

What's the latest?

U.S. Army

➤ Post 9/11 GI Bill 6-16 Year Rule

The new 6 to 16 year rule contained in the latest OUSD (P&R) Post 9/11 GI Bill program guidance, DoDI 1341.13 (published on 12 Jul 2018), will go into effect on 12 July 2019. When implemented, Soldiers must have at least 6 years but not more than 16 years of total creditable military service (active duty and/or Selected Reserve service) to be eligible to transfer Post 9/11 GI Bill education benefits to their TEB eligible dependents. A Soldier's total years of creditable military service is calculated based on the date of the transfer request, not the date the transfer request was processed. Additionally, submission of a transfer request within the new eligibility parameters does not guarantee approval. Soldiers are highly encouraged to submit a transfer request via [milconnect](#) as soon as they reach six creditable years of military service - do not wait! The earlier eligible Soldiers submit and receive approval for TEB, the earlier they will start fulfilling the TEB four-year additional duty service obligation.

Please note: Soldiers who have received a Purple Heart on/after 11 September 2001 are exempt from the 6 to 16 year rule and may submit a transfer request regardless of their total years of creditable service.

Regular Army or U.S. Army Reserve Soldiers with questions can call toll-free 1-800-872-8272. Army National Guard Soldiers with questions can call toll-free 1-866-628-5999.

JAGCNet

➤ Regimental Ball Reminder Notice

Friendly reminder that the [2019 JAG Corps Regimental Ball](#) will take place on 6 April 2019 at the Fort Belvoir Officer's Club. 1/3 of the available tickets have already been purchased!

You may RSVP online [here!](#)

JAGConnect

➤ Leadership, Management & Training

Recently, two of your virtual suggestions, [VSB 2018-13](#) and [VSB 2018-19](#), which allows legal offices to submit two names for TJAG's approval of professional qualification to increase efficiency in the civilian attorney hiring process, were approved and implemented!

➤ Do you have a suggestion for an improvement within our Corps? Submit it to the [JAG Corps Virtual Suggestion Box](#), and help be a driving force for change

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"Shared Knowledge is Power"

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➤ National Security Law SOFA Database

LTC Dan Kicza, Chief, International Law Branch, OTJAG, has posted some great information regarding a [SOFA Database](#) that is easily searchable, well-organized, and complete. It uses imbedded documents in a PowerPoint map and divides the agreements by geographical combatant commands.

USALSA

➤ Army Electronic Discovery (eDiscovery) Program

On 28 June 2018, The Judge Advocate General updated AR 27-26, Rules of Professional Conduct for Lawyers. One very important change was to Rule 1.1, which mandates that “a lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation.” The amendment is to Comment 7 of that rule, and states that a lawyer “should keep abreast of changes in the law and its practice, including the benefits and risks associated with relevant technology, engage in continuing study and education, and comply with all continuing legal education requirements to which the lawyer is subject” (emphasis added).

With this change, the JAGC joins, to date, 35 states which have added a technology competence requirement to their professional responsibility rules. In addition, two states (North Carolina and Florida) have added technology to its list of continuing legal education requirements. This is most relevant to our practice involving the use and handling of electronic discovery as addressed in the Federal Rules of Civil Procedure. Courts are increasingly finding sanctionable offenses for failure to competently understand and address electronic discovery issues. The standard, as enunciated by the California Bar, declares that attorneys who do not have the necessary competence have three options: acquire the skills, align with someone who is competent, or decline the representation.

The Army is aggressively responding to these developments. On 2 October 2018, The Judge Advocate General created the Army Electronic Discovery (eDiscovery) Program, housed at the U.S. Army Legal Services Agency at Ft. Belvoir. The Army eDiscovery Program is working hard to develop training in this field so our attorneys and paralegals can confidently navigate this increasingly complex and important aspect of our practice. For eDiscovery questions, contact allison.a.polchek.civ@mail.mil. For ethics questions, contact kathryn.stone.civ@mail.mil.

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