

76. (Services) If the Services have a military justice career track for attorneys handling sexual assault and other complex cases, please describe those programs to include the requirements and promotion rates.

USA	<p>In 2009, the Secretary of the Army directed the assignment of 15 Special Victim Prosecutors (SVP) dispersed across the Army who focus exclusively on litigation and training, with an emphasis on sexual assault and family violence. The SVPs' primary mission is to develop and litigate special victim cases within their geographic area of responsibility. Special Victim Prosecutors must maintain excellent working relationships with those investigating allegations of these crimes and those professionals working to meet the physical, spiritual, and emotional needs of the victims of such crimes. The program has been expanded to 23 SVPs.</p> <p>Special Victim Prosecutors are individually selected from the Army's most experienced trial lawyers. They are assigned to the United States Army Legal Services Agency, but distributed across the Army to serve not only the installation at which they are located, but also their geographic area of responsibility. Special Victim Prosecutors assignments are three-year assignments, and exceptions must be approved by The Judge Advocate General. Further, SVPs are not subject to deployment without approval from The Assistant Judge Advocate General for Military Law and Operations.</p> <p>In addition to the criminal law training that all judge advocates receive at The Judge Advocate General's School, SVPs undergo specialized training at military and civilian courses, and spend two weeks with a civilian District Attorney's Office observing how civilian Special Victim Prosecutor/Sexual Assault units function. Special Victim Prosecutors also receive specialized training on care and interviewing techniques for special victims. The goal of the SVP program is to provide even greater expertise to the investigation and disposition of allegations of sexual assault and family violence. Their two-part mission is to develop and litigate special victim cases within their geographic areas of responsibility, and to train and develop other trial attorneys. Special Victim Prosecutors respond to every allegation of sexual assault that arises in their geographic areas. They are also responsible for domestic violence and child abuses cases. They work with local Staff Judge Advocates to ensure the best advice is given to investigators and commanders, and to ensure the appropriate disposition in each case. In addition, SVPs develop sexual assault and family violence training programs for investigators and trial counsel in their area of responsibility, using local, state, and federal resources in conjunction with information provided by the Trial Counsel Assistance Program, Office of The Judge Advocate General Criminal Law Division, and The Judge Advocate General's Legal Center and School.</p> <p>To ensure trial advocacy proficiency, the Army initiated a military justice skill identifier program in 2008. The skill identifier program promotes Judge Advocates greater skill in litigation and expertise in military justice. It allows the Army to better train and challenge Judge Advocates throughout their careers to improve their military justice proficiency. There are four levels: Basic Military Justice Practitioner, Senior</p>
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Military Justice Practitioner, Expert Military Justice Practitioner, and Master Military Justice Practitioner.

The Basic Military Justice Practitioner Skill Identifier requires:

- (1) completion of the Judge Advocate Officer Basic Course;
- (2) 18 months as a trial or defense counsel, or served as a trial or defense counsel in 15 courts-martial (3 of which must have been contested cases);
- (3) attendance at The Judge Advocate General's Legal Center and School (TJAGLCS) Criminal Law Advocacy Course (CLAC) (or similar trial advocacy course with prior approval from the Chief of OTJAG-CLD) within 6 months of assuming duty as a trial or defense counsel; and
- (4) attendance at the TJAGLCS New Developments Course or Trial or Defense Counsel Assistance Program (TCAP, DCAP) training (or similar training course with prior approval from the Chief of OTJAG-CLD) within 12 months of assuming duty as a trial or defense counsel.

The experience level of Judge Advocates with eligibility at this level would be typical of those who have completed initial military justice assignments as a trial or defense counsel. Judge Advocates with the Basic Military Justice Practitioner Skill Identifier typically serve as a senior trial counsel, a Government or Defense Appellate Division (GAD, DAD) Counsel, or a Brigade Combat Team Judge Advocate.

The Senior Military Justice Practitioner Skill Identifier requires:

- (1) Basic Military Justice Practitioner Skill Identifier;
- (2) completion of two advanced military justice or litigation courses (post-Basic Skill Identifier qualification);
- (3) a total of 30 months military justice experience (preferably serving as both a trial and defense counsel), or served as a trial or defense counsel in 36 courts-martial (7 of which must have been contested cases), or a total of 18 months military justice experience and written verification from the Chief of Litigation Division (LITDIV), Contract and Fiscal Law Division (KFLD), or Environmental Law Division (ELD) of 24 months experience as a litigation attorney;
- (4) a written recommendation from an Appellate Military Judge; a Military Judge; a Staff Judge Advocate; a Regional Defense Counsel; or the Chief of GAD, DAD, TDS-HQ, OTJAG-CLD, LITDIV, KFLD, or ELD.

Typically, Judge Advocates at this level serve as Chief of Military Justice, a Senior Defense Counsel, Special Victim Prosecutor, a TCAP or DCAP counsel, Branch Chief

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	<p>of GAD or DAD, attorneys serving in the Trial Defense Service Headquarters (TDS-HQ) or OTJAG-CLD, or a TJAGLCS Criminal Law Department Professor.</p> <p>The Expert Military Justice Practitioner Skill Identifier requires:</p> <p>(1) Senior Military Justice Practitioner Skill Identifier;</p> <p>(2) completion of the TJAGLCS Graduate Course LLM degree with 3 elective hours in criminal law;</p> <p>(3) a total of 48 months military justice experience (preferably serving as both a trial and defense counsel), or served as a trial or defense counsel in 45 courts-martial (12 of which must have been contested cases), or a total of 36 months military justice experience and written verification from the Chief of LITDIV, KFLD, or ELD of a total of 30 months experience as a litigation attorney; and</p> <p>(4) a written recommendation from an Appellate Military Judge; a Military Judge; a Staff Judge Advocate; a Regional Defense Counsel; or the Chief of GAD, DAD, TDS-HQ, OTJAG-CLD, LITDIV, KFLD, or ELD.</p> <p>Judge Advocates with this SI typically serve as a Chief of Military Justice at a Corps, a Regional Defense Counsel, the Deputy Chief of TDS-HQ, OTJAG-CLD, GAD, or DAD, the Chief of TCAP or DCAP, a Military Judge, or TJAGLCS Criminal Law Department Chair.</p> <p>The Master Military Justice Practitioner Skill Identifier requires:</p> <p>(1) Expert Military Justice Practitioner Skill Identifier;</p> <p>(2) a total of 96 months military justice experience, or served as a trial counsel, defense counsel, or military judge in 80 courts-martial (18 of which must have been contested cases);</p> <p>(3) served as a Regional Defense Counsel; Chief of Military Justice at a Corps; Professor or Chair of the TJAGLCS Criminal Law Department; Chief of TCAP or DCAP; Deputy Chief of GAD, DAD, OTJAG-CLD, or TDS-HQ; Staff Judge Advocate, or Military Judge; and</p> <p>(4) a written recommendation from an Appellate Military Judge; a Military Judge; a Staff Judge Advocate; a Regional Defense Counsel; or the Chief of GAD, DAD, TDS-HQ, OTJAG-CLD, LITDIV, KFLD, or ELD.</p> <p>Judge Advocates at this level typically serve as the Chief of GAD, DAD, TDS-HQ, or OTJAG-CLD; Appellate Military Judge, or Chief Trial Judge.</p>
USAF	Not applicable. The Air Force JAG Corps does not have a military justice career track, nor are there career tracks for any other areas of practice.

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USN	<p><i>Navy JAG Corps Military Justice Litigation Career Track</i></p> <p>In 2007, to improve the overall quality of Navy court-martial litigation, the JAG Corps established the Military Justice Litigation Career Track (MJLCT). The MJLCT is a career track for judge advocates with demonstrated military justice knowledge and advocacy skills. The track combines continued courtroom experience, training and education, with oversight by and access to senior, seasoned litigation mentors to help judge advocates develop the skills needed to become preeminent trial lawyers. Military Justice Litigation Qualified (MJLQ) officers are detailed to lead trial and defense departments at each of our nine Region Legal Service Offices and four Defense Service Offices, which provide Navy prosecutors and defense counsel, respectively. These officers provide proven experience in the courtroom, personally conducting, adjudicating, or overseeing litigation in sexual assault and other complex cases. We currently have 65 officers within the career track.</p> <p><u>Training and Education</u></p> <p>The Naval Justice School (NJS) provides judge advocates with tiered military justice training taught by active component judge advocates and supplemented by reserve judge advocates employed as local, state, and federal prosecutors. Training is centrally-managed under the oversight of a Litigation Training Coordination Council comprised of military justice experts from the prosecution and defense, policy advisors, instructors, and senior judges. Course requirements are established by a board of advisors from the Navy, Marine Corps, and Coast Guard who have extensive experience in litigation and training.</p> <p>In addition to basic and intermediate level trial advocacy courses, NJS, the Office of the Judge Advocate General's Criminal Law Division (Code 20), the Naval Legal Service Command (NLSC)'s Trial Counsel Assistance Program (TCAP), and NLSC's Defense Counsel Assistance Program (DCAP), coordinate specialized training for Navy trial and defense counsel on litigating complex sexual assault crimes, utilizing resources such as the National District Attorneys Association (NDAA); the National Institute of Justice (NIJ), a Department of Justice (DOJ) agency established to help foster science-based criminal justice practice; and, AEquitas, the Prosecutor's Resource on Violence Against Women, a DOJ-funded resource created to provide prosecutors with support, training, mentorship, and resources to improve the quality of justice in sexual violence cases.</p> <p>To further refine the JAG Corps' litigation capabilities, in 2012 the Navy established an externship program and assigned two mid-level career officers to work in the sex crimes units in the Office of the State Attorney in Jacksonville, Florida, and the San Diego District Attorney's Office in San Diego, California. These six-week clinical training externships enable officers to gain valuable practical experience and insight into how civilian prosecutor's offices manage a high volume of sexual assault cases. The externships also allow judge advocates to establish relationships with experienced civilian litigators and experts.</p> <p>Finally, every year the JAG Corps sends mid-level career litigators to civilian post-graduate schools to earn a Master of Laws (LL.M.) in litigation or trial advocacy. Of the 65 career litigators currently in the MJLCT, half of them have earned an LL.M. in trial advocacy.</p> <p><u>Diversity of Skills</u></p>
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Our career litigation attorneys rotate between prosecution, defense and judicial assignments. Many MJLQ officers also serve as military and appellate judges, giving them a unique perspective on how to formulate and articulate well-reasoned arguments when advising junior litigators. Likewise, having served as both trial and defense attorneys, our career litigators have a better understanding of the strengths and weaknesses of their cases, and waste less time on tangential matters that will not yield results for their clients. As a result, our litigators understand the importance of each role in our military justice system – insight which serves our community well as these attorneys move into senior litigation positions and provide training and mentorship to junior officers.

Qualification

MJLQ recognizes those judge advocates with demonstrated abilities in the areas of military justice knowledge and advocacy skills.

SPECIALIST I QUALIFICATION

SPECIALIST I MJLQ is the entry point for this specialized community. A judge advocate may be qualified as SPECIALIST I after demonstrated military justice litigation proficiency and MJLCT potential. Candidates will normally be eligible for SPECIALIST I after their fourth year of active duty.

SPECIALIST II QUALIFICATION

Following SPECIALIST I qualification, a judge advocate may qualify as SPECIALIST II after obtaining sufficient additional qualitative and quantitative military justice litigation experience as well as professional development as a naval officer. Candidates will normally be eligible for SPECIALIST II after their tenth year of active duty.

EXPERT QUALIFICATION

Following SPECIALIST II qualification, a judge advocate may qualify as EXPERT after obtaining significant additional quantitative and qualitative military justice litigation experience as well as demonstrated leadership of junior judge advocates. For this reason, EXPERT is ordinarily reserved for those judge advocates who have reached the senior-most MJLCT positions. Candidates will normally be eligible for EXPERT after their sixteenth year of active duty.

SPECIALIST II and EXPERT MJLQ are community management tools to guide the detailing, training, and professional development needs of MJLQ judge advocates and ensure the community maintains its ability to execute this core function across the community billet structure. Senior MJLQ judge advocates, coordinating with the Assistant Judge Advocate General (AJAG) (Chief Judge, Department of the Navy) (CJDON), who serves as the MJLCT community sponsor, will seek to provide all MJLQ judge advocates with the training and duty assignments that will offer them the opportunities for professional development within the MJLCT, the JAG Corps, and the Navy.

Military justice litigation proficiency warranting qualification shall include significant quantitative and qualitative criminal courtroom litigation experience and demonstrated proficiency in military justice procedure. As judge advocates seek MJLCT advancement, they will be required to demonstrate increased courtroom experience, continued growth in litigation leadership, and familiarity with the broader mission of the Navy. MJLQ judge advocates are encouraged to experience the wide variety of

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naval experiences that contribute to the development of a broad understanding of the duties of judge advocates, and to seek out detailing to non-litigation billets even after MJLQ. Accordingly, applicants for EXPERT MJLQ should generally have served at least two years in a non-litigation billet prior to their application for qualification.

Promotion Rates

FY Board	Overall IZ O-6	MJLCT IZ O-6	Overall IZ O-5	MJLCT IZ O-5	Overall IZ O-4	MJLCT IZ O-4
2009	55%	0 of 1 0%	61%	0 of 1 0%	72%	N/A
2010	71%	3 of 3 100%	66%	3 of 4 75%	71%	2 of 2 100%
2011	60%	1 of 2 50%	63%	3 of 5 60%	77%	2 of 3 67%
2012	60%	1 of 1 100%	53%	2 of 2 100%	71%	4 of 4 100%
2013	38%	1 of 2 50%	63%	2 of 3 67%	80%	2 of 2 100%

IZ: In Zone

USMC

The Marine Corps does not have a career track for attorneys handling sexual assault cases, but designates certain judge advocates as criminal law specialists. In order to become a criminal law specialist, the judge advocate must be selected by a panel of senior officers to attend an ABA accredited law school to obtain a master of law (LL.M.) and select a criminal law specialization. Upon graduation and award of the LL.M. in criminal law, that officer is given an additional Military Occupational Specialty of 4409 and is eligible to fill the billet of complex trial counsel, senior trial counsel, and regional trial counsel. The Marine Corps has 35 litigation billets that require an advanced master of laws degree in criminal law.

USCG

The Coast Guard does not have a military justice career track.

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