

## DETAILED INSPECTION CHECKLIST

FA SC STMT TEXT

091 SJA Office, Law Center, Legal Services Support Section  
Functional Area Manager: LAO/JA-2  
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091 01 GENERAL ADMINISTRATIVE REQUIREMENTS

091 01 001 Are retained correspondence files properly created, maintained, and kept in a dedicated file retention area in the SJA Office, Law Center, or Legal Services Support Section (LSSS)?

Military Justice  
Review  
Involuntary Administrative Separations  
Administrative Investigations  
Civil Law  
Operational Law  
Legal Assistance  
Reference  
SECNAV M-5210.2 Chap 1 & 2; MCO 5210.11E par 4A; NAVMC 5210.11E

091 01 002 Does each retained correspondence file folder have disposal instructions on the outside of the folder, and are they being properly retired/disposed of when appropriate [applicable to all offices]?

Military Justice  
Review  
Administrative Separations  
Investigations  
Civil Law  
Operational Law  
Reference  
SECNAVINST 5210.8D par 7C.(5); MCO 5210.11E; SECNAV M-5210.1; NAVMC 5210.11E

- 091 01 003 Are all retained correspondence files using only the last four of the member's SSN [applicable to all offices]?  
Reference  
SECNAV M-5210.2 Ch 1 & 2; MCO 5210.11E
- 091 01 004 Is all privacy act information contained in retained correspondence files cross shredded when disposed [applicable to all offices]?  
Reference  
MCO 5210.11E
- 091 01 005 Is each retained correspondence file properly labeled with a standard subject identification code and open/closed dates [applicable to all offices]?  
  
Military Justice  
Review  
Involuntary Administrative Separations  
Administrative Investigations  
Civil Law  
Operational Law  
Legal Assistance  
Reference  
SECNAV M-5210.2; NAVMC 5210.11E
- 091 01 006 Are written internal control procedures (e.g. SOP binders, Policy Memoranda) maintained and updated for each section within the Law Center or LSSS?  
  
Military Justice  
Review  
Involuntary Administrative Separations  
Administrative Investigations  
Civil Law  
Operational Law  
Administrative Support  
Legal Assistance  
Reference  
MCO 5200.24D; MARADMIN 016/05; NAVMC 5210.11E
- 091 01 007 Have closed retained correspondence files, more than two years old, been destroyed in accordance with SECNAV M-5210.1 (Series) [applicable to all offices]?  
  
Military Justice  
Review  
Administrative Separations

Investigations  
Civil Law  
Operational Law  
Administrative Support  
Legal Assistance  
Reference  
JAGINST 5801.2A paragraph 5-3; SECNAV M-5210.1

091 01 008 Are all assigned Judge Advocates licensed and in good standing with a state bar; and does the organization they are attached have proof of good standing [applicable to all offices]?  
Reference  
JAGINST 5801.2A PAR 3-2A; JAGINST 5803.1, Rule 8-6: MARADMIN 049/12

091 01 009 Are the military justice, court reporter, and review sections within the Law Center or LSSS tracking cases via the Case Management System (CMS) or are there supplemental databases being used? Does the Major Subordinate Command SJA Office use only CMS to track their cases [applicable to all offices]?

Military Justice  
Court Reporters  
Review  
Reference  
MARADMIN 062/10

091 01 010 Are there local control measures in place to ensure access to the CMS database is restricted to individuals that require it and are access rosters maintained and updated on a quarterly basis [applicable to all offices]?  
Reference  
5 U.S.C. § 552A (PRIVACY ACT)

091 02 MILITARY JUSTICE

091 02 001 Is the information that the military justice section is responsible for entering into CMS accurately reflected in the military justice view? Does the entered information match the information in the files [Law Center/LSSS]?  
Reference  
MARADMIN 062/10

- 091 02 002 Are all Military Justice personnel familiar with the following publications with all changes and are the publications accessible [Law Center/LSSS]?
- MANUAL FOR COURTS-MARTIAL (Current version)  
MARCORSEPMAN (MCO P1900.16\_)  
SECNAVINST 1920.6\_  
JAG MANUAL (JAGINST 5800.7\_)  
LEGADMINMAN (MCO P5800.16\_)  
IRAM (MCO P1070.12\_)  
Reference  
MCO P5800.16, Chap 17
- 091 02 003 Are charge sheets (DD Form 458) completed in accordance with the MCM and do they contain all required information [Law Center/LSSS]?
- Reference  
APP 4, MCM (2008); RCM 307(DISCUSSION), MCM (2008)
- 091 02 004 Are standard operating procedures in place to ensure proper pretrial processing of courts-martial cases? (Checklists, automated sample specifications etc, SOP) [Law Center/LSSS]?
- Reference  
MCM (2008)
- 091 02 005 Does the Military Justice Section input the information into CMS that is required to complete the Criminal Activity, Disciplinary Infractions and Court-Martial (QCAR) reports? Is the Military Justice Section ensuring required NJP data is also forwarded for inclusion in the QCAR [applicable to all offices required to submit the QCAR]?
- Reference  
JAGINST 5800.9B
- 091 02 006 Is there an Initial Review Officer (IRO) hearing process in place? Are IROs designated in writing [applicable to Base/Installation and Station SJA Offices]?
- Reference  
RCM 305, MCM (2008)
- 091 02 007 Are procedures in place to subpoena witnesses and issue travel orders to witnesses? Are the procedures standardized and clearly understood by military justice personnel? (Note: There is no ability to subpoena outside of the United States). [Law Center/LSSS]
- Reference  
RCM 703, APP 7, MCM (2008); JAGINST 5800.7E

- 091 02 008 Are Results of Trial prepared by Military Justice personnel for all SPCM and GCM cases or are they prepared by the Court Reporter? Do they contain all required information (accurate charges and specifications, correct findings and sentence, clemency recommendations from MJ or members, DNA collection requirement, and automatic forfeitures)? [Law Center/LSSS]  
Reference  
JAGINST 5800.7E, PAR 0149
- 091 02 009 Did the law office appoint in writing and by name, a representative to the local Victim and Witness Assistance Council and provide a copy of the appointment letter to the Victim Witness Liaison Officer (VWLO)?  
Reference  
MCO P5800.16A, PAR 6006
- 091 02 10 Does the Military Justice Section maintain data on the number of victims and witnesses provided DD Forms 2702 and 2703 [Law Center/LSSS]?  
Reference  
MCO P5800.16A, CHAP 6 PAR 6006.S(n).
- 091 02 11 Does the Military Justice Section maintain data on the number of victims and witnesses who elected their rights via DD Form 2704 [Law Center/LSSS]?  
Reference  
MCO P5800.16A, CHAP 6, PAR 6007.1(c) [new Chapter 5, para 7g]
- 091 02 012 Once charges have been preferred does the Military Justice Section identify victims and witnesses and provide each with DD Form 2702 in order to notify them of all available rights and services under the Victim Witness Assistance Program [Law Center/LSSS]?  
Reference  
MCO P5800.16A, PAR 6006
- 091 02 013 Are trial counsel ensuring that victims are informed and aware of their right to act in an advisory capacity in decisions that involve prosecutorial discretion, such as plea-bargaining [Law Center/LSSS]?  
Reference  
MCO P5800.16A, PAR 6006
- 091 02 014 Are trial counsel providing victims and witnesses with DD Form 2703 at the conclusion of a court-martial resulting in a conviction [Law Center/LSSS]?  
Reference  
MCO P5800.16A, PAR 6006

- 091 02 015 Are trial counsel preparing DD Form 2704 and distributing appropriately [Law Center/LSSS]?  
Reference  
MCO P5800.16A, PAR 6006
- 091 03 COURT REPORTERS
- 091 03 001 Is the information that the court reporter section is responsible for entering into CMS accurately reflected in the CMS data base and does it match the information in the respective case file [Law Center/LSSS and MCB/Installation SJA Office as appropriate]?  
Reference  
MARADMIN 062/10
- 091 03 002 Are proofing/editing standard operating procedures in place to ensure the production of an accurate record of trial [Law Center/LSSS and MCB/Installation SJA Office as appropriate]?  
Reference  
MCM (2008)
- 091 03 003 Are records of trial prepared in accordance with Appendices 13 and 14 of the Manual for Court Martial [Law Center/LSSS and MCB/Installation SJA Office as appropriate]?  
Reference  
MCM (2008)
- 091 03 004 Is there a system in place to retain, track, and retrieve notes, stenographic or other, and any recordings, mechanic or voice, from which the record of trial was prepared until such time as post trial review is final [Law Center/LSSS and MCB/Installation SJA Office as appropriate]?  
Reference  
JAGINST 5800.7E, PAR 0150; R.C.M. 1103(A)(B)
- 091 04 POST TRIAL MATTERS
- 091 04 001 Is the information that the review section is responsible for entering into CMS accurately reflected in the CMS data base, and does it match the information in the files [Law Center/LSSS]?  
Reference  
MARADMIN 062/10

- 091 04 002 Are post trial records forwarded to NAMARA within specified processing times? Did CA's action take place within 120 days of the date of trial? Are cases docketed at NAMARA within 30 days of CAs action [Law Center/LSSS]?  
Reference  
U.S. V. MORENO, 63 M.J. 129 (CAAF 2006)
- 091 04 003 Are there procedures in place to ensure that the CAA is accomplished within the standard set in U.S. v. Moreno (120 days) in every Special and General Court-Martial? Does the section use a checklist? How often is CMS reviewed and at what level [Law Center/LSSS]?  
Reference  
MARADMIN 062/10;  
U.S. v. Moreno, 63 M.J. 129 (CAAF 2006)
- 091 04 004 Are Results of Trial signed by the Trial Counsel and provided to the Review Section upon final adjournment of a court-martial [Law Center/LSSS]?  
Reference  
JAGINST 5800.7E, PAR 0149
- 091 04 005 Are all General, Special, and Summary Courts-Martial records of trial properly prepared and assembled [Law Center/LSSS]?  
Reference  
R.C.M. 1103, AND APP 13, 14 AND 15  
OF THE MCM (2008)
- 091 04 006 Is the Review Section using DD Form 490 as a guide to ensure proper assembly of Special and General Courts-Martial records of trial [Law Center/LSSS]?  
Reference  
APP 14, MCM (2008)
- 091 04 007 Are verbatim and summarized records of trial routed properly and in a timely manner for authentication and then forwarded to the defense counsel, SJA and CA as appropriate [Law Center/LSSS]?  
Reference  
RCM 1104, 1105 AND 1106, MCM (2008)
- 091 04 008 Are appropriate records of trial sent directly to the Navy-Marine Corps Appellate Review Activity (Code 40), 1254 Charles Morris Street, SE, Suite B01, Washington Navy Yard, D.C., 20374-5124 via the most expeditious means (e.g., Express mail, Federal Express, or similar means) [Law Center/LSSS]?  
Reference  
JAGINST 5800.7E, PAR 0153

- 091 04 009 In cases where the CA did not take action within 120 days from the date of trial, did the CA provide the reasons for delay in writing to CMC (JAM) with a copy appended to the record of trial [Law Center and LSSS]?  
Reference  
JAGINST 5800.7E, PAR 0151 AND 0154
- 091 04 010 Are copies of the CAA forwarded to the Director, Naval Council of Personnel Boards, Attn: Naval Clemency and Parole Board, 720 Kennon Street, SE, Room 309, Washington Navy Yard, DC 20374-5023 if the sentence, as approved by the CA, includes an unsuspended punitive discharge, dismissal, or confinement for 12 months or more [Law Center/LSSS]?  
Reference  
JAGINST 5800.7E, PAR 0153
- 091 04 011 Are all Special Court-Martial records of trial not requiring review under Article 66, UCMJ (1) reviewed under Article 64 and 66, UCMJ; and (2) retained for a period of two years after that review [Law Center/LSSS]?  
Reference  
JAGINST 5800.7E, PAR 0154 AND 0162
- 091 04 012 Are all Summary Courts-Martial records of trial (1) reviewed under Article 64, UCMJ; and (2) retained for a period of two years after that review [Law Center/LSSS]?  
Reference  
JAGINST 5800.7E, PAR 0154
- 091 04 013 Are Summary Courts-Martial and Non-BCD Special Courts-Martial records of trial being properly retired? (After two years, original records of proceedings being transferred to the National Personnel Records Center, Military Personnel Records, 1 Archives Drive, St. Louis, MO 63138) [Law Center/LSSS]?  
Reference  
MCM (2008); JAGINST 5800.7E, PAR 0154;  
SECNAV M-5210.1 PAR 5813.3
- 091 04 014 In cases which result in an acquittal on all charges and specifications, was a promulgating order prepared indicating that the case resulted in an acquittal and included the charges and specifications with findings, and was it signed by the convening authority [Law Center/LSSS]?  
Reference  
JAGINST 5800.7E, PAR 0155; RCM 1114, MCM (2008)

091 05 INVOLUNTARY ADMINISTRATIVE SEPARATIONS

091 05 001 Is the Administrative Law Section of the Law Center/LSSS involved in the processing of all involuntary administrative separations or are units processing their involuntary administrative separations directly with an MSC SJA office [applicable to all offices]?

Reference

MCO P1900.16, PAR 6308

091 05 002 Does the Law Center/LSSS or MSC SJA office have a complete file copy of each Involuntary administrative separation processed through their organization for the past two years [applicable to all offices]?

Reference

SECNAV M-5210.2; MCO 5210.11E

091 05 003 The following questions apply to each Involuntary administrative separation file for the past two calendar years:

a. Is the Separation Authority final action in the package?

b. Is there a signed and dated notification in the package? Does the notification contain additional rights/notice for special circumstances such as “in the hands of civilian authorities,” and “pay grade reduction” if required?

c. Is there a signed and dated acknowledgement of rights in the package?

d. Is there a signed and dated BCNR advisement form?

e. Are there copies of the SRB pages that were used to support the basis for separation (Page 11, 12, 13, etc..)?

f. Is there a 3270 printout of the SNM's BIR/BTR/ROS/EDU/AWDS?

g. Are copies of evidence included: (BCP/Weight Control failure-weekly weigh-ins, copy of D113 from 3270, UPB's, investigations, 6105's, etc)?

h. Are all enclosures included in the package?

i. If a board was held, is there a summarized transcription of witness testimony?

- j. If a board was held, does the file contain the findings and recommendations worksheet with all required signatures?
- k. If a board was conducted, has the report of the board been authenticated by both the recorder and Senior Member (or another member in the Senior Member's absence)?
- l. Are all government exhibits included in the board report and properly marked?
- m. Are all respondent exhibits included in the board report and properly marked?  
Reference  
MCO 5210.11E AND MCO P1900.16F

091 05 004 Are Administrative Law personnel familiar with the following publications with all changes and are they accessible [Law Center/LSSS and MCB/Installation SJA Office as appropriate]?

- MANUAL FOR COURTS-MARTIAL (2008)
- MARCORSEPMAN (MCO P1900.16\_)
- SECNAVINST 1920.6
- JAG MANUAL (JAGINST 5800.7\_)
- LEGADMINMAN (MCO P5800.16\_)
- IRAM (MCO P1070.12\_)
- MILPERSMAN (NAVPERS 15560D)
- DOD DIRECTIVE 1332.14
- Reference  
MCO P5800.16 Chap 17

091 05 005 Are CID and/or NCIS investigations removed from the administrative separation package prior to mailing to MMSB-20 [Law Center/LSSS and MCB/Installation SJA Office as appropriate]?  
Reference  
MCO P1900.16F, PAR 6305.2D

091 06 ADMINISTRATIVE INVESTIGATIONS

091 06 001 What types of investigations does the office track and file [applicable to all offices:

- Line of Duty/ Misconduct?      - Courts of Inquiry?
- Death?                                - Preliminary Inquiry?
- Serious Incident?                    - Supply Investigations?

-Litigation Report?

-Aircraft Mishap?

Reference

JAGINST 5800.7E, CHAP 2, APP K, L, M and N

- 091 06 002 How many administrative investigations were reviewed in the last 12 months [applicable to all offices]?  
Reference  
MCO P5800.16A, CHAP 8
- 091 06 003 Are there procedures in place to ensure legal review of investigations by the cognizant SJA [applicable to MSC SJA office and Law Center where an SJA is present]?  
Reference  
JAGINST 5800.7E
- 091 06 004 Has the SJA Office/Legal Service Organization developed process and procedures to ensure that supported commands do the following [applicable to all offices]:
- a. Comply with the prescribed time limits for completion, forwarding and review of JAGMAN investigations; Ref: JAGINST 5800.7E, PAR 0203, 0209 and 0225
  - b. Are aware of the proper appointing order and investigation report formats; Ref: JAGINST 5800.7E, CHAP 2, APP C, D, E, F, and G
  - c. Are familiar with the proper use of Privacy Act statements and that Privacy Act matters are protected and processed properly; Ref: JAGINST 5800.7E, APP H
  - d. Notify the HQMC casualty assistance office when it initiates an LOD death investigation; Ref: JAGINST 5800.7E, PAR 0225; MARADMIN 592/07
  - e. Properly give Article 31, UCMJ, warnings to persons who are suspected of an offense, misconduct, or improper performance of duty; Ref: JAGINST 5800.7E, PAR 0207
  - f. Are aware of the circumstances when line of duty/misconduct determinations are required; Ref: JAGINST 5800.7E, PAR 0212

- g. Are making appropriate entries to the medical/dental records regarding line of duty determinations; Ref: JAGINST 5800.7E, PAR 0212
- h. Are aware of how line of duty/misconduct determinations are recorded; Ref: JAGINST 5800.7E, PAR 0222
- i. Are aware of the special requirements in death case investigations; Reference: JAGINST 5800.7E, PAR 0225
- j. Are aware of the procedures to follow when there is a claim or potential claim for or against the government; Ref: JAGINST 5800.7E, CHAP 8; MCO P5800.16A, CHAP 13
- k. Are aware of the special routing requirements for investigations that are convened to inquire into the loss, compromise, or possible compromise of classified information; Ref: JAGINST 5800.7E; SECNAV M-5510.36

091 06 005 For Command Investigations and Preliminary Inquiries, are the reviewed investigations in compliance and contain the required information per Chapter 2 of the JAGMAN [applicable to all offices]?  
Reference  
JAGINST 5800.7E

091 06 006 For Command Investigations and Preliminary Inquiries are copies of investigations into the following types of incidents forwarded to the appropriate agency code:

- Extensive media coverage [N09C or CMC (JA)]
- Training incidents causing death or serious injury [N7 or CMC(JA)]
- operational incidents causing death or serious injury [N3/5 or CMC(JA)]
- Incident involving fraud, waste, or abuse or significant shortages of public property or funds [N09G or CMC (CL)]
- Incidents involving lost, missing, damaged, or destroyed property of significant value [N09G or CMC (CL)]
- Incidents involving officer misconduct [N1 or CMC (JAM)]

-Incidents that are required to be reported to Headquarters by other directives or regulations, as appropriate

-Incidents or investigations that may require action by CNO or CMC

-Cases involving significant postal losses or offenses [N4 or CMC (MHP-50)]

Reference

JAGINST 5800.7E, PAR 0209G(7)

- 091 06 007 Are records of disclosure forms attached to each JAGMAN investigation retained on file [applicable to all offices]? (Placed on inside cover)  
Reference  
SECNAV M-5210.1; DOD 5400.11-R; SECNAVINST 5211.5E
- 091 06 008 Was there any litigation report investigations reviewed in the last year? If yes, how many [applicable to MSC SJA office and Law Center where an SJA is present]?  
Reference  
JAGINST 5800.7E, PAR 0210
- 091 06 009 For Litigation reports, was the investigating officer appointed in writing and did the convening order identify a cognizant Judge Advocate [applicable to MSC SJA office and Law Center where an SJA is present]?  
Reference  
JAGINST 5800.7E, PAR 0210
- 091 06 010 Was the completed litigation report compliant with chapter 2 of the JAGMAN [applicable to MSC SJA office and Law Center where an SJA is present]?  
Reference  
JAGINST 5800.7E, PAR 0210
- 091 06 011 Were the original and a copy of the litigation report forwarded to the Office of the Judge Advocate General, Tort Claims Unit 9620 Maryland Ave, Norfolk, VA via the Staff Judge Advocate of the cognizant GCMCA [applicable to MSC SJA office and Law Center where an SJA is present]?  
Reference  
JAGINST 5800.7E, PAR 0211
- 091 06 012 Were any courts or boards of inquiry convened? If so how many [applicable to MSC SJA office and Law Center where an SJA is present]?  
Reference

JAGINST 5800.7E, PAR 0211

- 091 06 013 Was the conduct of the court of inquiry in compliance with the procedural guidelines of the applicable references [applicable to MSC SJA office and Law Center where an SJA is present]?  
Reference  
JAGINST 5800.7E, PAR 0211 AND JAGINST 5830.1
- 091 07 CLAIMS
- 091 07 001 Does the office process or assist in the processing of claims? [If not, skip 091 07 002 - 091 07 010].  
Reference  
JAGINST 5800.7E, CHAP 8, MCO P5800.16A
- 091 07 002 Does the claims officer provide claims forms, advise where the forms should be filed, and inform the requestor of the type of substantiating information required?  
Reference  
JAGINST 5890.1A
- 091 07 003 Are SF95 (Claims for damage, injury) being properly completed for claims under the Federal Tort Claims Act and the Military Claims Act?  
Reference  
MCO P5800.16A
- 091 07 004 For Federal Tort and Military Claims Act claims, did personnel verify that the claims were sent to the Tort Claims Unit at Norfolk, Virginia?  
Reference  
JAGINST 5890.1A
- 091 07 005 Are DD Forms 1840 and 1842 properly completed and signed by the claimant or by a duly authorized agent for claims under the Personal Claims Act?  
Reference  
JAGINST 5890.1A
- 091 07 006 Were claims under the Personal Claims Acts submitted to Headquarters, U.S. Marine Corps or the appropriate agency of the claimant?  
Reference  
SEE, CLAIMS PAGE ON MANPOWER SITE  
[https://www.manpower.usmc.mil/portal/page?\\_pageid=278,1938231&\\_dad=portal&\\_schema=PORTAL](https://www.manpower.usmc.mil/portal/page?_pageid=278,1938231&_dad=portal&_schema=PORTAL)

- 091 07 007 Were all claims presented in writing within two years after the claim arose?  
Reference  
JAGINST 5890.1A
- 091 07 008 Was the SF91 (Report of Motor Vehicle Accident) completed when the claim involved an accident of a Government motor vehicle and a copy attached to the claim?  
Reference  
JAGINST 5890.1A
- 091 07 009 Are litigation reports properly convened when required?  
Reference  
JAGINST 5800.7E, PAR 0210
- 091 07 010 Is proper documentation submitted to substantiate death claims, personal injury claims, and property damage claims?  
Reference  
JAGINST 5890.1A
- 091 08 RELEASE OF GOVERNMENT INFORMATION
- 091 08 001 Are civil law personnel familiar with the following publications with all changes and are they accessible [applicable to MSC SJA office and Law Center where an SJA is present]?
- DOD 5400.11-R  
SECNAVINST 5211.5E  
DOJ FREEDOM OF INFORMATION ACT GUIDE  
DOD 5400.7-R  
SECNAVINST 5720.42F  
Reference  
MCO P5800.16
- 091 08 002 Are appropriate administrative, technical and physical safeguards established to ensure security and confidentiality of all retained records [applicable to MSC SJA office and Law Center where an SJA is present]?
- Reference  
DOD 5400.11-R; SECNAVINST 5211.5E
- 091 08 003 Are civil law personnel familiar with FOIA/Privacy Act processing requirements [applicable to MSC SJA office and Law Center where an SJA is present]?
- Reference  
DOD 5400.7-R; SECNAVINST 5720.42F

- 091 08 004 Has initial denial authority been delegated in writing [applicable to MSC SJA office and Law Center where an SJA is present]?  
Reference  
DOD 5400.11-R
- 091 08 005 How many FOIA requests were reviewed in the preceding 12 months [applicable to MSC SJA office and Law Center where an SJA is present]?  
Reference  
MCO P5800.16A
- 091 08 006 How many requests for release of official information for litigation (official testimony and subpoena requests) did the office receive in the past 12 months [applicable to MSC SJA office and Law Center where an SJA is present]?  
Reference  
JAGINST 5800.7E, CHAP 5, SUBSECT C
- 091 08 007 Are civil law personnel familiar with forwarding responsibilities when requests for different types of official information for litigation are received [applicable to MSC SJA office and Law Center where an SJA is present]?  
Reference  
JAGINST 5800.7E, CHAP 5, SUBSECT C
- 091 08 008 Are civil law personnel familiar with the requirements for, and restrictions on, release of official information outside of the Department of the Navy without a court order [applicable to MSC SJA office and Law Center where an SJA is present]?  
Reference  
SECNAVINST 5820.8A
- 091 08 009 Are civil law personnel familiar with the procedures for processing subpoenas against Marines from authorities in-state, out of state, and outside of the United States [applicable to MSC SJA office and Law Center where an SJA is present]?  
Reference  
SECNAVINST 5820.9A; JAGINST 5800.7E
- 091 09 ETHICS
- 091 09 001 Are only authorized personnel providing ethics advice [applicable to MSC SJA office and Law Center where an SJA is present]?  
Reference  
DOD 5500.7-R; MCO P5800.16A

- 091 09 002 Has the command had any ethics-related reviews, audits or investigations by OGE, DoD or DON in the past 12 months [applicable to MSC SJA office and Law Center where an SJA is present]?  
Reference  
DOD 5500.7-R; MCO P5800.16A
- 091 09 003 Do ethics counselors conduct regular ethics training [applicable to MSC SJA office and Law Center where an SJA is present]?  
Reference  
DOD 5500.7-R; MCO P5800.16A
- 091 09 004 Are SF 278s being tracked by the ethics counselor?  
What is the tracking method and is it effective [applicable to MSC SJA office and Law Center where an SJA is present]?  
Reference  
DOD 5500.7-R; MCO P5800.16A
- 091 09 005 Are SF 278s initially reviewed by the ethics attorney within 60 calendar days of receipt of the completed form [applicable to MSC SJA office and Law Center where an SJA is present]?  
Reference  
DOD 5500.7-R; MCO P5800.16A
- 091 09 006 Are conflicts of interest identified in SF 278s handled in accordance with the reference [applicable to MSC SJA office and Law Center where an SJA is present]?  
Reference  
DOD 5500.7-R; MCO P5800.16A
- 091 09 007 Has the ethics counselor ensured that SF 278 filers have completed the annual post-employment certification required by JER 8-400 [applicable to MSC SJA office and Law Center where an SJA is present]?  
Reference  
DOD 5500.7-R; MCO P5800.16A
- 091 09 008 Are all OGE 450 filers properly identified by the Ethics Counselor [applicable to MSC SJA office and Law Center where an SJA is present]?  
Reference  
DOD 5500.7-R; MCO P5800.16A

- 091 09 009 Are the OGE Form 450s properly filed and maintained for those individuals required to file [applicable to MSC SJA office and Law Center where an SJA is present]?  
Reference  
DOD 5500.7-R; MCO P5800.16A
- 091 09 010 Is there a tracking system in place to identify command personnel who are required to complete annual ethics training [applicable to MSC SJA office and Law Center where an SJA is present]?  
Reference  
DOD 5500.7-R; MCO P5800.16A
- 091 09 011 Does the ethics counselor track all reportable gifts of travel and general gift fund reportable gifts [applicable to MSC SJA office and Law Center where an SJA is present]?  
Reference  
DOD 5500.7-R; MCO P5800.16A
- 091 10 LEGAL ASSISTANCE
- 091 10 001 Do all personnel exercising notarial authority maintain a notary log, recording, at a minimum, the date, name of client, and document notarized [all MSC SJA office, Law Center and LSSS, 3d MLG]?  
Reference  
JAGINST 5801.2A, PAR 3-3
- 091 10 002 Are safeguards in place to address potential conflicts of interest (e.g. self-referrals) when legal assistance is provided by reserve attorneys with civilian practices in the same geographical area as the legal assistance office [all MSC SJA office, Law Center and LSSS, 3d MLG]?  
Reference  
JAGINST 5801.2A, PAR 5-1 AND JAGINST 5803.1
- 091 10 003 Are Paralegals and other legal assistance clerical staff providing services within authorized limits and avoiding the unauthorized practice of law [all MSC SJA office, Law Center and LSSS, 3d MLG]?  
Reference  
JAGINST 5801.2A, PAR 4-2
- 091 10 004 Are the Legal Assistance services provided in accordance with the references and within the authorized scope of practice [all MSC SJA office, Law Center and LSSS, 3d MLG]?  
Reference  
MCO P5800.16A, PAR 1406; JAGISNT 5800.7E, PAR 0708 AND 0709;  
JAGINST 5801.2A, PAR 7-1, APP A

- 091 10 005 Is an adequate system in place to verify the eligibility of clients before they meet with an attorney [all MSC SJA office, Law Center and LSSS, 3d MLG]?  
Reference  
JAGINST 5801.2A, PAR 5-1D(5)
- 091 10 006 Are reservists provided legal assistance under appropriate circumstances [all MSC SJA office, Law Center and LSSS, 3d MLG]?  
Reference  
DOD INSTRUCTION 1350.4; JAGINST 5800.7E PAR 0706  
AND JAGINST 5801.2A, PAR 5-1D
- 091 10 007 Are priorities established by category of beneficiary, and/or type of service for services that are provided to those other than active duty personnel [all MSC SJA office, Law Center and LSSS, 3d MLG]?  
Reference  
JAGINST 5801.2A, PAR 5-1D
- 091 10 008 Are all legal assistance services provided by or under the supervision of a legal assistance attorney [all MSC SJA office, Law Center and LSSS, 3d MLG]?  
Reference  
JAGINST 5801.2A, PAR 4
- 091 10 009 Are will executions properly conducted and in accordance with the reference? Are mass will executions avoided? Are witnesses of requisite age and not otherwise disqualified to be witnesses [all MSC SJA office, Law Center and LSSS, 3d MLG]?  
Reference  
JAGINST 5801.2A, PAR 7-2
- 091 10 010 Does the office provide basic testamentary trusts as part of its basic wills service? Does the office decline to prepare and/or manage inter vivos trusts [all MSC SJA office, Law Center and LSSS, 3d MLG]?  
Reference  
JAGINST 5801.2A, PAR 7-2
- 091 10 011 Are living wills prepared using the DL Wills software [all MSC SJA office, Law Center and LSSS, 3d MLG]?  
Reference  
JAGINST 5801.2A PAR 7-2

- 091 10 012 Are dissolution services normally limited to attorney advice and preparation of separation agreements and divorce pleadings [all MSC SJA office, Law Center and LSSS, 3d MLG]?  
Reference  
JAGINST 5801.2A, PAR 7-2
- 091 10 013 Do military powers of attorney include the Military Power of Attorney prefatory language specified by 10 U.S. § 1044b [all MSC SJA office, Law Center and LSSS, 3d MLG]?  
Reference  
JAGINST 5801.2A, PAR 7-2
- 091 10 014 Where an Expanded Legal Assistance Program (ELAP) is in operation, has the program obtained necessary approvals [all MSC SJA office, Law Center and LSSS, 3d MLG]?  
Reference  
JAGINST 5800.7E, PAR 0710
- 091 10 015 Does the Legal Assistance office offer a regular program of pre-deployment briefings and review of personal legal affairs for deploying commands [all MSC SJA office, Law Center and LSSS, 3d MLG]?  
Reference  
JAGINST 5801.2A, PAR 6-1
- 091 10 016 Is there a Preventive Law/Legal Awareness Program in effect [all MSC SJA office, Law Center and LSSS, 3d MLG]?  
Reference  
JAGINST 5800.7E, PAR 0712; MCO P5800.16A, CHAP 14
- 091 10 017 Are all personnel, including temporary and limited duty assistants, trained in the necessity of maintaining confidentiality of client information and files [all MSC SJA office, Law Center and LSSS, 3d MLG]?  
Reference  
JAGINST 5803.1A
- 091 10 018 Are client files adequately stored and safeguarded to protect client confidences [all MSC SJA office, Law Center and LSSS, 3d MLG]?  
Reference  
JAGINST 5801.2A, PAR 5-1G
- 091 10 019 Is there a system in effect to identify and preclude prohibited representation of parties with conflicting interests by attorneys in the same legal assistance office? Are potential conflicts identified in domestic relations and non-domestic relations

cases? Is the office using CMS-LA as their client deconfliction database [all MSC SJA office, Law Center and LSSS, 3d MLG]?

Reference

JAGINST 5801.2A, PAR 5-1E

091 10 020 Are procedures established to guide referrals of conflicted persons to other sources of legal assistance [all MSC SJA office, Law Center and LSSS, 3d MLG]?

Reference

JAGINST 5801.2A, PAR 5-1E

091 10 021 Has the office attempted to identify adequate other sources of free legal assistance (including other-service providers) to which referrals may be made in appropriate cases [all MSC SJA office, Law Center and LSSS, 3d MLG]?

Reference

JAGINST 5801.2A, PAR 5-1

091 10 022 To prevent conferring improper preferential treatment, does the supervisory attorney ensure that referrals are not made to a specific attorney or to a specific law firm [all MSC SJA office, Law Center and LSSS, 3d MLG]?

Reference

JAGINST 5801.2A, PAR 5-1I(2)

091 10 023 Does the office maintain, and are all personnel familiar with, the following references [all MSC SJA office, Law Center and LSSS, 3d MLG]?

Reference

10 U.S. CODE §§ 1044, 1044A AND 1044B;

JAG MANUAL CHAP VII AND IX;

JAGINST 5801.2 (LEGAL ASSISTANCE MANUAL);

JAGINST 5803.1A (JAG PROFESSIONAL CONDUCT);

MCO P5800.16A, CHAP 14, 15 AND 16

091 10 024 Does correspondence contain an appropriate disclaimer, inserted as a footer at the bottom of the first page, as follows [all MSC SJA office, Law Center and LSSS, 3d MLG]?

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

Reference

JAGINST 5801.2A, PAR 5-1N(3)

- 091 10 025 Are adequate records of client contacts maintained in an electronic database? What database is being used [all MSC SJA office, Law Center and LSSS, 3d MLG]?  
Reference  
JAGINST 5801.2A, PAR 5-3
- 091 10 026 Are required reports of legal assistance activities accurate and submitted on time to JAL [all MSC SJA office, Law Center and LSSS, 3d MLG]?  
Reference  
MCO P5800.16A
- 091 11 OPERATIONAL LAW
- 091 11 001 If the law office has an operational law billet, has that billet been filled [applicable to all offices]?  
Reference  
MCO 3300.4
- 091 11 002 Are all judge advocates (including SJAs) tasked with providing legal advice on operational law matters trained appropriately in operational law and Law of War [applicable to all offices]?  
Reference  
MCO 3300.4
- 091 11 003 Do all judge advocates tasked with providing operational law advice have adequate access to appropriate secured telecommunications (i.e., SIPRNET, STE/STU) [applicable to all offices]?  
Reference  
MCO 3300.4
- 091 11 004 Is there a program in place to ensure that appropriate follow-on and specialized training is being conducted and incorporated into training exercises at all operational levels for all Marines in supported units [applicable to all offices]?  
Reference  
MCO 3300.4
- 091 11 005 Does the operational law section maintain updated training material to provide necessary follow-on and specialized training for Law of War, ROE, and other operational legal training requirements [applicable to all offices]?  
Reference  
MCO 3300.4

- 091 12            BUDGET
- 091 12 001      Does the office have the adequate means of identifying the status of TAD funds and the remaining requirements for the current fiscal year [applicable to all offices]?  
Reference  
MCO 7300.21A
- 091 12 002      Does the Law Office have a process in place for validating/reconciling expenditures in accordance with the reference [applicable to all offices]?  
Reference  
NAVCOMPT MANUAL, PAR 073300
- 091 13            LAW LIBRARY/COMPUTER ASSISTED LEGAL RESEARCH
- 091 13 001      Does the Law Office have a Library Manager designated in writing [applicable to all offices]?  
Reference  
MCO P5800.16A
- 091 13 002      Does the Library Manager have the most recent list of core research materials for their respective office [applicable to all offices]?  
Reference  
MCO P5800.16A; JAD LIBRARY CORE SPREADSHEET
- 091 13 003      Have all required updates been inserted, and shelved in the appropriate references that are maintained for each respective section within the office [applicable to all offices]?  
Reference  
MCO P5800.16A
- 091 13 004      Has the annual inventory been completed and submitted to JA on time and is it accurate [applicable to all offices]?  
Reference  
MCO P5800.16A
- 091 13 005      Does the Library Manager have an up-to-date listing of all personnel with access to online computer assisted legal research [applicable to all offices]?  
Reference  
MCO P5800.16A
- 091 13 006      Do all appropriate personnel have access to online computer assisted legal research [applicable to all offices]?  
Reference  
MCO P5800.16A

