



5810  
27 Oct 15

## MEMORANDUM

From: , LT, Special Victims' Counsel  
COMDT (CG-LMA-A-OL)

To: , CAPT, Commanding Officer  
CG Base Alameda

Thru: , CDR, Executive Officer  
CG Base Alameda

Subj: SPECIAL VICTIMS' COUNSEL NOTICE OF REPRESENTATION

Ref: (a) CG-LMA-A Memo 5810 dated 25 Sep 15  
(b) 10 U.S.C. 1044e  
(c) Uniform Code of Military Justice (UCMJ)  
(d) Manual for Courts-Martial (series)  
(e) Coast Guard Legal Professional Responsibility Program, COMDTINST  
M5800.1(series)

1. I respectfully request to inform you that I have been detailed pursuant to references (a) and (b) as Special Victims' Counsel (SVC) for a member of your unit, [client name]. [client name] made her request for an SVC in conjunction with an unrestricted report of a sex-related offense as defined by reference (b).
2. Additionally, I respectfully request to inform you that I have formed an attorney-client relationship with [client name] and therefore that [client name] is represented by legal counsel in accordance with reference (b).
3. As her command, I understand that you will need to interact and communicate with my client regarding various issues that arise following her unrestricted report. Naturally, my goal is not to unduly inhibit your ability to perform necessary command functions, and I look forward to working with you in support of my client. As her legal advisor and representative, however, one of my duties is to ensure that my client understands the various processes related to her report and to ensure that she is able to make well informed decisions regarding her legal rights.
4. In accord with that duty and pursuant to reference (b) and Rule 4.2 of reference (e), I respectfully request that you contact me directly if you wish to interview or question my client regarding any issue affecting this case or pertaining to her report of a sex-related offense. This request is intended to help ensure that my client has the opportunity to exercise her right to counsel, in accordance with reference (b) and Article 6b of reference (c), prior to and during any potential interviews or questioning.

5. Additionally, in accordance with reference (b), Article 6b of reference (c), and Military Rule of Evidence 513 of reference (c), I respectfully request that you contact me directly prior to viewing or requesting a release of any mental health records pertaining to my client. This request is necessary to ensure that my client's privacy rights are protected and to help ensure that there are no inadvertent waivers of privileged psychotherapist-patient communications.

4. If you have any questions or if I can assist with any issues pertaining to my client, I can be reached at (510) 437-XXXX or via email at @uscg.mil.

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Copy: , Staff Judge Advocate  
CG LSC



5810

13 Jan 15

## MEMORANDUM

From: , LT, Special Victims' Counsel  
COMDT (CG-LMA-A-OL)

To: D. Counsel, LT, Defense Counsel, CG-D11 (dl)

Subj: SPECIAL VICTIMS' COUNSEL NOTICE OF REPRESENTATION ICO U.S. V. BM3  
I. N. SMITH

Ref: (a) CG-LMA-A Memo 5810 dated 25 Sep 15  
(b) 10 U.S.C. 1044e  
(c) Uniform Code of Military Justice (UCMJ)  
(d) Manual for Courts-Martial (series)  
(e) Coast Guard Legal Professional Responsibility Program, COMDTINST  
M5800.1(series)

1. I have been detailed as Special Victims' Counsel (SVC) in accordance with references (a) and (b) to represent [victim name]. [victim name] made her request for an SVC in conjunction with an unrestricted report of a sex-related offense as defined by reference (b). The alleged perpetrator is BM3 I. N. Smith. I have formed an attorney-client relationship with [victim name]. Accordingly, this memo serves to notify you that [victim name] is represented by legal counsel.

2. In accordance with Articles 6b and 46 of reference (c); Military Rules of Evidence 412, 513, and 514 of reference (c); and Rule 4.2 of reference (e), please contact me directly if you would like to interview or question my client regarding this case. My client would prefer that you contact me directly so that I am prepared to discuss the general nature of the questions with my client to assist her with the potential interview. I also respectfully remind you that in accordance with reference (b) and Articles 6b and 46 of reference (c), my client has the right to request that I be present at the interview or that I participate via other means if necessary.

3. As per rule 4.2 of reference (e), my client has retained legal counsel, and thus any further contact with her should be made only after my consent.

4. If you have any questions or wish to coordinate an interview with my client, I can be reached at (510) 437-XXXX or via email at @uscg.mil.

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3. As her command, I understand that you will need to interact and communicate with my client regarding various issues that arise following her unrestricted report. Naturally, my goal is not to unduly inhibit your ability to perform necessary command functions, and I look forward to working with you in support of my client. As her legal advisor and representative, however, one of my duties is to ensure that my client understands the various processes related to her report and to ensure that she is able to make well informed decisions regarding her legal rights.
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Copy: , Staff Judge Advocate  
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13 Jan 15

## MEMORANDUM

From: , LT, Special Victims' Counsel  
COMDT (CG-LMA-A-OL)

To: D. Counsel, LT, Defense Counsel, CG-D11 (dl)

Subj: SPECIAL VICTIMS' COUNSEL NOTICE OF REPRESENTATION ICO U.S. V. BM3  
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13 Jan 15

## MEMORANDUM

From: XXXX, LT, Special Victims' Counsel  
COMDT (CG-LMA-A-OL)

To: T. Counsel, LT, Trial Counsel, CG-D11 (dl)  
I. M. Law, Special Agent, CGIS

Subj: SPECIAL VICTIMS' COUNSEL NOTICE OF REPRESENTATION ICO U.S. V. BM3  
I. N. SMITH

Ref: (a) CG-LMA-A Memo 5810 dated 25 Sep 15  
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13 Jan 15

## MEMORANDUM

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