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FM CNO WASHINGTON DC//DNS//
TO NAVADMIN
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NAVADMIN XXX/14

MSGID/NAVADMIN/CNO WASHINGTON DC/DNS/MAR//

SUBJ/ESTABLISHMENT OF NAVY VICTIMS' LEGAL COUNSEL (VLC) PROGRAM//

REF/A/SECDEF MEMO/14AUG2013//

REF/B/VCNO LTR/15AUG2013//

REF/C/FY14 NDAA SEC 1716/26DEC2013//

REF/D/DODI 6495.02//

REF/E/SECNAVINST 1752.4B//

REF/F/SECNAVINST 1752.3B//

REF/G/TITLE 10, UNITED STATES CODE, SECTION 1044//

REF/H/TITLE 10, UNITED STATES CODE, SECTION 1565B//

REF/I/SECNAVINST 1754.7A//

REF/J/JAGINST 5803.1D//

NARR/REF A IS THE SECRETARY OF DEFENSE (SECDEF) MEMORANDUM DIRECTING ALL SERVICES TO IMPLEMENT A SPECIAL VICTIMS' ADVOCACY PROGRAM. REF B IS THE VICE CHIEF OF NAVAL OPERATIONS (VCNO) LETTER DIRECTING ESTABLISHMENT OF THE NAVY VICTIMS' LEGAL COUNSEL PROGRAM. REF C IS THE FISCAL YEAR 2014 NATIONAL DEFENSE AUTHORIZATION ACT. REF D IS THE DEPARTMENT OF DEFENSE INSTRUCTION DATED 28 MARCH 2013, AS AMENDED ON 12 FEBRUARY 2014, ON THE SEXUAL ASSAULT PREVENTION AND RESPONSE (SAPR) PROGRAM PROCEDURES. REF E IS THE SECNAV INSTRUCTION DATED 13 APRIL 2013 ON THE DEPARTMENT OF THE NAVY'S SAPR PROGRAM. REF F IS THE SECNAV INSTRUCTION DATED 10 NOVEMBER 2005 ON THE DEPARTMENT OF THE NAVY'S FAMILY ADVOCACY PROGRAM. REF G IS STATUTORY AUTHORITY FOR LEGAL ASSISTANCE SERVICES TO MEMBERS OF THE ARMED FORCES AND OTHER ELIGIBLE INDIVIDUALS SUBJECT TO THE AVAILABILITY OF LEGAL STAFF RESOURCES. REF H IS STATUTORY AUTHORITY THAT EXTENDS LEGAL ASSISTANCE SERVICES TO VICTIMS OF SEXUAL ASSAULT. REF I IS THE SECNAV INSTRUCTION DATED 07 NOVEMBER 2005 ON HEALTH CARE PROVIDERS IN THE DEPARTMENT OF THE NAVY'S FLEET AND FAMILY SUPPORT PROGRAM. REF J IS THE JUDGE ADVOCATE GENERAL (JAG) INSTRUCTION ON PROFESSIONAL CONDUCT OF ATTORNEYS.//

POC/K.A. FISCHER-ANDERSON/CAPT/UNIT: VLCP, MAYPORT, FL/TEL: (904) 270-5445 EXT 3028//

RMKS/1. In accordance with references (a) and (b), and as recently codified by reference (c), the Navy established a Navy Victims' Legal Counsel (VLC) Program to provide independent legal counsel to eligible sexual assault victims.

2. VLC will work with victims through the investigation and military justice processes, advocate for the victim's rights and interests, and help victims obtain access to other support resources. VLC will complement the care and support victims receive through other resources, such as the Sexual Assault

Prevention and Response Program (SAPR), the Family Advocacy Program (FAP), the Victim-Witness Assistance Program, services provided by Victim Advocates, and services provided by chaplains and healthcare providers, as outlined in references (d), (e) and (f).

3. VLC report independently to Commander, Naval Legal Service Command through the Chief of Staff, VLC. Twenty-nine specially-trained and certified judge advocates are assigned to the Program at various naval installations around the world.

4. Eligibility. As authorized by reference (g), sexual assault victims eligible for VLC services include: Navy members on active-duty; Navy Reserve personnel on active duty or on inactive-duty training at the time of the assault; other DOD Service personnel and retirees when assaulted by an active-duty Navy member; adult dependents, including spouses, of active-duty Navy members when assaulted by an active-duty Navy member; and some overseas DON civilians. Victims not specifically identified by this NAVADMIN who are seeking VLC consultation shall be referred to the nearest VLC Office per paragraph (7) for an eligibility determination.

5. Referral. Consistent with references (c) through (e) and (g) through (h), Sexual Assault Response Coordinators, Sexual Assault Victim Advocates, Military Criminal Investigative Organizations, Victim Witness Liaisons, trial counsel and healthcare providers shall inform sexual assault victims of the availability of VLC services. Victims shall be informed that VLC services are optional and may be declined, in whole or in part, at any time regardless of whether the victim elects restricted or unrestricted reporting. Additionally, per reference (c), victims shall also be informed that declining such services does not preclude them from subsequently requesting VLC services at a later time. Per reference (i), FAP Clinical Health Care Providers are considered healthcare providers.

6. Scope of Representation. VLC will form an attorney-client relationship with eligible victims. Accordingly, all communications between VLC and the client will be confidential and privileged. VLC will advise victims on sexual assault reporting options; provide legal representation and advice during the investigative process; advocate on the victim's behalf; represent the victim in military justice proceedings where the victim has an interest and right to be heard by the court; and provide other legal advice and services connected with a report of sexual assault. VLC are subject to and must comply with the rules of professional conduct in accordance with reference (j).

A. Collateral Misconduct. VLC will provide personal representation advice to victims involved in collateral misconduct connected with a report of sexual assault. Collateral misconduct resulting in administrative processing or court-martial will necessitate assignment of a separate military defense counsel.

B. Legal Assistance. VLC can provide basic legal assistance services directly connected to a report of sexual assault, to include notarizations and powers of attorney. Assistance with more substantive matters will be referred to the nearest military legal assistance office.

7. Service Locations. VLC services will be available at 23 naval installations worldwide. VLC are currently located in Annapolis, MD; Washington, D.C.; Oceana,

VA; Norfolk, VA; Groton, CT; Mayport, FL; Jacksonville, FL; Pensacola, FL; San Antonio, TX; Great Lakes, IL; Coronado, CA; San Diego, CA; Lemoore, CA; Ventura, CA; Bremerton, WA; Everett, WA; Pearl Harbor, HI; Guam; Bahrain; Naples, Italy; and Rota, Spain. By July 2014, VLC will also be located in Gulfport, MS and Yokosuka, Japan.

8. VLC Contact. Sexual assault victims may contact VLC directly or via other victim support providers, including Sexual Assault Response Coordinators, Victim Advocates, FAP clinical counselors, Domestic Abuse Victim Advocates (DAVAs), chaplains, or trial counsel. VLC contact information is available at http://www.jag.navy.mil/legal_services/vlc.htm.

9. Released by Vice Admiral S. H. Swift, Director, Navy Staff.//

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