

1 JULY 2004



Law

**COURT AND DISCHARGE BOARD MEMBER
NOMINATION PROCESS**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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This instruction implements AFPD 51-2, *Administration of Military Justice*, and outlines the procedures for submitting biannual court-martial and discharge board member nomination lists. Members nominated are made available for courts-martial and discharge boards convened by the commanders of the 341st Space Wing and 20th Air Force.

PRIVACY ACT WARNING STATEMENT: *This instruction requires collecting and maintaining information protected by the Privacy Act of 1974 authorized by 10 U.S.C. 8013.* Maintain and dispose of records created as a result of proscribed processes in accordance with the *Records Disposition Schedule* available in WebRIMS.

SUMMARY OF REVISIONS

This publication updates the frequency for which commanders will submit member nomination lists for court-martial and discharge board duty (paragraphs **1.** and **2.2.**), reflects group name changes (paragraphs **1.2.**, **1.3.** and **1.7.**), replaces 341 SW/DS with 341 SW/CV (paragraph **1.8.**), and updates the length of time for which the nominated members are responsible for duty (paragraphs **3.1.** and **3.2.**). A bar (|) indicates revision from the previous edition.

1. General Responsibilities. No later than 15 June and 15 December each year, the following commanders will submit a member nomination list to 341 SW/JAM (Military Justice Section):

- 1.1. 341 OG/CC
- 1.2. 341 MXG/CC
- 1.3. 341 MSG/CC
- 1.4. 341 MDG/CC

- 1.5. 819 RHS/CC
- 1.6. 341 CPTS/CC
- 1.7. 341 SFG/CC
- 1.8. In addition, 341 SW/CV will provide a member nomination list to 341 SW/JAM.

NOTE: This list will consist of officer and enlisted personnel available for court-martial or discharge board duty for the following six-month period. For example, the list submitted by 15 December nominates members for the months of January, February, March, April, May, and June.

2. Responsibilities of the Nominating Commanders:

2.1. The Air Force relies on commanders to nominate their best officers and airmen for this duty. The Manual for Court-Martial (MCM) requires the selection of board members based on their qualifications “by reason of their age, education, training, experience, length of service, and judicial temperament.” Commanders should take these factors into consideration when submitting nominations and ensure that each rank/grade of officer and enlisted that reflects the criteria found above is equally represented.

2.2. Nominating commanders will submit the following to 341 SW/JAM by 15 June and 15 December of each year:

2.2.1. A nomination list (see [Table 1.](#)), which must consist of 25 percent of all officers and 10 percent of all enlisted personnel from each group/unit, is to be e-mailed to the Noncommissioned Officer in Charge (NCOIC) of Military Justice.

NOTE: Commanders are encouraged to appoint points of contact (POC) to comply with this requirement.

2.2.2. A completed 341SW IMT 1, **Courts-Martial Member Experience Statement**, for each individual member nominated.

Table 1. Court-Martial Member Nominees

Member's Name	Rank	Unit	Office Symbol	Duty Phone & Fax
John A. Doe	O-5	341 OSS	DOT	1112/2345
Jane Doe	E-6	10 MS	CCA	2879/3201

2.3. In addition, nominating commanders will not submit personnel whom they know will:

2.3.1. Be on temporary duty (TDY) for more than 60 days of the 6-month period.

2.3.2. Separate or have a permanent change of station (PCS) within the first 60 days of the 6-month period.

2.3.3. Have a disciplinary record that demonstrates that “by reason of their age, education, training, experience, length of service, and judicial temperament” the nominated member is not the best nominee for service as a court member.

2.4. In the event a member selected for a court date is unable to serve due to TDY, leave, PCS, separation, or any other reason, the nominating commander will submit a written request explaining why

the member should be excused. This letter must be addressed to the 20 AF/CC to excuse members appointed to a general court-martial or 341 SW/CC to excuse members appointed to a special court-martial. The letter will be delivered to 341 SW/JA for staffing and delivery to 20 AF/CC or 341 SW/CC, as appropriate.

3. Responsibilities of the Nominated Member:

3.1. Nominated members will complete (type) and submit a 341SW IMT 1, **Courts-Martial Member Experience Statement** to their nominating commander for each six-month period they are nominated. Nominated members should contact their unit POC or the Military Justice Section to obtain the statement. It is recommended that nominees type their information directly on the electronic version provided. This will simplify updates to the 341SW IMT 1, **Courts-Martial Member Experience Statement**, as members may be nominated for consecutive six-month periods. The nominee can either keep the statement in their computer to update later or e-mail it to the NCOIC of Military Justice who will incorporate it into a database for future updates.

3.2. The 341SW IMT 1, **Courts-Martial Member Experience Statement** must list the leave and TDY schedule for the 6-month period for which the member is being nominated in the "Remarks" section. For example, nominees on the list due by 15 December must list their leave and TDY schedule for the months of January, February, March, April, May, and June. After submission of the 341SW IMT 1, the member is responsible for updating his or her leave and TDY schedule with the Military Justice Section as soon as such absences are projected, to avoid being selected for court duty that conflicts with the member's schedule.

3.3. In the event a member selected for a court date is unable to serve due to TDY, leave, PCS, separation, or any other reason, the member will immediately inform his or her commander who will inform the nominating commander.

4. Responsibilities of the 341st Space Wing Legal Office, Military Justice Section:

4.1. The Military Justice Section of the Legal Office will provide each responsible commander listed in paragraph 1. of this instruction, a reminder of the biannual submission requirement no later than 15 days prior to the due date. Attached to the notice will be a blank 341SW IMT 1, **Courts-Martial Member Experience Statement**, sample form, and the required nomination list format. Commanders will also be provided electronic versions of the statement and nomination list.

4.2. When preparing panels, the Military Justice Section will not submit names of members who have provided advance notice of conflicting TDY or leave schedules to the convening authority for consideration.

5. Prescribed Forms. This instruction mandates the use of 341SW IMT 1, **Courts- Martial Member Experience Statement**.

C. DONALD ALSTON, Colonel, USAF
Commander

Attachment 1

SAMPLE COURT-MARTIAL MEMBER EXPERIENCE STATEMENT

Figure A1.1. Sample 341SWIMT1, Court Martial Member Experience Statement

COURTS-MARTIAL MEMBER EXPERIENCE STATEMENT					
CURRENT AS OF:					
PERSONAL INFORMATION					
RANK	NAME (Last, First, MI)		ORGANIZATION/OFFICE SYMBOL (MAJCOM)		DUTY PHONE/FAX
O-5	Doe, John, A		341 OSS/DOT (AFSPC)		1112/2345
DUTY TITLE			NAMES OF OPFR/EPR RATER AND ENDORSER		
Operations Officer			RATER: Lt Col Smith ENDORSER: Col Jones		
SOURCE OF COMMISSION		TAFMSD	DATE OF RANK	HOME OF RECORD (City, State)	
ROTC		1 May 86	1 Jan 02	Anywhere, USA	
SEX	RACE	MARITAL STATUS	DATE OF BIRTH	NO. OF DEPENDENTS	AGE & SEX OF CHILDREN
M	Other	Married	1 Jan 65	2	4 - F
EDUCATION					
COLLEGE		MAJOR	DEGREE	FROM (MO./YR.)	TO (MO./YR.)
Anywhere State University		Civil Engineering	BS	7/82	5/86
Anywhere State University		Political Science	MS	7/88	5/90
MILITARY PROFESSIONAL SPECIALTY AND PME COURSES			AWARDS AND DECORATIONS		
SOS - correspondence and in-residence ACSC - in-residence AWC - in-residence			Meritorious Service Medal (2 OLC) AF Commendation Medal (2 OLC) AF Achievement Medal AF Outstanding Unit Award (2 OLC) Combat Readiness Medal National Defense Service medal (1 device)		
LAST 5 DUTY ASSIGNMENTS					
FROM (MO./YR.)	TO (MO./YR.)	LOCATION		DUTY TITLE	
1/03	Present	Malmstrom AFB, MT		Operations Officer	
6/00	1/03	Peterson AFB, CO		Commander	
7/99	6/00	Maxwell AFB, AL		Student	
1/96	7/99	Vandenberg AFB, CA		Executive Officer	
1/93	1/96	Patrick AFB, FL		Staff Officer	
COURT-MARTIAL/ADMINISTRATIVE BOARD EXPERIENCE					
NO. OF GENERAL COURTS-MARTIAL	NO. OF SPECIAL COURTS-MARTIAL	NO. OF ADMIN DISCHARGE BOARDS	NO. OF OTHER BOARDS (Specify)		
1	1	0	0		
DATE LAST SERVED (MO./YR.)	DATE LAST SERVED (MO./YR.)	DATE LAST SERVED (MO./YR.)	DATE LAST SERVED (MO./YR.)		
6/03	5/02	N/A	N/A		

REMARKS: TDY 1 Jul 04 – 31 Jul 04

PRIVACY ACT STATEMENT
AUTHORITY: 10 U.S.C. 8013 Secretary of the Air Force: powers and duties; delegation by, AFPD 51-2, Administration of Military Justice and E.O. 9397. PURPOSE: Principal purpose is to collect statistical data as to the background of court-martial members in the selection pool and to enable personnel concerned to isolate problem areas which would lead to possible delays in court proceedings. The questionnaire will be used to select court-martial members. ROUTINE USES: In addition to those disclosures generally permitted under 5 U.S.C. 552A(b)(3) as follows: The Department of the Air Force "Blanket Routine Uses" set forth at the beginning of the Air Force's compilation of systems of records notices apply to this system. DISCLOSURE: Providing information on the questionnaire is voluntary; however, failure to provide the information may result in the information being obtained from other authorized sources. Privacy Act Systems Notice "F036 AF PC C – Military Personnel Records System" applies.
341 SW Form 1, XX May 2004 (Supercedes Malmstrom Form 1, 1 August 2000)