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SECRETARY OF THE AIR FORCE**

**AIR FORCE INSTRUCTION 51-101**

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**Law**

**JUDGE ADVOCATE ACCESSION  
PROGRAMS**

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This publication implements AFPD 51-1, *The Judge Advocate General's Corps*. It provides guidance and procedures on the active duty judge advocate accession programs of The Judge Advocate General's Corps (TJAGC). It implements the Funded Legal Education Program (FLEP) (pursuant to DoD Directive 1322.12, *Funded Legal Education*, April 12, 2004) (certified current as of April 23, 2007) and the Excess Leave Program (ELP). This instruction also establishes the programs for direct appointment, Air Force Reserve Officer Training Corps (AFROTC), recall, and inter-service and intra-service transfer. This instruction applies to all applications for active duty as a judge advocate in TJAGC. This publication does not apply to the U.S. Air Force Reserve and the Air National Guard. This instruction requires the collection of information protected by the Privacy Act of 1974. The authority to collect and maintain the records prescribed in this instruction is *Title 10 United States Code* Section 806. Air Force System of Records Notice F051 AFJA C, Judge Advocate Personnel Records, applies. Each form and format that is subject to the provisions of AFI 33-332, *Air Force Privacy Program*, and required by this publication contains a Privacy Act Statement, either incorporated in the body of the document or in a separate statement accompanying each document. Ensure that all records created as a result of processes prescribed in this publication are maintained in accordance with Air Force Manual (AFMAN) 33-363, *Management of Records*, and disposed of in accordance with the Air Force Records Disposition Schedule (RDS) located in the Air Force Records Information Management System (AFRIMS), or any updated statement provided by the AF Records Management office (SAF CIO/A6XA). The staff judge advocate interview report referenced in paragraphs 2.5, 3.5, 5.3, 6.3, 7.3, 8.3, 9.3, 10.3, and 11.3 does not constitute a "collection of information" defined in 5 C.F.R. 1320.3(c), *Controlling Paperwork Burdens on the Public*, as identical questions are not posed to each applicant during the staff judge advocate interviews. Therefore, the staff judge advocate interview report is exempt from licensing in

accordance with paragraph 3.13 of AFI 33-324, *The Air Force Information Collections and Reports Management Program*, which references 5 C.F.R. 1320. The authorities to waive wing/unit level requirements in this publication are identified with a Tier (“T-0, T-1, T-2, T-3”) number following the compliance statement. See AFI 33-360, *Publications and Forms Management*, Table 1.1 for a description of the authorities associated with the Tier numbers. Submit requests for waivers through the chain of command to the appropriate Tier waiver approval authority, or alternately, to the Publication OPR for non-tiered compliance items. Refer recommended changes and questions about this publication to the OPR using the AF Form 847, *Recommendation for Change of Publication*; route AF Form 847s from the field through the appropriate functional’s chain of command. This publication may not be supplemented.

### ***SUMMARY OF CHANGES***

This document is substantially revised and must be completely reviewed. Major changes include: clarification for legal education active duty service commitment (ADSC) and Post 9/11 GI Bill benefit ADSC; United States Air Force Academy ELP (U-ELP) establishment; requirement for JAX approval to transfer law schools for FLEP, ELP, One Year College Program (OYCP), Graduate Law Program (GLP), and Educational Delay (Ed Delay); changes to the Air Force Institute of Technology and JAX requirements for FLEP and ELP minimum Grade Point Averages (GPA) and non-4.0 GPA schools; changes to legal internship policies for the FLEP and ELP; changes to designation as a judge advocate; clarification for requiring a Juris Doctor from an American Bar Association (ABA) approved law school with The Judge Advocate General (TJAG) as waiver authority for any exception; establishing separate chapters for the three AFROTC programs; and reorganization of previous provisions.

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## Chapter 1

### GENERAL PROVISIONS

**1.1. Overview.** This instruction establishes guidance and procedures for the active duty judge advocate accession programs of The Judge Advocate General's Corps (TJAGC).

**1.2. Roles and Responsibilities.**

1.2.1. **The Judge Advocate General (TJAG)** recruits and selects officers and officer candidates for appointment and designation as judge advocates.

1.2.2. **Air Force Institute of Technology (AFIT)** exercises and provides academic program management, personnel accountability, control, and administrative support for officers selected for the Funded Legal Education Program (FLEP), Excess Leave Program (ELP), and the United States Air Force Academy–Excess Leave Program (U-ELP). Cadets selected for the Educational Delay Program will be assigned to AFIT only for academic program management.

1.2.3. **Wing Staff Judge Advocates (SJAs)** play a pivotal role in interviewing TJAGC applicants to ensure the right people enter the Corps. At the conclusion of the interview, SJAs prepare a detailed, honest, and fully developed written assessment of an applicant's perceived potential.

1.2.4. **The Professional Development Directorate, Office of The Judge Advocate General (JAX)** provides information to the field regarding TJAGC's accessions programs, hosts and coordinates the accessions boards, and serves as TJAG's liaison with SJAs.

**1.3. Recruiting Program Requirements.** Recruiting and accessions form the life-blood of TJAGC. The number and quality of new attorneys brought on active duty today will shape the force structure for the next three decades. Active participation in our recruiting and retention efforts is the responsibility of everyone in the Corps. All judge advocates are recruiters and must work together to attract quality applicants.

1.3.1. **Law School Visits.** JAX assigns recruiting responsibilities for law schools to specific legal offices based on geographical proximity. A list of these responsibilities is published on the JAX website.

1.3.1.1. The SJA must ensure that they recruit at all assigned law schools once per semester (fall and spring). (T-1). This visit normally occurs as an on-campus interview (OCI) coordinated directly with law school career services officers (CSOs). SJAs must ensure they schedule OCIs by the law school deadline and input required OCI information into the Accessions and Recruiting Management System (ARMS). (T-1). If a base SJA is unable to make a required visit, the SJA must contact JAX immediately to obtain approval for other recruiting arrangements. (T-1).

1.3.1.2. All efforts should be made to conduct informational interviews with all interested students. If this is not possible due to the number of interview requests, the interviewer may conduct an informational session at the law school. Sample recruiting briefings are available on the JAX website.

1.3.1.3. Judge advocates conducting law school visits should be familiar with the various TJAGC accession and summer internship programs. The JAG Corps public recruiting website located at [www.airforce.com/jag](http://www.airforce.com/jag) and the JAX website contain helpful information for these visits.

1.3.1.4. The SJA must ensure that judge advocates submit after-action reports through ARMS to JAX after every recruiting visit. (T-3). SJAs will ensure the reports are completed by 15 December for fall semester visits and 15 June for spring semester visits. (T-3). Using ARMS allows TJAG to access the reports immediately.

1.3.2. ROTC Detachment Visits. JAX also assigns recruiting responsibilities for ROTC detachments to specific legal offices based on geographical proximity. A list of these responsibilities is published on the JAX website.

1.3.2.1. The Air Force ROTC Educational Delay Program produces many high-quality judge advocates. Twice a year (fall and spring) every legal office should recruit at its assigned detachments for the Educational Delay Program. Since the educational delay board convenes in February of each year, offices should schedule spring visits as early as possible to give candidates time to apply.

1.3.2.2. Greater attention to ROTC detachments requires additional time and effort for recruiters but offers tremendous potential. Accordingly, SJAs should seek opportunities to teach classes, lead seminars, or host detachments on a base visit—these are excellent ways to inform students about TJAGC.

1.3.3. Alma Mater and Recruiting at National-Level Events.

1.3.3.1. Alumni recruiting is a highly effective tool. All judge advocates are encouraged to visit and maintain contact with their law school alma maters. Prior to scheduling a formal visit to an alma mater, coordinate with JAX and the base legal office with responsibility for the school. Ideally, alma mater visits should coincide with the visits conducted by the responsible bases. With prior supervisory approval and approval from JAX, these visits may be nonchargeable leave or permissive TDY.

1.3.3.2. JAGs participate annually in numerous recruiting events and diversity consortia nationwide. For certain events, JAX will hand-select and fund representatives of TJAGC to attend. SJAs should encourage their JAGs to volunteer for such opportunities.

## Chapter 2

### FUNDED LEGAL EDUCATION PROGRAM (FLEP)

**2.1. Program Description.** The Secretary of the Air Force may direct the assignment of active duty officers as students at American Bar Association (ABA)-approved law schools for a period of training not to exceed 36 months leading to a Juris Doctor, and completion of legal licensing requirements as further explained in para. 2.15. No more than 25 officers may commence such training in any single fiscal year. JAX will not accept applications for FLEP during any period in which the President is authorized by law to induct persons into the Armed Forces involuntarily. During the FLEP, pay and allowances are authorized, and ordinary leave is accumulated and may be granted. Officers in this program must, at a minimum, pursue a normal day semester or quarter course schedule with the objective of receiving a Juris Doctor within 36 months. At the discretion of JAX and AFIT, officers may be directed to attend summer law school sessions to accelerate their legal education. Before submitting an application for FLEP or applying to law school, applicants must discuss this program with their functional manager at the Air Force Personnel Center (AFPC) and obtain a conditional release from their career field should TJAG select them for the FLEP.

**2.2. Status of Personnel in Program.** FLEP participants are active duty officers assigned to AFIT. Officers will not engage in a course of conduct, activities, or lifestyle inconsistent with that status. As active duty officers, FLEP students may not obtain any type of additional employment without obtaining prior permission from JAX. FLEP students must submit an application for paid off-duty employment in writing to the JAX Accessions Office. JAX will process requests for paid off-duty employment in accordance with the Joint Ethics Regulation and any other relevant law, authority, or guideline.

**2.3. Eligibility.** Title 10 U.S.C. §2004 establishes nonwaivable eligibility requirements. To be eligible to apply for assignment under this program, an applicant must:

2.3.1. Be a commissioned officer in the United States Air Force on extended active duty;

2.3.2. Be a citizen of the United States;

2.3.3. Have served on active duty (enlisted and/or commissioned service) for a period of not less than 2 years or no more than 6 years based upon the total active federal military service date (TAFMSD) at the time legal training begins.

2.3.3.1. Periods of attendance at the United States Air Force Academy, United States Military Academy, United States Naval Academy, and the United States Coast Guard Academy do not count towards computation of the TAFMSD; however, periods spent at the United States Air Force Academy (USAFA) Preparatory School and in the Excess Leave Program (ELP) do.

2.3.4. Be in the pay grade O-3 or below at the time legal training begins.

**2.4. Program Prerequisites.** Applicants must meet all of the following prerequisites:

2.4.1. Be a graduate of a regionally accredited college or university with a baccalaureate degree or its equivalent.

2.4.2. Furnish a statement listing law schools where the applicant has been accepted or has applied. Do not delay the FLEP application process awaiting final acceptance by a law school. To participate in the FLEP, applicants ultimately must be accepted unconditionally for fall entry to a daytime program at an ABA-approved law school located in the United States. TJAG reserves the authority to specify the law school that the applicant will attend.

2.4.3. Have completed the Law School Admission Test (LSAT) and received the results from the Law School Data Assembly Service (LSDAS) or the Law School Admission Council (LSAC).

2.4.4. If rated and on flying status, have served 3 years from the date of completion of the training which resulted in the award of an aeronautical rating as of the first day of law school classes.

**2.5. Application Procedures.** Applicants must apply online at [www.airforce.com/jag](http://www.airforce.com/jag).

2.5.1. Applicants must interview with active duty SJAs at Air Force installations. Applicants must complete and submit their online application by 10 February of the calendar year of anticipated entry into law school. SJAs, or their designated accessions managers, will contact applicants to schedule their interviews. No later than the first day of the month in which the board will meet (e.g., 1 March if the board meets in March), the SJA will enter and submit to JAX the SJA's interview report in the online Accessions Management System (AMS). (T-1).

2.5.2. Upon the submission of an application, JAX will enter an assignment availability code (code 24) to remain in effect until 1 June of the calendar year of application. The code will be removed for all applicants not selected for the program.

**2.6. Selection.** TJAG selects applicants on a best-qualified basis, consistent with the needs of the Air Force. TJAG appoints a board consisting of at least three active duty field grade judge advocates to review the applications. The Director of JAX or another member of the JAX staff serves as a member of the board. At least one board member should be a sitting or former SJA. One member should be a former FLEP or ELP student. The JAX Chief of Accessions serves as the board recorder. The board recommends selectees to TJAG who, at his or her discretion, approves or disapproves the board's recommendations, making final selections for appointment under this program. Applicants are notified of the board results by letter or electronic mail (e-mail).

**2.7. Active Duty Service Commitment (ADSC).**

2.7.1. The ADSC for participation in the FLEP is 2 years active duty for each academic year or part thereof of legal training. The minimum ADSC for individuals who initially participate in the Excess Leave Program (ELP) and then later complete their legal training in the FLEP is 5 years (e.g., 2 years as ELP and 1 year as FLEP = 5 years ADSC; 1 year as ELP and 2 years as FLEP = 5 years and 4 months ADSC).

2.7.2. Officers who are dropped from the FLEP for deficiency in conduct, studies, or other reasons incur an ADSC of 1 year for each year or part thereof of participation in the FLEP.

2.7.3. No portion of the FLEP period (including periods of legal internship) may be used to satisfy any preexisting ADSC. The ADSC for legal training under this program begins either at the termination or completion of this program, explained in para. 2.14, or upon completion

of any unfulfilled ADSC, whichever is later. Any existing, unfulfilled ADSC will commence upon termination or completion of the program, except the ADSC associated with the Post-9/11 GI Bill Transfer of Education Benefits. The Post-9/11 GI Bill Transfer of Education Benefits ADSC will run concurrent with the Legal Education ADSC if initiated prior to the commencement of or during the Legal Education ADSC. AFI 36-2107, *Active Duty Service Commitments*, Table 1.1.

2.7.4. The combined active duty and inactive reserve commitment must total 8 years (e.g., 6 years active duty and 2 years inactive reserve or 5 years active duty and 3 years inactive reserve).

2.7.5. Each FLEP participant must complete an Air Force Form 63, *Active Duty Service Commitment (ADSC) Acknowledgement Statement*.

## **2.8. Education Expenses.**

2.8.1. Applicants will incur all application expenses without reimbursement from the Air Force (e.g. law school applications and LSAT fees). The Air Force pays regularly established tuition and fees and additional allowances authorized by AFIT. Upon completion of law school, the individual officer is responsible for the fees and expenses of bar review courses and bar examinations.

2.8.2. An officer who fails to complete the ADSC incurred in this program is subject to recoupment of a prorated portion of the cost of the tuition and other educational costs in an amount the Secretary of the Air Force determines.

**2.9. Flying Status.** According to AFI 11-402, *Aviation and Parachutist Service, Aeronautical Ratings and Badges*, applicants for the program who are on flying status must include a separate request for voluntary, permanent disqualification for aviation service. JAX will forward this request to AFPC for those applicants selected for the program. AFPC will publish aeronautical orders terminating the applicant's flying status, effective the date of class entry.

**2.10. AFIT and JAX Requirements.** Officers in this program must comply with applicable portions of AFIT 36-105, *Civilian Institution Programs*, unless AFIT has granted specific exceptions. This includes, but is not limited to, officers maintaining a minimum 2.5 cumulative GPA average on a 4.0 scale as detailed in AFIT 36-105. Any officer falling below this minimum GPA requirement must immediately report the same to the AFIT representative and to the Chief of Accessions and provide the same with an official law school transcript and any other materials requested of the officer. Officers in law schools with a non-4.0 grading scale, must obtain an official law school conversion to the 4.0 GPA scale with their cumulative GPA and provide the same to the AFIT representative and the Chief of Accessions at the conclusion of each law school semester or quarter attended. For questions, contact the Chief of Accessions.

## **2.11. Legal Internships.**

2.11.1. Legal internships are an integral part of legal training under the FLEP. During the first 2 years of the program, officers must perform legal internships during law school summer breaks. Internships must begin within 2 calendar days of the officer's last examination or class, whichever is later, and may not end earlier than 2 calendar days before the start of fall classes. For periods in excess of this amount, the officer must comply with all leave and absence instructions and regulations and coordinate with AFIT and JAX.

2.11.1.1. See [Attachment 2](#) for internship program objectives. To the extent possible, the responsible legal offices should provide students with training opportunities in the legal areas identified during both summer internships.

2.11.2. No later than 120 calendar days before law school summer break, each officer will notify AFIT and JAX of the beginning and ending dates of their summer break along with a list of the nearest Air Force installations. AFIT coordinates with JAX regarding the officer's internship program and provides appropriate administrative support.

2.11.3. JAX selects legal offices for all internship periods. Every effort will be made to assign students to the wing legal office at the Air Force installation nearest to the student's law school. If circumstances warrant, internship duration and/or location can be curtailed or canceled at the discretion of TJAG or the Director of JAX.

2.11.4. Officers must receive JAX approval for any leave during their internship that exceeds 10 duty days.

2.11.5. No later than 14 calendar days after completion of each summer internship, the supervising SJA or supervising attorney shall complete an AF Form 77, *Letter of Evaluation*, and send a copy to JAX and AFIT. (T-3).

2.11.6. Officers are not permitted to perform internships during the summer following completion of their third year of law school.

2.11.7. Only TJAG or the Director of JAX is authorized to make exceptions to the policies contained in this paragraph.

**2.12. Requests to Transfer Law Schools.** Officers must coordinate and obtain approval from JAX prior to applying for a law school transfer. Officers must submit transfer requests to JAX in writing with a full explanation for why the transfer should be granted. JAX will coordinate with AFIT on any submitted transfer requests prior to its decision. A transfer must not delay the selectee's anticipated graduation date or completion of legal licensing requirements. Officers requesting to transfer to another law school will assume all costs and expenses associated with such transfer without reimbursement from the Air Force.

**2.13. Removal From Program.** After consultation with TJAG, the AFIT commander may, at his or her discretion, remove an officer from the program. TJAG may, at his or her sole discretion, remove an officer from the program. Officers removed from the program for any reason will be returned to their original career fields.

**2.14. Program Completion.**

2.14.1. Participation in this program terminates upon completion of legal licensing requirements. See para. 2.15.

2.14.2. Before graduation, officers are provided with follow-on assignment instructions.

2.14.3. No later than 4 months before graduation, all officers must submit a memo to JAX that contains their projected graduation date, the jurisdiction and the date of their bar exam as required, and their projected bar admission date.

2.14.4. Officers must obtain a legal license as soon as possible. In most jurisdictions, this requires passing a bar examination. In these jurisdictions, officers must take the first scheduled bar examination following graduation from law school either in the state where

their law school is located or the state of their domicile. Officers requesting an exception to this location requirement must submit a written request justifying the reason(s) for such an exception to JAX, 120 days prior to the first day of the bar examination.

2.14.5. Officers who fail to obtain a legal license as soon as possible, such as failing the first bar examination, must immediately notify the Chief of Accessions in writing detailing the circumstances surrounding the preparation and completion of the bar examination. The officer must also list the steps necessary to reattempt legal licensing, such as completing the next bar examination in either the same jurisdiction as their original examination or in any other jurisdiction authorized above. At his or her sole discretion, TJAG may return officers to their original career field who fail to obtain legal licensing for any reason, including failing a bar examination after their first attempt.

## **2.15. Designation as a Judge Advocate.**

2.15.1. At his or her sole discretion, TJAG designates an officer as a judge advocate IAW AFI 51-103, *Judge Advocate Professional Development*. Prior to designation, the officer must provide JAX with an official copy of his or her final law school transcript. Every judge advocate must be currently eligible to engage in the active practice of law in at least one jurisdiction. Therefore, the officer must provide proof that the officer is in active (or equivalent) status in to practice before the highest court of a United States (U.S.) state, commonwealth or territory, or the District of Columbia.

2.15.2. Proof of good standing and admission to practice law is an original (e.g., raised or affixed official seal, original signatures, etc.) certificate or letter of good standing from the presiding judge, clerk, or other authorized official of the highest court of a state, commonwealth, territory, or of the District of Columbia of such jurisdiction. If the officer's certificate or letter of good standing does not indicate his or her active (or equivalent) status, the officer must provide JAX a letter from the officer's applicable bar indicating the officer's status.

## Chapter 3

### EXCESS LEAVE PROGRAM (ELP)

**3.1. Program Description.** The Secretary of the Air Force may authorize active duty officers be placed in excess leave as students at ABA-approved law schools for a period not to exceed 36 months leading to a Juris Doctor and completion of legal licensing requirements as further explained in para. 3.15. Excess leave is leave other than that accrued under 10 U.S.C. §701; see also AFI 36-3003, *Military Leave Program*. It is not charged against an officer's leave account and does not have to be repaid. No pay or allowances are authorized for such periods, and ordinary leave is not accumulated. Officers continue to accrue time for promotion and retirement purposes and remain eligible for other active duty benefits, such as medical services and commissary and base exchange privileges. Officers in the ELP must, at a minimum, pursue a normal day semester or quarter course schedule with the objective of receiving a Juris Doctor within 36 months. Before submitting an application for ELP or applying to a law school, applicants must discuss this program with their functional manager at AFPC and obtain a conditional release from their career field should TJAG select them for the ELP.

**3.2. Status of Personnel in Program.** ELP participants are active duty officers assigned to AFIT in a non-pay status. Officers will not engage in a course of conduct, activities, or lifestyle inconsistent with that status. As active duty officers, ELP students may not obtain additional employment without obtaining prior permission through JAX. ELP students must submit an application for paid off-duty employment in writing to JAX. JAX will process requests for paid off-duty employment in accordance with the Joint Ethics Regulation and any other relevant laws, authorities, or guidelines.

**3.3. Eligibility.** To be eligible to apply for assignment under this program, applicants must:

3.3.1. Be a commissioned officer in the United States Air Force on extended active duty;

3.3.2. Be a citizen of the United States;

3.3.3. Have served on active duty (enlisted and/or commissioned service) for a period of not less than 2 years or no more than 10 years based upon the total active federal military service date (TAFMSD) at the time legal training begins.

3.3.3.1. Periods of attendance at the United States Air Force Academy, United States Military Academy, United States Naval Academy, and the United States Coast Guard Academy do not count towards computation of the TAFMSD; however, periods spent at the USAFA Preparatory School do; and

3.3.4. Be in the pay grade O-3 (with less than 3 years time in grade as an O-3) or below at the time legal training begins.

**3.4. Program Prerequisites.** Applicants must meet all of the following prerequisites:

3.4.1. Be a graduate of a regionally accredited college or university with a baccalaureate degree or its equivalent.

3.4.2. Furnish a statement listing law schools where the applicant has been accepted or has applied. Do not delay the ELP application process awaiting final acceptance by a law school.

To participate in the ELP, applicants ultimately must be accepted unconditionally for fall entry to a daytime program at an ABA-approved law school located in the United States.

3.4.3. Have completed the Law School Admission Test (LSAT) and received the results from the Law School Data Assembly Service (LSDAS) or the Law School Admission Council (LSAC).

3.4.4. If rated and on flying status, have served 3 years from the date of completion of the training resulting in the award of an aeronautical rating, as of the first day of law school classes.

**3.5. Application Procedures.** Applicants must apply online at [www.airforce.com/jag](http://www.airforce.com/jag).

3.5.1. Applicants must interview with active duty SJAs at Air Force installations. Applicants must complete and submit their online application by 10 February of the calendar year of anticipated entry into law school. SJAs, or their designated accessions managers, will contact applicants to schedule their interviews. No later than the first day of the month in which the board will meet (e.g., 1 March if the board meets in March), the SJA will enter and submit to JAX the SJA's interview report in AMS. (T-1).

3.5.2. Upon the submission of an application, JAX will enter an assignment availability code (code 24) to remain in effect until 1 June of the calendar year of application. The code will be removed for all applicants not selected for the program.

**3.6. Selection.** TJAG selects applicants on a best-qualified basis, consistent with the needs of the Air Force. TJAG appoints a board consisting of at least three active duty field grade judge advocates to review the applications. The Director of JAX or another member of the JAX staff serves as a member of the board. At least one board member should be a sitting or former SJA. One member should be a former FLEP or ELP participant. The Chief of Accessions serves as the board recorder. The board recommends selectees to TJAG who, at his or her discretion, approves or disapproves the board's recommendations, making final selections for appointment under this program. Applicants are notified of the board results by letter or e-mail.

**3.7. Active Duty Service Commitment.**

3.7.1. The ADSC for officers who complete the ELP is 4 years active duty and 4 years inactive reserve.

3.7.2. Officers who do not complete the ELP incur an ADSC of 1 month for each month of participation in the program.

3.7.3. No portion of the ELP period (including periods of legal internship) may be used to satisfy any preexisting ADSC. The ADSC for legal training under this program begins either at the termination or completion of this program or upon completion of any unfulfilled ADSC, whichever is later. Any existing, unfulfilled ADSC will begin to run upon termination or completion of the program, except the ADSC associated with the Post-9/11 GI Bill Transfer of Education Benefits. The Post-9/11 GI Bill Transfer of Education Benefits ADSC will run concurrent with the Legal Education ADSC if initiated prior to the commencement of or during the Legal Education ADSC. AFI 36-2107, Table 1.1.

3.7.4. The combined active duty and inactive reserve commitment must total 8 years (e.g., 6 years active duty and 2 years inactive reserve or 5 years active duty and 3 years inactive reserve).

3.7.5. Each ELP participant must complete an Air Force Form 63.

3.7.6. Officers selected for the ELP may later apply to the FLEP, provided they meet FLEP eligibility and tuition requirements. The minimum ADSC for individuals who start participation in the ELP and then later complete their legal training in the FLEP is 5 years (e.g., 2 years as ELP and 1 year as FLEP = 5 years ADSC; 1 year as ELP and 2 years as FLEP = 5 years and 4 months ADSC).

**3.8. Educational Expenses.** The officer personally incurs all expenses and fees associated with application, tuition, associated educational requirements, bar review course, and bar examination, without reimbursement from the Air Force. Officers are authorized to accept scholarships, endowments, or other financial assistance IAW AFI 36-2302, *Professional Development (Advanced Degrees and Professional Continuing Education)*.

**3.9. Flying Status.** According to AFI 11-402, applicants for the program who are on flying status must include a separate request for voluntary, permanent disqualification for aviation service. JAX will forward this request to AFPC for those applicants selected for the program. AFPC will publish aeronautical orders terminating applicant's flying status, effective the date of class entry.

**3.10. AFIT and JAX Requirements.** Officers in this program must comply with applicable portions of AFITI 36-105, unless AFIT has granted specific exceptions. This includes, but is not limited to, officers maintaining a minimum 2.5 cumulative GPA average on a 4.0 scale as detailed in AFITI 36-105. Any officer falling below this minimum GPA requirement must immediately report the same to the AFIT representative and to the Chief of Accessions and provide the same with an official law school transcript and any other materials requested of the officer. Officers in law schools with a non-4.0 grading scale, must obtain an official law school conversion to the 4.0 GPA scale with their cumulative GPA and provide the same to the AFIT representative and the Chief of Accessions at the conclusion of each law school semester or quarter attended. For questions, contact the Chief of Accessions.

### **3.11. Legal Internships.**

3.11.1. Legal internships are an integral part of the training under the ELP. During the first 2 years of the program, officers must perform legal internships during law school summer breaks. Internships must begin within 2 calendar days of the officer's last examination or class, whichever is later, and may not end earlier than 2 calendar days before the start of fall classes. For periods in excess of this amount, the officer must comply with all leave and absence instructions and regulations and coordinate with AFIT and JAX.

3.11.1.1. See [Attachment 2](#) for internship program objectives. To the extent possible, the responsible legal offices should provide students with training opportunities in the legal areas identified during both summer internships.

3.11.2. During winter break periods extending 14 calendar days or more, officers may perform internships at the discretion of TJAG or the Director of JAX if the following conditions are met:

3.11.2.1. The student must have already performed a summer internship at an Air Force installation; and

3.11.2.2. Winter internships are only available to students who attend law school at an institution in the same local area as an Air Force installation. Officers must work a minimum of 10 duty days during the winter internship period. Leave is not authorized during the winter internship. Pay and allowances will be authorized for these periods.

3.11.3. No later than 120 calendar days before law school summer break, each officer will notify AFIT and JAX of the beginning and ending dates of the break along with a list of the nearest Air Force installations. This notification must include the officer's election regarding internship during any optional internship period. AFIT coordinates with JAX regarding the officer's internship program and provides appropriate administrative support.

3.11.4. JAX selects legal offices for all periods of internship. Every effort will be made to assign students to the wing legal office at the Air Force installation nearest to the student's law school. If circumstances warrant, internship duration and/or location can be curtailed or canceled at the discretion of TJAG or the Director of JAX.

3.11.5. While performing internships, officers are returned to pay status and ordinary leave is accumulated and may be granted. Officers must receive JAX approval for any leave requests during their summer internship that exceed 10 duty days.

3.11.6. No later than 14 calendar days after completion of each summer internship, the supervising SJA or supervising attorney completes an AF Form 77 and sends a copy to JAX and AFIT. If a student is eligible and participates in an internship outside the summer break period, the supervising SJA or supervising attorney must complete a written memorandum detailing the training conducted during any additional internship periods and provide a copy of the same to JAX and AFIT. (T-3).

3.11.7. Officers are not permitted to perform internships during the summer following completion of their third year of law school.

3.11.8. Only TJAG or the Director of JAX is authorized to make exceptions to the policies contained in this paragraph.

**3.12. Requests to Transfer Law Schools.** Officers must coordinate and must obtain approval from JAX prior to applying for a law school transfer. Officers must submit transfer requests to JAX in writing with a full explanation for why the transfer should be granted. JAX will coordinate with AFIT on any submitted transfer requests prior to its decision. A transfer must not delay the officer's anticipated graduation date or completion of legal licensing requirements. Officers requesting to transfer to another law school will assume all costs and expenses associated with such transfer without reimbursement from the Air Force.

**3.13. Removal From Program.** After consultation with TJAG, the AFIT commander may, at his or her discretion, remove an officer from the program. TJAG may, at his or her sole discretion, remove an officer from the program. Officers removed from the program for any reason will be returned to their original career fields.

**3.14. Program Completion.**

3.14.1. Participation in this program terminates upon completion of legal licensing requirements. See para. 3.15.

3.14.1.1. An officer's excess leave status will automatically terminate 2 calendar days after completion of the bar examination or graduation from law school, whichever is later.

3.14.1.2. Officers may request early completion to return to active duty after graduation from law school and prior to the bar exam. Requests must be sent to AFIT and JAX no later than 30 days prior to the requested departure. If the request is approved by AFIT and JAX, the individual will be assigned to their permanent duty station and allowed to take ordinary leave to take a bar review course and the bar exam. Permissive TDY will not be authorized.

3.14.2. Before graduation, officers are provided with follow-on assignment instructions.

3.14.3. No later than 4 months before graduation, all officers must submit a memo to JAX that contains their projected graduation date, the jurisdiction and the date of their bar exam as required, and their projected bar admission date.

3.14.4. Officers must obtain a legal license as soon as possible. In most jurisdictions, this requires passing a bar examination. In these jurisdictions, officers must take the first scheduled bar examination following graduation from law school either in the state where their law school is located or the state of their domicile. Officers requesting an exception to this location requirement must submit a written request justifying the reason(s) for such an exception to JAX 120 days prior to the first day of the bar examination.

3.14.5. Officers who fail to obtain a legal license as soon as possible, such as failing the first bar examination, must immediately notify the Chief of Accessions in writing detailing the circumstances surrounding the preparation and completion of the bar examination. The officer must also list the steps necessary to reattempt legal licensing, such as completing the next bar examination in either the same jurisdiction as their original examination or in any other jurisdiction authorized above. At his or her sole discretion, TJAG may return officers to their original career field who fail to obtain legal licensing for any reason, including failing a bar examination after their first attempt.

### **3.15. Designation as a Judge Advocate.**

3.15.1. At his or her sole discretion, TJAG designates an officer as a judge advocate IAW AFI 51-103. Prior to designation, the officer must provide JAX with an official copy of his or her final law school transcript. Every judge advocate must be currently eligible to engage in the active practice of law in at least one jurisdiction. Therefore, the officer must provide proof that the officer is in active (or equivalent) status in good standing to practice before the highest court of a U.S. state, commonwealth or territory, or the District of Columbia.

3.15.2. Proof of good standing and admission to practice law is an original (e.g., raised or affixed official seal, original signatures, etc.) certificate or letter of good standing from the presiding judge, clerk, or other authorized official of the highest court of a state, commonwealth, territory, or of the District of Columbia of such jurisdiction. If the officer's certificate or letter of good standing does not indicate his or her active (or equivalent) status, the officer must provide JAX a letter from the officer's applicable bar indicating the officer's status.

## Chapter 4

### UNITED STATES AIR FORCE ACADEMY ELP (U-ELP)

**4.1. Program Description.** The Secretary of the Air Force may authorize active duty officers, who are graduates of the United States Air Force Academy (USAFA), be placed in excess leave as students at ABA-approved law schools for a period not to exceed 36 months leading to a Juris Doctor and completion of legal licensing requirements as further explained in para. 4.13. Excess leave is leave other than that accrued under 10 U.S.C. §701; see also AFI 36-3003. It is not charged against an officer's leave account and does not have to be repaid. No pay or allowances are authorized for such periods, and ordinary leave is not accumulated. Officers continue to accrue time for promotion and retirement purposes and remain eligible for other active duty benefits, such as medical services and commissary and base exchange privileges. Officers in the U-ELP must, at a minimum, pursue a normal day semester or quarter course schedule with the objective of receiving a Juris Doctor within 36 months.

**4.2. Status of Personnel in Program.** U-ELP officers are active duty officers assigned to AFIT in a non-pay status. Officers will not engage in a course of conduct, activities, or lifestyle inconsistent with that status. As active duty officers, U-ELP students may not obtain additional employment without obtaining prior permission through JAX. U-ELP officers must submit an application for paid off-duty employment in writing to the JAX Accessions Office. JAX will process requests for paid off-duty employment in accordance with the Joint Ethics Regulation and any other relevant law, authority, or guideline.

**4.3. Eligibility.** To be eligible to apply for assignment under this program, applicants must meet all of the following eligibility requirements:

4.3.1. Be a USAFA cadet in their senior year, in good standing, with a minimum 3.25 legal studies major GPA or 3.5 majors GPA in another academic specialty. If not a legal studies major, one must have experience in the Cadet Mock Trial Program. Grade eligibility will be determined using majors GPAs as of the end of applicants' senior fall semester.

4.3.2. Be a citizen of the United States.

**4.4. Program Prerequisites.** Applicants must meet all of the following prerequisites:

4.4.1. Be able to enter law school immediately following USAFA graduation leave.

4.4.2. Furnish a statement listing law schools where the applicant has been accepted or has applied. To participate in the U-ELP, applicants ultimately must be accepted unconditionally for fall entry to a daytime program at an ABA-approved law school located in the United States. TJAG reserves the authority to specify the law school that the applicant will attend.

4.4.3. Have completed the Law School Admission Test (LSAT) and received the results from the Law School Data Assembly Service (LSDAS) or the Law School Admission Council (LSAC).

**4.5. Application Procedures.** Applicants must obtain applications from Headquarters, United States Air Force Academy, Department of Law (HQ USAFA/DFL). Submit applications to the Head of the Department of Law, DFL, between 1 October and 15 January of applicant's senior year at USAFA. Applications may be updated as acceptance letters are received.

**4.6. Selection.** TJAG selects applicants on a best-qualified basis, consistent with the needs of the Air Force. A board of DFL faculty led by the Department Head, DFL, reviews applications and personnel records and recommends selectees to TJAG. TJAG, at his discretion, approves or disapproves the board's recommendations. Applicants are notified of the results by letter or e-mail no later than 1 March. Only one applicant will be chosen per fiscal year, unless otherwise agreed upon by TJAG and the Superintendent, U.S. Air Force Academy. HQ USAFA/DFL shall notify JAX of the board's recommendation.

**4.7. Active Duty Service Commitment.**

4.7.1. The ADSC for officers who complete the U-ELP is 4 years active duty and 4 years inactive reserve. The combined active duty and inactive reserve commitment must total 8 years (e.g., 6 years active duty and 2 years inactive reserve or 5 years active duty and 3 years inactive reserve).

4.7.2. Officers who do not complete the U-ELP incur an ADSC of 1 month for each month of participation in the program.

4.7.3. No portion of the U-ELP period (including periods of legal internship) may be used to satisfy any preexisting ADSC. The ADSC for legal training under this program begins either at the termination or completion of this program or upon completion of any unfulfilled ADSC (such as the USAFA ADSC), whichever is later. Any existing, unfulfilled ADSC will begin to run upon termination or completion of the program, except the ADSC associated with the Post-9/11 GI Bill Transfer of Education Benefits. The Post-9/11 GI Bill Transfer of Education Benefits ADSC will run concurrent with the Legal Education ADSC if initiated prior to the commencement of or during the Legal Education ADSC. AFI 36-2107, Table 1.1.

**4.8. Educational Expenses.** The officer personally incurs all expenses and fees associated with application, tuition, associated educational requirements, bar review course, and bar examination without reimbursement from the Air Force. Officers are authorized to accept scholarships, endowments, or other financial assistance IAW AFI 36-2302.

**4.9. AFIT and JAX Requirements.** Officers in this program must comply with applicable portions of AFIT 36-105, unless AFIT has granted specific exceptions. This includes, but is not limited to, officers maintaining a minimum 2.5 cumulative GPA average on a 4.0 scale as detailed in AFIT 36-105. Any officer falling below this minimum GPA requirement must immediately report the same to the AFIT representative and to the Chief of Accessions and provide the same with an official law school transcript and any other materials requested of the officer. Officers in law schools with a non-4.0 grading scale must obtain an official law school conversion to the 4.0 GPA scale with their cumulative GPA and provide the same to the AFIT representative and the Chief of Accessions the conclusion of each law school semester attended. For questions, contact the Chief of Accessions.

**4.10. Legal Internships.**

4.10.1. Legal internships are an integral part of the training under the U-ELP. During the first 2 years of the program, officers must perform legal internships during law school summer breaks. Internships must begin within 2 calendar days of the officer's last examination or class, whichever is later, and may not end earlier than 2 calendar days before

the start of fall classes. For periods in excess of this amount, the officer must comply with all leave and absence instructions and regulations and coordinate with AFIT and JAX.

4.10.1.1. See **Attachment 2** for internship program objectives. To the extent possible, the responsible legal offices should provide students with training opportunities in the legal areas identified during both summer internships.

4.10.2. During winter break periods extending 14 calendar days or more, officers may perform internships at the discretion of TJAG or the Director of JAX if the following conditions are met:

4.10.2.1. The student must have already performed a summer internship at an Air Force installation; and

4.10.2.2. Winter internships are only available to students who attend law school at an institution in the same local area as an Air Force installation. Officers must work a minimum of 10 duty days during the winter internship period. Leave is not authorized during the winter internship. Pay and allowances will be authorized for these periods.

4.10.3. No later than 120 calendar days before law school summer break, each officer will notify AFIT and JAX of the beginning and ending dates of the break along with a list of the nearest Air Force installations. This notification must include the officer's election regarding internship during any optional internship period. AFIT coordinates with JAX regarding the officer's internship program and provides appropriate administrative support.

4.10.4. JAX selects legal offices for all periods of internship. Every effort will be made to assign students to the wing legal office at the Air Force installation nearest to the student's law school. If circumstances warrant, internship duration and/or location can be curtailed or canceled at the discretion of TJAG or the Director of JAX.

4.10.5. While performing internships, officers are returned to pay status and ordinary leave is accumulated and may be granted. Officers must receive JAX approval for any leave requests during their summer internship that exceed 10 duty days.

4.10.6. No later than 14 calendar days after completion of each summer internship, the supervising SJA or supervising attorney completes an AF Form 77 and sends a copy to JAX and AFIT. If a student is eligible and participates in an internship outside the summer break period, the supervising SJA or supervising attorney must complete a written memorandum detailing the training conducted during any additional internship periods and provide a copy of the same to JAX and AFIT. (T-3).

4.10.7. Officers are not permitted to perform internships during the summer following completion of their third year of law school.

4.10.8. Only TJAG or the Director of JAX makes exceptions to the policies contained in this paragraph.

**4.11. Requests to Transfer Law Schools.** Officers must coordinate and must obtain approval from JAX prior to applying for a law school transfer. Officers must submit transfer requests to JAX in writing with a full explanation for why the transfer should be granted. JAX will coordinate with AFIT on any submitted transfer requests prior to its decision. A transfer must not delay the selectee's anticipated graduation date or completion of legal licensing

requirements. Officers requesting to transfer to another law school will assume all costs and expenses associated with such transfer without reimbursement from United States Air Force.

**4.12. Removal From Program.** After consultation with TJAG, the AFIT commander may, at his or her discretion, remove an officer from the program. TJAG may, at his or her sole discretion, remove an officer from the program. Officers removed from the program for any reason will be returned to AFPC to meet an initial skills training (IST) reclassification board as appropriate.

**4.13. Program Completion.**

4.13.1. Participation in this program terminates upon completion of legal licensing requirements, as further explained in para. 4.14.

4.13.1.1. An officer's excess leave status will automatically terminate 2 calendar days after completion of the bar examination or graduation from law school, whichever is later.

4.13.1.2. Officers may request early completion to return to active duty after graduation from law school and prior to the bar exam. Requests must be sent to AFIT and JAX no later than 30 days prior to the requested departure. If the request is approved by AFIT and JAX, the individual will be assigned to their permanent duty station and allowed to take ordinary leave to take a bar review course and the bar exam. Permissive TDY will not be authorized.

4.13.2. Before graduation, officers are provided with follow-on assignment instructions.

4.13.3. No later than 4 months before graduation, all officers must submit a memo to JAX that contains their projected graduation date, the jurisdiction and the date of their bar exam as required, and their projected bar admission date.

4.13.4. Officers must obtain a legal license as soon as possible. In most jurisdictions, this requires passing a bar examination. In these jurisdictions, officers must take the first scheduled bar examination following graduation from law school either in the state where their law school is located or the state of their domicile. Officers requesting an exception to this location requirement must submit a written request justifying the reason(s) for such an exception to JAX 120 days prior to the first day of the bar examination.

4.13.5. Officers who fail to obtain a legal license as soon as possible, such as failing the first bar examination, must immediately notify the Chief of Accessions in writing detailing the circumstances surrounding the preparation and completion of the bar examination. The officer must also list the steps necessary to reattempt legal licensing, such as completing the next bar examination in either the same jurisdiction as their original examination or in any other jurisdiction authorized above. At his or her sole discretion, TJAG may return officers to AFPC for an IST reclassification as appropriate, who fail to obtain legal licensing for any reason, including failing a bar examination after their first attempt.

**4.14. Designation as a Judge Advocate.**

4.14.1. At his or her sole discretion, TJAG designates an officer as a judge advocate IAW AFI 51-103. Prior to designation, the officer must provide JAX with an official copy of his or her final law school transcript. Every judge advocate must be currently eligible to engage in the active practice of law in at least one jurisdiction. Therefore, the officer must provide

proof that the officer is in active (or equivalent) status in good standing to practice before the highest court of a U.S. state, commonwealth or territory, or the District of Columbia.

4.14.2. Proof of good standing and admission to practice law is an original (e.g., raised or affixed official seal, original signatures, etc.) certificate or letter of good standing from the presiding judge, clerk, or other authorized official of the highest court of a state, commonwealth, territory, or of the District of Columbia of such jurisdiction. If the officer's certificate or letter of good standing does not indicate his or her active (or equivalent) status, the officer must provide JAX a letter from the officer's applicable bar indicating the officer's status.

## Chapter 5

### DIRECT APPOINTMENT PROGRAM (DAP)

**5.1. Program Description.** The DAP permits qualified civilians, enlisted personnel, and Reserve officers of other branches of the Armed Forces to apply for direct appointment for duty as an Air Force judge advocate.

**5.2. Eligibility.** An applicant must meet all of the following eligibility requirements:

5.2.1. Be a citizen of the United States;

5.2.2. Be able to complete 20 years of active commissioned service before reaching age 55 years;

5.2.3. Attorney applicants must:

5.2.3.1. Have been awarded a Juris Doctor (J.D.) by a law school that was ABA-approved at the time of graduation; and

5.2.3.2. Be in an active (or equivalent) status with a current license in good standing to practice law before the highest court of a U.S. state, commonwealth or territory, or the District of Columbia.

5.2.4. Law student applicants must:

5.2.4.1. Be attending an ABA-approved law school, having successfully completed two-thirds of the credit requirements for a J.D., or have been awarded a J.D. by an ABA-approved law school but are not yet in an active (or equivalent) status with a current license in good standing to practice law before the highest court of a U.S. state, commonwealth or territory, the District of Columbia; or

5.2.4.2. Provide verification of graduation from an ABA-approved law school (and receipt of a J.D.) with the intent to obtain an active (or equivalent) license in good standing to practice law before the highest court of a U.S. state, commonwealth or territory, the District of Columbia a U.S. state, commonwealth or territory, or the District of Columbia.

5.2.5. Waiver Authority. Only TJAG may make exceptions to the J.D. requirement.

**5.3. Application Procedures.** Applicants must apply online at [www.airforce.com/jag](http://www.airforce.com/jag).

5.3.1. Applicants must interview with active duty SJAs at Air Force installations and must complete and submit their online application no later than the 10th of the month prior to the board meeting. For example, if the board is meeting in April, online applications must be submitted by 10 March. SJAs, or their designated accessions managers, will contact applicants to schedule their interviews.

5.3.2. No later than the first day of the month in which the board will meet (e.g., 1 April if the board meets in April), the SJA will enter and submit to JAX the SJA's interview report in AMS. (T-1).

**5.4. Selection.** TJAG selects applicants on a best-qualified basis, consistent with the needs of the Air Force. TJAG appoints a board consisting of at least three active duty field grade judge

advocates to review the applications. The Director of JAX or another member of the JAX staff serves as a member of the board. At least one board member should be a sitting or former SJA. The Chief of Accessions serves as the board recorder. The board recommends selectees to TJAG who, at his or her discretion, approves or disapproves the board's recommendations, making final selections for appointment under this program. Applicants are notified of the board results by letter or e-mail.

**5.5. Active Duty Service Commitment.** The initial DAP ADSC is 4 years active duty and 4 years inactive reserve. The ADSC begins the date of entry onto active duty as a judge advocate. The combined active duty and inactive reserve commitment must total 8 years (e.g., 6 years active duty and 2 years inactive reserve or 5 years active duty and 3 years inactive reserve).

**5.6. Medical Examination.** All selectees must meet Air Force height and weight standards and successfully complete an Air Force commissioning medical examination. The Air Education and Training Command Surgeon General (AETC/SG) determines successful completion of the medical examination. Failure to successfully complete the medical examination and obtain medical qualification from the AETC/SG renders the applicant ineligible for this program.

**5.7. Bar Examination.** Non-lawyer selectees must take the first scheduled bar examination following graduation from law school. Only TJAG or JAX makes exceptions to this requirement.

**5.8. Appointment.** JAX will offer an assignment to selectees who are medically qualified and have completed all legal licensing requirements. After the selectee accepts the assignment and executes an oath of office, the selectee is appointed a first lieutenant in the Air Force Reserve and usually begins active duty as a judge advocate shortly thereafter. Upon entering active duty, AFPC converts the appointment to a Regular commission. Selectees enter active duty as first lieutenants and are eligible for promotion to Captain following completion of 6 months of active duty.

**5.9. Commissioned Officer Training (COT).** Officers will attend Commissioned Officer Training (COT) immediately upon entering active duty. COT is designed to ease the selectees' transition from the private sector into military life.

**5.10. Withdrawal of Offer, Deferment.**

5.10.1. Offers for appointment as a judge advocate may be withdrawn if a candidate fails to be medically qualified, fails to be within height and weight standards, fails to obtain a security clearance, fails to accept an assignment, or fails to become legally licensed to practice law in a U.S. state, commonwealth or territory, or the District of Columbia.

5.10.2. Selectees who fail to become legally licensed as soon as possible, such as failing the first bar examination, must immediately notify the Chief of Accessions in writing detailing the circumstances surrounding the preparation and completion of the bar examination and listing the steps necessary to reattempt legal licensing, such as taking the next bar examination. JAX is the approval authority for all deferment requests. If a deferment is not granted, the selectee's offer will be withdrawn. If granted a deferment and the selectee fails the second bar examination, the offer will be withdrawn. Additionally, TJAG, at his or her discretion, may withdraw an offer under the program at any time prior to commissioning.

**5.11. Designation as a Judge Advocate.**

5.11.1. At his or her sole discretion, TJAG designates an officer as a judge advocate IAW AFI 51-103. Prior to designation, the candidate must provide JAX with an official copy of his or her final law school transcript. Every judge advocate must be currently eligible to engage in the active practice of law in at least one jurisdiction. Therefore, the candidate must provide proof that the he or she is in active (or equivalent) status in good standing to practice before the highest court of a U.S. state, commonwealth or territory, or the District of Columbia.

5.11.2. Proof of good standing and admission to practice law is an original (e.g., raised or affixed official seal, original signatures, etc.) certificate or letter of good standing from the presiding judge, clerk, or other authorized official of the highest court of a state, commonwealth, territory, or of the District of Columbia of such jurisdiction. If the officer's certificate or letter of good standing does not indicate his or her active (or equivalent) status, the officer must provide JAX a letter from the officer's applicable bar indicating the officer's status.

## Chapter 6

### AFROTC - ONE-YEAR COLLEGE PROGRAM (OYCP)

**6.1. Program Description.** The OYCP is a one-year Air Force Reserve Officer Training Corps (AFROTC) commissioning program for eligible second-year law students. The OYCP expands opportunities for law students to enter TJAGC via the AFROTC commissioning program. OYCP cadets are eligible for a monthly stipend once enlisted into the Professional Officer Corps (POC). Selectees are guaranteed a position as an Air Force judge advocate contingent upon successful completion of the AFROTC program, medical qualification, graduation from an ABA-approved law school with a J.D., and completion of legal licensing requirements, including proof of active (or equivalent) status with a current license in good standing to practice law before the highest court of a U.S. state, commonwealth or territory, or the District of Columbia.

**6.2. Eligibility.** Law students in their second year of law school are eligible to apply. Part-time law students undergoing a four-year J.D. program may apply in their third year of law school. Applicants must meet all of the following eligibility requirements:

6.2.1. Be attending an ABA-approved law school with an AFROTC detachment (host school) or be attending an ABA-approved law school with a cross-town agreement with an AFROTC detachment at another institution (cross-town school); for a current list of host and cross-town schools, visit the AFROTC website at [www.afrotc.com](http://www.afrotc.com);

6.2.2. Be in good academic standing at their law school;

6.2.3. Meet AFROTC entry standards, including successful completion of medical examinations;

6.2.4. If applying for AFROTC scholarship benefits, meet requirements set by AFROTC; and

6.2.5. If ineligible for scholarship benefits, be under age 35 before commissioning.

**6.3. Application Procedures.** Applicants must apply online at [www.airforce.com/jag](http://www.airforce.com/jag).

6.3.1. As part of their online application, applicants must provide evidence of application and conditional acceptance through the local AFROTC detachment. For purposes of the OYCP, the local AFROTC detachment is defined as the location closest to the applicant where he or she can receive AFROTC training. This generally means the applicant's law school or if unavailable there, at a nearby school that has a corresponding cross-town agreement.

6.3.2. Applicants must interview with active duty SJAs at Air Force installations. Applicants must complete and submit their online application by 10 January during their second year of law school (or third year of law school if attending a four-year part-time J.D. program). SJAs, or their designated accessions managers, will contact applicants to schedule their interviews. No later than the first day of the month in which the board will meet (e.g., 1 February if the board meets in February), the SJA will enter and submit to JAX the SJA's interview report in AMS. (T-1).

**6.4. Selection.** TJAG selects applicants on a best-qualified basis, consistent with the needs of the Air Force. TJAG appoints a board consisting of at least three active duty field grade judge

advocates to review the applications. The Director of JAX or another member of the JAX staff serves as a member of the board. At least one board member should be a sitting or former SJA. At least one board member should be an AFROTC graduate. The Chief of Accessions serves as the board recorder. The board recommends selectees to TJAG who, at his or her discretion, approves or disapproves the board's recommendations, making final selections for appointment under this program. Applicants are notified of the board results by letter or e-mail.

**6.5. Active Duty Service Commitment.** The initial OYCP ADSC is 4 years active duty and 4 years inactive reserve. The ADSC begins the date of entry onto active duty as a judge advocate. The combined active duty and inactive reserve commitment must total 8 years (e.g., 6 years active duty and 2 years inactive reserve or 5 years active duty and 3 years inactive reserve).

**6.6. AFROTC Training.**

6.6.1. Selectees attend AFROTC field training encampment during the summer prior to entering the AFROTC program as a contract cadet and prior to beginning their final year of law school.

6.6.2. Selectees are contracted and enlisted into the POC pursuant to AFROTC requirements. Cadets complete the normal academic requirements for the POC at their AFROTC detachment and receive a stipend in accordance with AFROTC requirements.

**6.7. Requests to Transfer Law Schools.** Selectees must coordinate and must obtain approval from JAX prior to applying for a law school transfer. Selectees must submit transfer requests to JAX in writing with a full explanation for why the transfer should be granted. A transfer must not delay the selectee's anticipated graduation date or completion of legal licensing requirements. Selectees requesting to transfer to another law school will assume all costs and expenses associated with such transfer without reimbursement from the Air Force.

**6.8. Withdrawal of Offer.** An offer may be withdrawn if a candidate fails to be medically qualified, fails to be within height and weight standards, fails to attend field training before starting their third year of law school, fails to obtain a security clearance, or otherwise fails to fulfill their AFROTC commissioning requirements. Additionally, TJAG, at his or her discretion, may withdraw an offer under the program at any time prior to designation as a judge advocate.

**6.9. Program Completion.** Upon completion of the AFROTC program and graduation from law school, cadets are commissioned as second lieutenants and placed in an inactive, non-pay status.

6.9.1. Officers must obtain a legal license as soon as possible. In most jurisdictions, this requires passing a bar examination. In these jurisdictions, officers must take the first scheduled bar examination following graduation from law school.

6.9.2. Officers who fail to obtain a legal license as soon as possible, such as failing the first bar examination, must immediately notify the Chief of Accessions in writing detailing the circumstances surrounding the preparation and completion of the bar examination and listing the steps necessary to reattempt legal licensing, such as completing the next bar examination. At his or her sole discretion, TJAG may return to AFPC for assignment to a different career field those officers who fail to obtain legal licensing for any reason, including failing a bar examination after their first attempt.

6.9.3. Officers who have completed legal licensing requirements normally enter active duty shortly thereafter. Graduates of the OYCP enter active duty as first lieutenants and are eligible for promotion to Captain following the completion of 6 months of active duty.

#### **6.10. Designation as a Judge Advocate and Appointment.**

6.10.1. At his or her sole discretion, TJAG designates an officer as a judge advocate IAW AFI 51-103. Prior to designation, the candidate must provide JAX with an official copy of his or her final law school transcript. Every judge advocate must be currently eligible to engage in the active practice of law in at least one jurisdiction. Therefore, the candidate must provide proof that the he or she is in active (or equivalent) status in good standing to practice before the highest court of a U.S. state, commonwealth or territory, or the District of Columbia.

6.10.2. Proof of good standing and admission to practice law is an original (e.g., raised or affixed official seal, original signatures, etc.) certificate or letter of good standing from the presiding judge, clerk, or other authorized official of the highest court of a state, commonwealth, territory, or of the District of Columbia of such jurisdiction. If the officer's certificate or letter of good standing does not indicate his or her active (or equivalent) status, the officer must provide JAX a letter from the officer's applicable bar indicating the officer's status.

## Chapter 7

### AFROTC - GRADUATE LAW PROGRAM (GLP)

**7.1. Program Description.** The GLP is a two-year AFROTC commissioning program for eligible first-year law students. The GLP expands opportunities for law students to enter TJAGC via the AFROTC commissioning program. GLP cadets are eligible for a monthly stipend once enlisted into the Professional Officer Corps (POC). Selectees are guaranteed a position as an Air Force judge advocate contingent upon successful completion of the AFROTC program, medical qualification, graduation from an ABA-approved law school with a J.D., and completion of legal licensing requirements, including proof of active (or equivalent) status with a current license in good standing to practice law before the highest court of a U.S. state, commonwealth or territory, or the District of Columbia.

**7.2. Eligibility.** Law students in their first year of law school are eligible to apply. Part-time law students undergoing a four-year J.D. program may apply in their second year of law school. Applicants must meet all of the following eligibility requirements:

7.2.1. Be attending an ABA-approved law school with an AFROTC detachment (host school) or be attending an ABA-approved law school with a cross-town agreement with an AFROTC detachment at another institution (cross-town school); for a current list of host and cross-town schools, visit the AFROTC website at [www.afrotc.com](http://www.afrotc.com);

7.2.2. Be in good academic standing at their law school;

7.2.3. Meet AFROTC entry standards, including successful completion of medical examinations;

7.2.4. If applying for AFROTC scholarship benefits, meet requirements set by AFROTC; and

7.2.5. If ineligible for scholarship benefits, be under age 35 before commissioning.

**7.3. Application Procedures.** Applicants must apply online at [www.airforce.com/jag](http://www.airforce.com/jag).

7.3.1. As part of their online application, applicants must provide evidence of application and conditional acceptance through the local AFROTC detachment. For purposes of the GLP, the local AFROTC detachment is defined as the location closest to the applicant where he or she can receive AFROTC training. This generally means the applicant's law school or if unavailable there, at a nearby school that has a corresponding cross-town agreement.

7.3.2. Applicants must interview with active duty SJAs at Air Force installations. Applicants must complete and submit their online application by 10 January during their first year of law school (or second year of law school if attending a four-year part-time J.D. program). SJAs, or their designated accessions managers, will contact applicants to schedule their interviews. No later than the first day of the month in which the board will meet (e.g., 1 February if the board meets in February), the SJA will enter and submit to JAX the SJA's interview report in AMS. (T-1).

**7.4. Selection.** TJAG selects applicants on a best-qualified basis, consistent with the needs of the Air Force. TJAG appoints a board consisting of at least three active duty field grade judge advocates to review the applications. The Director of JAX or another member of the JAX staff

serves as a member of the board. At least one board member should be a sitting or former SJA. At least one board member should be an AFROTC graduate. The Chief of Accessions serves as the board recorder. The board recommends selectees to TJAG who, at his or her discretion, approves or disapproves the board's recommendations, making final selections for appointment under this program. Applicants are notified of the board results by letter or e-mail.

**7.5. Active Duty Service Commitment.** The initial GLP ADSC is 4 years active duty and 4 years inactive reserve. The ADSC begins the date of entry onto active duty as a judge advocate. The combined active duty and inactive reserve commitment must total 8 years (e.g., 6 years active duty and 2 years inactive reserve or 5 years active duty and 3 years inactive reserve).

**7.6. AFROTC Training.**

7.6.1. Selectees attend an AFROTC field training encampment prior to beginning their final year of law school. However, they may request through JAX to attend field training at an earlier summer break conditioned on AFROTC approval.

7.6.2. Selectees are contracted and enlisted into the POC pursuant to AFROTC requirements. Cadets complete the normal academic requirements for the POC at their AFROTC detachment and receive a stipend in accordance with AFROTC requirements.

**7.7. Requests to Transfer Law Schools.** Selectees must coordinate and must obtain approval from JAX prior to applying for a law school transfer. Selectees must submit transfer requests to JAX in writing with a full explanation for why the transfer should be granted. A transfer must not delay the selectee's anticipated graduation date or completion of legal licensing requirements. Selectees requesting to transfer to another law school will assume all costs and expenses associated with such transfer without reimbursement from the Air Force.

**7.8. Withdrawal of Offer.** An offer may be withdrawn if a candidate fails to be medically qualified, fails to be within height and weight standards, fails to attend field training before starting their third year of law school, fails to obtain a security clearance, or otherwise fails to fulfill their AFROTC commissioning requirements. Additionally, TJAG, at his or her discretion, may withdraw an offer under the program at any time prior to designation as a judge advocate.

**7.9. Program Completion.** Upon completion of the AFROTC program and graduation from law school, cadets are commissioned as second lieutenants and placed in an inactive, non-pay status.

7.9.1. Officers must obtain a legal license as soon as possible. In most jurisdictions, this requires passing a bar examination. In these jurisdictions, officers must take the first scheduled bar examination following graduation from law school.

7.9.2. Officers who fail to obtain a legal license as soon as possible, such as failing the first bar examination, must immediately notify the Chief of Accessions, JAX, in writing detailing the circumstances surrounding the preparation and completion of the first bar examination and listing the steps necessary to reattempt legal licensing, such as completing the next bar examination. At his or her sole discretion, TJAG may return to AFPC for assignment to a different career field those officers who fail to obtain legal licensing for any reason, including failing a bar examination after their first attempt.

7.9.3. Officers who have completed legal licensing requirements normally enter active duty shortly thereafter. Graduates of the GLP enter active duty as first lieutenants and are eligible for promotion to Captain following the completion of 6 months of active duty.

**7.10. Designation as a Judge Advocate and Appointment.**

7.10.1. At his or her sole discretion, TJAG designates an officer as a judge advocate IAW AFI 51-103. Prior to designation, the officer must provide JAX with an official copy of his or her final law school transcript. Every judge advocate must be currently eligible to engage in the active practice of law in at least one jurisdiction. Therefore, the officer must provide proof that he or she is in active (or equivalent) status in good standing to practice before the highest court of a U.S. state, commonwealth or territory, or the District of Columbia.

7.10.2. Proof of good standing and admission to practice law is an original (e.g., raised or affixed official seal, original signatures, etc.) certificate or letter of good standing from such jurisdiction. If the officer's certificate or letter of good standing does not indicate his or her active (or equivalent) status, the officer must provide JAX a letter from the officer's applicable bar indicating the officer's status.

## Chapter 8

### AFROTC - EDUCATIONAL DELAY PROGRAM (ED DELAY)

**8.1. Program Description.** The AFROTC Ed Delay Program is a three-year program for officers commissioned through AFROTC who want to delay their entry on extended active duty to study law. Applicants must meet two separate boards for entry into TJAGC. First, applicants must compete for selection for entry into the Ed Delay program through JAX and AFIT during the spring semester of their final year of undergraduate studies by submitting the required online application materials for consideration by a selection board (Ed Delay In Application). See para 8.3. Applicants selected to attend law school under the program are not guaranteed a position as an Air Force judge advocate. During the spring semester of their final year of law school, they must apply again for entry into TJAGC upon successful completion of the program (Ed Delay Out Application).

**8.2. Eligibility.** Applicants must meet all of the following eligibility requirements:

- 8.2.1. Comply with AFI 36-2009, *Delay in Active Duty for AFROTC Graduates*, and any applicable Instructions of the Jeanne M. Holm Center for Officer Accession and Citizen Development (commonly referred to as the Holm's Center);
- 8.2.2. Have applied and ultimately be unconditionally admitted to a daytime J.D. program of study at an ABA-approved law school;
- 8.2.3. Be in good academic standing; and
- 8.2.4. Successfully complete the AFROTC program and obtain a commission as a second lieutenant.

**8.3. Application Procedures.** Applicants must apply online at [www.airforce.com/jag](http://www.airforce.com/jag).

- 8.3.1. As part of their online application, applicants must provide a copy of their ROTC Field Training Report.
- 8.3.2. Applicants must interview with active duty SJAs at Air Force installations (once for Ed Delay In and again for Ed Delay Out). Applicants must complete and submit their online application by 10 January during their final year of undergraduate studies for Ed Delay In as well as during their third year of law school for Ed Delay Out. SJAs, or their designated accessions managers, will contact applicants to schedule their interviews. No later than the first day of the month in which the board will meet (e.g., 1 February if the board meets in February), the SJA will enter and submit to JAX the SJA's interview report in AMS. (T-1).

**8.4. Selection.** TJAG selects applicants on a best-qualified basis, consistent with the needs of the Air Force. TJAG appoints a board consisting of at least three active duty field grade judge advocates to review the applications. The Director of JAX or another member of the JAX staff serves as a member of the board. At least one board member should be a sitting or former SJA. At least one board member should be an AFROTC graduate. The Chief of Accessions serves as the board recorder. The board recommends selectees to TJAG who, at his or her discretion, approves or disapproves the board's recommendations, making final selections for appointment under this program. Applicants are notified of the board results by letter or e-mail.

**8.5. Active Duty Service Commitment.** The initial Ed Delay ADSC is 4 years active duty and 4 years inactive reserve. The ADSC begins the date of entry onto active duty as a judge advocate. The combined active duty and inactive reserve commitment must total 8 years (e.g., 6 years active duty and 2 years inactive reserve or 5 years active duty and 3 years inactive reserve).

**8.6. Education Expenses.** Officers do not receive military pay or benefits during their legal studies. The officer is solely responsible for all expenses and fees associated with application, tuition, associated educational requirements, bar review course, and bar examination without reimbursement from the Air Force. Officers are authorized to accept scholarships, endowments, or other financial assistance IAW AFI 36-2302.

**8.7. Status While in the Program.**

8.7.1. Officers on Ed Delay are in reserve training status and will participate as Category J reservists. Category J status will continue until one of the following occurs:

- 8.7.1.1. The officer is designated as a judge advocate;
- 8.7.1.2. The officer's Ed Delay status is terminated or expires;
- 8.7.1.3. The officer fails to complete his or her legal studies or legal licensing; or
- 8.7.1.4. TJAG, at his or her discretion, removes the officer from the program.

8.7.2. Officers retain their Ed Delay status conferred pursuant to AFI 36-2009.

8.7.3. Officers retain their original service obligation.

**8.8. Air Reserve Personnel Center.** Officers are assigned to the Air Reserve Personnel Center (ARPC) and are required to inform AFIT of their academic progress. ARPC, after consultation with JAX, identifies the reserve officers for training and determines the base of attachment for training. At the beginning of each academic year, AFIT provides ARPC and JAX with a roster of all educational delay law students. ARPC assigns them to the 9035 Air Reserve Squadron as Category J reservists pursuant to AFI 36-2115, *Assignment within Reserve Components*. While in a Category J status, educational delay law students are not eligible for promotion or deployment.

**8.9. Legal Internship.**

8.9.1. Participating in the legal internship program is an integral part of the legal training under the Education Delay program. All Ed Delay students will perform a legal internship during a law school summer break either between the first and second years of law school or the second and third years of law school. Duration of training is at least 60 and not more than 89 days. Pay, allowances, per diem, and travel will be authorized during the period of internship. TJAG may grant waivers for hardship or other compelling reasons.

8.9.1.1. See [Attachment 2](#) for internship program objectives. To the extent possible, the responsible legal offices will provide students with training opportunities in the legal areas identified during both summer internships.

8.9.2. No later than 1 February, each officer must notify ARPC and JAX of the beginning and ending dates of the summer break period, the address to which orders should be sent, names of the nearest Air Force bases, and the proposed training base. Any request for waiver

should accompany this notification, explicitly detailing the circumstances underlying such request.

8.9.3. JAX selects legal offices for all internship periods. Every effort will be made to assign students to the wing legal office at the Air Force installation nearest to the student's law school. If circumstances warrant, internship duration and/or location can be curtailed or canceled at the discretion of TJAG or the Director of JAX.

8.9.4. No later than 14 calendar days after the end of each summer internship, the supervising SJA or supervising attorney completes an AF Form 77, *Letter of Evaluation*, and sends the original to ARPC with a copy to JAX. (T-3).

8.9.5. Officers are not permitted to perform internships during the summer following completion of their third year of law school.

8.9.6. Only TJAG or the Director of JAX is authorized to make exceptions to the policies contained in this paragraph.

**8.10. Requests to Transfer Law Schools.** Officers must coordinate and must obtain approval from JAX prior to applying for a transfer of law schools. Transfer requests will be submitted to JAX in writing with a full explanation for why the transfer should be granted. JAX will coordinate with AFIT on any submitted transfer requests prior to its decision. A transfer must not delay the officer's anticipated graduation date or completion of legal licensing requirements. Officers requesting to transfer to another law school will assume all costs and expenses associated with such transfer without reimbursement from the Air Force.

**8.11. Withdrawal of Offer.** At his or her discretion, TJAG may withdraw an officer's participation under this program at any time prior to the officer's designation as a judge advocate and prior to the officer's entry on to active duty. Officers removed from the program for any reason are still required to fulfill their initial Ed Delay ADSC through performance of other Air Force duties.

**8.12. Program Completion.** Participation in this program terminates upon completion of legal licensing requirements. See para. 8.13. Entry on active duty as a judge advocate occurs after completion of legal licensing requirements.

8.12.1. Officers must obtain a legal license as soon as possible. In most jurisdictions, this requires passing a bar examination. In these jurisdictions, officers must take the first scheduled bar examination following graduation from law school.

8.12.2. Officers who fail to obtain a legal license as soon as possible, such as failing the first bar examination, must immediately notify the Chief of Accessions in writing detailing the circumstances surrounding the preparation and completion of the bar examination and listing the steps necessary to reattempt legal licensing, such as completing the next bar examination. At his or her sole discretion, TJAG may return to AFPC for assignment to a different career field those officers who fail to obtain legal licensing for any reason, including failing a bar examination after their first attempt.

8.12.3. Officers who have completed legal licensing requirements normally enter active duty shortly thereafter. Graduates of the Ed Delay program who are selected for a position with TJAGC enter active duty as first lieutenants and are eligible for promotion to Captain following completion of 6 months of active duty.

**8.13. Designation as a Judge Advocate.**

8.13.1. At his or her sole discretion, TJAG designates an officer as a judge advocate IAW AFI 51-103. Prior to designation, the officer must provide JAX with an official copy of his or her final law school transcript. Every judge advocate must be currently eligible to engage in the active practice of law in at least one jurisdiction. Therefore, the officer must provide proof that he or she is in active (or equivalent) status in good standing to practice before the highest court of a U.S. state, commonwealth or territory, or the District of Columbia.

8.13.2. Proof of good standing and admission to practice law is an original (e.g., raised or affixed official seal, original signatures, etc.) certificate or letter of good standing from the presiding judge, clerk, or other authorized official of the highest court of a state, commonwealth, territory, or of the District of Columbia of such jurisdiction. If the officer's certificate or letter of good standing does not indicate his or her active (or equivalent) status, the officer must provide JAX a letter from the officer's applicable bar indicating the officer's status.

## Chapter 9

### RECALL PROGRAM

**9.1. Program Description.** The Recall Program permits qualified officers serving in the Air Reserve Component (ARC) to enter extended active duty. The officer must otherwise be eligible to enter active duty IAW AFI 36-2008, *Voluntary Extended Active Duty for Air Reserve Commissioned Officers*.

#### 9.2. Eligibility.

9.2.1. Attorneys (who are already commissioned officers) must:

9.2.1.1. Have been awarded a J.D. by a law school that was ABA-approved at the time of graduation; and

9.2.1.2. Be in an active (or equivalent) status with a current license in good standing to practice law before the highest court of a U.S. state, commonwealth or territory, or the District of Columbia.

9.2.2. Law students. Law students attending an ABA-approved law school earning a J.D. may also apply during their final year of law school, but selection is contingent upon graduation and completion of legal licensing. If selected, they must take the first scheduled bar examination following graduation from law school. Only TJAG or JAX is authorized to make exceptions to this requirement. ARC members who have not previously served on active duty as an Air Force judge advocate must have no less than 4 years nor more than 10 years of service based upon the total active federal commissioned service date (TAFCS D) and be in the pay grade of O-3 or below, without a line number to O-4, as of the projected date of recall to active duty.

9.2.3. Waiver Authority. Only TJAG is authorized to make exceptions to the J.D. requirement.

#### 9.3. Application Procedures.

Applicants must apply online at [www.airforce.com/jag](http://www.airforce.com/jag).

9.3.1. Applicants must interview with active duty SJAs at Air Force installations and must complete and submit their online application no later than the 10th of the month prior to the board meeting. For example, if the board is meeting in April, online applications must be submitted by 10 March. SJAs, or their designated accessions managers, will contact applicants to schedule their interviews.

9.3.2. No later than the first day of the month in which the board will meet (e.g., 1 April if the board meets in April), the SJA will enter and submit to JAX the SJA's interview report in AMS. (T-1). Applications timely submitted under this program are considered by the selection boards described in Chapter 5 of this instruction.

**9.4. Selection.** TJAG selects applicants on a best-qualified basis, consistent with the needs of the Air Force. TJAG appoints a board consisting of at least three active duty field grade judge advocates to review all the applications. The Director of JAX or another member of the JAX staff serves as a member of the board. At least one board member should be a sitting or former SJA. The Chief of Accessions serves as the board recorder. The board recommends selectees to TJAG who, at his or her discretion, approves or disapproves the board's recommendations,

making final selections for appointment under this program. Applicants are notified of the board results by letter or e-mail.

**9.5. Active Duty Service Commitment.** The initial ADSC under this Recall Program is 4 years active duty and 4 years inactive reserve. The ADSC begins the date of entry onto active duty as a judge advocate. The combined active duty and inactive reserve commitment must total 8 years (e.g., 6 years active duty and 2 years inactive reserve or 5 years active duty and 3 years inactive reserve). Selectees must obtain a conditional release from their Air Reserve Component unit before entering active duty.

**9.6. Medical Examination.** All selectees must meet Air Force height and weight standards and successfully complete an Air Force medical examination. AETC/SG determines successful completion of the medical examination. Failure to successfully complete the medical examination and obtain medical qualification renders the applicant ineligible for this program.

**9.7. Withdrawal of Offer.**

9.7.1. At his or her discretion, TJAG may withdraw an officer's participation under this program at any time prior to the officer's designation as a judge advocate and prior to the officer's entry on to active duty. Additionally, offers for appointment as a judge advocate may be withdrawn if a candidate fails to be medically qualified, fails to be within height and weight standards, fails to obtain a security clearance, fails to accept an assignment, or fails to become legally licensed to practice law in a U.S. state, commonwealth or territory, or the District of Columbia.

9.7.2. Law student selectees who fail to become legally licensed as soon as possible, such as failing the first bar examination, must immediately notify the Chief of Accessions in writing detailing the circumstances surrounding the preparation and completion of the bar examination and listing the steps necessary to reattempt legal licensing, such as taking the next bar examination. JAX is the approval authority for all deferment requests. If a deferment is not granted, the selectee's offer will be withdrawn. If granted a deferment and the selectee fails the second bar examination, the offer will be withdrawn. Additionally, TJAG, at his or her discretion, may withdraw an offer under the program at any time prior to commissioning.

**9.8. Designation as a Judge Advocate.**

9.8.1. At his or her sole discretion, TJAG designates an officer as a judge advocate IAW AFI 51-103. Prior to designation, the Recall Program candidate must provide JAX with an official copy of his or her final law school transcript. Every judge advocate must be currently eligible to engage in the active practice of law in at least one jurisdiction. Therefore, the Recall Program candidate must provide proof that the he or she is in active (or equivalent) status in good standing to practice before the highest court of a U.S. state, commonwealth or territory, or the District of Columbia.

9.8.2. Proof of good standing and admission to practice law is an original (e.g., raised or affixed official seal, original signatures, etc.) certificate or letter of good standing from the presiding judge, clerk, or other authorized official of the highest court of a state, commonwealth, territory, or of the District of Columbia of such jurisdiction. If the officer's certificate or letter of good standing does not indicate his or her active (or equivalent) status,

the officer must provide JAX a letter from the officer's applicable bar indicating the officer's status.

## Chapter 10

### INTRASERVICE TRANSFER

**10.1. Program Description.** Active duty Air Force officers meeting eligibility requirements contained in this Chapter may request an intraservice transfer from their career field to become a judge advocate in TJAGC.

**10.2. Eligibility.** To be eligible to apply, active duty Air Force officers must:

10.2.1. Have served on active duty no less than 4 years and no more than 10 years based upon the total active federal commissioned service date (TAFCSO);

10.2.2. Be in the pay grade of O-3 or below, without a line number to O-4, as of the date of projected intraservice transfer to TJAGC;

10.2.3. Have graduated from an ABA-approved law school earning a J.D.;

10.2.4. Provide proof, such as a certificate of good standing, of active (or equivalent) status with a current license in good standing to practice law before the highest court of a U.S. state, commonwealth or territory, or the District of Columbia.

10.2.5. Waiver Authority. Only TJAG is authorized to make exceptions to the J.D. requirement.

**10.3. Application Procedures.** Applicants must apply online at [www.airforce.com/jag](http://www.airforce.com/jag) and must submit the memorandum at **Attachment 3** to their interviewing SJA and JAX.

10.3.1. Applicants must interview with active duty SJAs at Air Force installations and must complete and submit their online application no later than the 10th of the month prior to the board meeting. For example, if the board is meeting in April, online applications must be submitted by 10 March. SJAs, or their designated accessions managers, will contact applicants to schedule their interviews.

10.3.2. No later than the first day of the month in which the board will meet (e.g., 1 April if the board meets in April), the SJA will enter and submit to JAX the SJA's interview report in AMS. (T-1). Applications timely submitted under this program are considered by the selection boards described in Chapter 5 of this instruction.

**10.4. Flying Status.** In accordance with AFI 11-402, applicants for the program who are on flying status must include a separate request for voluntary, permanent disqualification for aviation service. JAX will forward this request to AFPC for those applicants selected for the program. AFPC will publish aeronautical orders terminating the applicant's flying status, effective the date of class entry.

**10.5. Selection.** TJAG selects applicants on a best-qualified basis, consistent with the needs of the Air Force. TJAG appoints a board consisting of at least three field grade judge advocates that reviews all of the applications. The Director of JAX or another member of the JAX staff serves as a member of the board. At least one board member should be a sitting or former SJA. The Chief of Accessions serves as the board recorder. The board recommends selectees to TJAG who, at his or her discretion, approves or disapproves the board's recommendations, making

final selections for appointment under this program. Applicants are notified of the board results by letter or e-mail.

**10.6. Active Duty Service Commitment.** The ADSC is 4 years active duty and 4 years of inactive reserve. The ADSC begins the effective date of the transfer order as an active duty Air Force judge advocate. Applicants must have fulfilled all existing ADSCs as of the effective date of transfer or appointment.

**10.7. Withdrawal of Offer.** TJAG, at his or her discretion, may withdraw an offer under the program at any time prior to HQ AFPC approving the transfer.

**10.8. Designation as a Judge Advocate**

10.8.1. At his or her sole discretion, TJAG designates an officer as a judge advocate IAW AFI 51-103. Prior to designation, the officer must provide JAX with an official copy of his or her final law school transcript. Every judge advocate must be currently eligible to engage in the active practice of law in at least one jurisdiction. Therefore, the officer must provide proof that the officer is in active (or equivalent) status in good standing to practice before the highest court of a US state, commonwealth or territory, or the District of Columbia.

10.8.2. Proof of good standing and admission to practice law is an original (e.g., raised or affixed official seal, original signatures, etc.) certificate or letter of good standing from the presiding judge, clerk, or other authorized official of the highest court of a state, commonwealth, territory, or of the District of Columbia of such jurisdiction. If the officer's certificate or letter of good standing does not indicate his or her active (or equivalent) status, the officer must provide JAX a letter from the officer's applicable bar indicating the officer's status.

## Chapter 11

### INTERSERVICE TRANSFER

**11.1. Program Description.** Active duty officers with another branch of the Armed Forces meeting the eligibility requirements in this Chapter may request an interservice transfer from their branch of the Armed Forces to become a judge advocate in TJAGC.

**11.2. Eligibility.** To be eligible to apply, active duty officers with another branch of the Armed Forces must:

11.2.1. Have served on active duty no less than 4 years and no more than 10 years based upon the total active federal commissioned service date (TAFCSO).

11.2.2. Be in the pay grade of O-3 or below, without a line number to O-4, as of the date of projected interservice transfer to TJAGC.

11.2.3. Have graduated from an ABA-approved law school earning a J.D. and provide proof of active status with a current license in at least one state, the District of Columbia, American Samoa, the Northern Mariana Islands, Guam, Puerto Rico or the U.S. Virgin Islands.

11.2.4. Waiver Authority. Only TJAGC is authorized to make exceptions to the J.D. requirement.

**11.3. Application Procedures.** Applicants must apply online at [www.airforce.com/jag](http://www.airforce.com/jag).

11.3.1. Applicants must comply with AFI 36-2004, *Interservice Transfer to the United States Air Force (USAF) and the United States Air Force Reserve (USAFR)*. In addition, applicants must submit as part of their applications any documents required by their parent service and those prescribed by AFI 36-2004.

11.3.2. Applicants must interview with active duty SJAs at Air Force installations and must complete and submit their online application no later than the 10th of the month prior to the board meeting. For example, if the board is meeting in April, online applications must be submitted by 10 March. SJAs, or their designated accessions managers, will contact applicants to schedule their interviews.

11.3.3. No later than the first day of the month in which the board will meet (e.g., 1 April if the board meets in April), the SJA will enter and submit to JAX the SJA's interview report in AMS. (T-1). Applications timely submitted under this program are considered by the selection boards described in Chapter 5 of this instruction.

**11.4. Selection.** TJAGC selects applicants on a best-qualified basis, consistent with the needs of the Air Force. TJAGC appoints a board consisting of at least three active duty field grade judge advocates that reviews all of the applications. The Director of JAX or another member of the JAX staff serves as a member of the board. At least one board member should be a sitting or former SJA. The Chief of Accessions serves as the board recorder. The board recommends selectees to TJAGC who, at his or her discretion, approves or disapproves the board's recommendations, making final selections for appointment under this program. Applicants are notified of the board results by letter or e-mail.

**11.5. Active Duty Service Commitment.** The ADSC is 4 years active duty and 4 years inactive reserve. The ADSC begins on the date of designation as an Air Force judge advocate.

**11.6. USAF Interservice Transfer of Commissioned Officers Board.** In addition to medical qualification and legal licensing requirements, active duty officers with another branch of the Armed Forces selected for this program must have their application packages reviewed and approved by an Interservice Transfer of Commissioned Officers Board IAW AFI 36-2004, *Interservice Transfer of Officers to the United States Air Force (USAF) and the United States Air Force Reserve*, 17 July 2003, before their transfer may be completed.

**11.7. Withdrawal of Offer.** TJAG, at his or her discretion, may withdraw an offer under the program at any time prior to the losing service approving the transfer.

**11.8. Designation as a Judge Advocate**

11.8.1. At his or her sole discretion, TJAG designates an officer as a judge advocate IAW AFI 51-103. Prior to designation, the officer must provide JAX with an official copy of his or her final law school transcript. Every judge advocate must be currently eligible to engage in the active practice of law in at least one jurisdiction. Therefore, the officer must provide proof that he or she is in active (or equivalent) status in good standing to practice before the highest court of a U.S. state, commonwealth or territory, or the District of Columbia.

11.8.2. Proof of good standing and admission to practice law is an original (e.g., raised or affixed official seal, original signatures, etc.) certificate or letter of good standing from the presiding judge, clerk, or other authorized official of the highest court of a state, commonwealth, territory, or of the District of Columbia of such jurisdiction. If the officer's certificate or letter of good standing does not indicate his or her active (or equivalent) status, the officer must provide JAX a letter from the officer's applicable bar indicating the officer's status.

Christopher F. Burne  
Lieutenant General, USAF  
The Judge Advocate General

**Attachment 1****GLOSSARY OF REFERENCES, SUPPORTING INFORMATION*****References***

Title 10, U.S.C., Section 532

Title 10, U.S.C., Section 701

Title 10, U.S.C., Section 801, *et seq*

Title 10, U.S.C., Sections 2004 and 2005

Title 10, U.S.C., Section 2603

Title 5, C.F.R., Part 1320

AFI 11-402, *Aviation and Parachutist Service, Aeronautical Ratings and Aviation Badges*, 13 December 2010

AFI 33-332, *Air Force Privacy and Civil Liberties Program*, 5 June 2013

AFI 33-360, *Publications and Forms Management*, 25 September 2013

AFI 36-2002, *Regular Air Force and Special Category Accessions*, 7 April 1999

AFI 36-2004, *Interservice Transfer of Officers to the United States Air Force (USAF) and the United States Air Force Reserve (USAFR)*, 17 July 2003

AFI 36-2005, *Appointment in Commissioned Grades and Designation and Assignment in Professional Categories – Reserve of the Air Force and United States Air Force*, 19 May 2003

AFI 36-2008, *Voluntary Extended Active Duty (EAD) for Air Reserve Commissioned Officers*, 5 November 2002

AFI 36-2009, *Delay in Active Duty for AFROTC Graduates*, 1 June 1999

AFI 36-2106, *Competitive Category Transfers*, 9 May 1994

AFI 36-2107, *Active Duty Service Commitments*, 30 April 2012

AFI 36-2115, *Assignment within the Reserve Components*, 8 April 2005

AFI 36-2302, *Professional Development (Advanced Academic Degrees and Professional Continuing Education)*, 11 July 2001

AFI 36-3003, *Military Leave Program*, 26 October 2009

AFI 51-103, *Judge Advocate Professional Development*, 3 September 2013

AFMAN 33-363, *Management of Records*, 1 March 2008

AFITI 36-105, *Civilian Institution Programs*, 30 July 2012

DoDD 1322.12, *Funded Legal Education*, 23 April 2007

DoDI 1341.13, *Post-9/11 GI Bill*, 31 May 2013

***Adopted Forms***

AF Form 77, *Letter of Evaluation*

AF Form 673, *Air Force Publication/Form Action Request*  
AF Form 847, *Recommendation for Change of Publication*

***Abbreviations and Acronyms***

**ABA**—American Bar Association

**ADC**—Area Defense Counsel

**ADSC**—Active Duty Service Commitment

**AETC/SG**—Air Education and Training Command Surgeon General

**AFIT**—Air Force Institute of Technology

**AFPC**—Air Force Personnel Center

**AFROTC**—Air Force Reserve Officer Training Corps

**AMJAMS**—Automated Military Justice Analysis and Management System

**AMS**—Accessions Management System

**ARMS**—Accessions and Recruiting Management System

**ARC**—Air Reserve Component

**ARPC**—Air Reserve Personnel Center

**BX**—Base Exchange

**CSO**—Career Services Officer

**DAP**—Direct Appointment Program

**Ed Delay**—Educational Delay Program

**ELP**—Excess Leave Program

**FLEP**—Funded Legal Education Program

**FLITE**—Federal Legal Information Through Electronics

**GLP**—Graduate Law Program

**GPA**—Grade Point Average

**IAW**—In Accordance With

**J.D.**—Juris Doctor

**JAX**—Professional Development Directorate, Office of the Judge Advocate General

**LSAC**—Law School Admission Council

**LSAT**—Law School Admission Test

**LSDAS**—Law School Data Assembly Service

**MPF**—Military Personnel Flight

**NJP**—Nonjudicial Punishment

**OCI**—On-campus Interviews

**AFOSI**—Air Force Office of Special Investigations

**OYCP**—One-Year College Program

**POC**—Professional Officer Corps

**SF**—Security Forces

**SJA**—Staff Judge Advocate

**TAFCS**D—Total Active Federal Commissioned Service Date

**TAFMS**D—Total Active Federal Military Service Date

**TJAG**—The Judge Advocate General

**TJAGC**—The Judge Advocate General’s Corps

**UCMJ**—Uniform Code of Military Justice

**U-ELP**—United States Air Force Academy Excess Leave Program

**UIF**—Unfavorable Information File

**USAFA**—United States Air Force Academy

## Attachment 2

## SPECIFIC OBJECTIVES OF THE INTERNSHIP PROGRAM

<b>SPECIFIC OBJECTIVES OF THE INTERNSHIP PROGRAM</b>	
<b>Purpose:</b>	<b>Should Include:</b>
Develop basic working legal knowledge	The Manual for Courts-Martial
	The Military Justice Reporter System and related publications
	Applicable provisions of the United States Code
	DoD and Air Force policy directives, instructions, manuals and pamphlets, including the 51 series AFIs, and applicable portions of the 31, 34, 35, 36, 37, 65, 71, and 90 series AFIs
	TJAG Policy
	TJAGC Federal Legal Information Through Electronics (FLITE)
Develop oral communications skills	Giving legal briefings, lectures and seminars
	Discussions with commanders and first sergeants
	Communicating with legal assistance clients
	Communicating with defense clients when assigned to the Area Defense Counsel (ADC) office
	Meeting with local community organizations
	Communicating with claimants
Develop written communications skills	Preparing criminal charges and proof analyses
	Preparing various court-martial documents
	Preparing legal reviews of airmen separations, reports of survey, line of duty investigations, contracts, etc.
	Litigation reports
	Preparing and reviewing local regulations and operating instructions
	Preparing wills, powers of attorney, and other legal assistance documents
<b>PHASE I: INSTALLATION ORIENTATION</b>	
<b>Purpose:</b>	<b>Should Include:</b>
Familiarize interns with personnel, mission and base facilities	Lodging arrangements
	Thorough briefing on dress and appearance standards, customs and courtesies, and security
	Visiting facilities, such as medical, Base Exchange (BX), commissary, wing headquarters, etc.

Introduction to the legal staff and office mission to enable the intern to identify with and functionally train as a staff member	Introductions to the legal staff
	An overview of the judge advocate's role on the installation commander's staff
	A briefing on the following aspects of the program: military justice, civil law, claims, legal assistance, preventive law, specialized practice areas, continuing legal education, office administration, and additional duties.
Develop written communications skills	Preparing criminal charges and proof analyses
	Preparing various court-martial documents
	Preparing legal reviews of airmen separations, reports of survey, line of duty investigations, contracts, etc.
	Litigation reports
	Preparing and reviewing local regulations and operating instructions
	Preparing wills, powers of attorney, and other legal assistance documents
Develop an understanding of the judge advocate's role in the Air Force mission	General counsel to the commander
	Completing staff work
	Attending various staff meetings
	Coordinating with other staff agencies (e.g., Air Force Office of Special Investigations (AFOSI), Security Forces (SF))
<b>PHASE II: MILITARY JUSTICE</b>	
<b>Purpose:</b>	<b>Should Include:</b>
Familiarize interns with court-martial procedures	Types of courts-martial
	Military jurisdiction
	Criminal investigation by OSI and SF
	Interaction with the US Attorney and local prosecutors
	Rules for Courts-Martial; Military Rules of Evidence; AFI 51-201; AFI 51-202; Manual for Courts-Martial
	Military justice research, Uniform Code of Military Justice (UCMJ)
	Drafting charges
	Preferral and referral of charges
	Article 32, UCMJ, Investigation
	Pretrial confinement
	Preparing trial briefs and witnesses
	Motion practice
	Voir dire
Presentation of case and evidentiary matters	
Post-trial clemency procedures	

	Air Force confinement programs
	Appellate review
	Records of trial processing, AMJAMS
	Victim/witness assistance
Familiarize interns with Non-judicial punishment/Article 15, UCMJ, procedures	Oral and written counseling
	Letters of admonishment and reprimand
	Control roster actions
	Unfavorable Information Files (UIF)
	Rehabilitation agencies
<b>PHASE III: CIVIL LAW</b>	
<b>Purpose:</b>	<b>Should Include:</b>
Familiarize interns with voluntary and involuntary separation actions	Advising the commander
	AFI 36-3208; personality disorders, financial irresponsibility, misconduct, drug abuse, civil conviction, fraudulent enlistment, etc.
	All phases of discharge board proceedings
	Completed separation action reviews
	Officer separation actions
	Board for Correction of Military Records
Familiarize interns with recurrent civil law issues	The Freedom of Information Act
	The Privacy Act of 1974
	Environmental law issues
	Labor-management relations, negotiating union contracts, adverse civilian personnel actions
	Family Advocacy Program
	Non-appropriated funds
	Private organizations: bylaws, constitutions, minutes
	Reports of survey
	Line of duty
	Dual sovereignty; jurisdiction, taxes, litigation
	Inspector General and Congressional inquiries
	Article 138, UCMJ complaints
	Discrimination complaints
	Gifts
	Standards of conduct
	Defense-related employment
	Posse Comitatus
	Conscientious objectors
	Political activities
<b>PHASE IV: PREVENTIVE LAW</b>	
<b>Purpose:</b>	<b>Should Include:</b>
Familiarize interns with procedures for educating and informing Air Force personnel about the law, their legal rights and obligations	Military law seminars
	Commanders' calls
	Newcomers' orientations

	Family service orientations
	Command emphasis items
	Base newspaper articles
	Installation bulletin notices
	Preparation of handbooks, pamphlets, newsletters and flyers
<b>PHASE V: CONTRACTS</b>	
<b>Purpose:</b>	<b>Should Include:</b>
Familiarize interns with government contracts	Contract formation (i.e. pre-award matters)
	Contract administration (i.e. post-award/performance matters)
	Procurement fraud and remedies
	Contract provisions
	Labor standards
	Procurement methods (e.g. sealed bid, negotiated, simplified acquisition)
	Fiscal issues (e.g. Anti-deficiency Act/Purpose Statute violations)
	Disputes (e.g. Government Accountability Office protests and Armed Services Board of Contract Appeals claims)
	Conflicts of interest
<b>PHASE VI: LEGAL ASSISTANCE</b>	
<b>Purpose:</b>	<b>Should Include:</b>
Familiarize interns with legal assistance program	Eligible individuals
	Typical issues/concerns
	Referral to the local bar, legal aid or public defender
	Confidentiality and privileged status
Familiarize interns with means of resolving recurrent issues	Home leases and purchases
	Wills and powers of attorney
	Taxes: federal and local
	Domestic relations, adoption
	Consumer protection
	Indebtedness, bankruptcy
	Automobile problems, traffic laws
	Insurance
	Servicemember's Civil Relief Act
Landlord tenant issues	
<b>PHASE VII: AREA DEFENSE COUNSEL (ADC) PROGRAM</b>	
<b>Purpose:</b>	<b>Should Include:</b>
Familiarize interns with the functions and duties of the area defense counsel	Independent judiciary
	Mission of the ADC
	Interaction with the base legal office
	Interaction with commanders

	Interaction with criminal investigators
	Representing defense clients
	Court-martial cases
	NJP/Article 15 cases
	Discharge cases

## Attachment 3

## APPLICATION FOR INTRASERVICE TRANSFER

(LETTERHEAD)

DATE

MEMORANDUM FOR STAFF JUDGE ADVOCATE, \_\_\_\_\_ AFB  
 JAX  
 IN TURN

FROM: Rank, Name  
 Address

SUBJECT: Application for Intraservice Transfer, AFI 51-101

1. If approved, I understand and agree that:
  - a. I will incur an additional active duty service commitment of four (4) years, commencing upon the date of my designation as a judge advocate; and,
  - b. If rated and on flying status, I have attached a request for voluntary permanent disqualification for aviation service.
2. The following information pertinent to this application is submitted:
  - Rank, name, SSAN:
  - I am a Regular officer.
  - Total active federal military service date (TAFMSD):
  - Date of rank:
  - Duty phone (DSN and commercial):
  - Unit of assignment:
3. I request The Judge Advocate General's Corps selection board consider the following special matters when evaluating my application. (This paragraph is optional.)

Signature  
 Typed Name, Grade, USAF  
 Organization

## Attachments

1. As listed above
2. XXX
3. XXX

PRIVACY ACT STATEMENT: Application for Intra-Service Transfer (AFI 51-101).  
 AUTHORITY: 10 U.S.C. § 8037 and Executive Order 9397.

**PURPOSE:** This letter provides necessary information for the approval authority to determine whether the applicant meets all requirements for transfer.

**ROUTINE USES:** Reviewed by processing activities and the approval authority in rendering a decision on the application.

**DISCLOSURE IS VOLUNTARY:** However, failure to disclose requested information will result in non-consideration of the application.