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In Reply Refer To:  
5813  
CDC  
1 Oct 16

**CDC Policy Memo 1.1A**

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 action in order to safeguard the Rights of those who safeguard our nation.

2. Creed. We are Marines - Judge Advocates and Legal Services Specialists - who are dedicated to defending our fellow Marines and Sailors, by providing them legal counsel in any matter required by statute, regulation, or otherwise authorized. We are zealous advocates for our clients, serving independently of the local chain of command and under the supervision of the Marine Corps Defense Services Organization. We zealously represent each and every client within the guidelines of the law, consistent with our professional ethics, and in accordance with our rules of practice. We selflessly perform our 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) Every one of us has raised his or her right hand and sworn either the Oath of Office (5 U.S.C. § 3331) or the Enlistment Oath (10 U.S.C. § 502). Know and understand the oath that you took and let be a part of your day to day decision making.

(2) As Marines and as members of the DSO, the oath's charge that we "support and defend the Constitution" holds particular importance for us as we simultaneously, zealously represent individuals charged with offenses while also remaining

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loyal to our nation and to our Marine Corps legacy. In some cases this will be easy as we work to protect the Constitutional Rights of individual Marines. In other cases it will be difficult and in order to "bear true faith and allegiance" to the Constitution and to "well and faithfully discharge the duties of the office" that we have been assigned, it will require great struggle and deliberation to reach the correct moral and ethical conclusion. I expect you to give such dilemmas appropriate attention and to not make these decisions lightly. Seek advice and guidance from your seniors and peers and think hard. If the final decision is yours alone to make, then own it and make the decision that you can live with.

b. Zealously defend your client – each time, every time.

(1) *The client comes first.* This is your duty. Be ethical. Be professional. Be respectful. But always put the client's interests first.

(2) *Success begins with preparation.* You can't always expect to be the smartest person in the room. However, you can always be the most prepared person in the room and that is what I expect of you.

(3) *Success ends with professionalism.* From the perspective of the client, our military justice process is intimate and personal. Never forget that. Do not let your passion for your client, or your ego, get in front of the interests of your client, or your professional reputation.

(4) *Be hard, but be right.* I expect you to stand on your principles in the courtroom, and will stand with you when you do. But I expect you to be right. Do what must be done in the interest of your client, but do your homework. Investigate; visit crime scenes; talk to witnesses; read everything; talk to your peers; participate in moots and murder boards; consult our Highly Qualified Experts; use SharePoint; consult with appellate defense; call or email your leadership, including me. Get out from behind your desk and do the legwork required to do the job right.

(6) *Read the law.* I expect you to stay current on recent developments from the Navy and Marine Corps Court of Criminal Appeals (NMCCA), the Court of Appeals for the Armed Forces (CAAF), Supreme Court litigation, 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.

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(7) *Never be afraid to call me.* I will never undercut your leadership, but by the same token I want to hear from you. I may not know the answer, but I may know someone who does, or where to look.

c. Be good Marines.

(1) *Take care of yourself and your families.* Take time 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. There is time to both attend to your clients and your family. Likewise, get involved with non-legal activities. Volunteer at church, play sports or coach youth sports, take up origami or whatever allows you to recharge your batteries and reset your priorities.

(2) *Take care of each other.* Whether married or single, children or none, you have a family – it's the DSO. Learn to lookout for those around you and learn to trust and rely on them as well. Be your brother's, and your sister's, keeper.

(3) *Stay in shape.* Being healthy and fit is an advantage in every part of our lives and our professional culture. When was the last time someone said that a Marine was in "too good of shape"? Now think conversely . . . . Get healthy, stay in good shape, and look good in uniform.

(4) *Do your PME.* Enroll in PME appropriate to your grade and make steady progress towards successful completion. This is required to maintain our warrior ethos and it will help you stay competitive for resident school, command, and promotion.

(5) *Support the local command and LSSS/LSST OIC.* Participate in command functions, formations, and unit PT. The OICs are required to provide sustaining support to us – we will support them whenever possible.

d. The following five rules apply to our practice:

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

(2) Never interview an important witness by yourself.

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(3) Never decide to 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 into court unprepared.

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



J. W. HITESMAN

Distribution List:

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