DEPARTMENT OF THE ARMY
OFFICE OF THE JUDGE ADVOCATE GENERAL
2200 ARMY PENTAGON
WASHINGTON DC 20310-2200

DAJA-ZA

18 SEP 20

MEMORANDUM FOR President and Members of the Fiscal Year 2021 Judge Advocate General's Corps 2L Intern Program Selection Board

SUBJECT: Memorandum of Instruction for the Fiscal Year 2021 Judge Advocate General's Corps 2L Intern Program Selection Board

1. Authority. The Fiscal Year 2021 (FY21) Judge Advocate General's Corps (JAGC) Intern Program Selection Board is appointed pursuant to Judge Advocate Legal Services Publication 1-1, Personnel Policies, paragraph 2-2, to recommend applicants for selection as 2L summer interns for temporary civilian employment in JAGC offices worldwide. The FY21 Intern Program Selection Board will be held between 19 October and 8 November 2020.

2. Membership. The Board will consist of five voting members: a general officer as president and four members comprised of field grade and company grade officers. The Board will include at least one female and one minority board member. My designee or I will appoint the Board members, and may select individuals other than those recommended to serve on the Board. Board membership will be provided under separate cover. The Chief, Judge Advocate Recruiting Office (JARO), is delegated authority to excuse board members and appoint alternates if exceptional circumstances exist.

3. General.

a. The Board will determine which applicants are best qualified for a summer internship and which are not. The board members will score each applicant to create an order of merit list (OML) (see enclosed Administrative Instructions and Additional Guidance), and those who rank highest on the list will be considered "best qualified." The Board will also provide a list of those applicants deemed unqualified.

b. The Board will convene at a time set by the board president. The board president has no authority to constrain the Board from recommending for appointment those applicants the majority of the Board determines to be qualified as defined in this Memorandum of Instruction (MOI) and enclosures.

c. Enclosure 1 contains administrative instructions and procedures and specifies the oaths for the board members and the recorder.

d. Enclosure 2 contains guidance on the factors the Board is to consider in the selection process. This enclosure also contains guidance for ensuring equal opportunity for all applicants.

e. The Judge Advocate Recruiting Office will furnish applicant files to the Board and will provide all administrative support.

f. I have selected each of you because I have confidence in your ability to recognize applicants with the strongest potential as future Army leaders and attorneys. Bear in mind the serious nature of your duties as a board member and your obligation to ensure these proceedings remain above reproach. The oath you will take obliges you to ensure all applicants are considered without prejudice or partiality. You will adhere to that oath, governing laws, directives, regulations, and this MOI when selecting applicants who meet the needs of the Army, as outlined here. Your failure to do so may constitute cause for removal as a member.

g. Any board member who believes he or she cannot, in good conscience, perform his or her duties as a member of the Board without prejudice or partiality has a duty to request relief by me from board membership. At my discretion, such a request may be honored. Any board member who believes the integrity of the Board's proceedings has been affected by improper influence or senior military or civilian authority, misconduct by the board president or a member, or any other reason, has a duty to report the basis for his or her belief to me.

4. Restrictions.

a. Recommendations of the Board are "For Official Use Only" until the proper authority releases the results. Upon adjournment, board members are encouraged to familiarize other officers with board procedures in general. However, members will not disclose, for any reason, specific details of the Board proceedings pertaining to the selection or non-selection of individual applicants, whether recorded or unrecorded.

b. Board membership will not be revealed until the Board adjourns.

c. The Board's recommendations are advisory. I will make the final decision on selection of applicants for the 2L Intern Program.

(b)(6)

Encls

CHARLES N. PEDE
Lieutenant General, USA
The Judge Advocate General

FISCAL YEAR 2021 JUDGE ADVOCATE GENERAL'S CORPS 2L INTERN PROGRAM SELECTION BOARD ADMINISTRATIVE INSTRUCTIONS

1. **Eligibility**. The board recorder will furnish the Board with electronic files of all applicants eligible for consideration. Applicants recommended for a summer internship position must meet the following qualifications at the time of consideration by the Board:

a. **Citizenship and Personnel Security Requirements**. United States citizenship is required. Applicants must be eligible for federal civilian employment and able to pass a background investigation at the time of hiring;

b. **Character**. Be of high moral character;

c. **Leadership Potential**. Possess clear leadership potential and interpersonal tact; and

d. **Law School**. Be a student at a law school accredited by the American Bar Association and be available to complete the internship during their last available summer in law school.

There are no age or physical fitness requirements for interns.

2. **Oaths**.

a. The board president will administer the following oath or affirmation to the recorder:

Do you, *[state the recorder's name]*, solemnly swear (or affirm) that you will keep a true record of the proceedings of this Board, and further that you will not divulge the proceedings or results thereof pertaining to the selection or non-selection of individuals except to the proper authorities?

b. The board recorder will administer the following oath or affirmation to each member of the Board:

Do you, *[state the board members' names]*, solemnly swear (or affirm) that you will, without prejudice or partiality, perform the duties imposed upon you, and further, that you will not divulge the proceedings or results thereof pertaining to the selection or non-selection of individuals except to proper authority?

3. **Information Considered**.

a. The Board will consider applicants' electronic files, including:

(1) Transcripts of undergraduate, graduate, and law studies;

(2) Application for the Intern Program;

(3) Record of prior military service (if applicable), including DD Form 214, statement of retirement points (DA Form 5016 (USAR) or NGB Form 23B)), and copies of all enlisted or officer evaluation reports;

(4) A statement of all full-time and part-time work experience (both legal and non-legal);

(5) A statement of interest, objectives, and motivation for applying for a summer internship with the JAGC;

(6) A Field Screening Officer's Report of Interview;

(7) Up to three letters of recommendation (optional);

(8) Legal writing sample (optional); and

(9) Other information submitted by the applicant and relevant to that applicant's qualifications for a summer internship.

b. The board recorder will provide each board member a complete copy of the administrative instructions and will brief the Board on administrative matters, to include an explanation of the Law School Admission Test (LSAT) scoring system. Upon the Board's request, the recorder may furnish the Board with information regarding the U.S. News & World Report's current law school rankings data.

4. **Procedures**. The board may be held in person or by remote/virtual means. Applicant files are deemed complete by the Judge Advocate Recruiting Office (JARO) will be made available for board review. The consideration of applicants will follow a three-step process:

a. Step 1 – Familiarization: The board recorder will provide the Board with sample files for a practice vote. These files will be voted in accordance with the voting procedures discussed in Step 2, below. The purpose of a practice vote is to allow board members to become familiar with the contents and organization of applicant files and voting procedures.

b. Step 2–Voting:

(1) Each board member will determine which applicants are qualified and which are unqualified. Applicants deemed qualified are given a score of 2-10 (2 is the lowest and 10 is the highest). Those scoring the highest are deemed "best qualified." Unqualified applicants are given a score of 1. "Unqualified" means a failure to meet eligibility criteria, as listed in paragraph 1, above.

(2) Any board member may, at his or her discretion, reconsider and revote an individual applicant's file at any time before adjournment. The board recorder will assist any board member seeking to conduct a revote.

(3) The board recorder will produce an order of merit list (OML) by listing all qualified applicants sequentially from highest score to lowest score. The Board will recommend the OML as its list of selectees, and will recommend the list of unqualified applicants as non-selects.

(4) In the event a tiebreaker is required to determine a cut-off line for the OML, the board recorder will administratively create a group of only those applicants who received identical scores. Board members will revote those applicants, and a new revote OML will be compiled. A decimal point reflecting the new OML will be added to the original OML score to indicate the best qualified applicants within the revote population.

c. Step 3 – Recommendations/Reports and Certification:

(1) After voting is complete, the recorder will produce two lists: one list of all qualified applicants and a second list of all unqualified applicants. The lists will be forwarded to TJAG with recommendations for selection in the 2L intern program and non-selection, respectively.

(2) The Board will conduct a review of the board proceedings and draft an after-action report (AAR). The AAR will highlight the members' collective observations, concerns, and recommendations regarding the selection process. TJAG may ask the board president to address specific questions in the AAR. The board recorder will provide the questions and a sample format. The board president may include additional observations or recommendations on issues not addressed in TJAG's questions. The Board may modify the format of the report to record the Board's comments in a concise, logical manner.

(3) Certification. Each member of the Board will attest to the following certification:

The board president, board members, and board recorders hereby certify that, to the best of their knowledge, the Board complied with the Memorandum of Instruction (MOI), they were not subject to or aware of any censure, reprimand, or admonishment resulting from the recommendation of the Board or its exercise of any lawful function within the Board's authorized discretion; they were not subject to or aware of any attempt to coerce or influence improperly any action in the formulation of the Board's recommendations; and they were not a party to, or aware of, any attempt at unauthorized communications.

The Board, acting under oath and having in view the special needs and the efficiency of the Army, has carefully considered the record of every applicant whose name was

furnished to it as specified in the MOI. In the opinion of a majority of the members of the Board, the applicants named in the Enclosure are qualified to meet the needs of the Army, as specified in the MOI furnished to the Board by TJAG, and are hereby recommended for selection as 2L summer interns.

5. **Instructions Concerning Communications and Information**.

a. Each of you (president, board members, recorder, and administrative support personnel) is responsible for maintaining the integrity and independence of this advisory board, and to foster the careful consideration, without prejudice or partiality, of all eligible applicants.

b. You may not receive, initiate, or participate in communications or discussions involving information that is not presented in each application, any information beyond what is provided to the Board, and any information communicated to you by the individual under consideration. In your deliberations, you may not discuss any matters precluded by law, Army regulations, or this MOI.

c. The Board may not use personal knowledge in its deliberations. If a board member has personal knowledge of an applicant that is not documented in the file provided to the Board, and the board member feels the information is of great significance, then the board member will summarize the information in writing and provide it in a sealed envelope to the board recorder. The board recorder will seek guidance from the proper authority.

FISCAL YEAR 2021 JUDGE ADVOCATE GENERAL'S CORPS 2L INTERN PROGRAM SELECTION BOARD ADDITIONAL GUIDANCE

1. **General**.

a. The Judge Advocate General's Corps 2L Intern Program is designed to acquaint law students with the practice of law in the military and to provide them with a basis to decide whether to apply or recommend others to apply for a commission in the Corps. The 2L Intern Program is also designed to increase visibility of the Corps throughout American Bar Association-accredited law schools.

b. Apart from basic eligibility, the Board should look for the following qualities when evaluating applicants for the 2L Intern Program: leadership ability, scholastic aptitude, maturity, and motivation toward military service. The board policy for selection is to recommend the best qualified applicants in order of merit. Veterans' eligibility and military experience shall be considered positive factors. The analysis of individual applications should include a review of the following factors:

(1) Achievement in undergraduate education and law school;

(2) Maturity; and

(3) Legal experience.

2. **Equal Employment Opportunity**. Recommendations for selection must be based solely on merit factors. All applicants must be given equal employment opportunity without consideration of race, color, religion, sex (including gender identity), national origin, age (as defined by the Age Discrimination in Employment Act of 1967, as amended), disability, genetic information (including family medical history), pregnancy, marital status, political affiliation, or sexual orientation.

FY21 JAGC Intern Program Board Nominations

	Recommendation	Min/Fem	Previous Boards	Duty Position	Substitutions	Last Year's Board
	PRESIDENT					
1. Primary	BG Pat Huston					BG Joseph Berger
	COL					
2. Primary	(b) (6)					(b) (6)
Alternate						
Alternate						
Alternate						
	LTC					
3. Primary	(b) (6)					(b) (6)
Alternate						
Alternate						
Alternate						
	MAJ					
4. Primary	(b) (6)					(b) (6)
Alternate						
Alternate						
Alternate						
	CPT					
5. Primary	(b) (6)					(b) (6)
Alternate						
Alternate						
Alternate						

Slate approved as written: _____

Slate approved with substitutions as written above: (b)(6)

NOTES: Must contain at least 1 female and 1 minority. Picking a female who is also a racial minority satisfies both female and minority requirement.

ROUTING AND TRANSMITTAL SLIP 1230 DATE: **02 SEP 20**

TO:	INITIALS	DATE
1. Chief, JARO	(b) (6)	
2. Deputy Chief, PPTO		
3. Chief, PPTO		
4. DJAG		
5. TJAG		

	Action		File		Note and Return
X	Approval		For Clearance		Per Conversation
	As Requested		For Correction		Prepare Reply
	Circulate		For Your Information		See Me
	Comment		Investigate	X	Signature
	Coordination		Justify		

SUBJECT: Memorandum of Instruction and Board Member Selection for the **Fiscal Year 2021 Intern Program Selection Board**, Judge Advocate General's Corps

BACKGROUND:

1. JARO requests approval of the Memorandum of Instruction (MOI) for the Fiscal Year (FY) 2021 2L Intern Program Selection Board. The 2L Intern Board will be held between 19 OCT and 8 NOV 20 (tentatively scheduled for 26 - 30 OCT) to recommend applicants for selection as 2L summer interns.

2. The MOI along with Administrative Instructions and Additional Guidance are contained in TAB 1. The documents remain largely unchanged from FY20. Substantive changes include: (1) addition of the "2L" descriptor throughout, (2) removal of the photo requirement, and (3) authorization for the board to be held by remote/virtual means [note: we plan on conducting the board in-person based on current pandemic conditions].

3. OTJAG Ad Law and Labor and Employment Law reviewed the documents on 13 AUG 20 and deemed them legally sufficient (TAB 2).

4. Board membership. Recommendations for primary and alternate board members are listed in TAB 3. All Judge Advocates stationed within the NCR and at installations within one day's driving distance were considered to serve as board members.

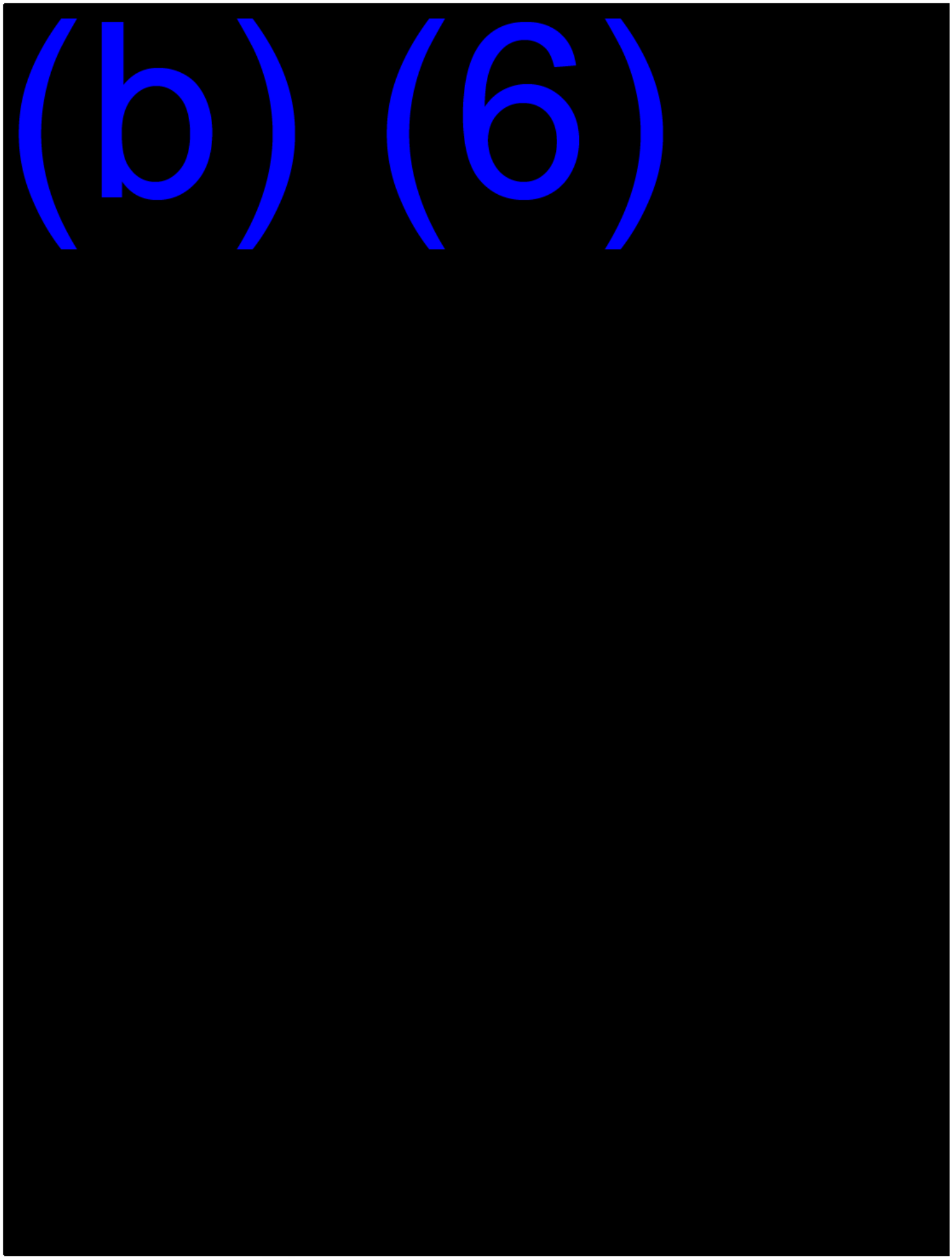
5. Recommendation. That TJAG approve and sign the proposed MOI and appoint primary and alternate board members.

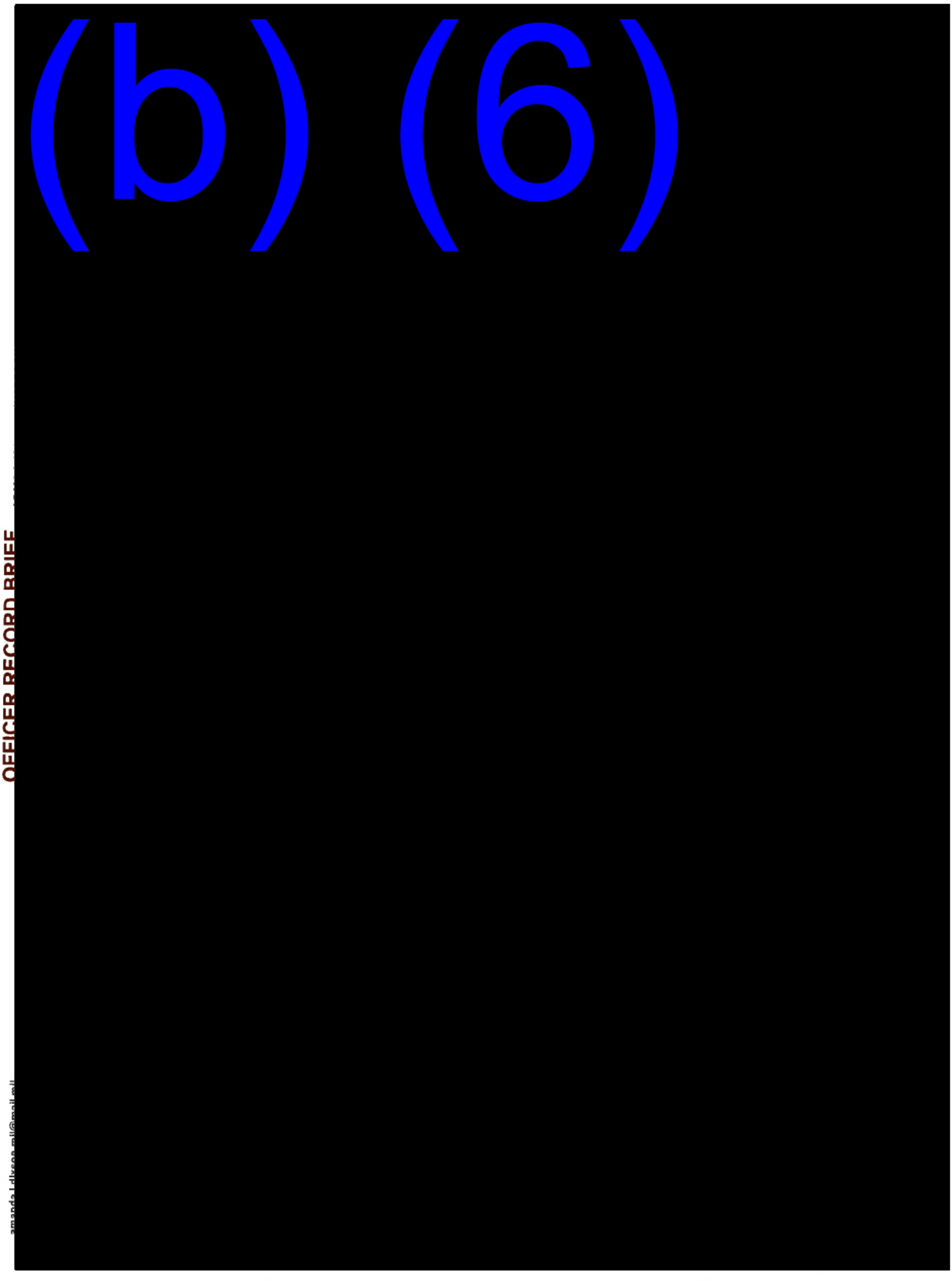
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FROM: (b) (6) JALS-RO, Judge Advocate Recruiting Office

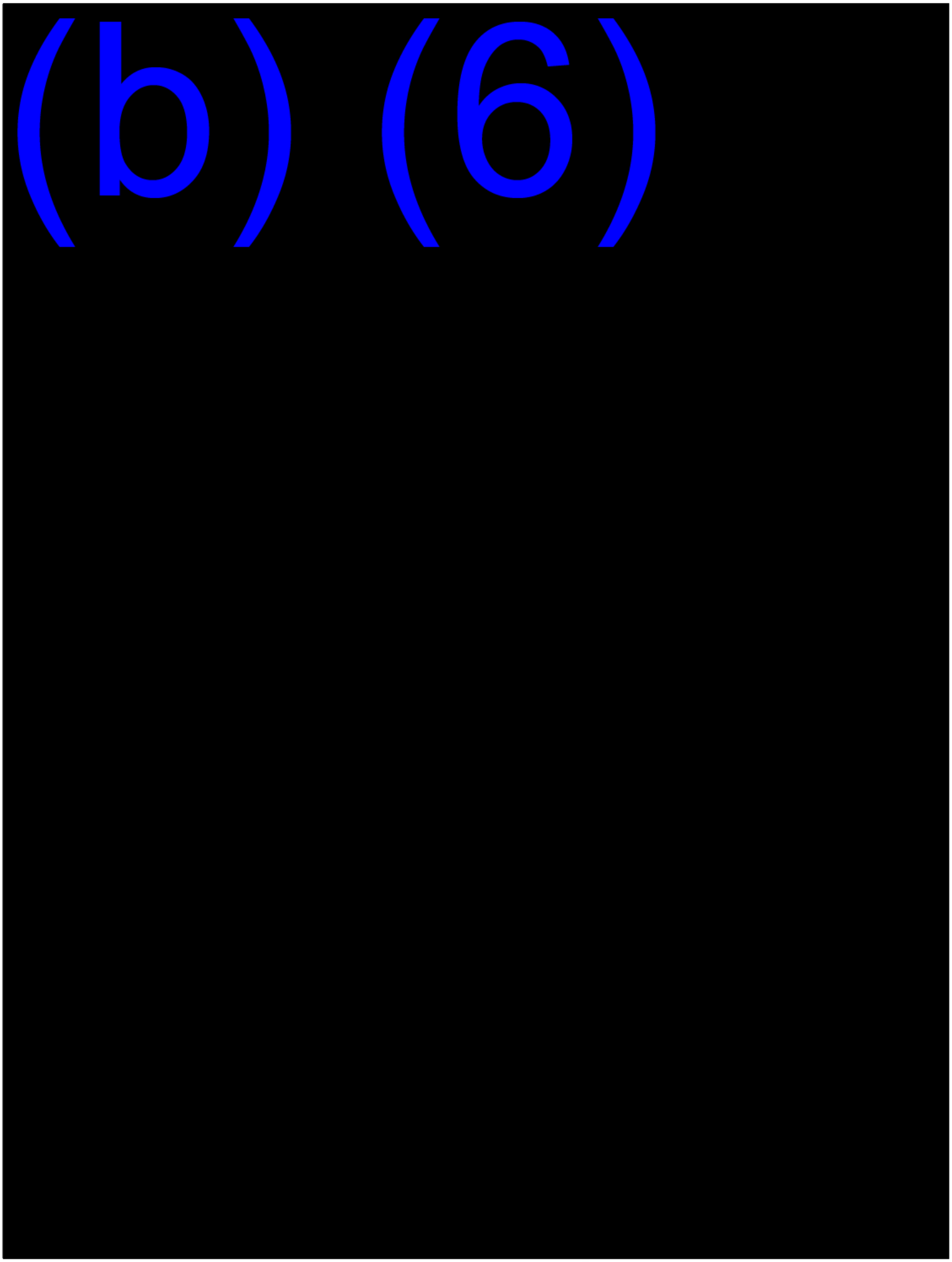
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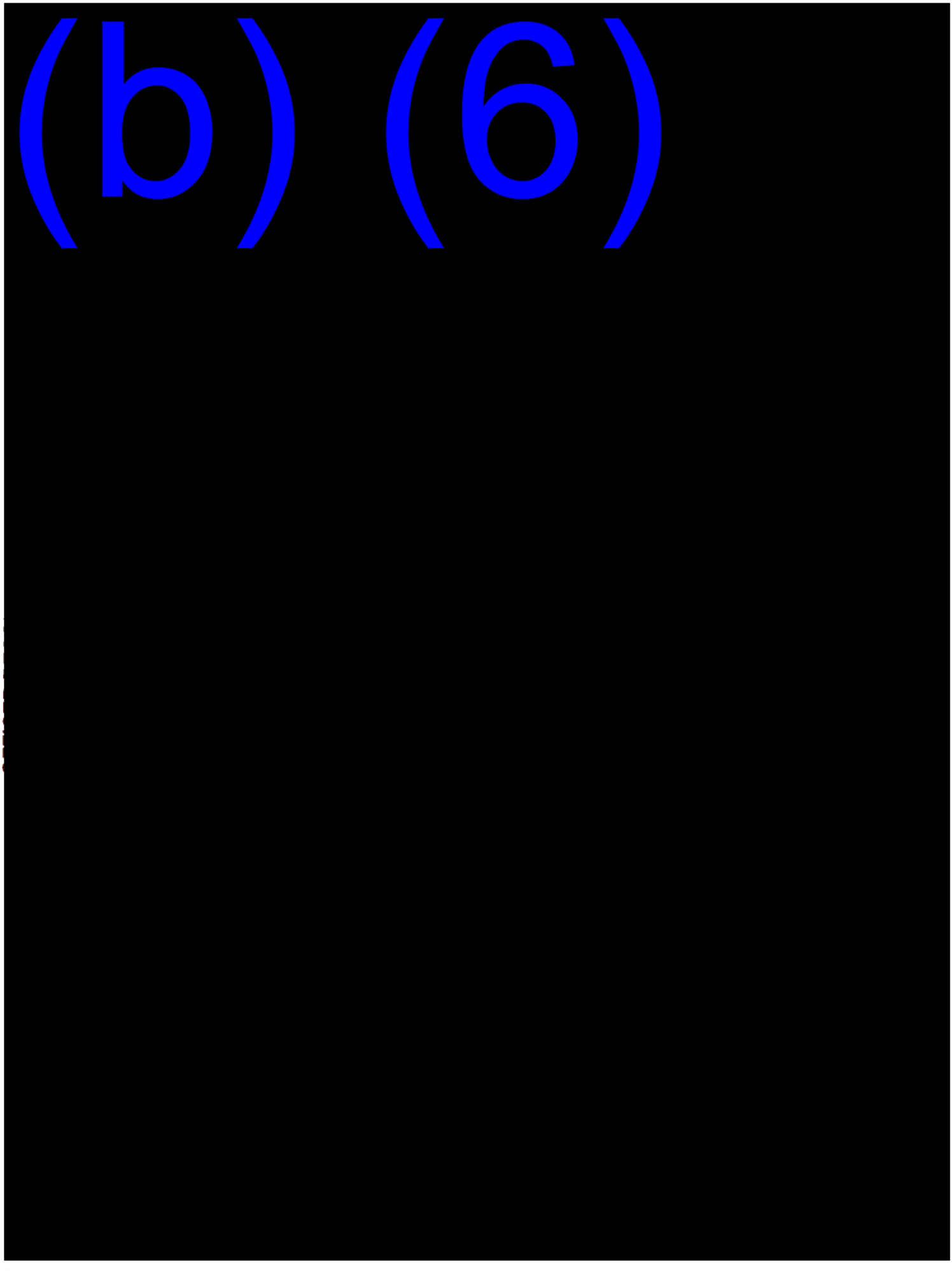
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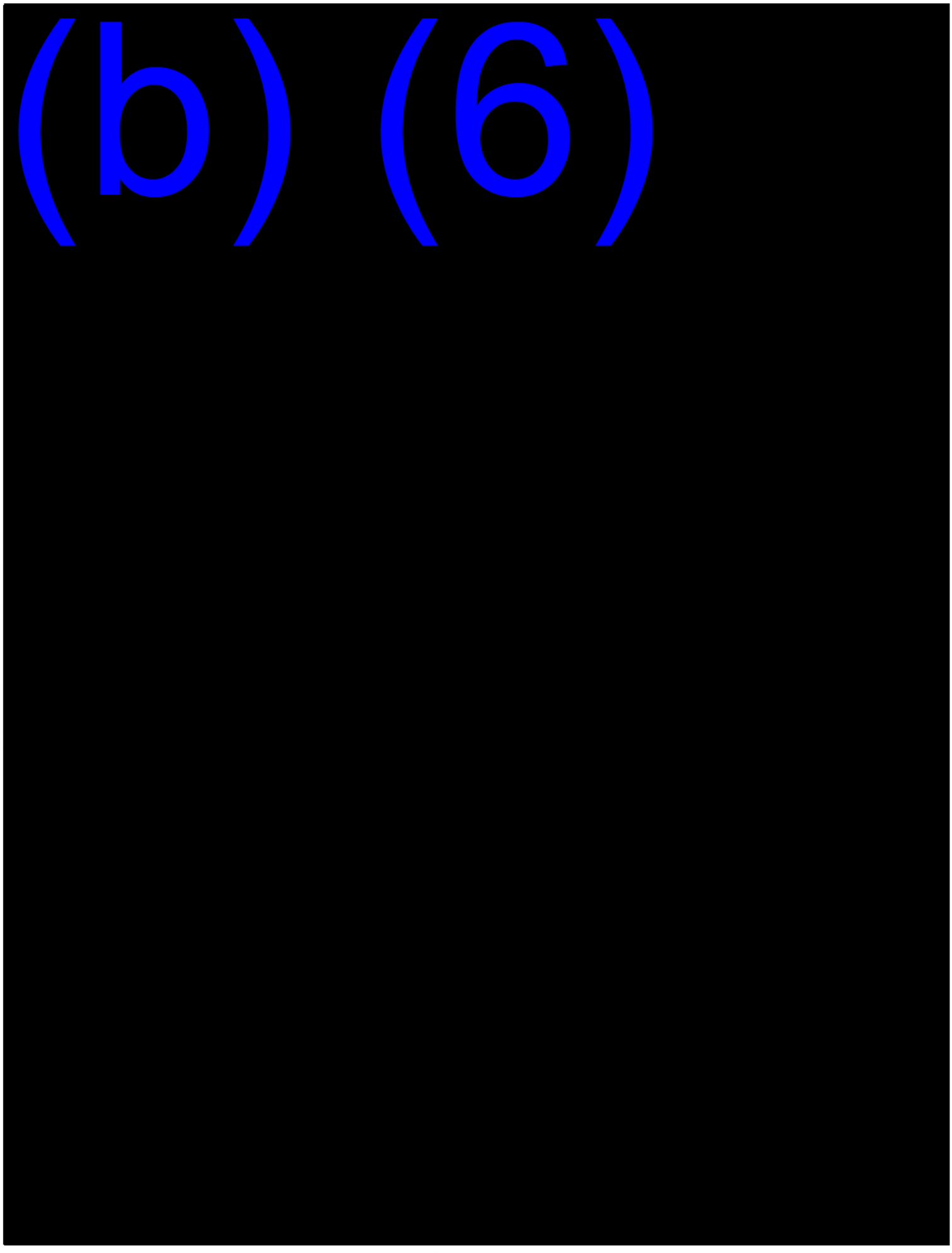
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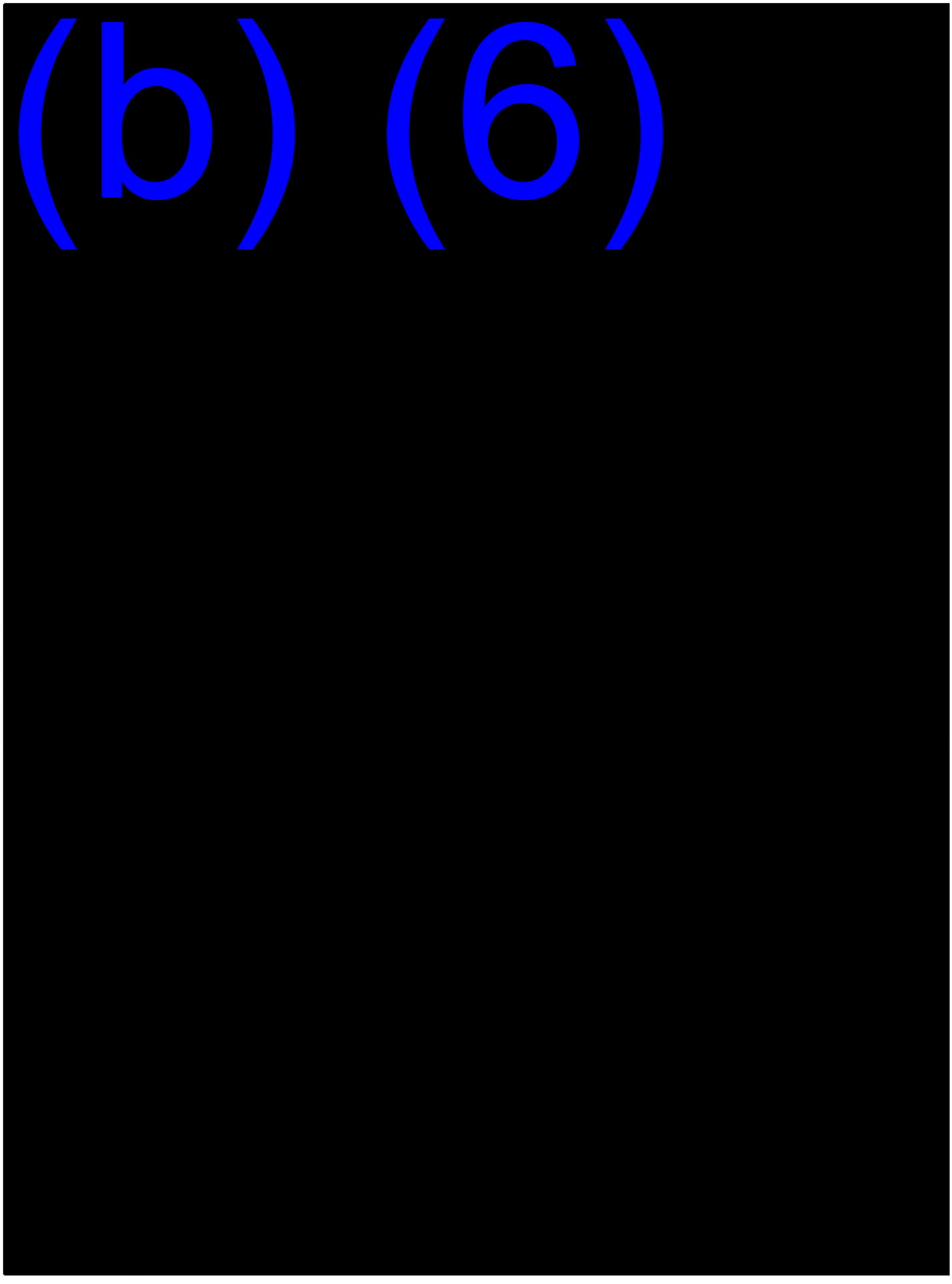

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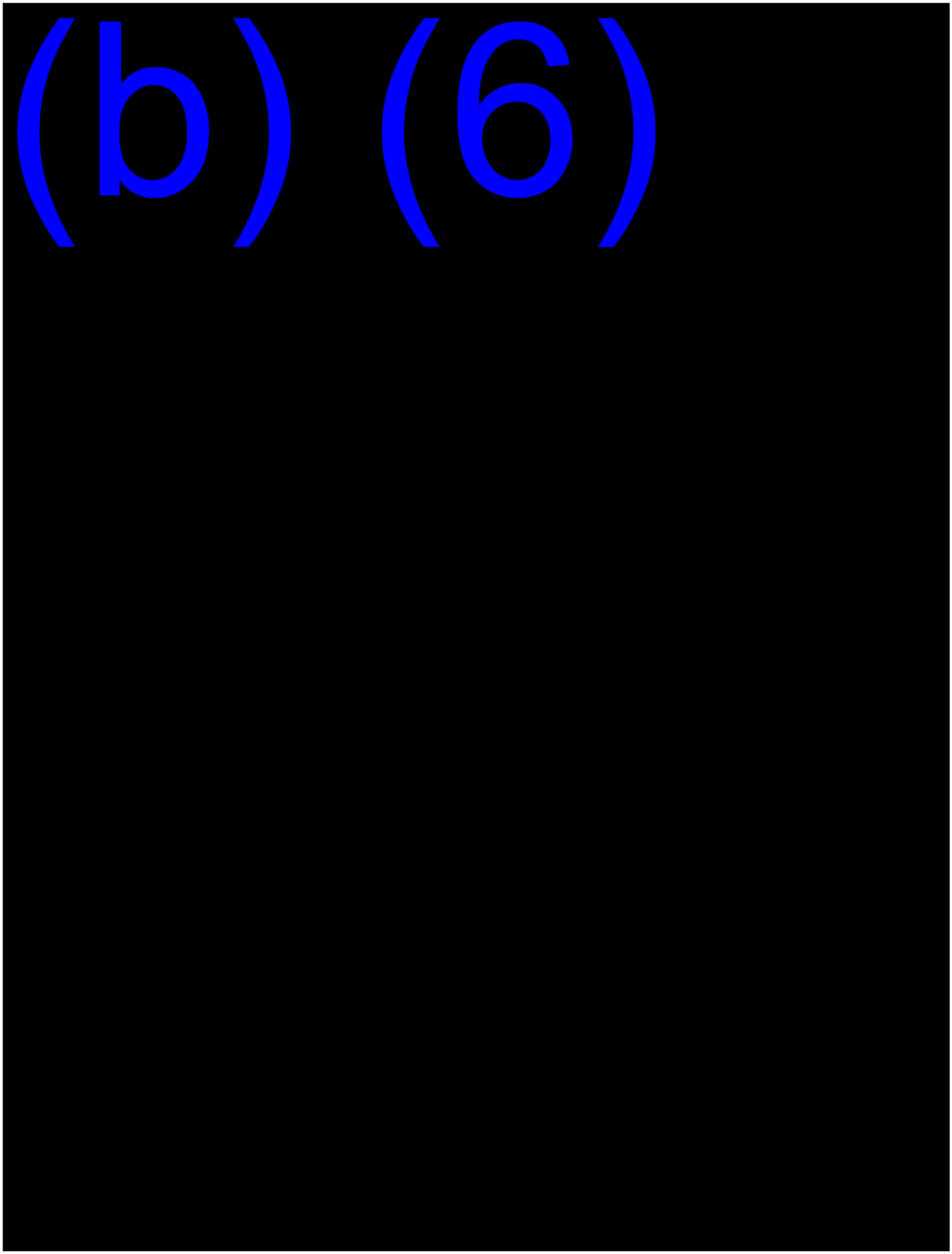
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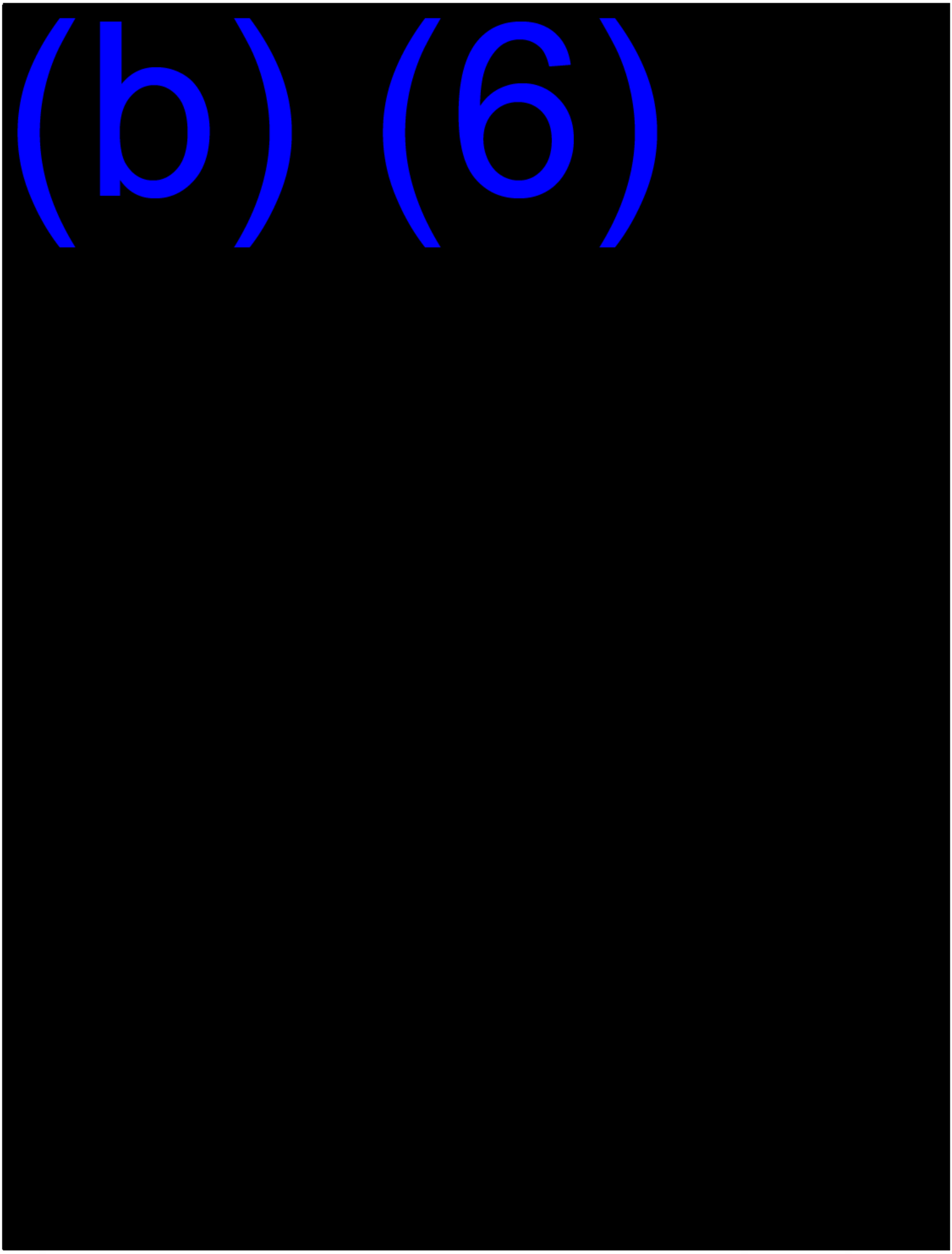
OFFICER RECORD BRIEF

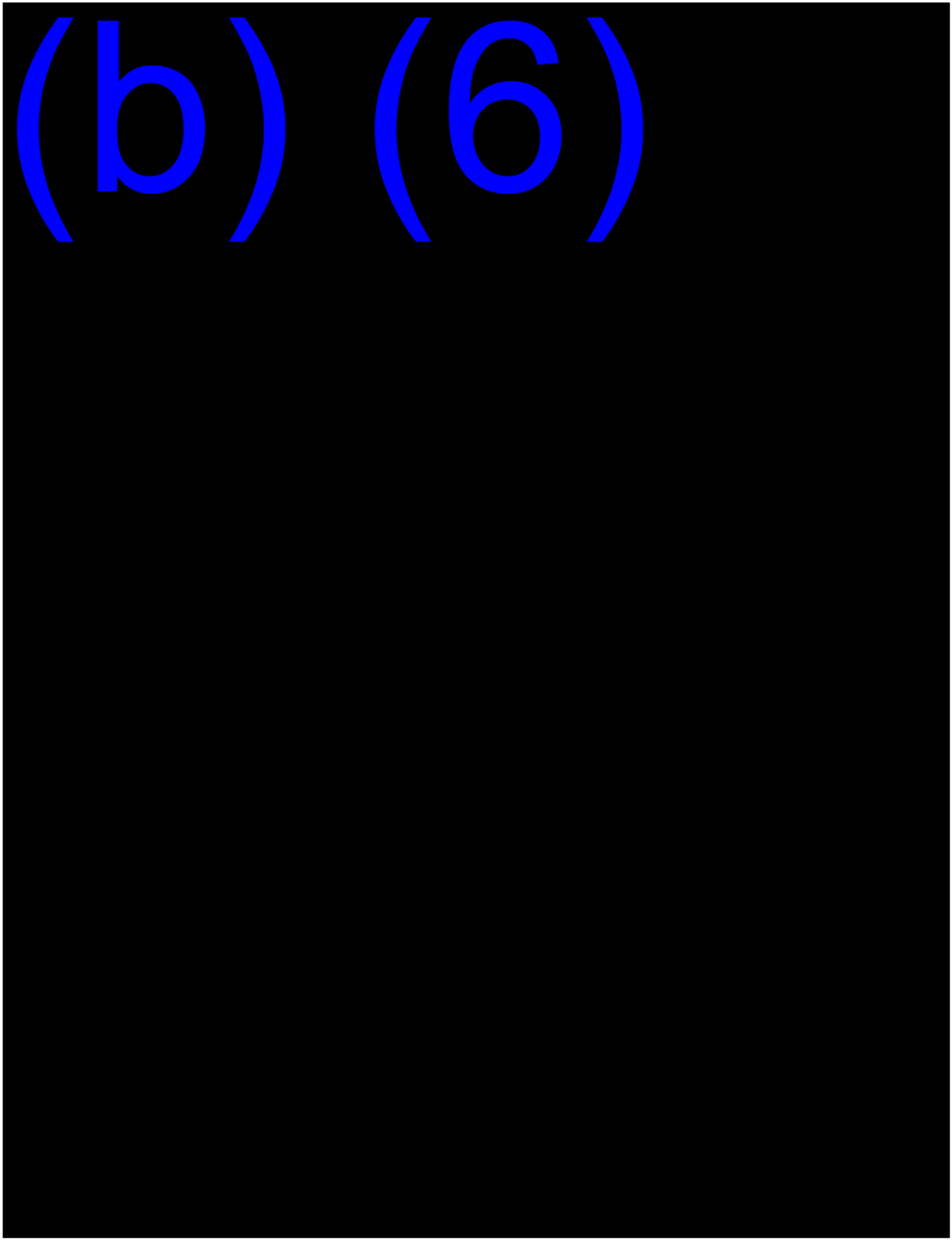

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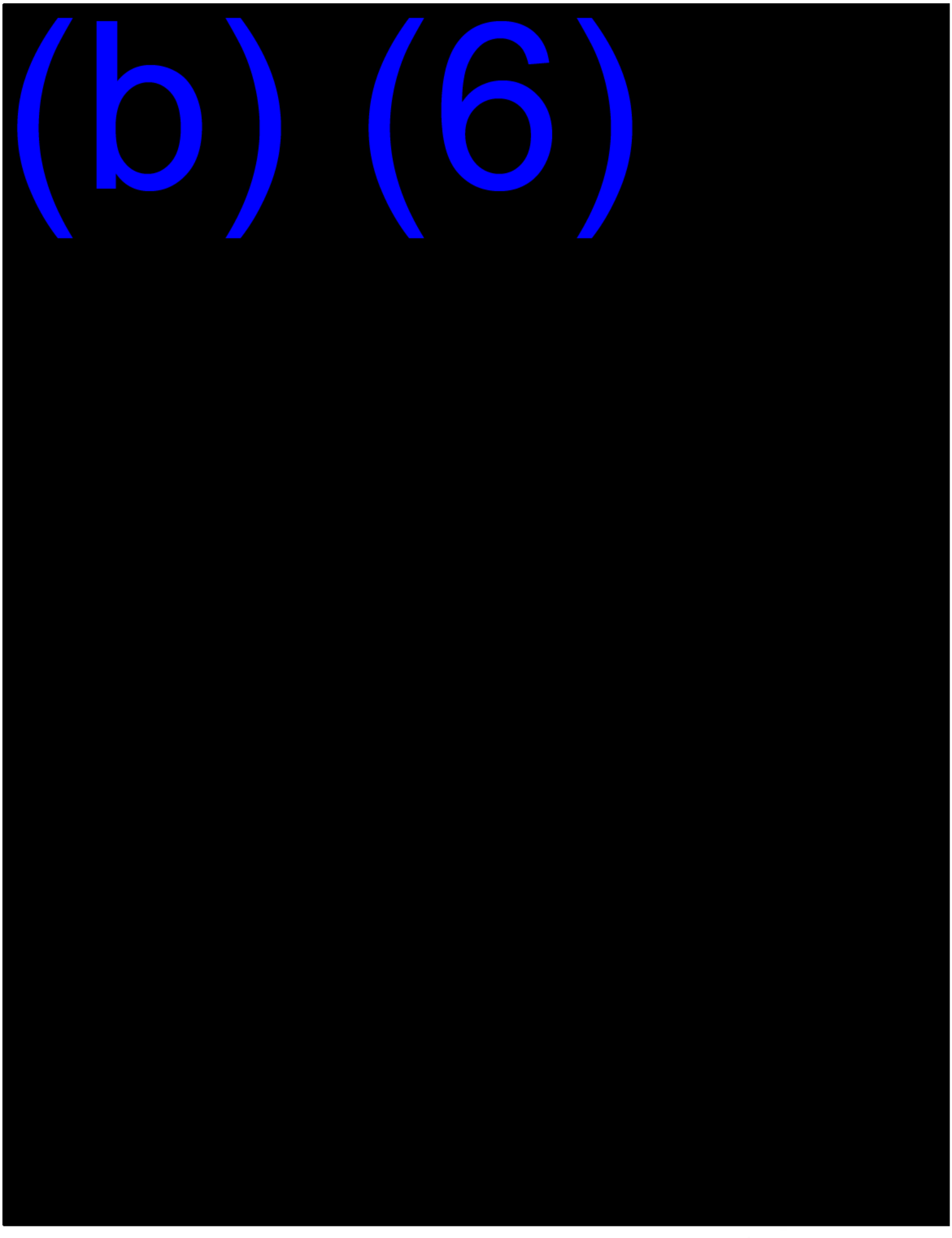

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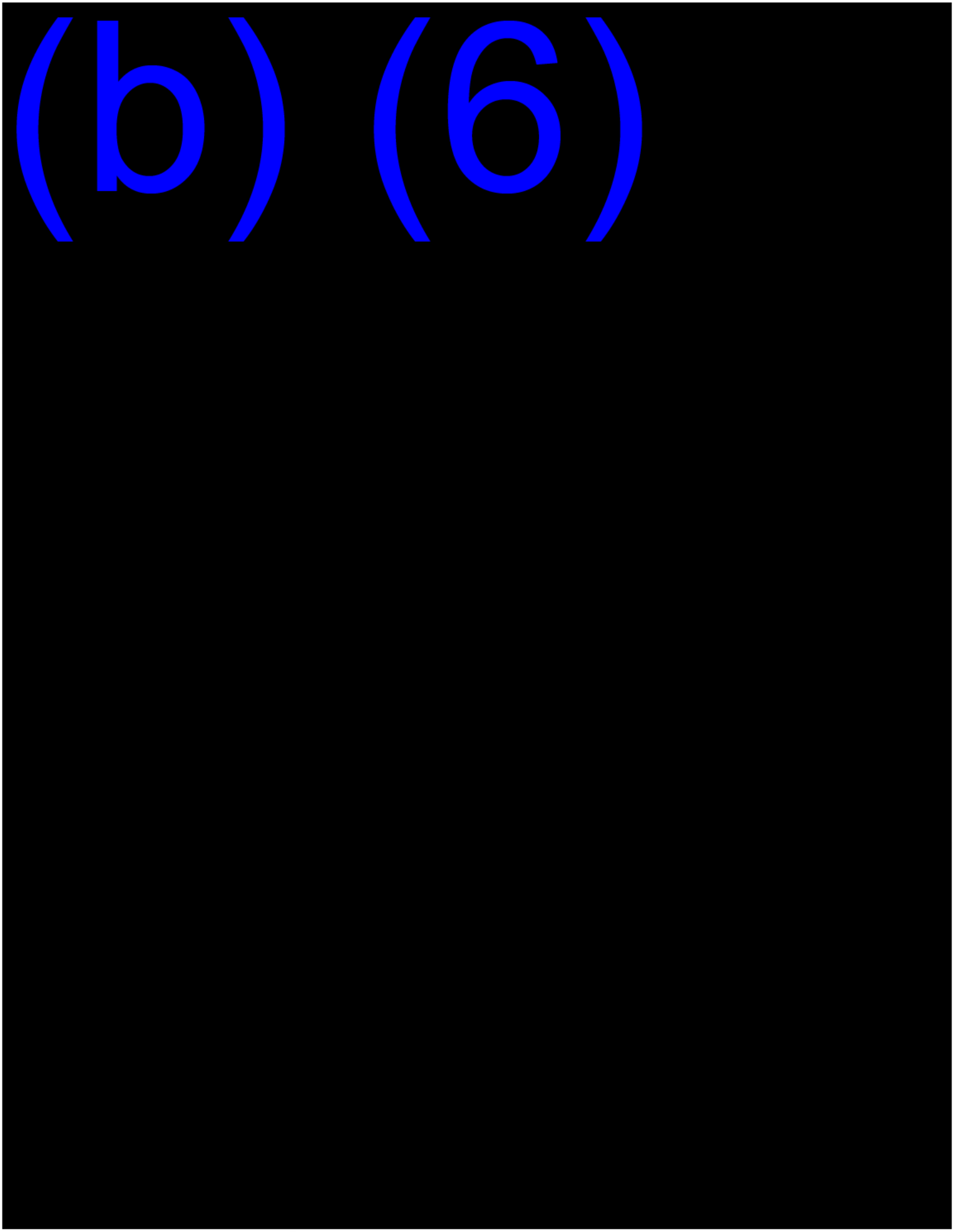

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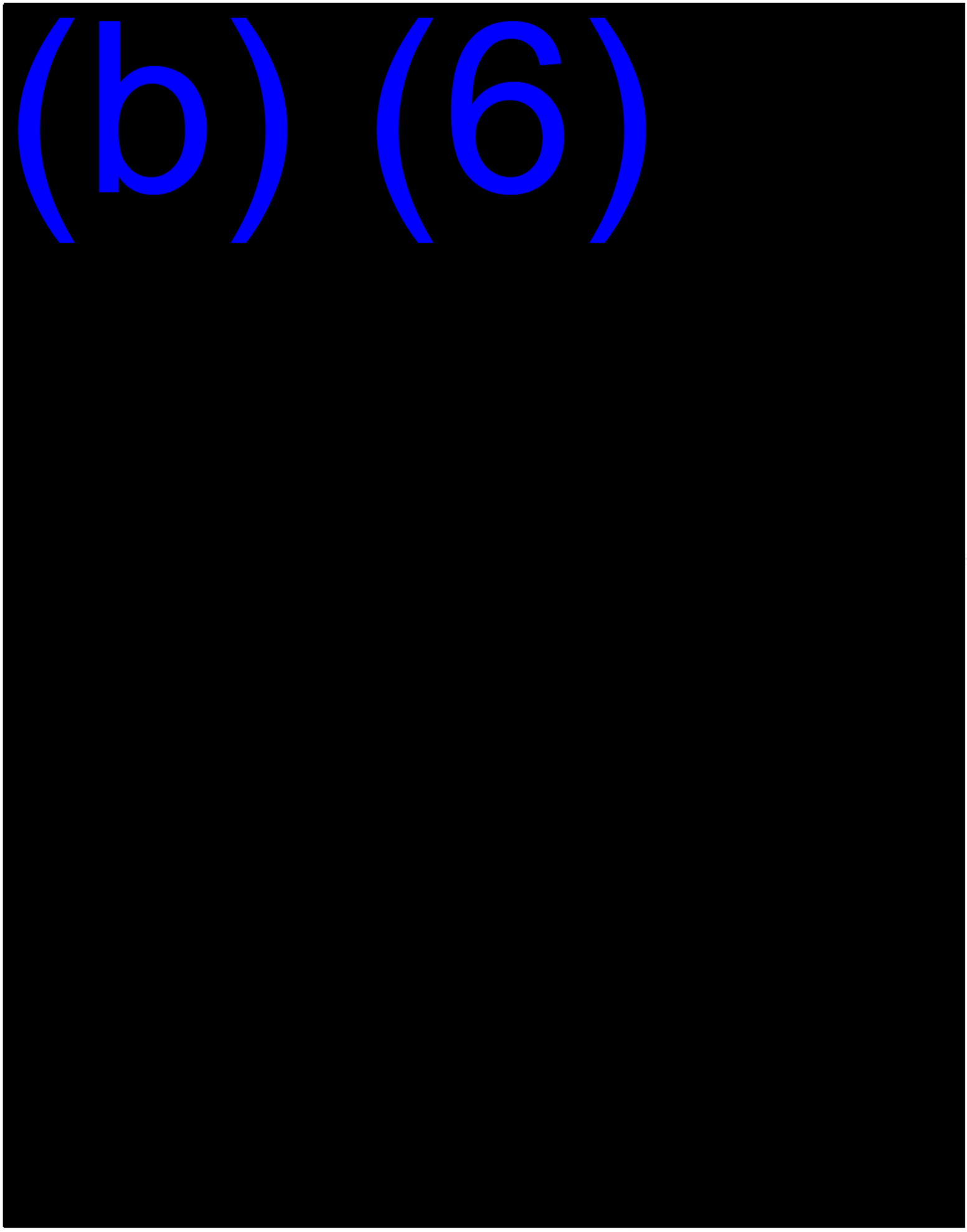

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