

Chapter 1 : Staff Judge Advocate - About

The Judge Advocate General's Corps of the United States Army, also known as the "U.S. Army JAG Corps," is the legal arm of the United States Army, founded on July 29, by General George Washington.

He acted not only as prosecutor, but also as legal adviser to the court and as "friend" of the accused. While General Washington wanted a judge advocate to oversee the administration of military justice, his concerns also reflected the larger debate about justice and legal authority that was fueling the American Revolution. The new Nation envisioned by the Founding Fathers was a bold social and political experiment: It is the Rule of Law, in both civilian life and in the military, that ensures Order, Justice, and Equality. Since the Revolution, the American Army has had its own lawyers who assist commanders in enforcing Army standards and reinforcing Army values. Loyalty, duty, respect, selfless service, honor, integrity and personal courage thrive when soldiers know that they will be treated equally, and that rules and regulations apply to all, regardless of rank or assignment. And Judge Advocates have always played a critical role in ensuring that these standards and values are obeyed. In the Civil War era, Army lawyers played prominent roles in two historic legal events at the end of the conflict: The Lincoln assassination trial and the trial of Captain Henry Wirz, commandant of the infamous Andersonville prison camp. During both World War I and World War II, lawyers in uniform provided valuable legal advice to commanders and their staffs and, after leaving active duty, often went on even more high-profile public service jobs. Lieutenant Colonel Patrick J. In that position, Green oversaw the day-to-day operations of the military government of the islands for the next eighteen months. At the end of World War II, the Congress determined that the separate War and Navy Departments should be consolidated with the newly created Department of the Air Force in a unified defense establishment. An immediate effect of this new Department of Defense DoD in was the need for a unified criminal code that would govern all military personnel. Judge advocates quickly mastered the new system, aided by their legal specialists. This was part of a continuing effort to establish a formal program of instruction and training for Corps personnel that began in World War II. The murders at village of My Lai, and the investigations and courts-martial that followed, all culminated in a DoD Directive tasking Army Judge Advocates with a new mission: Accomplishing this new responsibility now required Army lawyers regularly to immerse themselves in many aspects of operational planning and execution and thus assume a role that earlier Judge Advocates did not see as part of their duties. From Grenada to the Wars on Terror A number of perceptive Judge Advocates realized that this new legal mission inexorably meant Judge Advocate integration into operations at all levels, and they initiated efforts to move the Corps toward this end. It was essential that Army lawyers now be schooled in a new role and a new legal discipline: Over the next fifteen years, the JAG Corps reconfigured its assets and training to support this new Judge Advocate role. By , when U. Army lawyers, legal administrators and paralegals worked around the clock to solve the legal problems created by the rapid deployment to Saudi Arabia. Commanders at all levels now saw their Judge Advocates as important force-multipliers. They were first class attorneys who prosecuted and defended courts-martial, adjudicated claims, and advised individual soldiers on a variety of personal legal problems. But, their new role meant that these same lawyers also contributed to mission success in countless other ways from drafting Rules of Engagement and providing advice on targeting, using combat contracting to purchase special fabric for force protection, and assisting Division G-2 intelligence personnel in gathering war crimes evidence, to constructing bunkers and fighting positions, investigating friendly fire incidents, and drafting war trophy policies. Judge Advocates were part of this war from the beginning. Army lawyers and noncommissioned officer paralegals serving with Task Force Rakkasan arrived in Afghanistan in January , where they provided the full range of legal services. By , when the final U. Included in these numbers were thousands of members of the JAGC Regiment, some of whom continue to serve in Afghanistan. The future of the Corps As the Army evolves into a lighter and more lethal force, and as combat and non-combat operations become increasingly demanding, commanders will require soldier-lawyers, legal administrators, and paralegals that can recognize issues and provide solutions quickly. The JAG Corps is preparing its men and women to meet these challenges. The JAG Corps is ready for new

challenges in the new millennium. Since the entire JAG Corps at this time consisted of four officers, this was an important development: An graduate of New York University Law School, Gardiner gave up his legal practice at the start of the Civil War and saw considerable combat; he was awarded the Medal of Honor for his gallantry during the battle of Gettysburg. Probably the most famous Professor of Law was George B. Davis wrote texts on military law and courts-martial, and international law. His Elements of International Law was published in to rave reviews. Davis later served as TJAG from to Major General Enoch H. Major General Ernest M. Major General Charles E. Major General Wilton B. Chipman, USMA , the first graduate in his class to wear three stars and the only Army officer in modern history to go from colonel to lieutenant general in less than two years. Army of the linked web site or the information, products or services contained therein. For other than authorized activities such as military exchanges and Morale, Welfare and Recreation sites, West Point and the U. Army do not exercise any editorial control over the information you may find at these locations. Such links are provided consistent with the stated purpose of this Department of Army web site. Only questions or comments regarding the technical aspects of the Web site should be sent to the web master. If you are reporting a broken link, please help us by identifying the page or Web site where you found the link or web address. Please click here to send an email to the West Point web team.

Chapter 2 : Judge Advocate General's Corps, United States Army - Wikipedia

U.S. Navy Judge Advocate General logo The Judge Advocate General's Corps (JAG Corps) is the branch or specialty of a military concerned with military justice and military law. Officers serving in a JAG Corps are typically called judge advocates.

Lieutenant General Flora D. Darpino , appointed on 4 September , is the thirty-ninth Judge Advocate General and the first female to serve in that grade. The appointment of then-Major General Scott C. Mission Edit Judge advocates occupying the position of staff judge advocate SJA serve on the special and personal staff of general officers in command and who are general court-martial convening authorities in other words, who have the authority to convene a general court-martial. Staff judge advocates advise commanders on the full range of legal matters encountered in government legal practice and provide advice on courts-martial as required by the Uniform Code of Military Justice. Subordinate judge advocates prosecute courts-martial, and others, assigned to the independent United States Army Trial Defense Service and United States Army Trial Judiciary, serve as defense counsel and judges. Judge advocates, legal administrators and military paralegals are deployed throughout the United States and around the world, including Japan, South Korea, Germany, Kosovo, Iraq, Afghanistan, Kuwait, and Qatar. They provide legal assistance to soldiers, adjudicate claims against the Army, advise commands on targeting decisions and other aspects of operational law, and assist the command in administering military justice by preparing non-judicial punishment actions, administrative separation actions, and trying criminal cases at court-martial. In addition to the active component judge advocates, there are approximately 5, attorneys who serve in the US Army Reserve and the Army National Guard. Legal Center and School Main article: It was disestablished for a time after the war but, after a short stay at Fort Myer in Arlington, Virginia, was reestablished at the University of Virginia in In addition to lawyers, TJAGLCS also trains newly selected and senior legal administrator warrant officers, senior paralegal noncommissioned officers and court reporters new judge advocate enlisted soldiers attend AIT at Fort Lee, Virginia. The school also trains those officers appointed as military judges, irrespective of service. While some judge advocates have prior enlisted or commissioned experience, most are direct commissioned and have no prior military training or experience. Initial entry training into the JAG Corps is composed of two phases: JAG Corps warrant officer legal administrators are accessed from the enlisted population through a competitive accession board of officers. That board of officers make a recommendation to The Judge Advocate General using an order of merit list of recommended selections, The Judge Advocate General has final authority on the process. Once accessed, the warrant officer candidate will complete 4â€”6 weeks of warrant officer candidate school at the Warrant Officer Career College located at Fort Rucker, Alabama. Insignia Edit The branch insignia consists of a gold pen crossed above a gold sword, superimposed over a laurel wreath. The pen signifies the recording of testimony, the sword represents the military character of the JAG Corps, and the wreath indicates honor. The insignia was created in May in silver and changed to gold in The regimental distinctive insignia commonly but erroneously referred to as a "crest" contains the branch insignia on a shield of azure dark blue , bordered argent silver , the regimental colors.

Chapter 3 : Illinois Army and Air National Guard Staff Judge Advocate

Monitors litigation involving the State National Guard and assists Army and Air Force Litigation Divisions, and Assistant U.S. Attorneys in the defense of cases including, but not limited to, the preparation of pleadings, and Board of Correction of Military Records matters.

Subjects taught include foundational international law topics such as the legal bases for the use of force, Geneva conventions, human rights, war crimes, and the national security structure, as well as more practical applications of international law such as means and methods of warfare, detention law, cyber law, and rules of engagement. Intelligence Law Course 4. This course provides a basic understanding of the legal framework in which the intelligence community operates and the historical context with which to view, understand, and apply existing laws, regulations, and policies. Focusing on judge advocates new to this area of the law, working at the joint task force JTF level and below, it presents current intelligence issues including intelligence operations in cyberspace, and tactical intelligence law issues that arise in a combat zone. Military or civilian attorneys employed by the U. Government who provide operational law advice to commanders. Attendance is also open, on a limited basis, to U. Government employees assigned or pending assignment to positions requiring an understanding of intelligence law as it relates to the investigation of national security cases. Attendance is by invitation only. Click the student services link to the right for class schedules and information on attending the course. Domestic Operational Law Course 4. This course provides military lawyers with a full understanding of the role of the Department of Defense in homeland security. The course will cover the constitutional, statutory, and regulatory bases for military support provided to civilian authorities. Other topics will include crisis management, interagency coordination efforts at the federal and state levels, information operations, and the use of force in domestic operations. For more information, please see IS This course focuses on the role of lawyers in joint and multinational military operations. Lectures cover topics such as: Small group seminars complement lectures and students can choose from various electives to focus their area of study. This course is open to military or civilian attorneys employed by the U. Government and Department of Defense paralegals serving in or pending assignment to a position that requires knowledge of international or operational law. Individuals who have completed this course, the Judge Advocate Officer Basic Course C20 , or the Judge Advocate Officer Graduate Course C22 within the preceding two years are not eligible to attend absent compelling circumstances e. Emergent Topics in National Security Law 2. The forum is intended to provide experienced practitioners from across the joint force, typically field grade or civilian equivalent, an in-depth exploration of current national security law issues. Therefore, the focus of instruction for each course will change in accordance with evolving legal issues. Government civilian attorneys, and Department of Defense paralegals serving in or pending assignment to a position that requires knowledge of the selected emergent international and operational legal issues.

For information on making an appointment, contact the Illinois Department of Military Affairs, Judge Advocate General's office by phone at , DSN: , or e-mail. Illinois National Guard judge advocates cannot represent service members in criminal or civil courts.

This website contains many helpful links for our clients to obtain more information on a wide variety of legal issues. Please keep in mind that while these links may provide general information on a legal topic, they should not serve as a substitute for your personal consultation with a legal assistance attorney. Links to commercial sites does not constitute endorsement by the US Army nor does the US Army take responsibility for the content or the handicap accessibility of those sites. The office will be closed during training holidays, afternoons during payday activities and on all federal holidays. Clients may sign in for a walk-in appointment beginning at 9 a. Wills are done by appointment only. Bring in all relevant paperwork for your case. Walk-in slots are limited and are on a first-come, first-serve basis. There is no guarantee our attorneys will be able to accommodate seeing all potential walk-in clients. Notaries and Powers of Attorney are available on a walk-in basis during normal business hours. If you are seeking an appointment, call or on the last duty day of the week. They are also members of two honorable professions: Like every Army organization, the primary mission of the Corps is to support the war fighter through a variety of activities. Army lawyers provide legal services to soldiers and their families, boosting morale and allowing soldiers to stay focused on their mission.

Regimental Insignia The Argent, an escutcheon Azure dark blue charged with a wreath of laurel surmounted by a sword point to base in bend surmounted by a quill in bend sinister all gold. Origins in the American Revolution In , only a few days after assuming duties as commander-in-chief of the new army, GEN George Washington insisted that the Continental Congress appoint a lawyer to help with the many courts-martial being conducted. By , this Army lawyer, known as the "Judge Advocate General," was personally conducting trials before courts-martial and other military tribunals. He acted not only as prosecutor, but also as legal adviser to the court and as "friend" of the accused. While GEN Washington wanted a judge advocate to oversee the administration of military justice, his concerns also reflected the larger debate about justice and legal authority that was fueling the American Revolution. The new Nation envisioned by the Founding Fathers was a bold social and political experiment: It is the Rule of Law, in both civilian life and in the military, that ensures Order, Justice, and Equality. In any event, since the Revolution, the American Army has had its own lawyers - who assist commanders in enforcing Army standards and reinforcing Army Values: Judge advocates have always played a critical role in ensuring that these standards and values are obeyed. Early years through Civil War period Judge advocates served with honor and distinction in the early years of the Republic. In the Civil War era, Army lawyers played prominent roles in two historic legal events at the end of the conflict: By December , however, his department had expanded along with the rest of the American Army to judge advocates. Thus, for example, MG Enoch H. He was more than equal to the challenge, for his extraordinary heroism and gallantry in combat earned him the Distinguished Service Cross and Silver Star. Thurston After the war ended in France, judge advocates continued serving areas where fighting continued. Thurston deployed with U. As the only lawyer in the AEF-North Russia, LTC Thurston was responsible for the administration of military justice, and he reviewed more than courts-martial cases between August and April Like Thurston, he endured months of bitter cold, snow and ice. Galen, for example, researched the legal ramifications of a marriage between an American soldier and a Russian citizen. Should an Army chaplain instead perform it? Could the new wife return with her soldier husband to the U. Some issues were more somber They were executed a short time later. In , the Army was once again preparing for war. The legal challenges presented by this buildup were staggering, and now Army lawyers were making policy recommendations as well as providing legal advice and opinions. When the threat of war became reality, judge advocates would once again be tested on the battlefield as well as in the courtroom. Green After the Japanese surprise attack on Pearl Harbor, the operational tempo increased markedly for judge advocates. Some were immediately called upon to handle missions of incredible importance and sensitivity. Green, who had been

...serving as Staff Judge Advocate for the Hawaiian Department, assumed duties as the executive to the military governor. In that position, Green was largely responsible for promulgating and issuing orders and other measures implementing the transition from civil government to military government on December 7. In most cases, these orders were without precedent and required the broadest legal knowledge in order to make them properly effective. As a practical matter, COL Green was largely responsible for the day-to-day operation of the military government in the Territory of Hawaii. Thus, for example, then infantry 1LT Hubert E. A superb athlete, Miller later participated in the Olympic Games four-man bobsled, becoming the only judge advocate to compete in the Games while a member of the Corps. Miller While Spitzer received the Silver Star as a judge advocate, others who would later serve in the Corps were being recognized for their personal courage. Cramer, TJAG, and other dignitaries, celebrate the 1st anniversary of the Army legal assistance program. Trials also were conducted in Tokyo, where Japanese war criminals were prosecuted. Less publicized were the trials of the rank and file military personnel who had actually committed or ordered war crimes. In many of these trials, Army lawyers also served as defense counsel to ensure that German and Japanese defendants received adequate legal representation. Courts-martial from Chaos Finally, there were courts-martial arising out of the chaos of war that had nothing to do with war crimes. These "crown" jewels, worth millions of dollars, had been discovered the year previously by CPT Nash in Schloss Friederishoff. After Nash discovered the hiding place, however, she, Durant, and another officer smuggled the jewels to the United States. At trial, all three accused claimed that, as looting was commonplace in Occupied Germany, their misconduct should be excused. The court members were unconvinced. Durant, shown in this photograph with his two defense lawyers, received 15 years in jail. Nash received five years. Much of the Hesse treasure was never found and remains unrecovered. Creation of the Uniform Code of Military Justice An immediate effect of a unified Department of Defense DoD in was the need for a unified criminal code that would govern all military personnel. This photograph shows the first all enlisted court-martial, convened in France in July Judge advocates quickly mastered the new system, aided by their legal specialists. It was during this period the legal specialist series MOS was created, defining the duties and training of enlisted legal clerks. This was part of a continuing effort to establish a formal program of instruction and training for Corps personnel that began in World War II. Pictured to the left is MG E. During the Korean War, judge advocates served with distinction. In this photograph, MG E. Ginder, CG, 45th Infantry Division, in Levie As the fighting in Korea ended, however, judge advocates continued to demonstrate their value. Levie shown here as a LTC, an expert in international law, was the key draftsman of the Korean Armistice Agreement. In the photograph below, students of an early "JAG School" class pose for a photograph. In the first photograph, students in the fifth OCS class take their class photograph in early The photograph to the left shows the members of the first class at Ft. Legal specialists receive their basic instruction at Fort Jackson, South Carolina. Because of the high standards required for legal work, enlisted personnel in the Corps often are very mature and well-educated. As their careers progress, legal specialists must also receive advanced training at Charlottesville. Fulton, who served as commandant in the s. Army Court of Criminal Appeals, until he finally retired from Federal service in Fulton The complex nature of guerrilla war spawned a host of complicated legal issues. Just as type of war waged by the North Vietnamese and Viet Cong demanded non-traditional responses from the American Army, some judge advocates also realized that the traditional way of providing legal services was no longer way enough. Consequently, a number of judge advocates spearheaded unique efforts to enhance mission success in ways not seen previously. This was a significant achievement for, once its military leaders accepted the international nature of the conflict, the South Vietnamese government also acceded to this view and agreed that the provisions of the Geneva Convention on Prisoners of War would be applied. Prugh As always, judge advocates acquitted themselves with honor and courage on the battlefield. Here, judge advocates assigned to the 25th Infantry Division "Tropic Lightning" pose for a photograph in Conducting a court-martial in a combat zone could be dangerous, but that was Standard Operating Procedure in Vietnam. In this photograph, taken in Vietnam shortly after the enactment of the Military Justice Act of , a trial counsel swears in a witness at a special court-martial. The murders at My Lai, and the investigations and courts-martial that followed, all culminated in a Department of Defense Directive tasking Army judge advocates with a new mission:

Accomplishing this new responsibility now required Army lawyers regularly to immerse themselves in many aspects of operational planning and execution and thus assume a role that earlier judge advocates did not see as part of their duties. A number of perceptive judge advocates realized that this new legal mission inexorably meant judge advocate integration into operations at all levels, and they initiated efforts to move the Corps toward this end. It was essential that Army lawyers now be schooled in a new role and a new legal discipline: Over the next fifteen years, the JAG Corps reconfigured its assets and training to support this new judge advocate role. By , when U. Army lawyers and legal specialists worked around the clock to solve the legal problems created by the rapid deployment to Saudi Arabia. Commanders at all levels now saw their judge advocates as important force-multipliers. They were first class attorneys who prosecuted and defended courts-martial, adjudicated claims, and advised individual soldiers on a variety of personal legal problems. But, their new role meant that these same lawyers also contributed to mission success in countless other ways from drafting Rules of Engagement and providing advice on targeting, using combat contracting to purchase special fabric for force protection, and assisting Division G-2 intelligence personnel in gathering war crimes evidence, to constructing bunkers and fighting positions, investigating friendly fire incidents, and drafting war trophy policies. Ruppert, the Staff Judge Advocate, U.

Chapter 5 : Judge Advocate General's Corps, United States Army

The Judge Advocates Association is a national legal society that was organized in by a small group of Army attorneys in Washington, D.C. Our membership now includes active duty, reserve, and guard judge advocates, law school students, and retired judge advocates from all of the armed services.

Army personnel were the largest advisory component, and the chief of the Military Assistance Advisory Group was a senior Army general officer. With the Korean War in mind, the primary mission of the South Vietnamese military forces was to resist an external attack from the north. Consequently, advisers helped organize the South Vietnamese Army into standard infantry divisions compatible with this conventional task. In time, the advisers busied themselves with every aspect of the new army, from administrative procedures, personnel management, logistics, and intelligence to unit training, mobilization, war planning, and leadership. Army Special Forces teams and Army helicopter units arrived there. Advisers, who previously had been placed at the division level, were now permanently assigned to infantry battalions and certain lower-echelon combat units. The Military Assistance Advisory Group, The mission of the MAAG staff judge advocate was to render legal aid and advice to the members of the advisory element and to act as legal adviser to the Director of Military Justice, the Judge Advocate General equivalent in the South Vietnamese armed forces. The first military lawyer assigned for duty in Vietnam, Lt. Durbin, arrived in June Paul J Durbin, deputy staff judge advocate of US. Army, Pacific, left, and Pfc. Matthew Guarino, a legal clerk in the 25th Infantry Division, during a military exercise in Thailand, June Colonel Durbin was thus on his own. Enlisted soldiers enjoyed diplomatic status equivalent to that of clerical personnel assigned to the U. The government of South Vietnam thus had neither criminal nor civil jurisdiction over those soldiers assigned to the advisory group, and criminal jurisdiction over MAAG personnel was exercised exclusively under the Uniform Code of Military Justice, an arrangement that continued throughout the duration of the conflict. The small size of the advisory element and the quality of people assigned meant that there was little crime that could not be handled under Article 15 of the Uniform Code. In order to deal with claims, Durbin established a claims office for Vietnamese whose property was damaged by MAAG members, mostly in traffic accidents involving military vehicles. He discovered, however, that the concept of filing a claim against the U. On 11 November, three battalions of South Vietnamese paratroopers surrounded the presidential palace and demanded reforms. He finally ventured out that afternoon, heading toward the presidential palace. En route, he noticed a jeep pass with a Vietnamese paratrooper colonel, accompanied by an American Army captain. Immediately he flagged down the jeep, asked the American officer if "he was advising on the coup," and subsequently "advised" him to return to his quarters. As a result, on 28 June, he produced written guidance for MAAG personnel in the "event of a breakdown of internal law and order within South Vietnam," which later became part of the legal annex to MAAG Vietnam Operations Plan, which addressed such contingencies. Manual for Courts-Martial, he thought, would be "ideal for the Vietnamese Army, as it was much more simple than the Manual-not necessarily better-just simpler. Fluent in French, Eblen was well suited to work with Vietnamese government officials, many of whom were French-educated. Eblen, left, with Lt. Significantly, however, they quickly moved beyond the delivery of such services and began to investigate alleged violations of the Law of War. Several Special Forces advisers captured by the Viet Cong had escaped, and Eblen interviewed them, tape recording their allegations of mistreatment. His work prompted a MAAG policy requiring that military lawyers participate in all interviews or debriefings involving alleged war crimes, and by mid such incidents had become so common that Eblen tasked his Air Force judge advocate with creating case files indexing allegations of mistreatment by subject matter and perpetrator. Consequently, when a general court was appropriate, charges were preferred and an Article 32 investigation held in Vietnam. In August, Colonel Eblen was replaced by Lt. Westerman, and a year later, in, Westerman was replaced by Lt. All Army attorneys were assigned to the advisory group but served both MAAG and MACV headquarters, advising the commands on nonjudicial proceedings under Article 15 of the Uniform Code and assisting with a few summary and special courts-martial. In any event, no general courts-martial were conducted. The full-time

claims judge advocate at MACV headquarters was fully engaged. William Myers, who arrived in December, was an experienced military attorney and handled all monetary claims filed in Vietnam and payable under the Personnel Claims Act, the Military Claims Act, or the Foreign Claims Act. The most serious were those filed by the Vietnamese under the Foreign Claims Act, generally for property damage or personal injury suffered in traffic accidents involving MACV vehicles. These claims were settled promptly to promote better relations between U.S. and Vietnamese. Taylor arrived in September and acted as a one-man legal adviser to the brigadier general in command. His office was a tent open to the local weather, in which desktops were quickly covered with insects, paper clips rusted so quickly that they could be used only once, and the frayed electrical wire strung about the makeshift office caused the canvas cloth to catch fire. Security was also a concern. Shortly after arriving, Taylor learned that a Viet Cong attack was imminent, but could find no spare personal weapons for his use. He had his brother in the United States quickly send him a .45 caliber handgun. Most of his work concerned military justice and legal assistance. Ultimately, Taylor had an airplane assigned to him for travel throughout Vietnam to see that these changes were properly implemented. Charles Baldree replaced Taylor in and was in turn replaced by Capt. McNamee a year later. For this and other "nonlegal" staff work, McNamee received the Legion of Merit. He was followed in November by Col. Prugh, a graduate of the Army War College, was the first judge advocate colonel to serve in Vietnam as a lawyer. A combat veteran of the World War II Pacific theater, he instinctively appreciated many of the difficulties encountered by American soldiers in Vietnam. But having also been a judge advocate since 1952, with three previous tours in the Pentagon and overseas lawyering in Germany and Korea, he would prove adept at handling legal policy questions at a high level. In fact, because of his broad experience, he was also to serve as legal adviser to the U.S. Information Service, and the U.S. Agency for International Development. Prugh was also the last judge advocate officially to have his family with him; the bombing of the Brink Hotel on Christmas Eve, and subsequent guerrilla attacks on U.S. personnel. However, Colonel Prugh assigned his three-person staff specific responsibilities. Robinson with the claims mission; his Navy lawyer, the sole legal assistance officer, with administrative law and international affairs; and his Air Force judge advocate with military justice and discipline operations. Again, these responsibilities reflected the traditional legal services provided by judge advocates since World War II. Shortly after his arrival, he identified three major areas that were, at the time, deemed beyond the scope of "traditional" judge advocate responsibilities. The first involved the status and treatment of captured enemy personnel, the second concerned the investigation and reporting of war crimes, and the third dealt with assisting the South Vietnamese with resource control. Each would take the Army lawyers into uncharted waters. By the end of 1965, more than 24,000 American soldiers were in Vietnam, with many participating in combat operations. A few were, inevitably, captured by the enemy. Although some survived, Colonel Prugh learned that both sides—Viet Cong and South Vietnamese—often killed enemy soldiers wounded or captured on the battlefield. The fratricidal nature of the war explained these killings, at least in part. But some guerrillas were executed by the South Vietnamese simply because they viewed the guerrillas as "Communist rebel combat captives" who deserved summary treatment as illegitimate insurgents. In short, the Saigon government refused to treat Viet Cong captives as prisoners of war POWs, maintaining that the Geneva Conventions addressed only armed conflicts between states and not civil insurrections such as the one taking place in South Vietnam. In fact, those guerrillas who did survive capture in the field were generally imprisoned in provincial and national jails along with political prisoners and common criminals. The Viet Cong were usually even harsher in their treatment of captives, executing South Vietnamese soldiers falling into their hands as a matter of routine. A unilateral decision by the Saigon government to acknowledge the applicability of the Geneva Prisoners of War Convention might also, he felt, "ameliorate domestic and international criticism of the war. By American standards, conditions were exceptionally poor—overcrowding, insufficient food, and a shortage of qualified security personnel prevailed. In Da Nang, for example, Prugh saw that one jail, built by the French to house individuals, contained 1,000 people. Not only were far too many confined in the facility, but combat captives were mingled with prostitutes, thieves, and other criminals, as well as juveniles. Not until mid-1966 did the South Vietnamese set up suitable POW facilities, and the number of such prisoners rose to nearly 36,000 by the end of 1966. On the other hand, the Viet Cong and North Vietnamese never acknowledged the applicability of the Geneva

Convention, and their treatment of American and South Vietnamese captives continued to be brutal. Nevertheless, the humane treatment eventually afforded Viet Cong and North Vietnamese Army prisoners exerted constant pressure on the enemy to reciprocate, and more American soldiers and airmen did begin to survive capture. The second issue of critical importance to Colonel Prugh involved war crimes investigations. When he arrived in , Prugh discovered that MACV had no official policy on how violations of the Law of War should be investigated or on who should conduct such investigations. Believing that the command not only needed "uniform procedures for the collection.. By mid, MACV judge advocates were advising, assist- ing, and reviewing all war crimes investigations in Vietnam. Again, this was a significant responsibility not previously assumed by Army lawyers, and it remained a major mission for MACV lawyers until the end of the war. Believing that the defeat of the enemy was impossible without a "plan of national pacification in the form of the blockade of all enemy sources of supply," the Saigon government had issued nearly one hundred legal decrees controlling the distribution of resources. Materiel critical to the enemy effort-food, medicine, transport, and other items-was to be strictly controlled by monitoring its use and by storing excess supply in gov- ernment-controlled buildings. In the absence of an effective civil court system in South Vietnam, MACV judge advocates not surprisingly became a focal point for advice on enforcement of resource control reg- ulations. Effective advising, however, meant collecting, translating, indexing, interpreting, mimeographing, and distributing all relevant government decrees and directives. It also meant learning the mechan- ics of resource control so that practical guidance could be provided to U. Army involvement in Vietnam and the beginning of direct intervention. The unit was soon followed by a host of others, Army and Marine Corps alike, as well as support units and air units of all types and kinds. More soldiers also meant more lawyers and major changes in judge advocate operations, particularly in the area of military justice. In fact, due to the rising number of U. Legal advi- sory missions and other "unconventional" endeavors would grow comparatively less significant to those toiling on the battlefield. The decision to intervene with ground troops quickly established battlefield patterns that would see the United States through the next four years of war. John T Sherwood, Jr, April Prugh established a unique advisory program in which Army lawyers like Sherwood advised their Vietnamese counterparts on ways to improve their legal facilities and programs. The bombing of North Vietnam, begun in February , was one part of an evolving American war strategy. And it was in furthering this mission- managing an ever-expanding ground war by maneuver elements of the U. Westmoreland and MACV headquarters held center stage. Each was mated with a South Vietnamese regional command.

Chapter 6 : US Army JAG Corps | racedaydvl.com

A designated officer of the Judge Advocate General's Corps (JAGC) of the U.S. Army, Navy, Air Force, or Marine Corps. The JAGC was created by George Washington on July 29, , only 44 days after he took command of the Continental army.

The Corps is composed of Army officers who are also lawyers and who provide legal services to the Army at all levels of command, and also includes legal administrator warrant officers, paralegal noncommissioned officers and junior enlisted personnel, and civilian employees. The Judge Advocate General is a lieutenant general. All military officers are appointed by the U. President subject to the advice and consent of the Senate, but the Judge Advocate General is one of the few positions in the Army explicitly provided for by law in Title 10 of the United States Code , and which requires a distinct appointment. Officers who have already been appointed to another branch of the Army are administratively dismissed and simultaneously recommissioned anew as judge advocates, rather than merely transferring branches. The Judge Advocate General Main article: Lieutenant General Flora D. Darpino , appointed on 4 September , is the thirty-ninth Judge Advocate General and the first female to serve in that position. The appointment of then-Major General Scott C. Mission Judge advocates occupying the position of staff judge advocate SJA serve on the special and personal staff of general officers in command and who are general court-martial convening authorities in other words, who have the authority to convene a general court-martial. Staff judge advocates advise commanders on the full range of legal matters encountered in government legal practice and provide advice on courts-martial as required by the Uniform Code of Military Justice. Subordinate judge advocates prosecute courts-martial, and others, assigned to the independent United States Army Trial Defense Service and United States Army Trial Judiciary, serve as defense counsel and judges. Judge advocates, legal administrators and military paralegals are deployed throughout the United States and around the world, including Japan , South Korea , Germany , Kosovo , Iraq , Afghanistan , Kuwait , and Qatar. They provide legal assistance to soldiers, adjudicate claims against the Army, advise commands on targeting decisions and other aspects of operational law, and assist the command in administering military justice by preparing non-judicial punishment actions, administrative separation actions, and trying criminal cases at court-martial. In addition to the active component judge advocates, there are approximately 5, attorneys who serve in the US Army Reserve and the Army National Guard. Legal Center and School Main article: It was disestablished for a time after the war but, after a short stay at Fort Myer in Arlington, Virginia , was reestablished at the University of Virginia in The school also trains those officers appointed as military judges, irrespective of service. While some judge advocates have prior enlisted or commissioned experience, most are direct commissioned and have no prior military training or experience. Initial entry training into the JAG Corps is composed of two phases: JAG Corps warrant officer legal administrators are accessed from the enlisted population through a competitive accession board of officers. That board of officers make a recommendation to The Judge Advocate General using an order of merit list of recommended selections, The Judge Advocate General has final authority on the process. Once accessed, the warrant officer candidate will complete 4â€”6 weeks of warrant officer candidate school at the Warrant Officer Career College located at Fort Rucker, Alabama. Insignia The branch insignia consists of a gold pen crossed above a gold sword, superimposed over a laurel wreath. The pen signifies the recording of testimony, the sword represents the military character of the JAG Corps, and the wreath indicates honor. The insignia was created in May in silver and changed to gold in The regimental distinctive insignia commonly but erroneously referred to as a "crest" contains the branch insignia on a shield of azure dark blue , bordered argent silver , the regimental colors.

Chapter 7 : Army Judge Advocate General's Corps Attorney (27A) | racedaydvl.com

Army Judge Advocates interpret and apply foreign law, comparative law and domestic law affecting overseas activities, intelligence activities, security assistance, counter-drug operations, stability operations, rule of law activities, and cyber

law.

Chapter 8 : Army Judge Advocate General's Corps Attorney

The Commander, United States Army Legal Services Agency, Chief Judge, U.S. Army Court of Criminal Appeals, and Supervisory Judge Advocates , page:

Chapter 9 : Judge Advocate (NGB-JA) - Personal Staff - The National Guard

The murders at My Lai, and the investigations and courts-martial that followed, all culminated in a Department of Defense Directive tasking Army judge advocates with a new mission: ensuring that all U.S. military operations complied strictly with the Law of War.