

**BY ORDER OF THE
SECRETARY OF THE AIR FORCE**

AIR FORCE POLICY DIRECTIVE 51-13

21 NOVEMBER 2013



Law

**JUDGE ADVOCATE SPECIAL AND
INCENTIVE PAY PROGRAMS**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

ACCESSIBILITY: Publications and forms are available on the e-Publishing website www.e-publishing.af.mil for downloading or ordering.

RELEASABILITY: There are no releasability restrictions on this publication.

OPR: AF/JAX

Certified by: AF/JA
(Lt Gen Richard C. Harding)

Supersedes: AFPD 51-13, 1 October 2000

Pages: 5

This directive implements Secretary of Defense Directive-Type Memorandum, *Education Loan Repayment Program Guidance for Members in Specified Military Specialties or in an Officer Program*, Title 37 United States Code Section 321, *Special pay: judge advocate continuation pay* and Title 10 United States Code Section 2171, *General loan repayment program*. This directive establishes Air Force policy for awarding and approving judge advocate special and incentive pay programs for the Air Force Judge Advocate General's Corps (AFJAGC), to include Judge Advocate Continuation Pay (JACP) and the Judge Advocate Student Loan Repayment Program (JA-SLRP). This publication applies only to active duty judge advocates.

Refer recommended changes and questions about this publication to the Office of Primary Responsibility (OPR) using Air Force (AF) Form 847, *Recommendation for Change of Publication*; route AF Form 847s from the field through the appropriate functional's chain of command. Ensure 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).

SUMMARY OF CHANGES

This publication has been substantially revised and must be reviewed in its entirety. Changes include the addition of student loan repayment and updated roles and responsibilities.

1. Overview and Policy:

1.1. The Air Force must remain competitive in its efforts to continue to recruit the highest-caliber applicants and retain the highest-quality judge advocates to provide essential legal support for military operations, advocate and litigate to preserve command prerogatives, administer military justice and civil law programs and educate and counsel leaders and personnel in the law. Judge advocates deliver professional, candid, independent counsel and full-spectrum legal capabilities to command and the warfighter.

1.2. The Air Force operates in an increasingly legalistic environment, which demands nothing less than the very best legal capability it can field. AFJAGC supplies that demand with its talented and highly trained group of legal professionals. Attracting and retaining these attorneys is essential and requires judge advocate special and incentive pays that appropriately recognize both the unique status of the military attorney and the extraordinary demands imposed upon, and sacrifices demanded of, all military members.

1.3. Special and incentive pays for Air Force judge advocates, which include JACP and JA-SLRP, should be equitable, fiscally responsible and recognize the unique conditions of service. At the same time, they should support force sustainment objectives in both peacetime and periods of national emergency. They should maintain some degree of pay comparability with the private sector, and they must be predictable, stable and transparent.

1.4. This directive establishes policies for constructing, administering and adjusting judge advocate special and incentive pays and implements Secretary of Defense Directive-Type Memorandum, *Education Loan Repayment Program Guidance for Members in Specified Military Specialties or in an Officer Program*, 37 USC § 321 and 10 USC § 2171. AFJAGC is a military specialty for purposes of these programs.

2. Roles and Responsibilities:

2.1. The Judge Advocate General (AF/JA).

2.1.1. Develops, coordinates and executes judge advocate special pay and student loan repayment and essential procedural guidance for managing the same, subject to special and incentive pay funding and oversight.

2.1.2. Implements appropriate instructions and guidance administering judge advocate special pay and student loan repayment, to include establishing eligibility requirements and approving and disapproving contracts, applications, payments and exceptions.

2.2. The Assistant Secretary of the Air Force for Manpower and Reserve Affairs (SAF/MR) serves as an agent of the Secretary and provides guidance, direction and oversight for the formulation, review and execution of plans, policies, programs and budgets addressing Air Force military entitlement programs, to include special and incentive pays.

2.3. The Assistant Secretary of the Air Force for Financial Management and Comptroller (SAF/FM) provides guidance, direction and oversight for the budget and financial management of Air Force military entitlement programs, to include special and incentive pays.

2.4. Deputy Chief of Staff, Manpower, Personnel and Services (AF/A1) develops, coordinates and executes personnel policy and essential procedural guidance for the

management of Air Force military entitlement programs, to include special and incentive pays, and applicable prioritized budgeting.

Eric K. Fanning
Acting Secretary of the Air Force

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

Title 10 United States Code Section 2171

Title 10 United States Code Section 801

Title 37 United States Code Section 303a

Title 37 United States Code Section 321

Secretary of Defense Directive-Type Memorandum, *Education Loan Repayment Program Guidance for Members in Specified Military Specialties or in an Officer Program*, 25 September 2006

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

Adopted Forms

AF Form 847, *Recommendation for Change of Publication*

Abbreviations and acronyms

AF—Air Force

AFI—Air Force Instruction

AFMAN—Air Force Manual

AFPD—Air Force Policy Directive

AF/A1—Deputy Chief of Staff, Manpower, Personnel and Services

AF/JA—The Judge Advocate General

AFJAGC—The Air Force Judge Advocate General's Corps

AFMAN—Air Force Manual

AFRIMS—Air Force Records Information Management System

JACP—Judge Advocate Continuation Pay

JA—SLRP— Judge Advocate Student Loan Repayment Program

OPR—Office of Primary Responsibility

RDS—Records Disposition Schedule

SAF/FM—The Assistant Secretary of the Air Force for Financial Management and Comptroller

SAF/MR—The Assistant Secretary of the Air Force for Manpower and Reserve Affairs

US—United States

Terms

Judge Advocate Continuation Pay—An eligible judge advocate who executes a written agreement to remain on active duty for a period of obligated service specified in the agreement may, upon the acceptance of that agreement, be paid continuation pay in accordance with 37 USC § 321. To be eligible, a judge advocate must be qualified and serving as a judge advocate, as defined in 10 USC § 801, and must have completed the active duty service obligation incurred through that officer's original commissioning program. The total amount paid to an officer under one or more agreements under this section may not exceed \$60,000.00. An officer who has entered into a written agreement and has received all or part of the amount payable under the agreement but who does not complete the total period of active duty specified in the agreement, shall be subject to the repayment provisions of 37 USC § 303a(e).

Judge Advocate Student Loan Repayment Program—The Air Force is authorized to repay judge advocate student loans in accordance with 10 USC § 2171. Loan repayment shall be made on the basis of each complete year of active duty service performed by the judge advocate. The portion or amount of a loan that may be repaid is 33 1/3 percent or \$1,500.00, whichever is greater, for each year of active duty service. The total amount of the repayment to each judge advocate may not exceed \$65,000.00. If a portion of a loan is repaid under section 2171 for any year, interest on the remainder of such loan shall accrue and be paid in the same manner as is otherwise required. Nothing in section 2171 shall be construed to authorize refunding any repayment of a loan.

Special and Incentive Pay—Title 37, Chapter 5, *Special and Incentive Pays*, outlines special and incentive pays. These include Hazardous Duty, Hostile Fire Pay, Flight Pay, Aviation Career Incentive Pay, Parachute Duty Pay, Diving Duty Pay, Special Pay for Health Professionals, enlistment and reenlistment bonuses, Aviator Continuation Pay, Judge Advocate Continuation Pay and other officer retention bonuses, Special Duty Assignment Pay, Foreign Language Proficiency Pay.