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MARINE CORPS DEFENSE SERVICES ORGANIZATION
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IN REPLY REFER O

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CDC

31 Aug 21

CDC POLICY MEMORANDUM 1.4B

Subj: DEFENSE SERVICES ORGANIZATION INSPECTION PROGRAM

Ref: (a) MCO 5800.16 (LSAM)
(b) Article 6, UCMJ
(c) JAGINST 5803.1E

Encl: (1) LSSS DSO Inspection Checklist
(2) LSST DSO Inspection Checklist
(3) Attorney Advisor Inspection Checklist
(4) Reserve Matters Checklist

1. Purpose. To update the Marine Corps Defense Services Organization (DSO) inspection program to include a separate inspection of the Reserve Matters section, update the checklists for branch offices and Attorney Advisors, and provide for yearly reporting on the state of the DSO from the Chief Defense Counsel of the Marine Corps (CDC) to the Staff Judge Advocate to the Commandant of the Marine Corps (SJA to CMC). These revisions are in support of policies and procedures established by the SJA to CMC in reference (a) while continuing to maintain operation of the DSO as a functionally independent organization.

2. Discussion

a. Per reference (a), the SJA to CMC has designated the CDC as the Officer-in-Charge (OIC) of the DSO. This includes exercising functional, day-to-day supervision over personnel assigned to the DSO. As the OIC of the DSO, the CDC is directly responsible to the SJA to CMC for supervision of all Marine defense personnel and the delivery of defense counsel services throughout the Marine Corps.

b. To accomplish this supervisory function, reference (a) tasks the OIC of the DSO with: (1) establishing standard operating procedures and standards of practice for the delivery of defense services throughout the Marine Corps; (2) establishing policies and procedures to ensure that the internal organization structure of the DSO best facilitates the accomplishment of the

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DSO mission; (3) establishing policies to provide proper mentorship and training for all officer and enlisted DSO members; (4) assessing the practices, procedures, and techniques of both defense counsel and support personnel in the performance of defense functions; and (5) assessing the adequacy of facilities and assets provided to defense counsel.

c. To fulfill the SJA to CMC's supervisory function over the administration of military justice, the SJA to CMC has directed the OIC of the DSO to conduct, at a minimum, one site inspection at each Legal Services Support Section (LSSS) and subordinate Legal Services Support Team¹ (LSST) annually. See Reference (b). The inspection must include an assessment of "the availability of funds, training, opportunities, resources and personnel within each LSSS." Reference (a).

d. This policy promulgates the standard operating procedures and standards of practice for the execution of the DSO inspection program. The policy facilitates the OIC's supervisory function of the DSO, ensuring that the DSO remains functionally independent. It also supports the SJA to CMC in making "frequent inspections in the field in supervision of the administration of military justice," as required by reference (b).

3. Policy

a. The DSO inspection program will be robust, transparent, and regular.

b. To maintain functional independence, inspections of DSO offices will only be executed by DSO personnel in accordance with rules outlined in reference (c).

c. Each DSO regional office and LSST DSO office will be inspected annually by the Office of the CDC.

d. To ensure that there are not gaps in the timing of inspections, the DSO annual inspections will typically be

¹ The regional spaces at the LSSSs and each LSST DSO office will be inspected. The checklist will be reviewed by the RDC for regional issues, SDCs for LSSTs with an SDC, and senior Marine for LSSTs that do not have a local SDC. A new addition to this policy is the separate inspection checklist for Reserve Matters (RM), an inspection in conjunction with the SDC-RM.

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conducted in conjunction with the HQMC scheduled Article 6 Legal Services Inspection (LSI). However, the CDC may direct an off-cycle inspection of any DSO office or region *sua sponte* or at the request of the SJA to CMC (or the SJA to CMC's designee) or any SJA, commander, or OIC of a LSSS or LSST.

e. The CDC usually travels with the SJA to CMC during Article 6 visits. Inspectors will travel to the inspection site in advance of the CDC, early enough to allow sufficient opportunity to prepare an after action report for endorsement by the CDC to the SJA to CMC, with copies to the relevant LSSS OIC and RDC, reporting the results of the inspection in a manner consistent with reference (c). This after action report shall not contain any privileged information.

f. Inspectors will usually be drawn from the Office of the CDC and/or Defense Counsel Assistance Program but may be augmented by members of the DSO selected by the CDC from a region other than the region being inspected. Inspectors are specifically cautioned not to review any case files from any conflict cases during the course of their inspection. Inspectors will use the enclosures, as appropriate.

g. Costs associated with execution of the inspection program are provided by the Office of the CDC (Judge Advocate Division) including travel and per diem of members of the DSO selected by the CDC from a region other than the region being inspected.

4. Because of, and in support of, the functional independence of the DSO, there is little formal reporting to the SJA to CMC on the DSO's initiatives, programs, training, and challenges. In addition to reports on the inspections, the CDC should report annually to the SJA to CMC to facilitate the SJA to CMC's support for initiatives and assistance in challenges facing the DSO. A mid-year review of the previous 12 months prepares Judge Advocate Division for personnel moves and FY budget and training issues. Like the inspections, the report shall contain no protected information.

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5. Conclusion. CDC PM 1.4A is hereby canceled. This CDC Policy Memo is effective immediately.



V. C. DANYLUK

Distribution:

SJA to CMC

Legal Chief of the Marine Corps

All Marine Corps SJAs

LSSS OICs

LSST OICs

All Members of the DSO

**LSSS Defense Services Organization Inspection Checklist
(RDC lead)**

Inspector: _____ **Date:** _____

01 General

- 01 001 – How does the RDC publish CDC CIRs to the Region?
- 01 002 – Does the RDC have CIRs separate from CDC CIRs? If so, what are they?
- 01 003 – Are the CDC and RDC photos prominently displayed?
- 01 004 – Are the DSO Mission Statement and DSO Creed prominently displayed?
- 01 005 – Is there appropriate DSO signage on the interior and exterior of the building, as appropriate to location?
- 01 006 – When did the RDC last meet with the LSSS and LSST OICs in the region?
- 01 007 – When did the RDC last meet with the SJAs in the region (outside of discussing a specific case)?
- 01 008 – When did the RDC last meet with the Circuit Military Judge (outside of discussing a specific case)?
- 01 009 – When did the RDC last meet with the local Navy DSO CO (outside of discussing a specific case)?
- 01 010 – When did the RDC last meet with the Supervisory Special Agent in Charge of NCIS (outside of discussing a specific case)?
- 01 011 – How does the judiciary publish the docket? Do all personnel in the Office of the RDC receive/have access to the weekly and long-range dockets?
- 01 012 – How are adverse PTC conditions reported in the region?
- 01 013 – Does the RDC maintain a Regional SharePoint page? If so, how is it being used?
- 01 014 – Does the RDC have an updated photo and bio on the Defense Services Organization public web page?
- 01 015 – How does the RD Chief manage SharePoint permissions?

**LSSS Defense Services Organization Inspection Checklist
(RDC lead)**

02 Personnel

02 001 – Have the RDC and RD Chief been appointed in writing?

02 002 – Are SDCs appointed using standard letter format?

02 003 – Have RDC and RD Chief completed and submitted the Bio Data Sheet in accordance with CDC PM 2.1 (series)?

02 004 – Have the RDC and RD Chief been added to the DSO Personnel Tracker on SharePoint and is the information current?

02 005 – Does the RD Chief check the Personnel Tracker on SharePoint at least monthly to ensure its accuracy in accordance with CDC PM 2.8 (series)?

02 006 – Have the RDC and RD Chief completed the DSO Member Orientation Checklist?

02 007 – Has the RD Chief completed the 4421 Statement of Understanding in accordance with CDC PM 2.2 (series)?

02 008 – Do the RDC and RD Chief regularly monitor their online social presence to ensure conformity with CDC PM 2.7 (series)?

02 009 – What is the current structure by Grade and MOS for the Office of the RDC, and is it being met?

02 010 – What coded BICs are there in the Office of the RDC? Are they filled by personnel with the appropriate MOS codes?

02 011 – Does the Office of the RDC have an MCC? If so, are both the RDC and RD Chief assigned to it?

02 012 – Is the Office of the RDC appropriately staffed to accomplish its mission given the current staffing and turnover? Do counsel and support staff have the requisite training and experience?

02 013 – Do the RDC and RD Chief have a rotation date established in writing?

02 014 – What is the average RDC and RD Chief tour length, and how are they managed?

02 015 – Have all personnel that departed the Office of the RDC in the last year completed the detachment checklist in CDC PM 2.6 (series) upon their transfer or change of duties outside the DSO? Where are the completed checklists maintained?

02 016 – How does the RDC interact with the LSSS and LSST OICs on personnel management and tour lengths for counsel and support staff?

**LSSS Defense Services Organization Inspection Checklist
(RDC lead)**

02 017 – How does the RDC use the Attorney Advisor?

02 018 – How does the RDC supervise counsel throughout the litigation process?

02 019 – How does the RDC provide feedback?

02 020 – How are new counsel conducting in-calls with the RDC?

02 021 – Has any member of the DSO been denied any rights, privileges, or benefits accrued to the member by virtue of their active military service, e.g. leave requests?

02 022 – What non-DSO command/LSSS/LSST functions do the RDC and RD Chief participate in and/or attend? Does this negatively affect or interfere with the primary mission of defending DSO clients and safeguarding their rights?

02 023 – Does the RDC or RD Chief stand duty or hold any collateral billets? Does this negatively affect or interfere with the primary mission of defending DSO clients and safeguarding their rights?

02 024 – Are the RDC and RD Chief in compliance with the Marine Corps Body Composition and Military Appearance Program in accordance with standards established by MCO 6110.3A?

**LSSS Defense Services Organization Inspection Checklist
(RDC lead)**

03 Office Resources and Facilities

03 001 – Does the RDC have a laptop computer and webcam?

03 002 – Does the Office of the RDC have all the equipment necessary to accomplish its mission?

03 003 – Does the Office of the RDC have the office supplies it needs to accomplish its mission?

03 004 – Does the branch office/detachment have access to the computer programs/websites it needs to accomplish its mission?

03 005 – Do all personnel who have Accurint accounts use them?

03 006 – Does each office within the Office of the RDC present a neat, professional, military appearance? Is there any offensive or potentially offensive material visible?

03 007 – Is the Office of the RDC equipped with sufficient office furniture (including computers, printers, chairs, desks, filing cabinets, and audio/visual equipment)?

03 008 – Are there any potential fire or equipment hazards, standing water, mold, or other health concerns?

03 009 – Is there a properly displayed emergency/fire exit plan?

03 010 – Do all Office of the RDC personnel understand what to do in case of an emergency or fire?

03 011 – Is there a panic button in the office?

03 012 – Does the Office of the RDC have the facilities it needs to accomplish its mission? Does the RDC have any concerns about the Office of the RDC facilities?

03 013 – Do the RDC's facilities allow the RDC to secure case files in accordance with JAGINST 5803.1E?

03 014 – Can each individual Attorney's office be secured, and who has access?

03 015 – Is there accountability for office keys, and how?

03 016 – Who in the LSSS/LSST has master keys/door codes to the defense spaces, and how is their entry/exit controlled?

03 017 – How are files locked or secured, whether in file cabinets, office or in sharedrive?

**LSSS Defense Services Organization Inspection Checklist
(RDC lead)**

**LSSS Defense Services Organization Inspection Checklist
(RDC lead)**

04 CLE/Non-Military Training

04 001 – Does the RDC maintain a master CLE/non-military training matrix? Attach a copy.

04 002 – How does the RDC coordinate training opportunities with the SDCs?

04 003 – Has each counsel had the opportunity to attend at least one CLE outside the region?

04 004 – Has each support staff had the opportunity to attend at least one CLE outside the region?

04 005 – What, if anything, prevents counsel from completing the standard defense counsel training program?

04 006 – What, if anything, prevents support staff from completing the enlisted training curriculum detailed in CDC PM 4.1 (series)?

04 007 – Does the RDC perform quarterly regional training as required by CDC PM 4.1 (series)? Attach copies of this fiscal year's quarterly RDC training program schedules.

04 008 – How does the RDC use Attorney Advisors to develop training programs or provide in-person or virtual training?

04 09 – How does the RDC ensure that all counsel and enlisted personnel attend required training?

**LSSS Defense Services Organization Inspection Checklist
(RDC lead)**

05 Budget

05 001 – Does the RDC have his/her own budget? If so, how is it administered and managed? What mechanisms are in place to ensure accountability for funds?

05 002 – If the budget is maintained by the LSSS/LSST OIC, how does the RDC request funding, and, if denied, who is the denial authority, and how is it tracked?

05 003 – Does the LSSS/LSST OIC have a fiscal policy? Does the policy provide for equitable distribution between the defense and prosecution functions?

05 004 – What were the past fiscal year's expenditures? What are the projected expenditures for the present fiscal year?

05 005 – How are CLE assignments and expenditures tracked?

05 006 – What mechanisms are in place for the RDC to track DTS claims of counsel traveling for CLE and client related matters? How does the RDC ensure DTS claims are filed in a timely fashion and in accordance with regulation?

05 007 - How is the region's Attorney Advisor funded and how are AA requests for funding tracked for training and consultation throughout the region?

05 008 – Does the RDC receive funding to conduct quarterly site visits to subordinate LSST defense branches?

05 009 – Does the RDC receive funding to support quarterly RDC training, e.g. hiring an expert or actors?

05 010 – Do fiscal constraints negatively affect or interfere with the primary mission of defending DSO clients and safeguarding their rights?

**LSSS Defense Services Organization Inspection Checklist
(RDC lead)**

06 Evaluations

06 001 – Does the RDC maintain a master fitness report matrix identifying the MRO/RS/RO relationships and reporting periods and deadlines? If not, how does the RDC track fitness reports?

06 002 – Are fitness reports processed in a timely manner?

06 003 – Does the RDC deviate from the standardized billet descriptions in CDC PM 3.2 (series)?

06 004 – Does the RDC write a fitness report on any counsel who has a client that is a conflict of interest with a client of the RDC?

06 005 – Does the RDC write fitness reports on any officer of the same grade?

06 006 – How is the RD Chief counseled on his/her duties and the RDC's expectations?

06 007 – What role, if any, does the LSSS play in reviewing enlisted fitness reports or pro/con marks?

**LSSS Defense Services Organization Inspection Checklist
(RDC lead)**

07 Awards

07 001 – Are recommended awards forwarded to the administrative chain’s approval authority in a timely fashion and prior to a Marine’s departure?

07 002 – Does the RDC originate SDC personal awards?

07 003 – Are letters of continuity drafted and submitted for personnel changing duties within the LSSS/LSST?

07 004 – Has the RDC submitted any specific achievement awards?

07 005 – Has any award recommendation submitted by the RDC been lowered?

07 006 – How does the RDC recognize the regional DSO competitive award winners?

07 007 – Does the LSSS/LSST OIC have any policies on awards that conflict with CDC PM 1.5 (series)?

**LSSS Defense Services Organization Inspection Checklist
(RDC lead)**

08 Military Training Requirements

08 001 – Does the RDC maintain a military training plan separate from any LSSS/LSST training plan?

08 002 – How does the RDC track training requirements for DSO personnel assigned to the region?

08 003 – Are all PFT, CFT, weigh-in, Rifle and Pistol qualifications, and other military training requirements current for Marines assigned to the Office of the RDC?

08 004 - Are all Marines assigned to the Office of the RDC enrolled in, or have they completed, appropriate grade-level PME?

**LSSS Defense Services Organization Inspection Checklist
(RDC lead)**

09 Detailing, Conflict Management, Release of Counsel, and IMC Requests

09 001 – How are delegation of detailing authority letters maintained? Attach copies.

09 002 – What mechanisms are in place for IMC requests within the region? Describe.

09 003 – Is the RDC/RD Chief using SharePoint Tasker system to request CDC detailing?

**LSSS Defense Services Organization Inspection Checklist
(RDC lead)**

10 Case, Office, File, and Records Management

10 001 – Does the RDC and RD Chief have access to CIS, the DSO SharePoint, and any local shared drives?

10 002 – Do the RDC and RD Chief have a Lexis Advance account?

10 003 – Does the RDC Chief have 3270 access?

10 004 – How does the RDC ensure that CIS is updated in accordance with CDC PM 1.3 (series)?

10 005 – Are there Regional control measures in place to ensure access to CIS, the DSO SharePoint, and any local shared drives only to individuals that require it, and are access rosters maintained and updated on a quarterly basis? 5 U.S.C. § 552A (Privacy Act)

10 006 – Does the RDC have an alert established for SharePoint’s Discussion Forum, DCAP Standard Forms, Acquittal Alerts, and Reference Library in accordance with CDC PM 2.8 (series)?

10 007 – Do the RDC and RD Chief use the standard DSO forms located on DSO SharePoint?

10 008 – Does the RDC maintain any local forms? Provide copies.

10 009 – What procedures are in place in the case of a search authorization of the Office of the RDC?

10 010 – How are client case files maintained? Are they properly secured in accordance with JAGINST 5803.1E and CDC PM 1.3 (series)?

10 011 – Does each client case file have at least the following:

- Standard Detailing Letter
- Notification of Representation Letter
- Charge Sheet/Notification letter
- Client Interview Checklist
- Coping with Stress Letter
- Potential Witness List (with contact information)
- Discovery Request(s) and Responses
- Termination of Representation Letter (as appropriate)
- Case Chronology
- Motions checklist including consideration of UCI, experts, and investigative assistance

10 012 – What Regional control measures are in place to ensure counsel are filing appropriate motions for UCI, expert, and/or investigative assistance and/or documenting why it was not pursued?

**LSSS Defense Services Organization Inspection Checklist
(RDC lead)**

10 013 – What Regional control measures are in place to ensure experts get paid in a timely manner?

10 014 – How does the RDC ensure all counsel take his/her case files when departing the DSO?

10 015 – Are retained correspondence files properly created, maintained, and stored in a dedicated file retention area? SECNAV M-5210.2 Chapter 1 & 2; MCO 5210.11F

10 016 – Does each retained correspondence file folder have disposal instructions on the outside of the folder, and are they properly retired/disposed of when appropriate? SECNAVINST 5210.8 (series); MCO 5210.11F; SECNAV M-5210.1. How is this accomplished, by whom, and when?

10 017 – Do all retained correspondence files use the member's DoD Identification Number (EDIPI)? DODI 1000.30

10 018 – Is all Privacy Act information contained in retained correspondence files cross shredded or placed in burn bags for disposal? MCO 5210.11F; MARADMIN 389/07; SECNAVINST 5211.5F

10 019 – Is each retained correspondence file properly labeled with a standard subject identification code and open/closed dates? SECNAV M-5210.2; MCO 5210.11F

10 020 – Does the RDC maintain an SOP, policy memoranda, or any other written document control procedures? If so, how frequently are they updated? Provide a copy. MCO 5200.24E; MARADMIN 016/05; MCO 5210.11F

10 021 – How does the RDC ensure that counsel redact social security numbers, taxpayer identification numbers, birthdates, the names of minors (using only initials), and all financial account numbers (using only the last four digits) from all court filings and pleadings in accordance with JAGINST 5800.7F (JAGMAN)?

10 022 – Does the RDC maintain the RDC travel for site visits on the SharePoint calendar?

10 023 – How does the RDC ensure that no PII is transferred to or maintained on any personal computer or device?

**LSSS Defense Services Organization Inspection Checklist
(RDC lead)**

11 Professional Responsibilities

11 001 – Are all assigned judge advocates and civilian attorneys licensed and in good standing with all licensing authorities? JAGINST 5803.1E, Rule 8.6; MARADMIN 084/20

11 002 – Does the Office of the RDC maintain proof of good standing for all judge advocates and civilian attorneys attached to it? JAGINST 5803.1E, Rule 8.6; MARADMIN 084/20

11 003 – Does the DSO branch office comply with the prohibition against maintaining files regarding professional responsibility complaints other than supervisory attorneys' personal files? JAGINST 5803.1E, para. 15.b.

**LSST DSO Office Inspection Checklist
(SDC or Senior Marine DSO attorney lead)**

Inspector: _____ **Date:** _____

01 General

01 001 – How does the SDC¹ publish CDC and RDC CIRs to the branch office?

01 002 – Does the SDC have CIRs separate from the CDC/RDC's?

01 003 – Are CDC, RDC, and SDC photos prominently displayed?

01 004 – Does the SDC and the SDC's NCOIC receive the local brig or confinement report in accordance with CDC PM 3.1 (series)?

01 005 – When was the last time the SDC visited the local pre-trial confinement facility? What were the conditions of pretrial confinement and is there an established reporting requirement to the LSSS/LSST or RDC of adverse PTC conditions?

01 006 – Do all personnel in the Branch Office have access to a printed or electronic version of the following publications?

- MCM (all versions for last 30 years) and all Supplement's to the current edition
- Military Judge's Benchbook
- MCO 5800.16 (LSAM)
- MCO 1900.16 W/CH2 (MARCORSEPSMAN)
- JAGINST 5800.7F W/CH2 (JAGMAN)
- United States Navy Regulations
- Rules of Court (regional and NMTJ)
- JAGINST 5803.1E (Rules of Professional Conduct)
- Trial Guide
- Article 32 Preliminary Hearing Officer's Guide
- MCO 5800.14 (Victim Witness Assistance Program)
- MCO 1752.5C (SAPR Program)
- Legal Services T&R Manual (current manual)
- MCO 1200.18 (MOS Manual)
- Criminal Law Deskbook
- Evidentiary Foundations Guide
- SECNAVINST 1920.6D (Administrative Separation of Officers)

¹ This checklist is intended to be executed with the SDC or, for LSSTs without an SDC on site, the senior (in grade) defense counsel assigned to the LSST.

**LSST DSO Office Inspection Checklist
(SDC or Senior Marine DSO attorney lead)**

02 Personnel

- 02 001 – Is the SDC appointed in writing (using the approved template)?
- 02 002 – Are all counsel and support personnel appointed in writing?
- 02 003 – Have all counsel and support personnel completed and submitted the Bio Data Sheet in accordance with CDC PM 2.1 (series)?
- 02 004 – Have all counsel and support personnel been added to the DSO Personnel Tracker on SharePoint and is the information current?
- 02 005 – Have all counsel and support personnel completed the DSO Member Orientation Checklist?
- 02 006 – Have all branch office/detachment personnel signed the 4421/4401 Statement of Understanding (SOU) in accordance with CDC PM 2.2 (series)?
- 02 007 – Do all personnel regularly monitor their online social presence to ensure conformity with CDC PM 2.7?
- 02 008 – What coded BICs are there in the office? Are they filled by personnel with the appropriate MOS codes?
- 02 009 – Is the branch office/detachment appropriately staffed to accomplish its mission? Do counsel and support staff have the requisite training and experience?
- 02 010 – Do all counsel and support staff have a rotation date established in writing?
- 02 011 – What is the average length of time an attorney spends as a defense counsel in the branch office/detachment (actual numbers, not estimates)?
- 02 012 – What is the average length of time a Marine spends as a defense clerk in this branch office/detachment (actual numbers, not estimates)?
- 02 013 – Have all personnel that departed the office in the past year completed the detachment checklist in CDC PM 2.6 (series) upon their transfer or change of duties outside the DSO?
- 02 014 – How does the SDC interact with the LSSS/LSST OIC on personnel management and tour lengths for counsel and support staff?
- 02 015 – How do counsel in this office’s AOR collaborate on cases with other DSO attorneys worldwide?
- 02 016 – How do counsel in this office’s AOR use the Attorney Advisor?

**LSST DSO Office Inspection Checklist
(SDC or Senior Marine DSO attorney lead)**

- 02 017 – How does the SDC supervise counsel throughout the litigation process?
- 02 018 – How do the SDC provide feedback (ask both the SDC and counsel)?
- 02 019 – How does the SDC incorporate outlying counsel into the SDC’s team (e.g. Iwakuni and Yuma)?
- 02 020 – What procedures are in place for the conduct of “murder boards” and moots?
- 02 021 – What mechanisms are in place for the SDC to receive regular feedback from military judges concerning the performance of counsel?
- 02 022 – Have all support staff been trained on how to draft motions, draft position papers, use the IRAC method, and use the Bluebook?
- 02 023 – Can support staff articulate the differing DSO procedures related to NJP, administrative separations, special courts-martial, article 32 hearings, and general courts-martial?
- 02 024 – Can support staff articulate the proper limitations on the provision of legal advice by a non-attorney?
- 02 025 – Have any interns, law students, or student judge advocates worked here in the past year? How were they used? Did they complete the SOU for student judge advocates set forth in CDC PM 3.5 (series)?
- 02 026 – Has any member of the office been denied any rights, privileges, or benefits accrued to the member by virtue of their active military service (e.g. leave requests)?
- 02 027 – What non-DSO command/LSSS/LSST functions does the office participate in and/or attend? Does this negatively affect or interfere with the primary mission of defending DSO clients and safeguarding their rights?
- 02 028 – Does any DSO member stand duty or hold any collateral billets? Does this negatively affect or interfere with the primary mission of defending our clients and safeguarding their rights?
- 02 029 – How does the SDC conduct holiday and weekend liberty and safety briefs?
- 02 030 – Does the DSO office have a phone tree or other non-duty hours contact procedure?
- 02 031 – Are counsel and support personnel in compliance with the Marine Corps Body Composition and Military Appearance Program in accordance with standards established by MCO 6110.3A?

**LSST DSO Office Inspection Checklist
(SDC or Senior Marine DSO attorney lead)**

03 Office Resources and Facilities

- 03 001 – Do counsel have laptop computers and webcams?
- 03 002 – Does the DSO office have all the equipment necessary to accomplish its mission?
- 03 003 – Does the office have the office supplies it needs to accomplish its mission?
- 03 004 – Do all DSO members have access to the computer programs/websites they need to accomplish their mission?
- 03 005 – Do all personnel who have Accurint accounts use them?
- 03 006 – Does each DSO office space present a neat, professional, military appearance? Is there any offensive or potentially offensive material visible?
- 03 007 – Is each DSO office equipped with sufficient office and client waiting area furniture, including computers, printers, chairs, desks, filing cabinets, and audio/visual equipment for NJP video?
- 03 008 – Are there any potential fire or equipment hazards, standing water, mold, or other health concerns?
- 03 009 – Is there a properly displayed emergency/fire exit plan?
- 03 010 – Do all DSO personnel understand what to do in case of an emergency or fire?
- 03 011 – Is there a panic button in the office?
- 03 012 – Are the facilities sufficient to accomplish its mission? Are there any concerns about the facilities?
- 03 013 – Do the facilities allow counsel to secure case files in accordance with JAGINST 5803.1E?

Inspect for the following:

- Can each individual Attorney’s office be secured, and who has access?
- Is there accountability for office keys/cypher lock combinations, and how?
- Who in the LSSS/LSST has master keys/cypher lock combinations to the defense spaces, and how is their entry/exit controlled?
- Does the office have file cabinets which can be locked or otherwise secured?
- Do attorneys have lockable desk drawers?
- If files are maintained electronically, how are they secured?

**LSST DSO Office Inspection Checklist
(SDC or Senior Marine DSO attorney lead)**

04 CLE/Non-Military Training

- 04 001 – Does the SDC maintain a master CLE/non-military training matrix or plan? Attach a copy.
- 04 002 – How does the SDC ensure the Marines are afforded reasonable opportunities to attend training?
- 04 003 – Has each counsel completed the standard defense counsel training program outlined in CDC PM 4.1 (series)?
- 04 004 – What, if anything, prevents counsel from completing the standard defense counsel training program?
- 04 005 – What other CLE opportunities have counsel been provided in the past year, both within the DSO region and otherwise?
- 04 006 – Has the NCOIC attended the courses required by CDC PM 4.1 (series)?
- 04 007 – Are other support personnel provided opportunities to attend the litigation support courses provided by the Naval Justice School? Are they encouraged to attend as required by CDC PM 4.1 (series)?
- 04 008 – How many support staff have attended these courses?
- 04 009 – What, if anything, prevents branch office/detachment support staff from completing the enlisted training curriculum detailed in CDC PM 4.1 (series)?
- 04 010 – What other CLE opportunities have branch office/detachment support staff been provided in the past year, both within the DSO region and otherwise?
- 04 011 – Does the SDC perform monthly training as required by CDC PM 4.1 (series)? Attach the SDC's monthly training plan.
- 04 012 – How often does an Attorney Advisor provide in-person training and case consultations?
- 04 013 – Have all personnel (officer and enlisted) in the branch office been trained in legal research on Lexis Advance? When was the last time Lexis Advance training was held?

**LSST DSO Office Inspection Checklist
(SDC or Senior Marine DSO attorney lead)**

05 Budget

05 001 – Does the SDC receive funding to support monthly SDC training? How is the funding requested, and, if denied, who is the denial authority, and how is it tracked?

05 002 – How does the SDC ensure travel authorizations and vouchers are submitted and processed via DTS in a reasonable amount of time?

05 003 – Do fiscal constraints negatively affect or interfere with the primary mission of defending DSO clients and safeguarding their rights?

**LSST DSO Office Inspection Checklist
(SDC or Senior Marine DSO attorney lead)**

06 Evaluations

06 001 – Does the SDC maintain a master fitness report matrix identifying the MRO/RS/RO relationships and reporting periods and deadlines? If not, how does the SDC track fitness reports?

06 002 – Are fitness reports and proficiency/conduct marks processed in a timely manner?

06 003 – Does the SDC deviate from the standardized billet descriptions in CDC PM 3.2 (series)?

06 004 – Does the SDC write a fitness report on any counsel that has a client that is a conflict of interest with a client of the SDC?

06 005 – Does the SDC write fitness reports on any officer of the same grade?

06 006 – How are defense counsel counseled on their duties and the SDC's expectations?

06 007 – How are support staff counseled on their duties and the SDC's expectations?

06 008 – Are proficiency/conduct marks reviewed/commented on/or changed by anyone in the LSSS/LSST? If so, has any pro/con submitted by the SDC been lowered?

07 Awards

07 001 – Are recommended awards forwarded to the administrative chain's approval authority in a timely fashion and prior to a Marine's departure?

07 002 – Does the SDC submit all awards to the RDC for review before forwarding to the administrative chain?

07 003 – Are letters of continuity drafted and submitted for personnel changing duties within the LSSS/LSST?

07 004 – Has the SDC submitted any specific achievement awards?

07 005 – Has any award recommendation submitted by the SDC been lowered?

07 006 – Does the LSSS/LSST OIC have an awards policy? If so, does it conflict with CDC PM 1.5 (series)?

**LSST DSO Office Inspection Checklist
(SDC or Senior Marine DSO attorney lead)**

08 Military Training Requirements

08 001 – Does the SDC maintain a military training plan separate from any LSSS/LSST training plan?

08 002 – How does the SDC ensure that the Marines are afforded range and other military training opportunities on par with other Marines in the LSSS/LSST?

08 003 – How does the SDC track training requirements for DSO personnel?

08 004 – Are all PFT, CFT, Rifle and Pistol qualifications, and other military training requirements current for all Marines?

08 005 – Have all Marines enrolled in, or completed, appropriate grade-level PME?

**LSST DSO Office Inspection Checklist
(SDC or Senior Marine DSO attorney lead)**

09 Detailing, Conflict Management, Release of Counsel, and IMC Requests

09 001 – Has the SDC been delegated detailing authority as required by CDC PM 3.1 (series)?

09 002 – Does the SDC use the standard detailing letter template?

09 003 – How does the SDC maintain detailing letters for cases detailed by the SDC?

09 004 – How does the SDC manage termination of detailing in relation to established tour lengths?

09 005 – How does the SDC ensure compliance with the requirement of CDC PM 3.1 (series) to consult with the RDC before detailing a complex case?

09 006 – What procedures are in place to ensure each case is detailed to counsel with experience appropriate to the charged offenses?

09 007 – What cases, if any, require Attorney Advisor consultation by the detailed counsel?

09 008 – What is the average time from notification to detailing of counsel for Marines not in pretrial confinement (actual numbers, not estimates)?

09 009 – What is the average time from notification to detailing of counsel for Marines in pretrial confinement (actual numbers, not estimates)?

09 010 – Does the SDC maintain a personal caseload? If so, what is the average number of cases the SDC does per calendar year and how many are first/second chair?

09 011 – Is the standard notice of representation sent to the trial counsel within the required timeline in accordance with CDC PM 3.1 (series) and by whom? Attach the most recent copy.

09 012 – What procedures are in place to allow the SDC to identify and to address conflicts within the branch office?

09 013 – What procedures are in place to request Navy DSO support in conflict cases?

09 014 – How does the SDC handle requests to release counsel pursuant to CDC PM 3.3 and 3.4 (series)?

09 015 – How does the SDC manage IMC requests, and are they processed in accordance with the requirements of CDC PM 3.1 (series)?

09016 – How does the SDC retain DSO new member checklists?

**LSST DSO Office Inspection Checklist
(SDC or Senior Marine DSO attorney lead)**

10 Case, Office, File, and Records Management

10 001 – Do all personnel in the branch office/detachment have access to CIS, the DSO SharePoint, and any local shared drives?

10 002 – Do all personnel in the branch office/detachment have a Lexis Advance account?

10 003 – How does the branch office/detachment access 3270?

10 004 – Are attorneys in the branch office/detachment updating CIS in accordance with CDC PM 1.3 (series)?

10 005 – Are there branch office/detachment control measures in place to ensure access to CIS, the DSO SharePoint, and any local shared drives are restricted to individuals that require it, and are access rosters maintained and updated on a quarterly basis? 5 U.S.C. § 552A (Privacy Act)

10 006 – What mechanisms are in place in the branch office/detachment to ensure personnel no longer have access to CIS and the DSO SharePoint upon their transfer or change of duties outside the DSO?

10 007 – How does each defense counsel stay organized? Does the branch office/detachment use standard folders for electronic case files? How does each counsel track court and hearing dates, deadlines, emails, phone messages, and appointments?

10 008 – How does the SDC track personnel leave regarding the docket and/or training requirements to ensure counsel are present when required?

10 009 – Do all counsel in the branch office/detachment have an alert established for SharePoint's Discussion Forum, DCAP Standard Forms, Acquittal Alerts, and Reference Library in accordance with CDC PM 2.8 (series)?

10 010 – Do all personnel in the branch office/detachment use the standard DSO forms located on DSO SharePoint?

10 011 – Does the branch office/detachment maintain any local forms? Provide copies.

10 012 – What procedures are in place in the case of a search authorization for DSO spaces?

10 013 – How are client case files maintained? Are they properly secured in accordance with JAGINST 5803.1E and CDC PM 1.3 (series)?

10 014 – Does each client case file have at least the following:

- Standard Detailing Letter
- Notification of Representation Letter
- Charge Sheet/Notification letter

**LSST DSO Office Inspection Checklist
(SDC or Senior Marine DSO attorney lead)**

- Client Interview Checklist
- Coping with Stress Letter
- Potential Witness List (with contact information)
- Discovery Request(s) and Responses
- Termination of Representation Letter (as appropriate)
- Case Chronology

10 015 – Does each court-martial client case file have a motions checklist which includes consideration of expert and/or investigative assistance? Does the Case Chronology contain an explanation for any assistance considered but not pursued?

10 016 – How do counsel submit claims for expert payment? How do the SDC and counsel ensure that experts get paid in a timely manner? What is the average length of time for experts to get paid?

10 017 – What procedures are in place to ensure counsel who depart the DSO take their files with them?

10 018 – Are retained correspondence files properly created, maintained, and stored in a dedicated file retention area? SECNAV M-5210.2 Chapter 1 & 2; MCO 5210.11F

10 019 – Does each retained correspondence file folder have disposal instructions on the outside of the folder, and are they properly retired/disposed of in accordance therewith? SECNAVINST 5210.8 (series); MCO 5210.11F; SECNAV M-5210.1

10 020 – Do correspondence files use members' DoD Identification Numbers (EDIPI)? DODI 1000.30

10 021 – Is all Privacy Act information contained in retained correspondence files cross-shredded or placed in burn bags for disposal? MCO 5210.11F; MARADMIN 389/07; SECNAVINST 5211.5F

10 022 – Is each retained correspondence file properly labeled with a standard subject identification code and open/closed dates? SECNAV M-5210.2; MCO 5210.11F

10 023 – Does the SDC maintain an SOP, policy memoranda, or any other written control procedures? If so, is it current? Provide a copy. MCO 5200.24E; MARADMIN 016/05; MCO 5210.11F

10 024 – What procedures are in place to manage Personally Identifiable Information (PII) in accordance with MCO 1553.3B? How does the SDC ensure no PII is placed on or maintained in a personal computer or device?

10 025 – Are counsel redacting social security numbers, taxpayer identification numbers, birthdates, the names of minors (using only initials), and all financial account numbers (using only the last four digits) from all court filings and pleadings in accordance with JAGINST

**LSST DSO Office Inspection Checklist
(SDC or Senior Marine DSO attorney lead)**

5800.7F (JAGMAN)?

10 026 – What procedures are in place to ensure PII is not viewable on desks, computers, or white boards during client meetings?

**LSST DSO Office Inspection Checklist
(SDC or Senior Marine DSO attorney lead)**

11 Walk-In Defense Services

11 001 – What procedures are in place to provide Marines with walk-in defense services pursuant to CDC PM 2.3 (series)? Does the SDC maintain specified walk-in hours? If so, how are they published?

11 002 – Is CIS “encounters” used to track all walk-in clients pursuant to CDC PM 2.8 (series)? What other procedures does the branch office/detachment use for walk-in counselings? Is there a logbook? Do they check in with a clerk? What information is obtained, and how is it retained? How does conflict checks executed?

11 003 – Is the DSO NJP video used?

11 004 – Do all counsel use the walk-in counseling checklist?

11 005 – How does the SDC ensure that all walk-in defense services comply with CDC PM 2.3 (series), including that all counsel inform the client about confidentiality and the limitations of the counseling?

11 006 – How does the SDC ensure that all clients, including walk in counselings, receive the Stress Memorandum?

**LSST DSO Office Inspection Checklist
(SDC or Senior Marine DSO attorney lead)**

12 Professional Responsibilities

12 001 – Are all assigned judge advocates and civilian attorneys licensed and in good standing with all licensing authorities? JAGINST 5803.1E, Rule 8.6; MARADMIN 084/20

12 002 – How are proof of good standing letters maintained for all judge advocates and civilian attorneys? JAGINST 5803.1E, Rule 8.6; MARADMIN 084/20

12 003 – Do all counsel understand and comply with the prohibition against maintaining files regarding professional responsibility complaints other than supervisory attorneys' personal files? JAGINST 5803.1E, para. 15.b.

Attorney Advisor Inspection Checklist

Inspector: _____ Date: _____

01 General

01 001 – What is the battle rhythm for the Attorney Advisor (AA) to conduct in-person case consultations with each DSO office in their Area of Responsibility, and how is that published?

01 002 – How does the AA maintain accountability of travel to on-site visits, telephonic case consultations, and specific case travel? Provide a sample.

01 003 – What is the battle rhythm for the AA to conduct regularly scheduled telephonic case consultations, and how is that information advertised to counsel?

01 004 – How is the AA integrated into the training for the regions' being supported?

01 005 – How is travel funded for case consultations and training? Who is the denial authority for travel related to training? Are requests and denials tracked?

01 006 – Have counsel requested Convening Authority funded on-site, case-specific travel for the AA? Are all denials litigated? How does the AA track requests and whether they are granted or denied? Does this tracking include the general nature of the allegations and, if it was denied, whether the request was litigated?

01 007 – Are there specific types of cases that the region has designated as requiring AA case consultation? Does the AA have any mechanism to ensure counsel are meeting the requirements?

01 008 – How does the AA communicate areas necessitating training based on observations of the AA to SDC/RDC/DCAP?

02 Professional Responsibilities

02 001 - Is the AA licensed and in good standing with all licensing authorities? JAGINST 5803.1E, Rule 8.6; MARADMIN 084/20

02 002 - Does the DSO regional office maintain proof of good standing for all assigned civilian attorneys? JAGINST 5803.1E, Rule 8.6; MARADMIN 084/20

02 003 - Does the AA understand and comply with the prohibition against maintaining files regarding professional responsibility complaints other than supervisory attorneys' personal files? JAGINST 5803.1E, para. 15.b.