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In reply refer to:
5813
CDC
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CDC POLICY MEMORANDUM 1.1B

From: Chief Defense Counsel of the Marine Corps
To: Distribution List

Subj: DSO MISSION STATEMENT, CREED, AND CDC EXPECTATIONS

1. Mission. The Defense Services Organization zealously defends Marines and Sailors facing disciplinary and other adverse actions, safeguarding the rights of those who safeguard our nation.

2. Creed. We are Marines, dedicated to defending our fellow Marines and Sailors by providing legal counsel in any matter required by the Constitution, U.S. Statute, Department or Service-level regulation, court rulings, or lawful order. We serve independently of the local chain of command and under the supervision of the Chief Defense Counsel of the Marine Corps. We zealously represent each and every client consistent with the law, our professional ethics, and our rules of practice. We selflessly perform these duties with the utmost integrity, motivation, and pride, without fear of reprisal or expectation of professional or personal gain. In the same spirit as “Taking Care of Our Own,” we are: “Marines Defending Marines.”

3. Expectations

a. Stay true to your oath.

(1) We have all raised our right hand and sworn the Oath of Office (5 U.S.C. § 3331) or the Enlistment Oath (10 U.S.C. § 502). Know and understand your oath and be guided by it in your daily decision making.

(2) Each Oath’s charge to “support and defend the Constitution” holds particular importance for members of the DSO. Whether officer or enlisted, you must be loyal to the client and devoted to the DSO mission while remaining faithful to the nation and Marine Corps legacy. In order to “bear true faith and allegiance” to the Constitution and, for officers, to “well and faithfully discharge the duties of the office” to which assigned, it will sometimes require great personal struggle and deliberation to reach the correct moral and ethical conclusion. I expect you to give such dilemmas appropriate attention; do not make these decisions lightly. Seek advice and guidance from your seniors, civilian advisors, and peers. If the final decision is yours alone to make, then make it, own it, and be prepared to live with it.

b. Zealously defend every client—each time, every time.

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(1) *The client's needs always come first.* They are your primary duty. Be ethical, professional, and respectful, **but always put the client's interests first.**

(2) *Success begins with preparation.* Failing to prepare is preparing to fail. You will not always be the smartest person in the room, but you should always be the most prepared. Do your homework: investigate; visit crime scenes; talk to witnesses; read everything; discuss with your peers; participate in moots and murder boards; consult with those who are more experienced and knowledgeable than you; use SharePoint; seek input from appellate defense. You cannot do this work alone or from behind your desk—it requires legwork to do it right.

(3) *Professionalism at all times.* Be firm, but never disrespectful. There will be times when opposing counsel, staff judge advocates, commanders, witnesses, or the military judge will try your patience or be critical of your capabilities. You must always remain above the desire to reciprocate and shall maintain tact and level-headedness at all times. Never forget that each client's case is intimate and personal to him or her. Do not let your ego or passion get in front of the interests of your client or your professional reputation.

(4) *Ask questions.* No one has all the answers. It is ok not to understand something, regardless of how big or small the issue may be. However, it is never ok to be satisfied with not understanding something. Do not let your ego or fear that others will judge you deter you from asking questions. The answer you get could significantly impact the outcome in your client's case.

(5) *Read the law.* Stay current on developments from the Navy-Marine Corps Court of Criminal Appeals (NMCCA), the Court of Appeals for the Armed Forces (CAAF), the Supreme Court, and new legislation. Reading a post on a blog is good, but reading the caselaw, doing your own analysis, and discussing it with your peers is better. Then, teach it to your region to solidify and refine your understanding and application and share the insight.

(6) *Never be afraid to call me, the attorney advisors, OIC DCAP, or the reservists.* We will never undercut your leadership, but zealous advocacy is a team effort. We want to hear from you. Together, our DSO team will find the answer.

c. Maintain a good work-life balance.

(1) *Take care of yourself and your family.* Go to the school play, sports events, and parent-teacher meetings. Take your spouse to the doctor. Visit your parents. Do those things necessary to take care of those who mean the most to you. Likewise, get involved with non-legal activities. Volunteer at church, play or coach sports, go for a hike, recharge your batteries, and reset your priorities. There is enough time for your clients, yourself, your family, and your friends. However, effectively balancing your time is critical.

(2) *Take care of each other.* Whether married or single, with or without children, you have a family with the DSO. Look out for those around you, and learn to trust and rely on them as well. Be your brothers' and sisters' keeper.

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(3) *Stay in shape.* Being healthy and fit is an advantage in every part of our lives and our professional culture. Get healthy, stay in good shape, and present well in uniform. It is healthy for you and benefits your clients.

(4) *Do your PME.* Enroll in PME appropriate to your grade and make steady progress towards successful completion. PME is required to maintain our warrior ethos; it will help you understand and relate to your clients, witnesses, panel members, and convening authorities; and it will help you stay competitive for resident school, command, and promotion.

(5) *Support the local command and LSSS/LSST.* Your primary mission is to represent your clients. Provided it does not negatively affect this mission, participate in command functions, formations, and unit PT. It may actually positively affect the DSO mission.

d. The following five rules apply to our practice:

(1) Never utter the word "unethical" about an attorney, judge, complaining witness, or other participant to litigation without consulting your RDC or me.

(2) Never interview an important witness by yourself.

(3) Never accept a deal without an affirmative decision from your client to do so. The final decision to plead guilty or to accept a deal belongs to the client. We advise; they decide.

(4) Never reveal client confidences unless authorized by the client or the Rules of Professional Responsibility.

(5) Never go to court unprepared.

e. To ensure that anyone who walks into a DSO branch office understands the significance and importance of the DSO's mission, all DSO branch offices will prominently display the DSO Mission Statement and DSO Creed, subject to inspection.

4. Conclusion. This CDC Policy Memo is effective immediately. CDC Policy Memo 1.1A is hereby cancelled.



V. C. DANYLUK

Distribution List:
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Legal Chief of the Marine Corps
All Marine Corps SJA
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