

LEGADMINMAN

CHAPTER 10

COMPLIANCE WITH COURT ORDERS BY MARINES, DEPENDENTS,  
AND CIVILIAN EMPLOYEES SERVING OVERSEAS

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10000. SCOPE

1. This chapter designates responsible Marine Corps officials for acting on a request or order from a court or from Federal, State or local authorities concerning a court order for the return to the United States of servicemembers and their family members or civilian employees and their family members serving overseas.
2. Detailed procedural and policy guidance regarding the processing of requests or orders for the return of servicemembers, civilian employees, and their family members is set forth in SECNAVINST 5820.9 and DoD Directive 5525.9.

10001. POLICY

1. The Marine Corps will cooperate with requests for return pursuant to a court order when such action is consistent with mission requirements (including operational readiness), the provisions of applicable international agreements, and ongoing Department of Defense investigations or courts-martial.
2. Every reasonable effort will be made to resolve the matter without returning servicemembers to the United States or by taking other action authorized by SECNAVINST 5820.9 against civilian employees or the family members of servicemembers and civilian employees.
3. In appropriate circumstances, servicemembers may be returned involuntarily to the United States. The involuntary return of civilian employees and family members of both servicemembers and civilian employees is not authorized.
4. In appropriate circumstances, adverse action, to include removal from Federal service, may be taken in the case of civilian employees and the command sponsorship of family members of both servicemembers and civilian employees may be withdrawn.

10002. RESPONSIBLE OFFICIALS

1. CMC (MM) is the responsible official for acting on all requests involving servicemembers and their family members who are not employees.

2. Commanding officers who receive a request for the return of a servicemember or family members of a servicemember belonging to the command will comply with procedures set forth in SECNAVINST 5820.9, and forward the request to CMC (MM) for action.

3. Commanding officers are the responsible officials for acting on all requests involving civilian employees and their family members who are not active duty military members, and will take appropriate action in accordance with SECNAVINST 5820.9.

4. CMC (JA) will provide legal review and advice on requests under the cognizance of CMC (MM). CMC (JAR) is the point of contact for authorities issuing requests for return or other action.