

*Annual Bulletin
of
The Judge Advocate General's School, U.S. Army*



*Charlottesville, Virginia
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The Annual Bulletin of The Judge Advocate General's School 1995-1996

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Introduction

The Army has relied upon lawyers since July 1775 when the Second Continental Congress selected Colonel William Tudor of Boston, a 25-year-old Harvard graduate, as the first Judge Advocate of the Army. From the Revolutionary War until World War I, the relatively small number of judge advocates required by the Army were filled with officers equipped for their duties with varying degrees of experience and training. Judge advocates were sometimes appointed directly from civilian life, but they were usually detailed from other branches of the Army.

Despite a long record of service by Army judge advocates, it was not until the beginning of World War II that efforts were made to provide our attorneys with specialized legal education. In February 1942, as uniformed lawyers' responsibilities increased in volume and complexity, specialized continuing legal education courses for active duty judge advocates were begun in Washington, D.C.

Ann Arbor and Thereafter

In August 1942, the School moved to the University of Michigan Law School in Ann Arbor. By June 1944, over two thirds of the active duty officers in the Judge Advocate General's Corps were graduates of that program. The School at Ann Arbor, intended only as a temporary facility, was deactivated in 1946 during the general demobilization following World War II.

A subsequent study on the administration of military justice demonstrated a requirement for continuing the formal education of military lawyers. Detailed instruction was needed for new judge advocates, and continuing instruction on new developments in military law was required for all judge advocates.

The creation of the Uniform Code of Military Justice in 1950 and the

beginning of the Korean Conflict further emphasized the need for more sophisticated military legal training. As a result, another temporary school was activated at Fort Myer, Virginia, in October 1950. It was decided, however, that a permanent school for Army lawyers should be established.

The Move to Charlottesville

In August 1951, the Army accepted an offer from the University of Virginia to permanently move its School there. Initially, The Judge Advocate General's School shared existing facilities with the University's School of Law. As the military community grew in the 1960s, so did the needs of the Corps. In 1975 the School moved to its own facility, adjacent to the School of Law and the Darden Graduate School of Business, in the graduate education area known as the North Grounds.

The facility dating from 1975 (now known as the South Wing of the School) provides classrooms and seminar rooms with seating capacities from 10 to 200, two practice courtrooms, a library, 80 motel-type rooms for individuals attending continuing legal education courses, and private offices for faculty members.

Because of the School's ever-increasing teaching mission, construction on a 48,500 square-foot North Wing began in January 1988. The new facility was completed in February 1990. The North Wing includes a 325-seat multi-purpose auditorium, two large general purpose classrooms, and eight seminar rooms. It also includes a television production studio, a computer learning center, a new post exchange, and additional office space. The North Wing facilities allow the School to continue providing top-quality legal education while meeting the growing and increasingly diverse needs for legal education in the Department of Defense.

As currently organized, seven departments administer the academic and nonacademic functions of the

School: the Academic Department; the Developments, Doctrine and Literature Department; the Department of Admissions, Nonresident Instruction, and Enlisted Training Development; the Information Management Office; the School Support Department; the Center for Law and Military Operations; and the Judge Advocate Guard and Reserve Affairs Department.

Academic Department

The Academic Department develops and conducts all of the School's resident courses. Additionally, the Academic Department develops the program of instruction for nonresident courses and for judge advocates attending Army reserve schools or serving in Reserve Component units.

The Academic Department also develops and conducts all of the School's general officer legal orientations and senior officer legal orientations.

The School's curriculum and teaching faculty are organized along lines similar to the four general substantive areas practiced by Department of Defense attorneys. Accordingly, the Academic Department is further compartmentalized into the Criminal Law Department, the Contract Law Department, the International and Operational Law Department, and the Administrative and Civil Law Department.

Developments, Doctrine, Literature

The Developments, Doctrine and Literature Department makes contributions to the Corps in various areas. The Combat Developments Department develops and reviews guidelines for the size and organization of legal offices in the Active and Reserve Component forces, allowing the Corps to provide a full range of legal and support services to soldiers stationed worldwide.

This department also identifies doctrinal, training, force structure, and material issues that may arise in the future and assesses their impact on the

operations of the Judge Advocate General's Corps in the twenty-first century. Personnel in the Literature section edit and publish the two primary professional publications of the Corps, the *Military Law Review* and *The Army Lawyer*, and manage a central acquisition point for Army law libraries worldwide.

Student Administration

The Department of Admissions, Nonresident Instruction, and Enlisted Training Development performs four distinct missions. This Department serves as the School's registrar, managing all student requests for admission and records of attendance for both resident and nonresident instruction. It administers the School's nonresident instruction program and manages the development of legal educational materials for students Army-wide. It develops all instructional material to train and maintain the 71D (legal specialist) Military Occupational Speciality for both the Active and Reserve Component Forces. The Department also handles all International Military Education and Training (IMET) activities provided by the School.

Information Management

The Information Management Office provides visual information, communications, and automation support to the faculty, staff, and students. Equipped with Electronic Multimedia Imaging Equipment (EMIC), a local area network (LAN) supporting 200 personal computers, connectivity to the Office of The Judge Advocate General Wide Area Network (WAN), and plans for voice mail and distance learning/video teleconferencing, the Information Management Office is an integral player in supporting legal instruction.

School Support

The School Support Department provides administrative, logistic, base operations and support services to staff, faculty and students. The School Support Department also oversees the School's budget and its Installation

Morale, Welfare, and Recreational funds.

Center for Law and Military Operations

The Center for Law and Military Operations is responsible for three functions. It serves as the Secretariat for the Inter-Service Committee on International Legal Education. The Center also collects, refines, and disseminates successful training approaches in Operational Law. Finally, the Center contributes to the development of military doctrine for Operational Law.

Guard and Reserve Affairs

The Judge Advocate Guard and Reserve Affairs Department is the principal advisor to The Judge Advocate General of the Army on policy matters affecting the appointment, assignment, mobilization, and training of Reserve Component judge advocate officers.

This department supervises accessions to the Judge Advocate General's Corps, U.S. Army Reserves; federal recognition of Army National Guard judge advocates; and assignment of Individual Mobilization Augmentees and senior U.S. Army Reserve judge advocates.

Guard and Reserve Affairs provides management advice and assistance to all Reserve Component judge advocates; assists in the development and administration of resident and nonresident educational programs; and reviews regulations affecting Reserve Component judge advocates.

Post Judge Advocate

The Post Judge Advocate serves as the legal advisor and protocol officer to the Commandant and provides legal assistance services and claim services to authorized individuals.

Commandant's Message

A dynamic and unique educational institution, The Judge Advocate General's School is dedicated to the delivery of the highest quality legal education to its students. Sensitive to how well it meets current educational needs and anticipates future requirements, the School actively pursues an aggressive and continual process of self-study. This thorough and critical self-examination process by the staff and faculty will ensure that the School meets the needs of the Army's legal community in the 21st Century.

The Graduate Program

The focus of the School and the source of its greatest pride is the Judge Advocate Officer Graduate Course and the LL.M. program.

The Judge Advocate General's School is the only governmental entity statutorily authorized to grant the degree of Master of Laws (LL.M.) in Military Law. Recognizing the demanding scholastic standards of the School's Graduate Course, the American Bar Association accepted the site evaluation recommendations of its Accreditation Committee in 1988 and approved the LL.M. program.

The military services operate under a mandate to ensure that education and training efforts are not duplicated. Accordingly, only The Judge Advocate General's School, United States Army, offers an ABA-accredited LL.M. program.

The current Graduate Class numbers 76 attorneys--54 Army, 8 Marine, 5 Air Force, 5 Navy, and 4 international officers representing Egypt, Hungary, Thailand, and Kenya.

Meeting twice annually, the Interservice Legal Education Review Committee promotes cooperation among the three graduate schools of military law--Army, Air Force, and Navy--and

ensures that the schools' curricula avoid duplication. Members of the committee are the Commandant and the Deputy Commandant of The Judge Advocate General's School, U.S. Army; the Commandant and the Deputy Commandant of The Judge Advocate General's School, U.S. Air Force; and the Commanding Officer and Executive Officer of the Naval Justice School, U.S. Navy.

The Basic Program

Offered three times a year, the twelve-week Judge Advocate Officer Basic Course prepares newly commissioned judge advocates for their first assignments. In addition to substantive law, the Basic Course stresses professional responsibility and ethics.

The CLE Program

The School annually welcomes nearly four thousand Department of Defense attorneys for continuing legal education courses ranging in length from one to three weeks. Recognized by those states with mandatory continuing legal education requirements, these practice-oriented courses stress recent developments in all areas of the law: administrative and civil; government contract; criminal; and international and operational.

The Orientation Program

Legal orientations for all Army officers promoted to the rank of general as well as all brigade commanders provide an excellent opportunity for the Army's legal corps to explain its critical role in today's Army. Ranging in length from a day to a week, these highly successful courses are tailored to the officer's next assignment.

Speakers Program

Sharing their particular legal perspectives, prominent members of the legal community visit the School throughout the academic year to deliver special lectures. These include U.S. Senators and Representatives, CEO's of major corporations, prominent members of the judiciary, and legal scholars.

Expanding Curriculum

The School strives to develop education and training for the judge advocate, civilian attorney, legal administrator, noncommissioned officer and legal specialist of the twenty-first century. Post-Cold War missions have pushed the faculty to design new courses addressing peacekeeping, humanitarian assistance, disaster relief, human rights, and drug interdiction.

In November 1995, the School hosted a conference on "Nuremberg and the Rule of Law: A Fifty-Year Verdict" co-sponsored by the Center for National Security Law, University of Virginia School of Law; the Center on Law, Ethics and National Security, Duke University School of Law; and the Center for Law and Military Operations, The Judge Advocate General's School.

Paralegal Personnel

In 1995, the School accepted a challenging new educational mission. The School now controls the development of programs of instruction, texts, and lesson plans for the Legal Specialist Course, the Basic and Advanced Noncommissioned Officer Courses, and the Self-Development Course for enlisted legal personnel with the 71D Military Occupational Specialty. This exciting new mission also includes responsibility for enlisted legal training in the Army Correspondence Course Program and the Reserve Components Configuration Courses.

Worldwide Influence

Members of our faculty continue to teach courses at sites other than the School. Approximately 18 weekends a year, instructors provide continuing legal education instruction to judge advocates of the Reserve Component at locations throughout the United States. Instructors also teach continuing legal education courses to Department of Defense attorneys in Europe, Asia, and the Pacific region. Cooperating in the Expanded International Military Education and Training program, faculty members teach human rights and democratic principles to audiences in

countries in Africa, South and Central America, Asia, and Eastern Europe.

Reserve Components

The School has the responsibility to provide military legal instruction to Army National Guard and Reserve Component judge advocate personnel. As patriotic citizens dedicated to the defense of the nation, many judge advocate officers, warrant officers, noncommissioned officers, and support personnel participate in Reserve Component units which stand ready to deploy within 75 days of alert.

The School is committed to providing the resident legal education and training which the commanders, attorneys, and paralegal personnel of these units require. The School currently offers a Reserve Component Senior Officer Legal Orientation course for Army Reserve and National Guard general officers and their chiefs of staff. To enhance the quality and relevancy of legal education at the School, a National Guard officer and a United States Army Reserve officer have joined the faculty.

Teletraining

The School is studying the feasibility of creating a video teleconference/teletraining center. In July, the Contract Law Division faculty taught a fiscal law course from the video teleconferencing center at the Air War College, Maxwell Air Force Base, Alabama. Through this medium, over 1000 Department of Defense personnel simultaneously received three days of fiscal law instruction. The Judge Advocate General's School must stay abreast of the rest of the Army. Video teletraining is a wave of the future--although it obviously would not be appropriate for many of our courses, it may well be a way the School can provide additional outstanding continuing legal education to the Reserve Component or provide short, concise updates, *e.g.*, standards of conduct/ethics updates, to the field.

Since the School was established in Charlottesville in 1951, it has earned a reputation for excellence. Even in an

era of government reductions, the School will continue to meet and surpass its high standards.

Academic Department Initiatives

Reorganization of the Graduate Course

The Academic Department has reorganized the core instruction in the Graduate Course to present it with increased effectiveness and a clearer direction. The restructuring focused on the unique nature of the audience and the appropriate level for instruction.

Change in Class Scheduling

One element of the reorganization, common to all academic departments, was the change in class scheduling. Each department was allotted specific days and blocks of time for the entire first semester. Generally the schedule has formal instruction during the first two hours of the morning and the first two hours of the afternoon.

The remaining hours were set aside primarily for research and study, enabling the students to spend more time on self-directed academic endeavors. The departments used their formal instructional hours in different ways.

Criminal Law Initiatives

The Criminal Law Department made a dramatic move away from the lecture method and now provides nearly all core instruction in seminar format. This increases the students' opportunity to take a more active role in their own education and that of their peers.

The focus of the core instruction has also changed greatly. Unlike previous years when the core instruction resembled a survey of current law, the focus of this year's instruction is enhancing the students' understanding of the military justice system as a whole, and its individual components. While a typical criminal law continuing legal

education class may focus on "how to," the LL.M. program core instruction now focuses on "why."

In a typical seminar, the professor first leads the students in a discussion of the historical underpinnings of the system and of the seminal cases in a particular area of criminal law. The students learn the foundational principles of that portion of the military justice system. The students are then encouraged to challenge the wisdom and correctness of key developments in the law.

The professor next focuses on those specific issues which are evolving, unresolved, or controversial. Finally, the class contemplates the future of the law in the particular area, focusing on how the law *is* developing and how it *should* develop.

Emphasis on Principles and Critical Thinking

The goal of this new instructional technique is to impart more than just a "current events" knowledge of the military justice system. Instead, students are equipped for a variety of future criminal law positions through emphasis on principles and critical thinking, as opposed to a survey of quickly-dated case law.

To accomplish this, the Department devised a rotating schedule which enables the faculty subject-matter expert to continue to teach the classes in his or her specialty. This way, each class is orchestrated by a professor with the depth and breadth of knowledge to sustain the discussion.

This teaching method and course content have prompted lively intellectual exchange. Everyone participates – ranging from students with extensive criminal law expertise to criminal law novices and international students.

Numerous Electives

For students who wish to delve into the details of substantive criminal law and procedures, the LL.M. program

provides numerous opportunities throughout the year to study "black letter" law.

The Criminal Law Department electives, offered during the second semester, provide a detailed review of substantive and procedural criminal law. Also, the LL.M. candidates may choose to research and write on a criminal law topic of their choosing as part of the LL.M. writing program.

Core Instruction Reorganized by Administrative and Civil Law

Recognizing that the administrative and civil law discipline historically has been an amorphous concept, difficult to grasp as an entity because its elements are so diverse, the Administrative and Civil Law Department reorganized its core instruction into three separate, albeit overlapping, topics: Installation Law, Civil Law, and Personnel Law.

Installation Law deals with constraints on the internal operations of a military post. Civil Law outlines the requirements on our relations with the civilian community. Personnel Law covers how an installation manages its civilian and military personnel.

Although not a "personnel management" issue, Legal Assistance is also taught under the Personnel Law subject since it is a "people" rather than "organizational" topic.

Subjects Taught Throughout the Semester

Each week during the first semester of the Graduate Course the Administrative and Civil Law Department has three two-hour blocks for core instruction. Rather than pursuing the approach often taken in short courses (intensive teaching of one subject in a straight block) each teaching day is dedicated to a separate topic, e.g., Monday is Civil Law, Wednesday is Personnel Law, and Friday is Installation Law.

Thus, subjects are taught throughout the semester, rather than one at a time

until the subject is exhausted. This scheduling encourages students, and professors, to pace themselves for the long-term learning experience, rather than a sprint through a topic.

The Installation Concept

As noted already, the administrative and civil law discipline has generally appeared as a miscellany of topics, rather than a unified discipline. This perception is reinforced in an academic environment, since the "skeleton" to the administrative "body" of law is the installation, which is missing in the schoolhouse environment.

As a final step to redirecting the Graduate Course's Administrative and Civil Law instruction, the installation has been put back in: a "post" has been created and all Graduate Course students have been "assigned" as the Deputy Staff Judge Advocate.

During the first block of department instruction, each student receives a welcome letter from the Staff Judge Advocate and a welcome packet describing the post facilities. Each week the post newspaper reports on installation news. Some stories mix fact and fiction, such as a division alert to standby for hurricane relief when a real hurricane threatened Virginia.

Some stories are whimsical, while others are purely factual. Each story, however, reflects the types of occurrences that make up life on a military post and confront the Staff Judge Advocate's Office daily.

Not only do the stories place administrative law in a real world context, they also display how many issues can overlap, *e.g.*, an accident raises both a jurisdictional problem and a claims issue. Most stories are referenced in class, while others are placed before the students as something to consider on their own

Overall, the existence of a post reinforces the unity of the administrative law discipline and creates a single,

appropriate context for all department instruction.

*The Graduate Course:
A Dynamic and Valuable
Learning Experience*

In sum, the Academic Department remains alert to the need to maintain the Graduate Course as a dynamic and valuable learning experience for its students and continues to adjust the course curriculum to assure that it meets the needs of the student and of the Judge Advocate General's Corps.

Academic Department Initiatives

Civilian Protection Law

Until recently, students of the law of armed conflict divided their discipline into neat categories that closely tracked the Hague and Geneva Conventions and several other law of war treaties. Commentators, military and civilian, spoke in terms of these traditional rules and focused their research, publication, and instruction efforts on this well defined area of the law.

Operations Other Than War

In the last decade, however, the most frequent application of United States power occurred in diverse operations that repeatedly defied the application of the traditional law of armed conflict. In response to the endless stream of legal issues raised by these new age operations (termed Operations Other Than War), the School began the development of a new series of courses.

These courses direct attention to the myriad of problems judge advocates face in the application of domestic, international, and host nation legal regimes within the Operations Other Than War context.

Civilian Protection Law

An example of this new breed of instruction is Civilian Protection Law (CPL). The International and Operational Law Department developed CPL in recognition that military forces will confront civilians in nearly every type of military operation. Civilians no longer represent a single aspect of contemporary missions.

Instead, they have become the very object of such missions. In fact, the protection of civilians and the preservation of their basic human rights has been the primary justification forwarded for international intervention in nearly every recent operation.

Recognizing the important nexus between the protection of civilians and operational success, the School began the task of assembling CPL. The professors assigned to this task designed a structure of study that first surveys, subsequently analyzes, and finally solves the sophisticated problems associated with the application of the range of protective measures and laws.

Customary and Conventional Legal Regimes

CPL consists of a wide array of both customary and conventional legal regimes (treaties or portions of treaties) and domestic law and policy. Additionally, the rules of international humanitarian law provide the cornerstone of CPL, serving as the starting point for almost any CPL discussion.

Finally, host nation law also serves as an important CPL component. The extent of host nation law application is based upon canons of Public International Law and the national policy of the United States, our coalition partners, and the international organizations under whose mandates we act.

Four-Tiered System

To make the analysis process more efficient, the architects of CPL integrated its primary components into a four-tiered system. International customary and conventional law, international human rights legislation, host nation law, and the domestic law and policy of the United States make up the four tiers.

Application of these components is controlled by the nature and purpose of the operation, the nations involved, the status of the affected civilians, and the policy decisions of our leadership.

This methodology provides a simple road map for the student to access the admittedly complex body of law that provides protection for civilians during the course of contemporary military operations.

Directly Linked to Practitioners in the Field

The School is directly linked to the practitioners in the field, and is uniquely poised to take immediate advantage of their experiences. Consequently, participants in the planning and execution of such operations from all branches of the military services, to include the Coast Guard and many federal agencies, have contributed to the evolution of CPL and other similar courses.

Like other courses within the international and operational law arena, the faculty constructed CPL to perform beyond the academic environment. CPL's greatest utility will be born out in the incredibly diverse Operations Other Than War of the next century. There students and practitioners from all military services and the various federal agencies and departments will apply its lessons.

Academic Department Initiatives

Continuing Legal Education: Military Justice Managers Course

The Criminal Law Department added a new continuing legal education course to its curriculum this year, the Military Justice Managers Course.

Focuses on Criminal Law Management Issues

This course fills a critical void in CLEs by focusing exclusively on criminal law management issues and concerns. Due to the Army-wide decrease in the number of courts-martial and the short tenure most judge advocates have as trial counsel, many chiefs of justice have had little trial experience when they assume their positions.

Targeted at Chiefs of Justice

Consequently, the course is targeted primarily at newly assigned active duty chiefs of justice, especially those who have not yet attended the Graduate Course. The purpose of the course is to provide chiefs of military justice and others involved in military justice management with information and practical tips regarding pretrial and post-trial procedures.

The first course was held August 1 through 4, 1995, and received commendatory reviews from the students.

Three-Prong Approach

The students received three general blocks of instruction: office management, pretrial procedures, and post-trial procedures.

The office management block familiarized the students with techniques for managing a case load and supervising trial counsel. The instruction included a class in advocacy training.

The students were not taught advocacy skills directly; instead, they were taught how to conduct advocacy training for their subordinates by using the National Institute of Trial Advocacy method.

This "train the trainer" approach pervaded the course. The students were given the skills to be more effective teachers of their subordinates.

Guest Speakers

One of the guest speakers, Colonel John M. Smith, Chief, Government Appellate Division, also focused on the special management challenges facing military justice managers. He discussed the common mistakes made by chiefs of justice, and suggested systematic approaches managers could take to prevent those errors.

The second guest speaker, Colonel (Retired) William S. Fulton, Clerk of Court, United States Army Court of Criminal Appeals, made particularly enlightening and instructive remarks regarding the common post-trial processing errors he observes on a routine basis.

Instruction on Pretrial and Post-Trial Procedure

In addition to management classes, the students also received several hours of instruction on pretrial and post-trial procedures.

These classes were designed to ensure that managers are thoroughly familiar with procedures for processing courts-martial from preferral to trial and through completion of the post-trial process.

Offered Annually in Late Summer

Based on the success of this new course, the Second Military Justice Managers Course already is scheduled for 30 July - 2 August 1996. The course will be held annually in late summer so new chiefs of justice can attend shortly after assuming their positions.

Academic Department Initiatives

Continuing Legal Education: Ethics Counselor Workshop

Responding to heightened scrutiny of Government employees' ethical conduct and the implementation of the Joint Ethics Regulation, the School, in coordination with the Standards of Conduct Office, Office of The Judge Advocate General, has added an Ethics Counselors Workshop to the School's list of Continuing Legal Education courses.

Offered Annually

Nearly two hundred students from all services participated in the first workshop, opened by the Secretary of the Army and attended by the Army General Counsel, The Judge Advocate General and The Assistant Judge Advocate General.

As a result of the success of the first workshop, the ethics counselor course is now offered annually and its scope has been broadened.

Scope Broadened:

Political Activities Included

Sister-service representation has been greatly increased and the course expanded from two and one-half to three days to include expanded instruction on previously-taught topics and a new topic, political activities.

Additionally, seminars have been added to allow students the opportunity to apply lecture material to real-world situations.

New service-specific luncheons allow a forum for discussing Navy and Air Force specific issues.

Department of Defense and Service-Unique

Issues Addressed

Thus, both service-unique and broad Department of Defense ethics issues are

addressed in one complete workshop, which continues the School's long-standing policy of revising curriculum to address changes in Judge Advocate missions.

The Center for Law and Military Operations

The Judge Advocate General established the Center for Law and Military Operations at the School in 1988 at the direction of the Secretary of the Army.

Purpose

The purpose of the Center is to examine legal issues that arise during all phases of military operations and to devise training strategies for addressing those issues. It seeks to fulfill this purpose in five ways.

- First, it is the central repository within The Judge Advocate General's Corps for memoranda, lessons learned, and after-action materials pertaining to legal support for deployed forces.
- Second, it serves as the Secretariat for the Inter-Service Committee on International Legal Education, which coordinates legal training provided by the separate military services to foreign countries under several statutory programs.
- Third, it supports judge advocates in the field by disseminating key lessons learned, by building a database of legal issues encountered by previously deployed judge advocates, by creating guides to successful operational law training and evaluation, and by recommending refinements to doctrine for legal operations.
- Fourth, as already mentioned, it integrates lessons learned from deployments into the curriculum of all relevant courses, workshops, orientations, and seminars held at The Judge Advocate General's School.
- Fifth, with The Judge Advocate

General's School, it sponsors conferences and symposia on topics of interest to operational lawyers.

Organization

- The Director of the Center also serves as Chief, International and Operational Law Division, Office of The Judge Advocate General.
- The Deputy Director heads the main office in Charlottesville, where the Center forms an important part of The Judge Advocate General's School and represents the Corps' growing commitment to excellence in operational law.
- A colonel from the United States Army Reserve and a lieutenant colonel from the Army National Guard of the United States serve as executives to the Center. These judge advocates develop operational law materials and programs of particular relevance to the reserve components of the force.
- Judge advocates assigned to train units and soldiers at training centers in Louisiana, Kansas, and Germany make fundamental contributions to the Center.

Sponsors After-Action and Working Conferences; Conducts Symposia

In recent years, the Center has collected lessons learned by sponsoring after-action conferences of judge advocates who deployed to support military operations around the world.

The Center's most recent report is *Law and Military Operations in Haiti: Lessons Learned for Judge Advocates*, which combines material gathered during such a conference with other documents and resources.

The Center hosts other working conferences, such as that attended by judge advocates and line officers that produced the first draft of the new *Standing Rules of Engagement for United States Forces*.

It conducts symposia, such as the

April 1990 investigation by Army, interservice, and interagency lawyers into differing perspectives on operational law, and the November 1995 inquiry by prominent scholars, policy makers, and practitioners into deterrence of humanitarian law violations.

The latter symposium took place at the School in conjunction with the Center for National Security Law of the University of Virginia Law School and the Center on Law, Ethics, and National Security of the Duke University School of Law.

Identifying Legal Issues Arising During Deployment

The Center contributes to meeting a need that--while present in some form since the Vietnam conflict--clearly emerged during Operation Urgent Fury in 1983.

On an educational and conceptual level, the continued development of operational law has addressed this same need, namely that of training judge advocates to identify and assist commanders in resolving the numerous legal issues associated with deploying United States forces.

Partly as a result of the Center's establishment in 1988, operational law is today regarded as a distinct, yet overarching body of law within the School and throughout the Corps, as well as in the wider Army, Department of Defense, civilian academic, and international communities.

The Faculty

Talent, Experience, Diversity

An assignment to the School's faculty is one of the most desired positions in the military legal community. Each member of the faculty is selected to teach at the School based on educational background, professional experience, teaching ability, and scholarly interests.

Representing all branches of military service and all professional disciplines within those services, the faculty currently numbers 40. Respected members of the legal community, many faculty members have worked in significant policy making positions in Washington.

The faculty's four teaching departments reflect the major legal disciplines practiced in the military environment:

- International and Operational Law
- Contract Law
- Administrative Law
- Criminal Law

All instructors have extensive practical experience in the major substantive areas they teach. Teaching responsibilities are determined taking this experience into account, as well as individual interests and faculty needs.

Effective and Engaging Teachers

The School's educational mission and extraordinary resources are thoroughly discussed during a three-day Methods of Instruction course, attended by all new faculty members before they begin teaching. Proper course formulation, as well as teaching and testing methods, are presented by the School's educational consultant, Dr. John A. Sanderson, Ed.D., an associate professor at the University of Virginia's widely respected Curry School of Education. Exploring both innovative teaching methods and traditional approaches, the Methods of Instruction

course is an invaluable asset in preparing new instructors for the rigors of first-year teaching.

Professional Balance

The School takes great pride in the ability of its instructors to maintain an appropriate professional balance between developments in academia and legal offices worldwide. The interaction between these two arenas--the classroom and the "real world"--presents fascinating research, writing, and teaching possibilities. Maximizing the benefits derived from this fruitful interaction, the faculty continually strives to expand and refine the School's curriculum. The ability to research, teach, and then implement that teaching in dynamic and complex "real world" situations adds immeasurably to the faculty's vitality and effectiveness.

Breadth of Responsibility

The academic and administrative burden which faces the faculty is both challenging and stimulating. All instructors teach in the LL.M. program as well as the Basic Course for newly commissioned judge advocates. Faculty members present instruction at over 40 finely tuned continuing legal education courses conducted at the School. Instructors also travel to locations around the world, as needs arise, to provide invaluable training to Army National Guard and Reserve units and to the armies of developing countries.

In addition to serving on the myriad of committees necessary to make a large educational institution operate effectively, faculty members participate in article preparation and reviews, doctrine creation, and curriculum refinement. The ever changing nature of a three-year assignment at the School continually challenges the instructor to grow professionally and intellectually.

Active Participants in a Community of Intellect

This intellectual and professional growth process is enhanced by the very location of the School. The prestige of the University of Virginia--and especially

of its internationally renowned law school--was a major factor influencing the decision to establish the School in Charlottesville.

A free flow of ideas at the School is stimulated by contact with University faculty members, scores of national and international policy makers, and students from around the world. Faculty members at the School are fortunate to live and work in an area famed for its history, natural beauty, and cultural offerings.

The Library

All students attending the resident Basic, Graduate, and continuing legal education courses are practicing attorneys with significant independent research and writing interests. The library is at the core of the School's LL.M. program.

Consequently, the School's library is constantly challenged to remain responsive to student needs by blending traditional and advanced research methodologies.

The Collection

The library's collection supports in-depth research in all areas of the School's curriculum. Its holdings are particularly extensive in military justice, contract law, international and operational law, and military administrative law.

Additionally, the library has made a determined effort to develop comprehensive collections supporting new areas of Graduate Course emphasis. Special attention has been given to enriching the library's holdings in Federal government ethics, United Nations peacekeeping, war crimes trials, environmental law, federal labor relations, and federal litigation issues.

Students at the School have access to the 800,000-volume collection at the Arthur J. Morris Law Library at the University of Virginia School of Law, renowned particularly for its collections in international and oceans law. Students may also do research in the University's 3,000,000-volume library on the Central Grounds.

Computerized Research

On-line services continue to grow in importance in legal research, and the library strives to take full advantage of the new technology. Both faculty and students have access at the School to WESTLAW and LEXIS databases, which contain the full text of judicial decisions, statutes, and selected

secondary sources.

Cataloging Initiatives

All new library acquisitions are cataloged on OCLC (Online Computer Library Center, Inc.) as soon as they are received. OCLC is the bibliographic utility used by the vast majority of the 178 ABA-approved law schools in the United States. A retrospective conversion project to catalog the library's entire collection on OCLC is currently in progress.

A member of the Law Library Microform Consortium (LLMC), the library has contributed many titles from its collection to LLMC's *United States Military Law: History and Development: A Basic Collection*.

The library's LL.M. Graduate Class theses have been included in a microfiche collection of LL.M. theses from all American law schools published in 1995 by William S. Hein & Co., Inc.

Preservation Efforts

Both the School and its library are dedicated to preserving materials for use by future generations of researchers.

Recent preservation efforts include microfilming the personal papers of Major General Thomas H. Green and the National Archives holdings of Major General Charles L. Decker's *Collection of Records Relating to Military Justice and the Revision of Military Law*.

Archives

An archives and rare book room was constructed in 1991. Its features include compact shelving, temperature and humidity controls, and halon fire protection.

Professional Associations

The library maintains institutional memberships in the American Association of Law Libraries, the Society of American Archivists, the Library Binding Institute, and the American Library Association.

Writing and Research

The library's plan for the future calls for it to continue to emphasize the development of a broad, in-depth collection of military law materials needed by the military lawyer. Many of the library's titles are rare and can be found in only a few other libraries. The library's individual study carrels are reserved for use by Graduate Class LL.M. students.

Resident Education:

The LL.M. Program

Accredited by the American Bar Association, the School's Graduate Course prepares experienced attorneys for supervisory duties and other positions of increased responsibility within their respective services.

Students who successfully complete the course are awarded a Master of Laws in Military Law. Selection for attendance at the Graduate Course is competitive. Each class consists of students selected from the Army, Navy, Air Force, and Marine Corps, as well as international military students. All students are attorneys who generally have five to eight years of experience.

The Graduate Course covers a full resident academic year. The fall semester includes core classes required of all students. The winter semester is composed of electives. Students may select from approximately 40 electives offered by the School's four academic departments.

The School offers an optional specialization program in conjunction with the LL.M. Students may specialize in Contract Law, International and Operational Law, Criminal Law, or Administrative and Civil Law. To qualify for a specialty, a student must either write a thesis in the area of specialization or earn at least seven elective credit hours and write an extensive paper in the area of specialization.

Contract Law

Graduate Course instruction varies in emphasis and approach. The Contract Law Department's core instruction is primarily technique-and-fact oriented.

Its goal is to give students specific practical skills in reviewing government acquisition actions and solving problems

arising under government contracts at military installations in the United States.

Contract Law electives provide students with specific instruction in such areas as solving typical contract law problems, litigation, disputes and remedies, negotiation, the commercial activities program, and weapons systems acquisition.

International and Operational Law

The International and Operational Law Department's core instruction is presented in three phases. The instruction begins with an introduction to, and broad overview of, the general principles of public international law which deploying judge advocates are required to know.

The core instruction then focuses upon an extensive analysis of the law of war (humanitarian law).

The course culminates with instruction on a wide variety of operational law issues, including status of forces agreements, deployments for overseas exercises, security assistance issues, counterdrug operations, noncombatant evacuation operations, and peacekeeping operations.

Throughout the instruction, discussion questions and seminars are used extensively to illuminate the material.

International law electives include air and space law, law of military operations, selected topics in the law of war, legal aspects of military operations other than war, law of the sea, history of modern warfare, and current issues in national security law.

Criminal Law

The Criminal Law Department presents a balanced offering of trial procedure and substantive law in the core curriculum. Most instruction is presented in a seminar setting with significant emphasis on analysis of the

underpinnings of military criminal law. The Department also presents core instruction dealing with leadership and management.

Criminal law electives include advanced evidence, military justice management, advanced trial advocacy, professional responsibility, crimes and defenses, and analysis of the military justice system.

Administrative and Civil Law

The Administrative and Civil Law Department presents core instruction in such diverse subjects as environmental law, defensive federal litigation, law of military installations, military and civilian personnel law, labor relations, government information practices, claims, legal assistance, and selected additional topics. The Department also has the lead responsibility for the extensive professional writing program.

Many of the electives expand upon core topics, giving students an opportunity to learn more about subjects briefly covered in the core curriculum.

Resident Education:

The Basic Course

Offered three times a year, the Basic Course is a twelve-week introduction to the practice of law in the military.

Phase I

The first two weeks of the Basic Course are taught at Fort Lee, Virginia. This military orientation provides an overview of officer responsibilities and basic soldier skills. Phase I training includes classes in military leadership, customs and courtesies, wear of the uniform, drill and ceremony, organization of the Army, map reading, an Army Physical Fitness Test, and a three-day field exercise emphasizing deployment skills and weapon familiarization.

Phase II

Taught at the School, the subsequent ten weeks of the course are devoted to instruction in substantive military law. Emphasis is placed on those areas most likely to be encountered during a judge advocate's first duty assignment.

Approximately 40% of the Phase II curriculum consists of subjects taught by the Administrative and Civil Law faculty, including personnel law, the law of military installations, claims, legal assistance, leadership and management, and communications.

Practical exercises include interviewing and counseling, will drafting, separation agreements, consumer law, and the Soldiers' and Sailors' Civil Relief Act.

Using platform instruction and practical exercises to teach almost all areas of evidence and criminal procedure, the Criminal Law faculty is responsible for approximately 40% of the Phase II curriculum.

Each student participates as a prosecutor and/or defense counsel in

both an administrative separation board and a guilty plea court-martial.

The remainder of the course covers the military lawyer's role in government contract law and international law.

Students are exposed to the federal acquisition process, basic legal concepts regarding the authority of the government to enter into contracts, and fundamental concepts of federal fiscal law.

International law subjects are divided into two major areas. The first deals with the law of war and includes the Hague and Geneva Conventions and the Code of Conduct.

Instruction is designed to provide the student with the expertise necessary to teach fellow soldiers the law of war.

Concerned with special legal problems encountered by soldiers deployed overseas, the second area covers the effect foreign law and international agreements have on the Army, individual soldiers, and family members.

Resident Education: Continuing Education Courses

Curriculum Overview

Over 3,400 students participate in the School's resident education program annually. These continuing education courses vary in length from two days to three weeks.

The School's extensive continuing education curriculum consists of specialized continuing legal education courses for military attorneys, as well as courses dealing with the role of the law in military activities, designed for students who are not lawyers.

Most of the practice-oriented, continuing legal education courses provide an update in a particular field of the law. Others (such as the Military Judge Course) serve as advanced qualification courses for particular positions.

Prerequisites for Attendance

Persons wishing to attend resident education courses must meet the course prerequisites specified in the "Resident Course Descriptions" section of this bulletin and in Army Regulation 351-20, Army Formal Schools Catalog. No security clearance for attendance at residence courses is required unless otherwise noted in the course prerequisite. Attendance at selected courses, such as the Military Judge Course, Staff Judge Advocate Course, and Senior Officer Legal Orientation Course is by invitation only.

Quota Administration

Attendance at resident courses is limited to those persons who have been allocated a student quota. Quotas are managed by the Army Training Requirements and Resources System (ATRRS), an Army-wide training management program.

All Department of Defense organizations should reflect their training needs in the Total Army Centralized Individual Training Solicitation (TACITS), conducted in August and April of each year by the U.S. Total Army Personnel Command.

Student quotas are allocated to Department of Defense organizations through ATRRS based upon TACITS data. Quotas for courses must be claimed by entering student reservations into ATRRS. Organizations without quotas for courses conducted by The Judge Advocate General's School may use ATRRS to place students on a waiting list for specific classes.

Department of Defense organizations without access to ATRRS should contact the Admissions Office at The Judge Advocate General's School for assistance.

Army Applicants

Active duty Army judge advocates, Army National Guard judge advocates, Army Reserve judge advocates who are assigned to a unit, and civilian attorneys employed by the Department of the Army must obtain quotas through their directorates of training or equivalent organization. Army Reserve judge advocates who are not assigned to a unit should apply to the following address for quotas:

ARPERCEN
ATTN: DARP-OPS-JA
9700 Page Boulevard
St. Louis, Missouri 63132-5200

Air Force, Marine, and Navy Applicants

U.S. Air Force judge advocates and civilian attorneys should contact the Office of the Judge Advocate General, U.S. Air Force, for quotas. U.S. Marine Corps judge advocates and civilian attorneys should contact Headquarters, Marine Corps. U.S. Navy judge advocates and civilian attorneys should contact the Naval Justice School, Newport, Rhode Island.

Non-Department of Defense Applicants

The School offers training on a space-available basis to federal government organizations which are not part of the Department of Defense. Individuals employed by non-Department of Defense federal government organizations must be nominated by name by their employing organization. A waiting list will be maintained on a first-come-first-served basis.

If seats are available in a requested class, the nominated individual will be notified. Notification will normally be made not more than 40 days before the starting date of the class. Non-Department of Defense organizations should contact the Quota Management Office at The Judge Advocate General's School for further information.

Tuition and Funding

The School does not require the payment of any tuition. All funding and publication of travel orders are accomplished by the attendee's parent organization.

RESIDENT COURSE DESCRIPTIONS

The "Schedule of Resident, Overseas, and On-Site Instruction" is included at the back of this Bulletin.

Judge Advocate Officer Basic Course 5-27-C20

Length: 10 weeks (preceded by two weeks of military orientation at Fort Lee, Virginia).

Scope: The course stresses those areas of military law which are most likely to concern a Judge Advocate Officer in the first duty assignment. It provides an introduction to military criminal law and the practical aspects of criminal procedure and practice; personnel law (military and civilian); legal basis of command; claims; legal assistance; Army organization and management; federal contract and fiscal law; and the Law of War and Status of Forces Agreements.

Prerequisites: Commissioned officer who is a lawyer and who has been appointed or anticipates appointment in the Judge Advocate General's Corps or his service's equivalent.

Judge Advocate Officer Graduate Course (LL.M. Program) 5-27-C22

Length: 41 weeks

Scope: This course prepares career military attorneys for future service in senior judge advocate positions. The course requirements equal or exceed those of graduate programs at other law schools. The American Bar Association has approved the course as meeting its standards for specialized legal education beyond the first professional degree. Students who successfully complete the course are awarded a Master of Laws (LL.M.) degree in Military Law. The course is conducted over an academic year totaling approximately 33 credit hours. Core courses consist of 21 credit hours of criminal law, administrative and civil law, international and operational law, contract law, leadership and management, and professional writing. Electives consist of 12 credit hours.

Prerequisites: Commissioned Career Officers of the armed forces whose branch is Judge Advocate General's Corps or another service's equivalent, in their fifth to eighth year of active commissioned service. Army officers are selected for attendance by The Judge Advocate General.

Senior Officers Legal Orientation Course 5F-F1

Length: 4 1/2 days

Scope: This course acquaints senior Army officers with the legal responsibilities and issues commonly faced by installation, division, brigade, and battalion commanders and by those

commanders assuming special court-martial convening authority. Administrative and civil law topics include judicial review of military activities, legal basis of installation and unit command, labor-management relations, civilian personnel law, nonpunitive options, non-appropriated funds, legal assistance, survivor assistance, family law, consumer law, environmental law, government information practices, and standards of conduct. Criminal law topics include survey of principles relating to search and seizure, confessions, nonjudicial punishment, and command influence. Emphasis is placed on the options and responsibilities of convening authorities before and after trial in military justice matters, including theories and effects of sentencing. International law topics include responsibilities of command and staff under the law of war and national implementing policy; also, military support and aid to civil authorities. Contract law topics include an overview of contract and fiscal law issues.

Prerequisites: Army officers in grade of colonel, lieutenant colonel and major (promotable) assigned or pending assignment as brigade commanders or commanders who will exercise special court-martial convening authority. Selection for attendance and funding is by OPMD, PERSCOM.

General Officer Legal Orientation Course 5F-F2

Length: 1 day

Scope: This course acquaints general courts-martial convening authorities and other general officers with the legal responsibilities and issues commonly faced by division, installation, and other major activity commanders. This course is tailored to the specific needs of each attendee. The full range of military law topics is available for selection.

Prerequisites: U.S. Army active duty general officers or promotable colonels. Attendance is arranged through the General Officer Management Office, The Pentagon.

Reserve Component Senior Officer Legal Orientation 5F-F3

Length: 2 1/2 days

Scope: This survey course is designed to acquaint senior army reserve and national guard officers with the legal responsibilities and issues they will encounter. Specific topics include: (1) administrative and civil law: standards of conduct, administrative separation boards, labor-management relations, civilian personnel law, claims, reports of survey, survivor benefits, mobilization legal assistance, post-mobilization family support, environmental law, and government information practices; (2) criminal law: search and seizure, confessions, nonjudicial punishment, and command influence. Emphasis is placed on the options and responsibilities of convening authorities in military justice matters, including theories and effects of sentencing. (3) operational and international law: law of war and national implementing policy status of forces agreements and other stationing agreements; legal

considerations effecting R.C. and A.C. units during predeployment, deployment, and post-deployment operations.

(4) contract law: the commercial activities program, Anti-Deficiency act, contracting process, deployment contracting, and fiscal law issues.

Prerequisites: Army Reserve Component officers in the grade of Brigadier General and above and their chiefs of staff.

Contract Attorneys Course

5F-F10

Length: 2 weeks

Scope: This course presents instruction regarding the basic legal concepts pertaining to the authority of the government and its personnel to enter into contracts; statutorily mandated competition requirements; contract formation (sealed bidding and competitive negotiation), including appropriations, basic contract types, labor standards, and socioeconomic policies; contract performance, including modification, termination, inspection, and acceptance; disputes, including remedies of unsuccessful offerors and appeals; introduction to acquisition of automatic data processing equipment; and introduction to procurement fraud.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. government with one year or less of recent contract experience. Individuals who have completed this course within the three years preceding the course starting date are not eligible to attend. Army Judge Advocate General's Corps officers must have completed the Judge Advocate Officer Basic Course 5-27-C20) prior to attending this course.

Government Contract Law Symposium

5F-F11

Length: 4 1/2 days

Scope: The focus of the symposium is to update government attorneys on significant changes in government contract law and policy by providing attendees the opportunity to obtain the view of prominent individuals from the U.S. Government and private sector. The course features guest speakers and seminars, with emphasis on new developments, reiteration of selected contract topics, and policy insights. Additionally, the Symposium serves as the focal point for the continuing education needs of program manager attorneys and will include seminars specifically designed for program manager attorneys.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. government who work or are pending assignment as a government contract law attorney, have successfully completed the Contract Attorneys Course (5F-F10) or equivalent training, and have at least two years experience as a contract law attorney. This course is designed for experienced contract attorneys and supervisors.

Fiscal Law Course

5F-F12

Length: 4 1/2 days

Scope: This course presents instruction on the legal, practical, and administrative problems involved in the funding of government contracts. Basic aspects of the appropriations process, administrative and statutory control of appropriated funds, and minor construction are covered.

Prerequisites: Military officers or civilian personnel employed by the U.S. government serving in the grade of GS-09 or above who work in contract law, contracting, or administering funds available for obligation on government contracts. Attendees must be attorneys, contracting officers, comptrollers, finance and accounting officers, responsible budget officials, or the equivalent. Attendees should have completed the Contract Attorneys Course (5F-F10) a financial manager's course, comptrollership course, or equivalent training.

Procurement Fraud Course

5F-F101

Length: 3 days

Scope: This course provides basic instruction on the legal and practical aspects of developing a procurement fraud program at an installation. The course focuses on advising installation and agency contracting and investigatory personnel regarding procurement fraud matters; and proper and timely referral of procurement fraud matters to appropriate agencies. Instruction covers identification of procurement fraud indicators; fraud statutes; fraud investigation procedures; Department of Defense criminal jurisdiction; debarment, suspension, and other remedies; and coordination of remedies.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. Government who have been detailed as a procurement fraud advisor or procurement fraud and irregularities coordinator, or who are expected to serve in such a capacity. Persons who have completed this course within three years preceding the course starting date are not eligible to attend.

Contract Litigation Course

5F-F102

Length: 4 1/2 days

Scope: This course develops civil litigation skills used in practice before the general accounting office and the boards of contract appeals. The curriculum includes: analyzing claims; preparing litigation files and reports; marshaling evidence; conducting and defending discovery; and using the alternative disputes resolution (ADR) process. Students will also learn rules of procedure and trial techniques in the various fora. This course is offered in alternating, even years, e.g. 1996, 1998.

Prerequisites: Military or civilian attorneys employed by the U.S. Government. Attendees must have successfully completed the contract attorneys course (5F-F10) or equivalent training, and have at least six months of contract experience.

Federal Labor Relations Course

5F-F22

Length: 4 1/2 days

Scope: This course focuses on the law of federal employment and federal labor-management relations. Topics include the hiring, classification, promotion, and discharge of employees under current civil service laws and regulations; roles of the Office of Personnel Management, Merit Systems Protection Board, and the Office of Special Counsel; grievance and adverse action procedures; substantive standards for adverse actions; reduction-in-force procedures; and equal employment opportunity law. Topics covered under federal labor-management relations include the rights and duties of management and labor under Title VII of the Civil Service Reform Act of 1978; roles of the Federal Labor Relations Authority, the Federal Mediation and Conciliation Service, and the Federal Service Impasses Panel; representation activities; negotiation of labor contracts; unfair labor practices complaints; administration of labor contracts; procedures for arbitration of grievances; and labor law implications of contracting out.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. Government who work or are pending assignment in civilian personnel law or labor law. Personnel who have completed this course or the Judge Advocate Officer Graduate Course (5-27-C22) within three years preceding the course starting date are not eligible to attend. Attendees must bring a copy of the collective bargaining agreement from their installation or activity and a sample personnel or labor problem.

Legal Assistance Course

5F-F23

Length: 4 1/2 days

Scope: This course presents both basic law and current developments in areas of interest to military legal assistance attorneys, including consumer protection, family law, state and federal taxation, survivor benefits, Soldiers' and Sailors' Civil Relief Act, ethics, immigration and naturalization, estate planning, wills, bankruptcy, and law office management.

Prerequisites: Military Attorneys and civilian attorneys employed by the U.S. Government who work or are pending assignment in legal assistance. Reserve Component attorneys must render legal assistance to military members on a regular basis. Persons who have completed this course or the Judge Advocate Officer Graduate Course (5-27-C22) within one year preceding the course starting date are not eligible to attend. In addition, persons who have completed the Basic Course (5-27-C20) within six months preceding the course starting date are not eligible to attend. Attendees must bring a sample legal assistance problem (and a brief summary of its solution, if resolved) that relates to one of the following topics: consumer law, family law, professional responsibility, office administration, or tax and estate planning.

Administrative Law for Military Installations

5F-F24

Length: 4 1/2 days

Scope: This course presents an overview of the basic law and current developments in areas of interest to military attorneys in administrative law assignments. Topics covered include legal basis of command; morale, welfare, and recreation operations; government information practices; military personnel law; standards of conduct; environmental law; and reports of survey.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. Government who work or are pending assignment in administrative law. Persons who have completed this course or the Judge Advocate Officer Graduate Course (5-27-C22) within three years preceding the course starting date are not eligible to attend.

Federal Litigation Course

5F-F29

Length: 4 1/2 days

Scope: This is a demanding, practice-oriented course which presents intensive instruction and exercises encompassing problems confronting government attorneys in federal litigation. An important portion of the course includes participation in a practical exercise involving trial advocacy skills. Instruction is provided in federal litigation subjects, including the Federal Rules of Civil Procedure, case management, discovery, judicial review, official immunity, and federal motion practice.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. government who work or are pending assignment in federal litigation.

Ethics Counselors CLE Workshop

5F-F201

Length: 3 1/2 days

Scope: This course focuses on ethics counselor responsibilities. Topics include ethics counselor fundamentals, procurement integrity, post-government employment restrictions, completion and review of financial disclosure reports, private organizational relationships, travel and transportation rules, gifts and gratuities rules, restrictions on political activities, the Joint Ethics Regulation, and investigation and reporting of suspected violations of ethics standards.

Prerequisites: Department of Defense attorneys who are appointed, work as, or are pending assignment as ethics counselors. Others by invitation of Chief, Standards of Conduct Office. Previous course attendees are ineligible to attend. Attendees must bring a copy of the JER and an ethics problem for discussion.

Military Justice Managers Course

5F-F31

Length: 4 1/2 days

Scope: This course is designed to provide chiefs of military

justice and others involved in military justice management with information and practical tips regarding pretrial, trial, and post trial procedures. Topics include case management, selection of members, victim/witness liaison, pretrial and post trial procedures.

Prerequisites: This course is limited to active duty judge advocates from all services who currently serve or are scheduled to serve as military justice managers. Reserve and National Guard judge advocates may attend if approved by the Chair, Criminal Law Department.

Military Judge Course

5F-F33

Length: 3 weeks

Scope: Provides military attorneys with advanced schooling required to qualify as full-time military judges at courts-martial. Topics covered include substantive military criminal law, trial procedures, defenses, instructions, evidence, current military judicial problems, and professional responsibility.

Prerequisites: Military attorneys. Army officers are selected for attendance by the Chief Trial Judge, U.S. Army Judiciary.

Criminal Law Advocacy Course

5F-F34

Length: 9 1/2 days

Scope: This course presents basic, yet intensive instruction and practical exercises covering problems confronting military counsel at courts-martial, from pretrial investigation through appellate review. Issues in trial procedure, trial advocacy, professional responsibility, and topical aspects of current military law, with particular emphasis on the military rules of evidence, are addressed. A substantial portion of the course involves participation in practical exercises.

Prerequisites: Military attorneys certified as counsel under Article 27(B) of the Uniform Code of Military Justice, with no more than six months of experience as a trial attorney. Attendees must be currently serving as trial counsel or defense counsel, or be designated to fill either position upon course completion.

Criminal Law New Developments Course

5F-F35

Length: 4 1/2 days

Scope: Focuses on developments during the past year in military criminal procedure, substantive criminal law, professional responsibility, evidence, and advocacy.

Prerequisites: Military Attorneys or civilian attorneys employed by the U.S. government who serve as counsel at courts-martial or who administer military criminal law in a Judge Advocate office.

Intelligence Law Workshop

5F-F41

Length: 4 1/2 days

Scope: This course focuses on the fundamental legal aspects of intelligence operations and support to those operations. Topics include a review of the statutes that govern the intelligence community; the intelligence community structure; collection of intelligence on U.S. persons; low level source operations; counterintelligence; foreign intelligence surveillance; intelligence funding and property; secured environment contracting; and intelligence/classified litigation. The course will stress the practical application of the laws in this area through seminar and practical exercises.

Prerequisites: Military or civilian attorneys employed by the U.S. Government who are assigned or are pending assignment to an intelligence unit or special operations/mission unit or who are assigned or pending assignment to a position within the Department of Defense which requires specific knowledge of intelligence law. Secret clearance required. Persons who do not meet the above requirements are not eligible to attend without prior approval of the Director, Academic Department, The Judge Advocate General's School.

Law of War Workshop

5F-F42

Length: 4 1/2 days

Scope: Focuses on the international customary and treaty rules affecting the conduct of forces in military operations in all levels of hostilities. Topics include the Hague and Geneva Conventions and their application in military operations, to include problems on reporting and investigating war crimes; treatment and control of civilians; treatment and classification of detainees; the substantial change pending to the law of war as a result of the 1977 Protocols to the 1949 Geneva Conventions, including extensive new obligations of commanders and military attorneys. Practical emphasis is given to all levels of mission planning and accomplishment in accordance with the law of war; to the law of war responsibilities of attorneys, non-attorney staff officers and commanders, and to law of war instruction, including techniques and instructional aids.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. Government, as well as non-attorney military officers, who work or are pending assignment in any aspect or level of the law of war process (e.g., command, operational, staff, advisory, or instructional). Individuals who have graduated from the Judge Advocate Officer Basic Course (5-27-C20) within 12 months or the Judge Advocate Officer Graduate Course (5-27-C22) within two years preceding the course starting date are not eligible to attend without prior approval of the Chief, International and Operational Law Division.

Operational Law Seminar

5F-F42

Length: 4 1/2 days

Scope: This course focuses on the role of law in military operations -- both as a force multiplier in enhancing modern "maneuver" warfare and as a limiting factor. The course analyzes operational law parallel to Army doctrine, beginning with strategic operational law, and going through operational, tactical and peacetime engagement operational law. The focus of the course is at the tactical (division) level, where such topics as review of operations plans, rules of engagement, the use of force, individual legal problems of deploying soldiers, security assistance, and fiscal considerations are discussed. The course is in seminar format, emphasizing practical solutions to the issues raised and requiring the free interchange of ideas by attendees.

Prerequisites: Military attorneys and officers and Department of Defense civilian attorneys who work or are pending assignment in a job that requires knowledge of operational law. Prior attendance at the Law of War Workshop (5F-F42) or the Judge Advocate Officer Graduate Course (5-27-C22) is strongly recommended. This course requires a SECRET security clearance. Attendees must ensure that their orders reflect clearance status.

Staff Judge Advocate Course

5F-F52

Length: 4 1/2 days

Scope: This course educates newly selected staff judge advocates, deputy staff judge advocates, and similar leaders to successfully lead and manage a military legal office.

Prerequisites: Active duty and Reserve Component field grade Army judge advocates whose actual or anticipated assignment is as a staff judge advocate, deputy staff judge advocate, or similar leader. Selection for attendance is by The Judge Advocate General.

The Judge Advocate General's Advanced Course (JAOAC)

5F-F55

Length: 2 weeks

Scope: This course is provided annually and covers the final phase of the Judge Advocate Officer Advanced Course for Reserve Component judge advocates. The Guard and Reserve Affairs Department (804) 972-6380 should be contacted for any additional information.

Prerequisites: Army Reserve Component judge advocates who have completed the Judge Advocate Officer Basic Course, (resident or correspondence) and have completed Phase I (correspondence) of the Judge Advocate Officer Advanced Course are eligible to attend. NOTE: Officers who have not received written confirmation of successful completion of Phase I should not commence travel to The Judge Advocate General's School.

Legal Administrators Course

7A-550A1

Length: 4 1/2 days

Scope: This course focuses on the technical aspects of legal office administration and the paralegal functions associated with administrative support services.

Prerequisites: Warrant officers with a primary MOS of 550A. Other military personnel or civilians serving as Law Office Administrators in a staff or command Judge Advocate office should contact the Office of The Judge Advocate General's Legal Administrator or the Legal Administrator at The Judge Advocate General's School to determine eligibility.

Law for Legal Noncommissioned Officers

512-71D/20/30

Length: 4 1/2 days

Scope: Focuses on Army legal practice, with emphasis on the client service aspects of legal assistance and criminal law. The course builds on the foundation of field experience and correspondence course study.

Prerequisites: NCOs in the grade of E-5 or E-6 with PMOS of 71D, civilian employees, or other service military personnel with a specialty equivalent to MOS 71D, who work in or are pending assignment to a military legal office or in support of a military attorney, are eligible to attend. Persons who have previously attended this course within the last three years are not eligible to attend. Attendees must complete the Administration and Law for Legal Specialist Correspondence Course not less than 60 day prior to the start date of this course.

Legal Noncommissioned Officer Management Course

512-71D/40/50

Length: 4 1/2 days

Scope: Focuses on management theory and practice, including leadership styles, motivation, and organizational design. Various law office management techniques are discussed, including the management of military and civilian personnel, equipment, law libraries, office actions and procedures, budget, and manpower.

Prerequisites: NCOs in the grade of E-7 or above with PMOS 71D, or other service military personnel with a specialty equivalent to MOS 71D, and who work or are pending assignment as the NCOIC of a Staff Judge Advocate branch office or as the Chief Legal NCO. Selection for attendance is by the Office of The Judge Advocate General.

Judge Advocate Warrant Officer Basic Course

7A-550A0

Length: 4 weeks

Scope: This course presents instruction to future legal administrators on the technical aspects of law office automation. It will specifically provide instruction regarding MS-DOS, Enable integrated software package, Harvard

Graphics, JAG Bulletin Board, WordPerfect, and other various software applications.

Prerequisites: Non-commissioned officers and warrant officers who have been selected for appointment as judge advocate warrant officers for MOS 550a0 (legal administrator).

Overseas and On-Site Course Descriptions

The "Schedule of Resident, Overseas, and On-Site Instruction" is included at the back of this Bulletin.

USAREUR Administrative Law CLE

5F-F24E

Length: 4 1/2 days

Scope: This course presents an overview of the law and current developments in areas of interest to attorneys in administrative law assignments in USAREUR. Areas covered include morale, welfare, and recreation operations, government information practices (to include the Freedom of Information Act and Privacy Act), military personnel law, civilian personnel law, standards of conduct, professional responsibility, reports of survey, private organizations and federal litigation.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. Government who work or are pending assignment in administrative law in USAREUR.

USAREUR Contract Law CLE Course

5F-F15E

Length: 4 1/2 days

Scope: This course discusses acquisition law beyond basic installation level topics. The emphasis is on recent developments, reiteration of selected contract and fiscal law topics, and policy insights. The USAREUR contract law division will cover topics which are of special interest to contract attorneys assigned to USAREUR.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. Government in USAREUR. Attendees must have successfully completed the contract attorneys course (5F-F10), or equivalent training, and have at least one year's experience as a contract law attorney.

USAREUR Criminal Law Update

5F-F35E

Length: 4 1/2 days

Scope: This course focuses on developments during the past year in military criminal procedure, substantive criminal law, professional responsibility, evidence and advocacy.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. Government who serve as counsel before courts-martial in USAREUR or who administer criminal law in a judge advocate office in USAREUR, or who are pending assignment to such positions.

USAREUR Legal Assistance Course

5F-F23E

Length: 2 1/2 days

Scope: This course presents both basic law and current developments in areas of interest to legal assistance attorneys. Subject to instructor availability, a variety of topics will be offered. Past offerings have included survivor benefits, will drafting, the Soldiers' and Sailors' Civil Relief Act, consumer law, casualty assistance, professional responsibility, administrative appeals, immigration and naturalization, preventive law, law office management, tax programs, family law (including family support and the Uniformed Services Former Spouses' Protection Act), and German law relating to family, consumer, and landlord-tenant law.

Prerequisites: Military attorneys or civilian attorneys employed by the U.S. Government who work or are pending assignment in legal assistance in USAREUR.

USAREUR Operational Law CLE

5F-F47E

Length: 4 1/2 days

Scope: This course focuses on the role of law in military operation--both as a force multiplier (in enhancing modern "maneuver" warfare) and as a limiting factor. The course analyzes operational law parallel to army doctrine, beginning with strategic operational law and going through operational, tactical and peacetime engagement operational law. The focus of the course is at the tactical (division) level, where such topics as review of operations plans, rules of engagement, the use of force, individual legal problems of deploying soldiers, security assistance, and fiscal considerations are discussed. Specific problems relating to military combat and training operations in a European environment are highlighted. The course is in seminar format, emphasizing practical solutions to the issues raised and requiring the free interchange of ideas by attendees.

Prerequisites: Military attorneys and officers and Department of Defense civilian attorneys who work or are pending assignment in a job that requires knowledge of operational law. Prior attendance at the Law of War Workshop (5F-F42) or the Judge Advocate Officer Graduate Course (5-27-C22) is strongly recommended.

USAREUR Tax CLE Course

5F-F28E

Length: 3 1/2 days

Scope: This course presents a basic overview of federal income taxation for individuals, with special attention devoted to provisions of the Internal Revenue Code which directly affect military personnel. The course provides an introduction to federal income taxation principles, an overview of the tax forms and instruction on filing status, gross income, itemized deductions, rental property, real estate taxation, individual retirement arrangements, credits, and tax on capital gains.

Prerequisites: Military or civilian attorneys employed by the

U.S. Government who assist authorized personnel and family members with the filing of federal or state income tax returns.

PACOM Tax CLE Course

5F-F28P

Length: 4 1/2 days

Scope: This course presents a basic overview of federal income taxation for individuals, with special attention devoted to provisions of the Internal Revenue Code which directly affect military personnel. The course provides an introduction to federal income taxation principles, an overview of the tax forms and instruction on filing status, gross income, itemized deductions, rental property, real estate taxation, individual retirement arrangements, credits, and tax on capital gains.

Prerequisites: Military or civilian attorneys employed by the U.S. Government assigned or pending assignment in PACOM who assist authorized personnel and family members with the filing of federal or state income tax returns.

Fiscal Law On-Site

5F-F12A

Length: 4 1/2 days

Scope: To prepare students to advise commanders, resource managers, and others concerning the statutory, regulatory, and policy limitations governing the commitment, obligation, and expenditure of appropriated funds. The course addresses current fiscal issues confronting the department of defense and other federal agencies.

Prerequisites: Active duty commissioned officers of the Armed Forces or civilian employees of the United States Government serving in the grade of GS-9 or above, actively engaged in contract law, contracting, or the administration of funds available for obligation on government contracts. Attendees must be attorneys, contracting officers, comptrollers, finance and accounting officers, budget analysts, or equivalent. Attendees should have completed the contract attorney course (5F-F10), a financial manager's course, a comptrollership course, or equivalent. Security clearance required: none.

Nonresident Program

General Information

The Nonresident Instruction Program is patterned after resident instruction and provides a means for students to increase their knowledge, acquire new skills, meet military education requirements, and improve job proficiency. A course consists of a series of subcourses or separate lessons designed to provide comprehensive instruction at a particular level or in a particular job-oriented subject area. A subcourse consists of one or more lessons pertaining to a specific subject. Each lesson contains a practical exercise or study assignment in texts provided with the subcourse. When the student has completed all lessons, the examination (which is also furnished with the subcourse materials) is taken.

An initial shipment of subcourses is sent upon enrollment in a particular course. Additional subcourses are mailed to a student automatically as he or she progresses through the course. The nonresident program includes the Judge Advocate Officer Basic and Advanced Courses, an introductory course for legal specialists, a course for legal noncommissioned officers, a more advanced course for legal noncommissioned officers, a paralegal course, and an elective program for officers who have completed the Advanced Course. The detailed structure of each course and descriptions of individual subcourses follow.

Enrollment

Enrollment in the Nonresident Instruction Program is limited to judge advocates, persons employed as attorneys by the federal government, or administrative support personnel employed in military legal offices or other legal offices of the federal government. Eligibility requirements and prerequisites for specific courses are listed below with the course descriptions. Applications for enrollment must be submitted on Department of Army (DA) Form 145, which is available through normal military distribution. The DA Form 145 should be submitted to the Commandant, The Judge Advocate General's School, U.S. Army, ATTN: JAGS-OD-C Charlottesville, VA 22903-1781 through one of the following channels:

- Military personnel on extended active duty with the U.S. Army should submit applications through their commanding officer.
- Unit members of the USAR not on extended active duty should send applications through the commanding officer who is the custodian of their military personnel records jacket.
- Non-unit reservists should send applications through their Personnel Management Officer, U.S. Army Reserve Personnel Center, ATTN: DARP-OPS-JA, 9700 Page Boulevard, St. Louis, Missouri 63132.

- Members of the Army National Guard not on extended active duty should submit applications through their commanding officer and through the Army National Guard Operating Activities Center, Military Education Branch, ATTN: NGB-ARO-ME, Aberdeen Proving Ground, MD 21010-5470.

- Members of any component of the Armed Forces of the United States, other than a component of the U.S. Army, should submit applications as prescribed by the individual's branch of service.

- Civilian employees of the U.S. Government should submit applications through their supervisors. A copy of the employee's current job description must be attached to the enrollment application.

Enrollment applications must be complete and approved by the appropriate official. Applications that are incomplete or that do not indicate that a student meets all prerequisites for enrollment will be returned. Students are not permitted to enroll in more than one course at a time.

Maintaining Enrollment

Annual credit hour (ACH) requirements are listed in each course description below. *Failure to meet ACH requirements or to complete a course within the prescribed period will result in termination of enrollment.* Students will receive the number of credit hours stated in each subcourse booklet upon successful completion of the course. Extensions of time to complete ACH requirements will *not* be granted. Enrollment will be terminated for failure to meet ACH requirements, failure to complete all requirements by the course completion date, or at the student's request. If a student's enrollment is terminated, the student must request reenrollment in writing.

Equivalent Credit

Equivalent credit for specific subcourses will be granted upon successful completion of essentially the same instruction at another institution or as part of another correspondence course. The equivalent instruction must have been completed no more than four years prior to enrollment in the course for which the student wishes to apply the equivalent credit. Equivalent credit for each of the subcourses listed below is given for completion of the resident course which immediately follows and is shown in parentheses:

JA 12, Government Contracts
JA 112, Government Contract Law
(Contract Attorneys Course)

JA 23, Civilian Personnel Law and Labor-Mgmt Relations
JA 125A, Law of Federal Employment
JA 125B, Law of Federal Labor-Management Relations
(Federal Labor Relations Course)

JA 26, Legal Assistance
JA 129, Legal Assistance
(Legal Assistance Course)

JA 124, Nonappropriated Fund Instrumentalities
JA 126, Government Information Practices
JA 127, Military Personnel Law and Boards of Officers
(Administrative Law for Military Installations)

JA 131, Court-Martial Evidence
JA 132, Constitutional Evidence
JA 133, Pretrial Procedure
JA 134, Trial Procedure
JA 137, Crimes and Defenses
(Military Judge Course)

JA 142, The Law of War
(Law of War Workshop)

There will be no constructive or equivalent credit granted for writing exercises. Awards of equivalent or constructive credit for resident courses will apply toward the annual enrollment requirements for the enrollment year in which the award is made.

Awards of constructive and equivalent credit (and USAR school credit for common military subjects) do not count toward annual credit hour requirements.

Written applications for constructive or equivalent credit should be submitted to: Commandant, The Judge Advocate General's School, U.S. Army, ATTN: JAGS-OD-C, Charlottesville, VA 22903-1781.

Information for Reserve and National Guard Officers

Judge advocates in the Army Reserve and Army National Guard may fulfill military educational requirements for promotion through correspondence course programs. Completion of the Reserve Component Judge Advocate Officer Basic Correspondence Course (JAOBCC) meets the military educational requirement for promotion to captain. Completion of the Judge Advocate Officer Advanced Course (JAOAC) is one requirement for promotion to major.

Members of the USAR and ARNGUS not on active duty may earn retirement points by participating in the Army Correspondence Course Program. One retirement point is earned for successful completion of three credit hours of correspondence course work.

The School forwards statements of credit hours earned by Reserve Component students to the servicing data processing centers. Retirement points for Army National Guard personnel are computed by National Guard Headquarters from copies of subcourse completion reports the School sends to students through their enrollment channels.

Independent Enrollment

An applicant who does not meet the eligibility requirements for enrollment in one of the judge advocate correspondence courses, or who wishes only to take selected subcourses to further his or her professional development, may request enrollment in specific subcourses provided the applicant's duties require training that may be accomplished by means of such subcourse(s).

Enrollment as an independent studies student requires completion of 60 credit hours per year or the individual subcourse(s), whichever is less. Application for independent enrollment must include complete justification for enrollment, including information such as a job description which shows the relation between the requested subcourse(s) and the applicant's duty assignment. The following policies apply to all applicants for independent enrollment:

Students will normally be required to complete a basic course subcourse in an area before enrolling in the advanced course subcourse. (For example, a student will normally be required to complete JA 12, Government Contracts, before enrolling in JA 112, Government Contract Law).

Subcourses contained in the elective program are open only to officers who have completed the Advanced Course. Subcourses containing Advanced Course writing exercises are not open for independent enrollment. Enlisted soldiers and noncommissioned officers will normally be required to enroll in entire courses and to follow specific courses of study.

Judge Advocate Officer Basic Correspondence Course

Scope: This course provides basic branch orientation and training for Reserve Component officers who have received a commission in the Judge Advocate General's Corps without concurrent orders to active duty. The course serves as a branch qualification course for Reserve Component officers.

Prerequisites: Attorneys who have been appointed in a Reserve Component to the Judge Advocate General's Corps. A copy of the appointment order must accompany the request for enrollment in the course.

Academic Requirements: Students must complete the entire course within one year of enrollment.

PHASE I: RESIDENT MILITARY INSTRUCTION

Phase I is conducted as a resident military orientation course at Fort Lee, Virginia. Officers appointed as Reserve Component judge advocates normally complete this two week program as their first Annual Training after receiving their appointment. Before a diploma will be issued for completion of the Basic Correspondence Course, students must furnish proof of completion of Phase I or receive equivalent credit (for example, by previously completing another branch basic course).

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PHASE II: NONRESIDENT LEGAL/MILITARY SUBJECTS (Effective 1 October 1992)

Subcourse Number, Title	Credit Hours
JA 2, Professional Responsibility	3
JA 12, Government Contracts	6
JA 20, Military Legal Bibliography	3
JA 21, Law of Military Installations	15
JA 22, Military Personnel Law and Boards of Officers	6
JA 23, Civilian Personnel Law and Labor Mgmt Relations	3
JA 25, Claims (FTCA, PC, FCA)	6
JA 26, Legal Assistance	6
JA 36, Fundamentals of Military Criminal Law and Procedures	15
JA 43, The Law of Land Warfare	6
JA 58, Staff Judge Advocate Operations	9
AG 102, Military Correspondence	11
TOTAL:	89

JA 122, Legal Basis of Command: Military Aid to Law Enforcement	2
JA 142, Law of War	9
JA 151, Fundamentals of Military Legal Writing	15
TOTAL:	98

PHASE IB: NONRESIDENT MILITARY (COMMON CORE) SUBJECTS

Subcourse Number, Title	Credit Hours
IS 7006 Military Operations Other Than War	4
IS 7038 Center for Army Leadership, RCOAC Leadership	11
IS 7045 Describe NBC Defense Concepts	3
IS 8720 Leader's Training Responsibilities (RCOAC)	1
TOTAL:	19

(* Subcourses are provided by the Army Correspondence Course Program, Institute for Professional Development.

Judge Advocate Officer Advanced Course

Scope: This course provides a working knowledge of the duties and responsibilities of field grade Judge Advocate General's Corps officers. This course was completely revised effective 1 October 1992. A two-week resident phase (Phase II) is now required.

Prerequisites: Applicants must be commissioned officers assigned to the Judge Advocate General's Corps (or another service's equivalent legal branch) who have completed or received credit for the Judge Advocate Officer Basic Course (or another service's equivalent course). Active duty Army judge advocates must obtain approval from the Personnel, Plans, and Training Office, Office of The Judge Advocate General, before enrolling in the Judge Advocate Officer Advanced Course (JAOAC).

Academic Requirements: Students must complete a minimum of 60 credit hours each enrollment year and must complete the entire correspondence course (Phase I) within two years. Students must also complete Phase I before they are eligible to attend Phase II.

PHASE IA: NONRESIDENT LEGAL SUBJECTS

Subcourse Number, Title	Credit Hours
JA 121, Legal Basis of Command: Command of Installations	4
JA 123, Legal Basis of Command: Environmental Law	4
JA 124, Legal Basis of Command: Nonappropriated Fund Instrumentalities	2
JA 125A, Law of Federal Employment	5
JA 125B, Law of Federal Labor-Management Relations	6
JA 126, Government Information Practices	5
JA 127, Military Personnel Law and Boards of Officers	2
JA 128, Claims (FTCA, PC, FCA)	4
JA 129, Legal Assistance	6
JA 130, Nonjudicial Punishment	2
JA 131, Courts-martial Evidence	2
JA 132, Constitutional Evidence	6
JA 133, Pretrial Procedure	4
JA 134, Trial Procedure	4
JA 135, Post-Trial Procedure	1
JA 137, Crimes and Defenses	3
JA 112, Government Contract Law	12

PHASE II: RESIDENT LEGAL/MILITARY INSTRUCTION

Phase II is a two-week resident course of instruction at The Judge Advocate General's School and will further develop and apply the knowledge learned in Phase I. Officers appointed as Reserve Component judge advocates normally complete this program as their Annual Training.

TOTAL: 84

TOTAL NUMBER OF CREDIT HOURS: 201

Elective Courses

Scope: To provide additional legal courses to active duty and Reserve Component judge advocates who want to pursue their legal education beyond the Judge Advocate Officer Basic and Graduate/Advanced Courses.

Prerequisites: Judge Advocate General's Corps officers on active duty, in the Army Reserve, or in the Army National Guard.

Academic Requirements: The student must complete the subcourse in which enrolled. Students enrolled in elective subcourses must complete all subcourses in which enrolled within one year of enrollment. No certificate of completion or diploma will be given. None of these subcourses may be substituted for any other legal or military subcourse offered in other curricula. Only JA 152E can be repeated for additional credit.

Subcourse Number, Title	Credit Hours
JA 141E, The Law of Peace	9
JA 152E, Writing For Publication	42
JA 161E, Reports of Survey	3
JA 162E, Civil Rights	3

Administration and Law for Legal Specialists Correspondence Course

Scope: This course provides Army legal specialists with substantive legal knowledge to perform duties as a lawyer's

assistant. The course provides a foundation of knowledge for advanced resident and correspondence courses. The course also provides prerequisite correspondence instruction for attendance at the resident Law for Legal Noncommissioned Officers Course.

Prerequisites: Military personnel who have a primary MOS 71D or equivalent specialty or civilian employees who work in a military legal office are eligible to enroll.

Academic Requirements: Students must complete the entire course within one year of enrollment.

TOTAL:

85

(Effective 12 July 1994)

Subcourse Number, Title	Credit Hours
JA 20, Military Legal Bibliography	3
JA30, Military Criminal Law for Paralegals	6
JA58, Staff Judge Advocate Operations	9
JA36, Fundamentals of Military Criminal Law and Procedure	15
AG102, Military Correspondence	11
IS3005, Safeguarding Defense Information	4
TOTAL:	48

Administration & Law for Legal NCOs Correspondence Course

Scope: This course prepares Army personnel to perform the duties of Legal NCO and improves the technical knowledge of personnel serving in that position. It also provides prerequisite correspondence instruction for attendance at the resident Senior Legal Noncommissioned Officer Management Course.

Prerequisites: Military personnel who have a primary MOS 71D or equivalent specialty or civilian employees who work in a military legal office are eligible to enroll upon completion of the Law for Legal Specialists Correspondence Course or the Administration and Law for Legal Specialists Correspondence Course. An E-6 or above who has a minimum of four years experience in MOS 71D is eligible to enroll without completing the Law for Legal Specialists Correspondence Course or the Administration and Law for Legal Specialists Correspondence Course.

Academic Requirements: Students must complete a minimum of 60 credit hours each enrollment year and must complete the entire course within two years of enrollment.

(Effective 12 July 1994)

Subcourse Number, Title	Credit Hours
JA2, Professional Responsibility	3
JA22, Military Personnel Law and Boards of Officers	6
JA25, Claims	6
JA26, Legal Assistance	6
JA130, Nonjudicial Punishment	2
JA137, Crimes and Defenses	3
IS1261, Alcohol and Drug Abuse Prevention & Control	6
JA133, Pretrial Procedure	4
JA134, Trial Procedure	4
JA135, Post-Trial Procedure	1
IS1401, Effective Writing	32
IS7034, The Role of the NCO in Leadership (Part I)	7
IS7035, The Role of the NCO in Leadership (Part II)	5

Army Legal Office Administration Correspondence Course

Scope: This course prepares noncommissioned officers to perform, or to improve their proficiency in performing, Army legal office administration.

Prerequisites: Military personnel who are E-5 or above who have a primary MOS of 71D or equivalent specialties and who have completed the Administration and Law for Legal Noncommissioned Officers Correspondence Course are eligible to enroll. Civilian employees and other military personnel who are E-5 or above working in an military legal office are eligible to enroll upon completing the Administration and Law for Legal Noncommissioned Officers Correspondence Courses.

Academic Requirements: Students must complete a minimum of 60 credit hours each enrollment year and must complete the entire course within two years of enrollment.

(Effective 12 July 1994)

Subcourse Number, Title	Credit Hours
AG67, Civilian Personnel Management	10
AG68, Job Classification, Compensation, and Position Management	17
FI752, Army Fiscal Code	9
FI758, General Fund Accounting Part I	7
FI759, General Fund Accounting Part II	5
FI2026, Comptrollership in the Army	8
FI2028, Planning, Programming, Budgeting, and Execution System	8
FI2038, Budget Adjustments/Review and Analysis	8
IS785, Physical Training	2
IS7008, Staff Procedures, Organization, and Functions	5
JA23, Civilian Personnel Law and Labor Management	3
JA125A, Law of Federal Employment	5
JA126, Government Information Practices	5
JA161E, Reports of Survey	3
FI2032, Activity/Major Activity Budgeting	8
TOTAL:	103

Military Paralegal Program

Scope: To provide Judge Advocate General's Corps warrant officers, noncommissioned officers, and civilian paralegals with the substantive legal knowledge needed to improve their proficiency in performing military paralegal duties in criminal law, administrative and civil law, legal assistance, and contract law.

Prerequisites: In addition to having completed at least 60 college semester credit hours, an applicant must satisfy the following prerequisites:

- Army warrant officers (MOS 550A) or noncommissioned officers who are E-5 or above who have a primary MOS 71D and who have been a 550A or 71D for at least four years and have completed 60 college credits or have an associate degree before enrolling. Civilian employees and other military personnel working in a military legal office are eligible to enroll provided they meet all other prerequisites.
- Must have completed or received equivalent credit for

specialized legal and technical training consisting of the Army Legal Office Administration Correspondence Course, or the Legal Office Administrators Course if taken prior to 1985, or the Administration and Law for Legal NCOs Correspondence Course.

Academic Requirements: Students must complete a minimum of 60 credit hours each enrollment year and must complete the entire course within two years of enrollment.

(Effective 12 July 1994)

Subcourse Number, Title	Credit Hours
JA12, Government Contracts	6
JA122, Military Aid to Law Enforcement	2
JA123, Environmental Law	4
JA124, Nonappropriated Fund Instrumentalities	2
JA125B, Law of Federal Labor-Management Relations	6
JA127, Military Personnel Law and Boards of Officers	2
JA128, Claims	4
JA129, Legal Assistance	6
JA131, Court-Martial Evidence	2
JA132, Constitutional Evidence	6
JA137, Crimes and Defenses	3
JA151, Fundamentals of Military Legal Writing	15
JA160, Professional Responsibility	3
IS1401, Effective Army Writing	32
JA23, Civilian Personnel Law & Labor Mgmt Relations	3
JA125A, Law of Federal Employment	5
JA126, Government Information Practices	5
TOTAL:	106

Nonresident Subcourse Descriptions

Legal Subjects

The following subcourses cover legal materials and are prepared by The Judge Advocate General's School, U.S. Army. Most of the Advanced Course subcourses (100 series) are undergoing revision. Course descriptions and credit hours may change.

JA 2: Professional Responsibility *(3 credit hours)*

Familiarizes officers with the standards of conduct pertaining to DA personnel with emphasis on Reserve Components and examination of the Rules of Professional Conduct for Lawyers as they have been applied in the Judge Advocate General's Corps.

JA 12: Government Contracts *(6 credit hours)*

Provides an introduction to fundamental aspects of Department of Defense acquisition policies and practices, including formation and types of contracts, methods of acquisition, parties, the contracting officer's team, performance, termination, and disputes resolution.

JA 20: Military Legal Bibliography *(3 credit hours)*

Covers military administrative law, its legal basis, and primary sources of authority for military administrative decisions, as well as military legal research.

JA 21: Law of Military Installations *(15 credit hours)*

Covers ownership of military installations; legislative jurisdiction; substantive law and military installations; the commander's authority to control installation activities; the federal magistrate court system on military installations; nonappropriated fund activities on a military installation; restrictions on military aid to law enforcement authorities; and environmental law considerations in planning/executing activities.

JA 22: Military Personnel Law and Boards of Officers *(6 credit hours)*

Focuses on the composition of the Army; officer appointment, promotion, and separation; enlistment and induction; and enlisted grades, reduction, and separation.

JA 23: Civilian Personnel Law and Labor- Management Relations *(3 credit hours)*

Addresses the statutory and regulatory basis for civilian personnel in the federal service; minor personnel actions; procedures for adverse actions against civilian employees; basic principles of labor relations in the federal service; and collective bargaining and labor contract negotiations in the federal service.

JA 25: Personnel Claims, Affirmative Claims, Federal Tort Claims *(6 credit hours)*

Focuses on the Army claims program; Personnel Claims Act; Federal Medical Care Recovery Act; Federal Claims Collection Act; and Federal Tort Claims Act.

JA 26: Legal Assistance *(6 credit hours)*

Examines the legal assistance program; Soldiers' and Sailors' Civil Relief Act; domicile and Soldiers' and Sailors' Civil Relief Act tax provisions; survivor benefits and Survivor Benefit Plan.

JA 30: Military Criminal Law for Paralegals *(6 credit hours)*

Provides an introduction to military criminal law for the paralegal; covers jurisdiction, nonjudicial punishment, courts-martial procedure, the punitive articles of the UCMJ, defenses, and other topics. The student should have experience working as a legal specialist; otherwise, the material may be too technical.

JA 36: Fundamentals of Military Criminal Law and Procedures *(15 credit hours)*

Provides an introduction to fundamental aspects of military criminal law and procedure, including: jurisdiction over the person and over the offense; nonjudicial punishment; classification of courts-martial; preparation and disposition of charges; Article 32 investigation; pretrial advice; convening courts-martial; court-martial personnel; the Article 39(a) session; arraignment, motions, and pleas; trial procedure; findings and sentences; appellate review and new trials; matters of defense; and the punitive articles.

JA 43: The Law of Land Warfare *(6 credit hours)*

Covers the basic rules and principles of the Law of Land Warfare; commencement of hostilities; forbidden conduct with respect to persons; forbidden means of waging warfare; bombardments, assaults, sieges, and stratagems; treatment of property during combat; remedies for violation of international law; treatment of prisoners of war, the wounded and sick, civilian persons, and internees; and information bureaus, central agencies, and relief societies.

JA 58: Staff Judge Advocate Operations *(9 credit hours)*

Focuses on the Staff Judge Advocate and relations with the commander and staff; organization and function of a Staff Judge Advocate section; responsibilities of the Staff Judge Advocate.

JA 112: Government Contract Law *(12 credit hours)*

Provides an introduction to the general principles of government contract law; funding and fund limitations; contract types; contracting methods, sealed bidding, and negotiations; remedies of unsuccessful offerors; contract attorney responsibilities; contract modifications; contract termination for default; termination for convenience; inspection, acceptance and warranties; disputes and remedies; selected labor standards; socioeconomic policies; and nonappropriated funds.

JA 121: Law of Military Installations

(4 credit hours)

Presents a study of the scope of command authority of military installations, addressing sources of command authority, legislative jurisdiction, substantive civil and criminal law applicable at installations, law enforcement, and the constitutional limitations on command under the First, Fourth, and Fifth Amendments.

JA 122: Legal Basis of Command:

Military Aid to Law Enforcement

(2 credit hours)

Examines the Posse Comitatus Act and its application; "exceptions" to the Posse Comitatus Act; consequences of violation of the Act; military assistance to civil authorities authorized by statute; and legal problems involved in civil disturbance operations.

JA 123: Legal Basis of Command:

Environmental Law

(4 credit hours)

Focuses on the National Environmental Policy Act of 1969; the environmental consideration process; environmental impact statements; the Clean Air Amendments of 1970; the Federal Water Pollution Control Act Amendment of 1972; the Comprehensive Environmental Response, Compensation, and Liability Act; the Resource Conservation and Recovery Act; the Toxic Substances Control Act; and federal facilities compliance requirements.

JA 124: Legal Basis of Command:

Nonappropriated Fund Instrumentalities

(2 credit hours)

Discusses the different types of nonappropriated fund instrumentalities; their status as instrumentalities; authority to establish nonappropriated fund instrumentalities; operation and control of nonappropriated fund instrumentalities; and nonappropriated fund employees.

JA 125A: Law of Federal Employment

(5 credit hours)

Covers employment criteria and preference; classification of service and appointment in the federal service; employee discipline, authority and procedure; substantive reasons for removal; political activities; reductions-in-force and employee grievances; administrative and judicial review; and equal employment opportunity in the federal government.

JA 125B: Law of Federal

Labor-Management Relations

(6 credit hours)

Covers the representation process; scope of collective bargaining; impasse resolution; unfair labor practices; and grievances and arbitration.

JA 126: Government Information Practices

(5 credit hours)

Provides an analysis of the Freedom of Information Act, the Privacy Act, the relationship between them, and how they are implemented by the Department of the Army.

JA 127: Military Personnel Law and Boards of Officers

(2 credit hours)

Reviews the substantive and procedural aspects of military personnel

law to include emphasis in the areas of military status, administrative separations, and military administrative remedies.

JA 128: Federal Tort Claims Act

(4 credit hours)

Provides an introduction to the Federal Tort Claims Act; its jurisdictional and procedural requirements; proper claimants under the Federal Tort Claims Act; the Federal Tort Claims Act cause of action; exceptions to government liability; and individual liability of government employees. The course also includes an introduction to the Foreign Claims Act and Personnel Claims.

JA 129: Legal Assistance

(6 credit hours)

Presents an analysis of the organization and administration of military legal assistance programs and military aspects of the following selected substantive areas: family law; state taxation of income and property; Soldiers' and Sailors' Civil Relief Act; personal finance and consumer affairs; and estate planning and survivors' benefits.

JA 130: Nonjudicial Punishment

(2 credit hours)

Examines the source and extent of commander's nonjudicial punishment authority and the rights of the individual soldier who is offered nonjudicial punishment.

JA 131: Court-Martial Evidence

(2 credit hours)

Reviews sources of military evidentiary law, the military rules of evidence, and concepts of physical and scientific evidence as they apply to court-martial practice.

JA 132: Constitutional Evidence

(6 credit hours)

Examines the Fourth Amendment: searches and seizures, inspections, inventories and the exclusionary rule; the Fifth Amendment and Article 31: theories of self-incrimination, involuntary confessions, unwarned confessions, and related procedural issues; and the Sixth Amendment: eyewitness identification, confrontation, and compulsory process.

JA 133: Pretrial Procedure

(4 credit hours)

Covers jurisdiction, pretrial confinement, and court-martial personnel; preparation and drafting of charges and specifications; disposition of charges; Article 32 investigation and pretrial advice; and command influence and pretrial agreements.

JA 134: Trial Procedure

(4 credit hours)

Covers Article 39(a) sessions; challenges; arraignment; motions and pleas; former jeopardy; findings; presentencing procedure; instructions; and sentencing.

JA 135: Post-Trial Procedure

(1 credit hour)

Discusses the rationale for the military corrections system and disposition of offenders; post-trial responsibilities and actions; appellate review under the UCMJ; and extraordinary writs and their application to the military system.

JA 137: Crimes and Defenses

(3 credit hours)

Examines inchoate crimes, fraternization, common law crimes, offenses against military authority, absence without leave, defenses, and the law of mental responsibility.

JA 141E: The Law of Peace

(9 credit hours)

Focuses on the international system of state relations and the role of regional and international organizations, including the requirements of statehood and the various forms of recognition of states and governments; the various jurisdictional concepts within international law; jurisdictional immunities; state responsibility and nationality; and the treaty-making process and treaty obligations.

JA 142: The Law of War

(9 credit hours)

Discusses the law of war in its various settings in international and internal conflicts; the evolution of this law into its modern day concept; conflict management and the role of various international organizations with respect to the use of force and intervention; the legality of tactical operations and weapons employed; and the application of the Hague and Geneva Conventions to hostilities.

JA 151: Fundamentals of Military Legal Writing

(15 credit hours)

Deals with drafting typical items of correspondence encountered in the military legal office. The requirements include preparing an officer evaluation report, writing a recommendation for an award, and drafting several short items of correspondence such as forwarding endorsements, information papers, memoranda, and military letters. The source materials will be provided. The student should not need to do independent research.

JA 152E: Writing for Publication

(42 credit hours)

An individual legal research and writing project of publishable quality requiring a documented paper of at least 3,000 words dealing with a subject relevant to military legal practice.

JA 160: Professional Responsibility

(3 credit hours)

Deals with the application of the Rules of Professional Conduct for Lawyers to the military lawyer.

JA 161E: Reports of Survey

(3 credit hours)

Discusses the authority to assess pecuniary liability and the principles and procedures that are used to determine pecuniary liability. The responsibilities of the appointing authority, survey officer, approval authority, appeal authority, and judge advocate will be reviewed.

JA 162E: Civil Rights

(3 credit hours)

Presents the basic regulations and statutes devoted to civil rights and the equal opportunity program.

Military Subjects

Descriptions of military subject subcourses used in the Basic, Advanced, Administration and Law for Legal Noncommissioned Officers, and Army Legal Office Administration Correspondence Courses are contained in DA Pamphlet 351-20, Army Correspondence Course Program Catalog. Students who wish to take any of these military subject subcourses should submit DA Form 145 to the Army's centralized correspondence course office at the following address: Army Institute for Professional Development, U.S. Army Training Support Center, ATTN: ATIC-IPS, Newport News, VA 23628-0001.

Schedule of Instruction: Resident, Overseas, and On-Site

General

5-27-C224	44th Graduate Course	31 Jul 95 - 10 May 96
5-27-C22	45th Graduate Course	29 Jul 96 - 8 May 97
5-27-C20	137th Basic Course	10 Jul 95 - 15 Sep 95
5-27-C20	138th Basic Course	6 Oct 95 - 21 Dec 95
5-27-C20	139th Basic Course	5 Feb 96 - 12 Apr 96
5-27-C20	140th Basic Course	8 Jul 96 - 13 Sep 96
5F-F1	130th Senior Officers Legal Orientation	5 Jun 95 - 9 Jun 95
5F-F1	131st Senior Officers Legal Orientation	1 Aug 95 - 25 Aug 95
5F-F1	132d Senior Officers Legal Orientation	23 Oct 95 - 27 Oct 95
5F-F1	133d Senior Officers Legal Orientation	4 Dec 95 - 8 Dec 95
5F-F1	134th Senior Officers Legal Orientation	5 Feb 96 - 9 Feb 96
5F-F1	135th Senior Officers Legal Orientation	1 Apr 96 - 5 Apr 96
5F-F1	136th Senior Officers Legal Orientation	3 Jun 96 - 7 Jun 96
5F-F1	137th Senior Officers Legal Orientation	19 Aug 96 - 23 Aug 96
5F-F3	2d RC Senior Officers Legal Orientation	31 Jan 96 - 2 Feb 96
5F-F52	26th Staff Judge Advocate Course	10 Jun 96 - 14 Jun 96
5F-F55	JAOAC (Phase II)	17 Jun 96 - 28 Jun 96
5F-F56	1996 RC Judge Advocate Workshop	15 Apr 96 - 18 Apr 96
5F-F57	JATT Team Training	17 Jun 96 - 28 Jun 96
5F-F70	27th Methods of Instruction Course	1 Jul 96 - 3 Jul 96
5F-JAG	1995 JAG Annual CLE Workshop	2 Oct 95 - 6 Oct 95
7A-550A1	6th Legal Administrators Course	10 Jul 95 - 14 Jul 95
7A-550A1	7th Legal Administrators Course	8 Jul 96 - 12 Jul 96
7A-550A0	2d Warrant Officer Basic Course	17 Jul 95 - 21 Jul 95
7A-550A0	3d Warrant Officer Basic Course	3 Jun 96 - 12 Jul 96
512-71D/20/30	7th Law for Legal NCOs Course	29 Apr 96 - 3 May 96
512/71D/40/50	6th Senior Legal NCO Management Course	14 Aug 95 - 18 Aug 95
512/71D/40/50	7th Senior Legal NCO Management Course	12 Aug 96 - 16 Aug 96

Contract Law

5F-F10	135th Contract Attorneys Course	31 Jul 95 - 11 Aug 95
5F-F10	136th Contract Attorneys Course	4 Mar 96 - 15 Mar 96
5F-F10	137th Contract Attorneys Course	29 Jul 96 - 9 Aug 96
5F-F11	1996 Government Contract Law Symposium	8 Jan 96 - 12 Jan 96
5F-F12	43d Fiscal Law Course	30 Oct 95 - 3 Nov 95
5F-F12	44th Fiscal Law Course	29 Apr 96 - 3 May 96
5F-F12	45th Fiscal Law Course	13 May 96 - 17 May 96
5F-F12A	Maxwell AFB Fiscal Law Course	17 Jul 95 - 21 Jul 95
5F-F12A	Maxwell AFB Fiscal Law Course	22 Jul 96 - 26 Jul 96
5F-F15E	USAREUR Contract Law Course	12 Feb 96 - 16 Feb 96
5F-F101	2d Procurement Fraud Course	9 Sep 96 - 11 Sep 96
5F-F102	1st Contract Litigation Course	25 Mar 96 - 29 Mar 96

Administrative and Civil Law

5F-F22	48th Federal Labor Relations Course	22 Jan 96 - 26 Jan 96
5F-F22	49th Federal Labor Relations Course	20 May 96 - 24 May 96
5F-F23	37th Legal Assistance Course	16 Oct 95 - 20 Oct 95
5F-F23	38th Legal Assistance Course	26 Feb 96 - 1 Mar 96
5F-F23E	USAREUR Legal Assistance CLE	6 Sep 95 - 8 Sep 95
5F-F23E	USAREUR Legal Assistance CLE	4 Sep 96 - 6 Sep 96
5F-F24	20th Admin Law for Military Installations	18 Mar 96 - 22 Mar 96
5F-F24E	USAREUR Administrative Law CLE	11 Sep 95 - 15 Sep 95
5F-F24E	USAREUR Administrative Law CLE	9 Sep 96 - 13 Sep 96
5F-F28E	USAREUR Tax CLE	9 Jan 96 - 12 Jan 96
5F-F28P	PACOM Tax CLE	22 Jan 96 - 26 Jan 96
5F-F29	13th Federal Litigation Course	14 Aug 95 - 18 Aug 95
5F-F29	14th Federal Litigation Course	12 Aug 96 - 16 Aug 96
5F-F201	2d Ethics Counselors CLE Workshop	10 Oct 95 - 13 Oct 95

Criminal Law

5F-F31	1st Military Justice Management Course	1 Aug 95 - 4 Aug 95
5F-F31	2d Military Justice Management Course	30 Jul 96 - 2 Aug 96
5F-F33	39th Military Judge Course	13 May 96 - 31 May 96
5F-F34	4th Criminal Law Advocacy Course	18 Sep 95 - 29 Sep 95
5F-F34	5th Criminal Law Advocacy Course	15 Apr 96 - 26 Apr 96
5F-F34	6th Criminal Law Advocacy Course	16 Sep 96 - 27 Sep 96
5F-F35	19th Criminal Law New Developments Course	13 Nov 95 - 17 Nov 95
5F-F35E	USAREUR Criminal Law CLE	16 Oct 95 - 20 Oct 95

International and Operational Law

5F-F41	2d Intelligence Law Workshop	3 Jun 96 - 7 Jun 96
5F-F42	60th Law of War Workshop	21 Aug 95 - 25 Aug 95
5F-F42	61st Law of War Workshop	13 Nov 95 - 17 Nov 95
5F-F42	62d Law of War Workshop	12 Feb 96 - 16 Feb 96
5F-F42	63d Law of War Workshop	19 Aug 96 - 23 Aug 96
5F-F47	22d Operational Law Seminar	28 Aug 95 - 1 Sep 95
5F-F47	23d Operational Law Seminar	22 Jan 96 - 26 Jan 96
5F-F47	24th Operational Law Seminar	22 Apr 96 - 26 Apr 96
5F-F47	25th Operational Law Seminar	26 Aug 96 - 30 Aug 96
5F-F47E	USAREUR Operational Law CLE	4 Dec 95 - 8 Dec 95