

**JUDICIAL PROCEEDINGS PANEL
REQUEST FOR INFORMATION SET # 1**

6. Services: Provide all training materials regarding the 2012 version of Article 120 used at all military judges training courses as well as training materials for trial and defense counsel produced by each Service’s Military Justice Division and Judge Advocate General’s School.

USA	<p>See Enclosure 4.</p> <p>ENCLOSURE 4, Article 120 Training Materials:</p> <ul style="list-style-type: none"> a. Intermediate Trial Advocacy Course b. Officer Basic Course c. Special Victim Counsel Course d. Military Judge Course e. Graduate Course (LL.M. course) f. Trial Counsel Assistance Program – Article 120 training slides g. Trial Counsel Assistance Program – MRE 412/413/414 training slides
USAF	<p>All new Air Force Military Trial judges over the last two years have received extensive training on Art 120 at the Military Judges’ Course which is taught at the Army JAG School. The Air Force hosted the Joint Military Judges Annual Training (JMJAT) in February 2014 and the focus of the 3 ½ day training event was sexual assault, to include discussion of practice pointers on the 2012 sexual assault law. Training materials from sessions that provided an update on the Benchbook and Joint Service Committee on Military Justice are attached. (Atch 6.1)</p> <p>Representatives of the Air Force Court of Criminal Appeals attended the 2013 and 2014 Fulton Appellate Military Judges Training. The schedules for these courses are attached. (Atchs 6.3 and 6.4)</p> <p>In addition to JMJAT, the Air Force Judge Advocate General’s School (AFJAGS) provides training on Article 120 (2012) at the Judge Advocate Staff Officer Course (JASOC) and Intermediate Sexual Assault Litigation Course (ISALC). Area Defense Counsel receive Article 120 training at the ISALC courses. Course materials for these courses are attached. (Atchs. 6.5 – 6.18, 6.20) A memorandum on sexual assault prosecution and defense training at AFJAGS was provided to the Comparative Systems Subcommittee of the Response Systems Panel and provides further explanation of the content of these courses.</p> <p>In addition to instruction on Article 120, AFJAGS trained students to conduct fully-litigated sexual assault cases in both JASOC and the Trial and Defense Advocacy Course (TDAC). The case files for both JASOC and TDAC are also attached to this response. (Atchs. 6.2 and 6.19)</p> <p><u>Reference:</u></p> <ul style="list-style-type: none"> - Memorandum from AFJAGS to Comparative Systems Subcommittee on Sexual Assault Prosecution and Defense Training at The Judge Advocate General’s

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	<p>School http://responsesystemspanel.whs.mil/Public/docs/meetings/Sub_Committee/20140107_CSS/Materials/MilitaryCounsel/ AF Ltr CSS ProsDefTrng.pdf</p> <p>ATTACHMENT 6:</p> <ul style="list-style-type: none"> - Atch. 6.1 – 2014 Joint Military Judges Annual Training Course Materials - Atch 6.2 – TDAC Training File - Atch 6.3 – 2013 Fulton Appellate Military Judges Training Schedule - Atch 6.4 – 2014 Fulton Appellate Military Judges Training Schedule - Atch 6.5 – ISALC – ADC – Collateral Consequences - Atch 6.6 – ISALC – ADC – Cross Examination - Atch 6.7 – ISALC – ADC – FY 14 NDAA – What Now - Atch 6.8 – ISALC – ADC – Speedy Trial Pleas - Atch 6.9 – ISALC – ADC – Methods of Cross Examination - Atch 6.10 – ISALC – ADC – Motions Practice - Atch 6.11 – ISALC – ADC – MRE 412-413 - Atch 6.12 – ISALC – ADC – Overview of Sexual Assault Case - Atch 6.13 – ISALC – ADC – Prepping an Article 120 Case - Atch 6.14 – ISALC – ADC – Sentencing - Atch 6.15 – ISALC – ADC – Sowing Appellate Seeds - Atch 6.16 – ISALC – ADC – SVC-ADC Relationships - Atch 6.17 – ISALC – ADC – JAJD Themes - Atch 6.18 – ISALC – Consolidated Article 120 Training Materials - Atch 6.19 – JASOC Training File - Atch 6.20 – ISALC – SVC Training Materials
<p>USN</p>	<p>The Army conducts annual training for new trial and appellate judges in the Military Judges’ Course at the Army’s Judge Advocate General’s Legal Center and School. The Army trains extensively on the 2012 version of Article 120, and is the custodian of the training materials for that course. Additionally, the Air Force and Navy provide annual training to all sitting trial judges at the Joint Military Judges’ Annual Training (JMJAT). We defer to the Air Force to provide its training materials from JMJAT 2014. In 2015, the Department of the Navy will host the annual training event. A curriculum is being drafted, and the training materials are still in development.</p> <p>Copies of Responsive Documents are attached in enclosure (3)</p> <p>Because of sequestration, no joint annual training was conducted in 2013. In November-December 2013, NMCTJ instead conducted five interactive, live, webinar courses in conjunction with the National Judicial College (NJC). Those classes were all focused on evidentiary aspects of sexual assault trials (i.e., MRE 412-414), but not on Article 120 per se. All NMCTJ and NMCCA judges participated in the five webinars.</p> <p>Additional standardized training provided by Naval Justice School (NJS) is attached</p>

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	<p>at enclosure (3)</p> <p>ENCLOSURE 3:</p> <ul style="list-style-type: none"> - Agenda for the 2014 William S. Fulton, Jr. Appellate Military Judges’ Training - Agenda for training provided by the National Judicial College – “Jurisprudence, Technology, and the 4th Amendment for the NMCCA” - Naval Justice School Basic Lawyer Course presentation - Naval Justice School VWAP presentation - Naval Justice School Privileges presentation - Training slides provided by MAJ Aimee Bateman at the TJAGLCS Criminal Law Department on “Article 120 (and 120b & 120c)”
USMC	<p><i>See enclosure (2).</i></p> <p>ENCLOSURE (2) Training Materials Regarding 2012 Version of Article 120 used at Military Judge (MJ), Trial Counsel, and Defense Counsel Training:</p> <ul style="list-style-type: none"> a) “Prosecuting Alcohol Facilitated Sexual Assault (PAFSA) Strategy” b) “General Principles in Sexual Assault Cases” – Means c) “Inspiring Guilty (How to Really Close a 120 Case)” d) “Processing Sexual Assault Cases” e) “Proving Intoxicated Rape”
USCG	<p>The Coast Guard, along with the other services, sends new judges for initial training at the Army Judge Advocate General’s Legal Center and School in Charlottesville, VA. The Army produces all of the training materials for that course. In addition, the judges for all of the services meet annually at training sponsored by the Air Force. All defense counsel for Coast Guard courts-martial are provided by the Navy, pursuant to a long-standing memorandum of understanding between the services. The Coast Guard provides four judge advocates to the Navy who serve as defense counsel for Navy, Marine Corps, and Coast Guard cases while assigned to them. The Navy provides all defense counsel training materials. Coast Guard trial counsel undergo initial training at Naval Justice School where they receive the same basic training in the military justice system as Navy and Marine Corps judge advocates and the classes contain attorneys from all three services. Coast Guard judge advocates attend Special Victim Unit Investigator training offered by the Army, Prosecuting Alcohol Facilitated Sexual Assault training and other trial advocacy courses offered by the Navy, and the Special Victims Counsel course offered by the Air Force. The Coast Guard does not provide independently produced training materials for military judges, trial, or defense counsel.</p>