

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

141. Services: Please provide information about implementation and the status for extending SVC representation to DoD civilian employees, upon waiver by the SecDef or Service Secretary, as directed by FY16 NDAA § 532?

a. What policies and procedures have been established for making such requests?

USA	The Army SVC Program drafted Army Directive 2016-XX (Civilian Employee Eligibility for the Special Victims' Counsel Program), which is currently being staffed. Once approved this will extend Army SVC services to DoD civilian employees where the accused is a Servicemember.
USAF	<p>While the Secretary of Defense has not yet issued implementation guidance, the Air Force SVC Program currently considers requests by DoD civilian employees for SVC representation through its Exceptional Circumstances Request (ECR) process described above. Through the ECR process, the Air Force currently provides SVC representation to five DoD civilians. AFI 51-504, <i>Legal Assistance and Special Victims' Counsel Programs</i>, which is pending TJAG approval, provides for a waiver to allow SVCs to represent DoD civilians without going through the ECR process.</p> <p>The Air Force SVC Program is preparing for this expanded representation with additional training. Program leadership attended the Federal Employment and Labor Law Course at the Air Force JAG School and then trained SVCs via Webcast on DoD civilian administrative and equal opportunity remedies. AFLOA/CLSV is also engaged with the Employment and Labor Law Division, Air Force Legal Operations Agency (AFLOA/JACL) in order to prepare SVCs for representation of DoD civilians and to determine the appropriate scope of representation. Additionally, an employment and labor law subject matter expert has been added as an instructor for the FY16 SVC course.</p>
USN	Chief of Staff (COS) for the Navy VLCP is authorized to make eligibility determinations and grant exceptions to DoD civilian employees not otherwise eligible for legal assistance when warranted for good cause and to further the goals of the VLCP mission. VLC who believe an eligibility exception is warranted contact the COS for an eligibility determination before forming an attorney-client relationship with an otherwise ineligible victim. The VLCP COS then grants or denies an extension of eligibility, recording specific facts and factors upon which the determination was based.
USMC	The draft USMC VLC Manual establishes that DoD civilians are among those eligible for VLC services. As such, the process for a DoD civilian to obtain VLC services is the same process that all other eligible persons may use to obtain services. As of 31 March 2016, the USMC VLC Manual is pending final review and approval before publication.
USCG	<p>Although this requirement did not apply to the Coast Guard, the Coast Guard has extended services to certain Coast Guard employees (See Enclosure 20). The request process is the same as for all SVC services. Generally, the SARC, Family Advocacy Specialist, CGIS agent or trial counsel submits a request to the SVC Program using a request form (See Enclosure 10) and an SVC is detailed within 48 hours of the request. Individuals can also contact the Program directly via email or phone.</p> <p>ENCLOSURES:</p> <ol style="list-style-type: none"> 1. SVC Request Form – Person not Eligible for Legal Assistance 1. SVC Request Form

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

b. How many such requests have been made since the enactment of FY16 NDAA, by whom, and how many were approved?

USA	Until the DA directive is implemented, requests are being evaluated by the SVC Program Manager and Chief, LAPD for approval. To date, one request has been received and approved.
USAF	Since the enactment of the FY16 NDAA, one DoD civilian has requested an Air Force SVC; the request was granted. Prior to the passage of the FY16 NDAA, 11 DoD civilians had made an Extraordinary Circumstances Request for an Air Force SVC and four were approved.
USN	Since enactment of the FY16 NDAA on 25 November 2015, no requests have been made to extend eligibility for VLCP services to any DoD civilian employees not otherwise eligible for legal assistance.
USMC	There have been no requests since the FY16 NDAA was passed.
USCG	The Coast Guard has not yet had the occasion to represent a civilian employee.

c. How are DoD civilian employees educated about the availability of SVC services and the process to request them?

USA	DoD civilian employees will be educated about the availability of SVC services and the process to request them through training and marketing.
USAF	To date, the Air Force has not developed a specific outreach and education strategy for DoD civilian employees, although Air Force personnel with a statutory obligation to inform victims about the availability of SVC services have been and are being briefed about the FY16 NDAA and Air Force policy on DoD civilian representation. For example, the SVC Program briefs SARCs and VAs at their initial and refresher training. Since enactment of the FY16 NDAA, the SVC Program has made it a point to ensure the SARC community is aware of the expansion in SVC eligibility. The SVC Program also includes the expansion in its briefing at the Senior Officer Legal Orientation (SOLO).
USN	If sexually assaulted by a military perpetrator, a DoD civilian employee would be educated about VLC services and the process to request them by a Military Health Care provider, TC or a MCIO prior to being interviewed.
USMC	The eligibility of DoD civilians for VLC services has been made part of outreach briefs made by VLC to Commanders, units, NCIS, sexual assault counselors, and legal assistance attorneys.
USCG	Civilian employees will be notified via workplace training.