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ARMY REGULATION  
No. 601-102

HEADQUARTERS  
DEPARTMENT OF THE ARMY  
WASHINGTON, DC, 22 December 1972

**PERSONNEL PROCUREMENT**  
**VOLUNTARY DUTY WITH THE JUDGE ADVOCATE GENERAL'S CORPS**  
*Effective 15 February 1973*

*This revision permits waiver, in exceptional cases, of the appointment requirement that a JAG officer must be able to qualify for retirement; JAG officers now enter in a voluntary indefinite status. Local supplementation of this regulation is prohibited, except upon approval of The Judge Advocate General.*

	Paragraph
General.....	1
Eligibility.....	2
Source of procurement.....	3
Service commitment.....	4
Submission of preliminary application form.....	5
Selection of best qualified applicants and submission of formal application.....	6
Application forms.....	7

**1. General.** *a.* This regulation announces a program for the procurement of judge advocates to meet the active duty requirements of the Army. Under this program, qualified individuals with or without military status may be considered for appointment in or appointment with assignment to the Judge Advocate General's Corps. Qualified officers may be transferred to the Judge Advocate General's Corps with concurrent active duty or be voluntarily recalled to active duty with the Judge Advocate General's Corps under this program. The announcement of this program does not alter the necessity that specific action to appoint, recall or transfer, be taken under the authority of or in conjunction with other regulations. The short title, "JAGC, Active Duty, AR 601-102" will be used in referring to this program in application, letters, messages, and other communications.

*b.* Army regulations which are the authority for actions to be taken to effectuate this program are as follows:

- (1) Appointment.
  - (a) Regular Army - AR 601-100.
  - (b) US Army Reserve - AR 135-100.
- (2) Transfer.
  - (a) Active duty - AR 614-100.
  - (b) Reserve - AR 140-10.
- (3) Voluntary Active duty - AR 135-210.

*c.* This regulation is applicable to individuals desiring to be considered for entry on active duty on a Regular Army observation tour under provisions of AR 601-100.

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

**2. Eligibility.** The requirements for appointment, or recall, and order to active duty under this program are as indicated below.

*a. First lieutenants.* The basic and special requirements are as prescribed in AR 135-100 for appointment in the USAR with assignment to JAGO in the grade of first lieutenant. Applicants must—

(1) Be at least 21 years of age and not have reached their 33d birthday. Be able to qualify for retirement under title 10, USC, sec. 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, USC, sec. 3853. Under this program the retirement eligibility requirement for recall to active duty may be waived by The Judge Advocate General if, in his determination, the applicant possesses outstanding qualifications.

(2) Be a citizen of the United States or have made a declaration of intention to become a citizen, except that a noncitizen who has previously served in the Armed Forces of the United States is eligible for appointment if he is residing in the United States and has been lawfully admitted to the United States for permanent residence.

✓ \*This regulation supersedes AR 601-102, 14 August 1970.

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(3) Be of high moral character.

(4) Have qualifications for potential leadership and ability to deal with people.

(5) Be medically fit in accordance with chapter 2, AR 40-501.

(6) Have a favorable National Agency Investigation (security check) rendered on him.

(7) Unless applying under (8) below—

(a) Have been graduated from an American Bar Association approved law school with a professional degree.

(b) 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.

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

(8) An applicant enrolled in his last year of law school may apply for a commission as a first lieutenant before graduation from law school or admission to the bar. Requirements in (7) above do not apply to these individuals. However, appointment or transfer cannot be made until after graduation from an American Bar Association approved law school and admission to the bar of the highest court of a state of the United States or a Federal Court.

*b. Captains or above.* The JAG Corps basic and special requirements are as prescribed in AR 135-100 for appointment in the USAR, in the grade of captain or higher. In addition, applicants must be able to qualify for retirement as set forth in a(1) above, except that under this program the Judge Advocate General may waive the retirement eligibility requirement for recall to active duty, if, in his determination, the applicant possesses outstanding qualifications.

*c. Temporary grade of captain.* JAGC officers are appointed in the permanent grade of first lieutenant (RA or USAR), and ordered to active duty in the temporary grade of captain, AUS. Applicants with prior active or reserve service or credit for legal experience may qualify for higher permanent grade (RA or USAR) under AR 135-100 and temporary grade (AUS) under AR 600-20.

**3. Source of procurement.** Qualified applicants with or without military status meeting selection requirements for appointment and active duty in the Judge Advocate General's Corps, or qualified

Reserve commissioned officers assigned to other branches of the Army Reserve, if selected, for transfer to the Judge Advocate General's Corps.

**4. Service commitment.** *a.* An individual who applies under this program must indicate the number of years of active duty for which he volunteers.

*b.* Applicants who have completed their military obligation may volunteer for an initial 2-year tour. All other applicants for active duty will volunteer to serve on active duty for a period of at least 3 years in a voluntary indefinite status. A reduction of the 3-year active duty obligation may be made in individual cases at the discretion of Headquarters, Department of the Army.

**5. Submission of preliminary application form.**

*a.* To reduce administrative processing and expedite professional selection, a preliminary application on DA Form 3175 (Preliminary Application for Judge Advocate General's Corps (Active Duty)) will be submitted as follows:

(1) *Individuals on active duty.* The preliminary application will be submitted through the Unit Commander to HQDA (DAJA-PT), WASH DC 20310.

(2) *Individuals not on active duty.* The preliminary application will be submitted directly to HQDA (DAJA-PT), WASH DC 20310.

*b.* The following must be submitted with the preliminary application form:

(1) A consolidated transcript of all college or university work prepared by the school at which such work was completed. This transcript should show, if possible, the general class standing of the applicant.

(2) Certificate from the clerk of the highest court of a State or Federal Court showing admission to practice and standing before the bar; a statement by the applicant that he has taken a bar examination and the date thereof; a statement by the applicant that he intends to take a bar examination, if one is required for admission to practice, as soon as he becomes eligible.

(3) A statement from the applicant containing a statement of his full-time or part-time legal experience. Legal experience may include private practice, governmental, judicial, teaching, military legal experience, and legal clerkships. If he has had governmental and or military legal experience, he should include a description of



his position and grade or rating; if he has held judicial office, the extent jurisdiction of his court; if he has taught law, the subjects which he teaches or has taught; and if he has been engaged in private practice, he should include a list of the more important cases handled by him showing the nature of each, and a general statement of the character of his practice.

(4) The applications of those applicants who apply prior to graduation from law school or admission to the bar must state the anticipated dates of graduation from law school and full admission to the bar.

c. Letters based on personal acquaintance from not less than three disinterested judges, lawyers, law school professors, or Army officers concerning the applicant's reputation and professional standing, the types of cases handled by him and his

ability as an attorney, teacher, judge, student, legal clerk, or Army officer. These will be sent directly to HQDA (DAJA-PT) WASH DC 20310, by the person who writes the recommendation.

**6. Selection of best qualified applicants and submission of the formal application.** Review of the preliminary application form within the Office of The Judge Advocate General will determine the candidates recommended for further processing with a view to appointment or transfer for active duty in JAGC. Successful applicants will be advised by the Office of The Judge Advocate General of the appropriate regulation under which his formal application must be submitted.

**7. Application forms.** Further information and necessary application form (DA Form 3175 may be obtained by writing to HQDA (DAJA-PT), WASH DC 20310.

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) direct to HQDA (DAJA-PT), WASH DC 20310.

By Order of the Secretary of the Army:

Official:

VERNE L. BOWERS  
Major General, United States Army  
The Adjutant General

CREIGHTON W. ABRAMS  
General, United States Army  
Chief of Staff

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