, assignments outside legal duties enable members of the legal community to cultivate strong and enduring relationships with fellow Marines of different backgrounds.

THE ORIGINS OF THE MARINE CORPS LEGAL COMMUNITY

The story of the Marine Corps legal community begins with Captain William Butler Remey, a Civil War veteran who served as acting judge advocate of the Marine Corps on two occasions between 1870 and 1875. In 1878, Secretary of the Navy Richard W. Thompson designated Captain Remey as acting judge advocate for the Department of the Navy. In 1880, Congress agreed to create a permanent, statutory position. Shortly thereafter, Captain Remey was promoted to Colonel and appointed as the first Judge Advocate General of the Navy.

Although a Marine officer has not held that position since then, Marines have served as judge advocates at HQMC and field commands since that time. Around 1910, Marine Corps line officers began to receive postgraduate legal training under the philosophy of broadening line officers' understanding of the law. Beginning in 1951, following the enactment of the Uniform Code of Military Justice (UCMJ) and the issuance of the first Manual for Courts-Martial, senior Marine lawyers served as Head of the Discipline Branch in the Personnel Department of HQMC.

During that post-World War II period, the growing legal demands from the UCMJ and follow-on legislation required the Marine Corps to select additional line officers to receive legal training and a degree through the Navy postgraduate law program. These officers served in both legal and non-legal billets, though they retained their non-legal primary MOSs. In 1958, the Marine Corps established a permanent legal MOS, and in 1962 the Marine Corps created an independent legal occupational field.

In 1966, Congress authorized an additional general officer in the Marine Corps to allow the Commandant of the Marine Corps' (CMC's) senior legal advisor to be a brigadier general. Then, in 1968, the CMC separated the Discipline Branch from the Personnel Department and designated it as Judge Advocate Division (JAD), with the CMC's senior lawyer serving as Director of JAD. In 1986, as part of the Fiscal Year 1987 National Defense Authorization Act, Congress created permanent, statutory authority for the Staff Judge Advocate (SJA) to the CMC.

DUAL PROFESSIONALS

Members of the legal community have the privilege of belonging to two distinct, yet similar, professions: the profession of arms and the profession of law. A profession is generally characterized as having, among other things: specialized knowledge that it applies to resolve specific problems; a duty of service to others; unique expertise gained through education and training, with the requirement for continuing education; distinct values, ethics, and ethos; internal regulations on who can join and who must leave; and customs and traditions.

The overlapping requirements between the two professions are what make members of the legal community effective Marines. The requirements of the profession of law complement and reinforce the requirements of the profession of arms. Like Service members, members of the legal community are part of an "uncommon" profession, seeking not personal gain, but advancement of the Nation's goals.

PRINCIPLES

The Marine Corps legal community operates with three fundamental principles that guide its actions in support of the Marine Corps:

- Marines First. Judge advocates, legal administrative officers, and legal services specialists are, first and foremost, Marines who adhere to the Service's core values, maintain individual and collective readiness, and ensure the welfare of those in their charge.
- Professionalism. Just as the military is a profession, so too is the practice of law. Members of the Marine Corps legal community are bound to follow ethical and professional responsibilities.
- Mission Accomplishment. The Marine Corps legal community provides timely and accurate legal support that enables commanders to accomplish their missions, supports commanders in maintaining good order and discipline, protects individual rights, and enhances personal and unit readiness.

TYPES OF LEGAL SUPPORT AND FUNCTIONAL AREAS

There are two types of Service-level legal support: command legal advice and legal services support. Command legal advice is primarily provided by the command's SJA and that SJA's staff, while legal services support is primarily provided by various organizations working out of law centers located on Marine Corps installations in the United States and Japan. Chapter 2 provides further discussion.

The legal community provides the Marine Corps with legal support across six functional areas:

- Military justice.
- International and operational law.
- Administrative law.
- Civil law.
- Legal assistance.
- Legal administration and management.

Chapter 3 describes each of these functional areas in detail.

CHAPTER 2.

COMMAND LEGAL ADVICE AND LEGAL SERVICES SUPPORT

Members of the legal community provide Service-level legal support to commanders in two ways: command legal advice, primarily provided by SJAs, and legal services support, primarily provided by various organizations located at law centers at Marine Corps installations. An understanding of each type of legal support is necessary for commanders, their staffs, and members of the legal community to ensure that those with the right skills and knowledge perform required legal tasks.

COMMAND LEGAL ADVICE

Command legal advice is the legal advice provided by judge advocates in their roles as command advisors, generally while in an SJA billet. The provision of command legal advice is a component of command and control. Legal advice helps inform the commander's decision-making process with respect to ensuring good order and discipline, maintaining unit readiness, and accomplishing assigned missions. Command legal advice is provided across all six legal functional areas and includes that advice required by law and regulation. Command legal advice helps commanders make sound decisions informed by the law, ethics, and policy.

The precursors of command legal advice in the United States began with the Continental Army in July 1775 when General George Washington selected a judge advocate general shortly after taking command. Washington saw an immediate need for a judge advocate to help manage the discipline of the newly created army. More broadly, Washington foresaw that commanders would require uniformed lawyers to assist in administering both the specialized body of laws that apply to Service members and the laws that govern armed conflict. The requirement for a judge advocate was validated during the Revolutionary War and remained as the United States became a country.

Modern command legal advice requirements are tied to the commander's desire for legal advice in various areas. While the judge advocate role began as an administrator of the military justice system, the operational legal needs of commanders—particularly advice on the law of war—increased rapidly during and following the US Civil War. As the legal issues confronting commanders and Service members evolved and expanded, so did the areas in which uniformed lawyers supported commanders. Although military justice and operational law continue to be cornerstone functions of the Marine Corps legal community, responsibilities have expanded to include additional functional areas (see Chapter 3). The education, training, experience, and shared ethos that judge advocates offer commanders make judge advocates qualified to advise and support on nonlegal issues as well.

Command legal advice requirements exist at nearly every level of command. Commanders exercising general court-martial convening authority (GCMCA) must fulfill statutory and regulatory duties that require legal advice from a judge advocate. The duties of these commanders and their staffs that require legal advice are numerous, diverse, and situation dependent. These duties exist in garrison, during operations and exercises, and in combat.

The legal advice requirements of commanders who do not exercise GCMCA are generally fulfilled by a superior commander's SJA. However, some commanders without GCMCA have sufficient command legal advice requirements to justify the full-time assignment of a judge advocate to serve as a special or personal staff officer. Such assignments occur frequently, resulting in judge advocates assigned to Marine expeditionary units, special purpose MAGTFs, Marine littoral regiments, and The Basic School, among other commands.

The term "command legal advice" is a term of art that refers to the independent legal advice provided by judge advocates in accordance with United States Code, Title 10, *Armed Forces*, subtitle C, part I, chap. 806, sec. 8046(d), *Staff Judge Advocate to the Commandant of the Marine Corps*. The advice of judge advocates is—

- Free from outside influence—no one within the DoD may interfere with a judge advocate's ability to provide independent legal advice to commanders.
- Subject to professional responsibility obligations that stem from judge advocates being members of the profession of law. The principle that the legal advice of judge advocates is free from interference is reinforced by Article 6(b), UCMJ, which requires convening authorities to "communicate directly with their staff judge advocates" in military justice matters.

LEGAL SERVICES SUPPORT

Legal services support encompasses the recurring legal support tasks that are executed to implement a commander's decision, sustain the force, and support Service members, retirees, and their dependents. Legal services support falls within general sustainment or tactical-level logistics, depending on the organization providing the services. Legal services support tasks are executed across all legal support functional areas.

Legal services support in garrison is primarily provided at law centers that are located within the supporting establishment. The law centers provide continuous legal services support to all Marine Corps units as a function of general sustainment.

The primary role of SJAs and their staffs is command legal advice, which is a component of command and control. However, SJAs can provide limited legal services support to the command and subordinate units under the command services sub-function of tactical-level logistics. This legal services support is limited to those services within the organic capability of the SJA's office, such as notary services. Limited legal services support is provided to individual clients only when that support does not interfere with the attorney-client relationship between the SJA and the Department of the Navy.

In recent decades, legal services support to a deployed MAGTF was task-organized from legal community personnel within the Marine logistics groups based on mission requirements. This task-organized section or team included personnel able to provide the full range of legal services support. Thus, the forward-deployed, task-organized section or team included the personnel necessary to conduct courts-martial.

Changes in the law and the conduct of warfare, informed by lessons learned from Operations ENDURING FREEDOM and IRAQI FREEDOM, have increased the cost and decreased the benefits of conducting courts-martial in a forward-deployed environment. The growing complexity of courts-martial, in addition to the length of time and resources involved, make their execution in a forward-deployed environment difficult and resource-intensive. There are often no combat exceptions to Constitutional, statutory, and Presidential rules designed to protect accused Service members' rights. Pre-deployment planning should evaluate whether the command will need the personnel and resources to conduct courts-martial during the deployment. In cases where the required personnel and resources for a court-martial are not deployed with the command, the commander should consult with the SJA.

Legal assistance for the personal, civil legal affairs of Service members also exists wherever Marines serve. Certain legal assistance services may be provided in a forward-deployed environment by the SJA office as limited legal services support discussed above. However, many legal assistance services can be obtained prior to deployment as part of a robust pre-deployment program. Should pre-deployment manpower planning identify the need for additional legal personnel to support limited legal assistance services, the command should request augmentation using standard procedures.

CHAPTER 3.

FUNCTIONAL AREAS

The Marine Corps legal community executes its mission across six functional areas:

- Military justice.
- International and operational law.
- Administrative law.
- Civil law.
- Legal assistance.
- Legal administration and management.

The primary purpose of the tasks entailed in each of these functional areas is to enhance mission accomplishment, unit readiness, quality of life, and, when applicable, to protect the rights of affected parties. The legal community enables effective and efficient operations by providing commanders and individual Marines and Sailors, and their dependents, with legal solutions wherever and whenever required.

The backbone of each of the six functional areas is the ability to recruit and retain the right people, to educate and train them, to assign them properly, and to promote processes that ensure efficient and effective delivery of legal support. Each of the six functional areas, along with the capabilities they offer, are described in the following paragraphs.

NOTE: Some legal functional areas, including environmental law, civilian personnel and labor law, real property and land use law, and acquisition law, among others, are provided to the Marine Corps by the Office of Counsel for the Commandant, a subordinate office to the Department of the Navy Office of the General Counsel.

MILITARY JUSTICE

The military justice functional area consists of those capabilities necessary and incident to the investigation and disposition of misconduct by a Service member through nonjudicial and judicial means, including post-trial and appellate review. The function also includes advising commanders on the appropriate disposition of misconduct, as well as advice throughout the process. The Marine Corps legal community provides the following military justice capabilities at the Service-level: prosecution, defense, legal assistance to victims of crime, court reporting, and post-trial review. The prosecution function is performed by two distinct entities depending on the nature of the alleged misconduct. The Marine Corps Office of Special Trial Counsel (OSTC) exercises disposition authority over, and prosecutes, covered offenses, as listed in Article 1(17) of

the UCMJ. If the OSTC determines that a reported offense is a covered offense, the OSTC may also exercise authority over any offense that the OSTC determines to be related to the covered offense and any other offense alleged to have been committed by a person alleged to have committed the covered offense. For non-covered offenses, over which the OSTC does not exercise authority, commanders are the disposition authority, and the prosecution function is provided by the Trial Services Organization (TSO). Other military justice capabilities are provided at the Departmental level by the Office of the Judge Advocate General of the Navy (OJAG), including trial and appellate judiciary and appellate counsel. Members of the Marine Corps legal community work alongside Navy personnel in these OJAG billets to represent the values and interests of the Marine Corps.

NOTE: The list of covered offenses is provided in United States Code, Title 10, *Armed Forces*, subtitle A, part II, chap. 47, sec. 801(17), Article 1. *Definitions*.

Among the principal reasons that the Marine Corps has earned its reputation as an effective fighting force is the strict adherence to good order and discipline by Marines who embrace the highest standards of conduct and performance. The United States expects, and its laws require, that justice and due process are rendered before Service members are deprived of their life, liberty, or property. Congress and the President have provided the UCMJ and Manual for Courts-Martial to ensure that due process rights are afforded to those accused of crimes while maintaining the interest of justice and the effectiveness of the Armed Forces of the United States. The Preamble to the Manual for Courts-Martial best captures this dynamic: “The purpose of military law is to promote justice, to deter misconduct, to facilitate appropriate accountability, to assist in maintaining good order and discipline in the armed forces, to promote efficiency and effectiveness in the military establishment, and thereby to strengthen the national security of the United States.”

As described, judge advocates in the uniformed services originated with General Washington’s need to administer military justice in order to maintain good order and discipline in the Continental Army. The origin of a distinct legal community within the Marine Corps was a direct result of the military justice requirements of commanders following Congress’ enactment of the UCMJ and follow-on legislation. Much like General Washington’s first judge advocate, Marine Corps judge advocates came into being to assist commanders with the complex function of military justice, thus freeing commanders and their staffs to focus on fighting and winning wars.

Members of the Marine Corps legal community perform the vital role of supporting commanders’ efforts to ensure a high state of discipline within the Marine Corps, while simultaneously maintaining justice for individuals. An effective, efficient, and fair military justice system enables the Marine Corps to execute military justice tasks while maintaining a standard worthy of the Nation’s trust and confidence.

INTERNATIONAL AND OPERATIONAL LAW

The international and operational law functional area consists of advising on all laws, both international and domestic, and policies that affect the ability of the Marine Corps to conduct training, exercises, and operations. This function entails providing advice on the impact of laws, regulations, and policies (including the law of war, status of forces agreements, rules of

engagement, and rules for the use of force) in divergent areas, such as international and domestic operations, intelligence operations and oversight, cyberspace operations and other specialized information activities, foreign criminal jurisdiction, claims, and military justice.

While the United States has implemented rules and regulations enforcing the law of war since its founding, the functional area of international and operational law is a relatively recent development. Since the late 1970s, international and operational law has grown significantly within the DoD, including the establishment of operational legal departments within Service headquarters. Operational law advice was provided primarily by SJAs at the Marine Corps component commands and Marine expeditionary forces, and their major subordinate commands. After 11 September 2001, the increasingly complex nature of the operating environment led commanders to request the integration of legal advice with planning, training, and operations at all echelons. The requirement for international and operational law expertise within the Marine Corps has continued to increase due to demands related to national security matters, including intelligence, cyberspace operations, and the increase in partnered and allied operations.

Ultimately, the Marine Corps' success is enhanced by members of the Marine Corps legal community with the experience and adaptability to perform effectively in the operational environment. As special or personal staff officers ingrained in the Service culture, members of the Marine Corps legal community support the conduct of successful operations throughout the competition continuum.

ADMINISTRATIVE LAW

The administrative law functional area addresses the statutes, regulations, and judicial decisions governing the establishment, functioning, and command of military organizations, as well as administrative actions regarding military personnel. This includes command and regulatory authority, administrative investigations, promotion withholdings and delays, administrative separations, adverse administrative actions, and government ethics.

The administrative law function has increased significantly since the 1950s. Substantial litigation and many changes to Title 10 and implementing regulations have made all aspects of administrative law more complex and considerably rule-based. This necessitates corresponding experience and legal expertise to properly advise commanders. The fulfillment of the administrative law function facilitates the maintenance of good order and discipline and enables commanders to investigate incidents, pursue administrative corrective actions, maintain standards, and optimize individual and unit performance. The three largest subfunctions of administrative law are administrative investigations, military personnel law, and government ethics.

Administrative Investigations

Administrative investigations come in three types: command investigations, litigation-report investigations, and courts and boards of inquiry. They are often preceded by a preliminary inquiry to provide the commander with initial information.

By far the most common administrative investigation is the command investigation. A command investigation serves to seek out, develop, assemble, analyze, and record all available information related to the incident under investigation, allowing for fully informed decisions on corrective actions, if any. The commander's use of command investigations serves many purposes, including—

- Improving command management and administration.
- Recognizing and recording the bases for corrective actions, remedies, and processes.
- Identifying lessons learned.
- Resolving disputes and operational questions.
- Facilitating the development of tactics, techniques, and procedures.
- Protecting the rights and benefits of individual Marines.
- Maintaining accountability of individual Marines.
- Assisting in making line of duty determinations.

The complex nature of rules associated with investigations, as well as the potential for administrative, nonjudicial, or judicial follow-on actions, necessitates the constant involvement of legal personnel. See Judge Advocate General Instruction 5800.7G, *Manual of the Judge Advocate General*, for further information on administrative investigations.

Military Personnel Law

Military personnel law is a significant and consequential subfunction of administrative law. It is the statutory and regulatory law governing non-punitive actions and matters relating to officer and enlisted Active Component, Reserve Component, and retired Service members of all grades. Such actions and matters include policies and decisions relating to leave and liberty, accessions, training, assignment and distribution, promotion (including the President's nominations and appointments, as well as adverse promotion actions such as delay, withhold, and removal), separation (including retirements and involuntary administrative separation), and officer personnel actions and records related to misconduct and substandard performance. Prevalent among the activities within administrative law is the administrative separation of both officer and enlisted Marines.

Government Ethics

Government ethics (also referred to as standards of conduct) is another significant subfunction of administrative law. It involves specific legal and ethical requirements imposed upon United States Government (USG) employees, including relations with and support to non-USG entities, financial disclosure requirements, fundraising, and gifts to and among employees. Compliance with government ethics helps Marine Corps leaders and the Marine Corps maintain the public trust by placing loyalty to the Constitution, law, and ethical principles above private gain and entitlement.

CIVIL LAW

The civil law functional area addresses the statutes, regulations, and judicial decisions that govern the rights and duties of US military organizations and installations with regard to civil authorities, as well as interactions with civilian personnel requesting information or making claims against the United States. Most issues within this function fall under the category of interactions with civil

authorities, including service of process, foreign criminal jurisdiction, defense support of civil authorities, and the duties of a Special Assistant United States Attorney. Defense support of civil authorities issues emerge when the Armed Forces of the United States provide support to civilian authorities during natural disasters and emergencies. Marine Corps judge advocates can be designated as Special Assistant United States Attorney to represent Federal and DoD interests in the prosecution of US civilians who are alleged to have committed crimes on US military installations in the United States or abroad.

Claims against the USG can present a significant issue for commanders, particularly in a deployed environment. Military operations and exercises entail the movement of personnel and equipment, often across great distances. Damage, loss, and injuries often occur, resulting in claims against the USG by Service members, their families, US citizens, or foreign nationals. These claims require prompt investigation and adjudication.

Claims arising from US military operations and exercises may be brought under various statutes or international agreements, or may be addressed through alternatives to claims, such as solatia payments (nominal payments made to a victim or victim's family to express sympathy for or recognition of personal suffering or loss).

The diverse capabilities of the civil law function contribute directly and indirectly to US military readiness and combat effectiveness. The civil law support provided by the Marine Corps legal community helps Marine Corps leaders protect and promote the rights and duties of US military organizations relative to civil authorities and protect the USG's interest from misconduct by civilians aboard US military installations. The fair and just settlement of claims helps maintain morale when Service members suffer personal property loss and helps maintain positive relations when the local population, including foreign nationals, suffers harm during US military operations and exercises.

LEGAL ASSISTANCE

Legal assistance addresses the personal, non-criminal legal needs of individual Marines, Sailors, and their dependents, increasing their personal readiness, and thus unit readiness. The legal assistance functional area provides support in the following areas: family law, estate planning (including wills), powers of attorney, naturalization, landlord-tenant law, consumer law, tax law, the Servicemembers Civil Relief Act and Uniformed Services Employment and Reemployment Rights Act, and other personal, civil legal issues. Legal assistance for Marines going through the Disability Evaluation System is provided through OJAG. Though legal assistance is generally handled by personnel assigned specifically to that duty, personal legal assistance to victims of crime may be addressed by the Victims' Legal Counsel Organization (VLCO).

The legal assistance functional area focuses on ensuring that Marines, Sailors, and their dependents receive sound legal advice that responds to their unique, individual needs. This allows Marines to resolve personal, civil legal issues that could otherwise distract them from accomplishing the mission, thus impacting unit readiness. The legal assistance support that Marines and Sailors receive while deployed helps them take care of themselves and their dependents, thereby enabling Marines and Sailors to concentrate on their operational duties.

LEGAL ADMINISTRATION AND MANAGEMENT

Legal administration and management is the sixth functional area of legal support. This functional area is unique in that it encompasses both the set of tasks related to the administration of misconduct and substandard performance, and the tasks necessary for the administration and management of legal organizations.

Every Marine Corps unit is required to execute administrative tasks necessary to document misconduct and substandard performance. Among other things, these actions help protect the due process rights of Marines. Although the day-to-day execution of legal administrative tasks are primarily conducted by Marines in the manpower and administration occupational field, the legal community is responsible for certain aspects of legal administrative tasks related to courts-martial, administrative separations, and other areas. More broadly, JAD provides oversight of all legal administrative tasks through legal opinions and periodic inspections.

The JAD also serves as the primary manager of certain legal administrative programs executed at the unit level, including the Victim-Witness Assistance Program, support to dependents, and legal documents related to the imposition of punishment.

The second aspect of the legal administration and management function is the execution of those tasks necessary for the day-to-day operations of legal organizations. These tasks include four capabilities that help ensure the effective and efficient execution of legal support: administrative support, research and investigation, client relations, and technical and logistical support. These capabilities are crucial for the functioning of legal organizations and help ensure that judge advocates can focus on legal advice and advocacy.

CHAPTER 4.

ORGANIZATION, ROLES, AND RESPONSIBILITIES

The Marine Corps legal community must provide efficient and effective legal support to both the FMF and the supporting establishment while in garrison and deployed. This is a significant challenge because legal support requirements can be dynamic and susceptible to sudden change. Furthermore, since resources are limited, particularly trained legal personnel with the requisite knowledge and experience, the demands of the legal services support mission can compete with the command legal advice mission. The litigation tasks of the military justice function can be particularly resource intensive.

Military justice is the predominant mission while in garrison. As such, the majority of legal personnel are assigned to the four litigation organizations that support the military justice function. However, during exercises, operations, and combat, command legal advice, and specifically international and operational law, is the priority. To meet these operational demands, commanders in the FMF should request to augment their SJA offices with personnel from the law centers. This organizational structure maximizes the use of legal Marines in garrison, while still providing a ready pool for operational needs, thus reducing the number of Marines needed to provide legal support. Members of the legal community must be trained in such a way that Marines who have primarily worked at law centers in a garrison environment can rapidly be reassigned to support exercises, operations, and combat.

Commanders ultimately determine legal support requirements and priorities, assuming the risks associated with their legal support plan. Because legal support personnel and resources are finite, a recurring prioritization of requirements among various commands is normal. The current organizational structure of the Marine Corps legal community is inherently flexible and readily capable of adjusting based upon the requirements of the MAGTF. The current organizational structure accounts for the fact that command legal advice and legal services support are two distinct pillars that form legal support. This structure is successful because legal personnel appreciate the interrelationship between command legal advice and legal services support, and are Marines first, who understand the Service culture and ethos. These understandings are derived from a career progression and a community training program that includes billets and training in both types of legal support, in addition to opportunities to serve in non-legal billets.

As currently organized, most GCMCAs (and certain subordinate O-6 commanders, see Chapter 2) have an SJA to provide command legal advice and, if able, limited legal services support. All legal services support beyond the organic capability of the SJA office is provided at law centers located on certain Marine Corps installations.

The military justice functional area of legal services support is provided by four separate and independent organizations. Those organizations are the OSTC, the TSO, the Defense Services Organization (DSO), and the VLCO. Each will be briefly described later in this chapter.

STAFF JUDGE ADVOCATE TO THE COMMANDANT OF THE MARINE CORPS

The SJA to the CMC is the senior uniformed legal advisor to the CMC and performs duties relating to legal matters arising in the Marine Corps, and other duties as directed by the Secretary of the Navy or CMC. The SJA to the CMC has five primary roles, which are discussed below. From these five roles develop a diverse and often situation-dependent list of responsibilities. For further details on the SJA to the CMC's roles and a list of specific responsibilities, see Secretary of the Navy Instruction 5430.27E, *Responsibility of the Judge Advocate General of the Navy and the Staff Judge Advocate to the Commandant of the Marine Corps for Supervision and Provision of Certain Legal Services*; Marine Corps Order (MCO) 5311.1E, *Total Force Structure Process*; and MCO 5430.2, *Roles and Responsibilities of the Staff Judge Advocate to the Commandant of the Marine Corps*.

Senior Uniformed Legal Advisor

The SJA to the CMC is the senior Marine legal advisor to the Secretary of the Navy, CMC, and HQMC staff and agencies. In this role, the SJA to the CMC provides independent legal advice, counsel, and guidance on any matter within the SJA to the CMC's cognizance, and any matter that may be assigned.

Director, Judge Advocate Division

The SJA to the CMC serves as the director of JAD, located within HQMC. As director of JAD, the SJA to the CMC supervises and manages various branches in support of the Secretary of the Navy, CMC, and HQMC.

Functional Proponent for Legal Support

The SJA to the CMC is the functional proponent for both types of legal support, command legal advice and legal services support. In this role, the SJA to the CMC assists the CMC and HQMC officials with the execution of their responsibility to train, organize, and equip organic legal support essential to a global expeditionary force. The SJA to the CMC does this by, among other things, identifying capabilities, deficiencies, and solutions related to legal support structure and staffing. The SJA to the CMC advises the Deputy Commandant for Combat Development and Integration on legal structure and the Deputy Commandant for Manpower and Reserve Affairs on the assignment of legal personnel.

Supervisor of the Legal Community

The SJA to the CMC oversees and supervises the provision of legal support within the Marine Corps on behalf of the CMC. Functional supervision includes the authority to formulate, promulgate, implement, supervise, inspect, and enforce uniform standards and procedures for the performance of legal support tasks. Additionally, the SJA to the CMC oversees the professional development, training, and education of legal community personnel.

Professional Responsibility Oversight

The SJA to the CMC exercises professional responsibility oversight over Marine Corps judge advocates and those civilian legal community personnel who practice law under the SJA to the CMC's cognizance. For judge advocates, this authority exists regardless of assignment within or outside the Marine Corps, except for trial and appellate judges.

JUDGE ADVOCATE DIVISION, HEADQUARTERS, UNITED STATES MARINE CORPS

Judge Advocate Division serves two primary purposes. The first is to assist the SJA to the CMC in advising the Secretary of the Navy, CMC, and HQMC on legal matters. The second is to assist the SJA to the CMC in providing oversight of the Marine Corps legal community on behalf of the Secretary of the Navy and the CMC. The SJA to the CMC also serves as director of JAD.

Judge Advocate Division has four deputy directors and is organized into branches that cover all six functions of legal support. Judge Advocate Division also contains an individual mobilization augmentee (IMA) detachment, which is discussed in the Reserve Legal Support section below.

The JAD branches also assist the SJA to the CMC with the legal requirements of HQMC. Like all other commands, HQMC requires all six functions of Service-level legal support. However, many of the legal requirements within HQMC, though they fall within the six functions, are unique and concern the authorities of the CMC; the Assistant Commandant of the Marine Corps; the Director, Marine Corps Staff; the deputy commandants; or Marine Corps functions and responsibilities relative to the Secretary of Defense, the Secretary of the Navy, the US Navy, and various other USG entities.

The legal services support needs of HQMC are provided by the law center located on Marine Corps Base Quantico. Depending on the nature of the particular matter, HQMC may also receive legal support from the Office of the Judge Advocate General of the Navy or the Department of the Navy Office of the General Counsel.

STAFF JUDGE ADVOCATE

Staff judge advocates are assigned at all levels of command, though they are primarily assigned to general officers in command and other GCMCAs. Subordinate commanders with significant command legal advice requirements are also assigned judge advocates, as discussed in Chapter 2. The SJA is the command's principal legal advisor and is a member of the commander's special or personal staff. The SJA advises the commander, subordinate commanders without their own SJA, and staff on all matters within the SJA's cognizance, which includes all six functional areas of legal support and any other matters determined by the commander. SJAs routinely coordinate through legal technical channels and SJAs at higher echelon commands provide functional legal oversight over SJAs and command legal advisors at subordinate commands on behalf of their commanders and the SJA to CMC.

Staff judge advocates do not provide the full range of legal services support. Legal services support is provided at law centers located on various Marine Corps installations. In limited cases, an SJA may provide legal services support within the organic capability of that SJA's office, such as notary services.

By statute and regulation, many decisions require advice by an SJA before the commander can act. The SJA should have direct access to commanders and the SJA's advice should not be filtered through intermediaries. Commanders are also required to speak directly to their SJA. Article 6(b), UCMJ, requires convening authorities to "communicate directly with their staff judge advocates" in military justice matters. Regardless of statutes and regulations, commanders and their staffs should seek the advice of their SJAs, including recommendations on possible courses of action. Many commanders routinely seek out the SJA's opinions on other matters, often due to the special skills that legal training brings and the candor that comes with the independent nature of their legal advice. As stated in United States Code, Title 10, section 8046, *Staff Judge Advocate to the Commandant of the Marine Corps*, no one within the DoD may interfere with a judge advocate's ability to provide independent legal advice to commanders.

LAW CENTERS

Legal services support is provided at consolidated law centers located on certain Marine Corps installations. The law centers administratively support personnel from OSTC, TSO, DSO, VLCO, and also directly manage personnel providing legal assistance services, litigation support and court-martial review services, and some civil law services.

Marine Corps Installations Command manages regional law centers in three regions: Marine Corps Installations East, Marine Corps Installations West, and Marine Corps Installations Pacific. Each of the three regional law centers has subordinate law centers at certain Marine Corps installations. Marine Corps Installations National Capital Region has a law center as it does not have any subordinate law centers. However, the National Capital Region law center supports Marine Forces Reserve units throughout the United States in addition to units in the National Capital Region.

The law centers geographically consolidate the provision of legal services support in garrison to develop greater unity of effort, to increase levels of professional supervision, and to create organizational efficiency, synergy, and flexibility. Consolidating while in garrison also helps to maintain continuity, depth, and breadth of experience in legal services support when legal community Marines are not required for operational duties. Ultimately, the flexibility and broader geographical reach of the law centers allows leadership to best develop and assign Marines to address legal services support requirements.

Law centers are responsible for coordinating with JAD and Marine expeditionary force SJAs to ensure that judge advocates are trained in international and operational law under MCO 3300.4A, *Marine Corps Law of War Program*, so that there is a ready bench of personnel available to fill short-fuse and emerging requirements to augment Marine Corps, joint, and joint combined SJA offices in support of exercises, operations, and combat.

OFFICE OF SPECIAL TRIAL COUNSEL

The OSTC provides expert, specialized, independent, and ethical representation of the United States in the investigation and trial-level litigation of covered offenses, and other offenses over which the OSTC exercises authority. The OSTC is led by the Lead Special Trial Counsel and exercises exclusive disposition authority over covered offenses. The Lead Special Trial Counsel reports directly to the Secretary of the Navy to ensure the independent exercise of the OSTC's authorities.

TRIAL SERVICES ORGANIZATION

The Marine Corps TSO is a functionally independent organization responsible for prosecution of non-covered offenses and the conduct of administrative separation boards for officer and enlisted personnel. The TSO provides professional and ethical prosecution of courts-martial and representation of the Marine Corps at administrative separation boards. Members of the TSO ensure the fair and impartial administration of justice in order to promote good order and discipline within the Marine Corps. To maintain functional independence, all Trial Counsel work under the direction and supervision of the Chief Trial Counsel of the Marine Corps, who is supervised by the SJA to the CMC.

DEFENSE SERVICES ORGANIZATION

The Marine Corps DSO is a functionally independent organization that provides zealous and ethical representation to Marines and Sailors in order to protect and promote individual rights under the law and regulations. The head of the Marine Corps Defense Services Organization is the Chief Defense Counsel of the Marine Corps. To maintain functional independence, all defense counsel work under the supervision of the Chief Defense Counsel of the Marine Corps, who is supervised by the SJA to the CMC. Of note, individual defense counsels have professional responsibility obligations to their clients and make case-specific decisions consistent with those professional responsibility obligations.

VICTIMS' LEGAL COUNSEL ORGANIZATION

The Marine Corps VLCO is a functionally independent organization that provides legal advice, counseling, and representation to eligible personnel who are victims of sexual assault, domestic violence, and other serious crimes. While victims' legal counsel (VLC) primarily operate in the military justice functional area, their statutory authority is based in the authority for legal assistance provided to individual Service members, which helps clarify the nature of the services that VLC provide. The head of the VLCO is the Chief Victims' Legal Counsel of the Marine Corps. To maintain functional independence, all VLC work under the supervision of the Chief Victims' Legal Counsel, who is supervised by the SJA to the CMC. Of note, individual VLCs have professional responsibility obligations to their clients and make case-specific decisions consistent with those professional responsibility obligations.

RESERVE LEGAL SUPPORT

Like the Active Component of the Marine Corps, the Reserve Component has legal personnel who provide legal support to the active and reserve forces. Most reserve legal billets are consolidated within JAD under its IMA detachment. The IMA detachment members are aligned to JAD deputy directors, branches, and the military justice litigation organizations. The section head for the Plans and Policy-Reserve Section of the IMA detachment is competitively selected by the Reserve Senior Leader Board to serve as the senior reserve advisor to the SJA to the CMC.

Reserve legal billets not assigned to the JAD IMA detachment remain on the table of organization of the supported command or organization. Those reserve legal billets support the mission and tasks of the command or organization to which they are assigned.

CHAPTER 5.

ROLE OF JUDGE ADVOCATES IN THE MARINE CORPS PLANNING PROCESS

The tenets of the Marine Corps Planning Process—top-down planning, single-battle construct, and integrated planning—guide the commander’s use of staff to plan and execute military operations. Today, most commanders engaged in operations have a judge advocate available for planning. In general terms, judge advocates are the legal planners and advisors in the process. They actively participate in the entire planning process and assist decision makers at every level in translating policy decisions into legally acceptable plans and orders. To effectively fill their roles as planners and advisors, judge advocates must be effective staff officers who understand not only the laws and regulations, but also the military processes and operations in which the command is engaged.

Depending on unit procedures and the desires of the commander, legal advice is passed in different methods to different audiences within the process. When the commander is attempting to frame the problem, judge advocates provide an overview of and the principles underlying the applicable rules. From there, judge advocates turn to particular boards, bureaus, centers, cells, and working groups to address issues identified during development of the plan. As the planning process develops, judge advocates refine their general overview to apply to a particular issue within a course of action (COA). Judge advocates should capture any advice they provide in a form that appropriately supports the planning process and can be included in subsequent operational plans or orders. In accordance with Department of Defense Directive 2311.01, *DoD Law of War Program*, and MCO 3300.4A, all plans, policies, directives, rules of engagement, and similar documents concerning operational matters must be reviewed by a judge advocate for legal sufficiency.

Commanders and their staffs should review Marine Corps Tactical Publication 11-10B, *The Commander’s Handbook on the Law of Naval Operations*, and Marine Corps Tactical Publication 11-10C, *The Commander’s Handbook on the Law of Land Warfare*, for guidance regarding laws and policies surrounding naval and land operations.

LEGAL ADVICE DURING THE PLANNING PROCESS

During planning, effective legal advice is built on the following three cornerstones:

- Knowledge of the Law. All judge advocates must have knowledge of the relevant and applicable laws, regulations, and policies in order to be effective advisors and planners.
- Knowledge of the Situation. Knowledge of the situation and operating environment shapes the framework for the advice. This knowledge is gained through integration into the process, which is designed to develop the ability to understand and analyze the situation.
- Knowledge of the Process. Understanding the planning process, whether it is deliberate or rapid planning, enables judge advocates to apply their knowledge of the law to the situation, and integrate that output into the plan.

Effectively integrating judge advocates ensures legal or policy constraints or restraints are identified early in the planning process. As MAGTF officers with knowledge of Marine Corps Warfighting Publication 5-10, *Marine Corps Planning Process*, Marine Corps judge advocates are well-equipped to provide specialized legal advice as a part of the overall staff planning process.

EVALUATING PERFORMANCE AND EFFECTIVENESS

A key role of a judge advocate within a staff is to assist in generating and maintaining tempo for a commander through the application of timely, correct, and complete legal advice. A solid foundational knowledge of the law, the situation, and the planning process supports the warfighting function of command and control by informing the commander's decision-making process.

The following four metrics should be used to evaluate the performance and effectiveness of legal advice during the planning process:

- Timeliness. Legal advice must be available to all who require it when needed.
- Accuracy. Legal advice must correctly apply the laws, regulations, and policies to the facts and situation. As operations evolve, so must the legal advice.
- Completeness. The advice must address all legal requirements and meet the needs of the plan as it moves forward and new COAs are developed or new issues arise.
- Utility. Judge advocates must provide advice in such a manner as to be meaningful to commanders, planners, and other staff members who lack the experience or expertise to navigate the legal complexities presented by the applicable rules and regulations.

The manner in which these metrics are met will vary within each unit. However, effective unit procedures will produce and capture legal advice in such a way that all of these metrics can be met. Judge advocates must understand the planning process and the implementing procedures in order to identify when and where legal advice is needed. Any judge advocate engaged in the planning process is expected to meet these metrics of performance and effectiveness.

EARLY INTEGRATION: PROBLEM FRAMING

Problem framing presents the first and best opportunity for judge advocates to educate the commander, staff, and planners on the broad legal parameters of the operation. To be effective, judge advocates must have access to all members of the staff and subordinate commanders, as well as the operational information required for planning. Having early access and integration helps weave the applicable rules into the entire planning process. By providing education in the relevant laws, regulations, and policies early in the process, judge advocates can ensure the commander, staff, and planners avoid illegal or unprudent COAs and focus on legally sufficient solutions. Explaining the rules applicable to any operation early acts as a force multiplier. As educators during the problem framing stage, judge advocates provide advice that is essential to developing a legally supportable plan.

FURTHER INTEGRATION: MEETING EVALUATION METRICS

Just as all planners continue to refine their input, so judge advocates refine and update their advice based on new information or developments. In continuing to participate in the process in this manner, judge advocates ensure their advice is accurate and complete. As the planners fill in the details through COA development and COA war gaming, judge advocates fill in the details of the broad legal parameters that they initially provided to the planners.

For example, the commander might direct the development of two COAs looking at two entirely different methods of troop insertion, one via ground and the other via air. Judge advocates providing advice would be concerned with ensuring that the two COAs are lawful. Within the legal parameters of the theater, air lifting troops could present very different issues from those encountered in planning a ground insertion.

This process of refining legal advice continues into COA war game. A course-of-action war game involves a detailed assessment of each COA, to include support estimates as they relate to the enemy and the other elements of the battlespace. The support estimate provided by judge advocates should go further than simply determining that there are no legal issues. The assessment of the COAs presents judge advocates another opportunity to refine their advice in light of what is expected to occur in the battlespace. The assessment process also allows judge advocates to further educate the planners regarding applicable rules in even greater detail as legal issues present themselves.

The refinement of advice and guidance continues and intensifies as the process moves to COA comparison and decision. The comparison is often an open forum event. Commanders, planners, and staffs gather to present the COAs and provide assessments of supportability based upon their area of expertise and knowledge of the environment and the plan. The staff could simply provide estimates by recording a vote on a matrix. However, because the next step is a decision point for the commander—determining which COA is to be pursued—the commander might want to hear not only whether a COA is supportable, but also the reasons that the COA is supportable based on a staff member's area of expertise.

Judge advocates must then formulate a legal opinion for the commander as to why one particular COA is recommended, or why particular COAs are legally identical. Generally, it is not enough to say only that all COAs are equally supportable. Importantly, while judge advocates should have an understanding of tactics, they should refrain from providing tactical critiques and instead focus on the lawfulness of the tactics and the foreseeable legal and policy implications. That knowledge of operational matters, which ultimately improves the quality of legal advice, is one of many reasons judge advocates are unrestricted officers and organic to commands. Provided that judge advocates are fully immersed and integrated into the planning process, they should possess sufficient insight into the entirety of the situation to be able to advise why one plan is legally preferable to another.

The judge advocates' work is not complete once the legal advice has been delivered to the commander. After the commander makes a decision, judge advocates must package all the advice provided throughout the process into its final form. This final act ensures the completeness of the legal advice.

Throughout the planning process, judge advocates must ensure that the metrics of performance and effectiveness—timeliness, accuracy, completeness, and usability—are met. This is best accomplished when judge advocates are fully integrated into the process from the earliest point. Most importantly, judge advocates are effective only if they understand the law, the situation, and the process.

LEGAL SUPPORT PLANNING

Since MAGTFs can be formed in different ways to accomplish different missions, the SJA must fully understand the legal support requirements of that particular MAGTF and how those legal support requirements could change over time.

Staff judge advocates must develop their personnel manning requirements based on an understanding and evaluation of the mission and their plan for providing legal support. When personnel requirements exceed the organic capacity of the supporting SJA office, the SJA must request additional personnel through normal manpower processes. Due to the need for early integration in the planning process, particularly during problem framing, requests for support should consider the need for additional personnel during planning, and not just during the exercise or operation.

Although certain legal assistance services could be provided in a forward-deployed environment by the SJA office as limited legal services support, many legal assistance services can be obtained prior to deployment. Staff judge advocates should encourage the inclusion of a legal assistance brief as part of the unit's pre-deployment program.

During their planning, SJAs should also evaluate whether the command will need the personnel and resources to conduct courts-martial during the deployment. Courts-martial proceedings will require significant additional resources, so planning will need to begin early.

Staff judge advocates must also ensure that all personnel, whether organic or augments, are properly trained and equipped. The Marine Corps Law of War Program contains requirements for the training of legal personnel on the law of war. However, judge advocates must also ensure that personnel are trained on the specific issues likely to arise from the assigned mission. Additionally, judge advocates must plan for and develop the equipment and other logistical requirements for the SJA section.

For additional information on legal support to operations, see Joint Publication 3-84, *Legal Support*, and Joint Publication 3-33, *Joint Force Headquarters*.

GLOSSARY

Section I. Abbreviations and Acronyms

CMC	Commandant of the Marine Corps
COA	course of action
DoD	Department of Defense
FMF	Fleet Marine Forces
GCMCA	general court-martial convening authority
HQMC	Headquarters, United States Marine Corps
IMA	individual mobilization augmentee
JAD	Judge Advocate Division
MAGTF	Marine air-ground task force
MCO	Marine Corps order
MOS	military occupational specialty
SJA	staff judge advocate
UCMJ	Uniform Code of Military Justice
US	United States
USG	United States Government

The following acronyms pertain specifically to this publication.

DSO	Defense Services Organization
OJAG	Office of the Judge Advocate General of the Navy
OSTC	Office of Special Trial Counsel
TSO	Trial Services Organization
VLC	victim's legal counsel
VLCO	Victims' Legal Counsel Organization

Section II. Terms and Definitions

active duty

Full-time duty in the active military service of the United States, including active duty or full-time training duty in the Reserve Component. (DoD Dictionary)

command

1. The authority that a commander in the armed forces lawfully exercises over subordinates by virtue of rank or assignment. 2. An order given by a commander. 3. A unit or units, an organization, or an area under the command of one individual. (DoD Dictionary)

command and control

(See DOD Dictionary for core definition. Marine Corps amplification follows.) The means by which a commander recognizes what needs to be done and sees to it that appropriate actions are taken. Command and control is one of the seven warfighting functions. Also called **C2**. (USMC Dictionary)

defense support of civil authorities

Support provided by U.S. Federal military forces, DoD civilians, DoD contract personnel, DoD Component assets, and National Guard forces (when the Secretary of Defense, in coordination with the Governors of the affected States, elects and requests to use those forces in Title 32, U.S.C., status) in response to requests for assistance from civil authorities for domestic emergencies, law enforcement support, and other domestic activities, or from qualifying entities for special events. (DoDD 3025.18).

detainee

Any person captured, detained, or otherwise under the control of Department of Defense personnel. (DoD Dictionary).

expeditionary force

An armed force organized to achieve a specific objective in a foreign country. (DoD Dictionary)

force

An aggregation of military personnel, weapon systems, equipment, capabilities, and necessary support, or combination thereof. (DoD Dictionary)

individual mobilization augmentee

An individual reservist attending drills who receives training and is preassigned to an Active Component organization, a Selective Service System, or a Federal Emergency Management Agency billet that must be filled on, or shortly after, mobilization. Also called **IMA**. (DoD Dictionary)

judge advocate

An officer of the Judge Advocate General's Corps of the Army, Air Force, or Navy, or officers of the Marine Corps or Coast Guard designated as a judge advocate. Also called **JA**. (DoD Dictionary)

law of war

That part of international law that regulates the conduct of armed hostilities. Also called the law of armed conflict. See also rules of engagement. (DoD Dictionary)

mission

(See DoD Dictionary for core definition. Marine Corps amplification follows.) Tasks assigned by the President to the combatant commanders in the Unified Command Plan. (USMC Dictionary)

organic

Assigned to and forming an essential part of a military organization as listed in its table of organization for the Army, Air Force, and Marine Corps, and are assigned to the operating forces for the Navy. (DoD Dictionary)

readiness

The ability of military forces to fight and meet the demands of assigned missions. (DoD Dictionary)

reserve

1. Portion of a body of troops that is kept to the rear or withheld from action at the beginning of an engagement to be available for a decisive movement. 2. Members of the uniformed Services who are not in active service but who are subject to call to active duty. 3. Portion of an appropriation or contract authorization held or set aside for future operations or contingencies and, in respect to which, administrative authorization to incur commitments or obligations has been withheld. (DoD Dictionary)

Reserve Component

The Armed Forces of the United States Reserve Component consists of the Army National Guard of the United States, the Army Reserve, the Navy Reserve, the Marine Corps Reserve, the Air National Guard of the United States, the Air Force Reserve, and the Coast Guard Reserve. Also called **RC**. (DoD Dictionary)

rules of engagement

Directives issued by competent military authority that delineate the circumstances and limitations under which United States forces will initiate and/or continue combat engagement with other forces encountered. Also called **ROE**. See also **law of war**. (DoD Dictionary)

staff judge advocate

A judge advocate so designated in the Army, Air Force, or Marine Corps, and the principal legal advisor of a Navy, Coast Guard, or joint force command who is a judge advocate. Also called **SJA**. (DoD Dictionary)

sustainment

The provision of logistics and personnel services required to maintain and prolong operations until successful mission accomplishment. (DoD Dictionary)

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United States Code

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Subtitle A, part II, chap. 53, sec. 1044e, Special Victims' Counsel for victims of sex-related offenses

Subtitle A, part II, chap. 53, sec. 1044f, Policies with respect to special trial counsel

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Subtitle C, part I, chap. 806, sec. 8046, Staff Judge Advocate to the Commandant of the Marine Corps

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- 5800.7_ Manual of the Judge Advocate General (JAGMAN)
- 5803.1_ Professional Conduct of Attorneys Practicing Under the Cognizance and Supervision of the Judge Advocate General

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- 1200.1_ Military Occupational Specialist Manual

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- 3-40 Marine Corps Logistics
- 5-10 Marine Corps Planning Process

Marine Corps Tactical Publications (MCTPs)

- 3-40B Tactical Logistics
- 11-10B The Commander's Handbook on the Law of Naval Operations
- 11-10C The Commander's Handbook on the Law of Land Warfare

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- 5311.1_ Total Force Structure Process
- 5430.2_ Roles and Responsibilities of the Staff Judge Advocate to the Commandant of the Marine Corps
- 5800.16_ Legal Support and Administration Manual

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