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The Reporter is published quarterly by The Judge Advocate General's School for the Office of The Judge Advocate General, United States Air Force. Contributions from all readers are invited. Items are welcome on any area of the law, legal practice, or procedure that would be of interest to members of The Judge Advocate General's Corps. Items or inquiries should be directed to The Judge Advocate General's School, AFLOA/ AFJAGS (150 Chennault Circle, Maxwell AFB, AL 36112-6418) (Comm (334) 953-2802/DSN 493-2802).

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The State of the Corps

2012 was both a challenging and rewarding year for our Corps. By relying on our core values and guiding principles, the AFJAG Corps continued to exceed expectations and set high standards. In the face of ever-increasing demands for our time, our ability to deliver quality work products and legal services to our clients is second to none. When we take the time to look back on 2012, we should do so with a great sense of pride.

Foundational leadership has been our guide and, following its precepts, we are improving our capabilities and legal services to the Air Force. To review, Foundational leadership says we cannot lead others until we lead our self. Foundational leadership is rooted in our Air Force core values: integrity first, service before self, and excellence in all we do. Foundational leadership is also rooted in our AFJAG Corps guiding principles: wisdom, valor and justice. There is no challenge we cannot overcome by following our core values and guiding principles.

Foundational leadership is all about building leadership skills so we can reach our potential as leaders

and, in turn, make the biggest, most profound and positive difference that we can in the lives of all with whom we come into contact. Foundational Leadership is all about building tomorrow's leaders today.

As we build leaders by following our Foundational Leadership model, we must remember our Corps represents a meritocracy -- the embodiment of Thomas Jefferson's dream that a meritocracy would rise from the ashes of an aristocracy.

In our meritocracy, where we went to school, who our parents are, our background before we entered the Air Force and who we know today are not important. Rather, in our meritocracy, character and demonstrated accomplishments are the only keys to success.

We also recognize that our Corps' strength is the sum of each of us as individuals, coming together and working as a team to make the impossible. . . possible. In that regard, we are strengthened by our ability to solve problems for our clients which comes

from embracing what makes us each unique...our backgrounds, our heritage, our cultures. It is a mission imperative for our Corps to assure all our JAG Corps members realize their potential, and “inclusion” is a prime directive. In summary, meritocracy, diversity and inclusion are keys to our success.

Equal opportunity, as reflected in the concept of “meritocracy” is not enough in our JAG Corps. Mentoring, especially mentoring of those junior to us, is essential to our success. The 2012 mentorship survey reflected a substantial percentage of us believe we are never mentored, or that the mentorship we receive could be improved. For officers, we levied a requirement that DE-eligible officers be counseled by an SJA about the advantages of DE. As a result, we greatly increased applications this year. We have requested an increase in SOS seats to help more officers attend SOS in residence. We are continuing our goal to develop a culture of daily mentorship

Through Foundational Leadership the past year, we continued our pursuit of 4 initiatives: Training, Teaming, Legal Assistance, and Military Justice.

Training

We have seen a revolution in training this year. We completed our first year of 2-part Article 6 inspections for base legal offices. In 2012, we completed 24 Article 6, Part I Inspections. Each Part I inspection was 3 to 4 days long, and in 2012, TJAG and DJAG completed 11 Part II inspections. Part II inspections take place 6 to 8 months after the Part I inspections and focus on what the legal office’s leadership has done to improve upon its Part I inspection results. We also created and fielded an electronic Article 6 inspection checklist for legal offices to use in completing self-inspections between formal Article 6 inspections.

At the Chief of Staff’s direction, we authored, coordinated and published AFPD 1, Air Force Culture, and AFI 1-1, *Air Force Standards*, which provides specific guidance to Airman on required standards of conduct, performance and discipline,

safeguarding the Air Force’s culture for years to come.

We held our first enlisted professional development board. This new board process enhances enlisted professional development. It ensures junior paralegals are mentored by our most senior paralegals and placed into positions which achieve professional development goals tailored to each junior paralegal. This process builds stronger paralegal leaders.

We concluded an agreement with the University of Great Falls, Montana, to establish an avenue for Air Force paralegals to obtain a Bachelors Degree in Legal and Paralegal Studies for only the cost of books. This degree can be achieved entirely via distance learning and is charged at the same rate as tuition assistance provided by the AF.

Using the results of our Academic Needs Assessment, we improved our JAG School course development process by adopting a “requirements-based” process and stood up a Standards Evaluation team to assess how well our AFJAGS courses attain the training requirements.

We stood up Portfolio on CAPSIL to allow supervisors to program course requirements for subordinates and allow subordinates to measure their success in achieving professional development education goals. The system is “portable,” meaning it survives a member’s PCS and allows the new supervisor to build on or revise the previous supervisors’ plan.

We completed our first year of JASOC classes where students earned their JAG badges upon successful completion of JASOC. In 2012, hundreds of mothers, fathers and spouses proudly pinned JAG badges on their sons, daughters and active duty spouses — a tradition which will undoubtedly be followed for years to come.

Teaming

Teaming is going to become more important in the future, as our Air Force becomes the smallest it’s ever been and as new mission sets are added

such as the Special Victims Counsel. Teaming is all about finding innovative ways to achieve our mission by combining complementary skill sets possessed by paralegals and attorneys.

All active duty 7-level paralegals (except those deployed) were trained at the JAG School on how to draft wills, while Reserve and Guard paralegals began attending the same wills course at the JAG School. Trained paralegals are fully teamed with attorneys to improve how we generate wills, saving attorney time and better employing the top-notch talents of our paralegals.

A course is currently in development by the AF-JAG School to work in training paralegals to work alongside attorneys in discovery management.

Legal Assistance

We've done incredible work in legal assistance. Legal Assistance is important, and we cannot lose sight of that.

Countless stories came out of the AOR of our AFJAG Corps members taking care of their fellow service members working issues such as divorce, in loco parentis, vehicle repossessions, foreclosures, ID theft, custody matters, citizenship issues, and proxy marriages. Legal assistance matters in the AOR so our soldiers, sailors, Marines and Airmen can focus on what they need to do to meet the mission without legal worries.

Legal Assistance improved significantly in 2012. For the first time in our JAG Corps' history, JAG Corps attorneys completed an annual continuing legal education requirement in legal assistance (MCLE). In 2012, over 1400 attorneys completed over 5600 hours in legal assistance training. In the years to come, our legal assistance skills will continue to grow stronger through our MCLE requirement. Our ARC members must now complete 4 hours of MCLE in legal assistance courses every 2 years. In addition to about a dozen planned live webcasts this year, we have 30 webcasts, including annual refreshers, posted on the legal assistance CAPSIL site.

We did a great job in 2012 creating a culture that embraced legal assistance.

Military Justice

Our campaign for celerity is working. Celerity is crucial because it improves the disciplinary impact, improves productivity, it brings closure for accuseds and helps improve Airman resiliency. It also helps bring closure for victims.

Our UCMJ forums are becoming more timely. Celerity in courts-martial and Article 15 processing times continued to improve. Compared to last year, the average number of days to process all courts-martial and Article 15s from discovery to action was reduced by at least another 10% in each category with a 21% improvement in the average number of days for summary courts-martial.

We completed our first year of field certification for competency as trial counsel and defense counsel, assuring that all active duty JAGs receive court-martial experience.

In the field of combating sexual assault, we created a cutting-edge, first-of-its-kind Special Victims' Counsel program...leading the way among federal agencies in this emerging field of practice. We also improved training for our senior trial and defense counsel in prosecuting and defending sexual assault cases.

Further, incredibly, you achieved all of this while continuing to provide critical support to military operations world-wide, including Afghanistan, Colombia, Liberia, and in the Philippines. In all, approximately 300 TJAGC personnel (193 JAGs and 107 paralegals) spent over 40,000 days deployed in support of contingency operations.

We are at a special moment in Air Force history. As we look forward to 2013, I have every confidence that we will rise to meet 2013's challenges in the same superb fashion we did in 2012.



Your Guard and Reserve

The Judge Advocate General's Corps Reserve (TJAGCR) has one overriding mission: to provide operationally trained and combat-ready judge advocates and paralegals to support active duty offices and the 34 unit equipped wings, three numbered air forces, four air reserve stations, 52 tenant units, the Readiness Management Group, and the Air Reserve Personnel Center of Air Force Reserve Command.

The strength of our Corps is a tribute to everyone in TJAGCR. It is the reservists who have transformed our JAG Corps over the last few years—while continuing to provide the same high level of service to our Air Force.

The need for an integrated total force is of paramount importance during these times of fiscal challenges and reduced manning levels. *"A Vision for the United States Air Force"* states that to strengthen its contributions, the Air Force will need to "integrate and organize the Active, Reserve, and Guard forces to leverage the unique strengths and perspectives of each to seamlessly execute Air Force missions..." The 2012 United States Air Force Posture Statement recognizes

that the Air Force Reserve and Air National Guard are integrated into all major Air Force missions, train to the same high standards as their active duty counterparts, and are invaluable partners helping to meet the many and varied commitments. It further asserts that the Air Force will continue to rely on the Air Reserve Component as both a strategic and operational reserve.

Accessions

TJAGCR manning levels for 2012 increased slightly from the prior year, bringing the current manning to over 91%, vice 89% for 2011. 2012 saw the accession of 86 judge advocates and 43 paralegals. Of the judge advocate accessions for 2012, 24 were drawn directly from the civilian sector, with no prior military experience. The fact that almost 28% of new judge advocate accessions came straight from the civilian sector illustrates that the initiative to accept experienced civilian attorneys with no prior active duty Air Force judge advocate experience was spot-on. These attorneys bring with them experience and expertise that enhances the knowledge base of our legal profession and will bring incredible dividends in the future.

Recruiting

Four years ago, judge advocate manning had dropped to 76 percent. But due to intense recruitment efforts and initiatives, the manning has rebounded to more than 92 percent of authorized end strength. HQ AF/JAR continues to aggressively recruit active duty judge advocates who decide to separate, and recruits for all components by providing information about possibilities in both the Air Force Reserve and Air National Guard. Separating members receive information on the benefits of the various ARC programs, as well as the accession process and participation requirements. These personal contacts can make the difference in an attorney's or paralegal's decision to seek membership in the Air Reserve Component. Recruiting initiatives include an easy-to-use public web page, an internal recruiting page on the Corps' CAPSIL intranet

site, a vibrant and much-utilized TJAGCR presence on Facebook, and HQ AF/JAR's participation in bar association events. Recruiting standards remain very high, and TJAGCR continues to enjoy a steady stream of outstanding

incoming talent. In addition to the excellent judge advocates who leave active duty, TJAGCR in 2012 added former judge advocates from the Army, Navy, and Marine Corps, and experienced prosecutors and defenders from 33 states, the District of Columbia, and three foreign countries. Each TJAGCR member has his or her personal reason for seeking to join our Corps. Lt Amanda Wang, from New Mexico, wrote that many of her law school classmates and civilian co-workers were military veterans; when she attended the Bataan Memorial Death March, she was "touched to see wounded warriors participate and shake hands with the survivors. I also saw the sacrifices my friend made during her deployment to Afghanistan. I want to serve in the Air Force JAG Corps Reserve in order to thank those who have served." And Capt Amanda Linares, who separated



from active duty in 2012, spoke about her desire to maintain her affiliation with the Corps: "Over my years of active duty service, I have come to love and rely on my JAG Corps family. My husband is currently serving on his eleventh deployment since we got married. During his prolonged absences the JAG Corps has taken care of me, reworking lengthy training such as Squadron Officer School to be sure I could handle all my professional and personal obligations with my husband gone. This is not a family that I am ready to walk away from."

Day-to-Day Operations

TJAGCR members are expected to be able to arrive at a legal office and hit the ground running; and we excel at this. While there have been many significant achievements, some of which are detailed later in

this report, the main role of our TJAGCR members is to provide assistance in the regular day-to-day operations of a legal office, whether it be at the wing, NAF, major command, or higher-headquarters level. In 2012, reserve judge advocates and paralegals made significant contributions in these activities. They reviewed thousands of legal actions, authored 6,352 civil law opinions,

conducted 725 contract reviews, assisted 4,797 legal assistance clients, drafted and executed 4,186 wills and 6,361 powers of attorney, drafted 1,366 advanced medical directives, and took part in 4,499 discharge, demotion, and separation actions and reviews. A key strength of TJAGCR is that we are a mature force that delivers professional counsel and provides a high level of leadership built on experience and wisdom. This experience and maturity is indispensable when it comes to growing and training our junior judge advocates and paralegals.

Reserve Training

TRIALS Team—One uniquely reserve oriented program is training provided by the Training by Reservists in Advocacy and Litigation Skills (TRIALS) Team. The TRIALS Team, comprised entirely of reservists,

provides a two-day training program for active duty trial and defense counsel. The training combines short lectures, demonstrations, practical exercises, and video reviews to strengthen judge advocate trial skills. The trainees participate in all phases of litigation, from motion practice to sentencing arguments. In 2012, the TRIALS Team trained 130 students at 14 locations, including Germany, Hawaii, Japan, and Korea. The training is not limited to Air Force judge advocates; the Team has also trained Army, Navy, and Marine judge advocates. The largest joint training in 2012 occurred at Joint Base Pearl Harbor-Hickam, where the TRIALS Team trained five Air Force, nine Army, and three Navy judge advocates. In addition to traveling to installations to train, the TRIALS Team serves as adjunct faculty at The Judge Advocate General's School (AFJAGS) for the Trial and Defense Advocacy Course and Judge Advocate Staff Officer Course (JASOC) moot courts.



Annual Survey of the Law – The Annual Survey of the Law (ASL) is the largest training event in TJAGCR and is co-sponsored by HQ AFRC/JA and the AFJAGS. All ARC members must attend the ASL every two years. Due to the increased class size, the venue was moved from Denver, Colorado, the site for the past 20 years, to Atlanta, Georgia. On 12-14 April 2012, 591 TJAGC members, including students, staff, instructors, and guests, attended the ASL.

TJAGCR-Led Training – TJAGCR judge advocates have a diverse background in their civilian practices which make them particularly qualified to train others in their field of expertise. In 2012, a number of reserve judge advocates shared their knowledge to train hundreds of students in topics ranging from income tax law to sexual exploitation and computer crimes prosecution.

Lt Col Don Svendsen, AFJAGS, taught 262 students at the Federal Income Tax Law Course. The training took place in Germany, Korea, Hawaii, and Virginia, and included students from all four military departments and the United States Coast Guard.

Lt Col Jin-Hwa Frazier, AFJAGS, taught military justice at the Defense Institute of International Legal Studies (DIILS) in Mexico City. Lt Col Frazier taught 50-75 Mexican Army, Air Force, and Navy judge advocates and investigators. One U.S. Air Force investigator also attended the course.

Lt Col Norm Printer, AFJAGS, taught “The Right to Privacy” and “Working with the Defense Computer Forensic Laboratory” at the Cyber Law Course, and the “Law of War Update” at the Operations Law Course.

Maj Mike Grant, AFJAGS, trained 56 judge advocates on sexual exploitation/computer crime prosecutions and was the key advisor and instructor in the development of the judge advocate/paralegal interview training where 150 students learned efficient teaming tactics.

IT Support Powering the Corp's Mission Everywhere

An integral part of the Corps, the Information Technology Readiness Committee (ITRC) provides organized, multidimensional information technology expertise and capabilities in support of TJAGCR missions. This year, in its liaison relationship with AFLOA/JAS, the ITRC provided support on a number of vital programs including development and deployment of a new increment of TJAGCR's Air Reserve Component Statistical Reporting System

(ARC StaRS), as well as a replacement for the Reserve Readiness Report called the “Individual Readiness Management Tool,” which automates reporting on members’ readiness status via a data feed from ARCNet. The ITRC aided in development and deployment of the Quadrennial Tour Tracking Tool in Roster, which automates many of the Quadrennial Tour team’s previously manual processes. Another of the ITRC’s initiatives was its fielding of General Education on Management Systems (GEMS) videos designed to introduce new reservists to TJAGCR IT systems. Other recurring and longstanding ITRC products include the preparation of the weekly ARC Message, and maintenance of a dynamic and comprehensive Reserve/Guard Resource Guide on the Corps’ intranet site. ITRC members also serve on the Common Access Card and Anti-Virus (CACAV) assistance team. In 2012, the CACAV assisted more than 130 ARC members and sustained the CAPSIL CAC reader install page, which provides CAC software and installation instructions. Finally, the ITRC provided IT support to the 2012 Annual Survey of the Law, including developing and deploying the registration web site for the Annual Survey of the Law and providing on-site technical assistance, as well as staffing the Cyber Café at the Annual Survey. On-site at the Annual Survey, ITRC members also resolved technical issues for 195 TJAGCR members, including issues involving CAC card access, WebFLITE passwords, Roster bio and picture updates, AROWS, and ARC StaRS.

Military Justice

In 2012, HQ AFRC/JA completed 489 discharge actions, with 410 actions initiated for physical disqualification, unsatisfactory participation, drug abuse, and unsatisfactory or substandard performance. There were 20 discharge boards held for reasons of a pattern of misconduct, the commission of a serious offense, a civilian conviction, drug abuse, unsatisfactory participation, and unsatisfactory or substandard performance. TJAGCR members assigned to the Government Trial and Appellate Counsel Division (AFLOA/JAJG) produced phenomenal results in 2012. Among other things, TJAGCR judge advocates wrote an amazing 70 briefs for the United States Air Force Court of Criminal Appeals (AFCCA) and two briefs for the United States Court of Appeals for the Armed Forces (CAAF), and presented two

oral arguments at AFCCA and one oral argument at CAAF. TJAGCR members were instrumental in answering 88 complex appellate issues in *United States v. Witt*, the Air Force’s first death penalty appeal in more than 15 years.

Update on Paperless Administrative Discharge Boards at AFRC – HQ AFRC/JA initiated a new process where exhibits for discharge boards are compiled, prepared, and transmitted to iPads which are used by Board members during hearings. At the time of publication of this report last year, only a few boards had been held using the iPads. Since then, there have been approximately 77 boards, comprised of three members each, resulting in 231 board members who have participated in a paperless discharge board by using the iPads. The vast majority of board members responded very favorably to the new process.

Prosecution Task Force, JBSA Lackland—In August 2012, the Legal Office at Joint Base San Antonio (JBSA)-Lackland, Texas, established a Prosecution Task Force (PTF) to serve as the focal point for all Military Training Instructor (MTI), Military Training Leader (MTL), and Instructor misconduct cases. As the information hub for all MTI/MTL/Instructor cases, the PTF tracks the status of all pending cases and investigations and responds to requests for information from HHQ, the House Armed Services Committee, the Senate Armed Services Committee, individual members of Congress, OSD, and other political and military organizations. The PTF follows victims and ensures that victim services are offered to all. Additionally, the PTF provides advice and guidance to Commanders and First Sergeants pertaining to any misconduct, maltreatment, or maltraining related matters. TJAGCR members have been instrumental in the PTF. The first Chief of the PTF was Col Mark Fitzgerald, an IMA currently assigned as Senior IMA to the Director of the Corps’ Training and Readiness Division (HQ USAF/JAI). He has since been succeeded by Col Donna Holcombe, the Senior IMA to the Staff Judge Advocate, Air Force Reserve Command. The first NCOIC of the PTF was TSgt Tanisha Green, a Traditional Reservist (Cat A) currently assigned to 340 FTG/JA, JBSA-Randolph. Since then, IMAs have served as the Chief, Deputy, Trial Counsel, and NCOIC of the PTF. To date,

approximately 89 administrative actions have been coordinated by the PTF for administration by command; these include seven MTI courts-martial, all of which resulted in convictions for criminal offenses. These courts and other actions have resulted in the removal of more than 42 MTIs.

Active Duty Support Above & Beyond

The Home Station Support (HSS) program is the most visible TJAGCR program that provides on-time support to active duty offices that are short manned due to deployments, TDYs and other needs. The HSS program demonstrates the flexibility and skill of our attorneys and paralegals—they can go to any legal office and seamlessly fill in for their active duty counterparts. In 2012, TJAGCR judge advocates and paralegals from all three reserve components supported active duty offices, in three different ways. First, Individual Mobilization Augmentees (IMAs) worked to coordinate their drill and annual tour days to better meet active duty office needs. Second, a centralized Military Personnel Appropriations (MPA) allocation program oversees each request for support and is carried out by all components. The third component of our HSS program is the Quadrennial Tour (QT) program. A QT is a two-week tour, in place of an annual tour, in which all higher headquarters assigned IMAs, traditional reserve, and Air National Guard judge advocates and paralegals train at a base-level active duty legal office. ARC judge advocates and paralegals are required to perform a QT every four years. In 2012, the QT program underwent significant changes. A software program was developed to track scheduling and availability of all reserve component judge advocates and paralegals. Now, at any point in the year, the HSS team and senior leaders can see where training needs must be met, as well as manage the diverse schedules of paralegals and attorneys nationwide. In 2012, the combined efforts of all three components served to manage 173 reservists, who completed 113 tours, totaling approximately 1,600 days, performed at 92 active duty offices. In 2012, Air Force legal offices had active duty personnel deployed 36,679 days across all commands. Active duty offices requested reserve backfill for a little over one-third of that total: 13,344 days. Reservists were able to supply 95% of the HSS days requested, or 12,622 of those days,

through both Steady State and War Effort MPA days. These days, along with coordinated drill and annual tour days, resulted in bases receiving 66% backfill during deployments. In 2012, TJAGCR members served 850 days as acting Staff Judge Advocates, Deputy Staff Judge Advocates, division chiefs, Law Office Superintendents, and NCOICs.

Reservist Deployments

The deployments for our TJAGCR members have decreased from past years. 2012 saw 37 TJAGCR members volunteer to deploy to support commanders and organizations all over the world. Of those deployed, 23 were judge advocates and 14 were paralegals. The majority of deployments were to CENTCOM, with the largest number deploying to Afghanistan. Most of the deployments averaged six months; however there were four judge advocates that deployed for 12 months. As with past years, most of the deployed members were IMAs; however, two of the judge advocates and three of the paralegals were from the Cat A program.



Colonel (AUS) Richard Parker, (Commander of 205 Corps Advisor Team, and Lt Col Win Johnson (403 WG/JA, Keesler AFB), Legal Advisor, in front of the Team's office building on FOB Lindsey in Kandahar Province, Afghanistan



Left to Right: SGT Lewis, CPT Clausen (Army), Maj Michael Meyer (908 AW/JA, Maxwell AFB), and Capt Diggs, 379 AEW/Military Justice



SMSgt Ivan Esau III, (Air Force Sustainment Center/JA, Tinker AFB), picture with his Afghan counterparts at CJLATF 435



AUAB running track by perimeter fence



TJAG

AWARD WINNERS



STUART R. REICHART AWARD

THE OUTSTANDING SENIOR ATTORNEY OF THE YEAR



Colonel Thomas F. Zimmerman distinguished himself through outstanding performance in a succession of key positions in The Judge Advocate General's Corps. Colonel Zimmerman has consistently demonstrated excellence, initiative, leadership, and dedication to the mission over 26 years of service in the Air Force, including 21 years as a judge advocate. In his current position as Director, Civil Law and Litigation Directorate, Air Force Legal Operations Agency, Joint Base Andrews Naval Air Facility-Washington, Maryland, he leads a team of over 300 attorneys, paralegals and support staff at 38 worldwide operating locations. Colonel Zimmerman helped initiate the first-ever Air Force-wide electronic discovery program, transforming the Air Force's Civil Law and Litigation Directorate into a 21st century law practice, and earning recognition by the Department of Justice as the "gold standard."

Throughout his career, Colonel Zimmerman brilliantly represented the Air Force's interests against legal threats to successful mission execution. For example, he prevented inaccurate labeling of a tree as an endangered species which threatened to impede base expansion, barred sanctuary building that endangered execution of spacelift operations, defeated million-dollar fines for alleged environmental violations, and blocked passage of a discriminatory state bill threatening military operations through environmental restrictions. In his past assignments, Col Zimmerman served with lasting acclaim at four base-level assignments, including two as Staff Judge Advocate. The distinctive accomplishments of Colonel Zimmerman reflect great credit upon himself, The Judge Advocate General's Corps and the United States Air Force.

ALBERT M. KUHFELD AWARD

THE OUTSTANDING YOUNG JUDGE ADVOCATE OF THE YEAR



Major Matthew D. Burris distinguished himself as Chief of Space Law and Air Force Element Advisor, United States Strategic Command, Offutt Air Force Base, Nebraska, from 1 January 2011 to 31 December 2011. During this time, Major Burris' was at the forefront of every key security space issue and directly shaped national and international space law and policy. Major Burris led the United States Strategic Command response options efforts on an uncontrolled re-entry of Russian and Chinese spacecraft. Major Burris' legal advice to a four-star general during a nuclear command and control investigation directed by President Obama ensured flawless disposition of the investigation report. Pitted against a seasoned space attorney from the People's Republic of China at an international conference on the militarization of space, Major Burris was the sole United States attorney present, and was lauded by attendees as clearly the better presenter. Major Burris' authored a legislative amendment that paved the way for the Combined Space Operations Center and the Combined Air Operations Center for space with Australia, Canada, and Great Britain. His counsel on this initiative also convinced the Office of the General Counsel to change a long-standing legal position on space operations. Major Burris was the sole Department of Defense representative to the United Nations Committee on Peaceful Uses of Outer Space legal subcommittee in Vienna, during which he sat first chair and advised the Department of State and entire interagency delegation. Major Burris ended a seven-year blockage on a Department of State requirement for international Space Situational Awareness agreements. Major Burris revamped the reporting of headquarters military justice cases so that paralegals can now author the monthly report to the 4-star commander. The distinctive accomplishments of Major Burris reflect great credit upon himself, The Judge Advocate General's Corps and the United States Air Force.

KAREN E. YATES-POPWELL AWARD

THE OUTSTANDING PARALEGAL SENIOR NONCOMMISSIONED OFFICER OF THE YEAR



Senior Master Sergeant Select Robert N. Barry distinguished himself in the performance of outstanding services to the United States Air Force from 1 January 2011 to 31 December 2011 as Law Office Superintendent, Office of the Staff Judge Advocate, Air Force District of Washington, Joint Base Andrews Naval Air Facility-Washington, Maryland, and as a Rule of Law Field Support Officer, NATO Rule of Law Field Support Mission, Afghanistan. A triple-hatted phenomenon, Sergeant Barry balanced Command Paralegal Manager, Law Office Superintendent, and Noncommissioned Officer in Charge of military justice simultaneously with perfection. Sergeant Barry increased the special court-martial action to date forward processing times from 27% to 100%, and the general courts-martial within 60-day processing time by 50%. Sergeant Barry teamed with the military justice chief to coordinate the first-ever Air Force District of Washington post-trial prep course for 40 judge advocates and paralegals. He teamed with another attorney to complete 70 prison program final actions documents, resulting in the removal of those inmates from the Air Force roll. He secured \$195,000 for witness fees and \$36,000 in office supplies, equipment, and office travel with zero errors. During his deployment, he introduced the Rule of Law to Afghan Border Patrol and Security Guards, embedding vital legal concepts to help secure the Afghani future. Sergeant Barry navigated the complicated Army supply maze to secure \$8,000 in improvements in order to position his office in Afghanistan for future missions. He acted as the local lead for The Judge Advocate General's Article 6 visit to Afghanistan, and was lauded for the "perfect visit." The distinctive accomplishments of Sergeant Barry reflect great credit upon himself, The Judge Advocate General's Corps and the United States Air Force.

STEVE SWIGONSKI AWARD

THE OUTSTANDING YOUNG PARALEGAL OF THE YEAR



Staff Sergeant D. Anthony Brewer distinguished himself in the performance of outstanding service to the United States Air Force from 1 January 2011 to 31 December 2011 as a Military Justice Paralegal, Office of the Staff Judge Advocate, Twelfth Air Force, Davis-Monthan Air Force Base, Arizona, and as the Noncommissioned Officer in Charge of the Office of the Legal Advisor to the Commander, International Security Assistance Force, North American Treaty Organization, and United States Forces-Afghanistan, Kabul, Afghanistan. While deployed, Sergeant Brewer provided legal support to over 2,000 deployed personnel, producing 438 legal documents and saving clients over \$12,000. Sergeant Brewer briefed over 3,500 coalition forces on the Rules of Engagement, oversaw more than 800 high-visibility operations investigations downrange, and adjudicated over \$75,000 worth of claims for Afghans. Sergeant Brewer planned and executed more than 100 outside-the-wire critical legal missions with 100% mission success. He provided critical force protection during a complex hostile fire attack on the Headquarters of the International Security Assistance Force helping guarantee no facility vulnerabilities. Sergeant Brewer helped save the lives of Afghani children when he exposed an ill-conceived plan to use the children as intelligence collectors. In recognition of his outstanding work, Sergeant Brewer was awarded the Bronze Star. Sergeant Brewer also completed 18 credit hours with a 4.00 grade point average toward a Bachelor of Science degree in Military Acquisitions and Contracting. The distinctive accomplishments of Sergeant Brewer reflect great credit upon himself, The Judge Advocate General's Corps and the United States Air Force.

REGINALD C. HARMON AWARD

THE OUTSTANDING AIR RESERVE COMPONENT JUDGE ADVOCATE OF THE YEAR



Lieutenant Colonel Seth Cowell distinguished himself as an Assistant Staff Judge Advocate, Office of the Staff Judge Advocate, 21st Space Wing, Peterson Air Force Base, Colorado, and as Officer in Charge, Detainee Review Board Recorder Cell, Detention Facility, Parwan, Afghanistan, from 1 January 2011 to 31 December 2011. While deployed in support of the Combined Joint Interagency Task Force 435, Lieutenant Colonel Cowell supervised the successful presentation of over 1,800 detainee boards. Lieutenant Colonel developed a new format for presenting Detainee Review Boards, increasing prosecutions from 250 to 550 cases in just six months, and he flawlessly led the largest co-capture Detainee Review Board hearing, involving 16 detainees, 6 recorders, 10 representatives, and a foreign capture unit. Lieutenant Colonel Cowell trained and empowered his paralegal staff to manage all prisoner movements and to complete the final review of all Detainee Review Board summaries. Lieutenant Colonel Cowell's Detainee Review Board team at Parwan was cited by the International Committee of the Red Cross as a model system for future detainee operations. For his outstanding work, Lieutenant Colonel Cowell was awarded the Bronze Star. Back at home, Lieutenant Colonel Cowell energized the ethics section at Peterson Air Force Base by implementing an online financial disclosure filing system which increased office efficiency by an astounding 75 percent. The distinctive accomplishments of Lieutenant Colonel Cowell reflect great credit upon himself, The Judge Advocate General's Corps and the United States Air Force.

DAVID WESTBROOK AWARD

THE OUTSTANDING AIR RESERVE COMPONENT PARALEGAL OF THE YEAR



Technical Sergeant Yaira Z. Rosales distinguished herself as a Reserve Individual Mobilization Augmentee Paralegal, Space and Missile Systems Center, Los Angeles Air Force Base, California, and as Law Office Superintendent and Noncommissioned Officer in Charge of the Special Staff, United States Forces-Afghanistan Detachment Reachback Office, Al Udeid Air Base, Qatar, from 1 January 2011 to 31 December 2011. While deployed, Sergeant Rosales supported six attorneys and mentored four joint service junior enlisted personnel. She expertly managed the daily status report across six offices within the Area of Responsibility. Sergeant Rosales coordinated reviews for 1.5 billion dollars in contract support requests, drafted over 2,500 legal reviews, and provided over 200 legal documents to team members. Sergeant Rosales drafted an arming packet legal review that was recognized by the United States Armed Forces-Afghanistan Deputy Commander as exceptional. Sergeant Rosales instituted a tracking system for Freedom of Information Act requests from families of deceased heroes, ensuring 100% accountability. Back home, Sergeant Rosales discovered a blood test misplaced by law enforcement officials that resulted in the referral of drug-related charges to court-martial. As a partner in an attorney-paralegal trial team, Sergeant Rosales built rapport with a child victim of sexual assault, minimizing additional trauma to the victim throughout the court-martial process, and her trial preparation was pivotal to the conviction. Furthermore, Sergeant Rosales completed her seven-level training in just 24 months, crushing the reserve paralegal average of 36 months. The distinctive accomplishments of Sergeant Rosales reflect great credit upon herself, The Judge Advocate General's Corps and the United States Air Force.

JAMES O. WRIGHTSON JR. AWARD

THE OUTSTANDING CIVILIAN ATTORNEY OF THE YEAR



Mr. Gerald R. Bruce distinguished himself as Associate Division Chief and Senior Appellate Government Counsel, Government Trial and Appellate Counsel Division, Air Force Legal Operations Agency, Joint Base Andrews Naval Air Facility-Washington, Maryland from 1 January 2011 to 31 December 2011. During this time, Mr. Bruce expertly led the active duty, civilian, and reserve appellate government counsel responsible for representing the Air Force in review of all Air Force courts-martial before the Air Force Court of Criminal Appeals, the United States Court of Appeals for the Armed Forces, and the United States Supreme Court. Under his supervision, the Division produced over 222 appellate briefs and 452 other pleadings. Mr. Bruce personally persuaded The Judge Advocate General to certify two Air Force Court of Criminal Appeals' cases to the Court of Appeals for the Armed Forces, and he acted as lead counsel in the Air Force's first death penalty appeal in over 15 years. Mr. Bruce wrote 21 outstanding briefs involving 28 complex legal issues. Mr. Bruce's work on a Supreme Court petition was praised by the Department of Defense's Office of the General Counsel and now serves as the model for all services. Epitomizing the concept of attorney paralegal teaming, Mr. Bruce updated standard procedures of review, empowering paralegals to draft motions and substantive responses to defense briefs. Under Mr. Bruce's mentorship, one paralegal wrote 567 replies filed with the Air Force Court of Criminal Appeals with zero defects. Mr. Bruce pushed the Air Force and sister services to adopt an online cradle-to-grave case management system for courts-martial, moving our court record management system into the 21st century. The distinctive accomplishments of Mr. Bruce reflect great credit upon himself, The Judge Advocate General's Corps and the United States Air Force.

HAROLD R. VAGUE AWARD

THE OUTSTANDING LEGAL SERVICE CIVILIAN OF THE YEAR



Mr. James Bivens, Jr. distinguished himself as Paralegal Specialist, Office of the Staff Judge Advocate, 502d Mission Support Group, Fort Sam Houston, Joint Base San Antonio, Texas, from 1 January 2011 to 31 December 2011. An unparalleled subject matter expert in the Texas Probate Code, Mr. Bivens led over 330 clients through the probate process in 45 Texas counties, saving them over 1.4 million dollars. Mr. Bivens implemented and managed the Air Force's first-ever Pro Se Probate, Name Change, and Dissolution of Marriage Programs, expanding the legal services offered at the three Air Force bases that comprise Joint Base San Antonio. Mr. Bivens trained over 40 attorneys and paralegals on the new programs at the first Joint Base San Antonio legal education event. Mr. Bivens forged a ground-breaking relationship with the Texas Attorney General's office, increasing the scope of child support and custody services provided at the base legal offices. His trusted reputation with local courts led to a same-day emergency court hearing for out-of-state executors, precluding the need for additional travel, expenses, and court hearings. Mr. Bivens' advocated on behalf of a retired chief master sergeant, ultimately convincing a local court to probate the estate of the chief's active duty son killed at Fort Bliss. Exemplifying attorney-paralegal teaming, Mr. Bivens coordinated with attorneys across Joint Base San Antonio to draft, review, and file 4,144 pro se legal documents, thereby saving clients over 495,000 dollars in attorney fees and expenses. In his off-duty time, Mr. Bivens' provided notary services to bedridden clients and briefed local church elders on the necessity of estate planning documents and directives. The distinctive accomplishments of Mr. Bivens reflect great credit upon himself, The Judge Advocate General's Corps, and the United States Air Force.

THE JOY DUNLAP FAMILY SERVICE AWARD

The Joy Dunlap Family Service Award is given to the JAG Corps family member who, through contributions of his or her time and talents, has made a significant contribution to the strength, health and welfare of the JAG Corps family. The award, first established in 2009, is named in honor of Ms. Joy Dunlap, the founder of the JA Spouse Connection, who dedicated herself over the last thirty years to helping military families across the world.



The Joy Dunlap Family Service Award was awarded to Ms Robin Burne, the wife of Brigadier General Christopher F. Burne, the Staff Judge Advocate at Air Combat Command, Joint Base Langley-Eustis, Virginia.

Influenced by her own participation in Exercise Team Spirit in the Republic of Korea and her husband's two deployments to the CENTCOM AOR, deployed service members are always on Robin's mind. From the time of her arrival at Air Combat Command (ACC) alone, she has mailed literally hundreds of boxes to deployed members. The moment the boxes were opened, it is obvious Robin's first thought was, "What does this airman need?" The contents are specific to the recipient and the deployed environment—from lip balm to coveted and unavailable candy. Robin made just as many contributions to the Home Front. Not a single new PCS arrival, ACCelerate award winner, Reservist or Guardsman arrived at Headquarters ACC without receiving a generous basket or gift bag from Robin filled-to-overflowing with snacks and drinks. Her home baked blueberry and pumpkin muffins are legendary—and have literally sustained many a TJAGC "transient". As important as her direct contribution is the example Robin Burne sets. She leads from where she finds herself, and demonstrates that people matter—regardless of rank or position. Permanent party or passing through, a "party of one" or a "herd" of 70 at a time—every member of the JAG Corps family has a place in Robin's heart and in her home. Simply put, she pays attention—to the reasons we celebrate, and to the reasons we suffer—and she responds to both. Through her time and talents, Robin has made significant contributions to the strength, health and welfare of our JAG Corps family. Her quiet, humble demeanor belies a JAG Corps spouse fiercely proud of what we do—and intent on making it both easier and more pleasant for us to achieve mission success.

Robin Burne seeks no recognition for her selfless service—making her exactly the kind of recipient the Joy Dunlap Family Service Award intends to honor.

THE OLAN G. WALDROP JR. UNSUNG HERO AWARD

The Olan G. Waldrop Jr., Unsung Hero Award is an award presented by The Judge Advocate General based on the recommendations of JAG Corps personnel. It is open to all judge advocates, paralegals, and civilian employees who demonstrate, with no regard for recognition, devotion to duty, support to others, and dedication to the JAG Corps.

This award is named in honor of Brigadier General (Ret.) Olan G. Waldrop Jr. who served with distinction for over thirty years as an Air Force judge advocate. He served as Commander, Air Force Legal Services Agency and as a staff judge advocate four times. He retired as the Staff Judge Advocate, Headquarters Air Force Materiel Command, on 1 February 1999. His career is highlighted by his legal prowess, significant support to others, and dedicated leadership.

Mrs Andrea Slayton's primary duty is management of the Administrative Discharge Program for Misawa Air Base, Japan. In this role, her first responsibility is to coordinate with unit commanders and first sergeants to initiate the administrative discharge process. In late 2011, Mrs Slayton identified a problem in the coordination of port-call dates between the Air Force Personnel Center (AFPC) and the Travel Management Office (TMO) that was dramatically slowing discharge processing times at Misawa and within the Air Force as a whole. She engaged with AFPC to draft a workaround solution, including personally assuming the Military Personnel Flight's (MPF) responsibility for transmitting port-call dates to AFPC. By taking charge of this vital step in the process, she rapidly turned around a faltering discharge program. In 2012 Misawa AB Legal Office set new standards for rapid discharge processing and greatly enhanced services to the commander and their units.

Mrs Slayton plays a vital role in the justice program as the coordinator for the Victim and Witness Advocate Program (VWAP). As a VWAP, she works closely with the victims and witnesses in pending justice matters. In this role, Mrs Slayton's excellent people skills have been a huge asset. She has the ability to build a phenomenal rapport with our victims, easing their concerns about the military justice system process and leading to fantastic cooperation during the court-martial process.

Prior to joining the Misawa legal team, Mrs Slayton was trained as a court reporter. Despite the complete absence of court reporting from her job description, she has repeatedly volunteered to assist with courts-martial and discharge boards since we do not have a local court reporter. Mrs Slayton devoted days to these tasks despite the fact that she receives no additional benefit for her efforts other than the thanks of a very grateful staff of attorneys.

In March 2011, in the wake of the largest earthquake in recorded Japanese history, a massive tsunami and a subsequent nuclear power plant failure, Mrs Slayton worked 15-hour days to provide critical Non-combatant Evacuation Operations (NEO) processing for the entire military and civilian population of Misawa AB. As the only Non-Combatant Tracking System (NTS) Subject Matter Expert, Mrs Slayton volunteered to register over 1500 travelers in NTS and prepped, tracked and inspected more than 750 voluntary departure folders in just three days. Her expertise directly allowed more than 750 families to evacuate from Misawa Air Base in less than 72 hours. Mrs Slayton selflessly chose to provide her expertise rather than evacuate herself and her two small children which is even more remarkable given that Mrs Slayton was operating as a single parent as her husband was deployed to Iraq. She truly epitomizes the Air Force core value of "Service Before Self".





JAG CORPS SCHOLARLY ARTICLES AND WRITINGS

Members of the JAG Corps continue to make significant contributions to academic discourse and dialogue, a sample of which is listed below:

Col Gary Brown and Maj Keira A. Poellet, *The Customary International Law of Cyberspace*, STRATEGIC STUDIES QUARTERLY, Vol. 6, No. 3, at 126 (2012).

Col Andrew C. Foltz, *Stuxnet, Schmitt Analysis, and the Cyber “Use-of-Force” Debate*, JOINT FORCES QUARTERLY, No. 67, at 40 (2012).

Col Felix A. Losco and Maj Thomas F. Collick, *When Wind, Wind Turbines, and Radar Mix—A Case Study*, 69 A.F. L. REV. 235 (2012).

Col Cornelia P. Weiss, *Rechtstaatlichkeit und Terrorismusbekämpfung: Erfahrungen aus Kolumbien*, in *Der terrorisierte Staat: Entgrenzungsphanomene politischer Gewalt*, Jochen Kleinschmidt, et al. (eds), at 127 (2012).

Col Cornelia P. Weiss, *Respect for Human Rights and the Rule of Law: The New Zealand Defence Force*, Fulbright New Zealand (2012).

Lt Col Erik C. Coyne, *Influence With Confidence: Enabling Lawful Command Influence By Understanding Unlawful Command Influence—A Guide for Commanders, Judge Advocates, and Subordinates*, 69 A.F. L. REV. 1 (2012).

Lt Col David M. Houghland and Mr. John J. Martinez, *Inspections and Training: Processes Without Borders*, THE REPORTER, Vol. 39, No. 1, at 8 (2012).

Lt Col Joshua E. Kastenberg, *Hugo Black’s Vision of the Lawyer, the First Amendment, and the Duty of the Judiciary: The Bar Applicant Cases*

in a National Security State, 20 WM. & MARY BILL RTS. J. 691 (2012).

Lt Col James H. Kennedy, III, *Pragmatic Execution of Foundational Leadership*, THE REPORTER, Vol. 39, No. 1, at 4 (2012).

Lt Col Elizabeth L. Schuchs-Gopaul, *Legal Issues Facing Military Families with Special Needs Children*, DIALOGUE, Vol. 15, No. 3 (2012).

Lt Col Mark D. Stoup, *Foundational Leadership—Putting It All Together: Military Justice, Training, and Teaming*, THE REPORTER, Vol. 39, No. 2, at 2 (2012).

Lt Col Rachel E. Van Landingham, *The Stars Aligned: The Legality, Legitimacy, and Legacy of 2011’s Humanitarian Intervention in Libya*, 46 VAL. U. L. REV. 859 (2012).

Maj Jacquelyn M. Christilles, *The Surge in Spice Use and the Air Force’s Response*, THE REPORTER, Vol. 39, No. 1, at 21 (2012).

Maj R. Aubrey Davis, III, *From the Courtroom to the CAOC: Operational Litigation and NATO in Libya*, THE REPORTER, Vol. 39, No. 1, at 41 (2012).

Maj Scott A. Hodges, *Tenant Rights and Legal Assistance: What Do You Need to Know to Help Your Clients*, THE REPORTER, Vol. 39, No. 1, at 16 (2012).

Maj Scott C. Jansen and Ms. Hattie D. Simmons, *Revival of Military Justice in Post-Trial Processing: Preventing Post-Trial Processing Errors That Delay Appellate Review and Undermine Confidence in the Military Justice System*, THE REPORTER, Vol. 39, No. 2, at 20 (2012).

Maj Charles G. Kels, *Drone Warfare: One Fight or Many?* NAT'L L. J., 25 June 2012, at 35.

Maj Charles G. Kels, *Closing Argument: At the Outer Bounds of Asymmetry*, 11 J. MIL. ETHICS 223 (2012).

Maj Charles G. Kels, *Mixed Messages on Targeted Killing*, ARMED FORCES J., July 2012, at 10.

Maj Charles G. Kels, *The Militarization of the Presidency*, ARMED FORCES J., June 2012, at 20.

Maj Charles G. Kels (with Dr. Lori H. Kels), *Caveat Promisor: The Potential Pitfalls of Clinical Guarantees*, 125 AM. J. MED. 431 (2012).

Maj Charles G. Kels, *The Perilous Position of the Laws of War*, HARVARD NAT'L SEC. J. (6 December 2012) available at <http://harvardnsj.org/2012/12/the-perilous-position-of-the-laws-of-war/>.

Maj Charles G. Kels, *The Words of War*, NAT'L INTEREST (22 October 2012), available at <http://nationalinterest.org/commentary/the-words-war-7608>.

Maj Shelly S. McCulty, *Myth Busted: Women Are Serving in Ground Combat Positions*, 69 A.F. L. REV. 119 (2012).

Maj Erick M. Mudrinich, *Cyber 3.0: The Department of Defense Strategy for Operating in Cyberspace and the Attribution Problem*, 69 A.F. L. REV. 167 (2012).

Maj Theodore T. Richard, *Logistics Civil Augmentation Program (LOGCAP) Legal Reviews*, ARMY LAW., January 2012, at 49.

Maj Derek A. Rowe, *The Druggist of Auschwitz* (book review), ARMY LAW., May 2012, at 30.

Maj Greg J. Thompspon and Capt Sarah L. Kress, *5 Tested Sentencing Case Techniques for Trial Counsel*, THE REPORTER, Vol. 39, No. 2, at 28 (2012).

Maj Charles J. Gartland, *At War and Peace with the National Environmental Policy Act: When Political Questions and the Environment Collide*, 69 A.F. L. REV. 27 (2012).

Maj Daniel J. Watson, *How the Lead Systems Integrator Experience Should Enhance Efforts to Rebuild the Defense Acquisition Workforce*, 69 A.F. L. REV. 73 (2012).

Maj R. Davis Younts, *Orders and the Oath: Understanding a Military Officer's Duty to Support and Defend the Constitution*, THE REPORTER, Vol. 39, No. 2, at 43 (2012).

Capt Joseph B. Ahlers in collaboration with Maj Scott A. Hodges, *Custody & Consent: Revised Family Care Plan Guidance Creates New Requirements for Legal Assistance Attorneys*, THE REPORTER, Vol. 39, No. 2, at 36 (2012).

Capt Joseph B. Ahlers, *The Seven Deadly Sins of Legal Writing* (book review), WISCONSIN LAWYER, Vol. 85, No. 12 (2012).

Capt Nicholas D. Carter, *The Area Defense Counsel's Role in Accident Investigation Boards*, THE REPORTER, Vol. 39, No. 1, at 26 (2012).

Capt James H. Gutzman, *The Four Pillars: A First Assignment JAG's Perspective*, THE REPORTER, Vol. 39, No. 2, at 17 (2012).

Capt Marc P. Mallone and TSgt Andrew P. Wikoff, *NJP Processing—Building Relationships, Staying on Message, and Owning the Process: The Keys to A Quality NJP Program and Achieving the 30-Day Metric*, THE REPORTER, Vol. 39, No. 2, at 32 (2012).

Capt Christopher K. Mangels, Capt Saleem S. Razvi with contributions from Mr. Daniel Ridlon, *Immunity Issues and the Nature of Future Crimes*, THE REPORTER, Vol. 39, No. 1, at 35 (2012).

Capt Eric J. Morley, *Twelve O'clock High* (book review), THE REPORTER, Vol. 39, No. 1, at 47 (2012).

Capt Michael A. Pierson, *The Rest of the Story: Enhancing Your Sentencing Case by Paralegal Teaming*, THE REPORTER, Vol. 39, No. 2, at 9 (2012).

Capt Jacob A. Ramer, *Evidence Obtained by Foreign Police: Admissibility and*



THE OFFICE OF THE JUDGE ADVOCATE GENERAL



Lt Gen Richard C. Harding
The Judge Advocate General



Maj Gen Steven J. Lepper
Deputy Judge Advocate General

The Judge Advocate General (TJAG) serves as the legal adviser to the Secretary of the Air Force and all officers and agencies of the Department of the Air Force. He directs all judge advocates in the performance of their duties and is responsible for the professional oversight of more than 4,400 members of the Total Force Judge Advocate General's Corps worldwide. TJAG oversees military justice, operational and international law, and civil law functions at every level of command.

The Office of The Judge Advocate General supports TJAG in fulfilling these responsibilities and consists of ten divisions. They are: the Administrative Law Directorate (JAA), the TJAG Action Group (JAG), the Training and Readiness Directorate (JAI), the International and Operations Law

Directorate (JAO), Acquisitions Law and Litigation Directorate (JAQ), the Air Reserve Component Advisor to TJAG (JAR), the Air Force Trial Judiciary (JAT), the Professional Development Directorate (JAX), the Senior Paralegal Manager to TJAG (JAY), and the Civilian Professional Development, Plans and Programs Directorate (JAZ). TJAG also exercises supervisory authority over the Air Force Court of Criminal Appeals (JAH).

This year, the AFJAG Corps remained focused on Foundational Leadership which is leadership rooted in our core values ... integrity, excellence and service ... and in our guiding principles ... wisdom, valor and justice. The corps specifically targeted military justice, legal assistance, attorney-paralegal teaming, and training

initiatives within a framework of the Air Force meritocracy, which values diversity and inclusion and promotes mentoring of everyone.

Our Military Justice Revival has taken root, and Military Justice programs are robust. In the past year we have reduced the time it takes to complete our trials. We call the time from discovery of a possible crime until final action "D2A" and strive for celerity, or swiftness, in military justice because there is nothing more important to achieving a top-rated state of military discipline for our commanders than maintaining a responsive, rapid, and fair administration of military justice.

In 2012, TJAG was invited a number of times to speak to members of Congress on the topic of sexual assault prevention and response within the

Air Force. The Air Force has taken the lead among the services in developing robust training programs for special victims' prosecutors and defense counsel. In May of this year, the TJAG stood up the Victim Issues and Policy Branch within the AFLOA Military Justice Division to focus specifically on developing and implementing programs and policies concerning victim related issues. The branch oversees the Air Force's Victim and Witness Assistance Program and coordinates with other divisions within the Air Staff and the JAG Corps to implement victim-services programs providing legal assistance to victims of crime, providing records of trial to victims of sexual assault and expedited transfer procedures for victims of sexual assault.

Our legal assistance program is all about taking care of our fellow Airmen. We have improved our legal assistance program through teaming and use of technology. With the leadership of our senior paralegals and our staff judge advocates and law office managers, nearly all 7-level paralegals attended the Wills Preparation for Paralegals Course (WPPC) to have the tools necessary to produce wills under an attorney's supervision. Likewise, our legal assistance website has become the primary means through which our legal assistance clients contact us for powers of attorney and wills. The website improves our responsiveness and quality of service.

We continued to reshape the AFJAG Corps using our attorney-paralegal teaming model. While we have trained and engaged paralegals in will production, we are also formally training paralegals in interviewing skills and techniques. Discovery management,

factual and legal research, and witness location and interviews are paralegal training initiatives.

This past year also saw the development of formalized and individualized JAG-specific training plans, known as Portfolio. Additionally, we have upgraded many of our JAG School training programs to ensure the concepts of Foundational Leadership are being emphasized.

Furthering TJAG's Foundational Leadership training initiative was the creation of the Training and Readiness Directorate (AF/JAI), led by an O-6 and the development of a two-part Article 6 process. JAI is responsible for conducting Article 6 Part I Inspections to properly evaluate and standardize JA fields of practice, improve the services the legal community provides to commanders and clients, and institute continuity of legal programs across the Air Force. Part II, is a follow-on visit by TJAG or DJAG six to eight months later to review how recommendations were put in place and ensure offices are working towards a common standard. This is the product of TJAG's vision for increasing the scope and enhancing the purpose of the Article 6 inspection process. It replaces Inspector General inspections, thus furthering the efforts of The Inspector General in reducing the footprint of base inspections Air Force-wide.

The AFJAG Corps played a major role in one of the Chief of Staff's major initiatives, development and publishing of Air Force Instruction (AFI) 1-1, *Air Force Standards*. Recognizing that Airmen adhere to higher standards than those expected in civilian life, AFI 1-1 laid out the professional standards expected of Airmen in a

clear and comprehensive manner. It will be followed with the "Little Blue Book" which will be distributed to all Airmen.

Diversity and inclusion are at the heart of Foundational Leadership. The JAG Corps embraces the value of a diverse workforce whose individual members are singularly bound in a common cause lending their creativity, energy, and dedication to the betterment of the Air Force mission and our Nation's security. To understand how our members view mentoring, TJAG directed a JAG Corps-wide mentorship survey. The results were posted for AFJAGC members to review and will form the basis for developing and formalizing our mentorship programs in the future.

By preparing tomorrow's leaders today to succeed in the Air Force meritocracy, JAG Corps members will have the professional skills, confidence and leadership capabilities to face any challenge they may face.

JAA



Mr. Conrad M. Von Wald
Director

The Administrative Law Directorate (HQ AF/JAA or JAA) provides legal advice and assistance to the Air Staff; elements of the Secretariat including the Personnel Council, the Board for Correction of Military Records, and the Discharge Review Board; The Inspector General; and command and staff judge advocates on matters relating to the organization, administration, operation, personnel, and functions of the Air Force. In 2012, JAA has 26 active duty and civilian attorneys, three paralegals, and two administrative staff. The Directorate is also supported by 7 reserve attorneys.

The Directorate oversees the review of adverse personnel actions on officer personnel, including officer administrative discharges, promotion propriety actions, and senior officer unfavorable information files. Three JAA judge advocates provide direct legal and investigative support to the Air Force Inspector General (IG) and his staff on every IG investigation involving a subject in the grade of brigadier general-select and above, as

well as civilian employee equivalents. Two JAA judge advocates provide legal advice to the IG Complaints Resolution Division on all investigations of reprisal, restriction, and improper mental health referrals, as well as requests for IG records. One civilian attorney serves as legal advisor to the Air Force Surgeon General. Other divisions handle Information and Privacy, Communication/Computer, Services, and professional responsibility issues. JAA further provides direct support to AF/SG through a legal advisor position. Finally, the directorate reviews and takes final Secretarial action on complaints under Article 138, Uniform Code of Military Justice, and provides legal reviews for actions pending before the Board for Correction of Military Records.

During 2012, JAA was involved in a number of significant efforts, including:

Constitutional and Personnel Issues

At the Chief of Staff's direction, JAA authored, coordinated and published AFPD 1, Air Force Culture, and AFI 1-1, Air Force Standards, which provides specific guidance to Airman on required standards of conduct, performance and discipline, safeguarding the Air Force's culture for years to come. JAA reviewed a variety of constitutional and personnel matters to ensure compliance with legal and policy requirements. The Directorate provided advice and assistance in implementing Air Force policy regarding religious accommodation as it applies to the wear of the uniform and grooming standards. JAA was instrumental in developing force management policy to implement necessary Air Force-wide personnel reductions as well as fitness policy.

JAA reviews all Air Force officer promotion list removal/delay actions for the Secretary's final determination.

Total Force Integration (TFI)

The continuing need to streamline efforts and find the most economical mix of active and Reserve forces have provided JAA with further opportunities to work with NGB/JA and SAF/GC to find efficiencies through Total Force Integration. The Directorate played an active role in supporting AF/A8X in their efforts to expand the integration of active and air reserve component activities, within the bounds of existing fiscal legal constraints, including evaluating proposed associations for legal sufficiency and drafting potential legislative proposals that would expand the opportunities for Air National Guard personnel to provide training for active duty members.

Department of Defense/Air Force Publications

JAA's legal reviews of publications covered the gamut of subjects and functional areas. One surprisingly common misperception which had to be addressed was that guidance and policy can be disseminated other than by means of official Air Force publications and that individuals other than SecAF can determine and approve Air Force policy. Increasing emphasis has been given to converting prior policy documents into official publications. JAA serves as a key advisor on the Air Force's 3-to-1 initiative designed to achieve maximum integration of Air Force governing directives across all three Air Force components—Air National Guard, Air Force Reserve, and the Active Force. This activity compliments the significant role JAA plays in the TFI activities.

Air Force Civil Liberties Program

In accordance with a federal law passed in 2008, JAA teamed with SAF/A6 CIO to create the Air Force Civil Liberties Program, establishing guidelines and products for training personnel on civil liberties issues; investigating and then reporting Air Force civil liberty complaints to the Department of Defense Privacy and Civil Liberties Office and Congress; revising AFI 33-332 to incorporate the Air Force's civil liberties program; and establishing civil liberties guidance on the Air Force Privacy Officer and JAA websites.

Legislation

JAA reviewed hundred of legislative proposals to identify potential adverse impacts and to improve the benefit to the Air Force and DoD. Legislation concerning the processing of sexual assault cases in the military continues to be in the forefront. Proposals seeking to greatly restrict commander discretion, and in some instances, remove sexual assault cases from the chain of command entirely remain front page news. Such proposed legislation raised significant concerns with JAA and JAJM. While the final outcome of competing proposals remains to be seen, our input provided a compelling and articulate defense of the military justice system. JAA drafted significant legislative proposals designed to gain more flexibility in the use of the Air National Guard and Air Force Reserves as Congress examines the proper force mix for the 21st Century.

Ethics and Travel Issues

The past year saw new Deputy Secretary of Defense guidance on fiscal austerity and participation in conferences as well as new Under Secretary

of Defense (Personnel and Readiness) restrictions on senior officer and enlisted leaders sitting on the boards of directors of outside organizations. For much of the year, the approval authority to sponsor or attend any conference was at the Secretariat which heightened the legal scrutiny given to such requests. Notable issues in the past year included gifts to the Air Force and individuals, including gifts from foreign governments, spouse travel on military aircraft, fundraising in the workplace, permissible political activities associated with the Presidential election campaign, and acceptable levels of logistical support for non-federal entities. Several high-visibility instances of General Officer misconduct led to a comprehensive review of DoD and Air Force ethics regulations.

U.S. Air Force Academy

Congress adopted 10 U.S.C. 9362 to authorize the Secretary to establish a non-profit corporation, under Colorado law, to manage the Academy's athletic programs. The corporation's board of directors has met several times and is in the process of selecting their executive team. The Directorate produced ethics and conflict of interest guidance for the board of directors and participated in a working group that has helped the Academy navigate the myriad of fiscal law, corporation law and ethics issues associated with the stand-up of the athletic corporation. The JAA Director plays a key advisory role as a member of the Academy's General Officer Steering Group.

Services Law

JAA-S serves as the Services Law reach back resource for all Air Force legal offices world-wide regarding Morale, Welfare, and Recreation (MWR),

non-appropriated funds (NAFs), child development center, and the use of appropriated funds (APFs) and NAFs to support various category MWR programs, events and installations.

JAA-S initiated a legal protest to SVF, AFSVA/CC, and AF/A1S on critical fallacies of SAF/FM's demand that all AF NAFIs 'pay-in-advance' (e.g. one year) payments for all services (primarily utilities) provided at installations. This demand was based on a draft DoD FMR implementing an OMB policy decision that FM could no longer establish receivables from non-appropriated fund instrumentalities (NAFIs), equating them as a public entity. Such advance payments would place many NAFIs in a negative cash flow position, forcing some NAFIs to close. After obtaining AF/A1S' support of JAA-S position, AF/A1S spearheaded a blocking action; and then we proposed a "way ahead" to ensure the changes to the FMRs complied with other FMR provisions to minimally impacted the cash flow and operations of NAFIs. This proposal was for a uniform (AF wide) Public Receivables MOA (initially drafted by JAA-S) with concurrence of representatives from SAF/FMB, SAF/FMP, AF/A4, AF/A7, AFAFO, AF/A1S, and AFPC/SV. A week-long Pentagon meeting culminated almost a year of negotiations. The primary issues resolved were a standard method of billing for water, gas, electricity and communications; determine an appropriate number of days NAFIs were required to make an advance payment (90-day advance as long as a waiver process was available for NAFIs with insufficient funds); provide for a method to reconcile actual invoices (charges) with advance payments; provide for a waiver process for NAFIs with insufficient funds to

make an advance; determine an appeal process to resolve disagreements between the installation FM and the NAFI; provide for the installation of utility meters on all NAFI facilities at CONUS installations (meters are currently being installed on NAFI buildings where it is cost efficient throughout all CONUS installations); and create a partnership with AF/A7 to develop energy efficient facilities. Overall, this was a most successful resolution for uniform implementation requiring limited and rationale advance payments from NAFIs.

JAA-S continued to provide legal support to the pilot AF Food Transformation Initiative (FTI and/or Food T) that is transforming the essential food delivery services to airman at six AF installations. This year, Food T operations were expanded to an additional six installations; however, a GAO bid protest against this expansion at Dyess and Barksdale required extensive support to AFLOA/JAQ for the AF unsuccessful defense of a NAFI/MOA that underpins FTI for the subject bases. JAA-S continues to engage with SAF/GC and AF/A1S to obtain additional approvals necessary to move FTI forward.

JAA-S continued its cradle-to-grave administration of all AF NAF workers' compensation claims, making the AF the only service to administer NAF workers' compensation claims in house. In 2012, 15 cases were closed. Three cases were complete dismissals with no compensation awarded. Potential liability for the 15 cases was \$5.6M; but, total paid was \$476.7K; thereby saving the AF NAFIs \$5.1M.

JAA-S coordinated and advised the AFSVA on 18 new NAFI/Memorandums of Agreement

(MOAs) and 54 amendments to previously signed MOAs. MOAs provide a significant amount of funds the AFSVA uses to construct and make improvements to Air Force Category A, B and C MWR activities worldwide. For 2012 FY, JAA-S advised the AFSVA/CC (& AFPC/SV) on \$77M in funds received for programs such as the Exceptional Family Member Program, Child Development Centers, fitness centers, programs designed to assist wounded warriors and FTI. Except for FTI, the majority of the funding was provided directly to the AFSVA by OSD.

JAA-S provided direct litigation support to the Department of Justice (DoJ) in both the SUFI \$159 million and multi-million dollar NAF contract claim before the Court of Federal Claims; and, continues to provide support in the anticipated appeal process. Additionally, a JAA-S attorney provided extensive litigation support to DoJ in a Federal District Court antitrust litigation against American Express.

JAA-S provided guidance to AF Child and Youth Programs AF/A1SP regarding the process to be followed in providing needed services for children with special needs. Children requiring 1-1 care remains an on-going issue because funding is not available at most installations to support this level of care. JAA-S also worked to help address the process to be followed AF-wide regarding immunization waivers based on religious beliefs for children who seek to participate in AF Child and Youth Programs.

JAA-S reviewed, edited, and helped to make possible the final license, offer and acceptance of a proposal from the City of Glendale so that the AF

Sports as host, could use the City of Glendale facility for the 2012 DoD Rugby Tournament. JAA-S made extensive revisions to the license and other documents to help diminish liability exposure to the AFMWRF (NAFI).

Professional Responsibility

JAA-PR provides oversight ethics program for The Judge Advocate General's Corps (JAGC). In that role, JAA-PR facilitated attorney licensing reviews and verifications and ensured accountability of 4500+ JAGC members. Additionally, JAA-PR created training on the expected unique PR issues to the newly created TJAG practice area of Special Victims' Counsel (SVC). JAA-PR's training program provided in advance of SVC program stand-up—ensured resolution of ethics concerns prior to program launch for SVC course. The JAA-PR processed 14 attorney ethics cases. The review/advice enabled the Ethics Advisory Committee & TJAG to ensure just results were achieved in every case and the high ethics standards expected of all members of the JAGC were upheld and preserved. JAA-PR also teamed with his Army and Navy PR counterparts to provide consistent guidance to the 435 CJATF attorneys on the ethics rules to be followed in detainee operations. JAA-PR authored the Air Forces' first ever attorney ethics AFI; a seminal document modernizing the code of expected professional conduct and providing the basis for maintaining highest ethical standards across JAGC.

JAG



Col Jeffrey S. Palmer
Director of Staff/Chief, TJAG
Action Group

The TJAG Action Group (HQ AF/JAG or TAG) is responsible for policy, special projects, strategic communication, executive services, and the administration of Office of The Judge Advocate General (OTJAG) taskings. It includes five active duty judge advocates, two reserve judge advocates, two civilian attorneys, one paralegal, and one civilian administrator.

Director

In addition to providing professional supervision over the TAG branches the Director serves as the Director of Staff, OTJAG. As such, the Director is responsible for major OTJAG projects and the orderly processing of more than 700 internal and external taskings. Additionally, the Director serves as the Keystone Working Group Lead and is responsible for the successful

administration of the two Keystone courses.

Policy and Special Projects Branch Branch personnel serve as the principal policy advisors to The Judge Advocate General (TJAG). They are responsible for a wide range of JAG Corps materials including policy documents, TJAG Intent statements, mission statement and vision publications, and mission directives. The Branch examines and makes recommendations concerning a variety of JAG Corps issues and initiatives, and leads, facilitates, and serves on special project teams. Projects in 2012 included the design and development of the Training and Readiness Directorate (AF/JAI), and the development and implementation of the new Air Staff travel budget policy. They also collaborated closely with the TJAG Special Counsel on

a broad spectrum of TJAG-directed projects.

This year included a continued focus on the key TJAG initiative of improving JAG Corps training. This was done primarily by working closely with The Judge Advocate General's School on developing and releasing the Portfolio learning management system. Portfolio is an interactive computer system that enables all JAG Corps members to easily see what training they've completed, what they need, and what is available. Supervisors can monitor staff training progress plus identify and assign whatever each person needs. And, strategic-level leaders can gauge their commands' training programs and help guide JAG Corps education and training.

Portfolio's Training Library contains five "books." The four-volume Roadmap Set shows what individuals need to know in their fields of practice and provides associated learning resources. Other components include each person's Individual Training Plan and History; the first ever, comprehensive JAG Corps Training Catalog; the Management Dashboards Array, through which SJAs can manage staff training; the Interactive Checklist for Office Self-Inspections; and the Legal Office Training Schedule.

Additionally, the Policy Branch led the redesign of several key JAG Corps courses, including the Gateway intermediate leaders (majors) course, The Colonels Course (formerly the TJAG Colonels Orientation), and the new KEYSTONE Installation Leaders Course for wing-level staff judge advocates.

A recurring task for Branch personnel is the development of the substantive agendas for major AFJAGC events. In 2012, that included a senior leader Executive Conference and Board of Directors meeting. The Branch also served as the lead for the 2012 KEYSTONE Senior Leaders Course Strategic Planning Team. As such, they were responsible for building course content, determining attendance, and arranging for speakers. Due to Hurricane Sandy, the course was delayed until January 2013.

Strategic Communications Branch

The Strategic Communications Branch identifies, develops, and implements communication strategies, policies, plans, standards, and procedures for TJAG. It is the liaison to Air Force public affairs offices and facilitates JAG Corps involvement with media

outlets and the general public. The Strategic Communications Branch also collects, consolidates, drafts, and transmits information, briefings, and speeches for internal and external audiences. The Branch is responsible for the JAG Corps weekly Online News Service, the JAG Corps Family News, and Senior Leader Quarterly Talking Points—all of which provide direct communication between senior JAG leaders and other members of our Corps.

During 2012, the Strategic Communications Branch provided guidance to various agencies in several high-profile, national-level media interest cases. Working closely with Public Affairs, the branch assisted in the development of Public Affairs guidance for a variety of issues, which were distributed Air Force-wide.

In addition the Strategic Communications Branch led the Strategic Communications Team for the 2012 Keystone Senior Leaders Course. As team lead, the branch prepared presentations for senior JAG Corps leaders and facilitated external speaker presentations.

Executive Services Branch

The Executive Services Branch serves as the focal point for the planning and execution of JAG Corps events, including Keystone leadership courses, executive conferences, and ceremonies hosted by TJAG or the Deputy Judge Advocate General. This branch also provides administrative, logistical, and protocol support to OTJAG.

During 2012, the Executive Services Branch managed numerous promotion, retirement, investiture, and award presentation ceremonies. In addition, the branch led the plan-

ning committees for several annual JAG Corps social events, including the Dining Out, Family Picnic, and Holiday Party. Executive Services also provided protocol support to OTJAG as it welcomed visiting foreign delegations from Australia, Chad, Egypt, India, Liberia, and Turkey.

In 2012, the National Capitol Region welcomed over 125 students attending the Judge Advocate General Staff Officer Course (JASOC), Air Force Judge Advocate General's School. To support the three JASOC visits, Executive Services organized a reception at TJAG's private quarters, informative briefings, a luncheon, and a tour of the Pentagon. As another highlight of the year, the branch coordinated a swearing in ceremony at the United States Supreme Court for 40 Air Force judge advocates and civilian attorneys. Following the ceremony, the newest members of the Supreme Court Bar and their guests had the opportunity to meet Chief Justice Roberts, Justice Ginsburg, and Justice Kagan.

Special Counsel to The Judge Advocate General

Attorneys designated as special counsel to TJAG act as key legal advisors to TJAG and DJAG and serve as action officers for high-profile legal projects. Assigned projects are often for Air Force senior leadership and are generally sensitive in nature. The special counsel also act as liaisons to other HAF agencies, AFLOA, major command legal offices and outside agencies to gather data and provide actionable legal recommendations to TJAG. During 2012, the Special Counsel Branch worked on a variety of special projects for senior JAG Corps leadership to include Congressional engagement regarding Air Force efforts

to combat sexual assault; development of the Special Victims' Counsel Program; creation, distribution, and review of a Corps-wide mentorship survey; implementation of an annual legal assistance continuing legal education requirement; served as Air Staff lead for two CORONA-Top taskers (developing manpower solutions to counter potential loss of DDRPMs and assisting in Air Force efforts to improve the deterrent value of its urinalysis testing program); leading an internal JA review of sexual assault prosecutions, and working with senior Air Force leadership to implement the first ever Air Force-wide health and welfare inspection. One special counsel was chosen to work on the CSAF transition team assisting the outgoing CSAF with required out-processing actions. In addition, the Special Counsel Branch played a key role in Keystone 2012 planning and execution. One special counsel served as the Working Group Assistant Chief/Operations Team Lead and the other as assistant lead for strategic planning.

2012 Keystone Senior and Installation Leaders Courses

The TAG, in conjunction with the JAG School, leads the planning and execution of the JAG Corps' annual Keystone Senior and Installation Leaders Courses. This year, the Keystone Installation Leaders Course was held in September at the JAG School on Maxwell AFB, AL. The Senior Leaders Course was scheduled to be held at the General Jacob E. Smart Center, located on Joint Base Andrews, MD, in October, however, due to Hurricane Sandy, it was rescheduled for January of 2013 at the JAG School.

Following the Department of Defense's call to reevaluate conferences, considerable time was spent looking at the utility of Keystone. That review led to the inescapable conclusion that Keystone was much more than a conference — rather it is required training for our senior and installation leaders combining critical substantive law updates with training

on how to manage the programs and personnel in their offices.

As a result of our review, TJAG directed that the JAG School incorporate the best Keystone training and education elements into their curriculum and conduct Keystone in two distinct, yet related, courses: the Keystone Senior Leaders Course and the Keystone Installation Leaders Course. Keystone Installation Leaders includes installation SJAs and LOSs. While Keystone Senior Leaders includes MAJCOM, NAF and DRU SJAs and LOSs.

The courses are tailored to the requirements of each group. The receive timely presentations from senior Air Force and DoD leaders, top civilian specialists and many of our own JAG Corps subject matter experts. It is also an opportunity to collaborate and interact face-to-face with colleagues from around the world.



JAH



Col Holly M. Stone
Chief Judge

The Air Force Court of Criminal Appeals has jurisdiction over: (a) all trials by court-martial in which the sentence includes confinement for 12 months or longer, a punitive discharge, dismissal of a commissioned officer or cadet, or death; (b) all cases forwarded to the Court for review by The Judge Advocate General of the Air Force under Article 69(d), UCMJ; (c) certain Government appeals of orders or rulings of military trial judges that terminate proceedings, exclude evidence, or concern the disclosure of classified information, pursuant to Article 62(a), UCMJ; (d) petitions for new trial referred to the Court by The Judge Advocate General, pursuant to Article 73, UCMJ; and (e) petitions for extraordinary relief under the All Writs Act, 28 U.S.C. § 1651.

In 2012, the Court rendered over 240 decisions. Notably, the Court

received a significant number of cases remanded by our superior court in light of recent changes to established precedent regarding the scope of the accused's constitutional rights to notice pleading and confrontation of witnesses. This resulted in a rise in the number of cases returned to the Court for further review under Article 66(c), UCMJ, 10 U.S.C. § 866(c), after subordinate courts or officials took appropriate action based on the Court's post-trial order.

Oral argument may be heard in a case when either the appellant or appellee requests it or when the Court orders it sua sponte. Arguments typically take place in the appellate courtroom; however, the Court periodically moves the location of an argument to law schools and military installations across the country in furtherance of "Project Outreach"—a program designed to educate civilian and military audiences

about the military justice system. In 2012, the Court heard argument before a law school audience at Willamette School of Law, as well as an audience of judge advocates at the continental United States Trial Advocacy Course at Lackland Air Force Base, Texas. The arguments were very well received at all locations, sparking questions and conversation with the various students, faculty, and judge advocates.

Members of the Court went beyond their statutory responsibilities and used their judicial experience to assist the Air Force and Department of Defense in other areas. The appellate judges traveled inside and out of the continental United States to conduct approximately 40 environmental impact hearings in accordance with the National Environmental Policy Act. The judges served as presiding officers over the environmental hearings that allowed for federal receipt of public

comment on how potential changes in Air Force missions could impact the environment. The hearings spanned far and wide into states and territories including Alaska, Arizona, California, Florida, Georgia, Idaho, Nevada, New Hampshire, New Mexico, New York, South Carolina, Utah, Vermont and the Commonwealth of the Northern Mariana Islands.

Additionally, two judges were invested to the United States Court of Military Commission Review (USCMCR), bringing the Air Force representation on that Court up to three appellate

judges. The USCMCR hears appeals of cases convened under the Military Commissions Act of 2009. The USCMCR not only hears cases with a finding of guilty from tribunals at Guantanamo, but also hears appeals on issues taken prior to and during trial.

The judges and attorney law clerks also performed community service by serving as judges at several local moot court competitions hosted by various organizations, such as the American Bar Association, National Bar Association, Federal Bar Association,

Black Law Students Association, Phi Alpha Delta Law Fraternity and the Catholic University of America Columbus School of Law.

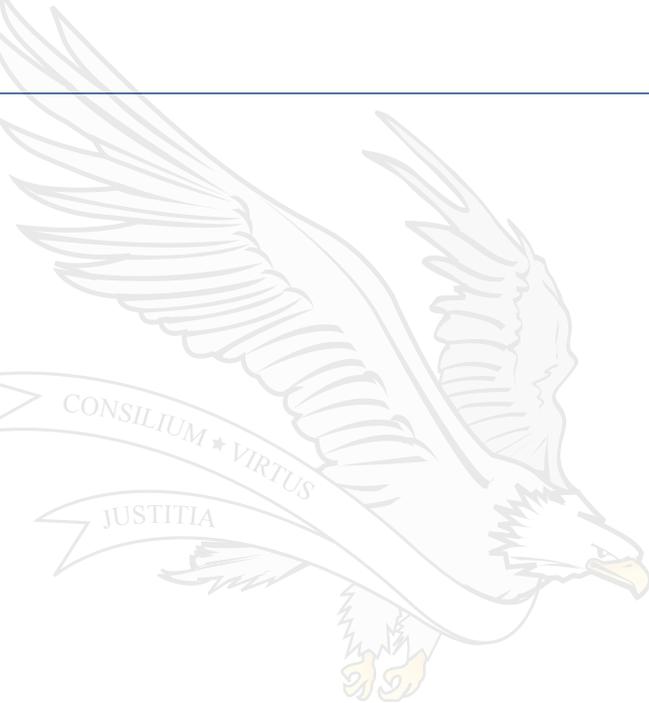
Finally, the Court experienced significant changes in its composition as the total number of judges on the Court increased to six. Former Chief Judge Orr and Judge Weiss retired, each after 30 years of service. Thus, the Court welcomed three new appellate judges this year, representing 50% of the Court's current composition.



2012 Judges and Court Staff



Lackland Outreach 2012



JAI



Col Doug Cordova
Director, Training and Readiness

The Training and Readiness Directorate (AF/JAI) is charged with overseeing the inspection and training requirements for the Judge Advocate General Corps (TJAGC), consistent with the direction of The Judge Advocate General (TJAG), pursuant to 10 USC § 806(a), and the CSAF's direction to reduce the inspection footprint Air Force-wide. The Directorate was stood up in 2011 to provide independent, certified judge advocates and paralegals to inspect base-level legal offices. Article 6 Part I Inspections are designed to ensure compliance with applicable legal and regulatory guidance, to evaluate legal fields of practice, to improve the delivery of legal services to commanders and clients, and to provide a consistent level of continuity to AF legal programs. The initial inspections are followed by the Article 6 Part II Inspection six to eight months later, which completes TJAG's

statutory responsibilities mandated by 10 USC 806(a). The Directorate is also responsible for maintaining attorney and paralegal standards that aid in the execution and evaluation of the AFJAGC's Requirements-Based Training System.

Article 6 Inspections are conducted in two parts. Part I of the Inspection is synchronized with the Inspector General's Compliance Inspections (CI). The inspected office prepares for the inspection using a single, consolidated compliance inspection checklist, which is comprised of both regulatory compliance items and Article 6 compliance items. The Article 6 Part I Inspection team consists of representatives from AF/JAI and representatives from the MAJCOM being inspected. After the inspection, the team drafts an inspection report, which includes a numeric grade on a 100-point scale. This report is used by

TJAG or the Deputy Judge Advocate General (DJAG) to prepare for the Part II Inspection. Article 6 Part II Inspections are typically scheduled six to eight months following a Part I Inspection. The Part II Inspection is really a continuation of the Part I Inspection, and allows TJAG and DJAG to fully examine all of the legal office's programs and their impact on the wing, as well as the leadership within the office.

Graded inspections began on 1 January 2012, and AF/JAI conducted 24 graded Article 6 Part I Inspections in 2012. The inspections conducted to date have been extremely valuable in providing TJAG and DJAG an unprecedented look into the operations and effectiveness of a base legal office. Furthermore, the process has dramatically improved trend analysis for both deficiencies, as well as recognizing office strengths. AF/JAI con-

tinues to refine the Part I Inspection process in order to garner the greatest return for both the AFJAG Corps and the Air Force.

A paralegal Manager (E-8) position was added to AF/JAI in August 2012 with various responsibilities including participating in inspections, training paralegal augmentee inspectors, and managing the Article 6 Part I Inspection calendar. This position proved critical to AF/JAI's ability to synchronize with the AF MAJCOM and equivalent IG offices during Article 6 Part I Inspections. In December 2012, a civilian Chief, Education, Training and Development joined AF/JAI with responsibility for collaborating with other AF/JA and AFLOA directorates to develop train-

ing and education solutions for issues and needs identified during Article 6 inspections. A senior IMA (O-6) also joined AF/JAI with primary responsibility for scheduling and conducting Article 6 Part I Inspections for Category A Reserve base legal offices.

In 2012, AF/JAI launched a CAPSIL collaborative learning center which contains completed Article 6 Inspection reports, inspection scores, an interactive forum section for posting hot issues, and the current Article 6 Inspection Checklist. The CAPSIL Portfolio interactive checklists continue to be a success allowing bases the capability to complete their semi-annual self-inspection in CAPSIL. The interactive checklists contain hyperlinks to references and also allow

base legal offices to review the answers posted by other legal offices during their self-inspections.

Another significant accomplishment during this year was drafting a new 51-series Air Force Instruction to codify the roles, responsibilities, policies, and procedures for the Article 6 Inspection process. AF/JAI incorporated feedback from the MAJCOM legal offices and the AF/JA and AFLOA directorates to ensure a comprehensive AFI was produced; publication of the new AFI is expected in 2013.

JAO



Col Craig M. Miller
Director

During 2012, the Air Force Operations and International Law Directorate (HQ AF/JAO or JAO) provided advice to The Judge Advocate General (TJAG), the Air Force Chief of Staff (CSAF) and senior leaders on operations, international, air, and space law issues across the full spectrum of Air Force operations. In addition, JAO reviewed multiple joint actions from across DoD departments and commands as well as from the interagency process and continued to serve as TJAG's designated joint reader with the responsibility of drafting comments, positions and memoranda for senior leaders responding to taskings from the Joint Staff. A few highlights follow:

Law of Armed Conflict (LOAC) and Weapons Reviews

JAO served as TJAG's office of primary responsibility for all areas related to LOAC. JAO provided advice to commanders of the potential LOAC implications concerning the use of civilians in certain aspects of contingency

operations. During the year, JAO reviewed both lethal and non-lethal weapons systems, as well as cyber capabilities to ensure compliance with U.S. treaty obligations, domestic law, and customary international law. JAO met with representatives of the other Services to ensure that the new Department of Defense Instruction on Non-Lethal Weapon (NLW) Human Effects Characterization did not adversely impact the accomplishment of Service legal reviews of non-lethal weapons. JA provided input that was incorporated into a new DOD Directive on autonomous weapon systems. JAO reviewed all laser systems before the Air Force's Laser System Review Board. Such reviews included the MAXPOWER counter-improvised explosive device (C-IED) system, various Oleoresin Capsicum (OC) sprays for use in Mk4 and Mk46 spray canisters; and the GAU-21 .50 caliber machine gun for the CV-22, Osprey.

Air and Space Law

JAO provided inputs to assist DoD

with the updating of US strategy, doctrine and policy concerning military operations in the space domain. In coordination with SAF/GCI, JAO advised OSD Space Policy, the Joint Staff and Air Staff on draft DOD and US space norms of state behavior. JAO continued to review agreements proposed by USSTRATCOM for sharing space situational awareness (SSA) data with commercial and foreign entities. JAO participated and provided Space Law expertise to the annual multi-national Schriever wargames in Colorado. Through its participation in the OSD Interdiction Working Group, JAO advised on a range of strategic and operational legal matters relating to countering the proliferation of WMD and related cargo in the air domain. JAO also worked with OSD, the Air Staff and COCOM's to develop scenarios for Proliferation Security Initiative (PSI) multinational exercises. JAO partnered with SAF/GCI to advise on the international legal requirements for the marking of State aircraft

under the Chicago Convention. JAO also participated in an informal working group with representatives from Air Combat Command, the Air Staff, and the Air Force General Counsel's Office to establish a matrix of approval authorities concerning the use of remotely piloted aircraft for training or domestic support to civilian authorities. JAO also continued to work with SAF/GCI to advise the DoD Policy Board on Federal Aviation on a range of issues relating to the FAA's long-term transition to Global Positioning Based (GPS)-based air traffic management in the National Airspace.

Exchange Officer Program

JAO was fortunate to continue to have two exchange officers, one from the United Kingdom and one from Australia, as part of its legal staff. These officers provide in-depth expertise and perspective from their respective services on critical international law issues. Some of their other activities included serving as a JA representative to the DOD Law of War Working Group, providing substantial support on the impending draft of the Law of War Manual, and managing the Air Force Foreign Criminal Jurisdiction program as well as JAO's reviews of Air Force, DoD, and joint publications.

Foreign Civil Litigation and Foreign Criminal Jurisdiction

JAO provided legal advice on several foreign civil and criminal jurisdiction matters that involved many different countries. As part of its world-wide responsibilities, JAO advised and coordinated on over 140 new foreign criminal jurisdiction cases while monitoring dozens of foreign civil actions. JAO fulfilled its responsibility to act as the ap-

proval authority for the release of Air Force witnesses and Air Force records to foreign criminal tribunals. JAO partnered with our Army counterparts in the Army Office of the Judge Advocate General to explore the possibility of updating the existing joint instruction on Foreign Criminal Jurisdiction. JAO continued to serve as the JA lead for discussions related to the appeal to the Italian Court of Cassation of a criminal conviction of an Air Force colonel.

International Agreements

JAO provided support on a number of complex international agreement issues including review of Air Force issues related to a Defense Cooperation Agreement with New Zealand, and the draft Southeast Asia Nuclear Weapon Free Zone (SEANWFZ) treaty. JAO provided guidance to the US delegation to a conference considering a proposed Arms Trade Treaty. While partnering with SAF/GCI, JAO assisted authorities in USFK reach agreement with Korean representatives on the civil use of the Kunsan AB runway. Further, JAO provided advice concerning a proposed international agreement between the US and UK related to training standards for MQ-9 Reaper operations. JAO continues to maintain the Air Force database for all international agreements and provides the AF's annual report to DoD/GC. JAO revised, coordinated and published AFI 51-701, Negotiating, Concluding, Reporting, and Maintaining International Agreements.

Cyberspace Operations

JAO provided legal expertise concerning several significant cyber related

issues. JAO reviewed and provided recurring input on a draft Presidential Directive on Cyber Operations, a joint doctrine publication on Cyberspace Operations, and the continuing effort to complete a new cyber enclosure in the U.S. Standing Rules of Engagement. JAO participated in a cyber legal workshop hosted by the USCYBERCOM legal office.

Operations Law Issues and Joint Actions

JAO provided legal support to a wide range of joint actions for 2012 that covered a broad spectrum of international and operational issues including review of Theatre Support Plans for CENTCOM and PACOM, the State of the Union EXORD, Air Force War and Mobilization Plan, the Air Force Campaign Support Plan, the Defense Support to Civilian Authorities EXORD, Air Counterproliferation Interdiction EXORD, Maritime Counterproliferation EXORD, and NORTHCOM requests for DoD approval of proposed counterdrug missions. JAO coordinated on over 30 mobility packages and a wide variety of intra and interagency matters. At the request of AF/JA, JAO provided general guidance to assist MAJCOM legal offices spot potential fiscal law issues in pending mobilization packages. JAO intervention successfully redirected a Chairman of Joint Chiefs of Staff instruction's revision to avoid an intrusion upon Service responsibilities which effectively imposed collateral damage training standards upon the Services. Likewise, JAO preserved Air Force training authorities and equities by inserting Service specific language in a Secretary of Defense designation of USSTRATCOM as the lead for joint ballistic missile defense train-

ing. JAO input was also incorporated into a Secretary of Defense guidance memorandum on leveraging military training for incidental support to law enforcement agencies. JAO participated in the quarterly AF Intelligence Oversight Panel. JAO captured and published the 2012 Top Lessons Learned for JAG and paralegal deployments to Afghanistan. JAO is in the process of drafting a new 51-series Air Force Instruction to provide guidance on the provision of Judge Advocate Support to Operations.

Working Groups

This year JAO represented TJAG in several Air Staff level working groups that include interagency participants. JAO represented the Air Force on the DOD Law of War Working Group and regularly participated in meetings regarding the long term development of the DoD Law of War Manual. JAO participation in other forums including the Air Force Doctrine Working Group, the Continuity of Operations (COOP) Working Group, Arms Control Attorneys Working Group, Nuclear Working Group, Expeditionary Skills Senior Working

Group, Force Protection Committee Steering Group, the Air Force Pakistan-Afghanistan Coordination Cell, and the OSD Interdiction Working Group (Counterproliferation of WMD).

Training, Conferences, and Outreach

JAO served as the Air Force lead for any inquiries related to LOAC training under the expeditionary training program. JAO representatives frequently participated in conferences regarding international and operations law. Among these were the American Society of International Law (ASIL) sponsored conference, Intelligence Community Legal Conference, ICRC sponsored workshop on Humanitarian Law, ABA sponsored conference on National Security Law, Galloway Symposium on Critical Issues in Space Law, ABA sponsored workshop for Space Law Practitioners, HQ USEUCOM International Legal Conference, the PACOM MILOPS conference, 24 AF Cyber Workshop, Human Intelligence/Counterintelligence Workshop, US Naval War College's International Law Department's Conference on Cyber

Warfare, and National Security Law Conference at Duke University. JAO delivered presentations on the Legal Principles of Air Interdiction during the 2012 Air Force Combating Weapons of Mass Destruction Conference, the USSTRATCOM Global Synchronization Counterproliferation Conference and the Air Force Intelligence Agency Civil Aviation Intelligence Conference. JAO provided substantial instruction on legal deployed lessons learned and ground ROE to the Judge Advocate's Advanced Contingency Skills Training Course (ACST) for deploying JAGs and paralegals at the JA portion of Contingency Airmen Skills training at Fort Dix, NJ. JAO led a seminar at AF JAG School's GATEWAY course on a variety of operational law leadership issues. JAO personnel served as a guest lecturer for the Army JAG School Law of Sea, Air and Space course and the Catholic University Law School Space Law course. JAO personnel volunteered in support of the annual Manfred Lachs Space Law Moot Court Competition, serving as oral argument judge and conducting outreach to recruit new law schools to participate in the competition.



JAQ



Col Barbara E. Shestko
Director

The Headquarters Air Force Acquisition Law and Litigation Directorate (HQ AF/JAQ or AF/JAQ) stood up two years ago. AF/JAQ is The Judge Advocate General's (TJAG's) Air Staff lead in supporting the Air Force's Acquisition Improvement Plan and SECAF's and CSAF's acquisition goals. The Acquisition Improvement Plan's purpose is to ensure the Air Force acquisition system delivers weapons systems, commodities, and services that perform as promised—on time, within budget, and in compliance with all laws, policies, and regulations. To complete this undertaking, AF/JAQ assists TJAG in managing the JAG Corps' acquisition law resources, training, and readiness to ensure mission success.

AF/JAQ specifically: provides counsel to TJAG on acquisition law and assists TJAG in providing acquisition advice at the headquarters level; assists the Secretariat (SAF/AQ and SAF/GC) in the review and evaluation of Air Force acquisitions; oversees and directs the

representation of the Air Force in legal challenges to acquisition decisions and contract claims made against the Air Force; formulates and issues policy pertaining to litigation and the resolution of claims based on litigation developments and risk factors; serves as functional manager for more than 250 JAG Corps acquisition personnel worldwide who advise on major systems and other types of acquisition, and provides executive leadership for those attorneys and support personnel; ensures JAG Corps assets are organized, trained, and equipped to provide expert acquisition legal advice; and interfaces directly with the Air Staff, sister Service counterparts, Department of Defense agencies, the Department of Justice, legislative and executive agencies of the United States, and representatives of foreign governments.

To carry out these responsibilities, AF/JAQ is organized into three divisions: (1) Plans and Programs Division, (2) Litigation Division, and (3) Acquisition Law Division. In just its second year, this new directorate made significant strides in improving acquisition law operations Air Force wide.

In the area of acquisition fraud, great progress was made in coordinating fraud remedies between SAF/GCR (Air Force General Counsel for Contractor Responsibility) and non-AFMC bases, which historically have struggled to obtain adequate fraud remedy support. An historic Memorandum of Understanding (MOU) was signed in December 2011 between SAF/AQC, SAF/GCR, and the Air Force Office of Special Investigations (AFOSI) to better coordinate fraud remedies. AF/JAQ is working with non-AFMC bases

and MAJCOMs to enhance implementation of this MOU. AF/JAQ is also working with the development of AFLOA/JAQ's Acquisition Fraud Branch to ensure non-AFMC bases are fully supported.

Significant activity also occurred this year in the realm of housing privatization. Because of potential force structure changes contemplated at some bases, issues have arisen regarding competition and scope of work for some privatization projects. Also, because of the economic downturn, some local governments are now trying to assert tax jurisdiction over housing privatization project owners. The additional financial strain that such taxation poses to project owners has raised significant issues involving bankruptcy, tax jurisdiction, and risk allocation between project owners and the Air Force. AF/JAQ has been working with AFLOA/JAQ, SAF/GCN-SA, SAF/GCQ, and AFCEE/JA to resolve these issues.

In the area of utilities privatization, recent changes in the utilities privatization statute (10 U.S.C. 2688) has raised questions as to how to deal with on-going and future privatization efforts at Air Force bases around the country. AF/JAQ worked this issue with SAF/GCN, AF/A7CEA, ACC/A7/A7OE, 772 ESS/PKH, and AFCESA to formulate a best course of action.

In the area of Enhanced Use Leases, AF/JAQ has worked together with SAF/GCN, SAF/GCQ, and AFLOA/JACL to resolve various labor law and competition issues involving leasing of excess Air Force property at various installations.

The Acquisition Law Division has also assisted with Anti-Deficiency Act investigations; built relations with, and reviewed issues for, SAF/SB; and continues to work to improve extended debriefing procedures.

In terms of litigation, AF/JAQ recently teamed with AFMCLO/JAN, SAF/GCQ, DoD/GC, and AFLOA's Commercial Litigation Field Support Center (CLFSC) to defend a protest of the Afghan Light Air Support procurement. The protester challenged the Air Force's decision to take corrective action in response to a previous protest. The Air Force prevailed in this protest at the Court of Federal Claims. In another challenge regarding insourcing of base supply services in Alaska, AF/JAQ worked extensively with the CLFSC, Department of Justice, and PACAF to win a bid protest at the Court of Federal Claims challenging this initiative. Additionally, AF/JAQ provided strategic advice in high visibility cases such as Suitland, Redlands, and United Launch Systems.

In support of the JAG Corps' renewed emphasis on training, AF/JAQ delivered a featured presentation with SAF/GCQ on the extended debriefing pilot program at the meeting of the American Bar Association. In addition, AF/JAQ has extended its outreach to AFOSI. Twice a year, AF/JAQ presents at the AFOSI Environmental and Economic Crime courses at the Federal Law Enforcement Training Center. AF/JAQ also participates in the quarterly meetings of SAF/GCR, AFOSI, SAF/ACQ, and Air Force Audit Agency at Marine Corps Base Quantico. AF/JAQ has also begun to participate in the Department of Defense Procurement Fraud Working Group meetings.

AF/JAQ will continue developing acquisition law competencies through education, training, and experience opportunities to meet current and future Air Force requirements. AF/JAQ is collaborating with JAX, JAZ, and other JAG Corps stakeholders to deliberately connect training and developed expertise to assignment and deployment decisions to best grow our acquisition law professionals and serve the Air Force and the warfighter. In addition, AF/JAQ is developing a broad and deep pool of recognized subject matter experts within specific areas of acquisition law. These subject matter experts will be available to consult with field activities, other SAF/HAF offices, and other Department of Defense agencies for questions or issues within their particular areas of expertise.

In an effort to leverage technology to achieve synergistic results in information sharing and training, AF/JAQ has developed a website for Air Force acquisition law professionals. This website is also intended as a career management tool that will track individual training, certification levels, and career development. The website will be accessible by the acquisition community at large and features training for both attorneys and paralegals. The website will provide a voice for the acquisition law professional in the allocation of opportunities and resources. Also, in an effort to timely share contract law developments with the acquisition community, AF/JAQ publishes a monthly newsletter that is sent out to the JAG Corps and acquisition communities. AF/JAQ and the newsletter authors look to collaborate with all acquisition and fiscal law stakeholders to develop a rich resource benefitting the acquisition law workforce.

Finally, consistent with AF/JAQ's career management function, AF/JAQ identified a need to have a cadre of HQ and AFLOA acquisition personnel with TS/SCI clearances to better support the mission, obtaining high-level clearance requirements for both military and civilian acquisition law attorneys. With the lifting of the Air Force wide hiring freeze, AF/JAQ acted quickly and decisively to fill five vacant positions, either through internal reassignment or hiring actions. AF/JAQ continues to work closely with JAX on assignment and deployment requirements, gathering information on the JAG Corps' personnel resources and projecting its needs for the long term.

All of these AF/JAQ efforts continue TJAG's response and support to the Chief of Staff's call for "Recapturing Acquisition Excellence."

JAR



Col Mitch Neurock
Air Reserve Component Advisor to
The Judge Advocate General

The Air Reserve Component (ARC) Advisor to The Judge Advocate General is responsible for providing counsel to TJAG on all matters pertaining to the ARC's 891 judge advocates and 408 paralegals. The ARC Advisor develops policy and training requirements, oversees the Corps' AF Reserve and Air National Guard (ANG) judge advocate recruiting program, handles judge advocate assignments and attachments, oversees the allocation of Military Personnel Appropriation man-days among ARC judge advocates and paralegals in support of active duty missions, and serves as the JAG Corps' liaison to the Chief of the Air Force Reserve and his staff.

Home Station Support

With the continuing decline in the availability of Military Personnel Appropriation Man-Days, the Corps' Home Station Support program has become more important than ever. We carefully screen requests for MPA support, ensuring that resources are directed where they're most needed, with an emphasis on support to

installation-level offices. One other significant source of assistance for needy bases is the Corps' Quadrennial Tour program. Most headquarters-level judge advocates and paralegals, as well as those assigned in the unit reserve program and the ANG, are required to perform two weeks of duty every four years in designated active duty legal offices. These tours are intended for training, but are centrally managed to ensure that the training occurs at bases that are in the greatest need of ARC support. Lt Col Lorraine Mink, an Individual Mobilization Augmentee at AF/JAR, is the Home Station Support Director; supported by a team of five, she arranges Quadrennial Tours across the Corps. Quad Tours provided needed training for ARC members, and saved the Corps more than 2,500 man-days in FY 2012 by providing support to short-handed active duty offices.

Recruiting

The ARC's "gold standard" for recruitment is active duty judge advocates and paralegals, because they are already trained, experienced, and knowledgeable about JAG Corps practice. In the past few years, however, the ARC has also increased its recruiting among experienced attorneys who are new to military service. These new judge advocates, who now make up just under a quarter of the ARC's judge advocate accessions, bring significant practical legal experience. Our office attends and participates actively at gatherings of experienced practitioners, in order to draw the most qualified attorneys to our part-time program. And in 2012, thanks to a change in the law, our office was able for the first time to recruit candidates at the "Lavender Law" career fair, sponsored by the National LGBT Bar Association. The JAG Corps, both active duty and ARC,

received a warm welcome and inquiries from many interested candidates.

While seeking practitioners with significant legal experience, the ARC also continues to strive for increased diversity in its judge advocate and paralegal ranks. In addition to drawing as many talented judge advocates as possible once they leave active duty, our office recruits heavily at minority and specialty bar association meetings. The ARC is now a familiar presence at meetings of the National Black Prosecutors Association, the Hispanic National Bar Association, the National Asian Pacific Bar Association, the Federal Bar Association's Indian Law Section, and the National Bar Association, among others.

Training

Once commissioned, new ARC judge advocates receive the same foundational instruction as their active duty counterparts, at Commissioned Officer Training and at The Judge Advocate General's School. After the completion of JASOC, judge advocates in the AF Reserve are now able to receive additional training. The Seasoning Training program allows officers to receive up to 90 additional days of training in an active duty status, to put their formal education into practice before settling into the ARC's part-time program. Judge advocates and active duty supervisors use a specially developed checklist to ensure the completion of judge advocate "rites of passage," with the goal of producing well-rounded judge advocates. Seasoning training has been a fixture in the AF Reserve and ANG paralegal communities for several years. We desire to enhance the program in the coming years by seeking funding for participation by ANG judge advocates.

JAT



Col Mark L. Allred
Chief Trial Judge of the Air Force

The Air Force Trial Judiciary has 18 active duty trial judges, four reserve trial judges, one noncommissioned officer, and one civilian employee assigned worldwide. The Trial Judiciary is divided into five geographic regions: Atlantic, Central, Western, European and Pacific. An O-6 Chief Regional Military Judge (CRMJ) oversees operations in each region. 13 different installations host military judges worldwide.

The Trial Judiciary bid a fond farewell to Col Amy Bechtold and Col Tom Cumbie in 2012 as both retired after long and distinguished careers. Notably, Col Cumbie completed twelve years of service as a Military Judge at three different locations before his retirement.

In early May 2012, the judiciary welcomed back three former military judges: Col Rodger Drew as the CRMJ for the Atlantic Region, Col Greg Friedland as the Pacific Region's CRMJ, and Lt Col Grant Kratz as the Military Judge at the US Air Force

Academy. All three alumni completed the joint 55th Annual Military Judges Course at the United States Army Judge Advocate General Legal Center and School in Charlottesville, Virginia. They were joined by two new active duty military judges and one new reserve military judge. All five trial judges joined the Chief Trial Judge and two Air Force Court of Criminal Appeals judges for an end of class photo.

In September 2012, the active duty judges attended the recently renamed Joint Military Judges Annual Training (JMJAT) at the National Judicial College (NJC) in Reno, Nevada. More than 100 judges from all five services attended this 37th iteration of annual DoD trial judges training. The judges received outstanding presentations on the 4th amendment from NJC faculty and followed with a military symposium of current topics. The 18 military judges at JMJAT posed for a photo outside the NJC.

The Trial Judiciary's flagship outreach program "View From the Bench" continued to provide guidance to the field from sitting military judges. Managed by Judge Shane Cohen, trial judges produced three articles and led three webcasts. Judge Matt van Dalen shared his views on Opening Statements. Judge Mike Coco provided insights into effective Motion Practice. Outgoing Judge Scott Harding finished up his tour on the bench by publishing an article titled "Potpourri" with miscellaneous trial tips. Judge Cohen followed up his 2011 article on Voir Dire with a webcast in early 2012.

Finally, the William & Mary Law Review published Judge Joshua Kastenberg's article *Hugo Black's Vision of the Lawyer, the First Amendment, and the Duty of the Judiciary: The Bar Applicant Cases in a National Security State*.




 Spotlight on

“Have Gavel, Will Travel”



Judge Shane Cohen

Occasionally, the alarm sounds and I ask, “Is this Vandenberg or Kirtland?” Other times, it rings and I realize that the trial I was watching and the rulings I was making were all just a dream during the night. Like the other judges, my office basically consists of my laptop and the wireless card that enable me to move from case to case ruling on motions and doing my best to ensure both sides get a fair trial. While counsel and facts may change, much of my job is fairly consistent. I preside over cases, while simultaneously juggling scheduling conferences, drafting opinions, doing in-camera reviews and ensuring that discovery occurs in a timely manner—all while moving cases forward in a timely manner so both the accused and the Air Force receive a just, expedient resolution. Being a judge without borders, I may find myself traveling to Alaska, New Mexico, Japan and Colorado in successive weeks—as my pen says, “Have Gavel, Will Travel!” All of these experiences have resulted in the most exciting, challenging job I’ve held. Accordingly, I’m for-

ever grateful for this opportunity; being a judge has broadened my perspectives, made me a better officer and attorney, and equipped me with better skills to advise commanders on military justice matters.

Being a judge is more difficult than I’d previously imagined. On multiple occasions, I’ve spent hours deliberating on a particular issue—whether it be a ruling, a finding or a sentence. Moreover, contrary to the occasional joke, I know firsthand that judges don’t have an agenda. Our only concern is providing both sides an impartial review of the law and facts, while ensuring “justice” is achieved. While counsel might see a particular result as justice, for judges, it’s the judicial process and rulings that constitute justice—not a particular outcome. If the fight is fair and rulings are correct, a conviction or an acquittal, when based in law and fact, can both constitute justice. In the end, I just want to get it right—I definitely owe that much to the Air Force, Society and the Accused.

JAX



Col. John Hartsell
Director

During this past year, the team at the Professional Development Directorate (HQ AF/JAX or JAX) managed all phases of more than 1,200 judge advocates' professional development, including recruiting, accessions, professional education, force management, deployments, and assignments, developing the Corps for the present and future. In addition to managing over 400 JAG assignments in 2012, the team also oversaw TJAG promotions and overall force strengths.

A key focus over the years has been the Corps's diversity. It is one of the great strengths of the Corps – a strength that comes from the aggregation of assets, perspectives, and capabilities that is greater than the sum of our individual contributions. To preserve and build upon this strength, TJAGC aggressively takes part in all manner of outreach and recruiting at diversity-related consortia and minority conventions nationwide.

Recruiting

In calendar year 2012, TJAGC secured extra recruiting funds from

Headquarters Air Force specifically for recruiting at national-level affinity group events such as those sponsored by the National Asian Pacific American Bar Association, the Hispanic National Bar Association, and the National Bar Association, as well as others. To demonstrate our senior leader commitment to diversity, TJAGC sent one of its general officers to meet with senior leaders at each of these national diversity-events. Recruiting efforts at these events include career fairs, panel discussions, briefings in seminars, and interviews.

These diversity-focused recruiting efforts have garnered successful results. While the percentage of total minority applications at each of the last three accessions board have hovered around 25%, the percentage of minority selectees have increased (11% in December 2011; 26% in April 2012; 27% in October 2012). This trend indicates that the JAG Corps' efforts are attracting more highly qualified minority applicants, which is important considering the ultra-competitive applicant pools our boards see these days. We are also seeing an escalation in highly competitive women applicants, which has led to a steady rise in women selectees (42% in December 2011; 44% in April 2012; 50% in October 2012). All in all, members of the JAG Corps are doing a phenomenal job of ensuring our continued success in diversity recruiting.

In 2012, these phenomenal recruiting efforts yielded over 1400 applications for approximately 95 available positions. We continued to garner hundreds of applications in spite of the military's publicized reduction in force and budgets. JAX conducted selection boards and then worked with selectees

to ensure a smooth transition from lawyer or law student to Air Force officer and judge advocate.

Education and Training

JAX takes an active role in the mentoring and continued professional development of judge advocates by overseeing all phases of education and training, including continuing legal education (CLE) at the service judge advocate schools and the competitively selected Master of Laws (LL.M.) and developmental education programs. In 2012, over 2,100 selections were made for judge advocates to attend CLE courses. Forty-five percent of those selections were centrally funded. Additionally, 55 applications were submitted for a historically high number of LL.M. positions. The 38 LL.M. positions include six environmental law, seven international law, three labor law, two cyber law, and three air and space law positions, as well as seventeen government procurement positions. Furthermore, in 2012, military tuition assistance for LL.M.s was approved for the first time ever by the Air Force Education Division. Judge advocates can now receive \$250 per credit hour, up to a maximum of \$4,500 per year, towards earning an LL.M. in an approved specialty. JAX assists in the continued professional military education of judge advocates by overseeing the selection of students for Squadron Officer School, Air Command and Staff College, Air War College, The Dwight D. Eisenhower School for National Security and Resource Strategy, formally the Industrial College of the Armed Forces, National War College, and internships. Approximately 96 applications were submitted for the 8 intermediate developmental education and 4 senior developmental education positions.

Deployment

JAX also develops members by managing all TJAGC deployment requirements and developing sourcing solutions within the AEF construct. In 2012, we deployed over 220 total force judge advocates and paralegals to fifteen countries and every area of responsibility in support of contingency and humanitarian operations working with joint and coalition partners. Afghanistan remains the United States' most significant commitment in terms of deployed personnel, and 70 members of TJAGC remain in country developing Afghan legal institutions, overseeing detention operations, and supporting combat missions. Our judge advocates and paralegals also build relationships with our partners and develop legal capabilities in Liberia, Colombia, the Philippines, and other locations around the globe.

In terms of accomplishments, our deployed members reviewed over \$800 billion in contingency contracting actions, analyzed thousands of detainee review issues, and ensured compliance with the Law of Armed Conflict by overseeing hundreds of air strikes. Additionally, deployed legal offices fulfilled the fundamental AF JAGC role of providing commanders disciplined forces through robust military justice programs including non-judicial punishment actions and courts-martial, performing a variety of civil and international legal reviews, and giving legal assistance to fellow deployers in all services. Our deployed defense teams also fulfilled a fundamental role, zealously defending clients throughout the Central Command theater.

AF JAGC members epitomized leadership downrange. Brig Gen

Dixie Morrow served as the Deputy Coordinating Director, Rule of Law and Law Enforcement in Afghanistan on a one-year assignment, and she volunteered to extend beyond that year to cover a gap for another general officer. Gen Morrow inspired Afghan women by speaking at multiple conferences, and she also supported personnel by hosting several events for JAGs and paralegals in the Kabul area. On the enlisted side, staff judge advocates lauded AF paralegals as the very best and continually asked for more. CMSgt Larry Tolliver took a rare deployment for our Chiefs and became the Corps' first senior enlisted advisor to the Commander of Rule of Law Field Forces – Afghanistan.

Despite working eighteen-hour days, seven days a week, our members took extra time to work with children, teach English to school teachers, and foster better relationships with our partners. They honored us all through their selfless service.

Force Management

JAX was also actively engaged in managing the JAG Corps force structure, a challenging task in the current fiscal environment. JAX worked closely with the A1 force management division to develop the five-year promotion plan and policy, as well as structuring the JAG Corps 30-year force model to ensure the healthy sustainment of the career field. In calendar year 2012, the promotion opportunity for JAG officers was 95% to Major, 85% to Lieutenant Colonel, and 60% to Colonel. While the JAG Corps was not subject to any involuntary force shaping measures in 2012, there was nonetheless a significant development in the future approach to force shaping: for the first time, JAX and A1 will consistently examine our force

by captain year group rather than accession year group, adding greater fidelity to the health of the career field force model.

Finally, recognizing that the future of TJAGC hinges on its ability to attract and retain high-quality attorneys, JAX's Financial Incentives Branch continued the Student Loan Repayment Program, the Judge Advocate Continuation Pay Program and the Attorney Bar Licensing Reimbursement Program (ABLRS) with great success. The Student Loan Repayment Program closed out its third year with over 3.4 million dollars spent on 198 applicants, averaging over 17,000 dollars per payment. This program is making great strides in helping our judge advocates lower their student loan debt. The Judge Advocate Continuation Pay program was also a great success with over 3.07 million dollars spent on retention. While the take rates were slightly lower this year than in the past two years, with an overall 55% take rate, including 67% take rate at the 4-year mark and 47% take rate at the 6-year mark. We also closed out another successful season of bar dues reimbursements. ABLRS was open for 7 months in fiscal year 2012. During that period, over 1,300 active attorneys (judge advocate and civilian attorneys) and Air Reserve Component (ARC) judge advocates applied, for a total disbursement of over 340,000 dollars. While overall participation was slightly lower than in the past two years, ARC participation due to all of our ARC deployment support last year was at its highest. In addition to overseeing the programs, JAX also promoted and defended these incentive programs throughout the Air Force and Department of Defense.



Air Force JAG Corps members from left to right: Capt Frances Guadalupe Dyess AFB, ADC; Col Mitch Neurock, AF/JAR; Maj Gen Robert Kenny, AF/JA; Maj Sean Elameto, AF/JAX; Capt Jacqueline McGehee, 5 BW/JA



AF JAGs and Paralegals at HQ ISAF & USFOR-A from left to right: Maj Tom Gabriele, TSgt Reina Blake, SSgt Michael Stevens, MSgt Beatriz Webb, Capt Michael Phillip, Capt Bertha Diaz and Maj Joey Hebner



MSgt Vernon Chester, Maj Kevin Ingram, and Lt Col Lance Mathews with Armed Forces of Liberia



Capt Michael Phillip at an Afghan School

JAY

It's hard to believe I've been the Senior Paralegal Manager (SPM) to The Judge Advocate General (TJAG) for nearly 12 months already. Although the first year has flown by, I do feel a sense of accomplishment, but we've got a lot more to do in 2013.

One of the most important issues my predecessor, CMSgt John Vassallo, tackled during his tenure as the SPM was the re-structuring of our CFE&TP to eliminate the two separate 5-level training tracks. Previously, paralegals could get upgraded to their 5-levels in *either* Military Justice or General Law. That resulted in a mix match of skill sets that limited paralegal effectiveness in both the home and deployed environments. With the changes instituted by Chief Vassallo all 5-levels are now exposed to the entire range of paralegal duties and are trained to the same standards. Those change triggered a series of additional changes in the paralegal career field including AFJAGS curriculum changes, a complete re-write of the 5-level career development course and, in turn, changes in the weighted airman promotion system (WAPS) skills knowledge test (SKT). In order to give paralegals time to adapt to those myriad changes in their training, I made a conscious decision during my first months as the SPM to not make any additional changes over the next year or so. With the help of the AFJAGS staff, I continue to monitor our paralegal training to ensure it's the best it can be, but at the same time I've shifted my focus to something I'm very passionate about: *paralegal professional development*.



CMSgt Steven L. Wallace
Senior Paralegal Manager

University of Great Falls

One of the first trips I took as the SPM was to visit the faculty of the University of Great Falls (UGF) in Montana. Once again, building on the foundations laid by Chief Vassallo and his predecessors, that meeting was the last step before formal discussions could take place between UGF and the Community College of the Air Force (CCAF). Over the last 6 months those discussions have resulted in a new educational opportunity for paralegals. Enlisted paralegals that receive their Associate's Degree in Paralegal Studies from CCAF can now seamlessly transition 100% of those credits to UGF's ABA-approved 4-year baccalaureate program. Initial interest in the program is high with fifteen paralegals already enrolled with classes set to begin in January 2013.

Enlisted Development Teams

Although the new UGF initiative is a great success story, I'm even more excited about the Enlisted Development Team (EDT) project the JA Chiefs and I have undertaken.

Once fully developed, the EDT program will consist of an annual review of paralegal NCO (E-5 thru E-7) records for the purpose of giving them constructive feedback and assignment recommendations. At the same time, officers up and down the NCO's chain of command will become involved in the deliberate development of their paralegals like never before. Lastly, the program will give us the ability, for the first time ever, to influence enlisted assignment actions by ensuring our most critical leadership positions are filled with NCOs that have the requisite experience to be successful.

Enlisted Paralegal Professional Development AFI

To tie all of these initiatives together, the JA Chiefs and I are also collaborating on a first-ever AFI for paralegals. Once complete, the AFI will be a one-stop resource containing everything an active duty paralegal NCO could ever want to know about how to be successful in the Air Force and the Jag Corps. Perhaps more importantly, the AFI will be an unprecedented resource for the officers that supervise, rate, and mentor our paralegals.

As you can see, we really do have a lot to accomplish in 2013. But with the help of my fellow Chiefs and support of The Judge Advocate General, I'm positive we'll be successful in fielding ground breaking programs that deliberately professionalize our enlisted corps.

JAZ



Mr. David E. Spowls
Director

The Civilian Professional Development, Plans, and Programs Directorate is responsible for the professional development of 1,100 JAG Corps civilian employees worldwide. JAZ is also responsible for planning, programming, and budgeting for the Office of The Judge Advocate General (AF/JA) and the Air Force Legal Operations Agency (AFLOA). Additionally, JAZ serves as The Judge Advocate General's (TJAG's) representative to the Air Force Group, Air Force Board, and the Headquarters Air Force (HAF) Program Budget Review Group and Board. Furthermore, JAZ analyzes programming decisions and develops AF/JA and AFLOA requirements for inclusion in the Air Force submission to the Department of Defense (DoD) Program Objective Memorandum (POM), which supports the President's annual budget submission to Congress. Finally, JAZ builds the annual financial plan, administers a budget of more than \$50 million for AF/JA and AFLOA, manages more than 3,000 JAG Corps manpower

slots, provides civilian personnel support for AF/JA and AFLOA, and works joint basing issues.

Civilian Professional Development

The JAZ Director serves as the Career Field Manager (CFM) for civilian employees of The Judge Advocate General's Corps. In the CFM role, the directorate devised a communications strategy emphasizing the importance of civilian development and informing the civilian workforce of available opportunities. JAZ also modified the charter for the Air Force Civilian Legal Personnel Council and Development Team, establishing a senior-level body of SAF/GC and AF/JA attorneys. The team then met to evaluate applications for career development opportunities, review employee career briefs, and vector potential future leaders into career development paths. [*Coming yet this year:* Additionally, JAZ conducted surveys of JAG Corps civilians and their supervisors on mentorship. With excellent response rates from both groups, the surveys provided a clear picture of the state of mentorship of civilians in the Corps and the actions needed to strengthen civilian professional development.]

Planning, Programming, and Budgeting

JAZ developed a strategy to segregate JA portfolio funds into different program codes in order to track funds more effectively from programming through execution. This will enable TJAG to better oversee the allocation of resources relating to specific requirements, such as litigation and training. Additionally, JAZ successfully worked through the Air Force Corporate Process to obtain an additional \$3.8 million to defend Fair Labor Standard

Act cases and 18 authorizations to enhance the Disability Evaluation Board process, adding 9 attorneys and 9 paralegals to the Office of Airman's Counsel. JAZ also audited AF/JA and AFLOA travel and established TDY review procedures to decrease travel spending to meet future budgetary reductions. Furthermore, JAZ taught planning, programming, and budgeting at various Air Force JAG School courses during the reporting period.

Manpower Management

Major manpower drills in the past year included the Civilian Workforce Review (or "3/5/7 Review") and Prioritized Resource Allocation Planning (PRAP). The 3/5/7 Review, driven by DoD, imposed contingency planning by the Services for potential future civilian reductions of 3%, 5%, and 7%. PRAP involved the prioritization of all manpower and contract resources in the Headquarters Air Force (HAF) portfolio. JAZ assembled AF/JA's responses to both [*Coming yet this year:* and convened the PRAP Legal Functional Team to prioritize all legal resources in the HAF and AFLOA.]

After a two-year respite, efforts resumed to enact Air Force Common Output Level Standards (AF COLS) to standardize installation support across the Air Force and tie funding to tiered performance levels. JAZ, involved since the very beginning, continued representing AF/JA in AF COLS development and is managing the ongoing release to the field of AF COLS standards for legal support and the reporting tool.

In preparation for the Air Force Manpower Agency's upcoming

manpower study of wing-level JA offices, JAZ developed a formulaic template linking base-level manpower to countable workload drivers. MAJCOM legal staffs then applied the template to “level” base office manpower within the commands and, with AF/JA and command concurrence, realigned some military positions.

JAZ was also instrumental in defining how legal support will be provided following major reorganizations occurring across the Air Force by assisting in the drafting of program action directives (PADs) and memoranda of understanding (MOAs). Day to day, JAZ managed the unit manning document for AF/JA and AFLOA, submitting all necessary manpower changes to support internal realignments and personnel actions.

Personnel Management

In the aftermath of the Management Structure Review, JAZ implemented the final manpower cuts in a manner to minimize mission impact and the loss of JAG Corps personnel and successfully navigated three Service-wide rounds of separation incentives. JAZ then worked with SAF/AAR to secure release from the associated hiring freeze for AF/JA and AFLOA. JAZ also obtained permission to continue the JA/GC Summer Law Clerk Internship Program and managed the employment of 30 first- and second-year law students for summer internships at the Pentagon and at bases across the Air Force.

Day to day, JAZ acted as civilian liaison for personnel matters pertaining to AF/JA and AFLOA employees, processed all related civilian personnel actions, and

managed the reimbursement of bar dues for civilian attorneys. JAZ also provided all administrative support for the Air Force Civilian Attorney Qualifying Committee (AFCAQC) in hiring, reassigning, and promoting civilian attorneys. In addition, JAZ obtained Secretarial expansion of the AFCAQC to include two AF/JA and two SAF/GC members.

Joint Basing

JAZ continued serving as DoD Lead for the Command Authorities Sub-Working Group and Air Force representative to the Legal Support Sub-Working Group. In these roles, JAZ taught at the Joint Base Commander’s Orientation Course, reviewed scores of changes to joint base MOAs, and advised OSD-ATL, AF/A7C, and joint base staff judge advocates on a variety of joint basing issues.



SSgt Jesus Quijano



SSgt Jesus Quijano

SSgt Jesus Quijano came to the Environmental Law and Litigation Division straight out of a Defense Paralegal position, but that hasn't stopped SSgt Quijano from delving into the often complex and dizzying world of environmental law. As an environmental litigation paralegal, SSgt Quijano assists attorneys in reviewing, researching, and drafting legal documents, as well as assisting in responding to discovery requests for the Department of Justice (DOJ), which works hand-in-hand with the Division in defending and litigating Air Force cases.

In 2012, he became the first Air Force environmental paralegal to be embedded at DOJ, helping organize evidence for a \$20 million environmental clean-up case at a World War II-era industrial plant. For months, his alternate duty stations were at DOJ in Washington, D.C. and at a hotel in San Diego, CA, the location of the trial. For the trial, he transformed three hotel rooms into a make-shift DOJ operational

litigation war room, helping to eliminate delays in trial preparation for attorneys. Often working for days with little sleep, SSgt Quijano reviewed depositions, created demonstrative maps, and processed and reviewed more than 10,000 exhibits critical to the Air Force defense.

Being an environmental litigation paralegal has been a welcome change. Instead of relying on a well-thumbed Uniform Code of Justice and Manual for Courts-Martial, he's now expanding his reading list to the Federal Judicial Civil Procedure and Rules, along with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), among other environmental laws. You may also often find him lurking at the National Archives and Records Administration, sifting through dusty boxes searching for historic Air Force documents that may be relevant to CERCLA case in which the Air Force is embroiled.

His role as a trail blazing environmental litigation paralegal has not gone unnoticed. He won AFLOA's Junior Enlisted Member of the Quarter for April to June 2012, and DOJ awarded him a Certificate of Commendation, recognizing him for his outstanding performance and invaluable assistance supporting DOJ's Environment and Natural Resources Division.

FIELD OPERATING AGENCIES



AFLOA AIR FORCE LEGAL OPERATIONS AGENCY



Brig Gen Daniel A. Fincher
Commander 16 Nov–31 Dec



CMSgt Rebecca S. Simmons
Command Paralegal Manager

The Air Force Legal Operations Agency (AFLOA) is a field operating agency under the command of Brigadier General Daniel B. Fincher and headquartered at Joint Base Andrews Naval Air Facility-Washington, Maryland. The Vice Commander is Colonel Robert A. Ramey and the Command Paralegal Manager is Chief Master Sergeant Rebecca S. Simmons.

The AFLOA Commander is the only command billet in the JAG Corps and

exercises command authority over 845 military and civilian attorneys, paralegals, and support personnel stationed in more than 75 locations throughout the world. AFLOA consists of five directorates: the Judiciary (JAJ), Civil Law and Litigation (JAC), Commercial Law and Litigation (JAQ), The Judge Advocate General's School (AFJAGS), and Legal Information Services (JAS).

The AFLOA command section is located in the William A. Jones, III, Building (Jones Building) at Joint

Base Andrews. JAJ, JAC, and JAQ are also primarily located in the Jones Building and have the critical responsibilities of assisting The Judge Advocate General in the administration of military justice throughout the Air Force; defending the Air Force in civil litigation before federal and state courts and administrative boards; and providing reach-back capability to Air Force practitioners regarding contracts and litigation support in a myriad of forums related to complex commercial disputes. These three directorates

also include numerous geographically separated missions around the world, such as all defense offices (including the newly formed Office of Airmen's Counsel at Lackland Air Force Base, Texas), senior trial counsel offices, enlisted court reporters, the Claims Service Center at Wright-Patterson Air Force Base, Ohio, regional environmental support offices in San Francisco, Atlanta, and Dallas, the Environmental Law Field Support Center in San Antonio, Medical Cost Reimbursement Program (MCRP) offices, medical law consultant offices at Air Force hospitals worldwide, and labor law field support centers at various locations.

In addition, while not physically located at Joint Base Andrews, the other two AFLOA directorates—AFJAGS and JAS—are indispensable components of the AFLOA team. Located at Maxwell AFB, Alabama, AFJAGS is the preeminent source of legal education and training for Air Force legal professionals, while JAS is charged with keeping the Corps at the cutting edge of legal information technology in support of full-spectrum legal services throughout the Air Force.

The breadth of the AFLOA mission and the expertise of its personnel enables critical reachback support for JAG Corps practitioners worldwide. AFLOA structures reachback capability through eight Field Support Centers (FSCs) designed to augment and support legal services to wing, Numbered Air Force, center, and major command legal offices around the globe. AFLOA's FSCs include: the Air Force Claims Service Center (AFCSC), the Accident Investigation Board FSC, the Medical Law FSC, the Commercial Litigation FSC (CLFSC),

the Contract Law FSC (KLFSC), the Environmental Law FSC (ELFSC), the Labor Law FSC (LLFSC), and the Utility Law FSC (ULFSC).

This year (2012) marked the first full year during which all AFLOA elements in the National Capitol Region (NCR) were housed under the same roof. Prior to 2011, AFLOA personnel were scattered between Rosslyn, Virginia, and Bolling AFB, Washington D.C. In April 2011, AFLOA became the first tenant in the environmentally-friendly Jones Building on Joint Base Andrews. As such, together with the command section, JAJ, JAC, and JAQ are now headquartered in the Jones Building, leading to exciting new synergies and efficiencies. For example, there is routine cooperation and a steady cross-flow of ideas when certain legal topics affect multiple divisions. When Congress authorized legal assistance for victims of sexual assault even when the report was restricted, members of the Community Legal Services Division (JACA) and Military Justice Division (JAJM) traversed the Jones Building hallway regularly to meet with each other and develop an implementation plan, then delivered a joint webcast hosted by AFJAGS (using technology enabled by JAS) to communicate to over 100 locations worldwide.

The new "jointness" within AFLOA has also led to increased opportunities for morale events—as well as opportunities for friendly rivalry and camaraderie. The AFLOA Booster Club has flourished with a larger local membership pool and the annual inter-division softball games take on added importance when the other team's members are just down the hall. Furthermore, AFLOA began competing its local quarterly and annual

award winners in the base-wide "Team Andrews" competitions.

In addition to three AFLOA directorates, other HQ AF/JA elements, such as the Air Force Court of Criminal Appeals (AFCCA), JAT, JAX, JAA, and JAI, are also located in the Jones Building. With over 250 JA personnel in the same location, newcomers to AFLOA have mistakenly thought they were attending a JAG family reunion.

While combining the NCR-based AFLOA directorates into one location has been a great success story, AFLOA continues to adapt when confronting a number of challenges. For example, historically, AFLOA had an orderly room with personnelists who could provide administrative support for OPRs, EPRs, decorations, etc. Those two personnel positions were removed from AFLOA in April 2012, resulting in the increased role of each directorate in interfacing with the 11th Force Support Squadron. Furthermore, decreasing budgets and funding has resulted in increased use of VTC technology (saving travel costs), and constant process improvement to increase operational efficiencies.

In 2013, AFLOA anticipates meeting further challenges presented by fiscal limitations and expanding mission requirements with the same professionalism, creativity, and "can do" approach that it has consistently demonstrated. In this way, we anticipate continuing to deliver top-notch legal services to our clients and customers in the field.



AFLOA Headquarters
William A. Jones III Building



AFJAG Corps personnel in front of the Jones building



The Judge Advocate General's
School

Maxwell Air Force Base,
Alabama



AFJAGS



Colonel Kenneth M. Theurer
Commandant



CMSgt Mary E. Gowin
Manager, Academics & Paralegal Development

The Judge Advocate General's School (JAG School), located at Maxwell Air Force Base, Alabama, is the educational hub of the JAG Corps (TJAGC). In addition to directing and teaching 49 JAG School courses and conferences over the last year, the faculty instructed at numerous Air University schools and colleges, and other schools and courses throughout the Department of Defense. The JAG School's outside teaching activities involve in excess of 1,300 faculty hours and reach nearly 20,000 students each year. The JAG School has been at the forefront of developing and updating curriculum for JASOC, Gateway and other JAG School resident courses. The Academic Development Director, in collaboration with the TJAG Action Group, conducted a formal academic needs assessment for the JAG Corps, which identified and recommended training solutions and development of the JAG Corps' new Requirements-Based Training System.

Civil Law

The Civil Law Division continues to lean forward during fiscally constrained times through its development of progressive and interactive distance education (DE) courses. These courses provide the highest quality of continuing legal education while simultaneously reducing TDY costs. For example, the Environmental Law Update Course was once again offered as a DE course enabling a record high 213 students to attend from all branches of the DOD. Over 10,000 students in legal offices around the world viewed 25 Civil Law webcasts on topics ranging from contracts to legal assistance. The Civil Law Division continues to offer courses which emphasize attorney and paralegal teaming such as the Will Preparation for Paralegals Course and the Paralegal Contracts Law Course. Finally, the Civil Law Division's teaming with the JAG School's Operational and International Law Division provides "in-person" contract and fiscal

law training to financial management professionals at various Air Force bases and Army posts in the continental United States.

Military Justice

The Military Justice Division organized and executed three Trial Advocacy Conferences in the United States, one in the Pacific, and one in Europe. These conferences updated approximately 280 practicing trial counsel, defense counsel, justice paralegals and defense paralegals on evolving aspects of military justice trial practice. The conferences focused on litigating sexual assault cases and working with experts in courts-martial. Students completed practical exercises with expert forensic psychologists on the issues of alcohol induced black-outs and pass-outs as well as dealing with child victims. Subject matter experts updated the students on a variety of issues including: Article 120, Uniform Code of Military Justice; designer drugs such as

spice and salvia; and important appellate cases. Additionally, the Military Justice Division participated in the Training by Reservists in Advocacy and Litigation Skills (TRIALS) program. The TRIALS program provided advocacy training to more than 115 JAGs at 9 different locations both stateside and overseas.

Operations and International Law (OIL)

The OIL Division published Air Force Operations and the Law: A Guide for Air, Space & Cyber Forces on CAPSIL in a Wiki format. This comprehensive deskbook is a valuable resource to judge advocates and paralegals supporting Air Force and joint military operations worldwide. The division is in the midst of preparing release of the 2012 update. Also, this year regrettably saw the momentous retirement with accolades of Mr. Darrell Phillips, a JAG Corps legend and instructor here since the 1980s. The electronic After Action Reporting (AAR) system enabled collection of more than a hundred AAR's from redeploying JAG Corps members, over half of which were gathered using the new database. The new system simplifies the process of getting standardized information while increasing the ways the data can be arranged and searched.

In the teaching arena, in addition to executing eight field training exercises and teaching JASOC, PAC, PCC, and other AFJAGS local courses, OIL conducted training at more than 50 courses outside of AFJAGS to various audiences in the USAF and DOD to include SES and senior flag officers.

Professional Outreach

The Professional Outreach Division continues to capitalize on the unique capabilities of CAPSIL to improve the ways to educate the Corps. CAPSIL provides the ability to access and share information and eLearning resources. In 2012, the JAG School began planning a new distance education initiative. Modeling a civilian institution approach to distance education, the School began designing the first ever online course, the Ethics Counselors' Course (ECC). This online course has curriculum that is both effective for the student and meets the needs of the AFJAG Corps and its Air Force clients for years to come. Using Defense Connect Online, the school hosted more than 40 webcasts that were attended by more than 13,000 participants. Links to 95 recorded webcasts, on a wide variety of legal and leadership topics are posted on CAPSIL for training use by offices worldwide. The JAG School distributed more than

30,000 copies of its publications this year. To include the Air Force Law Review, The Reporter, the AFJAGS Bulletin and The Afghanistan Rule of Law. Furthermore, at this year's KEYSTONE LEADERSHIP SUMMIT, THE PROFESSIONAL OUTREACH DIVISION DESIGNED AND CREATED GRAPHICS DISPLAYED AT THE CONFERENCE.

Standards and Evaluation Division

The Standards and Evaluation Division is a new division in 2012, standing up on 1 October 2012. Three experienced AFJAGS attorney instructors are designated as "Stan/Eval" instructors with responsibilities, under the supervision of the Academic Director, to ensure academic rigor in AFJAGS curriculum and teaching excellence by AFJAGS attorney instructors. In addition to normal instructional duties, Stan/Eval instructors work with division chiefs and individual instructors to develop curriculum, evaluation instruments, and assessment tools. They are principal advisors to the Academic Director on academic policy, and assist the Academic Director in evaluating the effectiveness of AFJAGS attorney instructors.

JAC



Col Thomas F. Zimmerman
Director

The Civil Law and Litigation Directorate (JAC) is the premier Directorate in the Air Force Legal Operations Agency and defends Air Force interests in civil litigation, excluding contract litigation, in various forums to include local, state, federal administrative bodies, federal district courts, the U.S. Court of Federal Claims, and federal appellate courts. In addition to its litigation practice, JAC oversees the Air Force Claims Program. JAC is made up of over 300 judge advocates, civilian attorneys, paralegals, and administrative personnel at 35 locations worldwide. JAC includes four divisions: Community Legal Services (JACA), Claims and Tort Litigation (JACC), General Litigation (JACL), and Environmental Law and Litigation (JACE).

Community Legal Services Division (JACA)

The Community Legal Services Division (JACA) administers the Air Force Legal Assistance, Preventive Law, and Tax Programs; and manages

JAG Corp capabilities to effectively provide Airmen, NCOs, officers, commanders and their families with information on matters common to Air Force communities. To accomplish these responsibilities, the Division sets and implements policies regarding legal assistance and preventive law at Air Force installation legal offices on behalf of TJAG. JACA identifies legal assistance training requirements and provides guidance and practice resources to the field. Building on recent years' efforts, the Air Force embarked on several initiatives aimed at improving legal assistance education and resources.

By providing essential advice and legal services to military members, their dependent family members, and retirees, the JAG Corps ensures Airmen are ready to deploy in the defense of their nation. These services are also critical to the welfare and morale of servicemembers. Between 1 January 2012 and 31 October 2012, Air Force attorneys advised 206,155 clients. Air Force legal assistance practitioners prepared 42,518 wills, of which 10,740 were prepared by paralegals; 194,673 powers of attorney; and 121,722 other legal documents.

One of the key accomplishments of the Division this year was the implementation of new training requirements. Starting this year, all military and civilian attorneys who have legal assistance in their position description, must receive legal assistance annual refresher training addressing the latest law and policy matters impacting the practice of legal assistance. The first annual update was provided via webcast in January. Recognizing the on-going importance of maintaining competency in this core practice area,

there is now an annual requirement to complete military continuing legal education (MCLE) in legal assistance. Finally, in cooperation with the Professional Development Division of The Air Force Judge Advocate General's School, JACA is developing in-depth training and evaluation in core legal assistance areas. The first of these distance learning courses, covering estate planning, was completed in 2012.

The 2012 National Defense Authorization Act (NDAA) reiterated that legal assistance is available for sexual assault victims otherwise eligible for legal assistance services. It also mandated that eligible victims be informed of the availability of such assistance. In order to ensure a firm understanding of these issues, JACA and JAJM (the Military Justice Division) provided comprehensive training to the field via a webcast. Further training was provided at various in-residence courses throughout the year.

This year JACA partnered with the IRS to spearhead tax program training initiatives. With the current fiscal constraints felt across the federal government, the IRS is unable to provide the same number of training opportunities for IRS VITA trainers as it has in previous years. JACA and the IRS continue to explore alternatives that will meet the needs of the installations at no additional cost to either the IRS or the Air Force, including satellite training and the use of Defense Connect Online (DCO).

The Division has also actively participated as a liaison to the ABA's Legal Assistance for Military Personnel (LAMP) Committee. In addition to

participating in business meetings and working with our sister-services to co-sponsor continuing legal education opportunities with the LAMP Committee, Air Force attorneys have fully embraced the ABA LAMP Committee's Military Pro Bono Project. This year alone, 89 cases have been referred for consideration. Volunteer attorneys provided many of these clients with extensive pro bono services, including in-court representation.

Claims and Tort Litigation Division (AFLOA/JACC)

The mission of the Claims and Tort Litigation Division spans the globe. The Division provides administrative processing of personnel, carrier recovery, and tort claims. It operates the Medical Cost Reimbursement Program (MCRP) to recover money owed to TRICARE for medical care provided to Air Force personnel and their families. The Division also advises Air Force attorneys, commanders, and other officials at every organizational level on issues related to medical and aviation law, and it provides legal support to accident investigation boards. In addition, JACC represents the Air Force in litigation in a variety of forums. The Division is divided into five Branches and three Field Support Centers (FSCs).

The Medical Cost Reimbursement Program (MCRP)

The MCRP enjoyed another successful year since its inception in 2009. MCRP paralegals and attorneys continue to aggressively pursue collection actions against third party tortfeasors, insurance companies, and other financially responsible parties to recoup the costs of medical care supplied by the Air Force, whether directly (via



MCRP Region 2 - Langley AFB: pictured from left to right: Larry Passwaters, Michelle Walston, Jodi Graves, Lt Col Mathews (Chief, JACC), Del Whitlock, Patty Ramirez, Robert Abbott & Gary Zuch

treatment in a military facility), or indirectly (via TRICARE payments to a civilian facility). The MCRP is a self-funding program, paid for by the funds collected. In FY12, MCRP recovered more than \$20 million. A small percentage of this was used to fund employee salaries and operating expenses. The MCRP continues to prove that the program is well worth the investment.

Aviation and Admiralty Law Branch (AALB)

The mission of the AALB is threefold: One is adjudicating tort claims and defending the United States in litigation arising from Air Force aviation and admiralty activities, including aircraft crashes, sonic booms, low overflights, and events occurring on or over a navigable waterway. Branch members also protect Air Force interests, such as maintaining its policy of strict neutrality and preserving the military safety privilege when responding to discovery requests in

private litigation involving Air Force aviation and admiralty activities. A second duty is to oversee the Accident Investigation Board Field Support Center and provide Air Force-wide policy and guidance on the accident investigation board (AIB) and ground accident investigation board (GAIB) processes. Third, the AALB advises the Air Staff on all issues within the purview of aviation and admiralty law, including release of mishap information, protection of the military safety privilege, friendly fire investigations, public use of Air Force aviation and admiralty assets, aerial demonstration flights, disposal of wreckage and surplus equipment, the Civil Air Patrol, and aviation tort liability implications of proposed legislation and international agreements.

Because of their particular specialty, Branch attorneys are often called upon to brief members of Congress and make presentations before bar associations regarding military claims and



TSgt Trapp and Lt Col Maceda with AIB board president and other board members

accident investigations. The Branch also prepares and presents training for AIB and GAIB board presidents, legal advisors, and paralegal recorders at the Air Force Safety Center, Air University, the Air Force Judge Advocate General's School, and Air Force bases throughout the world.

Accident Investigation Board Field Support Center (AIBFSC)

An integral part of the AALB, the AIBFSC provides JAG legal advisors and paralegal recorders for AIBs and GAIBs around the world. Primarily, it assists with MAJCOM-convened Class A mishap investigations, prepares publicly releasable reports, and secures evidence for potential claims litigation and other actions. It also provides critical reach-back expertise for other judge advocates and paralegals in the field. In the five years since its inception in September 2007, the AIBFSC has supported 92 mishap investiga-

tions. In 2012, three paralegals were assigned to the AIBFSC as recorders. Their addition to the AIBFSC team has already paid dividends as they were crucial in training a new set of legal advisors after the summer assignment rotations.

Foreign Claims Branch (FCB)

The FCB guides Air Force offices worldwide on proper settlement of tort claims, adjudicates the Air Force's highest value Foreign Claims Act (FCA) claims arising abroad, and coordinates with overseas commands responsible for satisfying third party claims falling under international cost-sharing agreements. The Branch also assists in resolving tort claims arising in the United States in connection with foreign military sales agreements having an Air Force focus. Throughout the year, the Branch provided effective reachback to Air Force and sister-service legal offices inquiring about tort claims policies and

procedures, and advanced Air Force training objectives through repeated instructional visits to the Air Force JAG School. In 2012, in addition to coordinating with AFSOUTH/JA on liability concerns relating to NEW HORIZONS, a series of Joint Field Training Exercises and Medical Readiness Training Exercises in Peru, the Branch worked closely with the U.S. Embassy in Azerbaijan and Fifth Air Force in Japan to amicably resolve a number of personal injury and property damage claims.

Medical Law Branch (MLB)

The MLB is responsible for adjudicating all Air Force medical malpractice claims worldwide, and all DOD military medical malpractice claims arising out of Japan. The MLB also provides litigation support to all Department of Justice attorneys defending the government in these lawsuits. Over the past year, the MLB has adjudicated over 130 claims in which claimants demanded over \$2.1 billion dollars in compensation. From these claims, about \$2.6 million was paid out in settlement awards (approximately 0.1% of the total demanded). In addition to adjudicating claims, MLB attorneys provide guidance, training, and support on all medical-legal issues arising in Air Force medical treatment facilities. In 2012, MLB attorneys acted as legal advisor in 12 medical privileging hearings for the Air Force Medical Service. Furthermore, MLB attorneys have shared their expertise with medical and legal communities throughout the Department of Defense by publishing the *Air Force Medical Law Quarterly* and by speaking at a variety of educational forums including the annual Air Force Medical Law Mini-Course, the Air Force Medical Law Consultant

Course and Annual Update Course, the Inspector General's Worldwide HIPAA Briefing, and the Air Force Legal Administrative Investigations Course.

Medical Law Field Support Center (MLFSC)

The MLFSC works closely with the MLB to provide medical-legal services to military treatment facilities (MTFs) throughout the Air Force Medical Service (AFMS). The MLFSC is led by the MLFSC Chief, stationed at JB Andrews, who supervises a competitively selected team of specially-trained Medical Law Consultants (MLCs). MLCs are strategically positioned at the Air Force's largest MTFs, HQ USAFE/SG, and the recently established tri-service Medical Education and Training Campus (METC) at Ft Sam Houston, TX. In 2012 JB Elmendorf-Richardson added a new MLC position, bringing the MLFSC to a total of 15 MLCs, six civilian support personnel and one military paralegal, assigned to 10 locations worldwide.

The MLFSC provides expert advice on an expansive and constantly changing range of issues related to healthcare operations. Common issues include such complex areas as authorized uses and disclosures of protected health information under the Health Insurance Portability and Accountability Act (HIPAA), quality of care and clinical adverse actions, medical ethics issues, research on human subjects, informed consent for healthcare, and end-of-life issues. In addition, MLCs advise on an ever-increasing variety of interservice and interagency agreements, as well as agreements with civilian medical

facilities, for purposes of provider training and proficiency.

A one-of-a-kind position, the METC MLC, focuses exclusively on issues related to the training of enlisted medical personnel, providing counsel on a wide array of tri-service agreements, training affiliation agreements, and a variety of other issues unique to this academic setting. For MLCs located in MTFs, their duties are two-fold: (1) providing medical-legal advice and training to the MTF/CC and staff at their location; and (2) providing reachback support and training to their regions, including annual visits to MTFs and base legal offices.

Air Force Claims Service Center (CSC)

The CSC is JACC's FSC for the adjudication of all Air Force personnel claims (P-claims). In FY12, the CSC adjudicated over 2,000 claims, with an average processing time of 11 days per claim. Thanks to the CSC, Airmen received over \$2 million in 2012 for damages to their household goods. The CSC collected over \$1 million in carrier recovery claims, due to an impressive 98% collected-to-asserted ratio. The CSC recently moved into a newly renovated facility on Wright-Patterson AFB from its original off-base location in nearby Kettering, OH.

Though the number of P-claims adjudicated by the CSC has waned, the need for their expert guidance remains as strong as ever. The CSC has fielded over 10,000 calls for claims assistance this year, an average of more than 40 calls per working day. Also, although the volume of household

goods claims being handled by the CSC has decreased, the complexity of the claims has increased due to the implementation of DPS. Under DPS, military members must first file household goods claims with the carrier. The CSC becomes involved when the member and the carrier are unable to reach a settlement. Thus, the more difficult a claim is to settle, the more likely it is to end up in the hands of the CSC. Fortunately, the shift to an all-civilian workforce enables the Air Force to build and retain invaluable personnel claims experience and expertise. The CSC's expertise was recognized by the US Army's Judge Advocate General's office this year when they sent a team to evaluate the CSC's processes to use as a model for the Army's claims transformation. In the words of the Army Team Chief..."I was very impressed with the people, technology and operations and think we can learn a lot from your experience."

General Torts Branch (GTB)

The GTB adjudicates tort claims and provides litigation support for cases that are not within the scope of one of the other Branches. In FY12, the Air Force received more than 1,600 general tort claims, demanding more than \$1.8 billion in damages. The types of litigation supported by the GTB are as varied as the number of installations we support, and in FY12, 36 new lawsuits were filed arising from general tort cases. GTB attorneys traveled around the country to assist the Department of Justice in defending some highly-contentious cases. GTB paralegals have become increasingly proficient in investigating and adjudicating complex tort claims. The Branch also has policy



Air Force Claims Service Center Personnel from left to right: Enid Rivera, Todd Cook, Rod Wilson, Kevin Burriss, Brian Brown, Ruth Vradenburgh, Brett Coakley, Cindy Lee, John Chojnacki, Deveney Wolfe, Brad Nuss, Cynthia Johnson, JD Reese

oversight for pro-government tort claims (G-claims) to recoup payment for damage to Air Force property.

In addition, the Branch provides reachback tort claims support to base legal offices worldwide. In this role, GTB personnel apply specialized knowledge and legal services to support installation claims offices with regard to the investigation, settlement, and litigation of general tort claims (e.g., motor vehicle accidents, slip-and-fall claims) against the Air Force and to assist them in resolving tort claims within their settlement authority. GTB paralegals provide immediate reachback assistance to installation offices, by sharing their knowledge with installation-level paralegals to assist them in fulfilling their tort claim responsibilities. Also, when traveling to defend cases, GTB attorneys routinely go to nearby installations to provide in-person training.

Environmental Law and Litigation Division (JACE)

JACE works to preserve and protect air, land, and other precious resources central to the successful performance of the Air Force mission. JACE helps Air Force clients comply with environmental laws and seek legislative and regulatory resolutions to environmental issues impacting the mission. JACE also defends the Air Force against legal challenges that threaten mission accomplishment.

Environmental Litigation Center

The Environmental Litigation Center pursues Air Force interests in affirmative and defensive litigation nationwide. The Center litigates approximately 60 active matters at any given time, including injunctions and encroachment issues with the potential to directly impact Air Force missions, as well as potential monetary liability exceeding \$900 million. In addition, the Center pursues affirmative

cost recovery (ACR) cases to return scarce remediation funds to Air Force coffers. Center attorneys, in cooperation with attorneys in the Regional Counsel Offices (RCOs), seek to reduce alleged liability estimated at \$368 million for contamination at more than 40 sites located outside installation boundaries. The Center also adjudicates environmental tort claims currently seeking \$200 million.

In FY2012, the Center had many successes, including protecting flight training operations from utility company activities in administrative forums, defeating a threat to the operations of a \$300 million water reclamation facility, and recovering \$1.3 million from third-parties back into the Air Force Environmental Remediation Account.

Regional Counsel Offices

Located in Atlanta, Dallas, and San Francisco, the RCOs work with

state and federal environmental, energy, and land-use policy makers in their geographic regions. The RCOs partner with sister services through the Department of Defense Regional Environmental Coordinator (REC) program and provide legal support to co-located offices of the Assistant Secretary of the Air Force for Installations and Environment (SAF/IE) and the newly-formed Air Force Civil Engineering Center (AFCEC). The RCOs support installations by negotiating environmental enforcement actions, reviewing proposed state environmental laws and regulations, and assisting with fee and tax issues.

Eastern Region

The Atlanta office (JACE-ER) tackled several compliance matters in 2012. JACE-ER led negotiations with the Occupational Safety and Health Administration (OSHA) for two citations at a Florida base, which ultimately led to withdrawal of one citation and lowering the severity of the other. JACE-ER's efforts also led to a 40% reduction in the penalties assessed by the various Environmental Protection Agency (EPA) regions against Eastern Region installations. Additionally, JACE-ER continues to be an integral member of a working group composed of the Air Force, Army, and Navy to review pending legislation and regulation in EPA Regions 1, 2, and 3. JACE-ER coordinated on comments for multiple pieces of legislation in these states, including anti-idling laws in New York that would not provide an exclusion for military tactical vehicles. Finally, JACE-ER identified issues in Florida's draft management plan for gopher tortoises and convened a working group with all of the services to provide consolidated comments to

the state, which adopted DoD's recommended language in their revised plan.

Central Region

The Dallas office (JACE-CR) facilitated comments on several critical state legislative bills and regulations, including opposing a Kansas bill that would have limited conservation easements near Air Force installations, supporting a Missouri bill setting state limits no stricter than federal hazardous waste requirements, and supporting a Texas regulation exempting military engineering apprentices from certain state licensing provisions. JACE-CR continued to lead in applying DoD guidance on paying storm water fees to local municipalities, laying the foundation on how the Air Force will address these fees in the future. JACE-CR also helped convince Wyoming to exempt remote underground storage tanks (USTs) from an impending EPA-mandated monthly inspection requirement, which may set a precedent that saves millions in O&M funds going forward. Additionally, JACE-CR was instrumental in resolving a three-year-old Clean Air Act notice of violation that decreased Kirtland AFB's monetary liability to only 1/3 of the original assessed amount. Finally, with the assistance of the Department of Justice, JACE-CR secured a tolling agreement with a potentially responsible third party that allows the Air Force to continue pursuing reimbursement for a \$20 million cleanup at Kirtland AFB.

Western Region

The San Francisco office (JACE-WR) successfully introduced several important pieces of energy legislation in Washington State, including a bill

that requires developers to notify the military of proposed renewable energy projects. JACE-WR personnel testified against, and ultimately defeated, a California bill that would have repealed certain zoning protections for military airfields. The office also negotiated major enforcement actions for Air Force installations in Alaska, saving more than \$350K in fines and penalties.

Environmental Law Field Support Center

The mission of the Environmental Law Field Support Center (ELFSC) is to provide full spectrum reachback for Air Force environmental law practitioners at all levels. Staffed with 38 environmental law experts, including four reservists, as well as environmental liaison officers (ELOs) embedded at six MAJCOMs and a satellite office in Alaska, the ELFSC consolidates Air Staff, MAJCOM, and base level environmental law reach back into a single center located at the former Kelly AFB, San Antonio, TX. The ELFSC maintains expertise to address restoration; environmental compliance; air space and ranges; natural and cultural resources; pollution prevention; National Environmental Policy Act (NEPA) and other environmental planning issues; energy; hazardous and solid waste issues; and international environmental law matters. In addition, ELFSC provides subject matter experts throughout the year as speakers at various training conferences and symposiums. These responsibilities are handled by four distinct branches within the ELFSC.

Compliance Branch

The Compliance Branch stood up in July 2012, combining the former Air and Water, Hazardous Materials

Management, and the International Law branches. Branch attorneys were actively involved in crafting changes to the Air Force environmental compliance assessment program, enabling it to work effectively within the IG inspection system. The Branch continues to face significant issues on underground storage tank compliance, national emissions standards for hazardous air pollutants compliance, and compliance with storm water fees as recent amendments to the Clean Water Act are implemented. The Branch was involved in formulating or revising DoD and Air Force instructions governing water systems, air emissions, and environmental compliance requirements for DoD installations located in foreign countries. The Branch provided extensive support identifying and analyzing environmental planning requirements for proposed major Air Force projects in several foreign countries. Finally, the Branch worked closely with other agencies to ensure continuous legal support as the AF civil engineering (CE) community transitioned into a new CE field operating agency, the Air Force Civil Engineering Center (AFCEC).

Cultural & Natural Resources Branch

The Branch provides specialized legal counsel to help Air Force organizations comply with laws protecting valuable cultural and natural resources. This advice preserves flying and training flexibility while protecting operations from legal challenges both now and in the future. Examples include the F-35 beddown relating to the Endangered Species Act and the consultations with the Commonwealth of the Northern Mariana Islands in the development of divert airfield capabilities for aircrews

supporting humanitarian assistance or other operations in the PACAF Area of Responsibility, and consultation with Indian tribes on the Davis-Monthan AFB solar array project.

Restoration Branch

The Restoration Branch provides direct legal support to AFCEC and, in conjunction with ELOs, to MAJCOMs and bases on all environmental restoration matters. The Branch also works with SAF/GCN in the formulation and implementation of Air Force and DoD environmental restoration policy and guidance.

The Branch continues to work to resolve a dispute with EPA over the Federal Facilities Agreement terms for Tyndall AFB. The Branch played a significant role in the environmental restoration of transferred and transferring property and assisted with the whole base transfer of 2,284 acres at the former England AFB. Other highlights include identifying issues pertaining to land use controls to prevent incompatible uses of former missile sites, engaging in high-visibility cleanup issues at the high priority Kirtland AFB bulk fuels facility petroleum release and plume, and negotiating with the US Forest Service regarding cleanup at the former Duncan Canal Radio Relay Station. Finally, the Branch continues to emphasize education, with its members briefing AFCEC and MAJCOMs on developments in emerging contaminants and new DoD restoration management guidance.

Planning & Sustainment Branch

In 2012, the Branch provided support to the full spectrum of Air Force missions. This includes the comple-

tion of the planning documents for beddowns of the Joint Strike Fighter (F-35A) training and operations, and the F-22 and T-38 operations; guidance to the Air Force Encroachment Management Program; expansion of airspace for bomber training for aircrews from Ellsworth and Minot AFBs; evolution of a flying training program for special operations aircrews at Cannon AFB; expansion of Air National Guard training at Davis-Monthan AFB; increased training airspace for fighter aircrews at Shaw AFB; and enhancement of joint airspace and range facilities in Alaska. The Air Force's focus on developing energy and renewable energy projects has increased to meet mandates and enhance mission operations. The Branch was a key participant, advising on environmental requirements for numerous energy projects, and was actively involved in streamlining existing processes to take environmental requirements into account.

Environmental Liaison Officers (ELOs)

ELOs are embedded at six MAJCOMs and provide timely and accurate legal advice to base and MAJCOM SJAs as well as MAJCOM-level clients on environmental issues affecting command interests. ELOs are responsible for keeping MAJCOM SJAs and JACE informed on the status of environmental issues affecting their MAJCOM. The ELOs have had impacts worldwide over the course of the past year. Examples of the active involvement of our ELOs include: providing continued direct support of the Joint Strike Fighter beddown in three different MAJCOMs; guiding multiple installations through consultations with federally recognized tribes relating to solar array projects; advis-


 Spotlight on

TSgt Brittany Wood



TSgt Wood, JACC Accident Investigation Board Field Support Center, JB Andrews MD
behind the controls of a C-17 Globemaster III

Arriving at the Accident Investigation Board Field Support Center (AIBFSC) in January 2012, Technical Sergeant Brittany R. Wood is one of the three inaugural paralegals assigned as recorders. With their arrival, the AIBFSC's ability to provide trained personnel to MAJCOMs convening AIBs expanded exponentially. Our recorders are the backbone of the AIB, providing crucial behind-the-scenes support that has dazzled board presidents.

TSgt Wood has served on three Accident Investigation Boards (AIBs), including a C-17 AIB, an F-15E fatality AIB, and a CV-22 AIB. When asked about her experiences, TSgt Wood remarked:

I knew as the NCOIC of Military Justice that I had an impact on the base community, but I never thought I would be able to have the opportunity to impact the Air Force as a whole and DoD. On the CV-22 AIB, I felt an overwhelming sense of pressure and achievement

knowing our leaders were depending on this high-visibility AIB report to get done quickly and precisely as the USMC and politicians were awaiting the outcome of the report to brief the Japanese government regarding future basing of USMC MV-22s. On the F-15E fatality AIB, our team quickly became a family realizing that in the end the AIB report would be briefed and provided to the next-of-kin. We worked tirelessly through 6 or 7 day work weeks for 12-15 hours a day. We ate almost every meal together and knew about each other's families. Working in such close proximity for such a short amount of time, it was reassuring knowing the Brigadier General would come to me for an answer. I never felt like I was an inferior board member even though I have always been the lowest ranking (and often only enlisted) person on the team. This is in large part due to my legal advisors ensuring that we worked as a team. I knew and did everything they did and vice versa. If the board president had a question and the legal advisor was on the phone or not available, I could answer it.

ing an installation on proper handling of old munitions encountered by local citizens who seek Air Force assistance; advising an installation on hunting program requirements; training base environmental attorneys; and assisting in the development of Divert airfield capabilities for aircrews supporting humanitarian assistance or other operations in the PACAF AOR.

General Litigation Division (JACL)

The General Litigation Division (JACL) is composed of hard working, skilled litigators, paralegals, and administrative personnel whose victories protect important Air Force policies, practices, and interests. The Division handles a broad range of cases in federal courts, state courts, and various administrative forums. JACL defends the Air Force and its personnel in federal litigation and administrative proceedings involving civilian and military personnel, constitutional torts, information law, and utility/energy law. In addition, the Division reviews all Freedom of Information Act appeals, accepts civil service of process on behalf of the Secretary of the Air Force, manages the Air Force civil witness program, and advises field and higher headquarters staffs on civilian labor law issues. JACL performs its mission through two Branches and two Field Support Centers.

Information Litigation Branch (IL)

The Information Litigation Branch represents Air Force interests in federal court cases involving information litigation, the improper assessment of taxes against the United States, and constitutional torts alleged against Air Force officials. Importantly, its attor-

neys and paralegals review and process all Air Force Freedom of Information Act (FOIA) administrative appeals and advise the Secretary of the Air Force designee regarding final action on those appeals. Branch attorneys also provide service-wide advice on requests for Air Force personnel to appear as witnesses in litigation and for release of official Air Force information outside the scope of FOIA.

During fiscal year 2012, the Branch reviewed and advised on 149 FOIA appeals, an increase of over 110% from the year before. Working with the Department of Justice, the branch had a docket averaging 38 cases in litigation, with 14 new cases opened and 15 cases closed.

Two cases that illustrate the nature and scope of issues managed are *Cioca et al. v. Rumsfeld et al.* and *Hoffman et al. v. Panetta et al.* Both cases are class actions against Department of Defense senior leaders in which Plaintiffs, who include current or former Air Force members, claim they were the victims of sexual assault. The complaints are a series of allegations about the prevalence of rape and sexual assault in the military, practices within the military that the Plaintiffs assert are a systematic failure to stop rape and sexual assault, and actions or lack thereof by the military with respect to correcting the alleged systematic failures. The cases are actions against former and current DoD and Service Secretaries in their individual capacities and seek money damages for violations of Constitutional rights.

One case is on appeal after having been dismissed by the District Court under the *Feres* Doctrine. IL branch attorneys are gathering information and

preparing a response in the other case. Although the Department of Defense is in a strong legal position, these cases will likely continue to generate media attention and Congressional interest.

Labor Law Field Support Center (LLFSC)

The LLFSC is comprised of a leadership section with four subordinate Branches, plus four Regional Offices (Eglin, Scott, Randolph and Los Angeles AFBs). The LLFSC handles Air Force labor and employment law matters in federal court and before the Merit Systems Protection Board (MSPB), the Equal Employment Opportunity Commission (EEOC), the Federal Services Impasse Panel, the Federal Labor Relations Authority (FLRA) and labor arbitrators. The LLFSC routinely advises policy makers at the Headquarters Air Force level and at other Department of Defense agencies. The Center is the source of most of the labor law training in the Air Force.

The LLFSC Labor Law Branch defends the Air Force against hundreds of Unfair Labor Practice charges filed annually by unions representing approximately 120,000 of the Air Force's 165,000 full-time civilian employees. This requires daily analysis of labor management relations, rights, obligations and evidence. Charges not dismissed or withdrawn by the FLRA must either be settled or litigated at hearings. The Branch also represents the Air Force in negotiability appeals, bargaining impasses and representation petitions that have occurred at the Joint Bases. Attorneys regularly provide advice to agency labor counsel and civilian personnel officers worldwide. On request, the Branch defends the Air

Force in complex labor arbitrations or those having potential service-wide impact.

The two LLFSC Administrative Litigation Branches (East and West) defend the Air Force in discrimination cases before the EEOC and in disciplinary cases before the MSPB. They also advise Air Force installations on disciplinary actions that are appealable to the MSPB, as well as any other action they are requested to review.

The LLFSC Federal Litigation Branch assists the Department of Justice in defending the Air Force in United States District Courts, Claims Court, Courts of Appeal, and in court ordered settlement conferences. The Branch also reviews formal complaints of discrimination and advises on their acceptance and dismissal.

LLFSC litigators and paralegals assigned to the Regional Offices defend against the entire spectrum of administrative and judicial challenges in labor and employment law in their geographical area.

This year, the LLFSC defended Air Force interests in a number of cases, including: alleged failure to bargain changes in conditions of employment; reprisal for protected activity; and a wide variety of disciplinary and performance actions alleged to have been based on age, sex, and race discrimination. The LLFSC also advised Headquarters-level policymakers and field labor and employment attorneys, and labor specialists on every aspect of labor and employment law, including labor management relations, collective bargaining, and adverse personnel actions.

The Administrative Litigation branches opened 244 administrative EEOC and MSPB cases this year and they closed 91. They also defended 22 MSPB cases where Appellant alleged they were demoted when they were converted out of the National Security Personnel System (NSPS) to a lower GS grade than they were prior to NSPS. This continues to be an issue DoD-wide. The Federal Litigation Branch has 27 open cases in United States District Courts and Courts of Appeal and has reviewed 98 EEO Complaints for acceptance or dismissal. The Labor Relations Branch has opened 194 FLRA cases this year and they closed 153 cases. The LLFSC continues to actively defend class grievances about claims for unpaid overtime under the Fair Labor Standards Act which spans four Air Force installations and three major commands, and has the potential to spread Air Force-wide.

Military Personnel Litigation Branch (MP)

The Military Personnel Litigation Branch defends the Air Force against all federal civil court challenges to Air Force personnel practices and programs, averaging 45 to 55 active cases at any one time. The Branch defends claims for military pay and benefits in the United States Court of Federal Claims. *Habeas Corpus* petitions filed by former and current Air Force members serving court-martial sentences are also part of the Branch's workload. Additionally, the Branch defends Air Force personnel decisions challenged in United States District Courts under the Constitution, the Administrative Procedure Act, and other statutes. The Branch routinely handles "front-page headlines," moni-

tored by Air Force and Department of Defense senior leadership and the American public, the results of which have broad application.

Many of our military personnel claims arose from Air Force Board for Correction of Military Records' denial of applications for relief to individual Airmen, who petitioned the Board for a correction to their military record. In one such case, *Martin v. United States*, the Branch successfully defended the Board's denial of an officer's claim alleging he was wrongfully discharged after refusing the anthrax vaccination. Military Personnel litigators also defended a number of significant cases dealing with the residual effects of the Don't Ask Don't Tell repeal. One of these cases is *Collins v. United States*, a class action case of 181 service members throughout the Department of Defense who challenged the amount of their separation pay. They were paid half separation pay upon their discharge instead of full separation pay because the basis for their discharge was homosexual conduct. Another important case is *Witt v. Dept' of Air Force*, which was the landmark case challenging homosexual conduct discharges.

Additionally, Branch litigators have worked closely with Army and Navy counterparts in *Sabo et al v. U.S.*, a class action lawsuit asserted on behalf of 2,100 Iraq and Afghanistan veterans (including 126 Airmen) diagnosed with Post-Traumatic Stress Disorder and assigned less than 50% disability rating on discharge. They also regularly consult with the Department of Defense and the other the services on policy issues for litigation purposes, such as the role of women in combat.

Utility Law Field Support Center (ULFSC)

The Utility Law Field Support Center (ULFSC), Tyndall AFB, Florida provides expert legal advice to the Department of Defense, Air Staff, Air Force functional communities, and the newly established Air Force Civil Engineer Center (AFCEC) on highly specialized issues dealing with energy acquisition and management in an effort to achieve the most cost-effective solutions to meet Air Force energy needs and goals. The ULFSC provides installations advice and contract negotiation support for matters involving electric, gas, water and sewage rates and service. The ULFSC also appears before state and local regulatory bodies in matters involving these commodities. The General Services Administration has delegated responsibility to the Air Force to represent all federal utility customers

in rate-making cases in 17 different states and the ULFSC acts as executive lead agent in those states. Finally, the ULFSC makes up the “legal half” of AFCEC’s joint legal/civil engineer Utility Rates Management Team (URMT), providing advice and negotiation skills for the acquisition of utilities services across the Air Force.

This year one member of the ULFSC completed a successful deployment as the Deputy Staff Judge Advocate for Joint Task Force Guantanamo, Guantanamo Bay, Cuba. In this capacity, he supervised 13 attorneys and 15 paralegals in resolving 150 detainee requests and ensuring the perfect execution of a movement operation for three high visibility detainees.

Overall in 2012, the ULFSC advised commanders on legal issues related

to the purchase of renewable energy and development of renewable power projects on 12 Air Force installations, including: solar, wind, urban waste, biomass, algae fuel, landfill gas, photovoltaic, and geo-thermal energy. The ULFSC also handled 21 negotiations involving non-regulated utilities and represented the federal government in 23 rate-making cases before state regulatory commissions across seven different jurisdictions ranging from Alaska to Florida. For those rate-making cases that concluded in 2012, the ULFSC achieved a direct cost avoidance of over \$2.3 million per year in the form of lower utility prices for Air Force and federal government installations. The ongoing impact to the Air Force for all URMT efforts is nearly \$60 million per year in energy cost savings and avoidance.



JAJ



Col Tonya Hagmaier
Director

The Appellate Defense Division (JAJ) advances the Air Force mission by promoting justice and strengthening confidence in discipline by representing Airmen and former Airmen at all stages of the appellate process. Key duties include submission of written briefs and conducting oral arguments before the Air Force Court of Criminal Appeals (AFCCA), the United States Court of Appeals for the Armed Forces (USCAAF), and the United States Supreme Court. In addition, appellate counsel work closely with trial defense counsel in the preparation of strategy and the development of tactics in cases tried throughout the Air Force.

The Division is composed of twelve active duty judge advocates, seven reserve judge advocates, one civilian attorney, and three paralegals. JAJA is led by Colonel Tom Posch, Lieutenant Colonel Jane Boomer, and Master Sergeant Gena DiProffio.

Training remains a top priority for JAJA. This training includes

military law courses at George Mason University and Duke University and appellate advocacy seminars sponsored by the Federal Office of Defender Services, the NAACP Legal Defense and Education Fund, and USCAAF; in addition JAJA conducts a robust in-house training program. JAJA also conducted joint training with its counterparts in the Navy-Marine and Army appellate offices.

The Division considerably reduced the backlog of cases awaiting briefing before the Air Force Court of Criminal Appeals. Between 1 January 2012 and 1 November 2012, the Appellate Defense Division reduced by more than 20% the number of cases pending initial briefing before the Air Force Court, and reduced by half the number of cases in which the appellate defense counsel sought enlargements of time. JAJA managed its docket with seven personnel deployed, the most in Division history.

On 11 October 2012, AFCCA held oral argument in the capital case,

United States v. Witt, ACM 36785. While Major Dan Schoeni was deployed to Bogota, Columbia, at the time of argument, with the full support of his deployed command, he returned to Joint Base Andrews to argue on SrA Witt's behalf.

JAJA advocacy contributed to four rulings favorable to appellants for erroneous admission of testimonial hearsay of laboratory officials and others in light of *United States v. Blazier*, 69 M.J. 218 (C.A.A.F. 2010). Several other notable rulings clarified the rights of the accused and impacted the practice of military justice at the trial level.

In *United States v. Dease*, 71 M.J. 116 (C.A.A.F. 2012), in an Article 62 appeal, USCAAF held that the military judge did not abuse his discretion in ruling that Appellant had a privacy interest in his urine sample and could withdraw consent prior to testing.

In *United States v. Hayes*, 71 M.J. 112 (C.A.A.F. 2012), USCAAF held that

the conviction for a violation of Article 92(3), UCMJ, dereliction of duty, was legally insufficient, as the Government failed to establish through competent evidence that there was a specific military duty, under Article 92(3), UCMJ, to either obey state laws in general, or, more specifically, the Nevada state law concerning consumption of alcohol by persons under the age of twenty-one. The Article 92 charge and specification was dismissed.

In *United States v. Rose*, 71 M.J. 138 (C.A.A.F. 2012), USCAAF held that Appellant received ineffective assistance of counsel where the Appellant's reasonable request for information regarding sex offender registration "went unanswered" by his trial defense counsel, and had it been correctly answered, he would have pled not guilty.

In a significant post-*Fosler* ruling, USCAAF held that it was plain error to omit the terminal element of Article 134, UCMJ, in a contested adultery specification in *United States v. Humphries*, 71 M.J. 209 (C.A.A.F. 2012). USCAAF stated that the Government did not plead the terminal element of Article 134, UCMJ, and, after a close reading of the trial record, there was nothing during its case-in-chief that reasonably placed the accused on notice of the Government's theory as to which clause(s) of the terminal element of Article 134, UCMJ, he had violated.

Appellate defense counsel participate in Project Outreach, sponsored by USCAAF and AFCCA, by conducting oral arguments before external audiences with ties to the military and legal professions. The Project serves a dual-purpose as a recruiting

tool while highlighting the fairness and professionalism of the military justice system. In 2012, Outreach arguments were presented at Gonzaga University College of Law, Willamette University College of Law, University of Oklahoma School of Law, and Lackland Air Force Base, Texas.

The Government Trial and Appellate Counsel Division (JAJG)

The Government Trial and Appellate Counsel Division (JAJG) stood up the Air Force's first Special Victims Unit (SVU), staffed by a cadre of specifically trained senior prosecutors whose primary responsibility is to try courts-martial involving sex offenses, serious domestic violence, and crimes against children. The SVU leverages existing resources within the Senior Trial Counsel (STC) program, a program that has been in existence for more than 40 years and is currently staffed by 18 of the Air Force's best and most experienced litigators, trying approximately 85% of all general courts-martial in the Air Force.

Those seasoned STCs who meet certain qualifications (*e.g.* demonstrated litigation excellence, advanced subject-matter training, mastery of the legal issues common to these special-victim cases) earn the designation SVU-STC. The Chief STC details these SVU-STC against worldwide requests for this special capability, making them available to advise base-level trial counsel on interviewing victims and drafting charges, attend Article 32 hearings, and prosecute those cases referred to trial by courts-martial. Because the available number of SVU-STC is finite and the number of cases they could be detailed against at times seems infinite, continuity of

a particular SVU-STC through the life of a special-victim court-martial can be difficult to maintain, but JAJG continues to work with requesting legal offices to find ways to make this happen.

The stand-up of the SVU is not merely a designation of personnel; it is a dedicated focus, supported by dedicated resources, within JAJG. These SVU-STCs are supported by a deep bench of criminal appellate counsel. One member of that deep bench is an SVU-STC collocated with the Defense Computer Forensic Laboratory whose primary responsibility is to serve as a conduit between forensic experts and legal office personnel. Another deep-bench asset is a new SVU-STC intake counsel at Andrews AFB whose primary responsibility is to liaise with OSI's special victim personnel and provide reach-back support to legal offices as they grapple with the myriad of legal and factual issues these cases present. All told, this combined effort will ensure that the Air Force responds appropriately to cases involving special victims and will ensure justice is done in each case.

The primary role of appellate government counsel is to zealously represent the United States in appeals of the Air Force's most serious court-martial convictions. These counsel defend the military justice system and the actions of those involved in properly administering it at the trial court level. In this capacity, appellate government counsel function as the ultimate defenders of the military justice process, seeking to uphold actions by investigators, trial counsel, trial defense counsel, military judges, staff judge advocates, convening authorities, appellate courts, and nearly every

other party involved in the military justice process. Appellate counsel also provide expertise to our STCs and to the field concerning military justice, trial practice, and common pitfalls at every stage of the court-martial process.

Appellate government counsel research and write persuasive and thorough legal briefs and present oral arguments at the Air Force Court of Criminal Appeals (AFCCA) and the United States Court of Appeals for the Armed Forces (USCAAF). In conjunction with the Solicitor General, appellate government counsel may also appear before the United States Supreme Court.

In 2012, appellate government counsel wrote and filed 222 briefs with AFCCA and USCAAF. Additionally, counsel presented 24 oral arguments, 14 before USCAAF and 10 before AFCCA. Government counsel participated in Project Outreach with USCAAF and AFCCA by conducting oral arguments at various locations including Gonzaga University, Willamette University, and the University of Oklahoma. Counsel defended the United States on the full range of issues, including the application of search and seizure laws to the military, the constitutionality of the new Article 120 of the UCMJ enacted by Congress to address sexual misconduct in the military, the evolving doctrine of lesser included offenses, claims of ineffective assistance of counsel, speedy trial issues, due process concerns in military charging, and many other matters. In addition, appellate counsel continued to defend the government against claims of post-trial processing errors and untimely post-trial processing.

Appellate government counsel also serve a *de facto* role as the “solicitor general” of the Air Force, taking interlocutory appeals from the rulings of military judges in courts-martial to AFCCA and then to USCAAF as necessary. In 2012, the government filed notice of three interlocutory appeals of military judges’ rulings and successfully requested that The Judge Advocate General certify two USCAAF decisions for review by the Solicitor General to determine whether an appeal to the United States Supreme Court should be made.

The division continued to fulfill its obligation to support warfighting commanders by deploying its personnel. Major Lauren DiDomenico, an appellate counsel who has taken on the extra duties of being an executive officer, deployed to Africa for six months as part of nation-building and rule of law initiatives. Appellate government counsel also built active relationships with sister Service counterparts through participation in quarterly meetings and regular consultation on matters of common interest.

Trial and appellate government counsel continue to seek out opportunities to provide guidance and leadership in military justice. Division counsel have provided training at the Trial Advocacy Conferences, the Military Justice Administration Course, the Trial and Defense Advocacy Course, the KEYSTONE leadership conference, and during worldwide webcasts. STCs have also provided training at the base level in conjunction with trying courts-martial. Further, appellate counsel continue to update and distribute the Trial Counsel Deskbook and an electronic newsletter contain-

ing appellate updates and relevant articles for military justice practitioners. Finally, JAJG continues to provide updates on the Government Trial and Appellate Learning Center on CAPSIL, which provides the field with the latest developments and resources concerning case law, trial advocacy, and military justice.

Military Justice Division (JAJM)

The Military Justice Division (JAJM) supports the field in military justice matters and drafts and implements Air Force military justice policy. JAJM is led by Colonel Dave Dales with Master Sergeant Karen Phillips serving as the Law Office Manager. Mr. Jim Russell serves as the Associate Division Chief. JAJM is responsible for ensuring that military justice practice complies with continually evolving legislation, court decisions, and policy and informing the field of these changes.

JAJM represents the Air Force on the Joint Service Committee (JSC) on military justice voting group and its working groups, which drafts proposed legislation and executive orders for the Uniform Code of Military Justice (UCMJ) and the Manual for Courts-Martial. The division makes recommendations to the Judiciary and The Judge Advocate General for changes in military justice policy and completes other staff taskings as requested. In its role as a JSC voting member on military justice, JAJM helps refine proposed procedural and evidentiary changes to the UCMJ and the Rules for Court-Martial (RCM). In 2012, the JSC submitted proposed amendments to the UCMJ and RCM for inclusions in the 2013 Executive Order, including a redraft of the

elements, definitions, explanations, maximum punishments, and sample specifications of Articles 120, 120b, and 120c. Other pending amendments will affect the way we draft Article 134 offense specifications and expand the offense of public animal abuse to cover all animals. The JSC is also working with Air Force and DoD leadership to implement the Secretary of Defense's (SECDEF) initial disposition authority withhold policy, and prepare responses to members of Congress and the media interested in the DoD's handling of sexual assault in the military. JAJM continues to be responsible for providing data and counsel to the Sexual Assault Prevention and Response Office (SAPRO). Other ongoing projects in which JAJM is involved include the Multi-Function Domestic Violence Working Group, a family advocacy-led group tasked by Congress to report data on domestic violence similarly to SAPRO's report, and the Defense Legal Policy Board, currently commissioned by SECDEF to analyze the manner in which we investigate and prosecute crimes by military members against noncombatants in the AOR, and report on their findings.

The division's Policy and Precedent Branch is responsible for maintaining and updating military justice publications, implementing TJAG policy related to military justice, and providing military justice guidance to the JAG Corps. In 2012, the branch worked on several key changes to AFI 51-201. These changes implemented new procedures for resignations for the good of the service; established requirements for quarterly status of discipline meetings; published new DNA processing requirements; updated central witness funding procedures; clarified guidance on

state versus UCMJ jurisdiction in cases involving a hung jury or mistrial; updated pretrial agreement guidance; and set the requirement to provide records of trial to victims after they have testified in courts-martial. AFMAN 51-203, AFMAN 51-204, AFI 51-1001, and AFD 51-10 were also updated to reflect current DoD policy. JAJM teamed with AFLOA/JACC, AFLOA/JAJG, AFLOA/JAJD, AMC/JA, AFSPC/JA, AETC/JA, ACC/JA, and AFSEC/JA and developed recommendations on how to reduce the conflict between the safety investigation process and the military justice process.

The Victim Issues and Policy Branch was established in June 2012. This branch focuses on victims of sexual assault, domestic violence, and child abuse to ensure comprehensive support to victims throughout the military justice process. The new branch is responsible for oversight of the Victim and Witness Assistance Program, providing support to the JSC on sexual assault issues, and implementing DoD and Air Force policies pertaining to sexual assault cases. JAJM implemented the SECDEF Art. 120 initial disposition authority for sexual assault cases and continued to work with SAPR and senior leadership in responding to Congressional and media inquiries and providing statistical clarity and uniformity with regard to sexual assault cases.

The Justice and Court Activities Branch monitors officer and other special interest cases and prepares a monthly consolidated report for TJAG and the Chief of Staff. The branch reviews officer resignations in lieu of court-martial (RILO) and prepares advisory opinions for the Secretary of the Air Force; 14

RILOs have been reviewed so far this calendar year. Action officers review and process requests by civilian jurisdictions for return of overseas Air Force members, review and process requests for inter-MAJCOM permanent change of station or temporary duty of accused members for courts-martial, review and process Article 15 appeals from MAJCOMs, and act on special requests for Air Force counsel. This branch also identified several opportunities to provide training to the field. For example, the Military Justice Administration Course is now provided twice a year, making it possible to reach a larger number of Chiefs and NCOICs of military justice before or shortly after they take the position.

JAJM provided webcasts on essential military justice topics such as processing special interest reports (SIRs) and RILOs. Nonjudicial punishment and central witness funding guides were updated to assist offices in accurately and efficiently processing those actions. AMJAMS has also been updated to update items of interest in sexual assault cases. The senior trial counsel screen gives the base the ability to add information into AMJAMS when they consult with an STC on sexual assault cases. The SIR screen has been updated to make sexual assaults all one category and eliminates the language stating that SIRs were to be submitted at the end of the month. Now, any significant event will require an updated SIR. These processing and training improvements ensure that justice is not only fair but timely, efficient, and accurate.

In 2012, JAJM's Relief and Inquiries Branch answered more than 50 high level inquiries from the White House, members of Congress, and

SecAF. Action officers reviewed 93 applications to the Air Force Board for Correction of Military Records (AFBCMR) on military justice issues. After carefully reviewing the applicable records and researching the issues, AFBCMR was provided an evaluation, including an interpretation of the request, an opinion of the applicant's contentions, and recommendations for disposition. Action offices performed more than 40 post-trial reviews for TJAG under Article 69(a), UCMJ, and reviewed 6 applications for relief under Article 69(b).

JAJM maintains the file repository for all courts-martial records of trial. The Appellate Records Branch processes all records of trial, whether forwarded for appellate review or forwarded for staging. The records section distributes necessary copies and prepares correspondence directing actions taken by appellate courts on cases undergoing appellate review. The branch typically processes more than 700 records of trial into JAJM during the year, closes nearly 300 cases, and transfers more than 500 cases to AFCCA and USCAAF. Additionally, the branch processes more than 250 decisions from those courts and the U.S. Supreme Court, and stages more than 1200 records of trial to permanent storage. The division also annually processes approximately 120 requests for court records under the Freedom of Information Act and Privacy Act. Finally, division personnel manage the \$500,000 web-based Air Force Centralized Witness Funding program and furnish fund citations and procedural instructions to the field. They also oversee AMJAMS, which includes consolidating data, preparing statistical analysis reports,

preparing the final TJAG inputs to all records of trial, and providing statistical data in response to special inquiries

Clemency, Corrections, and Officer Review Division (JAJR)

The Clemency, Corrections, and Officer Review Division (JAJR) is responsible for reviewing court-martial cases to make independent recommendations to TJAG and SECAF on clemency for convicted members. JAJR, which is composed of two civilian employees, is headed by

Ms. Paula McCarron, with her paralegal, Ms. Paula Edmiston-Linneman. JAJR has one Reservist assigned, Major Elaine Ho.

In accordance with Article 71, UCMJ, upon completion of appellate review JAJR examines all officer and Air Force Academy cadet cases with an approved sentence to a dismissal, and prepares a recommendation to SECAF on whether the dismissal should be approved and ordered executed or if clemency should be extended. As would be expected, SECAF approves most dismissals, but in past years clemency has been granted for extenuating circumstances. Of the cases reviewed this year, all culminated in approved and executed dismissal actions.

Under Article 74, UCMJ, SECAF has the power to substitute an administrative discharge for a punitive discharge when "good cause" is determined. JAJR, reviews enlisted cases at the completion of appellate review when requested either by the Airman, Appellate Defense Counsel or Appellate Court Judges. It is rare for SECAF to exercise the power to grant clemency, but there are those unusual

cases where extenuating circumstances exist. No enlisted members received Secretarial clemency this year.

The President of the United States is given the authority by the U.S. Constitution to grant pardons to offenders, including those convicted by court-martial. In the past year, JAJR provided advice and information to several former members on how to apply for a Presidential pardon. Additionally, they prepared multiple case analyses for the United States Justice Department's pardon attorney, at his request, on former Air Force offenders.

JAJR serves as TJAG's representative on the Air Force Clemency and Parole Board. The board considers cases of long-term prisoners, i.e., those with approved sentences of a year or more, for clemency, parole, and mandatory supervised release. The board also considers whether to revoke parole when conditions of parole are violated, reviews applications for entry into the Return to Duty Program, and approves those who have completed the program for actual return to duty. The board has acted in hundreds of cases this year, including 86 parole decisions. At 24%, the Air Force has had the lowest parole rate in recent years; however its parole revocation rate remains extremely low.

JAJR provides counsel to Air Force Security Forces (AFSFC) regarding corrections matters, and gives legal advice on numerous issues related to the confinement of Air Force members. In this regard, JAJR is proud to announce the Memorandum of Understanding between Air Force Corrections and Navy correction has been executed. United States Naval

Level II Brigs are supporting Air Force Level I confinement in their local jurisdictions. In addition, JAJR has participated in brainstorming sessions on how to run the Return to Duty Program more efficiently.

Federal law (10 USC 951 and 953) requires the military services to establish a system for the suspension or remission of unexecuted court-martial sentences and restoration to duty of selected offenders. The Air Force Return to Duty Program was established in 1953, and has moved from Amarillo, Texas to Lowry Air Force Base Colorado, to the Brig at Charleston, South Carolina. Since 2007, it has been operating out of Lackland Air Force Base, Texas.

Support and participation in the Return to Duty Program has ebbed and flowed, generally coinciding with force shaping. JAJR advocates the program within the JAG Corps, and provides valuable education regarding its benefits. The Return to Duty Program is not a manpower or personnel program. It permits the court-martial part of our justice system to do more than punish, deter, and label convicted members as criminals. It is an opportunity for a few select airmen to be rehabilitated. Ultimately, increased awareness throughout the legal field and command levels help foster support and participation in this valuable program. Statistically, 90% of

Return to Duty graduates continue on in their careers and eventually either separate honorably from the Air Force after their commitment, or go on to retirement. Units receiving these graduates provide laudatory comments about the excellent airmen they receive from this program.

JAJR educates counsel and the field through a variety of resources, including TJAG Online News Service pieces and briefings at AFJAGS, trial advocacy conferences, and Defense Orientation Courses. In addition, Ms. McCarron has hosted Webcast training sessions to educate legal offices and defense counsel in the field about its role in the post trial process.



JAQ



Col Mark S. Teskey
Director

Commercial Litigation Field Support Center (CLFSC)

The CLFSC supports commercial litigation with nearly \$2 billion at risk before the Armed Services Board of Contract Appeals (ASBCA), Government Accountability Office (GAO), and federal courts including the Court of Federal Claims (COFC) and Court of Appeals for the Federal Circuit (CAFC). The CLFSC has specialized expertise in the areas of bankruptcy & surety and intellectual property.

Additionally, over the past year senior leaders frequently called on the CLFSC for advice on bid protest corrective actions for multi-million dollar procurements, some of which captured national media interest. The CLFSC is frequently sought out for expertise on intricacies of complex contract litigation.

Federal Courts

The CLFSC worked closely with the Department of Justice on bid protest cases at, both pre- and post- contract

award, as well as on Contract Dispute Act cases. The CLFSC is currently defending 15 COFC cases (6 protests and 9 disputes totaling \$284 million). This past year, in-sourcing installation services continued to be a hot issue. In district court, the CLFSC succeeded persuading judges that only COFC has jurisdiction to hear in-sourcing cases under the Administrative Dispute Resolution Act; consequently, cases filed in federal district court are now routinely dismissed for lack of jurisdiction. While challenges to in-sourcing may continue, these cases should dwindle.

GAO

FY12 saw a significant spike in the number of bid protests filed, with some making national news. 271 bid protests were filed at GAO, up from 208 protests in FY11. In the month of October 2012, 43 new bid protests were already filed. This increase in protests has occurred over the course of the last few years, likely a result of factors including fewer procurement dollars, a sluggish economy, and an inexperienced acquisition workforce. Improper evaluations and failures to document the evaluation process continue to be the biggest bid protest problem areas.

Two of the CLFSC's more significant protests were *Sierra Nevada* and *Herman Miller*. In *Sierra Nevada v. United States*, the court held it was reasonable for the agency to terminate the award and take corrective action. This protest involved a \$350 million dollar contract for fixed wing aircraft to be delivered to the Afghanistan National Army Air Corps. *Herman Miller, Inc.*, was a significant win for the Air Force because GAO upheld the Air Force's strategic sourcing effort on a \$280 million modular furniture

buy and found the novel two-tiered contracting approach to be reasonable.

ASBCA

In FY12, the CLFSC closed 32 cases having total exposure of over \$159 million. The CLFSC currently has 52 appeals before the ASBCA with \$925.2 million at stake (\$896.9 million in certified contractor claims and \$28.3 million in government claims). The two most significant cases continue to be Redlands and a Global Positioning System (GPS) launch services contract.

In Redlands, appellants seek \$237 million in alleged damages for environmental cleanup costs arising out of subcontract performance for the 1965-1975 design, development, and production of SRAM missile system in the vicinity of Redlands, California. This claim is based on contract indemnification clauses, never before litigated, that have appeared in over 2,500 DoD contracts since 1958, creating a potential liability many times the current claim amount.

Another significant appeal seeks \$273 million arising from contracts for GPS satellites launches. Appellants contend the Air Force caused it to use a larger launch vehicle than it had anticipated because of growth in the satellite's weight. Significantly, appellants seek to reform the contracts to re-price them entirely based on alleged Air Force breaches.

Contract Law Field Support Center (KLFSC)

Acquisition Fraud Branch (AFB)

The AFB provides advice to Air Force Office of Special Investigation (AFOSI) agents investigating pro-

curement fraud cases, and provides fraud-fighting skill, training resources, and high-level coordination to base acquisition professionals at all installations outside of AFMC. The AFB's focused largely on developing and monitoring over 160 procurement fraud cases. The AFB also provided training for hundreds of judge advocate, AFOSI, and contracting personnel on installation level fraud, coordination of procurement fraud remedies, and the suspension and debarment process. One major success involved the establishment of a fraud program at Los Angeles AFB that led to a recovery of approximately \$150 million that had been lost to fraud, \$100 million of which went directly back to the Air Force.

Enterprise Sourcing Branch (ESB)

The ESB was instrumental in numerous acquisition successes by the Enterprise Sourcing Group (ESG). The ESG, on behalf of Air Force Medical Services, awarded \$2.5 billion in services contracts in 2012, supplying Air Force medical treatment facilities with critically needed services. The Hospital Aseptic Management Services contract, valued at \$207 million, was awarded to eight prime contractors to provide janitorial services at medical treatment facilities.

The ESB also won two significant bid protests this year. Planned Systems International, Inc., protested the evaluation of the \$985 million Consultant, Advisory, and Technical Services A&AS medical services contract. Additionally, Herman Miller, Inc., protested the solicitation in Systems and Modular Furniture which will be

the contract vehicle for Air Force-wide modular furniture purchases. Both protests were denied by the GAO.

In the area of contract support to the Defense Technical Information Center's Information Analysis Centers, ESG/PKS and ESB have continued to successfully execute the ongoing paradigm shift from long-term single award research contracts to short-term multiple award research contracts. The ESB continued to work closely with the 38th Cyber Engineering Installation Group to successfully transition as the contracting office of choice for 24th Air Force Cyberspace contracts. Finally, the ESB supported the ESG and the Air Force Civil Engineering Center in construction contracts, including runway construction and AFCAP III, which delivers logistical and engineering support to downrange warfighters.

Field Support Branch (FSB)

The FSB provides reachback support, research, and advice on contract and fiscal law issues to attorneys across the Air Force. Although it's primary focus is on deployed and base-level contract law attorneys, providing them rapid answers to contract and fiscal law questions ranging from simple to complex, the FSB helps attorneys at all stages of experience and grade. This year, the FSB tackled issues as diverse as the direct sale of scrap metal under the Qualified Recycling Program; potential Anti-Deficiency Act violations; liquidated damages recoveries after terminating contracts for default; potential Procurement Integrity Act violations; and using program funds in counterdrug support missions.

Source Selection Branch (SSB)

The SSB advised AETC Program Executive Offices (PEOs) on procurements totaling over \$1.5 billion. The SSB provided legal support throughout the source selection process, from acquisition planning to final award, ensuring PEO source selections were legally defensible and obtained best value for the government. Source selections finalized this year included a contract for international training on the F-16 and a significant aircraft maintenance contract. The SSB also created online training for Air Force contracting personnel on how to establish a competitive range. This training was posted on the Air Force Contracting Learning Center homepage. Finally, the SSB participated in drafting several new rules for inclusion in the Federal Acquisition Regulation, including rules on contractors performing private security functions and rules implementing sustainable acquisition practices on a government-wide basis.

Lt Col Thomas M. Rodrigues



Lt Col Thomas M. Rodrigues

Lt Col Thomas M. Rodrigues is the Chief Senior Defense Counsel (CSDC) assigned to the Western and Pacific (WestPac) Region of JAJD located at Travis AFB, California. Along with his defense

paralegal manager MSgt Stephanie Bailey, the WestPac CSDC is responsible for the provision of defense services across a

this sprawling array into a harmonious defense network is no mean feat. Lt Col Rodrigues spends hours on the telephone discussing and resolving the array of challenges, both substantive and administrative, each case brings to his defenders' doorsteps. He then cross-feeds and disseminates information to all of WestPac in near real-time to maximize efficiency so a lesson learned for one quickly becomes a lesson learned for all.

broad geographical territory from Utah to Guam encompassing 23 bases, 6 senior defense counsel (SDC), 27 area defense counsel (ADC), and 23 defense paralegals (DP). He has been on active duty for 16 years.

Lt Col Rodrigues knows defense services does not operate in a vacuum, and he has worked hard to maintain and improve relationships and the smooth function of the military justice system. In fact, his tendency to eliminate discord whenever possible has been a hallmark of his professional career, a fact recognized by his award of the 2002 Katherine M. Kennedy Award for Civility and Advocacy in the Practice of Law. As legal offices in his region would agree, Lt Col Rodrigues goes the extra mile to ensure relationships between defense and prosecution remain not only civil but also conducive to serve mutual interests wherever possible. Often, he will receive calls from SJAs who are facing a rash of discharge actions or a drug ring that requires multiple defense counsel to tackle efficiently and expeditiously. Lt Col Rodrigues is able to pull from his vast military justice experience to assess the cases and the pool of defenders worldwide to ensure the right counsel are assigned in sufficient quantity to minimize processing delays. Legal offices in WestPac have benefitted from Lt Col Rodrigues's ability to blast away roadblocks that would otherwise have vexed scheduling cases or moving actions forward.

The CSDC function is an integral part of the military justice machinery, and Lt Col Rodrigues plays no small part in its smooth running. He and his two counterpart CSDCs for the Central and East Region and the European (EastEur) Region have divided the world of Air Force defense teams into thirds, each with concurrent supervisory authority for the larger group of defenders, which now includes 184 ADCs, DPs, and SDCs. The CSDCs are responsible for leveling out ADC workload, deconflicting counsel, ensuring counsel are detailed to cases, formulating regional and worldwide defense operating policy, defender office coverage and manning, ADC candidate vetting, and processing the gamut of administrative matters (leave, OPRs, EPRs, etc.) to ensure assigned personnel are able to focus on their primary task—defending Airmen.

Lt Col Rodrigues is a leader in the defense community who has worked diligently to improve the administration of justice and provision of world-class defense services. He has been known as The Fixer, referring to his ability to find and fix problems. That appellation and the underlying career-long track record of resolving issues no doubt led to his selection as the 2010 AFLOA Field Grade Officer of the Year.

The CSDC is a key feature of the overall defender construct. Lt Col Rodrigues directly manages his team of SDCs spread out to strategic locations across the region and several time zones. Each SDC is in turn responsible for 4 to 5 defense teams at individual installations. Knitting together

AREA DEFENSE COUNSEL PROGRAM

The Air Force JAG Corps has 84 area defense counsel (ADCs) and 73 defense paralegals (DPs) serving at 68 bases worldwide. Typically second- or third-assignment captains, ADCs are primarily responsible for managing legal defense services at a single installation. In this role, ADCs are responsible for representing military members in interrogations; Article 32 investigations; pretrial confinement hearings; summary, special, and general courts-martial; all post-trial and clemency matters; involuntary discharge, demotion, and nonjudicial punishment proceedings; flying evaluation and medical credentials boards; and various other adverse personnel actions. Since the ADC program started in 1974, each TJAG has made it clear that ADC vacancies are to be filled from among the most highly qualified judge advocates available.

The selection process for DPs is also very rigorous. Typically chosen from noncommissioned officers with significant base legal office experience, DPs are responsible for all paralegal and management functions for the ADC office. DP duties include interviewing clients, screening for attorney conflicts, managing case files, maintaining ADC trial dockets and schedules, investigating facts of alleged offenses, interviewing witnesses, performing legal research, drafting documents, and obtaining investigation reports. DPs are normally selected from the best available candidates at the local base legal office.

In addition to possessing military and paralegal knowledge, a DP candidate must be mature, professional, and enthusiastic. A DP's organizational skills make certain the office functions as a team.

In 2012, ADC-DP teams continued to ensure Air Force personnel around the globe received zealous representation in a wide variety of forums encompassing a broad array of issues. They participated in a total of 594 courts-martial, including 160 general courts-martial, 327 special courts-martial, and 107 summary courts. Air Force defenders also represented Airmen in nearly 5300 Article 15 proceedings.

"We shall fight on the beaches, we shall fight on the landing grounds, we shall fight in the fields and in the streets, we shall fight in the hills; we shall never surrender..." – Winston Churchill to the House of Commons of the Parliament of the United Kingdom, 4 June 1940

The defender program has been an enduring testament to the strength of the Air Force's litigation prowess and the military justice system. Time and time again, our defenders have provided a necessary bulwark against the formidable power of the government. Our dedicated teams have zealously engaged at every stage of every forum, in and out of the courtroom in adverse actions or administrative proceedings. In doing so, we have repeatedly fulfilled our representational commitment and responsibility to pursue the

best interests of our clients through to the bitter end. What follows are some of the highlights from 2012.

We never relent or despair even in the face of seemingly insurmountable odds and evidence.

Capt Trae Patterson and Capt Matthew Bush, along with MSgt Nadia Edwards and SSgt Kristen Adams, embodied Winston Churchill's exhortation to never surrender when they convinced convening authorities to set aside court-martial convictions in clemency – a rare occurrence that is not easily obtained. Capt Bush and SSgt Adams represented a captain at Vandenberg AFB accused of several sexual assault charges. Although members acquitted the client of most charges, they did find him guilty of a sexual assault offense. Undaunted, Capt Bush and SSgt Adams kept fighting. They assembled a comprehensive clemency package that included evidence that the military judge had ruled inadmissible at trial. The additional information and the ADC team's arguments swayed the NAF commander to set aside the conviction and instead offer the member nonjudicial punishment, thus sparing him the lifelong stigma of sex offender registration that would have been unjust under the circumstances.

Similarly, in a case at Nellis AFB, Capt Patterson and MSgt Edwards' TSgt client was found guilty of a minor lesser included offense after being acquitted of the main offenses on the

charge sheet. The team put together an impressive clemency request asking the convening authority to set aside the conviction. To hammer home the point, Capt Patterson met with the convening authority and laid out the reasons why granting the request was the right and just outcome for that case. The convening authority agreed and set aside the member's conviction.

In PACAF, at Misawa AB, Japan, Capt Brett Millburn, SSgt Timothy Galloway and TSgt Jose Gonzalez-Diaz represented a 15-year NCO in a fitness discharge board. The discharge package initially listed five fitness failures w/in a 24-month period. In reviewing the evidence the defense noticed and informed the legal office that one of the fitness failures was actually outside of the 24-month window. Moreover, upon reviewing the client's medical records the defense noticed that after the third failure the medical provider stated that the fitness failure should be waived due to medical conditions. Nevertheless, the discharge board proceeded and ultimately recommended discharging the member. Not willing to concede defeat, the defense team then contacted the Air Force Personnel Center (AFPC) which clarified that if a medical provider finds that there is a medical condition that prevented a member from passing one of the tests, then that test may not be used as a basis for discharge. Because the defense was able to obtain this opinion from AFPC, the convening authority did not approve the board's discharge recommendation and the staff sergeant was retained and able to move on to his next assignment at Little Rock, AFB. He has passed his most recent PT test.

In a high visibility and tragic case involving an accidental explosive ordinance disposal (EOD) fatality, Maj Jeremy McKissack, Capt Aaron Roberts, Capt Sarah Carlson, SSgt Joshua Burrows, and TSgt Paige Frye defended a TSgt accused of negligent homicide and negligent dereliction of duty. The team presented a compelling good military character package consisting of character affidavits and live witness testimony at the Article 32 and at trial. Moreover, the team successfully demonstrated the existence of conflicting EOD guidance within the career field that directly disputed the charge of negligent homicide. As a result, their client was found guilty only of negligent dereliction of duty and sentenced to \$3,000 in forfeitures and a reprimand. The defense did not stop there however. Notwithstanding that court's findings, SSgt Burrows spearheaded a clemency petition by collecting more than 150 signatures from personnel at ten different bases requesting that the verdict be set aside. In the end, the convening authority disapproved the court's findings of guilt.

At Minot AFB, Maj Todd Tilford successfully litigated a general court-martial, securing an acquittal on an aggravated sexual assault charge. In clemency, Maj Tilford diligently worked to convince the convening authority to set aside a conviction for underage drinking and making a false official statement. Maj Tilford was successful and the client continued his service in the Air Force.

At Joint Base Elmendorf-Richardson, Capt Brent Jones and TSgt Heather Kunsman were able to convince a convening authority, through

clemency, to reduce a conviction of wrongful sexual conduct to a battery. The defense team obtained support from numerous individuals including letters from 3 of the 5 court members. Their relentless efforts, even after a court conviction, saved an airman from a lifelong label as a sex offender to a punishment more appropriate for his conduct. Regardless of the stage, Air Force Defenders continue in the fight to see justice is served at each level.

Sometimes, it's all about skill in the courtroom.

In a technically challenging case at RAF Lakenheath that clarified long-established legal principles, the defense team of Maj Charlton Meginley, Capt Adam Delph, TSgt Matthew Dean, and TSgt Veronica Logan successfully defended a young airman charged with possession and use of cocaine. After being stopped at the base's front gate, the member consented to a urinalysis test. The member sought counsel and, a few days after consenting to the urinalysis, revoked his consent. Despite this revocation, Air Force officials tested his urine and discovered the presence of the cocaine metabolite. The defense team spotted the issues surrounding the revoked consent and then discovered that the urine sample had not been sent for testing until over a month after the revocation. In its pretrial motions, the defense team argued that the urinalysis result should be suppressed under the prevailing law. The military judge agreed. Despite multiple Article 62(a) appeals, the defense team was able to help the young airman avoid a court-martial. The case afforded the Court of Appeals for the Armed Forces to

reaffirm the principle that an accused retains an ongoing privacy interest in his urine sample – and may withdraw consent to search – before it is tested.

In a hotly litigated case at RAF Mildenhall, the defense team of Capt Shane McCammon, Capt Brett Robinson, TSgt Veronica Logan, and TSgt Tobi Erskine preserved the career of a promising young security forces airman accused of wrongful cocaine use. Through pretrial motions, the defense team successfully limited the government's ability to present the results of the member's urinalysis. The defense then presented evidence through the government's own witnesses that the airman had good military character, had a reputation for abiding by the law, and had not acted out of the ordinary either before or after being randomly selected for urinalysis. Finally, the defense introduced strong evidence of potential environmental exposure to cocaine during a unit function two days before the random urinalysis. During that function, 15 airmen – including the accused – rented a limousine and traveled to a popular night club for a promotion party. The defense discovered that the interior of the limousine was dirty when it arrived and that the limousine's built-in bar had been covered in dust. The defense also found that Air Force law-enforcement officials had failed to contact the limousine company, the driver, the night club, the bartenders, or any local law-enforcement officials to rule out the possibility of innocent ingestion. The defense successfully convinced the panel of officer members to not infer away the airman's freedom or career, and to permit him to continue thriving in the Air Force.

At Malmstrom AFB, Montana, Maj Michelle Quitugua, Capt Carlos De Dios, and SSgt Christopher Bautista teamed up to defend a security forces client accused of sodomy and wrongful sexual contact of a male dorm resident during a night of drinking. The defense team visited the scene of the incident and compared the complainant's accounting of events with the dorm room. The defense team constructed a replica of the bed in the courtroom to show the court members evidence of physical impossibility. Facing life in confinement, the court members acquitted the client of all charges and specifications. The client is now back at work protecting vital nuclear assets.

At Tinker AFB, Oklahoma, the defense team of Capt Kurt Gerlach, Capt Chris Lanks, and TSgt Al Ramirez defended a SSgt accused of Article 128 aggravated assault with a loaded firearm and Article 134 communicating a threat. The alleged victim of both charges was the ex-wife of the accused. Through diligent trial preparation the defense discovered the ex-wife had recently perjured herself during their divorce hearing. Further, the defense paralegal got the ex-wife's mother to admit she had recently been convicted of forgery and spent three months in an Arizona jail because of it. This impeachment evidence greatly undercut the credibility of the government's witnesses. Finally, a brilliant motion to suppress kept out of court the client's statements made to an Oklahoma County detective while he was handcuffed and in the back of a police vehicle. The officer and enlisted court members acquitted the SSgt of both charges.

The fortitude of our defenders is legendary, and some circumstances require calling the government's bluff and taking calculated risks.

At Keesler AFB, Mississippi, Capt David Cromwell, Capt John Bone, and SSgt Merissa Pough zealously defended a SSgt accused of using amphetamines. After turning down the initial Article 15, the defense team took an aggressive and proactive stance by immediately obtaining an independent hair test to challenge the urinalysis results. The hair sample tested negative for the presence of amphetamines for the previous 120 days, which covered the charged time period. When presented with this information, the legal office asked if the SSgt would reconsider the Article 15, but the defense pushed forward for trial instead. Through a skillful cross-examination of the government's own expert toxicologist, the defense introduced the hair test, had its results validated, and confirmed the reputation of the lab that conducted the test. This allowed the defense to keep its own toxicologist from having to testify and instead focused on an extensive good military character defense. After a wide range of senior officers testified as to the SSgt's exemplary military character, a panel of officer members acquitted the SSgt of the charge.

There is no substitute for solid trial preparation and pretrial investigation.

In a case at Barksdale AFB, Louisiana, Capt Matthew Deacon and SSgt Angelique Richardson represented an A1C who was accused of stealing more than \$500 in military property.

The A1C worked on base in the metal shop, which had recently upgraded to all new tools. As part of the upgrade, all of the old tools were gathered to be given to DRMO. The A1C took the old tools which were being gathered to be sent to DRMO. Through extensive pretrial investigation and planning, the defense team discovered that an NCO in the shop had told people they could take whatever they wanted from the old tools. The defense also called, over government objection, a witness from DRMO who testified that the value of the tools taken was below the \$500 threshold. In fact, the tools had minimal value if any. The A1C was acquitted of the charge.

The best victories, however, are when, due to the diligent efforts of his or her defense counsel, a client never has to stand trial at all.

In another case at Keesler AFB, Mississippi, Capt David Cromwell and SSgt Merissa Pough teamed to defend a SSgt accused of raping his ex-wife by threatening her with a gun. By actively engaging with their client and conducting an extensive pretrial investigation, the defense team was able to successfully challenge the credibility of the allegation at the Article 32 hearing. The investigation disclosed text messages showing consensual sexual activity between the client and his ex-wife during the charged time period. The ex-wife initially denied had happened but later claimed were additional sexual assaults that she had forgotten to report. By closely monitoring civilian court proceedings involving a protective order, inconsistent statements were also obtained that allowed the defense to impeach the ex-wife during her Article 32 testimony. After the Article 32, the

convening authority chose not to refer the charges to court-martial.

Air Force defenders work diligently at all stages of every forum to guarantee their clients receive fair outcomes.

Some of an ADC and DP's most important work is done outside the court room. Capt Terry Dougherty, TSgt Kristine Strong, and TSgt Amber Parady had a string of overturned Article 15s after their teamwork identified a systemic legal error in the local NJP process. Citing *U.S. v. Hayes*, a recent decision of the United States Court of Appeals for the Armed Forces, and AFI 51-202, the Sheppard defense team began asking for evidence of a military duty not to drink underage when underage drinking was charged as a dereliction of duty. In four separate cases, when confronted with the law and the regulation, the appellate authority sided with the member and terminated the Article 15. Four technical school trainees' young careers were put back on track!

At Ellsworth AFB, South Dakota, Capt Chris Newton and SSgt Jeffrey McClung teamed to represent a SSgt, an eleven-year NCO who had failed 16 fitness assessments dating back to 2004, in an administrative discharge board for failure in the fitness program. Capt Newton and SSgt McClung highlighted that a waist measurement that caused one of the test failures alleged as a basis for discharge had to have been in error. Officer members agreed, found that the SSgt did not fail one of the four tests alleged as a basis for separation, and concluded that a basis for discharge did not exist. The SSgt continues to serve and recently deployed in defense of his country.

At Fairchild AFB, Washington, Capt Lisa Wotkowicz, Capt Carlos De Dios, and SSgt Joshua Burrows represented an officer who was being recommended for discharge for failure in the fitness program after 18 years of service. The officer was a pilot who had deployed more than 20 times and had flown in more than 450 combat sorties. The defense team gathered the support of dozens of pilots to support a retention recommendation at the board of inquiry. The board voted for retention saving the client's career and retirement.

Thanks to the exceptional out of court advocacy of Capt Frances Guadalupe and SSgt Andrea Dodd, a 16-year TSgt successfully fought an administrative demotion and discharge action after he failed his fourth PT test in 24 months. The Dyess defense team took the member's complaint about a heart condition seriously, helped him identify relevant witnesses, and compiled a persuasive response that not only succeeded in beating the demotion action, but stopped the discharge process entirely. In addition to helping the member overcome these adverse administrative actions, Capt Guadalupe's and SSgt Dodd's dedication to duty helped document his potentially life threatening injury.

The need for defense services is enduring. We strove to expand the accessibility of our world-class defenders.

Until recently, AFRC did not have an independent ADC office. The ADC and DP for AFRC were both members of AFRC/JA. When the decision was made to create an independent AFRC ADC office, JAJD decided that the AFRC ADC and the Robins AFB

ADC offices should share one office to provide better service to both Robins AFB active duty members and AFRC members. TSgt (ret) Tony Justice, the AFRC DP at the time, and SSgt Daniel Reschke, the Robins AFB DP, worked closely with AFRC/JA and 78 ABW/JA to provide a seamless transition. TSgt (ret) Justice and SSgt Reschke worked through a number of logistical issues, including but not limited to complicated budget and supply issues and office space issues. The transition is now complete, and the Robins ADC office now has two paralegals and two attorneys who are interchangeable and can serve both active duty and Reserve clients. The office has received a complete make-over with the help of about \$50,000 in new office furniture (their first refresh in decades), and the office is able to save valuable funds in its budget by using iPads to publish exhibits to AFRC discharge board members instead of using reams of paper for each discharge board. SSgt Reschke says his desire has always been to leave the ADC office better than he found it. I think future Robins AFB ADCs and clients will appreciate TSgt (ret) Justice's and SSgt Reschke's efforts.

Every new case presents its unique challenges for the defense team. For the defender, each case is far more than a charge sheet, investigators, and evidence. The ADC and DP defense teams must contend with the human element in the form of their client who faces a personal dilemma and stress most can only imagine—the potential loss of life, liberty, and the pursuit of happiness. The strain of being an Airman's last best hope to avoid conviction, administrative discharge, nonjudicial punishments, professional de-credentialing, incarceration, or

punitive discharge is formidable. This year, as they have every year, the Air Force's defenders stepped into the breach to face the challenges head on and acquitted themselves (and many of their clients) magnificently. Despite the challenges and the sometimes overwhelming responsibility, we defenders work tirelessly to preserve individual rights and the integrity of the military justice system and would not have it any different.

JAS



Col Melinda L. Davis-Perritano
Director

The Legal Information Services Directorate (AFLOA/JAS) is the DoD executive agent for the Federal Legal Information Through Electronics (FLITE) system. JAS is led by Director, Colonel Melinda Davis-Perritano, Deputy Director, Mr. Daniel O'Connor, and Law Office Superintendent, Master Sergeant Daniel Perge. Its staff of military and civilian personnel provides a broad range of information technology (IT) products to the Air Force and DoD legal communities that enhance knowledge management and facilitate decision-making dominance. Its seven

divisions include application development (JASA), claims management system development (JASC) systems operations (JASD), information assurance (JASIA), legal (JASL), resources and personnel (JASR), and plans, requirements, testing and training (JASX). Below are just a few of JAS' accomplishments for the past year.

Accessions

JAS, in collaboration with JAX and JAR, has developed a new online "Accessions" application program. This fully web-based system brings the Air Force JAG Corps' accession process into the modern age. The new system allows JAGC applicants to complete a full application on the web, including the upload of required documents. The new system will automatically review applications for completeness prior to being accepted and distributed to the interviewing legal office. This will save countless hours at legal offices which are presently required to compile paper application packages by hand and resolve the many application issues that are discovered. After application submission, all documents will be available online to the interviewing legal office as well as JAX and JAR for their review. Additionally, board reviews of the applications will be done completely electronically saving JAX from having to handle hundreds of paper files in preparation for selection boards.

AMJAMS

JAS made a number of enhancements to AMJAMS during the calendar year 2012. Specific to sexual assault cases, we added tracking of STC consultation to ensure that such cases are fully vetted prior to disposition and changed the Special Interest Reporting

process so that all sexual assault cases are now reportable to JAJM. The amount of available space for Case Notes was increased from 16,000 to 24,000 characters and a character counter to inform users as to how much space remains was added. New validation rules were added to prevent Article 15 cases from being dropped if they were never offered and to ensure the date of discovery is entered on all cases. A PTA justification field was added to the Pretrial Agreement tab to satisfy newly established JAJM requirements. The AMJAMS Reports tool was enhanced to provide faster report response time, impose a limit to the number of concurrent reports to prevent Report Server failures, and modify the processing time/in progress reports to include current metrics.

DoD Secure Kiosk (DSK) – Legal Assistance

During late 2012, JAS first began releasing the DoD Secure Kiosk to legal offices to allow clients to visit the Legal Assistance Website (LAWS) to complete surveys or access other information without using a Common Access Card (CAC). Previously, there was no approved means for organizations to allow customers to access a networked computer without a network account. In response to this Air Force-wide issue, JAS teamed with JACA and AFRL to develop and purchase secure kiosks for deployment in each legal office performing legal assistance. The kiosk will provide an approved, secure way for clients to access the LAWS without needing a CAC or network account. While the immediate challenge solved by the kiosk is to provide legal assistance clients with access to LAWS from legal offices, the DSK has application throughout the Air Force as a

means for customer service oriented organizations to allow their customers to access network resources without compromising network security.

Google Search Appliance

This past year, AFLOA/JAS purchased the Google Search Engine for FLITE. The Google Search Engine will reside on the FLITE platform, searching across traditional FLITE databases and websites, Lynx sites, Capsil, and WebDocs. An all new one stop shopping web search page will replace all currently used search forms. The Google Search Engine provides natural language searching, drill down search results, suggested searches, and spell checking. This is a substantial upgrade and modernization of FLITE. Implementation is expected to require three months of engineering with a launch date of 1 March 2013. Ultimately, AFLOA/JAS plans to leverage the Google Search Engine to search JAGC applications as well. We are confident that the new search engine will greatly enhance our users' experience while providing a cost effective and value added tool to the JAGC.

Next Generation AMJAMS

On 1 October 2011, JAS and JAJM began identifying requirements for the Next Generation of AMJAMS. Over the last 12 months they held five workshops focused on convening authority-related business processes, litigation, and appellate processing. The workshops were comprised of JAGC members representing the Total Force across all MAJCOMs and user groups. The workshops were conducted using user-centered methods and techniques wherein the project scope and work plan were provided to the workshop participants, along

with a sequence of specific tasks leading them to define and design their own requirements. In addition to the workshops, they interviewed personnel across all military justice related specialties and solicited JAGC-wide feedback through an online request. These efforts resulted in the creation of a Software Requirements Specification, Market Research Report, and Business Use Cases.

The identified end state is to create a system that supports the following four user group modules: installation-level, trial courts, appellate courts, and statistical data and reports analysis. The modules will have the following interactive capabilities: case management, electronic court docketing and calendaring, electronic filing, electronic discovery, electronic record of trial production, appointment task and suspense management, court-member management, document production and assembly, records management, victim witness assistance management and increased reporting and analysis capabilities.

Phase two of the project is to request funding for development to begin in FY15. The requirements and system design lend themselves to modular contracting. If funding is secured and the modular contracting acquisition method approved, the system will be developed in successive acquisitions of interoperable modules.

SharePoint

The use of SharePoint as a collaborative resource continued to grow in CY12. This year saw the introduction of the JAGC mentorship survey on SharePoint as well as increased use among Court Reporters to assign and track audio transcripts. In addition,

AFLOA started using the Evaluation Management System to process and track evaluations and decorations within the command, eliminating the use of folders and paper copies from the process. This use has eliminated the cumbersome reporting requirements from each AFLOA division as the program can track who is on time or past due on reports and where the package is in the process.

WebAFCIMS

This past year, five WebAFCIMS programmers were reassigned from the Air Force Claims Service Center to JAS. They continue to work at Wright-Patterson AFB as dedicated WebAFCIMS developers. This transfer of personnel has helped JAGC through tighter integration between the JAS Applications Development

Division and the WebAFCIMS developers. In addition to the reassignment, the JAS Service Center is now the focal point for WebAFCIMS support issues.



Major Jodi Velasco pictured in front of Low Profile Vessel during her deployment to SOUTHCOM. The Joint Interagency Task Force South and Office of Naval Research built this Low Profile Vessel in Key West, Florida, during the mid-1990's. In 1993, Colombian security forces captured several semi-submersible vehicles in Santa Marta and Barranquilla. Investigators concluded that the Cali Cartel had used the Low Profile Vessels to smuggle narcotics to North America. During the months that followed, U.S. government engineers constructed this vehicle to test the capabilities of the confiscated semi-submersibles. The boat, operated by two crewmembers, featured sophisticated navigation and communication systems; it could transport over 1 ton of cargo nearly 600 nautical miles at speeds approaching 14 miles per hour. The trials in Key West produced data beneficial to U.S. and partner nation forces operating against narco-traffickers.

Mr Ulice Macias

Mr. Ulice Macias of JAS is the man behind the scenes working to keep JAS systems up and running. As a Systems Engineer, Mr. Macias engineers and maintains a complex virtual information environment. The 70+ web applications running on JAS systems are hosted on two Sun SPARC servers, with each server hosting a cluster of 20+ “containers” or virtual machines. The two servers are configured with fail-over capability, allowing one server to assume the full load if the other goes down. Both systems are supported by a 15-terabyte storage array. The servers are monitored in real-time, allowing any system trouble to be quickly identified and remediated. Integrating all of these applications and virtual machines can be a truly daunting task, but Mr. Macias’ hard work and expertise make it all possible.



Mr Ulice Macias

After earning both his bachelor’s and master’s degrees in electrical engineering, Mr. Macias was commissioned as an active duty Air Force officer. He served a total of seven years on active duty. After he left the service, Mr. Macias changed careers from engineering to computer programming. He worked as a programmer for commercial companies for over 10 years. In 2005, he joined JAS as Web Programmer/Database Administrator. Mr. Macias eventually became an expert on JAS’ sophisticated server systems.

Mr. Macias has had a busy year conducting numerous major system upgrades and migrations. JAS web servers have migrated to a more robust WebLogic environment to improve the performance and scalability of critical applications such as AMJAMS and WebAFCIMS. He and the rest of the division have also been hard at work deploying new test and development environments that are critical to day-to-day JAS operations. The rarity of unscheduled JAS system outages serves as a testament to the hard work and expertise of Mr. Macias and his co-workers in the JAS Systems Division.

OTHER FIELD OPERATING AGENCIES

In addition to the Air Force Legal Operations Agency, JAG Corps personnel are currently assigned to and provide legal services to numerous Air Force field operating agencies (FOAs), five of which are profiled here: the Air Force Intelligence, Surveillance, and Reconnaissance Agency, the Air Force Safety Center, Office of Special Investigations, the Air Force Personnel Center, and the Air Force Inspection Agency.

The legal office at Headquarters, Air Force Intelligence, Surveillance, and Reconnaissance Agency (AF ISR Agency) advises a two-star commander on a full range of legal issues from contracts to intelligence operations. Located at Joint Base San Antonio–Lackland, San Antonio, Texas, the AF ISR Agency continues the storied legacy of conducting the Air Force's intelligence mission. The AF ISR Agency's lineage can be traced to the United States Air Force Security Service (USAFSS) created in 1948. While the organization changed throughout the years and was most recently known as the Air Intelligence Agency, the AF ISR Agency is currently aligned under the Air Force Deputy Chief of Staff for Intelligence, Surveillance and Reconnaissance (AF/A2) as a Field Operating Agency (FOA). The AF ISR Agency is the Air Force's largest FOA, with almost 20,000 military and civilian members at 72 locations worldwide. The agency's mission is to deliver decisive advantage by providing and operating integrated, cross-domain ISR capabilities in concert with service, joint, national and international partners. The organization implements and oversees execution of Headquarters Air Force



AF ISR JOINT BASE SAN ANTONIO, TX

ISR policy and guidance to expand Air Force ISR capabilities to meet current and future challenges.

The AF ISR Agency and subordinate commands, centers and organizations maintain a worldwide reach. The 70th ISR Wing, National Air and Space Intelligence Center (NASIC), 480th ISR Wing, 361st ISR Group, Air Force Technical Applications Center (AFTAC), the Air Force Geospatial-Intelligence Office (AFGO), and the Air Force Cryptologic Office (AFCO) are aligned under the AF ISR Agency. In addition, the AF ISR Agency legal office is actively involved in integrating numerous Air National Guard and Air Force Reserve units with ISR

responsibilities. The AF ISR Agency provides mission management and support for specific operations within all these organizations.

In 2012, the AF ISR Agency continued to directly support the warfighter and the Air Force. AF ISR Agency legal professionals, including those assigned to the 70th ISR Wing at Fort Meade, Maryland and NASIC at Wright-Patterson AFB, Ohio, were intimately involved in agency efforts to further develop an emerging human intelligence (HUMINT) mission, support and expand the globally networked Distributed Common Ground System (DCGS), and enable National Tactical Integration, which provided national-level intelligence directly to the warfighter.

The efforts of ISR Airmen have enabled over 10,000 enemy captured, 2,200 enemy killed and 110 IEDs identified. No example better illustrates these capabilities than a prevented fratricide incident in May 2012. While analyzing the feed from a MQ-9 supporting a Marine operation, an ISR analysis team operating at Beale AFB, CA correctly identified that a suspected enemy patrol was actually a friendly unit. The ISR Airmen, operating thousands of miles

from the battlefield, were able to identify the friendly unit based upon their appearance, posture, equipment, and direction of fire.

Moreover, the AF ISR Agency legal office regularly advised the Agency contracting office and reviewed over \$350 million in contracts, including specialized, classified ISR contracts. Additionally, the AF ISR Agency legal office also provided specialized legal counsel regarding the agency's role as the Air Force Service Cryptologic Component (SCC) to the National Security Agency (NSA). As the SCC, the Agency is the service lead for all USAF cryptologic activities, provides cryptologic forces to NSA, manages cryptologic resources, and executes cryptologic missions.

All legal professionals in the AF ISR Agency are also involved in the critical area of Intelligence Oversight (IO). Both the HQ AF ISR Agency legal office and the NASIC legal office were praised by inspectors from the Office of the Assistant to the Secretary of Defense for Intelligence Oversight for their key contributions to the Agency's IO program. The AF ISR Agency legal office was also involved in the review and development of numerous NSA, joint, DoD and AF plans, agreements, and doctrine publications. One exciting area of involvement has been the development of cyber law, doctrine and policy. The legal office has provided support materials for the joint "Cyber Summit" in Washington, DC, coordinated on the new Joint Publication 3-12, Cyberspace Operations, and provided training on the legal authorities underpinning cyber operations.

Apart from providing support to ISR operations, the AF ISR Agency legal

office also began an Agency wide initiative to provide commanders better situational awareness on a wide variety of issues concerning the Airmen within the command, including military discipline and administrative actions, sexual assaults, and civilian personnel actions. This initiative, known as the "Health of the Force," (HOTF) is not just a compilation of data, but a systematic examination of long and short term trends in particular areas of command interest. It is the equivalent of performing complex marketing research on the myriad of personnel issues to identify strengths and weaknesses. It cross references current and historical data throughout the Agency for details such as location, units, race, sex, AFSC, and purpose.

The HOTF report presents five key areas of command-identified interest; Military Justice, Administrative Separations, IG/MEO/EEO complaints, Civilian Hiring, and Suicide Events. The report is further broken down into subcategories. Commanders at all subordinate units as well as the Agency headquarters compile and report the subcategory information on a quarterly basis, which is then compiled by the AF ISR Agency legal office using local tools, analyzed for trends, and formatted into a user friendly report for the entire ISR enterprise. In early 2012, the HQ AF ISR Agency completed its first annual analysis for the HOTF report for CY 2011. That data is already being used by commanders to rectify negative trends, and duplicate initiatives that resulted in positive trends.

In addition to the HOTF report, Agency legal professionals have sought out opportunities to train our commanders in multiple legal areas. The

HQ AF ISR Agency hosts an annual commanders' conference which includes an extensive legal aspects of command block. The 70th ISR Wing legal office presented a Commander and First Sergeant workshop that garnered widespread praise from attendees. These opportunities are helping to build relationships in a community where trust is vital.

The AF ISR Agency legal office also reached out to JAG Corps legal professionals who practice in the area of intelligence law through the establishment of an intelligence law Cohort page. This groundbreaking page includes an innovative variety of briefs, point papers, research papers and links to additional resources critical for staying up to date in a rapidly changing area of law. The collaborative nature of Cohort makes it an excellent tool for the subject matter experts within the Agency to communicate with legal professionals at wings where a baseline of knowledge is needed, but where they lack the in-house experience to become acquainted with this complex area of law. The Cohort page is part of a broader effort to grow legal professionals in the JAG Corps with a foundation of knowledge in intelligence law.

Finally, Agency legal professionals have also been great members of their community. From the 70th ISR Wing legal office greeting World War II Honor Flight participants at the airport, as well as hosting dinners for Ft. Meade dorm residents, to the HQ AF ISR Agency legal office leading the Agency choir in remembrance ceremonies and other events, the legal professionals at the Agency have demonstrated the esprit de corps that is central to what we do.



AFSC

AIR FORCE SAFETY CENTER

KIRTLAND AFB, NM

The Air Force Safety Center legal office (AFSEC/JA) advises the Air Force Chief of Safety (AF/SE), stationed at the Pentagon, and the Executive Director and staff of the Safety Center at Kirtland AFB, New Mexico, on legal aspects of Air Force aviation, ground, weapons and space mishap investigations and mishap prevention, and provides general counsel on military law, civil law, and ethics matters.

During 2012 Maj Gen Margaret Woodward became the Air Force Chief of Safety. In addition to her Air Staff position, she is dual-hatted as the Commander, Air Force Safety Center responsible for the development and implementation of flight, weapons and ground safety, and nuclear surety policy. The Center manages mishap prevention programs for manned aircraft and unmanned aerial systems,

develops ground safety programs and writes Air Force Occupational Safety and Health standards, develops and manages space and directed energy weapons safety programs, and executes mishap prevention programs for conventional and nuclear weapons and for nuclear systems.

The mission of the AFSEC Staff Judge Advocate is to provide well-reasoned, sound legal advice and general counsel to Air Force Safety officials so they can establish and execute mishap prevention programs to enhance Air Force mission capability, consistent with the law. The SJA also coordinates legal and safety issues between other U.S. armed services, federal agencies and international safety programs, and responds to requests for safety information from Congress and under the Freedom of Information Act.

During 2012, AFSEC attorneys taught classes on the DoD Safety Privilege, to Safety and Accident Investigation Board Presidents, wing Chiefs of Safety, Safety Program across the Air Force. AFSEC/JA built upon outreach training for legal offices to better equip judge advocates and paralegals to identify issues with safety privilege when working with Safety professionals. The office supported AFSEC rewriting the Air Force Instruction implementing revisions to DoDI 6055.07, Mishap Notification, Investigation, Reporting, and Record Keeping. AFSEC/JA provided timely counsel on the sharing of mishap prevention information with our international partners, and maintained the AFSEC mishap report library holding mishaps from 1956 to the present.



AFOSI

AIR FORCE OFFICE OF SPECIAL INVESTIGATIONS

ANDREWS AFB, MD

The Office of the Staff Judge Advocate, Headquarters Air Force Office of Special Investigations (HQ AFOSI/JA) provides full spectrum legal advice to over 2,700 military and civilian agents and support personnel at 200 units worldwide. The office provides 24/7 one-stop advice to HQ AFOSI directors, commanders, and agents in the field. This includes advice on counterterrorism, counterintelligence (CI), criminal investigations, cyber law, discovery, Privacy Act, Freedom of Information Act (FOIA), ethics, labor, fiscal, and other legal issues associated with a large worldwide Field Operating Agency. Besides the 680 plus formal legal reviews rendered this year, the office gets many calls and e-mails for quick advice on a myriad of issues. For example, AFOSI/JA provides informal coordination to facilitate the collaborative relationship between field agents and their servicing legal offices.

In support of overseas contingency operations, attorneys advise on

finding, capturing and eliminating insurgents and terrorists in Iraq and Afghanistan. They ensure operations protecting critical infrastructure and communications networks are conducted properly and within fast changing cyber and CI law. AFOSI is the sole agency in the Air Force authorized to conduct CI operations. As a recognized expert in CI law, AFOSI/JA provided training at Air University's Joint Flag Officer Warfighting Course, the Air Force Judge Advocate General School, the DoD Cyber Crime Center, the Air Force Special Investigations Academy, and the Counter Threat Operations Center.

The office also advises on broad military justice and criminal law issues, particularly as they relate to search and seizure, investigative techniques and discovery. One specific investigative technique is the consensual interception of wire, electronic, and oral communications, which is authorized in Department of Defense Directive 5505.9, "Interception of Wire,

Electronic, and Oral Communications for Law Enforcement." The approval authorities for consensual intercepts for law enforcement purposes are the Secretaries of the Military Departments. However, in the Air Force, the authority has been delegated to the Commander, AFOSI.

One of the prerequisites to conducting such an intercept is a statement that the facts of the interception have been discussed with the prosecuting attorney and that the interception is appropriate. This coordination requires law enforcement to engage with local JAGs and prosecutors during the critical stages of the investigation where they will have an opportunity to identify potential litigation challenges or to prevent the violation of individual rights. This coordination is a great opportunity for trial counsel to engage in partnering with agents and get involved with the case agents on a tactical level in the early stages of an investigation. Even more important, coordination with trial counsel prior to approval of certain interception

techniques is essential to the AFOSI commander's evaluation of whether or not to approve an operation.

HQ AFOSI/JA advises on the cutting edge of cyber law as well. Foreign intelligence agents, terrorists and criminals increasingly use the internet and modern communication devices to further their criminal acts. HQ AFOSI/JA advised on over 175 requests this year to conduct wire taps, computer trace and traps, telephone use logs, and other similar requests for both criminal investigations and counterintelligence operations. HQ AFOSI/JA's expertise in cyber law is recognized throughout DoD. They have provided instructors on cyber law for the Joint Counter-Intelligence Cyber Law course, AFJAGS Cyber Law course, and DoD Cyber Crime Center's Annual conference.

There is a constant demand for AFOSI reports and other documents.

Requests for information under FOIA and the Privacy Act continue to stream into HQ AFOSI. Unlike most Air Force organizations, AFOSI receives every FOIA and Privacy Act request for AFOSI information worldwide to a single headquarters office in Quantico, VA, for assessment, redaction, submission for legal review, and ultimate release to the requestor. In 2012, HQ AFOSI/JA provided comprehensive legal reviews of over 480 FOIA requests requiring a word-for-word assessment of more than 25,000 pages of documents. These numbers reflect a 49% increase in the number of reviews and a 41% increase over the number of pages from the previous year.

They also have a robust general law division, which is fully engaged in a broad range of practice areas from labor law litigation to funding of AFOSI's undercover operations. They provide full-service ethics advice to

headquarters and field commanders as well as assist headquarters with a myriad of questions related to contracting, civilian personnel and fiscal issues.

Over the course of the last year, AFOSI/JA garnered an "Outstanding" result on an AFIA inspection, and the staff earned one of the three coveted team recognition awards. JA staff made an almost clean sweep of annual awards, earning recognition at AFOSI headquarters level for Senior NCO of the Year, Company Grade Officer of the Year, Field Grade Officer of the Year, and Professional Staff Person of the Year. AFOSI attorneys and paralegals continue to excel and contribute tremendously to the success of Air Force missions worldwide.

Office of Airman's Counsel

Each year, the Air Force processes approximately 4,000 Airmen who have serious illnesses or injuries through the Integrated Disability Evaluation System (IDES) to determine if their medical conditions should result a finding that they are unfit for continued duty. Airmen going through the system will start at a base-level medical evaluation board (MEB), may continue through an AFPC-driven Informal physical evaluation board and formal physical evaluation board (IPEB/FPEB), and may eventually end with an appeal to the Secretary of the Air Force. Members deemed not fit for duty may receive severance pay, medical retirement, or be separated without benefits. Regardless of the categorization, a service member can appeal the decision through the IDES. That is where we, at the new Office of Airmen's Counsel (OAC), enter the picture as each individual has the right to representation by our office at all stages of the process.

The Office of Airmen's Counsel underwent significant changes this year as it completed its transition from AFPC to JAJD. First and foremost, we saw significant changes in personnel. The OAC began the year as a model for the Total Force concept – the office included two civilian attorneys, one full-time Air Guard Reserve JAG, one active duty JAG, three USAF Reserve JAGs, one civilian paralegal, and one Air National Guard paralegal. During the summer PCS season, seven active duty JAGs and five active duty paralegals joined the office. The seasoned disability attorneys rapidly trained and mentored the new crew, leaving the office in capable hands as the reservists and guardsman returned to their civilian lives. The OAC could not have achieved the success it did this year without the outstanding dedication and work of our Total Force members.

Second, the OAC transitioned to a larger work area. The FPEB, previously collocated with the OAC, acquired adjacent office space. Three board members and two administrative support personnel cleared out their offices and the FPEB hearing room, making way for the influx of OAC attorneys and paralegals. With so many added bodies, resources quickly became scarce...but resourcefulness prevailed. Each office had adequate furniture and telephone capabilities, and JAS facilitated the transfer of numerous computers, monitors, and printers so each OAC attorney and paralegal would be able to fully perform his or her required duties.

This leads to the third and final area in which the OAC experienced significant growth: communications. Through the dedicated and persistent efforts of an outstanding paralegal and her staff, the OAC purchased VOIP telephones to replace the outdated system. The main telephone line now has increased storage capacity for voicemails and an increased visibility on phones throughout the various offices within the OAC, cutting down on the times a client reaches the OAC voicemail instead of an attorney or paralegal. The organizational e-mail account also has increased storage capacity, allowing clients to send medical records and case files without having them kicked back because the OAC mailbox exceeded its size limit. These features become critical when serving a worldwide client base.

With the additional people and expanded resource capabilities, the OAC was able to better serve its worldwide client base. While more than 1,000 clients were able to receive the support and advice they needed through telephonic consults, an additional 825 Airmen traveled to Joint Base San Antonio – Lackland for their Formal Physical Evaluation Board. The OAC is honored to serve this group of Airmen. Although no FPEB outcome can ever be guaranteed, clients will be welcomed by a professional and dedicated OAC staff.

Spotlight on

Ms Susan Knutson

In the Air Force, we grow accustomed to constant personnel change, so it is every commander's wish to have an attorney superstar who embodies both corporate knowledge and razor-sharp legal skills. Ms. Knutson is that star. She has devoted 29 years to government service, with the last 8 years as the General Law attorney at Headquarters Air Force Office of Special Investigations.

Ms. Knutson began her career in government service after graduation from high school in 1983, when she enlisted in the Nebraska Air National Guard. While serving as a photoprocessing and printing specialist in the Guard, she earned her bachelor's degree and began law school. She rose to the rank of Staff Sergeant in the Guard, and then enrolled in the ROTC one-year program.

Her career in the Air Force legal community began in 1992 when she left her home state of Nebraska and entered active duty service as a JAG. Since then, her career has soared. On active duty, Ms. Knutson worked in various areas of the law, and became the Air Force JAG Corps' go-to person in military justice and labor law. She was a highly sought-after Circuit Trial Counsel; and after earning her Masters of Law at Georgetown University, she was an expert on complex labor litigation at the Central Labor Law Office in Arlington, VA. In October 2004, Ms. Knutson separated from active duty and was quickly hired by HQ AFOSI/JA, but continued to serve as a Reservist for 2 more years, retiring as a Major.

There are countless examples of Ms. Knutson's successes over the past 8 years, and attempting to capture them in this article would not do justice to all of the contributions she's made to the Air Force. But here are a couple of examples...



Ms Susan Knutson

OSI special agents have been actively engaged on the frontlines of Operations ENDURING FREEDOM AND IRAQI FREEDOM since the beginning. As with all deployed members, agents are deployed to the battlefield with equipment their commander trust will save lives, such as body armor. OSI contracted with a company to provide such lifesaving equipment, and the company lied about the personal body armor they were to provide to AFOSI agents. It was Ms. Knutson's determination and meticulous case preparation that directly resulted in recovery of \$3 million from the company. Not only were the monetary amounts returned directly to OSI, but the deploying agents and their families could be better assured of the body armor's effectiveness.

Another example of the command's wholesale reliance on Ms. Knutson was during an investigation of a murder case. As many people in the legal profession are aware, commanders rely on their trusted legal advisors for more than legal advice. Ms. Knutson was asked to get involved in time of need, and she aided AFOSI in the capture of a suspected murderer who deserted to Thailand. She personally crafted a compelling media release statement on behalf of the victim's family that led to capture when the investigation and search had stalled. She also ensured the media blitz met legal parameters and coordinated on a complex extradition issue.

If you ask any JAG or civilian attorney about their work at HQ AFOSI/JA, they will tell you that their work is never dull or ordinary—sometimes issues are downright perplexing. Over the past 8 years, Ms. Knutson has seen many of the unique legal issues related to investigations, counterintelligence, labor law, contracts, etc., and she has once again risen to the level of expert.



AFPC

AIR FORCE PERSONNEL CENTER

RANDOLPH AFB, TX

The Air Force Personnel Center's (AFPC) mission is to define requirements, develop and deliver: Airmen, community programs, and capabilities for the Air Force and the joint team by providing premier personnel, manpower, and services support to the Total Force and their families. Its legal office (AFPC/JA) advises the AFPC Commander and Directors, staff of 3,600+, Secretariat, Air Staff, and JAG Corps personnel worldwide on legal issues involving assignment, promotion, disability, discharge, retirement, records correction, duty status determinations, central selection board procedures, and federal employment and labor law issues. AFPC/JA also provides counseling for judge advocates who were not selected for promotion. Specialists in officer and enlisted personnel law, AFPC/JA facilitates complex personnel actions between JAG Corps personnel in the field and AFPC personnel subject matter experts.

Undoubtedly, the most significant event that occurred at AFPC this year was the consolidation and ongoing integration of the former Air Force Services Agency (AFSVA) and the former Air Force Manpower Agency (AFMA) into the "new Air Force Personnel Center"; growing from a FOA of 2,400+ personnel to 3,600+ personnel, in concert with various new missions. Initial operating capability of the "new AFPC" began 1 June 2012. We are entering one of the most challenging and dynamic phases of the consolidation and integration efforts, future state design, with full operating capability set for September 2013. Throughout the process, every step of the way, AFPC/JA has been involved in the challenges of defining the new roles and responsibilities, command and control, and authorities of the new organization.

AFPC/JA was involved in a number of important issues in 2012. In the officer arena, AFPC/JA was instrumental in

improving procedures for the separation and recoupment of educational expenses of officers eliminated from Initial Skills Training (IST) who were not subsequently reclassified. AFPC/JA also briefed all staff judge advocates of one MAJCOM via VTC on how they might better assist training commanders in identifying the proper way to handle officers eliminated from IST. In addition, AFPC/JA helped craft the Air Force response to challenges to the authority of the Secretary of the Air Force to change the criteria for the selective continuation of majors twice passed over for promotion to lieutenant colonel, defusing a temporary restraining order and class action lawsuit against the Air Force.

During 2012, AFPC/JA, worked closely with AFPC/DPSOR (Separations) on an Air Force Guidance Memorandum for AFI 36-3208 to finally address important changes in high year tenure, mental disorder discharge processing, and

evaluation report requirements. AFPC/JA also led other AFPC offices in developing a process and AFBCMR advisory format to respond to requests for records correction as a result of the repeal of 10 U.S.C. §654, commonly referred to as “Don’t Ask, Don’t Tell.” In anticipation of the impending shutdown of MilPDS for upgrade, AFPC/JA reviewed data availability and processing plans to establish the real and potential impacts to various Air Force-wide JA programs and functions, worked to minimize the impact, and educated the field. AFPC/JA continues to provide Air Force-wide notification enlisted discharge processing reports for senior leadership, tracking critical discharge data and trends, ensuring good order and discipline are preserved across the Air Force.

AFPC/JA was instrumental in the creation of AFPC/DPFA (the Air Reserve Component Case Management Division), and in establishing an effective process to administer the evaluation, disposition and case management of all wounded, ill or injured Reserve and Guard service Airmen. This new division’s primary focus is on improving medical and non-medical care while eliminating system failures and bottlenecks that cause inefficient services. Also, in the Disability arena, AFPC/JA, worked closely with AFPC/DPANM (Medical Retention Standards), on the revision of AFI 41-210, TriCare Operations and Patients Administration Functions. The revised and published language promotes celerity of dual processing separation cases.

As the office of primary responsibility for AFI 36-2910, AFPC/JA is within

months of publishing a wholly revised Line of Duty (LOD) instruction for the Total Force. AFPC/JA also assisted the DEERS branch with obtaining final discharge information and final court-martial orders on hundreds of individuals still drawing benefits, though no longer entitled to such. AFPC/JA played a key role in championing the quest to provide Post-9/11 GI bill transfer benefits to ARC members who had previously been improperly denied such benefits due an erroneous reading and interpretation of the statute.

In the area of civilian personnel law, AFPC/JA continued its representation of the Air Force in complaints, appeals, and grievances filed by AFPC employees and applicants for AFPC positions. We served as liaisons with Air Force attorneys at all levels in order to better defend labor and employment cases—obtaining witnesses, procuring documentary evidence, and providing background information. Likewise, this office assisted attorneys in the field, including those assigned to the Labor Law Field Support Center, with various personnel-related issues such as compliance with veterans’ preference in staffing, best practices to defend litigation based on NSPS to GS conversion cases in the aftermath of the MSPB’s *Arrington v. Navy* decision that opened the door to hundreds of potential new cases, and issues involved in drafting settlement agreements. We served on the adjunct faculty at this year’s Air Force Advanced Labor and Employment Law Course (ALELC) and taught a block on the Americans with Disabilities Act for the annual Army Occupational Medicine Course at Fort Sam Houston.

Also significant this year was the reassignment of the Legal Advisor to the Air Force Testing Laboratory from AFPC/JA to AF/JAA in October 2012. Prior to that, however, the incumbent used her mastery of the science of the designer drug SPICE enabling her to provide comprehensive guidance to commanders on the Air Force’s first-ever SPICE testing and in turn shepherded this Chief of Staff and Judge Advocate General priority program. Additionally, her expertise was showcased in training on SPICE and myriad other drug testing issues to toxicology experts, tri-service drug and Major Command conferences and lectures at the Air Force Judge Advocate General’s School.

Finally, highlighting one of our practice’s crown jewels, this year AFPC/JA reviewed hundreds of Air Force Board for Correction of Military Records (AFBCMR) applications involving personnel issues and wrote critical advisories on myriad legal personnel issues appealed to the Correction Board. Those applications touched all areas of the AFPC/JA personnel law practice.



AFIA

AIR FORCE INSPECTION AGENCY

KIRTLAND AFB, NM

The Air Force Inspection Agency (AFIA) is a Field Operating Agency (FOA) that reports to the Secretary of the Air Force (SecAF) Inspector General. AFIA is the primary action arm of the SecAF inspection system. Headquartered at Kirtland AFB, New Mexico, AFIA has five primary directorates that provide independent inspection, evaluation, and analysis to advance continuous improvement of mission effectiveness at all AF levels. AFI 90-201, *Air Force Inspection System*, outlines agency responsibilities to evaluate AF activities and policies, identify deficiencies, and recommend improvement areas for peacetime and wartime missions.

The Medical Operations Directorate (SG) conducts Health Services Inspections (HSI) of medical units and aeromedical evacuation squadrons assigned to the active and air reserve components with regard to health care quality, availability, and resource management. SG col-

laborates with the Air Force Surgeon General's office, the Air Force Medical Operations Agency (AFMOA), and the Major Commands (MAJCOM) on HSI policies and procedures. Inspects radioactive material permits issued to authorized AF users under the master materials license granted by the Nuclear Regulatory Commission (NRC).

The Training and Inspections Directorate (TI) is tasked with critical responsibilities, two of which directly support the nuclear enterprise. AFIA conducts 100 percent oversight of all Nuclear Surety Inspections (NSI), Limited NSIs, re-inspections of nuclear-capable units, and select Initial NSIs to assess MAJCOM IG performance and provide The Inspector General (TIG), Chief of Staff of the Air Force (CSAF), and SECAF an independent perspective of the safety, security, and reliability of units and nuclear weapons. They integrate a core team of nuclear

inspectors with MAJCOM Inspector General (IG) teams to conduct thorough NSIs. In addition, they conduct basic and nuclear inspection training and certification. TI actually manages the Inspector General Inspection Reporting System, a collection of information technology systems and capabilities that provide inspection scheduling, planning, execution, and post-inspection analysis and reporting and serves as the gatekeeper to manage the centralized AF inspection schedule which includes all inspection activities by external, non-AF agencies.

The Oversight and Evaluation Directorate (OV) observes MAJCOM IG teams during all types of inspections and provides feedback to MAJCOM IGs and SAF/IG on their effectiveness.

The Process Improvement Directorate (PI) conducts Unit Effectiveness Inspections (UEI), statutory, and special interest item inspections for

AF-level FOAs and direct reporting units (DRU). This involves consolidation and reporting statutory information to Congress and the Department of Defense. TI plans and conducts management inspections for AF units above wing level to report on their efficiency, effectiveness, economy, and discipline. This involves AF-wide trend analysis for IG inspections to identify systemic deficiencies across the AF, health services and the nuclear enterprises. The PI team prepares the TIG Brief magazine to ensure IGs,

commanders, and Airmen have access to relevant information for the entire spectrum of IG activities. PI is also directed by the Inspector General to conduct high priority investigations including PI's recent inspection of the Air Force Mortuary Affairs Operations (AFMAO), Dover AFB, Delaware, and the Air Force Sexual Prevention and Response Program 24/7 Hotline.

The AFIA Office of the Staff Judge Advocate (SJA) functions as AFIA's general counsel with a focus on com-

pliance with AFI 90-201, Inspector General Activities, ethics and standards of conduct, the Freedom of Information Act and a variety of administrative and civil law matters. The AFIA SJA also participates in HSI's of military treatment facilities inspections of DRUs and certain FOAs and in the future be assisting OV with oversight inspections.

DIRECT REPORTING UNITS

A direct reporting unit (DRU) is a subdivision of the Air Force, directly subordinate to the Chief of Staff (CSAF), and is separate from any major command (MAJCOM) or field operating agency due to unique missions, legal requirements, or other factors. A DRU performs a mission that does not fit into any of the MAJCOMs but has many of the same administrative and organizational responsibilities as a MAJCOM. JAG Corps personnel are currently assigned to and provide legal services to numerous Air Force DRUs, two of which are profiled here: the Air Force District of Washington and the United States Air Force Academy.



AFDW AIR FORCE DISTRICT OF WASHINGTON, JOINT BASE ANDREWS NAVAL AIR FACILITY WASHINGTON, MARYLAND

The Air Force District of Washington (AFDW), located at Joint Base Andrews Naval Air Facility Washington, Maryland (Joint Base Andrews), is a direct reporting unit with MAJCOM and numbered Air Force responsibilities. Activated in July 2005, AFDW provides headquarters support to the 11th Wing (“The Chief’s Own”), 79th Medical Wing, and 844th Communications Group at Joint Base Andrews.

The AFDW Commander serves as the general court-martial convening authority for all Air Force military members assigned to Joint Base Andrews; Joint Base Anacostia-Bolling; Fort Meade; Headquarters Air Force; the Office of the Secretary of the Air Force; the Office of the Joint Chiefs of Staff; the Department of Defense; the Office of the Secretary of Defense; and those members world-

wide (with some exceptions) whose organization is not subordinate to an Air Force MAJCOM and who are not stationed on an Air Force installation with an Air Force general or special court-martial convening authority. AFDW/JA also fills a unique role in providing legal support to activated Air National Guard personnel, the Air Force Honor Guard, and the Air Force Band. AFDW/JA also supports the Air Force Corrections Program which oversees approximately 500 Air Force members who are in confinement, on parole, or on appellate leave. In total, AFDW provides general court-martial support to approximately 40,000 airmen in 108 countries.

The AFDW Operations Law Division supported the State of the Union address, which took place in the National Capital Region (NCR) in January 2012. AFDW/JA served as legal advisor to the Commander,

320th Air Expeditionary Wing (the Air Force component to Joint Task Force–NCR) and AFDW to help ensure the success of this major national security event.

AFDW/JA’s Contract Law Division provides all legal support for procurement actions by the AFDW Contracting Directorate, which supports HQ AFDW, the Air Staff, and AFDW’s subordinate wing contracting squadron. They also support all Headquarters Air Force procurement in the NCR, including purchases by Headquarters Air Force Office of Special Investigations to support their U.S. Central Command warfighters. In 2012, AFDW/JA secured the Very Important Persons Special Air Missions (VIPSAM) aircraft maintenance contract which supports the President’s Air Force One, the Vice President’s Air Force Two, and Congressional air travel. We also

secured a contract worth over eight million dollars to develop Afghanistan transportation and trucking network that can shoulder much of the logistics responsibility in Afghanistan from military convoys to Afghanistan civilian companies. We also worked on the 80 + Million dollar WEST RUNWAY project to try to correct some deficient performance and get the contract back on track. We assisted the SAPR program with personal interest of the SECAF and CSAF to update the AF Sexual Assault review and renew the contract effort. Finally we assisted PK in their annual end of fiscal year 2012 closeout.

AFDW/JA's Military Justice Division processed a number of complex cases, including a case involving the O-6 Commander of Air Force Mortuary Affairs Operations (AFMAO), Dover AFB, which received SECDEF level attention. A whistleblower alleged that AFMAO, a sacred institution, whose primary mission is the dignified transfer of our fallen warriors to their final resting places, mishandled the human remains of some of our fallen warriors and, when the commander was notified, he retaliated against the whistleblowers. AFDW/JA's careful handling of the sensitivities associated with the case helped to mitigate the negative publicity the AF received. AFDW/JA also processed numerous

senior officer cases, including several cases involving O-5 and O-6 officers.

In addition to the normal justice workload, AFDW/JA attorneys and paralegals also hosted the inaugural Military Justice Administration conference in March 2012 for military justice JAGs and paralegals located throughout the mid-Atlantic region. The training detailed the administration of courts-martial and post-trial processing. It was well-attended and received unanimously positive critiques from the conference attendees.



Lt Col Rob Rushakoff, Deputy Staff Judge Advocate, AFDW





DEPARTMENT OF LAW USAFA

UNITED STATES AIR FORCE ACADEMY

U.S. Air Force Academy mission: to educate, train and inspire men and women to become officers of character, motivated to lead the United States Air Force in service to our nation.

The mission of the United States Air Force Academy (USAFA) is to “educate, train, and inspire men and women to become officers of character, motivated to lead the United States Air Force in service to our nation.” To this end, 530 USAFA faculty members annually teach more than 500 undergraduate courses to more than 4,000 cadets. Each year, the 22-member Department of Law (DFL) team—one of 20 academic departments in the Dean of Faculty mission element—plays an integral role in preparing cadets to become leaders in their chosen career fields.

First, DFL supports an academic major encompassing more than fifteen courses, including USAFA’s core course in the study of law, *Law for Air Force Officers*—a course taken by every Academy graduate for more than 50 years. In the classroom, DFL faculty focus on meeting the Academy’s mission through a learning-focused approach to teaching that optimizes the classroom experience and develops

cadets’ communication skills, problem solving abilities, and substantive legal knowledge. The DFL team also carefully develops courses to prepare cadets for the operational Air Force, such as *Cyberlaw*, *Modern Application of the Law of Armed Conflict*, and *Law for Commanders*. Additionally, DFL offers a host of elective courses covering a broad spectrum of legal issues, often teaching in an interdisciplinary setting with academic partners such as the English Department (*Law and Literature*), the Economics Department (*Law and Economics*), and the Political Science & History Departments (*War Crimes*, *Genocide*, and *Human Rights*).

Second, law professors in DFL continue to leverage their litigation skills as coaches of the nationally-ranked USAFA Mock Trial team. Most recently, USAFA teams competed at the University of Minnesota in the 5th Annual Undergraduate Mock Trial Nordic Battle, where cadets competed for three days against a field of over 20 teams—finishing in 1st place! Cadets, with the help of DFL faculty,

have also excelled in international competitions, such as the Jean-Pictet International Humanitarian Law Competition and the Annual Law of Armed Conflict Competition for Military Academies in San Remo, Italy, as well as national ones sponsored by the American Collegiate Moot Court Association.

Third, the DFL team fosters the development of cadets outside the classroom. Perhaps most importantly, DFL faculty play a critical role in the cadet-run Honor System, serving as case legal advisors in honor investigations and board legal advisors in cadet-run honor boards. Law faculty members also support cadet development by serving in positions such as Squadron Professional Ethics Advisors, Associate Air Officer Commanders for Academics, Officers-in-Charge for cadet clubs, and Officer Representatives for intercollegiate athletic teams. Furthermore, the DFL team supports cadets through service on the Academy’s admission panel, academic eligibility

committee, athletic advisory council, and numerous additional institutional panels and boards.

Finally, DFL takes the lead in cutting-edge research. For example, as principal investigator on a project entitled “Impact of Interjected Video Feedback on Oral Presentation Skills Development,” Captain Hanna Yang

researched the most effective way to improve cadets’ oral presentation skills. In short, she combined cutting-edge technology with traditional feedback techniques to show that interjected video feedback is a time-saving technique with proven effectiveness in improving presentation skills. Captain Yang’s research received two awards at USAFA’s 2012

Scholarship of Teaching and Learning forum.

In these and many other ways, DFL members continue to contribute to our nation by facilitating the development of cadets into officers of character, motivated to lead the Air Force in service to our nation.



Major Eric P. Merriam



Major Eric P. Merriam

my substantive understanding of my academic discipline, but also because being a student again—after over a decade away from law school—helps me better relate to my cadets.” At GWU, Major Merriam earned an LL.M. in National Security Law and U.S. Foreign Relations, concentrating on constitutional law.

For Major Merriam, the biggest surprise as a new professor has been USAFA’s extensive teaching training. “Several faculty arriving from other universities went through the same training we did and raved about the extent of teaching training here compared to their former schools,” Major Merriam noted. Additionally, Major Merriam has found

the mentoring from veteran DFL faculty to be invaluable, reporting, “If I’ve had any success at all in the classroom, it’s due to the support I’ve received from the experienced professors here.” Major Merriam has also been pleased with USAFA’s innovative “learning-focused” orientation to pedagogy. “While it sounds obvious, ‘learning-focused’ teaching is a dramatic shift from the traditional undergraduate teaching model. Instead of concentrating on the professor and a lecture, the learning-focused model requires professors to engage in constant assessment of course goals and to create innovative ways for *all* the students to learn—standing up and lecturing just doesn’t cut it!”

Like most new law faculty, Major Merriam currently teaches the core course all cadets are required to take—“Law for Air Force Officers”—which covers the nature and purpose of law, constitutional law, criminal law, and the law of armed conflict. “This course is exciting because we teach *all* the cadets, many of whom have no particular interest in the law. It’s our job to excite them about the law and demonstrate its relevance to them as future officers.” In upcoming semesters, Major Merriam will draw upon his LL.M. to teach Constitutional Law and National Security Law, courses offered to Legal Studies and other interested majors.


 Spotlight on


Mr Brian A. Kupperion

Brian A. Kupperion (AKA “BK”)

Seymour Johnson’s Brian Kupperion, better known as BK, started off on active duty with the Air Force from 1982 to 2009 as an Operation’s Flight Chief.

In 2009, BK joined the Seymour Johnson AFB legal team as a civil service employee. He performs duties as the Computer Tech and Discharge Program Administrator. As a critical part of the legal team, BK spear heads the rapid discharge program with amazing success. 2011 was a banner year with 101 notification discharges processed with a 98% within 15 day metric! BK’s daily efforts to evaluate and work each case paid off with Seymour Johnson being the best in ACC for 2011, with an average number of days to separation of 11. His success continues in 2012 as, Seymour Johnson has had 73 notification discharges 100% within metric! However, notification discharges are only part of the picture. In the past 2 years, BK has expertly processed 32 board-entitled discharges and 56 demotion packages.

BK stated that the secret to his success has been organization, communication, and follow-up. The first thing each morning, BK consults his Active Case History Report. He carefully scrutinizes the status of each case and what needs to be done that day in order to keep the case moving on track. This daily systematic review enables BK to prioritize his next action. BK has an excellent rapport with the units and checks in with them frequently. BK’s time management skills are unsurpassed.

But wait, that’s not all. BK is the sole person responsible for all technical support and computer-related issues. His professionalism and expertise make him the VTC site coordinator, the advisor for the new state-of-the-art courtroom technology and equipment, the computer software maintainer, and the overall “go-to” for anything technology. BK’s never ending dedication to duty has left him as the point man for planning and installing the computer system for the tax center each year as well.

MAJOR COMMAND LEGAL OFFICES

Encompassing anywhere from 12 to 30 legal professionals representing active duty, civilian, and Reserve members, the 10 major command (MAJCOM) legal offices provide full-spectrum legal services to the MAJCOM commanders and headquarters staff, on a myriad of cutting edge issues, to ensure operational success. In addition, MAJCOM legal teams provide professional oversight to the field on military justice, civil law, ethics, operational law, intelligence law, environmental law, labor law, commercial law, aviation law, and space law.

ACC AIR COMBAT COMMAND



Brig Gen Christopher F. Burne
Staff Judge Advocate



CMSgt Lee A. Upright
Command Paralegal Manager

From our headquarters at Joint Base Langley-Eustis, the office of the Air Combat Command Staff Judge Advocate (ACC/JA) serves as general counsel to the ACC four-star commander and staff on all legal matters associated with providing combat airpower to America's war-fighting commands. ACC is comprised of 63 legal offices located around the world, including the Numbered Air Forces—1st, 9th, and 12th, as well as United States Air Force Warfare Center and United States Air Force Central Command. ACC/JA provides

professional supervision to 600 active duty and ARC judge advocates, paralegals, and civilian personnel.

Our Operations Law Division (JAO) prepares our JAGs and paralegals to support the full range of military operations. JAO sources deployments for the entire AFJAGC – ensuring JAGC members “train like we fight” through participation in joint exercises and laying the groundwork for future training at sister service pre-deployment courses. Always at the cutting edge, JAO spearheaded

a multi-disciplinary team of nineteen different agencies to create a framework for action on requests for airborne domestic imagery (DI) in CONUS. We expect the DI Matrix will be published in early 2013.

Our Aviation Law Branch created an Aircraft Accident Investigation Board Checklist that HAF disseminated AF-wide. In addition, we expertly handled 10 accident investigation boards, to include two fatalities, ensuring commanders, next of kin, and

the public received accurate, timely information regarding mishap causes.

Our Command Legal Training Branch collaborated with HAF/JA on the roll out of CAPSIL 3 Portfolio – incorporating in large part the framework of ACC/JA's current Command Training program. The ACC Training team also collaborated with HAF, TAG, JAO, JAX and the AFJAG School on Portfolio upgrades to provide MAJCOMs the strategic-level reports they need to analyze the efficacy and health of subordinate training programs. This also helped create foundational nuts-and-bolts training concepts in Portfolio as the focus for AFJAGC-wide operations law training and education.

Our Military Justice Division continued to set the standard for MAJCOM-level leadership in disciplinary action processing. ACC accounts for one-third of the justice actions in the AF with over 150 courts-martial, 1400+ NJP actions, and over 850 administrative discharges. Commander-focused solutions/oversight led to significant decreases in discovery to action (D2A) times in courts-martial and NJP processing times. ACC is the first and to date, the only MAJCOM to meet D2A total days and percentage standards; averaging 28 days D2A for all NJP actions while closing 80% of

all NJP actions in less than 30 days. Close partnership with AFOSI and PA enhanced information flow and cooperation – producing a concerted team effort to ensure just, fair, and open proceedings that protect the rights of members accused of misconduct, as well as the victims' and the government's rights. In addition, ACC/JA dedicated IG team members contributed to refining TJAG's new Article 6, UCMJ inspections regimen.

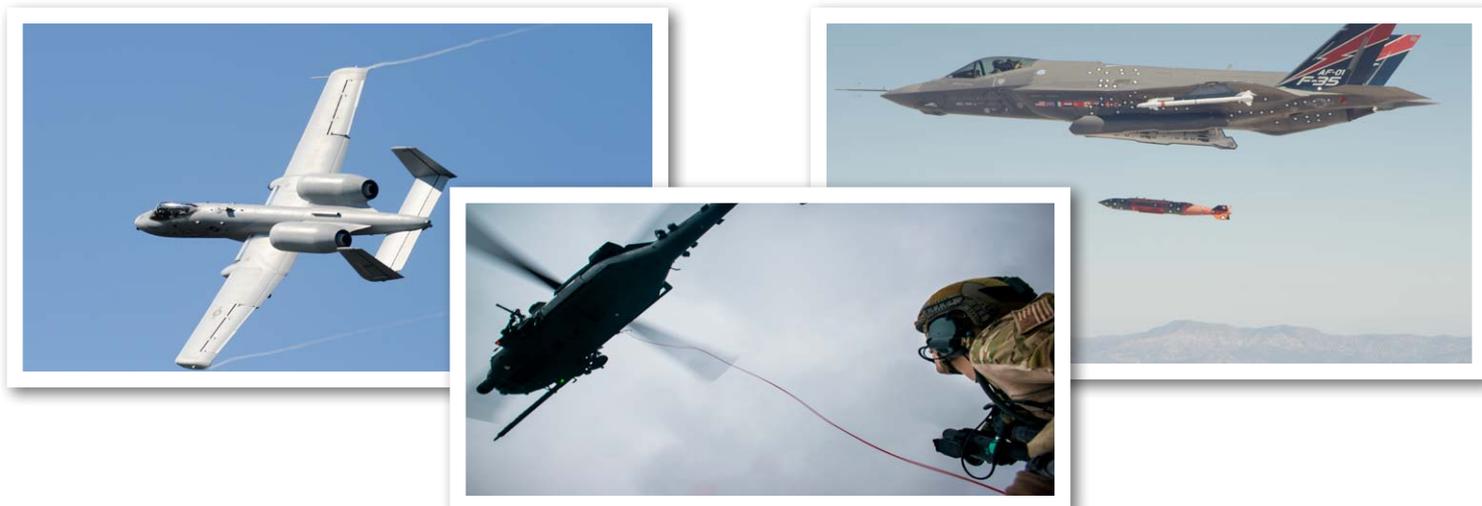
Outreach defined our Civil Law Division (JAC). In addition to the existing training to all inbound ACC commanders and spouses, JAC led the way with an innovative "Legal Issues for Executive Officers" briefing that enabled executive officers and secretaries to spot ethical and fiscal pitfalls and guide ACC senior leaders accordingly. JAC also enhanced web-based tools to crossfeed best practices, sound opinions, and legal assistance performance information among ACC bases.

Our environmental liaison officer guided ACC directorates and bases on a number of high-visibility issues, to include the proposed expansion of the Powder River Training Complex (covering four states) from Ellsworth AFB, the proposed training route for the Realistic Bomber Training Initiative at Dyess AFB, the continuation of

Davis-Monthan AFB's OPERATION SNOWBIRD and the beddown locations for F-35.

Recent Total Force Integration initiatives focused heavily on merging fighter operations and maintenance active associations. ACC leads the Air Force in creating these innovative Active Duty – Reserve – Air National Guard blended wings. In addition to reviewing the concepts and documents proposing these associations, we are identifying statutory changes to strengthen the ties between ACC and ARC units that associate with each other.

Our Commercial Law Division (JAQ) provided superior legal support to ACC/A7K and the Acquisition Management and Integration Center (AMIC). Of note, JAQ's scope of legal support expanded to include all AFCENT contract actions. The combined ACC/AMIC portfolio exceeded 4 billion dollars. JAQ's close coordination and critical advice enabled AMIC to award an \$80 million HAF level contract within an abbreviated source selection timeframe of just 6 months, garnering SECAF praise and a declaration that AMIC's process was the model for the AF to follow in achieving acquisition excellence.



AETC

AIR EDUCATION AND TRAINING COMMAND



Col Lisa L. Turner
Staff Judge Advocate



CMSgt Jeffrey J. Julig
Command Paralegal Manager

Located on Joint Base San Antonio–Randolph, Texas, AETC’s Office of the Staff Judge Advocate (AETC/JA) delivers professional, candid, independent counsel and full-spectrum legal capabilities to the Commander and staff affecting almost 68,000 permanent party military and civilian personnel as well as more than 436,000 student graduates per year at 11 AETC installations and recruiters in all 50 states and territories. AETC/JA organizes, trains, and equips mission-ready Airmen to support Combatant Commander missions at forward operating locations and provides professional supervision to JAG Corps members serving in 23 subordinate legal activities across the command. These services are in support of an annual AETC budget of \$9.29 billion, with some 1,370 aircraft and courses ranging from basic military training to PhD awarding programs.

AETC underwent a significant organizational change when 19th Air Force was inactivated in July 2012 and AETC/JA merged with 19 AF/JA. AETC/CC now exercises his authority as the General Courts-Martial Convening Authority for all flying training wing bases in addition to the traditional MAJCOM responsibilities for the rest of the AETC units. The change significantly expanded the scope of legal services provided by AETC/JA in the areas of military justice and Flying Evaluation Boards (FEBs). Then, on 1 October 2012, Tyndall AFB transitioned to Air Combat Command.

Fiscal Year 2012 was a challenging year for the First Command’s Legal Team as they focused their efforts on extremely high-visibility issues stemming from misconduct by Basic Military Training (BMT) Military Training Instructors (MTIs) at Joint Base San Antonio-Lackland. Following internal AETC reviews of the issue, which included substantial legal

document data pulls and analysis, AETC/CC directed an external investigation by Major General Margaret Woodward to evaluate issues associated with instructor misconduct with trainees/students at basic military and technical training (AETC/CC CDI). HQ AF and AETC provided several JAG Corps members to that effort. Meanwhile, AETC legal professionals at HQ AETC, 2 AF, 502 ABW and 802 MSG, individuals at other AETC legal offices, and several Total Force legal partners worked countless hours supporting the full range of efforts, to include: material needed for briefings and/or answering questions from AF, DOD and Joint senior leaders, media, Congress, the White House, special interest groups; supporting criminal investigations and processing military justice actions in a manner that both protected victims and the due process rights of accused; and revising and clarifying policies that will ensure good order and discipline long into the future. AETC legal staff also participated and

continues to participate in supplemental HQ reviews commissioned to evaluate the Air Force basic and technical training culture and leadership accountability. Most impressive to HQ AETC/JA was the absolute professionalism of the JAG Corps members at all levels of the Command during long periods of hard-work and significant stress. This work will continue well into 2013. HQ AETC/JA was also extremely proud to witness the hard work and dedication of the defense community to their MTI clients. On more than one occasion, AETC/CC praised the HQ and subordinate AETC legal staffs.

Overall, 2012 was a remarkable “once in a life-time” year for the AETC Military Justice and Administrative Law Division (JAA). Although the JAA staff grew by two attorneys and two paralegals to support the new GCMCA workload, their workload was at a historic high watermark given their oversight and direct support to the BMT investigations. Early in the year, TSgt Jacquelyn Medina and SSgt Cierra Gutierrez poured over records and produced studies on MTI and MTL misconduct. Those studies and charts were used by AETC/CC to brief senior AF and DOD leaders. In June, Lt Col Tom Dobbs and MSgt Carissa Pipes were chosen as full-time support to the 2-month Woodward CDI. Then, Col Andy Foltz led a review of BMT leadership accountability. He assembled a team of seven attorneys, four paralegals, and three court-reporters from across the Command to conduct the 6-week inquiry. The team’s efforts included more than 90 witness interviews and evaluation of hundreds of documents. Finally, in September, Lt Col Mark Hoover was selected as the

Command’s media relations legal subject matter expert for BMT-related courts-martial. He attended all open sessions of trial and participated in numerous media interviews. Meanwhile, the work of justice continued in the rest of AETC and AETC/CC noted that AETC wings increased the timeliness of military justice in a number of key categories.

The AETC Acquisition Law Division’s superb advice, provided by Mr Gerald Lawler, Lt Col Andrea R-Ferrulli and Maj LaChandra Richardson, continued to enable the successful execution of the Command’s \$2+B acquisition programs including mission critical aircraft/helicopter maintenance, base operating support, Initial Flight Screening, foreign military sales (FMS) Training, Air Advisor Training and the Air Force National Advertising and Marketing Contract. The Command recently awarded multi-million dollar contracts to provide civil engineering operations support services at Tyndall AFB and an Engine Regional Repair Center contract for repair, overhaul, modification and maintenance functions on J85 jet engines to support Air Education and Training Command for the Undergraduate Pilot Training, Specialized Undergraduate Pilot Training, Euro NATO Joint Jet Pilot Training, Pilot Instructor Training and Introduction to Fighter Fundamentals missions.

Led by Lt Col Mark Pollard, the Civil and Operations Law Division deftly handled a myriad of issues for Command senior leaders and frequently provided support to the field. The Civil Law Branch was deeply involved in AETC efforts to be as transparent with the American Public

as possible on BMT matters, while still respecting the Privacy Rights of individuals involved. In addition to reviewing media and Congressional requests for information and associated proposed responses, Lt Col Pollard and Capt Elizabeth Fitzgerald they were instrumental in the review and eventual release of the AETC/CC CDI, thereby allowing the public to trust in the BMT program. They and Mr Terry Curtin also spent a multitude of hours reviewing conference requests and interpreting the new DoD and AF conference guidance. Through the hard work of paralegals Mr Jimmy Cornelius and Sgt Tara Jordan, the Branch laid the ground work for command-wide adoption of electronic OGE Form 450/278 filing. The Branch also led the way for AETC in implementation of the new Article 6 Part 1 inspections.

The Operations Law Branch, led by Mr Byron Cotton, continued to provide mission-critical support to AETC and the field. He and the Division paralegals coordinated several AETC aircraft accident responses and three Accident Investigation Boards (aircraft and ground) involving two fatalities. The assumption of the operational workload from the former 19th AF bases significantly increased the number of Flying Evaluation Boards (FEB). Their reviews included 33 FEBs, waivers to FEBs and voluntary disqualification from aviation service. The Branch also worked Total Force Integration issues for KC-135/C-17 associations at Altus AFB, Oklahoma, with the Air Force Reserves and supported integration with the Air Force Reserve and the Air National Guard for C-130 Legacy training at Little Rock and F-15 training at Kingsley Field, Oregon.

Spotlight on



TSgt Jacquelyn Medina
HQ AETC/JA

TSgt Jacquelyn Medina

On 2 April 2012, the front cover of the *Air Force Times* read “SEX ASSAULT SCANDAL AT BASIC: Staff Sergeant charged with abusing 10 recruits.” By the time the news media headlined the impending court-martial, TSgt “Jackii” Medina had already gathered and analyzed massive amounts of data and prepared an in-depth trend analysis for AETC leadership. Her team’s study covered every Military Training Instructor (MTI) and Military Training Leader (MTL) misconduct case documented in AMJAMS dating back to 2004, with a focus on trainee maltreatment, abuse of power, unprofessional relationships, and sexual assault. Along with SSgt Cierra Gutierrez, her research efforts required extensive coordination with a number of outside agencies, including the legal offices at Joint Base San Antonio-Lackland, 2 AF, and 502 ABW as well as the AETC Sexual Assault Response Program Coordinator, the command Chaplain, local and regional AFOSI, Security Forces Office of Investigations, Public Affairs, and the Freedom of Information Act office. As the scope of the Lackland MTI inquiry expanded, her groundbreaking work set the benchmark for a number of analytical products relied upon by all levels of command, to include senior AF and higher-level leadership.

According to TSgt Medina, “as a Military Justice paralegal, I knew how to draft an Article 15 and prepare Status of Discipline slides, but preparing

a trend analysis was foreign to me. Our first step was to identify what relevant data we needed and why. As a team, we all rolled up our sleeves and got into AMJAMS. The paralegals were able to use their discovery management, researching and writing skills during the capture of crucial information. Upon collecting the information, we analyzed the results to spot trends or highlight problem areas. Finally, we organized the information in the best way possible to communicate the trends to our leaders. Since this ‘project’ started, not a day has gone by that our team has not pulled additional data or updated current data to prepare our senior leaders for potential senior leader and media questions. When I arrived at the MAJCOM, I had no idea of the magnitude of involvement that a MAJCOM can have with Military Justice issues. I have learned the importance of teaming with my paralegal counterparts both at the GCMCA-levels and wing offices to ensure that AMJAMS inputs are timely and most importantly accurate. A daunting but exciting task for me is briefing the AETC SJA knowing that she in turn will brief our most senior leaders on the issue. Not every paralegal has the opportunity to work at a MAJCOM, and prior to coming here I had only the vaguest idea what trend analysis was. Now, with the teaming ethos instilled in all of us, it is a huge part of what I do.”

AFGSC

AIR FORCE GLOBAL STRIKE COMMAND



Col Ronald R. Ratton
Staff Judge Advocate



CMSgt Larry G. Tolliver
Command Paralegal Manager

Headquartered at Barksdale Air Force Base, Louisiana, Air Force Global Strike Command (AFGSC) provides combat-ready forces to conduct nuclear deterrence and global strike operations in support of the President of the United States and combatant commanders. AFGSC is the lead MAJCOM for all nuclear and global strike organizing, training and equipping functions for assigned forces, and is a component MAJCOM to United States Strategic Command (USSTRATCOM). The command places a special emphasis on keeping the nation's most lethal and dangerous arsenal "Safe, Secure, and Effective" in accordance with Presidential priorities. Our vision is to be "American Airmen with special trust and responsibility for the most powerful weapons in our Nation's arsenal...an elite, highly-disciplined team...a model command."

Air Force Global Strike Command has two Numbered Air Forces—the Eighth and the Twentieth—and maintains five Air Force bases. There are over 23,000 personnel in the command who operate, maintain or support the nation's entire inventory of ICBMs and long-range, nuclear-capable bombers. In addition, units that support the AFGSC mission include one Air Force Reserve Command and three Air National Guard units as part of the Air Force's Total Force Integration (TFI). AFGSC is the lead command for the Minuteman III ICBM, B-52 and B-2 bomber and UH-1N helicopter weapon systems.

In 2012, HQ AFGSC faced many of the same legal challenges other MAJCOMs did. These included DDRP cuts, DADT repeal, and the Military Archdioceses reaction to the Affordable Care Act. In the wake of

well-publicized scandals at the Justice Department and General Services Agency, conference approval procedures were significantly revised for the DoD. HQ AFGSC was particularly impacted by the new limits and procedures for conference approval because our annual Global Strike Symposium was already far into the planning stage, and significantly over the DoD dollar limit for conferences when the new guidance was issued. HQ AFGSC/JA was an integral part of the revised planning process to ensure the conference fit within the tight new limits and approval was secured in enough time to execute the event. The effort was so successful that attendees at this year's conference rated it better than last years'.

HQ AFGSC/JA also maximized its value to the command by providing crucial guidance on how command organization should be tailored for

maximum mission effectiveness. This guidance proved instrumental in getting AFGSC/CC designated as the COMAFFOR for USSTRATCOM air forces. We also played a key role in major changes to the Forces For document affecting how AFGSC forces are aligned under USSTRATCOM. Of course, the ARC is a critical teammate in today's fight and there are unique legal challenges associated with ARC handling of nuclear weapons. For example, HQ AFGSC/JA had to help the command determine whether ARC classic association pilots required nuclear certification when augmenting Active Duty crews on nuclear bombing missions. We also had to determine whether Title 32

or Title 10 status was appropriate for ANG forces flying on nuclear bomber training missions. Finally, we helped the command resolve how ARC and Active Duty controllers could stay teamed together in our critically-manned command post.

In building a model command, AFGSC/CC always asks "How are we helping the wings succeed?" HQ AFGSC/JA answered this call by moving paralegal position funding within the command so our highly undermanned offices at FE Warren and Malmstrom got relief. We also developed a training curriculum for Global Strike legal professionals so they could hit the ground running on

unique legal issues facing the nuclear weapon enterprise (PRP, Defense Access Roads, FRD classification, convoy ops, etc). The command also wanted to provide resiliency training events at our bases to maximize the mental toughness of our airmen. The command's use of a private charitable entity to provide resiliency training resulted in plenty of ethics and fiscal law hurdles to clear on the way to giving installation commanders this valuable tool. HQ AFGSC/JA is proud of its role in helping the command reach its 2012 goals.





SMSgt Katrina Martin
2 BW/JA

SMSgt Katrina Martin

SMSgt Katrina Martin is the Law Office Superintendent at the 2nd Bomb Wing Legal Office. SMSgt Martin has garnered a wealth of experience during her 16 years as an Air Force paralegal, and has applied her expertise to tackle the adventures that commonly arise at the base legal office.

Now in her second LOS tour, she leverages the expertise garnered throughout her career as she strives to make the office work better. Upon her arrival, she observed that more than half of the office's paralegals were either cross-training or in the middle of 5-level Up Grade Training (UGT). She teamed with the NCOIC of Military Justice to develop an aggressive UGT program consisting of 107 training packets and exercises that mirror the new CFETP tasks. Paralegals receive a monthly report card so trainees and supervisors have complete visibility on progress. This UGT renaissance resulted in successfully upgrading nine paralegals in just over a year.

SMSgt Martin also recognized challenges to Barksdale's administrative discharge program. She teamed with local and Air Force Personnel Center experts to organize a four-day AFSO 21 event focusing on roadblocks in the process and ways to overcome them. The team, consisting of representatives from the legal office, the 2d Force Support Squadron, the Traffic Management Office, and the 2d Medical Group, mapped out the ideal process and steps that could be taken to achieve it. A first sergeant also attended to make sure the proposed fixes would meet the needs of commanders.

In addition to improving legal operations at Barksdale, she also spearheaded the effort to give the entire legal office a facelift. She maximized the office's budget, making sure every last dollar was spent to fund TDYs and purchase needed supplies and equipment. Her excellent end of year planning also allowed the office to secure enough fallout dollars to upgrade furniture throughout the office as well as replace the carpet. Finally SMSgt Martin devised a plan to keep the office operational during the four-week renovations. SMSgt Martin is a true leader, focused on executing the mission while taking care of people.



Spotlight on

Air Force Office of Scientific Research

Buried in the heart of Arlington, Virginia, a two-person legal office is instrumental in Air Force efforts to obtain cutting-edge science for tomorrow's Air Force. For over 61 years, the Air Force Office of Scientific Research (AFOSR) has been the basic research manager for the Air Force. During this time, AFOSR has provided research funding to 71 Nobel Laureates in the fields of physics, chemistry, physiology/medicine and economics. AFOSR-funded research has created significant scientific breakthroughs, which have led not only to more effective Air Force systems, but to commercial applications that contribute to our daily lives in the fields of manufacturing, communications, materials, medicine, and travel. For example, in the 1950s, AFOSR funded a Columbia University scientist, Dr. Charles Townes, to perform research on microwave amplification by stimulated emission of radiation (maser). Dr. Townes' work not only laid the foundation for the laser, but also led to the creation of the atomic clock. Additional AFOSR-funding made atomic clocks more accurate – a breakthrough which was critical to Global Positioning Satellite (GPS) technology.

In 2012, AFOSR awarded over \$510 million in contracts and grants to 350 worldwide research partners. This funding is distributed among approximately 1,200 grants and contracts provided to more than 225 academic institutions, 150 commercial firms

and more than 240 internal Air Force research efforts performed within the Air Force Research Laboratory. AFOSR also has three foreign offices: the European Office of Aerospace Research and Development in London, United Kingdom, the Asian Office of Aerospace Research and Development in Tokyo, Japan, and the Southern Office of Aerospace Research and Development in Santiago, Chile.

The office's two active duty attorneys, Maj Trish Wiegman-Lenz and Capt Jeff Hawkins, and two reserve attorneys, Capt Kent Eiler and Capt Brian Fischenich, play a key role in helping AFOSR perform its mission. AFOSR/JA's primary client is the Contracting office, and the two offices work together to ensure the legal sufficiency of AFOSR's grants, contracts and other instruments. JA personnel also work hand-in-hand with FM on a wide variety of fiscal issues. In addition to helping AFOSR obtain cutting-edge research, AFOSR attorneys are trusted advisors to the Director and Deputy Director, providing guidance on a broad range of topics, ranging from military and civilian personnel issues to current conference policy. The office also fields hundreds of Ethics questions every year related to travel, gift acceptance, and support of non-federal entities. The office is responsible for annual Ethics training and filing of OGE 450s and OGE 278s for over 135 personnel every year.

AFMC

AIR FORCE MATERIEL COMMAND



Brig Gen Dwight D. Creasy
Staff Judge Advocate



CMSgt Ronnell A. Horner
Command Paralegal Manager

The Headquarters Air Force Materiel Command legal office (AFMC/JA), located at Wright-Patterson AFB OH, with a staff of 23, has oversight responsibilities for over 400 command attorneys, paralegals, support staff, and reservists at 18 legal offices and the Air Force Materiel Command Law Office (AFMCLO). AFMC/JA serves as Principal Legal Counsel to the AFMC Commander, Vice Commander, Executive Director and all Headquarters Directors and principal advisor to the Air Force Program Executive Officers. The office is also responsible for setting policy and managing the legal processes necessary to support execution of a \$56 billion annual acquisition mission by 22,200 military and 54,300 civilian personnel.

2012 saw the culmination of a year-long command restructuring effort focused on standardizing processes, streamlining decision-making and aligning missions to allow the command to operate more effectively in a constrained fiscal environment. Specifically, the “5-Center Construct” reorganization created a “lead” center for each of AFMC’s four primary mission areas (science and technology, life cycle management, test and evaluation, and sustainment) plus nuclear support, to enable the institution of standardized and repeatable processes to improve its ability to accomplish the command’s mission. In doing so, the command reduced the number of Centers in AFMC from twelve to five. The new centers include Air Force Life Cycle Management; Air

Force Sustainment; Air Force Test; Air Force Research Laboratory; and Air Force Nuclear Weapons. The goal of the 5-Center construct is to improve acquisition execution and product support management by providing clearer lines of authority and responsibility.

The command’s restructuring effort also required an analysis of how legal services were currently being provided and a recommendation for a more efficient, streamlined legal approach. The AFMC Staff Judge Advocate, Brig Gen Dwight Creasy, recommended to the AFMC/CC that the command transition away from eight single base GCMs to four Center GCMs, in effect, setting up NAF-equivalent legal offices at three new centers: Air

Force Life Cycle Management Center, Air Force Sustainment Center, and Air Force Test Center; while leaving the Air Force Nuclear Weapons Center legal office as a single base GCM. Former single base GCM offices located at Robins AFB, Hill AFB, Eglin AFB, Tinker AFB, Edwards AFB and Hanscom AFB reverted to SPCM legal offices falling under their respective GCM Center office. These restructured Centers, which will assume most NAF-level legal responsibilities, have increased military justice efficiency and allowed HQ AFMC/JA to refocus on MAJCOM-level trends and analyses. The year-long reorganization transition was challenging, but the initial results have shown great progress towards increasing the speed of military justice actions while preserving JA workforce and mission capabilities.

As always, AFMC/JA had a number of personnel changes in 2012. In April, Mr. Tom Doyon began his tenure as the Air Force Materiel Command Law Office Director. In May, Lt Col Kevin Stiens volunteered for a one-year deployment to Afghanistan, and PCSed to HQ ACC/JA. He was replaced in AFMC/JAQ by Lt Col Derek Sherrill, who transitioned over from the AFMCLO. In July, we said goodbye to Lt Col Deb Luker, our Chief of Military Justice, as she departed for her new assignment as Seymour-Johnson AFB NC, Staff Judge Advocate. Deb was replaced by Maj Drew Roberts who transferred to us from the AFIT SJA position and almost immediately deployed to Afghanistan for 6-months. That same month we welcomed Capt Aaron Finley from Ramstein AB as our new executive officer, replacing Major Kellyann Boehm who left for

AFLOA/JAJM. In August, Mr. Robert Balcerek, transferred from AFLOA/JAQ to AFMC/JAQ specializing in various aspects of acquisition law, including insourcing and support to command-wide protest litigation. Mr. Balcerek replaced Ms. Sandra Zimmerle, JAQ Deputy Division Chief, who accepted a JAN Branch Chief position at AFMCLO. In August, Chief Master Sergeant Sherry Bowes, arrived as our new Command Paralegal Manager replacing Chief Master Sergeant Ron Horner. In September we said farewell to Col Robin Kimmelman, Administrative and General Law Division Chief, as she began a 365-day deployment. In November, Brig Gen Creasy presided over Chief Master Sergeant Horner's 30-year retirement at a ceremony at Seymour-Johnson AFB NC. Finally, in late November, Col Jerry Villarreal arrived from Travis AFB and assumed Administrative and General Law Division Chief duties.

The Administrative and General Law Division (AFMC/JAA) provided advice to the AFMC/CC and HQ directors on numerous, varied civil law and military justice issues. AFMC/JAA's biggest mission this year was providing advice to the commander during the AFMC's major reorganization. The reorganization reduced the number of Centers in AFMC from twelve to five. AFMC/JAA's primary role was to assist the SJA in determining how best to establish new UCMJ roles and responsibilities within the new chain of command, and to re-organize the legal offices in AFMC to be most responsive to that new chain of command under the 5-Center Construct. In the labor law arena, AFMC/JAA provided advice to HQ AFMC/A1 helping the personnel

community defend challenges to proposed manning cuts. Additionally, we provided key support to HQ AFMC/A7 in challenging attempts to expand union membership via litigation by our command-wide International Association of Firefighters (IAFF) union. IAFF is trying to expand union membership to Fire Station Chiefs and Training Chiefs (who have traditionally been members of management). AFMC/JAA, in addition to providing top-notch ethics counsel to the HQ AFMC Command Section and field legal offices, created a library of government ethics materials that was crossed to legal offices throughout the Air Force.

The Acquisition Law Directorate (AFMC/JAQ) provided critical acquisition and fiscal law advice and support to the AFMC commander, vice-commander, executive director and HQ directors on a wide array of matters – totaling over 81,881 contract actions, 29 separate services source selections, and \$52.5 billion in obligations.

In February, Col Paul VanMaldeghem was selected to serve as legal advisor for a commander directed investigation into the troubled Light Air Support (LAS) acquisition. The LAS program had high visibility and significant Congressional interest. The CDI Part I involved determining what missteps were made during the LAS source selection process. After nearly two months of investigation and briefings up the chain to SECAF, Part II of the CDI was ordered to investigate a number of AFMC and AFSPC source selections to ascertain whether the Air Force had a systemic acquisition process problem. The CDI was completed with briefings to

AFMC/CC and SECAF in early June. An ongoing effort to produce lessons learned is being headed by SAF/AQC, supported by SAF/GCQ, AF/JAQ, and AFMC/JA. In parallel, a GC-JA acquisition attorney working group is developing a source selection guide and lessons learned primer.

In the area of fiscal law, JAQ engaged with SAF/GC and senior AFMC leadership to resolve a significant bid protest involving issues with certification of compatibility with approved defense business system architecture. We also supported the training requirements of AFMC/PK by developing and presenting an informal briefing on the Bona Fide Need Rule to recent hires.

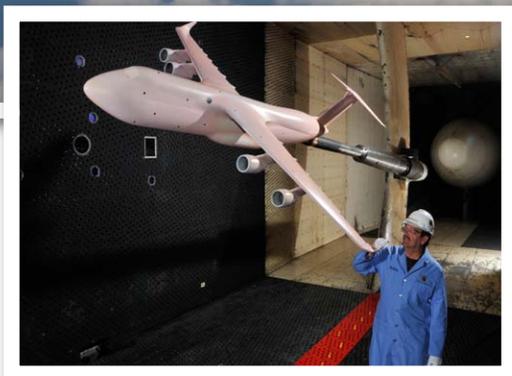
In addition, during the initial stage of a preliminary Anti-Deficiency

Act review, JAQ identified potential criminal fraud in the administration of a contract and persuaded AFOSI to re-open the previously closed investigation to investigate further.

AFMC/JAQ continued to provide command-level oversight and legal advice for the Enterprise Sourcing Group, which formally stood up in 2011, implementing the Air Force's Installation Acquisition Transformation initiative. In May 2012, AFMC/JA hosted a very successful annual "Corporate Counsel Day" at Wright Patterson AFB. This year's event brought together over 150 attorneys from the government and in-house counsel from the aerospace and defense industries for briefings, panel discussions designed to strengthen lines of communication and relationships.

Air Force Materiel Command Law Office (AFMCLO)

In 2012, Mr. Thomas F. Doyon was appointed to the Senior Executive Service and selected as Director, Air Force Materiel Command Law Office (AFMCLO). Mr. Doyon brings years of leadership and acquisition expertise to this vital field operating agency (see Spotlight article). AFMCLO's accomplishments of the last year, noted below, are directly related to the dedication and hard work of the entire staff. From deployed locations to source selections dealing with state-of-the-art technology, AFMCLO left their mark of enduring excellence.



Spotlight on

Brigadier General Dixie Morrow



Brigadier General
Dixie Morrow

Brigadier General Dixie A. Morrow deployed to serve with the United States State Department as the Deputy Coordinating Director for Rule of Law and Law Enforcement (ROL/LE) at

the United States Embassy in Kabul, Afghanistan. Almost immediately on the heels of a highly successful active duty tour as the AFLOA Commander during the deployment of the commander Brigadier General Daniel B. Fincher to Kabul, General Morrow accepted the same tasking and directly impacted the future of the troubled nation of Afghanistan. An experienced trial attorney and military judge, General Morrow advised and assisted the Ambassador as he worked with officials in the Afghan judicial system to develop a system that provides fair and timely justice to Afghan citizens.

During her tenure she signed on behalf of the US government an agreement to continue United States support of counter narcotics programs implemented by the Afghan Ministry of Counter Narcotics. Through the oversight she provided to this and other legal and law enforcement programs, the rule of law was promoted throughout Afghanistan--a critical element necessary for the long term success of the nation.

General Morrow also highlighted the importance of ensuring women, especially women in the judiciary, receive training and opportunities to be full members of the Afghan society. As a former AF judge, she was able to relate her experiences to those of her Afghan contemporaries. Her efforts directly supported the principles of counterinsurgency by providing clear support for critical functions necessary to strengthen the elected government of Afghanistan as well as ensuring basic human rights for all Afghan citizens.



AFRC

AIR FORCE RESERVE COMMAND



Col Jeffrey P. Wilcox
Staff Judge Advocate



CMSgt Imelda Johnson
Command Paralegal Manager

Located at Robins Air Force Base, Georgia, Headquarters, Air Force Reserve Command's mission mirrors that of the active component: fly, fight and win...in air, space and cyberspace. As the largest active duty major command (MAJCOM) in the Air Force, AFRC has personnel at 69 locations across the country and is responsible for three numbered air forces, eight direct reporting units and field operating agencies, 34 wings, six independent groups, five air reserve bases, six air reserve stations and 60 tenant locations. AFRC is a primary force provider across the full spectrum of active duty missions with reservists serving in every Air Force MAJCOM. In addition, AFRC owns two unique Department of Defense missions— aerial spraying and weather reconnaissance, the Hurricane Hunters. AFRC provides approximately 14 percent of the total force for about four percent of the manpower budget. In addition to serving locally, reservists also serve

globally and are an integral part of the seamless force that is the United States Air Force.

HQ AFRC is commanded by Lt Gen James F. Jackson, who was appointed to the dual-hatted position of Chief of Air Force Reserve, HQ USAF and Commander, AFRC in July of 2012. Like the commander, AFRC/JA has a dual role. Our office serves as legal counsel to AFRC/CC and his staff, providing professional and independent advice on all legal matters affecting the reserve force and oversees the NAF and wing legal offices of the Category A (Cat A) reserve program. In addition, AFRC/JAR serves as the JAX equivalent for the TJAGCR reserve programs' traditional reservists (TRs) and Individual Mobilization Augmentees (IMAs). AFRC/JAR executes all TJAG-directed accessions and reassignments and tracks all training for JAGs and paralegals. Staffed with 12 full-time military and

civilian attorneys, five IMA and TR JAGs, three paralegals, and three civilian support staff at Robins AFB, plus supervising an additional seven active duty JAGs at OLs around the country, AFRC/JA derives its' force from a unique combination of active duty, Active Guard Reserve (AGR), TR, IMA and civilian personnel. AFRC/JA provides professional supervision to some 225 active duty and reserve component judge advocates, paralegals and civilian personnel serving in 54 legal offices located around the country and is responsible for ensuring the manning and training of 937 JAG and paralegal billets around the world.

Major Staff Changes:

CMSgt Imelda B. Johnson, a reservist on full-time active duty, assumed the reins as the AFRC Command Paralegal Manager following the retirement of CMSgt Ann Parker in 2011. Chief Johnson's IT background and long-

standing Information Technology Readiness Committee (ITRC) membership influenced her spearheading the implementation of the new AFRC CAPSIL Cohort to increase the cross flow of information and share best practices between Cat A legal offices. She is now working on the roll-out of a separate IMA CAPSIL Cohort to address the unique needs of our IMA JAGs and paralegals. Chief Johnson has also been an integral part of the JA inspection team, participating in monthly unit SAVs at our Cat A legal offices and Article 6 inspections at our ARB legal offices.

Chief Johnson also serves as the facilitator, creates the agenda, provides the IT support and is responsible overall for the course content of the IMA Paralegal Orientation. This year the orientation was held at HQ AMC/JA, Scott AFB. Nineteen students, 8 RegAF Law Office Managers, and 6 Senior IMA Paralegal Manager instructors attended. In addition to the Senior Enlisted IMA PM instructors, presentations were also made by subject matter experts such as the Base Individual Mobilization Administrator and an AFRC/SG representative.

AFRC/JA bid farewell to SMSgt Robin Whelan in 2012 after serving as the Law Office Superintendent (LOS) for our office. SMSgt Whelan transitioned to become the LOS for the 307 BW/JA at Barksdale AFB, LA upon her move from Georgia. We welcome SMSgt Penny D. Guillard as our new AFRC/JA LOS. SMSgt Guillard came to us from 10AF after a six month deployment to Ali Al Salem AB, Kuwait.

Initiatives

Legal Assistance Website: This year the command has highlighted a JAG Corps Reserve item of TJAG interest that applies primarily to the Cat A world, specifically the use of the Legal Assistance Website (LAWS) within AFRC. The focus of AFRC's emphasis has been concentrating on how to increase LAWS use within the command and improve the overall quality of the legal assistance reservists receive. To jump start this initiative, AFRC/JA contacted numerous organizations and individuals to find out how they successfully integrated LAWS into their legal assistance practice. We have been encouraging units to share their success stories on the AFRC CAPSIL cohort, in an effort to develop creative and focused approaches that work best for reservists. After dedicated effort to changing the habits and culture of our reserve clients, the number of Cat A units making the Honor Roll are on the rise.

Commander's Legal Issues Course:

Twice a year, the AFRC Professional Development Center (PDC) hosts the Commander/First Sergeant/Senior ART TRIAD Course. TRIAD brings the top 3 (commander, first sergeant, and senior ART) from Reserve wings together for problem-solving training using real-world scenarios. AFRC Squadron/ Flight Commanders/First Sergeants/Senior ARTS all attend together. The TRIAD workshop allows attendees to explore their individual roles and responsibilities, which fosters teamwork and becomes the basis for developing any needed memoranda of understanding. Communication, trust, and teamwork are the foundation of TRIAD. In the

last several years, the Command Legal Issues Course (CLIC) has been linked with the TRIAD course. CLIC grew out of a desire to offer Reserve wing and squadron commanders, senior ARTs and first sergeants a platform for unit leadership training where they can learn about and discuss, as a team, along with their JAGs, various common legal issues they may encounter. Linking CLIC and TRIAD has been extremely well-received by attendees. In fact, the PDC reported that attendee surveys from the first CLIC received the highest ratings ever for an inaugural training program and to date CLIC continues to be the PDC's most popular course. AFRC/JA and senior reserve attorneys from the NAFs and Air Staff, serve as course directors and instructors, led by Maj Gen Robert Kenny, Mobilization Augmentee (MA) to TJAG. General Kenny believes the presence of the senior Reserve JAG leadership at each CLIC conveys the importance of the course to our Reserve Commanders.

Prosecution Task Force (PTF): In August 2012, the Legal Office at Joint Base San Antonio (JBSA)-Lackland, Texas, established a Prosecution Task Force (PTF) to serve as the focal point for all Military Training Instructor (MTI), Military Training Leader (MTL), and Instructor misconduct cases. As the information hub for all MTI/MTL/Instructor cases, the PTF tracks the status of all pending cases and investigations and responds to requests for information from various organizations. Critically, it prepares advice and coordinates action for command, and ensures all alleged victims are properly treated through the accountability process.

TJAGCR members have been key in the PTF. The first Chief, PTF, was Col Mark Fitzgerald, an IMA currently assigned to HQ USAF/JA (Training and Readiness Directorate), who led the PTF from its inception in August 2012 through 30 September 2012. The first NCOIC of the PTF was TSgt Tanisha Green, a TR currently assigned to 340 FTG/JA, JBSA-Randolph. Additionally, SrA EmilyMae Beckett, an IMA assigned to 802 MSG/JA, was the PTF Paralegal from August-September 2012. On 1 October 2012, Col Donna Holcombe, an IMA currently assigned to HQ AFRC/JA as the Senior IMA, took over as the Chief, PTF. Integral members of the PTF are Lt Col Shannon Hanscom, Deputy, PTF, currently assigned to 502 ABW/JA, JBSA-Fort Sam Houston; Maj Amber Karns, currently assigned to 502 ABW/JA, JBSA-Fort Sam Houston; and SSgt Angella Veve, NCOIC, PTF, currently assigned to 802 MSG/JA, JBSA-Lackland. In January 2013, Maj John Wigglesworth, an IMA currently assigned to 7 BW/JA, Dyess AFB, TX, joined the 802 MSG/JA legal team to serve as Trial Counsel in several of the MTI courts-martial.

TRIALS Team: In its 13th year, the entirely Reserve TRIALS Team trained 148 students at various locations worldwide, to include several joint training sessions with Army, Marine and Navy JAGs attending the training sessions during 2012. In addition to the 148 students, the TRIALS Team members also served as adjunct faculty for the TDAC and JASOC moot courts. Pictured below is the team that conducted training at Seymour Johnson AFB.

HQ AFRC/JAR Update

Accessions and Reassignments: Our Plans and Programs Division (AFRC/JAR) is in charge of accessions and reassignments within TJAGCR, as well as over-seeing the allocation of TJAGCR's war effort and steady-state man-days. In 2012, AFRC/JAR accessed 71 judge advocates and 43 paralegals, bringing TJAGCR manning to over 91%. Continuing the Direct Accession program initiative implemented last year, 28 of the JAG accessions were direct accessions from the civilian world. These new JAGs, who are experienced attorneys with no prior Air Force JAG experience, exemplify the Air Force Core Value of service before self by taking significant amounts of time away from their civilian employment to attend the mandatory initial COT and JASOC in order to serve the nation.

JAG/Paralegal MPA Management: In CY 2012, AFRC/JAR received 416 requests for war effort and steady-state MPA days. Of those, 405 met TJAG directed criteria for approval and were approved constituting a 97.4% approval rate. The 411 approved requests amounted to a total of 14,568 man-days in CY 2012, filling 94.7% of the requests from the active component for Reserve support.

Training: AFRC/JAR is responsible for tracking the training for all TR and IMA members of TJAGC. AFRC and the JAG school (AFJAGS) co-sponsor the Annual Survey of the Law (ASL), the largest training event in TJAGCR. Our office is responsible for the logistics of the ASL course, coordinating the curriculum with AFJAGS, and scheduling and preparing orders for all students, staff and instructors.

Changes to TJAGC training requirements in 2011 changed the requirement for all ARC members to attend ASL to every two years instead of every four. After nearly 20 years of holding ASL in Denver, CO, the increased size of the classes required a change of venue. On 12-14 April 2012, 591 TJAGC members, including students, staff, instructors and guests, attended ASL in Atlanta, GA for the first time.

In addition to ASL for all ARC members, AFRC/JAR provides courses to orient Cat A and IMA JAGs and paralegals to the reserve world. The IMA Reserve Orientation Course (IROC) was held twice in 2012, once in Atlanta, GA and once in Denver, CO. Sixty-nine students attended the two courses, representing an increase of 68% from 2011.

The first ever Air National Guard (ANG)/Cat A Reserve Orientation Course (AROC) took place in Atlanta on 12 April 2012. Prior to 2012, the ANG would hold an ANG Legal Orientation Course (ANGLOC), and new Cat A Reservists would attend the Reserve Orientation Course (ROC) along with IMA Reservists. Since Cat A legal offices shared similar issues with ANG legal offices, we took this opportunity to put together a total force training course that was truly a combined effort between the ANG and USAFR. The course consisted of several blocks of instruction teaming a JAG and paralegal together to teach the specific issues. Twelve ARC JAGs and paralegals taught 6 substantive blocks with the ANG personnel teaching three of the blocks and Cat A reservists teaching the remaining blocks. Thirty ARC JAGs and paralegals were trained at the AROC.

HQ AFRC/JAM Update

The Adverse Actions Division (AFRC/JAM) has made great strides this year in increasing the celerity of our military justice program, despite a 100% turnover in staff. Maj W. David Vernon, Maj Christopher Brownwell, and Mr. Vincent Padua have taken charge of the division following the deployments of both Lt Col David Eby and Maj Neal Frazier, and the civilian transfer of Ms. Candi Fryar. Maj Vernon serves as the primary resource to the active duty, reserve, and deployed legal offices responsible for taking Article 15 or court-martial action against a reserve member. He answers the often convoluted jurisdictional questions surrounding reserve status at the time of the offense that drives whether UCMJ jurisdiction attaches. He has also embarked upon an initiative to improve the command's AMJAMS statistics, which are greatly affected by the part-time nature of the reserve force.

Among numerous other duties, Maj Brownwell has taken over the unique AFRC responsibility of managing the command's centralized administrative discharge program. Maj Brownwell reviews all command discharges for legal sufficiency, serves as the Recorder in many of the board eligible cases, and mentors younger active component JAGs who often serve as Recorders to increase litigation skills. In 2012, AFRC/JA held 35 discharge boards for members in the rank of A1C to Major.

HQ AFRC/JAA Update

Aerial Spray Mission Initiative: The Administrative Law Division (AFRC/JAA) implemented several initiatives this year. Our office was integral to the command's new

initiative to review all AFRC Aerial Spray missions conducted throughout the CONUS under the authority of DoD's Innovative Readiness Training (IRT) program. AFRC has exclusively provided all Aerial Spray capability to the Air Force since 1974, but prior to this year, the MAJCOM vetting process for Aerial Spray training missions had not been formalized. Accordingly, the oversight for this significant mission had to be shifted into the IRT process, constituting a sea change in the way this mission is executed. AFRC/JA took a leading role in the MAJCOM working group that reviewed and approved the Aerial Spray training missions. AFRC Aircrews from the Aerial Spray unit at Youngstown Air Reserve Station flew oil-dispersant missions as an important part of OPERATION DEEPWATER HORIZON following the oil well blow out in the Gulf of Mexico. Our Aerial Spray unit also trains to provide wide-area mosquito abatement spraying for employment in the aftermath of major hurricane damage as well as assisting civil authorities with fire-fighting.

Ethics/Fiscal/Contracts Law Outreach Initiative:

In cooperation with HQ AFRC Professional Development Center, AFRC/JAA created the first ever Fiscal Law Program for AFRC, developing and teaching over 200 basic and advanced Wing level Fiscal Law Courses. AFRC/JAA developed several courses in the areas of Ethics/Fiscal/Contract Law that have been incorporated in to the PDC curriculum and can be tailored to meet the needs of the individual students and AFRC organizations. These courses include: Basic Ethics, Ethics for Senior Leaders, Advanced Ethics, Contractor Employee

Interactions, Political Activities, Basic Fiscal Law, Advanced Fiscal Law, and The Anti-Deficiency Act (ADA). AFRC members throughout the command were provided with regular and timely education in the mine-field areas of contracts, ethics and fiscal law through other means, as well: quarterly Resource Advisor training, new Contractor Interaction and Conflict of Interest Guides, a deskbook on Ethics for the Financial Advisor, a DoD Web Based Fiscal Law Refresher, monthly training to the field via the AFRC/JA Newsletter, and new AFRC instructions on consistently problematic areas such as awards, coins and promotional items.

In addition to these innovative training opportunities that were created, AFRC/JA teamed with WR-ALC/JA in a joint effort to provide more uniform ethics advice for all Robins AFB customers. The teaming approach includes monthly meetings between the two offices to discuss common issues and approaches, regular coordination on issues common to both offices and combined ethics newsletters and briefings.

HQ AFRC/JAO Update

Consistent with prior years, ARC members who volunteered and deployed, performed exceptionally in a wide variety of legal support positions. Many of the duties, in reality, don't match the advertised job description, but the Reservists adapted and performed admirably. Many ARC members filled leadership positions that could not be filled with JAGs and paralegals from the active component. We are extremely proud of our ARC deployers, and we owe a huge debt to them for taking those jobs and performing so well.

As measured from the RDD start date 20 ARC members deployed in FY 12: 7 paralegals and 23 JAGs. Most were IMAs; however, 2 of the JAGs and 3 of the paralegals were from the CAT A program. Most of the deployments were to the AFCENT AOR; but 3 were stateside and other geographic combatant command areas, including one to Moron Spain in support of operations in Libya.

Deployments

Lt Col Derek Phillips, SJA for the 934th Airlift Wing at Minneapolis-St Paul ARS, served as the DSJA and acting SJA at Andersen AFB, Guam from Jan through April 2012. Lt Col Phillips was also part of the initial response team to an aircraft mishap in Saipan that occurred during the two-week Cope North Exercise with the Japanese Air Defense Force and Australian Air Force. While in Saipan, Lt Col Phillips assisted by coordinating with the airlines, Saipan Port Authority, and Saipan Tourism Agency on matters relating to possible tort claims, as well as by providing liaison between the operational personnel tasked with removing the aircraft and the affected stakeholders. Major Michael Meyer, the DSJA for the 908th Airlift Wing, Maxwell AFB, volunteered to deploy to Al Udeid Air Base for six months. He is serving as the Deputy SJA at the 379 AEW spending much of his time addressing government contract issues. A loyal fan of the Auburn University Tigers, Maj Meyer did a short video to say hi to his wife and kids and sent it to Auburn University. The University played the video during an Auburn football game. Needless to say, his wife and son were very surprised when they saw the video at the game. CMSgt Veronica Martin: A month after her arrival at her new assignment at 4AF,

March ARB then Chief select Veronica Martin joined the 379th legal team at Al Udeid on a short notice deployment. (C)MSgt Martin replaced the previous reserve LOS who had to return home due to family emergency. Pictured below: BG Tuck, Maj Alan Goodwin, reservist from USAFE, LtCol Bobby Hall, the SJA, (C)MSgt Martin, Capt. Konrad Osa, and the Command Chief, CMSgt Harner. SMSgt Penny D. Guillard deployed to the 386th Air Expeditionary Wing, Southwest Asia, where she served as the Law Office Superintendent. The wing was the primary tactical airlift hub for re-supply missions supporting Coalition operations in Iraq and providing combat service support to Land Component Forces throughout the Persian Gulf Region and Iraq. SMSgt Guillard served as the sole paralegal support to 28 commanders and 10,000 military and civilian personnel at six geographically separated locations in support of Operations ENDURING FREEDOM and NEW DAWN. She personally provided services to over 128 clients, drafted 392 powers of attorneys, and notarized 520 legal documents. SMSgt Guillard provided legal briefings to 1,900 Airmen on current military justice trends and General Order 1B provisions. She devoted her spare time to educating and training members of the Rising Four and 5/6 Council on professional development and leadership, as well as serving as the Ali Al Salem's Top Three Unsung Warrior Program Manager, which led to her being named Wing Staff SNCO of the month for May 2012. She also played an integral part in the production of a bunker dive video which is used throughout the AOR to train deployed members. Pictured below, left to right: MSgt Amy Hartleben, SMSgt Penny Guillard, Lt Col Ron

Spencer, Maj Nora Cho Rule, and Maj Rick Alford

Retirements

CMSgt Howard Lee, 22 AF NAF Paralegal Manager: CMSgt Lee's outstanding career came to a close following the November 2012 UTA weekend. Those of you who had the pleasure of working with Chief Lee can attest to his professionalism and genuine concern for his paralegals. The ARC paralegal family will miss his mentorship and contribution to the AF Reserve and the JAG Corps. TSgt Belinda Goody, IMA Reserve Paralegal, 62 AW/JA, retired in November after a total of 22 years of outstanding, faithful and dedicated service. MSgt Tanya Williams 10 AF, NAS Joint Reserve Base Fort Worth retired from her position as Law Office Superintendent, Office of the Staff Judge Advocate, 380th Expeditionary Wing, Southwest Asia. SMSgt Carolina Hubbard, HQ AFRC/JA, Senior IMA Paralegal Manager, retired effective 1 Jan 12. CMSgt Tammy Hickey retired as the Senior IMA to the Senior Paralegal Manager to TJAG. Her retirement ceremony was held 30 November 2012.

ARC Judge Advocates are Top Students

Some direct accession judge advocates are distinguishing themselves as they begin their Air Force careers. We congratulate the following reserve members who received awards during JASOC in 2012: Capt Sandy Vazquez, 436 AW/JA, Dover AFB, Lowry Award, JASOC Class 12-C; 1Lt Matthew Boyer, 42 ABW/JA, Maxwell AFB, Distinguished Graduate, COT; MOAA Award for Highest Academic Achievement, JASOC Class 13A; 1Lt Michael Gottlieb, 87 ABW, JB

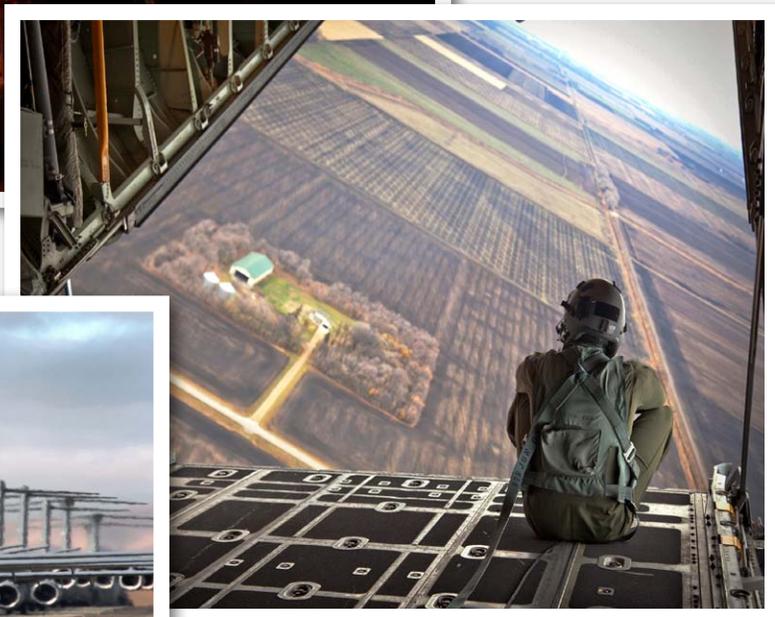
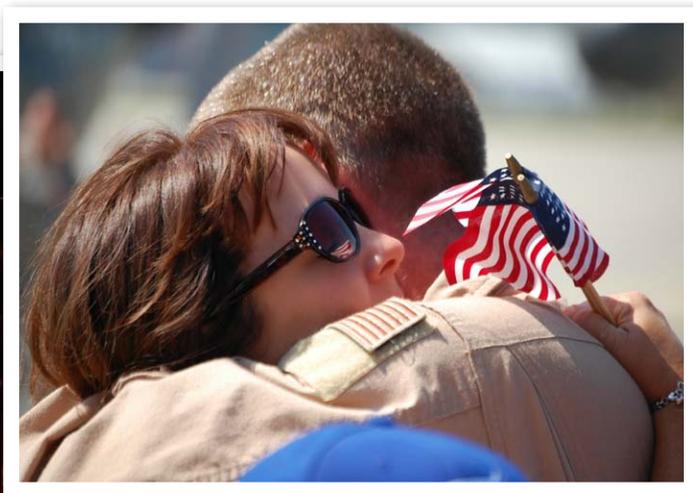
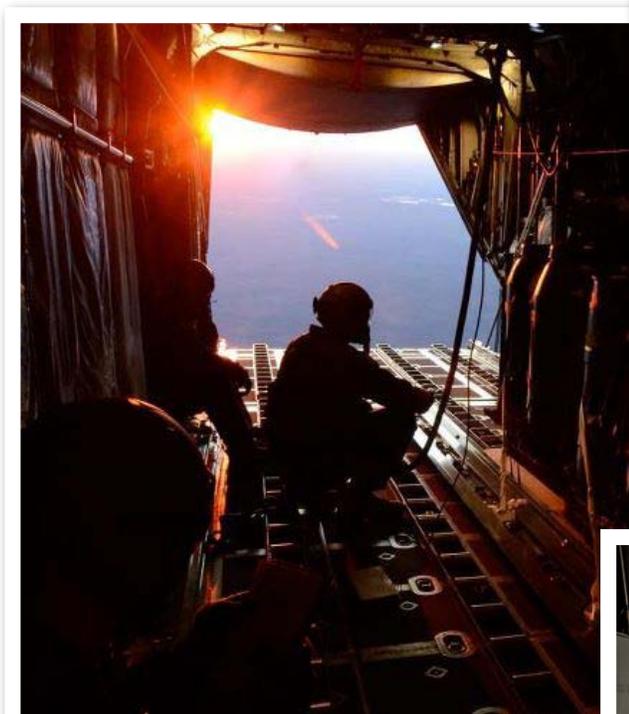
McGuire-Dix, Excellence in Advocacy Award, JASOC Class 13A

Conclusion

The Reserve JAG Corps has long been a model for seamless reserve support, recognizing the ease with which reservists can be integrated in legal operations worldwide. AFRC continues to lead from the front in identifying civilian skill sets to bring to the unique challenges faced by

the Corps from deployments, and teaming with active duty and reserve legal offices to meet Air Force needs. TJAGCR balances the needs of the Air Force against the demands on the time of our citizen airman by offering our reserve forces the flexibility to perform duties at varying levels of participation. In that way we have been able to maximize the time and talent of our members in the best interests of the Air Force.

In sum, while many changes occurred in 2012, one thing did not change—in 2012 every day around the world, reserve members of the Judge Advocate Generals’ Corp sacrifice their time and talent to further the missions of the worlds’ most powerful air force. We are mindful and grateful to their families’, employers’ and co-workers’ sacrifices.



Spotlight on



Capt Bertha Diaz

Captain Bertha Diaz

Capt Bertha Diaz is currently deployed to Kabul, Afghanistan and is assigned to United States Forces-Afghanistan (USFOR-A) as a Contract and Fiscal law attorney. She

is an integral member of the Office of the Staff Judge Advocate team advising on procurement of services, commodities, military construction, real estate, disposition of foreign excess property, and contested international customs and tax issues in Afghanistan. Capt Diaz also provides cross-service training to incoming JAGs on basic fiscal law and contract matters prior to their forward deployment in theater.

Capt Diaz advises USFOR-A senior leadership on special assignments for Future Plans and Operations. In doing so, she addresses a myriad of legal issues including land use rights, modifications of security contracts, and construction projects. One special project for the

expansion of a key Afghanistan Border Crossing Point (BCP) required her expertise in negotiating agreements with the Department of State, the Afghan Government, as well as a bilateral technical agreement with Italy. Capt Diaz's efforts ensured uninterrupted mission execution at a key BCP and maintained relationships with Italy and interagency partners.

As United States Forces struggle to execute a timely retrograde, Capt Diaz continues to advise on the transfer and closure of bases while helping to ensure that the process of transferring foreign excess real and personal property to the Afghans is as streamlined and transparent as possible. She continues to produce precedent-setting legal products for use in Afghanistan as new issues evolve in theater. While the Afghanistan Bilateral Security Agreement negotiations are ongoing, Capt Diaz's input into land and real estate issues will help to set the stage for future operations in Afghanistan.

Capt Diaz looks forward to her redeployment to the 62 AW/JA this winter after her voluntary year-long tour. In response to her experience in Afghanistan, she states, "It's an exciting time to be an attorney in the Air Force!"


 Spotlight on


Mr Thomas F. Doyon

Mr. Thomas F. Doyon

In April 2012, Mr. Thomas F. Doyon was appointed to the Senior Executive Service (SES), and assumed duties as the Director of the Air Force Materiel Command Law Office (AFMCLO). Mr. Doyon is the fourth Director of this HQ AFMC field operating agency. He leads a large and talented team of legal professionals in a commercial law mission that supports clients in such mission areas as systems acquisition, procurement fraud, intellectual property, industrial facilities, and certain AFMC-specific real estate matters.

Mr. Doyon is no stranger to the JAG Corps. From 1990-2012 he served on active duty as an Air Force Judge Advocate, retiring as a colonel. His 22-year Air Force legal career gives him an experienced perspective on the AFMCLO mission and enhancing and developing the expertise its legal professionals. His significant field-level acquisition law and Headquarters Air Force experience, black-world assignments, and Legislative Liaison background also give him unique insight

into the needs of the Law Office clients. These clients execute programs that are of extraordinarily high dollar value, significant DoD visibility, and public interest.

Mr. Doyon is a strong advocate for increasing leadership opportunities, mentoring, and both military and civilian career development. Mr. Doyon's acquisition philosophy is simple; successful programs hinge directly on defensible contract awards, which further hinge directly upon scrupulous adherence to the source selection criteria. In a larger sense this strategy reflects his philosophy on legal leadership. Namely, lawyers must rise to the leadership challenge by communicating, persuading, and educating their clients so they understand the total legal landscape. According to Mr. Doyon, the successful lawyer is a true counsel, always possessing the professional knowledge and personal conviction to advance the Air Force's best interest.

AFSOC

AIR FORCE SPECIAL OPERATIONS COMMAND



Col Larry D. Youngner
Staff Judge Advocate



CMSgt Jose A. Mercado, Jr.
Command Paralegal Manager

Air Force Special Operations Command (AFSOC), Hurlburt Field, Florida, provides America's specialized air power. AFSOC presents special operations forces for worldwide deployment and assignment to regional unified commands. AFSOC's core tasks group into four mission areas: forward presence and engagement, information operations, precision employment and strike, and special operations forces mobility. Throughout the past year, JAG Corps legal professionals played crucial roles accomplishing these missions with specialized legal support at home units and in deployed locations around the globe.

In 2012, AFSOC's main focus remained on operations to deter, disrupt and defeat terrorist threats. In FY12, AFSOC conducted an estimated 53,459 combat flying

hours, 12,432 combat missions, over 300 EKIA, and transported 6,139 SOF assaulters and 958 detainees. AFSOC JAGs and paralegals from Cannon, Hurlburt, Kadena, Misawa and Ft Bragg deployed downrange and provided essential support to these missions and other joint SOF operations.

To meet the growing demand for the unique capabilities special tactics Air Commandos provide, AFSOC stood up the 24th Special Operations Wing in June 2012. Since Sept. 11, special tactics Airmen have been awarded five Air Force Crosses, 29 Silver Stars, 217 Bronze Stars with Valor and 96 Purple Hearts. The new 24 SOW/JA office is led by Lt Col Grady Crooks.

To provide new capabilities in the field, AFSOC aircraft were retired and replaced. The 27 SOW held

a special aircraft retirement ceremony for the MC-130E Combat Talon I. The Talon I flown was part of the 7th Special Operations Squadron and was the lead aircraft that performed a Prisoner of War extraction in North Vietnam called the Son Tay Raid in 1970. To cover the loss of the MC-130E, AFSOC ushered in the AC-130J which honors the Air Commando legacy and capitalizes on the versatility of the aircraft. The AC-130J's are equipped to fly various missions and are called "Ghostriders." This popular name has been part of AC-130 lore, reflected on unit patches, coins, and related artwork for the last 5 decades and AFSOC/JA helped ensure that name will survive for decades to come.

With the dynamics of the missions AFSOC undertakes, AFSOC/JA provided both acquisition program legal

support and operational law advice on the transition of the MC-130W *Combat Spear* to the AC-130W *Stinger II*. The aircraft was modified with a precision strike package and other armaments, all of which have provided the MC-130W aircraft a gunship-like capability. The name “Stinger II” was chosen in recognition of the AC-119K—a Vietnam era gunship that replaced the AC-47 Spooky aircraft. In prowling the Ho Chi Minh trail during the Vietnam War, the AC-119K earned the unofficial name “Stinger” for the recognized lethality of its guns.

Another operational law contribution arose with dusty conditions in Afghanistan that frequently jammed the CV-22 Osprey’s GAU-18 .50 caliber machine gun. To improve combat effectiveness, AFSOC/JA

worked with SOOCOM and AF/JAO to provide a timely weapon review enabling the more reliable GAU-21 to replace the GAU-18.

To enhance training effectiveness of our Air Commandos, 27 SOW/JA, AFSOC/JA, AFRPA, and HAF/SAF collaborated to accept of an 11,000 acre land gift from the State of NM to the AF in the form of a 74-year lease that increased Melrose Air Force Range. Combined with tens of millions of dollars of construction efforts on the range – this herculean effort makes the range the premier special operations training area in DoD.

27 SOW/JA worked seamlessly with Cannon AFB, State of NM, and Curry County NM to resolve issues involving force protection and flying

safety around Cannon, by getting the county to close a road that ran along the perimeter fence and interfered with flying operations.

AFSOC JAGs also continued to fill, on a rotational basis, the Staff Judge Advocate position at the Combined Joint Special Operations Air Component (CJSOAC), which provides command and control of all special operations missions flown in Afghanistan. AFSOC JAGs and paralegals deployed to several other joint special operations duty assignments, including Joint Special Operations Task Force-Arabian Peninsula (JSOTF-AP), Special Operations Command-Europe (SOCEUR), Joint Psychological Operations Task Force (JPOTF), and Special Operations Task Force-West (SOTF-W).



AFSPC

AIR FORCE SPACE COMMAND



Col. Jeffrey A. Rockwell
Staff Judge Advocate



SMSgt James D. Conger
Acting Command Paralegal Manager

Air Force Space Command (AFSPC) is responsible for identifying space and cyberspace requirements and for presenting those capabilities and forces to Unified commands with the UCP authority and responsibility to execute space and cyberspace missions. 14 AF (AFSTRAT) and 24 AF (AFCYBER) are designated as Component Numbered Air Forces (C-NAFs) through which space and cyberspace forces are presented to Joint Force Commanders (JFCs). The Command oversees a \$12 billion acquisition program for space and cyber systems procurement and sustainment to provide network operations, global satellite command and control, missile warning and space launch. The Air Force Space Command legal office (HQ AFSPC/JA) provides full spectrum legal support to the AFSPC Commander, headquarters staff, and all AFSPC subordinate commanders responsible for over 42,000 AFSPC

professionals at 134 locations worldwide.

The **Space, Cyberspace, and International and Operations Law Division** reviewed the development and testing of myriad highly classified space and cyberspace programs and capabilities. The division provided critical advice on TACSAT-3 end of life tests enabling the first ever data capture for use in improving future space systems and advised leadership on legal issues surrounding the failure and deorbit of a Russian spacecraft, Phobos Grunt. The division supported two Schriever wargames, including the first ever international wargame with participation from eight NATO countries and Australia, furthering the US strategic goal of international cooperation in space. The division also completed the biannual certification of Telecommunications Monitoring and Assessment Program (TMAP), ensuring continued monitoring of Air

Force telecommunications systems for OPSEC and COMSEC purposes.

The **Training and Readiness Division** teamed with AF/JAI to conduct Article 6 Part I inspections of the U.S. Air Force Academy and Schriever AFB legal offices. The division also conducted readiness inspections of the Los Angeles AFB and Buckley AFB legal offices. As a member of The Judge Advocate General's School Advisory Council, division personnel provided input on the development of requirements-based training and the new CAPSIL web-based training management program. Following the annual Advisory Council meeting, the division implemented CAPSIL across the command. Finally, to best position AFSPC legal offices for success, the division developed and instituted a virtual staff assistance visit program where subject matter experts assigned to HQ AFSPC/JA utilize CAPSIL's self-inspection feature to remotely

review and comment upon a legal office's self-inspection program prior to an Article 6 Part I inspection.

The **Military Justice Division** teamed with the command's Sexual Assault Response Coordinator (SARC) to host the 4th annual AFSPC Sexual Assault Response Conference, which brought together law enforcement, victim advocate and legal experts from across the command and Air Force to participate in a week-long conference that focused on education and application through team interaction and cooperation. The division supported AFSPC's annual commanders' conference teaching justice issues to new commanders and ethics issues to command spouses. AFSPC empowered seven judge advocates to serve in pioneer roles as Special Victim's Counsel (SVC) for victims of sexual assault and developed a comprehensive sexual assault tracker that combined law enforcement, SARC, and legal case results and rationales into a single source for commanders. Members of the AFSPC/JA team also served as trial judges for USAFA's annual inter-collegiate moot court competition.

The **Civil Law Division** supported a high visibility Accident Investigation Board's inquiry into an anomalous GPS IIF-3 satellite launch. While the launch engine did not perform properly, the satellite nevertheless arrived successfully on-orbit and without damage. The division also worked closely with the U.S. Office of Special Counsel to support the investigation of two whistleblower disclosure cases. The division's in-depth legal analyses into numerous overpayments of civilian retention bonuses resulted in a multitude of recoupment actions.

The **Administrative Law Division** provided counsel to the Command on acquisition, commercial, environmental, ethics, fiscal and real property law. Division personnel worked closely with DOJ, AFLOA/JAQ, AFSPC/A1 and 50 SW/JA to dismiss a claim filed in federal district court alleging arbitrary and capricious insourcing so that hiring could continue. AFSPC continues to assist AFLOA/JAQ in a number of litigation actions. AFSPC/JAQ also worked with AFSPC/A7K to provide a Justification & Approval that increased a worldwide IT contract ceiling by \$113 million so that

services continued uninterrupted. The team also taught a CLE block on contract changes to support the ABA LAMP program at Ft. Carson, instructing multiple service JAGs and civilians.

HQ AFSPC/JA continues to provide JAGs with space law experience as space law instructors at the **Space Education and Training Center (SETC)** at Peterson AFB, Colorado. The SETC is made up of the **Advanced Space Operations School (ASOpS)** and the **National Security Space Institute (NSSI)** and provides space education and training programs for 1500-1800 joint and international space professionals each year, ranging in rank from E-3 to O-9. The legal lessons in each course provide space professionals with the knowledge to understand domestic and international law applicable to space operations using classified and unclassified real-world scenarios. The goal is to demonstrate the interplay between law, policy, and strategy drawn from maritime, air and cyberspace domains for application in space operations, so students see the possibilities for law as a facilitator of strategic objectives.



MSgt Leslie Crow's retirement with the Space and Missile Center Commander and Command Chief

SSgt Melissa Rush



S Sgt Melissa Rush, NCOIC of Military Justice at the 30th Space Wing, is a textbook example of teaming. She has leveraged her skills in the fields of interviewing/investigating, writing, and mentoring to produce vastly better work products across the range of justice actions. Our office frequently steps up to fill investigative gaps in cases that OSI or SFOI decline to investigate, but that are not right for an informal inquiry or a CDI. SSgt Rush has led these investigative efforts, sometimes paired with an attorney and sometimes on her own. Her NCO perspective, gift for insight, and relatable nature make for far better investigations than an attorney could produce on his or her own. Her timely and thorough work on several investigations has led the 30th Space Wing in processing 88 percent of its Article 15 actions in 30 days or less from discovery to SJA review, the top mark in 14th Air Force.

SSgt Rush has teamed with attorneys and other paralegals to produce high-quality legal reviews across a variety of adverse actions. She authors reviews on administrative discharges, fitness retention packages, administrative demotions, fraudulent entry waivers, and various other actions. This not only frees up attorneys' time, but more importantly, it brings an enlisted perspective to adverse actions that primarily affect enlisted personnel. Numerous times, she has spotted personnel, leadership, or practical issues with cases that attorneys overlooked simply because they lacked an

NCO's viewpoint on the way the Air Force works. She also has implemented a plan to ensure trained 7-level paralegals are fully engaged in will drafting, and has personally drafted several wills, receiving positive reviews from attorneys.

SSgt Rush does not just tackle functions traditionally reserved for attorneys; she ensures attorneys know how to do every job in military justice. When our office lost a discharge clerk position, she trained attorneys in WASP entries, ensuring that our office experienced no "choke-point" as we handled a record number of administrative discharges. She trained all attorneys in AMJAMS entries, ensuring that entries are timely, thorough, and consistent. Due to her efforts, 14 AF/JA has lauded the 30th Space Wing for having the best AMJAMS documentation in the NAF. She has deftly mentored two brand-new paralegals, ensuring one earned 5-level upgrade in record time and taught a second not only her core functions but the fundamentals of drafting legal reviews. That new paralegal is now drafting discharge legal reviews on her own after just a few months on the job, adding further flexibility to our office manpower.

SSgt Rush is a true force multiplier who exemplifies the pillar of teaming.


 Spotlight on

Retiree Will Day



Capt Matthew Hracho, Chief of Civil Law and Legal Assistance, fills out his notary log while Bart McIlroy, an office volunteer, helps a client sign her documents

The Patrick AFB legal office demonstrated excellence, and an extraordinary amount of teamwork, during its quarterly Retiree Will Days in 2012. Members from the entire legal office (leadership, military, civilians, Reservists, and volunteers) worked together to produce 168 wills for retirees, including 173 documents needed in addition to the wills. On two of the days we completed over 60 wills and 65 related documents per day.

The legal office had to work as a team to quickly and efficiently produce a mass number of documents in a timely and accurate manner. The 3-level paralegals were in charge of inputting each client into WeBLIONS, and ensuring that they saw a military or civilian attorney. The 5-level paralegals and our civilians did various administrative duties, to include taking care of the daily client business, organizing the waiting retirees, and correcting any minor mistakes on drafted documents. In order to save time and increase efficiency, the 7-level paralegals drafted wills from ticket numbers prior to the Will Day and drafted wills from worksheets during the Will Day. Each attorney, including the SJA, was given a role, whether it was meeting with clients and drafting wills or meeting with clients to review/edit wills that were drafted by 7-level paralegals. We also had an attorney perform all execution ceremonies, with our civilians and volunteers acting as permanent witnesses.

The quarterly Retiree Will Day is a great illustration of how the Patrick AFB legal office works together to serve our clients and exemplifies the foundational elements of Excellence, Professional Development, Diversity and Inclusion, and Mentorship.

AMC

AIR MOBILITY COMMAND



Brig Gen David C. Wesley
Staff Judge Advocate



CMSgt Steven J. Fitzgerald
Command Paralegal Manager

Air Mobility Command's mission is to provide rapid, global mobility and sustainment for America's armed forces. The command also plays a crucial role in providing humanitarian support at home and around the world. The men and women of AMC—active duty, Air National Guard, Air Force Reserve and civilians—provide airlift, aerial refueling, special air mission and aeromedical evacuation.

Air Mobility Command is comprised of two numbered Air Forces, eleven operational wings, six administrative wings and four stand alone groups. The global air mobility enterprise is managed through the 618th Air and Space Operations Center (Tanker Airlift Control Center).

The 2011 changes to the Air Force's conference review process hit home in 2012 for AMC when AMC/JA had to navigate the approval process for one of DoD's largest events: the Air Mobility Command-Airlift/Tanker Association Symposium and Exposition. A DoD co-sponsored conference attended by thousands of DoD personnel, this high-profile event involved a wide range of ethics and fiscal law issues that took a coordinated effort between planners, finance personnel, logistics planners, and legal advisors to resolve. Legal office representatives played a crucial role in radically restructuring the conference in order to secure DoD level approval and accommodate leadership efforts to assimilate multiple smaller conferences into this single event,

thereby saving over a million dollars in appropriated funds and thousands of man hours. Though the effort greatly improved technical adherence to a multitude of rules, challenges remain for future events. What was learned through this process, however, is the inestimable value of having an attorney immersed with the business team in the planning and execution of high-profile events of any kind, increasing the likelihood of higher-level reviewers the public having a more favorable perception of our activities.

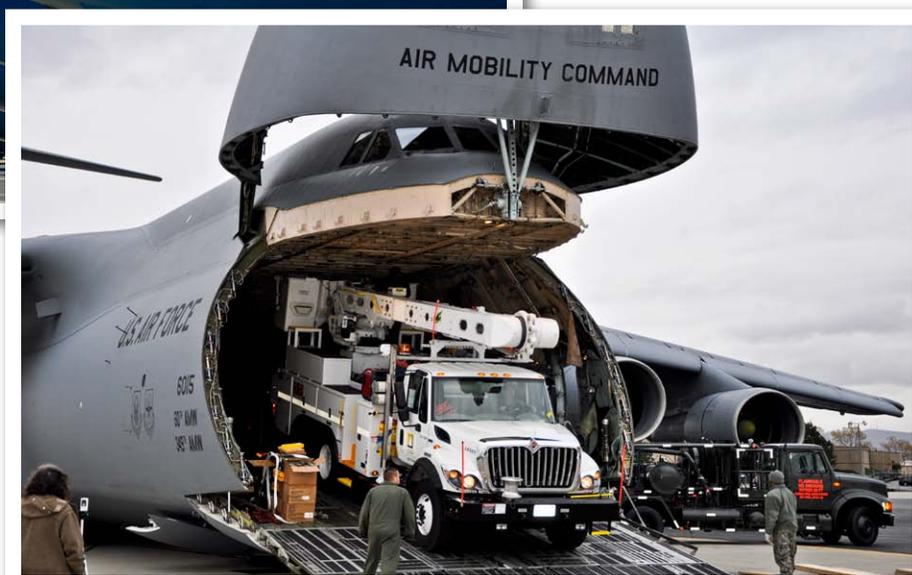
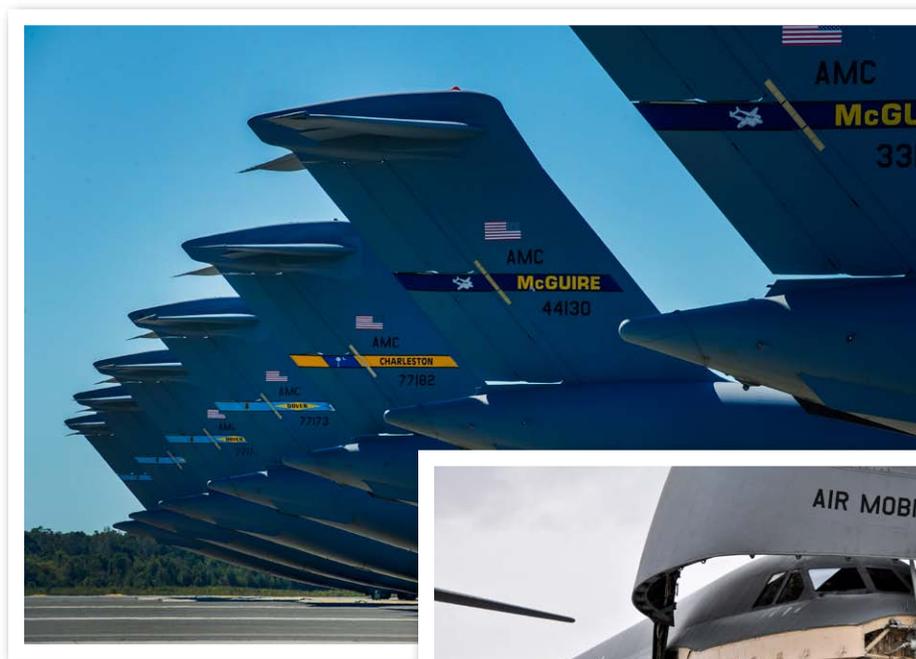
Building partnership capacity with friendly nations around the world is bearing greater importance to the air mobility community. Funding the requisite training missions to

build that capacity, however, presents unique challenges. Sometimes a small change in approach can mean the difference between a mission being permissible or impermissible. Often the analytical outsider perspective of AMC attorneys can make that difference. Seeing the potential for fiscal law complications with proposed training missions, AMC/JA representatives proposed a modified approach that allowed the trainers to fully carry out their mission of getting their own personnel qualified for foreign training missions while keeping those training missions beyond fiscal reproach. None of this would have been possible if

not for the vigilance and initiative of attorneys from SOUTHCOM and AFSOUTH, who not only spotted the issues, but took the time to research them and offer their concerns to AMC/JA. Once again, potential problems were averted through the mutual support gained from cross-organizational legal teaming.

AMC/JA also coordinated the Aircraft Investigation Board, convened by the AMC/CV to investigate the tragic crash of the C-130 that was lost while fighting wildfires in South Dakota. The AMC-gained aircraft was manned by an Air National Guard crew while

flying a NORTHCOM mission. Four personnel were sadly killed in the crash and another 2 were severely injured, which made the response not only logistically difficult, but delicate as well. But the biggest challenge was coordinating the multi MAJCOM, total force effort required to accomplish the ensuing aircraft investigation. Though convened by AMC, the board was composed substantially of Air National Guard members and a legal advisor from the United USAF Expeditionary Center. The effort was also supported by the legal office at Ellsworth AFB (ACC), making this a true total force effort.



Spotlight on



MSgt Andrea Andreassen

Judge Advocate for 19 active duty and eight Individual Mobilization Augmentee Reserve personnel. In that capacity, she oversees the daily operations of the legal office, to include office and paralegal training, manpower, and budget.

In April 2012, MSgt Andreassen returned from a voluntary 365-day deployment to Afghanistan where she was attached to Headquarters, United States Forces-Afghanistan (USFOR-A), Office of the Staff Advocate (OSJA), in Kabul. MSgt Andreassen received the Bronze Star Medal in recognition of her senior enlisted leadership to an 18-member joint-service legal team comprised of Army, Air Force, and Marine Corps attorneys and paralegals to provide legal advice to the Commander, International Security Assistance Force (ISAF) and USFOR-A.

While deployed, MSgt Andreassen was tasked to eliminate a backlog of 35 Army Line of Duty (LOD) determinations that had remained opened for an average of six months. She became a self-taught subject matter expert, gathered

MSgt Andrea Andreassen

MSgt Andrea Andreassen is currently the Law Office Superintendent for the 62 AW/JA. She is the senior enlisted advisor to the Staff

death investigation reports and additional paperwork from across the Combined Joint Operations Area-Afghanistan (CJOA-A), and closed each LOD, thus ensuring servicemembers' families received long overdue benefits. Additionally,

MSgt Andreassen established the HQ USFOR-A OSJA as the single-point repository for all Army Regulation 15-6 investigations, coordinating with countless Army legal offices throughout the CJOA-A, she received, processed and created an electronic filing system for over 800 reports. This increased the timeliness of response to higher headquarters and high-level inquiries for investigations involving combat-related deaths, mass casualties, suicides, civilian deaths, and property loss.

Since her return from Afghanistan, MSgt Andreassen attended the Law Office Managers Course, successfully completed her SNCO Course 14, acquired \$10.6K in end-of-year unfunded monies, and kick-started the paralegal training program to ensure that five 3-level paralegals receive timely and thorough upgrade training.

MSgt Andreassen was Air Mobility Command's 2011 SNCO Karen Yates-Popwell Award recipient and continues to meet every challenge head-on!

PACAF

PACIFIC AIR FORCES



Col Sharon Shaffer
Staff Judge Advocate



CMSgt Bernadette L. Hamilton
Command Paralegal Manager

Housed in the historic barracks damaged by enemy fire on 7 December 1941, the Office of the Staff Judge Advocate, Headquarters, Pacific Air Forces (PACAF/JA), Joint Base Pearl Harbor-Hickam, Hawaii, remains engaged in the United States' mission to provide peace and stability in the Asia-Pacific region. The Pacific area of operations (AOR) is unmatched in size and diversity, spanning from the U.S. west coast to the African east coast and from the Arctic to the Antarctic, covering 105 million square miles, 43 countries, and sixteen time zones. The AOR contains approximately 60 percent of the world's population, which represents over 1,000 languages and dialects and accounts for over one-third of the global economic output. Moreover, the unique location of the Strategic Triangle (Hawaii-Guam-Alaska)

gives the U.S. persistent presence and options to project U.S. airpower from sovereign territory. The PACAF mission is to provide U.S. Pacific Command (USPACOM) integrated expeditionary Air Force capabilities to defend the Homeland, promote stability, dissuade or deter aggression, and swiftly defeat enemies.

PACAF/JA's primary clients include the Commander, Pacific Forces (COMPACAF), 18 headquarters staff directors, and 14 subordinate numbered air force (NAF) and wing legal offices. The three PACAF NAFs all have unique, yet critical, missions that require close coordination with and support from local and national leaders in U.S. territories and from host country officials at local and national levels in allied countries in which we operate or have a presence. PACAF/

JA stands ready to provide 24/7 legal support to the Pacific warfighter as we witness a historic "strategic shift to the Pacific!"

PACAF/JA was heavily engaged through the planning and execution of the 28 September 2012 merger of 13 AF into Headquarters PACAF, resulting in PACAF becoming a C-MAJCOM with COMPACAF assuming the role of JFACC. As part of this milestone event, the 13 AF/JA staff seamlessly merged with PACAF/JA—creating a "supercharged" legal office ready to provide traditional MAJCOM level legal advice to COMPACAF and his directorates while simultaneously delivering on-time, on-target operations-related advice to a newly created C-MAJCOM JFACC staff. With the merger, Headquarters PACAF

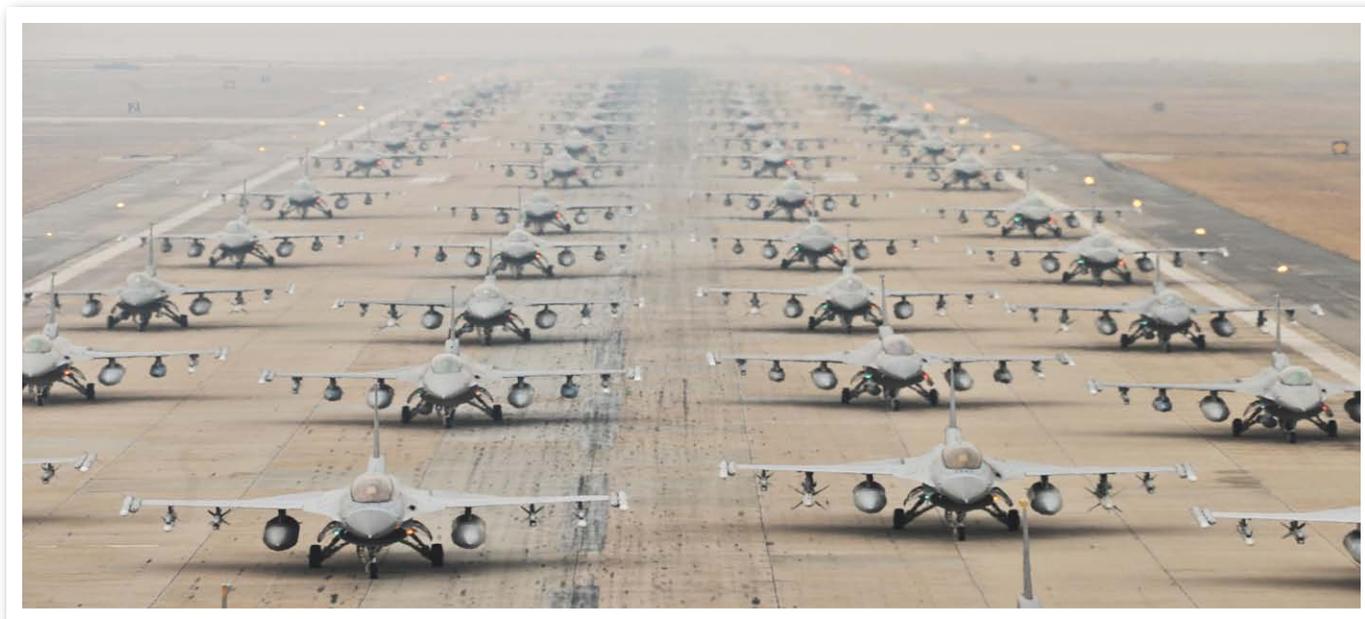
also assumed responsibility for the day-to-day operation of the 613 Air Operations Center (AOC).

2012 also saw a continuation of PACAF/JA's support to key Pacific military exercises. PACAF/JA attorneys and paralegals flexed their legal skills during multiple realistic, scenario-based exercises in the Pacific theater, including TERMINAL FURY, KEEN EDGE, KEY RESOLVE, and ULCHI

FOCUS GUARDIAN. PACAF/JA judge advocates also continued to provide expert legal advice in support of the real world Operation NOBLE EAGLE mission for Hawaii.

Finally, PACAF/JA personnel continued to deploy around the globe in support of ongoing operations. In July 2012, CMSgt Bernadette Hamilton deployed for six months to Kabul, Afghanistan, in support of the NATO

ISAF mission. In September 2012, Lt Col Terry McCollom departed for a six month tour at the CAOC located at Al Udeid Air Base, Qatar. Finally, in August 2012, Capt Aaron Wilson and TSgt Terrell Mickens both deployed to the Philippines in support of anti-terrorism missions being conducted by JSOTF-P.



Spotlight on

Mrs Andrea Slayton

Mrs. Andrea Slayton's official duty title is Administrative Discharge Clerk, but she does so much more than that for the Misawa Legal Office. She's a process improvement guru, having twice revamped Misawa's admin discharge program to accommodate changes in AFPC and TMO processes. Her efforts resulted in a dramatic improvement in discharge processing times, a record 100% on-time rate for a 9-month period, and by-name recognition from the Article 6 inspection team for her flawless program. In addition to being an admin discharge expert, Mrs. Slayton is a trained court reporter, and has repeatedly volunteered her skills to transcribe board proceedings, depositions, and over 20 hours of witness interviews when a court reporter was unavailable. Mrs. Slayton is also the driving force behind the Misawa Civilian Adjudication Program (MCAP), a local program which allows dependents who commit misconduct to perform voluntary community service in lieu of drastic measures such as returning to the U.S. Mrs. Slayton's thorough evidence collection, analysis, and management of the legal review process has led to a phenomenally successful MCAP program, and has given Misawa a robust means to punish and deter misconduct which otherwise would go untouched. In her



Mrs Andrea Slayton
35 FW/JA, Misawa AB, Japan

off-duty time, Mrs. Slayton leads Operation KODE (Kids On Deployment Exercises), a local program to educate children of active duty members on life in the military by giving them an opportunity to take part in fun, military-themed events such as obstacle courses, deployment lines, and war games. In response to budget cutbacks which eliminated Air Force funding of the program, Mrs. Slayton organized fundraising drives throughout Misawa, raising over \$6,000 to keep the program up and running for 2012. Her outstanding efforts both on- and off-duty have greatly contributed to the Misawa Legal Office's continued success, and resulted in her recognition as winner of the Air Force's Olan G. Waldrop, Jr. Unsung Hero Award for 2012.

USAFE

UNITED STATES AIR FORCES IN EUROPE



Col Perry J. Peloquin
Staff Judge Advocate



CMSgt Michele L. Reynolds
Command Paralegal Manager

For 70 years, U.S. Air Forces in Europe (USAFE) has provided responsive forward presence, humanitarian and peace-keeping support, and decisive air power for America and our allies. As the air component for both U.S. European Command (EUCOM) and U.S. Africa Command (AFRICOM), USAFE directs air operations in a theater spanning three continents, covering more than 19 million square miles, containing 105 independent states and possessing more than a quarter of the world's population. USAFE continues to lead and support Joint and Coalition operations and promote regional stability through focused theater engagement. From the strategic involvement of HQ staff attorneys to the daily relationships maintained by base legal offices, USAFE legal professionals played a vital role in enhancing that cooperation and promoting regional security.

In 2012, USAFE/JA saw significant leadership changes. After four years as the Staff Judge Advocate, Colonel Jeffrey Rockwell moved to a new position as Staff Judge Advocate for Air Force Space Command. Chief Master Sergeant Steven Wallace is now serving as the Senior Paralegal Manager to The Judge Advocate General. Colonel Perry Peloquin and Chief Master Sergeant Michele Reynolds now lead the USAFE/JA legal team.

The Operations and International Law Division (JAO) was fully engaged in real-world operations and exercises. The division provided advice to commanders during OPERATION JUKEBOX LOTUS in response to attacks on the US embassies in Northern Africa, working closely with legal advisors at both EUCOM and AFRICOM. JAO also advised on several real-world recovery and reintegration operations. In addition,

the staff participated in numerous exercises, to include partnering with Israel on Ballistic Missile Defense in AUSTERE CHALLENGE 12 and a multi-national force for the futuristic engagement of UNIFIED ENGAGEMENT 12.

As a vital component of the Air Force's air power, the use of remotely piloted aircraft (RPAs) in Europe and Africa is expanding, requiring new international agreements to cover matters like basing and over-flight. JAO works cooperatively with countries such as Italy, Bulgaria, Turkey, Greece, Austria, and Germany to attain agreements that will ensure the success of these missions.

At the President's direction, the US stood up an aviation detachment for cooperation in Poland. JAO was integrally involved in reaching the agreement which established the long

term presence of US Air Force personnel in Poland, the use of multiple air bases, and joint training deployments with the Polish air force.

JAO also continued its work on international environmental matters. In 2012, they worked with host nation officials to update the Final Governing Standards for environmental compliance in the United Kingdom and participated in Environmental, Safety and Occupational Health Compliance Assessment and Management Programs (ESOH CAMP) in the Azores, the United Kingdom, and Germany.

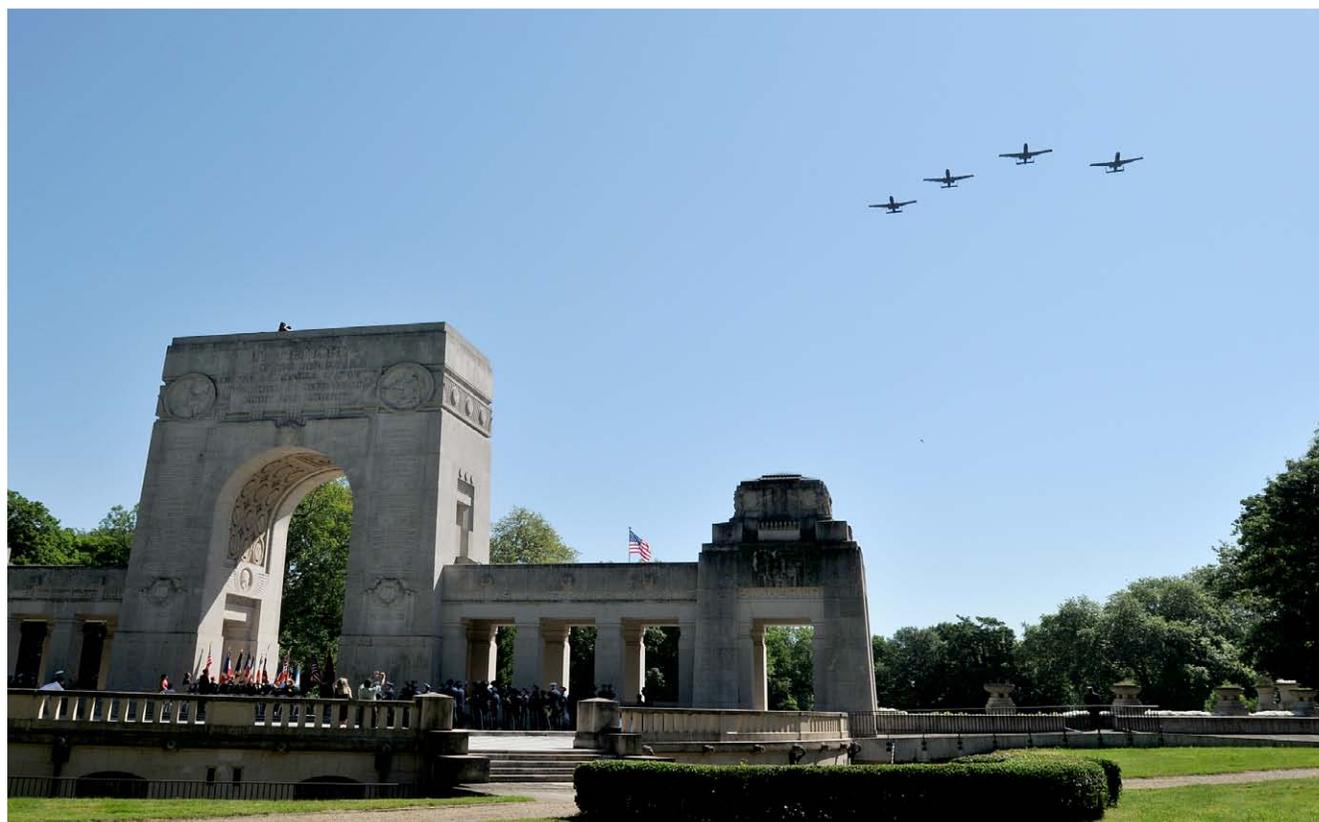
In 2012, USAFE consolidated the USAFE, Third Air Force and Seventeenth Air Force staffs. This

organizational transformation brought a host of legal issues. The Administrative Law Division (JAA) handled many of them, including command relationships and G-Series authority, financial disclosures, and disposal of government property from inactivated offices. The restructuring also required high-level coordination to comply with Goldwater-Nichols Defense Reorganization Act of 1986.

JAA also created a MAJCOM-wide series of VTC training sessions. Sessions ranged from Brigadier General Klein's extremely practical advice on working with Reservists to an introduction on working in an Air Operations Center. The sessions were recorded and are available for future learning opportunities.

JAA worked on many key contracts, including the pending reprocurement of the Turkey-Spain Base Maintenance Contract (potentially valued at \$335 million) and Advisory and Assistance Services contract (potentially valued near \$100 million).

For seven decades, USAFE legal professionals have provided full-spectrum legal support to USAFE commanders, working with America's closest allies to build trust and teamwork through respect and clear communications, from MAJCOM to wing level. We are postured for making these alliances stronger while deepening ties with America's newer partners in Eastern Europe and continuing to support U.S. interests in Africa.

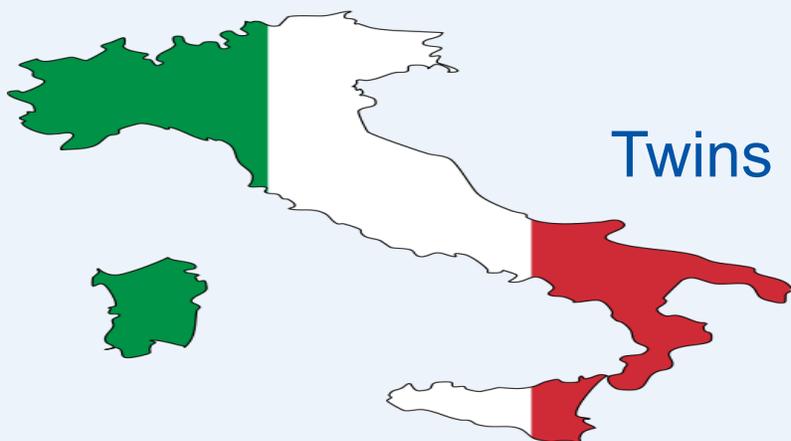


Spotlight on

TSgt Jason Yuncer & Mr Mark Hollen



TSgt Jason Yuncer and Mr. Mark Hollen run the 422d Air Base Group tax program, which is one of the most productive programs in the Air Force. While other tax programs rely primarily on unit volunteers and temporary overhires, TSgt Yuncer and Mr. Hollen themselves prepare the vast majority of returns themselves. Since forging their team last December, TSgt Yuncer and Mr. Hollen have prepared 314 tax returns and generated over \$41,000 in tax preparation fee savings to clients. This represents a 24% increase in productivity compared to tax year 2011 and an astounding 40% increase compared to tax year 2010. On top of their high-volume workload, TSgt Yuncer and Mr. Hollen often dedicate numerous hours on individual returns for clients facing unique tax circumstances. For example, Mr. Hollen often meets elderly British clients at their homes and educates them on the complexities of the United States tax code. In one case, Mr. Hollen sifted through decades of tax returns to ensure a recently widowed British spouse met all of her United Kingdom and United States tax obligations. TSgt Yuncer displays a similar level of commitment. He recently spent over 15 hours assisting a retired member living in England settle six years of tax returns. By doing so, TSgt Yuncer helped the client avoid a \$31,000 IRS bill and prevented the member's retirement pay from being unnecessarily garnished. This excellent customer service epitomizes how TSgt Yuncer and Mr. Hollen run the Group's tax program. These two professionals are true unsung heroes who have helped hundreds in our community not only pay their taxes, but also achieve peace of mind.


 Spotlight on


Twins in Italy

Members of the Aviano legal office worked tirelessly for four and a half months in the wake of an active duty mother's untimely death merely days after having given birth to twins. Under Italian law, a new mother must formally recognize a newborn baby in order for parental rights to attach. This process is relatively quick and simple – however, the mother had not accomplished this task before her death. The situation was further complicated by the fact that the mother was unmarried – a fact that prevented the father from taking custody of the children.

This meant that unless someone intervened quickly the newborn twins would be considered “abandoned” under Italian law and destined for the Italian foster care system. In just a few hours, the Aviano legal office moved into action with Italian authorities to keep that from happening. Then, over the next several months, they performed extensive research on Italian law, petitioned numerous Italian courts across northern Italy, and worked closely with the American consulate and embassy staffs. The case also resulted in a significant amount of media attention in the

Italian press. The legal office perfectly navigated this media-intense environment as it interfaced directly with senior officials in the local legal and judicial community.

The result was a huge victory: an Italian judicial system order that established the mother's parental rights and allowed a number of important benefits for the twins. As a direct result of the Aviano legal office's efforts, the twins are in their father's custody, have retained their entitlements stemming from their mother, and are home in the United States.

These unique circumstances required a huge, unified effort by the Aviano legal office. This work went far beyond routine legal services and required a tremendous amount of innovative and persistent advocacy (much of it done behind-the-scenes, after-hours and on weekends, and out of the public eye). Furthermore, the Aviano legal office won this case in a matter of months . . . a significant fact since similar cases have taken years to resolve in the Italian courts.

NUMBERED AIR FORCE LEGAL OFFICES

With a staff of experienced and specialized personnel, numbered air force (NAF) legal offices advise and assist NAF commanders and their staffs located across the globe on a wide variety of legal issues. Much of this advice is necessarily concerned with the administration of the military justice system since the majority of NAF commanders also serve as general court-martial convening authorities. In addition to military justice, however, NAF staff judge advocates and their staffs provide critical advice on matters such as environmental law, labor law, international law, civil law, and contract law—not only to the NAF personnel, but also to the base legal offices aligned beneath them. What follows is a summary of important accomplishments from representative NAF legal offices in 2012.



1 AF (AFNORTH/JA (ACC)) Tyndall AFB, Florida

First Air Force, aka CONR-1AF (AFNORTH), is a Component Numbered Air Force (C-NAF), with several operational missions. It serves as a model of total force integration with active duty members, Reservist, Title 10 statutory tour Guardsmen, Active Guard Reserve, Drill Status Guardsmen, Canadian Forces, Army, Navy, Air Force, Marines, Air Force Auxiliary, civilians, and contractors working side by side on a daily basis.

As the Continental United States (CONUS) North American Aerospace Defense Command (NORAD) region command (CONR), and NORAD Combined Forces Air Component Commander (CFACC), the command

has the sole responsibility for ensuring the air sovereignty, air defense, and maritime warning of CONUS, the Virgin Islands, and Puerto Rico. First Air Force entered its eleventh year of continuous NOBLE EAGLE operations, ensuring the protection and defense of the airspace over the continental United States. Since 9/11, Operation NOBLE EAGLE has flown 43,162 Fighter sorties, 11,753 Tanker sorties, 1,582 AEW sorties, 512 Rotary-winged sorties and 5,552 AF Auxiliary sorties totaling 62,560 sorties.

Additionally, Air Forces Northern (AFNORTH) is the Commander of Air Force Forces (COMAFFOR) and designated Joint Forces Air Component Commander (JFACC) to United States Northern Command (USNORTHCOM). In that role the command provides for the land and maritime defense of the homeland, support to local, state, regional, and federal emergency service agencies through Defense Support to Civil Authorities (DSCA), wildland firefighting, military support to civil-

ian law enforcement, counter-drug operations, incident awareness and assessment, and domestic imagery.

The Air Force Rescue Coordination Center (AFRCC), which falls under the Operational Control of First Air Force, operates the national Search and Rescue (SAR) network and serves as the SAR coordinator for the U.S. Aeronautical Search and Rescue Region (SRR) corresponding to the Continental U.S., other than Alaska, provides SAR command and control support of wartime combat search and rescue (CSAR) taskings, disaster response, and mass rescue operations, provides initial federal response to potential SAR for the inland SRR, and performs SAR in support of US treaty obligations.

Finally, First Air Force is responsible for ensuring assigned air and space forces are combat-ready for full-spectrum air and space operations, and for theater security cooperation for North America including building relationships with, and security for, Canada and Mexico.

Over the course of the year, First Air Force provided air dominance over the State of the Union address, Super Bowl XLVI, the G-8 Summit, the NATO Summit, the Republican National Convention, the Democratic National Convention, the 67th United Nations General Assembly meeting, and countless other missions including all Presidential support missions and the 24/7 protection of the National Capital Region. It also provided support to civil authorities' relief operations following events such as hurricanes Isaac and Sandy. The Air Force Auxiliary (Civil Air Patrol) flew 11,369 sorties at the direction of First Air Force for missions such as range support, route survey, homeland security, air defense, counter drug, and disaster relief. The AFRCC also initiated 672 missions that resulted in 161 lives saved.

In 2012, USNORTHCOM was tasked to deploy Air Force Reserve and Air National Guard C-130 aircraft carrying the "Modular Airborne Fire Fighting System" (MAFFS) to support civilian authorities fight fires in multiple locations across the United States under the JFACC's direction. This included those that broke out in the Waldo Canyon area near Colorado Springs, Colorado. For the first time in the 40-year history of the MAFFS a mishap claimed the lives of four Airmen, while battling the White Draw fire in South Dakota. Over the course of 2012, MAFFS crews flew 922 sorties consisting of 1,011 airdrops that delivered 2,449,679 gallons (22,292,079 pounds) of fire retardant.

First Air Force participated in several national level exercises during which AFNORTH/JA had an integral role as part of the CONR-1AF (AFNORTH)

Crisis Action Team (CAT), engaging in response to multiple organizations in the coordination of multiple-jurisdictional integrated responses to the national catastrophic events. Exercise Vibrant Response exercised the evolving response structure for Chemical, Biological, Radiological, and Nuclear (CBRN) consequence management. AFNORTH deployed JAGs from Air Combat Command (ACC) and Air Mobility Command (AMC) to support the Defense CBRN Response Force (DCRF) and one of the Command and Control CBRN Response Elements (C2CRE). ARDENT SENTRY was a multi-state disaster exercise. Exercise Vigilant Shield highlighted the 601st Air and Space Operations Center JA's expertise in responding to simulated symmetric and asymmetric threats to the homeland.

Finally, CONR-1AF (AFNORTH) utilized multiple working groups, exercises, and real-world operations to normalize authorities and processes for domestic imagery and the use of Remotely Piloted Aircraft (RPA) within the national airspace (NAS).



2 AF/JA (AETC) Keesler AFB Mississippi

Second Air Force (2 AF) is responsible for conducting basic military and non-flying technical training for Air Force, joint, and coalition enlisted members and support officers. In addition to traditional wings at Keesler AFB,

Sheppard AFB, and Goodfellow AFB, 2 AF also includes the 37th Training Wing at Lackland AFB and the 381st Training Group at Vandenberg AFB, as well as smaller detachments worldwide. 2 AF oversees training of approximately 149,000 Airmen annually via 2,500 courses in 250 officer and enlisted AF specialties. 2 AF also provides oversight of Airmen completing Army training in preparation for Joint Expeditionary Taskings (JET). The Office of the Staff Judge Advocate (2 AF/JA) supports these missions by advising the commander on a myriad of legal issues while insuring fair, efficient, and sound processing of administrative and judicial actions.

HQ 2 AF is organized to reflect an operational emphasis, and has a command structure organized around a Technical Training Operations Center (TTOC) containing four divisions: strategy, plans, operations, and analysis. The JA function is a staff function reporting directly to the commander. 2 AF/JA continues to provide legal support to JET Airmen and their leadership through the 602nd Training Group (Provisional). In FY 12, approximately 5,000 Airmen were trained in accordance with Combatant Commander Requirements at numerous power projection platforms around the country for deployments taking them "outside the wire." 2 AF/JA also provides legal support to our JET Airmen (while in training) and their on-site leadership through the TTOC.

Second Air Force consistently remains one of the busiest NAFs in the Air Force for military justice actions, supporting a general court-martial convening authority and special court-martial convening authorities at three dynamic training bases—

Keesler AFB, Goodfellow AFB, and Sheppard AFB. During FY12, 2 AF bases completed 25 courts-martial, accounting for four percent of the AF total, and 385 Article 15s, accounting for six percent of the AF total. 2 AF bases completed an astounding 307 administrative discharges in FY 2012. Additionally, 2 AF was deeply involved in all aspects of BMT issues, except for the GCMCA responsibilities. The 2 AF/SJA, Col Polly Kenny acted as the Command media SME for the first six months of the MTI cases and led the way in ensuring the Air Force was well represented to the media.

Along the way, 2 AF/JA also instituted weekly command-wide justice meetings and monthly training by VTC, enabling the leveraging of this technology to facilitate cross-flow of information. They have already achieved improvements in areas such as the Victim Witness Assistance Program and AMJAMS inputs as a direct result of this training. Continuous improvement is just one of the attributes that continues to make Second Air Force second to none!



3 AF/JA (USAFE), Ramstein AB, Germany

Third AF/JA, led by Colonel Joseph “Dutch” Bialke, Staff Judge Advocate, provided oversight to 12 installation-level legal offices throughout the continent of Europe. Those installations

provided support throughout the European and African Theaters for permanent party, TDY, and deployed personnel. Following a Numbered Air Force (NAF)–Management Headquarters (MHQ) restructure, which effectuated an Air Force-wide efficiency mandate across the Five-Year Defense Plan, 3 AF/JA’s mission transformed to one primarily devoted to military justice and adverse actions. Additionally, with the April 2012 deactivation of Seventeenth Air Force, Third Air Force became the sole NAF within United States Air Forces in Europe (USAFE). In 2012, 3 AF/JA processed and provided oversight for over 70 courts-martial, 600 Article 15s, and 375 administrative discharges. 3 AF/JA personnel also enjoyed the opportunity to augment various EUCOM and USAFE-led exercises throughout the year.

Sexual assault cases dominated Third Air Force’s docket in 2012 and was a consistent theme in various training events throughout the year. 3 AF/JA and the European Region Senior Trial Counsels provided current and in-depth training in prosecuting sexual assault cases to USAFE/JA’s command-wide wing and squadron commander briefings, the annual USAFE SJA/LOS conference, and 3 AF/JA monthly VTCs. This year, the USAFE SJA/LOS conference was held at the same time as the region’s AFOSI detachment commanders and superintendents’ conference. The two conferences joined forces for some training events, including an address by Lt Gen Richard Harding, The Judge Advocate General. These valuable

joint sessions focused primarily on investigating and prosecuting sexual assault cases more effectively as a team. To ensure commander visibility of these cases throughout the command, 3 AF/JA developed a weekly sexual assault case update briefing for 3 AF/CC.



4AF/JA (AFRC), March ARB, California

Fourth Air Force is one of three numbered air forces assigned to the Air Force Reserve Command. Headquartered at March ARB, they direct the activities and supervise the equipping and training of more than 23,000 Air Force reservists in unit programs located across the continental United States, Alaska, Hawaii and Guam. If called to active duty, most of Fourth Air Force’s ready reserve units would be assigned to Air Mobility Command. Forces would also be gained to Air Force Materiel Command, Air Education and Training Command, and Pacific Air Force. The Fourth Air Force staff is dedicated to ensuring their units and personnel are fully prepared to accomplish all assigned missions in support of national objectives. Fourth Air Force, Office of the Staff Judge Advocate, is staffed by 2 judge advocates and 2 paralegals and exercises oversight of 17 wing and group level legal offices.

The bases under 4th AF had a full schedule of SAV’s from AFRC in addition to Article 6 visits con-

ducted at three legal offices. All of the legal offices did very well. At the 445th Air Wing, Wright-Patterson AFB, Maj Flannery and MSgt Hall attended the ORE and achieved the highest rating able to be received. They “provided excellent legal analysis to issue; had excellent donning times; very knowledgeable of Amn’s Manual; and spotted and addressed legal issues quickly.” At the 446th Airlift Wing, Team McChord received positive feedback from the ORI team. TSgt Jennifer Kim, 512th Airlift Wing, was singled out to receive individual recognition for her exceptional performance during their recent ORI. TSgt Kim’s accomplishments are made all the more remarkable by the relatively short period of time she has been in her new career field (under 2 years). The 452d Air Mobility Wing began to prepare for its Operational Readiness Inspection and Nuclear Operational Readiness Inspection. The unique mission of this wing requires the unit to pair with another reserve or guard unit to complete the ORI while simultaneously preparing for the very unique requirements of the NORI. The legal office supports both deployable UTCs, crisis action team and deployment line requirements.



5 AF/JA (PACAF) Yokota AB, Japan

Fifth Air Force (5 AF) serves as the HQ PACAF forward element in Japan and the Air Component to U.S. Forces Japan (USFJ), a sub-unified command under U.S. Pacific

Command. The Staff Judge Advocate is dual hatted as the Air Force service component SJA and SJA for USFJ (J06). The office provides functional oversight over all Air Force legal offices and joint oversight over Army, Navy, and Marine Corps Component SJAs in Japan.

key legal areas, increased cooperation and interoperability, and bolstered bilateral relations.

USFJ also hosted its annual bilateral “Law Day” reception to promote cooperation and dialogue on legal issues. The reception this year was



Col Stephen Shrewsbury, Col Junichi Matsuya and members of the 5 AF/JA and Japan Air Staff Office, Legal Affairs Division, met at Yokota Air Base for the quarterly 5 AF- ASO Legal Exchange Meeting

As part of regional defense strategy, 5 AF/JA and USFJ J06 maximize partnership capabilities and foster bilateral cooperation. Exercises, such as KEEN SWORD, KEEN EDGE, and TERMINAL FURY, provided opportunities to work side-by-side with Japanese counterparts to ensure the security of Japan and the region. Additionally, USFJ & 5 AF personnel conducted legal training exchanges with their Japanese legal counterparts at the Japan Joint Staff and the Japan Air Self Defense Forces. Training events included LOAC/ROE, Government of Japan (GoJ) support to U.S. forces, foreign criminal jurisdiction, military justice, and other areas. These exchanges enhanced mutual understanding on

a great success, attended by senior DVs and legal professionals from all US military branches, Department of State, and the GoJ, including the USFJ Commander, Japan Vice Minister of Justice, Japan Prosecutor General, and U.S. Embassy personnel.

The USFJ SJA serves as the legal representative in myriad interactions with the Ministries of Defense (MOD), Justice (MOJ), and Foreign Affairs (MOFA). The SJA is the US legal advisor to the US-Japan Joint Committee and is the US Chair for several JC Subcommittees, including the Criminal Jurisdiction, Civil Litigation, and Prison Liaison Subcommittees. As part of the 2005 Security Consultative Committee,

Defense Policy Review Initiative, USFJ J06 provides legal support for nineteen realignment initiatives across Japan, including the development of the Futenma Air Field Replacement Facility and Naha Port Replacement and consolidation of other installations on Okinawa, including the relocation of personnel and training to Guam. USFJ J06 is member of each bilateral Alliance Transformation Working Group.

In the past year, USFJ J06 provided crucial legal support on significant issues. As part of SECDEF's priority to deploy the MV-22 Osprey to Okinawa, USFJ J06 helped develop the the US implementation strategy, safeguarding U.S. rights under the Treaty of Mutual Cooperation and Security, while mitigating host nation political, environmental, and safety concerns. The MV-22 replaces the aging CH-46 Chinook, enabling quicker response times and greater capacity.

In October 2012, the alliance was tested by the rape of a Okinawan woman by two Navy personnel, fueling anti-American sentiment and a public outcry for removal of U.S. troops from Japan. USFJ convened a crisis response team and J06 took the lead on creating a Japan wide curfew order, briefing the U.S. Ambassador and other senior military and civilian officials, and crafting a liberty policy for all U.S. servicemembers in Japan. The quick response demonstrated the commitment of the U.S. government and was praised by senior Japanese officials.

Fifth Air Force JA serves as the single service claims authority for all bases in Japan. Under the International

Agreement Claims Act (IACA) and the SOFA, the government of Japan provides partial reimbursement on in-scope tort claims. In 2012, 5 AF/JA adjudicated a record number of claims, including several high-dollar asbestosis claims. 5 AF/JA also implemented regular meetings with the MOD Claims Division to improve claims processing.

In 2012, 5 AF/JA tackled a large number of courts-martial, including the murder of a Kadena Technical Sergeant by his civilian wife and a Kadena Staff Sergeant. Working with Japanese authorities, the mutual investigations led to a court-martial conviction and life-without-parole sentence for the Staff Sergeant. 5 AF/JA also provided support in the litigated murder trial of the spouse in a Japanese court, resulting in a conviction and 20 year sentence.

5 AF/JA personnel also garnered special recognition. Ms. Toshie Oda was recognized with the 5 AF Sustained Superior Performance award for 2012. Capt Wendi Sazama, TSgt Adam Smith, and Ms. Oda were also recognized as quarterly 5 AF award winners. Additionally, Mr. John Madsen, TSgt Adam Smith, and Ms. Holly Miller were selected as the PACAF winners for the TJAG annual awards. During the 2012 Consolidated Unit Inspection (CUI), 5 AF/JA received an "Excellent" rating, and TSgt Smith was recognized as an "Outstanding Performer" by the IG team.



7 AF/JA (PACAF) Osan AB, ROK

The traditionally high operations tempo on the Korean peninsula continued unabated in 2012 and saw the Office of the Staff Judge Advocate, Seventh Air Forces/United States Air Forces Korea providing precision counsel to the triple-hatted 7 AF/AFKOR/Deputy Combined Forces Command commander and his staffs on all legal issues, including military justice, command relationships, ethics, international, operations, civil, labor, environmental, and fiscal law. First-class support was provided continuously despite a near-complete turnover of military personnel within the office. Although not here day-to-day, our two reserve JAGs made significant contributions in each of these areas and provided critical support during exercises. Senior IMA Colonel Kenneth McKay spent most of 2012 deployed to Afghanistan, where he provided outstanding support to the Governance division as Chief, Rule of Law.

Tensions on the peninsula continued running high well into 2012 with the abrupt and unexpected death of North Korea's leader, Kim Jong-il, as 2011 came to an end. His passing resulted in South Korea's military forces being placed on high alert. U.S. forces on the Korean peninsula and our Asian partners closely monitored the transition of power to Kim Jong-un, alert

for significant policy shifts or any signs of aggression. North Korea's failed satellite launch in April 2012 further heightened tensions as the U.S. and its Asian partners anxiously watched for any signs of provocation or embarrassment-fueled aggression. Fortunately, nothing materialized as a result of either event.

Seventh AF/JA continued to provide leadership, oversight, and training to the Osan AB and Kunsan AB wing legal offices. These offices made tremendous improvements in their administration of military justice despite a significantly busier year. On track to complete 12 courts-martial in 2012, 7 AF legal offices showed improvement in almost all areas of courts-martial processing compared to 2011. Significant gains were also noted in Article 15 processing.

In addition to real-world operations and daily legal functions, JA personnel spent over 10 weeks operating out of the Korean Air Operations Center in support of multiple joint and bi-lateral exercises including CJCS-directed exercises KEY RESOLVE and ULCHI FREEDOM GUARDIAN. In support of those exercises, 7 AF/JA bedded down and provided intensive week long training to 14 JA augmentees from across the AF on all aspects of Air Operations Center operations and the Korean Theater of Operations, seamlessly integrating them into the five major KAOC divisions.

Our office played a large role in the area of international law this past year, which resulted in successful negotiations with our Republic of Korea (ROK) counterparts and helped maintain the strong alliance which has existed for over 60 years. Significant

among the numerous agreements which were reached was the successful conclusion of an agreement with the ROK to allow Korean domestic civilian airlines to utilize the Kunsan AB runway for domestic flights. The finalization of a second runway at Osan AB, the development of an agreement for the design of a new Korean Air Operations Command building, and finalization of agreements on the joint use of buildings on Osan and Kunsan AB were also of significant importance. During 2012, our office also assisted the Korean National Police and the Ministry of Justice with their investigations involving the handcuffing of several Korean nationals by Osan AB Town Patrol members, an incident that resulted in significant media attention and political interest for many months. In order to maintain a positive working relationship with our counterpart Judge Advocates in the ROK Air Force, our office conducted training sessions on the law of armed conflict, self-defense, targeting, and humanitarian assistance in the event of conflict, as well as hosting a very successful "Friendship Day" event with legal personnel from around the peninsula.

Our office accomplished two significant manning achievements during the year. First was the creation of a new civilian international law attorney position. In the past, international law responsibilities were accomplished by using an over-hire position, for which funding was no longer going to be available. With the creation of a new permanent position, 7 AF/JA can provide much needed continuity and expertise in an extremely complicated arena. Second was the addition of a JAG billet in the 607th Air Operations Center. Traditionally, operations law

issues were spread among the 7 AF/JA attorneys, which did not allow for continuity or the development of true expertise in critical areas. Placement of a dedicated JAG in the AOC has already reaped substantial benefits beyond creating a central point of contact for operations law issues. Having observed the benefits of a full-time operations law JAG in the AOC, the Republic of Korea Air Force is now seeking to place its own JAG in the AOC in anticipation of the transfer of OPCON to the ROK in 2015.

Seventh AF/JA also played host to several distinguished visitors during the year. The Honorable Charles Blanchard, General Counsel of the Air Force, and several distinguished members of his staff toured the peninsula, getting a first-hand look at the unique missions performed by 7 AF and U.S. Forces Korea units. 7 AF/JA also hosted Major General Lepper and Chief Master Sergeant Wallace for an Article Part 2 inspection, demonstrating once and for all that 7 AF/JA is "ready to fight tonight!"



8 AF/JA (AFGSC), Barksdale AFB, Louisiana

The "Mighty Eighth" legal office continued to do its part to strengthen the United States Air Force's nuclear enterprise in 2012. As the NAF responsible for supporting the nuclear-capable bomber force, the office continued to provide special-

ized operational law support to the Eighth Air Force Commander in his various capacities as the United States Strategic Command Joint Forces Air Component Commander, the Joint Forces Component Commander for Global Strike (JFCC-GS) and the Commander of Task Force 204, United States Strategic Command's nuclear command and control node. 8 AF judge advocates and paralegals also ensured good order and discipline of this nuclear force through the timely and efficient processing of court-martial, nonjudicial punishment and administrative discharge actions by the command's three wings. The office also continued to provide on-target general law and ethics advice, with a special focus this year on oversight of various events commemorating 8 AF's 70th Anniversary.

To facilitate 8 AF's motto of "Deterrence through Strength, Global Strike on Demand," 8 AF judge advocates continued to expand their legal support to United States Strategic Command's Air Operations Center (AOC) located at Barksdale AFB. The office now participates in all facets of the 608th AOC's joint air operations planning process from strategic planning to time sensitive targeting and specialized operations. Additionally, because the 8 AF Commander maintains a robust J-staff at Offutt AFB in his capacity as JFCC-GS, 8 AF/JA personnel worked closely with the legal staff at United States Strategic Command to coordinate timely and comprehensive operational law advice in support of both nuclear and conventional global strike missions executed by 8 AF's B-2 and B-52 bomber forces. 8 AF/JA also continued its support of air operations in the United States Central Command's

area of responsibility by deploying a judge advocate to the command's AOC.

In addition to operations law support, 8 AF/JA addressed good order and discipline by constantly improving the substantive processing of all military justice actions. Expanding on its outreach to subordinate legal offices, 8 AF/JA instituted a comprehensive pre-trial review of pending court-martial cases with wing staff judge advocates, chiefs of military justice, trial counsel and case paralegals to help identify ways to accelerate disposition and minimize potential delays. For example, by highlighting issues such as expert witness funding, sanity board concerns and immunity requests weeks prior to trial, personnel at both the wings and NAF have been able to lean forward and avoid last minute issues that have historically delayed cases getting to trial. 8 AF judge advocates also served as discharge board legal advisors and Article 32 investigating officers in several complex cases and shared lessons learned from those experiences with all the legal professionals in Air Force Global Strike Command in order to improve the command's military justice efficiency.

Eighth AF/JA personnel were also instrumental in facilitating the celebration of the command's 70th Anniversary. Given the command's lineage from the VIII Bomber Command of World War II fame, the anniversary celebration garnered significant visibility, both at home and within the United Kingdom, where 8 AF units operated for most of the war. This visibility generated a number of administrative law and ethics issues surrounding gifts, commemoration

dinners, historical displays and a movie screening highlighting 8 AF's contributions to global security since World War II. Comprehensive and sound legal advice by 8 AF/JA personnel ensured anniversary events complied with relevant guidance and helped 8 AF personnel steer clear of any ethical issues associated with events throughout the year.



9 AF/JA (ACC) Shaw AFB, South Carolina

Headquarters 9th Air Force (9 AF) is located at Shaw AFB in South Carolina, and is responsible for more than 395 aircraft and nearly 30,000 active duty and civilian personnel across eight CONUS wings. In a year of many exciting changes, 9 AF proudly welcomed the 325 Fighter Wing, Tyndall AFB, Florida. The hard work, planning and attention to detail made the transition from AETC to ACC seamless. The seven other 9 AF wings reside at Joint Base Langley-Eustis (JBLE), Moody, Shaw, Seymour Johnson, and Robins Air Force Bases. 9 AF is also responsible for training and equipping a number of diverse detachments and direct reporting units – the largest being Red Horse Squadrons at Hurlburt Field and Malmstrom Air Force Base.

In 2012, 9 AF/JA said farewell to over half of the active duty and reserve personnel while welcoming in fresh faces to continue on a tradi-

tion of excellence. The Senior IMA, Deputy Staff Judge Advocate, Chief of Military Justice, and NCOIC of Military Justice all departed, a majority after being selected for promotion to the next higher grade. Congrats to Col Nick Loehr, Col Mike Apol, Maj (S) Bradley Henderson and TSgt Rononica Martin! TSgt Lindsey Wolf took on the additional job of NCOIC of Military Justice and was selected to MSgt on her first time testing. Additionally, Reserve IMA, Col Rachel Mercer moved on to be the Senior IMA at the JAG School after being promoted to Colonel. All will be missed, but the new additions to the team, Col Dan Peterson, Lt Col Andrea deCamara, Lt Col Robin Rowe-Adler, and Maj Pilar Wennrich are all excited to face the new challenges on the horizon. Ms. Elizabeth Waldrop proved an invaluable resource to the 9 AF, not only for her legal prowess, but also for her exceptional organizing and planning abilities. 9 AF/CC hand-selected her to honcho both the inaugural 9 AF Civic Leaders' Forum and the Tri-State Retired General Officers' Leadership Forum; she did so to rave reviews. SMSgt Neely Guidry continued the tradition of 9 AF/JA superstars by being selected for the second consecutive year to chair the 9 AF Annual Outstanding Professionals of the Year Banquet.

The year 2012 proved again to be a busy military justice year with 347 Article 15 actions administered by the 9 AF legal offices, as well as 40 courts-martial. 9 AF wings completed 8 general courts-martial, 21 special courts, and 11 summary courts. In addition, the wings processed 217 notification discharge actions. All five of the 9 AF installation legal offices

did an outstanding job addressing a wide array of complex issues, while keeping a keen eye on the efficient and effective administration of military justice during a busy year. While military justice is Job #1, the 9 AF legal office also provided legal counsel and administrative support to 9 AF wings in areas as diverse as ethics, contracts, fiscal, international and operational law.



10 AF/JA (AFRC) Joint Reserve Base Naval Air Station (NAS) Fort Worth, Texas

Tenth Air Force, located at the Joint Reserve Base NAS Fort Worth, directs the activities of more than 13,000 reservists and 3,500 civilians located at over 30 military installations throughout the United States. The mission of the Tenth Air Force is to organize, train and equip mission-ready Tenth Air Force Citizen Airmen to fly, fight and win in air, space and cyberspace. With approximately 40 full-time headquarters staff members, Tenth Air Force acts as the focal point for all matters pertaining to assigned Air Force Reserve units and individuals. With the assistance of 36 traditional reservists assigned, the NAF monitors and provides assistance to all subordinate units to help resolve problem areas and more efficiently maintain unit combat readiness. Tenth Air Force, Office of the Staff Judge Advocate, is staffed by 3 judge advocates and 2 paralegals and exercises oversight of 21 wing and group level legal offices.

Lt Col Vladimir Shifrin, 310 SW/JA, returned from a 6-month deployment to NTM-A/CSTC-A, Camp Eggers, Afghanistan, where he worked side by side with the U.S. Army and the Afghan Army and served as the Chief, Contract & Fiscal Law. During his absence, Maj Aimee Cannon took over the SJA responsibilities at the 926th Group, Nellis AFB. She provided legal assistance to the unit and tenant units (approximately 700 members) and voluntarily supported the Yellow Ribbon Campaign. Maj Cannon has now been assigned as the SJA for the 926th with Lt Col Shifrin's reassignment to be the Staff Judge Advocate for the 310th Space Wing, Schriever AFB CO.



11 AF/JA (PACAF) Joint Base Elmendorf-Richardson Alaska

Eleventh Air Force (11AF) JA supports the quadruple-hatted 11AF/CC. The office advises—in addition to Eleventh Air Force—Alaskan Command (ALCOM), a subunified command of PACOM; Joint Task Force Alaska (JTF-AK), a NORTHCOM task force; and Alaska NORAD Region (ANR), one of the three regions of NORAD, a bi-national command.

All 11 AF/JA personnel—JAGs, paralegals and our civilian law office manager—supported real-world Northern Sovereignty Operations (NSO) and OPERATION NOBLE EAGLE (ONE) exercises for the

Alaskan NORAD Region. Decades of Russian long-range aviation in the Arctic and in the vicinity of Alaskan air space continued throughout 2012. JAGs and paralegals manned the 611 Air Operations Center during real-world intercepts and during live-fly and command post exercises.

ALCOM played a key role in EXERCISE VIGILANT SHIELD 2013, NORAD and NORTHCOM's premier joint training exercise focusing on strategic threats to the United States and Canada. The 11AF legal team—with the aid of Reserve and Wing JAGs—provided 24/7 legal manning. Throughout the year, the office participated in a constant stream of other 11AF/ALCOM/JTF-AK/ANR exercises, such as AMALGAM ARROW, FENCING GAIN, ARTEMIS OPTION, NORTHERN EDGE, FENCING HAWK, FENCING RICE, ARDENT SENTRY, ARCTIC FENCING INTER-AGENCY ARROW and VIGILANT EAGLE.

11 AF JAGs advised ALCOM in planning, operations and environmental issues including the JPARC Environmental Impact Statement process covering changes in the range's 65,000 square miles of airspace and 1.5 million acres of ground maneuver area. The office contributed to JTF-AK campaign planning as the JTF prepares to take on increased responsibility for executing U.S. Arctic policy.

The 11 AF/JA office also hosts an environmental restoration attorney assigned to AFLOA's Environmental Law Field Support Center. The duty location allows travel to restoration sites in the Pacific and remote loca-

tions in Alaska. This year saw significant progress in restoration dispute resolution and settlement agreements.

On 1 October 2012, the 36th Wing in Guam and 15th Wing at Joint Base Pearl Harbor-Hickam were realigned to 11 AF, joining the 354th Fighter Wing, Eielson Air Force Base, Alaska, and the 673d Air Base Wing and 3rd Wing, Joint Base Elmendorf-Richardson, Alaska. 11 AF/JA continued to provide guidance on military justice issues to the wing legal offices. Traditional support included drafting charges, reviewing motions, implementing corrections, advising on non-judicial punishment actions and conducting quarterly training. A new 11 AF/JA Military Justice Playbook and use of "springing" enlisted members in referral packages are recent innovations.



12 AF (AFSOUTH)/JA (ACC) Davis-Monthan AFB, Arizona

Twelfth Air Force serves as the air component (Air Forces Southern – AFSOUTH) to U.S. Southern Command (USSOUTHCOM), in addition to performing traditional Numbered Air Force (NAF) functions for ten active duty wings and one direct reporting unit for contingency operations. The Commander USSOUTHCOM, whose area of responsibility (AOR) includes Central and South America, and the Caribbean, has designated

the 12th Air Force Commander as the USSOUTHCOM Combined Forces Air Component Commander. Lieutenant General Rand, 12 AF (AFSOUTH)/CC, exercises that authority through the AFSOUTH Combined Air and Space Operations Center and his Air Force Forces staff. The fusing of traditional NAF responsibilities with those of an air component to a combatant commander provides unique challenges and opportunities for 12 AF/JA.

As part of ongoing partnership building efforts, 12 AF/JA participated in subject matter expert exchanges (SMEE) and exercises with our partners throughout the Americas.

In August 2012, the 12 AF/JA operations team supported PANAMAX 2012, USSOUTHCOM's premier multinational exercise focused on defense of the Panama Canal. During the two-week long exercise, the team worked closely with Lieutenant Toro, a Colombian Air Force JAG, to resolve targeting and rules of engagement issues that arose in the exercise. Their sound legal advice and good bilateral relations were key to the overall success of PANAMAX 2012.

In March 2012, 12 AF/JA conducted a multinational Aviation Law Seminar in Guatemala City that included the participation of 30 senior legal advisors and air force operators from seven (7) Central American countries; Belize, EL Salvador, Guatemala, Honduras, Mexico, Nicaragua, and Panama. The participants discussed national and international Air Bridge Denial laws, air navigation rules and practices, bilateral agreements, regulations, and applicable policies. The Seminar was very successful and allowed rep-



Members of 12 AF/JA back row (L to R) Lt Col Davis, SSgt Brewer, MSgt Johnson, Lt Col See, Capt Evans, Mr Ojeda; middle row (L to R) Mr Romero, Ms Quintanilla, TSgt Larsen, TSgt Clark, Maj Sutanto, Capt Williams; front row (L to R) CMSgt Hickey, Col Slagle and Ms DeCoste

representatives from the United States to strengthen professional ties with key military officials in Central America.

In 2012, 12 AF/JA provided military justice oversight and assistance to seven Air Force installations within Air Combat Command. Additionally, 12 AF/JA counseled Air Force commanders in deployed and forward operating locations, including Colombia, Cuba, Curacao, Haiti, Honduras, Panama, and Puerto Rico on military justice and other issues impacting good order and discipline downrange. In September 2012, both the Chief and NCOIC of Military Justice attended the Air Combat Command Military Justice Workshop. Their contributions resulted in the improvement of military justice processes throughout the command. In August 2012, 12 AF/JA hosted its own, annual Military Justice Workshop. The workshop brought together Chiefs and NCOICs of Military Justice from all seven 12 AF installations for two days of intensive

military justice training. The conference was an outstanding success, providing cutting edge training and fostering teamwork, communication and camaraderie within 12 AF. The results of the conference are evident with 12 AF leading all NAFs in courts-martial volume, NJP processing metrics, and summary and special courts-martial discovery-to-action processing.



14 AF/JA (AFSTRAT) Vandenberg AFB, California

The Fourteenth Air Force Office of the Staff Judge Advocate (14 AF/JA) supports Lieutenant General Susan J. Helms, Commander, 14 AF (Air

Forces Strategic), responsible for organizing, training, equipping, and employing Air Force space forces. General Helms is dual-hatted as the Commander, Joint Functional Component Command for Space (JFCC SPACE), US Strategic Command, where she is responsible for executing continuous, integrated space operations to deliver theater and global effects in support of national and combatant commander objectives.

In 2012, 14 AF/JA remained at the forefront of ensuring the legality of JFCC SPACE's actions to provide space capabilities to combatant commanders. Our military and civilian lawyers worked closely with operators in the Joint Space Operation Center (JSpOC), the medium through which assigned and attached space forces receive space tasking orders. They advised on a wide variety of topics, to include on-orbit satellite operations, space control, defense of space systems, export control, and intelligence collection. The lawyers facilitated unprecedented international cooperation during the uncontrolled reentry of the failed Russian Phobus-Grunt interplanetary satellite.

Our lawyers also participated in high-interest national policy working groups. JFCC SPACE performs space surveillance through its Space Surveillance Network (SSN), a global network of optical telescopes and radars, and it uses these systems to monitor the space environment for threats to US, allied, and commercial space systems. The JSpOC's Space Situational Awareness (SSA) program then provides emergency notifications to all US and international space operators when there is a risk of collision from a close approach

with other satellites or space debris. These activities help preserve the space environment, a key objective of the president's National Space Policy. Our lawyers helped create emergency criteria approved by USSTRATCOM addressing the extent of allowable sharing of space surveillance information in emergency situations, and helped USSTRATCOM craft a new combined space operations (CSpO) construct, to more fully integrate US and closely allied space operations.

The Fourteenth Air Force Commander is also the general court-martial convening authority (GCMCA) for five AFSPC bases: Buckley, Patrick, Peterson, Schriever, and Vandenberg. The military justice section had an active docket, processing 21 courts-martial and 102 Article 15s. 14 AF (AFSTRAT) was also a leader in processing Article 15s, with 69% being completed within 30 days of the date of discovery of the offense.



18 AF/JA (AMC) Scott AFB, Illinois

The Office of the Staff Judge Advocate, Eighteenth Air Force, Scott Air Force Base, Illinois, is the Air Force's largest NAF with an area of responsibility that spans the entire globe. In 2012, Mobility Airmen conducted more than 725 sorties per day and provided airlift, air refueling and aeromedical evacuation missions as the air component of United States Transportation

Command (USTC). 18 AF/JA provided oversight to the staffs of 8 wing legal offices throughout the United States and engaged worldwide on legal issues affecting the en route mobility mission and contingency operations.

In 2012, legal services were devoted primarily to military justice and adverse administrative actions for a population of 33,600. Investigations led to over 70 courts-martial, nearly 600 Article 15 actions, and 8 officer discharge actions.

In response to 2012's budget cuts, 18 AF/JA transitioned its annual Military Justice workshop to a "virtual" monthly workshop utilizing Defense Connect Online. The Military Justice team developed and presented quality training on Article 15 and courts-martial processes. Outside speakers provided specialized training on prosecuting complex cases and utilizing the National Center for Missing & Exploited Children to prosecute child pornography cases. 18 AF/JA ARC members also participated in the virtual Military Justice workshop, bringing civilian criminal prosecution experience to the field with an interactive "online" discussion about working with victims of sexual assault.

Two 18 AF/JA attorneys deployed to support operations. One deployed for five months in support of OEF and overseas contingency operations serving as Staff Judge Advocate, 451st Air Expeditionary Wing, Kandahar Airfield, Afghanistan. During this deployment, the attorney was hand-picked to mentor three Afghan judge advocates, enhance their officership and mission-mindset, and help prepare them to serve the 1,300 members of the new Kandahar Air

Wing. Additionally, he initiated the practice of briefing incoming aircrew from the US and its allies on rules of engagement and law of armed conflict. Another attorney deployed for six months in support of OEF and overseas contingency operations serving as Legal Advisor to the Commanding General, Kandahar Airfield Command Headquarters, NATO/ISAF. During this deployment, the attorney actively engaged with leadership to plan the installation's first-ever use of non-lethal weapons in response to continued fence incursions, sabotage and theft of property, reducing monthly incursions from thirty to zero. An 18 AF/JA paralegal deployed for three months serving as a member of the File Transition Team, compiling, creating, and maintaining files for review by the Afghanistan government's Technical Committee.

Another 18 AF/JA paralegal was assigned for four months as a Team Leader for the Scott AFB First Term Airmen Center, responsible for leading, mentoring and teaching 72 first term airmen.

Eighteenth AF/JA attorneys advised 18 AF/CC, acting as AFTRANS, and provided critical advice to 18 AF/A3 on the deployment of air mobility forces worldwide in support of all USTC validated strategic mobility missions. Additionally, attorneys aided in the deployment of AMC forces to enable USTC support to USNORTHCOM's Defense Support of Civil Authority (DSCA) missions to suppress Colorado wildfires and to mitigate the impacts of Hurricane Sandy.

An 18 AF/JA civilian paralegal managed the command-level ethics program for Eighteenth Air Force, the Tactical Air Control Center (TACC), and 8 wings. Providing invaluable assistance to OGE 450 and 278 filers, she ensured filers across 18 AF were in compliance and up-to-date on the latest requirements, such as the STOCK Act. She volunteered to support to a USTC/JA-hosted ethics training program, presented by ethics specialists from the Office of Government Ethics, and garnered broad participation from wings across Eighteenth Air Force.



20 AF/JA FE Warren AFB Wyoming

Twentieth Air Force (20 AF) headquarters is unique in that it has dual responsibilities to Air Force Global Strike Command (AFGSC) and United States Strategic Command (STRATCOM). As the missile Numbered Air Force for AFGSC, 20 AF is responsible for maintaining and operating the Air Force's ICBM force. Designated as STRATCOM's Task Force 214, 20 AF provides on-alert, combat ready ICBMs to the President. Combined with the other two legs of the Triad, bombers and submarines, STRATCOM forces protect the United States with an umbrella of deterrence.

Twentieth AF/JA advises 20 AF/CC, the general court-martial convening

authority responsible for approximately 9,600 personnel at three wings covering nearly 46,000 square miles in five states.

In September, both 20 AF (HQ Staff) and the 341st Missile Wing at Malmstrom AFB, MT received the 2012 Air Force Outstanding Unit Award. In October, 20 AF marked the 50th Anniversary of the first model-A Minuteman missile placed on alert status, playing a pivotal role in the Cuban Missile Crisis. Through state-of-the-art improvements, the Minuteman system has evolved to meet new challenges and assume new missions. Today's Minuteman weapon system is the product of almost 40 years of continuous enhancement. The current Minuteman force consists of 450 Minuteman III's located at the 90th Missile Wing at F.E. Warren AFB, WY; the 341st Missile Wing at Malmstrom AFB, MT; and the 91st Missile at Minot AFB, ND.

During this past year, 20 AF remained one of the busiest NAFs in military justice actions. 20 AF/JA continues to maintain "business as usual," to include its tradition of conducting bi-annual military justice training workshops at Malmstrom AFB and Francis. E. Warren AFB to ensure attorneys and paralegals at 20 AF bases are provided with the latest military justice updates and receive necessary technical training to effectively and efficiently process military justice actions.

The smaller of the two Numbered Air Forces in AFGSC, 20 AF tried 29 courts-martial through 31 October 2012. The 341 MW at Malmstrom Air Force Base, Montana, led the way with nine GCMs, five SPCMs

and six SCMs. Malmstrom's rate per 1000 also led AFGSC with a rate of 6.14, more than triple that of bases with larger populations. On the other hand, non-judicial punishment has decreased in number since 2010. In calendar year (CY) 2010, 20 AF had 271 Article 15s. In 2011, those numbers dropped significantly to 166. For 2012, Article 15s totals are on track to meet or be just below 2011's numbers. All efforts have been crucial to the continued functioning of the nuclear missile mission, good order and discipline, and vital support from the local citizenry.



22 AF/JA (AFRC), Dobbins Air Reserve Base, Georgia

Headquarters, 22nd Air Force, Dobbins Air Reserve Base, is the third of three numbered air forces in Air Force Reserve Command. Twenty-second Air Force is responsible for recruiting and training reservists and for maintaining subordinate units at the highest level of combat readiness. A by-product of training is to coordinate daily support of the active duty air force. Twenty-second Air Force's wartime mission is to provide combat-ready airlift and support units and augment personnel requirements to Air Mobility Command in the United States. Twenty-second Air Force, Office of the Staff Judge Advocate, is staffed by 2 judge advocates and 3 paralegals and exercises oversight of 14 wing and group level legal offices.

The legal professionals in 22 AF performed at peak in 2012. The 934th AW/JA at Minneapolis assisted with the investigation of a sexual assault case involving a flight surgeon and completed the first coordination under the new sexual assault policy in AFRC. Since the case began, they have successfully coordinated with active duty counterparts to develop and prepare the case, schedule witness interviews, and conduct the first Article 32 hearing at Minneapolis ARS in at least 20 years. The 914th AW/JA, Niagara Falls ARS was graded “Excellent” during their July ORI.

The JA team of Maj Miloud and MSgt Libby received an “excellent” rating for their role in the 302nd Airlift Wing’s ORI in October at Volk Field, WI. Strengths identified included the following comments: “Judge Advocate (JA) and paralegal expertly processed an international claim and forwarded to Kuwaiti government for payment in accordance with SOFA.” Further, Maj Miloud was rated high for his “dynamic research on a simulated high profile conscientious objector case, which ensured the member’s commander the full range of legal options.” The legal team, including Lt Col Gupta’s pre-deployment briefing, were highly rated and pre-deployment efforts allowed “real world legal solutions to all scenarios” presented. The team was also rated high for its “comprehensive inspections on Enemy Prisoners of War (EPW) Camp, resulting in identification and correction of potential LOAC violations.”

In addition, to their outstanding performance in their unit’s ORI, the 302d legal office provided direct

support to the Modular Airborne Firefighting System (MAFFS) at their home base in Colorado. Some unique legal questions arose as a result of this very busy firefighting year for MAFFS, and the 302nd JA provided outstanding support for these and other deployment-related issues.



24 AF/JA (AFSPC) Lackland AFB, Texas

The 24th Air Force (24 AF/JA) and 624th Operations Center legal team drastically increased the Air Force’s ability to establish, operate, maintain and defend Air Force networks as well as conduct full-spectrum cyberspace operations through teaming, integration and collaboration. This team of legal professionals provided expert advice in complex and novel areas ensuring the worldwide activities of the 67th Network Warfare Wing, the 688th Information Operations Wing, the 689th Combat Communications Wing and several Air Reserve Component and Guard units complied with law, policy and guidance. Their superb research and advocacy helped these units extend, operate and defend the Air Force portion of the DoD network and provide full spectrum capabilities for the joint warfighter in, through, and from cyberspace.

Showcasing their skills to protect key leaders while still providing industry partners access to decision makers,

the team expertly guided AFCYBER’s first Industry Day, highlighting the 24th Air Force mission. The team skillfully applied ethical and fiscal rules throughout the process, from planning to post-event, helping make the 24th’s first Industry Day a rousing success. In addition, the team reached out to colleagues and judge advocates in the contracts arena to collaborate on creative solutions to issues such as how to conduct market research in a fast moving cyber business world.

The team continued to help build tomorrow’s cyberspace operators and warriors, refining training materials and lecturing at various training events. Members of the team routinely provide blocks of instruction at the Cyber 200 and 300 courses, hosted by AFIT at Wright-Patterson AFB. This is an essential part of professional military education for captains, majors and lieutenant colonels. The team also presented the basic cyber law course at the Air Force Judge Advocate General’s School. In April 2012, the 24th AF legal team co-hosted the 2012 SAF/GC, TJAG cyber law practitioner’s workshop in San Antonio, which brought together senior military and civilian personnel from OSD, Joint Staff, Air Staff, Services, Combatant Commands and their Components to talk with cyber operators and discuss major legal and policy issues confronting the cyber community.

Judge advocates and paralegals from 24 AF provided full spectrum legal support for the ongoing planning, execution and command and control of cyberspace operations. The team continued to shine, proving their value and worth to the work and mission of the 24th as key participants in

a vital Operational Readiness Exercise for the 624th Operations Center. Members of the team helped design the exercise, testing not only the legal participants, but also all players. Others participated as members of the planning team, providing succinct and sound legal advice to the team and senior leaders. Using the Corps guiding principles of wisdom, valor, and justice, 24th Air Force's legal professionals work diligently and proudly to allow the Air Force to fly, fight and win in cyberspace.



502 ABW/JA (AETC) Joint Base San Antonio-Fort Sam Houston, Texas

Joint Base San Antonio (JBSA) is the Department of Defense's largest joint base, servicing more than 80,000 personnel. The 502d Air Base Wing legal office is a Numbered Air Force equivalent, while the Mission Support Group legal offices located at JBSA-Lackland, JBSA-Randolph, and JBSA-Fort Sam Houston operate like traditional base legal offices. To highlight the joint aspect of our mission, the legal office at JBSA-Fort Sam Houston generated over 15K documents for 6.6K legal assistance clients, 80 percent of which were Army soldiers. With 210 tenant units, nine SPCMCAs, and more than 40 legal offices, coordination and communication are key components to success, and we consistently strive

to find new ways to increase our effectiveness.

502 ABW/CC is the GCMCA for the JBSA-Lackland cases, to include the MTI misconduct. 802 MSG/JA (JBSA-Lackland) led the way in holding offenders accountable while protecting due process rights of accused and supporting victims, thereby restoring the public's trust in the Air Force. Security Forces and OSI have combined to accomplish 4,033 screening interviews of former trainees, and the seamless coordination between law enforcement agencies and the legal office continues to result in justice served. As of 25 November 2012, 802 MSG/JA has court-martialed 5 former MTIs, and charges have been preferred against 6 other former MTIs with trial dates in the near future. Additional charges are likely to be preferred against a number of former MTIs before the end of the year. This has been a Total Force effort involving the essential help of reserve paralegals and reserve judge advocates who volunteered for extended tours as part of the MTI Prosecution Task Force. In orchestrating this monumental effort, 802 MSG/JA personnel have displayed the highest level of selfless service and commitment to mission success.

In January, AETC instituted an Article 15 tracking system to better identify delays in the non-judicial punishment process; 502 ABW/JA created this process and reduced its processing times by an average of 20 days—currently we have an average 30 day processing time on all Article 15s using this system. 802 MSG/JA further sharpened this process by conducting daily reviews of the

blotter and notifying the command of members potentially involved in misconduct, thereby reducing the delay between the discovery date of the offense and JA's involvement. Similarly, 802 MSG/JA took a good product and made it even better with a post-trial whiteboard for their courts-martial, later recognized as a Best Practice by AETC.

The legal assistance program at JBSA is a true powerhouse program, having assisted 15.5K clients while preparing 28.6K documents for our clients so far in 2012, with services valued at \$3.2 million. The JBSA tax programs prepared over 7K returns, resulting in \$15.2 million in refunds, and saving \$1.48 million in tax preparation fees. The 502 MSG/JA (JBSA-Fort Sam Houston) continues to be the only Air Force legal office that provides enhanced legal assistance services to the more than 350,000 active-duty, reserve, and retiree beneficiaries in San Antonio. Earlier this year, TJAG approved in-court representation by 502 MSG/JA protecting a client from being potentially disinherited from his wife's will. The 802 MSG/JA leverages this experience by partnering with 502 MSG/JA and providing similar enhanced services, such as creating documents for uncontested divorces. Client feedback is important to determine how to better improve our programs and 902 MSG/JA (JBSA-Randolph) provides dedicated access to the legal assistance website for will clients to provide feedback immediately after their experience and while waiting for notarization. This change alone increased their feedbacks over 1000%.

AFRS/JA



Joint Base San Antonio - Randolph Texas

Air Force Recruiting Service (AFRS) consists of the HQ staff, three groups, and 27 squadrons supporting a population of over 2,300 personnel geographically dispersed throughout all 50 states, Europe, the Pacific Rim and Puerto Rico. AFRS recruits 100% of the enlisted force, medical officers, line officers and chaplains. AFRS/JA's support to HQ AFRS addresses a myriad of decisions involving civil law, FOIAs, report of surveys, contracts, fiscal law, labor law, ethics, legal assistance and military justice advice. AFRS recruiters use the system known as Air Force Recruiting Information Support System (AFRISS) to input all pertinent information during the application process for all new recruits. The Guard and Reserve had similar programs. In 2011 and 2012, AFRS contracted to bring the recruiters of the Guard and Reserve under one program called AFRISS Total Force. AFRS/JA was instrumental in spotting problems in AFRISS contracting that would have caused over 5,000,000 in lost funds. The AFRS/JA team also spearheaded the training program required to ensure all of active duty recruiters were capable of a smooth transition after the historic repeal of DADT. Finally, AFRS/JA was the team lead on the new dissuade, deter and detect (D3) program that has been implemented command wide to

ensure only professional relationships exist between recruiter and recruit and that violators are caught and prosecuted.



AU/JA (AETC) Maxwell AFB Alabama

As the intellectual and leadership center of the Air Force, Air University (AU) provides dynamic comprehensive education to prepare graduates to develop, employ, command, research and champion air, space, and cyberspace power at all levels. Air University provides the full spectrum of Air Force education, from pre-commissioning to all levels of professional military education, including degree granting and professional continuing education for officers, enlisted and civilian personnel throughout their careers. AU's professional military education programs educate Airmen on the capabilities of air, space and cyberspace power and their role in national security. These programs focus on the knowledge and abilities needed to develop, employ, command, and support air and space power at the highest levels. Specialized professional continuing educational programs provide scientific, technological, managerial and other professional expertise to meet the needs of the Air Force. Air University conducts research in air and space power, education, leadership and management. The university

also provides citizenship programs and contributes to the development and testing of Air Force doctrine, concepts and strategy.

While the office performs functions similar to a civilian district attorney, city attorney, and the general counsel to a major university, military justice is the principal focus of the mission as they performed duties as staff judge advocate and legal advisor to not only the AU Commander in his role as GCMCA, but also to the HQ AU staff, and 15 school commandants and subordinate commanders.



SMC/JA (AFSPC) Los Angeles AFB, California

Delivering advice on complex systems acquisition matters, the Space and Missile Systems Center Legal Office (SMC/JA), Los Angeles Air Force Base, California once again provided critical legal support to the Air Force Program Executive Officers for Space and Launch who had a combined FY2012 budget and acquisition responsibility of over \$8 billion. Advising ten program directorates, the Contract Law Division successfully guided contracting personnel to acquire nine launches including a GPS IIF satellite, four satellite payloads for the National Reconnaissance Office, a fourth Wideband Global SATCOM (WGS) satellite; a second Advanced Extremely High Frequency (AEHF) satellite; and a Mobile User Objective

System (MUOS) satellite. Absolutely critical to national security, these acquisitions exponentially enhance the capabilities of the US and its allies. The Contract Law Division also played an integral role in the successful completion of a number of acquisition competitions leading to award of the \$900M Orbital Sub-Orbital Program (OSP-3) IDIQ contract; the \$148M Control and Planning Segment (CAPS) contract for the Enhanced Polar System; and the \$133M Consolidated Production and Sustainment contract (CPASC) for the Command and Control System-Consolidated Program. This year saw the departure of the Keith Larson, the Chief of the Contract Law Division, to an Army position in Grafenwoeher, Germany with Bob Borich stepping in assume direction of the division. Senior attorney Paul Reynolds also departed to finally return to his native Utah. Soon thereafter, SMC/JA welcomed Jason Smith from AFLOA/JAQ. After a distinguished career, MSgt Leslie Crow also retired, see picture with Lt Gen Pawlikowski, the SMC commander. The office's Labor and Civilian Personnel Law division was also particularly busy due to a surge in civilian related misconduct in the center's highly civilianized work force. To counter this trend, SMC/JA partnered with the Personnel Office to implement a program to more highly train managers and supervisors on the appropriate handling of civilian disciplinary matters. On the military justice front, in a particularly intricate court-martial, the Military Justice division prosecuted a deserter who had attempted to enter the country from Mexico and, notably, SMC/JA successfully supported Space Command's first Accident Investigation Board in years of a space launch.



USAFWC/JA (ACC) Nellis AFB, Nevada

The United States Air Force Warfare Center's (USAFWC) mission is to prepare Airmen for the Joint fight by providing the Joint Force Commander with highly skilled Airmen, effective weapons, and effective command and control of air, space, and cyberspace. USAFWC is composed of more than 11,000 personnel, spread across four wings and one named activity, and located in 21 states.

USAFWC/JA is unique in that it supports one general and two special court-martial convening authorities, all located at Nellis AFB. It also maintains a satellite office at Creech AFB, NV to provide full legal support to the personnel performing 432d Wing's combat mission which operates unmanned reconnaissance aircraft. As such, USAFWC/JA consistently remains one of the top five bases in the Air Force for military justice actions. In 2012, it conducted 22 courts-martial, 125 Article 15s, and over 125 administrative separation actions. Despite the busy workload, the military justice section found time to develop training for both the legal office and the Office of Special Investigations. It held a mock trial, teaming trial counsel with an agent from the Office of Special Investigations, to run through direct and cross-examinations. The mock

trial was a huge success and a valuable learning tool for both organizations.

The General Law Division was also busy, completing over 530 legal reviews in 2012. It successfully settled a lawsuit filed by the City of Las Vegas alleging improper runoff from a Waste Treatment Plant operating on leased federal land. Our Contracts Section remained the busiest in Air Combat Command, processing over 1,200 contracts valued at \$152 million. The General Law Division continued to give benchmark legal assistance by teaming with the Department of Homeland Security (DHS) to assist military members and their dependents with immigration issues. The DHS provided pro-bono legal assistance to 37 members and dependents, saving them in excess of \$30,000.00 in legal fees. The Nellis/Creech military and civilian populations are fortunate in that the General Law Division provides year-round tax assistance. In 2012, it managed Nevada's largest VITA program, preparing 2348 e-filings with \$4.6 million in refunds.

From the manning front, 2012 was filled with deployments, deploying seven personnel in support of the war effort. Colonel Christopher Dooley completed a 365-day deployment as the legal mentor to the 202nd Corps of the Afghan National Army. Capt Sara Carrasco completed a 365-day deployment in support of the U.S. Forces-Afghanistan. Major Wells Littlefield completed a 6-month tour in support of Task Force 435, detainee operations. Maj Ron Blaze, an IMA, completed a 6-month tour as the Legal Advisor for the Analytic Task Force assessing the detention status of Guantanamo Bay detainees. Captain Nicholas Frommelt deployed for a

6-month tour as the Deputy Legal Advisor in support of Task Force 2010. Senior Master Sergeant Colleen Blake-Harris completed a 6-month tour to the 376th Air Expeditionary Wing at Manas Air Base, Kyrgyz Republic, pulling double duty as the Wing Staff Agency Superintendent and the Law Office Manager. Master Sergeant Dean Lares deployed for a 6-month

tour to Camp Eggers, Afghanistan as the NCOIC of Military Justice where he was instrumental in coordinating the Joint Service TJAG Conference in the deployed location.

With seven people deployed, USAFWC/JA fully embodied the total force concept. Reservists provided considerable manning, doing

everything from courts-martial to legal assistance. The office also placed an emphasis on paralegal teaming with paralegals preparing wills, authoring preventive law articles for the base newspaper, and drafting 50% of all legal reviews. Two paralegals were also trained on 450 OGE/278 SF filings and assisted in ensuring filings were completed correctly and on-time.



A Discharge Clerk with Distinction



Ms. Susan Yatzeck

Being part of the “Frozen Chosen” community is no easy feat. Yet, Susan Yatzeck continues to weather the storm and thrive as an Adverse Actions team member. She is the discharge clerk assigned to the 5 BW/JA at Minot AFB, North Dakota and she successfully manages the largest Discharge program in AFGSC for the MAJCOM’s only dual-wing base. During her tenure, she has processed nearly 400 notification cases, 29 board waiver packages and worked on 12 discharge boards. A majority of those cases were complex and required immense preparation; yet Susan ensured that nearly 100 percent of all notification cases were completed within Air Force timeliness standards. The key to her success was the exceptional rapport that she has fostered with the first sergeants and commanders base-wide, as evidenced by her receiving the Diamond Sharp Award from the Minot First Sergeants Council.

She mentors new paralegals and attorneys who rely on her experience and guidance when conducting legal reviews and preparing for boards. Her expertise proved paramount when she facilitated a pivotal change in the discharge approval process between the 5th Bomb and 91st Missile Wings. This change not only improved work flow and minimized processing times but it simplified the discharge process for the commanders of both wings. In addition to processing discharges, Susan manages the office’s GPC account and has served as the Assistant Site Coordinator of the largest volunteer tax center in North Dakota and received an IRS award for the highest quality reviews. For her leadership and performance, Susan was the recipient of the following awards: AFGSC Outstanding Legal Services Civilian of the Year (Harold R. Vague) Award, 2009 & 2011, 8 AF Outstanding Legal Services Civilian of the Year (Harold R. Vague) Award, 2009 & 2011, Civilian of the Year, Cat I, 5 BW Staff, 2009-2011. Mrs. Yatzeck is devoted to having the best discharge program in the Air Force and she continues to inspire and motivate everyone she encounters at Minot AFB.

BASE LEGAL OFFICES

The base legal office is the key leadership element of the Corps, directed by the staff judge advocate (SJA), a seasoned judge advocate who acts as the primary legal advisor to the base commander. The SJA is aided by a deputy staff judge advocate (DSJA), and the law office superintendent (LOS), most often the senior enlisted paralegal, who maintains significant leadership responsibility for enlisted personnel in the office. Additional personnel include assistant staff judge advocates (ASJA), holding positions such as the chief of military justice, adverse actions, labor law, civil law, international law, environmental law, and legal assistance. ASJAs in turn rely heavily on skilled noncommissioned officers in charge (NCOIC) in leading each section. Furthermore, civilian attorneys, paralegals, court reporters and talented administrative staff provide specialized expertise and technical assistance. While documenting all the accomplishments, significant events, and varied legal issues addressed by base offices in 2012 would be nearly impossible, the following provides a representative sample from across the Air Force.

Air Combat Command (ACC)

The 4th Fighter Wing Legal Office, (4 FW/JA) Seymour Johnson Air Force Base, moved into a state of the art, 6,000 sq ft legal office. They hosted 12 trials, 9 discharge boards, and Art 32s. The office staff ardently supported OEF with 4 JAGs and 2 paralegals deployed. Fortunately, support of the reservists added critical manning. Attorneys and paralegals worked together to process rape cases and theft involving \$14,000 of military ammunition and they processed 99% of 91 discharges within 15-days. The staff also provided wills/POAs to 40 home and hospital-bound clients. The Article 15 processing/tracking system

resulted in 37% faster processing times. The staff also created CC/CCF symposium on justice and general law topics.

The 7th Bomb Wing Legal Office, (7 BW/JA), Dyess Air Force Base, Texas continued its focus on developing outstanding foundational skills and delivering world class legal services to its clients in 2012. During the year, the office consistently appeared on TJAG's Legal Assistance Honor Roll for both efficiency and feedback. In the military justice arena, the office was recognized during a TJAG web cast for its world-beating performance in the timely processing of Article 15 actions. Laurels for 7 BW/JA culminated with its selection as the Twelfth Air Force Legal Office of the Year.

The 9th Refueling Wing Legal Office, (9 RW/JA) Beale Air Force Base, California dramatically reduced DUI rate by 27% through base-wide education and briefings on legal consequences. The General Law section cranked out 700 legal opinions, 4 thousand notaries, 200 wills, and 800 powers of attorneys. The tax program assisted in filing 1200 tax returns, saving \$137K in fees and gaining \$2M in returns. The 9 RW JAGs are also fitness superstars with a 100% fitness test pass rate, with an average score over 90. All this while 9 RW/JA supported contingency operations with 17% of the office deployed in 2012.

The 28th Bomb Wing Legal Office (28 BW/JA) judge advocates began delivering regular LOAC briefings to aircrew of the 432d Attack Squadron, which began remotely operating MQ-9s from Ellsworth AFB. JAGs and paralegals supported 364 deploying

warriors during a summer rotation of forces, employing a new will drafting process that streamlines customer service and maximizes the contributions of all team members. The Legal Office provided invaluable assistance to the wing by working with 28 CONS to design a NAF bus contract for transporting dependent children between Ellsworth AFB School Age Programs and local off-base schools, providing parents an affordable means to get their children to and from school. Following a tragic AFRC mishap in the local area, 28 BW/JA provided quick and reliable logistical support to the AIB President and Legal Advisor. Maj Chris Baker was recognized as a key leader coordinating between 28 BW, local officials and private organizations to enable a successful celebration of Ellsworth AFB's 70th Anniversary. Three judge advocates and two paralegals deployed from 28 BW/JA in support of various operations worldwide in 2012. Among the deploying personnel was TSgt Toribio Garcia, Jr., who provided legal support on his USSOUTHCOM AOR deployment for Operation NEW HORIZONS in Peru.

At the **49th Wing Legal Office** (49 WG/JA), Holloman AFB, NM, when F-22s break the sound barrier, they frequently do it over an ocean. Given the shortage of oceans near Holloman AFB, the sonic boom business is... booming. Claims handled by the 49th Wing doubled, lawsuits were filed and long-time neighbors expressed concern. The Legal Office was chosen as part of an outreach team to visit local communities. Mrs. Diane Adams, more than 30 years deep into her Air Force service, led efforts to field concerns, gather information, and

ultimately adjudicate more than four dozen claims. Her efforts helped to turn the tide of negative media and to restore positive community relations.

Between hosting the Headquarters for the German Air Force Training Center and a Test Group that implements a multinational test agreement, 15 nations have conducted missions with Holloman AFB this year. Mr. Emil Brupbacher leads the International Law division that fields SOFA issues, provides legal assistance to over 1,000 German Air Force and family members, facilitates foreign interests with civilian entities, and more recently, coordinates operational issues with higher headquarters, the Joint Staff, and the office of the Secretary of Defense.

Finally, four Holloman paralegals earned college degrees during 2012, tallying four CCAFs and a Bachelor's. MSgt (Select) Julie Bergman earned her CCAF in Paralegal Studies, TSgt Tabitha Wade earned her CCAF in Applied Science in Munitions Technology, TSgt Valerie Jones was awarded her CCAF in both Paralegal Studies and Business Management, and TSgt Josh Peters earned his Bachelor's degree with high honors in Government.

The **55th Wing Legal Office** (55 WG/JA), Offutt AFB, Nebraska expanded JAG/paralegal teaming showcased in our annual Retiree Appreciation Day Will Marathon. An innovative suggestion led to a 7-level wills trained paralegal sitting in on the attorney/client initial screening. The paralegal then drafted that will while the attorney screened and drafted another client's will. This ensured attorney involvement in all screenings and doubled

the wills processed in record time. The teaming arrangement benefitted both the office and the clients producing 48 wills and 169 additional documents in a 5 hour period.

The legal office led 66 active-duty, dependent, and retiree tax volunteers providing stellar tax assistance during the 2011 tax season. Providing 2,441 personnel hours of assistance, the Offutt Tax Center filed 4,343 federal and state tax returns, recovering \$5,525,960 in refunds and saving \$436,379 in tax preparation fees. The Tax Center's actual error rate of less than 2% (2 percent less than the year prior) on tax returns filed scorched the IRS's error rate standard of 10%.

The 55 WG/JA's first mission in support of the war effort consisted of 4 JAGs and 4 paralegals deployed, provided constant critical operational and contract support. Within Afghanistan alone JA personnel served on missions ranging from detainee operations, to contracts, to main base legal office functions, as well as TCN and AOC support to the AOR. Additionally, a 55 WG/JA Capt was selected for JAG support for New Horizons in Peru, ensuring compliance with international agreements; his keen analysis of intricate processes for moving personnel and materials helped avoid costly taxes on goods and services needed for US operations.

The legal office completed a 1½ year legal effort in support of USSTRATCOM and 55 CONS culminating in the establishment of a USSTATCOM sponsored University Affiliated Research Center (UARC). The first UARC established within the Air Force required direct coordination with the UNL General Counsel

to outline legal objectives, including review of Nebraska statutes and UNL by-laws for approval of a strategic center. The legal staff were instrumental in ensuring approval by the Board of Regents was staffed and received for a Center in May allowing for the actual \$85M contract to be awarded first thing FY13.

This year the **325th Fighter Wing Legal Office**, (325 FW/JA), Tyndall Air Force Base, Florida embarked on an historic event moving from Air Education and Training Command to Air Combat Command. In the matter of months, they saw 19th AF dissolve, moved directly under AETC, and then again to 9th Air Force. What made each transition smooth? Planning. For months the legal office worked with AETC and 9th Air Force ensuring everything from justice to training did not skip a beat. When the Change of Command took place on 1 October, Tyndall clients were able to celebrate an extraordinary occasion and knew the base legal office would be there to provide superb service.

The **355th Fighter Wing Legal Office**, (355 FW/JA), Davis-Monthan Air Force Base, Arizona earned DOD Level Recognition as one of only 11 teams to earn the 2012 Commander In Chief Installation Excellence "Special Recognition" award. They hosted the first EFMP legal issues training for over 100 participants and had hand-outs on EFMP legal issues cross fed throughout the DoD. They managed the busiest military justice program in 12 AF and ACC, while four members were deployed supporting missions in Afghanistan and GTMO. They processed over 107 NJP actions, 115 administrative discharges and prosecuted over 22 courts-martial.

Dedicated advocates, they persuaded the 355 FW/CC to give up an officer billet in return for adding a second ADC billet to the installation. The team's Legal Assistance program saved clients \$1,241,750.00 in fees by advising 6,500 legal assistance clients, producing over 12,000 documents, and preparing 4,340 tax returns, saving members over \$270,000.00 in prep fees. They also stood up four legal assistance kiosks; providing a cost solution while maximizing client access to information. After a sonic boom over Tucson affected hundreds, the team stood up an off-base claims clinic, coordinated with 175 local residence and businesses within the first 72 hours. Finally, partnering with PA, they conducted five interviews on the claims process with local news outlets. To date, they have processed over three times as many tort claims as in an average year.

The **366th Fighter Wing Legal Office**, (366 FW/JA) Mountain Home Air Force Base, Idaho continued to pursue perfection in the foundational leadership pillars. In military justice, the office achieved greater celerity in nonjudicial punishment actions and administrative discharges, with 86 percent of Article 15s meeting the 30-day metric and 95 percent of notifications cases meeting the 15-day Air Force metric. Simultaneously, 366 FW/JA continued to have the lowest NJP error rate in 12th Air Force, ensuring that justice was both swift and fairly administered. In the realm of legal assistance, when budget limitations threatened the base tax program, office personnel secured funding from the wing commander to procure a tax center supervisor via contract, thus minimizing the loss of services for Airmen and their families.

The office also maintained its robust training program, holding weekly training sessions that included field trips to other base organizations, guest speakers from a variety of disciplines, and discussions on leadership.

Air Education and Training Command (AETC)

The **14th Flying Training Wing Legal Office**, (14 FTW/JA) Columbus Air Force Base, Mississippi recognized early-on that they could better accomplish the mission by educating and uniting with commanders, first sergeants, senior leaders and the entire base populace, as a whole. Consequently, they created the first-ever, "BLAZE ADVOCATE", a quarterly publication geared toward commanders and first sergeants, with the purpose of keeping them informed of current, local issues that affect the base population; topics included: Sexual Assault, Discharge Processing, Civilian Adverse Actions, Legal Assistance and Unprofessional Relationships.

The legal office teamed with first sergeants on the issue of Family Care Plans, to heighten awareness and make the process easier for those affected. The office also instituted teaming internally by incorporating paralegals into the will production process and by utilizing paralegals to investigate simple allegations of misconduct, as well as conducting witness interviews.

The civilian attorney advisor trained civilian personnel staff on how to properly address civilian misconduct and led a deposition after collaborating with the Labor Law Field Support Center.

Following an AFSO 21 plan to make deployment processing easier, 14 FTW/JA teamed with the Military Personnel Squadron to provide centralized Legal Readiness briefings, eliminating the need for deploying personnel to make multiple trips around base to complete out-processing.

Earlier this year, the **17th Training Wing Legal Office** (17 TRW/JA) Goodfellow Air Force Base, Texas took affirmative steps to build and improve relationships with civilian legal partners in the community and maximize Air Force criminal jurisdiction.

The legal office conducted a site visit at the Presidio of Monterey (POM), California with the 517th Training Group, a geographically separated unit attached to the 17th Training Wing. During the visit, the staff judge advocate and law office superintendent met with the Monterey District Attorney's Office to discuss off-post jurisdiction and held meetings with the POM Police Department and Army Criminal Investigation Division to discuss on-post processing of cases involving Airmen arrests. The visit resulted in a clear understanding by all of Air Force policy and the creation of a working plan to alert Air Force commanders when incidents occur. This has since maximized Air Force criminal jurisdiction over criminal cases in the area.

The **42d Air Base Wing Legal Office** (42 ABW/JA) Maxwell Air Force Base, Alabama focusing on the 50,000 Airmen, retirees and dependents in the River Region, the office provided legal assistance to nearly 3,000 clients, prepared 4,000 legal documents, and

saved clients \$625,000 in legal fees. Its annual tax center increased the number of volunteer tax preparers by 50% over the previous tax year, saving clients \$162,700 and generated over \$1,000,000 in tax returns.

The 42 ABW/JA demonstrated a mission-ready posture, deploying a judge advocate to Al Udeid AB, Qatar, and sending our Senior IMA to serve as the Acting SJA at Incirlik AB, Turkey, during that office's leadership transition. Legal office personnel were also heavily involved in activities, both on-base and off-base, in support of the local community.

The 47 Flying Training Wing Legal Office (47 FTW/JA) Laughlin Air Force Base, Texas has assisted 694 clients, completed 966 office visits and drafted 815 legal documents—a savings of \$116,965 for the Laughlin/Del Rio community.

After identifying an issue with Verizon Wireless and the Servicemembers' Civil Relief Act (SCRA), we created a handout outlining the procedure for requesting the waiver of early termination fees for contract cancellation due to PCS orders. This handout is passed out at newcomer's briefings to individuals who subscribe to Verizon and intend to cancel their contract pursuant to the protections of the SCRA. Since creating this handout, we have received nothing but positive feedback and we haven't had any legal assistance clients need further assistance.

Our relationship with the civilian personnel office (CPO) and the local union has effectively addressed potential issues before they had an impact on the wing's mission. In particular,

our office's effective advocacy and skilled negotiations led to victory in one fully litigated trial before the Merit Systems Protection Board, one hotly contested arbitration hearing, and two unemployment compensation appeals. We also settled 6 formal Equal Opportunity complaints and 4 cases in which the local union had invoked arbitration and two MSPB claims at the pre-hearing phase, all resulting in no monetary cost to the Government.

The 47 FTW Legal Office has also contributed to the efforts of developing a cost conscience culture advising on the partial termination for convenience of a portion of the base operations support contract, resulting in a \$500K savings to the AF and were an active participant in an AETC-mandated comprehensive review of all base contracts resulting in FY13 savings to the AF of over \$1.4M.

The 56th Fighter Wing Legal Office (51 FW/JA) Luke Air Force Base, Arizona enhanced their working relationships throughout the year with on base law enforcement agencies—OSI and SF and VWAP teamed closely with the SARC and DAVA office facilitating multiple joint training sessions. These stellar working relationships helped facilitate the successful prosecution of a drug ring and multiple sexual assault cases for a combined total of 17 courts-martial. The legal office also had their first trial counsel certified under the new trial counsel certification program. Further, the military justice section processed 48 discharges plus six boards and 62 nonjudicial punishment actions.

The office's robust military justice program was matched by an equally

busy civil law section. Through the first three quarters of 2012, the Luke Legal team served more than 2,600 legal assistance clients and drafted more than 750 wills. The office's tax program also filed over 1,800 federal and state income tax returns saving \$300,000 in fees for our clients.

Luke also reviewed over 600 civil law suspenses and provided legal advice on over \$80,000,000 worth of contracts and won three hotly contested labor arbitrations. Finally, Luke's environmental law program received the Record of Decision for the impending F-35 bed down at Luke and completed the 5-year Comprehensive Environmental Response, Compensation, and Liability Act review.

The 71st Flying Training Wing Legal Office (71 FTW/JA) Vance Air Force Base, Oklahoma achieved the vision of its Wing Commander by working with installation units to change the proprietary jurisdiction areas of the base to concurrent jurisdiction. This change increases the authority of the Wing Commander and is enforced with a more robust military magistrate program.

Vance attorneys also established an acquisition fraud working group along with AFOSI, contracting, finance, and other base units to deter and detect fraud, waste and abuse at the installation with the largest service contract in AETC. The working group's efforts have resulted in improving contract oversight and management significantly. These efforts have cross pollinated into the military justice arena where JA, AFOSI and finance are teamed to discover and prosecute

fraud, waste and abuse associated with military travel.

Serving a busy training base as well as a large retired military community, the **81st Training Wing Legal Office** (81 TRW/JA) Keesler Air Force Base, Mississippi consistently balances a heavy military justice load with a bustling legal assistance program. The SJA and DSJA continuously emphasize a strong mentorship culture with training and encouraging office members to learn from them and from one another.

The Legal Office has tried 10 courts-martial, processed 87 Article 15s, and completed 100 involuntary discharge actions thus far in calendar year 2012. What is more, the legal office has prepared 27 cases for trial in federal magistrate court this year, and on the legal assistance side, the office has served 4,151 clients, produced 6,287 documents, and performed 6,853 notaries so far in 2012.

Continuing as the first Air Force base to partner with the United States Custom and Immigration Service (USCIS), 81 TRW/JA served 32 immigration clients this calendar year.

The **82d Training Wing Legal Office** (82 TRW/JA) Sheppard Air Force Base, Texas had the third busiest tax center in the Air Force. They supervised 38 tax center volunteers; prepared 2615 state and federal tax returns which saved \$331,749 in preparation fees. The tax payers received \$3,048,900 in refunds. The tax center saw a 13.8% increase in returns filed which was the biggest increase in the Air Force.

Over 3,000 legal assistance clients were serviced. The legal office utilized

social media such as Facebook and blogs to publicize robust program, resulting in over \$380,000 in savings for members. The legal office also perfected its legal support with 60 plus Detachments; Commanders received precise on-time legal advice which resulted in 100% satisfaction

The 82 TRW legal office excelled in physical training. Their physical training program, an Air Force best practice, resulted in a 100% pass rate, most with excellent scores

Ground-breaking Labor Law efforts—established quarterly meetings with support center experts; which improved quality and timeliness, reduced errors and unified responsible parties—another Air Force best practice!

The **97th Air Mobility Wing Legal Office** (97 AMW/JA) Altus Air Force Base, Oklahoma military justice section created interactive military justice learning scenarios for airman, NCO and Senior NCO enhancement seminars. The office volunteered dozens of hours in the local community to include preparing and serving food at the Salvation Army Food Kitchen, cleaning up the local reservoir and court house, and sorting and organizing clothes, toys and equipment at a local women's shelter.

The 97th AMW legal office personnel received many awards. Captain Joe Ahlers was recognized as both the Junior Company Grade Officer of the First Quarter and Company Grade Officer of the 3rd Quarter for Wing Staff Agencies. Additionally, his article on Family Care Plan Guidance was published in the Reporter. Mr. Chris Nicolls was recognized as the Junior-level Civilian of the First Quarter for

Wing Staff Agencies and the Air Force Association Civilian Technician of the Year for Altus Air Force Base and the State of Oklahoma. He is finishing his final two courses needed for a Bachelor of Science in Criminal Justice.

The legal office personnel were also called upon to provide services to other bases as well. Mr. James Martinez supported 10 courts/boards at other bases to include 5 TDYs to serve as the detailed court reporter. Major Blake Williams went TDY to serve as trial counsel in support of Luke Air Force Base; MSgt Billy Shearer preformed an extended TDY as a member of the leadership review of basic military training and Captain Jared Reeves went on an extended TDY in support of the voluminous JBSA-Lackland courts-martial.

Captain Court Smith deployed to Afghanistan in support of OEF and SSgt Chris Taylor is preparing to begin his deployment to Afghanistan in January.

The **802d Mission Support Group Legal Office** (802 MSG/JA) Joint Base San Antonio – Lackland, Texas led the staggering military justice efforts at SPCMCA-level associated with Military Training Instructor misconduct. Instituted a pre-preferral meeting policy for every court-martial due to the heavy case load and the often lack of experience of many commanders. The meeting allows the trial counsel, Chief of Justice, attorney-advisor, DSJA, and SJA to sit down with the commander and first sergeant to discuss the court-martial process, and answer any outstanding questions from the unit providing them with greater clarity on their role in the court-martial process.

81 TRW/JA Litigation Meetings

As a result of the growing number of cases at Keesler and the presence of junior counsel, we've recently created the position of Chief of Litigation and implemented a teaming approach. Our litigation preparation is an iterative process as facts, law, and arguments are constantly reviewed, discussed, and updated. The driving force behind this process is the litigation team meeting, chaired by the Chief of Litigation (our most senior Captain). Trial counsel and paralegals attend and are expected to contribute to the meeting. The DSJA also attends.

The purpose is two-fold: first, the Chief of Litigation uses the meeting as a tool to track case progress, review trial binders, and assist in case preparation and planning. Second, the meeting is a method by which case theories and arguments are formulated, tested, and

modified based on input from the collaborative process. The process begins with an analysis of the facts and law. As arguments begin to take shape, one or more participants take on the role of the "red team" in order to provide an alternate perspective regarding a particular issue. The discussion evolves into a "wargame" of sorts wherein theories and arguments on particular issues are tested or "murder-boarded." Once a strategy is developed, the SJA, if he has not been privy to the process thus far, is brought into the loop and presented with the litigation team's suggested strategy. At all points throughout the process, the case and specific issues are routed through the analysis, "red-team," and "wargame" process to further refine the product. The final step is a murder board wherein all available office personnel participate.


 Spotlight on

Major Mark E. Peterson

Major Mark E. Peterson is the Judge Advocate to the Brigade Commander the Uniformed Services University of the Health Sciences (USU). He is the sole attorney responsible for advising the USU Brigade Commander, currently a Navy O-6, in all legal matters affecting the command, which consists of 1,305 Air Force, Army, Navy, Marine, and Public Health Service personnel. He also services as an associate general counsel in the USU Office of the General Counsel, providing legal advice to school administrators, faculty, and students on a wide variety of medical-legal, administrative, and general law issues.

The USU campus, which is located upon the grounds of the Walter Reed National Military Medical Center, is the nation's only federal school of medicine and graduate school of nursing, and is committed to excellence in military medicine and public health during peace and war. The students are active-duty uniformed officers in the Army, Navy, Air Force and Public Health Service who are educated to manage wartime casualties, national disasters, emerging infectious diseases

and other public health emergencies. Many of the University's graduates are currently supporting operations in Iraq, Afghanistan, and else-



Major Mark E. Peterson

where and/or serving in senior leadership roles. USU also serves the uniformed services and the Nation as an academic health sciences center for education, research, service and consultation, and is unique in relating these activities to military medicine, disaster medicine and military medical readiness. In addition, the USU Postgraduate Dental College is the only tri-service dental school and the largest dental school in the nation.

Hosted an annual day-long commander and first sergeant training program, where they receive substantive briefings and materials (including a CD containing valuable resources) in key areas of military justice, adverse actions, civil law, ethics, claims and other hot topics. Instituted a process where a JAG reviews the blotter daily and prepares a notification e-mail to the commander and first sergeant when a member of their command has been involved in potential misconduct. As a result, processing times on the 10-day Article 15 metric decreased by 23 percent.

Under attorney supervision, paralegals have applied their skills and training in the preparation of wills and ancillary documents for the benefit of clients, especially those clients faced with imminent deployment. Nearly 30 clients have been assisted through this teaming. Paralegals also have provided initial legal reviews for civil law topics including off duty employment, gifts and grants, and constitutions and by-laws for on-base organizations. The 802d legal office established a partnership with the Texas Attorney General's office to provide Parenting Order Legal Clinics on JBSA-Lackland.

A new permanent location in the basement of the 37 TRW HQ building for the Tax Center was secured by the office. The legal staff put the new location to good use by saving more than 1.2k clients \$480k, processing over \$3.6M in refunds.

JBSA-Lackland has one of the busiest Magistrate Court programs, with over 150 cases a year and five appointed Special Assistant United States Attorneys.

The 902d Mission Support Group Legal Office (902 MSG/JA), Joint Base San Antonio-Randolph Texas provided legal assistance to over 4,396 clients, generating 5,200+ wills and ancillary documents, saving \$924,000 in legal fees. The all volunteer (not "voluntold") force working the Tax Assistance Program processed 1,773 tax returns, saving clients \$343K in fees and returning \$3.4M in refunds to JBSA clients. The legal office also synthesized the Exceptional Family Member Program (EFMP) legal services program for 300+ Randolph special-needs families; AETC validated as best practice.

Ten pro-government torts were asserted for \$34K in damage to government property; recovered and put back \$24K for Operations and Maintenance funds. The staff completed 699 legal opinions, contract reviews, ethics opinions, fundraiser requests protecting Air Force interests. The legal office also created a best-practice gate sweep urinalysis system that was adopted across all three Joint Base San Antonio installations. The Juvenile Review Board/diversion program was revamped and the Air Force Instruction was rewritten and used across JBSA assisting 4 minors to date.

The Air Force Institute of Technology (AFIT/JA), Wright Patterson Air Force Base, Ohio, is the steward for graduate education providing defense focused education, research and consultation to more than 6,000 students from various locations throughout the United States and 12 foreign countries. AFIT/JA provided training to students on ethical conduct, intellectual property,

acquisitions, military justice, and emergency management. Through AFIT's distance learning program, they provided live legal training to hundreds of Civil Engineer project managers at installations throughout the world. Their expert advice played a critical role in Cooperative Research and Development Agreements, resulting in AFIT securing nearly \$1.35M in research funding. In addition, the office's expertise on non-federally funded travel requests and scholarship/fellowships ensured compliance and saved the Air Force \$1.9M. The AFIT legal office provided extensive advice on new legislation to allow AFIT to enroll defense industry employees and then closely oversaw the implementation to ensure it met the stringent statutory requirements. Finally, AFIT/JA contributed to the overall success of AFIT's Compliance Inspection as one of five organizations rated as Excellent, ensuring AFIT achieved an overall rating of Excellent.

The Jeanne M. Holm Center for Professional Development Legal Office (The Holm Center) Maxwell Air Force Base, Alabama office personnel stepped up as Trial Counsel and Case Paralegal for the host wing's GCM for a paralegal accused of possession, use and distribution of marijuana, and conspiracy to distribute marijuana. The outstanding case preparation and advocacy skills resulted in a conviction and sentence that included a dishonorable discharge and one year confinement.

The office composed and reviewed 70 Congressional Inquiries & 10 advisory opinions to the AF Board

of Corrections for Military Records, ensuring substantive and legally sufficient responses to SAF-level organizations. They reviewed and advised on 213 contract modifications to the Civil Air Patrol-USAF cooperative agreement, valued at over \$40 million. Fifteen formal investigations (commander-directed, Inspector General, line of duty) were completed, preserving institutional integrity and ensuring proper command action.

The Holm Center legal office reviewed and administered 500+ disenrollment actions against AF Reserve Officer Training Corps (AFROTC) and Officer Training School (OTS) cadets/trainees. Expert legal advice was provided to Holm Center leadership in standing up the new AFROTC detachment at Yale University.

The office also shepherded the implementation of OTS's consolidated nine-week Basic Officer Training course, and the Total Force Officer Training Course. And finally, officer personnel actively participated as AFJAGS adjunct instructors and military justice seminar leaders at Squadron Officer School, and visiting instructor at Air Command & Staff College.

Air Force Global Strike Command

In 2012 the **2nd Bomb Wing Legal Office** (2nd BW/JA) Barksdale Air Force Base, Louisiana, strove to improve several key programs. To make paralegals an even more effective force multiplier, Team Barksdale revolutionized the upgrade training program. The office developed lessons and exercises to mirror the core tasks from the CFETP, and provided all paralegals with a monthly report card

to reflect both their accomplishments and remaining tasks. In military justice, attorneys and paralegals focused on improving processing times for nonjudicial punishment and administrative discharges. The Mighty Deuce held an AFSO 21 event to scrutinize the discharge program and implement improvements. The office also focused on improving coordination of Article 15s with commanders and first sergeants, which reduced processing times by 50 percent.

The members of the **5th Bomb Wing Legal Office**, (5 BW/JA) Minot Air Force Base, North Dakota know that unique challenges face them every day at America's only dual-wing nuclear capable installation. While the base has the third busiest nonjudicial punishment program in the Air Force and the largest discharge program in AFGSC, it is the unexpected that truly tests them. These include such diverse issues as successfully prosecuting a rape case with victims 1,600 miles apart, preventing commercial development encroachment of missile sites, assisting in three nuclear surety inspections, and coordinating a member's return from deployment in order to place him in pretrial confinement.

For the **90th Missile Wing Legal Office** (90 MW/JA), France E. Warren Air Force Base, Wyoming 2012 was a banner year. In January, 90 MW/JA successfully prosecuted six courts-martial in 14 days. In May, the tax program was named the best Air Force program in the WY, CO, and MT region for the second year in a row. That same month, F. E. Warren garnered the highest Article 6 Part 1 score to date. The legal office's robust discharge program also gained significant momentum in 2012, experienc-

ing a 40% increase in the number of discharges processed.

The **341st Missile Wing Legal Office** (341 MW/JA), Malmstrom Air Force Base achieved superlative results trying nine GCM, five SPCM, six SCM; six Article 32 & three pre-trial confinement hearings. Their 20 courts-martial has them second in the Air Force in number of tried cases. Malmstrom displayed a massive improvement, meeting the 160 day metric on five of six GCMs, up from two of seven the prior year. Malmstrom's success was despite the challenge of critically low manning of paralegals. All efforts have been crucial to the continued functioning of the nuclear missile mission, good order and discipline, and vital support from the local citizenry.

The **509th Bomb Wing Legal Office** (509 BW/JA) Whiteman Air Force Base, Missouri successfully prosecuted three trespassers in Federal Magistrate's Court, after a series of trespasses onto Whiteman Air Force Base by members of an organization protesting the Air Force's use of unmanned aerial vehicles. The prompt prosecutions garnered appropriate sentences in all cases, including one defendant receiving the statutory maximum prison term, and deterred further trespassing incidents during subsequent protests by the same group. The office also expanded its innovative outreach program with the University of Central Missouri (UCM). During fall and winter semesters, Judge Advocates teach a for-credit class at UCM on military justice. Due to the Whiteman legal office's consistently swift justice, innovative attorney/paralegal teaming efforts, and excellent implementation of legal assistance automation,

it received Air Force Global Strike Command's top legal office of the year award.

Air Force Materiel Command (AFMC)

The **Air Force Materiel Command Law Office Contract Law Division (AFMCLO/JAN)** supported over \$66 billion of contract actions in 2012. The area of foreign military sales (FMS) was especially notable. JAN advised on a complex \$29 billion sale of F-15s to Saudi Arabia along with associated modernization, training, maintenance, and logistics. This sale constituted the largest-ever FMS transaction in Air Force history. In August, we welcomed Ms. Sandra Zimmerle, former AFMC/JAQ Deputy Division Chief, to serve as JAN Branch Chief position. JAN also created a fourth branch to better serve the installation's busy ethics mission. The Acquisition Ethics branch, JANE, will oversee a daunting array of mission areas to include processing and reviewing more than 4,500 financial disclosure forms, providing post government employment counsel, and many other duties that foster a benchmark program of acquisition integrity.

In 2012, The **Air Force Materiel Command Law Office Acquisition Integrity Division (AFMCLO/JAF)** recovered \$264 million under the False Claims Act—returning nearly \$22 million to the Air Force. In one noteworthy case involving defective flares that placed warfighters at grave risk of serious injury or death, JAF helped secure a \$37 million settlement, with a staggering \$16 million of in-kind relief. In addition, JAF attorneys participated in a DoJ-level

mediation, and as a result, 70,000 defective flares were made safe. This in-kind relief saved the Air Force an additional \$85 million in out-year expenses.

The **Air Force Materiel Command Law Office Industrial Facilities Division (AFMCLO/JAK)** had a meteoric year as it supported several manpower intensive cases. In one such case, division attorneys worked through a maze of issues related to the closure, transfer, and proposed demolition of Air Force Plant 59 in upstate New York after it was severely damaged in an unprecedented flood. JAK also advised on one of the largest and most complex insourcings in Air Force history when the common core functions at Air Force Plant 42 in Palmdale, California, were successfully converted to government personnel.

Air Force Materiel Command Law Office Intellectual Property Law Division (AFMCLO/JAZ) supported a robust patent workload in 2012 that saw a 20% increase in patent applications filed. This uptick was triggered, in part, by patent law changes that will be fully implemented in March 2013. The new America Invents Act constitutes the most significant change in U.S. patent law since 1836. As a result, patent law will shift from a traditional "first to invent" to a "first to file" process model. JAZ has been in the forefront of disseminating information to the inventor community and preparing for this paradigm shift.

On 1 October 2012, the **Air Force Life Cycle Management Center (AFLCMC)** officially stood up at Wright-Patterson AFB OH, as part of Air Force Materiel Command's brand new 5-Center reorganization.

AFLCMC is composed of 26,000 personnel at some 75 locations, one air base wing (88th Air Base Wing at Wright-Patterson AFB), one air base group (66th Air Base Group, Hanscom AFB, Massachusetts), and 19 directorates at multiple operating locations throughout the United States. One change in particular was the stand down of the Air Force Security Assistance Center (AFSAC) which was re-designated the Air Force Security Assistance Cooperation (AFSAC) Directorate under LCMC.

AFLCMC/JA, led by Colonel Fran Chopp, has a staff of four attorneys and two paralegals and provides candid, professional advice on military justice, acquisition strategy/policy management, and administrative law matters to the General Court-Martial Convening Authority, senior leadership, and functional support to legal offices within the Center, while assisting in the advancement of the Center mission of acquiring and supporting Air Force weapons systems.

The **Business and Enterprise Systems (BES) Directorate legal office**, located at Gunter Air Force Base, Alabama, serves as legal advisor and support to the Air Force's IT Center of Excellence Program Executive Officer. In 2012, BES supported more than 1400 contract actions valued at \$760 million. One particular contract award we worked on this year ensured continued NIPRNET access at 90 Air Force installations world-wide. Also, BES attorneys enabled the award of the \$980 million Application Services Air Force-wide small business ID/IQ contract, winning three GAO bid protests in the process. This contract will help the Air Force and DoD reach critical small business goals. Finally,

BES's legal memorandum changed Air Force policy to allow contractor and Government employees to share ground transportation, resulting in savings of \$100,000 across the AF. The BES legal office is functionally supervised by AFLCMC/JA.

The full-service legal office at **Arnold Engineering Development Center (AEDC)**, Arnold Air Force Base Tennessee, had a busy and exciting 2012. On 1 Oct 12, the Arnold Engineering Development Center was re-designated the Arnold Engineering Development Complex as a result of the AFMC 5-Center reorganization. AEDC remains a SPCM for all military justice matters. In addition to this reorganization, the Arnold AFB legal office expertly guided AEDC through an internal reorganization from four divisions to three. May 2012 marked the end of the F-22 Raptor supersonic test flights over Arnold's claims jurisdiction. Since the beginning of the program in January 2004, 439 flights, each with two sonic booms, have resulted in over 100 complaints. The Arnold legal office has managed complaints and investigated hundreds of thousands of in tort damage allegations against the Air Force due to the flights. One of the two AEDC civilian paralegals attended the Will Preparation for Paralegals Course in September 2012 to increase his will preparation skills as well as further enhance already robust attorney-paralegal teaming. AEDC/JA has been on the Legal Assistance Feedback Honors list 25 out of the past 30 months and continues to lead AFMC, and is among the top six Air Force-wide, in the number of times having earned this honor. In 2012, AEDC was awarded the Air Force Organization Excellence Award in due

part to the legal office's superior client support as evidenced by its success on the Feedback Honor Roll.

The **Air Force Nuclear Weapons Center's** Office of the Staff Judge Advocate (AFNWC/JA) at Kirtland AFB, New Mexico, had another busy military justice year. AFNWC/JA's 4 GCMs and 7 SPCMs ranked #2 in AFMC and in the top 30 Air Force-wide for court-martial volume. Article 15 volume remained high as well, also ranking #2 in AFMC and in the top 30 Air Force-wide. AFNWC/JA's procurement law attorneys continued to excel, providing counsel for over \$7 billion in programs including those from the Air Force Research Laboratory, the Missile Defense Agency, and the Space Development and Test Directorate. Working with AFLOA/JAQ, AFNWC/JA attorneys successfully defended or mitigated 14 Government Accountability Office protests and two agency protests. The AFNWC/JA Tax Center, comprised of a staff of 25 volunteers, filed 1,389 tax returns amounting to \$1.2 million in refunds and saving clients over \$200,000 in tax preparation fees.

The **Air Force Research Laboratory legal office**, located at Wright-Patterson Air Force Base Ohio, remains unchanged after the AFMC 5-Center Reorganization. Its mission is to lead the discovery, development, and integration of warfighting technologies for our air, space and cyberspace forces. The laboratory and its predecessors have overseen more than 80 years of critical research efforts for the Air Force and DOD. Its technology breakthroughs can be found in all of today's modern aircraft and weapons systems, including the F-117 stealth fighter, B-2 bomber,

C-17 airlifter and the F-22 fighter. It was contributed to significant advancements in modern communications, electronics, manufacturing, and medical research and products. Mr. Michael McGrath is the Legal Advisor to the AFRL Commander and is functional supervisor to a number of distinct AFRL legal offices.

The **Air Force Office of Scientific Research**, Arlington, Virginia (AFOSR/JA) provided legal counsel on \$510 million in contracts and grants issued to 350 worldwide research partners. In addition to managing its substantial workload in grants and contracts, AFOSR's two attorneys addressed hundreds of Ethics questions, guided the organization through changing conference attendance and hosting policies, assisted leadership with numerous complex labor and employment matters, and provided opinions on more than a dozen FOIA requests. In spite of AFOSR's small military population, the office also provides will and legal assistance services for its authorized military and civilian members.

The **Air Force Research Laboratory Legal Office** located in Rome, New York surpassed its previous records for inventions and patents in 2012. Invention disclosures are up 100% from 2011; patent applications filed are up 20%; and patents issued are up 28.5%. As part of our retained patent expertise, Mr. Joseph Mancini teamed with the U. S. Patent Office to address the entire DoD Technology Transfer community on sweeping patent reforms under the America Invents Act. They also formally dedicated their Patent Wall! In addition to our patent efforts, we reviewed nearly

300 contract actions, including 47 source selections valued at nearly \$900 million. Mr. Carmen Pisano, an acquisitions attorney on staff, was instrumental in competing a \$300 million multiple-award IDIQ with 18 offerors, providing rapid cyber technology R&D capabilities without a single protest. Speaking of protests, Mr. Pisano also successfully fended off a \$1.5 million set-aside protest, protecting mission-critical infrastructure!

The **711th Human Performance Wing's** mission is to advance human performance in air, space, and cyberspace through research, education, and consultation. The Wing supports the most critical Air Force resource—our operational military forces. The Wing's primary focus areas are aerospace medicine, human effectiveness science and technology, and human systems integration. In conjunction with the Naval Medical Research Unit–Dayton and surrounding universities and medical institutions, the 711 HPW functions as a Joint Department of Defense Center of Excellence for human performance sustainment and readiness, optimization, and enhancement. The 711 HPW accomplishes its mission through three distinct but complementary mission units and a central staff located at Wright-Patterson AFB OH. In addition, the Wing includes about a dozen smaller operating locations within the United States and internationally.

Lt Col Bill Boyce is the legal advisor to the Air Force's largest Institutional Review Board (IRB), a human subjects oversight body which supports technical research and compliance standards for over 250 human use protocols. In addition to IRB matters, he advises on a wide-range of graduate medical education matters which impact

sustainment of the world's most advanced aerospace medicine program and its advanced residency education mission. During 2012, he secured the US Air Force School of Aerospace Medicine's [USAFSAM] first-ever civilian medevac transport training, a huge win for the Baltimore Shock Trauma training platform which supports one of three USAFSAM Centers for Sustainment of Trauma & Readiness Skills "CSTARS" training sites.

On 1 October 2012, the **Air Force Sustainment Center** officially stood up at Tinker Air Force Base, OK, as part of Air Force Material Command's 5-Center Reorganization. AFSC/JA's mission is to provide legal advice on military justice, administrative law, and acquisition law, to the Center Commander, and staff, as well as commanders and directors of subordinate units that span across three logistics complexes (Oklahoma City Air Logistics Complex, Ogden Air Logistics Complex, and Warner Robins Air Logistics Complex), three air base wings (72nd Air Base Wing, 75th Air Base Wing, and 78th Air Base Wing), two supply chain management wings (448th Supply Chain Management Wing and 635th Supply Chain Operations Wing) and multiple remote operating locations.

A lean and agile legal staff of six hard-working professionals at AFSC/JA, led by Colonel Norine Fitzsimmons and Senior Master Sergeant Donte Anderson, AFSC/JA is dedicated to supporting the Center and subordinated organizations, in accomplishing the vital Sustainment Center Mission of "sustaining weapon system readiness to generate airpower for America." AFSC/JA has fully embraced the Center Commander's vision of striving

for the "Art of the Possible." In a challenging and dynamic environment, the Sustainment Center is looking to thrive by providing "greater military capability, improved readiness at less cost" through "recognizing opportunities, understanding and eliminating true limiting constraints, improving processes, and maximizing available resources." The Sustainment Center employs a holistic leadership model by providing enduring principles to equip leaders to gain effectiveness and efficiency. Achieving the common goals in the Sustainment Center are met by three collective components: developing people, managing resources and improving processes, "focused around the tenets of speed, quality, safety and cost effectiveness." Through the creation of a "leadership construct where teamwork, accountability, respect, transparency, credibility and engagement are paramount", the Sustainment Center creates an environment where everyone can achieve the "Art of the Possible."

AFSC/JA practices the "Art of the Possible" every day and all members of our team have demonstrated these guiding principles as we lay the foundations to effectively support the Sustainment Center. Early challenges included setting up the office space, computers, furniture, budget and defining roles and responsibilities among our geographically separated commands. The next year promises to be busy as AFSC/JA further strives to hone military justice processes and procedures and sustain acquisition law excellence. The Sustainment Center has a critical mission, one that is vital to both the security of the U.S. and the stability of the world, and the AFSC/JA team is committed to ensuring these important goals are achieved.

In keeping with the AFMC 5-Center Reorganization, on 1 October 2012, the Oklahoma City Air Logistics Center (OC-ALC) legal office was designated the **72nd Air Base Wing Legal Office**, (72 ABW/JA) Tinker Air Force Base, Oklahoma. The 72nd ABW/JA falls under the functional supervision of the Air Force Sustainment Center, co-located at Tinker AFB. The office provided 634 civil law opinions, worked 564 employee discipline cases, handled 113 EEO/MSPB cases and provided over 900 labor opinions. The VITA program produced 1898 returns saving \$229,392 in fees. The acquisitions division reviewed 730 contracts with a combined value of \$5.5 billion, issued 320 legal opinions, and certified 799 OGE 450s. The military justice division aggressively prosecuted 5 General Courts-Martial, 5 Special Courts Martial and processed 74 Article 15s.

The **75th Air Base Wing Legal Office**, (75 ABW/JA) Hill Air Force Base, Utah, workload remained constant and busy throughout the year. The office provided opinions on over 1200 civil law issues, worked 534 employee discipline cases, 75 grievances and provided 287 labor opinions. The office supported this year's Air Show and the successful opening of the first building of the Falcon Hill EUL project. Our legal assistance program remained robust serving 2070 legal assistance clients, saving \$564,670.00 in fees, while the VITA program produced 1637 returns, saving \$444,503.00 in estimated fees. Our acquisition attorneys and paralegals reviewed and advised on 669 contract files with a value of over \$6.1 billion, issued 789 contract opinions, and certified 865 OGE 450 filings. Finally, our military Justice Division successfully prosecuted 6

Special Courts-Martial, 2 Summary Courts and processed 93 Article 15s in 2012.

For most of 2012, the **78th Air Base Wing Legal Office**, (78 ABW/JA) Robins Air Force Base, Georgia, provided full spectrum legal services to five wings and one Air Logistics Center with a population of 20,000 military and civilian Airmen and a legal assistance catchment of 50,000 Airmen, families and retirees. Five of our personnel, Capt Stuart Saylor, SSgt Jenny Adams, Mr. Brad Adams, Ms. Kimberly Mlinaz and Ms. Melissa Kavanaugh were recognized as annual award winners in their respective categories by the Air Logistics Center. Mr. Adams and Ms. Mlinaz were also recognized by the local chapter of the Air Force Association as annual award winners. Ms. Amy Overton was recognized by TJAG for outstanding support of a commander directed investigation which garnered extensive media coverage.

The Labor Law Division worked with base leadership to revise the Local Supplement Agreement with AFGE Local 987 and managed an increasing workload of 418 disciplinary action reviews, 34 EEOC hearings 31 MSPB appeals, 51 Labor Relations grievances mediation settlement agreement reviews and 48 EEO mediation settlement agreement reviews.

Civil Law, the most diverse Division, provided over 1,000 administrative law and ethics reviews and had 6,000 legal assistance appointments saving clients more than a million. The Expanded Legal Assistance Program assisted clients with the preparation of court documents in magistrate, probate and superior court; the preparation of deeds; and, on occasion the

appeal of cases to the Georgia Court of Appeals. The tax program filed 1,344 tax returns with almost \$1.8 million in refunds and estimated savings of \$141,247 in tax preparation fees.

Our Military Justice division, in addition to prosecuting a murder court-martial, saw a workload of 62 non-judicial punishment actions, 42 administrative discharges and 1 SPCM. Robins also has a robust Magistrate Court Program which prosecutes 450 cases annually.

The Acquisitions and Business Law Division reviewed 9,000 contract actions worth \$5 billion and defended 20 bid protests on behalf of its clients including successfully defending multiple GAO protests against acquisition of Air Combat Command's urgent Electronic Attack Pod Upgrade Program valued at \$500M. Due to the complexity of the matter the GAO called a rare hearing, during which testimonial and documentary evidence—marshaled by our attorneys—was presented so convincingly the protest was denied in its entirety. The division also managed a Financial Disclosure Management for more than 1000 OGE Form 450s and SF278, the third largest filing workload in Air Force, and second largest in AFMC.

Last, but not least, the Environmental Division benchmarked paralegal teaming by having a paralegal perform legal research, drafting, analysis, tracking of issues, and collaborating with environmental partners base-wide. This was also a successful year for the Readiness and Environmental Protection Initiative bringing \$14 million each in federal and state funds and \$12 million in special purpose local-option sales taxes to purchase

protective easement to preserve compatible land use near Robins AFB.

In 2012, as part of Air Force Material Command's 5-Center Reorganization initiative, Edwards Air Force Base legal personnel witnessed the stand down of the Air Force Flight Test Center (AFFTC) and the stand up of the **Air Force Test Center (AFTC)**, as well as the inactivation of the 95th Air Base Wing. The former AFFTC/JA legal office was divided into two distinct offices: the AFTC legal office led by Col Mark Hatch, and the 412th Test Wing legal office with Lt Col Marvin Tubbs as SJA. In addition, the Air Armament Center (AAC) at Eglin AFB FL was stood down and the 96th Air Base Wing was re-designated as the 96th Test Wing. The former AAC legal office led by Col Kristi Kijek became the 96th Test Wing Legal office and falls functionally under AFTC/JA. Likewise, the Arnold Engineering Development Center, led by Lt Col Mitzi Weems and functionally supervised by AFTC/JA, was re-designated the Arnold Engineering Development Complex on 1 Oct 12.

The newly created **412 Test Wing Legal Office** (412 TW/JA), Edwards Air Force Base, California (assuming stats from AFFTC/JA), processed 38 Article 15s, three GCMs, two SPCMs and 34 administrative discharges in 2012. The office hosted its very successful Fourth Annual Military Justice Workshop for commanders, civilian leaders, and first sergeants, with mini-MJ workshops conducted for front-line supervisors. The 412 TW/JA continued to manage its active Federal Magistrate Court program recovering \$63,011.75 in fines for the California Victim's Assistance

Fund by processing over 500 citations and arraigning 218 individuals who had committed misdemeanors or low-level offenses on the base. 412 TW/JA revitalized its VWAP program in 2012, and conducted a VWAP council meeting in October to discuss ways to improve support to victims of crimes. The office's civil and general law programs completed over 600 suspenses in 2012, with a great deal of the workload coming in the area of driving suspensions/revocations, ethics opinions, and publication reviews. Finally, the legal office continued its robust legal assistance support to the community by seeing 1350 clients and produced 1317 total documents: 192 Wills; 768 Special Powers of Attorneys; 159 General POAs; 127 Advance Med Directives; 68 other; 2 affidavits and 1 letter. The office also added a day of will appointments utilizing its 7-level paralegals to draft wills.

The **96th Test Wing Law Center**, (96 TW/JA) Eglin Air Force Base, Florida, masterfully administered a robust military justice caseload, including 1 GCM, 6 SPCMs, and 5 SCMs, to finish the year ranked #1 in total courts in AFTC, #1 in AFMC and #18 in the Air Force. The Justice team processed 56 Article 15s to rank #1 in total actions offered in AFTC, #2 in AFMC and #42 overall in the Air Force and won the first-ever 96th Test Wing Staff Agencies Team of the Quarter Award. 96 TW/JA General Law attorneys reviewed more than 1,591 complex civil law matters; 23 employee removal actions, 10 employee suspension and 2 arbitrations as well as over 26 base plans and 6 readiness exercises. Our General Law paralegal teamed with our attorney team to process 956 OGE 450s,

as well as over 100 other OGE 450s that were backlogged from previous years. The Eglin Tax Center filed 2,677 e-returns and 924 paper returns with over \$6.3 million in refunds and a savings of \$554,822 in preparation and filing fees. Eglin's legal assistance program provided support to more than 4,013 clients including all services. In addition, 6,111 notaries, 712 wills, 3,040 POAs, and 1,147 other documents were prepared, saving clients an estimated \$682,230. Eglin's Environmental Law team orchestrated the transfer of the historic Cape San Blas lighthouse from the Air Force to the local county, saving a million in long-term maintenance costs, averting a collapse of the structure into the ocean and preserving a Florida treasure for future generations. Eglin's legal team was integral to the base's selection for a third year in a row as AFMC nominee for the Commander in Chief's Installation Excellence Award.

Air Force Special Operations Command

The **1st Special Operations Wing Legal Office** (1 SOW/JA) Hurlburt Field, Florida continued to focus on the importance of the legal assistance services provided to air commandos, their dependents, and retirees. Throughout the year, 1 SOW/JA routinely made house calls to clients in need of legal help, but who were unable to leave their homes because of health reasons. When an AF member attempted to take his life and was in critical condition, a paralegal made four separate trips to ensure all his legal affairs were in order.

Also, 1 SOW Staff Judge Advocate deployed in support of the Special Operations Joint Task Force—

Afghanistan (SOJTF). She initially served as a member of the SOCOM Operational Planning Team advising on all legal issues associated with the creation of this new organization. She then deployed as part of the transition team and served as the primary legal advisor to the CJSOAC Commander.

When the **27th Special Operations Wing Legal Office** (27 SOW/JA) Cannon Air Force Base, New Mexico created an advanced echelon (ADVON) team, the Operations Section ensured JAGs maintained “72-hour” and “30-day” deployment bags. The Section compiled a kit of JAG-specialized pro-gear, a printer, a hard drive, and supplies necessary to support deployed operations. Each JAG also received a government laptop for daily work, and to accompany them in their deployed location. They also ensured JAGs remained current on health and training requirements. They even held “bag drags” to ensure personal deployment bags were properly maintained.

Additionally, the Operations Section conducts “squadron raids” where they draft wills, POAs, advanced medical directives, and provide legal advice to squadrons. The OIC even briefs ROE and host nations’ laws to deploying personnel for each AOR.

The primary mission of the **352d Special Operations Group legal advisor** (352 SOG/JA) RAF Mildenhall, England is to ensure the legal readiness of the Air Commandos assigned to the group and be prepared to deploy with the group to provide expeditionary legal support. As such, it is critical that the legal advisor maintain a high level of legal and mission readiness to deal with any aspect

of the military-legal environment in any location.

As the sole legal advisor to the 352d SOG at RAF Mildenhall, Capt Jason DeSon faced many challenges during his assignment, especially when he forward deployed to Romania for JACKAL STONE 2011 within weeks of becoming the SOG JAG. Another challenge was understanding the various missions the special operators perform, including the unique capabilities of the MC-130 fleet and the special tactics squadron

Air Force Space Command

The **21st Space Wing Legal Office** (21 SW/JA), Peterson Air Force Base, Colorado, collaborated with legal professionals from the city of Colorado Springs to create a robust legal office training program. The office’s Senior IMA, Lt Col Diane Boldt, was instrumental in scheduling 12 local expert briefings that included the District Attorney, a Colorado State judge, a SANE nurse, a civilian ethics expert, a child pornography computer expert, and military operational experts from regional bases. The training program was a huge success and saved valuable TDY training dollars for several local area legal offices.

The **30th Space Wing Legal Office** (30 SW/JA) Vandenberg Air Force Base, California, completed 88 percent of its Article 15 actions within 30 days of the date of discovery. Attorneys and paralegals completed over 1,200 suspenses and managed an active magistrate court program of nearly 1,000 citations. Vandenberg’s 92 percent outstanding rating in legal assistance surveys earned it an Air Force nomination for the American Bar Association Legal Assistance for

Military Personnel Distinguished Service Award. Additionally, Capt Carman Leone received a nomination for the individual Distinguished Service Award, making Vandenberg the only installation nominated in both the individual and organizational categories.

The **45th Space Wing Legal Office**, (45 SW/JA) Patrick Air Force Base, Florida, supported 16 successful launches, including the launch of the first all-commercial flight to resupply the International Space Station. Patrick enhanced community relations by hosting and briefing the Chamber of Commerce Military Affairs Council on legal services it provides and the differences between the military and civilian criminal justice systems. The military justice section drastically reduced discharge processing times and created a 3rd-fitness-failure checklist, which was cross-flowed to other JA offices as a best practice.

The **50th Space Wing Legal Office** (50 SW/JA), Schriever Air Force Base, Colorado, distinguished itself in the use of its paralegals. The NCOIC of Military Justice interviewed over 60 witnesses and victims, which helped ensure convictions in all cases. Another paralegal attended the AFIT Environmental Contracting Course and scored 98 on the end of course exam—the best in the class! Schriever also had the best enlisted training program in Air Force Space Command.

The **67th Network Warfare Wing Legal Office** (67 NWW/JA), a tenant at Lackland Air Force Base, Texas, provides legal support to the 67th Network Warfare Wing and the 688th Information Operations Wing. As the Air Force’s only cyber operations wing

legal office, 67 NWW/JA took advantage of exciting opportunities to forge new ground in 2012. Attorneys and paralegals teamed with Air Force engineers to ensure new cyber capabilities were developed in compliance with humanitarian law. In contracting and intellectual property law, the office secured an unprecedented number of information sharing agreements with private industry to guarantee enhanced research and development for our cyberspace units. In an effort to support network accountability across the Air Force, the office made commanders aware of computer misconduct detected by our Network Defense organizations.

The **460th Space Wing Legal Office**, (460 SW/JA) Buckley Air Force Base, Colorado, underwent a Consolidated Unit Inspection, scoring an “Excellent” rating and earning “Professional Team” and “Professional Performer” awards in the process. Despite the loss of 30% of its active duty strength due to a PCS and two deployments, the 460 SW/JA continued to provide a high level of service and support to commanders and clients alike.

Air Mobility Command (AMC)

The **6th Air Mobility Wing Legal Office** (6 AMW/JA) MacDill Air Force Base, Florida legal office had a strong year! Ms. Otero received the AMC 2011 Vague Award. SSgt Horn and SSgt Palmer were awarded the coveted First Sergeants’ Diamond Sharp Award, and the Military Justice Division received the AMC Excellence in Discipline Silver Medal for First Quarter 2012. The General Law Division assisted the 6 AMW/CC with issues arising from a military aircraft making an improper landing at a small, local airport. Additionally, our

honorary commander was installed as the 2012-2013 Hillsborough County Bar Association President. Finally, Major Ohr and Capt Boucher volunteered to co-chair the prestigious Hillsborough County Bar Association Leadership Institute for 2012-2013.

The **19th Airlift Wing Legal Office** (19 AW/JA) Little Rock Air Force Base, Arkansas serves two wings; the 19th Airlift Wing (AMC) as the host wing and the 314th Airlift Wing (AETC). In 2012, the court-martial workload doubled from 2011, with 13 courts-martial completed, nine cases in progress, and five more pending. To assist with prosecuting cases, Little Rock hosted four visiting attorneys pursuing trial counsel certification. In addition to courts, the Military Justice team processed 103 non-judicial punishments, 70 notification discharges, and 17 discharge boards. Ensuring legal readiness through our legal assistance program, our legal office served 2,595 clients providing over 3,894 legal documents, executed 471 wills, and provided 4,434 notaries, saving clients over \$668,000.

A focus on discipline by McConnell’s Justice Team earned the **22d Air Refueling Wing Legal Office** (22 ARW/JA) McConnell Air Force Base, Kansas AMC’s Excellence in Discipline “Gold Medal” award the first three quarters of 2012! In addition, military justice implemented a monthly base-wide email “1,000 Ways to Get in Trouble” which deterred crime and educated Airmen by highlighting real discipline cases. The Civil Law team provided unparalleled Open House Air Show advice. The tax center recruited 25 volunteers and increased utilization by 38%, ultimately saving McConnell Airman over \$300K in

fees. The legal office shined during a visit from the AMC IEA team, and was highlighted during the team chief’s out-brief. Finally, the 22 ARW/JA Team resurrected the Magistrate Court program and prosecuted the first cases in over six years!

The **60th Air Base Wing Legal Office** (60 AMW/JA) Travis Air Force Base, California successfully defended the base in a complex labor arbitration hearing, saving the wing over 750 thousand dollars. With a robust legal assistance program, the legal office provided assistance to over four thousand clients, completing more than five thousand documents and saving the Air Force family more than 800 thousand dollars. Additionally, the military justice section continually maintained open lines of communication with all commanders, first sergeants and investigative agencies; allowing for swift administration of military justice and completion of over 100 NJP and 17 courts-martial actions.

The **62d Airlift Wing Legal Office** (62 AW/JA) McChord Field, Joint Base Lewis-McChord, Washington, ensures the readiness of more than 2,300 active duty Air Force and civilian personnel. With 51 permanently assigned C-17 Globemaster III aircraft, the 62 AW provides support to worldwide combat and humanitarian airlift missions. 62 AW Prime Nuclear Airlift Forces continue to strengthen the Air Force’s nuclear enterprise as the only wing in the Department of Defense tasked to airlift nuclear and nuclear-related cargo. The wing also provides mission support to their associate reserve partner, the 446th Airlift Wing. Together, the 62 and 446 AWs are the sole providers of

C-17 support to the National Science Foundation Antarctic Research station at McMurdo as part of Operation Deep Freeze. The Team McChord legal office collaborates closely with their Army counterparts on a myriad of joint base legal issues. The Office of the Staff Judge Advocate continues to lead the way — recently earning an “Outstanding” rating by the AMC IG during an Operational Readiness Inspection.

The **92d Air Refueling Wing Legal Office**, (92 AW/JA) Fairchild Air Force Base, Washington, was able to complete 2 SPCMs, 2 GCMs and 1 fitness discharge board in less than 30 days with only 4 trial counsel. We hosted the “best TRIALS course in 13 years” with 6 instructors and 8 students from 7 bases. Our entire office participated in a very well-received military justice symposium for more than 40 Commanders and First Sergeants. We received an excellent in our Nuclear Operation Readiness Inspection. The legal office’s many accomplishments directly contributed to Fairchild Air Force Base winning the 2012 Air Force Outstanding Unit Award.

In 2012, the **375 Air Mobility Wing Legal Office** (375 AMW/JA) at Scott Air Force Base, Illinois was awarded the AMC legal office of the year for 2011. This award was the result of our entire office working extremely hard and committing to support our Wing’s mission with the best legal services we can provide, and this commitment continues into 2012. Additionally, our office served as the pilot program for the entire JAG Corps by successfully implementing the expanded legal assistance program with the first ever representation by Air Force JAGs of

military members and dependents in uncontested divorce cases in civilian courts. Our office continues to support OEF and the Office of Military Commissions trials of detainees at Guantanamo Bay Cuba, with three of our JAGs and three of our paralegals deploying to support these missions in 2012. Finally, our LOS, MSgt Rasch, conducted more than 40 outside the wire missions in Afghanistan and was awarded the Bronze Star medal for his efforts in support OEF.

The **436th Airlift Wing Legal Office**, (436 AW/JA) Dover Air Force Base, Delaware protected its Airmen by convincing the largest, local residential landlord to remove a liquidated damages clause, which violated the SCRA, from rental agreements. The office enhanced attorney-paralegal teaming by instituting paralegal-led reviews of fitness retention packages. In Dover AFB’s biggest criminal case in recent memory, the office successfully convicted and sentenced a sexual predator to nine years confinement and a dishonorable discharge, sending a huge deterrent message throughout the wing. The legal office’s many accomplishments contributed to Dover Air Force Base winning the 2012 Air Mobility Command Commander-In-Chief’s Installation Excellence Award.

Pacific Air Forces (PACAF)

The **8th Fighter Wing Legal Office** (8 FW/JA), Kunsan Air Base, ROK continued the focus on operational excellence that is the hallmark of the Wolf Pack. In addition to bimonthly operational readiness exercises (ORE), the office supported multiple theater security packages, the MAX THUNDER combined USAF/ Republic of Korea Air Force exercise,

and the KEY RESOLVE and ULCHI FREEDOM GUARDIAN joint exercises. In the midst of an ORE, the legal office immediately dispatched a team to respond to the nearby off-station crash of another wing’s aircraft. The office’s capabilities were on display as they provided translation for the responding security team and essential information for the landowner.

The **15th Wing Legal Office**, (15 WG/JA) Joint Base Pearl Harbor-Hickam, Hawaii, supports the 15th Wing as the lead Air Force mission wing at the joint base. 15 WG/JA military justice, claims, and general law sections continue to support all Air Force units in Hawaii.

The **18th Wing Legal Office** (18 WG/JA) Kadena Air Base, Japan continued to provide superb support to the Kadena community in 2012. The entire legal office teamed up to complete claims inspections of over 100 vehicles that were damaged by Typhoon Jelawat, the third typhoon to pummel Okinawa during the month of September. During that same month, the Kadena Law Center hosted 14 law students from the Graduate School of Law, University of the Ryukyus. During this event, Kadena JAGs and Okinawan law students compared U.S. and Japanese judicial systems. In 2012, the Kadena Law Center also celebrated the retirement of Takashi Matsuda-san, who served as 18 WG/JA’s Host Nation Legal Advisor for 18 years.

Great individual and team effort bore fruit with a string of recognition for the **35th Fighter Wing Legal Office** (35 FW/JA) Misawa Air Base, Japan including the PACAF Outstanding Legal Office of the Year award, ABA’s

LAMP award, and the First Sergeant's "Diamond Sharp" award. 35 FW/JA personnel received numerous wing-level and JAG awards. Ms. Andrea Slayton, 35 FW/JA discharge clerk, was recognized by The Judge Advocate General, as the JAG Corps "Unsung Hero" award receipt. 2012 also proved to be Misawa's busiest military justice docket in 29 years, prosecuting a record 12 courts-martial. Lastly, 35 FW/JA kept true to the wing mission by practicing "Attack to Defend" with multiple OREs and deployments. Misawa Legal looks forward to continuing to provide valued counsel, principled advocacy and combat-ready support throughout 2013.

The **36th Wing Legal Office**, (36 WG/JA) Andersen Air Force Base, Guam, maintained a high operations tempo in 2012, with two JAGs and two paralegals being deployed. The office supported legal assistance clients in Saipan as well as Guam and successfully implemented a program to have paralegals draft all wills. Courts-martial and discharge boards kept trial counsel and paralegals fully engaged, and the office also managed the U.S. Magistrate program for bases in Korea and Japan, as well as Guam.

A year of preparation by the **51st Fighter Wing Legal Office** (51 FW/JA) Osan Air Base, ROK culminated with "Excellent" ratings for the office and Wing during a consolidated unit inspection (CUI) and Article 6, Part I at Osan Air Base, ROK. Later in the year the Legal Mustangs showcased their contributions and commitment to excellence to the Air Force General Counsel and during DJAG's Article 6, Part II visit. In addition to a heavy military justice workload,

international law was a focus in 2012 as the office dealt with the high-profile handcuffing of Korean civilians by members of the Town Patrol.

The **337 ASUF/JA** team supported force posture initiatives that will, over five years, facilitate a significantly increased USMC and PACAF presence in Australia. The first 200 Marines arrived in Darwin in April, and Lt Col Imburgia and MSgt Pridgen provided the battalion's sole legal/FCJ support. The JA team also worked tirelessly with Australia to preserve key interoperability interpretations during-Australia's Cluster Munitions Convention ratification process, thereby safeguarding continued, effective military operations with Australia. Finally, the JA team traveled to eight remote Australian locations to provide legal assistance to 905 personnel, and finalized Foreign Clearance Guide changes that streamlined Australian immigration processing.

The **354th Fighter Wing Legal Office**, (354 FW/JA) Eielson Air Force Base, Alaska, remains "Ready to go at 50 below!" With 25% of the small office deployed, the top-notch personnel won multiple awards and delivered outstanding mission support! They provided 1,500+ documents to 900+clients. A robust tax program saved \$68K in fees. The justice team continued excellent, timely service with PACAF's #2Article 15 program and a docket of complex cases. The civil law division handled high profile contract and environmental issues, saving a \$1.5M dining facility contract and \$500K in environmental penalties. A successful Article 6 visit culminated an outstanding year.

The **374th Airlift Wing Legal Office** (374 AW/JA) Yokota Air Base, Japan, continued its proud tradition of providing comprehensive legal support to Team Yokota across all disciplines. Among the many successes, 374 AW/JA ensured the due process rights of three civilians accused of assault and robbery. Teaming with commanders, the legal office also reduced NJP processing times by 67%. During a major dorm flood caused by a water main break, JAGs and paralegals provided critical legal support to nearly 200 displaced airmen, ensuring they were given proper housing and claims assistance. The office was also instrumental in implementing a long-anticipated revision of the base housing policy, allowing members to move off base to live in the local community for the first time in three years.

In late September, the **673d Air Base Wing Legal Office** (673 ABW/JA) at Joint Base Elmendorf-Richardson, Alaska, had the unique privilege of flight-testing a new Article 6, Part 2 briefing format. Innovations from the JBER legal office briefing were immediately adopted by the inspection team for the format going forward and the presentation was cross-fed to other legal offices scheduled for inspection. Additionally, the JBER legal staff supported five deployment taskings throughout the year, conquered a busy military justice docket, completed an office makeover highlighted by a professional new conference room, and launched the "Lunch with a Lawyer" preventive law outreach program.

United States Air Forces Europe (USAFE)

The 31st Fighter Wing Legal Office (31 FW/JA) Aviano Air Base, Italy,

provided full-spectrum legal services to the Aviano population and to geographically separated units throughout Southern Europe. In 2012, 31 FW/JA personnel supported Air Force, joint, and coalition operations at home and at deployed locations. The office's military justice practice, legal assistance initiatives, robust training efforts, and attorney-paralegal teaming programs yielded tremendous benefits for its clients. Furthermore, by initiating and fostering close official relationships with Italian government authorities and law enforcement entities, 31 FW/JA safeguarded 31st Fighter Wing command prerogatives and directly enhanced the Wing's ability to project combat power.

The **39th Air Base Wing Legal Office** (39 ABW/JA), Incirlik Air Base, Turkey, has a rich history. Its mission enables the Air Force to operate near many of the world's trouble spots. The 39 ABW supports all DoD activities in Turkey as it supports multiple GSUs with a blend of JAGs, paralegals, and local national attorneys. In 2012, the office handled an MQ-1B Predator squadron bed-down, resolved Turkish customs stoppages affecting the cargo and passenger hub for operations downrange, and settled multiple defense agreement disputes to improve cooperation with our NATO partner. Legal engagement continues to enhance this strategic partnership.

The **48th Fighter Wing Legal Office** (48 FW/JA) RAF Lakenheath deployed two captains to Al Udeid and Afghanistan. A paralegal deployed stateside to the Office of General Counsel to review detainee habeas corpus requests. The office's British

Liaison Officer, Ms. Karen MacKay, organized the first-ever RAF/USAF "Deployed Spouses Day," a major community outreach which included a barbeque, children's activities, a rock-climbing wall, a fire truck demo and multiple displays, including pararescue and military working dog demonstrations. The event was a great community success and brought together over 250 family members of deployed UK/USAF personnel.

The **65th Air Base Wing Legal Office** (65 ABW/JA) Lajes Field, Azores, Portugal enables the expeditionary movement of warfighters, warplanes, and global communications to combatant commanders; supports joint, coalition, and NATO operations; and promotes regional partnerships. In 2012, the 65th ABW Legal Office deployed SSgt Melissa Drodgy for six months to Kandahar, Afghanistan. SSgt Drodgy performed superbly assisting clients, managing military justice, and coordinating the local bazaars. At Lajes, the home team supported an "excellent" ESOHCAMP inspection, cared for 994 legal assistance clients, and provided nearly the same amount of documentation while continuing to build on its strong host nation relationships.

The **86th Airlift Wing Legal Office** (86 AW/JA) Ramstein Air Base, Germany found innovative ways to improve military justice. The office created a consolidated notification discharge form, approved by AFPC for beta testing. Additionally, 86 AW incorporated Article 15 and discharge metrics into calculations for achieving wing goal days. 86 AW/JA processed 18 courts-martial, 196 Art 15s, and 115 admin discharges. Prosecution

of a child sex offender resulted in adjudged confinement of 30 years. 86 AW/JA deployed four JAGS and two paralegals to locations in Afghanistan, Kryzikstan, Spain, and Qatar. Major Alan Goodwin, USAFR, was the USAFE nominee for the Reginald C. Harmon Outstanding Reserve JA Award.

The **100th Air Refueling Wing Legal Office** (100 ARW/JA) RAF Mildenhall enabled flying operations for four major commands as they carried out training and contingency operations throughout the EUCOM and AFRICOM AORs. They ranked first in USAFE on the feedback honor roll for twelve months, expanded the concept of "teaming" to include teaming paralegals with investigators, provided a webcast on NJP best practices, and directly contributed to the 352d SOG's "excellent" rating in an AFSOC CUI. They also conducted "ride-a-longs" with local police, strengthening ties with host nation law enforcement. Finally, Team Mildenhall supported exercise and real world special operations in England, Croatia, and Africa.

The **421st Air Base Group Legal Office**, (421 ABG/JA) RAF Menwith Hill, United Kingdom, solidified existing relationships with host-nation partners, working hand-in-hand with the Ministry of Defence Police Criminal Investigation Department (CID) during the investigation of a local national base employee who misused a Government Purchase Card. 421 ABG/JA worked closely with CID to obtain evidence, contacted potential witnesses who had PSCed, and liaised with HQ USAF/JAO to obtain approval for personnel sum-

moned as witnesses. The successful teaming resulted in the employee pleading guilty to 17 charges, saving the base and host-nation partners the time and expense of a litigated trial.

The **422 Air Base Group Legal Office** (422 ABG/JA) RAF Croughton, United Kingdom is responsible for 1,700 personnel at RAF Croughton, RAF Fairford, RAF Welford, and 40 geographically separated units in the southwest of England. In 2012, 422 ABG/JA negotiated and concluded an agreement with the Royal Air Force Charitable Trust Enterprises to hold the annual Royal International Air Tattoo (RIAT) at RAF Fairford. The RIAT is the largest military air show in the world and supports the combined air arms campaigns of over 40 allied nations. The office also had a huge financial impact on the com-

munity by alleviating over \$300,000 in UK tax assessments.

The **426th Air Base Squadron Legal Office** (426 ABS/JA), Stavanger, Norway, serves as the U.S. National Support Element for NATO's Joint Warfare Centre. The legal office advises the commander on installation and host nation issues and provides legal assistance to approximately 220 DoD personnel and dependents stationed in Norway. The SJA serves as the legal advisor to the U.S. Country Representative Norway and Denmark and is also dual-hatted as the squadron's deputy commander. The highlight of the past year was TSgt Nikkole Sheehan, NCOIC Legal Office, being named the John L. Levitow Honor Graduate of the 2012-1 NCO Academy held at Ramstein Air Base.

The **501st Combat Support Wing Legal Office** (501 CSW/JA), RAF Alconbury, United Kingdom, supported joint and combined intelligence operations at RAF Molesworth and provided services to other 501st legal offices in their missions to support communications and global strike operations in the United Kingdom and Norway. 501 CSW/JA strengthened ties with the local community by hosting a Law Day Luncheon for local barristers, magistrates, police, and other officers, improving cooperation with host-nation partners. The legal office was lauded for its development of comprehensive Sexual Assault First Responder Training for Judge Advocates which has been shared with legal offices across the JAG Corps.

JOINT JAGs AND PARALEGALS

More than 80 percent of the JAG Corps deployment taskings fulfill non-Air Force operational requirements. These joint and sister-service missions often require a specialized focus, such as contracting, fiscal law, international law, domestic operations, claims, or operations law. In 2012, the JAG Corps deployed judge advocates and paralegals to numerous joint task forces, combined commands, and joint service legal offices in Afghanistan, Iraq, Djibouti, Liberia, Cuba, Colombia, the Philippines and throughout combatant command AORs.

Supporting joint and sister-service operations is a Total Force effort for the JAG Corps. During 2012, Air Force Reserve and National Guard attorneys and paralegals volunteered to fill approximately 20 percent of all JAG Corps deployment taskings. This teamwork, both at home and abroad, is critical to mission success. Every day, JAG Corps members are dedicated to providing full-spectrum legal services needed to support the warfighter around the world. What follows is a spotlight on what we are bringing to the fight, working with our joint, sister-service, and coalition partners, 24/7/365.



USTRANSCOM

The extraordinary ability to rapidly project national power and influence—anywhere, at anytime—is unique to the United States. United States Transportation Command is responsible for providing the global mobility and strategic enablers supporting this vital national capability. In support of that global mission, the Office of the Staff Judge Advocate provides full-spectrum legal services with a team knowledgeable in all modes of transportation—air, sea

and land involving a blend of military and contracted assets.

The Staff Judge Advocate is currently an Army colonel with an Air Force colonel as the Deputy. The office consists of three divisions: Acquisition Law, Fiscal and Civil Law and Operational and Administrative Law.

In 2012, our attorneys supported the command's \$7.8B acquisition portfolio, which includes airlift, sealift, rail,

surface, and transportation related information technology programs. Major contracting actions included the Civil Reserve Air Fleet (CRAF) contract, which provides full plane charters for passengers and cargo in peace and war, and the Universal Services Contract which provides worldwide movement of about 80% of DOD's international container and break-bulk sealift cargo.

The office is recognized throughout DOD as the singular authoritative source for legal advice on transportation law. One area of unique expertise, administering Department of Transportation provided war risk insurance for DOD transportation contractors, has enabled the use of commercial helicopters and short take-off and landing aircraft to support the warfighters in Afghanistan. Coverage exceeded \$2B per flight for CRAF carriers landing in Afghanistan. Numerous resulting claims, primarily from rocket attacks and small arms fire, were adjudicated by our office and paid throughout the year

Operational and international law issues were fielded in support of the retrograde movement out of Iraq and the closure of the Pakistani

ground lines of communication for ongoing operations in Afghanistan. Our attorneys worked to resolve challenges ranging from the legal aspects of ensuring worldwide freedom of navigational movement to the timely arrival of a military service band for a foreign country goodwill tour.

As a result of the disestablishment of U.S. Joint Forces Command, the Joint Enabling Capabilities Command (JECC) was reassigned to USTRANSCOM in 2011. Over the past year, our administrative law attorneys have supported this transition helping the JECC to seamlessly continue its worldwide mission of providing joint operational capabilities to the geographic combatant commanders.

Additionally, the office has been fully immersed in the command's most comprehensive strategic planning effort undertaken in our 25 year history. The challenge of an increasingly constrained defense budget when combined with the withdrawals from Iraq and Afghanistan will significantly affect the Defense Transportation System in the coming years. Our legal acumen is vital to the success of the command's forward leaning strategic plan. We are continuously evaluating the impact of existing law and regulation as the command adapts processes and creates opportunities to preserve readiness as well as exploring the potential for statutory and regulatory changes to meet ever changing transportation mission requirements.





AFRICOM

Air Force JAG Corps members at United States Africa Command played vital roles in a variety of military missions during the past year. Col Jim Dapper leads the legal team at USAFRICOM and is joined by Lt Col Brandon Halstead and MSgt Ken Henkel. One of the missions they helped the Command accomplish was advancing the rule of law in African militaries (Liberia, DRC, Tanzania, Guinea, Chad). They also advised and assisted the militaries of Uganda, DRC, CAR and South Sudan to remove Joseph Kony and his Lord's Resistance Army from the

battlefield (see “Kony 2012” YouTube video). They trained, equipped and advised the African Union Mission in Somalia (AMISOM) to make huge advances in the struggle against the Al Qaeda-affiliated Al Shabaab terrorist group—Somalia is headed toward an opportunity to construct a real government for the first time in over 20 years. Additionally they help build the foundations of maritime security in the Gulf of Guinea. Participated in counter terrorism missions and the rescue of a US citizen and Danish citizen from pirates.

In addition to these operational missions, the USAFRICOM legal team also delivered comprehensive military justice services with celerity to the joint community at the headquarters element. MSgt Henkel mastered the procedures of all of the Services and contributed mightily to their efficient execution. The team also continued the Command's pursuit of international agreements in priority countries with emphasis on status protections and exercise support. Lt Col Halstead's efforts in this area produced spectacular results.



Kenyans Practice Sea Survival with the US Navy



Operation Good Samaritan C-LRA



CHAIRMAN'S LEGAL

The Office of the Legal Counsel to the Chairman of the Joint Chiefs of Staff, or “Chairman’s Legal,” is a selectively manned joint legal office comprised of 11 judge advocates from each of the Services (including three Air Force JAGs: Colonel Eric Roth, Lieutenant Colonels Eric Werner and Matt Stoffel), a Navy paralegal and an administrative assistant. All members of the office are required to maintain a Top Secret clearance and must be accepted into the position by the senior legal counsel, a 1-star Army

JAG. The office is responsible for providing legal advice to the Chairman, Vice Chairman, and Joint Staff on all administrative, operational and international law matters, to include the law of war, rules of engagement (ROE), War Powers, deployments, status of forces and access agreements, intelligence oversight, fiscal law, information operations, combating terrorism, arms control, reserve matters, ethics, and homeland security. Members of the Legal Counsel staff represent the CJCS’s interests in US interagency matters – regularly

interacting with the National Security Council, Departments of State and Justice, Combatant Commands, military departments, defense agencies, and the Congress – as well as in negotiations and other dealings with foreign governments. This past year major issues such as Don’t Ask, Don’t Tell Repeal, global unrest embassy support, detainee issues, and hurricane Sandy support have seen Chairman’s Legal’s Air Force JAGs routinely working high-level national security issues.



Chairman's Legal

Few attorneys routinely provide legal advice with potentially strategic effects like those at Chairman's Legal. On the Joint Staff, judge advocates from all of the services are at the fore of providing legal counsel to our nation's military leadership on incredibly broad and dynamic operational and policy issues. Air Force Lieutenant Colonel Matt Stoffel stands out prominently among this elite group of eleven attorneys and continuously reflects favorably upon the Air Force and the JAGC. Formulating legal advice on difficult and complex ethics and personnel issues provides this Air Force JAG a unique opportunity to ensure the actions and appearances of our senior leaders meet the high standards the public expects.

Chairman's Legal duties are split into portfolios, with each attorney responsible for their own portfolio and then providing back-up support to other portfolios as needed. As the JAG responsible for ethics reviews

and personnel and general officer matters, Lieutenant Colonel Stoffel's portfolio requires he be a master at juggling competing high-level priorities. His portfolio requires frequent communication with the Chairman's protocol office and numerous aides and executive assistants throughout the Joint Staff and COCOMs to ensure all of his clients are receiving thorough and consistent advice. Additionally, Lieutenant Colonel Stoffel serves as Chairman's Legal's point person on personnel matters, such as general officer discipline.

While Lieutenant Colonel Stoffel is one of the junior ranking officers assigned to Chairman's Legal, his contributions put him shoulder to shoulder with his joint counterparts and have earned him the utmost respect from the senior leaders he advises.



EUCOM

The Office of the Staff Judge Advocate at Headquarters, U.S. European Command provides legal advice and counsel to the Commander of U.S. European Command, all staff directorates, and commands throughout the EUCOM area of responsibility. The office is divided into the Administrative and Civil Law, Operations Law, and International Law divisions. Twelve attorneys, two paralegals, two support personnel, one deployed JAG and our assigned drilling reservists provide advice to a command of approximately 75,000 conducting operations in 51 nations across Europe, Asia, the

Middle East and even in support of U.S. Africa Command's operations in Africa.

MSgt Michael Wright, AF paralegal, serves as the office's Command Paralegal Manager and Executive Officer (XO), the only enlisted XO in the command, and he is joined in the office by a single permanently assigned AF JAG (Lt Col Paula Grant was replaced by Lt Col Paul Connolly over the summer). The office's two six-month Air Force deployers, Maj Damon Scott and Maj Scott Jansen, also served consecutively with EUCOM as the

office's liaison in Mons, Belgium. The office participated in negotiations to further missile defense, new basing, and increased capabilities in Poland, Romania, Belgium, and Turkey. Our annual International Law Conference was held in Riga, Latvia, this year, we manned two operations centers in support of attacks and regional unrest in the Central Command and Africa Command areas of responsibility, and in the fall we even deployed a person to Israel in support of Austere Challenge 12, a major bilateral air defense exercise.

Office of Defense Cooperation (ODC) Spain Office of the Staff Judge Advocate

The Office of Defense Cooperation (ODC)-Spain Office of the Staff Judge Advocate (OSJA), located in Madrid, is the focal point in Spain for any legal matters affecting the bilateral defense relationship between the United States and Spain. The Staff Judge Advocate (SJA), Major Mike Freyermuth, serves both as the legal advisor to the Chief, ODC Spain and also as the U.S. legal advisor on the U.S.-Spain Permanent Committee, a bilateral organization responsible for overseeing the implementation and interpretation of the U.S.-Spain Agreement on Defense Cooperation (ADC). The ADC is a supplemental bilateral defense agreement to the North Atlantic Treaty Organization (NATO) Status of Forces Agreement (SOFA) which regulates U.S. military forces and activities in Spain. The two host nation legal specialists, Mrs. Elena Arranz and Mr. Luis Sanz, with a combined total of over 70 years of experience working with the bilateral agreements and U.S. Forces in Spain, provide unparalleled insight and legal support to the Chief, ODC Spain and the Permanent Committee on a variety of matters such as foreign criminal jurisdiction, taxes, contracting and labor affairs.

Article Seven of the ADC established the Permanent Committee, with representatives from the U.S. and Spanish Departments of Defense, as well as representatives of the Spanish Ministry of Foreign Affairs and the U.S. State Department, to ensure the necessary coordination between the U.S. and Spain on a myriad of defense matters such as base construction, clearances for landing and over-flight of state aircraft, importation and distribution of petroleum products, medical services, labor issues, claims, and military operations. The ODC OSJA staff benefits from being co-located in the Spanish Air Force Headquarters building with the Spanish JAG on the Permanent Committee, Lt Col

Gonzalo Tejada Ximenez de Olaso, to collaborate daily on such key bilateral defense legal matters.

In recent years, the United States and Spain have been engaged in ongoing bilateral discussions regarding an amendment to the ADC that would enable the permanent stationing of four U.S. Navy AEGIS destroyers, with their missile defense system capability, at Rota Naval Station and also extend the ADC for an additional eight years. The OSJA provided critical in-country legal support to the State Department-led negotiating team, which ultimately culminated in the October 10, 2012 signing of the Second Protocol of Amendment to the ADC by the U.S. Secretary of Defense Leon Panetta and the Spanish Minister of Defense Pedro Morenes. Finally, in anticipation of the future deployment of the four U.S. Navy AEGIS destroyers, the OSJA has played an integral part of the Forward Deployed Naval Forces (FDNF) Executive Steering Group (ESG), and collaborated with Spanish counterparts on several bilateral working groups focused on topics such as infrastructure, maintenance, technology transfer, operations and training to ensure the smooth and efficient arrival of the four U.S. Navy ships to Spain.



A dark blue banner with a white and red striped top edge and two white stars on either side of the text.

Spotlight on

Major Kevin G. Burke

Major Kevin G. Burke is assigned to the National Security Agency (NSA), Office of General Counsel (OGC), Intelligence and Operations Law Practice Group. In this capacity Major Burke advises NSA employees and military intelligence units on the collection, retention, processing and dissemination of signals intelligence (SIGINT) information by NSA and prepares Foreign Intelligence Surveillance Act (FISA) applications for electronic surveillance requiring approval of the Attorney General and/or the United States Foreign Intelligence Surveillance Court.



Major Kevin G. Burke

In this role Major Burke has advised military commands from all branches of the armed services and provided legal advice on hundreds on NSA operations. In addition he has coordinated within the DoD and with other intelligence agencies and other organizations on national security matters to include better intelligence collection and sharing, more efficient allocation of resources and cyber security.

With the global threats of terrorism, nuclear proliferation and cyber attacks it is more important than ever that America maintain the ability to meet its foreign intelligence needs. Major Burke and other intelligence law professionals ensure that we meet our foreign intelligence challenges within this global context while ensuring compliance with applicable regulations and laws and protecting the Constitutional rights of U.S. citizens.



ODC-T

The Office of Defense Cooperation-Turkey (ODC-T) Office of the Staff Judge Advocate consists of an Air Force Judge Advocate, a secretary, and two Turkish national attorneys, one of whom is organizationally attached to the 39th Air Base Wing at Incirlik Air Base while performing duty at the ODC-T in Ankara. The ODC is subordinate to European Command (EUCOM) and facilitates security cooperation activities with Turkey, including foreign military sales and

international training, interfaces with the Turkish Government to facilitate U.S. military missions in Turkey, and oversees U.S. support to counterterrorism operations in Turkey.

In 2012, the ODC-T legal staff successfully coordinated with the appropriate Turkish Government ministries to obtain customs clearance of vehicles in Ankara, exemption from a new Turkish law on General Health Insurance, suspension of the application of Turkish social security

to U.S. Forces contractors, and the first known waiver of Turkish criminal jurisdiction. International agreements were concluded bringing a new remotely piloted aircraft capability to support counterterrorism efforts and defining access and land use for the new missile defense radar site. Finally a team from USAFE with legal support from Mr. Tanisik successfully concluded a new Collective Labor Agreement for Turkey.



OMC/OCP

The Office of the Chief Prosecutor of Military Commissions (OCP) provides fair and transparent trials of detainees charged with Law of War violations. The Air Force has nine JAGs and ten paralegals at OCP. In addition to prosecution duties, Air Force JAGs hold leadership positions as Deputy Chief Prosecutor, Chief of Litigation Support, and Senior Military Trial Counsel. Our experienced cadre of paralegals include the OCP Senior Enlisted Advisor and trial team NCOICs who help lead paralegal teams from the joint services. Our paralegals help prosecutors prepare

cases for trial by assisting with pretrial investigation, witness interviews, and working the discovery process.

For example, in the prosecution of the alleged mastermind of the USS COLE attack, MSgt Mark Truman has helped progress the case from arraignment through 310+ pretrial filings and motions this year alone. MSgt Truman and his interagency colleagues oversaw the discovery of thousands of documents to the defense. Likewise, the case against the alleged masterminds of the 9/11 attacks progressed through arraignment and over 100 pretrial filings and motions. Recently retired Air

Force paralegal MSgt(R) Rudy Gibbs returned to OCP after retirement and now continues his previous work on the 9/11 cases: organizing evidence, working discovery, and training other paralegals on courtroom presentation. Air Force paralegals MSgt James Hodge, MSgt Teresa Hawkins, TSgt Marc Henderson, SSgt Ashley Salmones, and SSgt Jamie Palmiter also assisted on the 9/11 cases by escorting victim family members during very emotional closed circuit television viewings of the arraignment and motions hearings.

Spotlight on

Lt Col Sachs & MSgt Vizcaino

Lt Col Kenneth Sachs and MSgt Gloria Vizcaino serve as a critical hub in law of war detainee prosecutions. As the Chief and NCOIC of Litigation Support, respectively, Lt Col Sachs and MSgt Vizcaino team to oversee the process for obtaining information from DoD and other agencies in the federal government, as well as coordinate requests for permission to use evidence at trial.

When Trial Counsel request information from DoD and other federal agencies, they do so via a Prudential Search Request (PSR). Lt Col Sachs and MSgt Vizcaino form the attorney/paralegal Litigation Support team that helps create, manage, and collect responses to these PSRs. Trial Counsel's goal is to collect responsive records relating to the case which are

required to be discovered and which may be used in a military commission. After receiving responses from the agencies, the Litigation Support Team then tracks, sorts, and distributes these documents to the appropriate trial teams. This past year, Lt Col Sachs and MSgt Vizcaino seamlessly coordinated this information-intensive project by working daily with personnel across the federal government. They successfully managed dozens of PSRs for trial teams, processing hundreds of thousands of pages of classified and unclassified materials.

Once the trial teams identify information which is discoverable or which they intend for trial use, Lt Col Sachs and MSgt Vizcaino facilitate critical communications between OCP and other federal agencies to seek clearance

from the holders of the information which will allow information to be disclosed to the defense counsel and possibly be used in a military commission. This approval process requires Lt Col Sachs and MSgt Vizcaino to engage the various government organizations directly, advocating for declassification and use authority as necessary. Such requests are sometimes handled on a short-notice basis and frequently involve highly classified information. They identify the necessary information and then track the requests through the process to ensure on-time and accurate responses for the trial teams. As a critical component of our Litigation Team, these two AFJAGC personnel serve as the primary conduit between the prosecution effort and the greater federal government.



NORTHCOM

The North American Aerospace Defense Command (NORAD) and United States Northern Command (USNORTHCOM) Office of the Staff Judge Advocate (N-NC/JA) provides the Commander and Staffs with timely, responsive and professional legal support required to plan for and execute aerospace warning and control, maritime warning, homeland defense, civil support and security cooperation to defend and secure the United States, its allies and interests.

Since 1957, both Canadian and American military lawyers have worked side-by-side as a binational team advising NORAD leadership. NORAD's day-to-day operations involve sensitive rules of engagement issues applicable to foreign military threats as well as domestic terrorism events involving civilian aircraft. These tense, uncertain and rapidly evolving Operation NOBLE EAGLE (ONE) scenarios pose myriad legal issues, including; cross-border authorities, hostile threat indicators and ultimately, engaging and defeating an attack

against North America while considering domestic laws, the foundational principles of self-defense and the Laws of Armed Conflict.

During 2012, N-NC/JA deployed JAG Officers to aid newly established Dual Status Commanders (DSCs) and Title 10 Deputies with complicated legal issues in the wake of several natural disasters (*e.g.*, Hurricane Sandy, Hurricane Isaac, and the California and Colorado Wildfires). JAG Officers were also deployed throughout the nation to assist DSCs and Title 10 Deputies at a number of National Special Security Events (*e.g.*, the NATO Summit, and Democratic and Republican National Conventions). While deployed, each JAG Officer: (1) thoroughly researched and provided competent legal advice with regard to operations law issues; and (2) Defense Support of Civil Authorities (DSCA) and Homeland Defense (HD) operations.

Throughout 2012, N-NC/JA and the Defense Institute of International Legal Studies continued in their combined efforts to assist Mexico's Secretary of the Army (Secretaría de la Defensa Nacional, or SEDENA) and its Secretary of the Navy (Secretaría de Marina or SEMAR) with Mexico's constitutionally mandated transition from an inquisitorial military justice (MILJUS) system to an accusatorial/adversarial MILJUS system. Training seminars focused on trial counsel, defense counsel, and investigator training, as well as witness

interviews, cross-examination techniques and strategies, judge training and mock trials.

N-NC/JA JAG Officers also conducted two Human Rights/Laws of Armed Conflict (LOAC) Seminars in Mexico City, which trained Mexican Commanders and military attorneys. In addition, N-NC/JA attorneys and RDML Kilrain (DATT/SDO at the American Embassy in Mexico City) met with General de Brigada Lopez Benitez, the Procurador General de Justicia Militar (Chief of Military Justice), in Mexico to discuss military justice reform, jurisdiction over military personnel, human rights and professional development.

What's more, N-NC/JA JAG Officers responded to a number of ONE events throughout the calendar year. By way of example, ONE-trained JAG Officers from both Canada and America assisted ONE Assessment and Engagement Authorities in directing appropriate NORAD responses to ONE events. Legal authorities, to include LOAC, were reviewed and timely, accurate "heat-of-battle" legal advice was provided in every situation.



CENTCOM

CENTCOM OPLAW Center of Excellence

As has been the case for more than two decades, 2012 was a hectic year at HQ USCENTCOM. While this year saw the first full year since the Iraq invasion of 2003 without a named military operation ongoing in that country, the CENTCOM area of responsibility remains anything but peaceful. The deteriorating situation in Syria, the regional threat posed by Iran, continued operations in Afghanistan, active counter-terror missions, and ongoing regional instability in response to the Arab Awakening had the entire CCJA team fully engaged in the diverse legal issues associated with this AOR. Members of the Air Force JAG Corps are a key part of this joint team. Along with their Navy, Army and Australian counterparts, 2 active duty AF JAGs

and 1 AF civilian attorney are part of the 6-attorney OPLAW Center of Excellence on-call 24/7 to support contingency operations. Rarely a weekend or holiday goes by without this group of dedicated attorneys on duty, usually in support of a counter-terror operation or contingency planning. The OPLAW Center of Excellence took huge leaps forward this year in ROE development as well as cyber and IO employment. Again this year, detention operations were on the front burner, particularly with regard to the implementation of 9 March 2012 memorandum of understanding setting a 9 September 2012 deadline to begin the transfer of detention operations to the Afghan Government. Members made numerous deployments to the command's

forward HQ in Qatar and many other countries in the AOR, including Afghanistan, Kuwait and Bahrain and pulled duty in numerous Crisis Action Teams addressing imminent threats to U.S. interests. Additionally, members of the division worked OPLAW issues with their counterparts at the Joint Staff, sister COCOMs and numerous subordinate legal offices from Egypt to Pakistan. All members of the division are expected to be proficient in full-spectrum operational law. From ground operations to cyber, space, maritime, special activities, detention and air operations, the fast pace of CENTCOM requires OPLAW attorneys to be ready for any situation at any time in this dynamic AOR.



SOUTHCOM

The Office of the Staff Judge Advocate, United States Southern Command (SCSJA), located in Doral, Florida, advises the USSOUTHCOM Commander, headquarters staff, and U.S. Embassy Military Group (MILGP) personnel on legal matters stemming from providing contingency planning, operations, and security cooperation for Central and South America, and parts of the Caribbean, including Cuba; as well as for ensuring the defense of the Panama Canal and canal area.

A Marine colonel leads a staff comprised of six JAGs from all branches of service, two civilian attorneys, an Army paralegal specialist, and a civilian executive officer. The defining event of 2012 for SCSJA has been the fallout stemming from the alleged misconduct of numerous military members supporting President Obama's April 2012 trip to Cartagena, Colombia, to attend the Summit of the Americas. Within a few days of the President's departure, an Army lieutenant colonel judge advocate and Air Force colonel investigating officer were on the ground in Colombia conducting an initial investigation. Over the next several months, the OSJA staff, augmented by an Army

Major, Air Force Major, and Army paralegal, supported the USSOUTHCOM commander in resolving the cases who had been granted disposition authority by the Secretary of Defense. These cases proved to be an exceptional display of Joint Justice methods as the Secretary withheld authority from all commanders in DoD for offenses related to the support to the Summit and then designated the SOUTHCOM Commander as the initial disposition authority.

Starting in 2012, the International Law Division supported the Government of Colombia's efforts to establish a JAG Corps and revise their military justice system. Using the American Military Legal Committee's seminal work, Model Guidelines for a Legal Corps, US Air Force JAGs played a vital role in helping Colombia implement institutional reform. Through months of hard work understanding the nuances the Colombian system and its nuances, they drafted a blueprint endorsed by the Departments of Defense, Justice, and State and, ultimately, delivered to Colombia's Minister of Defense.

The Operations Law Division, led by an Air Force Lt Col,

supported the USSOUTHCOM theater campaign plan across the full-spectrum of military operations. Several major exercises were also supported, including PANAMAX, which was comprised of personnel from 18 countries participating in a 12-day exercise to train in a joint, multinational effort to defend the Panama Canal. The Intelligence Law Division attorneys were heavily engaged in supporting the ongoing U.S. Military Commissions and detention operations being conducted at Guantanamo Naval Station, Cuba. The Administrative Law Division provided critical contracting and fiscal law support to SOUTHCOM's operations, to include legal reviews on dozens of FOIA requests stemming from detainee operations and the U.S. Military Commissions.

SCSJA support to USSOUTHCOM engagements and operations in Colombia continue to be augmented by a forward deployed liaison officer to the MILGP. This rotational billet has been historically filled by reserve and active duty TJAGC personnel.



U.S. CYBER COMMAND

United States Cyber Commander (USCYBERCOM), a sub-unified command under United States Strategic Command, is co-located with the National Security Agency at Fort Meade, Md. USCYBERCOM's mission is to direct the operations and defense of Department of Defense information networks, and when directed, conduct full-spectrum military cyberspace operations in order to enable actions in all domains, and ensure U.S. and Allied freedom of action in cyberspace while denying the same to our adversaries. As the successor command to the Joint Task Force for Global Network Operations (JTF-GNO) and the Joint Functional Component Command for Network Warfare (JFCC-NW), USCYBERCOM reached full operational capability on Oct. 31, 2010.

U.S. Air Force Col. James Bitzes, Staff Judge Advocate, leads a joint team of nine attorneys and one paralegal

through the complex environment of cyber law and policy. Legal advice to operators encompasses the full spectrum of international and domestic law considerations associated with military operations, as well as those areas unique to cyberspace. Cyberspace operations intersect with all other military operational domains, often requiring coordination between USCYBERCOM and external commands, intelligence organizations and other U.S. departments and agencies. As this mission area is novel relative to other domains, training cyber operators is a crucial component of the office mission. In just two years, the office has earned a reputation as training experts in this field, and it fulfills training requests from all services and the Combatant Commands.

In addition to its operational role, the USCYBERCOM legal office also engages with attorneys throughout the DoD and at all levels of government in support of the whole-of-government

approach to our nation's cyberspace policy. The office partnered with the Naval War College in presenting its 2012 International Law Symposium focused on cyberspace, and it hosted a government-wide cyber practitioner conference during which Harold Koh, the Legal Adviser of the Department of State, gave groundbreaking remarks regarding U.S. government legal policy on cyberspace operations.

While certainly exciting, working at USCYBERCOM challenges lawyers to learn the technical aspects of cyberspace operations and apply them to principles and doctrines created long before cyberspace's inception. Cyberspace operations require lawyers to consider a wide array of potential adversaries, each representing a different legal problem set. So, if you think USCYBERCOM would be a good fit for you, learn about cyberspace, get yourself a TS/SCI clearance, and put USCYBERCOM on your PDI wish list.



DoD OFFICE OF GENERAL COUNSEL

The Office of the General Counsel is headed by the General Counsel of the Department of Defense (DoD). The General Counsel is appointed by the President with the advice and consent of the Senate, and is by law the Chief Legal Officer of the DoD (10 U.S.C. § 140). The General Counsel provides advice to the Secretary and Deputy Secretary of Defense regarding all legal matters and services performed within, or involving, the Department of Defense. The General Counsel is also “dual-hatted” as the Director of the Defense Legal Services Agency (DLSA), a DoD agency that provides legal advice and services for the Defense Agencies, DoD Field Activities, and other assigned organizations.

The Office of the General Counsel (OGC) oversees, as appropriate, all legal services performed within the Department of Defense and provides advice on the adherence by attorneys in the Department of Defense to appropriate professional standards. The OGC also coordinates on appeals from denial of requests under the Freedom of Information Act, provides advice on standards of conduct involving DoD personnel and other DoD components, develops the DoD legislative program and coordinate DoD

positions on legislation and Executive Orders, provides for the coordination of significant legal issues, including litigation involving the DoD and other matters before the Department of Justice in which DoD has an interest, establishes DoD policy on general legal issues, determine the DoD positions on specific legal problems, and resolve disagreements within the DoD on such matters, performs such functions relating to the DoD security program (including surveillance over DoD personnel security programs) as the Secretary or Deputy Secretary of Defense may assign, and finally, acts as lead counsel for the Department in all international negotiations conducted by DoD organizations and maintains the central repository for all international agreements coordinated,

negotiated, or concluded by DoD personnel.

2012 was an extremely busy year for the men and women of the OGC as many significant legal issues received the attention of Secretary of Defense. Some of the subjects addressed by the OGC included the ongoing military commissions trials, habeas litigation involving Guantanamo detainees, the Repeal of Don't Ask Don't Tell (DADT), religious accommodation in the military, intelligence collection issues, the legal review of operations plans, counterterrorism efforts and other sensitive military operations, changes to the combat exclusion policy, continuing issues with the withdrawal of US troops from Iraq and Afghanistan, sequestration and budget issues and, finally, military justice in the combat zone.



Spotlight on

Lt Col Jim Annexstad



Lt Col Jim Annexstad

Lieutenant Colonel Jim Annexstad is the Military Assistant and Special Counsel to the Department of Defense General Counsel in Washington,

D.C. In his job, he functions as part director of staff, military advisor and special counsel to the primary legal advisor to the Secretary of Defense, Deputy Secretary of Defense and other civilian leaders within the Department of Defense.

Lieutenant Colonel Annexstad's job requires that he balance the administrative management of the General Counsel's immediate staff as well as advise the General Counsel on military matters and other operational and strategic issues. Additionally, he coordinates the staff work of more than 75 attorneys in the immediate office and more than 6,000 uniformed and civilian

attorneys assigned to Department of Defense offices around the world. He also tasks out and monitors Secretary of Defense queries to the Office of the General Counsel and acts as the primary point of contact with the office of the Secretary of Defense, the Military Departments and Services, the Joint Staff, and other Defense and Government Agencies. Finally, he plans and coordinates all of the General Counsels travel, writes speeches and other legal memoranda for the General Counsel and accomplishes policy analysis.

Each job that Lt Col Annexstad has had over the last twelve years has helped prepare him for the challenges of working in this fast paced environment. Although the days are long, the issues are interesting and usually become front page news. Lt Col Annexstad is quick to point out, "like most great jobs, the part about my current assignment is the people. From top to bottom, the Office of the General Counsel has some of the finest attorneys, paralegals and administrative staff that you'll find anywhere."



USAFCENT

Shaw AFB SC/AI Udeid AB, Qatar

United States Air Forces Central Command (USAFCENT) provides decisive airpower for United States Central Command (USCENTCOM) and the United States of America. The USAFCENT Staff Judge Advocate's office is the legal center for USAFCENT. Our lawyers and paralegals enable USAFCENT command priorities and provide outstanding legal services for commanders and deployed Airmen through professional, candid counsel and full-spectrum legal capabilities. This year, our office again played key roles in the development of operational plans, policies, and procedures for operations and activities strategically and tactically impacting the USCENTCOM area of responsibility (AOR). In addition, USAFCENT/JA provided supervisory guidance to the Combined Air Operations Center and to seven Air Expeditionary Wing (AEW) Staff Judge Advocate offices, offering legal support to over 19,000 Airmen.

This year, USCENTCOM directed USAFCENT to become a standing Joint Task Force Headquarters (JTF HQ) to provide additional capabilities to address emergent issues. Becoming certified has been a priority for USAFCENT, and once certified as a core JTF HQ, USAFCENT will have the ability to establish and lead JTFs for air-centric missions, such as establishing no-fly zones or providing humanitarian assistance/disaster relief. USAFCENT/JA attorneys have played substantive roles in the development of the core JTF element and in USAFCENT's efforts to obtain certification.

Operationally, USAFCENT/JA continues to support COMUSAFCENT priorities focusing on legal matters impacting Operation ENDURING FREEDOM (OEF). In 2012, USAFCENT successfully executed over 162,000 sorties, including 89,000 combat sorties, covering enough miles to fly to the moon and back 500 times. Besides operational matters, there has been numerous significant legal issues

related to the reduction of forces in the Afghanistan AOR and the post-2014 operations. Though Operation NEW DAWN (OND) came to an end last year, legal issues still arise in regards to USAFCENT's support to the Office of Military Cooperation -Iraq.

Contingency contracting and fiscal law are inherently an integral part of operational law. In 2012, USAFCENT/JA and our deployed judge advocates advised on the fiscal propriety of over \$2 billion in spending and on the execution of approximately \$220 million in new contract actions. Fiscal law is at the forefront of humanitarian and security assistance engagements with AOR nations. Successfully navigating fiscal minefields and the entire arena of contingency contracting is essential, and USAFCENT/JA has provided robust expertise across the entire USCENTCOM AOR.

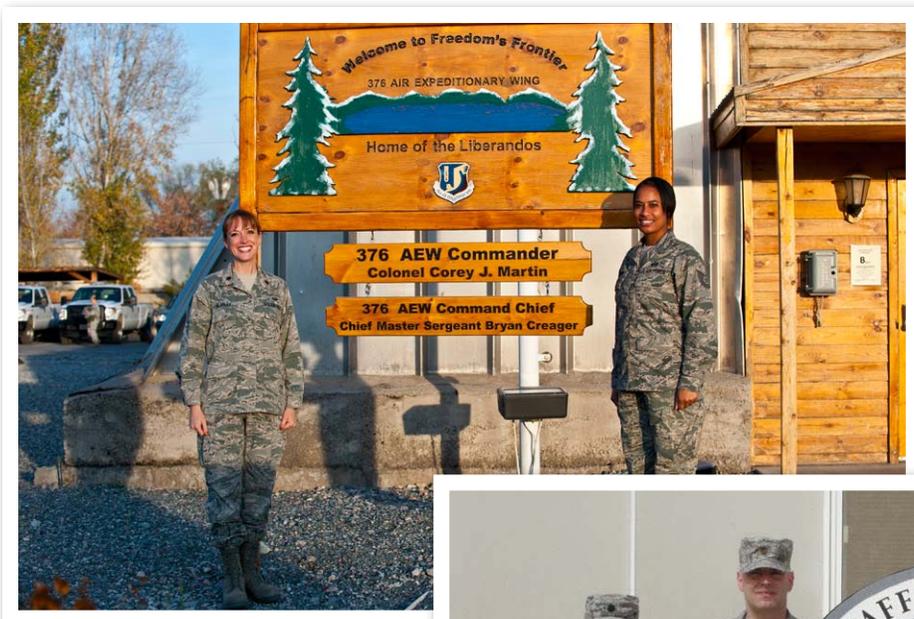
A priority of USAFCENT this year has been the creation of the Blue Line Program (BLP). This new program has

ensured that all JET/IA deployers who serve in Joint units understand that they have an ADCON channel back to AFCENT, enabling Air Force intervention with the Joint Commander on service-specific concerns. More importantly, the BLP has provided a means of support for Airmen to contact “Big Blue.” Realizing the need for such support for deployed members of the AF JAG family, AFCENT/JA created a concurrent JAG Blue

Line Program for all deploying AF JAGs and paralegals assigned to the USCENTCOM AOR.

Finally, the attorneys and paralegals of USAFCENT/JA oversaw another busy year in military justice. Justice in the AOR exceeded 255 Article 15s, and included two general courts-martial, two special courts and one summary court-martial. Practicing in difficult situations, all seven of the AEW legal

offices did an outstanding job on the efficient and effective administration of military justice. As an example, the 379 AEW/JA processed a special court-martial in only 97 days even though the accused and all witnesses had to travel from a remote location. Their efforts garnered praise from the military judge, and exemplifies the hard work and dedication of all of our justice professionals across the AOR.



Spotlight on



SMSgt Justy Ridinger

SMSgt Justy Ridinger

As the deployed LOS for 379 AEW/JA at “an undisclosed location in SW Asia,” SMSgt Justy Ridinger pioneered a self-help claims process and a new legal assistance kiosk which helped to increase access to service. She provided gold standard customer service, personally helping more than 600 Airmen, joint service members and civilians. As the 379 AEW Tax Program manager, she took charge of a team of 16 volunteers and four active duty members. Under her leadership, the tax program saved \$107,350 in filing fees for clients and garnered over one million dollars in tax returns — a 48% increase in numbers of tax returns and an amazing 79% increase in refunds over 2010 tax year numbers. Instituting a deployer-first scheduling approach, she established a first-ever virtual tax center and midnight tax service, during which she personally handled more than 500 tax-related phone calls. Dual-hatted as the Senior IMA Paralegal for both AFSOC and USAFE, SMSgt Ridinger used her limitless energy to attend to her Senior IMA duties, the needs of 15 paralegals as well as eight legal offices’ Reserve staffing needs. Even in the midst of the busiest tax season on record, she worked active duty backfill issues and mentored eight paralegals on preparing packages for the annual Paralegal Enlisted Development Board. A true leader, she helped others become better NCOs and paralegals — of the eight she assisted, three were selected for increased rank and responsibilities. SMSgt Ridinger sets the standard for total force paralegals!


 Spotlight on

AFCENT CAOC Legal Team



AFCENT's Combined Air and Space Operations Center (CAOC) at Al Udeid Air Base, Qatar, is the strategic and operational command and control facility responsible for all air operations in the CENTCOM AOR. An O-6 Legal Advisor leads the CAOC Legal Team, which is responsible for advising the Combined Forces Air Component Commander (CFACC), Deputy CFACC, CAOC Director, Staff Directors, and AOC Division Chiefs on operational legal matters. Three Deputy Legal Advisor positions are integrated into the Combat Operations Division to provide critical legal advice supporting execution of the daily Air Tasking Order for operations throughout the region. These JAGs apply the Law of Armed Conflict, interpret and assist with the development of relevant rules of engagement (ROE), and review targets for strikes against enemy insurgents in Afghanistan.

The CAOC Legal Team (in coordination with AFCENT/JA) synchronizes operational efforts by working closely with the other US and coalition components. For example, the CAOC Legal Team provides critical ROE and Special Instructions training to members of Carrier Strike Groups as they "chop" to CENTCOM for Arabian Gulf and Operating ENDURING FREEDOM air operations. The Legal Team collaborates with International Security Assistance Force (ISAF) and ISAF Joint Command legal staffs, providing key policy guidance concerning the use of air-delivered munitions in Afghanistan in the wake of civilian casualty allegations. The Team is also a key component of the CENTCOM ROE Working Group, developing and vetting relevant ROE for a variety of theater planning efforts.

The Air Force JAG Corps has a deservedly proud history of outstanding legal support to the AFCENT CAOC. Members of the 2012 CAOC Legal Team has included LEGADs Col David Penczar and Col Adam Oler, and Deputy LEGADs Lt Col Terry McCollom, Maj Etienne Miszczak, Maj Jacob Simpson, Maj Mike Hopkins, Maj Kristin McCall, Maj Ron Roodhouse, Maj Ron Cramer, Maj Christy Haynes, and Maj Felix Sutanto.



USPACOM

The Office of the Staff Judge Advocate, United States Pacific Command (USPACOM) provides legal guidance to the USPACOM Commander, headquarter staff, components, United States Forces Korea and United States Forces Japan, and supports the USPACOM Commander's mission to protect and defend the United States, its territories, interests, and Allies; to promote regional security and deter aggression; and to be prepared to conduct a full spectrum of military contingencies to restore Asia Pacific security.

A Navy Captain leads a staff comprised of five O-4s or O-5s from all branches of service, one GS-14 civilian attorney, and two civilian office administrators. 2012 was dominated by issues involving planning and preparing for DoD's rebalance to

USPACOM's AOR, successful legal participation in USPACOM exercises TERMINAL FURY and TEMPEST WIND, and dealing with many diverse international challenges surrounding the activities in the South and East China Seas. The legal office was extensively involved with negotiating, or renegotiating, a multitude of bilateral or multilateral arrangements and international agreements with our Allies and partners including Japan, Australia, Singapore, and the Philippines. Additionally, the legal office conducted wide-ranging legal outreach in the region by hosting or participating in numerous international/operational law conferences and seminars with foreign JAGs from around the Pacific AOR and by providing direct legal support during seven major joint/combined exercises across the AOR.

The USPACOM legal office also supported USPACOM actions across a full spectrum of military operations including freedom of navigation operations, counter-terrorism and counter-piracy operations, and combating weapons of mass destruction (CWMD) operations. Furthermore, the USPACOM legal team supported the development of new bilateral and multilateral agreements on counter-piracy, CWMD, increased U.S. rotational presence, and basing. Finally, the USPACOM legal team identified and developed proper legal arrangements in support of force posture moves in Australia, Singapore, and the Philippines and of the potential access to, and use of, facilities in the Maldives.



USSTRATCOM

The USSTRATCOM Legal Office, J006, supports the mission of CDRUSSTRATCOM, which is to conduct global operations in coordination with other Combatant Commands, Services, and appropriate U.S. Government agencies to deter and detect strategic attacks against the U.S. and its allies, and prepare to defend the nation as directed. Under the Unified Command Plan USSTRATCOM is responsible for, or a global synchronizer of, the following operational mission areas: nuclear, space; cyber; global strike; integrated missile defense; intelligence, surveillance, and reconnaissance; combating weapons of mass destruction; and joint warfare analysis. The common theme among these diverse mission areas is that none happen in a single, geographic AOR. These missions are global in nature—and comprise an operating area extending from beneath the surface of the sea (the nuclear submarine leg of the triad) to the geostationary belt in outer space.

The breadth and diversity of these mission areas poses the primary challenge for Judge Advocates and civilian attorneys assigned to J006.

Indeed, one must be conversant on the unique technical characteristics and capabilities associated with each mission area (*i.e.*, be able to talk to the operators); one must have an appreciation of the USSTRATCOM family of plans and orders with each mission area, as well as those of the supported Combatant Commander(s); and one must know the politics, policies, guidance, and authorities associated with each unique mission area. Without this level of understanding, one cannot opine on operational legal matters with a high degree of confidence.

A secondary challenge posed by the USSTRATCOM mission is the untested nature of the legal regimes of both the space and cyberspace domains. Much ink has been spilled discussing issues of neutrality, sovereignty, *jus ad bellum*, and *jus in bello*, but consensus on these issues has thus far proved elusive both domestically and internationally. At the same time, this challenge also affords Judge Advocates and civilian attorneys assigned to J006 the unique opportunity to help shape these legal regimes and the declaratory policies

related thereto for the U.S. government, *writ large*. For example, in 2012 J006, in coordination with the interagency, helped shape the national directive on U.S. cyber operations. In the realm of space, J006 liaised directly with the DoD General Counsel to establish the legal bases for proposed operations.

While USSTRATCOM presents a daunting initial learning curve for Judge Advocates and civilian attorneys assigned to J006, there is perhaps no other Combatant Command that affords more insight into DoD operations worldwide or opportunities to expand one's professional knowledge and development in a joint and coalition environment.

