



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 1412.1A
Code 61

FEB 28 2014

Subj: COMMAND QUALIFICATION PROGRAM

Ref: (a) OPNAVINST 1412.14
(b) U.S. Navy Regulations, 1990
(c) OPNAVNOTE 5400 (Series)
(d) MILPERSMAN 1301-800
(e) Uniform Code of Military Justice
(f) 10 U.S.C. 5149(b)

Encl: (1) Sample Command Screen Oral Board Report

1. Purpose. To establish the procedures and minimum standards for qualifying and screening officers for command, as required by reference (a). This instruction applies to officers eligible to be screened for command in the active component of the Judge Advocate General's Corps (JAGC).

2. Cancellation. JAGINST 1412.1.

3. Policy. All JAGC officers assigned to commanding officer (CO) positions will be screened by an administrative board convened by Commander, Navy Personnel Command (CNPC). Naval Legal Service Command (NLSC), the Naval Justice School, and Naval Civil Law Support Activity are commands within the meaning of references (b) through (e). Developing the lawyers, legalmen, and civilian employees capable of supporting the Navy's mission whenever and wherever needed requires assigning the very best officers to lead those commands. A commanding officer must be a person of unfailing integrity and exceptional judgment who has performed superbly in positions of responsibility throughout the JAGC and the Navy. To ensure every commanding officer is qualified to meet these high standards, all officers will be evaluated in accordance with this instruction prior to being assigned to command.

4. Eligibility

a. To be eligible for command screening, JAGC officers must meet the following criteria and professional qualification standards:

(1) Be serving in the grade of captain or selected for promotion to captain, as indicated by one's name appearing on the captain promotion list;

(2) Meet body composition assessment and physical fitness assessment standards;

(3) Be able to complete a full 2-year tour before reaching 62 years of age, the statutory age for mandatory retirement;

(4) Be an attorney "in good standing" with the licensing authority that admitted the individual to the practice of law before the highest court of a State, Territory, Commonwealth, or the District of Columbia;

(5) Be certified by the Judge Advocate General of the Navy (JAG) in accordance with Article 27(b) of reference (e); and,

(6) Be recommended for command screening by an Oral Board convened under paragraph (5) of this instruction.

b. JAGC officers with approved resignations or retirements are not eligible for command screening.

c. Any officer who is selected for command will remain on the command screen roster, unless removed from the roster by a subsequent Command Screen Board.

d. Captains currently serving in command or who have served in the rank of captain as commanding officers are eligible for subsequent command tours without applying for command screening.

e. Those officers not detailed to a command billet but who are serving, or have served, as acting or interim commanding officers must be screened in accordance with this instruction to be eligible for permanent assignment to a command billet.

5. Oral Board

a. In accordance with reference (a), an Oral Board is required prior to being considered by the Command Screen Board. The Oral Board is a one-time requirement. However, an officer who is not recommended by an Oral Board for command screening may request another Oral Board in a subsequent year.

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b. Membership. Oral Boards will be composed of at least three JAGC captains or above, senior to the officers being considered, who are currently serving in command or who have completed a command assignment under orders from the Chief of Naval Personnel (CNP) in a billet designated with the Navy Officer Billet Code for command [9421 (CDR/CO SHR ACT)]. Officers whose only command experience is that they are serving, or have previously been assigned, as interim or acting commanding officers are not eligible to serve as board members. Per reference (f), an Assistant Judge Advocate General (AJAG) is a captain selected for flag rank. Similarly, the Chief of Staff (COS) of Region Legal Service Offices (RLSO) and the COS of Defense Service Offices (DSO) hold unique positions in Naval Legal Service Command (NLSC), overseeing, mentoring, and evaluating NLSC commanding officers. AJAGs, COS RLSO, and COS DSO shall be considered senior to a captain who does not hold one of these positions, regardless of lineal seniority. The JAG may waive the requirement for members to have previous command experience only in the case of a member who is serving as an AJAG.

c. Scheduling. The JAG will notify eligible officers of the timing, location, and procedures for requesting an Oral Board. If geographical and/or fiscal constraints require, boards may be held via video teleconference or telephone conference.

d. Board Content. The senior member will guide the questions of the board and should focus on questions designed to evaluate the candidate's maturity, character, temperament, judgment, motivation for command, and familiarity with JAGC and NLSC programs and policies. The board should not dwell on the technical aspects of the practice of law. The findings of the board will be determined by majority vote. Specific guidance will be provided in the Oral Board precept.

e. Report. Within 15 days of completing its deliberations, the Oral Board shall report its findings to PERS-4416 in writing using the format contained in enclosure (1). The Oral Board precept may direct additional reporting requirements. Officers not recommended by the Oral Board will not be considered by the Command Screen Board.

f. Mentoring for Non-Selects. The senior member will provide, or authorize another Oral Board member to provide, constructive feedback in a mentoring role to those officers not

selected for command screen who desire such mentoring. The mentoring will be provided without disclosing the deliberative process of the Oral Board.

6. Command Screen Board Process

a. In accordance with reference (c), a JAGC Command Screen Board will be convened annually to recommend officers for command.

b. Eligible officers will be notified of the date of the Command Screen Board. Officers should review their official records prior to the Command Screen Board and correct any errors.

c. The Command Screen Board will be governed by the annual Administrative Selection Board precept approved by CNPC and the convening order drafted and endorsed by the JAG and approved by CNPC.

d. Membership. Command Screen Boards will be composed of at least five members. The president will be a flag officer. The remaining members shall be captains senior to the officers being considered, who are currently serving in command, or who have completed a command assignment under orders from the CNP in a billet designated with the Navy Officer Billet Code for command [9421 (CDR/CO SHR ACT)]. Officers whose only command experience is that they are serving, or have previously been assigned, as interim or acting commanding officers are not eligible to serve as board members. Per reference (f), an AJAG is a captain selected for flag rank. Similarly, COS RLSO and COS DSO hold unique positions in NLSC, overseeing, mentoring, and evaluating NLSC commanding officers. AJAGs, COS RLSO, and COS DSO shall be considered senior to a captain who does not hold one of these positions, regardless of lineal seniority. The JAG may waive the requirement for members to have previous command experience only in the case of a member who is serving as an AJAG. No officer may be a member of two successive Command Screen Boards.

e. Selection Standard. The Command Screen Board will select those officers whom a majority of the board members consider fully qualified for command in accordance with the precept and convening order approved by CNPC.

f. Material Considered. The Board will have available for review each eligible officer's Official Military Personnel File,

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any board correspondence submitted by the eligible officer, and any information provided by an Oral Board in accordance with the Oral Board precept.

g. Board Results. Upon completion of its deliberations, the Command Screen Board shall report the board's results to CNPC, who will release the results. A five character alphanumeric code designating an officer as command screened will be recorded on the selected member's Officer Data Card.

h. To meet operational requirements, on a case-by-case basis, the JAG may recommend administrative screening of an individual officer to the Chief of Naval Personnel (CNP).

i. Non-Select Mentoring. Officers not selected at the Command Screen Board may seek mentorship and a record review from PERS-4416 (JAGC Detailing), Navy Personnel Command and/or other senior judge advocates, to include those who have served in command within NLSC. However, to avoid the potential disclosure of Command Screen Board proceedings, deliberations, or recommendations, officers assigned as Command Screen Board members, recorders or administrative support personnel may not provide non-select mentoring to an officer not selected by the Command Screen Board that considered the officer, unless expressly authorized by the JAG and CNPC to do so.

7. Needs of the Navy. The CNP assigns judge advocates upon the recommendation of the JAG, as community sponsor, and in accordance with Article 6 of reference (e). Nothing in this instruction creates a right or obligation to detail an officer selected by a Command Screen Board to a command billet. Assignment opportunity will be based upon the needs of the Navy and the recommendation of the JAG.

8. Responsibilities

a. JAG. The JAG, in coordination with PERS-4416, will:

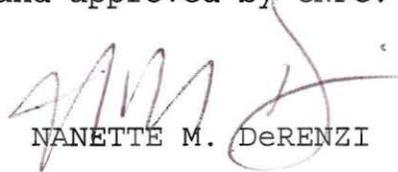
(1) Develop a formal list of community command billets for which officers should be screened, and forward to CNP for approval;

(2) Sponsor annually, or as required, formal administrative JAGC Command Screen Boards; and,

(3) Establish policies and deadlines for administration of Oral Boards and Command Screen Boards.

- b. CNPC. In accordance with reference (a), CNPC will:
- (1) Provide board support;
 - (2) Provide precept support;
 - (3) Approve board precepts and board reports; and,
 - (4) Annotate officer records with command screening codes.

c. Deputy Assistant Judge Advocate General for Military Personnel (Code 61). OJAG Code 61 shall prepare the Command Screen Board convening order in coordination with OJAG's Administrative Law Division (Code 13). All convening orders will be endorsed by the JAG and approved by CNPC.



NANETTE M. DeRENZI

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SAMPLE COMMAND SCREEN ORAL BOARD REPORT



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WASHINGTON NAVY YARD DC 20374-5066

IN REPLY REFER TO:

DD MMM YYYY

From: Oral Board Senior Member
To: Head, JAG Corps Officer Distribution Branch (PERS-4416)
Subj: COMMAND SCREEN ORAL BOARD REPORT ICO (Nominee)
Ref: (a) JAGINST 1412.1A

1. Pursuant to reference (a), I acted as the senior member of a JAG Corps Command Screen Oral Board on DD MMM YY to determine (nominee)'s fitness for command. The board members were _____ and _____. I certify that all members are captains with designator 2500, senior to the nominee, who are currently serving in command or who have completed a command assignment.

2. The board found (nominee) (qualified) (not qualified) in accordance with reference (a) for consideration by the JAG Corps Command Screen Board.

Very respectfully,

//s//
Board Senior Member

Copy to:
Nominee

Enclosure (1)