



**UNITED STATES MARINE CORPS**  
LEGAL SERVICES SUPPORT TEAM – KANEOHE BAY  
PSC BOX 63062  
KANEOHE BAY, HAWAII 96863-3062

IN REPLY REFER TO:  
LAO  
24 May 21

From: Legal Assistance Office, Marine Corps Base Hawaii  
To: Legal Assistance Client

**Subject: Limited Scope of Representation**

10 U.S.C. sec. 1044 allows military legal assistance offices to provide eligible persons legal assistance concerning their personal civil affairs. This authority is implemented in the Department of the Navy through JAGINST 5800.7F, Manual of the Judge Advocate General and, in the Marine Corps, through MCO 5800.16, Legal Support and Administration Manual.

Consequently, there are some services that this office may not provide. To ensure that you are fully aware of those limitations, please read the following:

1. The legal assistance office may only provide assistance regarding personal civil matters. It does not provide advice or assistance in business matters or for organizational support.
2. The legal assistance office does not produce complex estate planning documents to include: complex wills for persons with assets exceeding the federal estate tax exemption; inter vivos "living" trusts; or special needs trusts.
3. Due to the level of expertise required for certain matters, the legal assistance office provides only basic advice and counseling on bankruptcy and complex tax law.
4. The legal assistance office does not provide real estate services such as title examinations, titling opinions, or real estate closings.
5. The legal assistance office does not file appearances as an attorney of record, or represent clients before courts or administrative/regulatory agency boards, unless representation is authorized in an Expanded Legal Assistance Program (ELAP).
6. With certain exceptions for victims of crimes, the legal assistance office does not provide advice or assistance regarding the following: federal/state/foreign criminal proceedings; courts-martial; non-judicial punishment; administrative separation proceedings.
7. Pursuant to 18 U.S.C. § 205, the legal assistance office is prohibited from providing advice or assistance in any matter in which the United States Government is either a party or has a substantial interest in the outcome, whether or not its interests are adverse to the client.
  - a. The limited exceptions to this include personal tax advice, assistance through administrative/fiscal channels regarding a client's indebtedness to the U.S. Government or military pay matters, and other matters specifically approved by the Staff Judge Advocate to the Commandant of the Marine Corps.
  - b. The following are examples of matters in which the U.S. Government has an interest in which advice or assistance cannot be provided:

(1) Prosecution of any tort, military, personnel, TRICARE, or other monetary claim against the U.S. Government or any defense of such claim.

(2) Regarding an official criminal investigation or administrative investigation of the Department of Defense or any agency therein in which the individual seeking assistance is a party, witness, or subject of such investigation, with certain exceptions for victims of crimes who are otherwise eligible for legal assistance.

(3) Administrative complaints under Article 138 of the Uniform Code of Military Justice, or Section 1105 of the Navy Regulations, petition for relief to the Board for Correction of Naval Records or Naval Discharge Review Board, or rebuttal of a fitness report or evaluation.

(4) Civil Rights, Constitutional, or Employment complaints against the U.S. Government. This does not prohibit general advice to Reservists concerning the Uniformed Services Employment and Reemployment Rights Act (USERRA).

8. If two or more eligible persons with conflicting interests seek advice from this office, the party first establishing an attorney-client relationship will be provided representation.

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Signature and date