

TRIAL SERVICES (TAB D)

Inspector: _____ Date: _____

01 GENERAL

01 001 - Are all office files to include case files properly maintained or destroyed? SECNAVINST M-5210.2

01 002 - Is the Standardized Request for Legal Services (RLS) being utilized by all supported commands? (MARADMIN XXX/13)

02 REGIONAL TRIAL COUNSEL (RTC)

02 001 - Is the RTC in the grade (or selected to) LtCol or higher?

02 002 - Does the RTC possess the necessary MOS 4409?

02 003 - How much experience does the RTC have as a Trial Counsel (TC)?

02 004 - Does the RTC possess a current Top Secret security clearance?

02 005 - Does the RTC have a published annual training plan?

02 006 - Did the RTC conduct training for all Senior Trial Counsel (STC) and Trial Counsel (TC) assigned to the LSSA during each of the last four quarters?

02 007 - Is a standard detailing letter for Trial Counsel utilized throughout the region?

02 008 - Does the RTC have standardized discovery practices within the region?

02 009 - Does the RTC coordinate with law enforcement to ensure DNA collection at the time of preferral? (DODI 5505.14)

02 010 - Has the RTC visited each LSST at least once in each of the last two six-month periods?

02 011 - Has the RTC observed courts-martial or motions practice at each LSST?

02 012 - Has the RTC been delegated detailing authority in writing from the LSSS OIC?

02 013 - Has the RTC delegated detailing authority in writing to the LSST STCs?

02 014 - Does the RTC maintain a current record of all cases detailed?

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02 015 - Does the RTC track TC qualifications?

02 016 - Does the RTC certify GCM qualified counsel in writing? (MARADMIN 336/13)

02 017 - Does the RTC ensure SVC counsel are certified by the LSSS OIC in writing?

02 018 - Does the RTC ensure only properly certified counsel are detailed to GCM and SVC cases?

02 019 - Does the RTC ensure the HQE is consulted on all Article 120 and other appropriate cases?

02 020 - Does the RTC maintain an appropriate caseload given his or her primary duties to supervise, mentor and train trial counsel?

02 021 - Are complex trial counsel detailed to complex cases throughout the region?

03 COMPLEX TRIAL TEAM (CTT)

03 001 - Are the complex trial counsel qualified to prosecute Special Victim Cases?

03 002 - Does the complex trial counsel second seat other counsel within the region on general courts-martial?

04 TRIAL SERVICES ADMINISTRATIVE OFFICER (TAO)

04 001 - Does the TAO assist with discovery for cases throughout the region?

04 002 - Does the TAO assist with expert witness and expert consultant contracts throughout the region? Is the TAO trained to execute contracting officer representative duties?

04 003 - Does the TAO serve as a recorder for administrative separation boards?

04 004 - Is the TAO the RS for the assigned 5821 investigators?

04 005 - Is the TAO assigned as the Regional Victim Witness Liaison Officer?

05 REGIONAL TRIAL COUNSEL PARALEGAL (RTC PARALEGAL (8015))

05 001 - Does the paralegal conduct legal research and draft motions and other legal documents for Trial Counsel?

05 002 - Does the paralegal conduct victim and witness interviews?

05 003 - Does the paralegal support trial counsel throughout the region?

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05 004 - Has the paralegal at a minimum completed the SNCO Degree Completion Program or attended Legal Research & Writing and the Ethics courses at NJS Newport RI?

06 REGIONAL TRIAL INVESTIGATOR (RTI)

06 001 - Does the RTI maintain access to all appropriate law enforcement databases?

06 002 - Does the RTI meet regularly with other law enforcement agencies in the region?

06 003 - Does the RTI review investigations and provide feedback to NCIS and CID before conducting any investigation?

06 004 - Does the RTI provide trial support to trial counsel throughout the region?

06 005 - Does the RTI have a government vehicle for official use?

06 006 - Does the trial investigator have the necessary authorizations (MOU/MOA) to be armed during the regular course of his/her duties?

06 007 - Does the RTI participate in developing courtroom/court-martial security plans?

06 008 - Is the RTI preparing "Trial Preparation Investigative Plans" for use by the CTT?

07 OIC, LSST

07 001 - Is the OIC, LSST involved in oversight of cases that are not detailed by the RTC?

07 002 - Does the OIC, LSST participate in Trial Services training?

08 SENIOR TRIAL COUNSEL (STC)

08 001 - Is the STC in the grade (or selected to) Major or higher?

08 002 - Does the STC have at least two years' experience as a Trial Counsel (TC)?

08 003 - Does the STC have the necessary MOS 4409?

08 004 - Does the STC coordinate with law enforcement to ensure DNA collection at the time of preferral? (DODI 5505.14)

08 005 - Does the STC receive a copy of all pretrial confinement facility reports within the LSSA?

08 006 - Does the STC receive immediate notification when a Service member is placed in pretrial restraint under R.C.M. 304(a)(2)-(4)?

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08 007 - Does the STC ensure that Trial Counsel review the Record of Trial in a timely manner?

08 008 - Does the STC ensure that the right Trial Counsel is detailed to each case based on qualifications, competence, and experience?

08 009 - Did the STC conduct at least two training sessions for the TCs within each of the last four quarters?

08 010 - Does the STC ensure a copy of the detailing letter is provided to the convening authority, staff judge advocate, DSO branch office, and RTC?

08 011 - Does the STC have a training and mentoring program in place for new trial counsel?

08 012 - Does the STC provide annual training on the ethical responsibilities of a trial counsel? (RCM 703, Brady v. Maryland, Giglio v. US, Jencks Act, JAGINST 5803.1D)

09 TRIAL COUNSEL (TC)

09 001 - Do TCs provide appropriate notifications to victims under VWAP? (MCO 5800.14)

09 002 - Is the Report of Results of Trial completed and uploaded to CMS within 24 hours of the findings or correction?

09 003 - Do TCs provide a victim of sexual assault with notice of the right to receive a copy of the authenticated ROT? (Article 54(e), UCMJ)

09 004 - Do TCs utilize standardized forms?

- Pretrial Agreement
- Report of Results of Trial
- Article 54(e) Notice

09 005 - Do TCs consult with the HQE within 10 days on any complex litigation matter? How do TCs request HQE assistance?

09 006 - Do all TCs have access to the Trial Counsel Assistance Program (TCAP) SharePoint site?

09 007 - Do TCs regularly contribute motions and respond to questions on the TCAP SharePoint site?

09 008 - Do all TCs possess a copy of the local court rules? (R.C.M. 108; JAGINST 5800.7F)

10 TRIAL SERVICES CHIEF

10 001 - Does Trial Services have access to and maintain control over a secure evidence locker?

