

S/S 1 Oct 1981

ARMY REGULATION
No. 601-102

HEADQUARTERS
DEPARTMENT OF THE ARMY
WASHINGTON, DC, 1 September 1978

PERSONNEL PROCUREMENT
VOLUNTARY DUTY WITH THE JUDGE ADVOCATE GENERAL'S CORPS
Effective 1 October 1978

This regulation provides guidance and establishes procedures for applicants applying for voluntary duty with the Judge Advocate General's Corps (JAGC). It gives eligibility criteria for appointment and order to active duty under the program. Local supplementation is prohibited, except upon approval of The Judge Advocate General (HQDA (DAJA-PT)) WASH DC 20310.

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1. Purpose. This regulation outlines a program for the procurement of judge advocates to meet the active duty requirements of the Army through voluntary duty with the Judge Advocate General's Corps (JAGC).

2. Applicability. *a.* This regulation applies to—

- (1) Qualified individuals, with or without military status, who may be considered for active duty with the JAGC under this program.
- (2) Qualified officers who may be transferred to the JAGC with concurrent active duty, or be ordered voluntarily to active duty, with JAGC under this program.
- (3) The Army National Guard and the Army Reserve.

b. This regulation does not apply to applicants for appointment, or branch transfer, without concurrent active duty (see AR 135-100 and AR 140-10).

c. The program does not alter the necessity that specific action be taken to appoint, reorder, or transfer under the authority of, or in conjunction, with other regulations.

3. Eligibility. Applicants must have the following qualifications for appointment to active duty under this program.

a. Age.

(1) Be at least 21 years of age and not have reached their 33d birthday.

(2) Be able to qualify for retirement under Title 10, U.S.C. Section 3911 (20 years' active Federal Service including 10 years' commissioned officer service) before attaining 28 years' service as computed under the provisions of Title 10, U.S.C. Section 3853.

b. Citizenship.

(1) Be a citizen of the United States or have made a declaration of the intention to become a citizen.

(2) Be a noncitizen who has previously served in the Armed Forces of the United States, is presently residing in the United States, and has been lawfully admitted to the United States for permanent residence.

c. Character. Be of high moral character.

d. Leadership ability. Have qualifications for potential leadership and ability to deal with people.

e. Physical fitness. Be fit medically according to AR 40-501.

f. National agency check. Receive a favorable result.

g. Last year law school student. May apply for a commission before graduation from law school

*This regulation supersedes AR 601-102, 20 September 1976, including all changes.

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or admission to the bar. The requirements in *h* below do not apply to these applicants but must be satisfied before appointment or transfer can be made.

h. Law degree, law practice, or the teaching of law.

(1) Have received a J.D. or LL.B. degree from a law school approved by the American Bar Association.

(2) Have been admitted to practice and have membership in good standing of the bar of the highest court of a State of the United States or a Federal Court.

(3) Be engaged in the practice of law, teaching of law, hold a judicial office, or be admitted recently to practice law.

4. Service commitment. *a.* Selected applicants must serve on active duty for a period of 3 years.

b. Applicants who are recipients of a Reserve Officers' Training Corps (ROTC) scholarship must serve for a period of 4 years.

c. Officers who enter active duty must apply for and be selected competitively for active duty beyond their initial obligated period of service.

5. Submission of application. *a.* Complete DA Form 3175 (preliminary Application for Judge Advocate General's Corps (Active Duty)) and submit as follows:

(1) *Army officers on active duty in another branch.* Submit the application concurrent with a request for branch transfer under the provisions of AR 614-100 through channels, including the appropriate United States Army Military Personnel Center (MILPERCEN) career branch, to HQDA (DAJA-PT) WASH DC 20310.

(2) *Officers serving in another Armed Force.* Submit the application through channels concurrent with a request for an interservice transfer according to that Armed Force service regulations.

(3) *Army National Guard and Army Reserve officers.*

(*a*) Applicants holding Reserve commissions. Request branch transfer and forward through appropriate channels. Submit the application (DA Form 3175) directly to HQDA (DAJA-PT) WASH DC 20310.

(*b*) National Guard officers and enlisted personnel. Request a release from National Guard status and forward through channels. Submit the application (DA Form 3175) directly to HQDA (DAJA-PT) WASH DC 20310.

(*c*) ROTC graduates who hold Reserve commissions and have been granted an educational delay from order to active duty to pursue a law degree. Submit the application directly to HQDA (DAJA-PT) WASH DC 20310.

(4) *Enlisted persons on active duty and civilians.* Submit the application directly to HQDA (DAJA-PT) WASH DC 20310.

b. Submit the following items with the application form.

(1) A consolidated transcript of all undergraduate and law school studies prepared by the school at which such work was completed. If possible, the transcript should show the general class standing of the applicant.

(2) A certificate or statement:

(*a*) From the clerk of the highest court of a State or Federal Court showing admission to practice and standing before the bar.

(*b*) By the applicant that he or she has taken a bar examination and the date thereof.

(*c*) Of intent to take a bar examination if one is required for admission to practice, as soon as the applicant becomes eligible.

(3) A description of the applicant's full-time or part-time legal experience. Legal experience includes private practice; Governmental, judicial, teaching, and military legal experience; and legal clerkships.

(*a*) For private practice experience, provide a description of the more important cases handled.

(*b*) For Governmental or legal experience, provide a description of the position and grade or rating.

(*c*) For judicial office experience, provide the extent of jurisdiction of the court.

(*d*) For teaching of law experience, provide a list of the subjects taught.

(4) Letters based on personal acquaintance from not less than three unbiased judges, lawyers, law school professors, or Army officers concerning the applicant's reputation and professional standing. These letters must be attached to the application form and may be transmitted in a sealed envelope if the writer does not desire the applicant to know the contents.

(5) A Law School Admission Test (LSAT) score. Enter the LSAT score in Block 23 of DA Form 3175. No application will be considered by a selection board unless a LSAT score is available.

If the LSAT was waived by the law school, attach a complete explanation to the application.

(6) **An interview report.** Each applicant must be interviewed by an active duty JAGC officer who has been designated as a field screening officer. Staff judge advocates, command judge advocates, and other JAGC officers in the grade of major or higher are designated as field screening officers. In addition, a selected number of officers in the grade of captain are designated as field screening officers. The procedure for initiating the interview and forwarding the interview report is as follows:

(a) The applicant will arrange for an interview. The identity and location of the nearest field screening officer may be obtained by writing HQDA (DAJA-PT) WASH DC 20310. Applicants will not be reimbursed for any travel or incidental expenses incurred to complete the interview requirement.

(b) The applicant must list the date and place of the interview and the identity of the interviewing officer in the "Remarks" section of DA Form 3175.

(c) A field screening officer will contact each approved law school in the fall of each year to conduct interviews with prospective JAGC applicants.

(d) Officers conducting interviews will forward reports directly to HQDA (DAJA-PT) using a military letter format. A sample interview report is at figure 1.

6. Selection. A selection board convened by The Judge Advocate General will consider applications. Selection boards will convene at least once a year on dates specified by The Judge Advocate

General. The board will make recommendations to The Judge Advocate General, who will make the final selections. All selections are tentative and depend on the actual number of positions available in the particular fiscal year.

7. Bar admission. Applicants cannot be appointed in the JAGC unless they are admitted to the bar. Law students who apply under paragraph 3g may be selected contingent upon admission to the bar. The selection of an applicant for a commission will be withdrawn if the applicant is unsuccessful in passing the bar examination or is denied admission to the bar on other grounds. Upon request by the applicant and approval of The Judge Advocate General, an applicant's selection may be reinstated if he or she retakes and successfully passes the bar examination or takes the bar examination in another jurisdiction and is admitted to the bar of that jurisdiction. An applicant is ineligible for a commission if he or she twice fails the bar examination of any two jurisdictions.

8. Entry grade. JAGC officers are appointed in the permanent grade of first lieutenant, United States Army Reserve (USAR), and ordered to active duty in the grade of captain, Army of the United States (AUS). Applicants with prior active or Reserve commissioned service or substantial legal experience may qualify for higher permanent grade under AR 155-100 and higher temporary grade under AR 600-20.

9. Application forms. Further information and the necessary application forms (DA Form 3175) may be obtained by writing HQDA (DAJA-PT) WASH DC 20310.

DEPARTMENT OF THE ARMY
HEADQUARTERS, _____

(Office symbol) (Date)

SUBJECT: Interview Report for _____
(Applicant's name)

The Judge Advocate General
ATTN: Personnel, Plans, and Training Office
The Pentagon Building
Washington, DC 20310

1. The above named applicant for a commission in the JAGC was interviewed by the undersigned on _____.
2. The applicant does (does not) meet the eligibility criteria set out in AR 601-102. (Specify criteria that the applicant does not meet.)
3. My evaluation of the applicant is as follows:
 - a. Professional and academic qualifications:
 - b. Legal experience:
 - c. Military experience:
 - d. Motivation for service in the JAGC:
 - e. Ability to communicate orally:
 - f. Ability to communicate in writing (if observed):
 - g. Personality traits:
 - h. Appearance, poise, general physical condition:
 - i. Overall potential for service in the JAGC:
4. I would (would not) desire the applicant as an officer in my office.
5. I do (do not) recommend that his (her) application for a JAGC commission be accepted.

(Name)
_____, JAGC
(Rank)

(Duty position)

Figure 1. Sample Interview Report

The proponent agency of this regulation is the Office of The Judge Advocate General. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) direct to HQDA (DAJA-PT) WASH DC 20310.

By Order of the Secretary of the Army:

BERNARD W. ROGERS
General, United States Army
Chief of Staff

Official:

J. C. PENNINGTON
Brigadier General, United States Army
The Adjutant General

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