



DEPARTMENT OF THE NAVY
NAVAL LEGAL SERVICE COMMAND
WASHINGTON NAVY YARD BLDG 33
1322 PATTERSON AVENUE SE SUITE 3000
WASHINGTON, DC 20374-5066

IN REPLY REFER TO

COMNAVLEGSVCCOMINST 5450.3A
005
25 Nov 98

COMNAVLEGSVCCOM INSTRUCTION 5450.3A

From: Commander, Naval Legal Service Command

Subj: MISSION AND FUNCTIONS OF NAVAL JUSTICE SCHOOL, NEWPORT,
RHODE ISLAND

Encl: (1) Functions assigned to Naval Justice School

1. Purpose. To promulgate the mission and functions assigned to Naval Justice School, Newport, Rhode Island.

2. Cancellation. COMNAVLEGSVCCOMINST 5450.3.

3. Mission

a. To oversee training of Navy, Marine Corps and Coast Guard judge advocates, limited duty officers (law), and legalmen to ensure their career-long professional development and readiness;

b. To provide comprehensive formal training to all sea service judge advocates and other legal personnel to promote justice and ensure the delivery of quality legal advice and other legal services; and

c. To train sea service commanders and senior officers in practical aspects of military law to enable them to perform their command and staff duties, and train other sea service personnel to assist in the sound administration of military justice.

4. Status and Command Relationships. Naval Justice School is a shore activity in an active (fully operational) status under the command of its commanding officer, and under the echelon 2 command of Commander, Naval Legal Service Command, Washington, D.C. Naval Justice School is subject to the area coordination authority of Commander in Chief, U.S. Atlantic Fleet exercised through Commander, Submarine Group 2, or such other commands and activities as may be further delegated by appropriate authority.

COMNAVLEGSVCCOMINST 5450.3A

25 Nov 98

5. Action. In the accomplishment of the assigned mission, Commanding Officer, Naval Justice School shall ensure performance of the functions set forth in enclosure (1). Commanding Officer, Naval Justice School is requested to advise Commander, Naval Legal Service Command of any recommended modifications to the mission, functions, or tasks of Naval Justice School.

J.D. Scranton

J. D. SCRANTON
By direction

Distribution: (1 copy each)
SNDL A3 (Chief of Naval Operations) (N09BF only)
21A1 (CINCLANTFLT)
21A2 (CINCPACFLT)
28K1 (COMSUBGRU and DET) (COMSUBGRU TWO only)
C67A (NAVLEGSVCOFF DET and BROFF)
C67B (NAVJUTSCOL DET)
C67D (TRISVCOFF DET and BROFF)
FO1 (COMNAVLEGSVCCOM)
FO2 (NAVLEGSVCOFF)
FO3 (TRISVCOFF)
FO4 (NAVJUSTSCOL)
FT1 (CNET)
FT24 (FLETRACEN)

Naval Justice School Functions

1. Carry out all regulations, instructions, and directives from higher authority pertaining to the administration of the Naval Justice School; issue such detailed internal instructions, regulations, orders, and notices as are required for the efficient organization and administration of the command.

2. Act as the primary educational institution for the instruction of legal matters relating to the naval service.

3. Conduct the following courses under curriculums approved by the Commanding Officer, Naval Justice School, based upon internal annual review and recommendations of higher authority:

a. An Accession Judge Advocate course (S-5F-0013) for active-duty lawyers of the Navy, Marine Corps, and Coast Guard with little or no prior military legal experience, and limited duty officers (law). Instruction provided includes: the duties of a judge advocate/law specialist, instruction on Military Rules of Evidence, procedure, crimes, nonjudicial punishment, *JAG Manual* investigations, administrative discharge procedures, claims, legal assistance, basic court-martial advocacy techniques, and other areas of practical concern to sea service attorneys entering the practice of military law.

b. A Staff Judge Advocate (SJA) course (S-5F-0020) for active-duty lawyers on the duties of staff judge advocates, including specific aspects of administrative, criminal, civil, and personnel law likely to be encountered by a command or staff judge advocate.

c. A Law of Military Operations workshop (S-5F-0021) for judge advocates of all United States armed services in the law of armed conflict, law of the sea, and rules of engagement, to prepare judge advocates to advise commanders on these matters and their potential impact on plans and operations.

d. An Advanced Law of Military Operations workshop for senior operational law judge advocates addressing current and joint planning issues.

e. A NLSC Middle Leadership course (S-5F-0029) for judge advocates serving in Naval Legal Service Office (NLSO)/Trial Service Office (TSO) middle management positions, designed to sharpen leadership and management skills of the middle managers and orient students to budgeting, fiscal, and civilian personnel matters.

25 Nov 98

f. A NLSC Senior Leadership course (S-5F-0024) for prospective NLSO/TSO/NJS COs/XOs/OICs; providing training in fiscal/personnel management, NLSO/TSO operations, and other issues Pertinent to NLSO/TSO leadership.

g. An Intermediate Trial Advocacy course (S-5F-0032) providing training in the various parts of a trial, including: opening statements, closing arguments, direct and cross examinations, dynamics of persuasive behavior, controlling the members' perception of witnesses, and personalizing the client/witness.

h. An Advanced Trial Advocacy course (S-5F-0039) in advanced trial issues such as the use of experts in complex trials, testimony of child witnesses, Rape Trauma Syndrome, Battered Women's Syndrome, medical testimony, and forensic psychiatry evidence.

i. A Trial Advocacy Enhancement course in preparing and prosecuting a criminal case. Instruction is provided on opening statements, direct examination, cross-examination, demonstrative evidence, and closing arguments.

j. A Defense Short Course (conducted entirely at Northwestern University) in defending a criminal case. Instruction is provided on opening statements, direct examination, cross-examination, demonstrative evidence, and closing arguments.

k. A Capital Litigation (Defense) course (S-5F-0036) in the basic foundation of trying a capital case as a defense counsel.

l. A Capital Litigation (Prosecution) course (S-5F-0037) in the basic foundation of trying a capital case as a prosecution counsel.

m. A Basic Environmental Law course (S-5F-0034) which provides an overview of environmental laws and regulations that affect military installations and operations. Students are briefed on the Clean Water Act, the Clean Air Act, the Endangered Species Act, the Resource Conservation and Recovery Act, the National Environmental Policy Act, and other key environmental laws and regulations.

n. An Environmental Law for Staff Judge Advocates course (S-5F-0100) which provides an overview of environmental regulations that affect military installations and operations. Students receive instruction on the National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, Clean Water Act, Clean Air Act, Safe Drinking Water Act, Resource Conservation and Recovery Act, Installation Remediation, and other key environmental laws and regulations.

- o. An Advanced Environmental Law course (S-5F-0035) on advanced environmental law issues impacting the Department of the Navy.
- p. A Legal Assistance Manager's Workshop (S-5F-0040) for Legal Assistance Department Heads and civilian/enlisted supervisors on managing a legal assistance office and current substantive legal assistance updates.
- q. A California Legal Assistance course on legal assistance topics specific to California such as marital settlement agreements, trusts and wills, landlord/tenant, federal and state taxation, bankruptcy and consumer protection law.
- r. An Estate Planning course for legal assistance attorneys in estate planning and taxation issues including drafting wills and trusts.
- s. A Computer Crimes course (S-5F-0101) on Department of the Navy computer system vulnerabilities, the substantive law of computer crimes, and search and seizure of computer evidence.
- t. Continuing Legal Education courses (S-5F-0025) in the European and Pacific theaters providing an update and review of substantive areas of military justice, legal assistance and administrative law.
- u. A Coast Guard Law Specialist course (S-5F-0028) for accession Coast Guard Law Specialists on Coast Guard legal practice relating to operations, marine safety, and other areas of practical concern.
- v. A Reserve Judge Advocate course (S-5F-0017) for Navy and Marine Corps Reserve judge advocates providing an update and review of substantive areas of military justice and administrative law.
- w. A Legal Officer course (S-5F-0014) for nonlawyer unit legal officers providing a thorough background in: nonjudicial punishment; summary and special courts-martial; crimes; analysis and drafting of charges and specifications; evidentiary issues and practical evidence problems; review of court-martial records of trial and convening authority's action; *JAG Manual* investigations; administrative discharge procedures; and other areas of military law.
- x. A Senior Officer course (S-5F-0011) for Commanding Officers, Executive Officers, and Officers-in-Charge providing executive-level training in military justice, administrative fact-finding bodies, administrative discharge procedures, and various other directives and policy matters relating to command administration of military legal matters.

25 Nov 98

y. A Junior Officer course (S-5F-0041) covering a variety of current topics, including problems of the convening authority, nonjudicial punishment, JAG Manual investigations, enlisted administrative separations, and other issues.

z. An Accession Legalman course (S-512-0010) for Navy enlisted personnel selected for conversion to the legalman rating, providing training in substantive military justice, civil law, and court reporter duties.

aa. A Senior Legalman course (S-512-0014) for senior enlisted leadership at NLSOs/TSOs providing advanced training in civilian/military personnel management, budget/fiscal accounting, and other managerial skills.

bb. A Staff Judge Advocate (SJA)/Command Judge Advocate (CJA) Legalman course for legalmen assigned to a SJA/CJA or shipboard billet, providing training in service record entries, pre-mast and preliminary inquiries, nonjudicial punishment procedures, post-mast procedures, pretrial restraint, speedy trial, courts-martial procedures, administrative separations and administrative investigations.

cc. A NLSO/TSO Legalman course for legalmen assigned to a Naval Legal Service Office or Trial Service Office, providing refresher training in court reporting, claims, courtroom preparation, interviewing witnesses, legal assistance, victim support procedures, witness funding and subpoenas, case file folder management.

dd. A Legalman Research and Drafting course providing training in legal research tools and techniques and legal document drafting.

ee. An Army Court Reporter course (S-512-0010) for Army legal specialists selected for training as court reporters.

ff. A Legal Clerk course (S-512-0009) for command legal clerks providing training in areas of basic military justice including service record entries, pre-mast and preliminary inquiries, NJP procedures, post-mast procedures, unauthorized absences, and administrative separations.

gg. A Coast Guard Legal Clerk course (S-512-0008) for selected Coast Guard yeoman providing training in areas of basic military justice most frequently encountered by Coast Guard commands.

hh. Reserve Legalman - Phases I, II, and III courses (S-512-0011/S-512-0012/S-512-0013) for Navy reserve enlisted personnel selected for conversion to the legalman rate providing training in substantive military justice, civil law, and court reporter duties.

ii. Military Law Update Workshops (MLUWs) (S-5F-0030/S-512-0020) for reserve officer and enlisted personnel providing updates in military justice and civil law.

4. Ensure the successful and uniform accomplishment of standardized training in accordance with prescribed course materials; ensure high standards of qualification in instructors and students; and carry out, on a continuing basis, an evaluation of instruction and of the complete learning process and curricula.

5. Emphasize the importance of military and professional development training in support of Navy, Marine Corps, and Coast Guard policies; recognize the positive effect such training has on retention; ensure that military, professional development and subject matter expertise training are emphasized equally.

6. Engage in legal research, writing, and publication in areas of present and potential future concern to the Navy, Marine Corps, and Coast Guard.

7. Recommend to the Judge Advocate General of the Navy and Commander, Naval Legal Service Command revisions to current courses, development of new courses, and other legal training issues.

8. Comply with command programs, such as the Public Relations Program, directed by higher authority.

9. Provide existing courses, or specifically tailored adaptations, as directed by Commanding Officer, NJS and higher authority, to meet the training requirements of the Navy, Marine Corps, Coast Guard, Army, Air Force, and civilian personnel attached to Navy activities.

10. Provide appropriate instruction in military justice and civil law to students attending:

- a. The Naval War College;
- b. Surface Warfare Officer School Prospective Commanding Officer, Prospective Executive Officer, Department Head, and Division Officer courses;
- c. Submarine Officer Advanced School;
- d. Officer Indoctrination School;
- e. Naval Chaplains School;
- f. Senior Enlisted Academy.

COMNAVLEGSVCCOMINST 5450.3A

25 Nov 98

11. Act in an advisory capacity relative to military legal training matters as requested by Chief of Naval Education and Training.
12. Exercise effective control over command financial operations using sound accounting principles and progressive modernization of programming, budgeting, accounting, statistical reporting and auditing practices under the Resources Management System of the Department of the Navy.
13. Establish and maintain a current logistics support and mobilization plan.
14. Support the Naval and Marine Corps Reserve in fulfillment of their assigned missions.
15. Publish the *Naval Law Review* and other publications in furtherance of the school's mission.
16. Perform such other functions as may be directed by higher authority.