



DEPARTMENT OF DEFENSE
JOINT SERVICE COMMITTEE ON MILITARY JUSTICE
3000 MARINE CORPS PENTAGON
WASHINGTON, DC 20350-3000

July 8, 2015

MEMORANDUM FOR CHAIR, JUDICIAL PROCEEDINGS PANEL

SUBJECT: Update to Joint Service Committee on Military Justice Response to Judicial Proceedings Panel Recommendation #1

On March 26, 2015, the Department of Defense Office of General Counsel (DoD OGC) tasked the Joint Service Committee on Military Justice (JSC) to review 5 recommendations made by the Judicial Proceedings Panel (JPP) and provide views and recommendations. One of those recommendations tasked to the JSC for review was JPP Recommendation #1, "The Secretary of Defense examine the DoD and interagency review process for establishing guidance for implementing statutory provisions of the UCMJ and explore options to streamline the procedures."

On April 30, 2015, the JSC provided its initial response where it outlined its progress with respect to streamlining implementation procedures. Since that initial response, the following actions have occurred:

a. The JSC and DoD OGC have reduced the materials contained in the most recent proposed executive order to only those materials that require Presidential signature. This streamlined process enabled the President to implement statutorily-required changes to the MCM—via Executive Order (EO) 13696 of June 17, 2015—6 months after the signing of the FY15 National Defense Authorization Act. It is contemplated that future EOs will follow this streamlined model, which will permit the DoD to update the Manual for Courts-Martial's discussion and analysis sections without the need for interagency coordination and Presidential approval.

b. The JSC launched its public website on June 11, 2015, which improved the ability of the JSC to publish updates to military law and to solicit proposals for improvements to the Manual for Courts-Martial (MCM) and Uniform Code of Military Justice (UCMJ). The new website is located at <http://jsc.defense.gov>.

c. The JSC has created updated versions of the Rules for Courts-Martial and Military Rules of Evidence for release to the field, which include the changes promulgated by EO 13696 of June 17, 2015. The JSC has also created an updated version of the UCMJ in Appendix 2 of the MCM for release to the field. All of these documents have been posted to the JSC public website.

d. The JSC has established a reasonable timeline to complete its 2015 Annual Review of the MCM. This timeline will provide for a 60-day public comment period, a public meeting at the Court of Appeals for the Armed Forces, and submission of the proposed executive order to DoD OGC by the end of calendar year 2015.

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e. The pending DoD Instruction, "Roles and Responsibilities of the Joint Service Committee on Military Justice (JSC)," which updates the current DoD issuance governing the JSC with a focus on process improvement is beginning the DoD intra-agency coordination process.

My POC for this memorandum, Captain Harlye S. Carlton, USMC, can be reached at harlye.carlton@usmc.mil or (703) 693-9299.

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