



**DEPARTMENT OF DEFENSE**  
**DEFENSE LEGAL SERVICES AGENCY**

1 March 2023

**MEMORANDUM FOR JUDGE ADVOCATES GENERAL OF THE MILITARY DEPARTMENTS**  
**STAFF JUDGE ADVOCATE TO THE COMMANDANT OF THE**  
**MARINE CORPS**

**SUBJECT:** Request for Information for FY21 and FY22 Case Adjudication Documents

1. The Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces (DAC-IPAD) and the Military Justice Review Panel (MJRP) require case adjudication documents to facilitate statutorily required duties.
2. I respectfully ask your staffs to provide our staff with the responses specified in the Request for Information by the date requested (Encl 1).
3. Thank you for your support of this important project. My POC is Mr. Chuck Mason, Project Lead, at (571) 296-5303 or [robert.c.mason2.civ@mail.mil](mailto:robert.c.mason2.civ@mail.mil).

A handwritten signature in black ink, reading "Jeff A. Bovarnick".

JEFF A. BOVARNICK  
Colonel, Judge Advocate  
United States Army

Encl  
As stated

cc:  
Mr. Dwight Sullivan (DoD OGC)  
Service Representatives

# Department of Defense – Defense Legal Services Agency

## Request for Information

1 March 2023

### FY21 and FY22 Case Adjudication Documents

#### **I. Purpose**

1. The Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces (DAC-IPAD) requests the below information to facilitate its statutory requirement to review cases involving allegations of sexual misconduct on an ongoing basis for purposes of providing advice to the Secretary of Defense and to Congress.
2. The Military Justice Review Panel (MJRP) requests the below information to facilitate its statutory requirement to conduct independent periodic reviews and assessments of the operation of the Uniform Code of Military Justice.

#### **II. Authority**

1. The DoD General Counsel (GC) is the Chief Legal Officer of the DoD (10 U.S.C. § 140), appointed by the President with the advice and consent of the United States Senate.
2. The DoD GC advises the Secretary of Defense regarding all legal matters and services performed within, or involving, the DoD; the GC also serves as the Director of the Defense Legal Services Agency (DLSA) and provides support to the DAC-IPAD and MJRP.
3. The DAC-IPAD was established pursuant to § 546 of the National Defense Authorization Act for Fiscal Year 2015, as amended.
4. The MJRP (Article 146, UCMJ) was established pursuant to § 5521 of the National Defense Authorization Act for Fiscal Year 2017, as amended.
5. COL Jeff Bovarnick, U.S. Army, DLSA, is the Director of the DAC-IPAD and the MJRP and requests the assistance of the Military Services to provide the requested information by the suspense date indicated below.

#### **III. Suspense**

Suspense	RFI	Proponent – Military Services
17 Mar 2023	Spreadsheet Data	Excel worksheets for all FY21 and FY22 cases preferred and tried to findings, dismissed, or resolved by any alternate means in FY21 and FY22.
31 Mar 2023	Documents	Case documents (PDF) for all cases preferred and tried to findings, dismissed, or resolved by any alternate means in FY21 and FY22.

## DLSA Request for Information

### FY21 and FY22 Case Adjudication Documents

#### IV. Information Requested

Military Services identify and provide case documents for all specified cases completed in FY21 and FY22 in two phases as described below in subparagraphs 1 and 2.

##### **1. Spreadsheet Data for Completed Cases – FY21 and FY22**

**(S: 17 March 2023)**

Military Services use their respective case management systems, identify ALL cases involving a preferred charge under the punitive articles of the UCMJ and tried to findings, dismissed, or resolved by any alternate means in FY21 and FY22. Provide an Excel worksheet for each fiscal year with the following columns:

1	DoD_ID#
2	Name_Last
3	Name_First
4	Name_M.I.
5	Article 32 held (Y/N)
6	Court_Type (GCM, SPCM, SCM)
7	Composition (MJ alone, Members, Officer/Enlisted)
8	AltDisp (Y/N)
9	e-ROT (Y/N)

##### **2. Documents for Completed Cases – FY21 and FY22**

**(S: 31 March 2023)**

For cases identified in subparagraph 1, provide the e-ROT for each case.

If an e-ROT does not exist, provide electronic copies (PDF) of the following documents, as applicable (including Service-equivalent documents if the specified form is not used):

1	DD Form 458, <i>Charge Sheet</i>
2a	DD Form 457, <i>Preliminary Hearing Officer's Report</i> (include continuation sheets, but not exhibits); or 2b
2b	Article 32 Waiver Request (if no Article 32 before a GCM referral)
3	Article 34 Pretrial Advice and/or SJA recommendations on alternate disposition
4	Documents memorializing the Convening Authority's referral or non-referral decision (e.g., record of withdrawal and dismissal of charges; record of the approved dismissal or discharge in lieu of trial)
5	<i>Pretrial Agreement</i> – Parts I & II
6	Court-Martial Convening Order(s)
7	Transcript of voir dire and panel selection proceedings
8	DD Form 2707-1, <i>Report of Result of Trial</i>
9	<i>Statement of Trial Results</i>
10	<i>Convening Authority Action</i>
11	<i>Entry of Judgment</i>