

PRIVACY ACT STATEMENT

AUTHORITY: 10 U.S.C. 5042, Headquarters, U.S. Marine Corps; 5 U.S.C. 301, Departmental Regulations; and E.O. 9397 (SSN) as amended; and SORN M01133-3.

PURPOSE(S): To certify that the applicant acknowledges and understands all expectations of him/her upon enrollment in an Officer Program in the United States Marine Corps. This service agreement binds the individual to the terms set forth in the agreement upon signature.

ROUTINE USE(S): This information will be accessed by recruiters and DON officials with a need to know in support of requests for enlistment in the U.S. Marine Corps. Information may also be released to officials and employees of other departments and agencies of the Executive Branch of government, upon request, in the performance of their official duties related to the management of quality military recruitment and the recruitment of Marine personnel.

DISCLOSURE: Voluntary; however, failure to provide the requested information may result in an inability to process the individual for enlistment.

1. In connection with my application for enrollment in the **ENLISTED TO JUDGE ADVOCATE (E to JA)** program of the United States Marine Corps (USMC), I hereby acknowledge that:

a. Final approval of my application for enrollment in the **E to JA** program as an officer candidate will be determined by the Commandant of the Marine Corps (CMC).

b. Upon reporting for training to Officer Candidates School (OCS), I will be required to participate in training for a minimum of four (4) weeks of the 10-Week Commissioning Program, unless sooner disenrolled for cause, before any voluntary request for disenrollment will be considered.

(1) If I am disenrolled from OCS and not recommended for future attendance by the Commanding Officer of OCS, I will be disenrolled from the **E to JA** program.

(2) If I am disenrolled from OCS but recommended for future attendance by the Commanding Officer of OCS, I will be retained in the **E to JA** program. So long as I am still eligible for the **E to JA** program and can meet required timelines to begin legal training in the Fiscal Year in which I was selected, I will have the ability, if I desire, to attend the next available 10-week OCS training session.

(3) If I am disenrolled from OCS but recommended for future attendance by the Commanding Officer of OCS, but no longer eligible for the **E to JA** program, I will have the opportunity, if I desire, to be transferred to the **ECP GROUND** program and attend the next available OCS 10-week training session.

(4) If I voluntarily disenroll from OCS at any time during the course of training, I will also be disenrolled from the **E to JA** program.

c. While attending OCS, I am entitled to pay and allowances not less than those prescribed for the highest pay grade I have achieved if I enter this obligation directly from current service.

d. I understand that prior to receiving Permanent Change of Station (PCS) orders and assignment to law school under the **E to JA** program, I must provide law school acceptance letters to CMC, through Marine Corps Recruiting Command (MCRC), and CMC via MCRC will assign me to a program of study at one of the American Bar Association (ABA) accredited schools I have been accepted to. I must enroll in courses at that school and MCRC will provide PCS orders to the closest Marine Corps Recruiting Station to that school. This will be my parent command for the duration of my studies in the **E to JA** program.

e. Upon satisfactory completion of the 10-week OCS training program, I will return to my parent command awaiting orders to the duty station closest to the ABA accredited law school I am assigned to attend. I understand that in addition to OCS graduation, a condition of my commission is the commencement of my legal training, which begins upon me checking into the parent command I am assigned during the duration of law school. Prior to commencing law school, I understand that I must choose to either accept or decline a commission if one is tendered to me, and that deferred acceptance is not authorized. If I decline commission, I will be disenrolled from the **E to JA** program. I may later request reenrollment to the CMC, provided I remain otherwise qualified and eligible.

f. A commission in the USMC is held at the pleasure of the President of the United States.

g. A resignation of my commission may be accepted or rejected by the President, as the needs of the service may then require. Upon acceptance of a commission, I will incur a Military Service Obligation (MSO) of eight (8) years in the USMC from the date of appointment to commissioned grade;

(1) Any portion of this eight (8) year MSO not served on active duty will be served on inactive duty as a member of the Individual Ready Reserve (IRR) or as a member of the Selected Marine Corps Reserve (SMCR).

(2) A resignation of my commission submitted prior to completion of this eight (8) year period will normally be rejected and, after this period, may be accepted or rejected by the President, as the needs of the service may then require.

h. As a condition of enrollment in the **E to JA** program, subsequent to my acceptance and appointment to commissioned grade, I will be accessed on active duty as a Marine Officer at the rank of second lieutenant with the Military Occupational Specialty (MOS) of 4401, Student Judge Advocate in order to attend an ABA accredited law school and obtain a Juris Doctor (J.D.). At the discretion of CMC, I will remain a 4401 Student Judge Advocate enrolled in the **E to JA** program in good standing so long as I comply with the provisions outlined below. I understand and I agree:

LAST NAME, FIRST AND MIDDLE INITIAL OF APPLICANT

CUI (when filled in)

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CUI (when filled in)

- (1) To maintain the academic standards prescribed by the academic institution I am attending for completion of the requirements for a J.D.
- (2) 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.
- (3) 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.
- (4) That I will submit all semester transcripts and final transcripts to MCRC via the Law Programs Manager at the end of each semester and upon graduation of law school.
- (5) I am authorized to remain in a student status for up to thirty-six (36) months while pursuing a J.D. and admission to the Bar, and this status begins on the date I report to the unit to which I am assigned while attending law school.
- (6) I will make due and timely application to take the first scheduled bar examination and to apply for admission to practice law before a Federal court or the highest court of a State, Territory, or Commonwealth of the United States, or the District of Columbia after graduation from law school.
- (7) I will coordinate with the MCRC Law Programs Manager and provide all required information concerning my application to the bar examination and bar examination results.
- (8) After completion of the first scheduled bar examination, my student status and assignment to legal training will be terminated and I will receive PCS orders to Quantico, VA, where I will be assigned to a legal office while I await bar results and subsequent assignment to TBS.
- (9) In the event I fail the first bar examination, I will be required to take the next scheduled examination at my own expense. In the interim, I will remain assigned to a legal office in Quantico, VA. After completion of the second bar examination, I will receive orders and report to TBS.
- (10) If I fail the bar exam on my second attempt, or if I fail to license with an eligible jurisdiction, then I agree to have my contract transferred to **ECP GROUND** and slated for the next available TBS class as a ground officer. If, on my own time and at my own expense, I subsequently pass a bar exam and obtain a license to practice law, I can request for re-designation as a Student Judge Advocate (4401) to CMC.
- (11) To serve on active duty, if I graduate from law school, for a period of two (2) years for each academic year or portion thereof (not to exceed six (6) years/ seventy-two (72) months) spent in the **E to JA** program, in addition to any preexisting service obligation, computed from the time I graduate from Naval Justice School (NJS) and am certified under Article 27b, Uniform Code of Military Justice.
- (12) 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 one (1) year, for each academic year or portion thereof (not to exceed three (3) years/ thirty-six (36) months) spent in the **E to JA** program in addition to any preexisting service obligation, computed from the time I graduate from MOS school. In the case of such early termination, my MOS of 4401, Student Judge Advocate, will be voided and my contract will be transferred to **ECP GROUND** and I will be slated for the next available TBS class as a ground officer.
- (13) If after graduation from law school, I am unable to be certified under Article, 27b UCMJ for any reason and cannot attain the 4402 MOS, I understand I will be redesignated as a ground officer into an MOS chosen by HQMC and I will attend MOS school with a seventy-two (72) month active-duty service obligation following completion of all accession training.
- (14) 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 law school under this program.
- (15) That I may be assigned to military duties during periods when school is not in session.
- (16) That I will be required to accept assignment to a legal office during summer vacation periods. I will coordinate with the MCRC Law Programs Manager for all summer-internship legal office assignments.
- (17) That I may not accept paid civilian employment while participating in this program, except as may be permitted by law and the regulations of the Department of the Navy.
- (18) To accept designation as a judge advocate of the Marine Corps and assignment of MOS 4402, Judge Advocate upon successful completion of all licensing requirements and graduation from NJS.

CUI (when filled in)

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i. Upon successful completion of TBS I will be further assigned to the first available Basic Lawyer Course (BLC) at NJS.

j. Upon graduation from NJS, I will be assigned a primary MOS of 4402, Judge Advocate.

2. I consent to serve on extended active duty for a minimum of seventy-two (72) months as a commissioned officer from completion of MOS school and designation as a 4402 Judge Advocate. I understand that a request for release from active duty prior to completion of this period will normally be rejected.

a. I understand that participation in any Marine Corps Financial Assistance Programs or incentive programs may incur additional obligated active-duty service.

b. United States Code, Title 10, Chapter 39, Sections 671a and 671b currently provide as follows:

(1) 671a. Members: service extension during war. Unless terminated at an earlier date by the Secretary concerned, the period of active service of any member of an armed force is extended for the duration of any war in which the United States may be engaged and for six months thereafter.

(2) 671b. Members: service extension when Congress is not in session

(a) Notwithstanding any other provision of law, when the President determines that the national interest so requires, he may, if Congress is not in session, having adjourned sine die, authorize the Secretary of Defense to extend for not more than six months enlistment, appointments, periods of active duty, periods of active duty for training, periods of obligated service, or other military status, in any component of the armed forces, that expire before the thirtieth day after Congress next convenes or reconvenes.

(b) An extension under this section continues until the sixtieth day after Congress next convenes or reconvenes or until the expiration of the period of extension specified by the Secretary of Defense, whichever occurs earlier, unless sooner terminated by law or Executive order.

c. Federal statutes and pertinent regulations applicable to personnel in the USMC may change without notice. Such changes may affect my status as an officer candidate or commissioned officer and obligations to serve as such.

3. I certify that I have read and completely understand the meaning and content of the above. No promises, either written or oral, have been made to me in connection with my application for enrollment in the **E to JA** program except as specified above. I acknowledge receipt of a copy of this document.

Signature of Witnessing Officer

Signature of Applicant

Full Name and Grade of Witness

Full Name of Applicant

Date

**SERVICE AGREEMENT – ENLISTED COMMISSIONING PROGRAM ENLISTED TO JUDGE ADVOCATE
CONTROLLED UNCLASSIFIED INFORMATION
ANNEX C**