

Marine Corps Judge Advocate

**United States Marine Corps
Office Selection Office
100 N. Wilkes Barre Blvd.
Wilkes Barre, Pennsylvania
800-544-2259**

LAW PROGRAM

PLC - LAW

College seniors and,
second year law students

ELIGIBILITY

One ten week training
session during the

TRAINING
REQUIREMENTS summer

Quantico, Virginia which
is 35 miles south of
Washington D. C.

TRAINING
LOCATION

Must pass physical fitness
test and medical exam
w/vision correctable to 20/20

PHYSICAL
REQUIREMENTS

None

ON CAMPUS
REQUIREMENTS

Full time student in good
w/minimum cumulative
GPA of 2.0 (4.0 scale)

ACADEMICS

Less than 30 years on date
of commission

AGE

NONE

MARITAL
RESTRICTIONS

Time in programs equals
time in service for pay
purposes

LONGEVITY

Paid Sergeant's pay with
longevity and family
allowances if rated

PAY FOR
TRAINING

Travel to and from Quantico
will be covered at government
expense. All meals, textbooks,
uniforms, etc., will be furnished
while at training

TRAVEL
EXPENSES FOR
TRAINING

First duty assignment is The
Basic School upon becoming
a member of the Bar. Next
assignment will be Naval Justice
School in Newport, R. I.

FURTHER
TRAINING

Three and a half years upon
reporting to The Basic School

ACTIVE DUTY

OCC- LAW

Law school seniors and
graduates that have become
members of the Bar in any
State or the Federal Court.

Ten week training session

Quantico, Virginia which
is 35 miles south
Washington D. C.

Must pass physical fitness
test and medical exam
w/vision correctable to 20/20

None

N/A standing

Less than 30 years on date
of commission

NONE

Time in program equals
time in service for pay
purposes

Paid Sergeant's pay with
longevity and family
allowances if rated

Travel to and from Quantico
will be covered at govern
ment expense. All meals,
textbooks, uniforms, etc.,
will be furnished while at
training

First duty assignment is The
Basic School upon commis
sioning. Next assignment
will be Naval Justice School
in Newport, R. I.

Three and a half years upon
reporting to The Basic School

UNITED STATES MARINE CORPS LAW PROGRAMS

There are two programs for applicants to receive a commission in the Marine Corps with a law guarantee; the Platoon Leaders Class (LAW), the Officer Candidate Class (LAW).

PLATOON LEADERS CLASS (PLC LAW)

-UNDERGRADUATE OFFICER COMMISSIONING PROGRAM

To be eligible for PLC (Law) an applicant must be a senior in college who is accepted to a law school, or a 1L or 2L attending a ABA accredited law school. A participant in the program attends a ten week course during one summer at Officer Candidate School, Quantico, Virginia. After completing OCS they will receive a commission as a second lieutenant in the United States Marine Corps and go onto inactive duty.

Following this training, the newly commissioned officer returns to law school to complete his legal education. During this period, he is promoted with his peers. During summer months, the individual may apply for active duty and be assigned to a Marine Corps base or unit and assume legal duties. Those selected for duty receive the pay and allowances of their rank, travel allowances, and per diem based on the geographic area to which they are assigned. After law school graduation, the individual must take the first scheduled bar exam. If they do not successfully pass the first exam, they will be permitted to take the next scheduled exam. If the second exam is not passed, the individual will be ordered to active duty for a period specified in the service agreement.

When the individual passes either exam and is sworn in before the bar of a federal court or the highest court of a state or district, they will be ordered to The Basic School at Quantico, Virginia, and subsequently to the Naval Justice School in Newport, Rhode Island. Following this training he will serve as a judge advocate in the Marine Corps.

Any participant in the PLC (LAW) program who was commissioned after starting law school may, while at The Basic School, apply for and receive promotion credit for rank determination and seniority. Consequently, all lawyers will leave The Basic School as first lieutenants with approximately a year's seniority. Time in service for pay purposes (longevity) is computed from the date the reported to Officer Candidates School. Because of this, it is to an applicant's benefit to enter the PLC(LAW) program as early in his law school career as possible.

OFFICER CANDIDATE CLASS(OCC LAW)

-GRADUATE OFFICER COMMISSIONING PROGRAM

To apply for OCC (LAW) an applicant must be a senior in law school or a law school graduate. An applicant can not be accepted to Officer Candidate School (OCS) as the holder of a law guarantee until he has passed the bar exam and has been admitted to the bar of a federal court or the highest court of a state or district. The swearing in document or certificate should be forwarded to Headquarters, Marine Corps, prior to the applicant reporting to OCS, but tentative approvals will be given by Headquarters, Marine Corps, pending receipt of the official swearing in document or certificate. If the document is not received, the law guarantee is void, and the applicant is under no contractual agreement with the Marine Corps.

MOS 4402 JUDGE ADVOCATE

MILITARY OCCUPATIONAL SPECIALTY (MOS) DESCRIPTION SUMMARY:

A judge advocate supervises, coordinates and performs legal services for a Marine or Naval command or organization. A judge advocate may act as a military judge in general and special courts-martial.

DUTIES AND TASKS

A judge advocate prosecutes or defends cases before general and special courtmartial in accordance with the Uniform Code of Military Justice; serves as recorder or counsel for the respondent before administrative discharge boards; prepares and renders pretrial advice and recommendations in courts-martial cases; reviews and renders legal opinions and recommendation on records of trial, reports of investigations, administrative discharge proceeding, administrative reports, and on claims in favor of or against the Government; serves as appellate counsel for the defense or Government before the U. S. Navy Court of Military Review and U. S. Court of Military Appeals; renders legal opinions and advice concerning government jurisdictional matters, labor relations, real estate interests, commercial contracts, civil process, and suits for and against the Government, renders legal assistance to military personnel and dependents, including the preparation of legal documents such as wills, powers of attorney, agreements, deeds, tax returns, etc., and serves as an instructor/lecturer in military law.

At the major/lieutenant colonel level, a judge advocate serves as the principal assistance and legal advisor to a commander exercising courts-martial authority and is responsible to the commander for the administration of legal matters within his/her organization; supervises the Office of the Staff Judge Advocate (OSJA) of the organization; serves as chief counsel supervising a

prosecution or defense unit in the OSJA: serves as a deputy or assistant staff judge advocate; serves as a military judge in special courtmartial; and serves as a legislative attorney.

BACKGROUND. It is important to understand how judge advocates came to be in the Marine Corps. Until the late 1960's, when the Manual for Courts-Martial was revised by President Nixon, the small number of judge advocates in the Marine Corps were used exclusively at general courts-martial as judges, trial counsel, and defense counsel. Until that time however, line officers with little if any legal background served in special court martials prosecutors, defense counsel, and since judges were not always required the president of the court handled the responsibilities commonly exercised by military judges today. During the 1950's the small number of Marine Corps lawyers (they weren't called judge advocates in those days) typically had primary MOS's in the combat arms and normally served alternating tours of duty as judge advocates and artilleryman, infantryman, etc. So it was not until the 1960's that judge advocates as we know them today came into being.

HISTORY. In order to better understand what a judge does in today's Marine Corps and what the future holds for Marine Judge Advocates it is necessary to understand the practice of law in the Marine Corps in a historical context. By and large the practice of law in the Marine Corps, until the recent past, consisted primarily of military justice. That is, the prosecution, defense, judging and review of courts-martial. During the Vietnam era and the immediate post-Vietnam era, it was not uncommon for the brand new judge advocate to spend his or her entire tour of duty in the courtroom trying cases. The number of courts-martial during that time was extremely large and it was necessary to devote the largest number of our judge advocates to the military justice arena. Such is not true today for a number of reasons. Today's Marine is of such a high caliber physically, morally, and mentally, that the number and magnitude of crimes committed by our young enlisted personnel has diminished markedly in the past five or ten years. This, combined with more active training in the fleet, has given rise to fewer crimes and thus the need for fewer judge advocates actively involved in military justice.

PRESENT. Therefore, today the quality and quantity of legal services that judge advocates provide for our client, the Marine Corps, is expanding remarkably. Today, as never before, increased demands and pressure by Congress, the Department of Defense, the Department of the Navy, and Headquarters, U. S. Marine Corps with, more laws and regulations of a much more complex nature and demands by the civilian community, have given rise to greater involvement by judge advocates at all levels of command.

(1) It is not uncommon today for an installation commander to face pressure from the civilian community to take over the property on which the base is located. As an example, Marine Corps Air Station, Miramar, CA., located in a rapidly developing area, is fertile ground for attack by local politicians, concerned citizens and land developers who want us to cease air activity and relocate the Air Station in order to develop the extremely valuable land in a far quieter environment. This of course has environmental law impact. In order for us to protect our valuable interests, it is necessary that we become intimately involved with the local government and the Office of Land Use and Development in particular. This is only one example of our necessary expansion in that area.

(2) Likewise, the Marine Corps is seeing a need to become more actively involved in contracting. Heretofore the Counsel to the Commandant and his very small band of subordinate attorneys handled this. With the expanded development going on aboard installations throughout the Marine Corps, the amount of purchasing in the supply chain, and the amount of renovation to barracks, gymnasiums, and office spaces we are becoming more and more involved in the contracting process from start to finish.

(3) The Marine Corps employs a tremendous civilian work force that is represented by a bargaining unit who only a year ago negotiated a common labor contract with the Marine Corps. With the potential for real difficulties in the civilian work force, we are becoming more and more involved with labor issue to include hiring and firing, discipline of and the defense of complaints before the Merit System Protection Board and the Equal Employment Opportunity Commission. This requires extensive expertise in an ever changing area of the law.

(4) Our expanding involvement with international law issues can be seen in the Fleet Marine Force where we are now becoming active in operational planning and overseas where we are responsible for status of forces agreements and the relationships between the Marine Corps and host nations. This includes the complexities of foreign criminal jurisdiction and foreign claims among other things.

(5) For years, preparation of simple wills and powers of attorney was the only legal assistance provided for our Marines and their dependents. Today, however, with the Expanded Legal Assistance Program we are providing sophisticated legal assistance that, in many cases, includes representation in civilian courts.

These are areas in which judge advocates only dabbled until about four years ago. Since then we have experienced a dynamic environment in which we are becoming deeply involved in all of them.

(6) Continuing Legal Education. More today than ever, in order to keep up with the ever changing environment in which we practice, it is necessary to stay abreast of the law and to learn more about many different areas. Therefore, it is common to send the judge advocates from each office of the staff judge advocate to the numerous continuing legal education courses offered by the state and federal bar associations and/or to the Army Judge Advocate General School in Charlottesville, Virginia and other institutions of

higher education for education and updating. Additionally, the Marine Corps sends five judge advocates annually to the Graduate Course, the Army Judge Advocate General's School, in Charlottesville, Virginia for a nine month curriculum in general Military Law. Additionally, each year we send from two to five judge advocates to study for LL.Ms in areas in which we have an immediate need for expertise such as labor law, international law, contract law, or environmental law at the law school of their choosing. A list of schools is located on pages 9 and 10.

(7) Career Patterns. While every judge advocate's career pattern differs, it is fair to assume that a brand new Marine judge advocate will begin in the court room as trial or defense counsel. This may last from six to eighteen months at which time they will begin working in legal assistance or in any of the areas discussed above. His/her involvement will not be that of an intern or a clerk merely doing research for someone else, but will take projects from inception to fruition with the work product being their own and important final decisions hanging thereon.

ADDITIONAL EDUCATION

If you choose to remain in the Marine Corps, a variety of higher education opportunities are available to further enhance your career.

Course	Duration
Doctor Judicial Sciences (S.J.D) George Washington Law Center	24 months
Master of Laws (L.L.M.), George Washington Law Center	9 months
Judge Advocate Career Course Judge Advocate General's School U. S. Army, Charlottesville, VA	9 months
National College of District Attorneys University of Houston, Houston, TX	4 weeks
National Institute of Trial Advocacy Boulder, Colorado	4 weeks
Criminal Defense Lawyer's Course University of Houston, Houston, TX	4 weeks
Military Judge Course Judge Advocate General's School U. S. Army, Charlottesville, VA	3 weeks
National College of State Trial Judges University of Nevada, Reno, Nevada	3 weeks
Development in Criminal Procedure Harvard Law School, Cambridge, MA	2 week
Civil Law Judge Advocate General's School U. S. Army, Charlottesville, VA	1 week
Procurement Attorney Course Judge Advocate General's School U. S. Army, Charlottesville, VA	1 week
U. S. Army, Charlottesville, VA Labor Law Course	1 week
International Law Judge Advocate General's School	1 week
Short Course for Prosecuting Attorneys	1 week

DUTY STATIONS AND DEPLOYMENTS

Marine Corps Duty Stations follow:

A. Major Bases and Air Stations. The major Marine Corps bases and Air Stations

- (1) Marine Corps Headquarters - Washington, D. C.
- (2) Marine Corps Combat Development Command (MCCDC) - Quantico, VA
 - a) Camp Lejeune (2nd MarDiv/2nd FSSG/4th MEB) – Jacksonville, NC
 - b) Camp Pendelton (1st MarDiv/1st FSSG) – Oceanside, CA
 - c) Camp Butler (3rd MarDiv/3rd FSSG) – Okinawa, Japan

- (3) Marine Corps Air-Ground Training Center – 29 Palms, CA
- (4) Marine Corps Air Stations (MCAS)
 - a) Beaufort, South Carolina (2nd MAW)
 - b) Cherry Point, North Carolina (2nd MAW)
 - c) New River, North Carolina (2nd MAW)
 - d) Yuma, Arizona (3rd MAW)
 - e) Kaneohe Bay, Oahu, Hawaii (1st Marine Brigade)
 - f) Iwakuni, Japan (1st MAW)
 - g) Futenma, Okinawa, Japan (1st MAW)
- (5) Marine Corps Recruit Depots (MCRD)
 - a) Parris Island, South Carolina
 - b) San Diego, California
- (6) Marine Corps Logistics Base – Albany, Georgia
- (7) Marine Corps Logistics Support Base – Barstow, California
- (8) Marine Corps Finance Center – Kansas City, Missouri

Other possible Duty Stations for USMC Judge Advocates

Naval Bases

Naples, Italy

Rota, Spain

Pennsacola, Florida

Newport, Rhode Island

B. Marine Unit Deployment Program

- (1) Program Design. Marine assignment policies have in the past required Marines to serve periodic 12-month unaccompanied tours with the 3rd Marine Division in Okinawa, Japan or the 1st Marine Air Wing in mainland Japan. The Marine Corps has recently adopted a “Marine Unit Deployment Program” designed to reduce the requirements for lengthy unaccompanied overseas tours. The plan calls for all infantry battalions and air squadrons/detachments presently stationed in Japan on a permanent basis to be replaced on a rotating basis by like units from home bases in CONUS/Hawaii and greatly reduces the disruptions of WESTPAC commands caused by previous individual replacement policies. Both the Marine Corps and the individual Marines profit from the program!
- (2) Family Life Effect. The program is greatly improving Marine Family stability by significantly reducing periodic 12-month unaccompanied overseas tours. Prior to implementing unit deployments, more than 14 percent of the Marine Corps was serving such tours. When fully implemented, unit deployment will reduce the number of these tours by about one-half. The Marines recognize that family separation is demanded by essential national security requirements. A Marine who enjoys a pleasant and stable home life is a more productive Marine! The Marine Corps aims to take care of its Marines and Marine families as well!

NAVAL JUSTICE SCHOOL

The following is a description of Naval Justice School prepared by First Lieutenant Matthew Bogdanos, J.D. 1984, Columbia University School of Law, Marine Corps Judge Advocate.

After admission to the bar and completion of The Basic School, the last professional preparation facing any prospective judge advocate in the Marine Corps is a nine-week long course at the Naval Justice School (NJS) in Newport, Rhode Island. It is here that we hone the tools with which we may become effective judge advocates. Having just graduated from NJS, I feel somewhat qualified to discuss its machinations in rather more detail than is given in the various pamphlets and brochures.

In essence, the course comprises a nine-week long intensive trial advocacy seminar solidly grounded in a thorough treatment of the substantive law and procedural rules of military practice. At the outset, the course is divided into four broad categories: Criminal law; evidence; procedure; and civil law. Much of the first few weeks is spent in class (ordinarily 8:30 a.m. – 4:00 p.m.), acquiring a good working knowledge of these subjects. Little by little, as the course progresses however, there is less emphasis on the classroom and more on the courtroom. It is interesting-and relieving—to note here the similarities between the military and civilian bodies of law. The Military Rules of Evidence are virtually identical to the Federal Rules of Evidence, the military rules of procedure to a large extent mirror the Federal Rules of procedure, and the punitive Article of the Uniform Code of Military Justice are of the same exceptional foresight and logic as the Model Penal Code.

During the second week, each student conducts one JAG Manual investigation of an accident involving a government employee with a civilian and submits a recommendation as to the proper handling and disposition of any consequent claims for and/or against the

government regarding the accident. It is also around this time that the workload, although never unmanageable, begins to increase and the pace quicken, particularly as The Trial Advocacy Skills seminar (TASKS) begins. They are actual hands-on sessions in which students apply what has been learned, and as such, are the vehicle through which bad habits are broken, good habits are formed, and the distinctive courtroom personae start to take shape. They are, in my opinion, the meat of the course. Rather ingeniously, the instructors have, by the way of TASKS, broken down a court-martial into twelve separate evolutions, which warrants listing here:

- I. Interviewing the Client.
- II. Negotiating and Drafting Pretrial Agreements (Plea Bargaining)
- III. Post-arraignment/Pre-trial Motions
- IV. Guilty Plea and Providency Inquiry
- V. Sentencing
- VI. Common Errors (in the first five stages)
- VII. Suppression Motions
- VIII. Voir Dire and Challenges
- IX. Opening Statements
- X. Government's Case-in-Chief
- XI. Defense's Case
- XII. Instructions, Closing Arguments, and Findings

After completion of the Sixth task—roughly the fifth week—comes the first round of Moot Court. Here each student acts as either a defense or trial (Prosecutor) counsel in a court-martial case in which the accused (defendant) pleads guilty. This coupled in rapid succession with the Military Justice midterm exam (third week), Civil Law Exam (sixth week), the Military Justice final exam (seventh week), and the Moot Court Administrative (Discharge) Board. The tests are multiple choice and are styled after the multi-state bar exam. Throughout, the course of instruction is supplemented with valuable and interesting demonstrations on polygraphs, drug detection techniques (including the use of dogs), handling witnesses, life aboard ship, treatment of rape victims, and forensic psychiatry. There are, in addition, several courses given in international law and the Law of Armed Conflict.

The entire course culminates in the second round of moot court. Again, acting as either trial or defense counsel—each student handles from start to finish a factually complicated and legally intricate court-martial case before a jury. The witnesses are alternately helpful and elusive, the evidence (usually drugs), either admissible or not, and issues subtle and very complex; the sense of exhilaration at the successful completion of this second round can only be intimated to those who have not felt it themselves.

It comes as no surprise, then, that there are myriad advocacy seminars—whether sponsored by the ABA, private corporations, or the District Attorney's office—springing up all over the country that resemble in form and substance the course given in Newport. Nor is it surprising in what high regard the U.S. Attorney's office, the Department of Defense, The Pentagon, and the White House view the Judge Advocates in their hiring practices. Case in point; of the 18 White House fellows last year, four were military men; ditto for the year before.

What is surprising however, is the quality and diversity of the students at the Naval Justice School. There are recent law school graduates from the best schools in the country, lawyers who have been in practice for several years; and those who have clerked for Federal and State Judges. The students are bright, tremendously supportive of each other, and driven by common desire to excel. This desire is well nurtured by the instructors and staff at NJS, whom are all living authorities in their respective fields. What separates them from most law school professors is their ability and willingness to communicate their knowledge to the students at NJS. In an atmosphere so conducive to learning, the rewards are legion.

At the end of this course, each and every judge advocate is more than prepared to prosecute or defend cases before general and special courts-martial in accordance with the Uniform Code of Military Justice, to serve as government recorder or counsel for the respondent before administrative discharge boards; to review and render legal opinions and recommendations on records of trial, report of investigations, and claims in favor or against the government; and to serve as appellate counsel for the defense or government before U. S. Navy Marine Court of Military Review and the U. S. Court of Military Appeals. A judge advocate is equally prepared, after leaving NJS, to render legal opinions and advice concerning government jurisdictional matters, labor relations, real estate interests, commercial contracts, and civil process; to render legal assistance to military personnel and dependents, including the preparation of legal documents such as wills, powers of attorney, deeds, tax returns, etc.; and to serve as an instructor/lecturer in military law.

The bottom line is clear and hardly needs mentioning: if you view the legal profession as a rare opportunity to be seized in all its differing facets; as an expansive whole to be mastered in its entirety, while never losing sight of the forest for the trees; and as a constant challenge to be met on an almost daily basis, then the Marine Corps is for you. If, however, the thirst for pursuing justice is not to your taste, or the thrill of the chase is not in your blood; if the prospect of split-second decisions in the pressure of a courtroom under the plaintive gaze of your client overwhelms you; or if you would rather spend your career focusing on the smallest minutia of the law rather than acquiring a solid knowledge across its entire spectrum, then it is equally certain that the

Marine Corps is not for you, and we demand that Marines be the kind of men and women who seek constant challenges.

You can see now how the paths diverge; one leads to the Marine Corps and the other, the well-paved one, does not. I took the path less traveled on and that has made all the difference. It's your choice.

CONSTRUCTIVE SERVICE

Constructive service granted to Judge Advocates of the Marine Corps under Title 10, U. S. Code, Sections 5587(a) and 5600(a) is "for the purpose of determining lineal position, permanent grade, seniority in permanent grade, and eligibility for promotion" only. The pay entry base date(PEBD) is not affected in any way and no arrears in pay or allowances will be authorized as a result of receipt of constructive service credit.

The purpose of constructive service is to recognize the additional value to the Marine Corps of those individuals who have pursued professional education independent of and prior to commissioning in the U. S. Marine Corps.

The authorizing statute limits the amount of constructive service credit that may be awarded to a maximum of three years, and implementing regulation permit one calendar year of constructive service credit for each academic year of law school completed while not in a commissioned status. An identical fraction of a calendar year of service credit is given for each fraction of an academic year satisfactorily completed according to the requirements of the law school attended. The credit is measured from the date of rank of initial commissioning.

Those individuals who complete an accelerated program of law study will gain further benefits. In accordance with the fractional rule stated above, such accelerated students will be credited for academic requirements completed as opposed to actual time spent at law school. For example, if a student completes 45 credits in the first year and there is a graduation requirement of 90, the student will normally be granted one and one half years of constructive service credit.

COMMONLY ASKED QUESTIONS PERTAINING TO USMC LAW PROGRAMS

1. **WILL THE MARINE CORPS PAY FOR LAW SCHOOL?** Although programs do exist whereby active duty Marine officers are ordered to attend law school, drawing full pay and allowances while tuition is paid by the Marine Corps, no similar program is available to officers who enter the Marine Corps via the OCC(LAW) or PLC(LAW).
2. **IS THERE ANY FINANCIAL AID AVAILABLE?** Yes, The Marine Corps Tuition Assistance Program is available after you complete OCS and take your commission. This program provides up to \$5200 a year towards tuition and books. If you decide to take the Tuition assistance you will add 18 month to your 42 month contract.
3. **WHEN DO I GET PROMOTED?** Generally, constructive service is the recognition that the Marine Corps accords those judge advocates who have pursued professional legal education prior to commissioning. Constructive service is a calendar year of credit, up to three years, that is awarded each academic year of law school completed while not in a commissioned status. This credit advances seniority and eligibility for promotion; pay is not affected. Therefore, a newly-commissioned second lieutenant lawyer can expect a promotion to first lieutenant shortly after reporting for initial active duty. For promotion purposes, the Marine Corps places you among your peers as if you had been commissioned simultaneously, with you reporting to law school while the others commence training at The Basic School (TBS).
4. **HOW MUCH WILL I GET PAID?** A judge advocate is an unrestricted line officer. As such, you will be paid in accordance with your grade and longevity, as any other officer. A judge advocate receives no "special pay" for being a lawyer. Your OSO can show you the standard military pay scale.
5. **HOW IS SERVICE AS A MARINE LAWYER VIEWED BY PROSPECTIVE CIVILIAN EMPLOYERS?** That experience gained as a Marine judge advocate can be parlayed into a good employment opportunity is evidenced by our many reserve judge advocates who left military practice for successful civilian careers. Service as a Marine lawyer will not be looked upon by civilian practitioners with disfavor. To many, especially those involved in litigation, it will be deemed an asset.
6. **DO MARINE LAWYERS GET INVOLVED IN ENVIRONMENTAL, CONTRACT OR LABOR LAW?** Yes, with increasing regularity. We are rapidly developing a cadre of judge advocates with specialized training and experience in these disciplines, many acquiring LL.M.'s through the Marine Corps Special Education Program.
7. **IS THERE AN OPPORTUNITY TO LITIGATE CIVIL CASES?** A rapidly developing program called the "Expanded Legal Assistance Program" (ELAP) is being implemented at several of our commands. Many Legal Assistance offices now offer services to our Marines that extends beyond the law offices and into the local civil courts.
8. **WILL I GET EXPERIENCE AS A TRIAL LAWYER?** Litigation experience had traditionally been the "building

block” of Marine judge advocates. As a Marine lawyer, you will see the inside of a courtroom.

9. WILL I BE LIMITED TO DEFENSE OR TRIAL COUNSEL DURING MY FIRST TOUR OR WILL I BE ALLOWED TO DIVERSIFY? The typical Marine lawyer begins his practice as a courtroom lawyer, trial (prosecution) or defense. How long and to what extent he performs these duties depends upon the needs of the command and the Marine he serves. It is not atypical of a “First-Termer” to also be exposed to other facets of the practice of a military lawyer.

10. IS THERE AN INTERNSHIP PROGRAM? No. Naturally, however, you will be provided some degree of supervision and guidance from more experienced trial attorneys.

11. WHEN DO I START PRACTICING? Upon completion of TBS, you will undergo specialized training in military law at the Naval Justice School (NJS) at Newport, Rhode Island. Following this 10 week course you will report to your first command, where you will begin your practice.

12. WHAT TYPE OF CASES WILL I HANDLE? As a trial or defense counsel you will prosecute or defend criminal cases covering the entire gamut of common law crimes, federal crimes contained within Title 18 U.S.C. and military offenses set forth in the Uniform Code of Military Justice (UCMJ), Title 10, U.S.C. As a legal assistance attorney, you will handle cases involving the laws of the jurisdiction affecting your command (civil cases). If you are involved in labor, contracts, environmental, or international law cases, naturally those statutes and regulations pertaining to these respective disciplines will govern your efforts.

Later, should you be assigned as a Special Assistant U. S. Attorney, or as a Marine lawyer to the Office of the Judge Advocate General of the Navy, you will be working for the Department of Justice in civil and criminal matters affecting the Naval services.

Practice in a military courtroom is very similar to Federal practice: our substantive, evidence, and procedural law closely parallel Federal law.