

Your Legal Assistance Attorney and You **CPT Katherine Sickendick, XVII ABN Corps LAO**

Many Soldiers have heard they should go see “JAG” if they have legal problems or need a will, but they don’t know a number of important details related to meeting with a JAG officer.

First, although people refer to us as “JAGs” we are actually JAs, or Judge Advocates. The JAG is actually The Judge Advocate General, and all JAs are part of the Judge Advocate General’s Corps (JAG Corps).

Second, different JAs work for different people. For example, your command has JAs who advise them, Trial Counsel JAs prosecute Soldiers, Trial Defense Service JAs defend Soldiers, and Legal Assistance JAs can help you with other legal issues.

Third, all JAs are licensed attorneys with the same qualifications as a civilian attorney. We obtain an undergraduate degree, attend and graduate from a civilian law school, and take a state bar exam to become licensed to practice law in a state. JAs also attend mandatory basic and advance courses for special instruction in military law.

Fourth, as attorneys, all JAs are bound by numerous ethical duties. For Legal Assistance JAs, the duty of confidentiality means we cannot not tell other people about our communications with clients unless we have permission from the client. Likewise, clients do not have to tell others what they talk about with their Legal Assistance JA. This is known as the attorney-client privilege, and very few exceptions to it exist. Legal Assistance JAs also have a duty to represent clients’ interests to the best of their ability, and will only pursue courses of action the client approves of. If an attorney is currently representing or represented a client in the past that is on the other side of a dispute this creates a conflict of interest because it could impair the JAs ability to strongly advocate for multiple clients with opposite goals. If this happens, you can still be seen at one of the other Legal Assistance Offices on post operated by the 82d Airborne Division and the 1st Theater Sustainment Command. The potential for a conflict of interest also means attorneys cannot form personal relationships with clients.

Be aware that many problems and questions Soldiers have are not necessarily legal, so we might direct you elsewhere for a solution. Legal Assistance services are regulated by Army Regulation 27-3, which sets boundaries on what services can be provided. Because of these boundaries, and because Legal Assistance JAs generally cannot represent clients in a civilian court, it may be necessary to hire a civilian attorney even after consulting with the Legal Assistance Office. Finally, if a client is already represented on a legal matter a Legal Assistance JA cannot provide assistance on the same manner without consent from the civilian attorney.

For more information on the services offered by the XVIII Airborne Corps Legal Assistance Office please visit our website at <http://www.bragg.army.mil/directorates/osja/Pages/LegalAssistance.aspx>