

Victims' Appellate Rights Public Meeting on September 23, 2016
Table of Contents for Read-Ahead Materials

Materials Prepared by Staff

Tab 1 Summaries of Presenters' Biographies

Tab 2 Outline of Victims' Appellate Rights Issues

- *Background document prepared by JPP staff outlining victims' concerns about the appellate process, relevant provisions of proposed legislation, and recommended discussion questions for panel of former military judges.*

Proposed Amendments on Victims' Appellate Rights

Tab 3 Special Victims' Counsel (SVC) / Victims' Legal Counsel (VLC) Program Managers' Proposed Amendments to Articles 6b and 70 of the Uniform Code of Military Justice (UCMJ)

- *Proposed changes to Article 6b, Rights of the Victim of an Offense Under this Chapter, and Article 70, Appellate Counsel, provided to the Judicial Proceedings Panel at the April 8, 2016 public meeting.*

Tab 4 Section 547 of the Senate version of the FY 2017 National Defense Authorization Act (S.2943) to amend Article 6b of the UCMJ

- *Proposed legislation that would amend Article 6b to provide victims with notice of appellate matters and the right to file appellate pleadings as a real party in interest.*

Tab 5 Article 6b, UCMJ with proposed language from Section 547 of the Senate version of the FY 2017 National Defense Authorization Act (S.2943)

- *Current military victims' rights statute (Article 6b, UCMJ) with redline of the proposed language from S.2943 Section 547.*

Public Comments on Proposed Amendments by the SVC/VLC Program Managers

Tab 6 Letter from Mr. Paul S. Koffsky, Deputy General Counsel, Department of Defense Office of the General Counsel, on the SVC/VLC proposed amendments to Articles 6b and 70, UCMJ

- *Public comment expressing concerns regarding the proposed amendments and urging the Judicial Proceedings Panel to explore all potential consequences of such legislation.*

- Tab 7** Letter from Colonel Mark K. Jamison, Former Director of the Navy-Marine Corps Appellate Government Division, on the SVC/VLC proposed amendments to Articles 6b and 70, UCMJ
- *Public comment urging the Judicial Proceedings Panel to receive input from experienced appellate practitioners on the function of the military appellate courts, relevant case law, and the concerns of appellate government and appellate defense counsel.*
- Tab 8** Letter from Dean Lisa Schenck, Professor of Law at the George Washington University School of Law, on the SVC/VLC proposed amendments to Articles 6b and 70, UCMJ
- *Public comment stating that the proposed amendments go beyond the original intent of Article 6b, UCMJ, and would add requirements that do not exist in civilian systems.*
- Tab 9** Letter from Major Tami Mitchell, Judge Advocate General’s Corps, U.S. Army, on the SVC/VLC proposed amendments to Articles 6b and 70, UCMJ
- *Public comment proposing further amendments to Article 6b, UCMJ to provide additional rights to victims.*
- Tab 10** Letter from Ms. Meg Garvin, Executive Director of the National Crime Victim Law Institute, on the SVC/VLC proposed amendments to Articles 6b and 70, UCMJ
- *Public comment recommending that the Panel conduct a detailed analysis of relevant law on victims’ rights in the appellate process.*
- Tab 11** Letter from Colonel (Retired) Don Christensen, President of Protect Our Defenders, on the SVC/VLC proposed amendments to Articles 6b and 70, UCMJ
- *Public comment proposing further amendments to Articles 6b and 70, UCMJ to provide additional appellate and discovery rights for victims.*