

LEGADMINMAN

CHAPTER 19

LAW EDUCATION PROGRAMS

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CHAPTER 19

LAW EDUCATION PROGRAMS

19000. BACKGROUND

1. Funded Law Education Program (FLEP). Pursuant to 10 U.S.C. § 2004, as implemented by SECNAVINST 1520.7E, commissioned officers of the Marine Corps, while continuing to draw full pay and allowances, may be ordered as students at Government expense to American Bar Association (ABA) accredited law schools located in the United States for education leading to the degree of Juris Doctor or Bachelor of Law.
2. Excess Leave Program (Law) (ELP(L)). Pursuant to 37 U.S.C. § 502(b), commissioned officers of the Marine Corps may be permitted leave without pay and allowances in excess of that authorized by 10 U.S.C. § 701(b), to attend ABA accredited law schools located in the United States at no expense to the Government for education leading to the degree of Juris Doctor or Bachelor of Law.
3. Satisfactory completion of either FLEP or ELP(L) leads to designation as a Marine Corps judge advocate (MOS 4402).
4. Special Education Program (Law) (SEP(LAW)) and Advanced Degree Program (ADP). The Marine Corps has identified and validated several billets which are required to be staffed by officers who possess postgraduate level education. SEP(LAW) and ADP were established as a means of providing the Marine Corps with a sufficient number of qualified officers to fill these billets. Officers selected for participation in SEP(LAW) must complete all degree requirements within 1 calendar year. Failure to do so will result in separation from the program and may be treated as an academic failure. Attainment of a Masters of Law (LL.M.) degree in the specific area of law identified in the officer's orders is essential to the law expertise required by the Judge Advocate Division. ADP augments SEP(LAW) by providing an additional source of graduate-trained officers from civilian institutions. Officers selected for participation in ADP will be authorized the minimum period necessary to meet degree requirements. Refer to MCO 1520.9F (SEP(LAW)) and MCO 1560.19D (ADP) for more information on these programs.

19001. SELECTION. A selection board will be convened by CMC annually to consider applications from commissioned officers and recommend those for participation in FLEP/ELP(L).

19002. QUALIFICATIONS

1. General. An applicant for FLEP/ELP(L) must possess the following qualifications:

a. Have graduated from an accredited college or university with a baccalaureate degree;

b. Have taken the Law School Admission Test (LSAT), prepared and administered by the Educational Testing Service, Box 944, Princeton, NJ 09540. Such test shall be arranged for and taken by each applicant without expense to the Government;

c. Have satisfactory evidence of acceptance or conditional acceptance or admission to an ABA accredited law school located within the United States. Officers who have earned law school credits must submit a transcript of law school work completed; and

d. Only unrestricted officers in the Regular Marine Corps are eligible. Marine Corps Reserve officers must apply for and be offered regular commissions prior to being considered by the FLEP/ELP(L) selection board.

2. Special FLEP Qualifications. An applicant must:

a. Be a citizen of the United States;

b. Be in the grade of captain or below;

c. Have a minimum of 2 years but not more than 6 years total active duty (officer and enlisted service combined) when law education begins; and

d. Be able to complete 20 years active service as a commissioned officer before the 55th birthday.

Note: Because these are statutory qualifications, they can not be waived.

3. Special ELP(L) Qualifications. An applicant must have a minimum of 2 years but not more than 8 years of total commissioned service (active and Reserve) as of the time law education begins.

4. Special SEP/ADP Qualifications

a. Unrestricted commissioned officers in the Marine Corps on active duty are eligible for the programs. Grade eligibility for the program is limited to first lieutenant through lieutenant colonel.

b. Officers who have previously participated in the SEP, ADP, Voluntary Graduate Education Program, SecNav Scholarship Program, Olmsted Scholarship Program, or other full time post baccalaureate Marine Corps funded programs are not eligible.

c. Officers who have previously participated in the College Degree Program, Naval Enlisted Scientific Education Program, Marine Corps Enlisted Commissioning Education Program, Foreign Area Officer Program, FLEP, or ELP(L), are eligible after they have completed the obligation of service incurred as a result of participation in the subject programs.

d. Although officers will normally complete the prescribed tour length (see MCO P1300.8R) at their present duty station prior to being assigned to school, the SEP/ADP selection board will have the authority to recommend a waiver. The board can also recommend a deferral of school commencement for 1 year to allow for an intervening overseas unaccompanied tour, or because of operational commitments that require the presence of the applying officer.

19003. APPLICATIONS. Figures 19-1 through 19-3 provide detailed instructions for completing applications for FLEP and ELP(L). SEP(LAW)/ADP applications will be prepared per MCO 1520.9F and MCO 1560.19D.

19004. OBLIGATIONS UPON ACCEPTANCE

1. Participants in FLEP/ELP(L) will incur obligated active service-- in addition to preexisting obligated service incurred prior to entering the program--in accordance with the following:

a. FLEP. Two years (24 months) for each year, or any part thereof, spent in the program;

b. ELP(L). One year (12 months) for each year, or any part thereof, spent in the program. In no case will the total period of obligated service under ELP(L) be less than 2 years, nor more than 5 years; however, preexisting obligated service shall be counted for this purpose;

c. Early Termination. One year (12 months) for each year, or any part thereof, spent in the program, not to exceed 3 years;

d. For purposes of determining the foregoing obligated service, participation in FLEP/ELP(L) begins when the officer reports for duty under instruction with the organization to which assigned while attending law school and ends on the earliest of the following dates:

(1) Conferral of a law degree;

(2) Detachment from duty under instruction; or

(3) Admission to practice before a district court of the United States or the highest court of a State or the District of Columbia; and

e. For FLEP officers, temporary additional duty periods (summer assignments to legal offices, other such duty, hospitalization, etc.) or leave periods count against preexisting obligated service on a day-for-day basis. For ELP(L) students, all periods in a pay status similarly count. No other periods of participation in FLEP/ELP(L) may be counted against preexisting obligated service.

2. ELP(L) students are not required to use their accrued leave prior to being placed in an excess leave status.

3. SEP(LAW)/ADP. Officers applying for SEP(LAW) and ADP must agree not to tender a resignation, or request separation or retirement, while participating in the program. Officers must further agree to remain on active duty after completion of training, or upon separation from the SEP for any other reason, for a period of 3 years; or if the enrollment in school is longer than 1 calendar year, for a period of 4 years. This obligated service is in addition to any preexisting obligation and must be served consecutively. The crediting of service against any preexisting service obligation will be suspended during the time assigned to SEP(LAW) or ADP.

19005. DURATION OF FLEP/ELP(L). Participants are authorized to remain in a student/excess leave status for up to 36 months while pursuing a basic law degree and admission to the bar. Student/excess leave status begins on the date of reporting to the unit to which assigned while attending law school.

19006. GENERAL INSTRUCTIONS

1. Upon acceptance into FLEP/ELP(L), and within a reasonable time before classes are to begin, officers will be transferred by permanent change of station orders to a Marine Corps activity convenient to the law school the officer will attend. At all times while in the program, they are under the command of the commanders/officers in charge of their respective permanent duty stations.

a. During the academic year from the start of classes until the last scheduled law school examination, a FLEP/ELP(L) officer's primary duty is as a law student.

b. Officers in FLEP/ELP(L) are ordinarily not required to report to their commands except in case of necessary administrative processing, e.g., BIR/BTR certification, pay related matters, annual leave authorization, receipt of summer TAD orders, annual fitness

reports, PFTs. Officers are encouraged to maintain periodic contact with their commands, however, to ensure compliance with this chapter.

c. Commanders/officers in charge shall not require participation in the command; e.g., flag details, casualty calls, phone watch, inspections, recruiting, etc., except for an ELP(L) student performing duty in a pay status.

d. Commanders/officers in charge shall maintain appropriate liaison directly with the Staff Judge Advocate to the Commandant and shall forward to CMC (JAS) information that might affect the officer's ability to complete the course of study successfully or the desirability of continuing the officer in FLEP/ELP(L).

2. While in FLEP/ELP(L), officers are representatives of the Marine Corps. Their conduct, personal appearance, demeanor, life style, and activities as law students and citizens reflect not only upon themselves but upon the Marine Corps as well. Each officer must project an image in both the civilian and legal communities which is in keeping with the highest traditions of the Marine Corps. Although civilian clothing may be worn while attending school, Marine Corps grooming standards shall be adhered to at all times.

3. Law School Attendance

a. A FLEP/ELP(L) officer's appointed place of duty during the academic year is the law school being attended. In particular, such officers shall attend all classroom periods of instruction in which enrolled (whether required by the law school or not) and all other activities, assemblies, sessions or the like required by the law school unless excused by competent authority.

b. In addition to taking those courses required by the law school, FLEP/ELP(L) officers shall elect courses that will be of most benefit to the Marine Corps, such as labor law, environmental law, trial advocacy, administrative law, etc. Additionally, if offered, students shall take trial advocacy clinics/internships ("hands on" training). Unless required for the State bar examination, students should avoid electing courses such as securities, corporation law, commercial paper, etc. that are not related to those areas of practice in which judge advocates normally engage.

c. To ensure that elective course selection is consistent with military law practice, CMC (JAS) will approve each student's proposed elective course selections prior to final registration for courses each semester.

(1) Each student will ensure that CMC (JAS) is provided a current course catalog from the law school being attended.

(2) Additionally, each student shall provide to the CMC (JAS) a written list of proposed electives in advance of final course registration to allow for review and written approval or disapproval.

d. Scholarships, fellowships, grants or cash awards shall not be accepted by FLEP/ELP(L) students without prior approval of CMC (JAS).

e. Students are encouraged to participate in extracurricular activities of their law school or related to the law to the greatest extent that is not detrimental to their academic standing. Some activities which tend to enhance potential as a future Marine Corps judge advocate are law review, moot court, student bar association, dean's committees, legal aid clinics, trial advocacy clinics, law fraternities, and law school publications.

4. Summer Vacation

a. All FLEP/ELP(L) officers must perform military duties during the law school summer vacation unless excused by CMC (JAS). Such duty normally will be served at a major Marine Corps command in an office involved in the practice of law. This duty is considered an integral part of the training included in FLEP/ELP(L).

b. Officers shall advise CMC (JAS) of the inclusive dates of the law school summer vacation not later than 60 days prior to the end of the academic year. Summer duties will begin the day following the last law school examination and must end not later than the day before the first class of the next school session.

c. Assignments to summer duty will be made by CMC (MMOA) upon the recommendation of CMC (JAS). Travel, transportation, allowances, and per diem will be authorized for TAD performed at a command other than the permanent duty station. Funding is included in the operating budget held by HQMC and appropriation data will be provided to commanding officers.

d. Annual leave is authorized during the summer law school vacation. However, leave requests should be reasonable and should be made for periods prior to and/or following summer TAD. Students shall advise CMC (JAS) of requested summer leave periods so that TAD dates can be adjusted.

5. Summer School. In unusual cases, students may be authorized to attend summer school at no additional expense to the Government. Requests for summer school attendance should be addressed to CMC (JAS). If authorized, summer school attendance will be in lieu of part or all of summer duty at a major Marine Corps command.

6. The Staff Judge Advocate to the Commandant oversees FLEP/ELP(L). Therefore, students are authorized to communicate directly with that officer concerning any matter affecting their status, progress, or

activities in the program. They are also encouraged to make frequent reports of their activities in the program by letter or e-mail to CMC (JAS).

19007. PAY STATUS ASSIGNMENT (PSA) FOR ELP(L) STUDENTS

1. At the request of an ELP(L) student, the commander of the unit to which the ELP(L) student is attached shall order the student into a pay status, except under the following conditions:

a. The student will not be ordered into a pay status on any day on which the student has a class or exam scheduled.

b. The student will not be ordered into a pay status if doing so will interfere with the student's academic study or the student is unavailable to perform duty. Actual performance of duty is not necessary (e.g., on weekends and holidays when the unit is normally on liberty). The commander may, however, assign appropriate duties during such periods. Students may be assigned any duties deemed appropriate by the commander, e.g., CACO, staff duty officer, participation in military training, inspections, etc.

2. Commanders are authorized to issue "continuing orders to PSA."

a. Continuing orders to PSA may be used for weekends, holidays, and weekdays on which the student does not have classes scheduled (e.g., Thanksgiving, Christmas, and post-examination semester breaks).

b. When on PSA, the student is entitled to pay and allowances at the daily rate of one-thirtieth of a month's pay and allowances. The 31st day of a calendar month shall not be excluded from such computation.

c. Specific PSA dates will be listed in the continuing orders, and this paragraph will be referenced as authority.

d. A consecutively numbered reporting endorsement will be prepared for each individual pay status period, below which the ELP(L) student will certify that no class or examination was scheduled on any of the dates on which the student was ordered into a pay status. Sample orders are shown in figure 19-4.

e. If properly excused from summer TAD, in accordance with paragraph 19006.4, an ELP(L) student may perform PSA duties locally.

19008. TERMINATION FROM FLEP/ELP(L)

1. Prior to graduation from law school, an officer may be terminated from FLEP/ELP(L) by CMC for deficiency in academic performance or conduct, abandonment of the study of law, or for other good cause.

a. Deficiency in academic performance shall include, but is not limited to, receipt of one or more failing grades, or failure to maintain a satisfactory minimum average as determined by the law school.

b. Deficiency in conduct shall include, but is not limited to, conviction by court-martial or civilian court, nonjudicial punishment, or other behavior recognized by the Marine Corps as inconsistent with (1) the high standards of conduct and performance of the officer corps and/or (2) the ethical standards of the legal profession.

c. Abandonment of the study of law shall include, but is not limited to, voluntary disenrollment from law school.

2. Before an officer may be terminated from the program, the officer shall be notified in writing of the grounds for termination and shall be afforded an opportunity to make a written reply within a reasonable period of time. Such reply, if made, shall be considered by CMC in determining whether the officer shall be dropped from the program. The grounds for the final decision shall be set forth in writing and a copy thereof provided to the officer concerned.

19009. FITNESS REPORTS

1. Reports Concerning Academic Performance. The Head, Judge Advocate Support Branch, Judge Advocate Division, is the reporting senior for FLEP participants. The commander of the organization to which assigned is the reporting senior for ELP(L) participants.

a. Student's Responsibility. Each student will submit directly to the reporting senior, as soon as practicable after the end of each academic year, the following documents and information:

(1) A transcript of grades for each course taken showing, if available, class standing.

(2) A narrative statement describing in detail all academic and extracurricular activities.

(3) Copies of any law review or other extracurricular writings.

(4) Statement or evidence of any honors or awards received.

(5) Upon graduation from law school, a consolidated transcript of all law school grades showing the date of graduation and degree conferred and, if available, final class standing.

b. Content of Reports. Reports pertaining to the student's performance during the academic year will be based upon transcripts, narratives, information provided by the student, and other relevant information available to the reporting senior.

c. Special Instructions for Completing Section A

(1) Item 1g. Enter "4401."

(2) Item 1h. Enter "N/A."

(3) Item 2a. Enter "K51" for FLEP students; "K17" for ELP(L) students.

(4) Item 2b. Enter the RUC of the student's parent organization.

(5) Item 2c. Enter the descriptive title of the student's parent organization.

(6) Item 4. Enter "Student."

d. Guidance for the Reporting Senior

(1) Due to the demands of law education on the time of the student and the geographical location of the student in relation to the reporting senior, the opportunities for observation may be infrequent or nonexistent. In such cases, a "not observed" report may be appropriate, with a narrative description of the student's academic performance and activities in section C.

(2) If an ELP(L) student is performing duties for the reporting senior under a PSA, the observation occasions may be "infrequent" or "frequent." The reporting senior of an ELP(L) student performing duty under a PSA would also be able to provide a more complete evaluation of the student in the section C billet accomplishments.

(3) Reporting seniors of FLEP/ELP(L) students are encouraged to discuss with the Staff Judge Advocate to the Commandant any difficulties encountered in preparing reports.

2. Summer TAD Reports

a. During periods of summer TAD, the reporting senior is as defined in MCO P1610.7E, paragraph 2003.

b. Special Instructions for Completing Section A

(1) Item 1g. Enter "4401."

(2) Items 2a through 2c. Enter the MCC, RUC, and descriptive title of the student's TAD organization.

(3) Item 4. Enter "Student Judge Advocate" or other title appropriate to the duties performed. If "Student Judge Advocate" is used, item 1h will be completed "N/A."

19010. FLEP/ELP(L) COMPLETION

1. Completion of Law School. The date of the last course examination at the end of the third year of law school shall be provided to CMC (JAS) as soon as the final examination schedule is available. In addition, not less than 60 days prior to completion of law school, each student shall provide CMC (JAS) with the following information:

a. Date of law school graduation.

b. Name, location, and dates of the bar review course(s) the student plans to take.

c. Jurisdiction and dates of the bar examination the student plans to take. This must be the first scheduled bar examination following graduation from law school, either in the State in which the student's law school is located or in the student's domiciliary. Other jurisdictions must be approved by CMC (JAS).

d. Preferences for first permanent duty station as a Marine Corps judge advocate.

2. Status While Awaiting the Bar Examination

a. During the period between graduation and the bar examination, the student's primary duty is to prepare for the examination.

b. FLEP. FLEP graduates will normally remain in a "duty under instruction" status until the bar examination is completed.

c. ELP(L). ELP(L) graduates will normally be retained at the parent/administrative command until the bar examination is completed. The excess leave status of an officer assigned to ELP(L) shall be terminated as of the day following the student's last examination at the end of the third year of law school. The ELP(L) student is then in a full pay status and is on duty at the permanent duty station. The ELP(L) officer is subject to assignment to any appropriate duties. However, commanders are enjoined not to assign any duties that may

interfere with the full and proper preparation for the bar examination, including taking a bar review course.

3. Bar Review/Examination

a. FLEP/ELP(L) students are authorized an administrative absence in accordance with chapter 7 of MCO P1050.3G and, if travel is necessary, permissive TAD orders at no expense to the Government for the purposes of taking a bar review course, the bar examination, and a swearing-in ceremony.

b. The Marine Corps will pay bar review course and mandatory bar examination fees for all FLEP/ELP(L) students.

c. Upon completion of the bar examination, FLEP/ELP(L) students will be retained at their commands until such time as they are ordered to the Naval Justice School. They may be assigned any and all duties commensurate with their grade and experience.

4. Certification and Designation. FLEP/ELP(L) graduates will provide directly to CMC (JAS) an official final transcript of their law school record showing receipt of a law degree, and a certified copy of certification of admission to the bar. When these documents have been received and the officer has graduated from the prescribed course at the Naval Justice School, the Staff Judge Advocate to the Commandant will request the Judge Advocate General of the Navy to certify the FLEP/ELP(L) graduate under UCMJ, Article 27b, and to designate the officer a judge advocate of the Marine Corps. Upon designation, the officer will be assigned primary MOS 4402, Judge Advocate.

19011. EDUCATIONAL EXPENSES

1. Tuition and Fees

a. FLEP. The Marine Corps will fund mandatory tuition and fees.

b. ELP(L). Except as indicated in paragraph 19010.3, tuition and fees are not funded by the Marine Corps.

c. SEP(LAW). The Marine Corps will fund mandatory tuition and fees.

d. ADP. The Marine Corps do not fund tuition and fees.

2. Book Allowance

a. FLEP. Students are eligible for a book allowance to provide for essential books in connection with law school attendance. The book allowance will not exceed \$150.00 annually.

b. ELP(L). No book allowance is authorized.

c. SEP(LAW). A reimbursable allowance of up to \$150.00 per academic year, beginning with the fall quarter, is available for the purchase of required textbooks. Individuals are also entitled to a maximum of \$200.00 for the costs incurred in the typing of a required thesis.

d. ADP. No book allowance is authorized.

3. Reimbursement/Payment. Request for reimbursement/payment of mandatory tuition and fees (FLEP students only), book expenses (FLEP students only) and bar review/examination fees (FLEP and ELP(L) students) should be forwarded to the Commanding General, Marine Corps Combat Development Command (TE-33, Accounting), Quantico, Virginia 22134-5000. Requests should be submitted on an Administrative Action Form in the format shown in figures 19-5, 19-6, and 19-7. Requests for reimbursement of book expenses should include, if available, the required book list and payment receipts.

19012. VETERAN'S EDUCATIONAL BENEFITS

1. FLEP. Students are not eligible for any Veterans Administration (VA) benefits while assigned to this program.

2. ELP(L)

a. Eligibility. The VA determines the amount of educational assistance authorized under the law applicable to the individual ELP(L) student. The VA General Counsel ruled, in an opinion dated 26 January 1967, that officers attending law school in an excess leave status are not on "active duty" for the purpose of determining the amount of monthly allowance. In the event a local VA contact office is unaware of this ruling, the ELP(L) student should contact CMC (JAS) for assistance. Inquiries concerning these allowances should be addressed to the nearest VA contact office.

b. Application. An ELP(L) student who is eligible for VA educational assistance should submit an application to the local VA office, together with a copy of the student's ELP(L) orders (in lieu of a DD Form 214) and a statement of service from the commanding officer.

19013. TUITION ASSISTANCE. FLEP/ELP(L) students are not eligible for tuition assistance provided by the armed forces.

19014. OUTSIDE EMPLOYMENT. FLEP/ELP(L) students shall not engage in outside employment unless specifically authorized by CMC (JAS).

Requests from ELP(L) students, only, will normally be approved if such employment is in accordance with MCO 5330.3D.

19015. GOVERNMENT QUARTERS

1. FLEP. Officers in this program are eligible for assignment of Government quarters at or near their permanent duty station.

2. ELP(L)

a. Eligibility. Officers in ELP(L) are not entitled, as a matter of right, to Government quarters. However, no law or regulation prohibits officers in ELP(L) from occupying Government quarters.

b. Policy. In keeping with the spirit of ELP(L), commanders are urged to provide Government quarters to ELP(L) students on a space available basis.

19016. EXCHANGES, COMMISSARIES, MEDICAL, AND DENTAL Entitlement to these benefits is not affected by participation in FLEP/ELP(L).

19017. ALLOTMENTS AND INSURANCE FOR ELP(L) STUDENTS

1. General. Because ELP(L) students are not entitled to pay and allowances while in an excess leave status, all allotments in effect at the time of transfer into ELP(L) shall be terminated and no new allotments will be authorized. If ELP(L) students desire to continue Government (except SGLI) or commercial insurance, loan repayments, or saving bonds, they must make arrangements for direct remittance.

2. SGLI. ELP(L) students will continue to be covered by SGLI, unless they have elected not to be insured. Premiums in arrears for SGLI shall be deducted from the first regular pay following return to a pay status.

19018. SURVIVORS BENEFITS FOR ELP(L) STUDENTS. The payment of Dependency and Indemnity Compensation (DIC) is a matter solely within the cognizance of the VA. However, the Comptroller General has ruled that survivors of servicemembers in an excess leave status receiving no pay and allowances are statutorily ineligible to receive such compensation.

19019. MEDICAL DISABILITY. Under 10 U.S.C. § 1201, entitlement to disability retired pay is tied to entitlement to basic pay. Accordingly, ELP(L) students who incur a medical disability while in an excess leave status may not receive such pay.

19020. RETIREMENT CREDIT. Time spent in an excess leave status is counted in computing active service and total commissioned service.

19021. FLIGHT STATUS. An aeronautically designated officer is not considered to be performing aviation service on a career basis while in FLEP/ELP(L). Officers must agree to voluntarily terminate this status on the day training in FLEP/ELP(L) begins. Entitlement to Aviation Career Incentive Pay (ACIP) also ends on that date. Officers who are terminated from FLEP/ELP(L) may request reinstatement of their flight status and reinstate their entitlement to ACIP prospectively.

19022. SPECIAL AND HAZARDOUS DUTY INCENTIVE PAYS. Any special incentive pay an officer may be receiving by virtue of special qualifications or prior duty assignment will be terminated on the day training in FLEP/ELP(L) begins.

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APPLICATION FOR LAW EDUCATION PROGRAMS

1. Form and Content. Applications shall be submitted to CMC (MMOA-3) on the Administrative Action Form (NAVMC 10274) via the chain of command. See figure 19-2. All applications must be received at Headquarters Marine Corps prior to May of the calendar year in which the applicant will enter law school. Applications must contain the following:

a. Names of all colleges and universities attended and dates the baccalaureate and any other degrees were received. State class standing, if available.

b. Active duty base date (ADBD), overseas control date (OSCD), and rotation tour date (RTD) if overseas.

c. Statement that the applicant either holds, or has applied and been accepted for, a regular commission.

d. Statement of legal education completed and any legal training or experience gained in civilian and military life.

e. Names of law schools accredited by the American Bar Association to which the applicant has been accepted, in priority order.

f. Date that the LSAT was taken.

g. Dates that anticipated law study will begin (i.e., the date law school classes begin) and be completed, including anticipated date of bar examination.

h. Statement of where the applicant intends to reside while attending law school and a statement of whether the applicant prefers to be assigned to a Marine Corps activity nearest the law school or nearest the applicant's anticipated residence while attending law school. CMC (MMOA-1) will determine the Marine Corps activity to which selectees will be assigned.

i. DSN/commercial telephone number during working hours.

j. As enclosures:

(1) Copies of all college level and graduate level transcripts. An explanation of the grading system used at the institutions attended shall be included.

Figure 19-1.--Instructions for Submitting Applications for Law Education Programs.

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(2) Letters of acceptance or conditional acceptance from the law schools listed in the AA Form.

(3) A certified true copy of the LSAT score report form.

(4) A brief statement (500 words or less) indicating steps the applicant has taken to learn about a career as a Marine Corps judge advocate, and a statement of the reason for seeking such a career. This statement should refer to an interview with a senior judge advocate (see paragraph 2b of this figure).

(5) A signed and witnessed agreement as contained in figure 19-3 (select FLEP, ELP(L), or both). These forms may be reproduced locally.

(6) Official photograph as prescribed by MCO P1070.12J (IRAM).

k. Except as required by paragraph 2b of this figure, letters of recommendation are not desired and, if received, will not be placed before the selection board.

2. Endorsement

a. The applicant's commanding officer shall include in the forwarding endorsement a specific recommendation concerning the applicant's future value to the Marine Corps as a judge advocate.

b. Where practicable, all applicants shall be interviewed by the staff judge advocate of the general court-martial command of which the applicant is a member. The staff judge advocate's comments and recommendations concerning the applicant shall be made an enclosure to the forwarding endorsement. Where not practicable, a senior judge advocate of any armed force that is available in the area shall be requested to conduct the interview and prepare this statement. The staff judge advocate should address the probability of the applicant's success in the study of law, the applicant's motivation to become a Marine Corps judge advocate, and the applicant's full understanding of all aspects of the program applied for.

3. Combined Application. Officers who intend to apply for acceptance into both the FLEP and the ELP(L) should submit one combined application that satisfies the requirement of both programs.

Figure 19-1.--Instructions for Submitting Applications for Law Education Programs--Continued.

LEGADMINMAN

ADMINISTRATIVE ACTION (5216)
NAVMC 10274 (REV. 3-93) (EF)
 Previous editions will be used
 SN: 0000-00-003-0904 U/I: PADS OF 100

1. ACTION NO. ADMIN	2. SSIC/FILE NO. 1560
3. DATE 1 Apr 97	

4. FROM (Grade, Name, SSN, MOS, or CO, Pers. O., etc.) Capt Justin B. Advocate 123 45 6789/0302	5. ORGANIZATION AND STATION (Complete address) 1st Bn, 5th Mar, 1st MarDiv MCB Camp Pendleton, CA 92055
6. VIA (As required) (1) CO, 5th Mar (2) CG, 1st MarDiv	

7. TO: Commandant of the Marine Corps (MMAA-3) Headquarters, U.S. Marine Corps Washington, DC 20380-0001	8. NATURE OF ACTION/SUBJECT Application for the Law Education Programs FLEP and/or ELP(L)
	9. COPY TO (As required) CMC (JAS)

10. REFERENCE OR AUTHORITY (if applicable) LEGADMINMAN, Chap. 19	11. ENCLOSURES (if any) (1) College transcript (s) (2) Acceptance to Law School (s) (3) LSAT Score Report (4) Stmt of applicant (5) FLEP/ELP(L) Agreement (6) Official photo
---	--

12. SUPPLEMENTAL INFORMATION (Reduce to minimum wording - type name of originator and sign 3 lines below text)

1. Colleges attended: University of New Mexico, BA 900526. State class standing not available.
2. ADBD - 900804; OSCD - N/A; RTD (if overseas) - 970613
3. I hold a regular commission. or I have applied and have been accepted for a regular commission.
4. No prior law study or legal experience.
5. ABA law schools in order of preference: a. Harvard b. Yale c. University of Pennsylvania.
6. LSAT taken December 1996.
7. Anticipated law study will commence September 1997 and be completed June 2000. Anticipated bar examination will be in Pennsylvania during July 2000.
8. I intend to reside near the law school and prefer to be assigned to the Marine Corps activity nearest to the law school.
9. DSN/Commercial telephone number: 692-4309 (DSN)/(760) 725-4309.

JUSTIN B. ADVOCATE

13. PROCESSING ACTION. (Complete processing action in item 12 or on reverse. Endorse by rubber stamp where practicable.)

Figure 19-2.--Sample Application for FLEP/ELP(L).

LEGADMINMAN

AGREEMENT FOR FUNDED LAW EDUCATION PROGRAM

1. I, the undersigned, a commissioned officer of the United States Marine Corps (Reserve) presently serving on active duty, certify that I have read and understand chapter 19 of MCO P5800.16A (LEGADMINMAN) which governs the administration of the Funded Law Education Program, hereinafter referred to as FLEP, and am fully cognizant of all provisions of that chapter and their effect upon my status as an officer if accepted for FLEP.

2. In consideration of being allowed to pursue the full-time study of law at Government expense and qualify for admission to the bar and designation as a judge advocate of the Marine Corps (MOS 4402), I agree to the following:

FIRST: To comply with all requirements of LEGADMINMAN, chapter 19, as a FLEP student.

SECOND: That my assignment to law school at Government expense may be terminated by CMC if I am unable or fail to maintain satisfactory grades in law school, or abandon the study of law for any reason.

THIRD: That my assignment to law school at Government expense may be terminated by CMC for failure to comply with this agreement or when the best interests of the Marine Corps would be served by my termination. Such termination will not occur until after I receive written notification and a 30-day period is provided for me to make a statement concerning such termination.

FOURTH: To make due and timely application to take the bar examination and to apply for admission to practice law before the highest court of a State or a district court of the United States as soon as practicable after graduation from law school.

FIFTH: To accept designation as a judge advocate of the Marine Corps and assignment of MOS 4402, Judge Advocate.

SIXTH: To serve on active duty, if I graduate from law school, for a period of 2 years for each academic year or portion of a year spent in FLEP in addition to any preexisting service obligation, computed from the earliest of the following dates:

(1) admittance to practice law before a Federal court or the highest court of a State or the District of Columbia;

(2) detachment from duty under instruction as a FLEP student;
or

Figure 19-3.--Format for FLEP/ELP(L) Agreements.

LEGADMINMAN

(3) conferral of a law degree.

SEVENTH: To serve on active duty, if my assignment to law school at Government expense is terminated for any reason prior to graduation from law school, for a period of 1 year, commencing from the date of my termination, for each academic year or portion thereof (not to exceed 3 years) spent in FLEP in addition to any preexisting service obligation; in the case of such early termination my MOS of 4401, Student Judge Advocate, will be voided and my former primary MOS will be reassigned.

EIGHTH: That the crediting of service against any preexisting service obligation I may have will be suspended during the time I am assigned to this program, except that (1) periods of time spent at assigned duty stations during summer vacation (when not attending law school) and (2) the time between my completion of law school and designation as a Marine judge advocate/certification under Article 27b, UCMJ, will count toward satisfaction of any period of obligated service other than that incurred as a result of assignment to the law school under this program.

3. It is now requested that, upon my so qualifying, I be designated a Marine Corps judge advocate and that I be assigned primary MOS 4402, Judge Advocate.

Signed this ____ day of _____, _____ in the presence of the below witness.

(Signature of Applicant)
Typed Name of Applicant
Typed Grade, SSN, MOS

(Signature of Witness)
Typed Name of Witness)
Typed Grade, SSN

LEGADMINMAN

EDUCATION PROGRAM AGREEMENT FOR EXCESS LEAVE PROGRAM (LAW)

1. I, the undersigned, a commissioned officer of the United States Marine Corps (Reserve), certify that I have read and understand chapter 19 of MCO P5800.16A (LEGADMINMAN) which governs the administration of the Excess Leave Program (Law), hereinafter referred to as ELP(L), and am fully cognizant of all provisions of that chapter and their effect upon my status as an officer if accepted for ELP(L).

2. In consideration of being allowed to pursue the full-time study of law and qualify for admission to the bar and designation as a Marine Corps judge advocate, I agree to the following:

FIRST: To comply with all requirements of LEGADMINMAN, chapter 19, as an ELP(L) student.

SECOND: That my participation in the ELP(L) shall be terminated by CMC if I am unable or fail to maintain satisfactory grades in law school or abandon the study of law for any reason.

THIRD: That my participation in ELP(L) may be terminated by CMC without prior notice to me, in the best interests of the Marine Corps.

FOURTH: To make due and timely application to take the bar examination and to apply for admission to practice law before the highest court of a State or a Federal court as soon as practicable after graduation from law school.

FIFTH: To accept designation as a Marine Corps judge advocate and assignment of MOS 4402, Judge Advocate.

SIXTH: To serve on active duty, regardless of whether I graduate from law school or am admitted to practice law and regardless of whether I complete the requirements of ELP(L) or am earlier terminated or withdraw from ELP(L), for a period of 1 year for each year or portion of a year spent in ELP(L), but not less than 2 years. Active duty creditable towards my obligation will begin the day after the earlier of the following dates: (1) my admittance to practice before the highest court of a State or the District of Columbia or a district court of the United States; (2) my detachment from duty under instruction in ELP(L); or (3) my receipt of a law degree. This obligated active service is in addition to any period of obligated service I may have acquired other than as result of my participation in ELP(L), but in no case will my total cumulative active duty obligation, including the obligation resulting from participation in ELP(L) and my preexisting obligation, be less than 2 years nor more than 5 years after the date my ELP(L) obligation begins or the date of my early termination from ELP(L).

Figure 19-3.--Format for FLEP/ELP(L) Agreements--Continued.

LEGADMINMAN

3. It is now requested that, upon my so qualifying, I be designated a Marine Corps judge advocate and that I be assigned primary MOS 4402, Judge Advocate.

Signed this ____ day of _____, ____ in the presence of the below witness.

(Signature of Applicant)
Typed Name of Applicant
Typed Grade, SSN, MOS

(Signature of Witness)
Typed Name of Witness)
Typed Grade, SSN

LEGADMINMAN

UNITED STATES MARINE CORPS
Inspector-Instructor Staff
Company I, 3d Battalion, 24th Marines
160 White Bridge Road
Nashville, TN 37209

1300
ADMIN
11 Aug 98

From: Inspector-Instructor
To: Captain Justin B. Advocate 123 45 6789/4401 USMC
1313 South Mockingbird Lane, Nashville, TN 37205
Subj: CONTINUING ORDERS TO PAY STATUS ASSIGNMENTS WHILE
PARTICIPATING IN THE EXCESS LEAVE PROGRAM (LAW) (ELP(L))
Ref: (a) LEGADMINMAN, par. 19007

1. As authorized in the reference, you are assigned to a pay status with this unit during the following periods:

- a. During Sep 1998: 5-6, 12-13, 19-20, 26-27.
- b. During Oct 1998: 3-4, 10-11, 17-18, 24-25, 31.
- c. During Nov 1998: 1, 7-8, 14-15, 21-22, 28-29.
- d. During Dec 1998: 5-6, 12-13, 19-20, and 26-27.
- e. During Jan 1999: 2-3, 9-10, 16-17, and 23-24.
- f. During Feb 1999: 6-7, 13-14, 20-21, and 27-28.
- g. During Mar 1999: 6-7, 13-14, 20-21, and 27-28.
- h. During Apr 1999: 3-4, 10-11, 17-18, 24-25.
- i. During May 1999: 19-3, 8-9, 15-16, 22-23, and 29-30.

2. You will return to an excess leave status as of 0001 of the day following the final date of each pay status period and resume participation in ELP(L).

3. You may be excused from performing duty in a pay status on any of the above dates upon oral or written request to the Inspector-Instructor. Upon approval of any such request, you will remain in an excess leave status on that date.

Figure 19-4.--Sample Orders for Pay Status Assignments for ELP(L) Students.

LEGADMINMAN

Subj: CONTINUING ORDERS TO PAY STATUS ASSIGNMENTS WHILE
PARTICIPATING IN THE EXCESS LEAVE PROGRAM (LAW) (ELP(L))

4. Should the law school you are attending under ELP(L) schedule a class or examination for you on any of the above dates, this order is revoked as it applies to that date. You are cautioned that you may not perform duty in a pay status on any date on which your law school schedules a class or examination that you are required to attend.

5. This order will be revoked as to any date that there is a likelihood that such assignment to pay status may adversely affect your academic standing in law school.

6. No travel, proceed or per diem is involved in the execution of these orders and none is authorized.

H. CAMPER

Copy to:
DisbO

LEGADMINMAN

UNITED STATES MARINE CORPS
Inspector-Instructor Staff
Company I, 3d Battalion, 24th Marines
160 White Bridge Road
Nashville, TN 37209

1300
ADMIN
1 Sep 98

From: Inspector-Instructor
To: Captain Justin B. Advocate 123 45 6789/4401 USMC
1313 South Mockingbird Lane, Nashville, TN 37205
Subj: CONTINUING ORDERS TO PAY STATUS ASSIGNMENTS WHILE
PARTICIPATING IN THE EXCESS LEAVE PROGRAM (LAW) (ELP(L))
Ref: (a) My ltr 1300 ADMIN of 11 Aug 98

1. As directed by the reference, you reported to duty in a pay status with this unit at 0800, 1 September 1998.
2. As of 0001 of the day following this date your pay status is terminated and you will return to an excess leave status and resume your participation in ELP(L).

H. CAMPER

C E R T I F I C A T I O N

I certify that no class or examination was scheduled for me by the law school in which I am enrolled as a participant in the Excess Leave Program (Law) on any of the above dates during which I performed duty in a pay status.

JUSTIN B. ADVOCATE

Copy to:
DisbO

Figure 19-4.--Sample Orders for Pay Status Assignments for ELP(L)
Students--Continued.

LEGADMINMAN

ADMINISTRATIVE ACTION (5216) NAVMC 10274 (REV. 3-93) (EF) Previous editions will be used SN: 0000-00-003-0904 U/I: PADS OF 100		1. ACTION NO. ADMIN	2. SSIC/FILE NO. 7431
4. FROM (Grade, Name, SSN, MOS, or CO, Pers. O., etc.) Capt Justin B. Advocate 123 45 6789/4401		3. DATE 15 May 97	
6. VIA (As required)		5. ORGANIZATION AND STATION (Complete address) Inspector - Instructor Co I, 3d Bn, 24th Mar 160 White Bridge Road Nashville, TN 37209	
7. TO: <div style="border: 1px solid black; padding: 5px; display: inline-block;"> Commanding General TE-33B MCCDC 3300 Russell Rd Quantico, VA 22114 </div>		8. NATURE OF ACTION/SUBJECT Tuition Payments in Connection with the Funded Law Education Program.	
10. REFERENCE OR AUTHORITY (if applicable) LEGADMINMAN, Chap. 19		9. COPY TO (As required) N/A	
12. SUPPLEMENTAL INFORMATION (Reduce to minimum wording - type name of originator and sign 3 lines below text) 1. Per the reference, the enclosure is forwarded for your action.		11. ENCLOSURES (if any) (1) Statement of Tuition and Fees.	
13. PROCESSING ACTION. (Complete processing action in item 12 or on reverse. Endorse by rubber stamp where practicable.)			

JUSTIN B. ADVOCATE

Figure 19-5.--Sample for Tuition Payments for FLEP Students.

LEGADMINMAN

ADMINISTRATIVE ACTION (5216)
NAVMC 10274 (REV. 3-93) (EF)
 Previous editions will be used
 SN: 0000-00-003-0904 UI: PADS-OF 100

1. ACTION NO. ADMIN	2. SSIC/FILE NO. 7431
3. DATE 15 May 97	

4. FROM (Grade, Name, SSN, MOS, or CO, Pers. O., etc.) Capt Justin B. Advocate 123 45 6789/4401	5. ORGANIZATION AND STATION (Complete address) Inspector - Instructor Co I, 3d Bn, 24th Mar 160 White Bridge Road Nashville, TN 37209
6. VIA (As required)	

7. TO: [Commanding General TE-33B MCCDC 3300Russell Rd Quantico, VA 22114]	8. NATURE OF ACTION/SUBJECT Reimbursement in Connection with the Funded Law Education Program
	9. COPY TO (As required) N/A

10. REFERENCE OR AUTHORITY (if applicable) LEGADMINMAN, Chap. 19	11. ENCLOSURES (if any) (1) Required book list (2) Book payment receipts
---	--

12. SUPPLEMENTAL INFORMATION (Reduce to minimum wording - type name of originator and sign 3 lines below text)

1. Per the reference, I request reimbursement for book payments for the first semester in the amount of \$96.35.
2. Upon reimbursement of the required amount, the balance reimbursable for the 97-98 school year will be \$53.65.
3. Enclosure (1) verifies the necessity of the payments shown at enclosure (2).
4. Please send check payable to the undersigned to the address in item 5.

JUSTIN B. ADVOCATE

13. PROCESSING ACTION. (Complete processing action in item 12 or on reverse. Endorse by rubber stamp where practicable.)

Figure 19-6.--Sample for Book Payments for FLEP Students.

LEGADMINMAN

ADMINISTRATIVE ACTION (5216)
NAVMC 10274 (REV. 3-93) (EF)
 Previous editions will be used
 SN: 0000-00-003-0904 U/I: PADS OF 100

1. ACTION NO. ADMIN	2. SSIC/FILE NO. 7431
3. DATE 15 May 97	

4. FROM (Grade, Name, SSN, MOS, or CO, Pers. O., etc.) Capt Justin B. Advocate 123 45 6789/4401		5. ORGANIZATION AND STATION (Complete address) Inspector - Instructor Co I, 3d Bn, 24th Mar 160 White Bridge Road Nashville, TN 37209		
6. VIA (As required)				
7. TO: <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td>Commanding General TE-33B MCCDC 3300 Russell Rd Quantico, VA 22114</td></tr></table>		Commanding General TE-33B MCCDC 3300 Russell Rd Quantico, VA 22114	8. NATURE OF ACTION/SUBJECT Payment and/or Reimbursement for Bar Review/Examination Fees while Attending Law Education Programs.	
Commanding General TE-33B MCCDC 3300 Russell Rd Quantico, VA 22114				
		9. COPY TO (As required) N/A		
10. REFERENCE OR AUTHORITY (if applicable) LEGADMINMAN, Chap. 19		11. ENCLOSURES (if any) (1) Bar Review/Examination Statement/Invoice.		

12. SUPPLEMENTAL INFORMATION (Reduce to minimum wording - type name of originator and sign 3 lines below text)

1. Per the reference, the enclosure is forwarded for your action.

JUSTIN B. ADVOCATE

Figure 19-7.--Sample for Bar Review/Examination Fees for FLEP/ELP(L) Students.