



DEPARTMENT OF THE NAVY
OFFICE OF THE JUDGE ADVOCATE GENERAL
1322 PATTERSON AVENUE SE, SUITE 3000
WASHINGTON NAVY YARD DC 20374-5066

IN REPLY REFER TO:

JAGINST 1150.2C
Code 05

16 SEP 2013

JAG INSTRUCTION 1150.2C

From: Judge Advocate General

Subj: MILITARY JUSTICE LITIGATION CAREER TRACK

Ref: (a) JAGINST 5803.1 (series)
(b) NAVPERS 15839I, Volume I
(c) JAGINST 1320.1 (series)
(d) JAGINST 1520.1 (series)
(e) MILPERSMAN 1214-010
(f) JAG/CNLSCINST 1150.1 (series)
(g) JAG/CNLSCINST 1500.2 (series)

Encl: (1) Sample MJLCT Career Path
(2) MJLCT Experience Requirements
(3) MJLCT Recommendation Form
(4) SPECIALIST I Sample Application
(5) SPECIALIST II Sample Application
(6) EXPERT Sample Application
(7) MJLQ-Required Billets

1. Purpose. To establish procedures for recruiting, identifying, selecting, and retaining military justice litigation SPECIALISTS and EXPERTS in the Judge Advocate General's (JAG) Corps through the use of the Military Justice Litigation Career Track (MJLCT) and Military Justice Litigation Qualification (MJLQ).

2. Cancellation. JAGINST 1150.2B.

3. Discussion

a. MJLCT MISSION

(1) The delivery of military justice is both a core competency and a primary mission of the JAG Corps. In order to meet the mission, the JAG Corps' personnel strategy is to identify and cultivate critical skill sets needed by its members to best serve the Fleet. Meeting the mission requires the

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training, ability, and experience necessary to maintain the highest quality of representation in complex criminal litigation. The mission requires a military justice process that is, and is perceived to be, just. The JAG Corps recognizes that litigation skills are perishable; therefore, we must identify and cultivate judge advocates with the requisite education, training, experience, and aptitude to litigate and preside over complex cases.

(2) This instruction maintains a career track to identify, develop, and retain those judge advocates who have demonstrated significant military justice knowledge and trial advocacy skills, and provides the opportunities and necessary career path to hone and grow their experience. MJLQ judge advocates will fill litigation-intensive billets and will ensure the effectiveness and efficiency of the courts-martial process. A robust community of MJLQ judge advocates will be available for reach-back from judge advocates worldwide. MJLQ judge advocates with significant sustained expertise may also fill emergent individual augmentation assignments that involve criminal justice, military justice, or litigation.

(3) MJLQ recognizes those judge advocates with demonstrated abilities in the areas of military justice knowledge and advocacy skills. SPECIALIST I MJLQ is the entry point for this specialized community. SPECIALIST II and EXPERT MJLQ are community management tools to guide the detailing, training, and professional development needs of MJLQ judge advocates and ensure the community maintains its ability to execute this core function across the community billet structure. Senior MJLQ judge advocates, coordinating with the Assistant Judge Advocate General (AJAG) (Chief Judge, Department of the Navy) (CJDON), who serves as the MJLCT community sponsor, will seek to provide all MJLQ judge advocates with the training and duty assignments that will offer them the opportunities for professional development within the MJLCT, the JAG Corps, and the Navy.

(4) Military justice litigation proficiency warranting qualification shall include significant quantitative and qualitative criminal courtroom litigation experience and demonstrated proficiency in military justice procedure. As judge advocates seek MJLCT advancement, they will be required to demonstrate increased courtroom experience, continued growth in litigation leadership, and familiarity with the broader mission

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of the Navy. MJLQ judge advocates are encouraged to experience the wide variety of naval experiences that contribute to the development of a broad understanding of the duties of judge advocates, and to seek out detailing to non-litigation billets even after MJLQ. Accordingly, applicants for EXPERT MJLQ should generally have served at least two years in a non-litigation billet prior to their application for qualification.

(5) Enclosure (1) provides a graphic representation of a sample MJLCT career path.

b. SPECIALIST I QUALIFICATION

(1) A judge advocate may be qualified as SPECIALIST I after demonstrated military justice litigation proficiency and MJLCT potential. Candidates will normally be eligible for SPECIALIST I after their **fourth year** of active duty. Although not binding on the selection board, SPECIALIST I MJLQ will generally require the experience outlined in enclosure (2). Judge advocates seeking waiver of the requirements in enclosure (2) shall provide justification in their application.

(2) SPECIALIST I applications must be submitted to the President, MJLQ Selection Board, via the chain-of-command. Applications will include recommendations from two active-duty MJLQ judge advocates using the form provided at enclosure (3). All applications must follow the format provided at enclosure (4). Judge advocates who are unable to meet the application requirements (e.g., inability to provide transcripts or failure to obtain recommendations from MJLQ judge advocates) shall explain any variance from this instruction in their application.

(3) SPECIALIST I judge advocates who do not qualify as SPECIALIST II within **seven years** of their SPECIALIST I qualification date will automatically lapse into "inactive" status. Inactive MJLQ judge advocates may re-apply for "active" status at their former qualification level using the application procedures of this section.

c. SPECIALIST II QUALIFICATION

(1) Following SPECIALIST I qualification, a judge advocate may qualify as SPECIALIST II after obtaining sufficient additional qualitative and quantitative military justice litigation experience as well as professional development as a

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naval officer. Candidates will normally be eligible for SPECIALIST II after their **tenth year** of active duty. Although not binding on the selection board, SPECIALIST II MJLQ will generally require the experience outlined in enclosure (2). Judge advocates seeking waiver of the requirements in enclosure (2) shall provide justification in their application.

(2) SPECIALIST II applications must be submitted to the President, MJLQ Selection Board, via the chain-of-command. Applications will include recommendations from two active-duty MJLQ judge advocates using the form provided at enclosure (3). All applications must follow the format provided at enclosure (5). Judge advocates who are unable to meet the application requirements (e.g., inability to provide transcripts or failure to obtain recommendations from MJLQ judge advocates) shall explain any variance from this instruction in their application.

(3) SPECIALIST II judge advocates who do not qualify as **EXPERT within seven years** of their SPECIALIST II qualification date will automatically lapse into "inactive" status. Inactive MJLQ judge advocates may re-apply for "active" status to their former qualification level using the application procedures of this section.

d. EXPERT QUALIFICATION

(1) Following SPECIALIST II qualification, a judge advocate may qualify as **EXPERT** after obtaining significant additional quantitative and qualitative military justice litigation experience as well as demonstrated leadership of junior judge advocates. For this reason, **EXPERT** is ordinarily reserved for those judge advocates who have reached the senior-most MJLCT positions. Candidates will normally be eligible for **EXPERT** after their **sixteenth year** of active duty. Although not binding on the selection board, attainment of **EXPERT** MJLQ will generally require the experience outlined in enclosure (2). Judge advocates seeking waiver of the requirements in enclosure (2) shall provide justification in their application.

(2) **EXPERT** applications must be submitted to the President, MJLQ Selection Board, via the chain-of-command. Applications will include recommendations from two active-duty MJLQ judge advocates using the form provided in enclosure (3). All applications must follow the format provided in enclosure (6). Judge advocates who are unable to meet the application

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requirements (e.g., inability to provide transcripts or failure to obtain recommendations from MJLQ judge advocates) shall explain any variance from this instruction in their application.

e. MJLQ SELECTION BOARD PROCEDURES

(1) The JAG will convene an annual qualification selection board, at a date, time, and location convenient to the administration of the board, to review applications and select judge advocates for MJLQ. The board membership will include active-duty judge advocates with significant military justice litigation experience and such other judge advocates as the JAG may appoint. The JAG will appoint board members and designate the board President.

(2) The board will review all timely MJLQ applications. Selection for qualification will be in accordance with a selection precept provided by the JAG. The number of judge advocates qualified each year may be limited by the JAG based on the anticipated needs of the JAG Corps. PERS-4416 will provide the board with target selection numbers based on the number of judge advocates seeking qualification and the need for promotable MJLQ judge advocates. PERS-4416 will maintain a list of all MJLQ judge advocates and include MJLQ level and status (in/active) in each judge advocate's detailing record.

f. MJLQ REMOVAL. In accordance with reference (a), upon determination that a MJLQ judge advocate has violated the Professional Rules of Conduct, the JAG may suspend or revoke, for a specified or indefinite period of time, a MJLQ judge advocate's qualification. The JAG will direct that the relevant Rules Counsel contact appropriate authorities within the Department of the Navy to ensure that necessary entries are made in the judge advocate's permanent record.

g. MJLCT DETAILING CONSIDERATIONS

(1) MJLQ-Required Billets. As listed in enclosure (7), the JAG has designated certain Office of the Judge Advocate General (OJAG)/Naval Legal Service Command (NLSC) billets as MJLQ-required. These MJLQ-required billets necessitate a certain amount of military justice litigation experience. MJLQ judge advocates will be primarily detailed to MJLQ-required billets. However, all MJLQ judge advocates may be detailed to

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non-MJLQ-required billets to ensure a depth of experience beneficial to the judge advocate and the Navy.

(2) Some MJLQ-required billets may be 1202 subspecialty (SSP) coded in compliance with reference (b). Any change to a billet's MJLQ-required designation and/or its 1202 SSP code require the concurrence of the AJAG (CJDON), the approval of the JAG, and will be initiated through the Deputy AJAG for Military Personnel (OJAG (Code 61)).

(3) Litigation-Related Leadership Billets. Not all litigation-related leadership billets are MJLQ-required billets. Litigation-related leadership billets include, but are not limited to, Region Legal Service Office (RLSO)/Defense Service Office (DSO) commanding officers, RLSO/DSO executive officers, military judges, and certain OJAG Division Directors. These senior billets require maturity, sound judgment, and experience - traits shared by non-MJLQ judge advocates and MJLQ judge advocates alike. Senior MJLQ judge advocates will be detailed to non-MJLQ-required litigation-related leadership billets when such judge advocates are available and the needs of the Navy otherwise support the detail.

(4) Non-Litigation-Related Billets. MJLQ judge advocates may be considered for non-MJLQ-required, non-litigation-related billets when such judge advocates are available and the needs of the Navy otherwise support the detail.

(5) Non-MJLQ Judge Advocates. The JAG may detail a non-MJLQ judge advocate to a MJLQ-required billet. Such assignment will be based upon the availability of MJLQ judge advocates, the needs of the Navy, and the qualifications, experience and professional development of individual non-MJLQ judge advocates. Detailing to MJLQ-required billets is governed by reference (c).

h. Additional Qualification Designations (AQDs), Master of Laws (LL.M.) & Subspecialty (SSP) codes.

(1) AQDs. AQDs have been developed to correctly document qualifications in Official Military Personnel Files (OMPFs). Judge advocates who have earned SPECIALIST I and/or SPECIALIST II will be awarded the "4LS" designation, and judge advocates who have earned EXPERT will be awarded the "4LE" designation in accordance with reference (b). AQDs are

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documented in the Officer Summary Record (OSR). MJLQ judge advocates should monitor their OMPF to ensure their AQD has been properly documented.

(2) Trial Advocacy LL.M. Detail to post-graduate school programs will be in accordance with reference (d) and this instruction. A judge advocate will not be assigned to a trial advocacy LL.M. curriculum without first qualifying SPECIALIST I. A judge advocate must also be on "active" MJLQ status to be detailed to a trial advocacy LL.M. curriculum. Judge advocates participating in Navy-funded post-graduate education will be expected to complete subsequent assignments utilizing their trial advocacy LL.M. in accordance with reference (d). The JAG Corps Post-graduate School Coordinator (PERS-4416B) can provide a current copy of the Trial Advocacy Curriculum and 1202 SSP Educational Skills Requirements (ESR). Changes to the Curriculum and/or the ESR require the concurrence of AJAG (CJDON).

(3) SSP Officer Codes. MJLQ judge advocates are authorized for various 1202 SSP officer codes in accordance with references (b), (d) and (e). In accordance with the 1202 SSP Core Skills Requirements (CSR), MJLQ judge advocates are authorized for the 1202 S-code following SPECIALIST I selection. Also, in accordance with the CSR, 1202 S-coded MJLQ judge advocates are authorized for the 1202 P-code following completion of an LL.M. in trial advocacy or a related field. Finally, in accordance with the CSR, 1202 P-coded MJLQ judge advocates who have completed an assignment in **at least one** 1202 P-coded billet are authorized for the 1202 Q-code following JAG approval. SSP officer codes are documented in the OSR. MJLQ judge advocates should monitor their OMPF to ensure their SSP officer code has been properly documented. The JAG Corps Post-graduate School Coordinator (PERS-4416B) can provide a current copy of the 1202 SSP CSR. Changes to the CSR require the concurrence of AJAG (CJDON).

i. RECRUITING AND TRAINING

(1) When requested to assist in attracting potential military justice litigators to the JAG Corps, AJAG (CJDON) shall coordinate the provision of MJLQ judge advocates to recruit at American Bar Association accredited law schools and job fairs within their geographic areas, in accordance with reference (f).

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(2) Excellence in military justice litigation is dependent on three factors: selection and detailing of the correct judge advocates for the career path, careful cultivation of the junior judge advocates in military justice litigation, and direct involvement of senior MJLQ judge advocates in military justice cases. As such, senior (O-5/O-6) MJLQ judge advocates are responsible for identifying, training, and mentoring junior (O-2/O-3/O-4) judge advocates with an aptitude for litigation. To sustain a sufficient pool of qualified litigators, senior MJLQ judge advocates shall identify potential MJLCT candidates. Supervisory MJLQ judge advocates shall develop and implement long-term litigation training plans to cultivate the critical skills necessary for success of the junior judge advocate litigators under their supervision. Every SPECIALIST I or II judge advocate shall be assigned a SPECIALIST II or EXPERT judge advocate mentor. Senior MJLQ judge advocates shall mentor and guide the attainment of training and experience for junior MJLQ judge advocates such that SPECIALIST II or EXPERT qualification can be obtained as appropriate. Supervisory senior MJLQ judge advocates are expected to participate actively in case preparation with junior judge advocates, and shall foster and maintain mentor relationships by actively litigating courts-martial as counsel of record with junior judge advocate as lead or assistant counsel.

(3) Training programs shall be an integral part of MJLCT professional development along with the mentoring by senior MJLQ judge advocates in the courtroom. Training programs specifically tailored to military justice litigation shall be developed in accordance with reference (g).

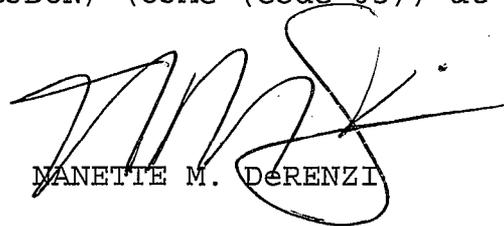
j. MJLCT BOARD OF ADVISORS (MBOA). This instruction establishes the MBOA. The MBOA shall provide recommendations regarding strategic guidance to JAG about MJLCT development and improvement. The MBOA will provide the JAG with an annual report of trends in the areas of military justice litigation, as well as recommendations regarding changes to this instruction, training, utilization rates of MJLCT members, detailing of judge advocates, and recruitment or identification of new MJLCT candidates. The MBOA shall be comprised of AJAG (CJDON) as the Chair; the senior-most MJLQ judge advocate within the trial judiciary; the senior-most MJLQ judge advocate within the appellate judiciary; the Directors, Trial and Defense Counsel Assistance Programs; and the Division Director, Criminal Law Division (OJAG (Code 20)). AJAG (CJDON) shall appoint two

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additional *ad hoc* members who are detailed to MJLQ-required billets not represented by the permanent membership. Ad hoc members will serve a one-year term. The MBOA shall meet quarterly, at the call of the Chair, and may do so virtually.

4. Point of Contact. The point of contact for this instruction is the Assistant to the AJAG (CJDON) (OJAG (Code 05)) at (202) 685-8516 DSN 325.



MANETTE M. DERENZI

Distribution:

Electronic only, via Navy Directives website,
<http://doni.daps.dla.mil>; and the OJAG website,
<http://www.jag.navy.mil>.

Sample MJLCT Career Path

YEAR	ASSIGNMENT	EXPLANATION
LIEUTENANT		
0 to 2	First-Tour Judge Advocates	Judge advocates may seek qualification after their 4 th year on active duty.
2 to 4	RLSO/DSO Counsel Installation SJA/SAUSA NJS/USNA Instructor CVN #2 OJAG Action Officer NAMARA Appellate Counsel	
Selected as SPECIALIST I (SPEC I)		
4 to 7	RLSO/DSO Counsel Installation SJA/SAUSA NJS Instructor CVN #2 OJAG Action Officer NAMARA Appellate Counsel VLC	First-tour SPEC I judge advocates should focus on development of litigation skills and mentoring of new counsel. Eligible for S-Code (1202).
LIEUTENANT COMMANDER		
7 to 10	Asst. STC/SDC TYCOM/Region DSJA NJS Instructor/Dept. Head CVN #1 OJAG/NAMARA Branch Head TCAP/DCAP Dep. Dir. Military Commissions VLC	Ordinarily, SPEC I judge advocates should be prepared for accession to SPEC II at their 10 th year on active duty.
Selected as SPECIALIST II (SPEC II)		
10 to 12	Asst. STC/SDC TYCOM/Region DSJA NJS Instructor/Dept. Head CVN #1 OJAG/NAMARA Branch Head TCAP/DCAP Dep. Dir. LL.M. in Trial Advocacy (or Equivalent) VLC	Eligible for P-Code (1202) after completion of LL.M.
COMMANDER		
12 to 17	RLSO XO/RTC/STC DSO XO/OIC/SDC TYCOM/Region SJA OJAG/NAMARA "XO"/Dep. Dir. Trial/Appellate Judge LL.M. in Trial Advocacy (or Equivalent)	Ordinarily, SPEC II judge advocates should be prepared for accession to EXP at their 16 th year on active duty. SPEC II judge advocates should experience the wide variety of skills demanded of counsel and seek detail to non-litigation billets prior to EXP application.
Selected as EXPERT (EXP)		
CAPTAIN		
17 to 25	RLSO/DSO CO Circuit Trial/Senior Appellate Judge OJAG/NAMARA Dir. TCAP/DCAP Dir. COS VLC Chief Trial/Appellate Judge	EXP judge advocates are responsible for identifying, recruiting, training and mentoring junior MJLQ judge advocates. Eligible for Q-Code (1202) after completion of P-coded billet.
Capstone as CHIEF JUDGE, DEPARTMENT OF THE NAVY (CJDON) - REAR ADMIRAL (LOWER HALF) (SELECT)		

1st "Off Ramp"

Judge advocates have 7 yrs to move fm SPEC I to SPEC II.

2nd "Off Ramp"

Judge advocates have 7 yrs to move fm SPEC II to EXPERT.

MJLCT Experience Requirements

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Generally, applicants for SPECIALIST I, SPECIALIST II, and EXPERT should meet the experience standards below.

	<u>SPEC I</u>	<u>SPEC II</u>	<u>EXP</u>
Time (years) in MJLQ Billets	N/A	3	8
Time (years) in Service	4	10	16
Lead Counsel (members cases)	5	10	20
Participating Counsel	5	10	20
<u>Other Adversarial Matters</u>			
Direct Examination (Lay)	25	50	100
Direct Examination (Expert)	5	10	25
Cross Examination (Lay)	25	50	100
Cross Examination (Expert)	5	10	25
Opening Statements	5	10	20
Closing Arguments	4	8	20
Voir Dire Examinations	5	10	20

Applicants should only claim credit for those cases and matters in which they substantially participated or personally performed as counsel. Ordinarily, applicants should claim full qualifying credit as lead counsel or participating counsel for members cases that proceeded to verdict. Credit may be claimed for bench trials, guilty pleas with members for sentencing, and appellate arguments, so long as those events are distinguished from members trials in the application. Judge advocates summarizing Special Assistant United States Attorney (SAUSA) experience should also indicate the court in which the cases were heard. Credit may also be claimed for experience gained in civil litigation and pre-service litigation.

Applicants may include other matters, such as participation in other proceedings involving the taking of testimony, including evidentiary hearings; Article 32, UCMJ hearings; or depositions and motions heard before or after trial. This also includes administrative hearings such as administrative discharge boards, Boards of Inquiry, and Physical Evaluation Boards. However, applicants should clearly indicate when matters occurred outside of a members court-martial as described above. Naval Justice School instructors may quantify instruction time, students taught, and identify the subject matter of the instruction. Judge advocates seeking litigation credit for non-NLSC billets (i.e. OJAG, etc.) should provide sufficient qualitative information to permit the board to determine how to credit the applicant for the litigation-related experience gained.

The selection board may allow a lesser number of submissions in any of these categories if the applicant clearly demonstrates sufficient active trial participation to establish an enhanced level of experience warranting the qualification sought.

A complete application should articulate a clear summary of the litigation experience on which the board is to make its determination, attach documentation of the experience, or request a waiver from these experience requirements. Failure to provide sufficient information or request a waiver may result in non-qualification.

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MJLCT Recommendation Form

Name of Applicant: _____

Time you have known Applicant: _____

Nature of relationship between you and the Applicant:

Number of Applicant's cases which you have personally observed:

Name of Rater: _____

Date: _____

A. For all MJLQ Applicants

Please rate the Applicant's abilities in the following areas, using a rating of 1 to 10 (with 10 being the highest). If you have not had a sufficient opportunity to observe the applicant in any area, please indicate by circling "no opinion". For each of the ratings, please provide a short explanation of the basis for your opinion.

(1) **Verbal Articulation** - The ability to communicate complex ideas to a variety of audiences, including courtroom arguments, classroom lectures, and other public speaking environments.

1 2 3 4 5 6 7 8 9 10 No opinion

Basis: _____

(2) **Adaptability** - Demonstrated flexibility in thought and behavior in both courtroom and command settings, an affinity for emergent issues, and an ability to confront crisis calmly.

1 2 3 4 5 6 7 8 9 10 No opinion

Basis: _____

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(3) **Written Communication** - Research and writing skills that cogently and creatively present the legal position while interweaving case theme and theory.

1 2 3 4 5 6 7 8 9 10 No opinion

Basis: _____

(4) **Composure** - Reasonableness and even-temper in the zealous representation of clients, including the ability to accurately gauge the value of a course of action and the successful use of alternate dispute resolutions.

1 2 3 4 5 6 7 8 9 10 No opinion

Basis: _____

(5) **Ethical Decision-making** - Maintaining the highest standards of professional ethical behavior and exemplary conduct. Loyalty and fidelity to the United States, to the law, and to clients both institutional and individual, must come before private gain or personal interest. The successful litigator does what is right for its own sake.

1 2 3 4 5 6 7 8 9 10 No opinion

Basis: _____

(6) **Commitment to Military Justice Litigation** - Demonstrated commitment to military justice litigation and its development within the Navy. Selection will promote the future creation of EXPERT MJLQ judge advocates.

1 2 3 4 5 6 7 8 9 10 No opinion

Basis: _____

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(7) Evidence and Procedure - Technical abilities with the rules of court.

1 2 3 4 5 6 7 8 9 10 No opinion

Basis: _____

(8) Potential - Potential to qualify EXPERT in the future.

1 2 3 4 5 6 7 8 9 10 No opinion

Basis: _____

B. For EXPERT Applicants

(1) Extensive Experience as Counsel - EXPERT is reserved for those who have significant experience and demonstrated leadership in the senior-most military justice litigation positions. Significant experience and leadership means a considerable body of work as a litigator and mentor within the MJLCT. Qualified judge advocates must have demonstrated substantial aptitude as court-martial-level trial and defense counsel through significant participation as counsel of record in a variety of complex courts-martial. The judge advocate's experience must also demonstrate the currency and topicality of his or her military justice litigation abilities. Judged against this standard, I rate his/her demonstrated ability as:

1 2 3 4 5 6 7 8 9 10 No opinion

Basis: _____

(2) Experience in Non-Litigation Billets - The EXPERT judge advocate must have sufficient breadth of experience through service in non-litigation billets to understand both the active-duty Sailor and Marine Fleet/Fleet Marine Force experience, and the role of line and Marine commanders, particularly as it relates to discharging convening authority responsibilities. The EXPERT judge advocate must understand the impact of misconduct on operations, the administrative procedures related to minor misconduct, and the role of good order and discipline

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in operational and shore-based environments. The EXPERT judge advocate must also be familiar with Navy and JAG Corps organizational functions necessary for the fair, effective, and efficient management of the military justice system. Judged against this standard, I rate this applicant as:

1 2 3 4 5 6 7 8 9 10 No opinion

Basis: _____

(3) **Leadership and Mentoring Skills** - Assignment of an EXPERT judge advocate to a senior litigation-related leadership billet assists in the professional development of our junior judge advocates. The EXPERT judge advocate will spend a significant portion of his or her assignment working with new and inexperienced counsel. He or she will evaluate their work product and provide counseling and mentorship, and must have the demonstrated ability to both lead and to try complex cases at the same time. He or she will teach the law, leadership, and the value of naval service through the intense, adversarial, and public interaction of courts-martial. He or she will identify and develop future members of the MJLCT. Judged against this standard, I rate this applicant as:

1 2 3 4 5 6 7 8 9 10 No opinion

Basis: _____

C. For all Raters submitting an appraisal on more than one (1) Applicant before a single MJLQ Selection Board:

I rate this person as my number () out of () applicants.

D. Additional comments, if desired, may be attached separately, or added below.

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SPECIALIST I Sample Application

Date

From: LT J. D. Lawyer, JAGC, USN
To: President, Military Justice Litigation Qualification
Selection Board
Via: Commanding Officer, Region Legal Service Office
Somewhere

Subj: REQUEST FOR SPECIALIST I MILITARY JUSTICE LITIGATION
QUALIFICATION

Ref: (a) JAGINST 1150.2C

Encl: (1) Officer Fitness Report of [insert end date of report]
(include all FITREPS as separate enclosures in
reverse chronological order)
(2) Officer Summary Record (dtd w/i 1 mos. of
application)
(3) Performance Summary Record (dtd w/i 1 mos. of
application)
(4) J.D./LL.B. Transcript(s) (include all transcripts
that lead to J.D. or LL.B.)
(5) LL.M. Transcript(s) (if applicable, include all
transcripts that lead to LL.M.)
(6) MJLQ Recommendation #1 (IAW enclosure (3))
(7) MJLQ Recommendation #2 (IAW enclosure (3))
(8) Writing Sample (less than 10 pages total)
(9) Excerpts from Courts-Martial Records (one each of a
direct and cross examination, closing and sentencing
argument, each less than 10 pages)
(10) MILPERSMAN 1070-180 Photograph (dtd w/i 1 year of
application)

1. Pursuant to reference (a), I hereby request selection for
SPECIALIST I Military Justice Litigation Qualification.

2. In addition to enclosures (1) through (), the following
information is provided:

a. Brief description of three significant cases tried:

(1) U.S. v. P - aggravated sexual assault, members.
Significant immunity, privilege, forensic (DNA, blood alcohol)
and factual sufficiency issues. Assistant Trial Counsel; all
directs, cross, arguments. Convicted, 7 years.

Enclosure (4)

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(2) U.S. v. L - child pornography case with computer forensics and no confession, with members. Sole trial counsel. Convicted, 5 years.

(3) U.S. v. W - non-capital premeditated murder, with members. Difficult self-defense case involving a victim with a gun drawn at the time of the murder. Assistant trial counsel. Opening statement, voir dire, sentencing argument, cross of accused, direct of coroner and percipient witnesses.

b. Summary of Litigation Experience (*Litigation experience is not limited to courts-martial tried on active duty. The significance of the cases summarized should highlight the experience the Applicant believes merit the Board's consideration, see enclosure (2)*):

(1) As defense counsel and senior defense counsel, tried 5 members trials to completion before three military judges in two judicial circuits. As ASTC of RLSO SE, supervised prosecution of 10 members cases, plus 6 Art. 32 proceedings, and tried 3 members cases to completion. Served as recorder in 3 BOIs and as counsel for the respondent in 12 administration separation hearings, conducting 25 direct and 25 cross examinations of lay witnesses, cross examination of 8 expert witnesses, and all voir dire, opening statements and closing arguments.

c. List billet assignments and duty stations in reverse chronological order (*including number of attorneys supervised, if applicable*):

(1) RLSO SE - Assistant Senior Trial counsel (supervised four attorneys); Nov 2010 - Present.

(2) DSO E - Defense counsel, Senior Defense Counsel; October 2007 - Nov 2010.

(2) NJS; Aug 2007 - Oct 2007.

(3) Law School; Sep 2004 - May 2007.

(4) DIA - Intelligence Officer; June 2005 - Aug 2007.

(5) VA-176 - Intelligence Officer; May 2003 - May 2005.

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- d. Personal Awards Received: NCM (2); NAM (2).
- e. Personal Statement:

J. D. LAWYER

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SPECIALIST II Sample Application

Date

From: LCDR J. D. Lawyer, JAGC, U.S. Navy
To: President, Military Justice Litigation Qualification Selection Board
Via: Commanding Officer, Region Legal Service Office Somewhere

Subj: REQUEST FOR SPECIALIST II MILITARY JUSTICE LITIGATION QUALIFICATION

Ref: (a) JAGINST 1150.2C

Encl: (1) Officer Fitness Report of [insert end date of report] (include as separate enclosures all FITREPS since date of SPECIALIST I qualification in reverse chronological order)
(2) Officer Summary Record (dtd w/i 1 mos. of application)
(3) Performance Summary Record (dtd w/i 1 mos. of application)
(2) LL.M. Transcript(s) (if applicable, include all transcripts that lead to LL.M.)
(3) MJLQ Recommendation #1 (IAW enclosure (3))
(4) MJLQ Recommendation #2 (IAW enclosure (3))
(5) MILPERSMAN 1070-180 Photograph (dtd w/i 1 year of application)

1. Pursuant to reference (a), I hereby request selection for SPECIALIST II Military Justice Litigation Qualification.

2. In addition to enclosures (1) through (), the following information is provided:

a. Brief description of three significant cases tried since qualification as SPECIALIST I:

(1) U.S. v. P - premeditated murder, members. Significant immunity, privilege, forensic (dental, DNA, blood splatter) and factual sufficiency issues. Lead Trial Counsel; all directs, cross, arguments. Convicted, life.

(2) U.S. v. L - aggravated sexual assault case involving forensics (DNA, BAC) and psychologist/psychiatric experts, with members. Sole trial counsel. Convicted, 7 year sentence.

(3) U.S. v. W - non-capital premeditated murder, with members. Difficult self-defense case involving a victim with a

Enclosure (5)

10 SEP 2003

Subj: REQUEST FOR SPECIALIST II MILITARY JUSTICE LITIGATION
QUALIFICATION

gun drawn at the time of the murder. Lead trial counsel. Opening/closing, voir dire, sentencing argument, cross of accused, direct of coroner and percipient witnesses.

b. Summary of litigation experience (*The significance of the cases summarized should highlight the experience the Applicant believes merit the Board's consideration, see enclosure (2)*):

(1) As trial counsel and senior defense counsel, tried 15 members trials to completion before five military judges in three judicial circuits. Coordinated the defense in 15 members trials as DCAP counsel and tried two to completion. Felony prosecutor at the U.S. Attorney's Office for the Eastern District of Pennsylvania while earning my LL.M. in Trial Advocacy from Temple University. As SDC of DSO SE, supervised defense of 10 members cases, plus 6 Art. 32 proceedings resulting in withdrawal of charges. Tried 6 members cases to completion. As investigating officer, presided over 4 preliminary investigations involving allegations of sexual assault. As recorder for 5 BOIs and counsel for the respondent in 20 administrative separation hearings, conducted 60 direct and 25 cross examinations of lay witnesses, 15 direct examinations and 12 cross examinations of expert witnesses, and conducted all voir dire, opening statements and closing arguments. As VLC, argued 4 motions in closed hearings pursuant to M.R.E. 412, and 2 motions regarding medical and counseling privileges.

c. List billet assignments and duty stations since date of SPECIALIST I qualification in reverse chronological order (*include dates served (e.g. May 2009 - Aug 2011) and number of judge advocates supervised (if applicable); highlight MJLQ-Required Billets filled, see enclosure (7)*):

d. Personal Awards Received: MSM (1); NCM (4); NAM (2).

e. Personal Statement:

J. D. LAWYER

EXPERT Sample Application

16 SEP 2013

Date

From: CDR J. D. Lawyer, JAGC, U.S. Navy
To: President, Military Justice Litigation Qualification
Selection Board
Via: Commanding Officer, Region Legal Service Office
Somewhere

Subj: REQUEST FOR EXPERT MILITARY JUSTICE LITIGATION
QUALIFICATION

Ref: (a) JAGINST 1150.2C

Encl: (1) Officer Fitness Report of [insert end date of report]
(include as separate enclosures all FITREPS since
date of SPECIALIST II qualification in reverse
chronological order)
(2) Officer Summary Record (dtd w/i 1 mos. of
application)
(3) Performance Summary Record (dtd w/i 1 mos. of
application)
(2) LL.M. Transcript(s) (if applicable, include all
transcripts that lead to LL.M.)
(3) MJLQ Recommendation #1 (IAW enclosure (3))
(4) MJLQ Recommendation #2 (IAW enclosure (3))
(5) MILPERSMAN 1070-180 Photograph (dtd w/i 1 year of
application)

1. Pursuant to reference (a), I hereby request selection for
EXPERT Military Justice Litigation Qualification.

2. In addition to enclosures (1) through (___), the following
information is provided:

a. Brief description of three significant cases tried since
qualification as SPECIALIST II:

(1) U.S. v. P - cold case premeditated murder, members.
Significant immunity, privilege, forensic (dental, DNA, blood
splatter) and factual sufficiency issues. Three year
investigation with state, local and federal authorities. Lead
Trial Counsel; all directs, cross, arguments. Convicted, life.

(2) U.S. v. L - national security case involving
classified information privilege invocation, closed court
sessions, Grunden applications, with members. Sole trial
counsel. Convicted, life sentence.

Enclosure (6)

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QUALIFICATION

(3) U.S. v. W - non-capital premeditated murder, with members. Difficult self-defense case involving a victim with a gun drawn at the time of the murder. Lead trial counsel. Opening/closing, voir dire, sentencing argument, cross of accused, direct of coroner and percipient witnesses.

b. Summary of litigation and leadership experience (*the significance of the cases summarized should highlight the experience the Applicant believes merit the Board's consideration, see enclosure (2)*):

(1) As trial counsel and senior defense counsel, tried 50 members trials to completion before ten military judges in four judicial circuits. Coordinated the defense in 35 members trials as DCAP counsel and tried six to completion. Felony prosecutor at the U.S. Attorney's Office for the Eastern District of Pennsylvania while earning my LL.M. in Trial Advocacy from Temple University. As XO of DSO SE, supervised prosecution of 27 members cases, plus 6 Art. 32 proceedings resulting in withdrawal of charges. Tried 6 members cases to completion. As military judge, presided over 24 contested cases and four sentencing cases by members. As VLC, argued two motions during closed session pursuant to M.R.E. 412, and two motions regarding medical and counseling privilege. As recorder in 3 BOIs and counsel for the respondent in 20 administrative separation hearings, conducted 60 direct and 25 cross examinations of lay witnesses, 15 direct examinations and 12 cross examinations of expert witnesses, and conducted all voir dire, opening statements and closing arguments. As the Evidence instructor at NJS, taught 7 BLC classes, including xx hours of instruction. As the Military Justice Department Head, NJS, coordinated 3 BLC classes to include evidence, procedure, and Moot Court, coordinated 4 DCO/TCO courses, 2 Senior Counsel Courses, and taught evidence, procedure and advocacy at 1 Senior Counsel course, including xx hours of instruction.

c. List billet assignments and duty stations since date of SPECIALIST II qualification in reverse chronological order (*include dates served (e.g. May 2009 - Aug 2011) and number of judge advocates supervised (if applicable); highlight MJLQ-Required Billets filled, see enclosure (7)*):

d. Personal Awards Received: MSM (1); NCM (4); NAM (2).

JAGINST 1150.2C
Code 05

16 SEP 2013

Subj: REQUEST FOR EXPERT MILITARY JUSTICE LITIGATION
QUALIFICATION

e. Personal Statement:

J. D. LAWYER

Enclosure (6)

16 SEP 2013

MJLQ-Required Billets

<u>PAYGRADE</u>	<u>DESCRIPTION</u>	<u>DUTY STATION</u>
O-7 (sel.)	Chief Judge, Dep't of the Navy	D.C.
O-6	NMCCA	D.C.
O-6	NMCCA	D.C.
O-6	NM Trial Judiciary	Jacksonville
O-6	NM Trial Judiciary	Norfolk
O-6	NM Trial Judiciary	San Diego
O-6	Deputy Assistant JAG (Criminal Law)	D.C.
O-6	Director, TCAP	D.C.
O-6	Director, DCAP	D.C.
O-5	NMCCA	D.C.
O-5	Military Judge	Bremerton
O-5	Military Judge	Yokosuka
O-5	Military Judge	D.C.
O-5	RLSO XO or STC	Norfolk
O-5	RLSO XO or STC	San Diego
O-5	RLSO XO or STC	Jacksonville
O-5	RLSO XO or STC	Yokosuka
O-5	RLSO XO or STC	D.C.
O-5	RLSO XO or STC	Bremerton
O-5	DSO XO or SDC	Norfolk
O-5	DSO XO or SDC	San Diego
O-5	DSO OIC or SDC	Mayport
O-5	DSO XO or SDC	Yokosuka
O-5	DSO OIC or SDC	Naples
O-5	DSO OIC or SDC	Bremerton
O-5	DSO XO or SDC	D.C.
O-4	Deputy Director, TCAP	D.C.
O-4	Deputy Director, DCAP	D.C.
O-4	Military Justice Instructor, NJS	Newport
O-4	DC, DSO	D.C.
O-4	DC, DSO	Norfolk
O-4	DC, DSO	Norfolk
O-4	DC, DSO	San Diego
O-4	DC, DSO	San Diego
O-4	DC, DSO	Mayport
O-4	DC, DSO	Pensacola
O-4	DC, DSO	Pearl Harbor
O-4	DC, DSO	Yokosuka
O-4	DC, DSO	Naples
O-4	DC, DSO	Bremerton
O-4	TC, RLSO	Pensacola
O-4	TC, RLSO	Mayport
O-4	TC, RLSO	D.C.
O-4	TC, RLSO	Bremerton
O-4	TC, RLSO	Pearl Harbor
O-4	TC, RLSO	Naples
O-4	TC, RLSO	Norfolk
O-4	TC, RLSO	Norfolk
O-4	TC, RLSO	San Diego
O-4	TC, RLSO	San Diego
O-4	TC, RLSO	Great Lakes
O-4	TC, RLSO	Yokosuka
O-4	VLC	Various