

ANG JUDGE ADVOCATE TRAINING PROGRAM

This instruction implements AFPD 51-8, *Assignment, Training, and Management of The Judge Advocate General's Department Reserve (TJAGDR)* and paragraph 4, AFI 51-801, *Training of Air Force Reserve Judge Advocates and Paralegals*. It establishes a uniform program of training and applies to all Title 32 Air National Guard (ANG) Judge Advocates (JAs), unless exempt by language contained herein. It does not apply to Title 10 Statutory Tour ANG JAs. It will be used by gaining major commands in training and evaluating the training status of JAs assigned to ANG units. Guidance contained in AFPD 51-8 and AFI 51-801 applicable to ANG JAs takes precedence over this instruction. This publication requires the collection and maintenance of information protected by the Privacy Act of 1974. Authority to collect and maintain records is prescribed in 10 U.S.C. 8013.

SUMMARY OF REVISIONS:

This instruction updates training requirements for all Title 32 ANG JAs to include civil affairs, computer proficiency training, and describes in detail training responsibilities of each JA and liaison officers.

1. Glossary of References, Abbreviations, Acronyms, and Terms. See attachment 1.

2. Program Concept:

- 2.1. The concept of the ANG JA training program is enhancement of performance through training.
- 2.2. Training under the program is of three types: day-to-day performance of the JA's peacetime mission, periodic on-the-job training in an active duty or functionally equivalent environment, and periodic formal school training.
- 2.3. Each type of training is an integral part of the program and enhances the other types of training to achieve the program's objectives.
- 2.4. While the benefits of this training program will enable ANG JAs to continually improve the quality of their legal services in the performance of their peacetime missions, the focus of the program is to prepare them to effectively function in an active duty environment.
- 2.5. The program requires completion during each training cycle of the following formal school training sessions:
 - 2.5.1. The Reserve Forces Judge Advocate Course (RFJAC) or the Staff Judge Advocate Course (SJAC).
 - 2.5.2. Two Annual Surveys of the Law.
 - 2.5.3. A tour of duty of a cumulative 2 weeks in an active duty legal office or its functional equivalent.
- 2.6. The program has been designed to ensure its objectives can be met by traditional Guard members by blending requirements with other strongly encouraged training opportunities, all of which are capable of being performed continuously, with flexibility and within a reasonable time.
- 2.7. ANG JAs are encouraged to attend RFJAC or SJAC and two Annual Surveys of the Law (ASOL) in 3 different years within a training cycle, to ensure maximum benefit from the training program and attainment of its objectives, and to perform a training tour at intervals of no more than 4 years from training cycle to training cycle.

3. Program Objectives:

- 3.1. Overall. ANG JAs must be prepared and ready to perform effectively upon mobilization, when otherwise required to support the Air Force mission, and must continually improve their capability to give quality legal services in performance of their peacetime missions.
- 3.2. Specific. Training for ANG JAs is focused on the primary roles that each must fulfill, depending on grade and assignment.
 - 3.2.1. As an officer, the ANG JA must be prepared to serve as a military professional in the Air Force.
 - 3.2.2. As a judge advocate, the ANG lawyer must possess basic skills in order to function effectively on active duty in the areas of military justice, claims, civil law, contingency/operations law, and to communicate effectively through the computer at all times and in any environment. In addition, all ANG JAs should have enough familiarity with the

many subject matters faced by active duty JAs to recognize problems and understand where and how to find answers. Although many ANG JAs have civilian or former military practice specialties that are exceptionally valuable to the Air Force, their achievement of competency in many subject areas of military law is essential.

3.2.3. As a manager, a senior ANG JA must be ready to function effectively as an active duty SJA to a commander and oversee the administration of an Air Force legal office.

3.2.4. State headquarters JAs (other than those JAs assigned to support NGB-JA) must be qualified to function effectively in the Air Force Civil Affairs mission.

4. Training Responsibilities:

4.1. Each ANG JA is individually responsible for developing and maintaining the skills and experience necessary to carry out the peacetime mission of the JA and to act immediately and effectively in the active force if mobilized, or when otherwise required to support the Air Force mission.

4.2. The ANG Assistant to The Judge Advocate General (TJAG) is responsible for:

4.2.1. The overall coordination of the ANG JA training program.

4.2.2. The supervision of ANG Assistants to major command (MAJCOM) SJAs in their activities related to this program.

4.2.3. The education and overall compliance of ANG JAs to the provisions of this publication (ANGI 51-801).

4.3. ANG Assistants to MAJCOM SJAs are responsible for ensuring accomplishment of the training objectives of this publication by:

4.3.1. Assisting the SJAs of the major commands to which they are assigned in implementing this program.

4.3.2. Monitoring training tours and other training activities of ANG JAs assigned to their respective gaining MAJCOMs.

4.3.3. Necessary coordination with Air Force representatives to carry out the training objectives of this instruction.

4.4. ANG Liaisons are responsible for coordinating, advising, and assisting in implementing this program at intermediate gaining command levels as directed by the ANG Assistant to the SJA of the MAJCOM to which or to whom the intermediate command is assigned. If there is no ANG Liaison designated at the Numbered Air Force (NAF) or command level, the duties of the ANG Liaison will be performed by the ANG Assistant to the appropriate MAJCOM SJA.

4.5. State Headquarters Liaisons are responsible for coordinating, advising, and assisting in implementing this program under the supervision of the ANG Assistant to TJAG, for State Headquarters ANG JAs, except those assigned to support NGB-JA.

4.6. The SJA of each gaining MAJCOM is responsible for assuring that this training program is implemented and that the training requirements are met by all ANG JAs assigned to units gained by the SJA's MAJCOM.

4.7. The SJA of an active duty base or other supervising JA to whom an ANG JA reports for a training tour is responsible for assisting the ANG JA to carry out the training aims of this instruction. The SJA should see that the training goals remain the top priority for the duration of the tour, absent extraordinary circumstances. (See also paragraph 5.5.3., below).

5. Program Requirements. ANG JAs are encouraged, whenever practicable, to complete additional training than that required, consistent with the program's objectives.

5.1. The training requirements contained in this instruction do not apply to the Title 32 AGR JAs. Additional training and tours of these JAs are within the purview of the State adjutant general.

5.1.1. ANG JAs will be trained through all three types of training under this program to ensure they possess basic minimum skills to function effectively in their peacetime missions and on active duty consistent with their respective wartime missions as determined by higher authorities. The training guide in attachment 2 (for all ANG JAs, except Title 32 AGR JAs) and the activities in attachment 3 (for senior ANG JAs) have been designed as benchmarks of skills which ANG JAs should strive to obtain during a training cycle. If the skills in attachments 2 and 3 are not obtained during a training cycle, ANG JAs should try to obtain them in the next training cycle.

5.2. RFJAC/SJAC:

5.2.1. With the effective date of this instruction (ANGI 51-801), senior ANG JAs or the senior JA in an ANG legal office are urged to complete the SJAC (if not already completed) in their next training cycle.

5.2.2. ANG JAs are strongly encouraged to complete the SJAC during the training cycle when they become senior ANG JAs. A senior JA assigned to an ANG legal office after the effective date of this instruction, and having completed RFJAC or a 2-week training tour during this cycle, is urged to complete the SJAC in the next training cycle.

5.3. ASOL. ANG JAs must attend and complete the ASOL every other year and at least two ASOLs in each training cycle whether or not the RFJAC/SJAC or training tour requirements are satisfied in the year the ASOL is attended. ANG JAs are encouraged to have a different JA from the same ANG legal office attend the ASOL each year so that at least one JA from the same ANG legal office attends every year.

5.4. Civil Affairs:

5.4.1. Unless already completed or exempt, ANG JAs assigned as State Headquarters JAs on the effective date of this instruction must complete the Civil Affairs Officers Advanced Course by correspondence (Phase I), within 9 months of the effective date of this instruction.

5.4.2. Unless already completed or exempt, ANG JAs assigned as State Headquarters JAs after the effective date of this instruction must complete the Civil Affairs Officers Advanced Course by correspondence (Phase I), within 9 months of such assignment.

5.4.3. All ANG JAs not assigned as State Headquarters JAs are encouraged to complete the Civil Affairs Officers Advanced Course by correspondence (Phase I), or otherwise.

5.4.4. Unless the Civil Affairs Officers Advanced Course has first been completed, no ANG JA will be permitted to perform a Civil Affairs tour without the consent of the ANG Assistant to TJAG. (See paragraph 5.5.6.7 below).

5.5. Training Tours:

5.5.1. Duration. Training tours must be at least 1 week (5 consecutive and full-business days excluding travel days) in duration, and the 2-week tour requirement may be performed in separate or consecutive weeks during a training cycle.

5.5.2. Type. Tours may be performed in active duty Air Force legal offices or their functional equivalents to include NGB, CONUS, or OCONUS deployments with the ANG JAs assigned unit or with another active or air reserve component unit, NGB-sponsored OCONUS programs, Civil Affairs tours, TJAG (USAF)-sponsored programs such as the International Military Education & Training (IMET) program, or as otherwise determined from time to time by the ANG Assistant to TJAG. Given the wartime mission of State Headquarters JAs, they will maximize the training objectives of this instruction by performing Civil Affairs tours, if available.

5.5.2.1. All ANG JAs (except State Headquarters JAs) must be prepared to function as active duty JAs at base level, either as SJAs or as JAs. State Headquarters JAs must be prepared to function as active duty JAs in the Civil Affairs arena in support of Air Force operations. The flexibility afforded in the type of training tours performed during an ANG JA's career should be exercised to gain the broadest range of practical experience consistent with the judge advocate's wartime mission and peacetime duties.

5.5.3. Focus. The primary focus of all types of training tours should be to supplement the training the JA receives through performance of the peacetime mission and formal school training to do what the ANG JA may be called on to do on active duty. Accordingly, definite objectives should be set in advance of the tour and tours should not be scheduled or performed to merely provide the legal office where the tour is performed with an additional attorney to handle an existing workload.

5.5.4. Scheduling:

5.5.4.1. ANG JAs who are neither State headquarters JAs nor ANG JAs serving Title 32 AGR tours. All training tours, regardless of type or location, will be scheduled by the ANG JA with the coordination and prior approval of the ANG Liaison to the gaining NAF of the ANG JA who will perform the tour. In the ANG Liaison's absence, the ANG JA will coordinate and obtain prior approval for the tour from the MAJCOM Assistant to the gaining MAJCOM of the ANG JA who will perform the tour. In scheduling the training tour, the ANG Liaison or the ANG MAJCOM Assistant should assess the workloads and levels of expertise in each of the functional training areas in attachments 2 and/or 2 and 3, as applicable, at the active duty or equivalent legal office where the tour will be performed, to decide the office is well-suited to meet the particular training needs and objectives of the ANG JA.

5.5.4.2. State headquarters JAs. All training tours will be scheduled by the ANG JA with the coordination and prior approval of the appropriate State Headquarters Liaison (east or west) depending on whether the State Headquarters or military law office of the ANG JA is east or west of the Mississippi River.

5.5.4.3. All training tours, depending on their type, must also have the prior approval of the supervising active duty SJA, NGB (for NGB sponsored tours) or the ANG Civil Affairs Coordinator (for Civil Affairs tours).

5.5.5. Legal Assistance. Legal assistance, while recognized as one essential service within a base-level legal office, should be minimized in favor of training in other functional office areas. Accordingly, ANG JAs may perform legal assistance during training tours as long as it is not proportionately greater than legal assistance performed by the active duty personnel regularly assigned to that office.

5.5.6. Content:

5.5.6.1. Base-level tours. Tours at active duty bases should be scheduled to obtain primary exposure in one to two functional areas in a given week. Performing miscellaneous tasks in several functional areas or being assigned work as an extra judge advocate in the office does not maximize the objectives of the training program, i.e., cohesive training in a functional area to increase proficiency in that area. Accordingly, with advance coordination and approval of the base SJA and the Chief of that office's functional area (e.g., Military Justice, Claims, Civil Law, Contingency/Operations Law), the ANG JA should work under the supervision of the chief of a functional area to become familiar with tasks by performing, observing, or reviewing those tasks. The Training Guide in attachment 2 identifies tasks in specified functional areas typically encountered by active duty, base-level, legal offices.

5.5.6.1.1. A corollary to concentrating on functional areas during a training tour is to perform the tour at a base that has a sufficient workload to maximize the opportunities for obtaining proficiency in those functional areas.

Accordingly, after the ANG JA identifies the areas in which to receive training, the ANG JA and ANG Liaison should, to the maximum extent possible, match the particular training needs of the ANG JA to a base within the same NAF, if possible, that can provide sufficient training opportunities, even if that base is not the nearest to the ANG JA's home installation.

5.5.6.2. NAF, MAJCOM, OTJAG Tours. Tours at a NAF, MAJCOM or OTJAG should normally only be performed by senior ANG JAs to obtain experience and exposure to the areas identified in attachment 3. Given the broad range of skills required of senior ANG JAs on active duty, these tours should not be scheduled in any one office for more than 1 week and must have the prior approval of the ANG Liaison, and the NAF SJA, MAJCOM SJA, or TJAG, as the case may be.

5.5.6.3. CONUS or OCONUS deployments with active or air reserve component units. Generally, these tours should only satisfy the training tour requirement if the deployment scenario permits the ANG JA to function in an environment reasonably equivalent to active duty as determined by the ANG Assistant to TJAG or delegate. When not functioning under the supervision of an active duty JA during the deployment, the ANG JA's performance may satisfy the training tour requirement if the deployment commander evaluates it as improving the JA's effectiveness as a JA and an Air Force officer.

5.5.6.4. IMET Tours. These tours must also have prior approval of TJAG, USAF and the ANG Assistant to TJAG.

5.5.6.5. NGB Tours. Tours at NGB provide ANG JAs experience in handling issues and working problems at high government levels, especially in areas requiring specialized legal expertise. State Headquarters Liaisons, ANG Liaisons and MAJCOM Assistants, as the case may be, should coordinate in writing with NGB to ensure a match of expertise of the ANG JA and that required for the specific task to be performed. Tours must be approved in advance by the Chief Counsel, NGB.

5.5.6.6. NGB-sponsored OCONUS Tours. These tours must also have prior approval of the Chief Counsel, NGB.

5.5.6.7. Civil Affairs Tours. These tours must also have prior approval of the ANG Civil Affairs Coordinator and ANG Assistant to TJAG. (See paragraph 5.4.4. above).

5.5.7. End-of-tour review and reporting:

5.5.7.1. At the end of each training tour the ANG JA, the chief of the functional area where the work was performed, and SJA (to the extent applicable to the type of tour performed) will meet to review and critique the work performed by the ANG JA.

5.5.7.2. At the end of each training tour the supervising SJA, or in absence thereof, the deployment commander at the site of the tour, will prepare a letter of evaluation (LOE) of the ANG JA's performance in satisfaction of the training objectives and send it to the ANG JA's OPR rater, wing/group commander or equivalent, and ANG Liaison, or State Headquarters Liaison, as appropriate.

5.5.7.3. ANG JAs will prepare an end-of-tour report summarizing their activities and send it to the ANG Liaison or State Headquarters Liaison, as appropriate, within 30 days of completion of the tour. There is no prescribed format or length for the end-of-tour report but it must include the names and ranks of the chiefs of the functional areas or training supervisors and SJA where work was performed. In their absence, the deployment commander will prepare the report, giving the location and duration of the tour, a statement of the training objectives in scheduling the tour, a brief description of the activities performed in the functional areas using attachments 2 and 3 for guidance, and any unusual work activities, problems, or issues encountered. The after action report required to be prepared by ANG JAs deploying OCONUS with active or air reserve component units and sent to NGB (attachment 6) may also be sent to the ANG Liaison or State Headquarters Liaison, as the case may be, in lieu of a separate, end-of-tour report. FLITE is the preferred method to transmit these reports.

5.5.7.4. The ANG Assistant to TJAG may deny credit under this instruction for training tours which do not meet the requirements of this instruction.

5.6. Training Folders. Each ANG JA will maintain a training folder at the unit of assignment which is standard USAF issue; in six-sections and approximately 9-1/2" x 11-3/4" in size. Include and retain materials as set forth in attachment 4.

5.7. Reporting. There are two reporting requirements of ANG judge advocates under this instruction.

5.7.1. End-of-tour reports as provided in paragraph 5.5.7. above.

5.7.2. Continual updating of their ANG JA Roster. All ANG JAs are required to log their completed roster into FLITE and to update it in FLITE no later than 30 days after changes to any existing information on the roster or transmittal of a changed roster format. Changes in the roster format will be transmitted through FLITE. Since the updated roster is the primary means to obtain current information about and track the career progress of ANG JAs to monitor training for future assignments, contingencies, and other contacts, ANG JAs are urged to update their rosters in FLITE as soon as possible.

6. Other Training. ANG JAs are strongly encouraged to:

6.1. Complete the appropriate level of professional military education (PME) in residence, by seminar or by correspondence.

6.2. Become proficient in using computers and be able to send and receive messages in FLITE, JAGMAIL or its functional equivalent, and be able to use the REFLEX program.

6.3. Increase their professional expertise as Air Force officers and JAs through completion of specialty law courses, attendance at MAJCOM, NAF, reserve component and NGB conferences, workshops and seminars, service school leadership, management, and quality courses, and participation in selection or promotion boards whenever practicable.

7. Measurement of Performance:

7.1. Performance of the day-to-day mission. The ANG Assistant to TJAG or delegate may measure performance of ANG JAs day-to-day mission through their OPRs, ORIs and QAFAs.

7.2. Formal School Requirements. The ANG Assistant to TJAG or delegate may measure performance of RFJAC/SJAC and the ASOL requirements through an individual ANG JA's roster on FLITE.

7.3. Training Tour. The ANG Assistant to TJAG or delegate may measure performance of the training tour requirement through an individual ANG JA's roster on FLITE and transmittal of the ANG JA's end-of-tour report and LOE after a tour is completed.

8. Extensions of Training Requirements. The ANG Assistant to TJAG is authorized to grant requests for extensions of training requirements when requests are processed through the appropriate State Headquarters Liaisons or ANG Liaisons and then to the MAJCOM Assistants, if appropriate.

9. Failure to Meet Training Requirements. Any ANG JA who fails to comply with the requirements of AFPD 51-8, *Assignment, Training, and Management of Members of the Judge Advocate General's Department Reserve*, AFI 51-801, *Training of Air Force Reserve Judge Advocates and Paralegals*, or ANGI 51-801, (this instruction) is subject to removal from TJAGDR.

10. Changes or Supplements. The ANG Assistant to TJAG is authorized to issue changes or supplements to this instruction, after review by NGB.

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OFFICIAL

DEBORAH GILMORE
Chief
Administrative Services

6 Attachments

- 1. References, Abbreviations, Acronyms, and Terms**
- 2. Training Guide**
- 3. Senior ANG JA Activities**

4. Organization of Training Folder
5. Personal Data Sheet Summary
6. JA Support for ANG Units Deploying Overseas

Attachment 1

GLOSSARY OF REFERENCES, ABBREVIATIONS, ACRONYMS, AND TERMS

References:

5 USC 552(a), *The Privacy Act*
 10 USC 8013, *Secretary of the Air Force*
 18 USC 1385, *Posse Comitatus Act*
 Title 4, Code of Federal Regulations, *Bid Protest Regulations*, current edition
Manual for Courts-Martial, 1995 Edition
 Department of Defense Directive 5500-7-R, *Joint Ethics Regulation*
 United States Air Force War and Mobilization Plan, Volume 1, Annexes P and R

AFI 10-401, *Operation Plan and Concept Plan Development and Implementation*
 AFI 34-501, *Disposition of Personal Property*
 AFPD 36-27, *Social Actions*
 AFI 36-2701, *Social Actions Programs*
 AFI 36-2909, *Professional and Unprofessional Relationships*
 AFI 36-3209, *Administrative Separation of Reserve Component Members*
 AFPD 51-8, *Assignment, Training, and Management of the Judge Advocate General's Department Reserve (TJAGDR)*
 AFI 51-201, *Administration of Military Justice*
 AFI 51-202, *Nonjudicial Punishment Guide*
 AFI 51-301, *Civil Litigation*
 AFI 51-401, *Training and Reporting to Ensure Compliance With the Law of Armed Conflict*
 AFI 51-402, *Weapons Review*
 AFI 51-502, *Personnel and Government Recovery Claim*
 AFI 51-503, *Aircraft, Missile, Nuclear and Space Accident Investigation*
 AFI 51-504, *Legal Assistance, Notary and Preventive Law Program*
 AFI 51-704, *Procedures for Handling Requests for Political Asylum and Temporary Refuge*
 AFI 51-801, *Training of Air Force Reserve Judge Advocates and Paralegals*
 AFR 110-12, *Status of Forces Policies, Procedures and Information*
 AFP 110-31, *International Law and the Conduct of Armed Conflict and Air Operations*
 AFP 110-34, *Commander's Handbook on the Law of Armed Conflict*

Abbreviations and Acronyms:

AFCIMS	Air Force Claims Information Management System
AMJAMS II	Automated Military Justice Applications Management System
ANG	Air National Guard
ANGUS	Air National Guard of the United States
ASOL	Annual Survey of the Law
AGR	Active Guard/Reserve
CAMPS	Claims Administrative Management Programs System
CERCLA	Comprehensive Environmental Resource Compensation and Liability Act
CY	Calendar Year
ECI	Extension Course Institute

ECAMP	Environmental Compliance Assessment Management Program
EEO	Equal Employment Opportunity
EOT	Equal Opportunity and Treatment
FLITE	Federal Legal Information Through Electronics
FOIA	Freedom of Information Act
IFB	Invitation For Bid
IMET	International Military Education & Training
JA	Judge Advocate
LOE	Letter of Evaluation
MAJCOM	Major Command
MRE	Military Rules of Evidence
NAF	Numbered Air Force
NEPA	National Environmental Policy Act
NGB	National Guard Bureau
PME	Professional Military Education
RCRA	Resource Conservation and Recovery Act
QAFA	Quality Air Force Assessment
RFJAC	Reserve Forces Judge Advocate Course
RFP	Request For Proposal
SOFA	Status of Forces Agreement
SJAC	Staff Judge Advocate Course
SJA	Staff Judge Advocate
OCONUS	Outside the Continental United States
OPR	Officer Performance Report
ORI	Operational Readiness Inspection
OTJAG	Office of the Judge Advocate General
TJAG	The Judge Advocate General
TJAGDR	The Judge Advocate General's Department Reserve
UCMJ	Uniform Code of Military Justice
UIF	Unfavorable Information File
USAFR	United States Air Force Reserve
USERRA	Uniformed Services Employment and Reemployment Rights Act
UTA	Unit Training Assembly

Terms:

Air National Guard. The federally recognized ANG of each State, the District of Columbia, Commonwealth of Puerto Rico, Guam, and the Virgin Islands.

ANG Assistant. An ANG judge advocate assigned to the position of ANG Assistant to The Judge Advocate General USAF, to the staff judge advocate of a gaining major command, or to the Air Force Judge Advocate General's School, as the context requires.

ANG Civil Affairs Coordinator. An ANG judge advocate whose primary duties are to coordinate the training and participation of ANG judge advocates in the Air Force's Civil Affairs mission and to act as a Civil Affairs liaison among the other branches and components of the armed forces.

ANG Liaison. An ANG judge advocate appointed on an additional-duty basis to assist and advise, under the supervision of a MAJCOM ANG Assistant, the staff judge advocate of an intermediate gaining command such as a Numbered Air Force .

Air National Guard of the United States. A Reserve component of the U.S. Air Force consisting of all federally recognized units, organizations, and members of the ANG of the several States, District of Columbia, Commonwealth of Puerto Rico, Guam, and the Virgin Islands.

ANG Judge Advocate. A federally recognized ANGUS officer designated as a judge advocate by the current Judge Advocate General Department Reserve Order No. 1.

Air Reserve Forces. All units, organizations, and members of the ANGUS and the U.S. Air Force Reserve.

G Claim. Claim filed on behalf of the Government for damage to, loss, or destruction of government property.

P Claim. Claim filed against the Government because of property damage, personal injury, or death.

PT Claim. Claim filed against the Government because of damage to personnel transportation.

Senior ANG Judge Advocate. An ANG judge advocate in the grade of 0-5 to 0-6.

State Headquarters Judge Advocate. An ANG judge advocate assigned as a judge advocate in the headquarters of the ANG of a State, the District of Columbia, Commonwealth of Puerto Rico, Guam or the Virgin Islands.

State Headquarters Liaison. An ANG judge advocate appointed on an additional-duty basis to assist and advise the ANG Assistant to TJAG in coordinating the training of state headquarters judge advocates and ANG judge advocates serving AGR or statutory tours.

Staff Judge Advocate. The USAF active duty base, NAF, or MAJCOM SJA, as applicable.

Training Cycle. A consecutive, 4-year period individual to an ANG judge advocate, commencing:

- for ANG judge advocates assigned to the JAGDR as of the effective date of this instruction, from the first of October immediately before the most recent Reserve Forces Judge Advocate Course or Staff Judge Advocate Course completed by the ANG judge advocate to the 30th of September four years later; and for consecutive four-year periods thereafter;
- for ANG judge advocates assigned as such to the JAGDR after the effective date of this instruction, from the first of October nearest the date of such assignment to the JAGDR - whether October 1st is before or after the date of such assignment - to the 30th of September four years later, and for consecutive four-year periods thereafter.

Training Tour. Training performed by an ANG judge advocate at an active duty SJA office or its functional equivalent, intended to meet the requirements of this Instruction.

Attachment 2**TRAINING GUIDE**

Name: _____ Grade: _____

A2.1. This training guide is designed to help ANG judge advocates (JAs) target areas of military law in which to receive training during a training cycle through performance of their peacetime mission, formal school training, and active duty tours. Exposure to and training in these areas should provide ANG JAs with the minimum skills to function effectively on active duty and to improve the quality of their legal services in performance of their peacetime mission. To maximize the benefits of the training objectives of this instruction, ANG JAs should target areas during training tours to which they are not exposed or in which they do not receive practical experience during performance of their peacetime mission. THIS GUIDE IS NOT AN INSPECTION ITEM AND IS ADVISORY ONLY.

A2.2. Military Justice:

A2.2.1. Court Martial:

A2.2.2. Review evidence available to support special court martial and make recommendations on preferral of charges.

A2.2.3. Assist in conducting an Article 32 investigation.

A2.2.4. Assist in the preferral and referral of charges.

A2.2.5. Draft specifications for a court martial, including jurisdictional statement.

A2.2.6. Review and become familiar with areas of exclusive and concurrent jurisdiction for base of assignment.

A2.2.7. Complete a charge sheet (DD Form 458) (with paralegal assistance).

A2.2.8. Advise magistrate for pretrial confinement hearing.

A2.2.9. Evaluate a request for discharge in lieu of court martial.

A2.2.10. Assist counsel in a court martial.

A2.2.11. Assemble a record of trial.

A2.2.12. Review a record of trial for legal sufficiency and participate in a SJA's recommendation pursuant to AFI 51-201, *Administration of Military Justice*.

A2.2.13. Review and become familiar with MCM-1984, 1995 Edition, UCMJ, MREs, and AFIs 51-201 and 51-202, *Non-judicial Punishment Guide*.

A2.3. Non-judicial Punishment:

A2.3.1. Review evidence available to support an Article 15 action and make recommendation to a commander.

A2.3.2. Draft specifications for Article 15 action.

A2.3.3. Participate in advising commander on appropriate Article 15 punishment.

A2.3.4. Draft Article 15 punishment as recommended by commander.

A2.3.5. Review Article 15 for legal sufficiency.

A2.3.6. Review an Article 15 for appeal and prepare recommendations.

A2.4. Military Justice (General):

A2.4.1. Prepare, with technical assistance, an AMJAM's II input.

A2.4.2. Analyze unit AMJAM's II data and report findings to SJA.

A2.4.3. Participate in search authorization advice to commander.

A2.4.5. Review and become familiar with the legal aspects of the Air Force drug testing program.

A2.5. Claims:

A2.5.1. Investigate a tort claim.

A2.5.2. Perform or review a household goods claim inspection.

A2.5.3. Assist in advising a claimant on filing a claim.

A2.5.4. Adjudicate or review a PT claim (with paralegal assistance).

A2.5.5. Prepare and assert a G claim.

- A2.5.6. Prepare and assert a hospital recovery claim.
- A2.5.7. Adjudicate or review a P claim (with paralegal assistance).
- A2.5.8. Prepare and assert a carrier recovery claim.
- A2.5.9. Prepare or review a memorandum of law in a medical malpractice claim.
- A2.5.10. Develop or present a "Newcomers" briefing on claims procedures.
- A2.5.11. Review and become familiar with claims forms, files and publications.
- A2.5.12. Analyze a base-level AFCIMS product and brief the SJA.

A2.6. Civil Law:

A2.6.1. General:

- A2.6.1.1. Review a report of survey for legal sufficiency.
 - A2.6.1.2. Review a line-of-duty determination for legal sufficiency.
 - A2.6.1.3. Prepare a "bar letter" for commander's signature.
 - A2.6.1.4. Review a FOIA request.
 - A2.6.1.5. Review an IG complaint and recommend disposition.
 - A2.6.1.6. Prepare response to a congressional inquiry.
 - A2.6.1.7. Prepare an outline of a Joint Ethics Regulation (DoD 5500.7-R) briefing.
 - A2.6.1.8. Review and prepare advice for a UCMJ Article 138 complaint.
 - A2.6.1.9. Review off-duty employment request and recommend disposition.
 - A2.6.1.10. Attend a child advocacy hearing.
 - A2.6.1.11. Review a locally approved private association's operations for compliance with local law.
 - A2.6.1.12. Complete or review a judge advocate self-inspection checklist.
 - A2.6.1.13. Develop or review a procedure for investigating aircraft/missile incidents.
 - A2.6.1.14. Review your Base Contingency Plan for demonstrations and civil disorder.
 - A2.6.1.15. Review plans and instructions for dealing with natural disasters.
 - A2.6.1.16. Review local procedures for compliance with the Posse Comitatus Act.
 - A2.6.1.17. Review AFI 36-2909, regarding fraternization and professional relationships.
- A2.6.2. Adverse Actions:
- A2.6.2.1. Review an administrative discharge action under AFI 36-3209 for legal sufficiency.
 - A2.6.2.2. Review an officer separation action for legal sufficiency.
 - A2.6.2.3. Act as legal advisor or recorder on an administrative discharge board.
 - A2.6.2.4. Prepare or review a findings and recommendations worksheet for an administrative discharge board.
 - A2.6.2.5. Prepare or review legal advisor instructions for a board proceeding.
 - A2.6.2.6. Review an EEO complaint and recommend disposition.
 - A2.6.2.7. Review an adverse action for compliance with EOT policy (AFPD 36-27; AFI 36-2701).
 - A2.6.2.8. Review a housing discrimination investigation for legal sufficiency.
 - A2.6.2.9. Participate in a quality force review of UIF.
- A2.6.3. Labor Law:
- A2.6.3.1. Review a charge of unfair labor practices and recommend disposition.
 - A2.6.3.2. Review a current base level collective bargaining agreement.
 - A2.6.3.3. Review a civilian employee disciplinary action.

A2.7. Contract Law:

- A2.7.1. Review an IFB or RFP.
- A2.7.2. Review of contract for legal sufficiency.
- A2.7.3. Review files on the following kinds of contracts:
 - A2.7.3.1. Supplies.
 - A2.7.3.2. Services.
 - A2.7.3.3. Construction.
 - A2.7.3.4. Architectural Engineering.
 - A2.7.3.5. Automated Data Processing.
- A2.7.4. Review a contractor's claim for an equitable adjustment in the delivery date, price, or both.
- A2.7.5. Review a Contracting Officer's finding to use other than full and open competition procedures.
- A2.7.6. Review a bid protest file and advise the Contracting Officer (4 CFR Subpart 21).

A2.8. Environmental:

- A2.8.1. Review statutes for familiarization (NEPA, CERCLA, Clean Air Act, Clean Water Act, RCRA, and Endangered Species Act).
- A2.8.2. Review Base Installation Restoration Program.
- A2.8.3. Review all Major Findings from most recent ECAMP inspection report.
- A2.8.4. Review cases pertaining to criminal violations of federal legislation.
- A2.8.5. Review state and local statutes and regulations on environmental compliance.
- A2.8.6. Attend or review minutes of a meeting of Base Environmental Protection Committee.

A2.9. Contingency/Operations Law:

- A2.9.1. Review and become familiar with AFR 110-12, *Status of Forces Policies, Procedures, and Information*, AFI 51-401, *Training and Reporting to Ensure Compliance with the Law of Armed Conflict*, AFI 51-402, *Weapons Review*, and Joint Law Manuals (in processing stage), (formerly AFPs 110-31 and 110-34).
- A2.9.2. Review a Status of Forces Agreement (SOFA) for familiarity.
- A2.9.3. Review USAF War and Mobilization Plan, Vol. 1 (WMP-1), Annexes P and R.
- A2.9.4. Review AFI 34-501, *Mortuary Affairs Program*, and AFMAN 10-401, *Operation Plan and Concept Plan Development*.
- A2.9.5. Review your office mobility plan, especially with regard to wills and powers of attorney.
- A2.9.6. Prepare a Law of Armed Conflict (LOAC) briefing.
- A2.9.7. Review domestic law in country of a likely deployment as it pertains to civil contract matters.
- A2.9.8. Review Project Pitfall letters and country law studies for applicable country in Europe/Middle East/Pacific and be prepared to brief deploying personnel.
- A2.9.9. Know how to contact local equivalent of attorney associations in country of likely deployment.
- A2.9.10. Review foreign driving rules and prepare briefing for deploying personnel in country of likely deployment.
- A2.9.11. Review anti-terrorist procedures in applicable foreign theater.
- A2.9.12. Review Foreign Area Clearance Guides.
- A2.9.13. Review local, national customs/culture and political history.
- A2.9.14. Review and prepare a briefing on the Soldiers' and Sailors' Civil Relief Act.
- A2.9.15. Review and prepare a briefing on Re-employment Rights under USERRA.

A2.10. Computer Proficiency:

- A2.10.1. Know how to operate on a local area network.
- A2.10.2. Know how to access and use FLITE and JAGMAIL or their then current equivalents to send and receive messages and files and to conduct legal research.
- A2.10.3. Know how to download onto a printer from FLITE.
- A2.10.4. Know how to use current REFLEX Program.
- A2.10.5. Know how to use a computer as a word processor.

Attachment 3**SENIOR ANG JUDGE ADVOCATE ACTIVITIES****A3.1. Senior ANG JA Activities:**

- A3.1.1. Experience drafting OPRs, APRs and award citations.
- A3.1.2. Participate to the extent practicable in the SJA office budget process. Become familiar with processes for acquisition of office equipment, books, supplies, etc.
- A3.1.3. Become familiar with process for securing office personnel, preparing job descriptions, obtaining civil service upgrades.
- A3.1.4. "Shadow" the SJA of a NAF, MAJCOM, or a director/division chief within the SJA office.
- A3.1.5. Become familiar with AMJAMS II and CAMPS systems.
- A3.1.6. Participate in briefing an office mission to MAJCOM SJA and unit commanders.
- A3.1.7. Become familiar with compilation and presentation of office and command activity statistics.
- A3.1.8. Serve a tour at NAF, MAJCOM or TJAG.
- A3.1.9. When invited, participate in base staff assistance visits and Quality Air Force Assessments.

Attachment 4

ORGANIZATION OF TRAINING FOLDER

A4.1. Section I:

A4.1.1. Personal Data Summary Sheet - ANG JA Roster (see attachment 5 for format). (Retain permanently and update as changes occur).

A4.1.2. Job description with unit of attachment or current assignment. (Should closely reflect job description in OPR) (Update as changes occur).

A4.2. Section II:

A4.2.1. End-of-Tour Reports (Retain permanently).

A4.2.2. Attachments 2 & 3 of this Instruction (Retain permanently).

A4.3. Section III:

A4.3.1. Copies of significant work products of the ANG judge advocate including reviews, opinions, correspondence, memos, and staff coordinations completed during current OPR cycle. (If too voluminous for the training folder, put additional work product in an annexed plain folder). (Remove after completion of an OPR cycle.)

A4.4. Section IV:

A4.4.1. ANG/USAF Point Credit Summary for immediately preceding retention/retirement year.

A4.5. Section V:

A4.5.1. Copies of all active duty training orders during current training cycle.

A4.5.2. Copy of unit of assignment current CY UTA schedule.

A4.6. Section VI (Retain Permanently):

A4.6.1. Letters, articles, publications, etc., and other evidence of personal, professional, and community activities.

A4.6.2. Letters of appreciation and commendation for ANG activities.

A4.6.3. PME diplomas, certificates of completion of training, ECI records.

A4.6.4. Awards, decorations, citations.

Attachment 5

PERSONAL DATA SHEET SUMMARY

A5.1. Privacy Act Statement:

A5.1.1. Authority: 10 U.S.C. 3012.

A5.2. Principal Purposes:

A5.2.1. To assist staff judge advocates (SJAs) and ANG liaisons/MAJCOM ANG assistants in scheduling ANG JAs for active or inactive duty training and special tours.

A5.2.2. To verify completion dates, OPR dates, and professional and personal background data in order to ensure ANG judge advocate's training and records are current and to assist in timely and accurate preparation of operational performance reports (OPRs).

A5.2.3. Use of social security numbers is necessary to make positive identification of the individuals and their records.

A5.3. Routine Uses. Information is used by SJAs and ANG liaisons/MAJCOM ANG assistants for scheduling training, special tours; and by ANG unit commanders for preparing OPRs.

A5.4. Disclosure. Disclosure is voluntary. Failure to provide the information may impede timely scheduling of school attendance, training, or special tours and completeness of OPRs.

Name: _____ Grade: _____ SSN: _____

Home Address: _____

Home Phone: () _____ Office Phone: () _____

Office Address: _____

Date of Rank: _____ Duty AFSC: _____ PSD: _____ TYSD: _____

Assigned to: _____ Date of Assignment: _____ Supervisor: _____

Rating official: _____

A5.5. Date Completed:

A5.5.1. RFJAC or alternate: _____

A5.5.2. Annual survey of the law: _____

A5.5.3. Last OPR submitted: _____

A5.5.4. OPR close-out date: _____

A5.6. Professional Background:

A5.6.1. Degree _____ Year _____ University or College

A5.6.2. Degree _____ Year _____ University or College

A5.6.3. Degree _____ Year _____ University or College

A5.6.4. Degree _____ Year _____ University or College

A5.6.5. Degree _____ Year _____ University or College

A5.7. Bar Admissions:

A5.7.1. Date _____ State or Court _____

A5.7.2. Date _____ State or Court _____

A5.7.3. Date _____ State or Court _____

A5.7.4. Date _____ State or Court _____

A5.8. Professional Military Education:

A5.8.1. Year _____ Course Completed _____

A5.8.2. Year _____ Course Completed _____

A5.8.3. Year _____ Course Completed _____

A5.8.4. Year _____ Course Completed _____

A5.9. Professional Organizations:

A5.9.1. Date _____ Office Held _____

A5.9.2. Date _____ Office Held _____

A5.9.3. Date _____ Office Held _____

A5.9.4. Date _____ Office Held _____

A5.10. Civic or Community Activities, Organizations and Offices - Dates:

A5.11. Civilian Legal Specialties, Areas of Practice:

A5.12. Civilian Awards or Achievements:

Attachment 6

JUDGE ADVOCATE SUPPORT FOR ANG UNITS DEPLOYING OVERSEAS

A6.1. The deployment of ANG units to foreign countries for peacetime exercises and contingencies creates a need for the participation of ANG JAs, not only prior to deployment, but during the exercise whenever support personnel accompany the deploying aircraft. Such exercises can provide valuable training for ANG JAs in the legal problems associated with military duty in a foreign country. Peacetime exercises can create a large amount of extra legal work that can be expeditiously assisted in or handled by ANG JAs from deploying units working in the local USAF SJA offices. Examples of problems that can be encountered include aircraft accident and claims investigations, violations of the host country's laws or treaty provisions, and the handling of disciplinary actions involving ANG personnel.

A6.2. It is thus imperative that programs be developed by ANG JAs to meet these needs. All programs will contain, as a minimum, the following:

A6.2.1. Policy:

A6.2.1.1. Every effort should be made by the deploying ANG command to ensure a judge advocate accompanies ANG units during the period of actual deployment.

A6.2.1.2. Deploying ANG JAs should coordinate their activities with the active component's SJA office of the sponsoring command upon notification of a routine peacetime deployment. ANG JAs who deploy with their unit should perform duty in the local legal office under the guidance of the SJA, unless his or her commander requires JA services which cannot be performed at the active component legal office.

A6.2.1.3. If possible, every deploying JA should take copies of the following references on the deployment:

A6.2.1.4. Manual for Courts-Martial, 1995 edition (with changes 1-8).

A6.2.1.5. AFR 110-12, *Status of Forces Policies, Procedures, and Information*.

A6.2.1.6. AFI 51-201, *Administration of Military Justice*.

A6.2.1.7. AFI 51-202, *Nonjudicial Punishment Guide*.

A6.2.1.8. AFI 51-502, *Personnel and Government Recovery Claims*.

A6.2.1.9. AFI 51-301, *Civil Litigation*.

A6.2.1.10. AFI 51-704, *Handling Requests for Political Asylum and Temporary Refuge*.

A6.2.1.11. AFI 51-401, *Training and Reporting to Ensure Compliance With the Law of Armed Conflict*.

A6.2.1.12. AFI 51-504, *Legal Assistance, Notary and Preventive Law Programs*.

A6.2.1.13. AFI 51-503, *Aircraft, Missile, Nuclear, and Space Accident Investigations*.

A6.3. Prior to Deployment:

A6.3.1. International Law. Commanders and ANG members in a deployment must be thoroughly aware that violations of host country laws may subject them to the civil and criminal jurisdiction systems of the host nation and that publicity about such incidents may have adverse political effects in the host country and the United States. Consequently, each ANG unit JA should obtain information from the local SJA office of the sponsoring USAF unit on the foreign law and customs of the country of deployment as well as the specific rights of USAF personnel under applicable treaties and SOFAS. NGB-JA will assist deploying ANG JAs in obtaining copies of Project Pitfall Letters if necessary.

A6.3.2. Predeployment Legal Briefing. JAs of deploying units should prepare a legal briefing to be given in advance of deployment. In addition to the matters set forth in the immediately preceding paragraph, the briefing should address the following subjects:

A6.3.2.1. Uniform Code of Military Justice and Nonjudicial Punishment under Article 15.

A6.3.2.2. Foreign Criminal Jurisdiction and Status of Forces Policies.

A6.3.2.3. Foreign Claims.

A6.3.2.4. Procedures for Handling Requests for Political Asylum and Temporary Refuge.

A6.3.2.5. Reporting Alleged Violations of the Law of Armed Conflict.

A6.3.2.6. In addition, JAs participating in a deployment will familiarize themselves and their commanders with the specific provisions of AFI 51-301 concerning foreign civil litigation.

A6.4. Legal Assistance/Mobility Processing. Judge advocates of deploying units should ensure that all personnel are fully aware of the need for keeping their personal affairs in order and develop a program that avoids the necessity for last minute "flight line" wills and other legal documents.

A6.5. Notification. ANG JAs who accompany a deploying unit will notify NGB-JA of their selection, destination and date of departure. In addition, a report will be filed with NGB-JA concerning significant legal problems or matters of interest encountered during deployment within 30 days of return to the State. These reports will be used to provide information to all ANG JAs of the legal problems that can occur and possible solutions to such problems in a given country.