

FM 27-4 (TEST)

DEPARTMENT OF THE ARMY FIELD MANUAL

JUDGE ADVOCATE SUPPORT IN THEATERS OF OPERATIONS



HEADQUARTERS, DEPARTMENT OF THE ARMY
JANUARY 1967

FOREWORD

This manual is published to provide interim guidance to commanders, staff officers, and other personnel concerned with Judge Advocate Support under the TASTA-70 concept of organization and operation. This information can be utilized to facilitate reorganization under the TASTA Concept. Firm information on the organizational structure and composition of units will be as contained in TOE's when published. Although the basic TASTA-70 Study has been approved by Department of The Army, detailed doctrine contained in this Test Field Manual is subject to further Department of The Army review and final approval.

FIELD MANUAL
No. 27-4 (TEST) }

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DEPARTMENT OF THE ARMY
WASHINGTON, D. C., 6 January 1967

JUDGE ADVOCATE SUPPORT IN THEATERS OF OPERATION

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1. Purpose

a. This manual develops organizational and personnel structure, operating systems and procedures, and equipment requirements to provide legal services within the combat service support concept as developed in The Administrative Support, Theater Army 1965-1970 (TASTA-70).

b. Comments by users of this test manual should be keyed to the specific paragraph number, page, and line of text and addressed to Commanding Officer, U. S. Army Combat Developments Command Judge Advocate Agency, Charlottesville, Virginia 22901.

2. General

a. The concepts are outlined in FM 54-8 (Test), The Administrative Support, Theater Army (TASTA-70).

b. Status of forces agreements will define relationships between U. S. personnel and allied countries wherein they may be serving.

c. Current requirements for judge advocate personnel imposed by the Uniform Code of Military Justice and the Manual for Courts-Martial, United States, 1951, will not decrease in the foreseeable future.

d. Law officers for the trial of general court-martial cases will continue to be furnished by the U. S. Army Judiciary, Office of the Judge Advocate General.

e. TASTA-70 concepts envision a reorganization of the COMMZ along functional lines as a logical extension of the approved CO-STAR concepts.

f. Adequate professional legal advice is required in order for the Army to accomplish its mission.

g. Current law requires certain actions be performed by judge advocate personnel (e.g., military justice).

h. Current regulations require certain functions be performed by judge advocate personnel (e.g., legal assistance, procurement, claims).

i. Current doctrine provides for professional legal advice to the commander in such areas as war crimes, international law and military affairs.

3. Background and Doctrine

a. *Introduction to the manual.* For a better understanding of the new concepts of legal services under TASTA-70, the former legal services system is presented to provide proper perspective. These new concepts are then outlined with more detailed treatment for each major command—mission and area support—in appropriate annexes to this manual. This, of necessity, requires some duplication among the annexes. However, the commander, or his staff judge advocate, of the respective organization will find that which he requires listed in one annex for his particular command without the need for leafing about the manual.

b. *Nature of the Service.*

- (1) This manual addresses itself not to the problem of moving supplies and equipment from a port to the hands of the user or consumer in the front lines, but with providing a service. Before proceeding further, the nature of this service must be clearly understood.
- (2) For a full understanding, an examination of the functions of The Judge Advocate General will be helpful. The Judge Advocate General occupies a statutory position. In addition to other duties prescribed by law, he is the legal advisor of the Secretary of the Army and of all officers and agencies of the Department of the Army. He directs

the members of the Judge Advocate General's Corps in the performance of their duties (10 U.S.C. 3037). By regulation, The Judge Advocate General has staff responsibility for an Army wide legal service and, in connection therewith, makes recommendations concerning the establishment of, and exercises technical supervision over, all Army legal offices. He administers the Army's claims and legal assistance services and its system of military justice. He is custodian of general court-martial and real property records. He directs the members of the Judge Advocate General's Corps in the performance of their duties (para 46, AR 10-5, 10 August 1964).

- (3) At levels below the Headquarters, Department of the Army, The Judge Advocate General carries out his functions through the assigned Staff Judge Advocate. As with The Judge Advocate General, the position of Staff Judge Advocate is also, in a sense, statutory. Before ordering the trial of any case by general court-martial, the convening authority is required by law to obtain the advice of his Staff Judge Advocate (UCMJ, Art. 34; 10 U.S.C. 834). Of course, this law does not require any particular command to have a Staff Judge Advocate; but it does effectively preclude a commander from exercising this important command function in the absence of one.
- (4) In general, the local Staff Judge Advocate performs duties corresponding in nature and scope to those assigned to The Judge Advocate General. Current Department of the Army doctrine (FM 101-5, para 3.47) describes the duties of a Staff Judge Advocate as follows:

- a. As a member of the personal staff, furnishes legal advice to the commander, the staff, and subordinate commanders.

- b. Supervises the administration of military justice within the command:

- (1) Communicates directly with the commander on military justice matters.

- (2) Examines and recommends to the convening authority appropriate action on charges before they are referred for trial by general courts-martial; reviews records of trial by general courts-martial and military commission;

and recommends to the convening authority the action he should take with respect thereto.

(3) Provides counsel who are qualified lawyers within the sense of Article 27(b), Uniform Code of Military Justice, for trial and defense of general courts-martial and as defense counsel when requested at investigations conducted pursuant to Article 32, Uniform Code of Military Justice.

(4) Reviews records of trial by special and summary courts-martial for legal sufficiency and initiates appropriate corrective action where necessary; and is custodian of special and summary courts-martial records of trial.

(5) When required, prepares and processes correspondence concerned with the imposition of nonjudicial punishment under Article 15, Uniform Code of Military Justice; in appropriate cases, reviews appeals from punishment imposed under Article 15 and makes recommendations thereon to the commander.

(6) Recommends policies relating to conditions under which pretrial and post-trial confinement of military personnel will be imposed; advises and assists other staff agencies and subordinate commands in the enforcement of announced policies relative to confinement.

(7) Supervises military justice training within the command.

(8) Recommends policies relating to liaison with law enforcement and judicial agencies in the civilian community.

c. Furnishes legal assistance and advice to military personnel, their dependents, and other authorized persons concerning personal, civil, and legal problems.

d. Supervises and administers all matters pertaining to claims and recommends action to be taken, including certification for payment, if appropriate.

e. Provides legal opinions and advice on public international law matters, both customary and conventional, e.g., the Hague Regulations, the Geneva Conventions of 1949, status of forces agreements, etc., and on the applicability of United States laws in foreign countries. Provides advice on foreign and private international law problems.

f. Examines procurement contracts, furnishes legal advice in connection with disputes and other problems in the procurement field, and provides counsel in Armed Services Board of Contract Appeals cases tried under the Optional Accelerated Procedure; furnishes legal advice with respect to the utilization and disposal of Government property.

g. Supervises the administration of war crimes matters within the command.

h. Has operational control over judge advocate teams assigned or attached to the com-

mand, except for those attached only for logistical support.

(5) The Staff Judge Advocate in an overseas area may have additional duties in connection with military commissions; provost courts, or other military tribunals; legal problems incident to occupation of enemy territory; legal advice concerning relationships between US forces and governments and inhabitants of friendly nations through which our forces may be passing or in which they may be stationed (para 6, DA Pam 27-5, 19 Jul 63).

(6) The commander is required by law to communicate directly with his Staff Judge Advocate on matters relating to military justice. The Staff Judge Advocate may communicate with the Staff Judge Advocate of a superior, subordinate, or adjacent command and with The Judge Advocate General (Art 6b, UCMJ). Traditionally he is a member of the commander's personal staff and provides legal service to the command through a staff section, rather than through a separate operating unit. This is sound, because in order to keep his command out of trouble he must be in a position to be aware of, and review problems arising in, the various functional areas of the command.

(7) In summary, the Staff Judge Advocate is responsible for general legal service to the command and he assists the commander in the exercise of command (para 5, DA Pam 27-5, 19 Jul 63). While certain of his functions relate to personnel, other functions relate to operations and logistics. Thus, like the medical service, the legal service is a professional one and it extends through the spectrum of all other functional areas.

(8) Throughout this manual frequent reference is made to certain types of legal services. In order that there will be no misunderstanding of these terms, the following explanation is presented at this point.

(a) *Military Justice.* This term includes the action and procedures authorized and prescribed by the MCM, U. S., 1951. It includes the imposition of Article 15

punishments and appeals incident thereto as well as trials by summary, special and general courts-martial.

(b) *Claims*. This term defines any demand for reimbursement for property damage, out of pocket expense, personal injury, or death. Included are claims *against* the United States as well as claims *in favor* of the United States. Claims against the United States may arise from a number of sources including both civilians (U. S. and foreign) and military personnel. The different kinds of claims are based on statutes. Regulations implementing these statutes are found in the AR 25 series.

(c) *Legal Assistance*. This term defines the legal service that may be provided to individual military personnel on problems of a civil (as distinguished from criminal) nature. Included are such things as preparation of wills and powers of attorney, assistance on questions of taxation, and domestic relations. The legal assistance officer may not, however, represent his client before a civilian tribunal nor may he give advice or assistance concerning private business ventures. AR 608-50 sets out the Army legal assistance program in detail.

(d) *International Law*. Included under this heading are those legal problems arising under international agreements, treaties, protocols, etc. The Staff Judge Advocate provides advice to commanders and staffs on these problems. For example, under a status of forces agreement, problems arise concerning exercise of criminal and civil jurisdiction, taxation and degrees of immunity therefrom. Also included are questions about the laws of land warfare, Hague Regulations, and the Geneva Conventions, including such subjects as Prisoners of War, Civilian Internees, and the establishment of civil affairs tribunals in occupied territory.

(e) *Procurement*. This activity consists of advice and assistance to contracting officers and other procurement officers. The Staff Judge Advocate is required by regulations to examine certain proposed contracts and to advise the purchasing

and contracting officer on questions of contract law.

(f) *Military Affairs*. This topic includes advice to commander and staff on legality of administrative proceedings (boards of officers, elimination proceedings, findings of pecuniary liability), appointments and reductions, pay and allowances, real estate law and, generally, all other legal problems not specifically included in the categories above mentioned. In some headquarters the problems of international law and procurement (d and e above) are relatively few and therefore these may be grouped in the military affairs category.

c. How the service is currently provided.

(1) *Field Army*. Legal services for and within a field army are provided by a Staff Judge Advocate who heads up a judge advocate section. This section is organic to the independent brigade, each division, corps, and field army headquarters. Under the CO-STAR concept, each support brigade and FASCOM headquarters also has a judge advocate section. These sections are found in the following TOE:

Separate Brigade (ROAD)	12-177E (Admin Co)
Separate Brigade (Abn)	12-167E (Admin Co)
Division (Abn)	12-157E (Admin Co)
(AIM)	12-37E (Admin Co)
Corps	52-1E (Hq Co)
Support Bde	54-22F (Hq Co)
FASCOM	54-12F (Hq & Sp Trps)
Field Army	51-1E (Hq Co)

In CO-STAR an effort was made to make legal services more available by using an area concept under which the bulk of the legal services would be provided by the support brigades. The same general concept will be applied in TASTA-70.

(2) *Communications Zone*. As initially pointed out in this manual, the problem here is not in moving a product but in supplying a service. Thus, in the COMMZ area we are concerned with providing a service to

COMMZ units, not to units in the field army area. Units in the forward areas do not directly put requirements upon COMMZ for legal support as they do for rations, rifles, rockets, and replacements. As we have seen, the field army and its major subordinate commands have legal support provided organically.

At this point it would be appropriate to clarify a frequently misunderstood aspect of judge advocate operations. A commander who exercises general court-martial jurisdiction is generally autonomous or independent with respect to that function. By statute, he alone has the authority to order a trial by GCM. By statute, he and no one else (with rare exception) may initially act upon a sentence, i.e., approve, disapprove, order it executed, mitigate or suspend. When he has acted upon a case, the record with his action is transmitted *directly*, not through channels, to The Judge Advocate General by the most expeditious means. Thus, a case arising in a division is not reviewed by corps or army or any other intervening headquarters. Similarly, a case tried at army headquarters would not be reviewed by COMMZ or theater army. Thus, it can be seen that COMMZ seldom sees, reviews, or acts upon decisions of the field army commanders in the area of legal services. While the TASCOT judge advocate section or other COMMZ command judge advocate section may serve as a repository for reports or statistics, judge advocates thereof do not review the work of the field army judge advocate.

For an understanding of how legal services are currently provided to COMMZ units, reference must be made to the current COMMZ organizational structure. The major headquarters of the COMMZ is the Theater Army Logistical Command (TALOG). Subordinate to TALOG, there may be a Base Logistical Command (BALOG), an Advance Logistical Command (ADLOG), area commands and various intersectional services. Depending upon the size of the supported force, these logistical commands may be types A, B, or C.

Legal services are currently provided COMMZ units by Staff Judge Advocates and judge advocate sections which are organic to these different logistical commands and certain other units. Staff Judge Advocates and judge advocate sections are found in the following TOE:

Logistical Command C, HHC, 54-202D.

Logistical Command B, HHC, 54-102D.

Logistical Command A, HHC, 54-2D.

Transportation Terminal Command C,
55-111D.

Transportation Terminal Command B,
55-121D.

Transportation Terminal Command A,
55-131D.

Transportation Motor Transport Command,
55-11D.

(3) *JAGSO Teams*. In addition to the legal support thus provided organically to major units of the field army and COMMZ, there are available a number of functional teams from the Judge Advocate General Service Organization (TOE 27-500E). These teams are theater army troops, assigned or attached normally to an army or corresponding logistical command and attached to lower echelons only for such periods of time as workloads justify. Their mission is as follows:

- (a) To perform the excess operational judge advocate functions in a field or combat situation and to dispose of the unusual type legal workload generated under conditions of hostility.
- (b) To provide augmentation as required for variable strength organizations.
- (c) To effectuate mobility and flexibility of professional personnel commensurate with varying peak workloads within units concerned.
- (d) To provide maximum efficient utilization of professional personnel.

Included in this group of teams are war crimes teams, trial teams, claims teams, legal assistance teams, procurement law teams, and control teams.

d. *Proposed System of Providing for Legal Services for TASTA-70.*

- (1) *General Considerations—COMMZ.* The system proposed herein is designed to fit the TASTA-70 conceptual framework as currently outlined in FM 54-3 (Test). The TASTA-70 concept envisions a Theater Army Support Command (TASCOM) operating on the same level as the field army(ies). The TASCOM and field army commanders will have at their disposal all of the combat service support capabilities needed to perform their missions within their respective areas, i.e., communications zone and combat zone.

Major commands subordinate to TASCOM include the five so called "mission" commands: Personnel, Supply and Maintenance, Engineer, Transportation and the Medical Commands. Also included is the Area Support Command which will provide direct support services to the "mission" commands and other units located in or passing through the COMMZ. It is with TASCOM headquarters and with the headquarters of these major subordinate commands with which this portion of the study is primarily concerned.

As previously noted, legal services have been in the past, and currently are, provided for by a Staff Judge Advocate and a judge advocate section located at appropriate command levels. For statutory as well as practical reasons, no change is proposed in providing legal services for TASTA-70. Judge advocate sections are proposed for each of the following headquarters: TASCOM, each mission command, the Area Support Command and certain other units as will be more fully described herein.

- (2) *Theater Army Support Command.* Legal services for the Theater Army Support Command will be provided by a Staff Judge Advocate and a judge advocate section as a part of the staff of the command headquarters. This command will be authorized to convene general courts-martial and will be staffed to meet this requirement. The Staff Judge Advocate is the senior judge advocate in the communica-

tions zone, and within the policies of the theater army and TASCOM commanders, is responsible for establishing policy on legal services within the COMMZ. The Staff Judge Advocate supervises the administration of military justice within the command. He supervises and administers all matters pertaining to claims including certification for payment when appropriate. He is responsible for war crimes matters within the COMMZ. Other services include—

- (a) Advice to the commander and staff on questions of international law, including status of forces agreements, Geneva Conventions, Hague Regulations and the laws of land warfare;
 - (b) Legal advice to the commander regarding his procurement activities with respect to local procurement of supplies, services and labor; and
 - (c) Legal assistance to personnel of the command. Details of the concept of operations for this command will be found in Annex A.
- (3) *Area Support Command.* Subordinate to TASCOM is the Area Support Command which is charged with the responsibility for furnishing direct support services to the "mission" commands and other units located in or passing through the COMMZ. As with the TASCOM, this command will be authorized to convene general courts-martial and will be staffed to meet this requirement. In general the Staff Judge Advocate will perform the same general functions for this command as does the Staff Judge Advocate for TASCOM. Details of the concept of operation for legal services for the Area Support Command will be found in Annex B.
- (4) *Area Support Group.* Subordinate to the Area Support Command are a number of Area Support Groups. These groups are assigned areas of responsibility dependent upon population density, political boundaries and significant terrain features. These groups will perform housekeeping functions similar to post, camp, and station activities for "mission command units within

COMMZ and other units passing through. Usually a "group" does not have a judge advocate section. In this instance, however, it is noted that the group may be required to support as many as 15,000 troops. Since this strength approximates that of a division, it is felt that group headquarters should have a judge advocate section not smaller than that of a division. This section will provide total legal service to all personnel in the group's area of responsibility including exercise of general court-martial jurisdiction. Using the concepts developed in CO-STAR, effort will be made to provide legal service on an area basis rather than on a chain of command basis. For example, a soldier assigned to an inland waterway activity 100 miles from the Transportation Command headquarters could make the journey back to his command headquarters to see a judge advocate there on a legal assistance problem. To make the service more available to those who need it and to save time and expense, this service will be made available by the Area Support Group Staff Judge Advocate. The same concept of operations will apply to the handling of claims and military justice. In other words, certain units, not organic to the group, but located within the group's area of responsibility and otherwise supported by the group, will be attached to the group for the administration of military justice. A headquarters on the scene can dispose of cases more expeditiously than one many miles away. This concept of departing from strict command channels in the administration of military justice is not new and is currently being used in various parts of the world where distances and personnel limitations make this a practical solution. The plan for legal services for the Area Support Group is set out in Annex H.

- (5) *"Mission" Commands (less Personnel Command)*. The "mission" commands will be chiefly concerned with the performance of their technical missions. They will rely primarily on the Area Support Group for day-to-day administration. However, they will be authorized to convene general

courts and will be staffed with the minimum judge advocate section to provide this capability. In addition, the Staff Judge Advocate will provide advice to the commander and staff concerning legal problems arising out of the particular mission being performed. For example, the Engineer Command will very likely be faced with legal problems concerning the acquisition of real estate and administering construction and labor contracts. Similarly, the other mission commands will generate legal problems such as the Transportation Command with its port activities, maritime claims, salvage, etc. Detailed concepts of operations for legal services for the Supply and Maintenance, Engineer, Transportation, and Medical Commands are set out in Annex D, E, F, and G, respectively.

- (6) *Personnel Command*. Legal services for the Personnel Command will be provided by a Staff Judge Advocate and a judge advocate section. It is noted that the Personnel Command will have control of replacement activities, PW Compounds, Internee Camps, confinement and rehabilitation of military prisoners, and an extensive personnel and administrative center. Each of these activities may be expected to generate legal problems of all types. This command will, of course, exercise general court-martial jurisdiction. While it is not proposed to have judge advocates with all the above mentioned subordinate activities, the Personnel Command will require a somewhat larger judge advocate section than will be found in the other mission commands. Details concerning legal services for this command will be found in Annex C.
- (7) *Field Army*. Legal services for the field army will be as provided for in CO-STAR, i.e., by Staff Judge Advocates and judge advocate sections in the following headquarters: Field Army (TOE 51-1E), Field Army Support Command (TOE 54-12T), Corps and Army Support Brigades (TOE 54-22T), corps (TOE 52-1E), divisions (TOE 12-37E), and independent brigades (TOE 12-177E).

- (8) *Judge Advocate General Service Organization.* While rate and workload factors are available, they are of little use without knowing the number of troops to be served. With respect to the COMMZ and TASTA-70, these figures will not be known with any degree of accuracy until all agencies have completed their in-put studies. Since this present study is one of the first scheduled for completion, a reliable analysis of anticipated workloads could not be made. However, the judge advocate sections proposed herein for the major commands represent, in the view of experienced judge advocates, the bare minimum of personnel required to furnish essential services.

It is recognized that there will be periods of unusually heavy workloads in one or more units. To assist in providing the increased requirements, teams from the Judge Advocate General Service Organization (TOE 27-500E) will be available for attachment to commands as needed. These teams are theater army troops. When attached to subordinate commands, they are under the operational control of the Staff Judge Advocate of that command.

- (9) *Legal Clerks.* Battalion, groups and other similar sized units, not having judge advocate sections, have certain functions of command in common whether they are artillery, signal, replacement, medical or maintenance. The commanders of these units exercise summary and special court-martial jurisdiction and they impose Article 15 punishments. They appoint officers to investigate a variety of matters (court-martial charges, line of duty, claims, and others). A legal clerk in the administrative section of the headquarters can be particularly helpful to the commander in doing the clerical work incident to these important functions. As a practical matter most such units have these clerks ("Courts and

Boards"), but usually at the expense of some other position on the TOE. Paragraph 8c(12), AR 310-32, authorizes these clerks at this level. These clerks should be used in any new or revised TOE for any battalion, group or brigade which is not otherwise authorized a judge advocate section.

- (10) *Civil Affairs Units.* There is a requirement for legal support for civil affairs units, both in the advisory functions of a judge advocate and in the operational functions of a public law or legal team, i.e., supervision or administration of local judicial systems in a belligerent occupation. This requirement has been recognized (see study, "Legal Support Requirements and Organization of Legal Services Within Civil Affairs Units," CAA 63-107); current and proposed TOE for civil affairs units make provision for this requirement. The smaller civil affairs units not having judge advocates will be provided legal services either by the judge advocate of the higher civil affairs headquarters or by the judge advocate having area responsibility, depending on the nature of the service required.
- (11) *Military Police Brigades.* It is noted that plans for military police support call for a PW Brigade in the Personnel Command and an MP Brigade in FASCOM and the Area Support Command. The current TOE 19-262F provides for a small judge advocate section in the MP Brigade on an augmentation basis. This is considered adequate. A similar provision should be included for the PW Brigade to be organized. Without this augmentation these brigades will receive legal support from the Staff Judge Advocate of the headquarters to which assigned or from the Staff Judge Advocate having area responsibility for the brigade activity concerned.

ANNEX A
LEGAL SERVICES
FOR
THEATER ARMY SUPPORT COMMAND (TASCOM)

1. Legal Services for Theater Army Support Command (TASCOM) will be provided by a Staff Judge Advocate, a judge advocate section in the command headquarters, and as further outlined in this annex. Legal services for major subordinate commands of TASCOM (Pers, Med, Trans, etc.) will be furnished as outlined in Annexes B through H.

2. The Staff Judge Advocate of the command, the senior judge advocate in the COMMZ, is the legal adviser of the commander and a member of the personal staff. The judge advocate section is a part of the special staff.

3. The functions of the Staff Judge Advocate include the furnishing of legal advice to the commander, the staff, and subordinate commanders. On matters pertaining to military justice he is required by statute to communicate directly with the commander and he is authorized to communicate with the Staff Judge Advocate of a superior, subordinate, or adjacent command, as well as with The Judge Advocate General. Included in the Staff Judge Advocate's functions are supervising the administration of military justice, furnishing legal advice and assistance to military and other authorized personnel of the command concerning personal legal problems of a civil nature; administration of claims, including certification for payment when appropriate; providing legal opinions on international law matters (e.g., the Hague Regulations, the Geneva Conventions of 1949, status of forces agreements); examining procurement contracts and furnishing advice in connection therewith; administration of war crimes matters within the command; and the operational control over JAGSO teams when attached.

4. The concept of operations for providing legal services to this command is as follows:

a. *Military Justice.* The TASCOM commander will be authorized to convene general courts-martial; and his Staff Judge Advocate has staff responsibility for the administration of military justice

within the command. Within the guidelines established by the theater army commander, the Staff Judge Advocate is responsible for establishing military justice policy within the COMMZ. While the judge advocate section will have the capability of trying general court-martial cases, its workload will not be great, considering that the major subordinate commands will also exercise general court-martial jurisdiction.

b. *International Law.* The Staff Judge Advocate will provide legal advice to the commander and staff in such matters as the law of war, war crimes, treaties and other international agreements such as the Hague Regulations, the Geneva Conventions of 1949 and status of forces agreements. He has primary staff responsibility for establishing policies in these areas and closely coordinates these policies with the Civil Affairs Officer in the event the TASCOM commander has civil affairs responsibility in the communication zone. Additionally, when the TASCOM commander has this responsibility, the Staff Judge Advocate will provide such advice as is necessary concerning military commissions, provost courts or other military tribunals; the government of occupied enemy territory; and the legal aspects of the relations of the command with the governments and inhabitants of friendly nations in which U. S. troops are operating.

c. *Military Affairs.* The Staff Judge Advocate will provide legal advice to the commander and staff in such areas as litigation, acquisition and use of real property, board actions involving pecuniary liability or other adverse personnel actions, legal questions concerning pay and allowances, and appointments and reductions.

d. *Procurement.* The Staff Judge Advocate, in addition to advising the commander and staff on procurement matters in general, is responsible for reviewing contracts for the procurement of goods and services and insuring the legal sufficiency thereof. In this regard, he maintains close coordination with both the Comptroller and the Purchasing and Contracting Officer in order to keep these staff

officers abreast of legislative and judicial changes in laws regarding government procurement. He also maintains close coordination with the AC of S, Civil Affairs on the legal aspects of requisitions and purchases from the local populace of real estate, materiel, and services.

e. Claims. In accordance with theater army claims policies, the Staff Judge Advocate will supervise and administer all claims matters within the COMMZ, including the adjudication and certification for payment of claims when appropriate. He is responsible for the training of claims personnel, inspection of their activities, and the establishment and implementation of claims policies within the COMMZ.

f. Judge Advocate General Service Organization. Judge Advocate General Service Organization units (TOE 27-500E) are theater army troops. To assist the command during the periods of heavy workloads, they will be attached to the TASCOT. When so attached, the Staff Judge Advocate exercises operational control over them. He may also make recommendations for further attachment to subordinate COMMZ commands as the need arises.

5. The judge advocate section is a part of the special staff of TASCOT headquarters. The actual organization of the section is determined by the Staff Judge Advocate based upon type and volume of the legal problems generated.

ANNEX B
LEGAL SERVICES
FOR
AREA SUPPORT COMMAND, TASCOM

1. Legal services for the Area Support Command will be provided by a Staff Judge Advocate, a judge advocate section in the command headquarters, and as further outlined in this annex.

2. The Staff Judge Advocate of the command is the legal advisor of the commander and a member of the personal staff. The judge advocate section is a part of the special staff.

3. The Staff Judge Advocate furnishes legal advice to the commander, the staff, and subordinate commanders. He is responsible for supervising the administration of military justice in the command and is required by law to deal directly with the commander on military justice matters. He is authorized direct communication with the Staff Judge Advocate of superior, subordinate, and adjacent commands as well as with The Judge Advocate General. He is also responsible for the administration of claims matters, including the adjudication and certification for payment of claims in appropriate cases; providing legal opinions on international law problems (e.g., Hague Regulations, the Geneva Conventions of 1949, status of forces agreements); examining procurement contracts and furnishing advice in connection therewith; administration of war crimes matters within the command; furnishing legal assistance to military and other authorized personnel of the command concerning personal legal problems of a civil nature; and the operational control of JAGSO teams (TOE 27-500E) when attached.

4. The general concept for providing legal services to the Area Support Command is as follows:

a. Legal Assistance. The Staff Judge Advocate will provide legal assistance to personnel in accordance with pertinent DA directives. Although legal assistance will be available primarily to headquarters personnel, other personnel will be accommodated when the legal assistance workload of the local Area Support Group exceeds its capability.

b. Military Affairs. The Staff Judge Advocate

will provide legal advice to the commander, staff, and subordinate commanders in such areas as international law, board actions, questions of pecuniary liability, elimination proceedings, procurement actions, and other legal problems.

c. Claims. In accordance with TASCOM claims policies, the Staff Judge Advocate will supervise and administer all matters pertaining to claims in the command, including adjudication and certification for payment where appropriate.

d. Military Justice. The commander of the Area Support Command will be authorized to convene general courts-martial. Subordinate commanders (brigade, group and battalion) are authorized only to convene special and summary courts-martial (Area Support Group commanders, however, will be authorized to convene general courts-martial, see Annex H). The Staff Judge Advocate will supervise the administration of military justice in the command. While capable of trying general court-martial cases, it is not envisioned that the case load will be great. Most of the cases within the command will be tried by the Area Support Group concerned, with Area Support Command possibly trying only officer cases and cases arising in the command headquarters.

e. Judge Advocate General Service Organization. JAGSO teams (TOE 27-500E) are theater army troops. They may be attached to the command to assist with unusually heavy workloads. When attached, they are under the operational control of the Staff Judge Advocate.

5. The judge advocate section is a part of the commander's special staff. The internal organization of the section is determined by the Staff Judge Advocate.

6. *Legal Clerks.* Separate battalions, groups, and similar sized units, not otherwise having a judge advocate section, are authorized an enlisted legal clerk (MOS 71D20) by paragraph 8c(12), AR 310-32. It is strongly recommended that TOE being proposed or revised for Area Support Command

units include this position in the administrative section of the headquarters. These clerks, commonly referred to as "Courts and Boards" clerks, in addition to the clerical work incident to the exercise

of summary and special court-martial jurisdiction, also do the administrative work incident to non-judicial punishment under Article 15, UCMJ, and miscellaneous board actions.

ANNEX C
LEGAL SERVICES
FOR
PERSONNEL COMMAND (TASCOM)

1. Legal services for the Personnel Command will be provided by a Staff Judge Advocate, a judge advocate section in the command headquarters, and as further outlined in this annex.

2. The Staff Judge Advocate of the command is the legal advisor of the commander and a member of the personal staff. The judge advocate section is a part of the special staff.

3. The functions of the Staff Judge Advocate include the furnishing of legal advice to the commander, the staff, and subordinate commanders; in matters relating to military justice, he is required by law to communicate directly with the commander. He is authorized to communicate with the Staff Judge Advocate of superior, subordinate and adjacent commands, as well as with The Judge Advocate General. The Staff Judge Advocate is responsible for supervising the administration of military justice; furnishing legal assistance to military and other authorized personnel of the command concerning personal legal problems of a civil nature; administration of claims, including certification for payment when appropriate; providing legal opinions on international law problems (e.g., the Hague Regulations, the Geneva Conventions of 1949, status of forces agreements); examining procurement contracts and furnishing advice in connection therewith; administration of war crimes matters within the command; and the operational control over JAGSO teams when attached.

4. The general concept for providing legal services to the Personnel Command is as follows:

a. Legal Assistance. The Staff Judge Advocate will provide legal assistance to authorized personnel of the command in accordance with DA directives. Personnel from subordinate units not having a judge advocate section and not located in the immediate vicinity of the Personnel Command JA section will be furnished this service on an area basis by the Area Support activity (group or brigade) having responsibility for the area where the unit is located. For example, a replacement unit located at a great

distance from the judge advocate section could best be served by the Staff Judge Advocate of the Area Support activity. This arrangement will make the service more available to those who need it and will eliminate the requirement for making a long trip on a problem which might only require a few minutes of the legal assistance officer's time. The Area Support activity will be staffed to provide this service.

b. Military Affairs. The Staff Judge Advocate will provide legal advice to the commander and staff in such areas as board actions, questions of pecuniary liability, elimination proceedings, procurement actions and other military legal problems, including those of international law. For example, it is noted that the Personnel Command will have responsibility for PW compounds, rehabilitation training centers, and quite possibly civilian internees as well. The administration of these activities will generate many legal problems. In the event a military police brigade (confinement) is organized, a legal advisor of field grade should be included on its staff.

c. Military Justice. The commander of the Personnel Command will be authorized to convene general courts-martial. Subordinate group, battalion and similar sized units will exercise special and summary courts-martial jurisdiction in accordance with Articles 23 and 24, UCMJ. The Staff Judge Advocate will supervise the administration of military justice within the command, including the trial of general court-martial cases arising in the command. However, cases arising in units at remote distances from the command headquarters can be more expeditiously handled by the Area Support activity responsible for the area where the unit is located.

d. Claims. In accordance with TASCOM claims policies and monetary jurisdiction, the Staff Judge Advocate will supervise and administer all claims matters within the command including, when so directed by TASCOM, the administration of all claims within the COMMZ under the Military Personnel Claims Act.

e. JAGSO Teams. When attached by Theater Army to Personnel Command, the Staff Judge Advocate coordinates the employment of JAGSO teams within COMMZ and exercises operational control over such teams as may be specifically attached for Personnel Command matters.

f. War Crimes. The Personnel Command Staff Judge Advocate is responsible for the administration of war crimes matters arising in the COMMZ. This includes the investigation of alleged war crimes, preservation of evidence including documents, depositions, affidavits, summary of expected evidence of witnesses, and, when directed by TASCOT, the prosecution of persons charged with war crimes. While the Staff Judge Advocate of the other mission commands will have some responsibility in this area, the SJA of the Personnel Command will have over-all responsibility in the COMMZ.

g. Other. In units subordinate to the Personnel Command not having a judge advocate section, an enlisted legal clerk should be assigned. The need for such a position is recognized in AR 310-32 and authorized by the regulations. Commonly called the "Courts and Board" clerk, this clerk handles the administrative details concerning Article 15 punishment and the exercise of summary and special court-martial jurisdiction. As a practical matter, each battalion, group and similar sized unit has such a clerk, but at the expense of some other position in the TOE.

5. The judge advocate section is a part of the special staff of the commander. The internal organization of the section is determined by the Staff Judge Advocate.

ANNEX D
LEGAL SERVICES
FOR
THE SUPPLY AND MAINTENANCE COMMAND (TASCOM)

1. Legal services for the Supply and Maintenance Command will be provided by a Staff Judge Advocate, a judge advocate section in the command headquarters, and as further outlined in this annex.

2. The Staff Judge Advocate of the command is the legal advisor of the commander and a member of the personal staff. The judge advocate section is a part of the special staff.

3. The functions of the Staff Judge Advocate include the furnishing of legal advice to the commander, the staff, and subordinate commanders. In matters relating to military justice, he is required by law to communicate directly with the commander. He is authorized to communicate with the Staff Judge Advocate of superior, subordinate, and adjacent commands, as well as with The Judge Advocate General. The Staff Judge Advocate is responsible for supervising the administration of military justice; furnishing legal assistance to military personnel and other authorized personnel concerning personal legal problems of a civil nature; administration of claims, including certification for payment where appropriate; providing legal opinions on international law problems (e.g., the Hague Regulations, the Geneva Conventions of 1949, status of forces agreements); examining procurement contracts and furnishing advice in connection therewith; administration of war crimes within the command; and the operational control over JAGSO teams when attached.

4. The general concept for providing legal services to the Supply and Maintenance Command is as follows:

a. Legal Assistance. The Staff Judge Advocate will provide legal assistance to authorized personnel of the command in accordance with DA directives. Personnel from subordinate units of the command not located in the immediate vicinity of the command headquarters will be furnished this service by the Staff Judge Advocate of the Area Support activity (brigade or group) having responsibility for the area where the unit is located. For example,

personnel from a petroleum group or other subordinate unit located at a great distance from the command headquarters may get legal assistance from the local Area Support Group. This will eliminate the necessity of making a long trip for pressing personal problems which could take only a few minutes for the legal assistance officer to solve. The Area Support unit will be staffed to provide this service, thus reducing the time required for an individual to be absent from his primary duty for personal reasons.

b. Military Affairs. The Staff Judge Advocate will provide legal advice to the commander and staff in such areas as board actions, questions of pecuniary liability, elimination proceedings, procurement actions and other military legal problems. With respect to procurement activities, it is noted that Chart 11 of the 20 November 1964 TASTA-70 in process review shows a procurement agency (as required) and procurement field offices. The judge advocate section will provide legal advice for such of these activities as may be eventually included in the Supply and Maintenance Command. The procurement activity, whether located within the Supply and Maintenance Command or as a separate TASCOM activity will probably require that legal support by augmented by JAGSO procurement law teams.

c. Claims. In accordance with TASCOM claims policies, the Staff Judge Advocate will supervise and administer all matters pertaining to claims in the command to include certification for payment when appropriate.

d. Military Justice. The commander of the Supply and Maintenance Command will be authorized to convene general courts-martial. Subordinate group, battalion and similar sized units will exercise summary and special court-martial jurisdiction in accordance with Article 23 and 24, UCMJ. The Staff Judge Advocate will supervise the administration of military justice within the command. However, except for officer cases, cases arising in the

command headquarters, and other cases of significant interest to the command, general court-martial cases arising in subordinate units will be tried by the appropriate Area Support activity. This will permit a more expeditious handling of cases without prejudice to either the accused or the government. It will also free the Supply and Maintenance Command commander from a multitude of administrative details (requiring his personal attention) incident to the exercise of general court-martial jurisdiction. The Area Support activity will be staffed to provide this service.

e. Other. The size of the proposed JA section for the Supply and Maintenance Command is the minimum required for the exercise of general court-martial jurisdiction. It is anticipated that the volume of work in certain fields may exceed the section's capability. In this event Judge Advocate General Service Organization teams may be made available from theater army to assist with excess workloads. These teams are from TOE 27-500E.

When attached they are under the operational control of the Staff Judge Advocate.

f. Legal Clerks. Separate battalions, groups, and similar sized units are authorized an enlisted legal clerk (MOS 71D20) in the administrative section of the headquarters. See paragraph 8c(12), AR 310-32. It is strongly urged that TOE now being prepared or revised include this important position. This clerk, commonly referred to as the "Courts and Boards" clerk, will accomplish for the commander all of the clerical work incident to the exercise of summary and special court-martial jurisdiction, Article 15 correspondence, miscellaneous board actions and investigations. As a practical matter, most units of this size have such a clerk, but at the expense of some other position on the TOE.

5. The judge advocate section is a part of the special staff of the Supply and Maintenance Command headquarters. The internal organization is determined by the Staff Judge Advocate.

ANNEX E
LEGAL SERVICES
FOR
THE ENGINEER COMMAND (TASCOM)

1. Legal services for the Engineer Command will be provided by a Staff Judge Advocate, a judge advocate section in the command headquarters, and as further outlined in this annex.

2. The Staff Judge Advocate of the command is the legal advisor of the commander and a member of the personal staff. The judge advocate section is a part of the special staff.

3. The functions of the Staff Judge Advocate include the furnishing of legal advice to the commander, the staff, and subordinate commanders. In matters relating to military justice, the commander is required by law to communicate directly with his Staff Judge Advocate. The Staff Judge Advocate is authorized to communicate with the Staff Judge Advocate of superior, subordinate, and adjacent commands, as well as with The Judge Advocate General. The Staff Judge Advocate is responsible for supervising the administration of military justice; furnishing legal assistance and advice to military personnel and other authorized personnel concerning personal legal problems of a civil nature; administration of claims, including certification for payment where appropriate; providing legal opinions on international law matters (e.g., the Hague Regulations, the Geneva Conventions of 1949, status of forces agreements), examining procurement contracts and furnishing advice in connection therewith; administration of war crimes matters within the command; and the operational control of JAGSO teams when attached.

4. The concept of operations for providing legal service to this command is as follows:

a. Legal Assistance. The Staff Judge Advocate will provide legal assistance to authorized personnel of the command in accordance with pertinent DA directives. Personnel from subordinate units of the command, not located in the immediate vicinity of the command headquarters, will be furnished this service by the Staff Judge Advocate of the Area Support activity (group or brigade) having responsibility for the area where the unit is located. Such

a system will make the service more available to those in need of it and will result in personnel being absent from their primary duties for only brief periods. The Area Support units will be staffed to provide this service.

b. Military Affairs. The Staff Judge Advocate will provide legal advice to the commander and staff in such areas as international law, board actions, questions of pecuniary liability, elimination proceedings, procurement actions and legal problems involved in the acquisition and use of real estate.

c. Claims. In accordance with TASCOM claims policies, the Staff Judge Advocate will supervise and administer all matters pertaining to claims in the command to include certification for payment when appropriate. (Claims arising from construction activities and the operation of heavy equipment may be anticipated.)

d. Military Justice. The commander will be authorized to convene general courts-martial. Subordinate group and battalion commanders are authorized to convene special and summary courts-martial in accordance with Article 23 and 24, UCMJ. The Staff Judge Advocate will supervise the administration of military justice within the command. However, except for officer cases, cases arising in the command headquarters, and other cases of particular significance to the command, general court-martial cases arising in subordinate units will be disposed of by the appropriate Area Support activity. This will permit a more expeditious handling of cases without prejudice to either the accused or the government. It will also free the commander from a multitude of administrative details (requiring his personal attention) incident to the exercise of general court-martial jurisdiction. The Area Support activity will be staffed to provide this capability.

e. Other. Judge Advocate General Service Organization units (TOE 27-500E) are theater army troops. They may be available for attachment to the command to assist with any unusual workloads. When attached, such teams are operationally under

the control of the Staff Judge Advocate.

5. The judge advocate section is a part of the special staff of the commander. The internal organization of the section is determined by the Staff Judge Advocate.

6. Separate battalion, groups, and brigades which do not have JA sections are authorized an enlisted legal clerk by paragraph 8c(12), AR 310-32. It is strongly urged that TOE now being prepared or revised include this important position. This clerk

(MOS 71D20), sometimes referred to as the "Courts and Boards" clerk will not only prepare Article 15 correspondence and the voluminous clerical details incident to trial by summary and special courts-martial, but may also be of assistance in connection with board actions and investigations. As a practical matter, most battalion and group headquarters presently have such a clerk at the expense of some other position in the TOE. Since the AR now authorizes this position in TOE it should be used.

ANNEX F
LEGAL SERVICES
FOR
THE TRANSPORTATION COMMAND (TASCOM)

1. Legal services for the Transportation Command will be provided by a Staff Judge Advocate, a judge advocate section in the command headquarters and as further outlined in this annex.

2. The Staff Judge Advocate of the command is the legal advisor of the commander and a member of the personal staff. The judge advocate section is one of the special staff sections of the headquarters.

3. The functions of the Staff Judge Advocate include the furnishing of legal advice to the commander, the staff, and subordinate commanders. On matters pertaining to military justice, he is required by statute to communicate directly with the commander, and he is authorized to communicate with the Staff Judge Advocate of a superior, subordinate or adjacent command and with The Judge Advocate General. Included in the Staff Judge Advocate's functions are supervising the administration of military justice, furnishing legal advice and assistance to military and other authorized personnel of the command concerning personal legal problems of a civil nature; administration of claims, including certification for payment where justified; providing legal opinions on international law matters (e.g., the Hague Regulations, the Geneva Conventions of 1949, status of forces agreements); examining procurement contracts and furnishing advice in connection therewith; administration of war crimes matters within the command; and the operational control over JAGSO teams when attached.

4. The concept of operations for providing legal services to this command is outlined as follows:

a. Legal Assistance. The Staff Judge Advocate will provide legal assistance to personnel of the command in accordance with pertinent DA directives. However, personnel from subordinate units of the command not having a judge advocate section and not located in the immediate vicinity of the command headquarters, will be furnished this service by the Staff Judge Advocate of the Area

Support activity (group or brigade) having area responsibility for the area where the unit is located. Such a system will make the service more available to those who need it. The area support activity will be staffed to provide this service.

b. Military Affairs. The Staff Judge Advocate will provide legal advice to the commander and staff in such areas as international law, board actions, questions of pecuniary liability, elimination proceedings, procurement actions, admiralty law and labor problems.

c. Claims. In accordance with TASCOM claims policies, the Staff Judge Advocate will supervise and administer all matters pertaining to claims in the command, including certification for payment where appropriate. Maritime claims arising from port operations, as well as claims from other transportation command activities, should be anticipated.

d. Military Justice. The commander of the Transportation Command will be authorized to convene general courts-martial. Subordinate commanders (groups and battalions) are authorized to convene special and summary courts-martial. The Staff Judge Advocate will supervise the administration of military justice in the command. Except possibly for officer cases or other cases of particular significance to the command, general court-martial cases arising in subordinate units distant from the command headquarters will be disposed of by the appropriate Area Support activity (group or brigade). This arrangement will permit a more expeditious handling of the case without prejudice to either the accused or the government. It will also free the commander from a multitude of administrative details (requiring his personal attention) inherent in the exercise of general court-martial jurisdiction. The Area Support activity will be staffed to provide this service.

e. It is noted that the Transportation Terminal Commands A, B, and C (TOE 55-111, 55-121, 55-131) each have small judge advocate sections. While these sections are too small to try general court-martial cases, they are adequate for handling legal

assistance, claims and advising the commander and staff on legal problems arising from the terminal command operations. If these units are to be used in TASTA-70, or if other units are to be organized to perform the same functions, it is recommended that these judge advocate sections be retained. The same recommendations are made for the Motor Transportation Command C (TOE 55-11).

5. *Legal Clerks.* Separate battalions, groups and brigades not having organic judge advocate sections are authorized an enlisted legal clerk MOS 71D20 (see para 8c(12), AR 310-32). It is strongly urged that TOE now being prepared or revised include

this important position. This clerk, sometimes referred to as the "Courts and Boards" clerk will accomplish for the commander all of the clerical work incident to the exercise of summary and special court-martial jurisdiction, Article 15 correspondence, miscellaneous board actions and investigations. As a practical matter, most units of this size have such clerks, but at the expense of some other position on the TGE.

6. The judge advocate section is a part of the special staff of the Transportation Command headquarters. The internal organization of the section is determined by the Staff Judge Advocate.

ANNEX G
LEGAL SERVICES
FOR
THE MEDICAL COMMAND (TASCOM)

1. Legal services for the Medical Command will be provided by a Staff Judge Advocate, a judge advocate section in the command headquarters, and as further outlined in this Annex.

2. The Staff Judge Advocate of the command is the legal advisor of the commander and a member of the personal staff. The judge advocate section is a part of the special staff.

3. The functions of the Staff Judge Advocate include the furnishing of legal advice to the commander, the staff, and subordinate commanders. On matters pertaining to military justice, the commander is required by statute to communicate directly with his Staff Judge Advocate. The Staff Judge Advocate is authorized to communicate with the Staff Judge Advocate of a superior, subordinate, or adjacent command and with The Judge Advocate General. Included in the Staff Judge Advocate's functions are the administration of military justice, furnishing legal advice and assistance to military and other authorized personnel of the command concerning personal legal problems of a civil nature, administration of claims matters, including certification of payment where appropriate; providing legal opinions on international law matters (e.g., the Hague Regulations, the Geneva Conventions of 1949, status of forces agreements); examining procurement contracts and furnishing advice in connection therewith; administration of war crimes matters; and the operational control over JAGSO teams when attached.

4. The general concept for providing legal services to this command is outlined as follows:

a. Legal Assistance. The Staff Judge Advocate will provide legal assistance to personnel in accordance with pertinent DA directives. Personnel from subordinate units of the Medical Command not having a judge advocate and not located in the immediate vicinity of the command headquarters, will be furnished this service by the Staff Judge Advocate of the Area Support activity (group or brigade) having area responsibility for the area

where the unit is located. Such a system will eliminate time-consuming travel to a distant JA office and will make the service more available to those who need it. The Area Support activity will be staffed to provide this service.

b. Military Affairs. The Staff Judge Advocate will provide legal advice to the commander and staff in such areas as international law, board actions, questions of pecuniary liability, elimination proceedings, procurement actions and other legal problems.

c. Claims. In accordance with TASCOM claims policies, the Staff Judge Advocate will supervise and administer all matters pertaining to claims in the command, including certification for payment where appropriate.

d. Military Justice. The commander of the Medical Command will be authorized to convene general courts-martial. Subordinate commanders (hospital center, group, battalion, and medical units of battalion size) are authorized to convene special and summary courts-martial. The Staff Judge Advocate will supervise the administration of military justice in the command. However, except possibly for officer cases or other cases of particular significance to the command, general court-martial cases arising in subordinate units distant from the command headquarters will be disposed of by the appropriate Area Support activity (group or brigade). This arrangement will permit a more expeditious handling of cases, without prejudice to either the accused or the government. It will also free the commander from a multitude of administrative details, requiring his personal attention, incident to the exercise of general court-martial jurisdiction. The Area Support activity will be staffed to provide this service.

e. Legal Clerks. Separate battalions, groups, brigades, and similar sized units, such as hospitals, are authorized an enlisted legal clerk (MOS 71D20) in the TOE. See paragraph 8c(12), AR 310-32. It is strongly urged that TOE now being prepared or revised include this important position. This clerk,

sometimes referred to as the "Courts and Boards" clerk will accomplish for the commander all of the clerical work incident to the exercise of summary and special court-martial jurisdiction, Article 15 correspondence, miscellaneous board actions and investigations. As a practical matter, most units

of this size already have such clerks, but at the expense of some other positions on the TOE.

5. The judge advocate section is a part of the special staff of the Medical Command headquarters. The internal organization of the section is determined by the Staff Judge Advocate.

ANNEX H
LEGAL SERVICES
FOR
THE AREA SUPPORT GROUP (TASCOM)

1. Legal services for the Area Support Group will be provided by a Staff Judge Advocate, a judge advocate section in the group headquarters, and as further outlined in this annex.

2. The Staff Judge Advocate is the legal adviser of the commander and a member of the personal staff. The judge advocate section is a part of the special staff.

3. The Staff Judge Advocate furnishes legal advice to the commander, the staff, and subordinate commanders; in matters relating to military justice, he is required by law to communicate directly with the commander. He is authorized to communicate with the Staff Judge Advocate of superior, subordinate, and adjacent commands, as well as with The Judge Advocate General. The Staff Judge Advocate is responsible for the administration of military justice within the command; furnishing legal advice and assistance to military and other authorized personnel concerning personal legal problems of a civil nature; administration of claims, including certification for payment when appropriate; providing legal opinions on international law problems (e.g., Hague Regulations, the Geneva Conventions of 1949, status of forces agreements); examining procurement contracts and furnishing advice in connection therewith; administration of war crimes matters within the command, and the operational control over JAGSO teams (27-500E) when attached.

4. Normally judge advocates are not found in units below the level of independent brigade. Thus, a group commander does not usually have a Staff Judge Advocate. However, in view of the fact that the area support group should have the capability of supporting as many as 15,000 troops, performing post, camp, and station services for them, a judge advocate section at this level is required. The plan for providing legal services for the group and supported units is as follows:

a. Legal Assistance. The Staff Judge Advocate will provide legal assistance to authorized personnel

in accordance with DA Directives. This service will be available not only to personnel of the group and assigned units, but to personnel of mission command activities located within the group's area of responsibility. The legal assistance office may be physically located within the judge advocate section or elsewhere as the particular situation may require. The aim will be to provide the service to as many as possible and to avoid the requirement for any soldier to make a long journey for this purpose. If there are units located in remote areas, then provision will be made for periodic visits by the legal assistance officer to those units. Firm doctrine to apply at all times and in all places cannot and should not be prescribed. Each situation will require its own solution to the end that the Army Legal Assistance program is effectively carried out.

b. Military Affairs. The Staff Judge Advocate will provide legal advice to the commander and staff in such areas as board actions, questions of pecuniary liability, elimination proceedings, procurement actions, and international law. In the latter field a certain amount of international law problems may be anticipated whether the group is occupying enemy territory (Geneva Conventions) or located in a friendly allied country (status of forces agreements). Whatever the situation, the area support group will be in daily contact at the working level with local governments and their inhabitants.

c. Military Justice. The group commander will be authorized to convene general courts-martial. Subordinate commanders will exercise summary and special courts-martial jurisdiction. Subordinate units of the group, as well as mission command activities within the group's area of responsibility, will be attached to the group for the administration of military justice. This will permit a more expeditious handling of cases, without prejudice to either the Government or the accused. It will also relieve the mission command commanders of a multitude of administrative details requiring his personal attention, incident to the exercise of general court-martial jurisdiction.

d. *Claims.* The Staff Judge Advocate will supervise and administer all matters pertaining to claims, to include certification for payment when appropriate. These will include claims from military personnel for loss of property incident to service and claims from local nationals for losses arising from noncombat activities of the army. Claims in the latter category are investigated and evaluated by the group judge advocate and forwarded to the theater claims service for final adjudication.

e. *Judge Advocate General Service Organization.* JAGSO Teams (TOE 27-500E) are theater army troops. They may be attached to the group to assist with unusually heavy workloads. When attached they are under the operational control of the Staff Judge Advocate.

f. *Legal Clerks.* Separate battalions, groups, and similar sized units, not otherwise having a judge advocate section, can authorize an enlisted legal clerk by paragraph 8c(12), AR 310-32. It is strongly recommended that TOE being proposed or revised for an area support group units include this position in the administrative section of the headquarters. These clerks, commonly referred to as "courts and boards" clerks, can take care of all of the clerical work incident to the exercise of summary and special courts-martial jurisdiction, as well as Article 15 correspondence and miscellaneous board actions.

5. The judge advocate section is a part of the special staff of the commander. The internal organization of the section is determined by the Staff Judge Advocate.

ANNEX I

REFERENCES

1. Uniform Code of Military Justice, 1951, as amended.
2. Manual for Courts-Martial, 1951 with Addendum, as changed.
3. AR 10-5, AR 25 series, AR 310-32, AR 608-50.
4. FM 101-5, Staff Officers Field Manual.
5. FM 101-10, Staff Officers Field Manual.
6. DA Pam 27-5, The Staff Judge Advocate.
7. Study, Combat Service to the Army (CO-STAR II) (2d Revision).
8. Conceptual Framework, USACDCCSSG, 31 July 1963, subject: The Administrative Support, Theater Army, 1965-1970 (TASTA-70), with inclosures.
9. Study, USACDCCAG, 15 November 1963, subject: Reorganization Objectives, Division, Army and Corps-1970 (RODAC-70) (U).
10. Letter, CSSG-GZ, HQ USACDCCSSG, 7 July 1964, subject: The Administrative Support, Theater Army, 1965-1970 (TASTA-70).
11. Study, USACDCCSSG, subject: The Administrative Support, Theater Army, 1965-70 (TASTA-70), In Process Review, 20 November 1964.
12. Study, USACDCCSSG, subject: The Administrative Support, Theater Army 1965-70 (TASTA-70), Second In Process Review, 14 June 1965.
13. Study, Field Army Requirements for Tactical Communications, 1965-1970 (TACOM) (U), USACDCCARMSA 64-6.
14. Study, Theater Army Communications System Requirements, 1965-1970 (TACS-70) (U), USACDCCEA 64-3.
15. TOE's 12-37E; 12-52D; 12-157E; 12-167E; 12-177E; 19-262F; 27-500E; 51-1D; 51-1E; 52-1D; 52-1E; 52-1T; 54-2D; 54-12D; 54-102D; 54-202D; 55-11D; 55-111D; 55-121D; and 55-131E.
16. Title 10, United States Code, Section 3037.

By Order of the Secretary of the Army:

HAROLD K. JOHNSON,
General, United States Army,
Chief of Staff.

Official:

KENNETH G. WICKHAM,
Major General, United States Army,
The Adjutant General.

Distribution:

Active Army:

DCSPER (1)
ACSI (1)
DCSLOG (1)
DCSOPS (1)
ACSFOR (3)
TPMG (2)
TSG (1)
TJAG (5)
OPO (1)
CofEngrs (1)
USCONARC (2)
USACDC (5)
USACDC Agcy (1) except
 USACDCJAA (20)
ARADCOM (1)
OS Maj Comd (2) except
 USAREUR (5)
 USARPAC (5)
MDW (1)
Armies (CONUS) (2)

Seventh USA (5)
Eighth USA (5)
Div (1)
Bde (1)
III USA Corps (3)
V Corps (2)
VII Corps (2)
18th Abn Corps (3)
USACOMZEUR (15)
Seventh USA Spt Comd (3)
Eighth USA Spt Comd (3)
USMA (2)
Svc College (1)
Br Svc Sch (1)
TJAGS (20)
USMACV (2)
USARVN (5)
USARSTRIKECOMD (2)
22d FASCOM (Ft Lee, Va) (1)

NG: None.

USAR: None.

For explanation of abbreviations used, see AR 320-50.