

“ [P]reparation began with the assembly of a comprehensive reference binder, which was informally referred to as “pure gold” by the Inspector General.



## OPERATIONAL READINESS INSPECTIONS

### A Practical Guide for the Legal Team

BY MS. NANA KNIGHT

The [62d Airlift Wing Office of the Staff Judge Advocate](#) (62 AW/JA) Operational Readiness Inspection (ORI) team, led by Captain Nana Knight and Staff Sergeant Roberto Vargas, received the only “Outstanding” rating awarded by the Inspector General (IG) during the most recent ORI at Joint Base Lewis-McChord. The 62 AW/JA team simulated deployment of the 131st Air Expeditionary Wing (131 AEW) to Ali Al Salem Air Base, Kuwait. This article is intended to provide other legal offices with a practical guide for success during an ORI by identifying and examining 62 AW/JA’s best practices and preparation methods, and by offering some execution tips for those tasked to be the deployed JAG/Paralegal team. While there are numerous objective and subjective

factors that contribute to a successful performance during an ORI, *meticulous preparation*, *proactive engagement*, and *teamwork* were central to 62 AW/JA’s success and made a favorable impression on the IG.

#### Preparation

In preparation for the ORI, the office—and the “deploying” team, in particular—focused on review of substantive legal topics, Ability to Survive and Operate (ATSO), and Self-Aid/Buddy Care (SABC). Prior to the ORI, 62 AW/JA participated in three Operational Readiness Exercises (OREs),<sup>1</sup> designed to test the legal team’s ATSO skills and ability to execute its

<sup>1</sup> 62 AW/JA participated in two “fly-aways” and one local Mobility Exercise (MOBEX) on McChord Field, Joint Base Lewis-McChord.

core functions in a deployed environment. The OREs allowed the deployed team to gain a broader understanding of its role in a deployed environment and to look for “outside-the-box” ways to maximize its contribution to deployed operations, while sharpening critical war-fighting capabilities of the team members. The legal team treated each ORE as if it were the actual inspection, taking advantage of every opportunity to fine-tune its legal processes, identify and correct weaknesses, build on strengths, reinforce attorney-paralegal teaming, and network with key personnel.

The 62 AW/JA’s preparation began with the assembly of a comprehensive reference binder, which was informally referred to as “pure gold”

by the Inspector General. Early on, during the OREs, the sheer volume and diversity of the legal issues the legal team faced created a need for an “all inclusive guide” to serve as a roadmap for all JA operations. The legal team filled this need by creating a 5-inch binder containing an exhaustive collection of all applicable agreements, policy letters, general orders, military justice forms (e.g., non-judicial punishment, DD Form 458), legal references, and templates necessary to execute the mission quickly and efficiently. The legal team reviewed and collected the relevant Operations and Execution Orders, The Judge Advocate General (TJAG) operational readiness memoranda, the governing status of forces agreements (SOFAs), acquisition and cross servicing agreements, and

(Image courtesy of iStock)

## “ [O]ne of the best ways to contribute during the ORI was to be proactive and engage, before and during the inspection, in any ORI-related activity transpiring on base.

TJAG Special Subject Letters. The reference guide was also saved on a compact disc, which allowed convenient electronic access to the material at the deployed location.

In addition, the legal team created approximately 44 checklists designed to efficiently and quickly address common legal issues. The checklists covered all necessary steps to resolve issues such as fuel spills, political asylum, jurisdiction requests, gifts/awards, contractor and reservist misconduct, Enemy Prisoner of War abuse, Law of Armed Conflict (LOAC) violations/reporting, etc. The checklist drafting process forced the team to think about some of the most commonly occurring legal issues, to anticipate new scenarios, and to increase its efficiency and productivity in providing legal advice. The checklists, combined with electronic and hard-copy access to the *The Military Commander and the Law*, *Air Force Operations and the Law*, the *Army Law of War Deskbook*, and the *Army Operational Law Handbook*, provided the legal team with all the required resources to address legal issues that transpired in theater.

The most valuable portion of the reference binder was, perhaps, the “Table of Contents” (TOC) section. Tailored to the Mission Essential

Task Lists, the TOC contained 57 headings which covered gifts, ethics, political asylum issues/detainee treatment, fiscal law, customs inspections, claims, civilian and contractor issues, military justice, legal assistance, environmental law, command, and various other legal issues. Additionally, each heading contained a customized pre-drafted checklist outlining all the steps required for resolution. The TOC succinctly summarized the scenarios, such as “fuel spills” and “commander is killed—successor,” and pointed to the appropriate tab in the binder containing the legal reference and the corresponding checklist to respond to the legal inject. The legal team methodically consulted the TOC for every legal inject, even if they knew what the advice would be, immediately consulted the applicable checklist, and apportioned the execution of the checklist items between the attorney and paralegal to arrive at a fast and efficient legal solution.

Immediately upon arrival in theater, the legal team consulted the “Hit the Ground Running” checklist—a comprehensive outline of the steps required to set up an office and launch operations. The checklist contained items such as setting up the laptops, ensuring access to application tools, such as RINNERS tool, FLITE, WebLions, DL Wills, and posting JA signs

around major buildings and common areas. Other checklist items included identification of all host country and U.S. agencies that would be helpful to the legal office, drafting letters of introduction, and obtaining names for delegation letters. The IG complimented this effort, stating that the JA team “surpassed expectations by contacting all levels of host nation counterparts and sister service agencies, guaranteeing positive relations.” The legal office also made initial contact with Intel and Public Affairs (PA), checked for the existence of any Memoranda of Agreement, confirmed alternate locations, ensured LOAC compliance for medical personnel, and ensured access to the Installation Control Center (ICC) and Emergency Operations Center (EOC) events logs, including the Security Forces Squadron (SFS) blotter. Finally, the legal team set up meetings and liaised extensively with fiscal and environmental team leads.

### Proactive Engagement

The 62 AW/JA discovered that one of the best ways to contribute during the ORI was to be proactive and engage, before and during the inspection, in any ORI-related activity transpiring on base. Keeping abreast of all events can prove challenging, especially if JA is geographically separated from the ICC and the EOC, which was the case for the 62 AW legal team. To overcome this particular limitation, 62 AW/JA increased its emphasis on extensive networking with all of the major players and agencies to ensure regular information flow to JA in theater. For example, two weeks prior to deployment, the legal office met with the 131 AEW Commander to discuss Rules of Engagement (ROE), Use of Force, and to sign delegation and appointment letters. With the commander’s

approval, the legal team created ROE cards for all deployed personnel, including specialized ROEs for SFS, and LOAC cards for medical personnel. The IG recognized this effort, stating that the “legal team provided customized quick reference ROE cards to Security Forces and Medical personnel; ensuring flawless notification of any possible legal violations to the legal team.” JA also liaised with SFS, Office of Special Investigations, the EOC Manager, 131 AEW executive officers, Force Support team leads, and established real-life “reach-back” support with the Air Forces Central Command Judge Advocate’s Office (AFCENT/JA), Air Force Operations and International Law Directorate (JAO), the Environmental Law and Litigation Division, the Claims and Tort Litigation Division and other agencies, documenting all contact made for the IG. These contacts proved invaluable for ensuring information flow to JA and simulated reach-back capability during deployed operations.

Regular briefings and early advertisement of services also enhanced JA’s presence on base and increased information flow to JA. Prior to deployment, JA provided a comprehensive briefing on legal readiness, including ROEs, LOAC, claims, and SOFA, as well as a Reception Briefing upon arrival to theater, which covered local law and general orders. Additionally, the legal team provided pre-deployment Law of Air Mobility training and brochures to more than 80 flyers, and created sign-up sheets for proof of attendance to show the IG. Upon arrival, the legal team handed out business cards to the major players, and posted large JA posters in all major buildings and common areas with JA’s contact information and services. Further, the legal team worked with PA to publish an

“With the right mind-set, teaming, and preparation, an ORI can serve as a great opportunity to showcase legal talent and provide maximum contribution to the wing for success.

article on legal services in the base newspaper (drafted by the paralegal) and worked to advertise JA services daily on the 131 AEW Commander's Channel.

The JA information campaign and briefings continued at the deployed location. The legal team provided daily briefings (night and day shift) to SFS on the Use of Force, LOAC and ROEs, drawing on the SFS members' experience for practical scenarios and hypotheticals. EOC representatives and Unit Control Center operators soon learned to recognize potential legal issues and quickly filter information to JA for legal advice. For example, the SFS team leader at the EOC contacted JA every hour to update JA on issues relating to SFS operations, such as enemy prisoner of war abuse or

negligent discharge of a weapon, which were designed to be SFS-testable scenarios requiring legal input. Staying proactively engaged allowed the legal team to receive the most up-to-date information on developing issues on base, and provide speedy and well-researched advice to the appropriate personnel. The legal team soon became an indispensable part of the deployment operations and one of 131 AEW Commander's "go-to" agencies.

#### Attorney-Paralegal Teaming

Recognizing the importance of attorney-paralegal teaming, 62 AW/JA searched for innovative ways to implement TJAG's teaming pillar in ORI preparation and execution. Paralegals and attorneys worked together to create the checklists and assemble the reference guide,

research substantive legal issues, draft legal reviews, provide legal assistance, and check for LOAC and ROE compliance. The legal team demonstrated strong teaming initiative by quickly distributing the deployed workload between attorneys and paralegals for speedy execution, which earned favorable feedback from the IG. The paralegals and attorneys also both played a critical role in networking with relevant players, spotting legal issues, checking the blotter and EOC/ICC logs for new developments, and making frequent visits to the EOC/ICC for periodic updates.

In the After Action Report, the IG noted that the "JA team showed unmatched professionalism and teaming" as one of its strengths. The IG was especially complimentary of the "attorney and paralegal for meticulously processing an international claim in one day" and noted a strength in a scenario where the "attorney communicated via paralegal to provide legal assistance to [a] male client bound by religious restrictions to not be advised by females." After months of working together, the attorneys and paralegals had learned to rely on each other to tackle the most daunting and novel issues, serving as each other's "eyes and ears" for all new developments. Attorney-paralegal teaming is a

critical force multiplier in deployed operations, and was absolutely key to 62 AW/JA's success during the ORI.

#### Conclusion

With the right mind-set, teaming, and preparation, an ORI can serve as a great opportunity to showcase legal talent and provide maximum contribution to the wing for success. To that end, contacting other bases for information regarding areas for improvement and cross-feed of successful tools and tips, as well as establishing "reach-back" support from AFCENT/JA, JAO and other agencies can be invaluable. A careful study of the Airman's Manual and perfecting SABC and ATSO skills will also prove critical during the ORI. Additionally, preparation should incorporate regular training for JA personnel manning the deployment line at home station along with a pre-deployment review and update of mobility folders. While a positive disposition is imperative in overcoming unforeseen hurdles and unprecedented legal issues, *meticulous preparation, proactive engagement, and teaming* will surely impress the IG and greatly enhance the legal team's chance for success on an ORI. ↘

## RESOURCES

[Air Force Operations and the Law](#)

[Airman's Manual](#)

[Army Law of War Deskbook](#)

[Army Operational Law Handbook](#)

[The Military Commander and the Law](#)