



UNITED STATES MARINE CORPS  
MARINE CORPS NATIONAL CAPITAL REGION COMMAND  
2 NAVY ANNEX  
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From: Commanding General, Marine Corps National Capital  
Region Command  
To: Distribution List

Subj: MARINE CORPS NATIONAL CAPITAL REGION STAFF JUDGE  
ADVOCATE IMPLEMENTATION PLAN

Ref: (a) MARADMIN 548/02  
(b) MCO P5800.16A [LEGADMINMAN]

Encl: (1) Plan of Action and Milestones

1. Purpose. To provide implementation instructions and guidance for establishment of the Marine Corps National Capital Region Command (MCNCR) Staff Judge Advocate.
2. Background. By reference (a), the Commandant of the Marine Corps directed the Commanding General (CG), Marine Corps Base (MCB) Quantico to coordinate the consolidation and regionalization of duplicative support functions within the National Capital Region (NCR). Accordingly, the Staff Judge Advocate, Marine Corps Base/Marine Corps Combat Development Command is designated as Staff Judge Advocate (SJA), MCNCR.
3. Mission. Effective immediately, the MCNCR SJA will serve as principal legal advisor to the CG, MCNCR, on all matters related to military justice and criminal law, administrative law, legal assistance and operational law. The Office of the Staff Judge Advocate shall provide legal services support, services and training to the command in accordance with the provisions of reference (b).
4. Commander's Intent. Overall management of the administrative functions of the MCNCR will be centralized through regionalization to provide greater flexibility and management of resources where applicable to increase efficiency and overall effectiveness.
5. Functions. In addition to those duties established at reference (b), the MCNCR SJA shall provide advice, support, services, and training in the following areas:

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a. Military Justice and Criminal Law. The MCNCRC SJA is the principle legal advisor to the CG, MCNCRC, on all matters related to violations of the Uniform Code of Military Justice and federal criminal statutes. This includes issues related to subject-matter and personal jurisdiction for offenses arising under applicable criminal codes.

b. Administrative Law. The MCNCRC SJA is the principle legal advisor regarding all administrative law matters related to military personnel, including administrative reductions, separations and promotions, the Reserve establishment, decedent and casualty affairs, as well as retired and veteran affairs. The MCNCRC SJA will provide support regarding claims, investigations conducted in accordance with the Manual of the Judge Advocate General of the Navy [JAGMAN] and death investigations.

c. Legal Assistance. The SJA, MCNCRC, will provide legal assistance to authorized personnel in matters not dealing with military justice or criminal law. Such matters include wills, powers of attorney, landlord-tenant disputes, domestic relations, consumer law, personal contract review, estate planning, personal income tax advice, adoptions, name changes, naturalization and immigration counseling. The SJA, MCNCRC, will also coordinate the service of civilian warrants of arrest and civil process, as well as turning over military personnel to civil authorities in accordance with applicable regulations.

d. Operational Law. The MCNCRC SJA is the principle legal advisor to the CG MCNCRC on all matters related to operational law, to include legal aspects of military plans, operations and training; law of war/operations other than war; rules of engagement/rules for the use of force; combined, joint, multiservice and service doctrine; personnel exchange programs; and all matters related to foreign nationals. The MCNCRC SJA is the principle legal advisor regarding: military support to civilian law enforcement, including the *Posse Comitatus* Act (18.U.S.C.A. 1385); counter-drug operations; military assistance for civil disturbances; consequence management; anti-terrorism/force protection; and, military support to special events. Further, the SJA, MCNCRC is the principle legal advisor regarding: disaster and domestic emergency assistance; military assistance to safety and traffic;

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search and rescue operations; evacuations and mass immigration emergencies.

6. Organization, Roles and Responsibilities.

a. Commanding General, MCNCRC. The CG MCNCRC will establish policy and provide the resources necessary to maintain or improve administrative support throughout the MCNCRC.

b. MCNCRC Staff Judge Advocate. The MCNCRC SJA will exercise MCNCRC staff cognizance over MCNCRC legal functions, as set forth at paragraph 5, above.

(1) The MCNCRC SJA will task one judge advocate (O3/O4) to undertake the additional duty of Operational Law attorney for the Office of the Staff Judge Advocate, and to serve on related working groups and crisis action teams as appropriate.

(2) The SJA, MCNCRC, will task one legal services specialist (SNCO/NCO) to undertake the additional duty as Operational Law Specialist, to provide staff assistance to the Operational Law Attorney, as necessary.

(3) Joint Force Headquarters and Regional Contingency Support. The MCNCRC SJA will support the CG MCNCRC in exercising his authority as the Commander, Marine Corps Service Component of the Joint Force Headquarters-National Capital Region (JFHQ-NCR). This will include, but not be limited to providing subject matter expertise to the joint planning process planning legal support for Marine Corps forces assigned or attached to the JFHQ-NCR, and coordinating with the MCNCRC Counsel on matters affecting environmental and land use law, business and commercial law, contracting and acquisitions, intellectual property, government ethics and civilian personnel law.

7. Staff Coordination. Coordination between the MCNCRC SJA, the MCNCRC Counsel, other MCNCRC general and special staff and the commanders and staff of MCNCRC subordinate organizations is authorized, encouraged and critical to implementation of the regionalization initiative. To that end, communication must be timely, accurate, and comprehensive in order to be effective.

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8. Plan of Action and Milestones. A list of specific actions to be undertaken in order to implement this plan and ensure regionalized effort is fully operational is provided at the enclosure.

9. Point of contact. The point of contact in the Office of the SJA is Captain Michael Eby, USMC at (703) 784-3690/DSN 278-3690.

  
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Plan of Action and Milestones

The following actions shall be taken by the identified action officer(s) to implement and fully operationalize the MCNCRC SJA function:

<u>Action</u>	<u>Action Officer</u>	<u>Due Date</u>
Appoint SJA MCB/MCCDC As SJA MCNCRC	CG MCB	22 Aug 03
Review/revise military Billet Descriptions	SJA MCB/MCCDC	30 Sep 03
Review/revise applicable Policy directives/ Regulations to reflect appointment and revisions to billet descriptions	SJA MCB/MCCDC	30 Sep 03
Review/revise arrangement Betw HQMC(JA) and MCB(SJA) Regarding legal asst provided At Henderson Hall	SJA MCB/MCCDC	30 Sep 03

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Encl (1)

