

LEGAL ASSISTANCE (TAB F)

Inspector: _____ **Date:** _____

001 - Is data on all clients being entered in the Case Management System-Legal Assistance (CMS LA)? If not, what system is currently being used for conflict checks?

002 - Does this office maintain a webpage with the following information, at a minimum: Services Offered, Contact Information, Hours of Operation, and Preventative Law/Legal Awareness material relevant to the local military community?

003 - What measures are in place to ensure that Legal Assistance Office personnel exercising notarial authority understand and follow the notary procedures contained in JAGINST 5800.7f, JAGMAN, Chapter 9, Authority of Armed Forces Personnel to Perform Notarial Acts?

004 - Does each notary keep their log book in their possession and take it with them when they are no longer assigned to the Legal Assistance Office?

005 - Are standardized forms provided by CMC(JAL) and posted on the JAL secure website being used in practice? If not, why?

006 - What safeguards are in place to address potential conflicts of interest between parties?

007 - What measures are in place to ensure paralegals and other Legal Assistance clerical staff are not engaging in the unauthorized practice of law?

008 - What procedures and/or training is in place to ensure that services provided are in accordance with applicable statutes, laws and regulations and within the authorized scope of services?

009 - What system is in place to verify the eligibility of clients before they meet with an attorney?

010 - For other than active duty personnel, are priorities for receipt of services established by category of beneficiary, and/or type of service?

011 - What measures are in place to ensure that Will executions are properly conducted and in accordance with applicable statutes, laws, and regulations? What types of Testamentary documents are being produced?

012 - What type of separation/divorce services are being offered and in what manner are those services provided? What document-generating software does the office use? If it is not DL Seps, does the office have JAI/JAL approval to use the software?

013 - Do Military Powers of Attorney include the Military Power of Attorney prefatory language specified by 10 U.S.C. § 1044b?

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014 - Does the Legal Assistance Office offer a regular program of pre-deployment briefings for deploying commands? What topics are covered?

015 - Is there a program in place to provide assistance to forward deployed Judge Advocates providing Legal Assistance? Explain.

016 - Is there a Preventive Law/Legal Awareness Program in effect? Explain the program.

017 - How are all office personnel, including temporary and volunteer assistants, trained in the necessity of maintaining confidentiality of client information and files? How is this training documented?

018 - How are client files stored and safeguarded to protect client confidences?

019 - What procedures are used for referring persons to other sources of legal assistance (i.e. conflicted parties; persons needing services that the office is not able to provide)? What referral sources does the office use?

020 - To prevent improper preferential treatment or the appearance thereof, how does the supervisory attorney ensure that referrals are not made to a specific attorney or to a specific law firm?

021 - Does correspondence written by attorneys on behalf of clients contain an appropriate disclaimer, inserted as a footer at the bottom of the first page, substantially as follows?

“This letter is written by a legal assistance attorney on behalf of an individual client, and does not represent an official position of the United States Government, the Department of the Navy, or the United States Marine Corps.”

022 - How are adequate records of client contacts documented and maintained? What system is being used for this?

023 - Does the office have an Expanded Legal Assistance Program (ELAP) and, if so, what type of cases are ELAP attorneys handling?

024 - Does the office have a written and up-to-date SOP? Are new legal assistance personnel required to read the SOP within one week of checking into the office? Do all personnel have a copy of the SOP or have ready access to it?

COMMENTS
