

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

**AIR FORCE POLICY DIRECTIVE 51-1**

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**Law**

**THE AIR FORCE JUDGE ADVOCATE  
GENERAL'S CORPS**

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This publication implements Department of Defense Directive 1322.12, *Funded Legal Education*; Department of Defense Instruction 1442.02, *Personnel Actions Involving Civilian Attorneys*; Department of Defense Directive 5160.64E, *Legal Information Technology*; Title 10 United States Code Section 8067; Title 10 United States Code Section 806; Title 10 United States Code Section 826; Title 10 United States Code Section 827; *Manual for Courts-Martial, United States, 2016*; Department of Defense Instruction 1400.25 Volume 410, *Department of Defense Civilian Personnel Management System: Training, Education, and Professional Development*; Under Secretary of Defense (Personnel & Readiness) memo, *Payment of Professional Expenses for Military Members*, Department of Defense Instruction 1304.33, *General Bonus Authority for Officers, and Secretary of Defense Directive-Type Memorandum, Education Loan Repayment Program Guidance for Members in Specified Military Specialties or in an Officer Program*. This policy directive applies to all military and civilian Air Force personnel, members of the Air Force Reserve and Air National Guard, and other individuals or organizations as required by binding agreement or obligation with the Department of the Air Force. Ensure all records created as a result of processes prescribed in this publication are maintained in accordance with Air Force Manual 33-363, *Management of Records*, and disposed of in accordance with the Air Force Records Disposition Schedule located in the Air Force Records Information Management System. Refer recommended changes and questions about this publication to the Office of Primary Responsibility using the Air Force Form 847, *Recommendation for Change of Publication*; route Air Force Forms 847 from the field through the appropriate functional chain of command.

***SUMMARY OF CHANGES***

This document has been substantially revised and should be reviewed in its entirety. This document has been revised to delete non-directive information and clarify the functional management of The Judge Advocate General's Corps.

**1. Overview.** This Directive establishes policy and assigns responsibilities concerning the organizational structure, duties, manning, and resourcing required for The Judge Advocate General's Corps to fulfill Air Force requirements for legal services.

**2. Policy.** It is Air Force policy to:

2.1. Adhere to the rule of law, uphold justice, and maintain a disciplined force.

2.2. Provide the responsive legal support required to fulfill Air Force requirements for legal services arising from current and evolving air, space, and cyberspace missions through The Air Force Judge Advocate General's Corps. The Air Force Judge Advocate General's Corps will be organized, trained, and equipped to uphold justice through advice to commanders and its role in the military justice system, deliver advice and counsel to Airmen at all levels, employ advocacy and litigation to uphold Air Force standards and interests, represent individual clients concerning military justice and administrative processes and civil legal issues, engage those outside the Air Force Judge Advocate General's Corps to inform and train on the law and its implications, and partner with Air Force and external organizations to achieve optimal results and improve the legal system. The Judge Advocate General's Corps is composed of the following:

2.2.1. The Judge Advocate General and the Deputy Judge Advocate General in accordance with 10 United States Code (U.S.C.) § 8037(a).

2.2.2. General officer judge advocates and civilian attorneys of the Senior Executive Service assigned as the Director, Administrative Law Directorate; the Mobilization Assistant to The Judge Advocate General; the Air National Guard Assistant to The Judge Advocate General; the Mobilization Assistant to the Deputy Judge Advocate General; the Air National Guard Assistant to the Deputy Judge Advocate General; the Commander, Air Force Legal Operations Agency; the Command Counsel, Air Force Materiel Command; and the Director, Air Force Materiel Command Legal Office; and other Air Reserve Component general officer judge advocates.

2.2.3. Regular Air Force, Air Force Reserve and Air National Guard personnel who are:

2.2.3.1. Commissioned officers with the primary Air Force Specialty Code of 51J.

2.2.3.2. Enlisted members with the primary Air Force Specialty Code of 5J.

2.2.4. Department of the Air Force civilians within the legal career field and assigned to organizations or offices led by officers or civilians under **paragraphs 2.2.1** through **2.2.3** or personnel with a Functional Organizational Code of JAY.

2.3. Provide legal services in support of the Air Force mission, through personnel assigned to The Judge Advocate General's Corps, in accordance with laws; executive orders; policy directives; Headquarters Mission Directive 1-14, *General Counsel and The Judge Advocate General*; and instructions.

2.4. Recruit, qualify, designate, develop, and retain legal talent to support the Air Force legal support mission through The Judge Advocate General's Corps, in accordance with 10 U.S.C. § 8031(b)(6), 10 U.S.C. § 8032(b)(1), 10 U.S.C. § 8013(g)(1), and Department of Defense Instruction 1442.02.

2.5. Ensure officers, designated as judge advocates, are directed in the performance of their duties under the functional supervision of The Judge Advocate General in accordance with 10 U.S.C. § 806(a), 10 U.S.C. §§ 826-827, and 10 U.S.C. § 8037(c)(2).

2.6. Ensure the ethical and professional practice of law by Air Force Judge Advocate General's Corps personnel in accordance with 10 U.S.C. § 806(a), Rule for Courts-Martial 109, and Department of Defense Instruction I 1442.02, to include establishing supervisory measures that give a reasonable assurance that all attorneys in Air Force conform to ethical and professional rules.

2.7. Administer and manage the Federal Legal Information Through Electronics system and Defense Emergency Authorities Retrieval and Analysis System in accordance with Department of Defense Directive 5160.64E, paragraph 5.2.

### **3. Responsibilities.**

3.1. **The General Counsel (SAF/GC).** Is designated as the qualifying authority to evaluate the qualification for persons recommended for appointment, transfer, reassignment, or promotion as Air Force civilian attorneys and to approve or disapprove such actions. Through coordination on this Policy Directive, the General Counsel re-delegates this authority as regards civilian attorney positions, General Schedule-15 (or equivalent) and below, within The Judge Advocate General's Corps to The Judge Advocate General. The Judge Advocate General may further re-delegate this authority, in writing, to a qualified attorney or qualified attorneys. The General Counsel retains qualifying authority for all civilian attorney positions not part of The Judge Advocate General's Corps.

#### **3.2. The Judge Advocate General shall:**

3.2.1. Provide legal services in support of the Air Force mission, personally and through personnel assigned to The Judge Advocate General's Corps, in accordance with laws; executive orders; policy directives; Headquarters Mission Directive 1-14, *General Counsel and The Judge Advocate General*; and applicable instructions.

3.2.2. Serve as the legal advisor to the Secretary of the Air Force and all offices and agencies of the Department of the Air Force in accordance with 10 U.S.C. § 8037(c)(1).

3.2.2.1. Provide independent legal advice to the Air Force Chief of Staff, members of the Air Staff, and Air Force commanders and, in coordination with the General Counsel of the Department of the Air Force, to the Secretariat in accordance with 10 U.S.C. § 8037(f).

3.2.3. Establish direction and guidance for judge advocates, paralegals, and civilian professionals assigned to the Air Force Judge Advocate General's Corps to ensure readiness and standardization in the delivery of legal services.

3.2.4. Plan, program, budget, and execute adequate, disciplined, and responsive strategy aligned with Air Force processes to maintain the capability and capacity of The Judge Advocate General's Corps to fulfill the Air Force legal requirements.

3.2.5. Exercise overall responsibility for the Air Force Legal Operations Agency, a field operating agency.

3.2.6. Establish resource requirements (e.g., minimum facility and information technology requirements) for personnel within The Judge Advocate General's Corps.

3.2.7. Recruit, access, and designate judge advocates and qualify civilian attorneys for positions in The Judge Advocate General's Corps.

3.2.7.1. Establish guidance, processes, procedures, and act as the final selection and approval authority for all judge advocate accession programs, including a funded legal education program for current commissioned officers in accordance with 10 U.S.C. § 2004 and Department of Defense Directive 1322.12.

3.2.7.2. Designate qualified officers as judge advocates and establish necessary guidance in accordance with 10 U.S.C. § 8067(g).

3.2.7.3. Qualify civilian attorneys in the Air Force Judge Advocate General's Corps under the authority in **paragraph 3.1** and will:

3.2.7.3.1. Evaluate the qualifications of persons recommended for appointment, transfer, reassignment, or promotion as civilian attorneys, and approve or disapprove such actions for attorneys assigned to positions within The Judge Advocate General's Corps.

3.2.7.3.2. Establish guidance, processes, and procedures to qualify civilians for appointment, transfer, reassignment, and promotion as civilian attorneys or law clerk trainees in General Schedule -15 and below for civilian personnel assigned within The Judge Advocate General's Corps.

3.2.7.3.3. Delegate qualifying authority within The Judge Advocate General's Corps, as necessary.

3.2.8. Assign all Regular Air Force judge advocates for duty, consistent with statutory requirements under 10 U.S.C. § 806(a) and 10 U.S.C. § 8037.

3.2.9. Access, assign, and attach The Judge Advocate General's Corps members of the Air Force Reserve and Air National Guard of the United States (on Title 10 status), as well as Air National Guard members upon initial assignment within a State or upon transfer to another State or component.

3.2.10. Act as the sourcing and adjudication authority for the deployment of judge advocates and paralegals consistent with 10 U.S.C. § 8032(b)(1), 10 U.S.C. § 806(a), and 10 U.S.C. § 8037.

3.2.10.1. Ensure effective force management by approving Unit Type Code management practices and deployment postures that enhance the operational readiness and organizational effectiveness of Judge Advocate General's Corps activities.

3.2.10.2. Ensure all Judge Advocate General's Corps activities report the readiness status of assigned Unit Type Codes.

3.2.11. Serve as the Functional Authority for personnel within The Judge Advocate General's Corps. As the Functional Authority, The Judge Advocate General determines and prioritizes education and training requirements (e.g., resident and distance education at the Air Force Judge Advocate General's School, Master of Laws degrees, continuing legal education, professional development, and selection of judge advocates for developmental education) consistent with Air Force policy under Air Force Policy Directive 36-26, *Total Force Development and Management*, and 10 U.S.C. § 806(a).

3.2.12. Establish programs consistent with law and policy to retain legal talent in the service of the Air Force.

3.2.12.1. Establish guidance, processes, and procedures for an annual awards program for Judge Advocate General's Corps judge advocates, paralegals, and civilians.

3.2.12.2. Plan, program, budget for, and execute recruiting and retention programs (e.g., student loan repayment, continuation incentive pay) consistent with authorities legislated in 10 U.S.C. § 2171, 37 U.S.C. § 331, and 37 U.S.C. § 332.

3.2.12.3. Establish programs that provide for payment of expenses for judge advocates and civilian attorneys to obtain professional credentials consistent with Department of Defense Instruction 1400.25 Volume 410, 10 U.S.C. § 2015 and 5 U.S.C. § 5757.

3.2.13. Direct the officers of The Judge Advocate General's Corps in the performance of their duties in accordance to 10 U.S.C. § 8037(c)(2) by leading and managing all aspects of worldwide judge advocate legal services.

3.2.14. Provide for and supervise the administration of military justice throughout the Air Force in accordance with 10 U.S.C. § 806(a).

3.2.14.1. Conduct frequent inspections of Regular Air Force and Air Force Reserve legal offices in accordance with 10 U.S.C. § 806(a), as well as Air National Guard legal offices when activated under Title 10.

3.2.14.1.1. Direct scheduling of all inspections conducted under 10 U.S.C. § 806(a).

3.2.14.1.2. Designate members of The Judge Advocate General's Corps to serve as senior members of The Judge Advocate General's staff for the purpose of carrying out inspection responsibilities pursuant to 10 U.S.C. § 806(a).

3.2.14.2. Certify Regular Air Force, Air Force Reserve, and Air National Guard of the United States (on Title 10 status) military judges for practice in the Air Force in accordance with 10 U.S.C. § 826. Under Title 32, Air National Guard military judges are certified in accordance with the laws of the respective states and 32 U.S.C. §§ 326-327.

3.2.14.3. Certify Regular Air Force, Air Force Reserve, and Air National Guard of the United States (on Title 10 status) trial and defense counsel for practice in federal military courts-martial, in accordance with 10 U.S.C. § 827. Under Title 32, Air National Guard trial and defense counsel are certified in accordance with the laws of the respective states and 32 U.S.C. §§ 326-327.

- 3.2.14.4. Certify Regular Air Force, Air Force Reserve and Air National Guard of the United States (on Title 10 status) special victims counsel for practice in accordance with Title 10 U.S.C. 1044e(d)(2).
- 3.2.14.5. Supervise and discipline trial and appellate judges, judge advocates, other lawyers, and legal professionals who practice in proceedings covered by the Uniform Code of Military Justice.
- 3.2.14.6. Establish guidance and processes for removing certification as military judges, or as trial counsel and defense counsel.
- 3.2.15. Establish rules for the ethical and professional practice of law for members of The Judge Advocate General's Corps and non-Government attorneys who practice in military courts.
- 3.2.15.1. Make reasonable efforts to ensure all members of The Judge Advocate General's Corps receive training on and act in conformity with the rules and standards.
- 3.2.15.2. Establish processes for and conduct inquiries into professional misconduct by attorneys of The Judge Advocate General's Corps or other attorneys subject to The Judge Advocate General's functional supervisory authority pursuant to Rule for Courts-Martial 109. Inform the General Counsel, Department of Defense, of allegations of illegal activity, professional or other misconduct, or other impropriety against senior civilian attorneys in the Air Force.
- 3.2.16. Exercise overall responsibility for the operation, maintenance, and continuous development of the Federal Legal Information Through Electronics system and Defense Emergency Authorities Retrieval and Analysis System.
- 3.3. 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.
- 3.4. 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 pay.
- 3.5. 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.

HEATHER WILSON  
Secretary of the Air Force

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

Title 10, United States Code, Section 806

Title 10, United States Code, Sections 826 and 827

Title 10 United States Code, Section 1044e(d)(2)

Title 10, United States Code, Section 8013

Title 10, United States Code, Section 8031

Title 10, United States Code, Section 8032

Title 10, United States Code, Section 8037

Title 10, United States Code, Section 8067

Title 10, United States Code, Section 2004

Title 10, United States Code, Section 2015

Title 32, United States Code, Section 326

Title 32, United States Code, Section 327

Title 5, United States Code, Section 5757

Title 37, United States Code, Section 332

Department of Defense Instruction 1304.33, *General Bonus Authority for Officers*, 11 July 2016

Department of Defense Directive 1322.12, *Funded Legal Education*, 12 April 2004

Department of Defense Instruction 1400.25 Volume 410, *DoD Civilian Personnel Management System: Training, Education, and Professional Development*, 25 September 2013

Department of Defense Instruction 1442.02, *Personnel Actions Involving Civilian Attorneys*, 30 September 2010

Department of Defense Directive 5160.64E, *Legal Information Technology*, 23 August 2005

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

Under Secretary of Defense (Personnel & Readiness) Memorandum, *Payment of Professional Expenses for Military Members*, 16 July 2009

Headquarters Air Force Mission Directive 1-14, *General Counsel and The Judge Advocate General*, 29 December 2016

Air Force Policy Directive 36-26, *Total Force Development and Management*, 22 December 2015



***Prescribed Forms***

None

***Adopted Forms***

AF Form 847, *Recommendation for Change of Publication*