DEPARTMENT OF THE ARMY
OFFICE OF THE JUDGE ADVOCATE GENERAL
2200 ARMY PENTAGON, RM 3B548
WASHINGTON, DC 20310-2200

DAJA-DI 27 OCT 2021

MEMORANDUM THRU

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Chief, Civilian Personnel Management, 2200 Army Pentagon, Washington, DC 20310-2200

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Deputy Judge Advocate General, 2200 Army Pentagon, Washington, DC, 20310-2200

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FOR The Judge Advocate General, 2200 Army Pentagon, Washington, DC 20310-2200

SUBJECT: Request to Hire/Request for Other Personnel Action

1. I request approval to recruit/hire:

   a. Name of organization/unit identification code (UIC): OTJAG/W0Z7AA.

   b. Pay Plan/Series/Grade and Position Title: GS-0201-15/Director of the Office of Diversity, Equity, and Inclusion (ODEI).

   c. TDA paragraph/line number/AMSCO: Overhire/99/43139800XMGH

   d. Number of FY22 Authorization(s)/on-board for series/grade in 1b: 0/0.

   e. Position Description #: NEW

2. Justification. This hiring request supports a mission-critical need in the Judge Advocate Legal Services (JALS) that, if left unfilled, will have an adverse mission impact:

a. Over the last year, national events have caused private industry and government institutions alike to further reflect and act with urgency on the promise of Equal Justice for all under the law. The President recently ordered the Federal Government to strengthen its ability to recruit, hire, develop, promote, and retain our Nation's diverse talent, and to advance diversity, equity, and inclusion (DEI), initiatives across the entire Federal workplace (enclosure 1). The Department of Defense, and the Army, have also renewed efforts to immediately advance DEI in our workplace (enclosure 2).

b. The recent and rapidly-evolving social and racial justice demands also challenge U.S. law firms and Government in-house legal counsel to closely examine and immediately improve the DEI of their professional staff. Fortune 500 companies and law firms across the nation are now staffing their offices with appropriately-trained personnel dedicated to the aggressive formulation and in-house implementation of various DEI programs and initiatives, all while continuing to meet their clients' needs for quality, innovative, and creative legal services, advice, and solutions (enclosure 3). Aware of all

these developments, The Judge Advocate General (TJAG) established a DEI Council (composed of officers, enlisted Soldiers, warrant officers, and civilian personnel, all serving part-time in the Council), and charged it with examining diversity and inclusion efforts in JALS (enclosure 4).

c. Through multiple briefings, presentations, listening sessions, a survey, and a series of interviews with current and former members, the DEI Council has comprehensively examined the current state of DEI in JALS. Thus far, the Council has found substantial challenges, such as declining law school enrollment, in JALS' ability to continue to recruit and retain a diverse force of legal professionals. These professionals, in turn, must fulfill our organization's legal advisory role to an Army now focused on people as its priority effort and committed to having a workforce that reflects the diversity of the American people (enclosure 5). As a result, the Council recommended, and TJAG approved, the creation of a full-time office in OTJAG (ODEI) dedicated to identifying any barriers to inclusion in JALS, plus identifying for implementation any recruitment, accession, and retention initiatives that can further DEI in our legal organization (enclosure 6).

d. The ODEI's Director would provide the necessary leadership and direction in formulating, executing, and managing those policies and practices deemed critical in improving DEI across JALS. The establishment of this position in JALS is consistent with similar initiatives currently under way in private industry, law firms, and across Government to help ensure sustainable focus on effecting long-lasting organizational change in those policies and practices that further diversity and inclusion. Moreover, the ODEI Director will help ensure that any adopted or implemented policies and practices in this regard remain not only consistent with the Army's and JALS' values, but strongly committed to the principle of Equal Justice for all under the law.

3. All internal mitigations have been exhausted as follows:

a. Approval of this request would enable the hiring of a civilian to serve as ODEI Director. A Judge Advocate in the rank of Colonel (the undersigned), has been detailed as an interim solution addressing the immediate need (6-15 months), for a director of the Corps' DEI efforts. This Colonel is covering down on the immediate need to provide fluid, contingent direction and leadership on JALS' efforts to begin to address DEI concerns.

b. The current interim director of ODEI has the requisite knowledge and experience to make an immediately-beneficial impact in a JALS committed to efforts addressing DEI concerns in the short term. However, a dedicated civilian director would enable those efforts to remain at the forefront of our organization in earnest for the long term while providing the requisite leadership those efforts demand and require. A civilian with a broad base of experience and education, specialized training on diversity and inclusion, and skilled in other human resources areas, would facilitate a lasting and firmer implementation of long-term institutional focus, effort, and commitment to DEI in JALS.

DAJA-DI
SUBJECT: Request to Hire/Request for Other Personnel Action

4. The point of contact for this action is the undersigned, available at 571-256-8128 or email address: (b) (6)

(b) (6)
COL, JA
Interim Director, ODEI

6 Encls
1. Executive Order 14035
2. Army DEI Annex
3. Nat'l Retail Foundation Report
4. TJAG Memo, 17 JUL 20
5. American Bar Foundation Report
6. TJAG/DJAG Sends, Vol. 40-23

HQDA Principal Official Action

(b)(6)

Approve: 2 year Term

____ Approve, subject to the following conditions (as applicable):

_____

_____

____ Disapprove:

28 Oct 21
Date

(b)(6)
STUART W. RISCH
LTG, U.S. Army
The Judge Advocate General

Exit Survey Questions

Ratings

1. On a scale of 1-10 how would you rate your experience in the JAG Corps? 1 being exceptionally poor, and 10 being excellent.

2. On a scale of 1-10 how would you rate your and your family's wellness and happiness during your time in the JAG Corps? 1 being exceptionally poor, and 10 being excellent.

3. On a scale of 1-10 how would you rate your office working environment? 1 being negative, 5 being equal negative and positive, and 10 being positive.

4. On a scale of 1-10 how would you rate your interaction with fellow JAG Corps members? 1 being only negative interactions, 5 being equal negative and positive interactions, and 10 being only positive interactions.

5. On a scale of 1-10 was your office(s) diverse? 1 being homogenous and 10 being very diverse?

6. On a scale of 1-10 was your office(s) inclusive? 1 being a very exclusive or narrow-minded, and 10 being fully inclusive and open-minded.

7. On a scale of 1-10 was your office(s) equitable? 1 being prejudiced or discriminatory, and 10 being fully equitable with everyone respected and valued equally.

8. On a scale of 1-10 was your military service adversely impacted by lack of diversity, equity, and inclusion? 1 being no adverse impact at all, and 10 being a substantial and significant adverse impact.

9. On a scale of 1-10 was your military service positively impacted by lack of diversity, equity, and inclusion? 1 being no impact at all, and 10 being a substantial and significant positive impact.

10. On a scale of 1-10, how would you rate the JAG Corps efforts to encourage and foster diversity, equity, and inclusion? 1 being not impactful at all, and 10 being significantly impactful.

Open-Ended Questions

11. Was JAG Corps service conducive to your family goals? (please explain why or how so)

12. Was JAG Corps service conducive to your spouse's career goals? (please explain why or how so)

13. Was JAG Corps service conducive to your values, including moral values, faith and spiritual values, and/or ethical understandings? Please explain.

14. Did you feel part of the JAG Corps team? Please explain and provide examples of incidents that made you feel you were a part of the team, or not a part of the team, without providing names.

15. Do you want to stay in the JAG Corps? Please explain why or why not.

16. Do you currently, or did you feel comfortable expressing yourself to JAG Corps colleagues, juniors, and seniors?

17. If you are leaving service, please briefly explain why; does your leaving have anything to do with the JAG Corps? Please explain.

18. If you are reclassing, please briefly explain why.

19. What was the thing you liked most about your JAG office?

20. What was the thing you liked least about your JAG office?

21. What, if anything, about the JAG Corps would you change if given the opportunity and authority to do so?

22. Were you, at any time, discriminated because of your race, color, national origin, religion, sexual orientation, gender identity, etc.? Please explain and provide as much information as possible without providing names. (If you wish to file a formal complaint please seek your EO representative)

23. Did you ever feel like you were not appreciated or fully valued because of your race, color, national origin, religion, sexual orientation, gender identity, etc.? Please explain and provide as much information as possible without providing names. (If you wish to file a formal complaint please seek your EO representative)

24. Did you ever feel uncomfortable discussing your race, color, national origin, religion, sexual orientation, gender identity, etc.? Please explain and provide as much information as possible without providing names. (If you wish to file a formal complaint please seek your EO representative)

25. If you answered any of the previous three questions affirmatively, was there anything that you believe your office's leadership, your unit's leadership, or your JAG Corps leadership could have or should have done to correct these issues and prevent them from occurring in the future?

26. What, if any, impressions did you have of the JAC Corps's Diversity, Equity, and Inclusion programs and directives? Did these issues affect your understanding and practice of diversity, equity, and inclusion in the military?

27. Are there any other comments or discussion points that you would like to state to JAC Corps leadership regarding your time in service?

JAG Corps Assignment After Action Review

Instructions*:*

The JAG Corps endeavors to be a rewarding career for all its team-members. There are demands associated with the profession of arms to include frequent moves, isolation, and other forms of disruption. While it is impossible to separate such sacrifices from the profession entirely, the JAG Corps endeavors to make accommodations when feasible. Please answer any or all of the following prompts so that the Corps may be able to reflect on how we are doing now, and how we can do better going forward. Answers will remain anonymous, unless reporting is required under Army Regulation 600-20 or Army Regulation 27-26.

Family

1. Was this assignment conducive in helping you reach your family goals? (please explain why or how so)

2. Was your latest assignment conducive to your spouse furthering their career goals? (please explain why or how so)

3. Did your spouse, parents, siblings, or other close family members and people within your support networks have a positive view of this assignment? Did they feel supported and considered by PPTO and by your office?

4. How far away was this assignment from your or your spouse's close Family members? Was PPTO and/or your Deputy aware of this distance? Did they speak with you about it?

5. Was this assignment supportive of your attendance to important family events? Please explain.

6. Was this assignment supportive of you taking your dependents/loved ones/pets to medical/veterinary/other appointments? Please explain.

7. Do you feel that the community off-post was supportive and conducive to a positive Family life (I.e. parks, schools/daycare, healthcare, social activities, places of worship, other leisure activities)

8. Did you have to geo-bachelor for this assignment? How, if at all, did that affect you and your Family?

Faith, Spirituality, Culture, and Community

9. Was this assignment conducive to your faith practice? Please explain.

10. During this assignment, did you ever feel discriminated because of your race, color, national origin, creed, sexual orientation, gender identity, etc? Please explain and provide as much information as possible. *(Please be advised that using names, positions, or individuals' other identifying information may require or necessitate follow-on action or referral by JAGC ODEI. This question is not intended to supplant the EO Process. PPTO and JAGC ODEI are seeking inputs from the force on the scope and nature of any discrimination our Soldiers experience and how we may support our teammates to address these issues. If you experienced discrimination, you may file a formal or informal EO complaint,. We recommend speaking with your EO representative if you have questions about that process or wish to file a complaint).*

11. During this assignment, did you feel like you were part of the JAG Corps team or community? Please explain and provide examples of incidents that made you feel that you were a part of the team, or not a part of the team (without providing names or identifiable information).

12. During this assignment, did you feel comfortable expressing yourself to JAG Corps colleagues, juniors, and seniors?

13. Diversity, Equity, and Inclusion are a TJAG priority, as evidenced by the standup of ODEI and other initiatives. What is your impression of these efforts? How, if at all, have they impacted your experience in the JAG Corps?

14. How often did your OSJA conduct training or LPDs on DEI? How often, if at all, did your OSJA refer you to other DEI training resources?

15. Was your OSJA supportive of your attendance at DEI seminars or trainings outside of the office on workdays?

16. Did your OSJA conduct training on, or otherwise discuss, implicit biases?

17. At any time during your assignment, did anyone at your workplace (either inside or outside of the OSJA) act in a way that was discriminatory or non-inclusive (including, but not limited to, inappropriate or crass jokes regarding race, ethnicity, sex (to include gender identity), religion, national origin, language abilities or accent, or cultural background? If so, was this addressed? Did you or others feel comfortable correcting colleagues that engaged in such behavior?

18. At any time did you feel that other individuals, based on their race, gender, sexual orientation, religion, ethnicity, or national origin, was treated more

favorably or more adversely by leadership? Did you feel able to express concerns about this to leadership?

19. During this assignment, did your leadership create an environment of inclusivity? Why or why not?

20. During this assignment, did you ever experience discrimination within the local community off-post? Did you feel like your safety or well-being outside of the installation was affected by your race, gender, sexual orientation, national origin, or ethnicity?

21. When requesting this assignment or future assignments, are there any considerations related to your race, gender, sexual orientation, national origin, or ethnicity that are important to you? For example, state or local law and policy, state or regional history, etc. Did you feel like you could raise these concerns either to your Deputy or to PPTO?

Opportunities for Engagement and Growth

22. Did this assignment make you more or less likely to continue your service in the JAG Corps? Please explain why or why not

23. If you are leaving service, please briefly explain why; does your leaving have anything to do with this assignment or JAG Corps in general? Please explain.

24. If you are reclassing, please briefly explain why. Did you decide to reclass because of this assignment? (if applicable)

25. Is there anyone from this assignment that you consider a mentor?

26. Was this assignment supportive of your pursuit of personal goals? Please explain.

Work Satisfaction

27. During this assignment, what was the thing you liked most about your JAG office?

28. During this assignment, what was the thing you liked least about your JAG office?

29. If given the option, would you stay for a longer time at your current assignment? Please explain.

30. How would you describe your office's culture during this assignment?

31. How would you describe the cohesion and camaraderie among your colleagues during this assignment?

32. Are there any details or circumstances that you would change about if you were given full ability and authority to do so?

33. Did you feel comfortable taking leave during this assignment?

34. Did you feel comfortable approaching your leadership with any issues that you were experiencing (Family, medical, financial, etc.)?

35. Did you feel that your leadership was open and supportive regarding taking time to attend medical appointments or procedures?

36. Do you believe that your work during this assignment was important, value-added, and essential for mission accomplishment?

37. Did you believe that you were able to comfortably access or ask for assistance with accessing behavioral health or mental wellness resources?

38. Were you generally satisfied with your workload and job duties?

39. Do you believe that you received satisfactory or fulfilling recognition for your work at this assignment?

40. Are there any additional comments, suggestions, or concerns that you would like to raise to the JAG Corps regarding this assignment?

JUDGE ADVOCATE LEGAL SERVICES

JALS Publication 1-1

Personnel Policies

Office of The Judge Advocate General

31 May 2024

SUMMARY of CHANGE

JALS Pub 1-1
Personnel Policies

This revision -

- Adds civilian paraprofessionals as identified members of the JALS.
- Changes the 1L intern evaluations and deadline in Chapter 2.
- Establishes policy guidance for civilian attorney recruiting, including use of Developmental Attorney positions and the Army Civilian Summer Associates program in Chapter 2.
- Eliminates the service requirement for USAR JAs applying for an RA JAGC appointment.
- Updated policy for FLEP, including guidance during revisions of AR27-1, NCO insignia during OBC, ADSO clarifications, and removal process.
- Updates Military Bar Dues Reimbursement program expanding eligibility and eliminating the mandatory fee limit.
- Updates responsibilities of Bench Builders and Career Managers regarding the evaluation of experience and perishability of expertise during the annual assignment cycle.
- Updates Tour Lengths policy guidance for Special Victim Counsel and Special Trial Counsel.
- Clarified Career Manager responsibility to verify and consider PDPCs during assignment process for Military Justice Litigation positions for covered offenses.
- Added requirement for Supervisory JAs to review and counsel subordinate JAs regarding legal functional area expertise upon assignment completion.
- Establishes new Judge Advocate Career Model.
- Establishes Specialty Legal Functional Area Career Models for Administrative Law, Contract and Fiscal Law, Military Justice, and National Security Law.
- Established Administrative Law PDPC.
- Updated Contract and Fiscal Law PDPCs.
- Updated Military Justice PDPC including adding Level 5 and Military Justice Litigation.
- Updated National Security Law PDPCs.
- Added formal annual requirement for review of processes, resourcing, and professional experience requirements in specialty legal functional areas.
- Makes administrative changes throughout.

JALS PUBLICATION 1-1: PERSONNEL POLICIES

Table of Contents

CHAPTER 1. INTRODUCTION 1

1-1. Format and Scope. 1
1-2. Applicability 1
1-3. Questions and Changes. 1
1-4. JAGC & JALS Personnel Policies. 1
1-5. Professional Development. 2
1-6. Diversity, Equity, Inclusion, Accessibility, and Equal Opportunity. 2
1-7. Well-Being of JALS Personnel. 2

CHAPTER 2. RECRUITING 2

2-1. General. 2
2-2. Intern Program. 3
2-3. Student Volunteer Extern Program. 3
2-4. Field Screening Officers (FSOs). 4
2-5. Outreach Officers (OROs). 4
2-6. Civilian Recruiting. 4

CHAPTER 3. ACCESSIONS 6

3-1. Direct Commission and Order to Active Duty. 6
3-2. Initial Active Duty Grade. 6
3-3. Funded Legal Education Program (FLEP). 7
3-4. Service Obligation. 8
3-5. Insignia. 9
3-5. Removal. 9

CHAPTER 4. JUDGE ADVOCATE OFFICER INCENTIVE PROGRAM 11

4-1. General Incentive Program Information. 11
4-2. Judge Advocate Student Loan Repayment Program. 11
4-3. Judge Advocate Officer Retention Bonus. 14
4-4. Judge Advocate Bar Dues Reimbursement (BDR) Program 17

CHAPTER 5. REGULAR ARMY (RA) JUDGE ADVOCATE CAREER MANAGEMENT AND PROGRESSION 20

5-1. Assignments and Professional Development 20
5-2. Responsibilities. 24
5-3. Talent Management. 24
5-4. Assignment Cycle Process - Company Grades. 26
5-5. Assignment Cycle Process - Field Grades. 27
5-6. Tour Length 27
5-7. Initial Assignment Practices. 28
5-8. Overseas Service 28
5-9. Foreign Service Tour (FST) Extension. 29
5-10. Covered Offense Litigation Experience. 29
5-11. Trial Defense Service (TDS). 30
5-12. Brigades Assignments. 30
5-13. Office of Special Trial Counsel. 30
5-14. Special Victims' counsel. 31
5-15. Officer Initiated Actions. 31
5-16. Dual Military Couples. 31
5-17. Exceptional Family Member Program 32
5-18. Sponsors. 32