

REQUEST FOR RECORDS DISPOSITION AUTHORITY (See instructions on reverse)		LEAVE BLANK (NARA use only)	
TO National Archives and Records Administration (NIR) 8601 Adelphi Road, College Park, MD 20740-6001		JOB NUMBER 71-AU-02-24	DATE RECEIVED 6-24-2002
1 FROM (Agency or establishment) U.S. Army		NOTIFICATION TO AGENCY	
2 MAJOR SUBDIVISION U.S. Total Army Personnel Command		In accordance with the provisions of 44 U.S.C. 3303a the disposition request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	
3 MINOR SUBDIVISION Records Management Division		DATE 10-4-02	
4 NAME OF PERSON WITH WHOM TO CONFER Betty S. Burton	5 TELEPHONE 703-806-4388	ARCHIVIST OF THE UNITED STATES <i>John W. Paul</i>	

6 AGENCY CERTIFICATION
I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached 2 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified; and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies,

is not required; is attached; or has been requested.

DATE 13 JAN 02	SIGNATURE OF AGENCY REPRESENTATIVE <i>Howard N. Greenhalgh</i> HOWARD N. GREENHALGH	TITLE Director, Records Management Division
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7 ITEM NO.	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
	<p><u>Standards of Conduct & Legal Office Mismanagement Inquiry Files</u></p> <p>The Judge Advocate General's Office (TJAG) wishes to reduce the retention periods for the following two file numbers: 27-1k and 27-1l. Records under 27-1k are created in the process of investigating complaints about alleged or suspected violations of the Army Rules of Professional Conduct for Lawyers or other applicable ethical standards by judge advocates, civilian attorneys subject to AR 27-1, or other attorneys who are subject to the disciplinary authority of TJAG Rules for Courts-Martial and Manual for Courts-Martial. Records under 27-1l are created in the process of investigating allegations of mismanagement in Army legal offices which are under the technical supervision of TJAG</p> <p>Mismanagement involves any action or omission, either intentional or negligent, which adversely affects the efficient and effective delivery of legal services, and misuse of government resources (personnel and material), or any activity contrary to operating principles established by Army regulations or TJAG policy memoranda</p> <p>JAG feels the reduced retention periods more than adequately meet their requirements while protecting the interests of all concerned as well as show respect for personal privacy. The Army's serious cases get sent to the state bars for discipline and even in serious ethics violations, the states usually suspend for two years or less and do not disbar. Unless an attorney is a member of the Judge Advocate Legal Services (JALS), the Army only needs the records long enough to answer the mail and to avoid duplicate investigations.</p> <p><i>cc Agency HR YLWML</i></p>		

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7 ITEM NO.	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
	<p>These files, while considered rights and interests records warranting a "T" category, will not be transferred outside of the CFA because of their confidential nature.</p> <p>The proposed disposition instructions apply to records in all media and format.</p>		
1	<p>FN: 27-1k1 Title: Professional conduct founded files - DA Standards of Conduct Office Authority: Privacy Act: A0027-1DAJA Description: These files are maintained in the DA Standards of Conduct Office and may include reports, statistics, preliminary screening inquiries and investigations concerning asserted attorney impairment and violations of lawyers' and judges' rules of professional conduct. Files contain information such as complaints and requests for inquiries, reports, professional responsibility committee opinions, correspondence, internal legal memoranda, and records of actions taken by The Judge Advocate General Disposition: TE5: Event is when Judge Advocate Legal Services (JALS) member leaves the JALS or when case is closed for non-JALS members unless non-JALS member is subject of another monitoring, open, or founded file, then when the file is closed; whichever is applicable Destroy in CFA 5 years after the event</p>	N1-AU-97-7	
2	<p>FN 27-1k2 Title Professional conduct unfounded or inquiry-not-warranted files - DA Standards of Conduct Office Authority: Privacy Act: A0027-1DAJA Description: These files consist of unfounded or inquiry-not-warranted files maintained in the DA Standards of Conduct Office and may include reports, statistics; credibility inquiries; information concerning asserted attorney impairment and violations of lawyers' and judges' rules of professional conduct. Files contain information such as complaints and requests for inquiries, reports, professional responsibility committee opinions, correspondence, internal legal memoranda, and records of actions taken by The Judge Advocate General Disposition: TE3. Event is when the case is closed. Destroy in CFA 3 years after the event.</p>		
3	<p>FN: 27-1k3 Title: Professional conduct files - Other JAG offices Authority Privacy Act: A0027-1DAJA Description These files may consist of both founded and unfounded or inquiry-not-warranted files maintained in JAG offices at MACOMS, field operating agencies, installations and activities Army-wide and may include reports, statistics; credibility inquiries, preliminary screening inquiries and investigations concerning asserted attorney impairment and violations of lawyers' and judges' rules of professional conduct. Files contain information such as</p>		

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	complaints and requests for inquiries, reports, professional responsibility committee opinions, correspondence, internal legal memoranda, and records of actions taken by The Judge Advocate General. Disposition: TE3. Event is when the case is closed Destroy in CFA 3 years after the event.		
4	FN: 27-1v1 Title: Legal office mismanagement inquiry founded files - DA Standards of Conduct Office. Authority: Privacy Act: A0027-1DAJA Description These files are maintained in the DA Standards of Conduct Office and may include reports, statistics, and investigations of asserted or suspected mismanagement by members of The Judge Advocate General Legal Service serving in supervisory positions in legal offices. Disposition: TE5: Event is when Judge Advocate Legal Services (JALS) member leaves the JALS or when case is closed unless JALS member is subject of another monitoring, open, or founded file, then when the file is closed; whichever is applicable. Destroy in CFA 5 years after the event.	N1-AU-97-7	
5	FN. 27-1v2 Title: Legal office mismanagement inquiry unfounded or inquiry-not-warranted files - DA Standards of Conduct Office Authority: Privacy Act. A0027-1DAJA Description: These files consist of unfounded or inquiry-not-warranted files maintained in the DA Standards of Conduct Office and may include reports, statistics, credibility inquiries, and investigations of asserted or suspected mismanagement by members of The Judge Advocate General Legal Service serving in supervisory positions in legal offices. Disposition TE3 Event is when case is closed. Destroy in CFA 3 years after the event.		
6	FN. 27-1v3 Title: Legal office mismanagement inquiry files - Other JAG offices Authority Privacy Act: A0027-1DAJA Description: These files may consist of both founded and unfounded or inquiry-not-warranted files maintained in JAG offices at MACOMS, field operating agencies, installations and activities Army-wide and may include reports, statistics, credibility inquiries, and investigations of asserted or suspected mismanagement by members of The Judge Advocate General Legal Service serving in supervisory positions in legal offices Disposition: TE3. Event is when case is closed. Destroy in CFA 3 years after the event.		
7	The electronic version of all records on this schedule that are created by electronic mail or word processing applications will be deleted when the file copy is generated or when no longer needed for reference or updating, <i>whichever is later.</i>		<i>per B. Burton 7-19-02</i>