

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

III. Special Victim’s Counsel (including Navy and Marine Corps Victim’s Legal Counsel)

Implementation of Effect of Special Victim’s Counsel Program: An assessment of the implementation and effect of [the Special Victim’s Counsel Program] section 1044e of title 10, United States Code, as added by section 1716, and make such recommendations for modification of such section as the judicial proceedings panel considers appropriate. *(FY14 NDAA)*.

The SVC Program, Framework, and Policies

19. DoD and Services: Other than the *Report on the Implementation of Section 1716 of the FY14 NDAA* (Apr. 4, 2014), provide all directives, instructions, regulations, memorandums, or other guidance that have been developed or issued regarding establishment of the SVC Program. Please include those relating to:

DoD	The Department of Defense is currently in the process of revising DoDI 1030.02, “Victim and Witness Assistance.” The Department contemplates that the revised DoDI will include a section addressing Special Victims’ Counsel. The Department anticipates the imminent publication of a draft of DoDI 1030.02 in the Federal Register for public comment. The Department will provide the JPP with that Federal Register notice once published. No other responsive documents have been issued at the Department of Defense level.
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a. Formation and structure of the SVC Program.

USA	<p>See Enclosure 10.</p> <p>ENCLOSURE 10, SVC Establishment Documents:</p> <ul style="list-style-type: none"> a. SVC Structure Slide b. Army Directive 2014-09 – Reserve Component Eligibility for the SVC Program (07 May 2014) c. Army Directive 2014-23 – Conduct of Screening and Background Checks for Individuals Who Have Regular Contact with Children in Army Programs (10 Sep 2014) d. Special Victims' Counsel Handbook (01 Nov 2013) e. SVC Hot Topics Information Paper (25 Sep 2014) f. SVC Information Paper (30 May 2014) g. TJAG Policy Memorandum #14-01 – Special Victim Counsel (01 Nov 2013) h. SVC Scope of Representation Letters i. Victim Impact Statement Factsheet
USAF	On 9 November 2012, the Department of Defense, Office of the General Counsel, issued a legal opinion addressing “Legal Assistance to Victims of Sexual Assault.” The memo examined the scope of legal assistance that may legally be provided by judge advocates (and supported by paralegals) to victims of sexual assault. The

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	<p>Air Force is not the release authority for this legal opinion.</p> <p>On 28 January 2013, the Air Force established the federal government’s first, large-scale Special Victims’ Counsel (SVC) Program as a pilot program for the Department of Defense to provide independent, military attorneys to represent sexual assault victims eligible for legal assistance under 10 USC §§ 1044 and 1565b. The Air Force Judge Advocate General directed the creation of the SVC program to provide legal assistance to victims of sexual assault, help them better understand the investigation and legal process, ensure their rights are protected, and their voices heard. <i>See AFGM1 to AFI 51-504, Legal Assistance, Notary, and Preventive Law Programs</i>, 24 Jan 13.</p> <p>On 1 June 2013, the SVC Program transitioned from 60 judge advocates serving as part-time SVCs, to 24 judge advocates serving as full time SVCs under an independent chain of command in the Air Force Legal Operations Agency, Special Victims’ Counsel Division.</p> <p>On 14 August 2013, the Secretary of Defense directed the Secretaries of the Military Departments to “establish a special victim’s advocacy program best suited for that Service that provides legal advice and representation to the victim throughout the justice process.” (Atch 19.1) The Air Force’s SVC Program was already in full compliance with that directive and had been since its inception in January 2013.</p> <p>The Division now includes a headquarters staff with an O-6 Division Chief, a GS-14 Associate Chief, and an E-7 Special Victims’ Paralegal (SVP) Manager. As of 31 July 2014, the Division included 28 SVCs and 10 SVPs at 19 locations worldwide. (Atch 19.2)</p> <p><u>References:</u></p> <ul style="list-style-type: none"> - AFGM1 to AFI 51-504, <i>Legal Assistance, Notary, and Preventive Law Programs</i>, 24 Jan 13 http://static.e-publishing.af.mil/production/1/af_ja/publication/afi51-504/afi51-504.pdf <p>ATTACHMENT 19:</p> <ul style="list-style-type: none"> - Atch 19.1 – SecDef Memo on Sexual Assault Prevention and Response (14 Aug 2013) - Atch 19.2 – SVC Summer 2014 Structure
USN	<p>The Navy VLC Program (VLCP) was established in August 2013 to provide independent legal counsel to eligible sexual assault victims. The VLCP met Initial Operational Capability (IOC) on 1 November 2013 and Full Operational Capability (FOC) on 1 January 2014. The Navy VLCP is manned by 31 Navy judge advocates assigned to 23 naval installations around the world. The VLCP is led by an O-6 Chief of Staff and an O-5 Deputy Chief of Staff and supported by 10 Active Duty Yeomen assigned to significant case concentration areas. Founding directives and documents related to the Navy VLCP include a SECDEF Memo dated 14 Aug 13; a VCNO letter</p>

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	<p>dated 14 Aug 13; a “From the Flags” notice executed by the Judge Advocate General and Deputy Judge Advocate General of the Navy; and a Naval Message distributed on 15 Apr 14 are attached in enclosure (13). Senior Navy and DoD Leadership and Fleet personnel have been routinely briefed on the status and progress of the Navy VLCP; a sample Memo for the Department of Defense Sexual Assault and Prevention Office and recent VLC Update Brief for Navy SARCs are provided in enclosure (14). Finally, Navy VLC were assigned to local Region Legal Service Offices (RLSOs) for purely administrative purposes and a copy of the VLC-RLSO Notice establishing division of responsibilities for VLC personnel is attached in enclosure (15).</p> <p>ENCLOSURES 13, 14 and 15:</p> <p>Enclosure 13:</p> <ul style="list-style-type: none"> - From the Flags – Navy Victims’ Legal Counsel (VLC) Program (Aug 2013) - SECDEF MEMO – SAPR Initiatives (14 Aug 2013) - Vice Chief of Naval Operations letter – Establishment of Navy Victims’ Counsel Program (15 Aug 2013) - NAVADMIN 087/14 - Establishment of Navy Victims’ Counsel Program (15 Aug 2013) <p>Enclosure 14:</p> <ul style="list-style-type: none"> - Navy Victims’ Legal Counsel Brief to SARCs Training Slides (Oct 2014) - Commander, Naval Legal Service Command – Navy VLC Program (03 Jun 2014) <p>Enclosure 15: COMNAVLEGSVCCOM NOTICE 1300.1. – Assignment of Navy VLC Program Personnel to RLSO (11 Feb 2014)</p>
USMC	<p>The Marine Corps announced the establishment of the Victims’ Legal Counsel Organization (VLCO) with the publication of MARADMIN 583/13 on 31 October 2013. VLCO had an initial operating capability on 1 November 2013 and full operational capability by 1 January 2014. The MARADMIN may be found here: http://www.marines.mil/News/Messages/MessagesDisplay/tabid/13286/Article/153620/establishment-of-the-marine-corps-victims-legal-counsel-organization-vlco.aspx</p> <p>The currently approved VLCO personnel structure consists of 15 active duty judge advocates (including Officer in Charge and Deputy OIC) and nine support personnel. This structure is augmented by the Marine Corps Reserve. Two drilling reserve judge advocates are assigned to the Individual Mobilization Augmentee (IMA) Detachment, and one reserve judge advocate is currently serving on one year Active Duty Operational Support (ADOS) orders. Additionally, two active duty judge advocates serving in other primary billets are trained and available to support the mission as Auxiliary VLC (AVLC) if needed and if available. AVLC are located at MCAS Iwakuni, Japan, and MCB Quantico, VA. <i>See</i> Personnel Structure Diagram at enclosure (9).</p>

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	<p>The Officer in Charge (OIC) (O-6 active duty judge advocate) located at Headquarters, U.S. Marine Corps (HQMC), leads the VLCO and is responsible for the supervision of Marine Corps Victims' Legal Counsel and the delivery of Victims' Legal Counsel Services throughout the Marine Corps. The OIC, VLCO works directly for the Staff Judge Advocate to the Commandant of the Marine Corps (SJA to CMC). The VLCO supervisory chain is autonomous from, and independent of, any other legal organization or chain of command within the Marine Corps. The OIC, VLCO is directly supported by a Deputy OIC (active duty O-4 judge advocate) and a civilian paralegal specialist.</p> <p>Four Regional Victims' Legal Counsel (RVLC) (O-4 active duty judge advocates) are responsible to the OIC, VLCO for supervision of VLC within their assigned region. VLCO regions are aligned with the Marine Corps Regional Legal Service Support Sections (LSSS). RVLC are assigned at MCB Quantico (RVLC-National Capital Region (NCR)); Camp Lejeune (RVLC-East); MCB Camp Pendleton (RVLC-West); and MCB Camp Butler (RVLC-Pacific (PAC)).</p> <p>Victims' Legal Counsel (O-3 judge advocates) are assigned at one of the subordinate VLCO office locations at MCB Quantico, VA; Camp Lejeune, NC; MCAS Cherry Point, NC; MCRD Parris Island, SC; Camp Pendleton, CA; MCAS Miramar, CA; MCAGCC 29 Palms, CA; Camp Butler, Okinawa; and MCB Kaneohe Bay, HI. The office at MCAS Cherry Point is staffed by a reserve judge advocate on one year ADOS orders; long-term staffing options are being explored. Additionally, VLCO services at MCAS Iwakuni, Japan, are provided by an AVLC, whose primary billet is legal assistance attorney. VLCO services for Marine Forces Reserve units are provided by RVLC-NCR.</p> <p>ENCLOSURE (9): Diagram VLCO Organizational Structure Diagram</p>
USCG	<p>See Attachment (10):</p> <p>ATTACHMENT (10): United States Coast Guard Special Victims' Counsel Program EOC Concept of Operations</p>

b. Scope of representation of SVCs.

USA	<p>See Enclosure 10.</p> <p>ENCLOSURE 10, SVC Establishment Documents:</p> <ol style="list-style-type: none"> a. SVC Structure Slide b. Army Directive 2014-09 – Reserve Component Eligibility for the SVC Program (07 May 2014) c. Army Directive 2014-23 – Conduct of Screening and Background Checks for Individuals Who Have Regular Contact with Children in Army Programs (10 Sep 2014) d. Special Victims' Counsel Handbook (01 Nov 2013)
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	<p>e. SVC Hot Topics Information Paper (25 Sep 2014) f. SVC Information Paper (30 May 2014) g. TJAG Policy Memorandum #14-01 – Special Victim Counsel (01 Nov 2013) h. SVC Scope of Representation Letters i. Victim Impact Statement Factsheet</p>
USAF	<p>SVCs provide holistic legal representation to victims, ranging from advising victims on all aspects of the military justice process to traditional legal assistance. The SVC’s role includes: advocacy to participants in the military justice process, including commanders and convening authorities; attending interviews with investigators, trial counsel, and defense counsel; providing in-court representation; representing victims on collateral misconduct issues; advocacy to other Air Force and Department of Defense agencies as appropriate; and advocacy to civilian prosecutors and agencies. The Scope of Representation Agreement, signed by both client and SVC, outlines the scope of legal assistance provided. (Atch 19.3) The current SVC scope of representation is consistent with 10 U.S.C. § 1044 (e). The representation is terminated through execution of the termination agreement. (Atch 19.4)</p> <p>ATTACHMENT 19:</p> <ul style="list-style-type: none"> - Atch 19.3 – Special Victims’ Counsel Scope of Representation Letter (Sample) - Atch 19.4 – Special Victims’ Counsel Termination of Representation Letter (Sample)
USN	<p>The standardized Navy VLCP Scope of Representation is attached in enclosure (16).</p> <p>ENCLOSURE 16: VLC Scope of Representation Letter</p>
USMC	<p>VLC provide legal advice and representation to eligible victims of crimes under the Uniform Code of Military Justice. The scope of VLC representation includes providing victim’s advice in following areas: victim rights in the military justice system, eligibility for victim compensation and victim services offered by various agencies. A detailed description of VLC representation is found in chapter 6 of the Legal Administrative Manual (LEGADMINMAN), MCO P5800.16A Ch 7 dated 10 Feb 2014; http://www.marines.mil/Portals/59/MCO%20P5800.16A%20W%20CH%201-7.pdf .</p> <p>Marine VLC exhibit unfettered loyalty and professional independence in representing his or her client, and are responsible for acting in the client’s best interest. A Marine VLC’s primary duty is to provide zealous, ethical, and effective representation to Marine and other eligible victims pursuant to law, regulation, and the Rules of Professional Conduct JAGINST 5803.1D, http://www.jag.navy.mil/library/instructions/JAGINST_5803-1D.pdf.</p>
USCG	<p>See Attachment (11):</p> <p>ATTACHMENT (11): Special Victim’s Counsel (SVC) Scope of Representation Letter (Sample)</p>

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c. Implementation requirements, goals, objectives of the SVC program.

USA	<p>See Enclosure 10.</p> <p>ENCLOSURE 10, SVC Establishment Documents:</p> <ul style="list-style-type: none"> a. SVC Structure Slide b. Army Directive 2014-09 – Reserve Component Eligibility for the SVC Program (07 May 2014) c. Army Directive 2014-23 – Conduct of Screening and Background Checks for Individuals Who Have Regular Contact with Children in Army Programs (10 Sep 2014) d. Special Victims' Counsel Handbook (01 Nov 2013) e. SVC Hot Topics Information Paper (25 Sep 2014) f. SVC Information Paper (30 May 2014) g. TJAG Policy Memorandum #14-01 – Special Victim Counsel (01 Nov 2013) h. SVC Scope of Representation Letters i. Victim Impact Statement Factsheet
USAF	<p>The goals of the SVC Program are outlined in the SVC Rules of Practice and Procedure:</p> <ol style="list-style-type: none"> 1. Provide Support Through Independent Representation. Throughout the military justice process, trial counsel (TC) represents the interests of the government, and accused members are provided military defense counsel (MDC) who defend them and represent their interests. In the past, victims in the court-martial process have not generally been represented by an attorney. While the interests of the government and victims are frequently aligned, this is not always the case. Even when interests coincide, TC are unable to provide legal representation to victims or to provide advice outside the scope of the Victim and Witness Assistance Program (VWAP). An independent SVC has a duty to represent the interests of the victim – and only the victim. The objective is not for SVC to establish an adversarial relationship with TC or defense counsel, but to provide victims with the peace of mind of having independent representation by a licensed attorney – one eminently capable of communicating their interests throughout the military justice process. 2. Build and Sustain Victim Resiliency. When sexual assault victims make an unrestricted report, it is critical that they commit to cooperating with the prosecution of the alleged perpetrator. However, a sizeable population of victims in the AF elects to opt out and declines to participate in the military justice process before trial is convened (e.g., 29% or 96 victims in FY11). The reasons for this are diverse. An SVC would be obligated to zealously advocate for the client, building and sustaining resilience among sexual assault victims by helping victims to understand the investigatory and military justice processes and advocating for the victim to commanders or the court when necessary. 3. Empower Victims. Victims have several enumerated rights in the military justice

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	<p>process, but are not always aware of these rights or do not feel they have a voice to enforce these rights. An SVC will provide professional and knowledgeable counsel to victims in voicing their concerns and complaints with the process and enforcing these enumerated rights, without infringing upon the rights of the accused.</p> <p>4. Increase Level of Legal Assistance Provided to Victims. In the 2010 AF Gallup Survey of the Prevalence/Incidence of Sexual Assault in the AF, when asked whether or not they received any type of help after the sexual assault, such as legal counseling, mental health services, or medical care, the vast majority of victims (79.5% of female victims and 92.5% of male victims) reported not receiving any of these forms of help. The AF currently provides legal assistance to victims of crime for personal civil legal matters unconnected to the court-martial process. The SVC Program is an enhancement of this service for victims of sexual assault to support them through the challenges of participating in an investigation and prosecution of the alleged perpetrator and to mitigate their sense of re-victimization by the criminal justice process. (Atch 19.5)</p> <p>ATTACHMENT 19:</p> <p>- Atch 19.5 – SVC Rules of Practice and Procedure (01 Jul 2013)</p>
USN	<p>The implementation requirements, goals, and objectives of the Navy VLCP are contained in the enclosures provided per Q19(a).</p>
USMC	<p>The goals of VLCO are to fully inform victims of their rights and to safeguard these rights throughout the military justice process, increase victim confidence to come forward to report crimes, and assist victims to effectively engage the court-martial process without being re-victimized.</p> <p>In his memorandum of 14 August 2013, the Secretary of Defense directed that each Service establish a special victim’s advocacy program best suited for that Service that “provides legal advice and representation to the victim throughout the justice process” with an initial operating capability not later than 1 November 2013, and fully established program by 1 January 2014. The Marine Corps published MARADMIN 583/13 on 31 October 2013 that announced the establishment of VLCO. That MARADMIN stated, “We must prevent victims from being re-victimized when coming forward to seek justice. Victims’ Legal Counsel (VLC) with military justice backgrounds will be made available to fully advise victims of their rights in the legal process. The Marine Corps is committed to protecting the rights and interests of all victims and the VLCO will help ensure proper assistance throughout the process.” It specifically provided that “VLC will fully advise victims of their rights in the military justice process and, when detailed, will represent them at military justice proceedings, in accordance with statute, regulation, and case law.” This MARAMIN was incorporated into the LEGADMINMAN.</p>
USCG	<p>See Attachment (10):</p> <p>ATTACHMENT (10): United States Coast Guard Special Victims’ Counsel Program EOC Concept of Operations</p>

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d. Program and performance assessment metrics.

USA	<p>See Enclosure 10.</p> <p>ENCLOSURE 10, SVC Establishment Documents:</p> <ol style="list-style-type: none"> a. SVC Structure Slide b. Army Directive 2014-09 – Reserve Component Eligibility for the SVC Program (07 May 2014) c. Army Directive 2014-23 – Conduct of Screening and Background Checks for Individuals Who Have Regular Contact with Children in Army Programs (10 Sep 2014) d. Special Victims' Counsel Handbook (01 Nov 2013) e. SVC Hot Topics Information Paper (25 Sep 2014) f. SVC Information Paper (30 May 2014) g. TJAG Policy Memorandum #14-01 – Special Victim Counsel (01 Nov 2013) h. SVC Scope of Representation Letters i. Victim Impact Statement Factsheet
USAF	<p>The SVC Program maintains a variety of Program and Performance Assessment Metrics which are captured in weekly reports (Atch 19.6), monthly case trajectory and case distribution (Atch 19.7) lists, and a SharePoint data base that tracks case progress and outcome by SVC.</p> <p>The weekly report contains the number of requests for SVCs by those eligible for representation, current caseload totals, and numbers of Article 32 hearing and courts-martials attended. The case trajectory makes projections of the future caseload based upon the number of requests for representation daily and quarterly. The case distribution lists identifies the distribution of cases by region and attorney.</p> <p>The SharePoint database, maintained by the SVCs and monitored by SVC leadership, records the SVCs' performance of meeting with the client, attending interviews, corresponding and consulting on a client's behalf, advocating their choices and directions to appropriate decision makers, asserting privacy rights during discovery, representing clients for collateral misconduct or immunity requests, assisting with expedited transfers, FOIA requests and hours spent traveling related to representation.</p> <p>ATTACHMENT 19:</p> <ul style="list-style-type: none"> - Atch 19.6 – SVC Program Weekly Report (Sample) - Atch 19.7 – SVC Case Trajectory
USN	<p>The Navy VLCP is assessed weekly by both its own leadership and Commander, Naval Legal Service Command (CNLSC) via completion of weekly reports by each VLC. A sample report is attached in enclosure (17). Additionally, VLCP leadership meet with CNLSC quarterly throughout the year to assess program performance, policy developments and to review pending requirements. Finally, the Navy VLCP uses a Victim Satisfaction Survey to gauge program success, challenges, and areas for</p>

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	<p>improvement. This survey focuses closely on victim satisfaction with Navy VLC services and is distinct from the “Survivor Experience Survey” offered by DoD. More detail regarding the survey is provided in the response to Q45 below.</p> <p>ENCLOSURE 17: VLC Data Collection Template</p>
USMC	<p>VLCO has been operational since 1 November 2013. Long term program and performance assessment metrics are still being developed to measure both victim impact of services provided and military justice trends since establishment of this program. In the interim, current program assessment metrics used are number of victims seeking and receiving VLCO services, number of cases requiring active representation, number of times VLC accompanied victims to interviews, number of court appearances, and number of court filings. VLCO tracks the conversion rate of victims that change from unreported or restricted reports of sexual assault to unrestricted reports after VLC consultation, but this is not used as a measure of success. Victims that desire to know their rights, but maintain a restricted report, are not pressured by VLC to convert to unrestricted reports. Nonetheless, conversion rate is one measure of VLC impact properly considered when taken in context. Additionally, DoD SAPRO is developing a victim survey that includes questions about satisfaction with VLCO services received. Implementation of that survey will provide the OIC, VLCO additional metrics.</p>
USCG	<p>See Attachment (12).</p> <p>ATTACHMENT (12): Performance Goals: Special Victims’ Counsel (15 Jul 2013 – 30 Apr 2014)</p>

e. Reporting requirements on program status and metrics.

USA	<p>See Enclosure 10.</p> <p>ENCLOSURE 10, SVC Establishment Documents:</p> <ol style="list-style-type: none"> a. SVC Structure Slide b. Army Directive 2014-09 – Reserve Component Eligibility for the SVC Program (07 May 2014) c. Army Directive 2014-23 – Conduct of Screening and Background Checks for Individuals Who Have Regular Contact with Children in Army Programs (10 Sep 2014) d. Special Victims' Counsel Handbook (01 Nov 2013) e. SVC Hot Topics Information Paper (25 Sep 2014) f. SVC Information Paper (30 May 2014) g. TJAG Policy Memorandum #14-01 – Special Victim Counsel (01 Nov 2013) h. SVC Scope of Representation Letters i. Victim Impact Statement Factsheet
USAF	<p>The SVC Program does not have any routine reporting requirements on program status and metrics established by the Department of Defense or Air Force. The SVC Program provided inputs to the report required by Section 1716 of the FY14 NDAA.</p>

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USN	The Navy VLCP reports metrics to CNLSC via weekly reports noted in the response to Q19(d). The program leadership also provides metrics to various components within the Department of the Navy and Department of Defense addressing VLCP operations, caseloads, manning, etc.
USMC	<p>Pursuant to MCO P5800.16A (Marine Corps Manual for Legal Administration), the OIC, VLCO is required to report to the SJA to CMC annually regarding the delivery of victims' legal counsel services within the Marine Corps. Additionally, the OIC, VLCO regularly reports organization status and metrics in response to requests for information from HQMC, DoD, statutory panels such as Judicial Proceedings Panel and Response Systems Panel, individual members of Congress, and others.</p> <p>Information reported comes in part from electronic case files maintained on the VLCO Case Management System (CMS), where RVLC and VLC input individual case details. This system assists the OIC, VLCO to identify trends and generate program statistics.</p>
USCG	<p>See Attachment (12).</p> <p>ATTACHMENT (12): Performance Goals: Special Victims' Counsel (15 Jul 2013 – 30 Apr 2014)</p>

f. Program evaluation standards.

USA	<p>See Enclosure 10.</p> <p>ENCLOSURE 10, SVC Establishment Documents:</p> <ol style="list-style-type: none"> a. SVC Structure Slide b. Army Directive 2014-09 – Reserve Component Eligibility for the SVC Program (07 May 2014) c. Army Directive 2014-23 – Conduct of Screening and Background Checks for Individuals Who Have Regular Contact with Children in Army Programs (10 Sep 2014) d. Special Victims' Counsel Handbook (01 Nov 2013) e. SVC Hot Topics Information Paper (25 Sep 2014) f. SVC Information Paper (30 May 2014) g. TJAG Policy Memorandum #14-01 – Special Victim Counsel (01 Nov 2013) h. SVC Scope of Representation Letters i. Victim Impact Statement Factsheet
USAF	The SVC Program uses several evaluation standards, the most important of which is the victim impact survey provided to clients. The survey requests that clients describe their satisfaction with the SVC's representation. The Program also records the number of clients who filed restricted reports that have converted them into unrestricted reports as well as the number of clients who decline to participate after an unrestricted report is made as a measurement that reflects SVCs undertaking client-directed action of both types. In other words, by tracking both numbers, Program balance is monitored and adherence to both types of client direction is an indicator of

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	<p>Program success.</p> <p>Over the 18 months the survey has been used, the results of this survey show that an overwhelming majority (91% of those responding) are “extremely satisfied” with the advice and support of the SVC during the Article 32 hearing and court-martial process. Of the remainder, eight percent were “satisfied” and one percent was “dissatisfied.” Ninety-nine percent of those surveyed would recommend other victims request an SVC.</p> <p>Survey results are used to shape Program policy and training. Additionally, the Air Force SVC Program regularly shares the responses with Air Force leadership to enable them to assess victims’ perception of the support they received throughout the military justice process. Importantly, victims’ feedback is shared with the SVCs providing them with a great sense of accomplishment and renewed motivation.</p> <p>An example of feedback that a victim has provided is:</p> <p style="padding-left: 40px;"><i>“I am internally grateful for Capt XX’s representation. Capt XX literally (probably unknowingly) saved my life. He is my hero. During the most stressful, most discouraging, most painful time in my life, Capt XX was there to guide me. I spoke to Capt XX nearly every day, if not weekly, until my case was finally closed. I fully understood and supported all of the decisions made in my case. Capt XX is the epitome of a Special Victim’s Counselor. He doesn’t just file the paperwork and make phone calls; he holds you up when everything around you is crumbling down. He always knows the best move to make, and always says things in exactly the right way. This case was an emotional rollercoaster, and it seemed like every day something new and terrible came up. For over a year, I felt like there were only two people I could trust; my husband and Capt XX. I owe him my life and my sanity. Thank you Capt XX.”</i></p> <p>As of October 2014, fifty percent of clients who had begun with a restricted report had converted to an unrestricted report while being represented by a SVC. Since the program began, 28% of clients have declined to further participate in the prosecution process after filing an unrestricted report. This figure may differ significantly from data tracked by the Defense Sexual Assault Incident Database (DSAID) because as described above, the SVC program is tracking client-directed action rather than the case-determinative factors that are tracked in DSAID.</p>
<p>USN</p>	<p>The Navy VLCP reached full operational capability on 1 January, 2014. Because the program was so new, no Article 6, UCMJ, inspection occurred in fiscal year 2014. A program self-assessment will be conducted in fiscal year 2015. Although not part of the Navy JAGC’s formal Article 6 inspection cycle, feedback received from the 2014 Article 6 inspection team about the VLC program from SARCs, VAs, installation Commanding Officers, and NCIS personnel during routine inspections of Region Legal Service Office (RLSO) Japan, RLSO Hawaii, Defense Service Office (DSO) Pacific, RLSO Southwest, RLSO Northwest, and DSO West was overwhelmingly</p>

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	positive.
USMC	The OIC, VLCO is the head of the organization and responsible for supervision and evaluation of all assigned personnel and the delivery of victims' legal counsel services throughout the Marine Corps. The evaluation standard is that all victims of crime that are eligible for VLCO services and that seek VLC assistance are provided effective legal advice and representation required by 10 U.S.C. 1044e. The OIC, VLCO evaluates mission performance through personal observations, conference calls, meetings, site inspections to office locations, reports of others in the supervisory chain, and review of case files as the supervisory attorney.
USCG	See Attachment (12). ATTACHMENT (12): Performance Goals: Special Victims' Counsel (15 Jul 2013 – 30 Apr 2014)

g. Training requirements for SVCs.

USA	See Enclosure 10. ENCLOSURE 10, SVC Establishment Documents: a. SVC Structure Slide b. Army Directive 2014-09 – Reserve Component Eligibility for the SVC Program (07 May 2014) c. Army Directive 2014-23 – Conduct of Screening and Background Checks for Individuals Who Have Regular Contact with Children in Army Programs (10 Sep 2014) d. Special Victims' Counsel Handbook (01 Nov 2013) e. SVC Hot Topics Information Paper (25 Sep 2014) f. SVC Information Paper (30 May 2014) g. TJAG Policy Memorandum #14-01 – Special Victim Counsel (01 Nov 2013) h. SVC Scope of Representation Letters i. Victim Impact Statement Factsheet
USAF	Judge advocates and paralegals selected to serve as SVCs and SVPs must successfully complete an approved SVC training course either prior to or as soon as practicable after assuming their positions. In addition to the formal course discussed above, SVC training is continuously supplemented through internal training, other formal courses within the Air Force, and with external training opportunities such as the International Conference on Sexual Assault, Domestic Violence, and Trafficking; the Crime Victim Law Conference; the National Sexual Assault Conference; and the National Symposium on Child Abuse.
USN	All VLC are initially trained as Navy Judge Advocates and sworn pursuant to Article 42(a) of the Uniform Code of Military Justice. 31 Judge Advocates were carefully selected and vetted by the Judge Advocate General of the Navy for VLC assignment based on desire to be a VLC, experience level, professional maturity, and interpersonal skills. These VLC were then trained at specialized Victims' Counsel

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	<p>Training Courses executed by the Navy, Air Force, and Army, focusing on victims' rights, victim support, victim recovery, and victim advocacy. Each VLC attended one of the week-long courses which mixed instruction by military and civilian subject-matter experts with practical exercises to prepare VLC for active litigation. Following completion of that course, each Navy VLC was officially certified to execute VLC duties by the Judge Advocate General of the Navy. Continuing education is ongoing through attendance at specialized sexual assault training courses, intra-VLC communication and collaboration on a collective VLC Sharepoint website, and through regularly scheduled group training via video-teleconferencing.</p>
USMC	<p>Per 10 U.S.C. 1044e, VLC must be "certified as competent to be designated as a Special Victims' Counsel by the Judge Advocate General of the armed force in which the judge advocate is a member or by which the civilian attorney is employed."</p> <p>To be certified a VLC by the Judge Advocate General of the Navy, Marine Corps VLC attend specialized training. Currently that training is provided by the Air Force Special Victims' Counsel Course at Maxwell AFB, Montgomery, AL, or the Army Special Victims' Counsel Course at The Judge Advocate General's Legal Center and School (TJAGLCS) at Charlottesville, VA. The Navy does not have a regularly scheduled VLC training program at this time, but did offer one initial VLC training event at Naval Justice School, 14 - 15 January 2014. The next such NJS course is not anticipated to take place until 2016 when new VLC are assigned to replace current VLC due to assignment rotation.</p> <p>Additionally, the OIC, VLCO conducts an annual organization-wide training event. The first such training was conducted 26-27 August 2014, and was attended by all Marine VLC. This event provided attendees with the knowledge and practical skills necessary to provide effective legal services to victims of crime. Regional Victims' Legal Counsel, Deputy OIC and OIC, VLCO, and civilian subject matter experts provided instruction on recent developments in case law, statutes, and regulations impacting representation of victims</p> <p>Prior to serving in VLCO billets and attending certification training, all personnel must pass sensitive position screening pursuant to the SECDEF memo of 17 April 2014, <i>Sensitive Position Screening in Support of Sexual Assault Prevention and Response</i>. The details of the sensitive screening process will be incorporated into the revised LSAM.</p>
USCG	<p>See Attachment (10):</p> <p>ATTACHMENT (10): United States Coast Guard Special Victims' Counsel Program EOC Concept of Operations</p>

h. SVC training course guidelines and standards.

USA	<p>See Enclosure 10.</p> <p>ENCLOSURE 10, SVC Establishment Documents:</p>
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	<ul style="list-style-type: none"> a. SVC Structure Slide b. Army Directive 2014-09 – Reserve Component Eligibility for the SVC Program (07 May 2014) c. Army Directive 2014-23 – Conduct of Screening and Background Checks for Individuals Who Have Regular Contact with Children in Army Programs (10 Sep 2014) d. Special Victims' Counsel Handbook (01 Nov 2013) e. SVC Hot Topics Information Paper (25 Sep 2014) f. SVC Information Paper (30 May 2014) g. TJAG Policy Memorandum #14-01 – Special Victim Counsel (01 Nov 2013) h. SVC Scope of Representation Letters i. Victim Impact Statement Factsheet
USAF	<p>The SVC Course Master Curriculum Plan was designed by the Air Force Judge Advocate General's School. (Atch 19.8)</p> <p>ATTACHMENT 19:</p> <ul style="list-style-type: none"> - Atch 19.8 – SVC Course Master Curriculum Plan
USN	<p>As noted in the response to 19 g. above, Navy VLC must complete a specialized training and certification course focusing on victim rights, victim advocacy, and special issues affecting sexual assault victims. All 31 Navy VLC have attended a certification course executed by either the Navy VLCP, Army SVC Program, or Air Force SVC Program. Sample course schedules for each course are attached in enclosure (18).</p> <p>ENCLOSURE 18:</p> <ul style="list-style-type: none"> - Air Force SVC Course Schedule - Army SVC Course Schedule - Navy VLC Course Schedule
USMC	<p>There is not a prescribed standard for SVC training courses; however, the curriculum generally includes the following blocks of instruction: victimology, neurobiology of trauma, cognitive biases, behavioral aspects of victims, ethics, protecting victim privacy, legal representation of victims, Military Rules of Evidence, client intake exercises, and arguing motions on victim issues. The Air Force JAG School at Maxwell Air Force Base and Army TJAGLCS in Charlottesville, VA, provide regularly scheduled SVC training for judge advocates of all services, including Coast Guard personnel.</p>
USCG	<p>The Coast Guard does not conduct their own internal training course and accordingly does not have its own course guidelines or standards. However, we have attended the training courses offered by the Army, Navy, and Air Force. Additionally, the program is developing on-the-job training through the establishment of personnel qualification standards.</p>

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i. Oversight and coordination of the programs within and across the Services.

USA	<p>See Enclosure 10.</p> <p>ENCLOSURE 10, SVC Establishment Documents:</p> <ul style="list-style-type: none"> a. SVC Structure Slide b. Army Directive 2014-09 – Reserve Component Eligibility for the SVC Program (07 May 2014) c. Army Directive 2014-23 – Conduct of Screening and Background Checks for Individuals Who Have Regular Contact with Children in Army Programs (10 Sep 2014) d. Special Victims' Counsel Handbook (01 Nov 2013) e. SVC Hot Topics Information Paper (25 Sep 2014) f. SVC Information Paper (30 May 2014) g. TJAG Policy Memorandum #14-01 – Special Victim Counsel (01 Nov 2013) h. SVC Scope of Representation Letters i. Victim Impact Statement Factsheet
USAF	<p>AF SVC Program functional and policy oversight of SVCs is provided by the Air Force Legal Operations Agency, Community Legal Services Directorate, and SVC Program Division. SVCs report directly to the SVC Program Division Chief and, pursuant to AF policy, act independently of any other AF chain of command reporting structure. The SVC Division Chief also has oversight over the detailing process, which is executed at the regional level by SVC paralegal staff. The Trial Defense Division provides professional oversight of SVCs when they are representing their clients for collateral misconduct.</p> <p>The SVC/Victims Legal Counsel (VLC) Program Chiefs/Managers of all the military Services meet regularly (and communicate/coordinate with one another via email and telephone) to discuss SVC issues, exchange lessons learned, and share best practices. The Air Force provided the other Services with lessons learned, subject matter expertise, its <i>Rules of Practice and Procedure</i>, and standard document templates as they stood up their respective programs. The services collaborate on potential victim appeals and extend opportunities for each program to file amicus briefs in support of a particular issue. On a more formal basis, the services formed a working group to develop the framework for child representation. Individual SVCs at the installation level routinely collaborate with SVCs/VLCs from the other services who also serve within their geographic region. The AF hosted two Joint Service SVC/VLC training courses to train personnel from the Navy, Marine Corps, Army, Air National Guard, and US Coast Guard. AF SVCs have also provided training at the Army SVC course and shared lessons learned.</p>
USN	<p>Navy VLCP leadership meet frequently with Victims' Counsel directors of the other services to share lessons learned, best practices, program documents, training opportunities, and policy updates. Group discussions and review often spark additional innovations and insight to improve VLC/SVC legal support for all military sexual assault victims. This team-based approach proved particularly useful in</p>

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	establishing the Navy VLCP, accessing available victim-support training, and vetting of initial VLCP policies, including our Scope of Representation Letter and Business Rules regarding expansion of services to child sexual assault victims.
USMC	See answer to Question 19.f above. Each Service is responsible for implementation, oversight, and coordination of individual Service programs.
USCG	Although no formal guidance has been developed, the service's SVC program manager attends regular meetings with the program managers from the other services.