

<b>CLEARANCE OF PROPOSED ISSUANCE</b>			CLASSIFICATION THIS SHEET ONLY <b>UNCLASS</b>			CLASSIFICATION OF ATTACHED <b>UNCLASS</b>			ORIGINATING OFFICE <b>N132</b>		
DATE SUBMITTED: <b>2DEC05</b>			DATE RECEIVED: <b>2DEC05</b>			DATE REQUIRED:					
INITIAL      DATE			INITIAL      DATE			<b>DIRECTIVE NUMBER AND SUBJECT</b> <b>OPNAVINST 1120.11</b> <b>APPOINTMENT OF REGULAR AND RESERVE OFFICERS IN THE NAVY JUDGE ADVOCATE GENERAL'S CORPS</b>					
<b>DIRECTIVES</b> <b>5DEC05</b>			<b>EEO</b>								
<b>SSIC</b>			<b>PA/FOIA</b>								
<b>REPORTS</b>			<b>ORGANIZATION</b> <i>NAVY 12-14-05</i>								
<b>LOCAL FORMS</b>			<i>NO 12-15-05</i>								
<b>DD FORMS</b>											
<b>DISPOSAL</b>											
<b>REFERENCES (a) SECNAVINST 5210.11D (b) SECNAVINST 5215.1C (c) SECNAVINST 5216.5D (d) SECNAVINST 5214.2B (e) SECNAVINST 5213.10D</b>											
<b>ITEMS MARKED BELOW INDICATE ERRORS IN THE PROPOSED ADMINISTRATIVE ISSUANCE</b>											
1. Standard Subject Identification Code (SSIC) incorrect or unsuitable. Suggest using (Ref (b))			16. Route to CNO mailroom to ensure currency of distribution list.			31. All notices must have cancellation dates which cannot exceed one year. (Ref (b), page 9)					
2. Include originating code in upper right-hand corner of page 1, basic instruction. (Ref (b), page 10)			17. Excessive or imprecise distribution. Distribution is based on "need to act" (action). "Copy to" is based on "need to hold" (for reference/information purposes). (Ref (b), pages 14, 15, 16)			32. Serialize OPNAV notices and classified directives. (Ref (b), page 10)					
3. Add "FROM" line Add "TO" line. Delete "TO" line. (Ref (b), page 12)			18. Include stocking information. (Ref (b), page 18)			33. Complete OPNAV 5214/10 (attached) for each reporting requirement. (Ref (d), encl (1))					
4. When referencing DOD issuances, include the date.			19. Label enclosures. (Ref (b), page 16)			34. Include FLTINC comments when tasking the fleet to respond to the reporting requirement. (Ref (d), encl (1))					
5. Use latest suffix letter when citing instructions. Do not use "series." (Ref (b), page 13)			20. All references and enclosures must be cited in the basic instruction. (Ref (c), page 1-5)			35. Three year cancellation date has not been included in the reports paragraph. (Ref (d), encl (1))					
6. If reference(s) or any cited issuance(s) have not been distributed to all addressees of the proposed issuance, add the abbreviation "NOTAL" enclosed in parens at the end of the reference line. (Ref (b), page 12)			21. Use sex-neutral language. (Ref (c), page 3-2) Use clear language. (Ref (c), Chapter 1)			36. Insufficient time to prepare report.					
7. Type subject line in all "CAPITAL" letters.			22. Make the basic directive one or two pages summarizing the policy, procedure or system which it addresses. All amplifying material must follow in one or more enclosures.			37. RCS assigned.					
8. Title and underline major paragraphs. (Ref (b), page 14). Paragraph format is incorrect (Ref (c), page 2-14). Incorrect citation of paragraphs. (Ref (c), page 2-14)			23. Classified directives must be reviewed by.			38. Title last paragraph of the basic instruction "Report(s)," "Form(s)," or "Report(s) and Form(s)." a. For each report include the report control symbol, report title, location of the report in the directive, and the expiration of the report or the exemption authority. b. For each form include the form number, title, stock number (if applicable) and stocking information. (Ref (b), page 14)					
9. Remove punctuation after headings when not followed by text.			24. Requires MARCORPS clearance. Forward to ARDE. (Ref (b), page 16)			39. All forms must have a form number. Complete one copy of OPNAV 5213/19 (attached) for each form. (Ref (a), page 6)					
10. Type identification data on left side of even numbered pages--right side of odd numbered pages. (Ref (b), page 20)			25. Send references, enclosures, and superseded issuance(s) with the proposed issuance. (Ref (b))			40. Filled-in samples of forms must have the word "sample" overlaid or printed on them. (Ref (b), page 14)					
11. Allow extra line space after top headers to allow for date stamping.			26. All changes must now be incorporated in page changes. If changed page has a face or reverse, use printed pages from the basic directive for the reprinted pages of the change transmittal. (Ref (b), page 10)			41. The statement "to be reproduced locally" cannot be used for forms stocking. Contact OPNAV Forms Manager for correct stocking information.					
12. Make purpose paragraph a synopsis of the instruction's contents. (Ref (b), page 15)			27. Changes too extensive. Issue a revision.			42. See additional comments on page 2.					
13. Distribution on unclassified change transmittals should read "Same as basic" (Ref (b), page 18)			28. Pen changes not allowed. Page replacements required. (Ref (b), page 2)								
14. Distribution format incorrect/missing. (Ref (b), page 17)			29. Printers require full one-inch margin.								
15. Misspellings/typographical errors exist. please reproof.			30. Use marginal notations to indicate where substantive changes have been made. (Ref (b), page 15)								
<b>THIS ISSUANCE IS</b>						<b>COMMENTS</b>					
<input type="checkbox"/> APPROVED						<b>SEND COMPLETED WORD DOC VIA OUTLOOK TO "SN/OP DIRECTIVES". ENSURE SIGNED ORIGINAL IS FORWARDED TO NAVY YARD.</b>					
<input checked="" type="checkbox"/> APPROVED SUBJECT TO MARK-UP / COMMENTS											
<input type="checkbox"/> DISAPPROVED (When corrections are made, return for approval.)											
<input type="checkbox"/> A MARKED UP COPY IS ATTACHED											
<b>SIGNATURE AND TITLE</b> <i>Christine Laba</i> <b>CHRISTINE LABA</b> <b>NAVY DIRECTIVES MANAGER</b>						<b>DATE</b> <b>15 DEC 05</b>					
						<b>Printing Reminders</b> Prior to returning this instruction to SECNAV/OPNAV Directives for printing do the following: 1. Date stamp all pages directly under instruction or notice number. 2. On all classified instructions use classification tape at the center top and bottom of each page.					



DEPARTMENT OF THE NAVY  
OFFICE OF THE CHIEF OF NAVAL OPERATIONS  
2000 NAVY PENTAGON  
WASHINGTON, D.C. 20350-2000

IN REPLY REFER TO  
OPNAVINST 1120.11  
N132  
29 Dec 05

OPNAV INSTRUCTION 1120.11

From: Chief of Naval Operations

Subj: APPOINTMENT OF REGULAR AND RESERVE OFFICERS IN THE NAVY  
JUDGE ADVOCATE GENERAL'S CORPS

Ref: (a) DOD Directive 1310.2 of 28 May 96  
(b) SECNAVINST 1520.7F  
(c) DOD Directive 1205.14 of 24 May 74 (NOTAL)  
(d) SECNAVINST 1000.7F  
(e) 10 U.S.C.  
(f) DOD Directive 1312.3 of 21 Oct 96 (NOTAL)  
(g) OPNAVINST 1210.5  
(h) SECNAVINST 1420.1B  
(i) OPNAVINST 1427.1  
(j) SECNAVINST 5350.16  
(k) SECNAVINST 5300.28D  
(l) Manual of the Medical Department (NAVMED-P-117)  
(m) SECNAVINST 1920.6B

Encl: (1) JAG Corps Student Program  
(2) Computation Rules

1. Purpose. To establish regulations governing:

a. Appointment of officers in the Judge Advocate General's (JAG) Corps, including appointment in the Regular component under references (a) and (b), in the Reserve component under reference (c), and in either component through interservice transfer from another uniformed service under reference (d).

b. Voluntary recall of officers of the JAG Corps to the active-duty list.

c. Award of entry grade credit on appointment in the JAG Corps under sections 533 and 12207 of reference (e) and reference (f).

2. Cancellation. SECNAVINST 1120.5A. All other regulations and memoranda providing guidance governing accessions, appointments, eligibility requirements, and entry grade credit

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N132  
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for service in the JAG Corps inconsistent with this instruction are held in abeyance pending their modification or cancellation. Processing initiated before the date of this instruction will be continued pursuant to policy and instructions in effect before that date.

3. Applicability. This instruction applies to all individuals appointed as Regular or Reserve officers in the JAG Corps, including officers transferred from another uniformed service, Reserve officers transferred into the Regular component, Reserve officers voluntarily recalled to the active-duty list, and officers transferred from the line or another staff corps into the JAG Corps.

a. Additional guidance on the transfer of officers from other uniformed services into the JAG Corps is found in reference (d).

b. Additional guidance on the transfer of Reserve JAG Corps officers into the Regular component of the JAG Corps and the transfer of Regular and Reserve officers between the line and the JAG Corps or between another staff corps and the JAG Corps is found in reference (g).

c. Additional guidance on the transfer of Regular and Reserve officers between the line and the JAG Corps and between another staff corps and the JAG Corps through the Law Education Program (LEP) is found in reference (b).

4. Policy. The Department of the Navy will maintain authorized strength and grade levels in the JAG Corps by recruiting personnel required to support the annual five-year promotion plan approved under reference (h), to provide a base for an all-regular career force, and to attain authorized strength in the Reserve component to meet approved recruitments for mobilization.

a. Requirements for newly appointed officers on the active-duty list will be met primarily through law student programs (JAG Corps Student Program and LEP) and by direct appointment of civilian attorneys (JAG Corps Direct Appointment Program) supplemented by the transfer of line and other staff corps officers to the JAG Corps. Requirements for officers on

the active-duty list in career grades that cannot be filled by promotion will be met by transfer from the Reserve, by direct procurement of former military officers and civilian attorneys, and by voluntary recall to active duty of officers from the Reserve component, all of who must meet the professional qualifications of paragraph 8a.

(1) The JAG Corps Direct Appointment Program will be used to commission graduates of law schools approved by the American Bar Association (ABA) who have been admitted to practice law before a Federal Court or the highest court of a State, Territory, Commonwealth, or the District of Columbia. Total service commitment on active duty or as an active or inactive reservist for officers entering the Navy under this program shall be eight years.

(2) The JAG Corps Student Program will be used to commission in the Naval Reserve law students as line officers under instruction (designator 1955). They will remain in an inactive status while attending an ABA-approved law school except when called to active duty for training at Officer Indoctrination School (OIS) or other legal training as ordered. Total service commitment on active duty or as an active or inactive reservist for officers entering the Navy under this program shall be eight years. Guidance with regard to the JAG Corps Student Program is included in enclosure (1).

(3) The LEP will be used to provide experienced commissioned officers who will meet the needs of the Navy and Marine Corps for career force judge advocates. Officers selected for this program will be detailed annually to ABA-accredited law schools for the purpose of obtaining law degrees and subsequently serving in the Navy or Marine Corps as career judge advocates. Eligibility criteria for this program and service commitment upon completion are set forth in reference (b).

b. Factors to be used in determining the mix used to meet approved accession requirements shall include cost effectiveness, amount of active-duty and active-status Reserve service obtained, current and projected supply and demand for attorneys, retaining flexibility to adjust to changes in the market and in specialty requirements, and providing reasonable career progression opportunities for those attorneys entering the JAG Corps.

career progression opportunities for those attorneys entering the JAG Corps.

c. Requirements for the Selected Reserve and Individual Ready Reserve will be filled primarily through transfer of officers from the active-duty list. Requirements that cannot be met from this source, and requirements in advanced grades that cannot be met by promotion, will be met by directly procuring former military officers and other civilian attorneys who meet the professional requirements of paragraph 8a.

## 5. Definitions

a. Active commissioned service. Service on active duty as a commissioned officer or commissioned warrant officer.

b. Active duty. Full-time duty in the active military service of the United States.

c. Active-duty list. Separate lists of Navy and Marine Corps officers, established and maintained by the Secretary of the Navy under reference (i), as required by Section 620 of reference (e), other than officers described in Section 641 of reference (e).

d. Active status. The status of a Reserve commissioned officer, other than a commissioned warrant officer, who is not in the inactive Army National Guard or inactive Air National Guard, on an inactive status list, or in the Retired Reserve.

e. Constructive service credit. Credit for advanced education, training, or special experience, which is counted as commissioned service for the purpose of determining a person's entry grade, rank in grade, and service in grade for promotion eligibility.

f. Entry grade credit. The sum of constructive service credit and prior commissioned service credit.

g. Extended active duty. A period of active duty resulting in the placement of the officer on an active-duty list maintained under section 620 of reference (e).

h. Inception date. For purposes of calculating constructive date of rank as Ensign, the inception date of OIS and Naval Justice School (NJS) is the first day of scheduled classes, lectures, and in-processing. Official orders will normally direct arrival for duty no later than the inception date of OIS and NJS.

i. Prior commissioned service credit. Credit for active commissioned service or Reserve service in an active status.

j. Uniformed service. The United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Oceanic and Atmospheric Administration, or Public Health Service, and the Reserve components thereof.

6. Accession plans. The Chief of Naval Personnel (CHNAVPERS) will develop an annual accession plan to support authorized strength in the JAG Corps within total Navy authorized strength. There must be enough accessions to support the annual five-year promotion plans for the active-duty and Reserve components and to ensure that the promotion opportunity and flow necessary to meet authorized strength-in-grade requirements are maintained. Accession plans must support execution of Affirmative Action Plans established under reference (j).

7. Basic qualifications. To be eligible for appointment as a JAG Corps officer in either the Regular or Reserve component, or for voluntary recall from the Reserve component to the active-duty list, the applicant must meet the following requirements:

a. Citizenship. Must be a citizen of the United States.

b. Age. Must be at least 21 years old and be able to complete 20 years of active commissioned service before his or her 62nd birthday. CHNAVPERS may waive the age restriction up to age 60 for otherwise qualified applicants for appointment as a Reserve officer not on the active-duty list. The Assistant Secretary of the Navy (Manpower and Reserve Affairs) (ASN(M&RA)) may further waive the age restriction for otherwise qualified applicants above age 60 for appointment as a Reserve officer not on the active-duty list.

(1) Age limits may be waived in the following instances:

(a) When a manning shortfall exists that cannot be filled by in-zone promotions under the annual five-year promotion plan or by recruiting candidates who meet age requirements.

(b) When extraordinary circumstances indicate such a waiver to be in the best interest of the naval service.

(c) When a gross inequity to the applicant would otherwise result.

(2) Before appointment, applicants granted a waiver who will be unable to complete 20 years of active commissioned service by age 62 must acknowledge in writing that they are ineligible for a Regular appointment. Before appointment, applicants who will be unable to complete 20 years of creditable service for retirement will be required to acknowledge this fact in writing. CHNAVPERS shall keep written justification for each waiver granted.

c. Moral character. Applicants must be of good moral character and of unquestioned loyalty to the United States as determined by interview and investigation. As prescribed in reference (k), no person who is drug or alcohol dependent, who abuses drugs or alcohol, whose pre-service abuse of drugs and/or alcohol indicates a proclivity to continue abuse in the service, or who has a record of any drug trafficking offenses, shall be permitted to enter the JAG Corps.

d. Physical standards. Must meet the physical standards for service on active duty established by the Chief, Bureau of Medicine and Surgery and approved by CHNAVPERS. Upon recommendation of the Chief, Bureau of Medicine and Surgery, Commander, Navy Recruiting Command may grant waivers for physical defects that will not interfere with performance of active duty within the guidelines of reference (1).

## 8. Professional Qualifications

a. To be eligible for Direct Appointment in the JAG Corps (designator 2500) or for voluntary recall to the active-duty list, the applicant must have obtained a basic law degree (Juris Doctor or Bachelor of Laws) from a law school considered by the ABA to be accredited under provisions established by the ABA at the time of the applicant's graduation, and must be admitted to

practice before a Federal Court or the highest court of a State, Territory, Commonwealth, or the District of Columbia.

b. Officers who are participants in the JAG Corps Student Program (designator 1955) need not have been admitted to practice law in order to be eligible for a superseding appointment in the JAG Corps to designator 2500. They are eligible for their superseding appointment in the JAG Corps if they have met the following requirements:

(1) Graduated from a law school which at the time of the officer's graduation was considered by the ABA to be accredited under provisions established by the ABA.

(2) Received official notification of passing the bar examination and all other testing requirements required for admission to practice before a Federal Court or the highest court of any State, Territory, Commonwealth, or the District of Columbia.

(3) Commenced extended active duty.

c. Officers in the JAG Corps Student Program who fail to complete the prescribed course of instruction at OIS or NJS will be administratively processed for separation under reference (m). Officers who fail to graduate from law school; fail to take the first bar examination available after graduation from law school; twice fail a bar examination in two consecutive attempts, or other testing requirements for admission to the bar; otherwise fail to become admitted to practice as required under paragraph 8a, or fail to attend OIS or NJS will be reappointed in another competitive category to complete any active duty obligation incurred as a result of appointment in the JAG Corps Student Program, or, if so determined by CHNAVPERS, will be separated under reference (m).

d. Officers who are participants in the LEP and assigned to law school under reference (b) need not have been admitted to practice law in order to be eligible for a superseding appointment in the JAG Corps. An officer may be appointed in the JAG Corps at any time after selection for the LEP at the discretion of the CHNAVPERS. Appointment in advance of graduation from law school may be authorized, for example, to prevent a LEP participant from being considered for promotion by a selection

board at a disadvantage to his peers. The following conditions for appointment will apply:

(1) Regular or Reserve status will not change. If appointed as a Reserve officer, a LEP participant will be re-designated as a Regular officer per reference (g).

(2) Officers will be awarded Entry Grade Credit (EGC) per paragraphs 10 and 11.

(3) Officers will be appointed under section 531 or 593 of reference (e) in a grade determined on the basis of EGC awarded under paragraph 10.

9. Examination of professional qualifications. The Judge Advocate General shall examine and certify the professional qualifications of all applicants for appointment or recall in the JAG Corps and as line officers under instruction in the JAG Corps Student Program. He shall be the sole judge of all such applicants' professional qualifications. Once the Judge Advocate General has certified an applicant as professionally qualified, CHNAVPERS or Commander, Navy Recruiting Command acting for CHNAVPERS, shall determine whether the applicant is otherwise qualified for appointment, except for those seeking appointment under references (b) and (g), for whom CHNAVPERS will be responsible.

10. Entry grade credit. Entry grade and date of rank upon appointment in the JAG Corps shall be based upon prior active commissioned service, advanced education, training, or special experience as indicated in the following table:

Entry Grade Credit Table

<u>Qualification</u>	<u>EGC</u>
(1) Commissioned service in any of the uniformed services on active duty or in an active status.	Refer to paragraph 12 and enclosure (2)
(2) Juris Doctor or Bachelor of Laws degree, awarded per paragraph 8a.	Three years

(3) Unusual cases involving special experience or unique qualifications for which the CNO establishes a requirement in the annual accession plan on a case-by-case basis with the approval of ASN (M&RA). One-half year for each year up to a maximum of three years credit plan

11. Limits and computation of EGC. EGC will be computed as follows:

a. A period of time or a special qualification will be counted only once, except as allowed under paragraph 11e.

b. Qualifying periods of less than one full year will be proportionately credited.

c. Credit will not be awarded for service as a warrant officer.

d. Graduates of the service academies will not be awarded credit for any service performed, or education, training, or experience obtained, before graduation from the academy concerned.

e. EGC will not be awarded under paragraphs (2) and (3) of the EGC Table for education, training, or experience obtained while serving as a commissioned officer (other than as a warrant officer) on active duty or in an active status. However, EGC will be awarded for advanced education or an advanced degree if an officer, while in an active status as a member of the JAG Corps Student Program, completed the advanced education or received the advanced degree in less than the number of years normally required to complete such advanced education or receive such advanced degree.

f. Detailed guidelines for the computation of EGC are set forth in enclosure (2).

12. Maximum EGC. To obtain experienced former active-duty commissioned officers who can compete for career status while maintaining uniform and stable management of the JAG Corps community, total EGC granted, other than for officers accessed through the LEP, shall be limited to 48 months.

a. The ASN (M&RA) considering the recommendations of the CHNAVPERS, may waive this limit in the following circumstances:

(1) For appointment on the active-duty list. When there is a shortage against authorized strength, which cannot be met by:

(a) Accessions from the LEP under reference (b);

(b) Voluntarily recalling qualified officers from the Reserve component; or

(c) In-zone promotion under the five-year promotion plan approved by the Secretary.

(2) For appointment in the Selected and Ready Reserve component. When there is a shortage against authorized strength, which cannot be met by:

(a) Transfer of officers from the active-duty list.

(b) Directly procuring former military officers and civilians.

(3) When a gross inequity to the applicant would otherwise result.

b. Before appointment, selectees for whom a waiver is granted must acknowledge in writing that, although they remain eligible and subject to recall to active duty, they may not be permitted to transfer into the Regular Navy.

13. Appointments. Appointments in the JAG Corps shall be made subject to the following guidance governing entry grade, date of rank, and precedence:

a. Entry grade. A selectee shall not be appointed in a grade higher than Lieutenant Commander. The ASN(M&RA) will consider requests for waiver of the foregoing limitation subject to the provisions of paragraph 12. The following table provides minimum EGC required for appointments in grades Ensign (O-1) through Lieutenant Commander (O-4).

<u>Grade</u>	<u>Minimum Years of Entry Grade Credit</u>
Ensign	0 years
Lieutenant (junior grade)	2 years (or the then applicable promotion flow point)
Lieutenant	4 years (or the then applicable promotion flow point)
Lieutenant Commander	10 years (or the then applicable promotion flow point)

b. Selectee who has not been a commissioned officer. Selectees shall be appointed in a grade and with a date of rank calculated from the inception date of the selectee's class at OIS. Guidelines for computation and application of EGC are set forth in paragraph 1 of enclosure (2).

c. Selectee who is or was a commissioned officer (other than as a warrant officer or a participant in the JAG Corps Student Program or LEP). Selectees shall be appointed in the same grade and with the same date of rank as the equivalent officer in the JAG Corps on the active-duty list of the Navy who:

(1) Was originally appointed in the JAG Corps from a civilian status with no prior commissioned service.

(2) Has been on continuous active duty since appointment in the JAG Corps.

(3) Was promoted under reference (e) in due course to all grades in which served.

(4) Has not lost numbers or precedence on the lineal list or active-duty list.

(5) Has, on the date of the selectee's appointment in the JAG Corps, active commissioned service which, when combined with the constructive service credit credited upon appointment, is equal to, or most nearly equal to, the EGC of the selectee. Guidelines for computation and application of EGC are set forth in paragraph 2 of enclosure (2).

d. Selectee who is a participant in the JAG Corps Student Program. A selectee shall have EGC applied so that he or she shall have the same grade and date of rank as the equivalent officer in the JAG Corps described in paragraph 13c. In determining equivalent officers for Student Program selectees who were appointed as line officers under instruction as prospective JAG Corps officers, constructive service credit and prior commissioned service credit earned after entering into the JAG Corps Student Program shall be applied upon their appointment as reserve officers in the JAG Corps from the date of their appointment as line officers under instruction. Guidelines for computation and application of EGC are set forth in paragraph 3 of enclosure (2).

e. Selectee who is a participant in the Law Education Program. A selectee shall be assigned a date of rank in the grade reflecting the amount by which that officer's service credit exceeds the minimum years of EGC required for appointment in the grade in which appointed determined as of the date of that officer's appointment. The appointee shall be placed on the active-duty list under reference (i). A participant in the LEP, if serving as a Naval Reserve officer, shall be required under reference (g) to accept an appointment, if tendered, as a regular officer in the JAG Corps.

f. Date of rank when the minimum EGC required for appointment in a given grade is granted. In such cases, the date of rank shall be the date of appointment. When the EGC exceeds the minimum years required for appointment in a given grade, the excess credit shall adjust the date of rank within grade. The selectee's excess EGC shall be compared with the time-in-grade of JAG Corps officers on the active-duty list in the same grade. The date of rank upon appointment shall be the same as that of the JAG Corps officer on the active-duty list in the same grade with time-in-grade most equal to, but not less than, the selectee's excess EGC.

g. Assignment of precedence. Each selectee will be placed on the active-duty list or assigned an equivalent officer to be tracked with as follows:

(1) If upon appointment in the JAG Corps, the selectee is ordered to active duty (other than active duty as a Reserve officer as described in section 641(1) of reference (e) or is on

active duty at the time of such appointment, he or she shall be placed on the active-duty list under reference (i).

(2) If the selectee is appointed to the grade of lieutenant (junior grade) or above, but is not concurrently ordered to active duty and placed on the active-duty list of the Navy, he or she shall be assigned a "running mate" under reference (i).

h. Constructive date of rank as ensign. Selectees awarded EGC shall be assigned a constructive date of rank as ensign computed in accordance with the guidelines in enclosure (2).

i. Application processing. All qualified applicants accepted for appointment either on active or inactive duty shall be commissioned within 60 days following receipt of a complete application by Navy Recruiting Command or, where required, their nominations shall be forwarded to the Senate for confirmation within 60 days. CHNAVPERS may authorize delayed commissioning when the applicant requests a later time.

j. Return to former status. An officer who attends law school under the LEP shall return to his or her former status (line or staff corps) in accordance with reference (b) if the officer in any manner fails to meet the professional qualifications in paragraph 8a.

#### 14. Responsibilities.

a. The Chief of Naval Operations is responsible for:

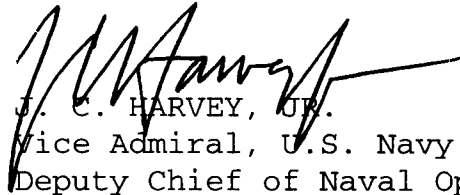
(1) Procurement and appointment of JAG Corps officers in compliance with this instruction.

(2) Establishment of the annual accession plan.

b. CHNAVPERS may approve entry grade credit and establish entry grades and dates of rank of JAG Corps officers in compliance with the guidelines in this instruction.

c. The Judge Advocate General is responsible for certifying professional qualifications and calculating EGC.

d. Commander, Navy Recruiting Command shall prepare appointment documents based upon entry grade computations by the Judge Advocate General.



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Vice Admiral, U.S. Navy  
Deputy Chief of Naval Operations  
(Manpower, Personnel, Training,  
and Education)

Distribution:  
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JAG CORPS STUDENT PROGRAM

1. Purpose. To aid in attaining future accession requirements for the JAG Corps on the active-duty list and in the Reserve Component, CHNAVPERS shall conduct a JAG Corps Student Program within the following guidelines.

2. Eligibility. Candidates must meet the basic qualifications in paragraph 7 of the basic instruction, except that no age waivers may be granted, and must satisfy one of the following criteria:

a. Be matriculated and completed one year in a program of professional study in law leading to a Juris Doctor or Bachelor of Laws degree in a law school qualifying under paragraph 8a. of the basic instruction; or

b. Be awaiting the first opportunity to take a bar examination and admission to practice before a Federal Court or the highest court of a State, Territory, Commonwealth, or the District of Columbia, having attained a Juris Doctor or Bachelor of laws Degree from a school qualifying under paragraph 8a of the basic instruction.

3. Appointments. Candidates selected for the program will be appointed as Reserve Officers in the Unrestricted Line, JAG Corps Student Program (designator 1955), for inactive duty during the period of their professional studies. The following conditions will apply:

a. They will serve without pay or allowances while in a student status except during periods of active duty;

b. They will become admitted to practice law per paragraph 8a of the basic instruction;

c. They will successfully complete OIS. This requirement may be waived by CHNAVPERS in the case of an officer with prior commissioned service;

d. Upon satisfaction of the requirements of paragraph 8b of the basic instruction, they will accept a superseding appointment in the JAG Corps (designator 2500) on the active-duty list, if offered.

e. Total service obligation is eight years. For officers appointed to the active-duty list, the initial active-duty obligation is four years, which will begin to run upon satisfaction of the following requirements:

(1) Commencement of extended active duty;

(2) Admission to practice before a Federal Court or the highest court of a State, Territory, Commonwealth, or the District of Columbia; and

(3) Successful completion of NJS training.

4. Disenrollment. Officers in the JAG Corps Student Program are subject to the provisions of reference (m). They may be disenrolled and separated from the Naval Reserve under paragraph 8c of the basic instruction for:

a. Academic failure or failure to maintain satisfactory standing while enrolled in law school under the standards of the school in which enrolled;

b. Suspension or expulsion from law school;

c. Discontinuing professional training or withdrawing from law school;

d. Failure to obtain a Juris Doctorate or Bachelor of Laws Degree within three years from commissioning in the JAG Corps Student Program;

e. Failure to take or pass a bar examination or any other testing requirement necessary for admission to a Federal Court or the highest court of a State, Territory, Commonwealth, or the District of Columbia in two consecutive attempts;

f. Failure to become admitted to practice, in accordance with paragraph 8a of the basic instruction, within one year of graduation from law school; or

g. Failure to commence extended active duty within six months of official notification of successful completion of all testing requirements needed for admission to a Federal Court or the highest court of a State, Territory, Commonwealth, or the District of Columbia.

5. Superseding appointment in the JAG Corps. CHNAVPERS may offer superseding appointments in the JAG Corps to successful Student Program students to the extent necessary to meet current year accession plan requirements for the active-duty list and the Reserve Component.

a. Selection will be based on criteria established by CHNAVPERS and the Judge Advocate General.

b. Officers receiving a superseding appointment who fail to become admitted to practice law per paragraph 8a of the basic instruction within six months of graduation from NJS will be separated per paragraph 8c of the basic instruction.

6. Active Duty for Training. JAG Corps Student Program officers may be called to active duty to attend OIS or for other legal training between academic semesters while enrolled in law school and while awaiting bar examination results or orders to extended active duty.

COMPUTATION RULES

1. Direct Appointment Selectee who has not been a commissioned officer. A selectee who has not previously served as an officer in a grade above chief warrant officer, W-4, will be credited upon appointment in the JAG Corps with three years constructive service credit for obtaining a Juris Doctor or Bachelor of Laws degree. See item (2) of the EGC Table in paragraph 10 of the basic instruction. A constructive date of rank as ensign will be calculated by subtracting the EGC from the inception date of the selectee's class at OIS.

2. Direct Appointment Selectee with prior commissioned service (other than as a warrant officer or a participant in LEP)

a. Computation of constructive service credit. A selectee who has previously served as an officer other than as a warrant officer or a participant in the LEP, will be credited upon appointment in the JAG Corps with three years constructive service credit for obtaining a Juris Doctor or Bachelor of Laws degree. See item (2) of the EGC Table in paragraph 10 of the basic instruction.

b. Computation of prior commissioned service credit. For appointment in the JAG Corps, a selectee shall be credited with one day of service credit for each day of prior service as a commissioned officer performed as a Regular or Reserve officer on active duty or as a Reserve officer in an active status in any uniformed service up to a maximum of one year, plus three years constructive service credit under paragraph 2a. EGC (prior commissioned service credit plus constructive service credit) shall total not less than three years and no more than four years. A constructive date of rank as ensign will be calculated by subtracting the total EGC from the inception date of the selectee's class at OIS, or, if the requirement for OIS is waived by the CHNAVPERS, from the inception date of the selectee's class at NJS.

3. Student Program Selectee who has not been a commissioned officer. A selectee who has not previously served as an officer in a grade above chief warrant officer, W-4, will be credited upon appointment in the JAG Corps with three years constructive service credit for obtaining a Juris Doctor or Bachelor of Laws

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degree. See item (2) of the EGC Table in paragraph 10 of the basic instruction. A constructive date of rank as ensign will be calculated by subtracting the EGC from the inception date of the selectee's class at NJS.

4. Student Program Selectee with prior commissioned service (other than as a warrant officer or a participant in LEP):

a. Computation of constructive service credit. A selectee who has previously served as an officer other than as a warrant officer or a participant in the LEP, will be credited upon appointment in the JAG Corps with three years constructive service credit for obtaining a Juris Doctor or Bachelor of Laws degree. See item (2) of the EGC Table in paragraph 10 of the basic instruction.

b. Computation of prior commissioned service credit. For appointment in the JAG Corps as a Reserve officer, a selectee shall be credited with one day of service credit for each day of prior service as a commissioned officer performed as a Regular or Reserve officer on active duty or as a Reserve officer in an active status in any uniformed service up to a maximum of one year, plus three years constructive service credit under paragraph 2a. EGC (prior commissioned service credit plus constructive service credit) shall total not less than three years and no more than four years. A constructive date of rank as ensign will be calculated by subtracting the total EGC from the inception date of the selectee's class at OIS, or, if the requirement for OIS is waived by the CHNAVPERS, from the inception date of the selectee's class at NJS.

5. In addition to the provisions of paragraphs 1 through 4 above, EGC may be granted in cases involving special experience or unique qualifications at the rate of one-half year for each year up to a maximum of three years credit in accordance with the EGC table in paragraph 10 of the basic instruction subject to the provisions of paragraph 12 of the basic instruction.