

## Judicial Screening Board Appraisal Form

### 1. General Information

- a. Name of Applicant:
- b. Name of Rater:
- c. Time you have known Applicant:
- d. Nature of relationship between you and the Applicant:
- e. Number of Applicant's cases that you have personally observed:
- f. Date:

### 2. For All JSB Applicants

a. As noted in JAGINST 5817.1I, the Judicial Screening Board (JSB) instruction, judge advocates assigned to judicial billets must possess a suitable background in military justice, sound judgment, even temperament, unquestioned maturity of character, and exemplary writing skills. This appraisal form aids the Judicial Screening Board in assessing whether applicants possess the skills and traits required. **In completing this form, please be mindful of whether the applicant is requesting to be screened for the trial bench, the appellate bench, or both, as requirements for the two benches differ slightly.**

b. Please rate the applicant's abilities in the below four 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 "no opinion." For each of the ratings, please provide a short explanation of the basis for your opinion.

(1) Military Justice Expertise. To meet the demands of the current docket, applicants for the trial bench must have significant litigation expertise, a high degree of familiarity with the rules of evidence and the rules of criminal procedure, and leadership experience in military justice litigation positions. The minimum qualification for the trial bench is **four years'** experience in litigation billets. The minimum qualification for the appellate bench is **two years'** experience in litigation billets. Active component applicants for the appellate bench should also possess significant military justice experience as a staff judge advocate, command services attorney, or as a staff attorney at Judge Advocate Division Headquarters Marine Corps or the Office of the Judge Advocate General Code 20. Reserve component applicants for the appellate bench should also possess commensurate reserve experience or civilian litigation experience.

Against this standard, I rate this applicant as:

Basis:

(2) Legal Research and Written Communication. Because of the high volume of pretrial motions litigation, trial judges must possess a proven capacity to research and write rulings that clearly articulate findings of fact, identify the legal standard, and enunciate succinct conclusions of law. Moreover, applicants must possess the capacity to do so on short notice and within a compressed period of time. Similarly, appellate judges must review and resolve a tremendous volume of issues on strict timelines imposed by law. Consequently, applicants for the appellate bench must have a demonstrated capacity to deliver high-quality written legal opinions in a high-volume environment with finite timelines.

Against this standard, I rate this applicant as:

Basis:

(3) Ethical Decision-Making and Judgment. Military judges must maintain the highest standards of character, conduct, and integrity. Because they sit in judgment on Marines and Sailors, they should expect to be held to the highest standards for their own conduct. Military judges are subject to an exceptional degree of scrutiny both on and off the bench: from the parties, the accused, witnesses, the larger military community, and the media. As the guardians of the court-martial process, they must ensure its fairness and transparency. Finally, they must have the courage to make tough, independent decisions.

Against this standard, I rate this applicant as:

Basis:

(4) Judicial Temperament. Trial judges must embody composure, maturity, reasonableness, and an even keel, even in the most hotly-contested trials. They must commit to treating all courts-martial participants with dignity and respect regardless of the nature of the case or maximum punishment. Military trial judges must also manage busy dockets and maintain dignified control of the courtroom to ensure efficiency, fundamental fairness, and professional legal proceedings. Appellate judges must commit to work collegially as a member of a panel and the court, to listen to and consider opinions contrary to their own, and to treat all members of the court and staff with the civility and respect necessary for a successful appellate court.

Against this standard, I rate this applicant as:

Basis:

3. For all Raters submitting an appraisal on more than one (1) Applicant before a single Judicial Screening Board:

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

4. Additional comments, if desired, may be added below.