

**JUDICIAL PROCEEDINGS PANEL
REQUEST FOR INFORMATION SET # 6**

130. (Update to JPP RFI 25) Services: How are SVCs selected? Among currently serving SVCs, how many (or what percentage) requested assignment to the program?

USA	<p>Special Victim Counsel are nominated by the Staff Judge Advocate based on their maturity, judgment and criminal law experience. Among the currently serving SVC, 4 requested assignment to the program. The Judge Advocate General reviews every nomination and personally approves and certifies those qualified for duty after appropriate training.</p>
USAF	<p>The Air Force has a formal process to nominate and select the "best qualified" SVCs, including a list of selection criteria for these sensitive positions. The selection criteria include, but are not limited to (1) the candidate's court-martial experience (the number courts-martial tried; a breakdown of litigated, partially litigated, and guilty plea trials; types of offenses tried; extent of participation in the trials; evaluation of the candidate's interactions with witnesses and victims); (2) other litigation experience (discharge boards, civil litigation, and litigation experience prior to becoming a judge advocate); (3) SVC-specific qualities (the candidate's ability to be non-judgmental and empathize with victims, to be sensitive to the difficulties a victim may experience emotionally, mentally, and physically; to understand the sensitivities of family members, especially when representing child victims; to work well with other agencies (e.g., SARC, Mental Health and medical providers, AFOSI, and other counsel); and to be grounded with the highest ethical standards); (4) leadership qualities and other training; and (5) personal desire to be an SVC. Nominations by SJAs and other supervising attorneys are routed through the functional chain and coordinated through AFLOA/CLSV. All candidates are reviewed by AF/JAX, and AF/JAX makes SVC assignment recommendations to TJAG. TJAG is the final selection authority for all SVCs.</p> <p>Since the beginning of the worldwide SVC nomination and selection process in August 2014 and through today, all judge advocates in SVC positions have requested to serve in the position or voluntarily accepted the position. To date, no Air Force SVC has objected to serving as an SVC or been assigned involuntarily.</p>
USN	<p>Navy VLC are selected based on litigation experience, professionalism, maturity, judgment, inter-personal skills and desire to be a VLC. All candidates must be professionally recommended for the program. Interviews of potential VLC are conducted by the VLCP COS, CNLSC and the JAG, who has final approval authority for every candidate. Over 93% of currently serving VLC requested assignment to the program.</p>
USMC	<p><u>Selection Process</u>: The OIC of a Legal Service Support Section (LSSS) or Team (LSST) will send to the OIC, VLCO, the nomination of a judge advocate who has the qualifications for the billet set out by statute, DoD policy, and SJA to CMC policy (i.e., judge advocates serving in or selected to the grade of O-3/Captain, with six months or more military justice experience, with at least one contested case, that satisfy sensitive selection screening criteria, and that preferably attained the NMOS of 4409). The OIC or Deputy OIC, VLCO, interviews the nominee and speaks to references to determine the nominee has the temperament necessary to effectively serve victims of sexual assault. The OIC then screens the nominee for criminal and professional misconduct. Finally, the OIC, VLCO, sends the nominee to a certification course at either the Army or Air Force JAG schools, whereupon successful completion, the SJA to CMC will certify the nominee as competent to serve as a VLC according to 10 USC 1044e.</p>

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	<p><u>Ratio of Volunteers.</u> Approximately 6 of the 17 currently serving VLC (35%) requested assignment to the program. The remaining 11 VLC (65%) were generally told they were being considered for the program due to their maturity, experience, and temperament, and asked whether they objected to the assignment. Each of the 11 did not object and each provides zealous representation for his or her clients.</p>
<p>USCG</p>	<p>Due to the small size of the Coast Guard, while a military justice background is preferred, SVC selection is focused more on choosing individuals with some criminal justice background or individual representation experience, demonstrated professionalism, maturity and judgment, and an interest in victims' rights. The USCG officer making JAG assignments works closely with the SVC Program Manager providing background information on all potential SVCs and seeks approval from the Program and from TJAG before making final decisions concerning the selection of an SVC. Of the current six fulltime SVCs, four have a background in criminal justice and more than half expressed an interest in participating in the SVC program. Of the three attorneys slated for an SVC assignment summer 2016, all three have expressed an interest in serving as an SVC.</p> <p>In addition, there are Coast Guard attorneys stationed across the United States who have been nominated and selected to serve as SVC and have attended SVC certification training who are able to take clients when the fulltime SVCs have reached their maximum client load. (See Enclosure 22)</p> <p>ENCLOSURE:</p> <p>SVC Nomination Template</p>