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IN REPLY REFER TO
5813
CDC
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CDC Policy Memo 4.2

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

Subj: ATTORNEY ADVISORS' MISSION AND TRAVEL

1. Purpose. To formalize the need and processes for Attorney Advisors (formerly Highly Qualified Experts) to travel within their respective regions and to other regions currently unsupported by an Attorney Advisor.

2. Discussion

a. The DSO Attorney Advisors are government employees in the grade of GS-15, tasked with providing expertise on criminal justice litigation with a focus on defense of sexual assault cases and similarly-complex cases. Their duties include: developing and implementing training, resources, materials, and standard operating procedures for the effective and ethical defense of courts-martial, including pre-trial investigation, interview techniques, case management, trial advocacy, post-trial responsibilities, use of case management and trial presentation software, methods for dealing with complainants and victim advocates, and providing ethics advice and training to counsel within their respective regions pursuant to the Department of the Navy Rules of Professional Conduct. The Attorney Advisors also provide case specific consultation services and advice to members of the DSO litigating or preparing to litigate complex cases, which requires face-to-face interaction with members of the DSO.

b. The DSO consists of four distinct regions: Western, Pacific, Eastern, and National Capital. Within those regions are nine DSO offices: MCB Camp Pendleton; MCAS Miramar, including a detachment at MCAS Yuma; MCAGCC 29 Palms; MCB Hawaii; MCB Camp Foster; MCB Camp Lejeune; MCAS Cherry Point; MCRD Parris Island; and MCB Quantico.

c. Attorney Advisor services are considered necessary and required in order to achieve the DSO objectives of consistency

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and continuity of defense services. All members of the DSO and all DSO offices are required to coordinate with their respective LSSS to ensure that the Attorney Advisor scheduled events are budgeted for. Currently, there are only two Attorney Advisors, one based out of MCRD San Diego (Attorney Advisor West) and one out of Camp Lejeune (Attorney Advisor East), who provide support for the entire DSO. Consequently, this requires the Attorney Advisors to frequently travel within their respective regions, as well as to surrounding regions which do not have local Attorney Advisor support.

3. Policy

a. Attorney Advisor West provides support within the Western and Pacific Regions. Travel to these Regions is authorized at a minimum to the following:

- (1) MCB Camp Pendleton 24 times per calendar year.
- (2) MCAS Miramar 24 times per calendar year.
- (3) MCAGCC 29 Palms 12 times per calendar year.
- (4) Detachment Yuma, AZ, 12 times per calendar year.
- (5) MCB Hawaii 2 times per calendar year.
- (6) MCB Camp Foster 2 times per calendar year.

b. Attorney Advisor East will provides support within the Eastern and National Capital Regions. Travel to these Regions is authorized at a minimum to the following.

- (1) MCAS Cherry Point 24 times per calendar year.
- (2) MCRD Parris Island 12 times per calendar year.
- (3) MCB Quantico 12 times per calendar year.

c. Travel Funding. Regarding training and case consultation, all travel costs to these installations should be covered by the LSSS Region receiving Attorney Advisor services. Regarding assistance for a specific court-martial, the command convening the court-martial should cover all travel costs associated with Attorney Advisor services. If the respective command refuses to provide funding, the LSSS Region receiving Attorney Advisor services should cover the costs. In the event that a particular LSSS or, in the case of courts-martial, the

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convening command, refuses to fund authorized and necessary travel, the CDC will be engaged to advocate for resources at the Judge Advocate Division level. All RDCs must ensure that LSSS OICs and SJAs are aware of the need to budget for Attorney Advisor services.

4. Conclusion. This CDC Policy Memo is effective immediately.



J. W. HITESMAN

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