



DEPARTMENT OF THE NAVY
NAVAL LEGAL SERVICE COMMAND
WASHINGTON NAVY YARD BLDG 33
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WASHINGTON, DC 20374-5086

IN REPLY REFER TO

COMNAVLEGSVCCOMINST 5800.3C
OJAG 63
5 November 1999

COMNAVLEGSVCCOMINST 5800.3C

Subj: NAVAL LEGAL SERVICE COMMAND (NAVLEGSVCCOM) QUARTERLY (R)
SITUATION REPORT (SITREP)

Encl: (1) SITREP Cover Letter
(2) EXCEL Worksheets for Quarterly Workload Metrics

1. Purpose. To establish quarterly reporting requirements and procedures for NLSC Commanding Officers. This instruction is a complete revision and should be reviewed in its entirety.
2. Cancellation. COMNAVLEGSVCCOMINST 5800.3B.
3. Policy. Current and concise information regarding mission accomplishment, command issues, significant events, and workload metrics is necessary to provide the Commander, Naval Legal Service Command (COMNAVLEGSVCCOM) with information that can be used for trend identification, resource allocation, long range planning, and analysis of the Navy's legal service requirements. It is imperative that each commanding officer take personal responsibility to ensure that the data provided is both accurate and timely.
4. Action. All NAVLEGSVCCOM activities shall submit a quarterly SITREP following the format contained in enclosure (1). Information is to be concise and current. The SITREP is not the appropriate vehicle for extended discussion of issues or listing the meritorious accomplishments of individual personnel. These subjects should be addressed through separate correspondence as they arise. All NAVLEGSVCCOM activities, except the Naval Justice School, shall also prepare and submit workload metrics for each quarter of the fiscal year using the worksheet provided in enclosure (2). The requirement to submit quarterly metrics to COMNAVLEGSVCCOM does not prevent commanding officers from requiring monthly reports for internal use. Depending on the size of the activity and the typical workload, a monthly review may be appropriate at the local command level.

COMNAVLEGSVCCOMINST 5800.3C

5 NOV 1999

a. SITREPs must be submitted by January 15th for the 1st quarter, April 15th for the 2nd quarter, July 15th for the 3rd quarter, and October 15th for the 4th quarter. The SITREP will be submitted by email to OJAG, Code 63 and will contain a cover letter signed by the commanding officer with any additional information the commanding officer deems necessary. The email copy will indicate that it has been signed by the commanding officer and the original hard copy will be delivered by regular mail.

b. Each NLSO and TSO will submit a complete report with each of their detachment and branch office reports as a separate enclosure. Do not consolidate the reports. Reports for the detachments and branch offices must be submitted as separate enclosures.


D. V. GUTER

Distribution:
JAG Special List 41

5 NOV 1999

SAMPLE COVER LETTER

From: Commanding Officer, (Activity)
To: Commander, Naval Legal Service Command (Code 63)
Subj: SITUATION REPORT (SITREP) FOR ___ QUARTER FISCAL YEAR ___

Ref: (a) COMNAVLEGSVCCOMINST 5800.3C

Encl: (1) (Activity) Workload Metrics
(2) (Activity) DET, (DET Name) Workload Metrics
(3) (Activity) BROFF, (BROFF Name) Workload Metrics

1. This report is forwarded in compliance with reference (a).

2. Notable command achievements and significant events.

a. (Briefly describe those significant events and achievements that have occurred during the quarter.)

3. Initiatives and improvements.

a. (Briefly describe those initiatives or improvements in processes and procedures that have proven beneficial to your command. These will be considered for NLSC policy development or shared with other NLSC commands for their consideration and potential use.)

4. Quarterly workload metrics are provided in enclosures (1) through (?).

a. (Briefly list any additional information that you deem necessary to help clarify the information contained in the enclosures. Situations requiring your command to provide unusual, complex, or time-consuming legal services should be described in this paragraph.)

5. Critical issues and challenges.

a. (Briefly describe and prioritize those issues and challenges facing the command and their impact, if any on readiness, mission accomplishment, or morale.)

COMNAVLEGSVCCOMINST 5800.3C

5 NOV 1999

6. Items pending or requiring action by NLSC/OJAG.

a. (Briefly describe and prioritize those items that NLSC or OJAG has been made aware of and needs to take action on or new items that warrant attention by the NLSC or OJAG staff. These issues can be NLSC-wide or solely related to your command. Do not repeat issues in this paragraph and paragraph 5.)

/s/

(COMMANDING OFFICER)

SAMPLE COVER LETTER

5 NOV 1999

PERMANENT PERSONNEL ASSIGNED

(See Note 1)

COMMAND:

		NAVY	OTHER ² SERVICE	LIMDU ²	CIVILIAN	FOREIGN HIRES ⁴	RESERVE ³
OFFICERS	Judge Advocates						
	LDOs & Other Officers						
Total		0	0	0	N/A	N/A	0
ENLISTED	E5-E9						
	E1-E4						
Total		0	0	0	N/A	N/A	0
CIVILIAN	Attorneys						
	Others						
Total		N/A	N/A	N/A	0	N/A	N/A
FOREIGN HIRES	Attorneys						
	Clerical						
	Other						
Total		N/A	N/A	N/A	N/A	0	N/A

1 Record the on-board count of personnel in each of the categories for each quarter by counting all permanent personnel who were attached to the command for 30 days or more during the quarter and all reservists conducting AT or ADSW during the quarter. Do not count reserves performing monthly drill, summer interns, or JAGC officers awaiting bar result or orders to NJS.

2 For purposes of this report, include Marine Corps personnel in the "other service" column. LIMDUS shall be entered in the "LIMDU" column only.

3 Count reserves performing AT or ADSW. Do not count reserves performing monthly drill.

4 "Foreign Hires" - List only those personnel attached to an overseas reporting activity who were hired locally.

5 NOV 1999

UTILIZATION

(See Note 1)

	OFFICER	ENLISTED	LIMDU	CIVILIAN	RES (O) ²	RES (E) ²
Trial/CMD Svcs						
Defense/PersRep						
Legal Assistance						
Claims						
Court Reporting						
U.S. Atty's Office						
PEB						
TAD to SJA/ARG						
I Law						
Tax Center						
First LT						
Administration ³						
Total	0	0	0	0	0	0

1 Record the extent to which each of your personnel performed work in the listed functional categories during the quarter. Report each person as "one whole" person (1.0 person utilized). Permanent personnel utilized for less than 30 days due to transfer/reporting on board, convalescent leave, or other absence should not be reported at all. Do not eliminate utilization numbers because an individual is on leave or TAD unless they were on board less than 30 days. All other permanent personnel must be reported, regardless of availability. Extended absences may be reflected in the commanding officer's cover letter. Individuals who performed work in more than one functional area, such as an attorney who is both defense counsel and legal assistance attorney, should be reported in increments of no lower than .25 in each category. An individual's time may only be reported in the following increments: .25, .50, .75 or 1.0. Divide each individual's time independently, do not combine individuals to achieve .25 in one category.

2 Personnel who are absent from their regularly assigned duties for at least 25 percent of their time for training should have this time marked in "administration".

3 Utilization for reservists conducting AT/ADSW should be reported. Report utilization for all assigned personnel except reservists conducting monthly drills, summer interns and JAG Corps officers awaiting bar results or orders to NJS.

5 NOV 1999

TRAVEL TIME, TAD, AND TRAINING

(See Note 1)

COMMAND:				
<u>OFFICER</u>				
PURPOSE OF TRAVEL	Military Justice	Claims	Legal Assistance	OTHER
PROVIDE SERVICES				
PROVIDE TRAINING				
RECEIVE TRAINING				
COMMAND VISIT				
TOTAL	0	0	0	0
<u>ENLISTED</u>				
PURPOSE OF TRAVEL	Military Justice	Claims	Legal Assistance	OTHER
PROVIDE SERVICES				
PROVIDE TRAINING				
RECEIVE TRAINING				
COMMAND VISIT				
TOTAL	0	0	0	0
<u>CIVILIAN</u>				
PURPOSE OF TRAVEL	Military Justice	Claims	Legal Assistance	OTHER
PROVIDE SERVICES				
PROVIDE TRAINING				
RECEIVE TRAINING				
COMMAND VISIT				
TOTAL	0	0	0	0

1 Count every whole day spent by personnel away from home or office either in traveling to or from Temporary Additional Duty (TAD) locations, as well as whole days spent at TAD locations. In order to qualify for reporting as TAD in this report, travel must qualify for funded TAD orders, i.e., to a destination outside of the local commuting area. In the event that a regional or NLSC-wide conference is hosted locally, all local personnel attending should have their attendance days spent away from the office counted as travel/TAD days.

2 Report personnel whose primary utilization is defense, persrep, trial, or command services in the 'Military Justice' section, legal assistance in the 'Legal Assistance' section, and admin, etc. in the 'Other' section.

3 Report travel to 'Commander's Conference', PCO/PKO Indoctrination, OIC Conferences, or CO/XO site visits as 'Command Visit'.

5 NOV 1999

MILITARY JUSTICE

(See Note 1)

COMMAND:				
	GCM	SPCM	SCM	ART 32
NEW CASES ²				
TOTAL CASES TRIED ³	0	0	0	0
	GUILTY PLEA			N/A
	CONTESTED			N/A
PTA CASES				N/A
MEMBERS CASES				N/A
CASES DROPPED/ART 32 WAIVED ⁴				
CASES TO CA ⁵				
TOTAL COURT TIME ⁶				
AVERAGE PROCESSING TIME ⁷				
# CASES EXCEEDING 90 DAYS PROCESSING TIME				
# CASES EXCEEDING 120 DAYS PROCESSING TIME				
TOTAL NUMBER OF IRO HEARINGS ⁸				

1 A court-martial case or Article 32 investigation that is reopened will not be counted again. It is understood that this will cause a discrepancy in the reported numbers. This discrepancy should be explained by the commanding officer in the report cover letter.

2 "New Cases" - Report the number of cases where charges have been preferred and were received at the reporting activity for action as of the final day of the quarter. SCMs (For ELGOs Only) will only be tracked when a defense counsel actually represents an accused at the SCM. (SCMs will be counted by the TSOs in the Command Services section when an attorney serves as the SCM officer.)

3 A case has been "tried" for purposes of this section when all on-the-record sessions have been held i.e., for courts, when findings and sentence (if any) have been entered, and all Article 39(a) sessions have been held. For an Article 32, when the hearing has been completed.

4 "Cases Dropped" are cases that are dropped or disposed of through alternative means. Report Article 32s waived in the Article 32 column. In a quarter if you have a GCM that is dropped and re-referred to a SPCM that would be counted as a dropped GCM and a new SPCM.

5 "Cases to CA" - TSOs Only - The number of cases by type which have proceeded through trial (or completion of an Article 32 investigation) and all post-trial processing and were forwarded to the CA.

6 "Total Court Time" is an approximation of total time court is in session that quarter by case type (in hours).

7 "Average Processing Time" - TSOs Only - For courts, it is the average processing time from the date of preferral to the date ROT to CA for cases that were forwarded to the CA during the quarter. For Article 32's it is from date of preferral to the date report submitted to CA, for those Article 32's actually forwarded to the CA during the quarter. This is day for day time, reported in whole days. Time for delays, etc. is not deducted.

8 "Total Number Of IRO Hearings" - ELGOs Only - Report the total number of IRO Hearings in which counsel represented clients during the quarter.

Enclosure (2)

5 NOV 1999

LEGAL ASSISTANCE**COMMAND:**

SERVICES ¹	1st QTR	2nd QTR	3rd QTR	4th QTR	Total
ADOPTION/NAME CHANGE					
CONSUMER PROTECTION LAW ²					
DOMESTIC RELATIONS ³					
IMMIGRATION ⁴					
MILITARY RIGHTS AND BENEFITS ⁵					
NOTARIZATIONS (OF DOCUMENTS NOT PREPARED BY THE LEGAL ASSISTANCE OFFICE)					
POWERS OF ATTORNEY ⁶					
PROPERTY/LANDLORD-TENANT					
TAX ⁷ (DO NOT INCLUDE VITA/ELF)					
WILLS/ESTATE PLANNING					
OTHER SERVICE ⁸					
TOTAL # OF SERVICES	0	0	0	0	0
NEW CLIENTS⁹					
Active Duty					
Family Members					
Retirees					
Reservist					
DOD Civilians (Overseas Only)					
TOTAL # OF NEW CLIENTS	0	0	0	0	0
REPEAT CLIENT VISITS⁹					
Active Duty					
Family Members					
Retirees					
Reservist					
DOD Civilians (Overseas Only)					
TOTAL # OF REPEAT CLIENT VISITS	0	0	0	0	0
# OF RLAP CLIENTS					
DOCUMENTS PREPARED¹⁰					
# OF WILLS¹¹					
# OF POAs					
# OF SEPARATION AGREEMENTS					
# OF OTHER DOCUMENTS					
TOTAL # OF DOCUMENTS PREPARED	0	0	0	0	0
# OF PREVENTIVE LAW BRIEFS¹²					
# of Personnel Briefed					
# OF PREVENTATIVE LAW PUBS¹³					

Enclosure (2)

5 NOV 1999

LEGAL ASSISTANCE (CON'T)

1 Referrals are not services, although they may be the logical conclusion to a consultation. Do not count a referral separately from the appointment. Services can be performed by an attorney or non-attorney. Non-attorney assistance such as performing notarizations, or answering basic legal questions under the supervision of an attorney will be counted under the appropriate service category. Scheduling appointments, taking messages, handing out tax forms and other clerical assistance will not be counted. Telephone calls do not count as services unless they are approved incidents of telephonic legal assistance to remote clients.

2 Consumer protection law includes assistance with respect to a broad range of matters, such as personal contracts, debtor-creditor matters, bankruptcy, automobile repairs, and other consumer protection/law matters.

3 Domestic relations includes divorce, separation, child custody, nonsupport, marital advice, and paternity matters.

4 Immigration includes naturalization and citizenship matters, residency permits, visas, employment eligibility, and other immigration-related matters.

5 Military rights and benefits includes issues not falling under personal representation such as SSCRA and USERRA.

6 Powers of Attorney includes generals, specials, and durable health care.

7 Tax includes tax advice, attorney preparation of tax returns outside of the VITA/ELF program and assistance with other tax matters, such as state tax residency disputes. Do not include VITA/ELF that are reported through the normal Legal Assistance Tax Program Report.

8 "Other services" include all legal assistance which does not fit into one of the delineated categories.

9 A service member/family member/retiree is listed only once as a "new client" per fiscal year by a particular legal assistance office. Once an individual is seen by a legal assistance office that fiscal year, when that individual returns for future services they will be listed as a "repeat client visit". "Repeat Client Visits" are only clients that come in for a scheduled appointment or to receive a listed service. The "service" category captures services provided to "new clients" and "repeat client visits". Remember, when a client comes back for a repeat visit and receives 3 services during that appointment they are only counted as one "repeat client visit" and their services are counted in accordance with the "services" section criteria. Each category of service provided to a client is counted separately. Thus if a client comes in for a POA, a will and divorce advice, count three services. However, for each client visit only one service may be counted in each "service category". Thus a visit for a living will and a will counts as only one service with 2 documents prepared.

10 "Documents Prepared" are final, smooth documents. Do not count drafts (of wills, POAs, etc.), copies, or internal documents (dual rep letters) as "documents prepared". Do not count tax returns done as part of the ELF/VITA program.

11 For each will prepared, there will be either one or two services counted. The first to encompass the entire process of the preparation of the will (intake to smooth will). The second service would be counted, if the legal assistance office executes the will. On the rare occasion when a will is prepared and executed by the LA Office on the same day, count one of the services in "wills/estate planning" and the execution service in "other service".

12 Preventative Law Briefs include general information presentations to educate personnel on personal legal affairs such as squadron or ship visits, predeployment briefs, etc.

13 Preventative Law Pubs include articles and newsletters.

5 NOV 1999

COMMAND SERVICES

(See Note 1)

COMMAND:

SERVICE/ADVICE ¹	1st QTR	2nd QTR	3rd QTR	4th QTR	Total
GENERAL COMMAND ADVICE ²					0
ARTICLE 32 PTIO ⁴					0
FEDERAL MAGISTRATE PROSECUTION ⁵					0
RECORDER/LEGAL COUNSEL ⁶					0
SCM OFFICER ⁷					0
CHARGE SHEET SCREENING ⁸					0
INVESTIGATION REVIEW ⁹					0
POST TRIAL REVIEW ¹⁰					0
OTHER					0
TOTAL # OF COMMAND SERVICES	0	0	0	0	0
# OF TRAINING SESSIONS PROVIDED ¹¹					0
# of Personnel Briefed					0

1 The command services section is used to document services performed for units and activities as opposed to individuals. Unusually complex and time-consuming instances of service in each category, such as a review and endorsement of a single JAG Manual investigation which requires many work days of effort, or review of a lengthy court-martial, should be noted and described in the statistical report cover letter.

2 This section is concerned with the number of times assistance is provided to a command, rather than the number of specific cases. Therefore, a command service call that covers assistance in two distinct categories should be recorded as two assists. Four visits to the same prisoner in a foreign jail should be counted as four "instances" of command support.

3 "General Command Advice" - Report the number of instances advice on military justice, NJP, admin boards, DFCs, 138/1150 complaints, sexual harassment, ethics, mental health evaluations and the FOIA/Privacy Act were provided.

4 "Article 32 PTIO" - Report the number of times during the quarter for which the reporting activity furnished personnel to serve as Article 32 Pre-trial Investigating Officers.

5 "Federal Magistrate Court Prosecutions" - Report the number of times during the quarter the reporting activity furnished personnel to serve as a prosecutor in a Federal prosecution.

6 "Recorder/Legal Counsel" - Report the number of times during the quarter for which the reporting activity furnished personnel to serve as recorders/legal counsel for Admin Boards and Boards of Inquiry.

7 "SCM Officer" - Report the number of times during the quarter for which the reporting activity furnished personnel to serve as SCM Officers.

8 "Charge Sheet Screening" - Report the number of times a charge sheet is screened for a unit.

9 "Investigation Review" - Report the number of times an investigation (e.g. a JAGMAN, sexual harassment, or other type of investigation) is review for a unit.

10 "Post Trial Review" - Report the number of times post trial reviews conducted for a Convening Authority.

11 "Other" - Report the number of times during the quarter advice/services that do not fall into one of the listed categories were provided, e.g., other services includes PCJ/Prisoner visits.

12 Training Sessions - Report the total number of structured training sessions conducted for client commands. Additionally report the total number of personnel trained.

Enclosure (2)

5 NOV 1999

CLAIMS							
COMMAND:							
	Personnel	Carrier Recovery	FTCA	Military	Foreign	MCRA	FCCA
# RECEIVED¹	N/A						
PAID/ADJUDICATED/SETTLED/CLOSED							
	NUMBER						
	\$ AMOUNT	N/A	N/A	N/A	N/A	N/A	
# DECIDED	N/A						
# FORWARDED²	N/A						
RECOVERIES³							
	NUMBER	N/A		N/A	N/A	N/A	
	\$ AMOUNT	N/A		N/A	N/A	N/A	
# PENDING⁴	N/A						
IN LITIGATION	N/A	N/A	N/A	N/A	N/A	N/A	N/A
PCA CLAIMS AVERAGE PROCESSING TIMES							
							# OF DAYS
Received - Perfected ⁵							
Perfected - Claim Adjudicated							
Adjudicated - Voucher Signed							
TOTAL PROCESSING TIME FROM PERFECTION TO VOUCHER SIGNED							
<p>1 '# Received' is the number of claims in each category actually received by the reporting activity during the quarter. (Number of claims that come in the door.) A claim that is received for reconsideration is considered a new claim received.</p> <p>2 '# Forwarded' is the number of claims forwarded outside your immediate command for payment authorization, settlement, adjudication, setoff, or other consideration. If a detachment forwards a claim to a main NLSO, that is a 'forwarded' claim. If a claims examiner 'passes/forwards' a claim to the Claims Officer in the same office, that is not a 'forwarded' claim.</p> <p>3 'Recoveries' - Report the number of claims and total dollar amount for which payment is received and accepted during the quarter.</p> <p>4 '# Pending' is the number of 'open claims files' in each category actually on board the reporting activity as of the end of the quarter for which further action by the reporting activity is required. For personnel claims, the number pending is the number of perfected claims which still require action by the reporting activity. For 'pending' carrier recovery claims include all carrier recoveries where an action is required regardless of whether a demand letter has been sent.</p> <p>5 A PCA claim is 'perfected' when all required information has been supplied by the claimant.</p>							

5 NOV 1999

PERSONNEL REPRESENTATION

COMMAND:

SERVICE ¹	1st QTR	2nd QTR	3rd QTR	4th QTR	Total
BOARDS COMPLETED ²					0
ADSEP ADVICE (NO BOARD) ³					0
OTHER PERSREP SVCS					0
TOTAL # OF PERSREP SERVICES	0	0	0	0	0

ADMIN BOARD AVG PROCESSING TIME⁴

¹This section includes such services as ADB advice, ADB representation, NJP/SCM advice or representation, DFC/BCNR assistance, or Art. 138 assistance. Multiple instances of advice to a member concerning a single proceeding or matter will count as one 'case' or 'service'. Advice or services to the same client on two different matters, such as an administrative separation proceeding and an Article 138 complaint, will count as two 'services' provided.

²'Boards Completed' - Report the number of boards completed where respondent was represented at the hearing.

³'ADSEP Advice' - Report the number of instances in which advice or other assistance (short of representation at a hearing) is provided to an individual being considered for administrative separation. Do not count a service in both Boards Completed and Adsep Advice.

⁴'Admin Board Average Processing Time' - Report the average processing time for boards completed during the quarter (in total days). Processing time is from the date of the request for counsel to the date the admin board hearing is completed. Do not subtract out any days for any reason.