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SECRETARY OF THE AIR FORCE**

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**Law**

**THE AIR FORCE JUDGE ADVOCATE  
GENERAL'S (AFJAG) CORPS  
OPERATIONS, ACCESSIONS, AND  
PROFESSIONAL DEVELOPMENT**

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This publication implements Air Force Policy Directive (AFPD) 51-1, *The Air Force Judge Advocate General's (AFJAG) Corps*. It provides guidance and procedures concerning AFJAG Corps; prescribes the composition, mission and function of AFJAG Corps and its provision of legal services; details responsibilities for recruiting, supervising, training, and developing judge advocates, civilian attorneys and non-attorneys, and enlisted paralegals throughout the AFJAG Corps. It applies to the entire Department of the Air Force (DAF), including all uniformed members and civilian employees of the AFJAG Corps serving with the Regular Air Force (RegAF), United States Space Force (USSF) units, the Air Force Reserve (AFR), the Air National Guard (ANG), and combatant commands, except where noted otherwise. It does not apply to civilian personnel actions, including qualifying authority actions, of employees appointed to positions within the National Guard Bureau or Air National Guard units and organizations, pursuant to Title 10 United States Code Section 10508, *National Guard Bureau: general provisions*. This publication may be supplemented at any level, but all supplements must be routed to the office of primary responsibility (OPR) listed above for coordination prior to certification and approval. Refer recommended changes and questions about this publication to the OPR using the DAF Form 847, *Recommendation for Change of Publication*; route DAF Forms 847 from the field through the appropriate functional chain of command. The authorities to waive wing, delta, or 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 Department of the Air Force Manual (DAFMAN)

90-161, *Publishing Processes and Procedures*, 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.

Failure to obey **Chapter 6**, paragraphs **6.3.2**, **6.3.3**, or **6.3.4** of this instruction constitutes a violation of Article 92(1), *Uniform Code of Military Justice* (UCMJ)—failure to obey lawful order or regulation. Article 92(1) of the UCMJ does not apply to members of the ANG while in Title 32 status (that is, activated for state duty under state command), but ANG members may be subject to an equivalent article under a state military justice code. All judge advocates, including those not subject to the UCMJ, who fail to comply with **Chapter 6**, paragraphs **6.3.2**, **6.3.3**, and **6.3.4**, are subject to withdrawal of their designation, military administrative action, or civil action, to include civilian criminal prosecution and disciplinary action by their licensing jurisdiction. Civilian attorneys who fail to comply with the provisions of **paragraph 9.4.2** may be subject to adverse administrative or disciplinary actions as outlined in DAFI 36-148, *Discipline and Adverse Actions of Civilian Employees*, as well as subject to civil action, to include civilian criminal prosecution and disciplinary action by their licensing jurisdiction. Ensure all records generated as a result of processes prescribed in this publication adhere to Air Force Instruction (AFI) 33-322, *Records Management and Information Governance Program*, and are disposed of in accordance with the Air Force Records Disposition Schedule, which is located in the Air Force Records Information Management System. Compliance with attachments **4** and **5** in this publication is mandatory.

## ***SUMMARY OF CHANGES***

This document has been revised and should be completely reviewed. Changes include (1) revising the trial and defense counsel certification process and (2) clarifying requirements associated with Special Trial Counsel and Senior Defense Counsel qualifications. A margin bar (|) indicates newly revised material.

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## Chapter 1

### ROLES AND RESPONSIBILITIES

**1.1. Overview.** This chapter outlines the roles and responsibilities of personnel within the Air Force Judge Advocate General's (AFJAG) Corps. The Judge Advocate General (TJAG) retains overall responsibility for the delivery of legal services to the DAF, through statutory authorities, as well as all responsibilities under AFPD 51-1.

**1.2. The Office of The Judge Advocate General (AF/JA).** The Office of The Judge Advocate General consists of senior leaders and members that assist TJAG in the discharge of his or her statutory authorities and responsibilities. Roles and responsibilities include:

1.2.1. The Judge Advocate General:

1.2.1.1. Provides legal services in support of USAF and USSF missions, personally and through personnel assigned to the AFJAG Corps, in accordance with laws, executive orders, Air Force Policy Directive 51-1, and other policy and mission directives.

1.2.1.2. Serves as legal advisor to the Secretary of the Air Force (SecAF), the Chief of Staff of the Air Force, the Chief of Space Operations, and all offices and agencies of the DAF in accordance with Title 10 United States Code Section 9037, *Judge Advocate General, Deputy Judge Advocate General: appointment; duties.*

1.2.1.3. Recruits and selects officers and officer candidates for active duty as judge advocates.

1.2.1.4. Assigns (and reassigns) judge advocates in accordance with Title 10 United States Code Section 806, *Art. 6. Judge advocates and legal officers.*

1.2.1.5. Designates judge advocates in accordance with Title 10 United States Code Section 9063, *Designation: officers to perform certain professional functions.*

1.2.1.6. Certifies AFJAG Corps judge advocates as trial and defense counsel in accordance with Title 10 United States Code Section 827, *Detail of trial counsel and defense counsel.*

1.2.1.7. Certifies AFJAG Corps judge advocates as special trial counsel in accordance with Title 10 United States Code Section 824a, *Special Trial Counsel.*

1.2.1.8. Certifies AFJAG Corps judge advocates as military judges in accordance with Title 10 United States Code Section 826, *Military judge of a general or special court-martial.*

1.2.1.9. Certifies AFJAG Corps judge advocates and civilian attorneys as Victims' Counsel in accordance with Title 10 United States Code Section 1044e, *Special Victims' Counsel for victims of sex-related offenses.*

1.2.1.10. Serves as the functional authority for personnel within the AFJAG Corps. As the Functional Authority, TJAG determines and prioritizes education and training requirements (e.g., resident and distance education at the Air Force Judge Advocate General's School (AFJAGS), Master of Laws degrees, continuing legal education, professional development, and selection of judge advocates for developmental education)

consistent with DAF policy guidance under Department of the Air Force Instruction (DAFI) 36-2670, *Total Force Development*, and 10 USC § 806(a).

1.2.1.11. Acts as the sourcing and adjudication authority for the deployment of judge advocates and paralegals consistent with 10 USC § 806(a), Title 10 United States Code Section 9032, *The Air Staff: general duties*, 10 USC § 9037, and AFPD 51-1.

1.2.1.12. Evaluates the qualifications of persons recommended for appointment, transfer, reassignment, or promotion as DAF civilian attorneys, and approves or disapproves such actions for DAF attorneys, General Schedule (GS)-15 and below, assigned to positions within the AFJAG Corps and combatant commands.

1.2.1.13. Directs the officers of the AFJAG Corps in the performance of their duties in accordance with 10 USC § 9037(c)(2) by leading and managing all aspects of worldwide judge advocate legal services.

1.2.2. The Deputy Judge Advocate General (DJAG):

1.2.2.1. Advises TJAG on legal service matters.

1.2.2.2. Advises the SecAF, the Chief of Staff of the Air Force, and the Chief of Space Operations as necessary.

1.2.2.3. Performs the duties of TJAG during periods of vacancy caused by absence or disability, until a successor is appointed or the absence or disability ceases.

1.2.2.4. Serves as the functional manager for the AFJAG Corps.

1.2.3. The Senior Enlisted Advisor (SEA) to The Judge Advocate General:

1.2.3.1. Serves as senior enlisted advisor to TJAG and senior staff regarding the total force development and talent management of enlisted AFJAG Corps personnel.

1.2.3.2. Establishes policy for the readiness, utilization, and progression of all enlisted paralegals.

1.2.3.3. Provides direction for enlisted paralegals and represents their interests to DAF and Department of Defense (DoD) senior leaders.

1.2.4. Air Reserve Component (ARC) personnel in support of The Judge Advocate General.

1.2.4.1. The Air National Guard (ANG) Assistant to TJAG:

1.2.4.1.1. Advises TJAG on legal training, force management, force development, and legal operations affecting ANG legal capabilities in support of current and projected future requirements.

1.2.4.1.2. Develops and implements, on behalf of TJAG, policies and programs for judge advocates and paralegals in the ANG.

1.2.4.2. The Mobilization Assistant to TJAG:

1.2.4.2.1. Advises TJAG on legal training, force management, force development, and legal operations affecting AFR legal capabilities in support of current and projected future requirements.

- 1.2.4.2.2. Assists TJAG with the development and implementation of policies and programs for judge advocates and paralegals in the AFR.
- 1.2.4.3. Total Force Advisor (TFA) to TJAG:
  - 1.2.4.3.1. Acts on behalf of TJAG, and in coordination with the Mobilization Assistant to TJAG and the ANG Assistant to TJAG, as appropriate.
  - 1.2.4.3.2. Serves as the career field manager for ARC judge advocates.
  - 1.2.4.3.3. Manages AFR judge advocate recruiting.
  - 1.2.4.3.4. Manages the accession of all AFR judge advocates.
  - 1.2.4.3.5. Manages ARC judge advocate assignments.
  - 1.2.4.3.6. Manages ARC support to RegAF legal offices through quadrennial tour training (see [paragraph 10.5.2.5](#)) and through the Military Personnel Appropriation Program (see AFI 36-2619, *Active Duty Operational Support (ADOS) – Active Component (AC) Man-Day Program*).
  - 1.2.4.3.7. Aids in the formulation and development of guidance and requirements that impact judge advocates and paralegals in the ARC.
  - 1.2.4.3.8. Is aligned under AF/JAX for AF/JA task coordination purposes.
- 1.2.4.4. Air National Guard Paralegal Career Field Manager:
  - 1.2.4.4.1. Serves as the ANG career field manager for ANG personnel in Title 32 status with Air Force Specialty Code (AFSC) 5JXXX.
  - 1.2.4.4.2. Advises TJAG, the ANG Assistant to TJAG, and the SEA to TJAG on all ANG paralegal accession, retraining, training, and assignment actions concerning Title 32 paralegals.
  - 1.2.4.4.3. Assists with the development of guidance and requirements that impact ARC judge advocates and programs affecting ANG Title 32 paralegals.
- 1.2.4.5. Individual Mobilization Augmentee (IMA) to the SEA to TJAG:
  - 1.2.4.5.1. Assists with the development of guidance and programs affecting AFR paralegals.
  - 1.2.4.5.2. Serves as the advocate for enlisted paralegals serving in the AFR.
  - 1.2.4.5.3. Advises TJAG, the Mobilization Assistant to TJAG and the SEA to TJAG on all ARC paralegal accession, retraining, training, and assignment actions.
- 1.2.5. Professional Development Directorate, Office of The Judge Advocate General (AF/JAX). The Professional Development Directorate provides career field management, professional development, and workforce planning for military personnel with AFSC 51JX (Judge Advocate) and 5JXXX (Paralegal) and for civilian personnel in 09XX (Legal Kindred), 1222 (Patent Attorney), and 319 (Closed Microphone Reporting) occupation series. Responsibilities of key personnel include:

1.2.5.1. Director, AF/JAX, acts pursuant to authority delegated by TJAG in carrying out TJAG's authority (10 USC § 806, 10 USC § 9037) to manage and direct the officers of the AFJAG Corps. The Director:

1.2.5.1.1. Serves as career field manager for the 51JX (judge advocate) AFSC for RegAF judge advocates.

1.2.5.1.2. Manages judge advocate recruiting.

1.2.5.1.3. Manages the accession of all RegAF judge advocates.

1.2.5.1.4. Manages RegAF judge advocate assignments.

1.2.5.1.5. Manages judge advocate designation for all judge advocates.

1.2.5.1.6. Manages judge advocate certifications for all judge advocates.

1.2.5.1.7. Oversees judge advocate professional development.

1.2.5.1.8. Manages deployments (including most paralegal deployments) for personnel in the AFJAG Corps.

1.2.5.1.9. Manages promotion and personnel policy for the AFJAG Corps.

1.2.5.1.10. Manages retention and financial incentives programs for the AFJAG Corps.

1.2.5.1.11. Manages the AFJAG Corps awards program.

1.2.5.1.12. Manages AFJAG Corps professional continuing education and all other legal education opportunities provided by Air Education and Training Command, Air University, the Air Force Judge Advocate General's School (AFJAGS), sister service judge advocate general schools, and other federal agencies, to include the DoD and Department of Justice.

1.2.5.1.13. Provides guidance, as necessary, for the overall management of security access requirements for all AFJAG Corps manpower authorizations.

1.2.5.1.14. Determines and manages career field training requirements through appropriate workshops and specialty training requirements teams.

1.2.5.2. The Civilian Legal Career Field Manager:

1.2.5.2.1. Serves as the advisor to AFJAG Corps senior leaders regarding all matters related to the civilian legal career field occupational series 09XX (Legal Kindred), 1222 (Patent Attorney), and 319 (Closed Microphone Reporting).

1.2.5.2.2. Implements policies affecting civilians in the legal career field.

1.2.5.2.3. Provides oversight of career field education and training requirements.

1.2.5.2.4. Provides professional recommendations for civilian development as a voting member of the civilian developmental team.

1.2.5.2.5. Determines and manages career field training requirements through appropriate workshops and specialty training requirements teams.

1.2.5.3. The Air Force Paralegal Career Field Manager (Paralegal Career Field Manager):

- 1.2.5.3.1. Serves as advisor to the SEA to TJAG, USAF and USSF senior leaders, and major command (MAJCOM) or field command (FLDCOM) functional managers, or equivalent, on all matters related to enlisted paralegals (5JXXX).
  - 1.2.5.3.2. Monitors career field manpower and implements policies affecting enlisted paralegals.
  - 1.2.5.3.3. Coordinates and approves the release of paralegals from the career field for developmental special duties (DSD), career intermission, and other programs.
  - 1.2.5.3.4. Oversees career field education and training requirements and evaluates training effectiveness. Ensures paralegal professional development and training programs meet American Bar Association (ABA) and paralegal degree program requirements.
  - 1.2.5.3.5. Serves as the chairperson and voting member of the Enlisted Developmental Team and the Utilization and Training Workshop as required for the 5J0X1 (paralegal) AFSC. Ensures Air Force enlisted development requirements are met.
  - 1.2.5.3.6. Develops and manages career field entry and training requirements through appropriate workshops and specialty training requirements teams.
- 1.2.5.4. The Functional Area Manager:
- 1.2.5.4.1. Serves as principal advisor to AF/JA on the configuration, operational readiness, and employment of DAF legal support capabilities.
    - 1.2.5.4.1.1. Reviews and validates requests for forces and operational capability packages requiring legal support.
    - 1.2.5.4.1.2. Recommends individual sourcing solutions for judge advocate and paralegal deployments for TJAG's approval.
    - 1.2.5.4.1.3. Serves as AF/JA's coordinating authority for operational legal support matters, including policy, plans, force availability, and readiness matters.
  - 1.2.5.4.2. Oversees AFJAG Corps associated unit type codes and manages related issues.
  - 1.2.5.4.3. Acts as central coordinator of force management activities to ensure AFJAG Corps capabilities are properly postured, assigned, disseminated, managed, and utilized within the Air Force Force Generation construct.
  - 1.2.5.4.4. Monitors AFJAG Corps shortfalls, deficiencies, and sourcing reclaims and ensures MAJCOM and FLDCOM Functional Area Managers take actions to minimize adverse mission impact.
- 1.2.6. Strategic Plans and Programs Directorate (AF/JAZ). AF/JAZ strategically plans, programs, and budgets for AFJAG Corps associated functional training and incentive programs, and headquarters and field operating agency (FOA) support to AFJAG Corps operations.
- 1.2.7. Leadership Domain Operating Locations. The Commandant of AFJAGS and the Director, Legal Information Services (AF/JAS), located at Maxwell AFB, AL, assist TJAG in

carrying out the responsibilities of ensuring members of the AFJAG Corps are trained and provided effective legal technology solutions.

1.2.7.1. Commandant, Air Force Judge Advocate General's School:

1.2.7.1.1. Oversees the design, development, delivery, and evaluation of education and training for the AFJAG Corps. **(T-1)**

1.2.7.1.1.1. Ensures requirements identified in career field education and training plans are implemented. **(T-1)**

1.2.7.1.1.2. Develops training material and conducts resident training courses relevant to military law for a range of audiences to include AFJAG Corps personnel, employees of other US Government agencies, and select foreign officers. **(T-1)**

1.2.7.1.1.3. Develops courses and training material on military law topics for use by Air University in development programs reaching a broad range of DAF personnel. **(T-1)**

1.2.7.1.1.4. Serves as the Chair of the Law Department at Air University. **(T-1)**

1.2.7.1.1.5. Plans and hosts the Annual Survey of the Law and the ARC Senior Leadership Course in coordination with the TFA.

1.2.7.1.2. Oversees the management of military legal publications, including *Air Force Law Review*; *The Reporter*; *The Military Commander and the Law*; *The Law of Air, Space, and Cyber Operations*; and others deemed necessary by TJAG. **(T-1)**

1.2.7.2. Legal Information Services (AF/JAS):

1.2.7.2.1. Develops and maintains modern systems, through the Federal Legal Information Through Electronics (FLITE) application, that support and sustain AFJAG Corps legal offices and processes. **(T-1)**

1.2.7.2.2. Supports home station and deployed AFJAG Corps activities through guidance and technical support for AFJAG Corps-owned or operated video-conferencing equipment. **(T-2)**

1.2.7.2.3. Makes recommendation to TJAG concerning legal information services and software to facilitate and enhance legal support to the field. **(T-2)**

1.2.7.2.4. Maintains home station and deployed personnel data within the AFJAG Corps personnel roster (ROSTER) application. **(T-1)**

### **1.3. MAJCOM, FLDCOM, and Equivalent Legal Staffs.**

1.3.1. MAJCOM and FLDCOM staff judge advocates:

1.3.1.1. Serve as the legal advisors to MAJCOM and FLDCOM commanders, as members of the commanders' staff, and assist commanders in exercising their duties.

1.3.1.2. Identify legal problems and render legal advice in support of MAJCOM and FLDCOM commanders' decisions.

1.3.1.3. Serve as MAJCOM and FLDCOM functional managers for the 51JX (Judge Advocate) AFSC.

1.3.1.4. Participate as voting members during Utilization and Training Workshops as part of the Specialty Training Requirements Team for the 51JX (judge advocate) AFSC.

1.3.1.5. Serve as the senior supervisory attorney for all AFJAG Corps personnel assigned and subordinate to their MAJCOM or FLDCOM.

1.3.1.6. Manage command training, and utilization consistent with responsibilities under DAFI 36-2670.

1.3.1.7. Organize, train, and equip expeditionary and home station legal capabilities within their respective organizations.

1.3.1.8. Evaluate the mission readiness of legal support forces and the personal legal readiness of the commands' supported populations.

1.3.1.9. Maximize readiness of AFJAG Corps personnel to deploy and ensure posturing against appropriate unit type codes.

1.3.1.10. Oversee subordinate AFJAG Corps activities and their readiness to support operational requirements and monitor reporting of readiness statuses for AFJAG Corps personnel at subordinate commands and locations. Guidance on readiness reporting may be found in DAFI 10-401, *Operations Planning and Execution* and AFI 10-201, *Force Readiness Reporting*.

1.3.1.11. Ensure subordinate activities document legal support requirements in their home station or expeditionary site plans. AFI 10-404, *Base Support and Expeditionary (BAS&E) Site Planning*, contains guidance on developing base support and expeditionary site plans.

1.3.2. MAJCOM/FLDCOM/FOA/Direct Reporting Unit (DRU) Functional Area Managers shall:

1.3.2.1. Ensure AFJAG Corps unit type codes, if applicable, are equitably aligned according to AFJAG Corps functional area prioritization and guidance. **(T-2)**

1.3.2.2. Evaluate, track, and report the overall readiness status and training of the command's legal capabilities. **(T-2)**

1.3.2.3. Coordinate with functional area managers on deployment matters that affect other functional areas. **(T-2)**

1.3.2.4. Validate legal support requirements for deliberate plans. **(T-2)**

1.3.3. MAJCOM/FLDCOM/FOA/DRU Paralegal Functional Managers shall:

1.3.3.1. Serve in the capacity of a MAJCOM or FLDCOM functional manager for the command's enlisted paralegals. **(T-1)**

1.3.3.2. Manage command training and utilization consistent with responsibilities under DAFI 36-2670. **(T-1)**

1.3.3.3. Manage command manpower consistent with responsibilities under AFI 38-101, *Manpower and Organization*. **(T-2)**

1.3.4. FOA Directorate Senior Enlisted Leaders shall:

1.3.4.1. Serve in the capacity of a senior enlisted leader for the directorate's enlisted paralegals. **(T-1)**



1.3.4.2. Manage directorate training and utilization consistent with responsibilities under DAFI 36-2670. **(T-1)**

#### **1.4. Additional Roles and Responsibilities.**

1.4.1. Staff Judge Advocates shall:

1.4.1.1. **(RegAF wing- and delta-level)** . Serve as an integral part of the accessions process by interviewing and evaluating judge advocate and paralegal candidates. **(T-1)**

1.4.1.2. Ensure total force personnel assigned to their offices or organizations are in compliance with training requirements set forth under **Chapter 10** of this instruction. **(T-1)**

1.4.1.3. Ensure ROSTER accurately reflects their office's current manning, organizational structure, duty titles, contact information, and any other details as required. **(T-3)**

1.4.1.4. Manage and prepare personnel and equipment required to support home station operations. **(T-3)**

1.4.1.5. Provide expeditionary legal services and Unit Type Code management support. **(T-3)**

1.4.1.6. Develop, implement, and evaluate a readiness program that tailors available legal services to meet the requirements of the supported population. **(T-2)**

1.4.1.7. Advise local chain of command and MAJCOM/FLDCOM Functional Area Managers when resource changes may impact, restrict, or delay operations from either home station or deployed locations. **(T-1)**

1.4.1.8. Manage ARC augmentation requirements for home station support. **(T-3)**

1.4.1.9. Review and be prepared to support any operational plans and concept plans applicable to assigned forces. **(T-1)**

1.4.1.10. Identify and be prepared to support mission essential tasks in the installation's Base Support Plan or Expeditionary Site Plan. **(T-1)**

1.4.1.11. Be prepared to support home station activities and operations, including identifying legal issues that impede or restrict operations (e.g., range access, encroachment, bandwidth de-confliction, or noise abatement). **(T-1)**

1.4.1.12. Ensure the legal office is prepared to support the commander during emergencies. **(T-1)**

1.4.1.13. Support deployment planning and execution, the personnel readiness function, and the deployment control center. Refer to **Chapter 12** and AFI 10-403, *Deployment Planning and Execution*, for additional information on deployment related roles and responsibilities. **(T-1)**

1.4.1.14. Ensure all legal personnel maintain a high state of personal legal readiness. **(T-3)**

1.4.1.15. After consulting with the appropriate MAJCOM or FLDCOM Senior IMA, appoint a Reserve Coordinator to assist in the management of AFR judge advocate and paralegal training programs. The Reserve Coordinator will be a reservist assigned to the legal office. **(T-3)**

1.4.1.16. Annually review career field education and training plans, specialty training standards, and course training standards to identify knowledge or performance gaps. **(T-3)**

1.4.2. Readiness Managers shall facilitate readiness reporting requirements and work closely with the installation deployment officers and unit deployment managers whenever a legal office receives a deployment tasking. **(T-1)**

1.4.3. Staff Judge Advocates at USAF or USSF component headquarters shall assess the level of legal support needed to carry out DAF missions and operational plans and determine specific staff requirements (e.g., position description, rank, training, and clearance). Requests for forces are coordinated through appropriate channels. **(T-1)**

1.4.4. The Operations and International Law Directorate (AF/JAO), in support of the USAF Expeditionary Center and AFJAGS, will assist with the development of training on the legal aspects of military operations for AFJAG Corps personnel. **(T-1)**

1.4.5. Individual Mobilization Augmentee to the Staff Judge Advocate shall, at the discretion of the staff judge advocate, act as the staff judge advocate in the staff judge advocate's absence. When acting as the staff judge advocate, the IMA to the staff judge advocate is authorized to perform the functions of the staff judge advocate set forth in paragraphs [1.2.12.2](#) through [1.2.12.14](#).

## Chapter 2

### JUDGE ADVOCATE LEGAL OFFICES AND LEGAL SERVICES

**2.1. Overview.** Judge advocates, with the support of paralegals and civilian attorneys, advise commanders and other decision makers on all matters affecting air and space operations; advocate and litigate to uphold standards, assert critical interests, protect essential resources, and preserve freedom of operational access and action; represent individual Airmen and Guardians in military justice, victim advocacy, legal assistance, and disability evaluations; and proactively inform, engage, and partner with DAF, joint force, DoD, interagency, and state and local entities, as well as allied and coalition nation representatives. The AFJAG Corps executes these functions across the legal domains of Military Justice and Discipline, Operations and International Law, Civil Law and Litigation, and Leadership. These four legal domains reflect how we organize our legal offices, practice areas, and authorities to comply with and evolve national security law. This chapter sets forth the requirements for ensuring consistency of legal services across legal domains and among offices falling under the functional authority of TJAG. It identifies who may practice law within the AFJAG Corps, procedures for positional changes, and proper use of duty titles.

**2.2. Practice of Law.** Judge advocates receive technical legal supervision from TJAG through supervisory judge advocates. Unless specifically authorized by TJAG, DAF policy or guidance, only judge advocates of the AFJAG Corps and civilian attorneys falling under the qualifying authority of TJAG or The General Counsel of the Department of the Air Force (SAF/GC) are authorized to:

- 2.2.1. Engage in the practice of law on behalf of any DAF command, unit, agency, office, or other entity.
- 2.2.2. Be assigned against any authorization or requirement for an attorney within any DAF command, unit, agency, office, or other entity.
- 2.2.3. Provide legal instruction or training to any DAF command, unit, agency, office, or other entity unless under the supervision of a course manager.

**2.3. Establishment, Modification, and Elimination of Legal Offices and Positions.** Commanders or designees will coordinate proposed changes that affect the legal office with AF/JAX prior to making such changes. **(T-1)** This includes any additions, deletions, or modifications to 51JX (judge advocate) and 5JXX (paralegal) military positions or civilian positions in the 0905 (attorney) or 1222 (patent attorney) occupations.

**2.4. Judge Advocate Duty Titles.** Only military officers, designated by TJAG as judge advocates, may use the term “judge advocate” in their duty title. Civilian attorney positions are not authorized to use the term “judge advocate” in their duty title. **(T-1)**

- 2.4.1. Staff Judge Advocate (SJA). The staff judge advocate duty title will only be used for military officers who are designated by TJAG as a judge advocate and assigned by TJAG to serve as the principal legal advisor to a commander. **(T-1)**
- 2.4.2. Deputy Staff Judge Advocate. The deputy staff judge advocate duty title may only be used for military officers who are designated by TJAG as a judge advocate and assigned by TJAG to serve as second to a staff judge advocate. **(T-1)**

2.4.3. Individual Mobilization Augmentee to the Staff Judge Advocate. The IMA to the SJA duty title will only be used for ARC members designated by TJAG as judge advocates and who are specifically designated by TJAG as the principal augmentee to a RegAF SJA (wing, delta, NAF, FLDCOM, or MAJCOM). (T-1)

**2.5. Civilian Attorney Duty Titles.** Standardized duty titles are necessary to ensure effective succession planning and experiential development of civilian attorneys. The following are duty titles allowed at various AFJAG Corps organizational levels.

2.5.1. HAF, FOA, MAJCOM, FLDCOM and NAF

2.5.1.1. Director. Typically reserved for AFJAG Corps Senior Executive Service positions at the Civil Law Directorate (AF/JAC) and Air Force Materiel Command Law Office. General Schedule (GS)-15 positions may use the title if they are the head of a directorate with a supervisory level code of 2.

2.5.1.2. Command Counsel. Reserved for the SES Command Counsel with Air Force Materiel Command.

2.5.1.3. Deputy Director. This title is reserved for GS-15 civilian attorneys who work directly under the Senior Executive or General Officer director, and are assigned a supervisory level code of 2 within their core personnel document.

2.5.1.4. Associate Director. Title is used for GS-15 civilian attorneys, who work under an O-6 or GS-15 director, with a supervisory level code of 2.

2.5.1.5. Career Field Manager. Reserved for the Air Force Civilian Legal Career Field Manager assigned to AF/JAX.

2.5.1.6. Academic Director. Reserved for the Academic Director at AFJAGS.

2.5.1.7. Division Chief (e.g., Division Chief of Claims and Torts Division). Reserved for GS-15 attorneys that lead divisions and have a supervisory level code of 1 or 2 in their core personnel document.

2.5.1.8. Associate Division Chief, Division (e.g., Associate Division Chief, Claims and Torts Division). Reserved for GS-15 attorneys that work directly under a Division Chief and have a supervisor level code of 1.

2.5.1.9. Branch Chief, Branch Name (e.g., Branch Chief, Medical Law)

2.5.1.10. Senior Attorney, Section (e.g., Senior Attorney, Contracts). Reserved for GS-15 subject-matter experts in a particular field.

2.5.1.11. Section Attorney-Advisor (e.g., Aviation and Admiralty Law Attorney). Reserved for GS-12 through GS-14 attorneys working in a specific field of practice.

2.5.2. Wing and Delta-Level Positions. Wing and delta-level civilian attorneys use one of the following:

2.5.2.1. Senior Supervisory Attorney. Reserved for GS-15 civilian attorney positions, such as those at large air base wings falling under a center.

2.5.2.2. Section Supervisory Attorney (e.g., Labor Supervisory Attorney). Reserved for GS-13 or GS-14 wing or delta-level attorneys with a supervisory level code of 1. GS-14

supervisory attorneys are typically not authorized in offices outside of a large installation falling under a Center or DRU.

2.5.2.3. Section Attorney-Advisor (e.g., Contracts Attorney). Reserved for GS-11 through GS-14 attorneys who work in specific fields of practice. Multiple sections are authorized (e.g., Contracts/Labor Attorney-Advisor).

**2.6. Military Paralegal Duty Titles.** Duty titles for paralegals are assigned based upon the scope of responsibility and the duties being performed. A consistent, standard approach is necessary to ensure the terms are meaningful and developmental paths are clear. Supervisors must use the following authorized enlisted duty titles for AFJAG Corps enlisted paralegals. **(T-3)**

2.6.1. Manager. Used for senior noncommissioned officers (SNCOs) and noncommissioned officers (NCOs) who are program, project, and policy managers above wing or delta-level. They may or may not have personnel working for them and may be the enlisted leader of the division or directorate. The title manager cannot be used at wing or delta-levels.

2.6.2. Superintendent. Used for SNCOs in charge of wing or delta-level legal activities. Only SNCOs will hold the duty title of superintendent.

2.6.3. Legal Office/Center/Section Non-commissioned Officer in Charge (NCOIC). Used for SNCOs and NCOs in charge of wing or delta-level functions, work centers or FOA/DRU elements. Generally, you may not have a Superintendent and an NCOIC of the Legal Office in the same office. **(T-2)** In some large legal offices, there is the potential need for both a Superintendent and NCOIC of the Legal Office; this should be an exception and not the rule. This exception must be approved by the MAJCOM or FLDCOM Functional Manager. For example, if a SNCO superintendent of a legal office requires the full-time assistance of an NCO to manage the legal office and that is their primary duty, then the appropriate title would be NCOIC of the Legal Office. If the second ranking NCO is dual-hatted with assisting the Superintendent but their primary responsibilities are as NCOIC, Civil Law, then an appropriate title is NCOIC, Civil Law. The title "Assistant NCOIC" is prohibited.

2.6.4. Section Paralegal. Used for paralegals who are assigned to a specific section, reflecting the area of primary responsibility (e.g., Defense Paralegal, Victims' Paralegal, Military Justice Paralegal or Civil Law Paralegal).

2.6.5. Enlisted Court Reporter. Used for personnel serving in a unique position within the 5J0X1 AFSC. Enlisted court reporters perform highly technical, special duties outside the mainstream career field. Their role is to fulfill expeditionary court reporting requirements, support mishap investigation boards, and travel to locations without court reporter resources to record courts-martial and other hearings.

**2.7. Civilian Paralegal, Administrative, and Support Duty Titles.** Standardized duty titles are necessary to ensure effective succession planning and professional development of civilian paralegals. The following are duty titles allowed at various AFJAG Corps organizational levels:

2.7.1. HAF, FOA, MAJCOM, FLDCOM, and NAF

2.7.1.1. Academic Director. Reserved for the Academic Director at AFJAGS. A 9-skill level is typically assigned to this position.

2.7.1.2. Legal Office Manager. Reserved for GS-09 and above (or equivalent DoD Civilian Acquisition Workforce Personnel Demonstration Project (Acq Demo) grades)

paralegals assigned to manage office programs and could have a supervisor level code of 1. A 7- or 9-skill level is assigned to these positions.

2.7.1.3. Senior Paralegal Specialist. Reserved for GS-11 and above (or equivalent Acq Demo grades) paralegals assigned above the wing or delta-level that work in specific fields of practice. Multiple sections in a duty title are authorized (e.g., Contracts, Labor, Environmental). A 7- or 9-skill level is assigned to these positions.

2.7.1.4. Administrative and Support Function. These civilian positions will fall under the 3DOX1 or 3F5X1 series. Civilian positions falling under this category must still comply with all AFJAG Corps training requirements.

2.7.2. Wing and Delta-Level Positions. Wing and delta-level civilians use one of the following:

2.7.2.1. Section Paralegal Specialist (e.g., Contracts Paralegal). Reserved for GS-07 through GS-11 (or equivalent Acq Demo grades) paralegals that work in specific fields of practice. Multiple sections in a duty title are authorized (e.g., Contracts, Labor, Environmental, etc.). A 5- or 7-skill level is assigned to these positions.

2.7.2.2. Legal Assistant. Reserved for GS-07 through GS-09 (or equivalent Acq Demo grades) paralegals that work in general fields of practice. A 5- or 7-skill level is assigned to these positions.

2.7.2.3. Court Reporter. Used for personnel serving in a unique position within the 5J0X1 AFSC. Court reporters perform highly technical and specialized duties. Their role is to fulfill expeditionary court reporting requirements, support mishap investigations boards, and travel to locations without court reporter resources to record courts-martial and other hearings. Court reporters are centrally managed under the AFJAG Corps Trial Judiciary.

2.7.2.4. Administrative and Support Function. These civilian positions will fall under the 3DOX1 or 3F5X1 series. Civilian positions falling under this category must still comply with all AFJAG Corps training requirements.

## Chapter 3

### RESOURCING AFJAG CORPS LEGAL SERVICES

**3.1. Overview.** This chapter provides guidance on resourcing judge advocates, military judges, defense counsel and victims' counsel to ensure client confidentiality, as well as promote office efficiencies.

**3.2. General Requirements.** Commanders and supervisory judge advocates will provide adequate resources to carry out the legal support mission in a professional, efficient, and effective manner. **(T-1)** Such resources include personnel, facilities, supplies, and equipment. Minimum resource considerations will include:

3.2.1. Private workspace for attorneys, and when required, for support staff. **(T-1)** Such workspace should provide for client confidentiality and privacy, and ensure freedom from distraction.

3.2.2. Security of confidential information and personnel. Locking file cabinets will be provided to ensure the privacy of records. Access to computer hardware and software used to maintain client records will be restricted to authorized personnel only. **(T-2)** (See Attachment 2 to AFI 51-110, *Professional Responsibility Program*, Rule 1.6. Confidentiality of Information, for additional guidance). Intrusion detection and emergency alarm systems should be considered and provided as determined appropriate.

3.2.3. Standard computer and communications systems. Each assigned judge advocate and paralegal should have a computer, with the necessary software, peripherals, and networking capabilities. **(T-2)**

3.2.4. Sufficient, appropriate, and private client waiting areas in legal assistance, victims' counsel, and trial defense service offices. **(T-2)**

3.2.5. Standard legal office equipment, such as copiers, telephones, scanners, fax/email, digital dictation systems, court reporting equipment and software, and courtroom presentation equipment. **(T-2)**

3.2.6. Access to digital libraries, including general research material and legal services for specialized topics, and adequate funding and resources for access to computer automated legal research. **(T-2)**

3.2.7. Adequate funding for additional specialty or assignment training for all assigned and attached judge advocates, enlisted members, and civilian personnel. **(T-3)**

3.2.8. Cellular telephones and similar devices as determined by the staff judge advocate to support legal mission requirements. **(T-3)**

### 3.3. Specific Requirements.

3.3.1. Courtroom Facilities. In addition to requirements under [paragraph 3.2](#), installation commanders of installations with a general court-martial convening authority or special court-martial convening authority must have a suitable, appropriately designed, and well-constructed courtroom facility with appropriate security measures consistent with the installation security and threat assessments, as determined by the installation commander. **(T-1)** The facility must

include appropriate witness waiting areas, which include separate areas for victims and defense witnesses. (T-1)

3.3.2. Defense Counsel and Victims' Counsel Resources. In addition to requirements under [paragraph 3.2](#), local supporting commands should provide wireless laptops, mobile internet, printers, and cellular telephones sufficient to allow defense or victim services to continue during periods of mission related travel. Supporting commands should provide these resources to the same degree as provided to trial counsel or greater if required to support the trial defense or victims' counsel missions. A memorandum of understanding (MOU) between the supporting command and Trial Defense Division (AF/JAJD) or Victims' Counsel Division (AF/JAJS) may be used to document required resources. Wherever feasible, defense counsels' and victim counsels' offices, file storage spaces, briefing rooms, and client waiting rooms should be physically segregated from local legal offices and be easily accessible by clients.

3.3.3. Air Force Legal Research Resources. AFJAGS and AF/JAS provide legal research tools for use by the AFJAG Corps. These tools are available through online/web-based applications.



## Chapter 4

### JUDGE ADVOCATE RECRUITING

**4.1. Overview.** This chapter establishes guidance and procedures for the RegAF judge advocate recruiting program of the AFJAG Corps. Recruiting and accessions form the life-blood of the AFJAG Corps. 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 recruiting and retention is the responsibility of everyone in the Corps. There are several avenues for effective judge advocate recruiting, including visits to law schools and reserve officer training corps (ROTC) detachments, networking at national conferences and alumni events, internships and externships, and student volunteers in legal offices. Guidance for each recruiting program is outlined in the paragraphs below. ARC accessions are contained in **Chapter 5, Section D**.

**4.2. Special Recruiting Requirement.** Judge advocates must be in service dress when participating in official recruiting functions, unless otherwise coordinated with AF/JAX. **(T-1)** The staff judge advocate must ensure that judge advocates submit after-action reports through Accessions and Recruiting Management System to AF/JAX after every recruiting visit. **(T-1)** Staff judge advocates will ensure the reports are completed by 15 December for fall semester visits and 15 June for spring semester visits. **(T-1)**

**4.3. Law School Visits.** Law school visits provide an opportunity to recruit students already enrolled in law school and working toward a juris doctor degree. AF/JAX assigns recruiting responsibilities associated with law school visits to specific legal offices based on geographical proximity. A list of these responsibilities is published on the AF/JAX Knowledge Management (KM) site on FLITE.

4.3.1. Visits normally occur as on-campus interviews, but may also be an informational session or a lunch and learn event. Interviews are coordinated directly with law school career service officers, and must occur by the law school's deadline. **(T-1)** Sample recruiting briefings are available on the AF/JAX KM site on FLITE. Staff judge advocates must ensure they recruit at all assigned law schools once per semester (fall and spring). **(T-1)** If unable to make a required visit, the staff judge advocate must contact AF/JAX immediately to obtain approval for other recruiting arrangements. **(T-1)**

4.3.2. Judge advocates conducting law school visits should be familiar with the various AFJAG Corps accession, year-round externship, and summer internship programs. The AFJAG Corps public recruiting website located at [www.airforce.com/jag](http://www.airforce.com/jag) and the AF/JAX KM site on FLITE contain helpful information for these visits.

**4.4. Reserve Officers' Training Corps (ROTC) Detachment Visits.** ROTC visits provide an opportunity to recruit undergraduate students who are already pursuing a military career. ROTC cadets may be recruited to participate in the Educational Delay program outlined in **chapter 5** of this instruction. AF/JAX assigns recruiting responsibilities for Air Force ROTC detachments to specific legal offices based on geographical proximity. A list of these responsibilities is published on the AF/JAX KM site on FLITE.

4.4.1. The staff judge advocate must ensure that they recruit at all assigned ROTC detachments once per semester (fall and spring). **(T-1)** The Air Force ROTC Educational Delay Program produces many high-quality judge advocates. Since the Educational Delay

board convenes in February of each year, offices should schedule fall visits as early as possible to give candidates time to apply.

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

4.4.3. Judge advocates conducting ROTC visits should be familiar with the Air Force ROTC Educational Delay Program. Judge advocates should also be familiar with the Funded Legal Education Program and Excess Leave Program for cadets who are interested in joining the AFJAG Corps later in their career. The AFJAG Corps public recruiting website located at [www.airforce.com/jag](http://www.airforce.com/jag) and the AF/JAX KM site on FLITE contain helpful information for these visits.

#### **4.5. Alumni Engagement and National Recruiting Events.**

4.5.1. Alumni recruiting is a highly effective tool. All judge advocates are encouraged to visit and maintain contact with faculty and advisors at their alma maters to enhance recruiting opportunities. Prior to scheduling a formal visit to an alma mater, coordinate with AF/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 AF/JAX, these visits may be nonchargeable leave or permissive temporary duty.

4.5.2. Diversity associations host annual conferences, seminars, and other meetings nationwide, that provide recruiting opportunities. AF/JAX funds travel for selected representatives of the AFJAG Corps to attend preferred events for the purpose of recruiting. Alternatively, permissive temporary duty may be approved for interested judge advocates, by AF/JAX, under the “We Are All Recruiters” program. Staff judge advocates should encourage their judge advocates to volunteer for these opportunities.

**4.6. Internship/Externship Program.** This program offers temporary employment with a DAF legal office to eligible legal students. Internships are available as full-time employment in the summer between school terms. Externships are available as part-time employment year-round. To the extent possible, the responsible legal offices should provide students with training opportunities in the identified legal areas consistent with the program objectives in **Attachment 2**.

4.6.1. AF/JAX administers the summer paid internship program consistent with guidance from the Office of Personnel Management, to include: advertising the positions, collecting applications, selecting applicants, obtaining security clearances, obtaining common access cards, and placing selectees in legal offices.

4.6.2. AF/JAX administers the year-round (fall, spring, and summer) externship program to include advertising the positions, collecting applications, selecting applicants, obtaining school approval, and placing selectees in legal offices. Externs are authorized to receive school credit for the externship. Only TJAG or AF/JAX is authorized to approve school credit hours for students that work with the AFJAG Corps.

4.6.3. The legal office is responsible for assigning a sponsor, obtaining base access and obtaining network access for the interns/externs.

4.6.4. No later than 14 calendar days after the end of the internship/externship, the supervising staff judge advocate or director must complete a letter of evaluation documenting the student's performance. **(T-1)** A signed copy of the letter must be provided to the student and a copy must be sent to AF/JAX. **(T-1)** The template for the letter of evaluation can be found on the AF/JAX KM site on FLITE.

**4.7. Student Volunteers.** Student volunteers are another source for recruiting. Volunteers may work in a legal office to gain exposure to and experience with legal office operations. Unlike interns and externs, student volunteers may not earn credit for their services. Specified guidance for accepting volunteer legal services is found in AFI 51-110, paragraph 11. Student volunteers are not authorized to receive a letter of evaluation; however, a letter of recommendation may be provided.

## Chapter 5

### ACCESSIONS

#### *Section 5A—Overview*

**5.1. Overview.** This chapter establishes guidance and procedures for the RegAF, AFR, and ANG judge advocate and AFR paralegal accession programs of the AFJAG Corps.

#### *Section 5B—Eligibility to be a Judge Advocate.*

**5.2. Eligibility.** Individuals interested in becoming a judge advocate must meet the following eligibility criteria:

- 5.2.1. Be a citizen of the United States (US); and
- 5.2.2. Be a graduate of a law school that is accredited or provisionally accredited by the ABA at the time of graduation; and
- 5.2.3. Meet the age requirements for officer candidacy as outlined in DAFMAN 36-2032, *Military Recruiting and Accessions*; and
- 5.2.4. Be in an active (or equivalent) status, in good standing, and admitted to practice before the highest court of a US state, commonwealth or territory, or the District of Columbia; and
- 5.2.5. Be medically qualified. All selectees must meet DAF height and weight standards for direct appointment or entry to the Reserve Officer Training Corps, as applicable, and successfully complete a DAF commissioning medical examination. The Air Education and Training Command Surgeon General (AETC/SG) determines successful completion of the medical examination.

#### *Section 5C—RegAF Judge Advocate Accessions*

#### **5.3. Application Procedures.**

- 5.3.1. Applicants must apply online at [www.airforce.com/JAG](http://www.airforce.com/JAG) by the 10th day of the month prior to the accessions board (e.g., 10 January if the board meets in February). Complete application instructions are provided on the website.
- 5.3.2. The upcoming board schedule can be found online at [www.airforce.com/JAG](http://www.airforce.com/JAG).
- 5.3.3. Applicants must interview with a RegAF staff judge advocate. Staff judge advocates, or their designated accessions managers, will contact applicants to schedule their interviews after the applicant submits their online application. 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 Staff Judge Advocate will enter the interview report in the Online Accessions System. **(T-1)**

**5.4. Selection Process.** TJAG selects applicants on a best-qualified basis, consistent with the needs of the DAF.

- 5.4.1. Selection Board. There are three categories of selection boards: the Direct Appointment Program board (which includes inter-service, inter-component, and competitive category transfer-in applicants); the Funded Legal Education Program (FLEP) and Excess Leave

Program (ELP) board (includes Enlisted to Funded Legal Education Program applicants); and the Air Force Reserve Officer Training Corps (AFROTC) board, which considers the Educational Delay, Graduate Law and One Year College Program applications.

5.4.1.1. Selection Board Members. TJAG selects field grade judge advocates to review the applications and convenes the board. The board recommends selectees to TJAG who, at his or her discretion, approves or disapproves the board's recommendations. The membership of each selection board should meet the following guidelines.

5.4.1.1.1. The Director, Professional Development Directorate or another member of the AF/JAX staff must serve as a member of the board. **(T-1)**

5.4.1.1.2. At least one board member should be a sitting or former staff judge advocate.

5.4.1.1.3. One member of the FLEP/ELP board should be a former student of either of those programs.

5.4.1.1.4. One member of the Air Force ROTC board should be an AFROTC graduate.

5.4.1.1.5. If the Director, Professional Development Directorate serves as a member of a board, he or she shall be the Board President. **(T-1)** Otherwise, the Board President should be the senior officer serving on the board.

5.4.1.2. The AF/JAX Chief of Accessions serves as the board recorder.

5.4.1.3. Board members meet in-person to review applications and make recommendations to TJAG. AF/JAX is responsible for coordination.

5.4.2. Selection Notification. AF/JAX ensures all applicants are notified of the results of the selection process. Staff judge advocates assist by notifying selected candidates by phone under AF/JAX's direction. Applicants not selected will be notified by AF/JAX through traditional or electronic mail (e-mail). The selection notification shall be considered an offer of appointment as a judge advocate, subject to the candidate meeting requirements for active duty as discussed in paragraphs [5.2](#) and [5.5.1](#).

## **5.5. Withdrawal and Deferment.**

5.5.1. Withdrawal. Offers for appointment as a judge advocate may be withdrawn for failure to meet accession standards (including, but not limited to, medical qualification, height and weight standards, and obtaining security clearance), fulfill AFROTC commissioning requirements (if applicable), accept an assignment, or become legally licensed to practice law. Furthermore, failure to cooperate or be transparent during the accession process may also lead to withdrawal of offer. This list is not exhaustive. TJAG or the AF/JAX Director may withdraw a candidate's offer for cause at any time prior to selectee's entry on active duty. For those already on active duty when selected, TJAG or the AF/JAX Director may withdraw a candidate's offer for cause or as a result of the candidate's failure to become designated as a judge advocate.

5.5.2. Deferment. Selectees who experience a delay in licensing, such as failing the bar examination, must immediately notify the Chief of Accessions and request a deferment in writing. The request must detail the circumstances surrounding their preparation for the bar exam, list the steps necessary to reattempt legal licensing, and explain their plan for studying for the next bar exam. Selectees who wish to delay entrance onto active duty for other reasons

must submit a written request detailing the reason and the date available for active duty. Deferments are reviewed on a case-by-case basis. AF/JAX is the approval authority for all deferment requests.

**5.6. Air Force Reserve Officers' Training Corps (AFROTC) – Educational Delay Program (Ed Delay).** The AFROTC Educational Delay Program is a program for officers commissioned through AFROTC who want to delay their entry on extended active duty to study law.

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

5.6.1.1. Comply with requirements under DAFMAN 36-2032;

5.6.1.2. Prior to the Ed Delay Program's application close-out date, have applied to be unconditionally admitted to a full time J.D. program of study at an ABA-approved law school; and

5.6.1.3. Be in good academic standing.

5.6.2. Application Guidance. Applicants compete in two phases for this program. The first phase, Educational Delay-In, occurs during the applicant's final year of undergraduate education. The second phase, Educational Delay-Out, occurs during the applicant's third year of law school. Applicants apply online in accordance with [paragraph 5.3](#), and:

5.6.2.1. For Educational Delay-In, submit a copy of their AFROTC Field Training Report and simultaneously apply to the Air Force Institute of Technology (AFIT). Applicants must be accepted by both the AFJAG Corps and AFIT for participation in this program. Do not delay the application process awaiting final acceptance by a law school.

5.6.2.2. For Educational Delay-Out, submit a copy of their AFROTC Field Training Report.

5.6.3. Program Prerequisites. After initial selection, applicants must meet the following prerequisites to participate in the program:

5.6.3.1. Be unconditionally accepted for fall entry to a fulltime J.D. program at an ABA-approved law school located in the United States.

5.6.3.2. Successfully complete the AFROTC program and obtain a commission as a second lieutenant.

5.6.4. Active Duty Service Commitment. The initial active duty service commitment is four years of active duty followed by four years of inactive reserve. If a judge advocate serves more than four years of active duty, the commitment for inactive reserve is reduced accordingly, but must yield a total service commitment of eight years (e.g., six years active duty and two years inactive reserve or five years active duty and three years inactive reserve).

5.6.5. Education Expenses. The officer is solely responsible for all expenses and fees associated with application, tuition, associated educational requirements, bar review courses, and bar examination, including travel and associated costs if applicable, without reimbursement from the DAF. Officers are authorized to accept scholarships, endowments, or other financial assistance as permitted by DoDI 1322.06, *Fellowships, Legislative Fellowships, Internships, Scholarships, Training-With-Industry (TWI), and Grants Provided to DoD or DoD Personnel for Education and Training*. Officers do not receive military pay or benefits as this program delays entry on active duty until legal licensure.

5.6.6. Status While in the Program. Officers on Educational Delay are in reserve training status and will participate as Category J reservists. Category J status will continue until the officer enters RegAF or the offer is withdrawn in accordance with [paragraph 5.5](#). Officers retain their original service obligation in the event they do not complete the Educational Delay Program, per DAFMAN 36-2032.

5.6.7. 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 AF/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 AF/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 DAFI 36-2110, *Total Force Assignments*. While in a Category J status, Educational Delay law students are not eligible for promotion or deployment.

#### 5.6.8. Legal Internship.

5.6.8.1. Participating in the legal internship program is an integral part of the legal training under the Educational Delay program. All Educational 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. **(T-1)** 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.

5.6.8.2. No later than 1 February, each officer must notify ARPC and AF/JAX of the beginning and ending dates of the summer break period, the address to which orders should be sent, names of the nearest DAF installations, and the proposed training base. Any request for waiver should accompany this notification, explicitly detailing the circumstances underlying such request.

5.6.8.3. AF/JAX selects legal offices for all internship periods. Every effort will be made to assign students to the wing or delta-level legal office at the DAF 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, Professional Development Directorate.

5.6.8.4. No later than 14 calendar days after the end of each summer internship, the supervising staff judge advocate or supervising attorney completes an Air Force (AF) Form 77, *Letter of Evaluation*, and sends the original to ARPC with a copy to AF/JAX. **(T-1)** To the extent possible, the responsible legal offices should provide students with training opportunities in the identified legal areas in accordance with the internship/externship program objectives in [Attachment 2](#).

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

5.6.9. Requests to Transfer Law Schools. Officers must coordinate and must obtain approval from AF/JAX prior to applying for a transfer of law schools. **(T-1)** Transfer requests will be submitted to AF/JAX in writing with a full explanation for why the transfer should be granted. AF/JAX will coordinate with AFIT on any submitted transfer requests prior to approval or denial. 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 DAF.

5.6.10. Program Completion. Participation in this program terminates upon completion of legal licensing requirements. Entry on active duty as a judge advocate occurs as soon as possible after completion of legal licensing requirements.

5.6.10.1. 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. (T-1)

5.6.10.2. Graduates of the Educational Delay program who are selected for a position with the AFJAG Corps enter active duty as first lieutenants after completing legal licensing and are eligible for promotion to captain following completion of six months of active duty.

**5.7. Air Force Reserve Officer Training Corps – Graduate Law Program and One Year College Program.** The Graduate Law Program and the One Year College Program expand opportunities for law students to enter the AFJAG Corps via the AFROTC commissioning program. The Graduate Law Program is a two-year AFROTC commissioning program for eligible first-year law students and the One Year College Program is a one-year AFROTC commissioning program for eligible second-year law students. Selectees are guaranteed a position as a USAF judge advocate contingent upon successful completion of all the AFROTC program requirements and the AFJAG Corps program requirements.

5.7.1. Eligibility. To be eligible to enter the Graduate Law Program or One Year College Program, an applicant must satisfy the following criteria:

5.7.1.1. Meet the time in law school requirement;

5.7.1.1.1. Graduate Law Program. Be in their first year of law school. Part-time law students undergoing a four-year J.D. program may apply in their second year of law school.

5.7.1.1.2. One Year College Program. Be in their second year of law school. Part-time law students undergoing a four-year J.D. program may apply in their third year of law school.

5.7.1.2. 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) (a list of host and cross-town schools can be found at [www.afrotc.com](http://www.afrotc.com));

5.7.1.3. Be in good academic standing at law school; and

5.7.1.4. Meet AFROTC entry standards, including being medically qualified.

5.7.2. Application Procedures. Applicants apply in accordance with [paragraph 5.3](#). In addition, applicants must interview with an AFROTC Detachment Commander and submit a conditional acceptance memorandum with the online application.

5.7.3. Active Duty Service Commitment. The initial active duty service commitment is four years of active duty followed by four years of inactive reserve. If a judge advocate serves more than four years of active duty, the commitment for inactive reserve is reduced accordingly, but



must yield a total service commitment of eight years (e.g., six years active duty and two years inactive reserve or five years active duty and three years inactive reserve).

#### 5.7.4. AFROTC Training.

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

5.7.4.2. Selectees are contracted and enlisted into the Professional Officer Course pursuant to AFROTC requirements. Cadets complete the normal academic requirements for the Professional Officer Course at their AFROTC detachment and may receive a stipend if authorized by AFROTC.

5.7.5. Requests to Transfer Law Schools. Selectees must coordinate and obtain approval from AF/JAX and their losing and gaining ROTC detachment commanders prior to applying for a law school transfer. **(T-1)** Selectees must submit transfer requests to AF/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 DAF.

5.7.6. 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.

5.7.6.1. 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. **(T-1)**

5.7.6.2. Participants of the Graduate Law Program or One Year College Program enter active duty as first lieutenants as soon as possible after completing legal licensing and are eligible for promotion to captain following completion of six months of active duty.

**5.8. Direct Appointment Program.** The Direct Appointment Program permits qualified civilians and enlisted personnel to apply for direct appointment for duty as a USAF judge advocate.

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

5.8.1.1. Attorney applicants must:

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

5.8.1.1.2. Be in an active (or equivalent) status with a current license in good standing to practice law before the highest court of a US state, commonwealth or territory, or the District of Columbia. **(T-0)**

5.8.1.2. Law student applicants must:

5.8.1.2.1. Be attending an ABA-approved law school; and

5.8.1.2.2. Have successfully completed at least two-thirds of the credit requirements for a J.D.

5.8.2. Application Procedures. Applicants apply in accordance with [paragraph 5.3](#).

5.8.3. Active Duty Service Commitment. The initial military service obligation is four years of active duty followed by four years of inactive reserve. If a judge advocate serves more than four years of active duty, the commitment for inactive reserve is reduced accordingly, but must yield a total service commitment of eight years (e.g., six years active duty and two years inactive reserve or five years active duty and three years inactive reserve).

5.8.4. Bar Examination. If bar examination is required for licensing in their jurisdiction, non-lawyer selectees must take the first scheduled bar examination following graduation from law school. Only TJAG or Director, AF/JAX may make exceptions to this requirement.

5.8.5. Appointment. AF/JAX will offer an assignment to selectees who are medically qualified and have completed all legal licensing requirements. Selectees enter active duty as first lieutenants, attend officer training after entering active duty, and are eligible for promotion to captain following completion of six months of active duty.

**5.9. Funded Legal Education Program, Excess Leave Program, and United States Air Force Academy (USAF) Excess Leave Program.** The Funded Legal Education, Excess Leave, and USAFA Excess Leave Programs provide Airmen (both commissioned officers and enlisted) and/or USAF Academy cadets the opportunity to apply to attend law school and become judge advocates. Enlisted applicants also apply to commission before attending law school through FLEP.

5.9.1. Eligibility.

5.9.1.1. To be eligible to apply for assignment under the Funded Legal Education Program or Excess Leave Program, an applicant must satisfy the following criteria:

5.9.1.1.1. Be a commissioned officer in the USAF on extended active duty or an enlisted member on active duty;

5.9.1.1.2. Meet the active duty service requirements;

5.9.1.1.2.1. Funded Legal Education Program. Have served on active duty (enlisted and/or commissioned service) for a period of not less than two years and no more than six years based upon the total active federal military service date at the time legal training begins. **(T-0)** This eligibility requirement is non-waivable as established by Title 10 United States Code Section 2004, *Detail as students at law schools; commissioned officers; certain enlisted members*.

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

5.9.1.1.2.3. Active Federal Service Exceptions. Periods of attendance at United States Service Academies do not count towards computation of the total active federal military service date with the exception of periods spent at the USAFA Preparatory School. Service credit acquired during participation in the Excess Leave Program does count towards computation of federal active service if personnel later apply for the Funded Legal Education Program.

5.9.1.1.3. Meet the applicable grade requirements:

5.9.1.1.3.1. Funded Legal Education Program. Be in pay grade O-3 or below at the time legal training begins.

5.9.1.1.3.2. Excess Leave Program. Be in pay grade O-3 (with less than three years' time in grade as an O-3) or below at the time legal training begins.

5.9.1.1.4. Be a graduate of a regionally accredited college or university with a baccalaureate degree or its equivalent at the time the selection board meets.

5.9.1.1.5. Discuss this program with their functional manager at AFPC and obtain a conditional release from their career field should TJAG select them for the Funded Legal Education Program or Excess Leave Program.

5.9.1.1.6. If enlisted, have six months' retainability past the projected Officer Training School graduation date and meet the other requirements of the Enlisted to Officer Training commissioning program in DAFMAN 36-2032, Chapter 10.

5.9.1.1.7. If rated and on flying status, have served three years from the date of completion of the training which resulted in the award of an aeronautical rating as of the first day of legal training. If selected, applicants for the program who are on flying status must provide a separate request for voluntary disqualification from aviation service. **(T-1)** AF/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.

5.9.1.2. To be eligible to apply for assignment under USAFA Excess Leave Program, an applicant must:

5.9.1.2.1. Be a USAFA cadet in their senior year, in good standing; and

5.9.1.2.2. If a legal studies major, have a minimum 3.25 Grade Point Average (GPA); or

5.9.1.2.3. If not a legal studies major, have a minimum 3.5 GPA and experience on the cadet Mock Trial team and/or the cadet Moot Court program.

5.9.1.2.4. Grade eligibility will be determined using the applicant's GPA as of the end of the senior fall semester.

5.9.2. Program Prerequisites. Applicants must meet the following prerequisites:

5.9.2.1. Apply to an ABA-approved law school and furnish a statement listing law schools where the applicant has been accepted or has applied by the application deadline. **Note:** Do not delay the application process awaiting final acceptance by a law school. To participate, applicants ultimately must be accepted unconditionally for fall entry to a fulltime 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.

5.9.2.2. Funded Legal Education Program. No more than 25 officers and enlisted members may commence such training in any single fiscal year. **(T-0)** AF/JAX will not accept applications for Funded Legal Education Program during any period in which the President is authorized by law to induct persons into the Armed Forces involuntarily. **(T-0)**

5.9.3. Application procedures.

5.9.3.1. Funded Legal Education Program/Excess Leave Program. Applicants apply online in accordance with **paragraph 5.3**. Additionally, applicants must submit the conditional release from their career fields in accordance with **paragraph 5.9.1.1.5. (T-1)**

5.9.3.2. USAFA Excess Leave Program. Applicants must obtain applications from Headquarters, USAFA, Department of Law (USAFA/DFL). Submit applications to the Head of the Department of Law, USAFA/DFL. A board of USAFA/DFL faculty led by the Department Head, USAFA/DFL, reviews applications and personnel records and recommends selectees to TJAG. Only one applicant will be chosen per fiscal year, unless otherwise agreed upon by TJAG and the Superintendent, US Air Force Academy. USAFA/DFL will notify AF/JAX of the board's recommendation. **(T-1)**

#### 5.9.4. Requirements of Personnel in Program.

5.9.4.1. Officers will not engage in a course of conduct, activities, or lifestyle inconsistent with their status as active duty officers.

5.9.4.2. Officers may not obtain any type of additional employment without obtaining prior permission from AF/JAX. Officers must submit an application for paid off-duty employment, in writing, to AF/JAX. **(T-1)** AF/JAX will process requests for paid off-duty employment in accordance with the Joint Ethics Regulation and any other relevant law, authority, or guideline.

5.9.4.3. At the discretion of AF/JAX and AFIT, officers may be directed to attend summer law school sessions to accelerate their legal education.

#### 5.9.5. Pay, Benefits, and Leave.

5.9.5.1. Funded Legal Education Program. During this program, pay and allowances are authorized, and ordinary leave is accumulated and may be granted.

5.9.5.2. Excess Leave Program/USAFA Excess Leave Program. During these programs, pay and allowances are not authorized, and ordinary leave is not accumulated. Excess leave is leave other than that accrued under Title 10 United States Code Section 701, *Entitlement and accumulation*; see also DAFI 36-3003, *Military Leave Program*. It is not charged against an officer's leave account and does not have to be repaid. 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.

#### 5.9.6. Active Duty Service Commitment.

##### 5.9.6.1. Funded Legal Education Program.

5.9.6.1.1. The active duty service commitment for commissioned officers is two years active duty for each academic year or part thereof of legal training. Officers who are dropped from the program for deficiency in conduct, studies, or other reasons incur an active duty service commitment of one year for each year or part thereof of participation in the program.

5.9.6.1.2. The active duty service commitment for enlisted members commissioning through Officer Training School is four years. The active duty service commitment for the Funded Legal Education program is two years active duty for each academic year or part thereof of legal training. These service commitments run consecutively and

begin following law school. The total active duty service commitment for this program is ten years.

5.9.6.1.3. Receipt of a fellowship, scholarship, or grant made by a corporation, fund, foundation, or educational institution may result in an additional active duty service commitment. See Title 10 United States Code Section 2603, *Acceptance of fellowships, scholarships, and grants*, and AFMAN 36-2100, *Military Utilization and Classification*, Table A2.1., Rule 29.

5.9.6.2. Excess Leave Program/USAF A Excess Leave Program. The active duty service commitment for officers who complete these programs is four years active duty and four years inactive reserve. Officers who do not complete these programs incur an active duty service commitment of one month for each month of participation in the program.

5.9.6.3. No portion of the Funded Legal Education, Excess Leave, or USAFA Excess Leave Programs, (including periods of legal internship) may be used to satisfy any preexisting active duty service commitment. The active duty service commitment for legal training under these programs begins either at the termination or completion of these programs or upon completion of any unfulfilled active duty service commitment, whichever is later. Any existing, unfulfilled active duty service commitment will commence upon termination or completion of these programs, except the active duty service commitment associated with the Post-9/11 GI Bill Transfer of Education Benefits. The Post-9/11 GI Bill Transfer of Education Benefits active duty service commitment will run concurrent with the Legal Education active duty service commitment if initiated prior to the commencement of or during the Legal Education active duty service commitment. AFMAN 36-2100, *Military Utilization and Classification*, Table A2.1..

5.9.6.4. The combined active duty and inactive reserve commitment, except for enlisted applicants must total eight years (e.g., six years active duty and two years inactive reserve or five years active duty and three years inactive reserve).

5.9.6.5. Excess Leave Program. Officers selected for the Excess Leave Program may later apply to the Funded Legal Education Program, provided they meet Funded Legal Education Program eligibility and tuition requirements. USAFA Excess Leave Program participants are not eligible as they do not meet the Funded Legal Education Program requirements at the time they began legal training. The minimum active duty service commitment for individuals who start participation in the Excess Leave Program and then later complete their legal training in the Funded Legal Education Program is five years (e.g., two years as Excess Leave Program and one year as Funded Legal Education Program = five years active duty service commitment; one year as Excess Leave Program and two years as Funded Legal Education Program = five years and four months active duty service commitment).

#### 5.9.7. Education Expenses.

5.9.7.1. Funded Legal Education Program. Applicants will incur all application expenses (e.g., law school applications and Law School Admission Test fees) without reimbursement from the DAF. The DAF pays regularly established tuition and fees and additional allowances authorized by AFIT. If the DAF does not pay all tuition and fees, the applicant may supplement the tuition and fees through merit-based scholarships, but

they may not be supplemented by the member out-of-pocket or through student loans. Upon completion of law school, the individual officer is responsible for the fees and expenses of bar review courses and bar examinations, including travel and associated costs, if applicable. An officer who fails to complete the active duty service commitment 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 SecAF determines. Also see [paragraph 5.9.6.1.3](#).

5.9.7.2. Excess Leave Program/USAFA Excess Leave Program. 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 DAF. Officers are authorized to accept scholarships, endowments, or other financial assistance as permitted by DoDI 1322.06.

5.9.8. AFIT and AF/JAX Requirements. Officers in these programs must comply with applicable portions of AFITI 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 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. **(T-1)**

5.9.9. Legal Internships.

5.9.9.1. Legal internships are an integral part of legal training under the Funded Legal Education Program and Excess Leave Program. During the first two years of the program, officers must perform legal internships during law school summer breaks. **(T-1)** Internships must begin within two duty days of the officer's last examination or class, whichever is later, and may not end earlier than two duty 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 AF/JAX. To the extent possible, the responsible legal offices should provide students with training opportunities in the identified legal areas consistent with the internship/externship program objectives in [Attachment 2](#).

5.9.9.2. No later than 120 calendar days before law school summer break, each officer will notify AFIT and AF/JAX of the beginning and ending dates of their summer break along with a list of the nearest DAF installations. **(T-1)** AFIT coordinates with AF/JAX regarding the officer's internship program and provides appropriate administrative support.

5.9.9.3. AF/JAX selects legal offices for all internship periods. Every effort will be made to assign officers to the wing or delta-level legal office at the DAF installation nearest to the student's law school.

5.9.9.4. Officers must receive AF/JAX approval for any leave during their internship that exceeds 10 duty days. **(T-1)**

5.9.9.5. No later than 14 calendar days after completion of each summer internship, the supervising staff judge advocate or supervising attorney completes an AF Form 77 and

sends a copy to AF/JAX and AFIT. **(T-1)** If a student is eligible and participates in an internship outside the summer break period, the supervising staff judge advocate 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 AF/JAX and AFIT. **(T-1)**

5.9.9.6. Excess Leave Program/USAFA Excess Leave Program. While performing internships, officers are returned to pay status and ordinary leave is accumulated and may be granted.

5.9.9.7. During winter break periods extending 14 calendar days or more, officers may perform internships if the following conditions are met:

5.9.9.7.1. The student must have already performed a summer internship at a DAF installation; and

5.9.9.7.2. Winter internships are only available to students who attend law school at an institution in the same local area as a DAF 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.

5.9.9.8. Officers are not permitted to perform internships during the summer following completion of their third year of law school. **(T-1)**

5.9.10. Requests to Transfer Law Schools. Officers must coordinate and obtain approval from AF/JAX prior to applying for a law school transfer. Officers must submit transfer requests to AF/JAX in writing with a full explanation for why the transfer should be granted. **(T-1)** AF/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 DAF.

5.9.11. Removal from Program. After consultation with TJAG, the AFIT commander may, at his or her discretion, remove an officer from the program. TJAG may also, 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. Officers who applied as enlisted members who are removed from the program after completing Officer Training School and commissioning may be reassigned into an officer career field to serve the remaining active duty service commitment, or separated and subject to recoupment.

5.9.12. Program Completion.

5.9.12.1. Participation in these programs terminates upon completion of legal licensing requirements.

5.9.12.2. Excess Leave Program/USAFA Excess Leave Program ONLY: An officer's excess leave status will automatically terminate two calendar days after completion of the bar examination or graduation from law school, whichever is later. 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 AF/JAX no later than 30 days prior to the requested departure. If the request is approved by AFIT and AF/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 temporary duty will not be authorized.

5.9.12.3. Assignment. Before graduation, officers are provided with follow-on assignment instructions by AF/JAX.

5.9.12.4. No later than four months before graduation, all officers must submit a memo to AF/JAX that contains their projected graduation date, the jurisdiction and the date of their bar exam as required, and their projected bar admission date. **(T-1)**

5.9.12.5. 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. Officers requesting an exception to this requirement must submit a written request justifying the reason(s) for such an exception to AF/JAX 120 days prior to the first day of the bar examination. All costs associated with the bar examination, to include increased costs of travel from the location of the bar examination to the officer's duty station as compared to the state where their law school is located or the state of their domicile, must be paid by the individual officer.

## **5.10. Inter-service Transfer.**

5.10.1. Program Description. Commissioned officers serving with another uniformed service and meeting eligibility requirements contained in this chapter may request a transfer to RegAF to become a judge advocate in the AFJAG Corps.

5.10.2. Eligibility. To be eligible, officers applying to RegAF must:

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

5.10.2.2. Applicants must comply with DAFMAN 36-2032. In addition, applicants must submit as part of their applications any documents required by their parent service and those prescribed by DAFMAN 36-2032. In addition to medical qualification and legal licensing requirements, active component officers with another branch of the Armed Forces selected for this program must have their application packages reviewed and approved by an Inter-service Transfer of Commissioned Officers Board in accordance with DAFMAN 36-2032, before their transfer may be completed.

5.10.3. Application Procedures. Applicants must comply with application procedures in [paragraph 5.3](#).

5.10.4. Active Duty Service Commitment. The active duty service commitment is four years active duty and four years of inactive reserve. The period of inactive reserve may be reduced by prior service.

## **5.11. Inter-component Transfer/Recall Program.**

5.11.1. Program Description. AFR or ANG members who meet eligibility requirements contained in this chapter may request a transfer to RegAF to become a judge advocate in the AFJAG Corps.

5.11.1.1. Inter-component. For the purposes of this section, an inter-component transfer is the transfer of commissioned officers from the AFR or ANG to RegAF.



5.11.1.2. Recall Program. On occasion, RegAF may provide an opportunity for ANG and AFR AFJAG Corps officers, who have previously served on extended active duty as a commissioned officer, to voluntarily apply to transfer to the RegAF to help meet RegAF requirements in particular grades and skills.

5.11.2. Eligibility. Meet the requirements in DAFMAN 36-2032, para. 5.8.6.1.

5.11.3. Application Procedures. For AFR or ANG officers in the grade of O-4 and below, applicants must comply with application procedures in [paragraph 5.3](#). For AFR or ANG AFJAG Corps officers in the grade of O-5 and above, contact AF/JAX for availability of recall programs.

5.11.4. Active Duty Service Commitment. The active duty service commitment is four years active duty and four years of inactive reserve. The period of inactive reserve may be reduced by prior service.

5.11.5. Medical Examination. All selectees must meet DAF height and weight standards and successfully complete a medical examination. Air Force Recruiting Services, Accessions Medical Waiver Division (AFRS/AMWD) 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.

### *Section 5D—Air Reserve Component Judge Advocate Accessions*

**5.12. Application.** Complete application instructions and upcoming selection board schedules are provided on [www.afreserve.com/JAG](http://www.afreserve.com/JAG).

**5.13. Applicant Recommendations and Interviews.** All applicants must obtain a recommendation from a RegAF staff judge advocate in the grade of O-4 or above. If the staff judge advocate is not personally familiar with the applicant, a formal interview is required. The TFA will assist the applicant in arranging the interview, but the applicant is responsible for scheduling the interview with the staff judge advocate. Upon completion of the interview the staff judge advocate prepares a report that includes a recommendation as to whether the applicant should be appointed as an ARC judge advocate. Reports must be forwarded to the TFA. **(T-1)**

**5.14. Selection Process.** TJAG selects applicants on a best-qualified basis, consistent with the needs of the DAF.

5.14.1. Process applications for separating RegAF judge advocates through the TFA, with a recommendation for approval or disapproval, to TJAG for final action. RegAF judge advocate applications must be coordinated through AF/JAX for recommendation as to approval or disapproval.

5.14.2. ARC Direct Appointment Program. The ARC Direct Appointment Program permits qualified civilians, officers of other competitive categories or branches of the Armed Forces, and enlisted personnel to apply for direct appointment for duty as an ARC judge advocate.

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

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

5.14.2.1.2. Be in an active (or equivalent) status with a current license in good standing to practice law before the highest court of a US state, commonwealth or territory, or the District of Columbia. **(T-0)**

5.14.2.2. Selection Board. The ARC Direct Appointment Program selection board considers those eligible under **paragraph 5.14.2.1**, inter-service, inter-component, and competitive category transfer-in applicants. This selection board does not consider separating RegAF judge advocates.

5.14.2.2.1. ARC Direct Appointment Program Selection Board Members. The TFA selects field grade judge advocates to review the applications and convenes the board.

5.14.2.2.1.1. The Board shall consist of the TFA or his or her Senior IMA, the Office of the TFA Chief of Accessions, and an O-6 member of the ANG.

5.14.2.2.1.2. The Board may also include an additional field grade officer from the Total Force, including RegAF, Category A, Category B, or ANG. In addition, an E-8 or E-9 member of the Total Force may serve as a non-voting advisor to the Board.

5.14.2.2.1.3. The TFA, or, in his or her absence, the IMA to the TFA, shall be the Board President.

5.14.2.2.2. Board members meet in-person or electronically to review applications and make recommendations to TJAG. AFR applicants will be coordinated with the Mobilization Assistant to TJAG for recommendation as to approval or disapproval. ANG applicants will be coordinated with the ANG Assistant to TJAG for recommendation as to approval or disapproval.

5.14.3. Application Approval. TJAG approves all applications for accession into the AFJAG Corps. Upon TJAG's approval, the TFA shall inform AFRC or the ANG Assistant to TJAG and the ANG Officer Programs Office, as appropriate, of the accession.

5.14.4. Application Disapproval. If TJAG disapproves the application, the TFA notifies the applicant, in writing, of the disapproval.

**5.15. Withdrawal.** Offers for appointment as an ARC judge advocate may be withdrawn for failure to meet accession standards (including, but not limited to, medical qualification, meeting height and weight standards, and obtaining security clearance), fulfill commissioning requirements (if applicable), accept an assignment, or remain actively licensed to practice law. Furthermore, failure to cooperate or be transparent during the accessions process may also lead to withdrawal of an offer. This list is not exhaustive. TJAG or the TFA may withdraw a candidate's offer at any time prior to the selectee's accession as an AFR or ANG officer (or prior to the selectee's designation as a judge advocate for those already serving in the AFR or ANG).

#### ***Section 5E—Competitive Category (Intra-service) Transfers***

**5.16. Competitive Category Transfer.** USAF officers may apply for appointment between competitive categories. If approved, the officer may be required to tender a new appointment prior to being assigned to the new competitive category. Competitive Category Transfer-In applies to officers in other USAF career fields seeking designation as a judge advocate and transfer to the

AFJAG Corps. Competitive Category Transfer-Out applies to officers in the AFJAG Corps seeking to apply to different career fields and/or programs.

5.16.1. Applications:

5.16.1.1. Competitive Category Transfer-In. Apply in accordance with [paragraph 5.3](#) (RegAF applicants) or [5.14](#) (AFR or ANG applicants) and applicable authorities listed in DAFMAN 36-2032, Table 5.2. Applicants must also submit the memorandum in [Attachment 3](#) to their servicing staff judge advocate and AF/JAX. Applicants for the program who are on flying status will include a separate request for voluntary disqualification from aviation service. AF/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. Additional guidance on voluntary disqualification from flying status is found in AFMAN 11-402, *Aviation and Parachutist Service*.

5.16.1.2. Competitive Category Transfer-Out. Coordinate with AF/JAX (RegAF) or TFA (AFR or ANG) and applicable authorities listed in DAFMAN 36-2032, Table 5.2.

5.16.2. Eligibility.

5.16.2.1. Meet the requirements of DAFMAN 36-2032, para. 5.10.2.4 and 5.10.2.5 (RegAF) or [para. 5.10.3](#) (AFR or ANG).

5.16.2.2. Be in the grade of O-3 or below without a line number to O-4 (RegAF only).

5.16.2.3. Competitive Category Transfer-Out. Receive conditional release from TJAG (route through functional chain to AF/JAX for processing) prior to applying to other career fields and/or programs.

***Section 5F—RegAF Paralegal Retrainee Accessions***

**5.17. Entry into the AFSC.** Personnel may be accessed through USAF recruiting or from other career fields within the USAF to retrain as a paralegal. All applicants who desire to serve as USAF paralegals must meet and fulfill all requirements as specified in the Air Force Enlisted Classification Directory, AFMAN 36-2100 and DAFMAN 36-2032 for specialty and entry qualifications. Furthermore, personnel who want to retrain from another career field to the paralegal Air Force specialty must meet the applicable requirements as outlined in AFMAN 36-2100.

**5.18. Retraining Process.** Official retraining guidance is available on the AFPC Enlisted Retraining Advisory website for active duty Airmen.

5.18.1. Staff judge advocates and superintendents/NCOICs of the legal office must actively evaluate an individual using the whole person concept. **(T-1)** As part of the retraining interview process, the interviewer must verify the member meets the minimum retraining requirements found in the Air Force Enlisted Classification Directory. **(T-2)** Additionally, the interviewer must review Enlisted Performance Reports, talk to current and relevant supervisors and raters, additional raters, First Sergeants, commanders and others as necessary. **(T-2)**

5.18.2. Through the NAF, if applicable, the MAJCOM or FLDCOM Paralegal Functional Manager must review all active duty retraining packages and recommend either approval or

disapproval. For retraining disapprovals, or in any case of disagreement between the superintendent/NCOIC of the legal office and MAJCOM or FLDCOM Paralegal Functional Manager's recommendation, the MAJCOM or FLDCOM Paralegal Functional Manager will forward the retraining recommendation letter to the Paralegal Career Field Manager for decision. The decision, either by MAJCOM or FLDCOM Paralegal Functional Manager or by the Paralegal Career Field Manager, will be returned to the superintendent/NCOIC of the legal office, who will then return the decision letter to the member and/or force support squadron for processing.

### **5.19. Selection to the Air Force Specialty Code.**

5.19.1. Upon approval of the MAJCOM or FLDCOM Paralegal Functional Manager into the AFSC, the active duty retrainee shall provide the retraining recommendation letter to AFPC through their managing force support squadron.

5.19.2. After successful completion of the Paralegal Apprentice Course, students are awarded the 5J031 skill level, assigned to a wing- or delta-level legal office, enrolled in the 5-level Career Development Course, and entered into upgrade training. Members possessing a 3-skill level are not assigned to Air Staff, MAJCOM or FLDCOM staff, FOA directorates, other paralegal special duty positions or to locations with only one paralegal authorization without the Paralegal Career Field Manager's approval. **(T-1)**

5.19.3. The superintendent/NCOIC of the legal office must ensure the active duty retrainee has an Assignment Availability Code (AAC) of 29 upon reporting to a legal office. **(T-2)** If not already completed upon the retrainee's arrival, this code can be accomplished on an AF Form 2096, *Classification/On-the-job Training Action*, with a start date of the trainee's graduation from Paralegal Apprentice Course; it will remain in effect until the trainee upgrades to a skill level commensurate with their rank but not to exceed 24 months. This does not apply to Basic Trainee accessions.

### ***Section 5G—Air Reserve Component Paralegal Accessions***

**5.20. Eligibility.** All personnel applying for ARC paralegal positions must meet the eligibility requirements listed in the Air Force Enlisted Classification Directory. Additionally, personnel must meet the standards and qualifications set out in DAFMAN 48-123, *Medical Examinations and Standards* and AFMAN 36-2100. Current RegAF enlisted personnel must also:

5.20.1. Have attained a skill level of 5 or higher in their current AFSC for IMA applications (preferred, but not required for a traditional Reserve or ANG paralegal applicant).

5.20.2. Have a current fitness test score that meets or exceeds standards under DAFMAN 36-2905, *Air Force Physical Fitness Program*.

5.20.3. Be in the grade of technical sergeant (E-6) or below, or accept a reduction to technical sergeant (for applicants for IMA paralegal positions).

**5.21. Interview Requirements.** Prior to receiving approval for assignment to an ARC paralegal position, applicants must submit an accession package and complete an interview, unless the applicant holds a current DAF paralegal assignment and the staff judge advocate and superintendent/NCOIC of the legal office are personally familiar with the applicant's performance and qualifications, in which case an interview is not required but additional letters of

recommendation from the current staff judge advocate and superintendent/NCOIC are required. To ensure timely processing, 30 calendar days are allotted for the entire interview and approval/disapproval process. For IMA candidates, the accession package should be forwarded within 7 calendar days, and for AFR unit candidates, the package should be forwarded by the end of the next unit training assembly.

5.21.1. Interviews must be conducted by the staff judge advocate and the superintendent at:

5.21.1.1. The unit of application for AFR and ANG unit positions.

5.21.1.2. Any active duty base-level legal office for IMAs.

5.21.2. Staff judge advocates and superintendents/NCOICs of the legal office draft the certificate of interview and send reports directly to the:

5.21.2.1. (AFR positions) . TFA's recruiting workflow email address: [af.ja.arcjagrecruiting@us.af.mil](mailto:af.ja.arcjagrecruiting@us.af.mil).

5.21.2.2. (ANG positions) . ANG Paralegal Career Field Manager.

## 5.22. Application Processing.

5.22.1. ANG applications:

5.22.1.1. The individual submits their application directly to the desired ANG unit.

5.22.1.2. The ANG staff judge advocate or superintendent/NCOIC of the legal office will forward the completed package to the ANG Paralegal Career Field Manager after the package is reviewed by the MAJCOM Paralegal Functional Manager. The application must include:

5.22.1.2.1. Applicant's preferred ROSTER information.

5.22.1.2.2. Statement of a background check.

5.22.1.2.3. Proof of typing ability (test may be completed online using any free typing test website).

5.22.1.2.4. Paralegal Retraining Counseling Acknowledgement.

5.22.1.2.5. Applicant's Report on Individual Person (RIP)/Armed Services Vocational Aptitude Battery (ASVAB) scores.

5.22.1.2.6. Applicant's Resume/Biography.

5.22.1.2.7. Three letters of recommendation.

5.22.2. AFR applications:

5.22.2.1. The individual submits their application through any AFR recruiting office. The applicant should notify their local recruiter that he/she is interested in an AFR paralegal position.

5.22.2.2. The recruiter should notify the TFA's office once the applicant has been determined eligible to enlist into the AFR.

5.22.2.3. The applicant forwards their completed application package with applicable checklist to the TFA's recruiting workflow email address: [af.ja.arcjagrecruiting@us.af.mil](mailto:af.ja.arcjagrecruiting@us.af.mil). Application packages consist of the following items:

5.22.2.3.1. Statement of a background check.

5.22.2.3.2. Proof of typing ability (test may be completed online using any free typing test website).

5.22.2.3.3. Paralegal Retraining Counseling Acknowledgement.

5.22.2.3.4. Applicant's RIP/ASVAB scores.

5.22.2.3.5. Applicant's Resume/Biography.

5.22.2.3.6. Three letters of recommendation, at least one of which should be from a current supervisor.

5.22.2.3.7. Certificate of Interview.

5.22.2.3.8. Acknowledgment of physical fitness test requirements and apprentice course attendance.

**5.23. Coordination.** The following personnel review completed applications and recommend approval or disapproval to TJAG.

5.23.1. **(AFR positions)** . The Air Force Reserve Paralegal Career Field Manager, through the IMA to the SEA to TJAG.

5.23.2. **(ANG positions)** . The ANG Paralegal Career Field Manager, through the ANG Assistant to TJAG.

**5.24. Approval.** TJAG is the approval authority for all ARC paralegal positions, and may further delegate as necessary. If the application is approved:

5.24.1. **(AFR positions)** . The AFR Paralegal Career Field Manager notifies the applicant and forwards the application package through the proper administrative routing chain for completion of the accession and assignment process and forwards a copy of the accession letter to applicant's Reserve NAF/MAJCOM Paralegal Functional Manager and unit of assignment.

5.24.2. **(ANG Positions)** . The ANG Paralegal Career Field Manager, along with the ANG Assistant to TJAG, notifies the ANG unit of the completion of the accession process and will forward a copy of the accession letter, if applicable.

**5.25. Disapproval.** If the application is disapproved:

5.25.1. **(AFR positions)** . The AFR Paralegal Career Field Manager notifies the applicant.

5.25.2. **(ANG positions)** . The ANG Paralegal Career Field Manager notifies the applicant and returns the application package to the unit.

## Chapter 6

### JUDGE ADVOCATE DESIGNATION AND CERTIFICATION

#### *Section 6A—Overview*

**6.1. Overview.** This chapter provides guidance on how judge advocates are designated, as well as how they are certified as trial counsel, defense counsel, victims' counsel or military judges.

#### *Section 6B—Designations of RegAF, AFR and ANG Judge Advocates*

**6.2. Initial Designation.** Designated judge advocates can perform their duties under commanders of their assigned or attached commands and under supervisory judge advocates.

6.2.1. Only TJAG is authorized to designate RegAF, AFR, and ANG officers as judge advocates, and to remove that designation.

6.2.2. To be designated as a judge advocate, officers must meet the following requirements:

6.2.2.1. Be a graduate of a law school that was accredited or provisionally accredited by the ABA at the time of graduation;

6.2.2.2. Be admitted, in active (or equivalent) status and in good standing, to practice before the highest court of a US state, commonwealth or territory, or the District of Columbia (**T-0**); and

6.2.2.3. Successfully complete the Judge Advocate Staff Officer Course (JASOC) or an equivalent in-residence sister-Service basic judge advocate course.

6.2.3. Only designated judge advocates who have graduated from JASOC, or an equivalent in-residence sister-Service basic judge advocate course, may wear the judge advocate badge.

6.2.4. Officers will be designated as judge advocates by written order and may be memorialized on AF Form 1105, *Certificate of Designation*.

6.2.5. Military attorneys who have yet to be designated as judge advocates may not provide legal advice or assistance in the performance of their duties unless acting under the direct supervision and control of a designated judge advocate or a qualified civilian attorney. (**T-1**) However, staff judge advocates may permit a yet to be designated military attorney to provide legal assistance to clients in the jurisdiction in which the attorney is licensed.

#### **6.3. Maintenance of Designation.**

6.3.1. Once designated, a judge advocate must maintain current eligibility to actively practice law before the highest court of the jurisdiction where they are licensed. (**T-0**)

6.3.1.1. "Current eligibility to actively practice law" is defined as having the current ability to practice law on a continuing and full-time basis under the rules of the licensing jurisdiction. Being listed as a member in "good standing" alone will not satisfy **paragraph 6.3.1** unless the "good standing" status confers full eligibility to practice law in the jurisdiction concerned.

6.3.1.2. State licensure categories such as “inactive,” “retired,” “non-practicing,” “emeritus,” or “ineligible,” which do not permit the active practice of law, will not satisfy the licensing requirement.

6.3.1.3. Judge advocates may hold an active (or equivalent) license and claim exemptions from dues and continuing legal education, proof of malpractice insurance waivers, or waivers of pro bono requirements. However, judge advocates may not claim any exemption that precludes active (or equivalent) status. For example, a “non-practicing continuing legal education exemption” or an “active, but not eligible to practice” status that requires the judge advocate to affirm he or she is not engaged in the practice of law will not satisfy the active requirement. A license that precludes representing individuals or institutions in a private capacity, but otherwise permits the active practice of law in the jurisdiction, meets the requirement for DAF practice.

6.3.1.3.1. In the event it is unclear whether or not a jurisdiction’s licensing status or exemption meets the above criteria, a judge advocate may request an authoritative determination by TJAG.

6.3.1.3.2. The judge advocate submits the request through judge advocate supervisory channels to the Attorney Licensing Committee, per AFI 51-110.

6.3.2. Judge advocates must annually certify compliance with their licensing standards to remain in active (or equivalent) status and in good standing. **(T-1)** In addition, judge advocates must certify on an annual basis whether or not they have been the subject of professional discipline or may be pending such action. **(T-1)** Failure to obey this paragraph constitutes a violation of Article 92(1), UCMJ—failure to obey lawful order or regulation.

6.3.3. RegAF judge advocates must report through functional supervisory channels to AF/JAX, in writing, notice of the commencement of any formal disciplinary complaint or proceeding by their licensing jurisdiction, or the termination, revocation, or suspension of their license to practice law or admission to practice law, within 30 days of initial knowledge of such action. **(T-1)** They must also report through functional supervisory channels to AF/JAX, in writing, the return, surrender, or termination of any license to practice law or admission to practice law, whether voluntary or involuntary, within 30 days of initial knowledge of such action. **(T-1)** Failure to obey this paragraph constitutes a violation of Article 92(1), UCMJ—failure to obey lawful order or regulation.

6.3.4. Reserve Component judge advocates must report through functional supervisory channels, in writing, to the Mobilization Assistant or ANG Assistant to TJAG, as applicable, notice of the commencement of any formal disciplinary complaint or proceeding by their licensing jurisdiction, or the termination, revocation or suspension of their license to practice law or admission to practice law, within 30 days of initial knowledge of such action. **(T-1)** They must also report through functional supervisory channels, in writing, to the Mobilization Assistant or ANG Assistant to TJAG, as applicable, the return, surrender or termination of any license to practice law or admission to practice law, whether voluntary or involuntary, within 30 days of initial knowledge of such action. **(T-1)** The Mobilization Assistant or the ANG Assistant to TJAG will coordinate with AF/JAX. Failure to obey this paragraph constitutes a violation of Article 92(1), UCMJ—failure to obey lawful order or regulation.



6.3.5. All judge advocates, including those not subject to the UCMJ, who fail to comply with paragraphs 6.3.2, 6.3.3 and 6.3.4, are subject to withdrawal of their designation, administrative disciplinary action, or civil action, to include civilian criminal prosecution and disciplinary action by their licensing jurisdiction.

### ***Section 6C—Military Judge Certifications (Title 10)***

**6.4. Trial Judges.** To qualify for certification as a military judge, a candidate must meet the criteria of 10 USC § 826 and be certified as a judge advocate competent to perform the duties of trial and defense counsel before general courts-martial pursuant to the provisions of Article 27(b) of the UCMJ (10 USC § 827(b)). In addition, a judge advocate must satisfactorily meet all requirements at the Military Judge Course, hosted annually by the Army at TJAG’s Legal Center and School, to include a score of 77% or greater. A judge advocate who has previously completed an assignment as a military judge and is reassigned to the trial judiciary may be required to satisfactorily complete all requirements at the Military Judge Course again, at the discretion of the Chief Trial Judge.

**6.5. Appellate Judges.** To qualify for certification as an appellate military judge, a candidate must meet the criteria of Title 10 United States Code Section 866, *Courts of Criminal Appeals*. In addition, a judge advocate must satisfactorily meet all requirements at the Military Judge Course, held annually by the Army at TJAG’s Legal Center and School, to include a score of 77% or greater. A judge advocate who has previously completed an assignment as a trial judge or an appellate judge and is reassigned to the Air Force Court of Criminal Appeals may be required to satisfactorily complete all requirements at the Military Judge Course again, at the discretion of the Chief Appellate Judge. Prior experience as a trial judge is preferred, but not required to be an appellate judge.

**6.6. Military Judges in the ANG.** Military judge certification of ANG judge advocates in Title 32 or State active duty status is based upon State military justice codes. ANG judge advocates must ensure they meet all requirements under their State code equivalents to 10 USC § 826, which typically requires the senior State judge advocate to certify military judges. **(T-0)** At no time does State certification circumvent TJAG’s certification authority and requirements under paragraphs 6.4 and 6.5 for all judge advocates practicing under Title 10, Chapter 47, *UCMJ*.

### ***Section 6D—Trial and Defense Counsel Certification for RegAF Judge Advocates***

**6.7. Qualification.** To qualify for certification as trial and defense counsel, a judge advocate must:

6.7.1. Demonstrate competence to perform the duties of trial and defense counsel, through

6.7.1.1. Demonstrated comprehension of fundamental principles of military criminal law and procedure, including the Military Rules of Evidence;

6.7.1.2. Demonstrated competence in fundamental trial skills, such as advising on military law enforcement investigations, case preparation, discovery, and motion practice; and

6.7.2. Graduate from JASOC (or an equivalent basic judge advocate resident course).

6.7.3. A judge advocate, even if certified, who has not reached Stage 2 of the Career Litigation Development Program (CLDP) (See **Chapter 7** of this instruction), may not serve as first-chair

in a special or general court-martial involving a covered offense (as defined by Article 1(17), UCMJ) without the express written permission of the Lead Special Trial Counsel, Office of Special Trial Counsel (OSTC). A judge advocate, even if certified, who has not reached Stage 2 of the CLDP, may not serve as first-chair in a special or general court-martial involving a non-covered offense without the express written permission of the MAJCOM/FLDCOM-equivalent Staff Judge Advocate.

6.7.3.1. (DELETED)

6.7.3.2. (DELETED)

6.7.4. Staff judge advocates should consider their assigned judge advocate's skill level and the nature of the case when concurring on detailing decisions for cases involving a covered offense.

6.7.5. Per 10 USC § 827, *Detail of trial counsel and defense counsel*, an uncertified judge advocate may be detailed as trial counsel or assistant trial counsel for a special court-martial or as assistant trial counsel for a general court-martial. An uncertified judge advocate may not be detailed as trial counsel for a general court-martial. All uncertified judge advocates must take an oath before performing the duties of trial counsel or assistant trial counsel for each court-martial in accordance with 10 USC § 842, Oaths, and DAFI 51-201, *Administration of Military Justice*. (T-0)

**6.8. Staff Judge Advocate Considerations.** For uncertified judge advocates, supervisory staff judge advocates should consider the non-exclusive factors listed in [Attachment 9](#) to determine if certification is warranted.

6.8.1. DELETED

6.8.2. DELETED

6.8.3. DELETED

6.8.4. DELETED

6.8.5. DELETED

6.8.6. DELETED

**6.9. Litigation Training.** When determining whether litigation training and opportunities are appropriate for their assigned judge advocates, staff judge advocates should use judgment and discretion while considering the judge advocate's demonstrated proficiency and desire to pursue a CLDP assignment. Staff judge advocates should explain the pre-coursework requirements for litigation training and opportunities, including JASOC, to their assigned judge advocates.

6.9.1. DELETED

6.9.2. DELETED

6.9.3. DELETED

**6.10. SJA Recommendation.** If a judge advocate is uncertified after graduating from JASOC, the staff judge advocate:

6.10.1. Forwards to AF/JAX a written recommendation for certification or a memorandum of non-recommendation through judge advocate supervisory channels. Refer to [Attachment 10](#).

6.10.2. The written recommendation or memorandum of non-recommendation must be submitted to AF/JAX no later than 12 months after the uncertified judge advocate graduates from JASOC (24 months for ARC judge advocates) or no later than 12 months after publication of this instruction for judge advocates not yet certified under the previous trial certification process. For ARC judge advocates who graduated JASOC within the 12 months prior to the publication of this instruction, the SJA has 24 months to submit a recommendation or non-recommendation through supervisory channels. The request should be forwarded through the general court-martial convening authority staff judge advocate, with an information copy to the respective MAJCOM or FLDCOM staff judge advocate.

6.10.3. An uncertified judge advocate who was not certified following JASOC and who is not certified following the 12-month or 24-month review described above may be resubmitted for certification at any time if he or she is able to demonstrate basic competence.

**6.11. Certification Orders.** Judge advocates will be certified by written order of TJAG and memorialized on AF Form 1106, *Certificate of Competency*. (T-1)

#### *Section 6E—Trial and Defense Counsel Certification for ARC Judge Advocates*

**6.12. AFR and ANG Judge Advocates in Title 10 Status.** ARC judge advocates serving in Title 10 status will be certified as trial and defense counsel based on the same qualifications and processes for RegAF judge advocates listed in [Section 6D](#), with the following additional considerations:

6.12.1. Certified RegAF judge advocates remain certified under Article 27(b), UCMJ, upon transfer to the reserve component with less than one year break in service, unless and until TJAG takes some action to revoke said certification. Certified RegAF judge advocates who transfer to the reserve component with less than two years break in service are eligible to have their certification under 10 USC §§ 826-827 reinstated.

6.12.2. Recommendations to certify or reinstate the certification of an ARC judge advocate should be forwarded through the TFA to TJAG, for coordination and then to AF/JAX. Recommendations to certify or memorandums of non-recommendation must be forwarded to AF/JAX no later than 24 months after the judge advocate graduates JASOC. (T-1)

6.12.3. DELETED

**6.13. ANG Judge Advocates in Title 32 or State status.** Trial and defense counsel certification of ANG judge advocates in Title 32 or State active duty status is based upon State military codes. ANG judge advocates must ensure they meet all requirements under their State code equivalents to 10 USC § 827. (T-0) For purposes of State codes, ANG judge advocates are deemed certified by TJAG upon graduation from JASOC. At no time does certification for Title 32 purposes circumvent TJAG's certification authority and requirements under [Section 6D](#) and [paragraph 6.12](#) for all judge advocates practicing under Title 10, Chapter 47, UCMJ.

#### *Section 6F—Victims' Counsel Certification and Designation*

**6.14. Qualification.** To qualify for designation as a victims' counsel, a judge advocate must:

6.14.1. Meet the requirements specified in Title 10 United States Code Section 1044, *Legal Assistance*.

6.14.2. Have been previously certified as competent to perform the duties of trial and defense counsel under [Section 6D](#).

6.14.3. Complete a DoD-approved victims' counsel certification course.

**6.15. Certification.** Judge advocates are certified as competent to be designated as a victims' counsel under 10 USC § 1044e upon meeting the qualifications listed in [paragraph 6.14](#) and upon selection for assignment to a victims' counsel position by TJAG. A judge advocate's certification as competent to be designated as a victims' counsel shall remain in force unless withdrawn pursuant to [Section 8B](#).

**6.16. Designation.** Judge advocates are designated as victims' counsel, in accordance with 10 USC § 1044e(a), upon meeting the qualifications listed in [paragraph 6.14](#) and upon selection for assignment to a victims' counsel position by TJAG. Unless their certification is withdrawn, a judge advocate shall retain their designation as victims' counsel until completion of a permanent change of assignment, including conclusion of any previously established attorney-client relationships, to duties that do not involve the provision of legal representation to eligible victims.

### *Section 6G—Special Trial Counsel Certification*

**6.17. Qualifications.** The National Defense Authorization Act Fiscal Year 2022 established special trial counsel (STC) under Article 24a, UCMJ (10 USC § 824a). Article 24a provides that STC shall be a commissioned officer who is a member of the bar of a Federal Court or a member of the bar of the highest court of a State and is certified to be qualified, by reason of education, training, experience, and temperament, for duty as a special trial counsel. **(T-0)**

6.17.1. Education. STCs must possess a juris doctorate and be a licensed member in good standing of the bar of the highest court of a State or Federal court. **(T-1)**

6.17.2. Training. Candidates considered for STC certification must successfully complete the following:

6.17.2.1. JASOC;

6.17.2.2. Two or more advanced litigation courses approved by the Lead Special Trial Counsel (LSTC);

6.17.2.3. The Special Trial Counsel Qualification Course (STCQC), which will include practical exercises testing the candidate's knowledge and ability to manage investigation and prosecution of covered offenses. The course will also include an objective final exam demonstrating the candidate's understanding of interpersonal violence, sexual assault, child abuse and exploitation, the Uniform Rules of Practice before Department of the Air Force Courts-Martial, the Manual for Courts-Martial, and other applicable law and policy regarding the investigation and prosecution of covered offenses.

6.17.3. Experience. All candidates for STC certification must previously be certified to perform trial and defense counsel duties under [Section 6D](#) or [paragraph 6.12](#), and sworn in accordance with Article 42(a), UCMJ. **(T-1)** Additionally:

6.17.3.1. To be certified as an STC, a judge advocate must have, at a minimum, been previously selected as Stage 2/2A in the Career Litigation Development Program (CLDP);

6.17.3.2. To be considered for OSTC Deputy District Chief, a judge advocate should have been previously selected as Stage 3/3A in the CLDP;

6.17.3.3. To be considered for OSTC District Chief, a judge advocate should have been previously selected as Stage 4/4A in the CLDP. District Chief candidates should have also completed one or more professional development assignment(s) as a Deputy District Chief, Deputy Staff Judge Advocate, or Staff Judge Advocate.

6.17.4. Temperament. Candidates for STC certification should demonstrate the requisite professionalism, leadership, and mentorship capabilities and the ability to provide candid and independent advice. Candidates should be capable of supervising and training junior counsel and paralegals.

6.17.5. Duties. STC will not perform duties outside OSTC unless approved by the Lead Special Trial Counsel, in accordance with Secretary of the Air Force Memorandum, *Policies Governing the Department of the Air Force Office of Special Trial Counsel*, dated 7 September 2022. (T-1)

**6.18. Evaluation.** Candidates for STC certification will be evaluated through a multi-faceted process:

6.18.1. AF/JAX will assess each candidate's litigation proficiency through a nominative process.

6.18.2. Candidates who are selected for and successfully complete STCQC will undergo a certification interview by a panel of certified STCs, including at least one District Chief STC. Certification interviews will evaluate the candidate's aptitude and temperament to serve as a STC.

6.18.3. The LSTC will forward qualified candidates for certification by TJAG.

6.18.4. TJAG may certify those personnel who are qualified, by reason of education, training, experience, and temperament, for duty as STC. TJAG may waive the above criteria upon demonstration of good cause.

**6.19. Qualifications.** A senior defense counsel (SDC) shall be a commissioned officer who is a member of the bar of a Federal Court or a member of the bar of the highest court of a State and is certified to be qualified, by reason of education, training, experience, and temperament, for duty as an SDC. (T-0)

6.19.1. Education. SDCs must possess a juris doctorate and be a licensed member in good standing of the bar of the highest court of a State or Federal court. (T-1)

6.19.2. Training. Candidates considered for SDC certification must successfully complete the following:

6.19.2.1. JASOC;

6.19.2.2. Defense Orientation Course (DOC);

6.19.2.3. Two or more advanced litigation courses approved by the Trial Defense Division (JJD); and

6.19.2.4. The Senior Defense Counsel Qualification Course, which will improve the candidate's knowledge and ability to defend clients in complex litigation of covered

offenses. The course should also include an objective final exam validating the candidate's understanding of child victim cases, sexual assault, homicide, and domestic violence allegations, the Uniform Rules of Practice before Department of the Air Force Courts-Martial, the Manual for Courts-Martial, and other applicable law and policy regarding the defense of covered offenses.

6.19.3. Experience. All SDC candidates must previously be certified as competent to perform trial and defense counsel duties under **Section 6D** or **paragraph 6.11**, and sworn in accordance with Article 42(a), UCMJ. **(T-1)** Additionally:

6.19.3.1. To be an SDC, a judge advocate must have, at a minimum, been previously selected as Stage 2/2A in the CLDP;

6.19.3.2. To be considered for a Chief District Defense Counsel position, a judge advocate should have been previously selected as Stage 3/3A in the CLDP;

6.19.3.3. To be considered for JAJD Deputy Chief, a judge advocate should have been previously selected as Stage 4/4A in the CLDP. JAJD Deputy Chief candidates should have also completed one or more professional development assignment(s) as a Senior Defense Counsel, Deputy Staff Judge Advocate, or Staff Judge Advocate.

6.19.4. Temperament. SDC candidates should demonstrate the requisite professionalism, leadership, and mentorship capabilities and the ability to provide candid and independent advice. Candidates should be capable of supervising and training junior counsel and paralegals.

**6.20. Evaluation.** AF/JAX will assess each SDC candidate's litigation proficiency through a nominative process. **(T-1)**

6.20.1. TJAG may certify those personnel who are qualified, by reason of education, training, experience, and temperament, for duty as SDC. TJAG may waive the above criteria upon demonstration of good cause.

## Chapter 7

### CAREER LITIGATION DEVELOPMENT PROGRAM

**7.1. Military Justice Professional Development.** The military justice and discipline specialty encompasses administration of military justice, including counsel on disciplinary matters, pretrial advice, preparation for trial, trial by courts-martial, post-trial actions, and appellate review, as well as military justice policy coordination and specialized military justice practice.

**7.2. Specialization within CLDP.** The stages within the CLDP encompass all AFJAG Corps litigation and military justice positions. Specialization within each Stage (“A” categorization) recognizes the development of judge advocates competent to advise, prosecute, defend, preside over, and investigate special victim cases throughout their careers. Stage “A” categorization also recognizes advanced special victim case experience and specialized litigation experience from captain to colonel.

**7.3. Application and Assessment.** Each Stage is managed by the AFJAG Corps to track the litigation and military justice proficiency of each judge advocate. An “A” classification within a stage is awarded via both a nominative and an application process. Judge advocates who exhibit both an aptitude and a desire to further specialize in litigation will be considered for this specialized career litigation track (i.e., Stage “A” assignments). Applicants will be assessed by senior supervisory staff judge advocates and experienced litigators who will forward recommendations to AF/JAX. Having received those recommendations and assigned members to CLDP positions in which they successfully serve the requisite time period, TJAG is the designated authority for CLDP stage approvals. Authority to act on these approvals and administer and manage the CLDP process is delegated to the Director, AF/JAX.

**7.4. CLDP Stages.** The AFJAG Corps uses these categorizations when assessing the next assignment for each judge advocate in the career track. The assessment ensures those in the career track are assigned to appropriate positions while ensuring they have the incumbent expertise and experience for each subsequent assignment. Upon selection for positions at each stage, judge advocates also receive commensurate advanced training. Judge advocates themselves are not coded for a particular stage until they are both placed in a position at that stage and meet specific criteria for that stage:

7.4.1. Stage 1 includes judge advocates who are trial certified under Article 27(b), UCMJ and trained and adept at litigating courts-martial not involving special victim cases.

7.4.2. Stage 2 includes judge advocates who have completed 10 months or more as Defense Counsel, Victims’ Counsel, Prosecutor, or other equivalent military justice or litigation positions. Stage 2A is reserved for skilled special victims offense litigators who have earned Stage 1 and 2 who are also trained and adept at case practice involving certain special victims offenses such as abusive sexual contact, child sexual abuse material offenses, sexual harassment, wrongful broadcast or distribution of intimate visual images, and domestic violence involving non-penetrative offenses. The Stage 2A designation is managed through the application and nominative process described above.

7.4.3. Stage 3 includes judge advocates who have successfully completed 10 months or more as District or Appellate Counsel representing the Government, Defense, or victims, or other equivalent supervisory military justice or litigation positions. Judge advocates in this category

reflect skills progressively and vastly developed beyond proficiency in executing, overseeing, or supervising litigation or other military justice duties. Stage 3A is reserved for judge advocates who are trained and adept at practice involving all cases appropriate for Stage 1 and 2A in addition to certain special victims offenses such as sexual assault, rape, and child victim cases. Stage 3A designation is managed through the application and nominative process described above.

7.4.4. Stage 4 includes judge advocates who have completed 10 months or more as Chief District Counsel representing the Government, Defense, or victims, and Military Trial Judges/Military Appellate Judges, as well as other senior supervisory military justice or litigation positions. Judge advocates in this category will be gifted leaders with demonstrated expertise in executing, overseeing, and supervising military justice and litigation duties. Stage 4A will be reserved for judge advocates who are trained and adept at overseeing all cases appropriate for Stages 1, 2A, and 3A in addition to all special victims offenses. Stage 4A designation is managed through the application and nominative process described above.

7.4.5. Stage 5 includes judge advocates who have successfully completed Stages 1-4 in addition to one or more professional development or leadership assignments. Judge advocates in this category are litigation and military justice subject-matter experts who have proven leadership ability and demonstrated skill to manage strategic initiatives. Stage 5A will be reserved for judge advocates who are trained and adept at managing all cases appropriate for Stages 1, 2A, 3A, and 4A. Additionally, Stage 5A designation means the individual is a litigation expert in special victim crimes, and is appropriate for consideration to lead the OSTC. Stage 5A designation is managed through the application and nominative process described above.

**Table 7.1. CLDP Stages.**

<b>Stage</b>	<b>Designation Requirements</b>	<b>Position Types</b>	<b>Training</b>
1	<ul style="list-style-type: none"> <li>• Certified under Art 27(b)</li> </ul>		JASOC TRIALS TDAC MJAC
2 2A	<ul style="list-style-type: none"> <li>• 10 months in Stage 2 position</li> <li>• Assessed as skilled at special victims case practice</li> </ul>	Chief, Adverse Actions Chief, Military Justice (CMJ) District CMJ (OSTC) Disability Counsel Area Defense Counsel (ADC) Victims' Counsel Appellate Counsel Military Commissions Counsel District Trial Counsel FLETC Instructor Clerk of Court JAJM AFDTL JAJI	DOC VCC TDAC ATAC VWAP



3	<ul style="list-style-type: none"> <li>10 months in Stage 3 position</li> <li>Assessed as beyond proficient executing, overseeing, or supervising litigation or other military justice duties.</li> </ul>	ADC Appellate Counsel Senior Defense Counsel District Trial Counsel Special Trial Counsel Victims' Counsel Military Commissions Counsel Deputy SJA Chief Commissioner JAJM JAJI JAJC Military Justice Instructor HQ OSI AF/JAX Professional Responsibility Administrator	ASALC VCITP Gateway LLM MJ Course SJAC AJEI ATAC STCQC SDCQC
3A	<ul style="list-style-type: none"> <li>Assessed as trained and adept at special victims case practice</li> </ul>		
4	<ul style="list-style-type: none"> <li>10 months in Stage 4 position</li> <li>Assessed as skilled leader</li> <li>Assessed as expert in executing, overseeing, and supervising military justice and litigation duties</li> </ul>	Chief District Counsel AFJAGS MJ Chair JAJ Division Deputy Military Judge SJA	JMJAT AJEI SJAC ASALC MJ Course
4A	<ul style="list-style-type: none"> <li>Assessed as trained and adept at overseeing all case practice, including special victims case practice</li> </ul>		
5	<ul style="list-style-type: none"> <li>Completion of Stages 1-4</li> <li>Completion of one or more professional development assignment/leadership assignment</li> <li>Assessed as litigation and military justice subject-matter expert</li> <li>Assessed as possessing proven leadership ability</li> <li>Assessed as having demonstrated skill to manage strategic initiatives</li> </ul>	JAJ Division Chief Senior Military Judge Chief Trial Judge Chief Appellate Judge Deputy LSTC SJA JAJ Director LSTC	MJ Course
5A	<ul style="list-style-type: none"> <li>Assessed as trained and adept at overseeing all case practice, including special victims case practice</li> </ul>		

**Note 1:** Some positions may be assessed at progressive CLDP skill levels, depending on the particular duties. *Italicized positions* may be filled by judge advocates within CLDP where the duties of a particular assignment require. This is not an exhaustive list of position types. Whether a particular position qualifies for CLDP is at the discretion of the AF/JAX Director in consultation with the AF/JAJ Director.

**Note 2:** Not all training available for each stage is required, and training objectives may be met via alternate training opportunities in some cases; whether completed training meets proficiency requirements is at the discretion of the AF/JAX Director in consultation with the AF/JAJ Director.

## Chapter 8

### WITHDRAWAL OF AUTHORITIES

#### *Section 8A—Overview*

**8.1. Overview.** This chapter provides guidance on withdrawing judge advocate designation and certifications as trial counsel, defense counsel, victims' counsel or military judge. The chapter also provides guidance on ANG Title 32 certification withdrawals, as well as the process for removal of the paralegal AFSC.

#### *Section 8B—Withdrawal of Designation and Title 10 Certification*

**8.2. Automatic Withdrawal.** A RegAF, AFR or ANG judge advocate's designation under 10 USC § 9063 and certifications under 10 USC §§ 826-827 and 1044e, are automatically withdrawn upon:

- 8.2.1. Retirement
- 8.2.2. Separation from the USAF, AFR, or ANG, or
- 8.2.3. Transfer out of the AFJAG Corps.

**8.3. Withdrawal for Cause.** A judge advocate's designation may be withdrawn or Title 10 certifications may be withdrawn or suspended for good cause, which includes, but is not limited to, the following:

- 8.3.1. The officer fails to maintain professional licensing standards;
- 8.3.2. The officer fails to maintain ethical or professional responsibility standards resulting in TJAG action under AFI 51-110;
- 8.3.3. The officer violates the UCMJ;
- 8.3.4. The officer violates state or federal criminal statute(s);
- 8.3.5. TJAG determines that withdrawal is in the best interest of the DAF;
- 8.3.6. Failure to maintain functional training requirements.

**8.4. Lack of Competency.** A judge advocate's certifications as trial and defense counsel under 10 USC § 827 or as victims' counsel under 10 USC § 1044e may be withdrawn if TJAG determines that the judge advocate is no longer competent to perform the duties of trial counsel, defense counsel or victims' counsel.

**8.5. Withdrawal Process.** Staff judge advocates, or other AFJAG Corps supervisors, as applicable, submit recommendations to withdraw a judge advocate's designation, withdraw or suspend a judge advocate's certifications, or both through judge advocate supervisory channels to AF/JA. Staff judge advocates and other AFJAG Corps supervisors at each intermediate level may add pertinent information and documents to assist AF/JA in deciding the matter. When TJAG receives a recommendation or has sufficient basis to consider withdrawal, the judge advocate is notified of the proposed action and is afforded an opportunity to present information to show cause why the action should not be taken. The judge advocate will be given at least ten duty days to

respond. (T-1) TJAG makes the final decision on withdrawal of designation and/or withdrawal or suspension of certification.

**8.6. Consequences of Withdrawal.** TJAG's withdrawal decision (or a memorandum from AF/JAX for automatic withdrawals pursuant to [paragraph 8.2.3](#)) will be forwarded to the officer's commander or supervising judge advocate to initiate withdrawal of the officer's AFSC (see AFMAN 36-2100, paragraph 2.4).

8.6.1. Designation withdrawal does not automatically change an officer's competitive category. See [paragraph 5.16](#) of this instruction and DAFMAN 36-2032 for competitive category transfer process. Transfers may result in a change of grade due to loss of service credit. If approved, the officer may be required to tender a new appointment prior to being assigned to the new competitive category.

8.6.2. An officer whose designation has been withdrawn is not authorized to perform the duties of a judge advocate or to wear the judge advocate badge, unless authorized by TJAG. However, retired judge advocates whose designation has been automatically withdrawn due to retirement under [paragraph 8.2.1](#), and not for cause under [paragraph 8.3](#) or lack of competency under [paragraph 8.4](#), may wear the badge whenever they are authorized to wear the uniform, in accordance with DAFI 36-2903, *Dress and Personal Appearance of United States Air Force and United States Space Force Personnel*.

### ***Section 8C—Withdrawal of Civilian Attorney Qualifications***

**8.7. Basis for Withdrawal.** Approval of a civilian attorney's qualifications by the qualifying authority, in accordance with [paragraph 9.4](#), is a continuing condition of employment. The qualifying authority may withdraw qualifications for the following reasons:

- 8.7.1. Criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct;
- 8.7.2. Intentional false statement or deception or fraud during the examination or appointment process;
- 8.7.3. Habitual use of intoxicating beverages to excess;
- 8.7.4. Reasonable doubt as to the loyalty of the person involved to the Government of the United States;
- 8.7.5. Violations of the professional standards under AFI 51-110.
- 8.7.6. Any legal or other disqualification which makes the individual unfit for service; or
- 8.7.7. Lack of United States citizenship.

**8.8. Withdrawal Processing.** Withdrawal of qualifications approval for civilian attorneys under the AFJAG Corps shall be accomplished through a process similar to that followed for actions based on, as appropriate, poor performance, misconduct, or violation of professional standards under AFI 51-110. Applicable procedures required by law or regulation apply to personnel actions taken as a result of withdrawal of qualifications approval.

**8.9. Qualifying Authority Responsibility.** The qualifying authority is notified before action is taken to involuntarily reassign, suspend, separate, or reduce the grade of a civilian attorney. The

qualifying authority will ensure that no adverse action is taken against an attorney that is based solely or in part on substance of complete and accurate legal advice given by the attorney.

***Section 8D—Withdrawal of Military Judge, Trial Counsel and Defense Counsel Certification in the ANG (Title 32 Status)***

**8.10. ANG Judge Advocates.** Withdrawal of certification for ANG judge advocates in Title 32 status is controlled by State military codes. State law does not circumvent TJAG’s authority, under 10 USC § 9037, to withdraw designation as a judge advocate on officers in the ANG in Title 32 status. Loss of designation in effect eliminates a judge advocate’s ability to perform duties under [Chapter 6](#).

***Section 8E—Withdrawal of Paralegal AFSC***

**8.11. Withdrawal/Disqualification of the Paralegal AFSC.**

8.11.1. A paralegal’s AFSC may be withdrawn or a paralegal may be disqualified from holding the 5J0X1 AFSC for cause under any of the following circumstances, or for other reasons as stated in AFMAN 36-2100:

8.11.1.1. Violation of attorney-client privilege or confidentiality rules as contained in AFI 51-110.

8.11.1.2. Inability to obtain or maintain a current Secret security clearance.

8.11.1.3. Conviction at any court-martial or a finding of guilty in nonjudicial punishment proceedings.

8.11.1.4. Conviction by a civilian court of a Category 1, 2, or 3 offense, or more than the accepted number of Category 4 or 5 offenses. Category 4 and 5 traffic offenses alone are not disqualifying. **Note:** Categories of offenses are described and listed in DAFMAN 36-2032, *Military Recruiting and Accessions*.

8.11.1.5. Any substantiated record of substance abuse, failure to be financially responsible, or failure to care for dependents as discussed in AFI 1-1, *Air Force Standards*.

8.11.1.6. Any history of emotional instability, personality disorder or other unresolved mental health problem resulting in conduct that precludes continued service as a paralegal as substantiated and validated by the staff judge advocate responsible for that paralegal, in collaboration with an appropriate medical professional.

8.11.1.7. Conduct that reflects adversely on the paralegal’s adherence to the USAF Core Value of “Integrity First”, including but not limited to conduct involving dishonesty, fraud, deceit or misrepresentation, that precludes continued service as a paralegal as substantiated and validated by the staff judge advocate responsible for that paralegal.

8.11.1.8. Failure to maintain professional responsibility or ethical standards as contained in AFI 51-110 and its attachments.

8.11.2. The withdrawal/disqualification of an AFSC will not be used as an alternative to more appropriate disciplinary or quality force action. Staff judge advocates and superintendents/NCOICs of legal offices must ensure all documents substantiating the recommendation are accurate and complete.

8.11.3. Guidance for processing AFSC disqualification actions is found in AFMAN 36-2100. The Enlisted Air Force Specialty Code (AFSC) Disqualification personnel services delivery (PSD) guide contains detailed instructions for submission. AFPC is the approval authority for RegAF disqualifications. For ARC personnel, AFPC refers the case to the National Guard Bureau (NGB) or ARPC, as appropriate, for internal reserve component processing.

## Chapter 9

### STAFFING CIVILIAN ATTORNEY POSITIONS

#### *Section 9A—Overview and Principles*

**9.1. Overview.** This chapter provides guidance for staffing civilian attorney positions. Staff judge advocates must actively engage in workforce succession planning and be familiar with AFJAG Corps staffing programs that develop entry-level and current DAF civilian attorneys; reduce the time to staff positions; and ensure the DAF has a qualified civilian bench to fill future mission requirements. **Section 9A** presents overarching principles for civilian attorney personnel actions. **Section 9B** provides guidance on civilian attorney positions and mobility requirements. **Section 9C** details the civilian attorney qualifying authority. **Section 9D** details the fully competitive hiring process, similar to that used in the competitive service. **Section 9E** explains the accelerated hiring process, consistent with the excepted service nature of attorney positions. This process allows for an expedited fill of a vacancy, without competition, when a qualified, interested, and available candidate exists. **Section 9F** details the process of approval by the qualifying authority. **Section 9G** describes final processing by the servicing civilian personnel office. **Section 9H** describes special processing requirements and eligibility for the Military Spouse Program.

**9.2. Principles.** All attorney personnel actions shall be made on the basis of merit and in conformity with applicable laws and regulations. Attorney positions classified below the Senior Executive Service (SES) are part of the “excepted service” and are exempt from competitive ranking and referral procedures. The following principles and practices are applicable to all attorney personnel actions:

9.2.1. Evaluation of applicants for civilian attorney positions shall be made based on the skills, background, knowledge, relevant experience, and academic achievement of the applicants, with the sole object being to obtain the highest caliber, most qualified candidates.

9.2.2. Recruiting. It is DoD policy that recruitment of civilian attorneys to fill entry-level positions shall be undertaken on the widest practicable basis, to include advertising open to the public, in conformity with the policy in AAFP 36-70, *Diversity & Inclusion*. Entry-level positions are attorney or law clerk positions below the grade of GS-12.

9.2.3. All personnel actions shall be taken without regard to race, color, religion, sex, national origin, age, disability, genetic information, prior protected activity or disclosure, or any other non-merit factors prohibited by statute, regulation, or Executive Order, and in conformity with the policy in AAFP 36-27, *Equal Opportunity (EO)*.

9.2.4. Veterans’ preference provisions will be followed to the extent administratively feasible in accepting and rating applications prior to submitting them to the qualifying authority.

9.2.5. Military spouses’ preference should be equitably applied for spouses of active duty Service members when they apply for GS-15 and below positions, as outlined in Subchapter 315, *Employment of Spouses of Active Duty Military*, of DOD Instruction 1400.25, *DoD Civilian Personnel Management System*. Military spouses’ preference shall not contravene existing statutes or regulations on veterans’ preference or nepotism.

9.2.6. Attorney appointments are subject to service of a one-year probationary period. The vacancy announcement should provide notice of the probationary period, and candidates should be advised of it during interviews. An attorney who has successfully completed an initial probationary period is not subject to another probationary period if later reappointed to a different attorney position, unless the attorney is assuming a supervisory position for the first time.

9.2.7. Although time-in-grade restrictions do not apply to attorney promotions, rapid promotions should be avoided. Normally, attorneys should serve one year in grade before being promoted to the next higher grade.

### ***Section 9B—Civilian Attorney Positions and Mobility Requirements***

**9.3. Civilian Attorney Positions.** The following requirements are necessary to maintain TJAG's responsibility to ensure the readiness and standardization of legal services within the AFJAG Corps and ensure an agile workforce. These requirements do not apply to positions under SAF/GC. Modifications or exceptions may be authorized with written approval by AF/JAX.

9.3.1. Establishment and Elimination of Civilian Attorney Positions. Prior to establishing a new position requiring a civilian attorney (0905 or 1222 occupational series), the head of the organization concerned will forward to AF/JAX a request for authority to establish the office or position. If a civilian position requiring an attorney is eliminated, notify AF/JAX.

9.3.2. New or Modified Core Documents. An associated core document or position description (or equivalent) must be coordinated with AF/JAX prior to establishing or reclassifying any civilian attorney position within the AFJAG Corps. Once approved, AFPC or the operating location classifies the core document.

9.3.3. Wing and Delta-Level Attorney Position Requirements. All civilian attorney positions at wing and delta-level legal offices led by AFJAG Corps personnel, must use the GS-11, GS-12, GS-13, or GS-11 target GS-13 General Attorney Standard Core Personnel Document (SCPD). **(T-1)** The position requirement document (PRD) for positions in the NH-II and NH-III pay band must be consistent with the duties and responsibilities contained in the SCPD. **(T-1)** All position descriptions, or their equivalent, will be updated prior to filling a vacancy or upon reclassification.

9.3.4. Mobility Agreements. All wing and delta-level civilian attorney positions, OCONUS attorney positions, and supervisory attorney positions for the 0905 occupational series require a mobility agreement as a condition of employment. **(T-1)** Position descriptions, or their equivalent, will be updated to include a mobility agreement requirement prior to filling a vacancy or upon reclassification.

### ***Section 9C—Civilian Attorney Qualifying Process***

**9.4. Qualifying Authority.** The qualifying authority evaluates the qualifications of persons recommended for appointment, transfer, reassignment, or promotion as civilian attorneys, and approves or disapproves such actions. Per AFPD 51-1, the General Counsel is the designated qualifying authority for all DAF civilian attorney positions. This authority has been re-delegated to TJAG for all DAF civilian attorney positions, including GS-15 (or equivalent) and below, that are assigned to offices in the AFJAG Corps and combatant commands. The General Counsel



retains qualifying authority over all civilian attorneys falling under the Office of the General Counsel. Qualifying authority for positions within the AFJAG Corps and combatant commands is further delegated to the Director, AF/JAX and to the Civilian Legal Career Field Manager. AF/JAX administers all actions for the qualifying authority and ensures compliance with applicable statutes and Office of Personnel Management, Department of Defense (DOD), and DAF guidance.

9.4.1. Approval. When the qualifying authority determines a candidate meets the requirements for a given position, he or she approves the appointment. Thereafter, that attorney may be reassigned, without further approval by the qualifying authority, to any position within the same organization, provided the reassignment is to a position of the same or lower grade and would not result in a substantial change in duties. Movement from a non-supervisory position to a supervisory position requires approval from the qualifying authority. **(T-1)**

9.4.2. Maintenance of Qualifications. DAF civilian attorneys are required to maintain qualification as a condition of employment. Any civilian attorney covered by this instruction must be an active (or equivalent) member, in good standing, of the bar of the highest court of a state, US commonwealth, US territory, or the District of Columbia. The attorney must maintain such bar membership in at least one jurisdiction during the entire course of employment with the DAF. **(T-0)** Civilian attorneys who fail to comply with the provisions of this paragraph may be subject to adverse administrative or disciplinary actions as outlined in DAFI 36-148, as well as subject to civil action, to include civilian criminal prosecution and disciplinary action by their licensing jurisdiction.

9.4.2.1. In the event it is unclear whether a jurisdiction's licensing status or exemption meets the above criteria, a civilian attorney may request an authoritative determination by the General Counsel or TJAG, as applicable. The attorney submits the request through supervisory channels to the Attorney Licensing Committee, which includes the AF/JAX Director (Chair), AF/JAX Civilian Legal Career Field Manager, AF/JAX Professional Responsibility Administrator, and the Deputy General Counsel for Fiscal, Ethics, and Administrative Law (SAF/GCA). The committee will review the request and forward a recommendation to the General Counsel or TJAG, as applicable, for final determination.

9.4.2.2. An attorney's suspension or disbarment by his or her licensing authority may be grounds for termination under DAFI 36-148, *Discipline and Adverse Actions of Civilian Employees*.

9.4.2.3. If an attorney's suspension or disbarment by a licensing authority does not result in termination, the attorney shall be reassigned to a non-attorney position (except when the attorney remains qualified to practice law by virtue of an active license in another jurisdiction). The conditions of suspension or disbarment imposed by the licensing jurisdiction might preclude assignment to a law-related position (i.e., law clerk or paralegal). Even if permitted, supervisors must consider whether the basis for disbarment or suspension would make assignment to a law-related position ill-advised.

9.4.2.4. A disqualified, suspended, or disbarred civilian attorney who is reassigned to a non-attorney position may not reoccupy a civilian attorney position unless qualified again. In that event, the application to the qualifying authority shall be accompanied by a recommendation from the General Counsel or TJAG, as applicable.

9.4.2.5. TJAG or designee may withdraw a civilian attorney's qualifications to practice law in a position in the AFJAG Corps for a substantiated violation of the Air Force Rules of Professional Conduct. The proposed suspension must be presented to the attorney in writing, specify its length (not to exceed one year), and afford the attorney a reasonable opportunity to respond. TJAG will then make a decision after considering the attorney's response, if any. A suspension under this paragraph may occur irrespective of any sanction by the attorney's licensing authority. A suspension from DAF legal practice may form the basis for termination, suspension, reassignment, or other appropriate civilian personnel action under DAFI 36-148.

9.4.2.6. A civilian attorney is required to report, in writing, notice of the commencement of any formal disciplinary complaint or proceeding by the attorney's licensing authority, through the attorneys' supervisory staff judge advocate, Director, Deputy General Counsel, or equivalent, to AF/JAX or SAF/GCA, as applicable, within five days of initial knowledge of such action. Additionally, civilian attorneys may be required to participate in license certification programs mandated by the General Counsel or TJAG for their respective attorneys. Such programs may require attorneys to self-certify bar status, the absence of discipline, the review of professional responsibility rules and codes, and other certifications as needed to ensure attorney compliance with this instruction and state licensing requirements. Additionally, such programs may include targeted or random independent verification of licensing status. Failure of a civilian attorney to comply with the reporting requirements or license certification programs established under this paragraph may also form the basis of adverse civilian personnel actions under DAFI 36-148.

### ***Section 9D—Fully Competitive Hiring Procedures***

**9.5. Hiring Process Overview.** The normal process of filling civilian attorney vacancies closely follows the process used in the competitive service. The hiring process can begin when an incumbent announces the intent to leave or when a new position is added in the organization. AFJAG Corps hiring authorities must follow the procedures under **Section 9H** prior to filling any civilian attorney vacancy under this section. **(T-1)**

**9.6. Initiating Hiring.** To initiate hiring, the office with the vacancy submits a Standard Form 52, *Request for Personnel Action*, and a core document or position description to the AFPC office servicing the geographic area.

**9.7. Local Civilian Attorney Hiring Selection Panel Actions.** The hiring authority will appoint an ad hoc local civilian attorney hiring selection panel for each separate hiring action. **(T-1)** For vacancies in the directorates of Military Justice and Discipline (AF/JAJ), Civil Law and Litigation (AF/JAC), and Operations and International Law (AF/JAO), the hiring authority is the AF/JA FOA commander who can delegate this responsibility to the directors. For vacancies in Headquarters Air Force (HAF), the hiring authority is the respective AF/JA 3-letter director.

9.7.1. Membership. The hiring authority or designee will ensure that the local civilian attorney committee consists of the following:

9.7.1.1. Non-supervisory GS-13 (or equivalent) and below selection panel membership. The local civilian attorney panel shall consist of at least two attorneys, one of whom is a civilian attorney in the same or higher grade as the position being filled. If fewer than two

qualified attorneys are available to serve on the panel, the MAJCOM, FLDCOM, or another DAF activity will make available the necessary attorney(s). **(T-1)**

9.7.1.2. GS-14/15 (or equivalent) and supervisory GS-13 selection panel membership. The local civilian attorney panel shall consist of at least three attorneys, equal to or senior in grade to the position being filled. **(T-1)** The panel composition must be diverse consistent with the DAF definition of diversity in AFI 36-7001, Diversity & Inclusion. At least one of the attorneys must be a career civilian attorney. **(T-1)** A civilian attorney with no prior military experience or who is not a military retiree and has at least ten years of federal civilian service qualifies as a career civilian. A military member at the grade of lieutenant colonel or higher may be used to fill a position on the panel in order to ensure DAF hiring panel diversity requirements are met; however, the military member may not be substituted for the required career civilian attorney. If fewer than three qualified attorneys are available to serve on the panel or there is no career civilian attorney within the organization, the MAJCOM, FLDCOM or another DAF activity will make available the necessary attorney(s). Anyone acting as the qualifying authority for the position being filled may not also serve on the panel.

9.7.2. Training. Prior to screening or interviewing candidates, all hiring panel members will complete unconscious bias training. Unconscious bias training will be completed annually and applies to all AFJAG Corps civilian hiring actions. The hiring panel chair will verify panel members' completion of the training before the selection process commences and course compliance will be annotated in the panel's records.

9.7.3. Function. The local civilian attorney hiring selection panel is responsible for reviewing applications and interviewing, evaluating, and ranking applicants for appointment to attorney positions.

9.7.4. Responsibilities. The local panel scores applicants on experience, education, and other professional qualifications, using a point system. Minimum position requirements and grade-by-grade guidelines are included in [Attachment 4](#).

9.7.4.1. Veterans' Preference. Follow the guidelines in [Attachment 5](#).

9.7.4.2. Oral Interview. After the panel ranks the applications, the panel notifies the best-qualified candidates for an interview. Interviews may be conducted in person, by video-teleconference or equivalent, or by telephone.

9.7.4.2.1. Purpose and Content of Oral Interview. The interview is an important element of the screening process. It provides a means to evaluate aspects of a candidate's knowledge and background that may not be evident from the written record. It also provides the opportunity to observe a candidate's presentation skills and cognitive qualities relative to the requirements of the position. Each candidate selected for oral interview must be interviewed by all committee members.

9.7.4.2.2. Preparation of Interview Summaries. A separate summary of each interview must be prepared, describing the candidate's suitability and legal skills. **(T-1)** The summary must reflect the factors developed during the interview in order to give the qualifying authority the information necessary for a proper review of the candidate's qualifications. It includes comment on the candidate's presence, mental qualities and attitudes, knowledge of the law required for the position, and the quality of experience

in general and specific areas of law. The summary should also include comment on any relevant collateral experience that is not evident or clear in the application. The conclusions should analyze and summarize the applicant's qualification and suitability for the position. Follow the format in [Attachment 6](#).

9.7.5. The hiring authority will furnish the qualifying authority the applications and supporting documentation for the best qualified candidates (see [paragraph 9.13](#)).

**9.8. AFPC Actions.** AFPC provides support through its headquarters location, and geographically separated operating locations. The appropriate servicing office will:

9.8.1. Advertise the position with a vacancy announcement. Recruitment from within the federal government shall follow the procedures and format used for vacancies in the competitive service. **(T-2)**

9.8.2. Receive and review applications and supporting documentation. Forward those that meet the minimum qualifications for appointment to the office with the vacancy for interviews and selection recommendations. Resumes, bar membership and other supporting documentation relevant to the candidate's qualifications should be forwarded to the office with the vacancy for consideration by the qualifying authority.

9.8.3. Upon receipt of approval by the qualifying authority, process all necessary personnel actions.

***Section 9E—Accelerated Hiring Procedures (Non-competitive appointments for excepted service attorney positions)***

**9.9. Filling Vacancies Without Recruitment or Competition.** A civilian attorney vacancy may be filled without recruitment or competition under one of the following:

9.9.1. Unlikely to Find Better Qualified Candidate. The following criteria must be met:

9.9.1.1. Knowledge of a qualified, interested, and available candidate for the position;

9.9.1.2. The need for quick action to hire the candidate (i.e., mission impact);

9.9.1.3. The reasonable belief that better qualified candidates are not likely to be discovered using fully competitive procedures; and

9.9.1.4. The candidate is currently NOT:

9.9.1.4.1. Retired from the uniformed services within the past 180 days; or

9.9.1.4.2. A Reservist assigned to the legal office where the vacancy is located.

9.9.2. Pathway Intern Graduate. The individual has completed at least 640 hours through the Pathway Intern Program as a law student, and was outplaced into a competitive position as a paralegal, pending passage of the bar examination.

9.9.3. Vectored AFJAG Corps Civilian Attorneys. Centrally managed attorneys with a current Developmental Team vector of "Ready" and qualified for the vacant position. Hiring authorities wanting to staff positions under this provision must contact AF/JAX for a current list of qualified candidates.

9.9.4. Medically Disqualified Judge Advocate Applicants. The following criteria must be met:

9.9.4.1. The individuals were previously selected for accession by TJAG, but were later medically disqualified prior to entry onto active duty; and

9.9.4.2. The vacancy being filled is a developmental general attorney GS-11 target GS-13 Standard Core Personnel Document at the wing or delta-level.

9.9.4.3. Hiring authorities wanting to staff positions under this provision must contact AF/JAX for a current list of qualified candidates.

9.9.5. Outplacements from Career Programs. Current USAF civilian attorneys graduating from civilian developmental education, career broadening assignments, key career positions, and Civilian Senior Leadership Program require outplacement by career field management. Hiring authorities wanting to staff positions under this provision must contact AF/JAX for a current list of qualified candidates.

9.9.6. Military Spouse Attorneys. Attorneys who are married to uniformed service members and are qualified for the vacant position under provisions within *Section 8H*. Hiring authorities wanting to staff positions under this provision must contact AF/JAX for a current list of qualified candidates.

9.9.7. Palace Acquire Recent Graduates. The individual is an attorney who completed requirements of the Palace Acquire program as an attorney or law clerk. Hiring authorities wanting to staff positions under this program must contact AF/JAX for a current list of qualified candidates.

**9.10. Streamlined Process.** These procedures eliminate the announcement, formal recruitment, and pre-screening phases of the fully competitive process. Interviews are optional (see [paragraph 9.12.1.1](#)).

**9.11. Candidate Files.** Legal offices are encouraged to maintain on file any resumes received for the types and levels of civilian attorney positions on staff, for use when vacancies arise. The offices are also encouraged to share candidate data with other legal offices and refer candidates to offices with vacancies for which they might qualify.

**9.12. Procedures.** When an office has a civilian attorney vacancy and the criteria of [paragraph 9.9](#) are met, the following procedures may be substituted for those set forth in [Section 9D](#) of this instruction:

9.12.1. To initiate a fill action, the office with the vacancy submits to the General Counsel (for positions under the Office of General Counsel) or to TJAG (for positions within the AFJAG Corps) through AF/JAX, the candidate's name, a letter from the staff judge advocate, civilian office chief, or equivalent addressing the applicable criteria under [paragraph 9.9](#), the additional documentation required by [Section 9F](#), and evidence of coordination, as applicable, with the MAJCOM or FLDCOM staff judge advocate, AF/JA FOA commander, Air Staff Director, Deputy General Counsel, or equivalent.

9.12.1.1. The staff judge advocate, civilian office chief, or equivalent may personally interview the candidate or convene a local civilian attorney hiring panel to do so, in accordance with [paragraph 9.7](#).

9.12.1.2. The party conducting the interview will prepare an interview summary ([Attachment 6](#)) and make a recommendation to the qualifying authority.

9.12.2. Following approval from the qualifying authority, the office with the vacancy submits an SF 52, *Request for Personnel Action*, with the approval package received from the qualifying authority to the servicing civilian personnel office, along with any other documentation required locally by the civilian personnel office.

9.12.3. Upon receipt of the approval package, the civilian personnel office processes all necessary personnel actions and furnishes copies of the completed actions to the qualifying authority, through AF/JAX.

### ***Section 9F—Qualifying Authority Actions***

**9.13. Qualifying Authority Package.** Requests for attorney qualifying actions are sent to the qualifying authority. The package includes, at a minimum, the following:

9.13.1. A classified Position Description, or Position Review Documents, for the position being filled.

9.13.2. A resume.

9.13.3. A document, dated within four months of application, showing that the candidate maintains active (or equivalent) membership, in good standing, in the bar of the highest court of a state, US commonwealth, US territory, or the District of Columbia. (This is not needed if the candidate is applying for appointment to a law clerk position [see [paragraph A4.1.2.1](#)].)

9.13.4. A summary of the oral interview, if conducted.

9.13.5. A copy of the announcement used for advertising the position if using competitive hiring procedures.

**9.14. Qualifying Appointments as a DAF Civilian Attorney.** The qualifying authority reviews the applications, supporting data, and hiring authority's recommendation to make his or her own determinations. If only one qualified candidate has been submitted, the qualifying authority may approve or disapprove the nomination for appointment. If more than one qualified candidate has been submitted, the qualifying authority may approve any or all of the candidates, and approve or change the rank order submitted.

9.14.1. Qualifying authorities may, at their discretion, interview any or all of the candidates.

9.14.2. The qualifying authority furnishes a letter, identifying candidates qualified for appointment in rank order, to the office with the vacancy. The office with the vacancy forwards the letter to AFPC or the servicing Operating Location for processing.

**9.15. Qualifying Civilian Attorneys for Promotion.** Any proposed promotion of a civilian attorney (including promotion to the target grade of a developmental position, promotion following a position review, or promotion after full and open competition) shall be submitted to the qualifying authority for approval or disapproval. (T-1)

9.15.1. The submission shall include the documents listed in paragraphs [9.13.1](#) through [9.13.3](#), and an evaluation by the attorney's supervisor addressing the quality of the attorney's work and providing an opinion as to the attorney's ability to perform the duties of the higher grade.

9.15.2. The qualifying authority will consider the quality of the attorney's performance of prior duties, the ability of the attorney to perform the duties of the higher grade, and any other relevant experience.

**9.16. Qualifying Civilian Attorneys for Reassignments.** Any proposed reassignment of an attorney between organizations or within an organization to a position with substantially different duties, to a position of a higher grade, or from a non-supervisory position to a supervisory position shall be submitted to the qualifying authority for approval or disapproval. **(T-1)** The submission shall include:

9.16.1. The documents listed in [paragraph 9.13.1](#), for both the current and new positions;

9.16.2. The documents listed in paragraphs [9.13.2](#) through [9.13.3](#);

9.16.3. An evaluation by the attorney's supervisor addressing the quality of the attorney's work and providing an opinion as to the attorney's ability to perform the duties of the new position; and

9.16.4. Statements from both the losing and gaining supervisors consenting to the proposed reassignment (unless the reassignment is the result of the employee's application).

**9.17. Qualifying Civilian Attorneys for Transfers.** Any proposed transfer of an attorney's position between activities shall be submitted to the qualifying authority for approval or disapproval. **(T-1)** The submission shall include:

9.17.1. The documents listed in paragraphs [9.13.1](#) through [9.13.3](#);

9.17.2. An evaluation by the attorney's supervisor addressing the quality of the attorney's work and providing an opinion as to the attorney's ability to perform the duties in the new activity; and

9.17.3. Statements from both the losing and gaining supervisors consenting to the proposed transfer (unless the transfer is the result of the employee's application).

### ***Section 9G—Administration***

**9.18. Selection Processing.** Upon receipt of approval from the qualifying authority, the servicing civilian personnel office processes the action directed by the qualifying authority.

9.18.1. If, in a hiring action, the qualifying authority ranked candidates in order of preference, the civilian personnel office must follow the order in making offers. If the highest-ranked candidate declines the offer, the process may be restarted, at the discretion of the office with the vacancy, rather than offering the position to a remaining candidate.

9.18.2. Approval from the qualifying authority is valid for four months from the date of signature, during which all initial selection offers must be made. If an offer is not made during this period, a new package is required, unless the qualifying authority, upon request, grants an extension. **(T-1)**

**9.19. Changes.** Any significant change to the duties of the position at any time during the hiring process requires reclassification of the core document and re-initiation of the process.

**9.20. Retention of Documentation.**

9.20.1. The servicing civilian personnel office retains all necessary records and correspondence supporting the personnel action, in accordance with the Air Force Records Disposition Schedule and applicable Office of Personnel Management guidance, for documents that are Office of Personnel Management records.

9.20.2. The qualifying authority retains copies of all approved actions.

**9.21. Personnel Actions.** The civilian personnel office must forward a copy of each Standard Form 50, *Notification of Personnel Action*, effecting an appointment, promotion, reassignment, or transfer of a civilian attorney, to AF/JAX, by email or mail. **(T-1)**

***Section 9H—Military Spouse Hiring Program***

**9.22. Purpose.** The purpose of this program is to facilitate the non-competitive appointment of regular component military spouse attorneys within positions under TJAG's Qualifying Authority. Other DAF civilian attorney hiring authorities may request candidate rosters on an as needed basis. TJAG intends for military spouse attorneys to be considered for non-competitive appointment by legal offices seeking to fill attorney vacancies, prior to the position being filled through the competitive process.

**9.23. Eligibility.** To be considered as eligible for this program, an individual must:

9.23.1. Be married to a military sponsor currently in the regular component of any branch of service;

9.23.2. Be living in the local commuting area of the position or pending a move to the local commuting area of the position via permanent change of station (PCS) orders as a sponsored dependent with the military spouse who relocates to the new duty station;

9.23.3. Be married to a military sponsor who has more than six months remaining on orders at the location for which employment is being sought;

9.23.4. Not be currently employed by a DAF legal office within the local commuting area of the position at issue;

9.23.5. Be registered in the database and timely respond to all of the Civilian Legal Career Field Manager (or designee's) requests for information; and

9.23.6. Be a graduate of a school of law accredited by the ABA and have the first professional law degree. Candidates must also currently be an active (or equivalent) member, in good standing, of the bar of the highest court of a state, US commonwealth, US territory, or the District of Columbia. **(T-0)** Meet legal experience requirements by grade in **Attachment 4**.

**9.24. Database.** The Civilian Legal Career Field Manager shall maintain a database of military spouse attorneys, which will be used to generate rosters of eligible candidates to be forwarded to hiring officials for consideration.

9.24.1. To be included and considered for non-competitive placement, individuals must submit to the Civilian Legal Career Field Manager (1) a current resume in PDF format, (2) a copy of the individual's verification of licensing status (bar card, certificate of good status and active status, etc.), and (3) a copy of the military sponsor's orders.



9.24.2. Participating spouses must inform the Civilian Legal Career Field Manager or designee of any changes to their profile. The Civilian Legal Career Field Manager or designee will also conduct audits of profiles and may request updated information from the spouse. Failure to timely respond to requests for information may result in the spouse's profile being deleted from the database.

9.24.3. Inclusion in the database is an agreement to have their information shared with military legal offices for the purposes of consideration for non-competitive appointment.

**9.25. Process.** Upon deciding to recruit an attorney to fill a vacancy, the hiring authority shall contact the Civilian Legal Career Field Manager at AF/JAX and request a roster of military spouse attorneys within a reasonable commuting area to the location of the position. **(T-1)**

9.25.1. The hiring official may, after reviewing the roster, pursue noncompetitive placement of a military spouse attorney or decide to fill the position through other non-competitive placement programs or through competitive announcement.

9.25.2. Regardless of the outcome, the hiring official will report the results of the review to the Civilian Legal Career Field Manager.

**9.26. Conflicts.** Spouses and their sponsors cannot be placed in the same legal office, or in a supervisory relationship with each other, or in a position to benefit the other. **(T-1)**

**9.27. Termination.** Participation in the Military Spouse Attorney Hiring Program may be terminated by the Civilian Legal Career Field Manager in cases of spouse-attorneys who participate in the process, but ultimately decline an offer of employment.

## Chapter 10

### AFJAG CORPS EDUCATION AND TRAINING REQUIREMENTS

**10.1. Overview.** The goal of professional development is to develop well-rounded, professionally competent judge advocates, civilian attorneys, enlisted paralegals, civilian paralegals, and other legal personnel to meet current and future legal support mission requirements. Furthermore, professional development plays a mission critical role in the maintenance of designation and certifications for judge advocates and qualifications for civilian attorneys.

**10.2. Functional Continuum of Learning.** The AFJAG Corps functional continuum of learning begins with initial skills training for entry-level judge advocates, attorneys, and paralegals; broadens knowledge, skills, and abilities through mission-critical advanced and supplemental training; includes continuous updates to changes in law and policy; and develops advanced subject-matter expertise through advanced legal education.

**10.3. Initial Skills and Upgrade Training.** Initial skills training is formal training that results in an AFSC 3-skill level award for enlisted or mandatory training for upgrade to qualified officers.

#### 10.3.1. Judge Advocates.

10.3.1.1. Judge Advocate Staff Officer Course (JASOC). The following personnel must complete this course, as soon as practicable, prior to qualification as a 51J3 AFSC and designation as a judge advocate: **(T-1)**

10.3.1.2. RegAF officers being assigned to positions as judge advocates.

10.3.1.3. AFR and ANG officers being assigned to positions as judge advocates unless:

10.3.1.3.1. They have attended JASOC previously, as part of their accession to service as RegAF judge advocates; or

10.3.1.3.2. They served as judge advocates in another United States armed service and completed that armed service's equivalent of JASOC in-residence.

#### 10.3.2. Paralegals

10.3.2.1. Paralegal Apprentice Course. The paralegal apprentice course is an in-residence initial skills course for award of the 3-skill level. All candidates must have completed an interview process and been selected for training. The following personnel must complete this course: **(T-1)**

10.3.2.1.1. RegAF enlisted personnel initially assigned to positions as paralegals.

10.3.2.1.2. AFR and ANG enlisted personnel assigned to positions requiring the award of the 5J031 paralegal AFSC. Personnel must complete the course within one year unless one of the following conditions is met and is approved by the SEA to TJAG or the Paralegal Career Field Manager:

10.3.2.1.2.1. They have attended the Paralegal Apprentice Course previously, as part of their accession to service as RegAF paralegals.

10.3.2.1.2.2. They served on extended active duty as paralegals in another United States armed service and completed that armed service's equivalent of the Paralegal Apprentice Course in residence.

10.3.2.2. Paralegal Journeyman Career Development Course. This is a 5-skill level course which is divided into four volumes: (1) The AFJAG Corps and foundational paralegal skills; (2) general law; (3) military justice; and (4) DAF claims. This course is administered in accordance with DAFI 36-2670. All 3-skill level paralegals must successfully complete this course, as well as all on-the-job training requirements, to earn a 5-skill level. **(T-1)**

10.3.2.3. Paralegal Craftsman Course. All 5-skill level paralegals must attend this in-residence training for award of the 7-skill level. **(T-1)** Students are required to possess a 5-skill level, be in the rank of staff sergeant (or a staff sergeant select) or higher, have completed the minimum time in upgrade training, and be nominated to attend. **(T-1)**

**10.4. Mission-Critical Advanced Training.** Mission critical advanced training consists of formal courses that provide additional skills and knowledge to enhance expertise.

10.4.1. Judge Advocate Training. The following courses are mission-critical advanced training for judge advocates:

10.4.1.1. Judge Advocate Advanced Law and Leadership Course (Gateway). This course prepares judge advocates for the leadership and legal challenges that field grade judge advocates face at every level. Gateway is a mission-critical requirement for all RegAF and ARC judge advocates in the grade of O-4, unless excused by TJAG or designee. ARC judge advocates who previously attended the course as a RegAF judge advocate are exempt. The TFA may exempt additional ARC duty positions from these training requirements, with the concurrence of the Mobilization Assistant to TJAG or the Air National Guard Assistant to TJAG, as appropriate. ARC judge advocates will attend the full course. With the concurrence of their supervisor, ARC judge advocates may apply for a substitution waiver for their Annual Tour requirement in the fiscal year in which they attend Gateway.

10.4.1.2. Staff Judge Advocate Course. The Staff Judge Advocate Course provides mission-critical training for staff judge advocates (similar to training for squadron and group commanders). The course is designed to facilitate the transition of judge advocates to the position of staff judge advocate. Newly appointed RegAF staff judge advocates must attend and newly appointed ARC staff judge advocates may attend as determined by TJAG or designee. **(T-1)** TJAG is the excusal authority for SJAC through coordination with AF/JAX.

10.4.1.3. Military Judge Course. The Military Judge Course prepares judge advocates, assigned to billets in the Air Force Trial Judiciary (JAT) or the Air Force Court of Criminal Appeals (JAH), for their roles as military judges. The course is designed to provide an overview of substantive and procedural criminal law, and judicial ethics and responsibilities. The following requirements apply:

10.4.1.3.1. All RegAF or AFR judge advocates assigned to JAT or JAH must attend this course. **(T-1)**

10.4.1.3.2. Judge advocates attending the course must graduate and achieve a passing score of 77% or greater to be certified as either a trial or appellate judge, as described in [Chapter 6](#), paragraphs [6.4](#) and [6.5](#), respectively. **(T-1)**

10.4.1.4. Advanced Legal Education Master of Law (LL.M.) Program. This mission-critical program develops specialized legal skills to increase AFJAG Corps capabilities and to support Department of Defense or DAF current and evolving mission requirements.

10.4.1.5. ARC Senior Leadership Course. ARC Senior Leadership Course. All AFR judge advocates in the grade of O-6 and AFR paralegals in the grade of E-9, must attend within 18 months after assuming their grade. State ANG SJAs are encouraged to attend within the first 18 months of assignment effective date. **(T-1)**

#### 10.4.2. Paralegal Training

10.4.2.1. Paralegal Advanced Developmental Education (RegAF Only). This course is a prerequisite to the Law Office Management Course and provides instruction in paralegal education and training, and advanced legal program management to prepare future senior enlisted leaders.

10.4.2.2. Law Office Management Course. This course provides instruction in various areas of legal office management, communication skills, and information on recent developments in the areas of military justice, civil law, claims, budgeting, and manpower that impact the management of the base legal office functions. The Paralegal Career Field Manager, or appointed designee, selects members to attend. Enlisted paralegals in the ranks of staff sergeant through master sergeant and who currently serve or have been selected to serve as the Superintendent/NCOIC, Legal Office are eligible to attend.

**10.5. Supplemental Training.** Supplemental training is functional training in specific practice areas or duty positions without change to the AFSC. The training consists of formal instruction in a specific practice area, involvement in moot court or other hands-on exercises, or instruction using legal technology not suited for on-the-job training.

10.5.1. Resident Specialty Supplemental Training. Wing and delta-level staff judge advocates, FOA directors, or FOA branch chiefs must ensure their office legal staff receive supplemental training based upon their office's legal support missions and current or forecasted (e.g., interoffice developmental rotations) duties. **(T-2)** Staff judge advocates must make recommendations using the Course Nomination System or other approved method. The recommendations must prioritize and consider RegAF judge advocates and paralegals performing duties directly relevant to the desired supplemental education.

#### 10.5.2. ARC Supplemental Training.

10.5.2.1. Seasoning Training. ARC judge advocates and paralegals, who do not have prior active duty judge advocate or paralegal experience, may perform seasoning training tours at installation-level RegAF legal offices. Refer to Air Force Reserve Command Instruction 36-2603, *Air Force Reserve Seasoning Training Program (STP)*, and the Air National Guard Instruction 36-2001, *Management of Training and Operational Support Within the Air National Guard*, as appropriate, for further guidance on seasoning training programs.

10.5.2.2. Individual Reserve Orientation Course. All IMA judge advocates and paralegals must attend the Individual Reserve Orientation Course within 24 months of accession or initial assignment to an IMA position. AFR Category A Numbered Air Force (NAF) staff judge advocates will ensure Category A judge advocates within their respective commands receive the appropriate orientation within 24 months after accession. **(T-1)**

10.5.2.3. Reserve Forces Paralegal Course. All AFR and ANG paralegals must attend every four years. **(T-1)**

10.5.2.4. Air National Guard Law Office Course. All ANG judge advocates and paralegals must attend within the first 18 months of accession. **(T-1)**

10.5.2.5. Quadrennial Training Tour. All ARC judge advocates and paralegals need timely refresher training, to best equip them to serve their units and to fully prepare them for mobilization and active duty service. Current experience in all AFJAG Corps operations is critical to the success of the JA mission. To that end, ARC judge advocates and paralegals must complete a two week quadrennial tour once every four years, unless exempted by position. **(T-1)** The quadrennial tour shall fulfill the member's annual tour requirement, and must be served for two consecutive weeks.

10.5.2.5.1. Exceptions. The following personnel are exempt from the quadrennial tour requirement. The Home Station Support Coordinator or Quad Tour Paralegal Managers, as appropriate, may exempt additional individual ARC judge advocates and paralegals from these training requirements, with the concurrence of the TFA. The SEA to TJAG, the Paralegal Career Field Manager, or the Air Force Reserve Paralegal Career Field Manager may exempt additional paralegal duty positions from this training requirement.

10.5.2.5.1.1. IMAs assigned to USAF or USSF installation-level offices.

10.5.2.5.1.2. Judge advocates assigned to mobilization assistant billets.

10.5.2.5.1.3. Judge advocates and paralegals serving in the Active Guard and Reserve Program or on Title 10 ADOS orders for 365 days during the fiscal year.

10.5.2.5.1.4. Judge advocates assigned as ANG Assistants; NAF staff judge advocates; IMAs to MAJCOM, FLDCOM, Combatant Command, DRU or NAF (or equivalent) staff judge advocates; or IMAs to FOA directors.

10.5.2.5.1.5. Paralegals assigned to perform duties as the IMA to the SEA to TJAG, IMA to a MAJCOM/FLDCOM (or equivalent) or Numbered Air Force Paralegal Functional Manager, or as ANG senior paralegal managers.

10.5.2.5.1.6. Judge advocates assigned to perform duties as trial or appellate military judges.

10.5.2.5.1.7. The IMA to the TFA.

10.5.2.5.1.8. The Reserve Executive Officer to TJAG and the Reserve Executive Officer to the Mobilization Assistant to TJAG.

10.5.2.5.1.9. Judge advocates assigned to a general officer billet.

10.5.2.5.2. Assignment of Quadrennial Training.

10.5.2.5.2.1. All ARC judge advocates and paralegals, otherwise not exempted, must complete a two-consecutive-week quadrennial tour once every four years. **(T-1)** Judge advocates and paralegals eligible for quadrennial tours will primarily receive assignments at installation-level RegAF legal offices as required for development and training purposes. A limited number of judge advocates and

paralegals may receive assignments at career broadening locations, such as higher level RegAF legal offices, commensurate with their rank and experience as determined by the Home Station Support Coordinator or Quad Tour Paralegal Managers, as appropriate, in conjunction with the TFA.

10.5.2.5.2.2. To ensure both that judge advocates and paralegals receive appropriate training and that the needs of the active duty DAF are best served, the quadrennial training as set forth in paragraphs **10.5.2.5** and **10.5.2.5.2** is assigned by the Home Station Support Coordinator for all judge advocates and by the Quad Tour Paralegal Managers for all paralegals. Judge advocates and paralegals may not arrange quadrennial training on their own, but instead must work with either the Home Station Support Coordinator or the Quad Tour Paralegal Managers, as appropriate. Judge advocates and paralegals who attempt to arrange training on their own may not receive credit for completion of the quadrennial training requirements.

10.5.2.5.3. Letter of Evaluation. Letters of Evaluation (LOE) are mandatory upon completion of quadrennial tours. **(T-2)** Legal offices are responsible for providing an LOE for any ARC judge advocate or paralegal who performs a quadrennial tour.

10.5.2.5.4. Waiver or Deferral of Training Requirements. The Home Station Support Coordinator or Quad Tour Paralegal Managers, as appropriate, may grant waivers or deferrals of the training requirements, in coordination with the TFA and the Paralegal Career Field Manager, as appropriate.

10.5.2.5.5. Failure to Comply. Judge advocates and paralegals who fail to comply with the training requirements set forth in this section are subject to withdrawal of their designation as judge advocates or paralegals and removal from AFJAG Corps.

10.5.2.6. State Headquarters Staff Judge Advocate Course. ANG judge advocates assigned as a State Headquarters staff judge advocate are encouraged to attend the State Headquarters Staff Judge Advocate Course at least once every two years.

**10.6. Continuing Legal Education.** The purpose of continuing legal education is to ensure that every member of the AFJAG Corps continues professional education throughout their career in order to remain current on the law for evolving missions and rapidly changing society.

10.6.1. Military Continuing Legal Education Requirements. Personnel must complete Military Continuing Legal Education as required by TJAG. **(T-1)** Military Continuing Legal Education is sponsored by AFJAGS, or sister service schools, and may be delivered through in-resident courses, webcasts, video teleconferences, and training seminars (e.g., Annual Survey of the Law, Dougherty-Nelson Continuing Legal Education, ABA Legal Assistance for Military Personnel Committee Continuing Legal Education). Staff judge advocates may authorize training not affiliated with the military, such as training offered by a state bar, as Military Continuing Legal Education, if relevant to military duties for judge advocates. The Paralegal Career Field Manager may authorize training for military paralegals. Specific requirements include:

10.6.1.1. Judge Advocate and Civilian Attorney Requirements.

10.6.1.1.1. RegAF judge advocates must complete three hours of Military Continuing Legal Education annually. **(T-1)** One hour must be the Legal Assistance Annual Refresher and one hour must be the Military Justice Annual Refresher. **(T-1)** The third hour can be any military legal training approved by the staff judge advocate that correlates with the member's current position or duties.

10.6.1.1.2. AFR and ANG judge advocates must complete four hours of Military Continuing Legal Education every other year. **(T-1)** Two hours must be the Legal Assistance Annual Refreshers and two hours must be the Military Justice Annual Refreshers. **(T-1)**

10.6.1.1.3. Civilian attorneys with legal assistance in their position description and those who perform legal assistance as assigned by their staff judge advocate are required to complete three hours of legal assistance training, of which one hour is the Legal Assistance Annual Refresher. **(T-1)**

10.6.1.2. Paralegal Requirements. All DAF paralegals, with the exception of 5J000 Specialty Code, upon award of the 7-skill level must complete continuing legal education every calendar. Meeting this requirement includes completing one of the following options annually, no later than 31 December. Continuing legal education requirements will be tracked by the MAJCOM or FLDCOM Paralegal Functional Managers, or equivalent. **(T-1)**

10.6.1.2.1. One class (3 semester hours) at a regionally accredited college in pursuit of a legal, management or leadership degree.

10.6.1.2.2. A certification through Air Force Credentialing Opportunities On-Line (AF COOL).

10.6.1.2.3. A certification through a nationally accredited paralegal association (e.g., National Association of Legal Assistants (NALA), National Federation of Paralegal Associations (NFPA)).

10.6.1.2.4. A digital badge.

10.6.2. Annual Survey of the Law. AFJAGS develops and conducts the Annual Survey of the Law as a formal course to provide refresher training for ARC judge advocates and paralegals. All ARC judge advocates and paralegals (O-6 and below) must attend every two years. Judge advocates serving in general officer billets and paralegals in the rank of Chief Master Sergeant are invited to attend as guests. Active Guard and Reserve program members responsible for organizing and executing the Annual Survey of the Law will attend as staff members rather than students.

10.6.3. Other Continuing Legal Education. This education is authorized for judge advocate and civilian attorney professional development and legal licensing maintenance.

**10.7. Waiver of Training Requirements.** TJAG has waiver authority for all AFJAG Corps personnel with AFSC of 51J and 5J and civilian occupational series 09 and 1222. TJAG delegates waiver authority to the following:

10.7.1. The functional community career field managers for their respective career fields.

10.7.2. The TFA in coordination with the Mobilization Assistant to TJAG for all AFR personnel or the ANG Assistant to TJAG for all ANG personnel.

10.7.3. The Paralegal Career Field Manager for all RegAF paralegal waivers.

10.7.4. The AFR Paralegal Career Field Manager or the ANG Paralegal Career Field Manager, approves waivers for AFR or ANG paralegals as applicable.

**10.8. Career Field Education and Training Plans.** Judge advocates and paralegals have Career Field Education and Training Plans (CFETP) available on the [www.e-publishing.af.mil](http://www.e-publishing.af.mil), using search term “51J” or “5J.” These plans are comprehensive documents that identify life-cycle education and training requirements, training support, resources, course training standards (for judge advocates) and specialty training standards (for paralegals), and minimum requirements for their respective career fields.

10.8.1. AF/JA FOA directors (AF/JAC, AF/JAO, & AF/JAJ), MAJCOM and FLDCOM staff judge advocates and senior enlisted leaders will:

10.8.1.1. Annually review the CFETP to identify modification or additions based on knowledge or performance gaps within the field.

10.8.1.2. Compile training inputs (e.g., modifications, additions, changes to proficiency) from subordinate legal offices and forward to AF/JAX.

10.8.2. Staff judge advocates and law office superintendents will annually review the CFETP to identify modifications or additions based on knowledge or performance gaps within their offices and forward to their MAJCOM or FLDCOM. **(T-1)**

10.8.3. Supervisors will utilize CFETP to create training plans and maintain training records for paralegals they supervise as required in DAFI 36-2670. **(T-1)**

**10.9. Documenting Air Reserve Component Experience.** To ensure that Reserve Component judge advocates and paralegals have received the training and experience necessary for professional development, it is imperative to document each individual’s training and duty experience. The following documenting methods will be used:

10.9.1. ARC Statistical Reporting System (ARCStaRS) is a computerized tool that tracks the workload of Reserve Component judge advocates and paralegals. The system compiles information including dates of work performed, types of work performed, and duty location.

10.9.2. All Reserve Component judge advocates and paralegals must use ARCStaRS to document the performance of duties during a duty period, including performance of duties in a non-pay status. **(T-3)** Entering bullet comments is encouraged.

10.9.3. Active Guard Reserve judge advocates and paralegals are not required to make ARCStaRS inputs.

10.9.4. Supervisors should accomplish an informal letter of evaluation for duty performed for more than five consecutive days at a unit other than the one to which the member is assigned.

**10.10. Special Victims Investigation and Prosecution (SVIP) Training.** All personnel detailed as members of a SVIP team are required to complete SVIP and Sexual Assault Prevention and Response (SAPR) program training requirements, to include Annual and First Responder Training.



(T-1) Guidance on SVIP training requirements identified can be found in DAFI 51-201. AF/JAX is responsible for tracking compliance with this training requirement.

**10.11. SAPR First Responder Training.** See DAFI 51-201 for list of personnel for whom this training is mandatory. AF/JAX is responsible for tracking compliance with this training requirement.

## Chapter 11

### ASSIGNMENTS

**11.1. Overview.** Personnel assignments to RegAF 51J judge advocate positions are controlled by TJAG pursuant to 10 USC § 806 and 10 USC § 9037, and managed through AF/JAX. Judge advocate assignments for AFR and ANG (in Title 10 status) personnel are controlled by TJAG and managed through the TFA. Personnel assignments for enlisted paralegals and civilian attorneys are managed by AFPC through the functional community career field managers attached to AF/JAX.

**11.2. Restrictions on Judge Advocates Performing Duties Outside of Career Field.** Performing non-legal duties or working in another career field may interfere with a judge advocate's primary duties and may create a potential conflict of interest. No judge advocate may be assigned to positions or duties outside the judge advocate career field or be released from the judge advocate career field and 51J AFSC without TJAG's prior written approval. **(T-1)**

**11.3. Assignment Planning Through the Professional Development Information Tool.** The Web Professional Development Information (WebPDI) tool is the primary method by which RegAF and ARC judge advocates communicate to AF/JAX (for RegAF), TFA (for ARC), and AF/JA their personal professional development preferences regarding jobs, locations, long-term career goals, and short-term career objectives. Judge advocates submit WebPDIs through FLITE ROSTER. Submit preferences no later than 180 days after arrival at a new assignment. Additionally, submit preferences when individuals experience changes in professional, medical, family, or other matters that might impact assignments. Update information in the system at any other time as goals or objectives change.

#### **11.4. Assignment of Air Force Reserve Judge Advocates.**

11.4.1. TJAG is the sole approval authority for determining the assignment of all AFR judge advocates and the approval authority for determining the assignment of all ANG judge advocates, recognizing the state assignment and designation authority also held by state adjutant generals. This includes the authority to involuntarily assign and reassign AFR judge advocates pursuant to 10 USC § 806 and 10 USC § 9037. The TFA oversees the reserve assignment process and establishes procedures for submitting, processing and coordinating assignment and designation requests. In making assignment and designation requests to TJAG, the Mobilization Assistant to TJAG and the ANG Assistant to TJAG consider the specific needs of the unit, the state (when applicable), the overall interests of the AFJAG Corps, and the desires of the individual.

11.4.2. Under no circumstances will an officer perform the duties of a judge advocate prior to the completion, in its entirety, of the member's accession into the AFJAG Corps.

#### **11.5. Assignment of Air Force Reserve Paralegals.**

11.5.1. TJAG is the approval authority for determining the assignment of all AFR paralegals. TJAG may delegate this authority to the IMA to the SEA to TJAG, who may not delegate it further. To the extent possible, E-7 and below paralegals should be assigned to the installation-level office closest to their Home of Record to optimize core training and provide needed support and to minimize travel expenses to the member and to the DAF.

11.5.2. AFR Paralegal Assignment Procedures: AFR paralegals must submit requests for change in assignment in writing, with a complete reassignment package, to TFA's recruiting workflow email address: [af.ja.arcjagrecruiting@us.af.mil](mailto:af.ja.arcjagrecruiting@us.af.mil). The submission must include a courtesy copy to the SJA and superintendent at their current unit, NAF Paralegal Manager, and IMA to MAJCOM or FLDCOM Paralegal Functional Manager. (T-1) The AFR Paralegal Career Field Manager coordinates the request with gaining and losing units (where applicable) and then recommends approval or disapproval to the IMA to the SEA to TJAG. The IMA to the SEA to TJAG coordinates the assignment recommendations with the SEA to TJAG, and then briefs the assignments to TJAG.

## 11.6. Other Assignment Considerations.

11.6.1. Military judges will be assigned to the trial judiciary or Air Force Court of Criminal Appeals for a minimum of three years, except under the following circumstances:

11.6.1.1. The military judge voluntarily requests to be reassigned to other duties, and the request is consistent with mission needs;

11.6.1.2. The military judge is selected for promotion to the next higher grade and is assigned to duties commensurate with that grade;

11.6.1.3. The military judge is reassigned to other duties based on compelling needs of the service;

11.6.1.4. TJAG revokes the military judge's certification for good cause; or

11.6.1.5. The military judge retires or separates from the Service.

11.6.2. STCs will be assigned to the Office of Special Trial Counsel for a minimum of three years, except under the following circumstances:

11.6.2.1. The STC leaves active duty,

11.6.2.2. The STC receives LSTC approval of a voluntary request for reassignment,

11.6.2.3. The STC is relieved of duty for cause.

## Chapter 12

### POSTURING AND SOURCING AFJAG CORPS MEMBERS FOR DEPLOYMENT

**12.1. Overview.** This chapter provides guidance regarding deployment of AFJAG Corps personnel to support DAF and Joint operations worldwide. It outlines the unit type codes (UTCs) available for generating and deploying DAF legal capabilities and provides guidance for assessing judge advocate and paralegal readiness.

**12.2. Management Considerations.** The Air Force Force Generation (AFFORGEN) model is the USAF's methodology for presenting organized, trained, and ready forces for deployment and employment by joint force commanders to meet defense strategy requirements. Members of the AFJAG Corps deploy both as part of the AFFORGEN construct and as individual augmentees to the Joint Force.

**12.3. Sourcing Authority.** Consistent with 10 USC § 806, 10 USC § 9037, and AFPD 51-1, TJAG, acting through AF/JAX, is the sourcing and adjudication authority for the deployment of judge advocates and paralegals. Subordinate JA Functional Area Managers represent TJAG and AF/JAX at their respective commands and execute TJAG and AF/JAX direction.

**12.4. AFJAG Corps Unit Type Codes (UTC).** Due to their inherent flexibility to fill many roles, judge advocates and paralegals are generally postured in two standard UTCs with broad mission capability (MISCAP) statements:

12.4.1. XFFJJ - Combat Support Judge Advocate. The primary Unit Type Code providing judge advocate legal services capability that enables TJAG to fulfill his specific responsibilities listed in *USAF War and Mobilization Plan-1*, Annexes P and R. Assists and advises Commander, Air Force Forces in carrying out obligations and responsibilities under international and domestic law and policy. This Unit Type Code is used to support any force module, to augment existing legal support forces, or to independently support operations. The capability should be sourced to fulfill Air Expeditionary Task Force or joint legal support requirements, including sustainment. This Unit Type Code is used for RegAF, ANG, and AFR personnel.

12.4.2. XFFJP - Combat Support Paralegal. The primary Unit Type Code providing paralegal services capability that enables TJAG to fulfill his specific responsibilities listed in *USAF War and Mobilization Plan-1, Legal Supplement*. Assists judge advocates and the Commander, Air Force Forces in carrying out their obligations and responsibilities under international and domestic law and policy. This Unit Type Code is used to support any force module, to augment existing legal support forces, or to independently support operations. The capability should be sourced to fulfill any Air & Space Expeditionary Task Force or joint legal support requirement, including sustainment. This Unit Type Code is to be used for RegAF, ANG, and AFR personnel.

12.4.3. Cross-Functional Unit Type Codes. If cross-functional Unit Type Codes include a requirement for legal support, the Unit Type Code (UTC) manager contacts the AF/JA Functional Area Manager to request an AFJAG Corps asset. The AF/JA Functional Area Manager will source a member to the UTC subject to the approval of AF/JAX, as delegated by AF/JA.

12.4.4. All AFJAG Corps activities should posture the maximum number of standard deployable UTCs possible. Guidance for posturing UTCs can be found in DAFI 10-401 and will be supplemented by AF/JAX as required.

12.4.4.1. SJAs and equivalents should routinely work with their local commander or designee to ensure all UTCs are placed in the Deliberate Crisis Action Planning and Execution Segments (DCAPES) UTC Availability library and aligned to an AFFORGEN force element and phase.

**12.5. AFJAG Corps Readiness.** SJAs and equivalents are in the best position to assess an individual's deployment readiness, using the guidance in DAFI 10-401 and the UTC Availability User's Guide. With the exceptions noted below regarding skill level and experience, staff judge advocates should exercise their judgment when deciding how to assess a judge advocate's or paralegal's readiness within the UTC Assessment application in the Deliberate Crisis Action Planning and Execution Segments (DCAPES) system. SJAs and equivalents should be engaged in assessing their staff's readiness in coordination with their home station commander, Unit Deployment Manager (UDM), or Installation Deployment Office (IDO).

12.5.1. SJAs ensure staff members are current in their Ready Airman Training (RAT) requirements. However, a training deficiency can typically be corrected within a short time when an individual is tasked to deploy. For example, staff judge advocates generally should not assess personnel as unable to meet the UTC MISCAP solely because a member is overdue for a training requirement.

12.5.2. Even if an individual may have a duty limiting condition or a medical profile that limits physical activity, the UTC assessment should be "Y, can meet the MISCAP" if the individual is medically worldwide qualified. The worldwide qualified status is controlling. If the individual has a deployment availability code that indicates they are ineligible to deploy, then the assessment should be "NP, personnel cannot meet the MISCAP."

12.5.3. While every deployment tasking is given individual consideration to match capabilities to requirements, SJAs and equivalents should follow the guidelines below when assessing whether a judge advocate or paralegal has sufficient training and experience to meet their associated UTC's MISCAP. These guidelines provide a consistent baseline of assessment across the AFJAG Corps and should be given diligent heed due to the individual nature of deployment requirements for judge advocates and paralegals.

12.5.3.1. Judge Advocate Readiness Coding Based on Experience.

12.5.3.1.1. "Y, can meet the MISCAP": A judge advocate with a year or more of judge advocate experience since completing the Judge Advocate Staff Officer Course should be considered capable of meeting the MISCAP.

12.5.3.1.2. "NP, personnel cannot meet the MISCAP": A judge advocate who has not completed the Judge Advocate Staff Officer Course should not be considered capable of meeting the MISCAP.

12.5.3.2. Paralegal Readiness Coding Based on Experience.

12.5.3.2.1. "Y, can meet the MISCAP": A paralegal with a 5-skill level or higher should be considered capable of meeting the MISCAP.

12.5.3.2.2. “NP, personnel cannot meet the MISCAP”: A paralegal with a 3-skill level should not be considered capable of meeting the MISCAP.

12.5.3.3. AFR and ANG units follow the UTC Assessment input guidance in DCAPES and above to the extent permitted by AFR and NGB policy.

12.5.4. Institutional Force. The institutional force is composed of any unit or organization not identified as a combat, combat support, or combat service support unit. The institutional force is required to manage the organize, train, and equip mission of the DAF. While not associated with postured UTCs, judge advocates and paralegals assigned to the institutional force are eligible for deployment and may be tasked to deploy with the approval of AF/JA acting through AF/JAX.

12.5.4.1. Judge advocates and paralegals within the institutional force are assigned to an AFFORGEN readiness phase, the same as AFJAG Corps personnel assigned to combat, combat support, and combat service support units.

12.5.4.2. SJAs and equivalents ensure that members assigned to their organization are equitably distributed across all four AFFORGEN readiness phases to provide sufficient deployable personnel in any given phase.

12.5.5. Joint Commands. Members of the AFJAG Corps assigned to joint commands will not be postured to deploy. These individuals may deploy to fill USAF requirements only with the consent of the joint command and the approval of AF/JA acting through AF/JAX.

12.5.6. Reserve Components. Judge advocate and paralegal members of the reserve components will be postured to deploy consistent with current AFFORGEN guidance for those components. They will only deploy upon the approval of AF/JA. **(Tier-1)** The Functional Area Manager (FAM) at Air Force Reserve Command Office of the Staff Judge Advocate (AFRC/JA), under the guidance of the AF/JA FAM, will oversee assignment of AFFORGEN readiness phase indicators and UTC readiness for AFJAG Corps IMAs. AFFORGEN indicators and UTC readiness for ANG judge advocates and paralegals will be overseen by the FAM at NGB General Counsel (NGB/GC) under the direction of the AF/JA FAM.

**12.6. Selection for Deployment.** TJAG selects members of the AFJAG Corps for deployment consistent with the parameters established in DAFI 10-401 and AFI 10-403, insofar as those instructions do not infringe upon 10 USC § 806 and 10 USC § 9037.

12.6.1. Members are selected to deploy based primarily on their ability to meet the requirements for the deployed position. To the maximum extent possible, the AFJAG Corps will source taskings for judge advocates and paralegals to deploy as part of an AFFORGEN force element from the same wing or installation tasked to provide the core of the force element. Other considerations include, but are not limited to:

12.6.1.1. Professional development needs and upcoming opportunities of the available members.

12.6.1.2. The relative personnel strength of offices that can provide the requirement needed.

12.6.1.3. The length of a member’s dwell time since last deployment.

12.6.2. Deployment of civilians follows the guidance in Department of Defense Civilian Expeditionary Workforce directives and instructions, as well as applicable DAF policy and guidance.

**12.7. Air Reserve Integration into Component Operational Readiness.** ARC judge advocates and paralegals are integral to the Total Force, performing vital support duties and deploying on critical operational taskings.

12.7.1. The TFA oversees the Home Station Support program. The TFA will notify all ARC JA personnel of any unfilled augmentation requests and will monitor and report on the status of augmentation requests to the Mobilization Assistant to TJAG and the ANG Assistant to TJAG.

12.7.2. RegAF SJAs and their Reserve coordinators must coordinate ARC support with their MAJCOM's or FLDCOM's IMA to the SJA and with the TFA. Staff judge advocates notify MAJCOM/FLDCOM IMAs to the SJA of any changes in circumstances that could affect the need for ARC support.

12.7.3. AFR and ANG staff judge advocates notify their commands of ARC support needs and coordinate with the ANG Assistant to TJAG, and the TFA to augment activated AFR and ANG units.

12.7.4. Reserve coordinators augmenting RegAF legal offices schedule support from assigned ARC judge advocates, making maximum use of inactive duty training days and annual tours. Support may also be obtained through quadrennial tours for ARC members not assigned to RegAF units. Unless otherwise funded outside of the unit for a special training tour, the requesting unit generally funds ARC support.

12.7.5. IMA Operational Readiness. Staff judge advocates of RegAF units with assigned IMAs monitor pre-deployment training for assigned IMAs identified for deployment. Local units are responsible for planning, scheduling, and funding training. SJAs complete a Statement of Understanding for tasked IMAs in accordance with TFA direction, acknowledging the responsibility to train and equip the IMA per applicable guidance and deployment reporting instructions.

**12.8. After Action Reports (AAR).** All AFJAG Corps members will submit AARs to AF/JAX within 30 days upon returning from all deployments. **(T-1)** AF/JAX is the office of primary responsibility for after-action reporting. JAO and AFJAGS will use AARs to assist with the development training on the legal aspects of contingency operations pursuant to [paragraph 1.4.4](#).

## Chapter 13

### INCENTIVE PROGRAMS

#### *Section 13A—Overview*

**13.1. Overview.** This chapter sets eligibility requirements and governs the judge advocate continuation pay program for all AFJAG Corps judge advocates. It also sets out eligibility requirements and governs the AFJAG Corps Judge Advocate Student Loan Repayment Program. All AFJAG Corps financial incentive programs are subject to the availability of funds.

#### *Section 13B—Judge Advocate Continuation Pay Program*

##### **13.2. Program Elements.**

13.2.1. Determining Eligibility. AF/JAX determines whether a judge advocate is eligible to receive Judge Advocate Continuation Pay. A judge advocate is eligible for continuation pay if he/she:

13.2.1.1. Is a RegAF officer.

13.2.1.2. Is qualified, designated, and serving as a judge advocate as per [Chapter 6, paragraph 6.2](#).

13.2.1.3. Has completed the active duty service commitment incurred upon initial entry into the AFJAG Corps.

13.2.1.4. Does not have an approved retirement or separation date (approved retirement or separation dates may be withdrawn prior to submitting an application for continuation pay).

13.2.1.5. Has not participated in the Funded Legal Education Program, either officer or enlisted.

13.2.1.6. Is within an eligibility window listed in [Table 13.1](#).

13.2.2. Judge Advocate Continuation Pay Active Duty Service Commitment.

13.2.2.1. Judge advocates with approved continuation pay contracts incur an active duty service commitment equal to the continuation pay contract length. For example, judge advocates who enter into two-year continuation pay contracts incur two-year active duty service commitments; and judge advocates entering into four-year contracts incur four-year active duty service commitments. Unless otherwise specified in DAF policy and guidance, continuation pay active duty service commitments will be served concurrently with any non-continuation pay active duty service commitments and consecutively to any existing continuation pay active duty service commitment.

13.2.2.2. Judge advocates entering into continuation pay contracts are not guaranteed continued active duty military service. The recoupment provisions in [paragraph 13.2.4](#) will apply.

13.2.3. Judge Advocate Continuation Pay Contract Payment Rates, Length, and Proration. Eligible judge advocates may receive not more than \$60,000 in continuation pay payments. Payment of applicable federal and state income taxes is the responsibility of the continuation



pay recipient. All payments made will be in lump sum amounts in accordance with **Table 13.1**.

13.2.4. **Judge Advocate Continuation Pay Recoupment.** Judge advocates who fail to complete the continuation pay active duty service commitment, whether through voluntary or involuntary separation, are subject to recoupment of a prorated portion of the cost of the continuation pay in accordance with Title 37 United States Code Section 373, *Repayment of unearned portion of bonus, incentive pay, or similar benefit, and termination of remaining payments, when conditions of payment not met*; DAFI 36-3211, *Military Separations*; and AFMAN 36-2100, unless waived by the SecAF.

**Table 13.1. Judge Advocate Continuation Pay Contract Availability.**

Status of Judge Advocate (Eligibility Window)	Contract Length Available	Lump Sum Amount Paid for Contract	If No Judge Advocate Continuation Pay Application Submitted During Eligibility Window
Has completed 4 years total active federal service and is within 30 days before or 30 days after completion of initial active duty service commitment incurred upon entry into the AFJAG Corps (see <b>Note 1</b> )	2 years	\$20,000	Eligible for \$40,000 contract at 6 years total active federal service
Is within 30 days before or 30 days after 6 years total active federal service	4 years	\$40,000	No further eligibility
Is within 30 days before or 30 days after 7 years total active federal service and has not entered into a continuation pay contract previously (see <b>Note 2</b> )	3 years	\$30,000	No further eligibility

Status of Judge Advocate (Eligibility Window)	Contract Length Available	Lump Sum Amount Paid for Contract	If No Judge Advocate Continuation Pay Application Submitted During Eligibility Window
Is within 30 days before or 30 days after 8 years total active federal service and has not entered into a continuation pay contract previously (see <b>Note 2</b> )	2 years	\$20,000	No further eligibility
<p><b>Note:</b></p> <p>1. This option applies only to judge advocates accessed into the AFJAG Corps through the Direct Appointment Program, One-Year College Program, Graduate Law Program, or Educational Delay Program or who otherwise enter the AFJAG Corps with no prior commissioned service.</p> <p>2. This option only applies to judge advocates accessed into the AFJAG Corps with prior commissioned service who enter the AFJAG Corps through inter-component, inter-service, or competitive category transfer, the Direct Appointment Program, the Excess Leave Program, recall, and any other such program (except for the Funded Legal Education Program) where the judge advocate enters the AFJAG Corps with prior commissioned service.</p>			

13.2.5. Director, Professional Development Directorate (AF/JAX). The Director, Professional Development Directorate, administers the Continuation Pay program. The Director approves or disapproves contracts and may grant exceptions, modifications, or waivers.

### 13.3. Applying for Judge Advocate Continuation Pay.

13.3.1. Judge Advocates. Review this instruction before requesting counseling from supervisors. Continuation pay is not an entitlement and is subject to TJAG approval. The burden rests on the individual judge advocate to confirm continuation pay eligibility with AF/JAX. Judge advocates who meet the requirements of [paragraph 13.2.1](#) become eligible for continuation pay in accordance with [Table 13.1](#). Once eligible, judge advocates may apply through the Continuation Pay Management System. The applicant prints the contract generated by the system, signs, and forwards a scanned copy to AF/JAX for signature by the Director, Professional Development Directorate. JAX may prescribe alternate procedures on a case-by-case basis.

#### 13.3.2. Processing Judge Advocate Continuation Pay Applications.

13.3.2.1. Judge Advocate Continuation Pay Supervisor. When a judge advocate applies for continuation pay, the Continuation Pay Management System sends the application to the applicant's continuation pay supervisor for coordination. Upon notification, the Judge

Advocate Continuation Pay supervisor will enter the Continuation Pay Management System and recommend the application be approved or disapproved.

#### 13.3.2.2. Recommending Disapproval.

13.3.2.2.1. Reasons for recommending disapproval of a judge advocate's request include, but are not limited to the following:

13.3.2.2.1.1. Potential or ongoing criminal investigation by military or civilian authorities.

13.3.2.2.1.2. Potential or ongoing involuntary separation action under DAFI 36-3211.

13.3.2.2.1.3. Misconduct, failure to meet professional responsibility obligations, or substandard duty performance rendering the officer a poor candidate for retention on active duty.

13.3.2.2.2. Select the disapproval option in the Continuation Pay Management System only after contacting AF/JAX. Prepare a memorandum explaining why the application should be disapproved (see [Attachment 7](#)), and attach any pertinent documents.

13.3.2.2.3. The applicant is counseled on the reasons for the disapproval recommendation. The continuation pay supervisor recommending that a continuation pay application be disapproved provides the applicant with a copy of the disapproval memorandum and has the applicant sign a written acknowledgment of receipt. Applicants may submit a rebuttal to the disapproval memorandum within five duty days. The continuation pay supervisor may grant reasonable extensions to the five-duty day response time period. If no rebuttal is received within five duty days, or approved extension thereof, the applicant forfeits any opportunity to respond. If the applicant provides a rebuttal to the disapproval memorandum, the continuation pay supervisor may further comment on the merits of the applicant's submission. However, if the continuation pay supervisor includes additional matters not previously provided to the applicant, the supervisor provides the applicant a copy of the new information and allows an additional 5 duty days to respond. Forward the disapproval recommendation documents and rebuttal (if any), through all intermediate levels of the judge advocate supervisory chain to the Director, AF/JAX, for final action.

13.3.2.3. Judge Advocate Supervisory Chain. After the applicant's continuation pay supervisor coordinates on the application, the Continuation Pay Management System forwards the application through the remainder of the judge advocate supervisory chain for coordination. In most instances, this includes the general court-martial convening authority staff judge advocate and the MAJCOM, FLDCOM or equivalent staff judge advocate. Each attorney in the judge advocate supervisory chain will review the forwarded application and recommend approval or disapproval. If at any point in the judge advocate supervisory chain a recommendation for disapproval is made, the provisions of [paragraph 13.3.2.2](#) shall apply with respect to the individual making the initial disapproval recommendation.

13.3.2.4. Waiver Requests. Applicants requesting exceptions, modifications, or waivers must coordinate through their supervisory chain and submit their request to AF/JAX. The Director, AF/JAX will approve or disapprove on a case-by-case basis.

13.3.2.5. AF/JAX. As the office of primary responsibility, AF/JAX will:

13.3.2.5.1. Verify that each applicant is eligible for continuation pay and that each contract is complete and accurate before final action.

13.3.2.5.2. Forward approved continuation pay contracts for payment.

13.3.2.5.3. Update active duty service commitments as required upon approval of the contract.

13.3.2.5.4. Retain completed (approved and disapproved) continuation pay contracts and all allied documents in accordance with the Air Force Records Disposition Schedule.

13.3.3. Appeals. The Director, AF/JAX, is the appellate authority for continuation pay. Appeals are not automatic. If a judge advocate seeks to appeal a disapproval decision, they must file their appeal with AF/JAX.

### ***Section 13C—Judge Advocate Student Loan Repayment Program***

#### **13.4. Eligibility.**

13.4.1. Judge advocates who meet the requirements in this instruction and who apply within their applicable eligibility windows as outlined in **Table 13.4** are eligible for student loan repayment.

13.4.2. Completed Year of Service. Each completed year of service refers to a judge advocate's first, second, and third years of AFJAG Corps service. Judge advocates become eligible for AFJAG Corps loan repayment after completing their first, second, and third year of AFJAG Corps service, beginning the day after that year's anniversary of their extended active duty date as a judge advocate for eligible direct appointees, with and without prior service, and Reserve Officer Training Corps (R.OTC) graduates; the date designated as a judge advocate for eligible Excess Leave Program (ELP) judge advocates; or effective transfer date for eligible inter-component, inter-service, and competitive category transfers.

13.4.3. Eligibility Criteria. Judge advocates are eligible if he/she meet the following requirements for each completed year of AFJAG Corps service:

13.4.3.1. Is a RegAF officer;

13.4.3.2. Is qualified, designated, and serving as a judge advocate, as per **Chapter 6, paragraph 6.2**.

13.4.3.3. Is serving in an initial AFJAG Corps active duty service commitment of at least four years;

13.4.3.4. Does not become eligible for continuation pay or other bonus during the qualifying year of service, regardless of whether that bonus is applied for or not;

13.4.3.5. Has a qualifying loan in accordance with **paragraph 13.4.6**; and

13.4.3.6. Maintains the highest levels of ethical, professional and personal conduct and legal proficiency. Acts or omissions that constitute a failure to adhere to these standards may result in disqualification from loan repayment eligibility.

13.4.4. Restrictions. Judge advocates are ineligible for loan repayment, if they:

13.4.4.1. Attended Judge Advocate Staff Office Course prior to Class 2010-A, unless they accessed as an ARC judge advocate, attended the Judge Advocate Staff Officer Course initially as an ARC judge advocate and subsequently entered active duty as a judge advocate after 1 October 2010.

13.4.4.2. Are eligible for continuation pay or other bonus during loan repayment eligibility, regardless of whether they apply for the bonus.

13.4.4.3. Entered the AFJAG Corps under the Funded Legal Education Program (FLEP). However, if a judge advocate initially attended law school under the Excess Leave Program, but completed law school under the Funded Legal Education Program, that judge advocate may be eligible for loan repayment payments for a period equal to the number of years the judge advocate attended law school under the Excess Leave Program.

13.4.4.4. Accessed as an interservice transfer and served as a judge advocate prior to the interservice transfer.

13.4.4.5. Previously separated or transferred from active duty in the AFJAG Corps.

13.4.4.6. Previously received pre-commissioning compensation under Title 10 United States Code Section 2107, *Financial assistance program for specially selected members*, or Title 10 United States Code Section 2107a, *Financial assistance program for specially selected members: Army Reserve and Army National Guard*, or received financial assistance under Title 10 United States Code Section 2173, *Education loan repayment program: commissioned officers in specified health professions*, Title 10 United States Code Section 16301, *Education loan repayment program: members of Selected Reserve*, or Title 10 United States Code Section 16302, *Education loan repayment program: health professions officers serving in Selected Reserve with wartime critical medical skill shortages*, until that service obligation is completed. Once that obligation is completed, judge advocates may be eligible for loan repayment.

13.4.4.7. Previously received financial assistance under Title 10 United States Code Section 2171, *Education loan repayment program: enlisted members on active duty in specified military specialties*.

13.4.5. Active Duty Service Commitment. Judge advocates who participate in loan repayment must be serving in their initial AFJAG Corps active duty service commitment, of at least four years, and must complete their initial active duty service commitment on active duty in the AFJAG Corps. Participation in loan repayment does not result in an additional active duty service commitment. However, judge advocates who separate prior to completing their initial four years may not be entitled to loan repayment. Judge advocates become eligible for loan repayment after completing their first, second and third years in the AFJAG Corps.

13.4.6. Eligible Loans. The following educational loans are eligible for repayment:

13.4.6.1. Any loan made, insured, or guaranteed under part B of Title IV of the Higher Education Act of 1965 (Title 20 United States Code Chapter 28, Subchapter IV, Part B, *Federal Family Education Loan Program*);

13.4.6.2. Any loan made under part D of such title (Title 20 United States Code Chapter 28, Subchapter IV, Part D, *William D. Ford Federal Direct Loan Program*);

13.4.6.3. Any loan made under part E of such title (Title 20 United States Code Chapter 28 Subchapter IV, Part E, *Federal Perkins Loans*); or

13.4.6.4. Any loan incurred for educational purposes made by a lender that is:

13.4.6.4.1. An agency or instrumentality of a State;

13.4.6.4.2. A financial or credit institution (including an insurance company) that is subject to examination and supervision by an agency of the United States or any State;

13.4.6.4.3. A pension fund approved by the Under Secretary of Defense for Personnel and Readiness for the purposes of this program; or

13.4.6.4.4. A non-profit private entity designated by a State, regulated by such State, and approved by the Under Secretary of Defense for Personnel and Readiness for the purposes of this program.

13.4.7. Existing Loans. Only loans in existence on a judge advocate's entry onto extended active duty for direct appointees and ROTC graduates; the date designated as a judge advocate for the Excess Leave Program; or the effective transfer date for eligible inter-component, inter-service, or competitive category transfers are eligible for loan repayment.

13.4.8. Consolidation. Eligible loans that are consolidated or restructured after the eligibility dates may also be eligible for loan repayment. Only the eligible judge advocate's educational loans qualify for repayment. If a judge advocate consolidated, or consolidates, his or her educational loan(s) with another person's (e.g., a spouse's) educational loan(s), only the eligible judge advocate's portion of the resulting consolidated loan qualifies for repayment. The eligible judge advocate provides documentation that clearly establishes what part of the remaining unpaid principal is attributable to the judge advocate's educational loans. If the judge advocate is not able to establish which portion of the consolidated loan is attributable to the judge advocate's eligible student loan debt, the consolidated loan will not qualify for repayment.

13.4.9. Good standing. Only educational loans that are in good standing, as defined by the lender, are eligible for loan repayment. Judge advocates may defer or forbear loan payments, as long as the loan remains in good standing with the lender.

13.4.10. Loan Obligation. Eligibility for loan repayment does not relieve judge advocates from continuing to satisfy their loan obligations.

### **13.5. Payments.**

13.5.1. Program Maximum. Eligible judge advocates may not receive more than \$65,000.00 in total loan repayment payments. Those payments are divided among three years and will not exceed \$21,666.67 for each of the first and second years of AFJAG Corps service and \$21,666.66 for the third year of AFJAG Corps service.

13.5.2. Statutory Maximum. In addition to the program maximums described in [paragraph 13.5.1](#), loan repayment payments are limited to 33 1/3 percent of a loan's outstanding unpaid principal or \$1,500.00, whichever is greater, for each completed year of service, unless the unpaid principal balance is less than \$1,500.00. In that case, a loan payment cannot exceed that loan's remaining unpaid principal balance.

13.5.3. Adjusted Unpaid Principal Balance. For AFJAG Corps Service Years 2 and 3 loan payments, the amount that is withheld in income tax from the prior AFJAG Corps service year(s) payments is part of the total loan repayment disbursement for prior year(s) and is subtracted from the verified remaining unpaid principal balance prior to calculating the AFJAG Corps Service Years 2 and 3 loan payments. See [Table 13.2](#).

13.5.4. Maximum Yearly Payment. A judge advocate's loan payment each year will be no more than the lesser of the program maximum or the statutory maximum.

13.5.5. Multiple Loans Priority. For judge advocates with multiple loans, each eligible loan is reviewed in prioritized order. Judge advocates determine each loans' priority annually. For eligible loans with loan payments less than the program maximum, those individual loan payments will be added until their sum reaches the program maximum. See [Table 13.3](#).

13.5.6. Payment Method. Loan payments are made directly to the judge advocate's educational loan lender or holder. Payments will not be made to the judge advocate.

13.5.7. Federal and State Income Tax Liability. Loan payments are subject to federal and state income taxes in the year they are made to the lender. A percentage of each loan payment will be withheld as federal income taxes, reducing the amount paid to the lender. The full amount of the payment, however, counts toward the maximum program and statutory limitations described above. [Table 13.2](#) explains the impact of federal income tax withholdings on loan payments in subsequent years. Judge advocates are responsible for complying with state requirements to report and pay taxes on loan payments. State taxes are not withheld from loan payments. The federal tax code authorizes employers to withhold federal income tax on supplemental wages using a flat withholding rate. The withholding rate is subject to change. For loan calculation examples in [Table 13.2](#), the flat withholding rate is assumed to be 22 percent.

13.5.8. Interest. After a loan payment is applied to a judge advocate's educational loan, interest on the remainder of the educational loan shall accrue as specified by the judge advocate's lender.

13.5.9. Post-9/11 GI Bill. For each year of service a judge advocate accepts loan repayment, that year of service does not count as qualifying active duty service for Post-9/11 GI Bill eligibility. Each completed year of service refers to a judge advocate's first, second, and third years of AFJAG Corps service. See DAFI 36-2670, paragraph 6.11.6.

**Table 13.2. Example of AFJAG Corps Student Loan Repayment Program Payment Calculations over 3 Years.**

<p><u>AFJAG Corps Student Loan Repayment Program Payment at the end of AFJAG Corps Service Year 1:</u> The judge advocate's lender verifies an educational loan has a remaining unpaid principal of \$90,000.00 at the conclusion of the judge advocate's first year of AFJAG</p>
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Corps service. The program maximum is \$21,666.67. The statutory maximum for this \$90,000.00 balance is \$30,000.00. Since the statutory maximum exceeds the program maximum, the judge advocate’s loan repayment benefit will be the program maximum of \$21,666.67. \$4,766.67 (22%) is withheld and the lender receives \$16,900.00.

<b>AFJAG Corps Service Year</b>	<b>Remaining Unpaid Principal</b>	<b>Program Maximum</b>	<b>Statutory Maximum</b>	<b>Federal Income Tax Withholding</b>	<b>Payment to Lender</b>
1	\$90,000.00	\$21,666.67	\$30,000.00	\$4,766.67	\$16,900.00

AFJAG Corps Student Loan Repayment Program Payment at the end of AFJAG Corps Service Year 2: This example assumes the judge advocate’s educational loan was in deferment or forbearance during the second year of AFJAG Corps service and the judge advocate did not make any payments on the educational loan. The judge advocate’s lender verifies the educational loan has a remaining unpaid principal of \$73,100.00 (AFJAG Corps Service Year 1’s verified remaining unpaid principal of \$90,000.00 less loan repayment Year 1’s lender payment of \$16,900.00). The \$4,766.67 withheld in income taxes from the AFJAG Corps Service Year 1 loan payment is part of the total loan repayment disbursement for AFJAG Corps Service Year 1 and are subtracted from the verified remaining unpaid principal prior to calculating Year 2 loan payment. Therefore, the adjusted verified remaining unpaid principal is \$68,333.33 (\$73,100.00 less \$4,766.67). The program maximum is \$21,666.67. The statutory maximum for this \$68,333.33 balance is \$22,777.78. The statutory maximum exceeds the program maximum, so the judge advocate’s loan repayment benefit will be the program maximum of \$21,666.67. \$4,766.67 (22%) is withheld and the lender receives \$16,900.00.

<b>AFJAG Corps Service Year</b>	<b>Remaining Unpaid Principal</b>	<b>Program Maximum</b>	<b>Statutory Maximum</b>	<b>Federal Income Tax Withholding</b>	<b>Payment to Lender</b>
1	\$90,000.00	\$21,666.67	\$30,000.00	\$4,766.67	\$16,900.00
2	\$73,100.00	\$21,666.67	\$22,777.78	\$4,766.67	\$16,900.00

AFJAG Corps Student Loan Repayment Program Payment at the end of AFJAG Corps Service Year 3: This example assumes the judge advocate’s educational loan was in deferment or forbearance during the third year of AFJAG Corps service and the judge advocate did not make any payments on the educational loan. The judge advocate’s lender verifies the educational loan has a remaining unpaid principal of \$56,200.00 (AFJAG Corps Service Year 2’s verified remaining unpaid principal of \$73,100.00 less AFJAG Corps Service Year 2’s lender payment of \$16,900.00). As in the loan repayment Year 2 calculations, the federal income tax withholding from loan repayment Years 1 and 2 disbursements are subtracted from the verified remaining unpaid principal prior to calculating Year 3 loan payment. Therefore, the adjusted verified remaining unpaid principal is \$46,666.66 (\$56,200.00 less the federal income tax withholding for AFJAG Corps Service Years 1 and 2 of \$9,533.34). The program maximum is \$21,666.66. The statutory maximum for this \$46,666.66 balance is \$15,555.55. Since the program maximum exceeds the statutory maximum, the judge advocate’s lender will be paid the statutory maximum, less the federal



income tax withholding. \$3,422.22 (22%) is withheld in taxes and the lender receives \$12,133.33.					
AFJAG Corps Service Year	Remaining Unpaid Principal	Program Maximum	Statutory Maximum	Federal Income Tax Withholding	Payment to Lender
1	\$90,000.00	\$21,666.67	\$30,000.00	\$4,766.67	\$16,900.00
2	\$73,100.00	\$21,666.67	\$22,777.78	\$4,766.67	\$16,900.00
3	\$56,200.00	\$21,666.66	\$15,555.55	\$3,422.22	\$12,133.33
<p><b>Summary:</b> The judge advocate’s student loan in this example started at a remaining unpaid principal of \$90,000.00. The judge advocate was eligible for loan payments totaling \$58,888.89. The lender received \$45,933.33 and \$12,955.56 was withheld for federal income tax.</p>					

**Table 13.3. Example of AFJAG Corps Student Loan Repayment Program Year 1 Payment Calculations with Multiple Loans.**

Year 1 AFJAG Corps Student Loan Repayment Program Payment with Multiple Loans: The judge advocate’s lenders verify five eligible educational loans with remaining unpaid principals of \$2,000.00, \$6,000.00, \$12,000.00, \$500.00 and \$60,000.00, respectively, at the end of the judge advocate’s first year of AFJAG Corps service. The judge advocate decides to prioritize his or her loans for repayment in that same order listed. Each loan payment is then calculated in order until the statutory or program maximum is met, whichever is sooner. The first loan payment is calculated for Loan 1. loan payment is \$1,500.00 since \$1,500.00 is greater than \$666.67, or 33 1/3 percent of \$2,000.00. The lender receives \$1,170.00 and \$330.00 is withheld for taxes, assuming a 22% tax rate. Since the statutory maximum is \$1,500.00 for Loan 1 and less than the program maximum of \$21,666.67, Loan 2 may be considered. The Loan 2 loan payment will be 33 1/3 percent of \$6,000.00 or \$2,000.00, with \$1,560.00 paid to lender and \$440.00 withheld for taxes. Since the sum of the two loan payments is now \$3,500.00 (\$1,500.00 plus \$2,000.00) and still below the program maximum of \$21,666.67, Loan 3 may be considered. The Loan 3 loan payment will be 33 1/3 percent of \$12,000.00 or \$4,000.00, with \$3,120.00 paid to the lender and \$880.00 withheld for taxes. Since the sum statutory maximum for Loans 1, 2 and 3 is \$7,500.00 (\$1,500.00 plus \$2,000.00 plus \$4,000.00) and still below the program maximum of \$21,666.67, Loan 4 may be considered. The Loan 4 loan payment will be \$500.00 since the unpaid principal balance is less than \$1,500.00, with \$390.00 going to the lender and \$110.00 withheld for taxes. Since the sum statutory maximum for Loans 1-4 is \$8,000.00 (\$1,500.00 plus \$2,000.00 plus \$4,000.00 plus \$500.00) and still below the program maximum of \$21,666.67, Loan 5 may be considered. For Loan 5, 33 1/3 percent of \$60,000.00 is \$20,000.00. But since the sum of the statutory maximum for Loans 1-5 is \$28,000.00 and exceeds the sum program maximum of \$21,666.67, the judge advocate’s loan payment for Loan 5 will be \$13,666.67 (\$21,666.67 less Loans 1-4 payments of \$8,000.00 (\$4,000.00 plus \$2,000.00 plus \$1,500.00 plus \$500.00)). Of that amount, \$10,660.00 is paid to the lender and \$3,006.67 is withheld.

Loan Priority	Remaining Unpaid Principal	Program Maximum	Statutory Maximum	Federal Income Tax Withholding	Payment to Lender
1	\$2,000.00	\$1,500.00	\$1,500.00	\$330.00	\$1,170.00
2	\$6,000.00	\$2,000.00	\$2,000.00	\$440.00	\$1,560.00
3	\$12,000.00	\$4,000.00	\$4,000.00	\$880.00	\$3,120.00
4	\$500.00	\$500.00	\$500.00	\$110.00	\$390.00
5	\$60,000.00	\$13,666.67	\$20,000.00	\$3,006.67	\$10,660.00

**Summary:** The judge advocate prioritized his or her five eligible student loans in this example and was paid \$21,666.67 for Year 1. The lender received \$16,900.00 and \$4,766.67 was withheld for federal. The judge advocate received the maximum statutory loan payments for Loans 1, 2, 3 and 4 but Loan 5’s payment was capped by the program maximum.

**13.6. Application Process.** Judge advocates who meet the eligibility requirements in [paragraph 13.4](#) should review [Table 13.4](#) to determine their eligibility window.

13.6.1. Judge advocates, who fail to submit an application for payment each year during their eligibility window will be ineligible for that completed year of service’s loan payment, as well as any future loan payments. Additionally, judge advocates denied payment by the AFJAG Corps will be ineligible to participate in Student Loan Repayment Program (SLRP)\_that year as well as subsequent years.

13.6.1.1. Judge advocates who failed to submit an application for payment or that were denied payment by the AFJAG Corps can request an exception to this policy and request to participate in SLRP during the following year(s), unless the failure to submit the application or the denial of payment occurs in Year 3 of the SLRP program (the last year of eligibility).

13.6.1.2. An exception to policy request will be addressed to the AF/JAX Director; shall be submitted in writing 45 days prior to the following year’s eligibility window; and shall include the concurrence of all levels of the judge advocate’s functional chain of command.

13.6.2. Declination will result in ineligibility for the completed year of service, as well as any future loan payments.

13.6.3. Judge advocates apply during their loan repayment eligibility window prior to receiving payments for the first year, as well as re-apply during their application window for the second and third years of completed service.

**Table 13.4. Annual Application Eligibility Windows.**

<b>A judge advocate applies for AFJAG Corps Student Loan Repayment Program</b>	<b>Maximum AFJAG Corps Student Loan Repayment Program payment for each qualifying completed year of service</b>
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Beginning the day after the <b>first</b> year anniversary of the judge advocate's entry onto extended active duty for eligible direct appointees and ROTC graduates; the date designated as a judge advocate for eligible Excess Leave Program participants; or the effective transfer date for eligible inter-component, inter-service, and competitive category transfers, and <u>extending for 90 calendar days</u> thereafter	\$21,666.67
Beginning the day after the <b>second</b> year anniversary of the judge advocate's entry onto extended active duty for eligible direct appointees and ROTC graduates; the date designated as a judge advocate for eligible Excess Leave Program participants; or the effective transfer date for eligible inter-component, inter-service, and competitive category transfers, and <u>extending for 90 calendar days</u> thereafter	\$21,666.67
Beginning the day after the <b>third</b> year anniversary of the judge advocate's entry onto extended active duty for eligible direct appointees and ROTC graduates; the date designated as a judge advocate for eligible Excess Leave Program participants; or the effective transfer date for eligible intraservice and interservice transfers, and <u>extending for 90 calendar days</u> thereafter	\$21,666.66

**13.7. Application.** Judge advocates apply for loan repayment through the AFJAG Corps Loan Repayment System located on FLITE. Each yearly application or re-application includes:

13.7.1. Proof of AFJAG Corps professional responsibility in the form of a certificate of professional responsibility for that year or a history of professional responsibility that includes that eligibility year;

13.7.2. Promissory note or other equivalent document for each loan; and

13.7.3. Signed and completed DD Form 2475, *DoD Educational Loan Repayment Program (LRP) Annual Application*, or lender verification memorandum for each loan. See [Attachment 8](#).

**13.8. Routing.** Loan repayment applications submitted in the AFJAG Corps Student Loan Repayment Program System are forwarded directly to AF/JAX through FLITE. AF/JAX reviews verification memoranda and/or DD Form 2475s after they have been uploaded into AFJAG Corps Student Loan Repayment Program on FLITE and verifies that applications are complete and that eligibility is met. Incomplete applications will be returned, through the loan repayment system, to judge advocates with a notice to provide the missing data.

**13.9. Approval.** Upon approval of their application, judge advocates will receive a loan repayment system notification of the approval. The judge advocates' notifications will include a link to the decision reports, which will detail payment information.

**13.10. Appeals.** The Director, AF/JAX, is the appellate authority for loan repayment eligibility and payments.

13.10.1. Each judge advocate will have an opportunity to appeal the total loan payment and/or individual lender disbursements through the AFJAG Corps Student Loan Repayment Program System on FLITE. If the judge advocate does not appeal, the judge advocate indicates this decision in the loan repayment system, as all further processing of loan payments is suspended until the judge advocate elects whether or not to appeal.

13.10.2. If AF/JAX determines that a judge advocate is ineligible for a loan payment, AF/JAX will deny the application. Upon denial, the loan system will automatically notify judge advocates of the denial and provide them an opportunity to appeal the denial through the loan system.

**13.11. Lender Verification.** During their eligibility window each year, judge advocates obtain from their lenders verification of their educational loan's unpaid principal balance. Refer to [Table 13.4](#) for eligibility windows. Judge advocates submit either a signed and completed DD Form 2475 or a signed and completed lender verification memorandum ([Attachment 8](#)) for each loan. A separate form or memorandum is required for each loan and each loan holder or lender, and is submitted when applying. If submitting a DD Form 2475, judge advocates complete Sections 2 and 3 of the form. They also check "Active Duty LRP" for the Loan Program and list their own mailing address and fax number in Section 1, a., to ensure that the form is returned to them directly and in time to qualify for payment. The applicant's staff judge advocate, deputy staff judge advocate, functional supervisor or AF/JAX signs Section 1, b. The lending institution completes Section 4.

CHARLES L. PLUMMER  
Lieutenant General, USAF  
The Judge Advocate General

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

10 USC § 701, *Entitlement and accumulation*

10 USC § 806, Art. 6. *Judge advocates and legal officers*

10 USC § 824a, *Special Trial Counsel*

10 USC § 826, *Military judge of a general or special court-martial*

10 USC § 827, *Detail of trial counsel and defense counsel*

10 USC § 842, *Oaths*

10 USC § 866, *Courts of Criminal Appeals*

10 USC § 1044, *Legal Assistance*

10 USC § 1044e, *Special Victims' Counsel for victims of sex-related offenses*

10 USC § 10508, *National Guard Bureau: general provisions*

10 USC § 2004, *Detail as students at law schools; commissioned officers; certain enlisted members*

10 USC § 2107, *Financial assistance program for specially selected members*

10 USC § 2107a, *Financial assistance program for specially selected members: Army Reserve and Army National Guard*

10 USC § 2171, *Education loan repayment program: enlisted members on active duty in specified military specialties*

10 USC § 2173, *Education loan repayment program: commissioned officers in specified health professions*

10 USC § 2603, *Acceptance of fellowships, scholarships, and grants*

10 USC § 9032, *The Air Staff: general duties*

10 USC § 9037, *Judge Advocate General, Deputy Judge Advocate General: appointment; duties*

10 USC § 9063, *Designation: officers to perform certain professional functions*

10 USC § 16301, *Education loan repayment program: members of Selected Reserve*

10 USC § 16302, *Education loan repayment program: health professions officers serving in Selected Reserve with wartime critical medical skill shortages*

20 USC Chapter 28, Subchapter IV, Part B, *Federal Family Education Loan Program*

20 USC Chapter 28, Subchapter IV, Part D, *William D. Ford Federal Direct Loan Program*

20 USC Chapter 28 Subchapter IV, Part E, *Federal Perkins Loans*

Title 37 United States Code Section 373, *Repayment of unearned portion of bonus, incentive pay, or similar benefit, and termination of remaining payments, when conditions of payment not met*

5 CFR Part 302, *Employment in the Excepted Service*

DoDI 1322.06, *Fellowships, Legislative Fellowships, Internships, Scholarships, Training-With-Industry (TWI), and Grants Provided to DoD or DoD Personnel for Education and Training*, 12 October 2016

DoDI 1400.25, *DoD Civilian Personnel Management System*, Subchapter 315, *Employment of Spouses of Active Duty Military*, 19 March 2012

AFPD 36-27, *Equal Opportunity (EO)*, 9 April 2012

AFPD 36-70, *Diversity & Inclusion*, 16 October 2018

AFPD 51-1, *The Air Force Judge Advocate General's Corps*, 14 November 2018

AFI 1-1, *Air Force Standards*, 7 August 2012

AFI 10-201, *Force Readiness Reporting*, 22 December 2020

DAFI 10-401, *Operations Planning and Execution*, 13 January 2021

AFI 10-403, *Deployment Planning and Execution*, 17 April 2020

AFI 10-404, *Base Support and Expeditionary (BAS&E) Site Planning*, 24 July 2019

AFI 33-322, *Records Management and Information Governance Program*, 23 March 2020

DAFI 36-148, *Discipline and Adverse Actions of Civilian Employees*, 27 September 2022

DAFI 36-2110, *Total Force Assignments*, 2 August 2021

DAFI 36-2670, *Total Force Development*, 25 June 2020

AFI 36-2619, *Active Duty Operational Support (ADOS) – Active Component (AC) Man-Day Program*, 25 November 2019

DAFI 36-2903, *Dress and Personal Appearance of United States Air Force and United States Space Force Personnel*, 07 February 2020

DAFI 36-3003, *Military Leave Program*, 24 August 2020

DAFI 36-3211, *Military Separations*, 24 June 2022

AFI 36-7001, *Diversity & Inclusion*, 19 February 2019

AFI 38-101, *Manpower and Organization*, 29 August 2019

AFI 51-110, *Professional Responsibility Program*, 11 December 2018

DAFI 51-201, *Administration of Military Justice*, 18 January 2019

AFMAN 11-402, *Aviation and Parachutist Service*, 24 January 2019

DAFMAN 36-2032, *Military Recruiting and Accessions*, 27 September 2019

AFMAN 36-2100, *Military Utilization and Classification*, 7 April 2021

DAFMAN 36-2905, *Air Force Physical Fitness Program*, 11 December 2020

DAFMAN 48-123, *Medical Examinations and Standards*, 8 December 2020

DAFMAN 90-161, *Publishing Processes and Procedures*, 15 April 2022

AFRCI 36-2603, *Air Force Reserve Seasoning Training Program (STP)*, 28 January 2021

ANGI 36-2001, *Management of Training and Operational Support Within the Air National Guard*, 30 April 2019

AFITI 36-105, *Civilian Institution Programs*, 26 January 2021

*Air Force Enlisted Classification Directory*

### ***Prescribed Forms***

AF Form 1105, Certificate of Designation

AF Form 1106, Certificate of Competency

### ***Adopted Forms***

AF Form 77, Letter of Evaluation

AF Form 1003, *Core Personnel Document*

AF Form 1378, *Civilian Personnel Position Description*

DAF Form 847, Recommendation for Change of Publication

DD Form 214, Certificate of Release or Discharge from Active Duty

DD Form 2475, *DoD Educational Loan Repayment Program (LRP) Annual Application*

Standard Form 50, *Notification of Personnel Action*

Standard Form 52, *Request for Personnel Action*

### ***Abbreviations and Acronyms***

**AAR**—After Action Report

**ABA**—American Bar Association

**ACC**—Air Combat Command

**Acq Demo**—DoD Civilian Acquisition Workforce Personnel Demonstration Project

**ADC**—Area Defense Counsel

**ADOS**—Active Duty Operational Support

**AETC**—Air Education and Training Command

**AF**—Air Force

**AFDTL**—Air Force Drug Testing Laboratory

**AFFORGEN**—Air Force Force Generation

**AFI**—Air Force Instruction

**AFIT**—Air Force Institute of Technology

**AFJAG**—Air Force Judge Advocate General  
**AFJAGS**—Air Force Judge Advocate General’s School  
**AFPC**—Air Force Personnel Center  
**AFPD**—Air Force Policy Directive  
**AFR**—Air Force Reserve  
**AFRC**—Air Force Reserve Command  
**AFROTC**—Air Force Reserve Officer Training Corps  
**AFSC**—Air Force Specialty Code  
**AJEI**—Appellate Judge’s Education Institute  
**ANG**—Air National Guard  
**ARC**—Air Reserve Component  
**ARPC**—Air Reserve Personnel Center  
**ASALC**—Advanced Sexual Assault Litigation Course  
**ASVAB**—Armed Services Vocational Aptitude Battery  
**ATAC**—Advanced Trial Advocacy Course  
**BAS&E**—Base Support and Expeditionary  
**CFM**—Career Field Manager  
**CMJ**—Chief, Military Justice  
**CONPLAN**—Concept Plan  
**DAFI**—Department of the Air Force Instruction  
**DJAG**—Deputy Judge Advocate General  
**DOC**—Defense Operations Course  
**DOD**—Department of Defense  
**DODI**—Department of Defense Instruction  
**DRU**—Direct Reporting Unit  
**ELP**—Excess Leave Program  
**FLEP**—Funded Legal Education Program  
**FLETC**—Federal Law Enforcement Training Center  
**FLDCOM**—Field Command  
**FLITE**—Federal Legal Information Through Electronics  
**FOA**—Field Operating Agency  
**GS**—General Schedule



**HQ**—Headquarters

**JASOC**—Judge Advocate Staff Officer Course

**J.D.**—Juris Doctor

**JMJAT**—Joint Military Judges’ Annual Training

**KM**—Knowledge Management

**IMA**—Individual Mobilization Augmentee

**LL.M.**—Master of Laws

**LSTC**—Lead Special Trial Counsel

**MAJCOM**—Major Command

**MJ Course**—Military Judge’s Course

**MJAC**—Military Justice Administration Course

**NAF**—Numbered Air Force

**NCO**—Noncommissioned Officer

**NCOIC**—Noncommissioned Officer in Charge

**NGB**—National Guard Bureau

**NIPRNET**—Nonsecure Internet Protocol Router Network

**OPLAN**—Operation Plan

**OPR**—Office of Primary Responsibility

**OSTC**—Office of Special Trial Counsel

**PA**—Privacy Act

**RegAF**—Regular Air Force

**RIP**—Report on Individual Person

**ROSTER**—Air Force Judge Advocate General’s Corps Personnel Roster

**ROTC**—Reserve Officer Training Corps

**SDCQC**—Senior Defense Counsel Qualification Course

**SEA**—Senior Enlisted Advisor

**SIPRNET**—Secret Internet Protocol Router Network

**SJA**—Staff Judge Advocate

**SJAC**—Staff Judge Advocate’s Course

**SLRP**—Student Loan Repayment Program

**SNCO**—Senior Non-Commissioned Officer

**STC**—Special Trial Counsel

**STCQC**—Special Trial Counsel Qualification Course  
**TDAC**—Trial and Defense Advocacy Course  
**TFA**—Total Force Advisor  
**TJAG**—The Judge Advocate General  
**TRIALS**—Training by Reservists in Advocacy and Litigation Skills  
**UCMJ**—Uniform Code of Military Justice  
**US**—United States  
**USAF**—United States Air Force  
**USAFA**—United States Air Force Academy  
**USAFR**—United States Air Force Reserve  
**USC**—United States Code  
**USSF**—United States Space Force  
**UTC**—Unit Type Code  
**VCC**—Victims’ Counsel Course  
**VCITP**—Violent Crimes Investigation Training Program  
**VWAP**—Victim & Witness Assistance Program  
**WebPDI**—Web Professional Development Information

*Office Symbols*

**AETC/SG**—Air Education & Training Command Surgeon General  
**AF/JA**—The Office of The Judge Advocate General  
**AF/JAC**—Civil Law and Litigation Directorate  
**AF/JAH**—Air Force Court of Criminal Appeals  
**AF/JAJ**—Military Justice and Discipline Directorate  
**AF/JAJI**—Investigations, Inquiries & Relief Division  
**AF/JAJM**—Military Justice Law & Policy Division  
**AF/JAJS**—Victims’ Counsel Division  
**AF/JAO**—Operations and International Law Directorate  
**AF/JAS**—Legal Information Services Directorate, Office of The Judge Advocate General  
**AF/JAT**—Air Force Trial Judiciary  
**AF/JAX**—Professional Development Directorate, Office of The Judge Advocate General  
**AF/JAZ**—Strategic Plans and Programs Directorate, Office of The Judge Advocate General  
**AFRC/JA**—Air Force Reserve Command, Office of the Staff Judge Advocate

**AFRS/AMWD**—Air Force Recruiting Services, Accessions Medical Waiver Division

**HQ OSI**—Headquarters, Office of Special Investigations

**NGB/GC**—National Guard Bureau General Counsel

**SAF/GC**—The General Counsel of the Department of the Air Force

**SAF/GCA**—Deputy General Counsel for Fiscal, Ethics, and Administrative Law

**USAFA/DFL**—Headquarters, United States Air Force Academy Department of Law

### *Terms*

**Active (or equivalent)**—Bar membership status requirement for DAF employment. Active (or equivalent) status indicates an attorney holds a license that authorizes the attorney to engage in the immediate, active practice of law in the jurisdiction of the licensing authority. State licensure types such as “inactive,” “retired,” “non-practicing,” “emeritus,” or “ineligible,” which do not permit the immediate, active practice of law, will not satisfy this requirement, even if the member is in “good standing.” Members may hold an active (or equivalent) license and claim exemptions from dues or Continuing Legal Education (e.g., for federal practice or out-of-state attorneys); but an exemption that precludes the immediate, active practice of law will not satisfy this licensing requirement. For example, a “non-practicing Continuing Legal Education exemption” that effectively requires an attorney to affirm he or she is not engaged in the practice of law will not satisfy the active (or equivalent) requirement. A license that precludes representing individuals or institutions in a private capacity, but otherwise permits the immediate, active practice of law in the jurisdiction, meets the requirement for DAF practice.

**Active Duty Service Commitment**—A commitment to serve on active duty to a predetermined period of time.

**Appellate Authority**—The authority responsible for determining whether or not to grant an appeal for continuation pay or student loan repayments.

**Base Support and Expeditionary (BAS&E) Site Planning Tool**—A NIPRNET/SIPRNET-based suite of standard systems tools that enables automated, employment-driven, agile combat support planning. BaSE Site Planning Tool supports the expeditionary site planning process by accurately and rapidly identifying resources and combat support requirements at potential employment locations, providing bed-down capability analysis and limiting factor identification, and facilitating force tailoring decisions to reduce the overall deployment footprint. BaSE Site Planning consists of three components that are mandated for use when they are available at all levels of command.

**Continuation Pay Management System**—The web-based program that notifies judge advocates of their continuation pay eligibility, allows judge advocates to apply for continuation pay, and forwards the application through the judge advocate supervisory chain for coordination.

**Continuity of Operations (COOP)**—An internal effort within individual components of the Executive, Legislative, and Judicial Branches of Government assuring the capability exists to continue uninterrupted essential component functions across a wide range of potential emergencies, including local or regional natural disasters, health-related emergencies, accidents, and technological and/or attack-related emergencies. COOP involves plans and capabilities covering the same functional objectives of Continuity of Government, must be maintained at a

high level of readiness, and be capable of implementation both with and without warning. COOP is not only an integral part of Continuity of Government and Enduring Constitutional Government (ECG), but is simply "good business practice" -- part of the Department of Defense's fundamental mission as a responsible and reliable public institution.

**Completed year of service**—A full year of service a judge advocate serves in the AFJAG Corps.

**Demand Force Team**—Teams composed of unique combat support / combat service support and/or low density proven force capabilities.

**Expeditionary Site Plans**—ESPs are chiefly associated with locations without a permanent DAF presence and may contain only the minimum data necessary to make initial bed-down decisions. ESPs may be developed in short time frames to meet contingency needs without full staffing or coordination. It is the installation level or site plan to support unified and specified command wartime operations plans, as well as MAJCOM/FLDCOM supporting plans. It cuts across all functional support areas in a consolidated view of installation missions, requirements, capabilities, and limitations to plan for actions and resources supporting war or contingency operations, including deployment, post-deployment, and employment activities (as appropriate).

**Individual Mobilization Augmentee**—An individual filling a military billet identified as augmenting the active component structure with individual members of the Selected Reserve.

**Installation Deployment Officer**—The host unit officer who maintains base deployment guidance and directs and coordinates base deployments under the direction of the installation commander.

**Judge Advocate Continuation Pay Approval Authority**—The Director, Professional Development Directorate, is the final approval authority for continuation pay.

**Judge Advocate Continuation Pay Contract**—An eligible judge advocate's written agreement, signed by the judge advocate, and accepted by the Director, Professional Development Directorate, on behalf of the DAF in accordance with the terms of this DAFI, to remain on active duty for a specified period of time in exchange for a certain amount of continuation pay.

**Judge Advocate Continuation Pay Eligibility Window**—The period in which an eligible officer or judge advocate may apply for accession programs, continuation pay, or student loan repayment.

**Judge Advocate Continuation Pay Supervisor**—The attorney who counsels continuation pay applicants and makes the initial recommendation for approval or disapproval of a judge advocate's continuation pay application.

**Judge Advocate SLRP Eligible Judge Advocates**—An eligible judge advocate must be an active duty Air Force officer; be qualified, designated, and serving as a judge advocate, as defined in Title 10 United States Code Section 801, *Art. 1. Definitions*, and 10 USC § 9063; be serving in an initial AFJAG Corps Active Duty Service Commitment of at least four years; does not become eligible for continuation pay or other bonus during the qualifying year of service, regardless of whether the bonus is applied for or not; have an eligible loan; and maintains the highest levels of ethical, professional and personal conduct and legal proficiency.

**Operations Law**—The domestic, foreign, and international law associated with the planning and execution of military operations in peacetime or hostilities. It includes, but is not limited to, the Law of War, the law relating to security assistance, training, mobilization, pre-deployment preparation, deployment, overseas procurement, the conduct of military combat operations,

counter-terrorist activities, status of forces agreements, operations against hostile forces, and rule of law operations. Operations law is the application of law to a specific mission of the supported DAF unit.

**Program Maximum**—Eligible judge advocates may not receive more than \$65,000 in student loan repayments. Those payments will not exceed \$21,666.67 for each of the first and second years of AFJAG Corps service and \$21,666.66 for the third year of AFJAG Corps service.

**ROSTER**—Roster is an AFJAG Corps system that contains legal office contact information, personnel biographies, official photos and other information.

**Statutory Maximum**—10 USC § 2171(b) limits loan payments to 33 1/3 percent of a loan or \$1,500.00, whichever is greater, for each completed year of service. If the unpaid principal balance is less than \$1,500.00, the payment will be the unpaid principal balance. In that case, a loan payment cannot exceed that loan's remaining unpaid principal balance.

**Title 32 Status**—Refers to the status of ANG personnel performing military service authorized by and pursuant to Title 32 of the United States Code. It can also refer to work performed by dual status military technician attorneys and paralegals in a Title 32 civilian status.

**Unit Deployment Manager (UDM)**—The Unit Deployment Manager is a member assigned to a unit that manages all deployment readiness and training aspects for all deployable personnel and equipment within their unit to ensure they are deployment ready. In addition, Unit Deployment Managers support redeployed personnel in the Redeployment Support Process with commanders of their units.

**Unit Type Code (UTC)**—A five-character, alphanumeric designator uniquely identifying each type unit in the Armed Forces.

## Attachment 2

## SPECIFIC OBJECTIVES OF THE INTERNSHIP/EXTERNSHIP PROGRAM

Table A2.1. Specific Objectives of the Internship/Externship Programs.

<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 DAF policy directives, instructions, manuals and pamphlets, including the 51 series DAIs, and applicable portions of the 31, 34, 35, 36, 37, 65, 71, and 90 series DAIs
	The Judge Advocate General Policy
	The Judge Advocate General's Corps Federal Legal Information Through Electronics
Develop oral communications skills	Giving legal briefings, lectures and seminars
	Discussions with commanders and first sergeants
	Communicating with legal assistance clients
	Communicating with clients when assigned to the ADC or Victims' Counsel 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 Department of the Air Force mission	Legal advisor to the commander
	Completing staff work
	Attending various staff meetings
	Coordinating with other staff agencies (e.g., Office of Special Investigations (OSI), 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 AFOSI and Security Forces
	Interaction with the US Attorney and local prosecutors
	Rules for Courts-Martial; Military Rules of Evidence; DAFI 51-201; DAFI 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, Preliminary Hearing
	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, Automated Military Justice Analysis and Management System
	Victim/witness assistance
Familiarize interns with non-judicial punishment (Article 15, UCMJ) and adverse action procedures	Oral and written counseling
	Letters of admonishment and reprimand
	Control roster actions
	Unfavorable Information Files (UIF)
	Rehabilitation agencies
Familiarize interns with voluntary and involuntary separation actions	Advising the commander
	AFI 36-3211; personality disorders, misconduct, drug abuse, civil conviction, erroneous or 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 investigations, inquiries, and relief actions	Article 138, UCMJ complaints
	Inspector General and commander-directed investigations
	Promotion propriety actions
<b>PHASE III: CIVIL LAW</b>	
<b>Purpose:</b>	<b>Should Include:</b>
Familiarize interns with recurrent civil law issues	The Freedom of Information Act
	The Privacy Act of 1974
	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
	Congressional inquiries
	Discrimination complaints
	Gifts




	Standards of conduct
	Defense-related employment
	Conscientious objectors
	Political activities
<b>PHASE IV: OPERATIONAL LAW</b>	
<b>Purpose:</b>	<b>Should Include:</b>
Familiarize interns with recurrent installation-level operational law issues.	Legal sufficiency of G-series orders and command structures
	Emergency management and response
	Environmental law issues
	Defense Support of Civilian Authorities and Posse Comitatus
	Home station ops support (e.g., range access, encroachment, noise abatement)
<b>PHASE V: PREVENTIVE LAW</b>	
<b>Purpose:</b>	<b>Should Include:</b>
Familiarize interns with procedures for educating and informing Department of the 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 VI: CIVIL LAW - 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: CIVIL LAW - 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 recurrent legal assistance issues and their related laws/resources	Wills and powers of attorney
	Domestic relations (divorce & child custody/support)
	Consumer protection
	Automobile purchase/lease
	Servicemember's Civil Relief Act
	Landlord & tenant issues
	Naturalization
	Special Education
<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 Area Defense Counsel
	Interaction with the base legal office
	Interaction with commanders
	Interaction with criminal investigators
	Representing defense clients
	Court-martial cases
	Nonjudicial Punishment/Article 15 cases
Discharge cases	
<b>PHASE VIII: VICTIMS' COUNSEL PROGRAM</b>	
<b>Purpose:</b>	<b>Should Include:</b>
Familiarize interns with the functions and duties of the victims' counsel.	Art 6b, UCMJ, rights
	Victim rights during the military justice process
	Victim-specific evidentiary privileges
	Representing victims
	Court-martial cases
	Specialized legal assistance
	Collateral misconduct

Attachment 3

APPLICATION FOR INTRASERVICE TRANSFER

Figure A3.1. Application for Intraservice Transfer.



DEPARTMENT OF THE AIR FORCE  
ORGANIZATION  
LOCATION (AIR FORCE BASE, STATE)

Date

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

FROM: Rank, Name  
Organization  
Address

SUBJECT: Application for Intraservice Transfer

Reference: DAFI 51-101, *The Air Force Judge Advocate General's Corps (AFJAGC) Operations, Accessions, And Professional Development*, [current publication date]

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 will be disqualified from future aviation service. 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 an officer in the RegAE.
- 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.]

Typed Name, Grade, USAF  
Duty Title

Attachment(s): [as needed]

1. Request for Voluntary Permanent Disqualification for Aviation Service
2. XXXX

PRIVACY ACT STATEMENT: Application for Intra-Service Transfer (DAFI 51-101)  
AUTHORITY: 10 USC § 9037 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 the requested information will result in non-consideration of the application.

## Attachment 4

### CIVILIAN ATTORNEY QUALIFICATIONS

**A4.1. General.** The following qualifications are required of all DAF civilian attorneys.

A4.1.1. To be eligible for consideration for appointment as an attorney, an applicant must be a graduate of a law school accredited by the ABA. **Note:** Applicants seeking to use foreign education to meet qualification standards must meet Office of Personnel Management foreign equivalency requirements.

A4.1.2. Additionally, to be eligible for consideration for appointment, a candidate must be an active (or equivalent) member, in good standing, of the bar of the highest court of a state, US commonwealth, US territory, or the District of Columbia. **(T-0)**

A4.1.2.1. Law school graduates may apply for and be appointed to positions as law clerks without having been admitted to a bar. Any individual appointed under this authority may serve for no more than 14 months before being admitted to a bar, or otherwise be separated from Federal civil service with the Air Force.

A4.1.2.2. The hiring of a law clerk admitted to a bar as an attorney requires a new hire action and approval by the qualifying authority.

A4.1.3. Appointments will be made on the basis of merit and in accordance with veterans' preference principles (see **Attachment 5**) and applicable Office of Personnel Management rules and regulations. Subject to this requirement, when more than one applicant for a particular civilian attorney position meets the minimum requirements for appointment, the applicant who is best qualified on the basis of relevant experience, education, and achievement in the legal field shall be selected. Other factors involving effectiveness to perform the functions of the position may also be considered.

A4.1.4. For selectees entering the Air Force from outside the civil service, the duties to be performed are the critical factor in determining the grade or pay entrance level. The possession of a degree or high academic standing alone is not a sufficient basis for placement in a higher GS grade and step level.

**A4.2. Grade-by-Grade Guidelines.** The following grade-level guidelines shall be applicable to initial appointments and promotions to civilian attorney positions in the indicated grade or equivalent:

A4.2.1. GS-9.

A4.2.1.1. Duties Performed at GS-9 Level. Assignments are considered developmental and involve legal or factual questions that require relatively easy research on clear-cut issues with adequate precedents. Other legal questions at the GS-9 level are difficult because of the complexity of the facts or the different possible constructions that may be placed on either the facts or the laws involved. Cases are strongly contested in formal hearings or informal negotiations by the individuals, corporations, or agencies involved. In cases of this scope, GS-9 entrance-level attorneys search case reports, legal documents, periodicals, and textbooks, and prepare drafts of letters, memorandums, and legal documents for use by higher-level attorneys. They assist attorneys in charge of court cases

or administrative proceedings by interviewing and selecting witnesses, preparing them to give testimony, and suggesting questions to be asked in cross-examination.

A4.2.1.2. Level of Supervision. Attorneys who enter at the GS-9 level work under very close supervision. They receive specific preliminary instructions, their authority is very limited, and their completed written work is carefully and closely reviewed.

A4.2.1.3. Qualifications. General requirements set forth under **paragraph A4.1**. No additional work experience as a licensed attorney is required.

#### A4.2.2. GS-11.

A4.2.2.1. Duties Performed at GS-11. Assignments, while still developmental, involve complex and difficult legal questions, requiring extensive research, analysis, and evaluation of information in controversial areas. Cases have an important impact on major public and private interests, such as cases concerning a major extension or revision in a grant program or a substantial question on civil rights. Cases are vigorously contested by capable legal talent, as in contract dispute cases. In cases of this scope, GS-11 attorneys prepare drafts of pleadings and motions in connection with cases in litigation. They conduct investigations to obtain facts, study legal precedents, and prepare recommendations. They assist attorneys in charge of court cases by cross-examining witnesses and by drafting findings of fact, conclusions of law, and orders based upon the record.

A4.2.2.2. Level of Supervision. Attorneys who enter at the GS-11 level work under close supervision. They receive specific preliminary instructions, their commitment authority is limited, and their completed written work is carefully reviewed.

A4.2.2.3. Qualifications Required at GS-11 Level. General requirements set forth under **paragraph A4.1**. In addition, one of the following requirements must be satisfied:

A4.2.2.3.1. One year of professional legal experience; or

A4.2.2.3.2. The second professional law degree (Master of Laws [LL.M.]), provided it required at least one full academic year of graduate study; or

A4.2.2.3.3. Superior law student work or activities, as demonstrated by one of the following:

A4.2.2.3.3.1. Academic standing in the upper third of the attorney's law school graduating class;

A4.2.2.3.3.2. Work or achievement of significance on one of the attorney's law school's official law reviews or journals;

A4.2.2.3.3.3. Special high-level honors for academic excellence in law school (e.g., membership in the Order of the Coif, winning a moot court competition, or membership on the moot court team that represents the law school in competition with other law schools);

A4.2.2.3.3.4. Full-time or continuous participation in a legal aid program, as opposed to one-time, intermittent, or casual participation;

A4.2.2.3.3.5. Significant summer law office clerk experience; or

A4.2.2.3.3.6. Other evidence of clearly superior accomplishment or achievement.

#### A4.2.3. GS-12.

A4.2.3.1. Duties Performed at GS-12 Level. Assignments involve extremely complex and difficult legal questions requiring extensive research, analysis, and evaluation of information in controversial areas of scientific, financial, corporate, medical, engineering, or other highly technical areas. Cases have an important impact on major private or public interests, such as those involving a major extension or revision in a grant program or a substantial question on civil rights. Interest in these cases is usually nationwide. GS-12 entrance-level attorneys are entrusted with the initial preparation of proposed solutions to projects. To this end, they conduct investigations to obtain facts, study legal precedents, make recommendations, and prepare necessary documents.

A4.2.3.2. Level of Supervision. Attorneys who enter at the GS-12 level work under close supervision. They receive preliminary instructions, their commitment authority is limited, and their completed written work is carefully reviewed.

#### A4.2.3.3. Qualifications Required at GS-12 Level.

A4.2.3.3.1. General requirements set forth under **paragraph A4.1**. In addition, one of the following requirements must be satisfied:

A4.2.3.3.1.1. Two years of professional legal experience at or equivalent to the GS-11 level or National Security Personnel System YA2 level; or

A4.2.3.3.1.2. The second professional law degree (LL.M.), plus one year of professional legal experience at the GS-11 level or National Security Personnel System YA2 level.

A4.2.3.3.2. An attorney without experience, may in unusual cases, be employed at the GS-12 level, provided the individual has advanced educational attainments substantially beyond those required for work at the GS-11 level, and his or her education clearly indicates ability to perform work of the type to be assigned (e.g., education that included courses directly pertinent to the work of the agency). The essential point in such cases is to ensure that the individual's education has enabled him or her to step into complete legal work characteristic of the GS-12 level and to operate with the degree of independence and responsibility typical of that level.

#### A4.2.4. GS-13.

A4.2.4.1. Qualifications Required at GS-13 Level. General requirements set forth under **paragraph A4.1**.

A4.2.4.2. In addition, the attorney shall have professional legal experience in excess of two years that is commensurate with the duties and responsibilities of the position.

#### A4.2.5. GS-14 or GS-15.

A4.2.5.1. Qualifications Required at GS-14 or GS-15 Level. General requirements set forth under **paragraph A4.1**. In addition, the attorney shall have professional legal experience in excess of three years that is commensurate with the duties and responsibilities of the position.

A4.2.5.2. Level of Supervision. Attorneys performing duties in GS-15 positions are expected to perform with substantial independence, even when working on the most complex or difficult matters.

A4.2.6. Senior Leader (SL).

A4.2.6.1. Qualifications Required at SL Level. General requirements set forth under [paragraph A4.1](#). In addition, assignment at the SL level requires substantial professional legal experience. To qualify for this level, individuals must possess sufficient expertise and experience to be recognized as experts in their fields. The requirements of *Title 5 United States Code*, Section 5376 apply.

A4.2.6.2. The Executive Resources Board must approve all SL allotments and selections.

**A4.3. Appointment to Lower Grade.** The qualification requirements and grade-level guidelines set forth above shall not preclude the initial appointment of applicants at grades lower than prescribed herein.

**A4.4. Exceptions.** The qualifying authority may make exceptions to the foregoing grade-level guidelines set forth in [paragraph A4.2](#) for applicants possessing special experience or qualifications of a legal or non-legal nature that will be of material value in performing the duties of the position to which the civilian attorney is appointed. Such experience may have been gained either before or after admission to the bar. However, the qualifying authority may NOT make exceptions to the basic qualification requirements of graduation from law school, admission to the bar, and active (or equivalent) bar membership in good standing.

## Attachment 5

### VETERANS' PREFERENCE

**A5.1. Excepted service.** DAF civilian attorney positions are wholly exempted from the appointment procedures in Title 5, Code of Federal Regulations, Part 302, *Employment in the Excepted Service*. However, the principles of veterans' preference will be followed in hiring civilian attorneys as far as administratively feasible, as provided for in this attachment.

**A5.2. Selecting officials must.** Treat veterans' preference eligibility as a positive factor in all stages of the hiring process, including the review process, when making a selection from a job announcement or recruitment open to all sources, or when veterans' preference is otherwise applicable as required by law.

A5.2.1. At each point in the review process when a decision is made to eliminate candidates from further consideration, the selecting official shall ascertain whether any of the applicants under review are preference eligible and, in borderline cases, continue to consider those applicants.

A5.2.2. When making final selections (i.e., at the point the candidates under serious consideration for an offer have been identified), the selecting official shall once again ascertain whether any of the candidates are preference eligible. If all relevant considerations for the position are deemed equal, the selecting official must select the preference-eligible veteran, as opposed to an equally well qualified, non-preference-eligible candidate. Further, if all relevant considerations for the position are deemed equal and there is more than one preference-eligible veteran in the final group of candidates, the selecting official must select from the preference-eligible veterans in the following order:

A5.2.2.1. Disabled veterans qualifying for a 10-point preference.

A5.2.2.2. Other 10-point preference eligible, including Purple Heart recipients.

A5.2.2.3. Veterans qualifying for a 5-point preference.

**A5.3. If a qualified, preference-eligible applicant requests information regarding his or her non-selection.** The responding official will advise the applicant that it is DoD policy to hire the most qualified applicant, taking into consideration all factors, including, if applicable, veterans' preference eligibility, and that a selection was made on that basis. Responses do not follow templates applicable to competitive service positions or disclose personal information about the civilian attorney hired for the position because selections for civilian attorney positions are excepted, not competitive, hires. The responding official may advise the preference-eligible veteran of this instruction and shall, upon request, furnish him or her with the reasons for non-selection.

**A5.4. Vacancy announcements for DAF civilian attorney positions.** For selection from all sources or for which consideration of veterans' preference is otherwise required must include the notice in the figure.




Figure A5.1. Notice of Veterans' Preference.

NOTICE OF VETERANS' PREFERENCE
<p>There is no formal rating system for applying veterans' preference to attorney appointments in the excepted service; however, the Department of Defense considers veterans' preference eligibility a positive factor for attorney hiring. Applicants eligible for veterans' preference must include that information in their cover letter or resume and attach supporting documentation (e.g., DD Form 214, "<i>Certificate of Release or Discharge from Active Duty</i>") to their submissions.</p> <p>Although the point-preference system is not used, applicants eligible to claim a 10-point preference must submit a Standard Form (SF) 15, "<i>Application for 10-Point Veteran Preference</i>," and supporting documentation required for the specific type of preference claimed. (SF 15, which lists the types of 10-point preference and the required supporting documents, is available from the Office of Personnel Management Website at <a href="http://www.opm.gov">www.opm.gov</a>.)</p>

## Attachment 6

## FORMAT FOR SUMMARY OF ORAL INTERVIEW


Figure A6.1. Format for Summary of Oral Interview.

	<p><b>DEPARTMENT OF THE AIR FORCE</b>          ORGANIZATION          ADDRESS          BASE, STATE, ZIPCODE</p>	Date
<p>MEMORANDUM FOR RECORD</p>		
<p>FROM: Rank, Name          Address</p>		
<p>SUBJECT: Summary of Oral Interview</p>		
<p>1. The following is a summary interview for the position of [position title], grade [GS-, NH].</p>		
<p>2. [Mr./Ms.] [First Name] [Last Name] was interview on [Date].</p>		
<p>3. GENERAL OBSERVATIONS: (Presence, mental qualities, and attitudes; nature of questions asked and quality of responses, including reasoning, logic, and communications skills)</p>		
<p>4. LEGAL QUALIFICATIONS/SKILLS: (Knowledge of the law, as required by the position, and quality of experience in general and specific areas of law)</p>		
<p>5. CONCLUSIONS: (Analysis and summary of applicant's qualifications and suitability)</p>		
<p>(Date) _____ Signatures and Titles of Committee Members _____</p>		

Attachment 7

SAMPLE JUDGE ADVOCATE CONTINUATION PAY DISAPPROVAL MEMORANDUM

Figure A7.1. Sample Judge Advocate Continuation Pay Disapproval Memorandum.



DEPARTMENT OF THE AIR FORCE  
ORGANIZATION  
ADDRESS  
BASE, STATE, ZIPCODE

Date

MEMORANDUM FOR [APPLICANT]

FROM: [Judge Advocate Continuation Pay Supervisor Name]

SUBJECT: Notification for Recommended Disapproval of Judge Advocate Continuation Pay

1. I recommend disapproval of your request for Judge Advocate Continuation Pay based on [explain reasons here]. A copy of this memorandum is attached to your contract and will be forwarded through intermediate judge advocate channels to AF/JAX. The Director, Professional Development Directorate, is the final decision authority for your Judge Advocate Continuation Pay contract request.
2. You may submit a rebuttal to accompany my recommendation. You must submit your rebuttal to me within 5 duty days from the date you receive and endorse this memorandum. If you do not submit a rebuttal to me within 5 duty days, your Judge Advocate Continuation Pay request and this disapproval memorandum will be forwarded through all intermediate judge advocate channels to AF/JAX for final processing.
3. Sign and date acknowledging that you received this memorandum. Indicate in your indorsement if you intend to submit a rebuttal.

[SIGNATURE]  
[NAME, GRADE]

Attachment(s): [as required]

[Date]

1<sup>st</sup> Ind [Functional address symbol of applicant]

TO: Judge Advocate Continuation Pay Supervisor

I acknowledge receipt of your recommended disapproval of Judge Advocate Continuation Pay. I (will) (will not) submit a written rebuttal.

[SIGNATURE]  
[NAME, GRADE]

Attachment 8

LENDER VERIFICATION MEMORANDUM

Figure A8.1. Lender Verification Memorandum (page 1).

[Date]																																				
[Loan Holder Name] [Loan Holder Address]																																				
Subject: Loan Verification - Judge Advocate Student Loan Repayment Program (JA-SLRP)																																				
I am requesting a payment be made on the below identified loan through the Air Force's JA-SLRP. The Air Force will make a payment directly to the lender on my behalf based on the information provided below. If you have any questions please contact me at the phone number or email address below.																																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Borrower's Full Name:</td> <td colspan="3"></td> </tr> <tr> <td>Full, legible SSN (required):</td> <td style="width: 20%;"></td> <td>Phone:</td> <td style="width: 30%;"></td> </tr> <tr> <td>Email:</td> <td colspan="3"></td> </tr> <tr> <td>Account Number:</td> <td></td> <td>Loan No.:</td> <td></td> </tr> </table>	Borrower's Full Name:				Full, legible SSN (required):		Phone:		Email:				Account Number:		Loan No.:																					
Borrower's Full Name:																																				
Full, legible SSN (required):		Phone:																																		
Email:																																				
Account Number:		Loan No.:																																		
Please complete the information below and sign and return this form to me at the following address: [Applicant's Address]. I am required to submit this memo with my request for payment on this loan. <b><i>This form must be returned immediately to ensure my application is filed in time to qualify for a payment.</i></b>																																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Type of Loan* (Use category listed in Note 1):</td> <td colspan="3"></td> </tr> <tr> <td>Original Loan Amount:</td> <td colspan="3"></td> </tr> <tr> <td>Unpaid Principal Balance:</td> <td style="width: 20%;"></td> <td>As of (date):</td> <td style="width: 30%;"></td> </tr> <tr> <td>Is this a consolidated loan?</td> <td></td> <td>Is the loan in good standing?</td> <td></td> </tr> <tr> <td>Federal tax ID number:</td> <td colspan="3"></td> </tr> <tr> <td>Exact institution name associated with this Fed Tax ID</td> <td colspan="3"></td> </tr> <tr> <td>Will your institution accept an EFT from a third party?</td> <td></td> <td>CAGE or DUNS Code (required for EFT)</td> <td></td> </tr> <tr> <td>(If CAGE or DUNS listed above) Name of the institution exactly as listed in sam.gov for that CAGE/DUNS</td> <td colspan="3"></td> </tr> <tr> <td>(If mailing a check) Name <b>and</b> address of institution where payment is to be sent</td> <td colspan="3"></td> </tr> </table>	Type of Loan* (Use category listed in Note 1):				Original Loan Amount:				Unpaid Principal Balance:		As of (date):		Is this a consolidated loan?		Is the loan in good standing?		Federal tax ID number:				Exact institution name associated with this Fed Tax ID				Will your institution accept an EFT from a third party?		CAGE or DUNS Code (required for EFT)		(If CAGE or DUNS listed above) Name of the institution exactly as listed in sam.gov for that CAGE/DUNS				(If mailing a check) Name <b>and</b> address of institution where payment is to be sent			
Type of Loan* (Use category listed in Note 1):																																				
Original Loan Amount:																																				
Unpaid Principal Balance:		As of (date):																																		
Is this a consolidated loan?		Is the loan in good standing?																																		
Federal tax ID number:																																				
Exact institution name associated with this Fed Tax ID																																				
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(If mailing a check) Name <b>and</b> address of institution where payment is to be sent																																				
By signing below I certify that this information is correct and current. (Please attach a copy of the promissory note.)																																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Certifying Official Printed Name</td> <td></td> </tr> <tr> <td>Certifying Official Signature/Date</td> <td></td> </tr> <tr> <td>Certifying Official Phone and Email</td> <td></td> </tr> </table>	Certifying Official Printed Name		Certifying Official Signature/Date		Certifying Official Phone and Email																															
Certifying Official Printed Name																																				
Certifying Official Signature/Date																																				
Certifying Official Phone and Email																																				

Figure A8.2. Lender Verification Memorandum (page 2).

Notes

1. Please specify the type of loan from the following list:
  - Enter "FFEL" if the loan was/is made, insured, or guaranteed under Title 4 of the Higher Education Act of 1964, Part B (Federal Family Education Loan Program, 20 U.S.C. § 1071, et seq.)
  - Enter "Ford FDLP" if the loan was made under Title 4 of the Higher Education Act of 1964, Part D (William D. Ford Federal Direct Loan Program, 20 U.S.C. § 1087a, et seq.)
    - Both the FFEL and Ford FDLP are also referred to as "Stafford Loans."
  - Enter "Perkins" if the loan was made under Title 4 of the Higher Education Act of 1964, Part E (Federal Perkins Loans, 20 U.S.C. 1087aa, et seq.)
  - Enter "Educational Purposes" and specific lender information for a loan made by a lender that is:
    - an agency or instrumentality of a state (specify the agency or instrumentality and state);
    - a financial or credit institution (including an insurance company) that is subject to examination and supervision by an agency of the United States or any state (specify the institution and regulatory agency);
    - a pension fund (specify the pension fund)
    - a non-profit private entity designated and regulated by a state (specify the non-profit private entity)
  - Enter "Other" for any loan not made for educational purposes or a loan made for educational purposes by a lender not identified above
2. CAGE and DUNS codes are used by the Defense Finance and Accounting Service (DFAS) when making payments to outside organizations.
  - The Commercial and Government Entity (CAGE) code is a five-character ID number used extensively within the DoD and NASA. The CAGE Code is used to support a variety of mechanized systems throughout the government and provides a standardized method of identifying a given facility at a specific location.
  - A Data Universal Numbering System (DUNS) number is a unique, 9-digit identifier issued and maintained by Dun & Bradstreet (D&B) that verifies the existence of a business entity globally. D&B assigns DUNS numbers for each physical location of a business. All U.S. Government contractors globally can receive a DUNS number at no charge and, under normal circumstances, within 1-2 business days when using the D&B web form process (<http://fedgov.dnb.com/webform>).

## Attachment 9

### CERTIFICATION OF JUDGE ADVOCATES

#### A9.1. Purpose.

A9.1.1. This appendix provides a non-exclusive list of relevant factors for consideration in determining whether to recommend counsel for certification by The Judge Advocate General (TJAG) under Article 27(b), Uniform Code of Military Justice (UCMJ). Under Art 27(b), TJAG certification is a prerequisite for detailing as a trial counsel in any general court-martial, and as defense counsel or assistant defense counsel in any general or special court-martial. Additionally, within the Department of the Air Force (DAF), certification is a requirement for entry into Stage 1 of the Career Litigation Development Program (CLDP) (see DAFI 51-101, Chapter 7).

#### A9.2. Background and Instructions.

A9.2.1. Certification of a judge advocate by TJAG as competent to perform the duties of trial counsel, defense counsel, or assistant defense counsel may initially take place upon recommendation by the Commandant of the Air Force Judge Advocate General's School (AFJAGS), following the judge advocate's completion of the Judge Advocate Staff Officer Course (JASOC). A judge advocate who was not certified following completion of JASOC should be assessed for competence warranting certification by his or her supervising staff judge advocate (SJA) in the 12th month after the judge advocate completed JASOC, or sooner if warranted by the circumstances.

A9.2.2. For example, if a judge advocate completed JASOC in April 2025 and was not subsequently certified by TJAG, then that judge advocate's SJA would submit a recommendation for or against certification due to AF/JAX NLT 30 April 2026. Higher headquarters judge advocates (e.g., JA at the NAF, MAJCOM, or equivalent levels) may establish routing procedures and earlier deadlines to allow for proper coordination of recommendations while meeting this deadline to AF/JAX. Recommendations should be made using the template memorandum attached to this appendix.

A9.2.3. A recommendation for certification should be based on the SJA's assessment that a subordinate judge advocate has demonstrated basic competence to perform the duties of trial and defense counsel, and that the judge advocate meets all other requirements set forth in law and regulation. Prior to recommending certification, a supervising staff judge advocate must be satisfied that the judge advocate possesses an understanding of the fundamentals of court-martial practice, to include basic familiarity with the Military Rules of Evidence and the Rules for Courts-Martial.

A9.2.4. While performance as trial counsel in a special court-martial or as assistant trial counsel in a general or special court-martial may be considered in determining whether a judge advocate should be certified, there is no requirement that a judge advocate will have served in those roles as a prerequisite for a recommendation for certification. Supervising SJAs should utilize the factors set forth below, along with any other relevant considerations, to justify their recommendations. The need to get counsel trial experience for the purpose of justifying a recommendation for certification should not be a significant consideration in a staff judge

advocate's decision when detailing counsel to courts-martial, or in determining whether to recommend a case be referred to trial by court-martial.

### **A9.3. Non-Exclusive List of Considerations for Certification.**

A9.3.1. Demonstrated understanding of military justice as verified through:

A9.3.1.1. Intra-office interactions;

A9.3.1.2. Performance during intra-office mock trial/murder board events and similar litigation trainings;

A9.3.1.3. Demonstrated ability to conduct legal research and prepare a case file;

A9.3.1.4. Demonstrated understanding of the law observed during military justice trainings;

A9.3.1.5. Ability to advise law enforcement in a way that advances investigations while protecting the military justice process and safeguarding the rights of those involved;

A9.3.1.6. Feedback from District/Special Trial Counsel;

A9.3.1.7. Feedback from opposing counsel and Victim's Counsel;

A9.3.1.8. Feedback from Military Judges;

A9.3.2. Completion of Trial & Defense Advocacy Course (TDAC) and similar advocacy and litigation focused courses hosted by other military services;

A9.3.3. Performance during preparation for courts-martial and other litigated events to include:

A9.3.3.1. Compliance with discovery obligations;

A9.3.3.2. Adherence to deadlines;

A9.3.3.3. Professionalism of communication with co-counsel and opposing counsel;

A9.3.3.4. Effective legal writing skills as demonstrated in written filings;

A9.3.3.5. Understanding of burdens of proof and how to present evidence in a persuasive manner;

A9.3.3.6. Comprehension and application of the procedural rules for administering legal proceedings.

A9.3.4. Performance during courts-martial and other litigated events to include:

A9.3.4.1. Professional bearing on and off of record;

A9.3.4.2. Ability to conduct examinations of witnesses;

A9.3.4.3. Ability to handle evidence on the record and an understanding of foundational requirements for admission;

A9.3.4.4. Demonstrated comprehension and application of the relevant forum rules (e.g., R.C.M.s, M.R.E.s, DAFIs);

A9.3.4.5. Quality of statements/arguments (e.g., motions, opening, closing, sentencing);

A9.3.4.6. Officership and proficiency in public speaking.

A9.3.5. Previous experience as a litigator in other jurisdictions.

A9.3.6. **(For ARC Members)** Documentation of performance in a civilian position (e.g., communications from a supervisor, official feedback/performance reports, etc.) confirming professionalism and organizational abilities that translate to military justice practice.

#### **A9.4. Uncertified Judge Advocates.**

A9.4.1. An SJA who does not believe that an uncertified, subordinate judge advocate is competent to perform the duties of trial and defense counsel should submit a recommendation 12 months post-JASOC advising against certification of that judge advocate. While SJAs should offer training and other opportunities for all subordinate judge advocates to develop the basic competencies necessary to be certified, litigation and formal training opportunities for uncertified judge advocates should not come at the expense of development of judge advocates who have demonstrated the potential to excel in litigation positions.


A9.4.2. Uncertified judge advocates may not be eligible or competitive for certain assignments on the CLDP (e.g., Area Defense Counsel, Victim's Counsel, Special Trial Counsel, SJA, etc.). An uncertified judge advocate who was not certified following JASOC and who is not certified following the 12-month review described here may be resubmitted for certification at any time if he or she is able to demonstrate basic competence. This "third look" recommendation should be accompanied by a memorandum documenting the judge advocate's improvement and the reasons why he or she now merits certification.



Attachment 10

CERTIFICATION RECOMMENDATION

Figure A10.1. Certification Recommendation Template.



DEPARTMENT OF THE AIR FORCE

Date

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

FROM: Rank, Name  
 Organization  
 Address

SUBJECT: Certification Recommendation – Capt XXXXXXX

1. I am the staff judge advocate and rater for Capt XXXXXXX. In that role, I have supervised Capt XXXXXXX for YYYYYY years/months. Capt XXXXXXX completed the Judge Advocate Staff Officer Course (JASOC) in [April 2025]. Capt XXXXXXX is not currently certified.

2. Based on my observations of Capt XXXXXXX, I assess [him/her] as having demonstrated competence sufficient to warrant certification under Article 27(b), Uniform Code of Military Justice (UCMJ).

[OR]

2. Based on my observations of Capt XXXXXXX, I assess that [he/she] has not demonstrated competence sufficient to warrant certification under Article 27(b), Uniform Code of Military Justice (UCMJ).

3. If you have any questions, please contact me at [EMAIL].

Typed Name, Grade, USAF  
 Duty Title