

The Annual Bulletin

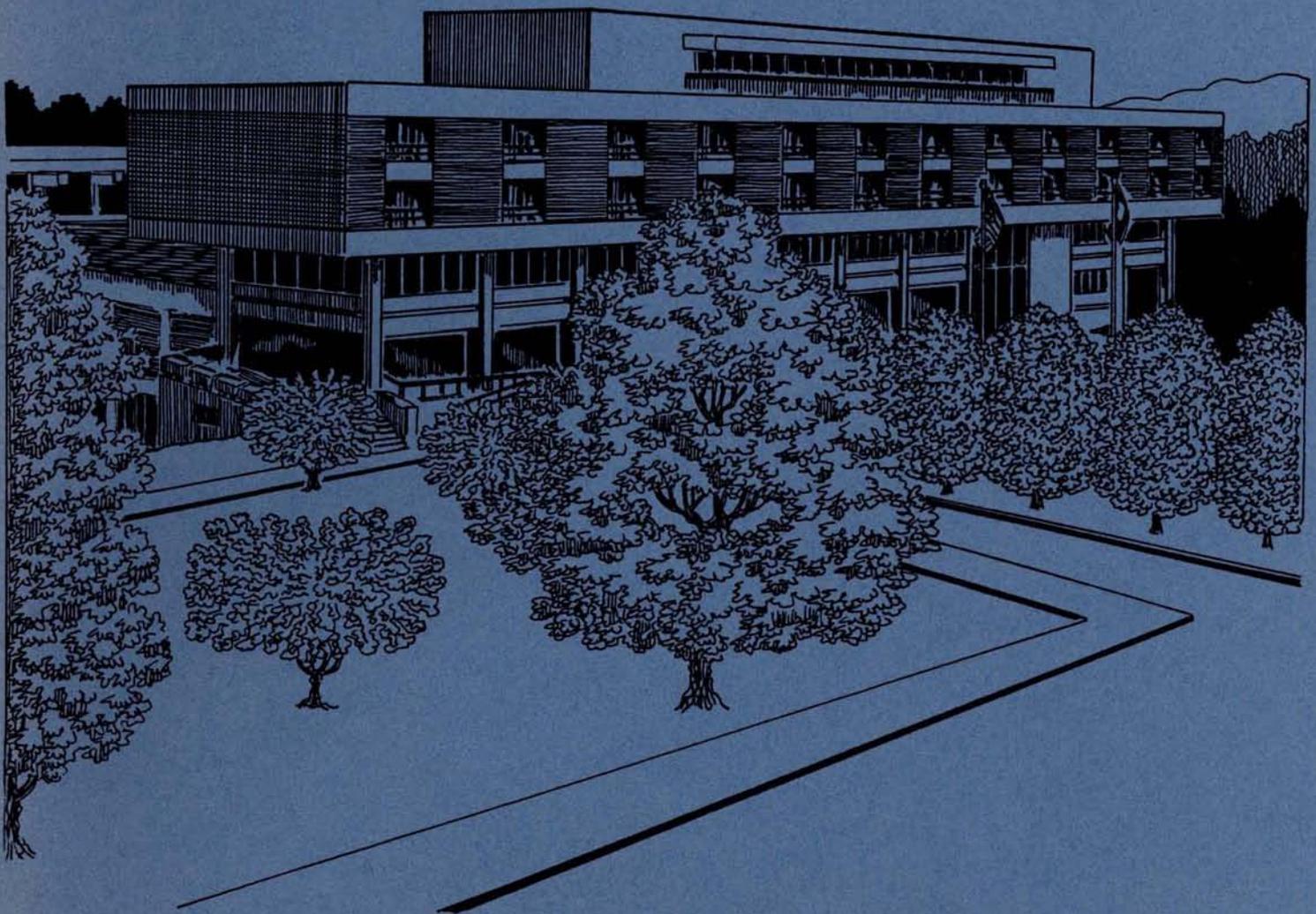
of

The Judge Advocate General's School

United States Army

Charlottesville, Virginia

1992-1993



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The cover of the 1992-1993 Annual Bulletin depicts the main facade of The Judge Advocate General's School.

The Annual Bulletin
of
The Judge Advocate General's School
United States Army
Charlottesville, Virginia

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GENERAL INFORMATION

The Army has relied upon lawyers since July 1775 when the Second Continental Congress selected Colonel William Tudor of Boston, a 25-year-old Harvard graduate, as the first Judge Advocate of the Army. From the Revolutionary War until World War I, the relatively small quotas of judge advocates required by the Army were filled with officers equipped for their duties with varying degrees of experience and training. Judge advocates were sometimes appointed directly from civilian life, but they were usually detailed from other branches of the Army.

Despite a long record of service by Army judge advocates, not until the beginning of World War II were efforts made to provide them specialized education in military law. In February 1942, as the uniformed lawyer's responsibilities increased in volume and complexity, specialized courses and continuing legal education for active duty judge advocates were begun at the National University Law School in Washington, D.C. The school moved in August 1942 to the University of Michigan Law School in Ann Arbor. By June 1944, over two-thirds of the active duty officers in the Judge Advocate General's Corps (JAGC) were graduates of the school. The school at Ann Arbor, intended as only a temporary facility, was deactivated in 1946 during the general demobilization following World War II.

Following the school's deactivation, a study on the administration of military justice demonstrated a requirement for continued formal education of military lawyers. Gone was the time when one could prepare for the practice of law in the Army by mastering a few books. Detailed instruction was needed for new judge advocates, and continuing instruction on new developments in military law was required for all judge advocates. The enactment of the Uniform Code of Military Justice in 1950, and the beginning of the Korean Conflict, further emphasized this need. As a result, another temporary school to teach judge advocates was activated at Fort Myer, Virginia, in October 1950. It was decided, however, that a permanent school for Army lawyers must be established.

An offer from the University of Virginia (UVA) was accepted by the Army, and in August 1951 The Judge Advocate General's School moved to Charlottesville, Virginia, where it shared existing UVA facilities. As the military community grew in the sixties, so did the needs of the JAGC. In 1975, the School moved to its own facility, adjacent to the UVA Law School and the Darden Graduate School of Business, in the graduate education area of UVA known as the North Grounds. The facility (now known as the South Wing of the School) provides classrooms and seminar rooms with seating capacities from 10 to 200, two practice courtrooms, a library, 80 motel-type rooms for individuals attending continuing legal education courses, and private offices for faculty members.

Because of the ever-increasing teaching mission of the School, in January 1988 construction began on a 48,500 square foot North Wing addition to the existing building. In February 1990, staff, faculty, and students moved into the North Wing, which includes a 325-seat multi-purpose auditorium, a large general purpose classroom and eight seminar rooms (two of which are adaptable as courtrooms). The addition also encompasses a television production studio, a computer learning center, a new post exchange, and additional office space. The North Wing allows the School to continue providing top-quality legal education and to meet the growing and increasingly diverse needs for legal education in the Department of Defense.

The Judge Advocate General's School teaches the fundamentals of military law to attorneys newly commissioned as judge advocates and provides graduate legal education to career military officers. Numerous continuing legal education (CLE) courses and seminars, lasting from two days to three weeks, are presented annually. More than 3,000 attorneys and nearly 600 non-attorneys attend resident courses during the year. The School also administers an extensive correspondence course CLE program, offering correspondence course studies to approximately 1,500 students annually.

Functions of the School are divided among four departments and one office: Academic; School Support; Developments, Doctrine and Literature; Guard and Reserve Affairs; and the Information Management Office.

The Academic Department develops and conducts all of the School's resident courses. Additionally, the Academic Department is responsible for all nonresident instruction, including administration of correspondence courses and preparation of educational material for judge advocates attending Army reserve schools or serving in Reserve Component units. The department also manages development of legal subject educational materials for use Army-wide.

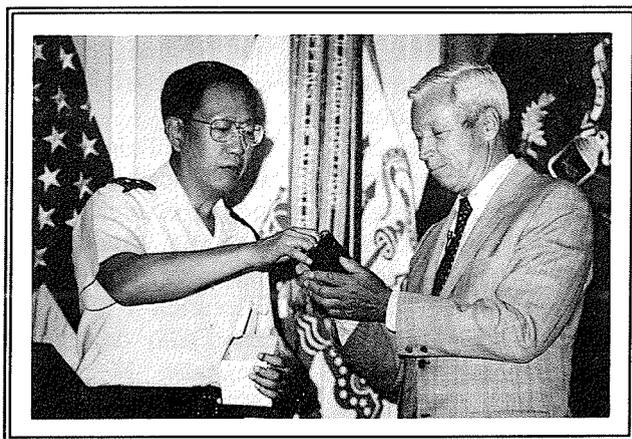
The School Support Department serves as the principal administrative staff, controlling administrative, personnel, logistical and budget matters. The department is also responsible for conference planning, local claims and legal assistance services, and The Judge Advocate General's School Community Club.

The Developments, Doctrine and Literature Department develops and reviews guidelines for the size and organization of legal offices for active Army and Reserve Component forces. These guidelines must allow the Judge Advocate General's Corps (JAGC) to provide full legal services and legal support to the combat force.

Each guideline includes the number of personnel, grade structures, and equipment. Additionally, the department develops JAGC doctrine and prepares conceptual analysis studies to help ensure quality support for the total Army. The department edits and publishes the JAGC's two primary professional publications, the Military Law Review and The Army Lawyer. The Army Law Library Service, within the department, manages the central acquisition of key library materials for Army law libraries worldwide.

The Judge Advocate Guard and Reserve Affairs Department is the principal advisor to The Judge Advocate General on policy matters affecting the appointment, assignment, mobilization, and training of Reserve Component judge advocate officers. The department acts on accessions to the U.S. Army Reserves (USAR) JAGC; federal recognition of Army National Guard judge advocates; supervises assignments of Individual Mobilization Augmentees (IMA) and senior USAR judge advocates; provides management advice and assistance to all Reserve Component judge advocates; assists in the development and administration of resident and nonresident educational programs; and reviews regulations affecting Reserve Component judge advocates for updating and changes.

The Information Management Office provides audio-visual and automation support to the School.



*MG John L. Fugh, The Judge Advocate General,
presents a regimental cup
to the Honorable Michael P. W. Stone, Secretary of the Army*

COMMANDANT'S REPORT

The Judge Advocate General's School continues to be the only government entity statutorily authorized (10 U.S.C. § 4315) to grant the degree of Master of Laws (LL.M.) in Military Law. Recognizing the demanding scholastic standards of the Graduate Course, in August 1988 the American Bar Association accepted its Accreditation Committee's site evaluation recommendation and concurred in the School's awarding of the LL.M. in Military Law.

The primary mission of the School is to provide the highest quality legal instruction to meet the professional development and continuing legal education needs of military lawyers (whether Active or Reserve Component) and civilian lawyers of the Department of Defense.

During the past academic year, The Judge Advocate General's School provided resident instruction in 44 courses. The 40th Graduate Course, which consisted of 64 students, including officers from Australia, Botswana, Canada, and Nigeria, was in residence from August 1991 until May 1992. The Graduate Course included judge advocates from the Army Reserve and the Army National Guard, as well as the active Army, Air Force, Navy, and Marine Corps. Three Basic Courses were conducted; a total of 223 Army officers and two International Military Students graduated from the 125th, 126th, and 127th Basic Courses. The continuing legal education courses offered by the School were attended by students from all components of the Army, numerous government agencies, several foreign countries, and all of the military services.

The School continued to provide senior officers with legal orientations prior to their

assumptions of command. The General Officer Legal Orientation and the Senior Officers Legal Orientation courses prepare officers for the legal responsibilities faced by general and special court-martial convening authorities and by division and installation commanders.

The faculty also taught courses in Europe and Korea to active duty and civilian attorneys. Between October 1991 and May 1992, the School provided on-site continuing legal education to over 2,000 Reserve Component judge advocates in 22 locations throughout the United States. Over 1,500 students were enrolled in the correspondence course program and over 2,100 video tapes were copied by the School and sent to legal offices throughout the world.

The faculty of the School continued to support the Automated Legal Assistance Services portion of the Legal Automation, Army-Wide System (LAAWS). Both substantive and programming input were provided to LAAWS.



*Colonel John T. Edwards
Eighteenth Commandant
The Judge Advocate General's School*

Administrative and Civil Law Division

The Administrative and Civil Law Division continued to provide instruction to commanders and attorneys in a broad range of legal subjects. Each Graduate Course student received instruction in federal litigation, installation law, claims, military personnel law, civilian personnel law, labor law, nonappropriated fund instrumentalities and private organizations, government information practices, legal assistance, environmental law, and standards of conduct. The division also offered advanced electives in a variety of subject areas. Each Basic Course student received instruction in all administrative and civil law subjects, including practical exercises

in interviewing and counseling, will drafting and separation agreements.

The Administrative and Civil Law Division conducted numerous week-long continuing legal education (CLE) courses at the School in federal litigation, federal labor relations, administrative law for military installations, and legal assistance.

In addition to their teaching duties at The Judge Advocate General's School, division instructors taught Army Reserve, Army National Guard, U.S. Marine Corps Reserve, and U.S. Naval Reserve attorneys at on-site locations throughout the country. They also participated in courses in legal assistance, tax, and administrative law for attorneys stationed in Europe; quarterly classes for the Army Installation Management Course at Fort Lee, Virginia; tax conferences in Korea and Hawaii; environmental law CLE programs and federal income tax seminars at the U.S. Air Force Judge Advocate General's School at Maxwell Air Force Base, Alabama; environmental law classes at the U.S. Army Environmental Law Symposium in Washington, D.C.; state and national child support enforcement conferences; and ROTC classes and law school elective classes at the University of Virginia.

The Legal Assistance Branch, Administrative and Civil Law Division, conducted two week-long Legal Assistance Courses at the School, attended by attorneys from all of the armed services. The branch continued to provide timely material and advice to military legal assistance offices worldwide. Numerous School publications were distributed to those offices through four separate mailings, including the Legal Assistance Guide series and a new guide addressing the Uniformed Services Former Spouses' Protection Act. The branch also distributed materials obtained from non-JAG School sources, including the Air Force All States Income Tax Guide. Legal Assistance Branch personnel developed model instruction for all Reserve Component on-site training, emphasizing legal assistance in support of mobilization and deployment. Legal Assistance Branch personnel also participated in the American Bar Association's quarterly Legal Assistance for Military Personnel (LAMP) Committee meetings.

This was another successful year for the Administrative and Civil Law guest speaker program. Our guest speakers included Ms. Jessica Parks, Member, Merit Systems Protection Board; Mr. Mark Kelleher, Director, Office of Regional Operations, Merit Systems Protection Board; Mr. Robert D. L'Heureux, Associate Special Counsel for Investigations, Office of Special Counsel; Judge James Harry Michael, Jr., United States District Court Judge for the Western District of Virginia; and Mr. Stuart M. Gerson, Assistant Attorney General for the Civil Division, United States Department of Justice. Justice Antonin Scalia, United States Supreme Court, presented the 16th Charles L. Decker Lecture.

Criminal Law Division

The Criminal Law Division continued to teach newly commissioned judge advocates attending the three Basic Courses and experienced judge advocates attending the Graduate Course. The Basic Course criminal law instruction included a demanding clinical training program consisting of nine trial technique exercises and two moot court presentations. The core curriculum for the Graduate Course familiarized all students with criminal law subjects during the first two quarters and included small-group seminars on various areas of evidence and procedure. Instruction in the final two quarters consisted of advanced criminal law electives. Two sessions of the Criminal Trial Advocacy Course were offered to relatively inexperienced trial and defense counsel; the Military Judge Course was offered to selected officers from all armed services, including the Reserve Components; and the Procurement Fraud Course was offered to military and civilian employees of the Department of Defense. The Criminal Law Division presented instruction to judge advocates from all services on recent criminal law developments during the Criminal Law New Developments Course. The division also hosted the judges from the U.S. Court of Military Appeals, providing not only substantive criminal law instruction but also a mock court-martial so the newly appointed members of the court could observe military procedures at the trial level.

In addition to resident instruction, the division taught criminal law at reserve on-site locations and in Europe. The division presented a condensed advocacy course in Europe between the week-long CLE's. The division also taught a two week resident phase of the Judge Advocate Triennial Training and the Judge Advocate Officer Advanced Course for members of the Reserve Components.

The Criminal Law Division updates and publishes deskbooks on criminal law subjects. Included within the division's publications are the Crimes and Defenses Deskbook, the Trial Counsel and Defense Counsel Handbook, the U.S. Attorneys Prosecutions Deskbook, and Department of the Army Pamphlet 27-173, Trial Procedure. Criminal Law instructors also regularly contributed articles and short notes for publication in The Army Lawyer and the Military Law Review.

Criminal Law instruction was complemented by an exceptional guest speaker program that included Judge Walter T. Cox, III, and Judge Herman F. Gierke, from the U.S. Court of Military Appeals; Judge B. Waugh Crigler, U.S. Magistrate Judge, Charlottesville, Virginia; Judge Charles Moylan, Maryland Circuit Court of Appeals; Mr. John F. Depue, Senior Attorney, Terrorism and Violent Crimes Division, Department of Justice; Professor John E.B. Myers, University of the Pacific, McGeorge School of Law, Sacramento, California; Colonel (U.S. Air Force, retired) George E. Day, Medal of Honor recipient, former Prisoner of War in Vietnam, and currently an attorney, Fort Walton Beach, Florida; Major General (U.S. Army, retired) Kenneth J. Hodson, Washington, D.C.; and Dr. Cyril H. Wecht, forensic pathologist, Pittsburgh, Pennsylvania. Professor Paul C. Giannelli, Professor of Law, Case Western Reserve University School of Law, Cleveland, Ohio, presented the 21st Kenneth J. Hodson Lecture in Criminal Law.

Contract Law Division

The Contract Law Division provided introductory instruction in government contract and fiscal law to students in the Basic Course and comprehensive instruction to students of the Graduate Course. In addition, the division sponsored resident CLE courses and on-site CLE's. These CLE's included the Fiscal Law Course, which provided instruction on the statutory and regulatory controls applicable to the obligation and expenditure of appropriated funds; three Contract Attorneys Courses, which provided basic instruction in government contract law; the Government Materiel Acquisition Course, which addressed contract issues at major buying commands; the Installation Contracting Course, which addressed contract issues facing stateside installation attorneys; and the Contract Claims, Litigation, and Remedies Course, which focused on the litigation of government contract claims, protests and disputes.

The 1991 Government Contract Law Symposium provided an annual update to experienced government contract attorneys on the significant changes in government contract law and policy. It featured lively discussion of topics, including

Kuwait Reconstruction Contracting; recent developments in Contract Disputes Act jurisdiction; GAO and GSBICA bid protest procedures; and changes in management of expired appropriations. The 9th Annual Cuneo Lecture was presented by Mr. Stewart Gerson, Assistant Attorney General, Civil Division, Department of Justice. Judge Susan B. Crawford presented the Fourth Major Frank B. Creekmore Lecture. Another highlight of the 1991 Symposium was the discussion generated by the General Counsel Panel, which consisted of Mr. King Culp, Magnavox; Mr. Bill Lytton, General Electric; and Mr. John Cavanaugh, McKenna & Cuneo. Other notable experts from the Government and the private sector also



*The Fourth Creekmore Lecturer
Judge Susan B. Crawford
U.S. Court of Military Appeals*

participated as guest speakers; among those were Mr. Paul Schnitzer, Crowell and Moring; Mr. C. Stanley Dees, McKenna and Cuneo; and Mr. Nelson Toye, Office of the Comptroller, Office of the Secretary of Defense.

The Contract Law Division also provided instruction in contract law to Reserve Component officers at six on-site locations. Additionally, instructors from the Contract Law Division provided instruction at the Air Force Material Command and at the American Bar Association, Section of Public Contract Law.

In addition to writing short notes for publication, the instructors authored the Contract Law Division's annual article, Recent Developments in Contract Law--1991 in Review, for The Army Lawyer. The annual article surveyed recent developments in legislation, case law, administrative decisions, and DOD policy.

International Law Division

The goal of the International Law Division is to instruct military attorneys in the international and domestic law applicable to military operations. To this end, the division continues to focus on practical international legal issues that directly affect the judge advocate during peacetime and combat deployments. Consequently, the division incorporated into the Graduate Course curriculum the lessons learned from Operations Desert Shield/Storm in Southwest Asia, Just Cause in Panama, and Urgent Fury in Grenada, from the British

experience in the Falkland Islands, and from training exercises in Latin America, Europe, and the Middle East. Its teaching responsibilities have further expanded to include instruction on counter-drug operations, military aid to law enforcement and intelligence law. The International Law Division added a Navy officer to its faculty, thus recognizing that operational law is practiced in a joint service environment and requires input from all the services.

The division revised and updated the Operational Law Handbook, which will be distributed to students attending each Operational Law Seminar. Furthermore, International Law instructors published casebooks on the law of the sea and the law of air and space, which are used by students attending the Graduate Course.

Three Law of War Workshops were taught at the School, emphasizing the operational aspects of the law of war. Additionally, the division conducted three Operational Law Seminars, which focused on the legal issues raised in various deployment scenarios. These courses were attended by students from each of

the four armed services, attorneys from other federal agencies, and International Military Students.

Established by the Secretary of the Army in 1988, The Center for Law and Military Operations (CLAMO) is administered by the International Law Division and conducts



*The Twenty-first Hodson Lecturer
Professor Paul C. Giannelli (right)
with MG Kenneth J. Hodson (Ret.)*

symposia, publishes articles, and provides resource material on operational law. The second symposium was conducted in the summer of 1991 and was directed toward legal issues associated with the Gulf campaign. CLAMO also supported the International Society for Military Law and the Law of War by arranging for its executive board to meet at the JAG School in April 1992.

In response to other instructional requirements, the International Law Division sent two instructors to Germany to assist in the presentation of the USAREUR Operational Law Course and one instructor to the USAREUR International Law Conference. Instruction also was provided at the Army War College and the Army Guard and Reserve Conference in Columbus, Ohio. In support of the on-site instruction to various Reserve Components, the division developed a course of instruction devoted solely to the domestic and international legal issues raised during Operations Desert Shield/Storm.

**Developments, Doctrine
and Literature
Department**

The Developments, Doctrine and Literature Department wrote, and the Army published, Field Manual 27-100, Legal Operations (3 Sep. 1991), the JAGC's capstone doctrinal field manual. FM 27-100 describes the JAGC's organization, personnel and functions, and guides commanders and JAGC personnel on how, why, when and where legal services are provided. The department is coordinating with the U.S. Army Training and Doctrine Command to determine the changes in JAGC doctrine, organization, training and equipment necessary to effectively support a rapidly changing Army and to incorporate lessons learned from Operations

Desert Shield/Storm.

The Military Law Review and The Army Lawyer continued to provide quality articles that informed and educated judge advocates in the active Army and the Reserve Components. The Military Law Review underwent several changes to make its appearance and format comport more closely with other law reviews. In addition, The Army Lawyer published a special twenty-five year cumulative index in March 1992. In August 1991, the Alumni Association presented its Professional Writing Award to Major Matthew E. Winter for his article, "Finding the Law"--The Values, Identity, and Function of the International Law Adviser, which appeared at 128 MIL. L. REV. 1 (1990). The



*Commodore Peter A. Partner
The Judge Advocate General
Canadian National Defence Force*

Literature and Publications Office also worked on a revision to Military Citation, which it reissued in its fifth edition in July 1992.

The Developments, Doctrine, and Literature Department continued to edit and organize the production of top quality Department of the Army Pamphlets, Field Manuals, Training Circulars, and Graphic Training Aids. The Army Law Library Service provided needed library materials to Army law libraries worldwide.

**Judge Advocate
Guard and Reserve
Affairs Department**

To increase the visibility of Reserve Component (RC) issues and to better manage the downsizing of RC judge advocate forces, the Judge Advocate Guard and Reserve Affairs Department became a division of the Office of The Judge Advocate General. The Director, Judge Advocate Guard and Reserve Affairs Department, is the principal advisor to The Judge Advocate General on all matters involving RC judge advocates. He



*Honorable Stephen M. Duncan
Assistant Secretary of Defense
(Reserve Affairs)*

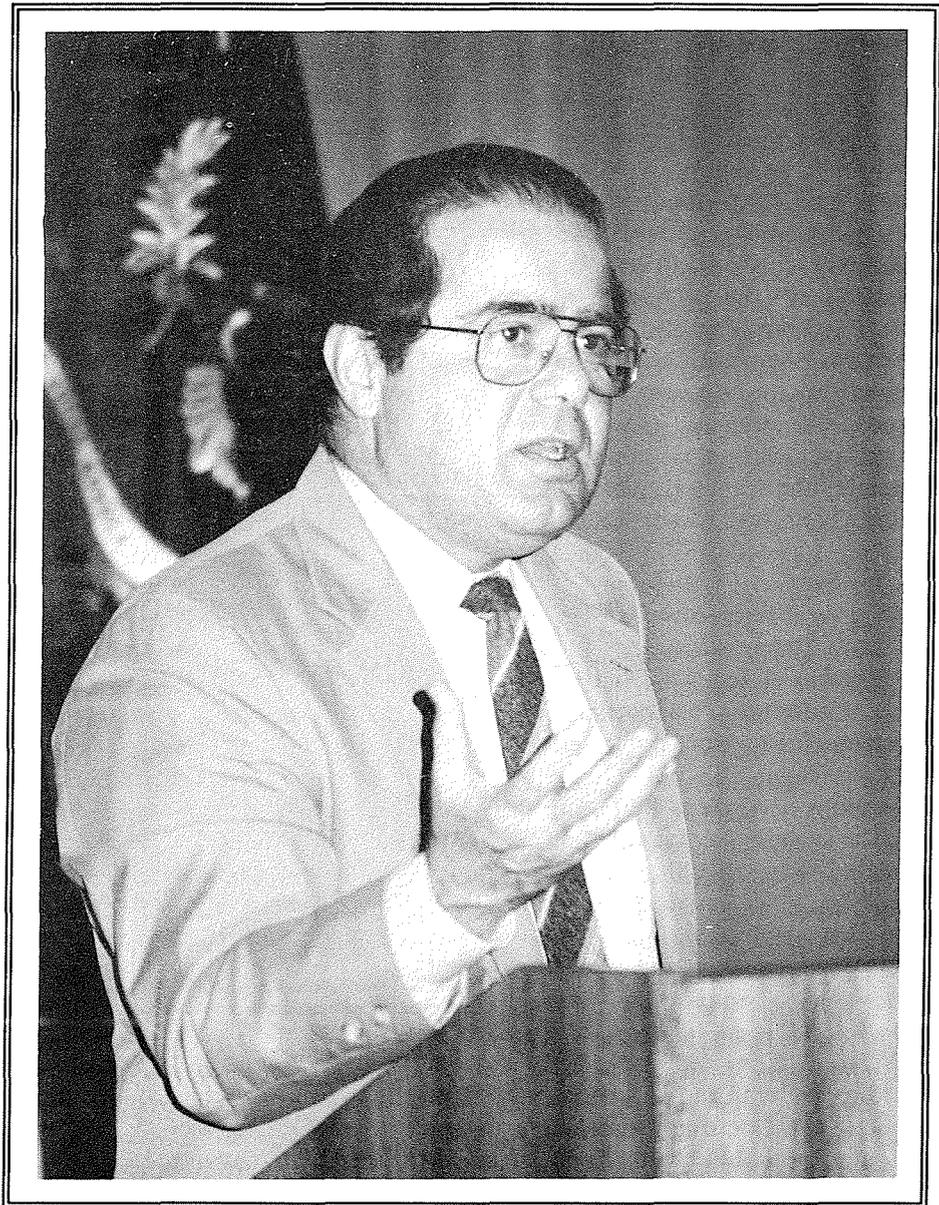
has been delegated The Judge Advocate General's authority to act on accessions to the U.S. Army Reserve (USAR) JAGC; federal recognition of Army National Guard (ARNG) JA officers; assignment of all USAR judge advocates below the senior SJA level, including IMA and AGR; and JAGC proponency for Army Regulations 135-100, 135-155, 135-175, 140-10, 140-30, and 27-1 (Chapters 10 and 11). The department continued to provide advice to FORSCOM and USARC on matters involving force reduction and stationing. In June 1992, the department sponsored resident Judge Advocate Triennial Training for Criminal Law Teams, as well as Phase II of the Judge Advocate Officer Advanced Course. Over 300 USAR and ARNG judge advocates attended these courses. The department hosted the 1992 Reserve Component Workshop in April 1992, bringing together senior RC judge advocates for training. The department also sponsored and administered the on-site program for military legal training in numerous locations, nationwide. The department continued to increase the participation of ARNG attorneys in both resident and nonresident training.

**School Support
Department**

The School Support Department continued to provide total logistical and administrative support for staff, faculty, students and guests of The Judge Advocate

General's School.

The ever changing nature of the law and the increasing demand for professional continuing legal education require that the School continue to modernize. The staff and faculty will maintain the School's tradition of academic excellence. The School will always strive to meet the educational needs of the military lawyer.



*The Sixteenth Decker Lecturer
Justice Antonin Scalia
Associate Justice, U.S. Supreme Court*

FACULTY AND LIBRARY

The Judge Advocate General's School curriculum provides continuing legal education for military lawyers. The Graduate Course was approved by the American Bar Association as a graduate law program in February 1958. After an inspection in April 1988, the Accreditation Committee of the Section of Legal Education and Admissions to the Bar of the American Bar Association sanctioned continued approval of the resident Judge Advocate Officer Graduate Course as a specialized program beyond the first degree in law.

The Judge Advocate General's School Academic Department faculty consists of 37 military attorneys and three officers not commissioned in the Judge Advocate General's Corps. Other attorneys on the School staff provide instruction periodically in areas of individual expertise. The faculty is supplemented by an extensive guest lecturer program. Faculty selections are based on academic qualifications, experience and interest in teaching. All attorneys who are full-time faculty members have completed graduate programs in law beyond the first professional degree. Most faculty members have considerable practical experience in the areas of

the law they teach. All instructors in the Criminal Law Division, for example, have substantial courtroom trial experience. Faculty members typically spend three years teaching and then return to other forms of legal practice. This rotation system aids in keeping instruction current and tied to the realities of military legal practice.

The Judge Advocate General's School Library provides a place for research and study to faculty and students. The facility specializes in federal and military legal matters and maintains an extensive set of legal periodicals. The library provides ready access to the primary research materials needed in military legal practice. For more extensive research, students and faculty use the nearby Arthur J. Morris Law Library and the Alderman Library on the central grounds of the University of Virginia.

The School's library has been greatly enhanced by the expansion and renovation of its physical facilities. The renovation expands the available shelf space, enlarges the library reading area, and includes a separate automated legal research center.

RESIDENT PROGRAM

The Basic Course

The Basic Course is offered three times each year. It is a 12-week introduction to the practice of law in the military. The first two weeks are taught at Fort Lee, Virginia. This military orientation training provides an overview of officer responsibilities and basic soldier skills. The final 10 weeks of the course are taught at The Judge Advocate General's School in Charlottesville. A transition week introduces the organization, function, and mission of the Judge Advocate General's Corps, and defines the role of

the military attorney. The remaining nine weeks are dedicated to substantive military law subjects, with emphasis on those areas most likely to be encountered during first duty assignments.

One half of the course consists of criminal law. All areas of criminal law and criminal procedure are taught using platform instruction and practical exercises. Each student participates in nine practical exercises and two practice courts-martial. These exercises contain specific courtroom evidentiary problems and prepare the student for duties as counsel in courts-martial.

Basic Course students also participate in professional skills exercises structured to involve them in typical law office situations.

One third of the course deals with four areas of administrative and civil law: personnel law, the law of installation command, claims, and legal assistance. Practical exercises in interviewing and counseling, will drafting, legal research, and opinion drafting are included.

The remainder of the course covers the military lawyer's role in government contract law and international law. Students are exposed to the federal acquisition process, basic legal concepts regarding the authority of the government to enter into contracts, and fundamental concepts of federal fiscal law. International law is divided into two major areas. The first deals with the law of war and includes the Hague and Geneva Conventions and the Code of Conduct. Instruction is designed to provide the student with the expertise necessary to teach fellow soldiers the law of war. The second area concerns special legal problems encountered by soldiers who are deployed overseas. The instruction discusses the effect that foreign law and international agreements have on the Army, individual soldiers, and family members.

The Graduate Course

The Graduate Course/LL.M. Program is an American Bar Association accredited graduate law program. Each class consists of students selected from the Army, Navy, Air Force and Marine Corps, and international military students. All students are attorneys who generally have five to eight years of experience as practitioners. Selection for attendance at the Graduate Course is competitive. The Graduate Course covers a full resident academic year. It prepares

experienced attorneys for supervisory duties and other positions of increased responsibility within the student's respective service. Students who successfully complete the course of instruction are awarded the degree of Master of Laws in Military Law.

Instruction in the Graduate Course varies in form, with dialogue predominating. Emphasis is placed on use of the seminar approach and the case study method.

The Contract Law Division's core instruction is primarily technique-and-fact oriented. Its goal is to give students specific practical skills in reviewing government acquisition actions and

solving problems arising under government contracts at military installations located in the United States. Contract Law electives provide students with specific instruction in such areas as solving typical contract law problems, litigation, disputes and remedies, negotiation, the commercial activities program, and weapons systems acquisition. These electives prepare students for contract law assignments upon graduation.



*Colonel John S. Cooke
Deputy Commandant and Director,
Academic Department*

The International Law Division's core instruction provides students with an in-depth knowledge of operational

law, the law of war, and general principles of international law. The instruction begins with an introduction to, and broad overview of, the general principles of international law which deploying judge advocates are required to know. The core instruction then focuses upon a wide variety of operational law issues, including status of forces agreements, deployments for overseas exercises, security assistance issues, counterdrug operations, noncombatant evacuation operations, and peacekeeping operations. The course culminates with instruction in reviewing operations plans and rules of engagement, and extensive analysis of the law of war (humanitarian law). Throughout the instruction, discussion questions and seminars are utilized to illuminate

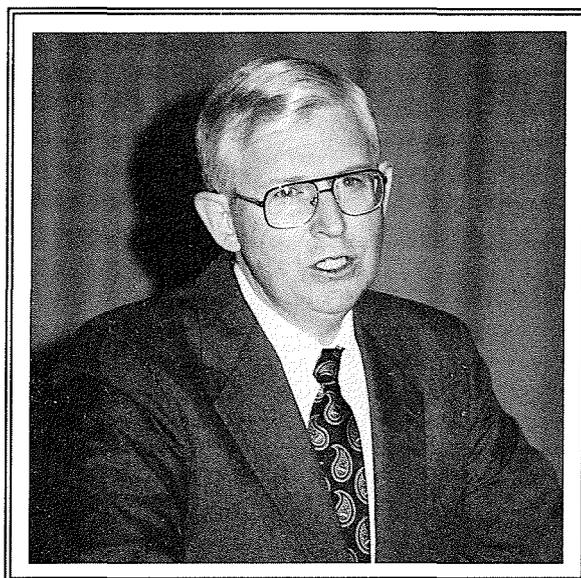
the material presented. International law electives include air and space law, advanced international law, selected topics in the law of war, contemporary international law issues, law of the sea, history of modern warfare, comparative legal systems, and current issues in national security law.

The Criminal Law Division presents a balanced offering of trial procedure and substantive law in the core curriculum. It provides the necessary practical information in criminal law required of all career judge advocates. Criminal law electives include advanced evidence, advanced trial procedure, advanced trial advocacy, professional responsibility, crimes and defenses, and analysis of the military justice system. These electives prepare students for criminal law assignments upon graduation.

The Administrative and Civil Law Division presents over one half of all Graduate Course core instruction in such diverse subjects as defensive federal litigation, law of military installations, military and civilian personnel law, labor relations, government information practices, claims, legal assistance, and selected additional topics. The division also presents two unique core courses: leadership and management, and communications. These courses are designed to teach each attorney to write and speak, and to lead people and manage resources more effectively. Many of the Administrative and Civil Law electives expand upon core topics, such as military personnel law, federal litigation, and legal assistance. Other electives, such as hospital law and nonappropriated funds, give students an opportunity to learn more about subjects only briefly covered in the core curriculum.

Continuing Legal Education Courses

Each year the School offers specialized continuing legal education (CLE) courses. These courses vary in length from two days to three weeks and provide practice-oriented continuing legal education for military attorneys. Most of the courses provide an update in a particular field of law, while some serve as advanced qualification courses for positions such as a military judge. Some courses are designed to acquaint non-lawyers with the role of the law in military activities. Over 3,500 students attend these resident courses annually.



*Edward H. ("Ham") Young Lecturer
Dean Nathaniel Hansford
University of Alabama School of Law*

Attendance at Resident Courses

Except as otherwise noted, attendance at all resident continuing legal education courses is managed on the Army Training Requirements and Resources System (ATRRS) according to Army Regulation 350-10. Student quotas are allocated to Army commands and other agencies through ATRRS. Attendance at the Military Judge Course is controlled by the U.S. Army Judiciary. The Judge Advocate

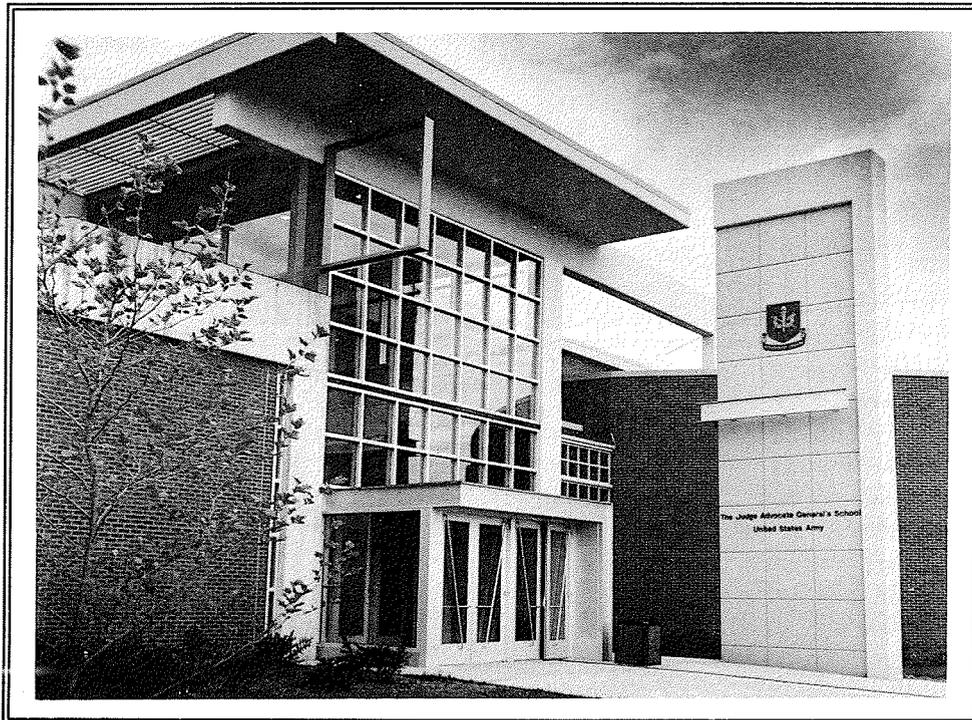
General controls attendance at the Staff Judge Advocate Course. The Total Army Personnel Command (PERSCOM) selects officers for attendance at the Senior Officers Legal Orientation Course. The School normally does not accept individual applications from attorneys or judge advocate offices. Interested attorneys should request quota assignments through the training offices of their organizations.

Quotas are allocated on an annual basis. The size of most continuing legal education courses is controlled in order to ensure quality education through direct contact between

instructors and students, and through seminar discussion. Department of Defense departments and agencies are allocated quotas for TJAGSA courses. Employees of non-DOD U.S. Government agencies who meet other prerequisites may attend TJAGSA courses on a space available basis. Attendees must meet the course prerequisites specified in this bulletin and Army Regulation 351-20, Army Formal Schools Catalog. Unless otherwise noted in the course prerequisite, no security clearance is required for attendance at resident courses. All funding and publication of travel orders are accomplished by the attendees' parent organizations. The School does not require the payment of any tuition.

Reserve Component officers who wish to attend resident continuing legal education (CLE) courses at The Judge Advocate General's School must submit applications and obtain quotas prior

to attendance. USAR officers submit applications on DA Form 1058, and National Guard officers submit applications on NGB Form 64. USAR unit members obtain quotas through unit channels, and USAR Individual Mobilization Augmentees (IMA) obtain quotas from the JAGC PMO at the Army Reserve Personnel Center (ARPERCEN) in St. Louis, Missouri. National Guard officers forward applications to the ARNG Military Education Branch, Aberdeen Proving Ground, Maryland. All applicants must indicate height, weight and date of birth on their applications, plus pertinent course numbers listed elsewhere in this bulletin. Information copies of applications from Army Reserve and National Guard officers should be forwarded to: Commandant, The Judge Advocate General's School, U.S. Army, ATTN: JAGS-GRA, Charlottesville, VA 22903-1781.



*The entrance to the North Wing of
The Judge Advocate General's School, United States Army, Charlottesville, Virginia*

RESIDENT COURSE DESCRIPTIONS

Judge Advocate Officer Basic Course 5-27-C20

Length: 10 weeks (preceded by two weeks of military orientation at Fort Lee, Virginia)

Scope: This course stresses military criminal law and procedures, and other areas of military law which are most likely to concern a Judge Advocate in the first duty assignment. Specifically, it provides an introduction to the following: military criminal law and the practical aspects of criminal procedure and practice; personnel law (military and civilian); legal basis of command; claims; legal assistance; Army organization and management; federal contract and fiscal law; and the law of war and status of forces agreements.

Prerequisites: Commissioned officers who are attorneys and who have been appointed or are pending appointment in the JAG Corps (or another service's equivalent).

Judge Advocate Officer Graduate Course/ LL.M. Program 5-27-C22

Length: 41 weeks

Scope: This course prepares career military attorneys for future service in senior judge advocate positions. The course requirements equal or exceed those of graduate programs at other law schools. The American Bar Association has approved the course as meeting its standards for specialized legal education beyond the first professional degree. Students who successfully complete the course are awarded a Master of

Laws (LL.M) degree in Military Law. The course is conducted over an academic year totalling approximately 40 credit hours. It consists of the following curriculum elements:

(1) Core Courses consisting of 26 credit hours of criminal law, administrative and civil law, international and operational law, contract law, leadership and management, and communications;

(2) Electives consisting of 14 credit hours.

Prerequisites: Commissioned career officers of the armed forces whose branch is JAGC or another service's equivalent, in their fifth to eighth year of active commissioned service. Army officers are selected for attendance by The Judge Advocate General.

Senior Officers Legal Orientation Course 5F-F1

Length: 4 1/2 days

Scope: This course acquaints senior officers with the legal responsibilities and issues commonly faced by installation, division, brigade and battalion commanders, and those commanders assuming special court-martial convening authority. Specific topics include:

1) Administrative and Civil Law: judicial review of military activities, military aid to civil authorities, legal basis of installation and unit command, labor-management relations, civilian personnel law, nonpunitive options, nonappropriated funds, legal assistance, survivor assistance, family law, consumer law, environmental law, government information practices, and fraternization.

(2) **Criminal Law:** survey of principals relating to search and seizure, confessions, nonjudicial punishment, and command influence. Emphasis is placed on the options and responsibilities of convening authorities before and after trial in military justice matters, including theories and effects of sentencing.

(3) **International Law:** responsibilities of command and staff under the law of war and national implementing policy; legal responsibilities of command and staff under status of forces agreements and other stationing agreements.

(4) **Contract Law:** an overview of the Commercial Activities Program, the Anti-Deficiency Act, the contracting process, and fiscal law issues.

Prerequisites: Military officers in the grade of Colonel, Lieutenant Colonel and promotable Majors assigned or pending assignment as brigade commanders or commanders who will exercise special court-martial convening authority. Selection for attendance is by OPMD, PERSCOM.

General Officer Legal Orientation Course

5F-F2

Length: 1 day

Scope: This course acquaints general courts-martial convening authorities and other senior commanders with the legal responsibilities and issues commonly faced by division, installation, and other major activity commanders. This course is tailored to the specific needs of each general officer attendee. The full range of military law topics is available for selection.

Prerequisites: Active duty general officers or promotable colonels. Attendance is arranged through the General Officer Management Office, The Pentagon.

Contract Attorneys Course

5F-F10

Length: 2 weeks

Scope: This course presents instruction regarding the basic legal concepts pertaining to the authority of the government and its personnel to enter into contracts; statutorily mandated competition requirements; contract formation (sealed bidding and competitive negotiation), including appropriations, basic contract types, labor standards, and socioeconomic policies; contract performance, including modifications, terminations, inspection, and acceptance; disputes, including remedies of unsuccessful offerors and appeals; introduction to acquisition of automatic data processing equipment; and introduction to procurement fraud.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. Government with one year or less of recent contract experience. Individuals who have completed this course within the three years preceding the course starting date are not eligible to attend. Army JAGC officers must have completed the Judge Advocate Officer Basic Course (5-27-C20) prior to attending this course.

Government Contract Law Symposium

5F-F11

Length: 4 1/2 days

Scope: The focus of the Symposium is to update government attorneys on significant changes in government contract law and policy by providing attendees the opportunity to obtain the views of prominent individuals from the Government and private sector. The course is a symposium, featuring guest speakers and seminars, with emphasis on new developments, reiteration of selected contract topics, and policy insights. Additionally, the Symposium serves as the focal point for the continuing education needs of

program manager attorneys. The Symposium will include seminars specifically designed for program manager attorneys.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. Government who work or are pending assignment as a government contract law attorney, have successfully completed the Contract Attorneys Course (5F-F10) or equivalent training, and have at least two years experience as a contract law attorney. This course is designed for experienced contract attorneys and supervisors.

Fiscal Law Course 5F-F12

Length: 4 1/2 days

Scope: This course presents instruction on the legal, practical, and administrative problems involved in the funding of government contracts. Basic aspects of the appropriations process, administrative and statutory control of appropriated funds, and minor construction are covered.

Prerequisites: Military officers or civilian personnel employed by the U.S. Government serving in the grade of GS-9 or above who work in contract law, contracting, or administering funds available for obligation on government contracts. Attendees must be attorneys, contracting officers, comptrollers, finance and accounting officers, responsible budget officials, or equivalent. Attendees should have completed the Contract Attorneys Course (5F-F10), a financial manager's course, comptrollership course, or equivalent training.

Contract Claims, Litigation and Remedies Course 5F-F13

Length: 4 1/2 days

Scope: This course focuses on preparation for litigating contract claims, protests, and disputes; techniques of litigation; rules of practice of the Boards of Contract Appeals, the U.S. Claims Court, and the General Accounting Office; remedies available to both government and contractors; preparation of litigation files and reports; marshalling evidence; conducting and defending discovery; negotiating settlements; and coordination of remedies for contract fraud.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. Government with at least six months of contract experience but no more than twenty-four months of contract litigation experience. Attendees must also have successfully completed the Contract Attorneys Course (5F-F10) or equivalent training.

Government Materiel Acquisition Course 5F-F17

Length: 4 1/2 days

Scope: This course focuses on acquisition law beyond basic installation level topics. It is intended for attorneys with one to four years of contract law experience involved in the acquisition of supplies, components, weapons or major end items, but not major weapons systems. Topics include an annual survey of recent developments in legislation, case law, administrative decisions, and DOD policy; competition and source selection; truth in negotiations; bankruptcy; responsibility determinations; technical data rights policies; costs and cost accounting standards; payment and collection procedures; review of claims; settling termination for convenience proposals; automatic data processing equipment contracting; and secure environment contracting.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. Government. Attendees must have successfully completed the Contract Attorneys Course (5F-F10) or equivalent training, and have at least one year's experience as a contract law attorney.

Installation Contracting Course 5F-F18

Length: 4 1/2 days

Scope: This course addresses the funding, formation, and administration of government contracts at military installations and comparable government agencies.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. Government. Attendees must have successfully completed the Contract Attorneys Course or equivalent training, and have at least one year's experience as a contract law attorney.

Federal Labor Relations Course 5F-F22

Length: 4 1/2 days

Scope: This course focuses on the law of federal employment. Topics include the hiring, classification, promotion, and discharge of employees under current civil service laws and regulations; roles of the Office of Personnel Management and the Merit Systems Protection Board; grievance and adverse action procedures; substantive standards for adverse actions; reduction-in-force procedures; and equal employment opportunity law. Topics covered under federal labor-management relations include the rights and duties of management and labor under Title VII of the Civil Service Reform Act of 1978; representation activities; negotiation of labor contracts; unfair labor practices complaints; administration of labor contracts; procedures for arbitration of grievances; and labor law implications of contracting out.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. Government who work or are pending assignment in civilian personnel law or labor law. Personnel who have completed this course or the Judge Advocate

Officer Graduate Course (5-27-C22) within three years preceding the course starting date are not eligible to attend. Attendees must bring a copy of the collective bargaining agreement from their installation or activity.

Legal Assistance Course 5F-F23

Length: 4 1/2 days

Scope: This course presents both basic law and current developments in areas of interest to military legal assistance attorneys, including consumer protection, family law, state and federal taxation, survivor benefits, the Soldiers' and Sailors' Civil Relief Act, ethics, immigration and naturalization, estate planning, wills, bankruptcy, and interviewing and counseling clients.

Prerequisites: Military attorneys and civilian attorneys employed by the U.S. Government who work or are pending assignment in legal assistance. Reserve Component attorneys must render legal assistance to military members on a regular basis. Persons who have completed this course or the Judge Advocate Officer Graduate Course (5-27-C22) within three years preceding the course starting date are not eligible to attend.

Administrative Law For Military Installations Course 5F-F24

Length: 4 1/2 days

Scope: This course presents an overview of the basic law and current developments in areas of interest to military attorneys in administrative law assignments. Topics covered include the legal basis of command, the command of installations, nonappropriated fund instrumentalities, military assistance to law enforcement personnel,

government information practices, military personnel law, standards of conduct, environmental law, and reports of survey.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. Government who work or are pending assignment in administrative law. Persons who have completed this course or the Judge Advocate Officer Graduate Course (5-27-C22) within three years preceding the course starting date are not eligible to attend.

Advanced Federal Litigation Course 5F-F29

Length: 4 1/2 days

Scope: This is a demanding, practice oriented course which presents intensive instruction and exercises encompassing problems confronting government attorneys in federal litigation. A substantial portion of the course involves participation in practical exercises. Instruction is provided in federal litigation subjects, including the Federal Rules of Civil Procedure, case management, discovery, judicial review, official immunity, and federal motion practice.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. Government who work or are pending assignment in federal litigation.

Criminal Trial Advocacy Course 5F-F32

Length: 4 1/2 days

Scope: This course presents intensive instruction and practical exercises covering problems confronting military counsel at courts-martial, from pretrial investigation through appellate

review. Issues in evidence, professional responsibility, procedure, trial advocacy and topical aspects of current military law are considered. A substantial portion of the course involves participation in practical exercises.

Prerequisites: Military attorneys certified as counsel under Article 27(b) of the Uniform Code of Military Justice, with at least six months and no more than twelve months of experience as a trial attorney. Attendees must be currently serving as trial or defense counsel, or be designated to fill either position upon course completion.

Military Judge Course 5F-F33

Length: 3 weeks

Scope: This course provides military attorneys with advanced schooling required to qualify as full-time military judges at courts-martial. Topics covered include substantive military criminal law, trial procedure, defenses, instructions, evidence, current military judicial problems, and professional responsibility.

Prerequisites: Military attorneys. Army officers are selected for attendance by the Chief Trial Judge, U.S. Army Judiciary.

Criminal Law New Developments Course 5F-F35

Length: 4 1/2 days

Scope: This course focuses on developments during the past year in military criminal procedure, substantive criminal law, professional responsibility, evidence and advocacy.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. Government who

serve as counsel at courts-martial or who administer military criminal law in a judge advocate office.

Basic Procurement Fraud Course 5F-F37

Length: 2 days

Scope: This course provides basic instruction on the legal and practical aspects of advising installation and agency contracting and investigatory personnel regarding contract fraud matters, and proper referrals of contract fraud matters to appropriate agencies in a timely manner. Instruction is presented on procurement fraud statutes; fraud investigation procedures; DOD criminal jurisdiction; debarment, suspension, and other remedies; and coordination of remedies.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. Government who have been detailed as a procurement fraud advisor or procurement fraud and irregularities coordinator, or who are expected to serve in such a capacity. Persons who have completed this course within three years preceding the course starting date are not eligible to attend.

Law of War Workshop 5F-F42

Length: 4 1/2 days

Scope: This course focuses on the international customary and treaty rules affecting the conduct of forces in military operations in all levels of hostilities. Topics include the Hague and Geneva Conventions and their application in military operations, to include problems on reporting and investigating war crimes; treatment and control of civilians; treatment and classification of detainees; the substantial change pending to the law of war as a result of the 1977 Protocols to the 1949

Geneva Conventions, including extensive new obligations of commanders and military attorneys. Practical emphasis is given to all levels of mission planning and accomplishment in accordance with the law of war, to the law of war responsibilities of attorneys, non-attorney staff officers and commanders, and to law of war instruction, including techniques and instructional aids.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. Government, as well as non-attorney military officers, who work or are pending assignment in any aspect or level of the law of war process (e.g., command, operational, staff, advisory, or instructional). Individuals who have graduated from the Judge Advocate Officer Basic Course (5-27-C20) within twelve months or the Judge Advocate Officer Graduate Course (5-27-C22) within two years preceding the course starting date are not eligible to attend without prior approval of the Chief, International Law Division.

Operational Law Seminar 5F-F47

Length: 4 1/2 days

Scope: This course focuses on the role of law in military operations--both as a force multiplier (in enhancing modern "maneuver" warfare) and as a limiting factor. The course analyzes Operational Law parallel to Army doctrine, beginning with strategic operational law and going through operational, tactical and peacetime engagement operational law. The focus of the course is at the tactical (division) level, where such topics as review of operations plans, rules of engagement, the use of force, individual legal problems of deploying soldiers, security assistance, and fiscal considerations are discussed. The course is in seminar format, emphasizing practical solutions to the issues raised and requiring the free interchange of ideas by attendees.

Prerequisites: Military attorneys or other military officers who work or are pending assignment in operational law. Prior attendance at the Law of War Workshop (5F-F42) or the Judge Advocate

Officer Graduate Course (5-27-C22) is strongly recommended. This course requires a **SECRET** security clearance. Attendees must ensure that their orders reflect clearance status.

Staff Judge Advocate Course 5F-F52

Length: 4 1/2 days

Scope: This course presents judge advocates pending assignment or newly assigned as staff judge advocates or deputy staff judge advocates with current trends and developments in all areas of military law.

Prerequisites: Active duty field grade Army attorneys who serve or are pending assignment as a staff judge advocate or deputy staff judge advocate of a command with general court-martial jurisdiction. Selection for attendance is by The Judge Advocate General.

Law for Legal Noncommissioned Officers Course 512-71D/E/20/30

Length: 4 1/2 days

Scope: This course focuses on Army legal practice, with emphasis on the client service aspects of legal assistance and criminal law. The course builds on the foundations of field experience and correspondence course study. Topics include legal research, administrative eliminations and board procedures, document preparation in legal assistance, consumer protection, selection of court-martial personnel, payment and travel of witnesses, interviewing techniques, review of courts-martial, the Privacy Act, the Freedom of Information Act, and professional responsibility.

Prerequisites: Noncommissioned officers in the

grade of E-5 or E-6 with a primary MOS of 71D or 71E, and who work or are pending assignment in a military legal office or in support of a military attorney.

Senior Legal Noncommissioned Officer Management Course 512-71D/E/40/50

Length: 4 1/2 days

Scope: This course focuses on management theory and practice, including leadership styles, motivation, and organizational design. Various law office management techniques are discussed, including the management of military and civilian personnel, equipment, law libraries, office actions and procedures, budget, and manpower.

Prerequisites: Noncommissioned officers in the grade of E-7 through E-9 with a primary MOS of 71D or 71E, who work or are pending assignment as NCO-in-charge of a staff judge advocate branch office or as Chief Legal NCO of an installation, division, corps, or MACOM staff judge advocate office. Persons who have previously completed this course are not eligible to attend. Attendees must complete the Administration and Law for Legal Noncommissioned Officers Correspondence Course not less than 60 days before the course starting date.

Legal Administrators Course 7A-550A1

Length: 4 1/2 days

Scope: This course focuses on the technical aspects of legal office administration and the paralegal functions associated with administrative support services.

Prerequisites: Warrant officers with a primary MOS of 550A.

OVERSEAS COURSE DESCRIPTIONS

USAREUR Contract Law Course 5F-15E

Length: 4 1/2 days

Scope: This course discusses acquisition law beyond basic installation level topics. The emphasis is on recent developments, reiteration of selected contract and fiscal law topics, and policy insights. The USAREUR Contract Law Division will cover topics which are of special interest to contract attorneys assigned to USAREUR.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. Government in USAREUR. Attendees must have successfully completed the Contract Attorneys Course (5F-F10), or equivalent training, and have at least one year's experience as a contract law attorney.

USAREUR Administrative Law Course 5F-F24E

Length: 3 1/2 days

Scope: This course presents an overview of the law and current developments in areas of interest to attorneys in administrative law assignments in USAREUR. Areas covered include nonappropriated fund instrumentalities, government information practices (to include the Freedom of Information Act and Privacy Act), military personnel law, civilian personnel law, standards of conduct, professional responsibility, reports of survey, fraternization, private organizations, and federal litigation.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. Government who work or are pending assignment in administrative law in USAREUR.

USAREUR Tax Course 5F-F28E

Length: 2 1/2 days

Scope: This course presents a basic overview of federal income taxation for individuals, with special attention devoted to provisions of the Internal Revenue Code which directly affect military personnel. The course provides an introduction to federal income taxation principles, an overview of the tax forms, and instruction on filing status, gross income, itemized deductions, rental property, real estate taxation, Individual Retirement Arrangements, credits, and tax on capital gains. Practical exercises totaling approximately six hours are given to reinforce concepts developed during lectures.

Prerequisites: Military or civilian attorneys employed by the U.S. Government who work or are pending assignment in legal assistance in USAREUR.

USAREUR Legal Assistance Course 5F-F23E

Length: 2 1/2 days

Scope: This course presents both basic law and current developments in areas of interest to legal assistance attorneys, including consumer protection, family law, state and federal taxation, survivor benefits, the Soldiers' and Sailors' Civil Relief Act, ethics, immigration and naturalization, and estate planning. Electives concentrating on foreign legal issues also are offered.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. Government who work or are pending assignment in legal assistance in USAREUR.

**USAREUR
Criminal Law Course
5F-F35E**

Length: 4 1/2 days

Scope: This course focuses on developments during the past year in military criminal procedure, substantive criminal law, professional responsibility, evidence and advocacy.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. Government who serve as counsel before courts-martial in USAREUR or who administer criminal law in a judge advocate office in USAREUR, or who are pending assignment to such positions.

**USAREUR
Operational Law Course
5F-F47E**

Length: 4 days

Scope: This course focuses on the role of law in military operations--both as a force multiplier (in enhancing modern "maneuver" warfare) and as a limiting factor. The course analyzes Operational Law parallel to Army doctrine, beginning with strategic operational law and going through operational, tactical and peacetime engagement operational law. The focus of the course is at the tactical (division) level, where such topics as review of operations plans, rules of engagement, the use of force, individual legal problems of deploying soldiers, security assistance, and fiscal considerations are discussed. Specific problems relating to military combat and training operations in a European environment are highlighted. The course is in seminar format, emphasizing practical solutions to the issues raised and requiring the free interchange of ideas by attendees.

Prerequisites: Military attorneys or other military officers who work or are pending assignment in

operational law. Prior attendance at the Law of War Workshop (5F-F42) or the Judge Advocate Officer Graduate Course (5-27-C22) is strongly recommended.

**PACOM
Tax Course
5F-F28P**

Length: 4 1/2 days

Scope: This course presents a basic overview of federal income taxation for individuals, with special attention devoted to provisions of the Internal Revenue Code which directly affect military personnel. The course provides an introduction to federal income taxation principles, an overview of the tax forms, and instruction on filing status, gross income, itemized deductions, rental property, real estate taxation, Individual Retirement Arrangements, credits, and tax on capital gains. Practical exercises totaling approximately six hours are given to reinforce concepts developed during lectures.

Prerequisites: Military or civilian attorneys employed by the U.S. Government who work or are pending assignment in legal assistance in PACOM.

NONRESIDENT PROGRAM

General Information

The Nonresident Instruction Program is patterned after resident instruction and provides a means for students to increase their knowledge, acquire new skills, meet military education requirements, and improve job proficiency. A course consists of a series of subcourses or separate lessons designed to provide comprehensive instruction at a particular level or in a particular job-oriented subject area. A subcourse consists of one or more lessons pertaining to a specific subject. Each lesson contains a practical exercise or study assignment in texts provided with the subcourse.

When the student has completed all lessons, the examination (which is also furnished with the subcourse materials) is taken. An initial shipment of subcourses is sent upon enrollment in a particular course. Additional subcourses are mailed to a student automatically as he or she progresses through the course.

The nonresident program includes the Judge Advocate Officer Basic and Advanced Courses, an introductory course for legal specialists, a course for legal noncommissioned officers, a course for Army warrant officers in the legal field, and an elective program for officers who have completed the Advanced Course. The detailed structure of each course and descriptions of individual subcourses follow.

Enrollment

Eligibility requirements and course prerequisites are listed at the beginning of each course. Course prerequisites will not be waived except in truly unique circumstances. Applications for enrollment must be submitted on Department of Army (DA) Form 145, which is available through normal military distribution. The DA Form 145 should be submitted to the Commandant, The Judge Advocate General's

School, U.S. Army, ATTN: JAGS-ADN, Charlottesville, VA 22903-1781 through one of the following channels:

Military personnel on extended active duty with the U.S. Army should submit applications through their commanding officer.

Unit members of the USAR not on extended active duty should send applications through the commanding officer who is the custodian of their military personnel records jacket.

Non-unit reservists should send applications through their Personnel Management Officer, U.S. Army Reserve Personnel Center, ATTN: DARP-OPS-JA, 9700 Page Boulevard, St. Louis, Missouri 63132.

Members of the Army National Guard not on extended active duty should submit applications through their commanding officer and through the Army National Guard Operating Activities Center, Military Education Branch, ATTN: NGB-ARO-ME, Aberdeen Proving Ground, MD 21010-5470.

Members of any component of the Armed Forces of the United States, other than a component of the U.S. Army, should submit applications as prescribed by the individual's branch of service.

Civilian employees of the U.S. Government should submit applications through their supervisors. A copy of the employee's current job description must be attached to the enrollment application.

Enrollment applications must be complete and approved by the appropriate official. Applications that are incomplete or that do not indicate that a student meets all prerequisites for enrollment will be returned. Students are not permitted to enroll in more than one course at a time.

Maintaining Enrollment

Annual credit hour (ACH) requirements are listed in each course description below. Failure to meet ACH requirements or to complete a course within the prescribed period will result in termination of enrollment. Students will receive the number of credit hours stated in each subcourse booklet upon successful completion of the course.

Extensions of time to complete ACH requirements will not be granted. Students may, however, request a waiver of ACH requirements for the current enrollment year or an extension of time to complete the course. These requests must be submitted in writing and must be received by the Correspondence Course Office (CCO) prior to, but not more than 60 days before, the student's enrollment year ending (EYE) date or course completion date. Waiver or extension requests must contain a statement setting forth justification and, where appropriate, supporting documentation. Waivers and extensions will be granted only in unusual circumstances where the student demonstrates a genuine inability to complete course requirements due to matters beyond his or her control. The demands of a student's duty assignment, legal practice, or occupation do not normally constitute adequate justification. A student will not normally be granted more than one 60 day extension while enrolled in any one course, except that Advanced Course students will not normally be granted more than two 60 day extensions.

Enrollment will be terminated for failure to meet ACH requirements, failure to complete all requirements by the course completion date, and at the student's request. If a student's enrollment is terminated, he or she must specifically request reenrollment in writing. Requests for reenrollment will not ordinarily be approved within 3 months of the student's termination date.

Equivalent Credit

Equivalent credit for specific subcourses will be granted upon successful completion of essentially the same instruction at another institution or as part of another correspondence

course within four years prior to the student's course completion date in this School's Nonresident Instruction Program. For purposes of equivalent credit, the course completion date is the date on which all other correspondence subcourse requirements are met without the award of equivalent credit. Equivalent credit for each of the subcourses listed below is given for completion of the resident course which immediately follows and is shown in parentheses:

JA 12, Government Contracts
JA 112, Government Contract Law
(*Contract Attorneys Course*)

JA 115, Fiscal Law
(*Fiscal Law Course*)

JA 23, Civilian Personnel Law and Labor-Mgmt Relations
JA 125A, Law of Federal Employment
JA 125B, Law of Federal Labor-Management Relations
(*Federal Labor Relations Course*)

JA 26, Legal Assistance
JA 129, Legal Assistance
(*Legal Assistance Course*)

JA 124, Nonappropriated Fund Instrumentalities
JA 126, Government Information Practices
JA 127, Military Personnel Law and Boards of Officers
(*Administrative Law for Military Installations*)

JA 131, Court-Martial Evidence
JA 132, Constitutional Evidence
JA 133, Pretrial Procedure
JA 134, Trial Procedure
JA 137, Crimes and Defenses
(*Military Judge Course*)

JA 142, The Law of War
(*Law of War Workshop*)

JA 120, Defensive Federal Litigation
(*Defensive Federal Litigation*)

Normally, there will be no constructive or equivalent credit granted for writing exercises. Awards of resident credit will apply toward the annual enrollment requirements for the enrollment year in which the award is made. Awards of constructive and equivalent credit, and USAR school credit for common military subjects, do not count toward annual credit hour requirements. Written applications for constructive or equivalent credit may be submitted to the Commandant, The Judge Advocate General's School, U.S. Army, ATTN: JAGS-ADN-C, Charlottesville, VA 22903-1781.

Information for Reserve and National Guard Officers

Judge advocates in the Army Reserve and Army National Guard may fulfill military educational requirements for promotion through correspondence course programs.

Completion of the Reserve Component Judge Advocate Officer Basic Correspondence Course (JAOBCC) meets the military educational requirement for promotion to captain.

Completion of the Judge Advocate Officer Advanced Course (JAOAC) is one requirement for promotion to major.

Members of the USAR and ARNGUS not on active duty may earn retirement points by participating in the Army Correspondence Course Program. One retirement point is earned for successful completion of three credit hours of correspondence course work. The School forwards statements of credit hours earned by Reserve Component students to the servicing data processing centers within two weeks after the end of the Reservist's retirement year. Retirement points for Army National Guard personnel are computed by National Guard Headquarters from copies of subcourse completion reports the School sends to students through their enrollment channels.

Independent Enrollment

An applicant who does not meet the eligibility requirements for enrollment in one of the judge advocate correspondence courses, or who wishes only to take selected subcourses to further his or her professional development, may request enrollment in specific subcourses provided the applicant's duties require training that may be accomplished by means of such subcourse(s).

Enrollment as an independent studies student requires completion of 75 credit hours per year or the individual subcourse(s), whichever is less.

Application for independent enrollment must include complete justification for enrollment, including information such as a job description

which shows the relation between the requested subcourse(s) and the applicant's duty assignment.

The following policies apply to all applicants for independent enrollment:

a. Students will normally be required to complete a basic course subcourse in an area before enrolling in the advanced course subcourse. (For example, a student will normally be required to complete JA 12, Government Contracts, before enrolling in JA 112, Government Contract Law).

b. Subcourses contained in the elective program are open only to officers who have completed the Advanced Course.

c. Subcourses containing Advanced Course writing exercises are not open for independent enrollment.

d. Enlisted soldiers and noncommissioned officers will normally be required to enroll in entire courses and to follow specific courses of study.

Reserve Component Judge Advocate Officer Basic Correspondence Course

Scope: This course provides basic branch orientation and training for Reserve Component officers who are receiving a commission in the Judge Advocate General's Corps without concurrent orders to active duty. The course serves as a branch qualification course for Reserve Component officers.

Prerequisites: Attorneys who have applied for appointment or who have been appointed in a Reserve Component to the Judge Advocate General's Corps. A copy of the appointment application must accompany the request for enrollment if the student is pending appointment in the Judge Advocate General's Corps.

Academic Requirements: Students must complete the entire course within one year of enrollment.

**PHASE I:
RESIDENT MILITARY INSTRUCTION**

Phase I is conducted as a resident military orientation course at Fort Lee, Virginia. Officers appointed as Reserve Component judge advocates normally complete this two week program as their first Annual Training after receiving their appointment. Before a diploma will be issued for completion of the Basic Correspondence Course, students must furnish proof of completion of Phase I or receive equivalent credit (for example, by previously completing another branch basic course).

**PHASE II:
NONRESIDENT LEGAL/MILITARY SUBJECTS
(Effective 1 October 1992)**

Subcourse Number, Title	Credit Hours
JA 2, Professional Responsibility	3
JA 12, Government Contracts	6
JA 20, Military Legal Bibliography	3
JA 21, Law of Military Installations	15
JA 22, Military Personnel Law and Boards of Officers	6
JA 23, Civilian Personnel Law and Labor Mgmt Relations	3
JA 25, Claims (FTCA, PC, FCA)	6
JA 26, Legal Assistance	6
JA 36, Fundamentals of Mil Crim Law and Procedures	15
JA 43, The Law of Land Warfare	6
JA 58, Staff Judge Advocate Operations	9
AG 102, Military Correspondence	11
TOTAL CREDIT HOURS:	89

Judge Advocate Officer Advanced Course

Scope: This course provides a working knowledge of the duties and responsibilities of field grade Judge Advocate General's Corps officers. This course is completely revised effective 1 October 1992. A two-week resident phase (Phase II) is now required.

Prerequisites: Individuals who:

(1) are commissioned officers assigned to the Judge Advocate General's Corps (or another service's equivalent legal branch); and,

(2) have completed or received credit for the Judge Advocate Officer Basic Course (or another service's equivalent course). Active duty judge advocates must obtain approval of the Personnel, Plans, and Training Office, OTJAG, before enrolling in the Judge Advocate Officer Advanced Course (JAOAC).

Academic Requirements: Students must complete a minimum of 60 credit hours each enrollment year and must complete the entire course within two years. Students must also complete Phase I before they are eligible to attend Phase II. Note: Students enrolled prior to 1 October 1992 were enrolled in either the old seven-phased JAOAC or the interim JAOAC. Students enrolled in old or interim JAOAC will be converted to the new two-phased JAOAC on 1 October 1992, unless they are pending consideration by a 1993 promotion board or they are granted an exception. All students reenrolled in JAOAC after 1 October 1992 will be enrolled in the revised two-phased course. For information about changes to JAOAC, contact The Judge Advocate General's School, U.S. Army, ATTN: Correspondence Course Office; (804) 972-6308.

**PHASE IA:
NONRESIDENT LEGAL SUBJECTS
(Effective 1 October 1992)**

Subcourse Number, Title	Credit Hours
<i>Administrative and Civil Law Subjects</i>	
JA 121, Legal Basis of Command: Command of Installations	4
JA 123, Legal Basis of Command: Environmental Law	4
JA 124, Legal Basis of Command: Nonappropriated Fund Instrumentalities	2
JA 125A, Law of Federal Employment	5
JA 125B, Law of Federal Labor-Management Relations	6
JA 126, Government Information Practices	5
JA 127, Military Personnel Law and Boards of Officers	2
JA 128, Claims (FTCA, PC, FCA)	4
JA 129, Legal Assistance	6
<i>Criminal Law Subjects</i>	
JA 130, Nonjudicial Punishment	2
JA 131, Courts-martial Evidence	2
JA 132, Constitutional Evidence	6
JA 133, Pretrial Procedure	4
JA 134, Trial Procedure	4
JA 135, Post-Trial Procedure	1
JA 137, Crimes and Defenses	3
<i>Contract and International Law Subjects</i>	
JA 112, Government Contract Law	12
JA 122, Legal Basis of Command: Military Aid to Law Enforcement	2
JA 142, Law of War	9
<i>Communications and Information Mgmt</i>	
JA 151, Fundamentals of Military Legal Writing	15
JA 171, Introduction to Personal Computers	2
JA 175, Introduction to Automated Legal Services	2
TOTAL:	102

**PHASE IB:
NONRESIDENT MILITARY
(COMMON CORE) SUBJECTS
(Effective 1 October 1992)**

Subcourse Number, Title *	Credit Hours
Minimize Combat Stress	2
Take Charge of a Company, Staff Section, or Equivalent Organization	3
Establish a Positive Command Climate	2
Develop Subordinate Leaders	2
Build a Cohesive Unit or Organization	2
Explain the Training Role and Responsibilities of Leaders	1
Describe the LIC Environment and the Role of the US Army in this Environment	3
Describe NBC Concepts	3
TOTAL:	18

(* Subcourses are provided by the Army Correspondence Course Program, Institute for Professional Development. Subcourse numbers are not yet assigned.)

**PHASE II:
RESIDENT LEGAL/MILITARY INSTRUCTION
(Effective 1 October 1992;
offered annually starting June 1993)**

Phase II is a two-week resident course of instruction at The Judge Advocate General's School, and will further develop and apply the knowledge learned in Phase I. Officers appointed as Reserve Component judge advocates normally complete this program as their Annual Training.

TOTAL:	84
TOTAL NUMBER OF CREDIT HOURS:	204

Elective Courses

Scope: To provide additional legal courses to active duty and Reserve Component Judge Advocate officers who want to pursue their legal education beyond the Judge Advocate Officer Basic and Graduate/Advanced Courses.

Prerequisites: Judge Advocate General's Corps officers on active duty, in the Army Reserve, or in the Army National Guard.

Academic Requirements: The student must complete the subcourse in which he or she is enrolled. Students enrolled in elective subcourses must complete all subcourses in which enrolled within one year of enrollment. No certificate of completion or diploma will be given. None of these subcourses may be substituted for any other legal or military subcourse offered in other

curricula. Only JA 152E and 153E can be repeated for additional credit.

Subcourse Number, Title	Credit Hours
JA 141E, The Law of Peace	9
JA 152E, Writing For Publication	42
JA 153E, A Book Review	9
JA 161E, Reports of Survey	3
JA 162E, Civil Rights	3

Law for Legal Specialists Correspondence Course

Scope: This course provides Army legal specialists with substantive legal knowledge to perform duties as a lawyer's assistant. The course also provides a foundation of knowledge for advanced resident and correspondence courses.

Prerequisites: Military personnel in grade E-5 or below who have a primary MOS 71D or 71E (or equivalent specialties); or civilian employees or other military personnel working in a military legal office.

Academic Requirements: Students must complete the entire course within one year of enrollment.

Subcourse Number, Title	Credit Hours
JA 20, Military Legal Bibliography	3
JA 30, Military Criminal Law for Paralegals	6
JA 58, Staff Judge Advocate Operations	9

TOTAL:	18
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Administration and Law for Legal Noncommissioned Officers Correspondence Course

Scope: This course prepares Army personnel to perform the duties of Legal NCO (MOS 71D and 71E), and improves the technical knowledge of personnel serving in that position. The course also provides prerequisite correspondence instruction for attendance at the resident Senior Legal Noncommissioned Officer Management Course.

Prerequisites: Military personnel who have a primary MOS 71D or 71E (or equivalent specialties) and have completed the Law for Legal

Specialists Correspondence Course. Civilian employees or other military personnel working in a military legal office are eligible to enroll upon completion of the Law for Legal Specialists Correspondence Course.

Academic Requirements: Students must complete the entire course within one year of enrollment.

(Effective 1 October 1992)

Subcourse Number, Title	Credit Hours
JA 2, Professional Responsibility,	3
JA 22, Military Personnel Law and Boards of Officers	6
JA 23, Civilian Personnel Law and Labor Management Relations	3
JA 25, Claims	6
JA 26, Legal Assistance	6
JA 126, Government Information Practices	5
JA 130, Nonjudicial Punishment	2
JA 137, Crimes and Defenses	3
IS 0821, Self-Aid/Buddy-Aid	15
IS 0345, Operations in an NBC Environment	8
IS 1261, Alcohol and Drug Abuse Prevention and Control	6
AG 0102, Military Correspondence	11
IS 3005, Safeguarding Defense Information	4
TOTAL:	78

Army Legal Office Administration

Correspondence Course

Scope: This course prepares Army noncommissioned officers to perform, or to improve their proficiency in performing, Army legal office administration.

Prerequisites: Military personnel in grade E-5 or above who have primary MOS 71D or 71E (or equivalent specialties) and who have completed the Administration and Law for Legal Noncommissioned Officers Correspondence Course. Military personnel in grade E-6 who have completed the Administration and Law for Legal NCO Course (resident) are eligible to enroll. Civilian employees and other military personnel (grade E-5 or above) working in a military legal office are eligible to enroll upon completion of the Law for Legal Specialists Correspondence Course and the Law for Legal Noncommissioned Officers Correspondence Courses.

Academic Requirements: Students must complete entire course within two years of enrollment and 80 credit hours the first year to maintain enrollment.

PHASE I: MILITARY SUBJECTS

Subcourse Number, Title	Credit Hours
AG 67, Civilian Personnel Management	10
AG 68, Job Classification, Compensation, & Position Management	17
FI 740, General Fund Accounting	12
FI 986, Resource Management	16
FI 2032, Activity/Major Activity Budgeting	8
FI 2038, Budget Adjustments/Review and Analysis	8
IS 1250, Physical Training	2
IS 1401, Effective Army Writing	32
IS 7008, Staff Procedures, Organization, and Functions	5
IS 7034, The Role of the NCO in Leadership (Part I)	7
IS 7035, The Role of the NCO in Leadership (Part II)	5
TOTAL:	122

PHASE II: LEGAL SUBJECTS *(Effective 1 October 1992)*

Subcourse Number, Title,	Credit Hours
JA 36, Fundamentals of Military Criminal Law & Procedures	15
JA 125A, Law of Federal Employment	5
JA 133, Pretrial Procedure	4
JA 134, Trial Procedure	4
JA 135, Post-Trial Procedure	1
TOTAL:	29
TOTAL NUMBER OF CREDIT HOURS:	151

Military Paralegal Program

Scope: To provide Judge Advocate General's Corps warrant officers, noncommissioned officers, and civilian paralegals with the substantive legal knowledge needed to improve their proficiency in performing military paralegal duties in criminal law, administrative and civil law, legal assistance, and contract law.

Prerequisites:

(1) Army warrant officers (MOS 550A) or noncommissioned officers in grade E-5 or above who have a primary MOS 71D or 71E. Applicants must have been awarded primary MOS 550A, 71D or 71E a minimum of three years prior to date of application for enrollment. MOS 550A and 71E may include prior award of MOS

71D or 71E when calculating the three year period. Civilian employees and other military personnel working in a military legal office are eligible to enroll provided they meet all other prerequisites.

(2) Applicant must have completed a minimum of two years of college (60 semester credit hours).

(3) Applicant must have completed or received equivalent credit for specialized legal and technical training consisting of the Army Legal Office Administration Correspondence Course (or the Legal Office Administrators Course if taken prior to 1985).

(4) Military applicants must be within service height and weight standards.

(5) Military applicants must have passed the most recent service physical readiness or fitness test.

(6) Applicants who are soldiers must have a minimum skill qualification test (SQT) score of 85 or higher if the applicant's MOS or skill level has an SQT. The applicant's fiscal year 1993 skill development test (SDT) score, when available, will substitute for the SQT score.

Academic Requirements: Students must complete the entire course within one year of enrollment.

Enrollment Procedures: Applicants for enrollment in the Military Paralegal Program will complete DA Form 145, Army Correspondence Course Enrollment Application. The DA Form 145 will be submitted through the appropriate authorities listed below for recommendation and comment on the prerequisites stated above and the following: (1) Applicant's professional competence and demonstrated technical skills in the performance of duties. (2) Applicant's current level of responsibility and potential for continued service in a military legal office.

The DA Form 145 with required comments and recommendations should be forwarded to the Commandant, The Judge Advocate General's School, U.S. Army, ATTN: JAGS-ADN-C, Charlottesville, Virginia 22903-1781.

Active Army members, U.S. Army Reserve members on active duty, and civilian employees will submit the application for enrollment through their Chief Legal Noncommissioned Officer (for enlisted) or Deputy Command/Staff Judge Advocate (for warrant officers) and the Command/Staff Judge Advocate serving the applicant's unit.

USAR unit members not on extended active duty will submit the application for enrollment through the commander who is the custodian of their military personnel records jacket and the Staff Judge Advocate of the applicant's unit, or if assigned to a Judge Advocate General Service Organization (JAGSO) Detachment, through the Military Law Center commander.

Non-unit USAR members will submit the application for enrollment through the Personnel Management Officer, U.S. Army Reserve Personnel Center, ATTN: DARP-EPC-AP (for enlisted), ATTN: DARP-OPS-JA (for warrant officers), 9700 Page Boulevard, St. Louis, Missouri 63132, and the senior judge advocate in charge of the unit/activity to which the member is assigned.

U.S. Army National Guard members will submit the application for enrollment through their unit commander and the Staff Judge Advocate serving their unit (or higher headquarters if a Staff Judge Advocate is not assigned).

(Effective 1 October 1992)

Subcourse Number, Title	Credit Hours
JA 12, Government Contracts	6
JA 122, Military Aid to Law Enforcement	2
JA 123, Environmental Law	4
JA 124, Nonappropriated Fund Instrumentalities	2
JA 125B, Law of Federal Labor-Management Relations	6
JA 127, Military Personnel Law and Boards of Officers	2
JA 128, Claims	4
JA 129, Legal Assistance	6
JA 131, Courts-Martial Evidence	2
JA 132, Constitutional Evidence	6
JA 137, Crimes and Defenses	3
JA 151, Fundamentals of Military Legal Writing	15
JA 160, Professional Responsibility	3
TOTAL:	61

NONRESIDENT SUBCOURSE DESCRIPTIONS

Legal Subjects

The following subcourses cover legal materials and are prepared by The Judge Advocate General's School, U.S. Army. Most of the Advanced Course subcourses (100 series) are undergoing revision. Course descriptions and credit hours may change.

JA 2
PROFESSIONAL
RESPONSIBILITY
(3 credit hours)

This course familiarizes officers with the standards of conduct pertaining to DA personnel with emphasis on Reserve Components and examination of the Rules of Professional Conduct for Lawyers as they have been applied in the Judge Advocate General's Corps.

JA 12
GOVERNMENT
CONTRACTS
(6 credit hours)

This course provides an introduction to fundamental aspects of Department of Defense acquisition policies and practices, including formation and type of contracts, methods of acquisition, parties, the contracting officer's team, performance, termination, and disputes resolution.

JA 20
MILITARY LEGAL
BIBLIOGRAPHY
(3 credit hours)

This course covers military administrative law, its legal basis and primary sources of authority for military administrative decisions, as well as military legal research.

JA 21
LAW OF MILITARY
INSTALLATIONS
(15 credit hours)

This course covers ownership of military installations; legislative jurisdiction; substantive law applicable on military installations; the authority of the commander to control installation activities; the federal magistrate court system as it functions on a military installation; operation of nonappropriated fund activities on a military installation; restrictions on military aid to law enforcement authorities; and environmental law considerations in planning and executing Army activities.

JA 22
MILITARY PERSONNEL
LAW AND
BOARDS OF OFFICERS
(6 credit hours)

This course focuses on the composition of the Army; officer appointment, promotion, and separation; enlistment and induction; and enlisted grades, reduction, and separation.

JA 23
CIVILIAN PERSONNEL LAW
AND LABOR-MANAGEMENT
RELATIONS
(3 credit hours)

This course addresses the statutory and regulatory basis for civilian personnel in the federal service;

minor personnel actions; procedures for adverse actions against civilian employees; basic principles of labor relations in the federal service; and collective bargaining and labor contract negotiations in the federal service.

JA 25

**PERSONNEL CLAIMS,
AFFIRMATIVE CLAIMS,
FEDERAL TORT CLAIMS**

(6 credit hours)

This course focuses on the Army claims program; Personnel Claims Act; Federal Medical Care Recovery Act; Federal Claims Collection Act; and Federal Tort Claims Act.

JA 26

LEGAL ASSISTANCE

(6 credit hours)

This course examines the legal assistance program; Soldiers' and Sailors' Civil Relief Act; domicile and Soldiers' and Sailors' Civil Relief Act tax provisions; survivor benefits and Survivor Benefit Plan.

JA 30

**MILITARY CRIMINAL
LAW FOR
PARALEGALS**

(6 credit hours)

This course provides an introduction to military criminal law for the non-lawyer, legal specialist. It covers jurisdiction, nonjudicial punishment, courts-martial procedure, the punitive articles of the UCMJ, defenses, and other topics. This is an introductory course, designed for the non-lawyer, but the student should have experience working as a legal specialist. An individual who has not worked in a military legal office may find the material too technical.

JA 36

**FUNDAMENTALS OF
MILITARY CRIMINAL
LAW AND PROCEDURES**

(15 credit hours)

This course provides an introduction to fundamental aspects of military criminal law and

procedure, including: jurisdiction over the person and over the offense; nonjudicial punishment; classification of courts-martial; preparation and disposition of charges; Article 32 investigation; pretrial advice; convening courts-martial; court-martial personnel; the Article 39(a) session; arraignment, motions, and pleas; trial procedure; findings and sentences; appellate review and new trials; matters of defense; and the punitive articles.

JA 43

**THE LAW OF
LAND WARFARE**

(6 credit hours)

This course covers the basic rules and principles of the Law of Land Warfare; commencement of hostilities; forbidden conduct with respect to persons; forbidden means of waging warfare; bombardments, assaults, sieges, and stratagems; treatment of property during combat; remedies for violation of international law; treatment of prisoners of war, the wounded and sick, civilian persons, and internees; and information bureaus, central agencies, and relief societies.

JA 58

**STAFF JUDGE
ADVOCATE OPERATIONS**

(9 credit hours)

This course focuses on the Staff Judge Advocate and relations with the commander and staff; organization and function of a staff judge advocate section; responsibilities of the Staff Judge Advocate.

JA 112

**GOVERNMENT
CONTRACT LAW**

(12 credit hours)

This course provides an introduction to the general principles of government contract law; funding and fund limitations; contract types; contracting methods, sealed bidding, and negotiations; remedies of unsuccessful offerors; contract attorney responsibilities; contract modifications; contract termination for default; termination for convenience; inspection, acceptance and warranties; disputes and remedies;

selected labor standards; socioeconomic policies; and nonappropriated funds.

JA 115
FISCAL LAW
(6 credit hours)

This course presents the legal and administrative problems associated with the funding of government contracts, budgeting and appropriations, administrative control of appropriated funds, the Anti-deficiency Act, and funding of minor construction.

JA 120
DEFENSIVE
FEDERAL LITIGATION

(12 credit hours)

This course studies the scope of judicial review of military activities, the general grants of jurisdiction to the federal courts used to review military cases, the exhaustion of remedies doctrine, and the concept of non-reviewability of military affairs.

JA 121
LAW OF MILITARY
INSTALLATIONS

(4 credit hours)

This course presents a study of the scope of command authority of military installations, addressing sources of command authority, legislative jurisdiction, substantive civil and criminal law applicable at installations, law enforcement, and the constitutional limitations on command under the First, Fourth, and Fifth Amendments.

JA 122
LEGAL BASIS OF
COMMAND: MILITARY AID
TO LAW ENFORCEMENT

(2 credit hours)

This course examines the Posse Comitatus Act and its application; "exceptions" to the Posse Comitatus Act; consequences of violation of the Act; military assistance to civil authorities authorized by statute; and legal problems involved in civil disturbance operations.

JA 123
LEGAL BASIS OF COMMAND:
ENVIRONMENTAL LAW

(4 credit hours)

This course focuses on the National Environmental Policy Act of 1969; the environmental consideration process; environmental impact statements; the Clean Air Amendments of 1970; the Federal Water Pollution Control Act Amendment of 1972; the Comprehensive Environmental Response, Compensation, and Liability Act; the Resource Conservation and Recovery Act; the Toxic Substances Control Act; and federal facilities compliance requirements.

JA 124
LEGAL BASIS OF COMMAND:
NONAPPROPRIATED FUND
INSTRUMENTALITIES

(2 credit hours)

This course discusses the different types of nonappropriated fund instrumentalities; their status as instrumentalities; authority to establish nonappropriated fund instrumentalities; operation and control of nonappropriated fund instrumentalities; and nonappropriated fund employees.

JA 125A
LAW OF FEDERAL
EMPLOYMENT

(5 credit hours)

This course covers employment criteria and preference; classification of service and appointment in the federal service; employee discipline--authority and procedure; substantive reasons for removal; political activities; reductions-in-force and employee grievances; administrative and judicial review; and equal employment opportunity in the federal government.

JA 125B
LAW OF FEDERAL
LABOR-MANAGEMENT
RELATIONS

(6 credit hours)

This course covers the representation process;

scope of collective bargaining; impasse resolution; unfair labor practices; and grievances and arbitration.

**JA 126
GOVERNMENT
INFORMATION
PRACTICES**

(5 credit hours)

This course provides an analysis of the Freedom of Information Act, the Privacy Act, the relationship between them, and how they are implemented by the Department of the Army.

**JA 127
MILITARY PERSONNEL
LAW AND BOARDS
OF OFFICERS**

(2 credit hours)

This course reviews the substantive and procedural aspects of military personnel law to include emphasis in the areas of military status, administrative separations, and military administrative remedies.

**JA 128
FEDERAL TORT
CLAIMS ACT**

(4 credit hours)

This course provides an introduction to the Federal Tort Claims Act; its jurisdictional and procedural requirements; proper claimants under the Federal Tort Claims Act; the Federal Tort Claims Act cause of action; exceptions to government liability; and individual liability of government employees. The course also includes an introduction to the Foreign Claims Act and Personnel Claims.

**JA 129
LEGAL ASSISTANCE**

(6 credit hours)

This course presents an analysis of the organization and administration of military legal assistance programs and military aspects of the following selected substantive areas: family law; state taxation of income and property; Soldiers' and Sailors' Civil Relief Act; personal finance and

consumer affairs; and estate planning and survivors' benefits.

**JA 130
NONJUDICIAL
PUNISHMENT**

(2 credit hours)

This course examines the source and extent of commander's nonjudicial punishment authority and the rights of the individual soldier who is offered nonjudicial punishment.

**JA 131
COURT-MARTIAL
EVIDENCE**

(2 credit hours)

This course reviews sources of military evidentiary law, the military rules of evidence, and concepts of physical and scientific evidence as they apply to court-martial practice.

**JA 132
CONSTITUTIONAL
EVIDENCE**

(6 credit hours)

This course examines the Fourth Amendment: searches and seizures, inspections, inventories and the exclusionary rule; the Fifth Amendment and Article 31: theories of self-incrimination, involuntary confessions, unwarned confessions, and related procedural issues; and the Sixth Amendment: eyewitness identification, confrontation, and compulsory process.

**JA 133
PRETRIAL
PROCEDURE**

(4 credit hours)

This course covers jurisdiction, pretrial confinement, and court-martial personnel; preparation and drafting of charges and specifications; disposition of charges; Article 32 investigation and pretrial advice; and command influence and pretrial agreements.

JA 134
TRIAL PROCEDURE
(4 credit hours)

This course covers Article 39(a) sessions; challenges; arraignment; motions and pleas; former jeopardy; findings; presentencing procedure; instructions; and sentencing.

JA 135
POST-TRIAL PROCEDURE
(1 credit hour)

This course discusses the rationale for the military corrections system and disposition of offenders; post-trial responsibilities and actions; appellate review under the UCMJ; and extraordinary writs and their application to the military system.

JA 137
CRIMES AND DEFENSES
(3 credit hours)

This course examines inchoate crimes, fraternization, common law crimes, offenses against military authority, absence without leave, defenses, and the law of mental responsibility.

JA 141E
THE LAW OF PEACE
(9 credit hours)

This course focuses on the international system of state relations and the role of regional and international organizations, including the requirements of statehood and the various forms of recognition of states and governments; the various jurisdictional concepts within international law; jurisdictional immunities; state responsibility and nationality; and the treaty-making process and treaty obligations.

JA 142
THE LAW OF WAR
(9 credit hours)

This course discusses the law of war in its various settings in international and internal conflicts; the evolution of this law into its modern day concept; conflict management and the role of various international organizations with respect to the use of force and intervention; the legality of tactical operations and weapons employed; and the

application of the Hague and Geneva Conventions to hostilities.

JA 150
LEGAL RESEARCH AND
LEGAL WRITING PROGRAM
(42 credit hours)

This course is an individual legal research and writing project, requiring a documented paper of at least 3,000 words dealing with a subject relevant to military legal practice.

JA 151
FUNDAMENTALS OF
MILITARY LEGAL WRITING
(15 credit hours)

This subcourse deals with drafting typical items of correspondence encountered in the military legal office. The requirements include drafting a litigation brief and preparing several short items of correspondence, such as a memorandum of reprimand, officer evaluation report, information paper, congressional response letter, and a recommendation for an award. The source materials will be provided. The student should not need to do independent research.

JA 152E
WRITING FOR
PUBLICATION
(42 credit hours)

This course is an individual legal research and writing project of publishable quality requiring a documented paper of at least 3,000 words dealing with a subject relevant to military legal practice.

JA 153E
A BOOK REVIEW
(9 credit hours)

This course requires a critical review of an approved book that deals with a topic of contemporary military or legal significance. The book should be read and the review submitted within six weeks from the date of approval of the book. The review should normally consist of approximately 10-15 double-spaced typewritten pages. Issues of the Military Law Review may be consulted for examples of book reviews.

**JA 160
PROFESSIONAL
RESPONSIBILITY**

(3 credit hours)

This course deals with the application of the Rules of Professional Conduct for Lawyers to the military lawyer.

**JA 161E
REPORTS OF SURVEY**

(3 credit hours)

This course discusses the authority to assess pecuniary liability and the principles and procedures that are used to determine pecuniary liability. The responsibilities of the appointing authority, survey officer, approval authority, appeal authority, and judge advocate will be reviewed.

**JA 162E
CIVIL RIGHTS**

(3 credit hours)

This course presents the basic regulations and statutes devoted to civil rights and the equal opportunity program.

**JA 171
INTRODUCTION TO
PERSONAL COMPUTERS**

(2 credit hours)

This course introduces the basic principles, functions and uses of personal computers found in most Army legal offices.

**JA 175
INTRODUCTION TO
AUTOMATED LEGAL
RESEARCH**

(2 credit hours)

This course offers a basic understanding of popular automated legal research systems currently available from commercial vendors.

Military Subjects

Descriptions of military subject subcourses used in the Basic, Advanced, Administration and Law for Legal Noncommissioned Officers, and Army Legal Office Administration Correspondence Courses are contained in DA Pamphlet 351-20, Army Correspondence Course Program Catalog. Students who wish to take any of these military subject subcourses should submit DA Form 145 to the Army's centralized correspondence course office at the following address:

Army Institute for Professional Development
U.S. Army Training Support Center
ATTN: ATIC-IPS
Newport News, VA 23628-0001

SCHEDULE OF INSTRUCTION: BY COURSE TYPE

General

5-27-C22	41st Graduate Course	3 Aug 92 - 14 May 93
5-27-C22	42d Graduate Course	2 Aug 93 - 13 May 94
5-27-C20	129th Basic Course	13 Oct 92 - 18 Dec 92
5-27-C20	130th Basic Course	19 Jan 93 - 26 Mar 93
5-27-C20	131th Basic Course	19 Jul 93 - 24 Sep 93
5F-F1	114th Senior Officers Legal Orientation Course	19 Oct 92 - 23 Oct 92
5F-F1	115th Senior Officers Legal Orientation Course	4 Jan 93 - 8 Jan 93
5F-F1	116th Senior Officers Legal Orientation Course	8 Feb 93 - 12 Feb 93
5F-F1	117th Senior Officers Legal Orientation Course	12 Apr 93 - 16 Apr 93
5F-F1	118th Senior Officers Legal Orientation Course	7 Jun 93 - 11 Jun 93
5F-F1	119th Senior Officers Legal Orientation Course	23 Aug 93 - 27 Aug 93
5F-F52	23d Staff Judge Advocate Course	7 Jun 93 - 11 Jun 93
5F-F70	24th Methods of Instruction Course	14 Jul 93 - 16 Jul 93
512-71D/E/40/50	3d Senior Legal NCO Management Course	16 Aug 93 - 20 Aug 93
512-71D/E/20/30	4th Law for Legal NCO's Course	5 Apr 93 - 9 Apr 93
7A-550A1	4th Legal Administrators Course	14 Jun 93 - 18 Jun 93
5F-JAG	1992 JAG Annual CLE Workshop	5 Oct 92 - 9 Oct 92
5F-F55	1993 JAOAC (Revised Phase II)	14 Jun 93 - 25 Jun 93
5F-F56	1993 RC JAG Annual CLE Workshop	20 Apr 93 - 23 Apr 93
5F-F57	1993 JATT Training	14 Jun 93 - 25 Jun 93

Contract Law

5F-F10	129th Contract Attorneys Course	22 Feb 93 - 5 Mar 93
5F-F10	130th Contract Attorneys Course	26 Apr 93 - 7 May 93
5F-F10	131st Contract Attorneys Course	19 Jul 93 - 30 Jul 93
5F-F11	1993 Government Contract Law Symposium	11 Jan 93 - 15 Jan 93
5F-F12	35th Fiscal Law Course	16 Nov 92 - 20 Nov 92
5F-F12	36th Fiscal Law Course	17 May 93 - 21 May 93
5F-F13	10th Contract Claims, Lit., and Remedies Course	20 Sep 93 - 24 Sep 93
5F-F15E	1993 USAREUR Contract Law CLE	1 Feb 93 - 5 Feb 93
5F-F18	5th Installation Contracting Course	29 Mar 93 - 2 Apr 93

Administrative and Civil Law

5F-F22	42d Federal Labor Relations Course	7 Dec 92 - 11 Dec 92
5F-F22	43d Federal Labor Relations Course	24 May 93 - 28 May 93
5F-F23	31st Legal Assistance Course	26 Oct 92 - 30 Oct 92
5F-F23	32d Legal Assistance Course	8 Mar 93 - 12 Mar 93
5F-F23E	1993 USAREUR Legal Assistance CLE	6 Jan 93 - 9 Jan 93
5F-F24	17th Admin Law for Mil Install Course	22 Mar 93 - 26 Mar 93
5F-F28E	1993 USAREUR Tax CLE	4 Jan 93 - 6 Jan 93
5F-F28P	1993 PACOM Tax CLE	11 Jan 93 - 15 Jan 93
5F-F29	10th Federal Litigation Course	2 Nov 92 - 6 Nov 92

Criminal Law

5F-F32	29th Criminal Trial Advocacy Course	2 Nov 92 - 6 Nov 92
5F-F32	30th Criminal Trial Advocacy Course	1 Feb 93 - 5 Feb 93
5F-F33	36th Military Judge Course	17 May 93 - 4 Jun 93
5F-F35	17th Criminal Law New Developments Course	9 Aug 93 - 13 Aug 93
5F-F35E	1993 USAREUR Criminal Law CLE	13 Oct 92 - 16 Oct 92
5F-F37	1st Basic Procurement Fraud Course	30 Nov 92 - 1 Dec 92

International Law

5F-F42	52d Law of War Workshop	26 Oct 92 - 30 Oct 92
5F-F42	53d Law of War Workshop	15 Mar 93 - 19 Mar 93
5F-F42	54th Law of War Workshop	2 Aug 93 - 6 Aug 93
5F-F47	14th Operational Law Seminar	30 Nov 92 - 4 Dec 92
5F-F47	15th Operational Law Seminar	12 Apr 93 - 16 Apr 93
5F-F47	16th Operational Law Seminar	30 Aug 93 - 3 Sep 93
5F-F47E	1993 USAREUR Operational Law CLE	18 May 93 - 21 May 93

SCHEDULE OF INSTRUCTION: CHRONOLOGICAL

5-27-C22	41st Graduate Course	3 Aug 92 - 14 May 93
5F-JAG	1992 JAG Annual CLE Workshop	5 Oct 92 - 9 Oct 92
5F-F35E	1993 USAREUR Criminal Law CLE	13 Oct 92 - 16 Oct 92
5-27-C20	129th Basic Course	13 Oct 92 - 18 Dec 92
5F-F1	114th Senior Officers Legal Orientation Course	19 Oct 92 - 23 Oct 92
5F-F42	52d Law of War Workshop	26 Oct 92 - 30 Oct 92
5F-F23	31st Legal Assistance Course	26 Oct 92 - 30 Oct 92
5F-F29	10th Federal Litigation Course	2 Nov 92 - 6 Nov 92
5F-F32	29th Criminal Trial Advocacy Course	2 Nov 92 - 6 Nov 92
5F-F12	35th Fiscal Law Course	16 Nov 92 - 20 Nov 92
5F-F37	1st Basic Procurement Fraud Course	30 Nov 92 - 1 Dec 92
5F-F47	14th Operational Law Seminar	30 Nov 92 - 4 Dec 92
5F-F22	42d Federal Labor Relations Course	7 Dec 92 - 11 Dec 92
5F-F1	115th Senior Officers Legal Orientation Course	4 Jan 93 - 8 Jan 93
5F-F28E	1993 USAREUR Tax CLE	4 Jan 93 - 6 Jan 93
5F-F23E	1993 USAREUR Legal Assistance CLE	6 Jan 93 - 9 Jan 93
5F-F28P	1993 PACOM Tax CLE	11 Jan 93 - 15 Jan 93
5F-F11	1993 Government Contract Law Symposium	11 Jan 93 - 15 Jan 93
5-27-C20	130th Basic Course	19 Jan 93 - 26 Mar 93
5F-F15E	1993 USAREUR Contract Law CLE	1 Feb 93 - 5 Feb 93
5F-F32	30th Criminal Trial Advocacy Course	1 Feb 93 - 5 Feb 93
5F-F1	116th Senior Officers Legal Orientation Course	8 Feb 93 - 12 Feb 93
5F-F10	129th Contract Attorneys Course	22 Feb 93 - 5 Mar 93
5F-F23	32d Legal Assistance Course	8 Mar 93 - 12 Mar 93
5F-F42	53d Law of War Workshop	15 Mar 93 - 19 Mar 93

5F-F24	17th Admin Law for Mil Install Course	22 Mar 93 - 26 Mar 93
5F-F18	5th Installation Contracting Course	29 Mar 93 - 2 Apr 93
512-71D/E/20/30	4th Law for Legal NCO's Course	5 Apr 93 - 9 Apr 93
5F-F1	117th Senior Officers Legal Orientation Course	12 Apr 93 - 16 Apr 93
5F-F47	15th Operational Law Seminar	12 Apr 93 - 16 Apr 93
5F-F56	1993 RC JAG Annual CLE Workshop	20 Apr 93 - 23 Apr 93
5F-F10	130th Contract Attorneys Course	26 Apr 93 - 7 May 93
5F-F12	36th Fiscal Law Course	17 May 93 - 21 May 93
5F-F33	36th Military Judge Course	17 May 93 - 4 Jun 93
5F-F47E	1993 USAREUR Operational Law CLE	18 May 93 - 21 May 93
5F-F22	43d Federal Labor Relations Course	24 May 93 - 28 May 93
5F-F52	23d Staff Judge Advocate Course	7 Jun 93 - 11 Jun 93
5F-F1	118th Senior Officers Legal Orientation Course	7 Jun 93 - 11 Jun 93
5F-F57	1993 JATT Training	14 Jun 93 - 25 Jun 93
7A-550A1	4th Legal Administrators Course	14 Jun 93 - 18 Jun 93
5F-F55	1993 JAOAC (Revised Phase II)	14 Jun 93 - 25 Jun 93
5F-F70	24th Methods of Instruction Course	14 Jul 93 - 16 Jul 93
5F-F10	131st Contract Attorneys Course	19 Jul 93 - 30 Jul 93
5-27-C20	131st Basic Course	19 Jul 93 - 24 Sep 93
5-27-C22	42d Graduate Course	2 Aug 93 - 13 May 94
5F-F42	54th Law of War Workshop	2 Aug 93 - 6 Aug 93
5F-F35	17th Criminal Law New Developments Course	9 Aug 93 - 13 Aug 93
512-71D/E/40/50	3d Senior Legal NCO Management Course	16 Aug 93 - 20 Aug 93
5F-F1	119th Senior Officers Legal Orientation Course	23 Aug 93 - 27 Aug 93
5F-F47	16th Operational Law Seminar	30 Aug 93 - 3 Sep 93
5F-F13	10th Contract Claims, Lit., and Remedies Course	20 Sep 93 - 24 Sep 93

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