



DEPARTMENT OF THE NAVY
OFFICE OF THE JUDGE ADVOCATE GENERAL
NAVAL LEGAL SERVICE COMMAND
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JAG/CNLSCINST 1500.5A
004
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JAG/CNLSC INSTRUCTION 1500.5A

Subj: LEGALMAN COLLABORATION, TASKS, DUTIES, AND RESPONSIBILITIES

Ref: (a) JAGINST 5803.IE
(b) NAVPERS 18068F-48E CH-81, Navy Enlisted Occupational Standards, Legalman
(c) JAGINST 1500.4A
(d) ABA Model Guidelines for the Utilization of Paralegal Services

Encl: (1) Legalman Tasks, Duties, and Responsibilities List
(2) Local Defense Service Office Legalman Collaboration, Tasks, Duties, and Responsibilities Plan Exemplar
(3) Local Region Legal Service Office/Staff Judge Advocate Legalman Collaboration, Tasks, Duties, and Responsibilities Plan Exemplar

1. Purpose. To set out direction for improved collaboration between judge advocates and Legalmen (LNs) in the Navy legal practice. The Judge Advocate General's Corps (JAGC) will develop LNs who are multi-skilled legal professionals, equipped to perform specifically delegated substantive legal work for which attorneys are responsible as supervisory attorneys. This will facilitate the delivery of accurate and timely legal solutions to senior leaders, commanders, and service members. LNs are dedicated professionals, committed to upholding and advancing the highest standards of excellence and integrity in the LN rating, the JAGC, and the U.S. Navy. It is the responsibility of our entire community to ensure that LNs are fully tasked and utilized to their fullest capability.

2. Cancellation. JAG/CNLSCINST 1500.5.

3. Applicability. This instruction applies to all judge advocates and LNs working under the cognizance of the Judge Advocate General (JAG) per reference (a).

4. Background. In 2019, the Comprehensive Review of the Department of the Navy's Uniformed Legal Communities identified a need for the Navy JAGC community to drive a cultural change to require effective judge advocate and LN teamwork in accordance with published standards. The Navy and JAGC community invests substantial resources in recruiting, selecting, and educating LNs so they may perform critical mission-essential tasks as paralegals. Through the LN Paralegal Education Program, LNs earn an ABA-accredited Associate's and/or Bachelor's Certificate in Paralegal Studies. However, full utilization of that advanced education is challenged at times by inexperience, the small number of LNs relative to attorneys, the regular rotation of personnel within and between commands, and competing non-legal demands. A

deliberate effort is needed to overcome these challenges.

5. Policy. The Navy JAGC community is committed to providing superb legal solutions wherever and whenever needed. LNs are to perform tasks consistent with the supervising attorney's legal and ethical responsibilities, thereby enabling judge advocates to focus on those functions that specifically require attorney services. It is the duty of every judge advocate, as an officer and attorney, and for every LN to operate as fully integrated teams to deliver timely and effective legal services to the fleet and warfighter. Consistent with reference (a), the JAGC community will approach its mission, at every level, as an integrated legal team, one that must forge and maintain strong working relationships grounded in the applicable rules of professional responsibility. Judge advocates and LNs at all paygrades shall be evaluated at every level on their success in meeting this mission of operating as an integrated legal team. In addition, judge advocates and LNs at all paygrades shall review reference (b) and enclosure (1) and be familiar with the LN duties contained therein.

6. Action

a. Naval Legal Service Command (NLSC) Commanding Officers and non-NLSC supervisory attorneys shall:

(1) For direct subordinates, include LN integration and collaboration as a performance review item for judge advocate performance counseling;

(2) Regularly emphasize the importance of close LN integration in all mission areas;

(3) For Region Legal Service Office Commanding Officers, while there is no requirement to rotate LNs, doing so can be valuable to their professional development. When determining whether and how to rotate LNs, ensure mission accomplishment is always the paramount consideration. Individual professional development is important, but remains secondary to mission accomplishment. Consider that frequent, short-term rotations may degrade mission capability by reducing the LN's ability to become proficient in and meaningfully contribute to the mission in the particular area.

(4) Ensure LNs comply with all training requirements set forth in this instruction and reference (c).

(5) Develop and implement a LN Collaboration, Tasks, Duties, and Responsibilities Plan that facilitates judge advocate and LN collaboration, as well as integration into the delivery of high-quality legal services based on enclosure (1). Such plans should incorporate guidance promulgated by subject matter experts such as the Trial Counsel Assistance Program and the Defense Counsel Assistance Program, as well as similar experts for Staff Judge Advocate (SJA) and Civil Law assistance. Enclosures (2) and (3) are exemplar plans that may be tailored to the specific mission set of each command or SJA Office. All LN Collaboration, Tasks, Duties, and Responsibilities Plans shall:

(a) Be consistent with the command's core mission and reference (a), while empowering LNs to meet professional development goals as paralegals and continue to develop as Sailors.

(b) Identify ways to integrate LNs into the daily practice of the command and utilize LNs to their full potential.

(c) Foster sustained working relationships between judge advocates and LNs.

(d) Establish supervisory attorney-LN relationships within the command.

(e) Establish a process for judge advocates and LNs to periodically exchange feedback about LN collaboration and performance.

(f) Require LN collaboration and performance feedback in Career Development Boards and mid-term counseling for both judge advocates and LNs.

(g) Integrate existing LN training requirements.

(h) Require a periodic review of the LN Collaboration, Tasks, Duties, and Responsibilities Plan, to include inspection and assessment, and ensure compliance, as well as to capture lessons learned and best practices.

b. Region Legal Service Office Senior Enlisted Leaders shall be responsible for outreach to and provision of training for fleet-based LNs in their respective areas of responsibility.

c. All judge advocates shall:

(1) Be proactive leaders in the integration and training of LNs on all aspects of enclosure (1).

(2) Integrate LNs into the daily provision of legal services consistent with mission accomplishment and reference (a), and in a manner commensurate with each LN's education, training, experience, and ability.

(3) Assign work commensurate with the LN's education, training, knowledge, ability, and experience. In doing so, judge advocates retain ultimate responsibility for delegated tasks and assignments and shall:

(a) Ensure LNs do not engage in matters that create, or have the appearance of creating, a conflict of interest, in accordance with reference (a).

(b) Provide constructive feedback to LNs and encourage education, training, and work experience to enhance LN continuing education in paralegal studies.

(4) Maintain a direct relationship with the client and control all client matters when delegating appropriate tasks to LNs.

(5) Serve as supervisory attorneys for LNs performing services under their direction or in support of their clients consistent with reference (a).

(a) Attorneys within NLSC shall serve as supervisory attorneys for LNs pursuant to the LN Collaboration, Tasks, Duties, and Responsibilities Plan established in accordance with paragraph 6.a and enclosure (1) of this instruction.

(b) Attorneys outside NLSC shall serve as supervisory attorneys for LNs under their authority, and shall designate in writing a supervisory attorney for LNs serving in independent duty billets at subordinate commands.

(6) Take appropriate measures to ensure that LNs performing professional legal work under their direction and supervision conduct themselves in a manner consistent with applicable law, rules of professional conduct, and the Uniform Code of Military Justice (UCMJ).

(a) Supervisory attorneys shall take care to ensure independent duty LNs within their chains of command act in accordance with reference (a) and do not engage in the unauthorized practice of law by providing legal advice on military justice, ethics, or other matters requiring an SJA.

(b) Certain types of legal support may be provided without the direct supervision of supervisory attorneys on those matters that do not require consultation with an SJA, such as non-judicial punishment and administrative separations.

d. All LNs shall:

(1) Take care, responsibility, and ownership of their legal duties and responsibilities as listed in enclosure (1). LNs should continually work to advance the paralegal practice within the LN rating by fully engaging in all aspects of LN duties and responsibilities.

(2) Recognize that all supervising attorneys and LNs need to adhere to the rules of professional conduct. As a result, LNs shall do the following:

(a) Be familiar with reference (a) in its entirety and comply with the portions applicable to paralegals;

(b) Achieve and maintain a high level of professional competence;

(c) Maintain the highest level of personal and professional integrity and conduct;

(d) Preserve all confidential information provided by the client or acquired from other sources before, during, and after the course of the professional relationship; and

(e) Avoid conflicts of interest and disclose any possible conflict to their chain of command.

(3) Provide legal services under the direction and supervision of judge advocates, consistent with reference (a) and this instruction.

(4) Perform their assigned duties to the highest standard of professional excellence, in a manner compatible with the supervising attorney's ethical obligations and consistent with applicable law, rules of professional conduct, and the UCMJ. Independent duty LNs shall not provide advice on matters requiring an SJA; in these situations, independent duty LNs shall alert the supervisory attorney(s) in their chain of command of the need to provide legal advice directly to the commander(s).

(5) Refrain from performing duties reserved for judge advocates per references (a) and (d):

(a) LNs must not give legal opinions or advice, nor engage in, encourage, or contribute to any act that would constitute the unauthorized practice of law.

(b) LNs must not communicate with clients or represented persons without the authorization of the supervisory judge advocate. Independent duty LNs shall not communicate with clients on substantive legal matters that require consultation with a judge advocate, unless authorized to do so by the supervisory attorney.

(6) Supervisory LNs will ensure all personnel under their supervision perform their duties in accordance with reference (a) and this instruction.

e. Naval Justice School shall provide instruction regarding judge advocate and LN collaboration and integration at accessions and leadership courses.

7. Review and Assessment

a. Individual commands' LN Collaboration, Tasks, Duties, and Responsibilities Plans and their implementation shall be included as an area of assessment during Article 6 inspections, guided by enclosure (1). The assessment will include review of the specific command plan, the extent to which the LNs are being integrated and utilized, whether the command plan is in accordance with this instruction and is being implemented, and advice regarding areas of the command mission that could potentially benefit from additional and/or improved LN integration. The assessment should also identify any significant impediments to full attorney/LN collaboration.

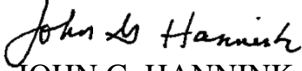
b. The effectiveness of a command's LN Collaboration, Tasks, Duties, and Responsibilities Plan shall be a factor for consideration when rating the performance of NLSC Triads, Department Heads, and Chief Petty Officers.

8. Records Management. Records created as a result of this instruction, regardless of format or media, must be maintained and dispositioned per the records disposition schedules located on the Department of the Navy Directorate for Administration, Logistics, and Operations, Directives and Records Management Division portal at <https://portal.secnv.navy.mil/orgs/DUSNM/DONAA/DRM/Records-and-Information-Management/Approved%20Record%20Schedules/Forms/AllItems.aspx>.

9. This instruction shall be reviewed annually by the Senior Enlisted Advisor (004) to the JAG and the NLSC Chiefs of Staff.


D. E. CRANDALL

Commander, Naval Legal Service Command


JOHN G. HANNINK

Judge Advocate General

Releasability and Distribution:

This instruction is cleared for public release and is available electronically only, via Judge Advocate General's Corps public website, <http://www.jag.navy.mil>.

LEGALMAN TASKS, DUTIES, AND RESPONSIBILITIES LIST

1. Below is a list of Legalman (LN) tasks, duties, and responsibilities, and sources of direction, i.e., Occupational Standards, Rate Training Manuals, Personnel Qualification Standards, technical manuals, and publications. LNs are expected to be able to perform all of these duties. It is the supervisory attorney's responsibility to ensure the appropriate tasks and duties are assigned and performed.

a. The most comprehensive list of LN tasks, duties, and responsibilities is in NAVPERS 18068F-48E CH-81, Legalman Navy Enlisted Occupational Standards. All supervisory attorneys and LNs shall review this document in its entirety. LN duties and tasks outlined in NAVPERS 18068F-48E CH-81 are included in the comprehensive list of LN duties and tasks in paragraph 1.c.

b. LN tasks, duties, and responsibilities can be found in the following sources:

- NAVPERS 18068F-48E CH-81, Legalman Navy Enlisted Occupational Standards
- JAGINST 5800.7F CH-3, Manual of the Judge Advocate General
- NAVEDTRA 14351B, Legalman NAVEDTRA
- NAVEDTRA 43243-A, Legalman Personnel Qualification Standards
- JAG/CNLSCINST 5720.3B, Freedom of Information / Privacy Act Policies and Procedures within the Office of the Judge Advocate General
- Legalman Advancement Bibliographies
- CNLSCINST 5800.1G, Naval Legal Service Command Manual
- JAGINST 5800.9E, Criminal Activity, Disciplinary Infractions and Court-Martial Report
- JAG/CNLSCINST 5800.4A, Victim Witness Assistance Program
- JAG/CNLSCINST 5814.1D, Post Trial Processing
- JAGINST 5801.2B, NLSC Legal Assistance Program
- JAGINST 5813.1D, Standardization GCM and SPCM Verbatim and Summarized Records of Trial
- Subject Matter Experts (SME) input outlined below

c. For ease of reference, the expected tasks, duties, and responsibilities of LNs from the sources listed in paragraph 1.b above are delineated in the below list. The **bolded statements** are over-arching categories of LN duties, and the supporting tasks follow. Each duty or task is cross-referenced with the source document establishing that duty or task.

Source

Duty/Task

NLSC 5800.1G,
NAVEDTRA 14351B

Provide customer service and legal administrative support

<u>Source</u>	<u>Duty/Task</u>
NAVEDTRA 14351B, JAGINST 5801.2	Understand the organization of Naval Legal Service Command, Band refrain from engaging in the unauthorized practice of law or accepting any form of compensation
JAGINST 5801.2B NAVEDTRA 14351B, 6-8, NAVPERS 18068F-48E, NLSC 5800.1G	Supervise and maintain master calendars and tracker system Maintain legal databases
NLSC 5800.1G	Demonstrate proper telephone and email use
JAGINST 5801.2B	Have a basic understanding of what legal services are provided
JAGINST 5801.2B, NAVPERS 18068F-48E, NLSC 5800.1G	Conduct client conflict checks for program eligibility and conflict of interest
NAVPERS 18068F-48E	Conduct military justice conflict checks
NAVPERS 18068F-48E	Conduct personal representation screening interviews
JAGINST 5801.2B	Safeguard client and customer confidences
JAGINST 5801.2B	Proper recording and accurate tracking through the current case management system
NAVEDTRA 14351B, NLSC 5800.1G	Control the correspondence and directives in the legal office
NAVPERS 18068F-48E, NAVEDTRA 14351B	Maintain inventories of legal directives and publications
NAVEDTRA 14351B	Handle, correct, and use publications and directives
NAVPERS 18068F-48E, NAVEDTRA 14351B, NLSC 5800.1G	Create and maintain legal files
NAVPERS 18068F-48E	Draft legal memoranda
NAVPERS 18068F-48E	Mail serialized correspondence
NLSC 5800.1G	Appropriately mark, store and destroy sensitive/classified materials

<u>Source</u>	<u>Duty/Task</u>
NAVPERS 18068F-48E	Prepare drug laboratory report requests
NAVPERS 18068F-48E	Prepare liberty risk program documents
NAVEDTRA 43243-A	Draft administrative guidance script to be used for Executive Officer's Inquiry
NAVPERS 18068F-48E	Conduct ethics research (e.g., gift acceptance, standards of conduct, fundraising, post-government employment, etc.)
NAVPERS 18068F-48E	Draft ethics documents and correspondence (e.g., gift acceptance letters, Official Representation Funds, Widely Attended Gatherings, cautionary letters, etc.)
NAVPERS 18068F-48E	Conduct Operational Law research
NAVPERS 18068F-48E	Develop Operational Law briefings
NAVEDTRA 43243-A, NAVPERS 18068F-48E	Prepare Detachment for Cause requests
NAVPERS 18068F-48E	Provide procedural and regulatory guidance to command leadership
NAVPERS 18068F-48E	Draft Military Protective Orders (MPOs)
NAVPERS 18068F-48E	Draft orders to testify and grants of immunity
NAVPERS 18068F-48E	Monitor voice recording equipment that produce official recordings of formal proceedings
NAVPERS 18068F-48E	Prepare reports of misconduct (e.g., Non-Judicial Punishment, Final Civil Action Report, Courts-Martial (CMs), etc.)
NAVPERS 18068F-48E	Process legal holds
NAVPERS 18068F-48E	Coordinate sexual assault accountability and response requirements (e.g., Situational Reports, other required reports, etc.)
NAVPERS 18068F-48E	Maintain senior leadership weekly reports (e.g., high-visibility, Moreno, speedy trial, etc.)

<u>Source</u>	<u>Duty/Task</u>
NAVPERS 18068F-48E	Notify senior enlisted and officer personnel of adverse paperwork (e.g., LOIs, Punitive Letters of Reprimand (PLORs), etc.)
NAVPERS 18068F-48E	Manage administrative and civil law programs, products, and personnel
NAVPERS 18068F-48E	Perform law office administration
NAVPERS 18068F-48E	Manage LN rating conversion processes
NAVPERS 18068F-48E	Manage Legalman Paralegal Education Program
NAVPERS 18068F-48E	Manage liberty risk program
NAVPERS 18068F-48E	Conduct legal professional development training (e.g., mock boards, mock trials, computer-based, etc.)
NAVPERS 18068F-48E	Support Manual of the Judge Advocate General (JAGMAN) investigations (e.g., legal memoranda, guidance, templates, etc.)
NAVPERS 18068F-48E	Advise on and conduct command investigations
NAVEDTRA 43243-A	Draft a preliminary inquiry appointment order
NAVEDTRA 43243-A	Draft a command investigation appointment order
NAVPERS 18068F-48E	Recommend criminal investigation dispositions
NAVPERS 18068F-48E	Process Line of Duty Investigation (LODI) reports
NAVPERS 18068F-48E	Conduct LODIs
NAVPERS 18068F-48E	Ensure procedural compliance and legal sufficiency of administrative investigation reports
NAVPERS 18068F-48E	Prepare administrative investigation endorsements
NAVPERS 18068F-48E	Prepare administrative investigation letters of report
NAVPERS 18068F-48E	Prepare Board of Inquiry (BOI) and Court of Inquiry (COI) Documents

<u>Source</u>	<u>Duty/Task</u>
NAVPERS 18068F-48E	Support claims investigations (e.g., admiralty, litigation reports, Foreign Claims Act, etc.)
NAVPERS 18068F-48E	Conduct JAGMAN investigations (e.g., dual purpose investigations, command investigations, preliminary investigations, etc.)
JAGINST 5800.7	Understand the rules regarding delivery of personnel
NAVPERS 18068F-48E	Prepare delivery of personnel agreements
NAVPERS 18068F-48E	Coordinate delivery of personnel to foreign authorities
NAVPERS 18068F-48E	Recommend actions and responses to formal grievances (e.g., sexual harassment, Command Managed Equal Opportunity (CMEO), Inspector General (IG), etc.)
NAVPERS 18068F-48E	Process Complaints of Wrong
NAVPERS 18068F-48E	Coordinate Complaints of Wrong adjudications and responses
JAG/CNLSCINST 5800.7F	Become familiar with how to process 138 complaints
JAG/CNLSCINST 5800.7F	Become familiar with how to process 1150 complaints
NAVPERS 18068F-48E	Process Congressional Inquiries
SECNAVINST 5720.42G, SECNAVINST 5211.5F	Process requests for information
SECNAVINST 5720.42G, NAVPERS 18068F-48E	Conduct Freedom of Information Act (FOIA) research (e.g., legal, procedural, historical, etc.)
SECNAVINST 5720.42G	Implement and administer local FOIA programs
SECNAVINST 5720.42G	Become familiar with FOIA online
SECNAVINST 5720.42G	Collect and compile FOIA statistics and submit applicable FOIA reports to DON FOIA
NAVEDTRA 43243-A, SECNAVINST 5720.42G	Process FOIA requests

<u>Source</u>	<u>Duty/Task</u>
NAVPERS 18068F-48E	Draft FOIA responses
NAVPERS 18068F-48E	Manage command FOIA programs
NLSC 5800.1G, SECNAVINST 5211.5F, NAVPERS 18068F-48E	Process Privacy Act requests
NAVPERS 18068F-48E	Recommend actions and responses to Privacy Act requests
NAVPERS 18068F-48E	Manage command Privacy Act programs
NAVPERS 18068F-48E, NAVEDTRA 14351B,	Prepare legal statistical/data reports
JAGINST 5800.9E	Collect and submit statistics from NJP and CMs
JAGINST 5800.9E	Identify, collect and report data from subordinate commands
NAVPERS 18068F-48E	Coordinate Victim and Witness Assistance Program (VWAP)
JAGINST 5800.4A	Understand the VWAP Program
NAVPERS 18068F-48E	Inform victims and witnesses regarding legal rights and resources available
JAGINST 5800.4A	Identify VWAP chain of command roles
JAGINST 5800.4A	Be familiar with vocabulary associated with VWAP
JAGINST 5800.4A	Collect and report VWAP Statistics
JAGINST 5800.4A	Maintain VWAP accounting systems
JAGINST 5800.4A	Provide annual VWAP training
NAVPERS 18068F-48E, NAVEDTRA 14351B, NLSC 5800.1G	Provide Legal Assistance support
JAGINST 5801.2B	Be familiar with Code 16/SharePoint databases

<u>Source</u>	<u>Duty/Task</u>
NAVPERS 18068F-48E, NAVEDTRA 14351B	Conduct legal assistance research (e.g., family law, divorce, adoption, landlord/tenant, contract, etc.)
NAVPERS 18068F-48E, NAVEDTRA 14351B	Conduct legal assistance screening interviews
NAVPERS 18068F-48E	Determine legal readiness requirements
NAVPERS 18068F-48E, JAGINST 5801.2B, NLSC 5800.1G	Perform federal notary duties
NAVPERS 18068F-48E, NAVEDTRA 43243-A, JAGINST 5801.2B, NLSC 5800.1G	Draft Powers of Attorney
NAVPERS 18068F-48E, NAVEDTRA 14351B, JAGINST 5801.2B	Prepare legal assistance affidavits
NAVPERS 18068F-48E, NLSC 5800.1G	Draft letters of indebtedness
NAVEDTRA 43243-A	Draft a debt validation letter under the Fair Debt Collection Practices Act
NAVPERS 18068F-48E	Provide guidance on immigration and naturalization processes
JAGINST 5801.2B	Be familiar with basic family law/ immigration/ Naturalization/ and SOFA Agreements (Overseas)
JAGINST 5801.2B	Conduct pre- and post- deployment/mobilization information briefs
NAVPERS 18068F-48E	Coordinate legal outreach services (e.g., waterfront briefs, pre-deployment briefs, indoctrinations, preventive law, etc.)
NAVPERS 18068F-48E	Support State Department operations and programs (e.g., passport applications, embassy coordination, visits, etc.)
NAVPERS 18068F-48E	Coordinate ships' return to homeport customs clearance

<u>Source</u>	<u>Duty/Task</u>
JAGINST 5801.2B	Coordinate remote legal assistance services
JAGINST 5801.2B	Develop materials to promote legal readiness
JAGINST 5801.2B	Develop preventive law program materials
JAGINST 5801.2B	Understand victim's rights pertaining to legal assistance
NAVPERS 18068F-48E, NAVEDTRA 14351B	Draft estate planning documents (e.g., wills, trusts, etc.)
NAVPERS 18068F-48E, NAVEDTRA 14351B	Triage emergency legal services
NAVPERS 18068F-48E	Administer legal services to confined personnel (e.g., brig visits, civilian confinements, foreign detentions, etc.)
NAVPERS 18068F-48E	Provide guidance on family support obligations
NAVPERS 18068F-48E	Validate dependent complaints of non-support
NLSC 5800.1G	Prepare a non-support response
NAVPERS 18068F-48E, NLSC 5800.1G	Conduct legal research
NAVEDTRA 14351B	Become familiar with the types of legal research material
NAVPERS 18068F-48E	Conduct administrative research
NAVPERS 18068F-48E	Conduct military justice research
NAVEDTRA 14351B	Recognize the sources of legal reference materials
NAVEDTRA 14351B	Recognize automated legal research systems and databases
SME Input	Perform basic legal research using Lexis Nexis
NLSC 5800.1G	Understand Trial Office Functions
NAVPERS 18068F-48E	Supervise paralegal teams assisting attorneys with trial preparations

<u>Source</u>	<u>Duty/Task</u>
SME Input	Incorporate recent developments in law and practice that affect LNs in trial support positions
NLSC 5800.1G	Organize/update command trial library and resource materials
NAVPERS 18068F-48E, NLSC 5800.1G	Maintain counsel appointment schedules
NAVPERS 18068F-48E	Process counsel requests
NLSC 5800.1G	Assist counsel on all interview
NAVPERS 18068F-48E	Interview suspects
NAVPERS 18068F-48E	Summarize interview notes
NAVEDTRA 14351B	Understand the importance of precise note taking and need to potentially testify at trial
JAG/CNLSCINST 5814.1D NAVPERS 18068F-48E	Comply with the Moreno clock and assist counsel in complying with trial time limitations
SME Input	Utilize TCAP/DCAP/Case Management Systems
NAVPERS 18068F-48E	Assist counsel in carrying out the case management order and important milestones
JAG/CNLSCINST 5814.1D, NAVEDTRA 14351B	Understand SARC, VLC and VA roles and responsibilities and LN obligations
NAVPERS 18068F-48E	Coordinate remote defense legal services
NAVEDTRA 14351B, JAG/CNLSCINST 5814.1D, NLSC 5800.1G	Understand the actions that occur prior to a CM
NAVPERS 18068F-48E	File court documents
NAVPERS 18068F-48E	Assist with pretrial investigations
NAVPERS 18068F-48E	Review preliminary hearing reports for procedural compliance and legal sufficiency

<u>Source</u>	<u>Duty/Task</u>
NAVPERS 18068F-48E	Review pretrial investigations for factual sufficiency
NAVPERS 18068F-48E	Conduct inquiries into reports of offenses
NAVPERS 18068F-48E	Review evidence to determine relevancy and authenticity
NAVPERS 18068F-48E	Collect documentary or electronic evidence
NAVEDTRA 14351B	Understand the procedures for the different types of CMs
NAVPERS 18068F-48E	Communicate defense counsel assignments
NAVPERS 18068F-48E	Properly set up an Article 32
NAVEDTRA 43243-A	Assemble an Article 32 record with exhibits properly marked
NAVPERS 18068F-48E	Assist with witness preparation and coordination for Article 32
NAVPERS 18068F-48E, NAVEDTRA 43243-A, NLSC 5800.1G	Prepare appointing and convening orders
NAVPERS 18068F-48E, NAVEDTRA 14351B	Draft charge sheets
NAVPERS 18068F-48E, NLSC 5800.1G	Notify service members of CM charges
NAVPERS 18068F-48E	Notify personnel of trial information
NAVEDTRA 14351B	Draft and execute the charging process from preferral to referral
NAVPERS 18068F-48E	Review charge sheets for procedural compliance and legal sufficiency
NAVPERS 18068F-48E, NAVEDTRA 43243-A	Provide pre-trial confinement support (e.g., Confinement Order, 48-Hour Letter, 72-Hour Letter, Initial Review Officer (IRO) hearing, etc.)
NAVPERS 18068F-48E	Represent command at pre-trial confinement hearings
NLSC 5800.1G	Schedule pre-trial detainee counseling and IRO representation

<u>Source</u>	<u>Duty/Task</u>
NAVPERS 18068F-48E, NLSC 5800.1G	Manage courtroom schedules
NAVPERS 18068F-48E, NLSC 5800.1G	Prepare courtrooms for trial and hearings
NAVPERS 18068F-48E,	Coordinate courtroom security
NAVPERS 18068F-48E, NAVEDTRA 43243-A	Prepare motions and pleadings
NAVPERS 18068F-48E, NAVEDTRA 43243-A	Prepare plea agreements
NAVPERS 18068F-48E, JAG/CNLSCINST 5814.1D	Draft, process, and respond to subpoena requests, pleadings, and motions
JAG/CNLSCINST 5814.1D, NLSC 5800.1G	Electronically track CMs using the case management system of record
JAG/CNLSCINST 5814.1D	Understand ethics and confidentiality involved with trials
NAVEDTRA 43243-A	Draft voir dire questions
NAVEDTRA 43243-A	Draft and respond to discovery requests
NAVPERS 18068F-48E	Analyze discovery requests
JAG/CNLSCINST 5800.7F	Draft discovery log and notice, and bates stamp discovery
NAVPERS 18068F-48E, JAG/CNLSCINST 5814.1D	Mark exhibits and comply with discovery rules and bates stamping
NAVPERS 18068F-48E	Maintain discovery logs
NAVPERS 18068F-48E	Provide discovery to victims and defense
NAVPERS 18068F-48E	Conduct discovery research
NLSC 5800.1G, NAVPERS 18068F-48E	Coordinate travel of witnesses, accuseds, and counsel for formal hearings
NAVEDTRA 43243-A, NLSC 5800.1G	Draft invitational orders for civilian witnesses

<u>Source</u>	<u>Duty/Task</u>
NAVPERS 18068F-48E	Locate civilian and military witnesses
NLSC 5800.1G	Complete witness travel reimbursements requests
NLSC 5800.1G	Prepare base access requests and building security passes for witnesses
NLSC 5800.1G	Enter, update, and close a case in CMTIS/CMS, Wolverine, and other case management systems of record
JAG/CNLSCINST 5814.1D	Carry out proper procedures for safeguarding and storing evidence
NLSC 5800.1G	Maintain evidence locker
NAVPERS 18068F-48E	Maintain chain of custody of physical evidence
NAVPERS 18068F-48E	Identify missing evidence, when applicable
NAVPERS 18068F-48E	Inspect digital evidence for malicious software
NAVPERS 18068F-48E	Draft trial scripts
NAVPERS 18068F-48E	Draft subpoenas and warrants
NAVPERS 18068F-48E	Serve subpoenas and warrants
NAVPERS 18068F-48E	Draft warrants of attachment
NAVPERS 18068F-48E	Conduct proof matrix research
NAVPERS 18068F-48E	Draft proof matrices
NAVPERS 18068F-48E	Draft Prosecutorial Merit Reviews
NAVPERS 18068F-48E	Prepare docket requests
NAVPERS 18068F-48E	Prepare sentencing materials
NAVPERS 18068F-48E	Prepare voir dire questions for CM members
NAVPERS 18068F-48E	Provide guidance to Convening Authority (CA) regarding CM member selection

<u>Source</u>	<u>Duty/Task</u>
JAG/CNLSCINST 5800.7F	Prepare CM member folders
NAVPERS 18068F-48E	Provide input and feedback on CM opening statements and closing arguments
NAVPERS 18068F-48E	Coordinate transcriptions of witness testimony
JAG/CNLSCINST 5800.7F	Draft expert request and endorsement
NAVEDTRA 14351B, JAG/CNLSCINST 5814.1D, NLSC 5800.1G	Understand the actions that occur during the CM
NAVPERS 18068F-48E	Manage smart courtroom technology and equipment
JAG/CNLSC 5530.2D,	Ensure compliance with courtroom security requirements
NAVPERS 18068F-48E	Provide support for remote testimony (e.g., video, web-based, etc.)
NAVEDTRA 14351B	Assist with witness preparation and coordination during trial
NAVEDTRA 14351B, JAG/CNLSCINST 5814.1D, NLSC 5800.1G	Understand the actions that occur after the CM
JAG/CNLSCINST 5814.1D	Track post-trial deadlines
JAG/CNLSCINST 5814.1D, NAVPERS 18068F-48E	Draft Statement of Trial Results
NAVPERS 18068F-48E	Prepare Entry of Judgement
NAVEDTRA 14351B, 6-8, NLSC 5800.1G	Draft findings and sentencing worksheets
NAVPERS 18068F-48E, NAVEDTRA 43243-A	Prepare post-trial confinement orders
NAVPERS 18068F-48E	Provide post-trial confinement support (e.g., VWAP, legal assistance, appellate rights, etc.)

<u>Source</u>	<u>Duty/Task</u>
JAG/CNLSCINST 5814.1D	Understand post-trial Gun Control Act of 1969 reporting requirements
JAG/CNLSCINST 5814.1D	Understand the actions the CA can take on findings and/or sentence
NAVPERS 18068F-48E	Prepare CA actions
NAVPERS 18068F-48E	Transmit Gun Control Act information to Naval Criminal Investigative Service
JAG/CNLSCINST 5814.1D	Be familiar with Navy-Marine Corps Appellate Review
NLSC 5800.1G	Coordinate administrative and appellate leave
JAG/CNLSCINST 5814.1D	Understand the rights of crime victims after a trial
NAVPERS 18068F-48E	Prepare Uniform Code of Military Justice Article 64 (Review by a Judge Advocate) letters
NAVPERS 18068F-48E	Dispose of evidence after CM
NAVPERS 18068F-48E	Prepare military justice affidavits
NAVPERS 18068F-48E	Prepare legal briefs
NAVPERS 18068F-48E	Produce official recordings of CM
NAVPERS 18068F-48E	Redact audio and video evidence for use in formal hearings
NAVPERS 18068F-48E	Redact electronic documentary evidence
NAVPERS 18068F-48E	Support CM remands and rehearings
NAVPERS 18068F-48E	Support vacation hearings (e.g., CM)
JAG/CNLSCINST 5814.1D NLSC 5800.1G	Understanding the court reporting process
JAGINST 5813.1D	Understand the Rules of Court-Martial that pertain to Records of Trial (ROT)

<u>Source</u>	<u>Duty/Task</u>
JAG/CNLSCINST 5814.1D, JAGINST 5813.1D, JAGINST 5801.2B	Draft a verbatim or summarized transcript
JAGINST 5801.2B, JAGINST 5813.1D	Properly format a verbatim transcript
JAG/CNLSCINST 5814.1D	Assemble the certified ROT
JAGINST 5813.1D	Understand where the exhibits/pleas/findings go in the ROTs
JAGINST 5813.1D	Understand basic court procedure (Stipulation of facts, Findings, etc.) and where to document them
JAG/CNLSCINST 5814.1D	Ensure the completeness and accuracy of the ROT
NAVPERS 18068F-48E	Review ROTs for procedural compliance and legal sufficiency
NAVPERS 18068F-48E, NLSC 5800.1G	Distribute ROT
NAVPERS 18068F-48E	Prepare Summary Courts-Martial (SCM) documents
NAVPERS 18068F-48E	Assemble SCM ROTs
NAVPERS 18068F-48E	Assemble Special Courts-Martial (SPCM) and General Courts-Martial (GCM) ROTs
NAVEDTRA 14351B	Understand important constitutional principles
NAVEDTRA 14351B	Recognize what is required by the Fifth Amendment
NAVEDTRA 14351B	Understand how Article 31 of the UCMJ incorporates the Fifth Amendment
NAVPERS 18068F-48E, NAVEDTRA 14351B	Advise suspects of UCMJ Article 31 rights (Compulsory Self-Incrimination Prohibited)
NAVPERS 18068F-48E	Conduct victim and witness interviews
NAVEDTRA 43243-A, NAVPERS 18068F-48E	Prepare search and seizure documents

<u>Source</u>	<u>Duty/Task</u>
NAVPERS 18068F-48E, NAVEDTRA 14351B	Provide NJP Support
NAVPERS 18068F-48E, NAVEDTRA 43243-A	Support Disciplinary Review Boards
NAVPERS 18068F-48E	Coordinate logistical support for NJPs
NAVPERS 18068F-48E, NAVEDTRA 43243-A	Prepare NJP packages
NAVPERS 18068F-48E	Prepare Report and Disposition of Offense(s) forms (NAVPERS 1626/7)
NAVEDTRA 14351B	Become familiar with procedures that occur during a NJP hearing
NAVEDTRA 14351B	Understand the limitations of NJP
NAVPERS 18068F-48E	Calculate maximum sentences for charged offenses
NAVPERS 18068F-48E	Prepare post-NJP documents
NAVEDTRA 14351B	Recognize the procedures for appealing NJP
NAVPERS 18068F-48E	Prepare NJP appeal endorsements
NAVEDTRA 43243-A	Draft an NJP appeal notification letter
NAVEDTRA 14351B	Understand the forms of clemency or corrective actions
NAVPERS 18068F-48E, NAVEDTRA 43243-A	Prepare NJP notification forms
NAVPERS 18068F-48E	Prepare restriction and extra duty orders
NAVEDTRA 43243-A	Draft a Non-Punitive Letter of Caution or Letter of Instruction
NAVEDTRA 43243-A	Draft an order for Extra Military Instruction
NAVEDTRA 43243-A	Prepare an NJP Punitive Letter of Reprimand
NAVEDTRA 43243-A	Draft a report of NJP

<u>Source</u>	<u>Duty/Task</u>
SME Input	Provide post NJP NAVPERS 1626/7 to command Security Manager
NAVPERS 18068F-48E	Maintain Unit Punishment Books
NAVPERS 18068F-48E	Verify Unit Punishment Books
NAVEDTRA 14351B, NAVPERS 18068F-48E, NAVEDTRA 43243-A	Report Sailors' disciplinary findings for service record entries
NAVPERS 18068F-48E	Retrieve pay and personnel information for use in legal proceedings
NAVPERS 18068F-48E	Support Admiral's Masts
NAVEDTRA 14351B	Provide Administrative Separation (ADSEP) Support
NAVEDTRA 14351B	Recognize the types of enlisted ADSEPs
NAVEDTRA 14351B	Understand the notification procedures for ADSEP cases
NAVPERS 18068F-48E	Conduct ADSEP processing and counseling
NAVEDTRA 14351B	Recognize the procedures of ADSEP boards
SME Input	Draft a discovery request for an ADSEP board
NAVPERS 18068F-48E	Prepare ADSEP documents (e.g., Letter of Notification, Letter of Transmittal, etc.)
NAVPERS 18068F-48E	Evaluate evidentiary support and strategies for ADSEP boards
NAVPERS 18068F-48E	Draft ADSEP board opening statements and closing arguments
NAVPERS 18068F-48E	Organize evidentiary support for ADSEP boards
NAVPERS 18068F-48E	Provide guidance on the Board for Correction of Naval Records and Naval Discharge Review Board
NAVPERS 18068F-48E	Transcribe Records of Proceedings for ADSEP boards
NAVEDTRA 43243-A	Draft an ADSEP Notification Procedure form

<u>Source</u>	<u>Duty/Task</u>
NAVEDTRA 43243-A	Draft an ADSEP Board Procedure form
NAVEDTRA 43243-A	Draft an ADSEP Board appointment letter
NAVPERS 18068F-48E	Prepare voir dire questions for ADSEP board members
NAVPERS 18068F-48E	Advocate for command interests at ADSEP boards
NAVPERS 18068F-48E	Serve as Recorder on an ADSEP board
NAVPERS 18068F-48E	Prepare Separation in Lieu of Trial by CM endorsements and approvals
NAVPERS 18068F-48E	Provide guidance to CA regarding ADSEP board member selection
NAVEDTRA 43243-A	Draft a response to a letter of deficiency
NAVEDTRA 43243-A	Draft a letter of transmittal
SME Input	Draft a request for mental health evaluation documents
SME Input	Draft a recommendation for ADSEP for GCMCA review
NAVPERS 18068F-48E	Process Unauthorized Absentee paperwork
NAVPERS 18068F-48E	Prepare desertion documents

[DEFENSE COMMAND/OFFICE] Instruction ###

Subj: LEGALMAN COLLABORATION, TASKS, DUTIES, AND RESPONSIBILITIES
PLAN

Ref: (a) JAGINST 1500.5A
(b) JAGINST 5803.IE

Encl: (1) Case Support Standards

1. Purpose. To promulgate [DEFENSE COMMAND/OFFICE] Legalman Collaboration, Tasks, Duties, and Responsibilities Plan, consistent with reference (a).

2. Cancellation. [AS APPLICABLE]

3. Applicability. This instruction applies to all attorneys and Legalmen assigned to [DEFENSE COMMAND/OFFICE]. This instruction will be reviewed annually and will remain in effect until superseded or cancelled.

4. Background. Consistent with reference (b), [DEFENSE COMMAND/OFFICE] provides [criminal defense representation and assistance with adverse administrative personnel matters for Sailors, Marines, and Coast Guardsmen located in (area of responsibility)]. [DEFENSE COMMAND/OFFICE] has ## authorized attorney billets to meet the overall representation requirements, but relies on all command personnel to ensure efficient and effective representation of clients. Legalmen, who are trained paralegals, are an integral part of the attorney support function and contribute significantly to overall command efficiency. This integration plan ensures authority for every facet of Legalman integration into [DEFENSE COMMAND/OFFICE].

5. Policy. [DEFENSE COMMAND/OFFICE] provides a dedicated Legalman to every case where representation by a judge advocate is required or authorized. The Legalman is the primary assistant to the detailed judge advocate and is expected to provide the full spectrum of technical legal and administrative support as set forth in this instruction. Legalmen are also expected to maintain a regular course of formal and informal education to further their professional development and advancement. Finally, Legalmen are required to maintain collateral and other administrative duties in support of [DEFENSE COMMAND/OFFICE].

6. Responsibilities.

a. The Commanding Officer (CO) shall:

(1) Retain overall responsibility for execution of this plan.

(2) Emphasize the importance of Legalman integration in all [DEFENSE COMMAND/OFFICE] mission areas.

Enclosure (2)

b. The Senior Enlisted Leader (SEL) shall:

(1) Provide a critical link between judge advocate and Legalmen to ensure the respective roles, responsibilities, and relationships are developed in furtherance of this policy.

(2) Ensure newly-reporting Legalmen are informed of this instruction and follow the guidance set forth herein.

(3) Mentor, guide, and assist Legalmen to understand the critical role they have in command operations.

(4) Continue to identify and develop ways to better integrate Legalmen into all practice areas.

c. The [Senior DEFENSE counsel (SDC)] or [Officer in Charge, as applicable] shall:

(1) Maximize judge advocate and Legalmen integration by ensuring Legalmen are formally assigned to judge advocate's litigation teams.

(2) Ensure Legalmen are trained in litigation practice and given opportunities to develop as paralegals in litigation practice.

(3) Mentor, guide, and assist Legalmen and other personnel detailed to courts-martial, Boards of Inquiry (BOIs), and Administrative Separation (ADSEP) Boards.

(4) Identify a direct supervisory judge advocate for every Legalman and other personnel in their department and notify the judge advocates, Legalmen, and other personnel of this relationship.

(5) Communicate Legalman integration lessons learned to the command triad and Defense Counsel Assistance Program (DCAP).

(6) Participate in annual departmental reviews of Legalman integration.

d. Judge Advocates shall:

(1) Actively supervise, mentor, guide, and assist Legalmen and other personnel detailed to their teams.

(2) Assign case-related tasks to detailed Legalmen at a level commensurate with their expertise and experience, using enclosure (1) as a guide.

(3) Incorporate Legalmen to the fullest extent possible in cases, including using them to investigate all aspects of the case commensurate with their expertise and experience. If the judge advocate must travel for any purpose in the furtherance of the proceeding, then the judge

advocate should consider getting approval and funding for his/her Legalman to travel in the course of the representation of his or her client. This includes working with the [DEFENSE COMMAND/OFFICE] chain of command, the convening authority, and the court, as necessary.

(4) Recognize that Legalmen may be detailed to assist more than one judge advocate at a time and may have separate competing military obligations. To that end, judge advocates must consistently communicate with their Legalman, and other colleagues, to ensure that each case's tasks are accurately and timely completed.

(5) When informed by a Legalman of a competing task deadline assigned by another judge advocate, communicate with the other officer to establish a task priority for the Legalman. If the judge advocates are unable to agree on how to properly and efficiently use the Legalman, then consult the [SDC or OIC].

(6) Include the assigned Legalman and other [DEFENSE] team members in all case debriefs with the [SDC or OIC], as practical.

(7) Regularly provide constructive performance feedback. At the conclusion of the case, an assessment of actions taken will be shared with the entire litigation team. As part of the assessment, the judge advocate will specifically highlight the Legalman's strengths, areas for improvement, and any lessons learned. This Legalman's assessment may be shared with the entire litigation team or kept private between the Legalman and judge advocate, as appropriate.

(8) Regularly provide feedback concerning the assigned Legalman performance to the [SDC or OIC], SEL, and Leading Chief Petty Officer (LCPO) for inclusion in mid-term counseling, career development boards, and performance evaluations.

e. Legalmen shall:

(1) Familiarize themselves with references (a) and (b) and enclosure (1).

(2) Work with judge advocates to be assigned duties listed in enclosure (1) for each court-martial, BOI, and ADSEP to which they are assigned.

(3) Communicate and plan with all judge advocates whom they assist.

(4) Assist in managing attorney's calendars, to include strategic planning for meetings, travel, and hearings.

(5) Recognize that when detailed to assist multiple attorneys, they must keep all attorneys apprised of personal and professional obligations that may impact the cases to which they are assigned.

(6) Inform attorneys when they have been assigned multiple tasks with competing deadlines so that the attorneys can determine task priority.

(7) Balance primary duties, collateral duties, career enhancement and development activities, and personal obligations. As needed, seek assistance from the Leading Petty Officer, Leading Chief Petty Officer, SEL, or others in the chain of command.

(8) Courts-martial, BOIs, and ADSEPs are prioritized over other duties when preparing for and while those cases are in hearing. Legalmen should remain flexible with respect to assigned duties and scheduling when cases are in court or boards are conducted.

[SIGNED]

[Defense Command or Office] Case Support Standards

1. Court-Martial Duties. Legalmen, commensurate with their expertise and experience, are expected to assist in the completion of the following non-exhaustive duties for all courts-martial to which they are detailed:

a. Pre-Trial/Motions

- (1) Create and maintain electronic casefile and hardcopy casefile for the attorney;
- (2) Review charge sheet for errors;
- (3) Draft proof matrix using Benchbook;
- (4) Calculate maximum sentence for charged offenses;
- (5) Assist attorney in identifying possible pretrial restraint;
- (6) Brainstorm with the attorney on case strategy;
- (7) Assist the attorney and Defense Litigation Support Specialist (DLSS) with visiting the scene of the alleged offense and contacting and interviewing fact and character witnesses. Be prepared to testify accordingly;
- (8) Prepare discovery and witness requests;
- (9) Transcribe audio and/or video discs of interviews and/or court hearings, as necessary;
- (10) Research caselaw;
- (11) Review the convening order for errors; and
- (12) Conduct background research on witnesses and members.

b. Trial

- (1) Review court-martial questionnaires to assist in developing questions to help identify potential conflicts or bias or members that would be favorable to the current case theory;
- (2) Record members' responses to voir dire questions;
- (3) Assist counsel with handling exhibits;
- (4) Assist counsel with recording witness responses;

(5) Assist counsel with establishing foundation for evidence to be admitted;

(6) Prepare proposed members' instructions appropriate to the case based upon the defense case strategy; and

(7) Prepare sentencing binder, including Appellate Rights and Wheeler Factors.

c. Post-Trial

(1) Prepare deferment requests, if desired by the client;

(2) Assist with post-trial communications with the client, to include verifying confinement facility locations and release date;

(3) Prepare clemency request letters under Rule for Court-Martial (R.C.M.) 1106, to include waiver of forfeitures under Uniform Code of Military Justice (UCMJ) Article 58b(b);

(4) Assist the attorney in reviewing the Convening Authority's Action for accuracy and completeness; and

(5) Participate in post-trial assessment of defense team actions to record lessons learned and steps for improvement.

2. Administrative Hearing Duties. Legalmen, commensurate with their expertise and experience, are expected to complete the following non-exhaustive list of duties for all BOIs and ADSEP boards to which they are detailed.

a. Pre-Board

(1) Create and maintain electronic casefile and hardcopy casefile for attorney;

(2) Brainstorm with the attorney on case strategy;

(3) Assist the attorney with contacting and interviewing fact and character witnesses;

(4) Transcribe audio and/or video discs of interviews, as necessary;

(5) Review the board appointing order for errors;

(6) Review the board appointing order to assist in developing questions to help identify potential conflicts or bias of members; and

(7) Prepare binders for use during the board.

b. Board

- (1) Record members' responses to voir dire questions;
- (2) Assist counsel with handling exhibits; and
- (3) Assist counsel with recording witness responses.

c. Post-Board

(1) Assist in post-board wrap-up with board members to assess effectiveness of case strategy and lessons learned; and

(2) Prepare a letter of deficiency or a set-aside request for cases to be submitted to the separation authority.

3. Courtroom/Board Assistance. Legalmen, commensurate with their expertise and experience, should normally assist counsel during court or board proceedings to which they are detailed. The following is a non-exhaustive list of duties when assisting counsel:

a. Ensure the client is properly attired in uniform with all appropriate awards when at a hearing in the presence of the members or military judge;

b. Ensure all anticipated exhibits are prepared in advance, with the required number of copies of each. Consult with counsel to verify the number of copies required;

c. Ensure all case law that counsel will rely upon for motions, objections, or judicial notice are copied (three copies each);

d. Observe and record prospective members' answers, physical reactions and expressions, and other indicators, such as body language;

e. Prepare extracts of all written witness statements (with appropriate copies) and voice or video recording (such as victim interviews) that counsel expect to use for impeachment, refreshing recollection, or as otherwise may be introduced. The extracts should be queued and ready to introduce at the appropriate time;

f. When voice recognition software is used in real time, mark key components of a witness' testimony for quick recall during later phases of trial;

g. Testify as necessary based on personal observations or activities from the pre-trial preparation phase;

h. Maintain custody of all case file materials for ready retrieval and delivery to counsel when needed;

i. Coordinate arrival, departure, and testimony of defense witnesses; and

j. Take notes of witness testimony for use by counsel later in strategy sessions and for closing argument preparation.

[RLSO COMMAND/STAFF JUDGE ADVOCATE OFFICE] Instruction ###

Subj: LEGALMAN COLLABORATION, TASKS, DUTIES, AND RESPONSIBILITIES
PLAN

Ref: (a) JAGINST 1500.5A
(b) JAGINST 5803.IE

Encl: (1) Sample Tasks - Command Services
(2) Sample Tasks – Legal Assistance
(3) Sample Tasks - Trial Services

1. Purpose. To promulgate [COMMAND/STAFF JUDGE ADVOCATE OFFICE (OFFICE)] Legalman Collaboration, Tasks, Duties, and Responsibilities Plan, consistent with reference (a).

2. Cancellation. [AS APPLICABLE]

3. Applicability. This instruction applies to all judge advocates and Legalmen assigned to [COMMAND/OFFICE]. This instruction will be reviewed annually and will remain in effect until superseded or cancelled.

4. Background. Consistent with reference (b), [COMMAND/OFFICE] provides government trial services and command advice, as well as legal assistance for Sailors, Marines, and their families in the (area of responsibility). [COMMAND/OFFICE] has ## authorized attorney billets to meet the overall representation requirements. Legalmen, who are trained paralegals, are an integral part of the attorney support function and contribute significantly to overall command efficiency. This plan ensures authority for every facet of Legalman integration into [COMMAND/OFFICE], and subordinate independent duty Legalmen.

5. Policy. [COMMAND/OFFICE] develops Legalman who are multi-skilled professional paralegals, equipped to perform specifically delegated substantive legal work in order to facilitate the delivery of accurate and timely legal solutions to senior leaders, commanders, and service members wherever and whenever needed. Consistent with reference (a), [COMMAND/OFFICE] will approach its mission, at every level, as an integrated team of judge advocates and paralegals consistent with the Rules of Professional Conduct (reference (b)).

6. Responsibilities

a. The Commanding Officer (CO)/Senior Staff Judge Advocate (SJA) shall:

(1) Retain overall responsibility for execution of this plan.

(2) Emphasize the importance of Legalmen integration in all [COMMAND/OFFICE] mission areas.

b. The Senior Enlisted Leader (SEL) shall:

(1) Provide a critical link between judge advocates and Legalmen to ensure the respective roles, responsibilities, and relationships are developed in furtherance of this policy.

(2) Ensure newly-reporting Legalmen are informed of this instruction and follow the guidance set forth herein.

(3) Mentor, guide, and assist Legalmen to understand the critical role they have in command operations.

(4) Continue to identify and develop ways to better integrate Legalmen into all practice areas.

c. The Senior Trial counsel (STC) shall:

(1) Ensure Legalmen are assigned to each judge advocate's litigation team to improve judge advocate and Legalmen integration.

(2) Ensure Legalmen are trained in litigation practice and given opportunities to develop as paralegals in litigation practice.

(3) Mentor, guide, and assist Legalmen and other personnel assigned to courts-martial, Boards of Inquiry (BOIs), and Administrative Separation (ADSEP) Boards.

d. Department Heads (including STC) and Officers-in-Charge (OIC) shall:

(1) Identify a direct supervisory judge advocate for every Legalman and other personnel assigned to courts-martial in their department and notify the judge advocates, Legalmen, and other personnel of this relationship.

(2) Communicate Legalman integration lessons learned to the command triad and Trial Counsel Assistance Program (TCAP).

(3) Participate in annual departmental reviews of Legalman integration.

e. Judge Advocates shall:

(1) Actively supervise, mentor, guide, and assist Legalmen and other personnel assigned to their teams.

(2) Assign case-related tasks to assigned Legalmen at a level commensurate with their expertise and experience, using enclosure (1) as a guide.

(3) Incorporate Legalmen to the fullest extent in cases, including using them to investigate all aspects of the case. If the judge advocate must travel for any purpose in the

furtherance of the proceeding, then the judge advocate should consider getting approval and funding for the Legalman to travel as well. This includes working with the [COMMAND/UNIT] chain of command, the convening authority, and the court, as necessary.

(4) Recognize that Legalmen may be assigned to assist more than one judge advocate at a time and may have separate competing military obligations. To that end, judge advocates must consistently communicate with their Legalman, and other colleagues, to ensure that each case's tasks are accurately and timely completed.

(5) When informed by a Legalman of a competing task deadline assigned by another judge advocate, communicate with the other officer to establish a task priority for the Legalman. If the Judge Advocates are unable to agree on how to properly and efficiently use the Legalman, then consult the [STC or OIC], as applicable.

(6) Include the assigned Legalman and other [TRIAL] team members in all case debriefs with the [STC or OIC], as practical.

(7) Regularly provide constructive performance feedback. At the conclusion of a case, an assessment of actions taken will be shared with the entire litigation team. As part of the assessment, the judge advocate will specifically highlight the Legalman's strengths, areas for improvement, and any lessons learned. This Legalman assessment may be shared with the entire litigation team or kept private between the Legalman and attorney, as appropriate.

(8) Regularly provide feedback concerning the assigned Legalman performance to the [STC or OIC, as applicable], SEL, and Leading Chief Petty Officer (LCPO) for inclusion in mid-term counseling, career development boards, and performance evaluations.

f. Legalmen shall:

(1) Familiarize themselves with references (a) and (b) and enclosures (1) through (3).

(2) Work with counsel to be assigned duties listed in enclosure (1) for each court-martial, BOI, and ADSEP to which they are assigned.

(3) Communicate and plan with all judge advocates whom they assist.

(4) Assist in managing attorneys' calendars, to include strategic planning for meetings, travel and hearings.

(5) Recognize that when assigned to assist multiple judge advocates, they must keep all judge advocates apprised of personal and professional obligations that may impact the cases to which they are assigned.

(6) Inform judge advocates when they have been assigned multiple tasks with competing deadlines so that the judge advocates can determine task priority.

(7) Balance primary duties, collateral duties, career enhancement and development activities, and personal obligations. As needed, seek assistance from the Leading Petty Officer, LCPO, SEL, or others in the chain of command.

(8) Courts-martial, BOIs, and ADSEPs are prioritized over other duties when preparing for and while those cases are in hearing. Legalmen should remain flexible with respect to assigned duties and scheduling when cases are in court or boards are conducted.

[SIGNED]

COMMAND SERVICES

The following constitutes a sample of the various tasks a Legalman assigned to a Command Services paralegal position or as an independent duty Legalman may be expected to perform. This is not an exhaustive list of every task a Legalman can perform, and all [COMMAND/OFFICE] personnel shall find additional ways to integrate Legalmen consistent with individual Legalman expertise, ability, and the Rules of Professional Conduct.

- Nonjudicial Punishment (NJP) processing, including reviewing evidence and drafting charges, notifying members, scheduling Disciplinary Review Boards, Executive Officer Inquiries, and NJP, and drafting post-NJP paperwork
- Administrative Separation processing, including drafting all related documents, interviewing witnesses, and serving as recorder or assistant recorder
- Boards of Inquiry, including drafting all related documents
- Draft JAGMAN investigation appointing letters and reviewing investigation reports
- Manage local non-federal entity (NFE) program, including fundraising and event request chit intake, and providing training on the rules that govern NFEs
- Assist with gift reviews, including gift intake, gift disposition form, gift rules research, and drafting gift acceptance memos
- Manage installation barment program, including drafting debarment letters
- Coordinate service of process
- Review investigation reports
- Draft military protective orders and civilian restraining orders
- Research and submit memos to supervising attorney on unique command services issues, such as fundraising rules, use of command coins, government vehicle use, etc.
- Lead office's Command Services outreach program, including coordinating outreach and training briefs

LEGAL ASSISTANCE

The following constitutes a sample of the various tasks a Legalman assigned to a Legal Assistance paralegal position may be expected to perform. This is not an exhaustive list of every task a Legalman can perform, and all [COMMAND/OFFICE] personnel shall find additional ways to integrate Legalmen consistent with individual Legalman expertise, ability, and the Rules of Professional Conduct.

- Conduct conflict check screenings for potential clients and ensure proper dual representation or conflict waiver paperwork is signed, if applicable
- Schedule local and remote appointments
- Perform notary services
- Draft powers of attorney (general and special)
- Draft affidavits
- Conduct client initial fact finding interviews as appropriate
- Provide initial review of client draft documents (e.g., separation agreements)
- Prepare family law, probate, and immigration forms
- Draft estate planning documents, including wills with trusts for minors
- Witness will executions
- Serve as notary on estate plan executions
- Research and draft legal correspondence, such as non-support letters, letters to landlords, Servicemembers Civil Relief Act letters, etc.
- Research and submit memos to supervising attorney on unique legal assistance legal issues, such as tax law, child support laws, landlord-tenant laws, etc.
- Lead office's Legal Assistance outreach program, including coordinating and presenting outreach briefs, and coordinating on-site Legal Assistance support days for tenant commands
- Provide N-426 training to Legal Officers
- Manage difficult clients and customers
- Conduct full client intake review with potential client confirming responses concerning civilian attorneys, victims of abuse, and sexual assault

TRIAL SERVICES

The following constitutes a sample of the various tasks a Legalman assigned to a Trial paralegal position may be expected to perform. This is not an exhaustive list of every task a Legalman can perform, and all [COMMAND/OFFICE] personnel shall find additional ways to integrate Legalmen consistent with individual Legalman expertise, ability, and the Rules of Professional Conduct.

Basic Tasks

- Receive, organize, and file evidence received from the Naval Criminal Investigative Service (NCIS) in both physical and electronic forms
- Review evidence for completeness (missing enclosures, missing exhibits, missing physical evidence, etc.)
- Bates stamp, redact personally identifiable information, and organize material for discovery
- Create casefiles in the case management system of record and OneNote
- Ensure suspects are on legal hold, review end of active obligated service (EAOS), etc.
- Draft charge sheet shells
- Sit in on witness interviews and take effective notes; input notes to casefile for later reference
- Arrange court security personnel/bailiff for all court sessions
- Arrange accused airlift to confinement
- Arrange for transcripts of recorded witness interviews and other audio files
- Request digital evidence, mail digital evidence, track mail
- Prepare member folders for trial
- Manage witnesses during trial - ensure they are present for testimony, provide with DD 2703 after testimony and document in case management system of record
- Copy and compile exhibits for trial
- Pull the case management system of record report and prep for weekly trial call

Intermediate Tasks

- Set up witness/victim interviews for Trial Counsel (TCs)
- Independently contact NCIS/commands/others to track and obtain needed evidence documents; manage receipt and logging/organization
- Draft subpoena and warrant requests
- Review digital evidence (e.g., “phone rips”) for relevant material; take notes and identify excerpts as applicable
- Draft request for counsel and initial discovery disclosures
- Transmit discovery material to defense and maintain records of discovery process
- Manage discovery logs, continuously review evidence for completeness and disclosure to defense
- Effectively maintain case management system of record entries for assigned cases
- Effectively maintain basic organization of OneNote casefiles, to include master trial checklist
- Track and assist TC in meeting Trial Management Orders (TMO) deadlines

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- Track witness needs, complete cost estimate spreadsheet, arrange for travel accommodations for witnesses and opposing counsel during court sessions
- Coordinate with court reporter prior to court sessions to arrange technological requirements and courtroom preparation
- Draft Article 32 and court-martial scripts
- Organize and compile evidence documents for Article 32 or trial

Advanced Tasks

- Draft Prosecutorial Merit Memoranda/Recommendations for basic cases
- Draft charges
- Independently draft basic government initial disclosure documents, including witness notices, Rule for Court-Martial 701 disclosures, etc.
- Independently draft post-trial documents: Victim/Witness Assistance Program 2704, Results of Trial, brig package
- Serve as primary trial shop point of contact (POC) for members (e.g., preparation of members' spaces, conferral with Staff Judge Advocates (SJAs) on members' issues) during members' trial
- Serve as primary trial shop POC for Article 32 Preliminary Hearing Officer
- Serve as duty court reporter and POC for courtroom logistics
- Conduct basic witness interviews (defense character witnesses, etc.)
- Review case files and provide input to NCIS on additional investigative steps
- Independently compile potential evidence for Article 32 hearings, review with TC, and build evidence binders for hearing
- Use the master trial checklist to predict needed litigation support
- Independently identify potential subpoena and warrant issues, and draft requests for TC review
- Draft advanced initial disclosure documents: Military Rule of Evidence 404(b) notice, expert notices, etc.
- Assist in developing direct and cross-examination questions
- Independently draft witness and discovery replies
- Draft basic motions and assist with legal research