



*Empowering victims of crime through independent advice and victim-centered legal representation.*

### **Expanded Victims' Counsel Services to Interpersonal Violence Victims**

1. Effective 8 Mar 22, The Judge Advocate General (TJAG) approved the Victims' Counsel Division to provide eligible Department of the Air Force (DAF) victims of interpersonal violence (IPV) with privileged, confidential legal advice and services to educate and empower IPV victims on legal standards for various crimes under the Uniform Code of Military Justice (UCMJ). The expansion effectively executes a "no wrong door" approach to comprehensive and holistic victims' legal services, ensuring "victim-centric care" and representation.
2. Interpersonal violence is defined as the intentional use of physical force or power, threatened or actual, against a person or group that results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment, or deprivation. This includes sexual assault, dating violence, family violence (e.g., intimate partner and domestic violence, child maltreatment and abuse), and workplace violence (hazing, bullying, and sexual harassment).
3. To be eligible, victims (not otherwise authorized Victims' Counsel representation as a sex-related offense or domestic violence offense victim) must be the victim of a violent offense or workplace violence under the UCMJ.
  - a. IPV victims eligible: DAF Regular Component members, DAF Reserve Component members (offense must be linked to military service), and USAFA Cadets
  - b. Others victims eligible for military legal assistance services, such as dependents and retirees, may be seen on a space available basis
  - c. Victims of non-violent crimes, such as identity theft, will be referred to military legal assistance
4. The alleged offender must be subject to the UCMJ at the time of the alleged offense and time of the request for services.
5. Victims' Counsel shall provide confidential advice and guidance to eligible IPV victims related to the military justice system, victims' rights, and appropriate support agencies.
6. Individuals will receive advice and guidance under a limited scope of assistance through the form of a one-time consultation. The consultation model is similar to legal assistance services at an installation legal office where advice, information, limited correspondence, and referrals are provided under the protection of an attorney-client relationship.
7. Each office has designated weekly consultation hours, normally five hours per week, schedule permitting.



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8. Representation at investigative interviews, administrative proceedings, or during litigation proceedings is not authorized. When the requested legal advice or assistance is better provided by another capability, the victim will be provided information on the services available and provided with a referral to the appropriate agency, such as a legal assistance attorney or military defense counsel.
9. Issues within the limited scope of assistance include:
  - a. Legal consultation regarding the rights and benefits afforded to crime victims under law, DAF, and DoD policy
  - b. Legal consultation and referrals regarding roles and responsibilities of the Victim Witness Assistance Program (VWAP), trial counsel, defense counsel, and investigators
  - c. An overview of the military justice system, including information regarding the legal standards for allegations under the UCMJ, and any military justice process proceedings the victim may observe or participate in as a named victim
  - d. Availability of and procedures for obtaining protections offered by civilian and military protective orders; Victims' Counsel may provide limited advocacy to military officials to obtain a military protective order
  - e. Information on available resources and referral to appropriate agencies for assistance
10. Victims' Counsel and Victims' Paralegals are not permitted to solicit clients, so it is imperative eligible IPV victims are informed and referred to the VC office in a timely manner. Success of this program depends on Victims' Counsel collaboration with Commanders, First Sergeants, VWAP Coordinator, legal assistance attorneys, and helping agencies.